

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, October 1, 2008 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner John Davis
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Assistant City Manager of Community Development Larry Stevens
Director of Development Services Dan Coleman
Planning Manager Craig Hensley
Associate Planner Marco Espinoza
Associate Planner Kristi Grabow

CALL TO ORDER

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:02 p.m. and Commissioner Bratt led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: September 3, 2008

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

COMMISSION BUSINESS

2. **CITY HALL PROJECT UPDATE** – Oral Report

Director of Development Services Dan Coleman stated the City Hall was built in 1969 and the expansion is planned due to lack of space for current and future staff. He stated one issue associated with the expansion was providing adequate parking, and explained proposals for adding at least 56 parking spaces, with the possibility for more along Bonita Avenue. The existing building is 20,000 square feet, and the proposal will add another 20,000 square feet on the west side consisting of two levels. There will also be small additions made to the north side and southeast corner of the existing building. He showed preliminary floor plans, and stated that during the study session with the City Council, the City Manager said it might be possible that this project could be done as a cash project by the City.

Chairman Schoonover asked what the timing for the project was.

Director Coleman stated it could start as early as July 2009, and estimates are it will take approximately nine months to complete the west wing. Once that is done, staff can move out of the old City Hall and the remodeling will take another 8-10 months.

Commissioner Ensberg asked what the anticipated cost of the project will be.

Director Coleman stated it will probably be a little over \$10 million, and that they should have the preliminary costs from the construction manager by the end of this year.

Commissioner Bratt stated he had asked for this presentation and thanked staff for keeping them informed.

PUBLIC HEARINGS

- 3. CONSIDERATION OF GENERAL PLAN AMENDMENT 08-02 AND MUNICIPAL CODE TEXT AMENDMENT 08-04** – A Request to Amend San Dimas General Plan adjusting density and other standards, and A Request to Amend San Dimas Municipal Code Chapter 18.542 (Specific Plan No. 25) revising density standards, building height standards, density transfer opportunities and primary ridgeline standards/exhibits. Both items are pursuant to Settlement Agreement with NJD. **(Continued from 09-03-08)**

Assistant City Manager of Community Development Larry Stevens stated this item is to consider amending the General Plan and Specific Plan No. 25 for the entire 1,000 acres in the northern foothills, though in part this action comes from the settlement agreement with NJD signed in 2004. In 2005 the City of San Dimas, in conjunction with the City of Glendora, filed a grant application with the Rivers and Mountains Conservancy (RMC) for funds to acquire the NJD property. At that time all parties agreed to cooperate and hold off on filing any development applications. The grant application was not successful, and in subsequent discussions, NJD has asked that the City move forward with the GPA and MCTA as outlined in the Settlement Agreement.

There are also two other issues being addressed in this amendment because Mr. DeFalco made a request to the City Council to consider other revisions to SP-25 in regards to the location of the primary ridgeline and allowance of aviaries. The Council decided it would be appropriate to consider his requests along with his development application, but since that is not ready at this time, it was felt those items should be considered along with this amendment.

He presented information on the adoption of the Program EIR and subsequent lawsuit and Settlement Agreement requirements. Items to be considered with the amendment are density, two-story development, and transfer-of-development rights (TDR). He went over a map that explained how they arrived at density numbers and potential development areas.

Assistant City Manager Stevens stated Issue #1 is in regards to allowing aviaries. The General Plan does not address this so it is not a General Plan issue, and the current zoning addresses animals. An aviary could be consistent with rural activities; however, staff would want to ensure that the size and scale is appropriate to the property.

Commissioner Ensberg asked if they were to approve adding aviaries, could it be used as a commercial operation.

Assistant City Manager Stevens stated it would be accessory to a residential use so that would limit its use as a commercial venture. He outlined three options for how it could be allowed in the zoning code and stated staff is recommending allowing the use as a conditional use with standards to be set on a case by case basis.

Commissioner Davis asked if pigeon coops would fall under this provision and would it apply to the entire zoning code.

Assistant City Manager Stevens stated pigeons were covered under another code section which was probably adopted from pre-incorporation County standards. This amendment would only apply to SP-25, not to the entire zoning code.

Assistant City Manager Stevens stated Issue #2 dealt with density and devising a standard that would allow NJD to increase the number of units on their 200 acres from 21 to 38 units. He stated the way the density standards were arrived at was rather complicated and explained the different categories to the Commission.

Commissioner Ensberg asked if there was an attempt to align these yields to our housing element.

Assistant City Manager Stevens stated they did in 1999 but there were different housing issues at that time. With the current housing element they did not think any affordable housing would be economically feasible except at the higher end because of the limitations on density.

Commissioner Bratt asked how they arrive at the percentage of slope when it could vary greatly on any one lot.

Assistant City Manager Stevens stated they would try to locate a reasonable area and average the numbers. He stated the current general plan and zoning code are similar to each other. Maximum density is calculated based on a formula but each lot and project needs to be reviewed individually based on site specific characteristics. He went over the difficulty of amending the density standards to only increase standards for the NJD lot.

Commissioner Ensberg stated it didn't seem reasonable to create standards that only benefit one property owner and not all.

Assistant City Manager Stevens stated that was a concern of the Council's as well, and they were advised that it would be difficult to adjust the current standards. If they were to apply them to all parcels, it would increase the number of lots and exceed the densities analyzed in the Program EIR, and that creates a dilemma. He presented four possible options that might address this with staff being partial to Option #3 or #1, and creating subareas to address the differences in the yield as has been done in other specific plans in the City. He also discussed TDR's which currently are not addressed in either the General Plan or the Zoning Code.

He stated Issue #4 dealt with two-story structures and how the Settlement Agreement stated the City would consider allowing a limited number. He stated there is a specific objective in the General Plan to minimize intrusiveness and a limitation on height that would have to be modified. The current zoning mimics the General Plan and sets a maximum height at 20 feet with a one-story or split-level design. He discussed Staff's concerns that they don't create conflicts with other objectives and policies that reference limitation on two-story design. He

would recommend making only minor changes in the General Plan and only consider two-story design at the time of subdivision with requisite analysis and retain the one-story limit on properties which aren't subdivided.

Assistant City Manager Stevens then discussed the location and designation of primary ridgelines and what the development standards are. The General Plan and Zoning are similar in their standards and policies to maintain the skyline. There is an issue with Mr. DeFalco's desire to build his house on a primary ridgeline and NJD wanting a primary ridgeline in their parcel to be reclassified as a secondary ridgeline. He stated Staff's recommendation is to review the materials presented and comment as appropriate; consider the preliminary recommendations; request additional information if needed; and continue the public hearing to a date specific.

Chairman Schoonover asked if NJD had a similar settlement agreement with Glendora and if there was any access from the 200 acres in San Dimas to Glendora.

Assistant City Manager Stevens stated NJD was in litigation with Glendora but believed it was currently resolved, and that the applicant could better answer that. He stated the Wildwood Motorway connects to some streets in Glendora, but Glendora has adopted a standard that in the foothill areas no streets except emergency access shall cross a city boundary, so it doesn't appear they will allow access except for fire equipment. He discussed various options for reaching the property that would require easements with other property owners or purchasing parcels. Access would be related to a tract map development and does not apply to either the General Plan or a code amendment.

Chairman Schoonover asked if there is a height limit associated with the two-story development standard, and if there are grading restrictions.

Assistant City Manager Stevens stated there will be a height limit set on two-story development, but it has not been determined yet, and that there are grading restrictions based on the type of improvement being constructed.

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

Rick Jemison, NJD Ltd., Vice President of California Operations, stated this has been a difficult process over the past ten years and appreciates the effort of Staff to get to this point. He stated the current agreement is to proceed under the Settlement Agreement to conform the General Plan and Zoning, but to delay preparing a development application until they knew what standards they could design to. He stated if the primary ridgeline designation was not modified, it will take an entire section of property out of the development plan. He stated they have asked Staff for clarification on what should be included and thought ideas like clustering should be considered. He thought that "no change" should not be considered as an option because the point of the Settlement Agreement was that change would occur. He stated one of the reasons they wanted two-story homes was to minimize pad grading on the hillsides that were more difficult and have smaller lots, and that there were 16-20 areas where two-story development was feasible. He explained why they felt their ridgeline should be considered secondary based on current definitions. He stated when they started their litigation with San Dimas and Glendora the property was all one lot but that they processed a lot line adjustment to separate the lot at the city boundary.

Commissioner Davis asked if he was asking for a change in density on the two properties they have under option. He also inquired about the seven additional units from the TDR program and asked if they are included in their submission.

Rick Jemison, NJD, stated they were not looking for an increase on those parcels, but if they come forward with a development plan for all the parcels, the number of units would be higher because of the added area. If the TDR program is approved, they would add the seven lots.

Assistant City Manager Stevens stated the Settlement Agreement is for 38 units on the 200 acres. If NJD acquires any contiguous parcels, then they can add the existing density from those to the entire project and then put the lots where they are best suited.

William Tigges, owner of 40 acres in SP-25, felt he had 18-20 acres of developable land, and that if a deviation from current standards is made for NJD, it should apply to other parcels if they have enough area. When he purchased his property, the standard was one dwelling unit per five acres and he could have eight parcels. Now he can only have three parcels.

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

Commissioner Davis asked if there was access to the properties where they could get a better idea of what it looks like. He stated he would like to see it before giving Staff direction. He added he had difficulty dealing with just the NJD property and not the whole area as it didn't seem equitable.

Commissioner Bratt concurred with Commissioner Davis that it would be helpful to visit the properties.

Assistant City Manager Stevens stated he would arrange a tour for them.

Commissioner Bratt didn't think TDR seemed applicable in this case but **Commissioners Ensberg and Schoonover** stated they would like to see it explored.

MOTION: Moved by Davis, seconded by Bratt to continue the public hearing to November 5, 2008. Motion carried unanimously, 5-0.

ORAL COMMUNICATION

4. Planning Manager

Planning Manager Craig Hensley reported that:

- The City recently hosted a workshop on the proposed Downtown Specific Plan. It was well attended and the City received valuable comments from the residents and business owners in attendance.
- The State has approved the City's Housing Element and it is one of the first in the SCAG region to be approved. It will be coming back to the Planning Commission for review next month.
- The northbound lanes of San Dimas Avenue have been re-opened, but will have temporary paving for the next few weeks while the southbound lanes are being worked on. The commercial building should be complete in approximately one month, and the first phase of residential will be starting construction in the near future.
- The Walker House is progressing and three chimneys were recently lifted onto the building. Painting has started on the interior and exterior, as well as tile work in the

restrooms and window and period hardware installation. The City Council also chose Saffron to be the restaurant operator.

Assistant City Manager Stevens presented information on the joint effort of the RMC and the city to purchase 60 acres of the Vista Verde property to preserve as open space. He stated they are also in the process of trying to work with the Trust for Public Lands, the RMC, State Wildlife Board and County of Los Angeles to put together a proposal to purchase the NJD and McHenry properties.

In response to Commissioner Davis, **Assistant City Manager Stevens** stated he has spent the past 18 months working with Bravo Burger and Chaparral Lanes on a various development scenarios, but the two entities cannot seem to reach an agreement.

5. Members of the Audience

No communications were made by the public.

6. Planning Commission

Commissioner Davis stated he will be unable to attend the October 15, 2008 meeting.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Bratt to adjourn. Motion carried 5-0. The meeting adjourned at 9:55 p.m. to the regular Planning Commission meeting scheduled for October 15, 2008 at 7:00 p.m.

James Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Craig Hensley
Planning Manager

Approved: November 5, 2008