

MINUTES OF THE REGULAR MEETING OF THE CITY OF
MONTCLAIR PLANNING COMMISSION HELD ON MONDAY,
AUGUST 28, 2023, AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS,
5111 BENITO STREET, MONTCLAIR, CALIFORNIA

I. CALL TO ORDER

Chair Martinez called the meeting to order at 7:01 p.m.

II. PLEDGE OF ALLEGIANCE

Chair Martinez led meeting participants in the Pledge.

III. ROLL CALL

Present: Chair Martinez, Vice Chair Sanchez, Commissioner Sahagun, Commissioner Patel, Commissioner Mendez, Senior Planner Gutiérrez, City Attorney Robbins, Director of Public Works/City Engineer Heredia

Also Present: Administrative Specialist Rabino

Absent: Director of Community Development Diaz and Administrative Specialist Giang

IV. APPROVAL OF MINUTES

Minutes of the Regular Planning Commission Meeting of July 26, 2023

Moved by Commissioner Patel, seconded by Vice Chair Sanchez, and carried unanimously 5-0, to approve the minutes of the July 26, 2023, Planning Commission meeting.

V. ORAL AND WRITTEN COMMUNICATIONS — None

VI. AGENDA ITEMS

PUBLIC HEARING

A. CASE NUMBER	2023-21
Project Address	4432 Holt Boulevard, Unit A, B, and C
Project Applicant	4480 Holt Boulevard Montclair LLC/KZMB LLC
Project Planner	Silvia Gutiérrez

Request:

A request for a Conditional Use Permit to allow a Type 41 (On-Premises consumption of Beer and Wine License) in conjunction with bona fide meals in the 3,100 square foot Habachihana Grill restaurant.

CEQA Determination:

The project qualifies as Class 1 exempt under State CEQA Guidelines Section 1530, which exempts projects involving little to no expansion of existing structures or uses. The proposed project does not involve any site changes. The existing restaurant lease space is designed for an eating establishment and can accommodate the proposed on-premises sale of beer and wine (Type 41). Ample parking is provided to support the restaurant use and the additional of ancillary on-sale beer and wine.

Senior Planner Gutiérrez presented the staff report along with a PowerPoint presentation.

Chair Martinez opened the public hearing.

Angelyn Mendoza and Maria Impala, consultants, provided an introduction to the **Habachihana Grill** Restaurant project.

Commissioner Patel received clarification about the size of the census tract.

Commissioner Sahagun expressed concerns about the parking lot of the plaza as it looks like the asphalt is lifting and advised City staff to keep an eye on it, to which Senior Planner Gutiérrez responded that the design of the asphalt is to percolate and indicated she would request the Engineering Division to inspect the asphalt for WQMP compliance.

There being no remote or in-person speakers, Chair Martinez closed the public hearing.

Recommended Motion:

- A. 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 this request does not require any significant physical changes to the existing lease space or to the fully developed site.
- B. Moved to approve Conditional Use Permit under Case No. 2023-21 for the on-premises sale of beer and wine (Type 41 ABC license) in conjunction with an existing 3,100 SF bona fide eating establishment known as Habachihana Grill Restaurant at 4432 Holt Boulevard, Units A, B, and C, per the submitted plans and as described in the staff report, subject to the conditions of approval in attached Resolution 23-1985.

Part A. **Moved by: Commissioner Sahagun**
 Seconded by: Vice Chair Sanchez
 Ayes: 5
 Noes: 0
 Absent: 0

Part B. **Moved by: Commissioner Patel**
 Seconded by: Commissioner Sahagun
 Ayes: 5
 Noes: 0
 Absent: 0

The project was approved with a 5-0 vote.

B. CASE NUMBER 2023-25
Project Address 5474 Moreno Street
Project Applicant A-SF Limited, Inc.
Project Planner Silvia Gutiérrez

Request:

A request for a Conditional Use Permit to allow Type 41 (On-Premises consumption of Beer and Wine License) in conjunction with bona fide meals in the 1,300 square-foot at SED Cocina Mexican Food Restaurant

CEQA Determination:

The project qualifies Class 1 exempt under State CEQA Guidelines Section 15301, which exempts projects involving little to no expansion of existing structures or uses. The proposed project does not involve any site changes. The existing accommodates the proposed on-premises sale of beer and wine (Type 41). Ample parking is provided to support the restaurant use and the additional of ancillary on-sale of beer and wine

Senior Planner Gutiérrez presented the staff report along with a PowerPoint presentation.

Chair Martinez opened the public hearing.

Evan Lugo, the owner, provided an introduction to the SED Cocina Restaurant project.

Commissioner Sahagun, suggested the applicant increase its hours of operation to better serve, and provide greater food options, for the influx of new residents in the North Montclair Specific Plan Area.

City Attorney Robbins suggested a change to the Conditions of Approval to include language stating the Director of Community Development will have the authority to extend the operating hours should the applicant choose to do so in the future.

There being no remote or in-person speakers, Chair Martinez closed the public hearing.

Part A. Moved by: Chair Martinez
Seconded by: Vice Chair Sanchez
Ayes: 5
Noes: 0
Absent: 0

Part B. Moved by: Commissioner Sahagun
Seconded by: Commissioner Patel
Ayes: 5
Noes: 0
Absent: 0

Recommended Motion:

- A. 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.
- B. Moved to approve Conditional Use Permit under Case No. 2023-25 approving the on-premises sale of beer and wine (ABC Type 41 License) in conjunction with a 1,300 SF bona fide eating establishment at 5474 Moreno Street, per submitted plans and as described in the staff report, subject to the conditions of approval in attached Resolution 23-1986.

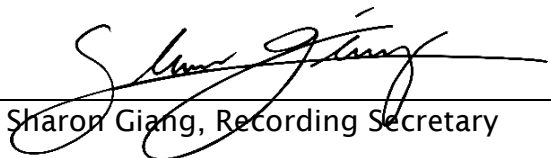
VII. INFORMATION ITEMS — None

VIII. PUBLIC INSPECTION OF MATERIALS — None

IX. ADJOURNMENT

Chair Martinez adjourned the Planning Commission meeting at 7:56 p.m.

Submitted for City of Montclair Planning
Commission approval,


Sharon Giang, Recording Secretary