



**CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES**

**REGULAR ADJOURNED MEETING  
Monday, March 9, 2015**

**COUNCIL CHAMBER  
5111 Benito Street, Montclair, California 91763**

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**CALL TO ORDER**

Chair Johnson called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Commissioner Vodvarka led those present in the salute to the flag.

**ROLL CALL**

Present: Chair Johnson, Vice Chair Flores, Commissioners Martinez, Sahagun and Vodvarka, Community Development Director Lustro, City Planner Diaz, Associate Planner Gutiérrez, and Deputy City Attorney Holdaway

**MINUTES**

The minutes of the February 23, 2015 regular meeting were presented for approval. Vice Chair Flores moved, Commissioner Vodvarka seconded, and the minutes were approved 5-0.

**ORAL AND WRITTEN COMMUNICATIONS**

None.

## AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2015-3
- |                    |  |
|--------------------|--|
| Project Address:   | Southeast corner Monte Vista Avenue and Howard Street  |
| Project Applicant: | FH II LLC (Frontier Communities)   |
| Project Planner:   | Silvia Gutiérrez, Associate Planner  |
| Request:           | Tentative Tract Map 19943 and Precise Plan of Design for development of an 18-lot single-family detached residential subdivision |
| CEQA Assessment:   | Categorically Exempt (Section 15332)   |

Associate Planner Gutiérrez reviewed the staff report.

Chair Johnson questioned the connection on Saddleback and wondered if it would be a through street. Associate Planner Gutiérrez replied that it would connect to the adjoining subdivision to the east at Saddleback Street.

Commissioner Sahagun asked whether the storm drain outlet structure constructed several years ago at Monte Vista and Howard would remain. He also noted the applicant already seemed to be working on the site because it has been fenced off. Director Lustro stated that the temporary storm drain outlet structure at the southeast corner of Monte Vista and Howard will be abandoned. The storm drain flows currently conveyed to that outlet structure will be intercepted at the new Camarena Avenue and conveyed southbound on Camarena to an easement between two of the lots at the knuckle at Camarena and Saddleback, and then outlet onto Monte Vista Avenue. The activity on the site thus far has been limited to demolition of the house and garage and ongoing removal of the trees associated with the plant nursery that had been leasing space on the property for many years. During his site visit, Commissioner Sahagun spoke with a neighbor who thought the development would "bring down" the area. He had the project plans with him and shared them with the resident and advised him to come to the meeting. He explained to the homeowner that if anything, it would increase the value of his home and the surrounding area. He said most of his questions were answered in the staff report.

Vice Chair Flores stated the vicinity map was lacking detail; specifically, Monte Vista Avenue was not shown and there is no "north" arrow.

Chair Johnson opened the public hearing.

Matthew Esquivel, representing Frontier Communities, was present to answer questions. Vice Chair Flores suggested he thought the full size plans should be reduced in size for consideration by the City Council to facilitate ease of handling. He also recommended that critical information be included on the map, including more detail on the vicinity map,

monumentation, centerline ties, and the like. Mr. Esquivel stated that he would have no problem providing that.

Guadalupe Aleman, 11110 Coalinga Avenue, Montclair, stated her residence adjoins the subject property immediately to the east and asked if the dead-end street off of Coalinga (Saddleback Street) will be opened up. Ms. Aleman added there is a sign that says "open for future development" and wondered if there would be any increase in traffic. Director Lustro clarified that Coalinga Avenue presently terminates into a set of bollards at its south end where it connects with Greycliff Avenue; there is no vehicular access between the two streets and that will remain unchanged. Saddleback Street, which extends westerly off of Coalinga Avenue and terminates in a stub, will be opened up to this tract. The adjoining tract was originally designed with the intention that the street would connect with future development of the subject property, which is why the sign was there. Ms. Aleman asked how they go about getting speed bumps because she feels there will be increased traffic and drivers will be passing by very fast. Chair Johnson suggested that Ms. Aleman speak with staff who can direct her to the appropriate people.

Norman Craver, 11154 Whitewater Avenue, Montclair, who lives one block away to the east, asked if all of the traffic from the new development would access it through Saddleback Street. Associate Planner Gutiérrez replied that access will be via Camarena Avenue, a new street connecting to Howard Street, as well as Saddleback Street. Mr. Craver asked if the bollards that divide Coalinga and Greycliff would remain. Staff's response was yes.

Vice Chair Flores asked who decides how many two-story homes are built; is it the City or the developer? Director Lustro replied it is up to the developer. They do their market studies to determine who their prospective buyers might be. The mix that is proposed for this particular tract is not unusual for what we have seen over the past decade or so. Most developers have included a one-story model because they know there are buyers who desire that, but two-story models typically predominate. In this particular case, there are three plans and the majority of the homes are two stories. The only exception recently was a tract that Bade Construction built in 2003 a couple of blocks northeast of this site off Fremont Avenue. That particular tract, about 35 homes, was comprised entirely of single-story homes, the reason being that the seller of the property, who was a long-time property owner in that area, placed a condition of sale on the developer that he only wanted one-story homes because that was what he was used to in that area and he wanted to maintain the character and scale of that particular neighborhood as he remembered it. The developer agreed to that stipulation.

Commissioner Sahagun stated he liked the size of the maps for the record. Director Lustro stated that when we can, staff provides the Commission with 11" x 17" drawings because they are a little bit easier to manage. The problem with a map is that there is so much detail on it that when it is reduced in size, it becomes very difficult to read.

Hearing no other comments and no one else being present, Chair Johnson closed the public hearing.

Commissioner Martinez moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). The project qualifies as a Class 32 exemption under State CEQA Guidelines in that the project is consistent with the applicable policies of the General Plan, the City's zoning requirements, is less than five acres in size, has utilities present in the area to serve the development, and is substantially surrounded by similar single-family properties and residential uses. As such, there is no substantial evidence the project will pose a potential significant impact to the environment, seconded by Commissioner Sahagun, there being no opposition to the motion, the motion passed 5-0.

Commissioner Sahagun recommended City Council approval of Tentative Tract Map No. 19943, subdividing a 4.4-acre site at the southeast corner of Monte Vista Avenue and Howard Street into 18 lots, ranging in area from 7,500 to 13,183 square feet, to accommodate the development of 18 new single-family residences, finding that the map is consistent with the Montclair Municipal Code and the State Subdivision Map Act, seconded by Commissioner Vodvarka, there being no opposition to the motion, the motion passed 5-0.

Vice Chair Flores moved to approve a Precise Plan of Design request under Case No. 2015-3 for the site plan, floor plans, elevations, colors, materials, interior/perimeter wall plan, and conceptual landscape plan associated with the proposed 18 single-family residences and associated on- and off-site improvements per the submitted plans and as described in the staff report, subject to the conditions in Planning Commission Resolution No. 15-1837, seconded by Chair Johnson, subject to the 76 conditions of approval, there being no opposition to the motion, the motion passed 5-0.

## **INFORMATION ITEMS**

Director Lustro commented that staff will be delivering to each Commissioner a copy of the Mitigated Negative Declaration for the Montclair Plaza expansion project. It is a substantial document so staff will get it to the Commission ahead of time. The actual project itself does not have a firm review date yet, but staff is tentatively looking at the second meeting in April for the Commission to consider the project.

Commissioner Sahagun commented that he and Chair Johnson attended the Planning Commissioners Academy and he felt they are getting bigger and better. Several of the subjects were very interesting. One of the speakers mentioned that on land that is annexed into the City, cities have to provide the services but do not get the taxes so we have to be very careful. The speaker almost recommended not annexing because the City would take on all the services without being able to keep the taxes. Director Lustro commented that the message the conference speaker conveyed is absolutely true. Once the City annexes an area, we take on all the responsibilities for services in that area, including public safety, Public Works, and Community Development activities. Under an agreement that was struck with the County of San Bernardino many years ago with respect to tax sharing, the City gets a relatively small portion of the property taxes from an

area that is annexed into the City. What is more surprising is that the County, which essentially has no responsibility for the area after annexation, continues to collect the lion's share of the property taxes from that area even though the City has assumed all responsibility for services. Several years ago, an annexation cost benefit analysis was conducted for the County area east of Central Avenue at the request of the City Council. To no one's surprise, the report indicated the costs of annexing that particular area would far exceed the revenues that would be generated through property taxes and sales tax. There were other reasons why that annexation was not pursued at that particular time, but more often than not, unless it's a very unique area, the costs are going to exceed the revenues. Commissioner Sahagun stated the speaker at the conference brought up three newly-incorporated cities, including Eastvale and Jurupa Valley, that are in financial straits because of the financing and the services provided.

Commissioner Vodvarka asked if the City has an ordinance on what color houses can be painted. Director Lustro stated there is nothing in the Code regulating colors of houses. However, there is a section in the public nuisance chapter that addresses property improvements that are out of character with the surrounding neighborhood. By extension, that is potentially something that staff could use to look at a house that has been painted an unusual color. It's a real challenge because it is somewhat subjective. Staff was made aware of the subject residence recently and the issue will be discussed as an agenda item at the next Code Enforcement Committee meeting on March 16.

Chair Johnson commented that she was always a little bit surprised by the Planning Commissioners Academy because it is always different. At this year's conference, there was a presentation about the League of California Cities in terms of what they do for us, including detailed information about all the departments and how they operate. She did not get a chance to attend the luncheon that Commissioner Sahagun attended because she was on a walking tour of the Great Park at the former El Toro Marine Base. She was excited about going to the Great Park because as we are developing North Montclair and other areas, she wanted to look at some very specific elements that we could put in our public areas for walk spaces and how they design those. Unfortunately, she learned more about the landing strip and where the planes landed than about parks. There were a couple things that applied to Montclair, one being the change of regulations for massage parlors. There was some discussion about how people who are legal massage technicians have leased space and six months later when an inspection is performed, the City finds unpermitted walls and plumbing. There was a rather rousing debate about shower massages; when are those appropriate to use and when are some of these facilities used less as a therapeutic massage but more as a front for prostitution. Chair Johnson said that scenario did not occur to her and then as the speaker was talking, she thought about it and realized we have new ones opening all over the City. We need to do a diligent job of inspection to make sure they are doing what they are supposed to do. Another topic was social media and some of the discussion involved how as elected or appointed officials, we have to really be careful about what we post and how we post. It is not appropriate on personal pages to identify ourselves as City officials because then people think we are speaking on behalf of the City. Another example would be if Commissioner Sahagun were on Facebook and posted a City-related item, and then she

commented on his post, and then Commissioner Vodvarka "likes" that comment, that's a serial meeting, which is a violation of the Brown Act. Another example discussed was that of a lifeguard who was also a model and as part of his modeling portfolio, he posted photos of himself in his City uniform and one of his colleagues in her City uniform in front of a City building and it caused quite a hubbub. We have to be very careful to keep our personal lives separate from our City lives because so much is perpetuated on social media.

Chair Johnson adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Laura Embree  
Recording Secretary