



CITY OF MONTCLAIR
PLANNING COMMISSION MINUTES

REGULAR ADJOURNED MEETING
Monday, October 8, 2012

COUNCIL CHAMBER
5111 Benito Street, Montclair, California 91763

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Vice Chair Flores led those present in the salute to the flag.

ROLL CALL

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

Excused: Chair Johnson

MINUTES

The minutes of the September 24, 2012 regular meeting were presented for approval. Commissioner Vodvarka moved, Commissioner Sahagun seconded, and the minutes were approved 3-0.

ORAL AND WRITTEN COMMUNICATIONS

None.

AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2012-15
Project Address: 9335 Monte Vista Avenue
Project Applicant: Ferrar-Coleman Development Corporation
Project Planner: Silvia Gutiérrez, Assistant Planner
Request: Conditional Use Permit to re-establish and allow the on-premises sale of beer and wine in conjunction with a bona fide eating establishment

Assistant Planner Gutiérrez reviewed the staff report.

Vice Chair Flores commented on the last paragraph, on Page 6.a-4, it says there have been no police calls within the last 12 months. He wondered if that paragraph could be omitted since the place has been closed for about 11 of the last 12 months and judging from the name and the restaurant, he did not think it had any bearing on it, unless we absolutely need it. Assistant Planner Gutiérrez clarified that the last paragraph refers to police calls in the general area, not the specific tenant space.

Vice Chair Flores opened the public hearing.

Cathleen Rose, CBRE, Inc., 4141 Inland Empire Boulevard, Suite 100, Ontario, a commercial real estate broker representing the owner. She said they understood earlier that day that the owner of the property, Mort Gerson, would be in attendance to support the use proposed by the prospective tenant, but was detained by a family medical appointment. They are very excited about being able to re-tenant the building with a use that does not appear to be in place in that trade area. Of the numerous restaurants and uses that are represented in the Montclair Entertainment Plaza as well as the surrounding areas, there is no use is that seemingly would conflict with the use that is proposed so they are excited to have found someone that brings something new to the palette of existing restaurants. So, the owner, Mort Gerson, is in full support of this application and she was available for any questions.

Vice Chair Flores asked if customers could just come in and have a beer or a glass of wine without actually ordering any food. Ms. Rose replied probably not. Assistant Planner Gutiérrez stated that as presented in staff's discussions with the business owner, this will not have a bar component so the beer and wine pursuant to ABC requirements is in conjunction with meals and will not be sold individually.

Commissioner Vodvarka commented he was glad to see the building was rented. The part that bothers him is that all the beautiful artwork that was on the walls is probably covered up by now. Ms. Rose stated it was still there if he wanted to come and take a peek. Commissioner Vodvarka stated if there was a way to peel that off, he would come after it. Ms. Rose stated she would let Clayton Park, whose name is imprinted on the mural, know that he was an admirer.

Commissioner Sahagun wanted staff to look at the building for any deferred maintenance and was happy that it was being leased out. He wondered if there were going to be any Teppan grills. Ms. Rose replied no, but that there would be a sushi bar.

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

Vice Chair Flores 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, because it is on a fully developed site and involves minor exterior and interior improvements and no changes to the site involving grading, Commissioner Vodvarka seconded, there being no opposition to the motion, the motion passed 3-0.

Commissioner Sahagun moved to approve a Conditional Use Permit under Case No. 2012-15, approving the on-premises sale of beer and wine (ABC Type 41 license) in conjunction with a bona fide eating establishment and related tenant improvements at 9335 Monte Vista Avenue, per the submitted plans and as described in the staff report, subject to the conditions of approval in attached Resolution 12-1768, seconded by Vice Chair Flores, there being no opposition to the motion, the motion passed 3-0.

INFORMATION ITEMS

Director Lustro stated that if there is an October 22, 2012 meeting, Chair Johnson will not be in attendance at that meeting. He brought it to the Commission's attention so that if any of the remaining three Commissioners know in advance that they cannot attend, please let staff know as soon as possible because we will not have a quorum and will have to postpone the meeting. Staff is not sure if it will have an item for that meeting or not.

Commissioner Sahagun asked for an update on the Paseos project. Director Lustro stated that to staff's knowledge everything is moving along. Staff has had to deal with a couple of issues regarding the staging of large vehicles, but we think we have a handle on that now. That has been the only item of excitement, but they are moving right along.

Vice Chair Flores commented he stopped by the Paseos project and spoke with the superintendent. They started construction on the sewer line and the storm drain. Most of the on-site work is just about done and then they will be getting out into the street. He notified them about the graffiti on their construction fence by the bus stop and the superintendent was not aware of that and said he would probably take care of that the next day. His other comment that was interesting to him was that the project was a one of a kind, he's never seen one quite like it and he has been in construction for a long time. He said it will be a little slow going, but it will be a real nice project.

Vice Chair Flores adjourned the meeting at 7:24 p.m.

Respectfully submitted,

Laura Berke
Recording Secretary