

the setback variance is – e.g., 25' to 15 and why it is necessary? We are not necessarily opposed to the variance but we don't see any discussion on the request. The major variance request is discussed on Pages 1, and 38.

***The Variance was necessary to allow for adequate on-site turning movements and aisle widths. Furthermore, the reduced setbacks provided a more pedestrian friendly environment, reduced hiding spaces in compliance with Crime Prevention Through Environmental Design (CPTED), and was consistent with existing development on Mission Boulevard. We will elaborate on the Major Variance in the Land Use Section of the MND.***

- If RS 20K minimum is the zoning for the two SFR lots at the south end of the site, then why are the lots 13K and 15K apiece? Is there a variance for lot size? Other portions of the IS indicate that the two RS lots have a minimum of 20K (i.e., p. 15). The smaller sized parcels would be inconsistent with the City's RS pre-zoning for the area and requirement for a minimum lot size of 20K per lot.

We read the discussion in the Land Use comments but don't fully understand how the single family lots with RS zoning (20K) get an exemption from the requirements of the RM zone requirements. In our view, we don't see the project as one multi-family project when the applicant is requesting the approval of two separate zoning districts with different and independent sets of development criteria and standards. Please explain.

***The two single family homes proposed are included as part of the proposed development. The homes were included to improve the buffer between the existing homes on Bel Air Avenue and to allow for the completion of the existing street (Bel Air Avenue). Since the homes are part of the overall development (tract map) and under the CUP, the homes are exempt from the minimum lot size requirements in the RS-20M Zoning District. Furthermore, the gross lot area for the***

*two lots, includes areas within the perimeter of the subject property. Therefore, the gross lot areas is measured from the center line of the street (cul-de-sac) and not from the property line in this case. Although, the minimum lots sizes are still less than 20,000 square feet, when using the gross lot areas, the lot size for both parcels is greater than 19,000 square feet in size. The codes sections that apply are provided below.*

***Relevant Code Sections:***

*Subdivision in compliance with Conditional Use Permit. The **subdivision** of multi-family dwellings and mobile home parks in compliance with the conditions of an approved Conditional Use Permit shall not be held to the minimum parcel area requirements of the applicable land use zoning district.*

*Urban Areas. The area of parcels within the following urban land use zoning districts shall be that area included within the perimeter of the legal boundaries of the subject property*

***As for the two separate zones created on the project: The two homes were required to remain in the RS-20M to eliminate any non-conformities that would exist in the RM zone.***

- Rewrite response to Section VII Geology and Soils (e) to correctly indicate that the City of Montclair owns sewer lines in the area not MVWD. MVWD only provides water service. The City of Montclair issues the will serve letter for sewer, and IEUA handles sewer treatment (and charges fees). Moreover, the discussion should include the requirement of the developer to obtain the approval of an Irrevocable Annexation Agreement with the City and LAFCO to allow a connection to the City's sewer line in Howard Avenue.

***This MND will be modified and corrected as stated above.***

- Revise Utilities and Service Systems (XIV) (a) and (c) to include discussion on sewer service being provided by the City via the approval of an out of agency Irrevocable Annexation Agreement with the City as discussed above.

Correction to Pg. 52 – Substantiation – Monte Vista (~~waster~~) Water District ;

Correction to Pg. 53(b) - The Monte Vista Water District

***These will be corrected as well.***

- Noise XIII (c) - Confirm with Ont-ALUCP that sound attenuation and overflight notifications to prospective homebuyers are not required. Our experience has been that these items have been required and built into the project.

***An Avigation easement is required on all parcels and will be added as a Conditions of Approval. We will confirm with the Ont-ALUCP if notification is required for prospective homebuyers.***

If you have any questions, please let me know.



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**From:** Valdez, Steven <[Steven.Valdez@lus.sbcounty.gov](mailto:Steven.Valdez@lus.sbcounty.gov)>

**Sent:** Monday, August 26, 2019 3:10 PM

**To:** Michael Diaz <[mdiaz@cityofmontclair.org](mailto:mdiaz@cityofmontclair.org)>

**Subject:** IS/MND for Crestwood Homes

Good Afternoon Michael,

Attached is the IS/MND for Crestwood that I sent to you a few weeks ago. The Final version does not vary from the draft sent to you previously.

Please review and let me know if you have comments.

Thanks,

**Steven Valdez**

Senior Planner

**Land Use Services Department**

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## **EXHIBIT H**

### **Project Plans**