

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, September 6, 2006 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Emmett Badar
Commissioner David Bratt
Commissioner Stephen Ensberg
Commissioner Yunus Rahi
Commissioner Jim Schoonover
Planning Manager Craig Hensley
Associate Planner Marco Espinoza
Associate Planner Laura Lockett
Assistant Planner Michael Concepcion

CALL TO ORDER

Chairman Badar called the regular meeting of the Planning Commission to order at 7:00p.m. and Commissioner Bratt led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes for August 16, 2006.

MOTION: Moved by Schoonover, seconded by Bratt to approve the Consent Calendar. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 05-10** – A request to add a 714 sq. ft. single-bay, self-serve carwash to an existing gasoline station, located at 630 West Bonita Avenue. (**Continued from August 16, 2006**)

Staff report presented by *Associate Planner Laura Lockett*, who stated this was a request to expand the Shell Gas Station located on the northeast corner of Bonita Avenue and Arrow Highway, located in the CG-1 zone, to locate a carwash on the northern where there is currently parking and a landscape planter. This would be an automated bay available 24 hours a day,

seven days a week. Proposed are two coin-operated vacuums located next to two of the parallel parking spaces adjacent to the carwash. Architecturally it will match the materials of the snack shop.

Staff has several concerns with this project regarding parking, circulation and overall aesthetics. She referred to the parking plan in the report and went over the various places where there were conflicts in the circulation between the pumps, parking spaces and the carwash, and stated the number of parking stalls does not appear to meet code requirements. She stated this plan was reviewed by the DPRB, and the Board expressed serious concerns over the aesthetics of the project. There has been considerable investment by the City and the Redevelopment Agency into this area as a main entrance into the City, and went over the requirements of the Lowe's/Levitz project. The Board felt for this project to be approvable the whole site would need to be addressed and remodeled, so the Board was unable to approve the project. There were also concerns about the entrance to the carwash being in full view of Bonita Avenue and the relocation of the trash enclosure next to the entrance of the snack shop.

Associate Planner Lockett stated because of the number of concerns, staff is recommending denial of Conditional Use Permit 05-10 and the negative declaration associated with the project.

Commissioner Ensberg inquired about the original approval in 1997.

Planning Manager Craig Hensley stated the usage was approved by the Planning Commission but a design was never approved. Part of the issue at the time was the inability to execute an agreement with the adjoining property for access rights. One thing to consider is that the parking ordinance has changed since that time and there is an additional space required above what was needed in 1997. The other issue is that the City has invested a significant amount of money in this area, and is currently addressing issues associated with downtown planning, so there is more emphasis on this location. The Board felt that since so many things have changed since the original application, the 1997 approval was irrelevant.

Commissioner Ensberg asked if the applicant had submitted anything to address the concerns expressed by staff.

Associate Planner Lockett stated she has worked with the engineer for the project extensively; however, the owner's desire to improve the site is limited to the addition of the carwash and nothing further.

Manager Hensley stated the Board was interested in allowing the applicant the opportunity to redesign the project before it was submitted to the Commission. A major redesign would be rather costly, so it is understandable that the applicant would choose to move forward with the original proposal.

Chairman Badar asked if the applicant was the same owner that processed the request in 1997. He also asked if the current snack shop, which was approved several years ago, is the same size as shown in the original carwash plan or has it been enlarged since then, because he remembered the old snack shop being considerably smaller.

Manager Hensley stated this is a new owner. He felt the new snack shop was done at a later time than the original carwash request, though he thought the requests were processed by the same owner.

Commissioner Rahi asked what suggestions were made to the applicant in regards to the conflict with the parking spaces.

Associate Planner Lockett stated staff suggested a renovation of the entire site was needed in order to accommodate all of the uses desired by the owner. As proposed there wouldn't be staff support because of all the conflicts as discussed earlier, so the applicant did what they could but decided to take the proposal through the process as they designed it.

Commissioner Rahi stated since there are already issues with the number of spaces, do there need to be two vacuums because that could free up a parking space. He also asked if there have to be the four driveways.

Associate Planner Lockett stated there wasn't a requirement to have vacuums; it was just something the applicant wanted to provide. As to the driveways, it was her understanding they were necessary to allow the tanker trucks ingress and egress to the site because there wasn't enough space to turn around.

Commissioner Rahi stated he can see the conflicts with several of the parking spaces which make them unusable so felt staff had valid concerns.

Chairman Badar opened the meeting for public hearing. Addressing the Commission were:

Joseph Karaki, Engineer/Architect for the project, referred to Resolution PC-1166 approved in 1997 allowing a carwash in that location and the site plan proposed at that time. When they inquired a year ago they were advised that the approval had expired but they could reapply. He felt the City should only be concerned with off-site traffic issues and not on-site issues. His firm has designed many gas stations, and he felt this plan complied with parking requirements based on architectural standards instead of using CalTrans standards on private property. He stated that the City's consultant concurred with his assessment. He also asked to have a traffic engineering report in writing stating the circulation will not work, but one has not been provided. He stated he can understand the City's concern for aesthetics based on the prominence of the corner, but he used one of the site plans submitted in 1997 and worked from that.

Manager Hensley clarified that a CUP was approved in 1997 for the use of a carwash but a final design was never approved or any permits issued to construct.

Joseph Karaki felt he could solve the technical issues associated with the circulation, but felt his site plan should not be a problem because he used the same basic layout that was submitted in 1997. He stated in response to an earlier inquiry that this station is owned independently so any costs associated with the remodel will come from the owner, not from Shell Corporation. It has already cost them \$3 million to purchase the site and they need to find a way to generate more income.

Samar Ayed, 2378 N. Ukiah Way, Upland, stated she and her brother looked at buying this property in 2005, and at that time Shell told them they could put a carwash at this facility. They purchased the property in April 2006 with the intention of installing a carwash. They want to work with the City but they can't make it on pumping gas alone, and can't afford a major remodel of the site.

Commissioner Rahi asked about the comments from the City's traffic engineer.

Joseph Karaki stated he had an e-mail from Warren Siecke stating that the turning radius from the last pump interfered with the parking space. He stated when he called Warren, he was told that he could apply architectural standards instead of CalTrans standards.

Commissioner Rahi stated CalTrans' standards aren't only applicable to public works projects, they are guidelines they produced based on engineering and architectural standards industry-wide, so people do use them because they are a good guide to follow. He felt Mr. Siecke meant that the CalTrans standards are designs that can be applied to CalTrans property, public property or private property. The applicant needs to consider that this is a major corner and needs to be considered on its own merits and not based on what other sites have constructed.

Joseph Karaki stated they would be willing to hire an engineer to study the site if that is what the City wants. He stated the station is not pumping that much which tells him this is not a major corner. That is why they are trying to add another profit center by building the carwash. Any time in the day there are only one or two cars at the pumps so there is not that much traffic on-site.

Chairman Badar asked about the vacant lot located to the north of them and if they had looked into purchasing it to allow for expansion. He felt that it seemed like they were trying to fit a lot of activity onto their current lot.

Joseph Karaki stated they have tried to get in touch with the owner but have been unsuccessful.

Manager Hensley stated he has the owner information and will provide that to them.

There being no further comments, the public hearing was closed.

Manager Hensley stated he wanted to clarify that staff did notify the applicant of their concerns and tried to work with them, and read a letter to the Commission from Laura Lockett to Joseph Karaki dated January 30, 2006 in which she advises him that his application is incomplete and that staff has concerns about on-site circulation with the addition of the carwash; and that to work efficiently the site would need to be re-designed. He also referred to a memo from Warren Siecke dated February 9, 2006 that shows conflicts in the turning radius from the pumps with the parallel parking spaces. He believes there was technical information provided to them and that staff did advise them of concerns regarding the site design. He cited another letter from Laura Lockett to Joseph Karaki advising the on-site circulation has not been addressed.

Commissioner Ensberg stated he was not comfortable voting on this item tonight, they thought they should continue it for a month and ask the traffic engineer to present the technical support as to why this proposal will not work.

Commissioner Schoonover stated there appeared to be confusion over the role of the Planning Commission and the DPRB in regards to this item. The Board reviews the project for aesthetics. What is before the Commission is a use permit; which are two distinct things. The Commission has to meet the five findings in order to approve the permit, and aesthetics has nothing to do with the findings. One of the findings requires them to find the use and the site is adequate in size. If there are circulation problems, that is part of the use process. He feels the current site may not be adequate in size and does not meet the first finding.

Chairman Badar agreed and stated that situation could change if they were able to acquire the adjoining property. But as it stands today, he would have difficulty approving the use.

Chairman Rahi stated he has not heard in the discussion that an engineer has reviewed the site plan and stated that the design will work in terms of safety and maneuverability, but that the applicant is willing to have an engineer study those issues. He felt if that were done, it would give them more confidence in making a decision.

Chairman Badar stated he is not opposed to them trying to come back with a better design, but as it is presented tonight he does not think the plan is adequate.

Chairman Rahi concurred.

Manager Hensley stated the opinion that a traffic engineer's review has more value on a site planning matter than a planner's or DPRB member's or Planning Commissioner's was not necessarily accurate. This is not solely a traffic engineering issue; it is a site planning issue. It may be based on certain technical aspects, such as turning radius, but if the Commission feels the site is tight, then the site is tight. It is an issue of compatibility, and that is one of the findings the Commission needs to make.

Commissioner Rahi stated that was a valid point because the engineer is not the decision maker, that is up to the Commission or the Council or the Board; they are just another source of information. There can be all types of opinions, but it is up to the Commission to make a decision.

Commissioner Ensberg asked if Warren Siecke could be requested to attend the next meeting to discuss his comments.

Manager Hensley stated he or another traffic engineer could be available if that is what the Commission desired.

Commissioner Bratt stated he frequents this station quite often with his three cars. He also drives a pick-up truck and he stated that it is already difficult for him to get his truck out of one of the islands with the way the parking is currently configured, and this is where they want to place the carwash. So there is already an issue with the parallel parking spaces, and if the

carwash extends the parallel parking further into the property, then there will be a problem with people being able to make that turn if they drive a larger sized vehicle. He felt there was enough land on the corner to do what they wanted but the current design is very poor and does not allow them the flexibility they need. He felt that is why the DPRB recommended a total remodel in order to accomplish their goal of adding a carwash. He stated he was also concerned about relocating the trash enclosure next to the door of the snack shop and felt that was unacceptable from a health standpoint.

MOTION: Moved by Ensberg, seconded by Rahi to continue this item to the first meeting in October to allow the City's traffic engineer to come in and present information about the site circulation and the technical issues associated with it. Motion failed 2-3 (Badar, Bratt, Schoonover voted no)

MOTION: Moved by Schoonover, seconded by Bratt to deny CUP 05-10. Motion carried 4-1 (Ensberg voted no).

Chairman Badar stated he hoped the applicant would continue to work with staff on a design that would be acceptable.

ORAL COMMUNICATIONS

3. Director of Community Development

Manager Hensley presented information on the upcoming Downtown Planning Charrette meetings being held in September.

4. Members of the Audience

No communications were made.

5. Planning Commission

No communications were made

ADJOURNMENT

There being no further business to discuss, Chairman Badar adjourned the meeting. The meeting adjourned at 8:32 p.m. to the regular Planning Commission meeting scheduled for September 20, 2006 at 7:00 p.m.

Emmett Badar, Chairman
San Dimas Planning Commission

ATTEST:

Craig Hensley
Planning Manager

Approved: