

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, June 16, 2004 at 7:30 p.m.
245 East Bonita Avenue, Council Chambers

Present

Commissioner David Bratt
Commissioner Howard Levreau
Commissioner Jim Schoonover
Planning Manager Craig Hensley
Associate Planner Joe Vacca
Planning Intern Sandra Robles

Absent

Chairman Ash Dhingra
Vice-Chair Emmett Badar

CALL TO ORDER

A regular meeting of the San Dimas Planning Commission was called to order at 7:39 p.m. by Planning Manager Craig Hensley. He stated that since the Chair and Vice-Chair were both absent this evening, the first order of business was for the Commissioners to pick a Chair to run the meeting.

MOTION: Moved by Bratt, seconded by Levreau to have Commissioner Schoonover serve as Chair. Motion carried unanimously, 3-0.

CONSENT CALENDAR

1. Approval of Minutes for March 3, 2004.

MOTION: Moved by Levreau, seconded by Bratt to approve the Consent Calendar. Motion carried unanimously, 3-0.

PUBLIC HEARINGS

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 04-01** – A request to conduct off-site beer and wine sales at the Target retail store, located in the San Dimas Marketplace, 888 West Arrow Highway.

Staff report presented by Planning Intern Sandra Robles, who stated this is a request by Target to conduct off-site beer and wine sales. The store is located within Specific Plan No. 20 (SP-20)

and is designated as commercial. In 1997 the D.P.R.B. designated off-site beer & wine sales as a conditionally permitted use in SP-20.

The applicant would be stocking the beer and wine in their grocery area and it would only be available during their regular business hours. In the adjacent area Ralph's, Walgreen's and Trader Joe's sell beer and wine as accessory to their other sales.

Commissioner Levreau stated the language says this is an "off-site beer and wine" license and asked if it should say "on-site."

Planning Intern Robles stated it is called off-site because the alcohol is consumed off the premises. This is the designated terminology from ABC.

Commissioner Bratt stated that none of the conditions refers to staff training that has been required with other alcoholic beverage licenses.

Planning Intern Robles stated that those conditions are applicable to restaurants only. However, Condition No. 7 does require compliance with the ABC Act.

Commissioner Bratt was concerned that instead of two or three people conducting sales of alcohol, like in a restaurant, there could be up to 20 check-out lines open with different cashiers selling alcohol, and that they may not have proper training in checking identification. He was also concerned that there would be teenagers selling alcohol to teenagers and would like to see something more solid in the rules.

Associate Planner Joe Vacca stated staff understands his concerns and that they have merit. The condition that Commissioner Bratt was referring to was for managers of restaurants to assure that they don't allow customers to consume excessive amounts of alcohol and then drive drunk. In this case, it will be a requirement of ABC that anyone who is a cashier will understand the State rules, and this is covered under Condition No. 7.

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

Beth Aboulafia, Target Representative, stated that Stan Felts, Target District Manager was also available for questions if needed. She stated Target first introduced wine sales two years ago in Northern California. They recently decided to expand sales into Southern California and currently 40 stores are licensed to sell beer & wine, with the same number of applications in process. While a Type 20 license allows for sale of beer and wine, at this time they only plan to sell wine. Less than 3% of their sales are alcohol and are ancillary to the other products that Target sells. She added that Target has a comprehensive employee training program specific to California's laws and anyone in a position to sell alcohol has to take the training and pass a test. There are also additional safeguards at the cash register that prompt the cashier to enter a birth date into the system before it will complete the sale. They do not anticipate that adding wine sales will change the operations of the store in any significant way. The Sheriff's Department has reviewed the application and has no concerns.

Commissioner Levreau asked if they plan to add hard liquor.

Beth Aboulafia, Target, stated this license would not allow that.

Chairman Schoonover stated the comment was made that all cashiers would be trained, but asked if they would all be over 21 years old.

Beth Aboulafia, Target, stated the law allows persons 18 years of age or older to sell off-site alcoholic beverages, so while there could be cashiers under 21 years of age, all will be older than 18 years of age.

Laura Allec, 223 S. Maimone Avenue, stated she her house is less than 200 feet directly behind Target, and she was opposed to granting this license as consumption of alcohol is associated with increased traffic accidents and crime. She stated within a half-mile radius of Target there are 11 businesses licensed to sell alcohol, including on-site licenses. If you add 3/10th of a mile radius, you add five more stores. Also in that half-mile radius there is a neighborhood with children, a high school, a preschool and retirement center. She cited statistics regarding the problems associated with underage drinking and felt the profit Target may see was not worth the cost to the community. She asked the Commission to take one tiny step to prevent alcohol abuse in the community and oppose the license.

Chris Allec, 223 S. Maimone Avenue, stated he was concerned about the children in the area and someone driving through after drinking and possibly hitting children who are playing. He also didn't want the alley leading to Target from his street to become a place where people congregate and drink. He asked that the Commission oppose this license.

Mark Fuhrmann, 924 W. Calora Street, concurred with the comments made by his neighbors. He was concerned that the younger cashiers will sell alcohol to their friends that are under age. He also asked the Commission to oppose the license.

Beth Aboulafia, Target, felt this was a land-use issue and not a hearing to address larger social issues, and that the Commission should address it that way. Target was not going to sell the type of products or be conducive to the type of people that want to buy a quick bottle of liquor then get in the car to drink it. That type of person would go to a convenience store. The people who will buy wine at Target will be doing so in conjunction with their other purchases. Along with training of their personnel, there will be security patrolling the parking area and cameras in the store to deter consumption around the premises. There are 80-plus stores that are already selling wine and they haven't had a single problem like those mentioned or a violation of ABC regulations.

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

Commissioners Bratt and Levreau stated that while they were concerned about the dangers of alcohol consumption as expressed by the neighbors, they did not feel that this license would have an impact on the larger social issues.

MOTION: Moved by Levreau, seconded by Bratt, to approve Conditional Use Permit 04-01 and direct staff to bring back a resolution of approval at the next meeting. Motion carried unanimously, 4-0.

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 04-01** – A request to modify the SF-H Zone to **Eliminate:** Impervious Surface Requirement; and **Add:** Lot Coverage Requirement; Chapter 18.12 add requirements for Resubmittal of Denied Applications; and Chapter 18.08 Add Definition of Lot Coverage for Flag Lots.

Staff report presented by Planning Manager Hensley. He stated that there are times when staff will review the codes and try to improve the language. Tonight there are three sections they are proposing improvements to. The first one is the Single-Family Hillside zone. This zone has an impervious surface requirement for lot coverage, which is not found in any other residential zone in the city. Over the years this requirement has generated some problems, especially on

Terrebonne because the lots there can range from 18,000 square feet to over three acres. Thus you could have the same model house next door to each other, but because of the lot size it creates an inequity in what each homeowner can do on their property. In addition, many impervious surfaces do not require a permit. Therefore when a homeowner comes in for a room addition, they may be over the lot coverage requirements because they poured a patio slab but they are not covering an unreasonable portion of the lot. This has not been a problem in the Puddingstone Hills area because most of those lots average one acre or more in size.

Staff is recommending that this requirement be removed in this zone and a new requirement put in place to allow ground coverage to 35% of the total area of the parcel, and allow an additional condition that the D.P.R.B. could reduce that 35% if it felt it was needed to reduce mass and bulk. Also, since there are so few lots zoned Single-Family Hillside and the City has a strong design review process, staff does not expect this change to have a negative impact. In fact, it may allow for more single-story additions and reduce mass and bulk in that zoning.

Manager Hensley stated the second item under consideration is to add a requirement under the D.P.R.B. section which states that a denied application cannot be resubmitted in the same format for at least a year. This requirement is currently listed in the Conditional Use Permit section of the Code and would bring consistency to our process.

The third item is in response to a City Council request to address the issue of lot coverage on flag lots. While there has been a practice to not count the pole area when calculating lot coverage, this will now codify that.

Commissioner Levreau stated he supports the resubmittal section to the D.P.R.B. code, and asked if the flag lot requirement will be applicable to all single-family zones.

Manager Hensley stated it will be applicable to everything that refers to lot coverage. This will be the definition for all residential zones and Specific Plans unless stated differently.

Chairman Schoonover opened the meeting for public hearing. There being no response, the public hearing was closed.

MOTION: Moved by Bratt, seconded by Levreau to recommend approval of Municipal Code Text Amendment 04-01 to the City Council, and to direct staff to bring back a resolution at the next meeting. Motion carried unanimously, 3-0.

ORAL COMMUNICATIONS

4. Director of Community Development

Manager Hensley stated the Costco project will be coming back to the Commission towards the end of summer because they had to recirculate the traffic section of the EIR again at Costco's request.

He also stated that the terms for Commissioners Badar and Schoonover would be expiring this August and asked if there was an interest in being reappointed.

Chairman Schoonover indicated that he would be willing to be considered for reappointment.

5. Members of the Audience

No communications were made from the public.

6. Planning Commission

Chairman Schoonover inquired about the status of CVS.

Manager Hensley stated they will open on the 20th with a soft opening and hold their Grand Opening on the 26th.

Commissioner Levreau commended the Holy Name of Mary project.

ADJOURNMENT

There being no further business, Chairman Schoonover adjourned the meeting at 8:33 p.m. to the regular Planning Commission meeting scheduled for July 7, 2004 at 7:30 p.m.

Ash Dhingra, Chairman
San Dimas Planning Commission

ATTEST:

Craig Hensley
Planning Manager

Approved: