

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, November 15, 2006 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Emmett Badar
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

Absent

Commissioner David Bratt

CALL TO ORDER

Chairman Badar called the regular meeting of the Planning Commission to order at 7:08 p.m. and Commissioner Schoonover led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes for November 1, 2006.
2. Approval of Resolution recommending approval of Municipal Code Text Amendment 06-03.

RESOLUTION PC-1341

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 06-03, A REVISION TO CHAPTER 18.162 OF THE SAN DIMAS MUNICIPAL CODE REGARDING TREE PRESERVATION

MOTION: Moved by Schoonover, seconded by Ensberg to approve the Consent Calendar. Motion carried unanimously, 4-0-1 (Bratt absent)

PUBLIC HEARINGS

3. **CONSIDERATION OF PRECISE PLAN 06-02** – A request to construct two (2) 7,837 sq. ft. single-story office buildings and one (1) 16,173 sq. ft. two-story office building, located at the corner of Via Verde Avenue and Puente Street.

Staff report presented by **Associate Planner Laura Lockett**, who stated the site is made up of four vacant parcels. The zoning is Administrative-Professional (AP) with a Scenic Highway Overlay (SHO). Because of the overlay a Precise Plan is required to process the application to the Planning Commission, Development Plan Review Board and the City Council. The DPRB first heard this proposal back in June and continued the item to allow the developer to seek City-sponsored design assistance. The City hired Roger Cantrell to provide that assistance, and subsequently the Board recommended approval of the project with conditions. The Board will also review the final landscaping and master sign plans.

She stated that all three buildings reflect a Spanish influence with a smooth stucco finish, clay barrel tile, exposed rafter tails, 7-foot deep colonnades, rock, recessed arched windows and doors, and a trellis to connect the indoor office space to outdoor space. The project requires 127 parking spaces, and the applicant has provided 128 spaces.

The colonnades are used to break up the mass of the buildings, along with rectangular and arched recessed windows. A tower feature is used on the second building to highlight the entrance. Staff is recommending approval of the Precise Plan to the City Council and adoption of the Mitigated Negative Declaration.

Commissioner Ensberg asked about the section of the Impact Statement which addressed drainage.

Associate Planner Lockett explained that is required with any project that is changing pervious surface area to impervious area.

Commissioner Rahi asked about the Traffic Committee's review of the project.

Associate Planner Lockett stated they have reviewed the project and made recommendations regarding the driveway entrances.

Commissioner Rahi felt the trip generation numbers shown in the report were inaccurate and had performed his own calculations which showed 75 to 80 trips in the A.M. Peak Hour and 140 trips in the P.M. Peak Hour.

Planning Manager Craig Hensley stated they could correct that section however the Commission felt appropriate prior to any future hearings.

Commissioner Schoonover asked in regards to the parking requirement, is that just for general office use and is there a different standard for medical office.

Associate Planner Lockett stated the calculations are based on general office use. If a medical office was proposed, they would have to submit a parking analysis to ensure there was adequate parking.

Chairman Badar stated a letter has been submitted for the record by Dr. Richard Malinak expressing his concerns the impact of inadequate parking would have on his office complex located next to the project, and with building a two-story building there.

Planning Manager Hensley stated for a project over 15,000 square feet, the parking requirement for administrative office is 1 space for every 250 square feet, while medical office requires 5 spaces for every 1,000 square feet. They can write a condition that prohibits medical office use, but felt that the parking would naturally limit that use anyway.

Chairman Badar asked if it has been discussed with the developer that medical office is prohibited because of parking restraints.

Planning Manager Hensley felt the developer clearly understands the requirement. This project has gone through several changes but parking has not been an issue, and it is not uncommon to see projects built that are not marketed to medical offices.

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

Stan Stringfellow, Developer, 326 W. Arrow Highway, presented slides of the project showing how they have left a large landscaped area and used trees to try and buffer the site from surrounding properties. He covered the design elements of the buildings and the features used to make them distinctive. He stated that Ken Nichols, architect, and Barbara Hall, engineer, were available if the Commission had any questions.

Ken Nichols, Architect, 5151 S. 900 East, Salt Lake City, stated the style used is early Californian. He stated the challenge with small office buildings is to create visual interest without making them too busy. The buildings are viewed from all sides so they have worked to give relief to all sides of the buildings.

Commissioner Schoonover stated that when this item was before the DPRB there was some concerns about height and limited the height to 30 feet.

Commissioner Rahi asked why they designed a two-story building instead of all one-story buildings.

Ken Nichols, Architect, stated partly because of the layout of the site and also to add architectural interest.

Commissioner Schoonover asked what type of tenants they were marketing to.

Stan Stringfellow, Developer, stated he will move his offices to Building A, and that he has been speaking with accounting, legal and insurance businesses.

Commissioner Ensberg asked if there has been any community opposition to the project.

Stan Stringfellow, Developer, stated they have not received any. They spoke at surrounding HOA meetings and shared their vision with the neighbors.

Marv Ersher, 1312 Paseo Alamos, stated the SHO was created 30 years ago when he was on the Council because of the unique aspect of this intersection and it was good to see it being applied to this project. He was in support of the development and felt it was well integrated into the area, but did not think they should put a limitation on allowing medical offices. He felt there was quite a difference between a sole practitioner and a large medical office and the parking needed for the two types. He expressed concerns regarding how traffic would enter and exit on Puente.

Gary Enderle, 2044 Via Esperanza, President of the Via Verde Ridge HOA, stated they have 262 homes that will be impacted by this project but that the applicant has worked closely with the HOA in keeping them informed, and they recommend approval of the project.

Sue McCrimmon, 1254 Calle Cecilia, stated her house will overlook the parking lot of the project. She concurred with Dr. Ersher's concerns about traffic on Puente and was afraid it might back up to Palomares and prevent residents from getting through. She also wanted to know if something can be done to limit the hours of operation of parking lot sweepers since the one at Von's disturbs her sleep and this would be much closer.

Ken McCrimmon, 1254 Calle Cecilia, expressed concerns over the two-story building blocking their view but could understand the reason for proposing a taller building. He was also concerned about having adequate parking to support the uses in the buildings, and felt the hillside was unstable and they should consider installing a retaining wall.

Gary Enderle, 2044 Via Esperanza, stated they had a minor slope failure because of a broken water main line, but it was repaired by the HOA and didn't think there would be further problems. He added that he used to live on Calle Cecilia and did not think the view would be blocked by a two-story building.

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

Commissioner Schoonover asked about the concerns expressed regarding traffic on Puente Avenue.

Associate Planner Lockett stated the Director of Public Works has reviewed the plan and did not see any problems associated with ingress and egress.

Planning Manager Hensley stated there will be a striped median on Puente to allow traffic to access the project site.

Commissioner Rahi stated his calculations showed there will probably be less than one vehicle every five minutes or so exiting this project so did not feel that traffic will be any different than it is right now.

Chairman Badar asked if there will be a conflict with the Fire Station's driveway and if the landscaping would block their line of sight.

Planning Manager Hensley stated there will not be a conflict between the two driveways and that they always review landscaping plans to make sure line of site will not be impacted.

Chairman Badar stated that after listening to all the comments regarding restriction on medical use, he was not sure he would be in favor of limiting medical offices. He is concerned about parking but did not want to place a restriction on the developer.

Commissioner Schoonover stated that based on the comments made by Dr. Ersher and the Developer he did not foresee a problem and did not think it was necessary to initiate a condition.

MOTION: Moved by Schoonover, seconded by Ensberg to recommend approval of the Precise Plan to the City Council and adoption of the Mitigated Negative Declaration, and direct staff to prepare a resolution for the next meeting. Motion carried unanimously, 4-0-1 (Bratt absent).

4. **CONSIDERATION OF TENTATIVE PARCEL MAP 06-01 (65238) AND NON-RESIDENTIAL CONDOMINIUM CONVERSION 06-01** – A request to convert an existing industrial park into non-residential condominiums, located at 949 N. Cataract Avenue.

Staff report presented by **Associate Planner Marco Espinoza**, who stated he wanted to clarify that in the staff report where it stated there will be 14 separate lots, it will actually be one lot for the condominium use and the air space will be subdivided into 13 spaces to be sold. The property is zoned M-1 and has three buildings and 182 parking spaces on the site. As part of the conversion process, the applicant was required to submit a site analysis. Several unpermitted tenant improvements were found and would need to be corrected, either by removal or obtaining proper permits through the Building Department. There is some security lighting that will need permitting, and disabled access would also need to be provided to meet Title 24 requirements. The applicant is aware of these requirements and has hired a consultant to assist with the process. The parking lot needs to be improved as well, and the landscaping and trash enclosures upgraded. A master sign program will be developed for the site and submitted to the DPRB for approval. The applicant is conditioned to create and maintain a parking matrix as part of the CC&R's, and complete all improvements prior to recordation of the final map. He stated there was a correction to Condition No. 13; the word "sewer" should be stricken from the language. Staff is recommending approval of the project as conditioned.

Chairman Badar asked if the applicant was the original owner of the site.

Associate Planner Espinoza stated no, that they have only owned the property for about a year.

Commissioner Schoonover asked for clarification on what they are approving tonight since there are several buildings with unpermitted changes that need to be addressed.

Associate Planner Espinoza stated the unpermitted improvements will either be removed or permitted through the planning process. Staff is in support of either resolution because there is adequate parking on the site, but all changes would need to be done prior to the approval of the final map by the City Council. While some units are currently occupied, they cannot be sold prior to the corrections being made.

Commissioner Schoonover felt that Condition No. 22 regarding creating a property management association should be more clearly stated.

Commissioner Ensberg stated there seemed to be a lot of problems with these buildings and asked if there was any open code enforcement action on them. He asked why the Commission would approve this action prior to these violations being corrected.

Planning Manager Hensley stated when the City Council adopted the ordinance allowing for non-residential condo conversions, the standard was that if a building was going to be separated into individual units and sold, then the building would need to be brought up to reasonable standards. Because of the submittal of this application, the City has become aware of modifications made without permits, but they have never received any complaints about this property. The intent is not to be punitive but to bring the building up to code. Right now they are just approving the tentative map which allows the applicant to start the process of cleaning up the property, but they cannot sell any units until all the improvements are completed.

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

John O'Brien, Guthrie Development Company, stated the property is in the same condition as it was when they purchased it. They bought it with the intention of creating a condominium project and have been holding off on doing anything until they knew what the City's conditions would be. He wanted to clarify that when someone purchases the condo airspace, they also have an undivided interest of the total parcel's common area.

Chairman Badar inquired who would be responsible for bringing the buildings up to code and whether he had concerns over any of the conditions.

John O'Brien, Guthrie Development, stated his intention was to have the bootlegged improvements torn out and the buildings brought back to the original approved status. If a tenant occupying a space wishes to purchase it, it would be their responsibility to tear out the unpermitted improvements or go through the permitting process. He stated the only condition he had a problem with was Condition No. 23 which required the Association to maintain a parking matrix based on the tenant uses. He felt they were being asked to do something no other project in town has to do.

Associate Planner Espinoza stated the new complex at Arrow Highway and San Dimas Avenue has the same requirement to keep a matrix. The intent is to help tenants understand what is available in the complex when deciding if they want to locate their business there. The Association can tell them if there is enough parking available for the type of proposed use, as opposed to the applicant coming into City Hall and asking for the information and then having to go back to the Association.

John O'Brien, Guthrie Development, stated there will be an architectural review committee created as part of the CC&R's and they can give the responsibility of maintaining the matrix to the committee to allow for flexibility.

Commissioner Schoonover stated the staff report says 10 of 13 units have unpermitted construction. He asked how many of the 13 tenants wished to purchase their space.

John O'Brien, Guthrie Development, stated one is very anxious and a couple more have expressed interest, but because of the process they have been cautious about marketing the units. He stated they told all the tenants of their plan in the beginning so that everyone would have plenty of notice, and he left the rents below market.

Kevin Taylor, 932 N. Cataract Avenue, stated he lives across from the project and is concerned about vacancies and break-ins. He is also concerned about signage and the building not being clearly marked with the address. He also felt there should be time constraints on how late a business can be open so as not to disturb the neighborhood.

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

MOTION: Moved by Ensberg, seconded by Schoonover to recommend approval of Tentative Parcel Map 06-01 and Non-Residential Condominium Conversion 06-01 and adoption of the Negative Declaration and direct staff to return with a resolution at the next meeting. Motion carried unanimously, 4-0-1 (Bratt absent).

ORAL COMMUNICATIONS

5. Director of Development Services

Planning Manager Hensley stated there would be a community meeting on the Vista Verde Ranch proposal tomorrow night at 7:00 p.m. in the City Council Chambers.

6. Members of the Audience

No communications were made.

7. Planning Commission

No communications were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Schoonover to adjourn. Motion carried unanimously, 4-0-1 (Bratt absent). The meeting was adjourned at 9:22 p.m. to the regular Planning Commission meeting scheduled for December 6, 2006 at 7:00 p.m.

Emmett Badar, Chairman
San Dimas Planning Commission

ATTEST:

Craig Hensley
Planning Manager

Approved: