



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES
REGULAR ADJOURNED MEETING
Monday, June 22, 2009

COUNCIL CHAMBER
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

Chairman Flores called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Chairman Flores, Vice Chairman Lenhert, Commissioners Johnson, Sahagun, and Vodvarka, Community Development Director Lustro, City Planner Diaz, and City Attorney Robbins.

Excused: Associate Planners Lai and Frazier-Burton.

MINUTES

The minutes of the May 11, 2009 meeting were presented for approval. Vice Chairman Lenhert moved, Commissioner Johnson seconded, there being no opposition to the motion, the minutes were approved 5-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- 6.a PUBLIC HEARING - CASE NUMBER 96-49 'B'
- | | |
|--------------------|----------------------------------|
| Project Address: | 9525 Central Avenue |
| Project Applicant: | Thomas RC Inc. (for DJ's Lounge) |
| Project Planner: | Michael Diaz, City Planner |
| Request: | Conditional Use Permit Amendment |

City Planner Diaz presented the staff report and indicated that the business owner is present to answer any questions the Commission may have.

Chairman Flores opened the public hearing.

Donna Spina, 1132 Magnolia Avenue, Ontario, owner of DJ's Lounge, clarified that the primary difference between a Type 47 and Type 48 ABC license is that a Type 48 establishment does not allow minors.

Mary Ann Farner, 9680 Bel Air Avenue, Montclair, said that she is a former bar owner and also operated Scotty's Dogs in the Stater Bros. Center for a period of time. She added that the establishment formerly in the subject location (Janie's Sports Lounge) drew customers into the center who also patronized other businesses. She supported the modification to a Type 48 license because minors do not belong in a bar environment.

Lorraine Thomson, 4846 El Morado Street, Montclair, stated that she was happy when Janie's closed as there were always customers smoking outside and bothering other patrons of the center. She personally believes that DJ's belongs on Mission Boulevard, not in a neighborhood shopping center.

Ms. Farner rebutted Ms. Thomson's comments, saying that kids skating and skateboarding in the center are more of a concern than some lounge patrons smoking outside.

Gary Moren, owner of Classic Paint and Remodel and a patron of DJ's, stated that Ms. Thomson is biased because she is connected to some legal action between the Spinass and the former owner of their business. Ms. Thomson responded that Mr. Moren's allegations are untrue.

Chairman Flores closed the public hearing.

Commissioner Johnson asked for confirmation that the primary difference between the Type 47 and Type 48 licenses is the prohibition of minors. City Planner Diaz replied that is correct, but that the applicant has agreed to comply with the remainder of the conditions of the existing CUP, including serving food during specified hours.

Commissioner Vodvarka moved that, based upon evidence submitted, the project is deemed exempt from the requirements of the California Environmental Quality Act (CEQA). Further, the project qualifies as a Class 1 exemption under State CEQA Guidelines Section 15301, which covers infill projects in significantly developed areas, Commissioner Sahagun seconded, there being no opposition to the motion, the motion passed 5-0.

Commissioner Johnson moved to approve a Conditional Use Permit Amendment under Case No. 96-49 'B' by amending Condition No. 8 of Case No. 96-49 'A', subject to making the required findings and subject to the conditions in attached Resolution Number 09-1698, seconded by Vice Chairman Lenhert, there being no opposition to the motion, the motion passed 5-0.

INFORMATION ITEMS

Commissioner Sahagun asked about the status of the Ramona Avenue grade separation project and the Mission Boulevard corridor improvement project. Director Lustro provided the Commission with an update on both projects.

Commissioner Vodvarka stated that he recently attended an event at the Citizens Bank Arena in Ontario and said it was a wonderful experience and that everyone should check it out when they have an opportunity. He also expressed concern about the condition of the property at the northeast corner of Holt Boulevard and Vernon Avenue, saying that he felt it was a fire hazard and attractive nuisance.

Chairman Flores adjourned the meeting at 7:28 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary