

# **CITY OF SAN DIMAS PLANNING COMMISSION MINUTES**

Regularly Scheduled Meeting  
Wednesday, January 7, 2004 at 7:30 p.m.  
245 East Bonita Avenue  
Council Chambers

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## **Present**

Chairman Ash Dhingra  
Commissioner Emmett Badar  
Commissioner David Bratt  
Commissioner Howard Levreau  
Commissioner Jim Schoonover  
Planning Manager Craig Hensley  
Assistant Planner Laura Lockett  
Planning Intern Kristen Sohn

## **CALL TO ORDER**

Chairman Dhingra called the regular meeting of the Planning Commission to order at 7:38 p.m. and Commissioner Badar led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes for December 17, 2003.

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

## **PUBLIC HEARINGS**

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 03-07** – A request to conduct on-site beer and wine sales associated with a restaurant located at 662 West Arrow Highway in San Dimas Station South.

Staff report presented by *Kristen Sohn, Planning Intern*, who stated an application was submitted by Las Palmas Mexican Seafood Restaurant for on-site beer and wine sales. The Sheriff's Department has been notified of this application. She stated there were corrections to two of the conditions. On Condition #7, the first sentence will be removed and the condition will state "No alcohol shall be consumed outside of the restaurant unless approved by the City of

San Dimas and Alcohol Beverage Control (ABC).” On Condition #9, the hours of operation during which alcohol can be served should be updated to 10:00 a.m. to 12 midnight. With those changes, staff is recommending approval of Conditional Use Permit 03-07 and adoption of the Negative Declaration.

**Commissioner Levreau** inquired about the change to Condition #7 because he thought the City always restricted service of alcohol to indoor locations.

**Planning Manager Hensley** stated there are several restaurants in town that have outdoor seating areas that alcohol can be served in. However, in this case if they wanted to serve alcohol outdoors, the owner would have to have permission from both the City and ABC. He stated this was a moot point though because there is not enough room on the sidewalk to allow for a fenced off eating area so they could never meet the criteria.

**Commissioner Bratt** asked if Condition #3 was stating that someone could only buy alcohol if they were buying food.

**Chairman Dhingra** stated that was correct.

**Commissioner Badar** stated they had this discussion with a previous application that not everyone had to be eating for someone to order alcohol.

**Manager Hensley** stated the condition states that the restaurant can't serve alcohol unless the kitchen is open. He stated the condition could be phrased better, but the intention is that food service is the primary operation with alcohol as an accessory use. This condition is valuable so that if the restaurant were to ever change ownership, it could not be turned into a bar. He stated that if the Commission approves this item, staff can re-write the condition to be clearer.

**Commissioner Bratt** stated the last CUP they had for an alcoholic beverage license required the owner and managers to attend a training class but this one did not.

**Manager Hensley** stated that was an oversight and is a standard condition for this type of application. Staff will add that condition if a resolution is prepared.

**Commissioner Schoonover** asked if attending class was implied in Condition #8.

**Manager Hensley** stated it is not a requirement for licensing but the Sheriff's Department has asked to have this condition, so the City has made it a standard condition.

**Commissioner Levreau** asked if there were any comments from the Sheriff's Department on this application.

**Planning Intern Sohn** stated staff did not receive any comments.

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

**Norma Magana, 662 W. Arrow Highway**, stated the conditions were acceptable to her. She asked for clarification on the number of patrons that had to be eating in order for her to serve alcohol.

**Chairman Dhingra** stated there was no set number, that the basic intent is if alcohol is going to be served, then the kitchen has to be open and food available.

**Manager Hensley** clarified that the intent of restricting the service of alcohol to when the kitchen was open was to keep a restaurant from converting to a bar.

**Chairman Dhingra** asked the applicant if she had any objections to the additional condition of requiring the principals of the establishment to attend LEAD training.

**Norma Magana** stated she did not have any objections and would be attending the training.

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

**MOTION:** Moved by Levreau, seconded by Badar to approve CUP 03-07 with the previously stated changes, and to approve the Negative Declaration and to bring a Resolution of Approval back at the next meeting. Motion carried unanimously, 5-0.

3. **CONSIDERATION OF CONDITIONAL USE PERMIT 02-05 AND MUNICIPAL CODE TEXT AMENDMENT 03-03** – A request to establish a self-storage facility with a caretaker unit and initiate a Municipal Code Text Amendment to: 1) allow vehicle impound yard as a permitted use within the M-1 Zone; and 2) reduce the on-site parking requirements for self-storage facilities, located at 328 W. Arrow Highway.

Staff report presented by **Assistant Planner Laura Lockett**, who stated that an application has been received to construct an 80,080 sq. ft self-storage building with a basement level vehicle impound yard, and a separate eight-bay auto repair facility. This property is located in the M-1 zone, which allows auto repair with certain restrictions and self-storage facilities with a CUP. Impound/tow yards are not permitted or conditionally permitted in the M-1 zone.

The current site is essentially unimproved and operating as a vehicle impound yard that was approved in 1980 through CUP 79-15. She added that the Development Plan Review Board (DPRB) has reviewed the preliminary site plan, landscaping and architecture of the proposed project.

There are three issues for the Commission to consider tonight:

- Municipal Code Text Amendment 03-03 would allow vehicle impound facilities in the M-1 zone with a Conditional Use Permit.
- A Municipal Code Text Amendment to the parking ordinance that would create parking standards for self-storage facilities.
- Conditional Use Permit 02-05 to allow the development of multiple uses on one property.

**Assistant Planner Lockett** stated if the proposed self-storage project is not approved for this applicant, Western Towing would not be required to cease its current operation, so there would be no impact on other businesses in town.

The amendment to the M-1 zone would not just allow impound facilities at this location, but in any M-1 zone city-wide. One of the major issues that arises with this zone change would be how to regulate it effectively. There are a number of variables that could come into play with this type of use and it could have a negative impact on surrounding residential neighborhoods.

Based on these concerns, the lack of compatibility with other uses proposed on site and the difficulty of close monitoring, staff is recommending denial of this portion of the application.

There are three buildings proposed for this site: the westerly building located on Arrow Highway would contain the self-storage office on the ground floor and the caretaker unit on the second floor; the easterly building would contain the auto repair and towing office, which includes eight garage bays; and the rear building is the three-story self-storage facility with a basement for the proposed 47-stall tow/impound yard. The self-storage facility will have approximately 814 units, with 40 drive-up spaces located on the first level. Parking is to be centrally located so that it can be shared by all the users.

At 35-feet high by 255-feet long, there is concern over the massiveness of the self-storage facility. Surrounding buildings range from 14- to 22-feet in height, with the on-site buildings averaging 25-feet tall. This building will be clearly visible from Arrow Highway, Cataract Avenue and Covina Blvd. and will not be compatible with the adjacent structures.

**Assistant Planner Lockett** stated in regards to parking, staff supports the amendment to the parking code which would require one parking space for each 4,000 sq. ft. of floor area, for a total of 20 parking spaces. The DPRB had concerns that patrons would use the fire lanes for parking, and felt the location of the rear elevator was very inconvenient to the parking area. A possible solution would be to provide only interior access to the storage spaces at grade level or to redesign or relocate the building to provide loading areas around the entire building.

The proposed auto repair is a permitted use in the M-1 zone, and would share the building with the towing office. Currently the code would require only 5 parking spaces for this use, plus two additional spaces for the office for a total of 7 parking spaces. Because of the intensity of use often seen at auto repair facilities, staff surveyed surrounding cities and is suggesting that for the auto repair the standard should be three parking spaces per repair bay, with a minimum of 12 parking spaces. That would mean for this project a total of 26 spaces would be required. Staff is also suggesting a condition be added that would allow only one owner of the auto repair to avoid individual ownership of each garage bay.

Currently impound/tow yards are not permitted uses in any zone in the City, and the proposed 47-stall underground facility would only be allowed if the code amendment associated with this project is approved. Impound facilities are typically found in highly industrialized locations, and San Dimas doesn't have any areas like that. Residential development is located across from this location, as well as other M-1 zones in San Dimas. As one of the issues is the large scale of the self-storage facility, if the impound yard were not allowed, the basement could be used for self-storage and the building could be reduced in size.

Staff is recommending two changes to the parking code which would decrease the amount of parking required for the self-storage facility but increase the number for the auto repair facility. Based on these amendments, a total of 54 parking spaces would be required; however, the applicant is proposing 46 spaces, which leaves them 8 spaces short. There are various ways to address the parking deficiency on the property, and depending on the direction of the Commission, a new public hearing would be held to address this issue.

**Assistant Planner Lockett** stated the DPRB, along with staff, has expressed concern over some of the design elements of the project. Staff feels the most efficient way to proceed with the project is for the Commission to consider the merits of the use and code issues, and if it is determined that changes are in order, to have the DPRB review the project again. Staff is

recommending approval of two of the three proposed Code Amendments, i.e., the revision of the parking requirements for self-storage facilities and auto repair uses. Staff does not support an amendment to the Code to permit impound/tow yards in the M-1 zone as there are many locations within the M-1 zone city-wide where this type of use is not an appropriate and compatible use. There is also concern about the ability to monitor this type of use when it is located in an interior location.

There are many significant unresolved design issues associated with the self-storage facility and auto repair so staff finds it difficult to recommend approval. If the Commission feels that the self-storage and auto repair uses on the property are appropriate, Staff would recommend that the commission make that affirmation but request that the applicant redesign the project to address DPRB and Commission concerns. Staff would suggest the following design changes:

1. The impound/tow yard should be eliminated;
2. The self-storage building should be reduced one story, but the lower level may be converted to storage units;
3. All design changes recommended by DPRB and Staff should be incorporated into a revised design; and
4. The building should be re-sited and re-designed to have all individual storage unit access from interior corridors.

Therefore, based on the above, staff recommends that the Planning Commission:

- 1) affirm that a self-storage facility and auto repair business are acceptable uses for this property provided that an acceptable design can be provided to the DPRB;
- 2) recommend denial of the requested Code Amendment for an impound/tow yard in the M-1 zone;
- 3) recommend approval of the Code Amendment request to revise the parking standards for self-storage and auto repair uses;
- 4) recommend approval of the Mitigated Negative Declaration; and
- 5) refer this item back to the DPRB after design revisions are made for a complete re-review of the proposed design.

**Manager Hensley** wanted to commend Assistant Planner Lockett on her report as this was a very complicated project. He stated that normally when an item comes before the Commission there will be conditions, but because there were so many options to consider on this project in regards to zoning and design, staff felt it would be better to bring this forward for a philosophical discussion and then conditions could be developed based on the Commission's direction.

**Commissioner Schoonover** was concerned about security on the site for the mixed uses and asked if there will be a gate at the entrance under the arch.

**Assistant Planner Lockett** stated the fencing was set back from the main entrance but parallel to the buildings.

**Commissioner Schoonover** was concerned that one-third of the site would not be visible from the street or to patrolling Sheriff's vehicles, especially since vehicles could be parked outside of the repair facility that did not fit into the service bays at night. He stated that the applicant is proposing a 47-stall impound facility. There is another facility located just down the street, so he was wondering if another facility was needed. He also asked if the Code Amendment was approved, would Sanders have to come back with a new plan for their facility.

**Manager Hensley** felt that Sanders is usually full, and currently there is an impound use on this site. He stated they have had issues with this site not being in compliance with the CUP and there has been code enforcement action in the past, but that is a separate issue from what is being discussed this evening.

**Assistant Planner Lockett** stated that Sanders would not have to do anything with their facility because they currently have non-conforming status.

**Commissioner Schoonover** asked if the self-storage facility would allow storage of vehicles, i.e., boats or motor homes. He also asked about the access to the office and would customers have to walk from the parking lot back to Arrow Highway.

**Manager Hensley** stated vehicle storage is not a part of the application other than the impound yard. He stated there will be an interior access to the office as well as one from Arrow Highway.

**Commissioner Schoonover** asked if there is a restriction on how long a vehicle can be stored at a repair facility.

**Manager Hensley** stated there isn't one currently, but because of the uniqueness of this project, if the Commission felt it was appropriate to have such a restriction, it could be considered for the conditions.

**Commissioner Levreau** stated he would be in support of such a restriction. He would also like to see a condition that limits parking for the tow yard to the basement area only so that it wouldn't infringe on parking in other areas of the site.

**Commissioner Levreau** stated he agreed with staff's recommendation with the exception of the denial of the Code Amendment for impound yards in the M-1 zone. In looking back through the staff report it appeared the City Council discussed this and would not be opposed to this type of use as long as it was enclosed. He added that at DPRB there was discussion regarding the arch separating the two buildings and whether the Fire Department might object to that or not. He wondered if the applicant had gone to the Fire Department for clarification on that point.

**Assistant Planner Lockett** stated the applicant has spoken with the Fire Department and relayed that if they can justify the structure, then it would be allowed.

**Commissioner Levreau** stated he would still like to see approval of all the items but felt overall the site is too crowded with the present plan, but that this could be sent back to DPRB to address those issues before final approval.

**Commissioner Schoonover** asked to clarify the height of the building with and without the impound facility.

**Manager Hensley** stated that with the impound facility, the proposed building would be 35-feet tall. If the impound facility is denied, then the basement could be used for storage and only two floors would be above ground, so the building could be reduced by 10 feet. The mass of the building was an issue at DPRB. The recommendation is to eliminate the tow yard and still maintain the square footage for the self-storage.

**Commissioner Bratt** asked about the rationale of denying the impound yard use when Sanders has the same use.

**Manager Hensley** stated currently the code does not allow impound yards in the M-1 zone. This site and Sanders are non-conforming uses. If Sanders were to close and the site was vacant for a year, another user could not come in and operate an impound yard. The request before the Commission is not just a request for an impound yard at this location, it is for any M-1 zone in the City. Thus, you could have an impound facility on Allen across from residential or at Arrow and San Dimas across from residential. The Commission needs to keep in mind that this site and Sanders are non-conforming uses. When that is combined with the other proposed uses at this location, it creates other issues.

**Commissioner Levreau** asked if there was a concern about adding this use in all of the M-1 zones, wouldn't it be regulated and restricted through the CUP process.

**Manager Hensley** stated the CUP process allows them to set conditions, but it would be an allowed use, and there are only certain parameters in which even a conditionally permitted use could be denied. It would be more difficult to deny a project in an area that wasn't as appropriate if it were an allowed use under the zoning.

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

**Bruce Jordan, president of Jordan Architects, 187 Avenida La Pata, San Clemente, representing the applicant Lee Patterson, owner,** stated they started this application back in May 2002 and have had numerous dialogues with the City. In December 2002 they filed the CUP application, along with the request for a Municipal Code Text Amendment, and in February 2003 the City Council unanimously directed staff to prepare a Text Amendment to allow an impound yard in an enclosed building in this zoning. His company has designed over 900 self-storage facilities and are recognized as a land use authority for this type of project. They were recently profiled in the *Wall Street Journal* for creating a hybrid design for self-storage facilities and presented some examples to the Commission.

During the past year they have been working with staff to resolve a number of issues, and while the staff report suggests this is a complicated issue, he felt it was a fairly simple application and there was a misunderstanding on the use and impacts. As to the impound facility, they are not asking to expand the existing use, they would actually be decreasing that use and the Text Amendment would require the use to be in an enclosed building. He felt that if there was concern over having this as a permitted use anywhere in the City, then a subarea could be created in the M-1 Zone that would allow impound facilities in only specific locations.

He stated again that the Council directed staff to prepare a Code Amendment to allow impound facilities in an enclosed building. While concerns were expressed about monitoring the site, the Mayor had indicated that there was no monitoring occurring now. A CUP would give them the ability to monitor the use. The Mayor felt that impound yards are necessary but they should be enclosed to lessen the impact. He also wanted to address the issue in the staff report that the original CUP required modifications to the drainage system but those modifications were never completed. He stated what the condition states is to extend the drainage pipe and fill drainage areas at the northeast corner of the property at least to the extent necessary to support the required wall. That has been done. He also was not aware of any violations of the current use or code enforcement issues and were advise that there were none over the history of this use.

**Bruce Jordan** stated that in regards to the land use issues, staff has indicated that there would be intensive use of the site. He felt the opposite was true because self-storage is considered a low-intensity use and the majority of the site would be self-storage. It would be closed at night so would be totally silent. Secondly, the vehicle impound is within the enclosed building and is for storage only, there would be no repair, no dismantling and limited pick-up and delivery. There would only be 47 vehicles in the impound area, and the average time for storage would be approximately five days, and 85% of all vehicles would be there less than five days. Even if a vehicle were there for two weeks, if they do not exceed the 47 vehicle limit, he wasn't sure why this would be an issue.

He added that self-storage generates 2.6 trips/1000, which is exceptionally low. They have done a parking demand analysis which shows there would never be more than seven cars on site at any one time. The peak time for that use is 11:00 a.m. on Saturday, and the lowest demand is during peak commute times. There is also an extremely low demand on police and fire services because of the intense security on-site. There was a concern expressed tonight regarding visibility on the site. There will be a resident manager that will have a view of the entire site so if any issues come up, they can contact the police. If the City wishes, they can install a night gate to keep people out except for police and fire, and install low level lighting.

**Bruce Jordan** stated that in regards to circulation on the site, staff is indicating that 46 parking spaces are not enough. He felt there will be a number of parking spaces that will never be used. He said they could accommodate the 54 spaces staff is recommending because the Fire Department is not requiring as much space in the rear so they can be added there. They do not have a problem with amending the plan but had been asked not to submit a revised plan at this time.

He felt the mass of the building would not be seen from the street because it was going to be set back 170 feet from the street and will be screened by the buildings along Arrow Highway. He also felt it would not have an impact on the surrounding buildings and that 27,000 sq. ft. would be built below grade. He stated that this project would correct the drainage problems that have occurred on this site in the past. If this project is denied, then the current use would continue as it is.

In regards to staff's recommendations, he stated staff is recommending deletion of the impound facility but Council directed staff to prepare a Text Amendment that would allow it so he didn't understand why they were debating the issue. He also felt that deleting one story of the building would impact the economic vitality of this project. They were not opposed to incorporating any design changes suggested by the Commission or DPRB, but felt that if all the access doors were changed to interior, it would make their project obsolete and less efficient. The Fire Department has approved their circulation plan so even if someone was parked in front of their unit, there would be enough space for emergency access. He concluded by stating they did not think the size of the building would have a negative impact on surrounding neighbors but that they are open to discussing the mass and ways to treat it differently.

**Commissioner Leveau** asked over the past year, how many cars would he estimate are being held in impound on the site and how would the monitoring system work in the new facility, especially for the auto repair.

**Bruce Jordan** stated from their analysis there is on average 75-90 cars on-site at any given time. They will have a camera that covers the auto repair area as well as multiple cameras for the self-storage facility and explained the monitoring system.

**Commissioner Schoonover** asked if there would be 24-hour access to the self-storage facility. He also asked if the silent alarm is in the office area, would it be manned 24-hours a day.

**Bruce Jordan** stated that having 24-hour access is not part of this proposal. The silent alarm will also be in the manager's living unit.

**Commissioner Schoonover** asked what would happen if the alarm goes off while the caretaker is sleeping.

**Bruce Jordan** stated it will be tied into a lighting system and will set off the lights when tripped. The manager will not intervene, he will just alert the police. They do not have a problem with having a night gate if the City wants to make that a condition.

**Manager Hensley** asked in relation to the possible night gate and their other security measures, is the impound yard going to be closed at night. If there was a need to tow a vehicle from an accident or crime scene at midnight, they wouldn't be able to access this property.

**Bruce Jordan** stated he believes the owner would run this so he would have the ability to bring a vehicle in late at night.

**Manager Hensley** asked if that would trip the light system.

**Bruce Jordan** stated no because he would have the access code.

**Manager Hensley** asked if the owner was going to be the caretaker.

**Bruce Jordan** stated no, but they would be the owner of the self-storage facility as well as the impound yard. They would not allow the public in during the night, but the owner would have access to the impound yard.

**Commissioner Badar** asked if this storage facility would be considered a mom-and-pop operation where the owner only has this one facility and will hire a manager to oversee operations. He was concerned that there would be separate managers running the repair facility, the impound yard and the self-storage facility. He was concerned about having all of these uses running together at one location. He asked if they had built a facility similar to this one.

**Bruce Jordan** stated there is a similar facility larger than this one in Yorba Linda at Bastanchury and Imperial. He felt that Sanders was currently operating multiple operations at their facility next door and he was hearing that the City hasn't had any problems with them.

**Commissioner Badar** felt there would be an increase in calls for service with having 814 individually alarmed locations.

**Bruce Jordan** stated they went through a public hearing process recently where it was requested that they provide the number of alarm calls generated in Orange County, and in more than a million transactions, less than .001% triggered alarms.

**Commissioner Bratt** was still concerned about the height of the building and how it would stand out when it is surrounded by one- and two-story buildings.

**Bruce Jordan** stated they will not be starting at the same grade level as the other buildings so in effect it will appear as a two-story building, not a three-story building.

**Commissioner Badar** asked where the tow trucks will be stored since they are not allowed to be parked at this location.

**Bruce Jordan** stated they will be parked at the owner's facility in Azusa.

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

**Commissioner Levreau** stated he was in support of all of staff's recommendations except for denial of the impound yard. He would be in favor of allowing that use.

**Commissioner Badar** stated he did not have a problem with any of the proposed uses except for the impound yard. He still feels there will be a lot of activity there and isn't sure if he agrees with having the impound open 24 hours, seven days a week. He stated he would be in favor of staff's entire recommendation.

**Commissioner Schoonover** stated he was concerned with changing the zoning to allow an impound yard in the M-1 zone because there were places in town he thought would be inappropriate for this use. He felt that approving the zone change would not correct a problem, it would create a problem. He was also concerned about security on the site and felt that needed to be given a hard look. The massiveness of the building was still an issue, even if it is set below grade; overall it is still a very large building. He stated that unless they could come up with some way to address restricting where in the M-1 zone an impound yard could be located, he would support staff's recommendation.

**Commissioner Bratt** stated he doesn't have a problem with having an impound yard at this location, but did not want to see it allowed in all M-1 zones in the City. He would like to see if there is a way to limit it to selected locations only.

**Chairman Dhingra** felt there were two issues associated with this project, one is the overall Text Amendment that allows impound yards in the M-1 zone, and the second one is site specific, should it be an allowed use on this site. He asked for clarification on the note at the bottom of page 10 of the staff report, and if there was a critical timing issue involved for the applicant.

**Manager Hensley** felt the applicant was not in support of the recommendation but that there wasn't a critical timing issue.

**Chairman Dhingra** asked the applicant if timing was an issue.

**Bruce Jordan** stated he would not categorize it as critical but would like to get as much direction as possible from the Commission.

**MOTION:** Moved by Levreau to approve recommendations 1, 3, 4 and 5 as identified in the staff report and to take no action on recommendation 2 pending a separate staff report and recommendation.

Motion died for lack of a second.

**Commissioner Schoonover** felt you couldn't separate this issue from the other recommendations because the design of the project depends on whether the Text Amendment is approved or not.

**Chairman Dhingra** felt the item should be sent back to staff so that the whole project comes back to the Commission specifically addressing the concerns discussed relative to Recommendation 2.

**Commissioner Levreau** asked if staff would be able to bring this item back by next meeting or would they need more time.

**Manager Hensley** stated that staff needed a consensus from the Commission on how they would like to approach the Text Amendment. He has heard some Commissioners say they would not like it allowed in M-1 at all, and others say they would like to see it limited to this location only. He stated staff could prepare some potential solutions if they knew what direction the Commission wanted to take. One thing to keep in mind is that they can't spot zone and allow a use on only one piece of property in a zoning category. If the Commission were to restrict this use to this location, it would mean that another impound yard could never come into San Dimas. He felt they would need at least four weeks to work on this, but in the meantime it could go back to the DPRB to review some of the design issues.

**MOTION:** Moved by Schoonover, seconded by Levreau to continue this item to February 4, 2004, to send this item back to DPRB to review the design issues, and then to staff after the design changes are incorporated to bring back to the Commission to discuss options for zoning.

**Commissioner Badar** felt they needed to resolve the M-1 issues before design could be reviewed.

**Chairman Dhingra** concurred that the zoning was the main issue, that even if they send it back to DPRB they would need to have clear direction on whether the impound yard will be allowed or not because that could change the whole design.

**Manager Hensley** stated staff could come back in two weeks with information that might allow them to make a decision on the impound yard.

**Commissioner Badar** asked the applicant if the Municipal Code Text Amendment were denied, would that have an affect on the building design.

**Bruce Jordan** stated yes, it would.

**Commissioner Badar** stated that it makes no sense to send it to DPRB until that issue is decided.

**Chairman Dhingra** asked the applicant if the impound yard use was denied, would the project still pencil out.

**Bruce Jordan** stated that according to his client it would not, it is a must to maintain the vehicle impound yard. He was confused by this discussion because of Council's previous direction. He added that if staff brings back options on the M-1 zone and then they go to DPRB right after that, they are comfortable with that schedule.

**MOTION:** Moved by Schoonover, seconded by Badar as a substitute for the previous motion to direct staff to bring back options at the next meeting for addressing the M-1 zone issue so the Commission can make a determination. Motion carried unanimously, 5-0.

#### **ORAL COMMUNICATIONS**

##### **4. Director of Community Development**

- Update on Cyber Café Ordinance

Update on the Cyber Café Ordinance continued until the next meeting. No other communications were made.

##### **5. Members of the Audience**

No communications were made.

##### **6. Planning Commission**

No communications were made

#### **ADJOURNMENT**

There being no further business, Chairman Dhingra adjourned the meeting at 9:54 p.m. to the regular meeting scheduled for January 21, 2004 at 7:30 p.m.

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Ash Dhingra, Chairman  
San Dimas Planning Commission

ATTEST:

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Craig Hensley  
Planning Manager

Approved: January 21, 2004