

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Wednesday, February 4, 2009 at 7:00 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Chairman Jim Schoonover  
Commissioner David Bratt  
Commissioner Stephen Ensberg  
Commissioner M. Yunus Rahi  
Assistant City Manager Larry Stevens  
Director of Development Services Dan Coleman  
Associate Planner Kristi Grabow

## **Absent**

Commissioner John Davis

## **CALL TO ORDER**

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:05 p.m. and Commissioner Bratt led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes: January 7, 2009

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

## **PUBLIC HEARINGS**

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 09-01** – A request to allow On-Sale Beer, Wine and Alcohol Sales in conjunction with a Restaurant and Special Events, located at 121 N. San Dimas Avenue. APN: 8387-011-904

Staff report presented by *Assistant City Manager for Community Development Larry Stevens* who stated this request was for alcohol sales in conjunction with the restaurant and special events at the Walker House, which is a City-owned facility. The applicant has entered into a concessionaire agreement with the City, and has other local locations. He described the floor plan for the restaurant use and stated the applicant is able to comply with all ABC regulations for the building, veranda and patio. He stated staff is recommending approval of the

categorical exemption and adoption of Resolution PC-1392 approving CUP 09-01 subject to the Conditions in Exhibit A.

**Commissioner Ensberg** inquired about the hours of operation, parking, use of the second floor, past performance of the vendor, and if they have an exclusive catering agreement for events held at the Walker House.

**Assistant City Manager Stevens** stated presently the restaurant will be serving lunch and dinner six days a week from 11:00 a.m. to 2:30 p.m. and 5:00 p.m. to approximately 11:00 p.m. Events can be scheduled seven days a week, but per the concessionaire agreement they cannot stay open any later than midnight. Parking is provided for in the parking district, with the closest spaces to the north and west of the building. The City scrutinized all vendors for this facility and felt Saffron was a first class operation when they chose them. There are a certain number of days when the restaurant will close for community events, and the courtyard can be used for community events even while the restaurant is open, so the City is working hard to preserve the Walker House as a community facility.

He stated there are three users for the second floor; the San Dimas Rodeo will have office space, the Festival of Western Arts will have office and display space, and the San Dimas Historical Society will be moving their archives and museum there. The Historical Society will also be providing docent-led tours as part of their support for the building. The City will have complete control for scheduling the second floor. As far as catering, Saffron has an exclusive agreement for catering private events held at the Walker House. The only exception will be on days it is being used for community events, but other caterers will not have access to the kitchen.

**Commissioner Bratt** asked how the veranda qualifies for alcohol sales and how is the patio operated separately.

**Assistant City Manager Stevens** stated the railing around the veranda separates the space from the public right-of-way and parking area. It is also possible for a special event to be scheduled on the patio area while the restaurant is open for regular business.

**Commissioner Rahi** asked how does a member of the community rent space and if the City had any concerns about parking.

**Assistant City Manager Stevens** stated if someone wants space on the first floor, they would schedule it through the restaurant; if it is on the second floor, it will be scheduled through the Parks Facilities Department at City Hall. The parking for the Walker House is the same for almost all businesses in the downtown community parking district. They do not need to provide any on-site parking. The City is resurfacing the parking lot and will add approximately ten parking spaces for the district. If they find parking is insufficient for all the users in the district, the City will revisit that issue.

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

**Sid Maksoudian, 1156 Camino Del Sur**, was concerned that visitors to the Walker House will use a majority of the shared parking and prohibit other businesses from thriving.

**Assistant City Manager Stevens** stated that if all the businesses within the district were maximizing all of their available parking all at the same time, then there would be a deficiency. Normally that is not the case. If parking becomes a problem in the district in the future, then the City would review the requirements at that time.

**Heidi Daniels, 225 W. Bonita Avenue**, stated she was in favor of the restaurant and would be thrilled if there was a parking problem because it would mean that people were coming to the downtown.

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

**Assistant City Manager Stevens** reiterated that the standard parking requirements do not apply to the downtown because the businesses are part of the parking district. Staff will be reviewing parking as part of the Downtown Specific Plan process, but it may not change substantially. Technically the parking requirement for any business in the parking district is zero.

**Commissioner Ensberg** felt a careful review was made of the vendor and this will be a benefit to the community. If there is a parking issue, it can be addressed in the future. He stated he was in favor of the application.

**Commissioner Rahi** concurred and was satisfied with Staff's explanation in regards to parking. He also supported the project.

**Chairman Schoonover** stated the restaurant is a permitted use, and what was before them for a decision was the request to serve alcohol.

#### RESOLUTION PC-1392

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 09-01, A REQUEST BY LINDA ROUYER TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-SITE CONSUMPTION ACCOMPANYING A RESTAURANT USE ON THE PROPERTY LOCATED AT 121 NORTH SAN DIMAS AVENUE

**MOTION:** Moved by Ensberg, seconded by Bratt to approve Conditional Use Permit 09-01 and adopt Resolution PC-1392. Motion carried 4-0-1 (Davis absent).

### **COMMISSION BUSINESS**

#### **3. REVIEW OF MEMBRANE STRUCTURE POLICY**

Staff report presented by **Director of Development Services Dan Coleman**, who stated the City Council asked staff to review the existing policy for temporary membrane structures and recommend any changes. He stated a majority of the policy was governed by the Building and Zoning Codes, and the only area that was strictly policy was in regards to membrane structures in commercial zones. He presented an overview of the current policy, showed examples of membrane structures, and discussed the cases where the City Council has upheld the existing policy. He also explained building permit and fire department permit requirements, and the current language in the Building Code which explains how the 120 sq. ft. is determined.

**Commissioner Ensberg** felt there were no concerns in regards to the residential zones and that it appeared the issue was how to improve the downtown area and encourage nightlife, and stated he would be in favor of focusing on that area. He was in favor of some type of

permanent awning which could have a membrane side, similar to the example shown for Lucille's. He also felt they should be reviewed on a case-by-case basis by the DPRB.

*Commissioner Rahi* concurred.

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

**Heidi Daniels, 225 W. Bonita Avenue**, stated this review is being conducted because she erected a 112 sq. ft. canopy with clear plastic sidewalls in the patio area of her business. It is for temporary shelter in the winter and will be removed in the spring. Her tenant space is limited at 500 sq. ft.; since half is retail space there is only seating for 9-12 people inside which is inadequate. They were going to open a second location in Glendora but decided against that. In her second year of operation they added the patio area to accommodate additional customers. She wanted to have a temporary cover for the patio during inclement weather that could be removed in the spring.

*Commissioner Ensberg* stated they could not address her situation specifically, and asked if they were to change the policy, what she thought would be appropriate materials to use in the downtown. He also asked if it should be fixed to the building or removable.

**Heidi Daniels** stated it is important to use high quality materials that are UV resistant and that the structure be visually appealing. She also felt it was important to have a structure that can be removed. Besides limiting space on her patio when it is erected, it would retain heat in the summertime. She felt this is a common thing that you see in places like Pasadena, Claremont, Monrovia, etc. She stated she visited downtown La Verne with City Manager Marty Lomeli and he took her around and showed her that they have membrane structures similar to hers that are not permanent.

*Chairman Schoonover* asked her how she would differentiate between an EZ-Up and the structure that she has.

**Heidi Daniels** stated the quality of materials and frame. Her structure is a rigid frame that is bolted together as opposed to something that just pops up. She did not feel it was right to require a permanent structure where it doesn't fit or to only require temporary structures, and felt that they should all be considered on a case-by-case basis by DPRB.

*Chairman Schoonover* stated it gets warm in the summer and asked why she didn't want a permanent structure that would provide shade.

**Heidi Daniels** stated she uses an umbrella for shade and they also get shade from the building to the west.

*Assistant City Manager Stevens* asked Ms. Daniels to provide a list of businesses in surrounding communities that have a temporary canopy similar to hers so staff can review them. It did not need to be right now, but in the near future would be helpful. He felt it would be helpful for the Commission in making a decision in regards to temporary or permit structures if they could see good examples of temporary structures.

**Heidi Daniels** stated there is Café Mundial in Monrovia, and Caltech has one in the patio of the Athenaeum. She has seen several in Pasadena, and the Derby in Monrovia puts a temporary structure up during the holidays.

**Carolyn, 212 W. First Street**, stated she likes being able to go outside and it has been a lot of help for her allergies. She stated she appreciates Heidi's business.

**Richard Stuecklen, Covina resident**, stated if they wanted to attract more businesses that will be open at night, they need to consider what they can do to attract that type of business and be appealing to customers.

**Steve Mathis, Glendora resident**, felt temporary structures make businesses in the downtown more attractive to customers since people like to be outside. He doesn't like pop-ups in all commercial areas; they look too flimsy.

**Dan Flanders, Owner of Wagon Wheel Square**, stated he has owned this property for over twenty years and that the wine shop has drawn people into the downtown and created nightlife.

*Commissioner Ensberg* asked if the City were to require a permanent structure attached to the building, would he prohibit his lessee from installing one.

**Dan Flanders** stated the patio was designed to add 400 sq. ft. to the building. He would not object to a permanent cover if it was properly designed.

**Sid Maksoudian, 1156 Camino Del Sur and Council Candidate**, felt that Ms. Daniels was providing a place to drink and not wine tasting. He stated the addition of any square footage to her establishment would require health department review, then approval by the City.

*Commissioner Ensberg* stated they are not here to discuss the particulars of any one business. He asked Mr. Maksoudian what he would recommend in regards to membrane structures in the downtown.

**Sid Maksoudian** stated they should be high standard structures, either temporary or permanent, and should be approved by DPRB and issued a permit.

**Gary Enderle, 2044 Via Esperanza**, felt the City already has adequate rules, policies and laws governing membrane structures. He felt there is a need for both temporary and permanent in the downtown, and if they are allowed, they need to be high quality and should not look like an EZ-Up.

There being no further speakers, the public comments section was closed.

*Commissioner Ensberg* stated he is hearing agreement that they need to make a change in the downtown to enhance the business environment. He would prefer to see a permanent structure affixed to the building and felt that should be the goal; however, he wouldn't rule out the possibility of using a temporary structure and maybe that could be handled in the application process to DPRB.

*Chairman Schoonover* asked how he would propose encouraging a business to use a permanent structure when a temporary structure might be more economical.

*Commissioner Ensberg* felt they could write the policy in such a way to indicate a permanent structure is the preferred standard, but a temporary structure might be possible if designed appropriately.

*Director Coleman* stated the City has programs in place that would provide financial assistance to businesses up to \$10,000 for this type of exterior remodeling work.

**Commissioner Rahi** thought parking would be impacted if a temporary structure is used to add square footage to a business. He felt any type of structure needed to be attractive and appropriate for the use, but more importantly was constructed in a manner safe for the public.

**Commissioner Bratt** stated the policy used in La Verne seems reasonable. His preference is for a permanent structure like that used by the pizza restaurant on Bonita Avenue. From an economical standpoint, they could look at allowing quality membrane structures but they would need to be reviewed by DPRB. He felt having the option for membrane structures would encourage other businesses to stay open later in the downtown.

**Chairman Schoonover** felt they were focusing on restaurants and the downtown. He felt they should be looking at membrane structures in all commercial zones and not just focusing on the downtown.

**Assistant City Manager Stevens** stated he is correct, and that some of the structures shown in the presentation are in industrial areas in the City. Whatever changes are made to this policy will affect those uses as well.

**Chairman Schoonover** felt they needed to broaden their focus beyond restaurants and consider that membrane structures can be used for many purposes. He felt they all agreed that they want to encourage business in the downtown, and that most of those businesses have awnings. He is hearing that no one wants an EZ-Up structure, but in trying to help a restaurant, he doesn't want to open it up to all businesses to install a permanent structure without careful forethought.

**Commissioner Ensberg** felt they needed to move forward with something for downtown, and the City can regulate differently in other zones.

In response to the Policy Questions presented in the staff report, the Commission provided the following direction:

- Membrane structures should be allowed in business/commercial zones but require DPRB review.
- Permanent structures are the preferred choice, but would like to see a process that allows application for a temporary structure of high quality.
- In regards to design, EZ-Ups should only be used in conjunction with a temporary event that is three days or less; otherwise framework for a temporary structure should have a fixed, rigid frame.
- Membrane structures could be allowed in the historic downtown as long as they went through DPRB review and consisted of appropriate materials and were suitable in that environment.
- Daycare centers should have permanent structures since they are required by state law to provide shaded play areas.
- Side curtains could be allowed subject to DPRB review.

**Chairman Schoonover** stated that concluded discussion on this item and staff will prepare a draft policy for consideration at the next meeting.

## **ORAL COMMUNICATION**

### **4. Planning Staff**

No communications were made.

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

No communications were made.

### **6. Planning Commission**

*Chairman Schoonover* stated he would be out of town next week and unable to attend DPRB. Commissioner Rahi stated he will be the substitute.

*Commissioner Bratt* asked about the removal of the fence at the Walker House.

*Assistant City Manager Stevens* stated the contractor removed their fence and the City is installing another fence that will stay up until the first event is held, possibly in mid-March.

## **ADJOURNMENT**

**MOTION:** Moved by Ensberg, seconded by Bratt to adjourn. Motion carried 4-0-1 (Davis absent). The meeting adjourned at 8:53 p.m. to the regular Planning Commission meeting scheduled for February 18, 2009, at 7:00 p.m.

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James Schoonover, Chairman  
San Dimas Planning Commission

ATTEST:

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Dan Coleman, Director of Development of Services

Approved: March 4, 2009