



**CITY OF MONTCLAIR  
PLANNING COMMISSION MINUTES**

**REGULAR ADJOURNED MEETING  
December 14, 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, City Planner Diaz, Associate Planner Gutiérrez, and Deputy City Attorney Holdaway.

Excused: Community Development Director Lustro.

**MINUTES**

The minutes from the November 23, 2015 meeting were presented for approval. Commissioner Vodvarka moved, Commissioner Sahagun seconded, and the minutes were approved 4-0, Chair Johnson was absent at the November 23, 2015 meeting and abstained from voting.

## ORAL AND WRITTEN COMMUNICATIONS

None.

## AGENDA ITEMS

- a. PUBLIC HEARING - CASE NUMBER 2010-17 'A'  
(continued from the November 23, 2015 meeting)

Project Address:	5461 Holt Boulevard, Unit G
Project Applicant:	1992 Lee Living Trust
Project Planner:	Silvia Gutiérrez, Associate Planner
Request:	Conditional Use Permit amendment to allow on-premises sale of beer, wine and distilled spirits (ABC Type 47 license) in conjunction with a bona fide eating establishment
CEQA Assessment:	Categorically Exempt (Section 15301)

Associate Planner Gutiérrez reviewed the staff report and indicated that the item had been continued from the November 23, 2015 meeting to give the applicant and restaurant owner time to resolve questions of hours of operation, days and times for entertainment, and seating capacity. She mentioned that items had been resolved and the representatives for the property owner and restaurant were present to answer any questions.

Commissioner Sahagun asked whether security guards would be present at the restaurant during peak operations and Commissioner Vodvarka inquired about the security camera system. Commissioner Flores also had a question about whether the whole parking lot was going to be restriped. Associate Planner Gutiérrez responded by stating that a security camera system was already in place and listed as a condition of approval. Associate Planner Gutierrez deferred to the applicant regarding the question about security guards.

Chair Johnson opened the public hearing.

David VanSambeck, 24411 Ridge Route #200, Laguna Hills, CA 92653, representative for the applicant, clarified the restaurant currently utilizes three licensed security guards during peak business hours, with two inside the restaurant and one in the parking lot and around the lease space. He also indicated that a security camera system was already in operation, which covers the interior and immediate exterior of the lease space. He noted the restaurant has a room with a high definition television monitor and recording capabilities to meet Police Department requirements.

City Planner Diaz also informed the Commission that staff, along with Lt. Kumanski of the Montclair Police Department, visited the site and reviewed the security camera system in place at the restaurant. Lt. Kumanski determined the system was of high quality, had appropriate coverage and recording functions, and was a good standard for others to follow.

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

Commissioner Sahagun 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, Commissioner Vodvarka seconded, there being no opposition to the motion, the motion passed 5-0.

Vice Chair Flores moved to approve a Conditional Use Permit Amendment under Case No. 2010-17 'A' to allow an upgrade from an ABC Type 41 License (on-sale beer and wine) to an ABC Type 47 License (on-sale beer, wine, and distilled spirits), and live entertainment, including a live band and karaoke within a bona fide eating establishment, and expanded hours of operation for the business at 5461 Holt Boulevard, Unit G, subject to making the required findings, and subject to the conditions of approval, as described in attached Resolution No. 15-1850, Commissioner Martinez seconded, there being no opposition to the motion, the motion passed 5-0.

b. Bi-annual Planning Commission reorganization

City Planner Diaz explained that it was time to consider the reorganization of the Planning Commission for the next two years. Chair Johnson opened the floor to nominations for the position of Chair. Commissioner Flores nominated Commissioner Sahagun and Commissioner Vodvarka nominated Chair Johnson. With no further nominations Chair Johnson called for a motion to close the nomination period. Commissioner Sahagun made a motion to close the nomination for Chair, which was seconded by Commissioner Vodvarka and then unanimously approved. Chair Johnson called for the vote on nominees for Chair with Chair Johnson being chosen for reappointment on a 3-2 vote.

Chair Johnson then called for nominations for Vice Chair. Commissioner Martinez nominated Sergio Sahagun and Commissioner Vodvarka nominated Commissioner Flores. With no further nominations, Chair Johnson called for a motion to close the nomination period. Commissioner Sahagun made a motion to close the nomination for Vice Chair, which was seconded by Commissioner Vodvarka and then unanimously approved. Chair Johnson called for the vote on nominees for Vice Chair with Vice Chair Flores being chosen for reappointment on a 4-1 vote (Martinez, Flores, Johnson and Sahagun).

## **INFORMATION ITEMS**

Staff wished the Commission a Merry Christmas and Happy New Year and thanked them for their service during the past year.

Chair Johnson adjourned the meeting at 7:27 p.m.

Respectfully submitted,

Laura Embree  
Planning Commission Secretary