

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, May 19, 2010 at 7:00 p.m.
270 South Walnut Avenue, Sheriff's Community Meeting Room

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner John Davis
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Director of Development Services Dan Coleman
Associate Planner Marco Espinoza
Planning Secretary Jan Sutton

CALL TO ORDER AND FLAG SALUTE

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: May 5, 2010 (Davis absent)

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

PUBLIC HEARINGS

2. **CONSIDERATION OF CLASSIFICATION OF USE 09-04** – A request to allow the following uses as permitted within Specific Plan No. 9, Area 4: “Restaurant” and “Research Facilities, General,” located at 343-433 E. Foothill Boulevard. APN: 8665-008-013 and -033

Staff report presented by *Associate Planner Marco Espinoza* who stated this site was approved for an office complex in 2005. This parcel is the only property located in Area 4 of Specific Plan No. 9 (SP-9), and because of the odd shape and multitude of utility easements crossing the property, no specific uses were listed for this area in the zoning code and were to be determined by the Planning Commission and City Council. The property owner is looking to expand the allowed uses to include restaurant and general research facilities to the existing permitted office use. The majority of parcels on Foothill are developed with offices in either the

Commercial Highway or Administrative Professional zone, and both of these zones allow the proposed uses. Staff feels both uses would be compatible within SP-9, Area 4.

Associate Planner Espinoza stated the proposed restaurant will have limited hours from 6:00 a.m. to 3:00 p.m., and is similar in intensity to other restaurant uses on Foothill Boulevard. The research facility is considered similar to office use, but the code identifies it as a separate use in the CH and AP zones. The plaza is required to have 70 parking spaces for the existing office buildings, and exceeds that requirement with 73 spaces. Because a restaurant requires more parking than an office, the owner had to devise a way to meet the parking standards, and has chosen to utilize a shared parking agreement, which will be addressed in the next item.

He stated the Commission's task is to determine if the two proposed uses are compatible for the zone, and clarified that approving the use does not automatically approve a specific restaurant. Staff is recommending approval of Classification of Use 09-04 and adoption of Resolution PC-1415 recommending approval to the City Council.

In response to questions from the Commissioners in regards to the limited hours for a restaurant, **Development Services Director Dan Coleman** stated the request is to approve a category, not a specific project, and **Associate Planner Espinoza** stated there is an issue with parking which will be addressed in the next item on the agenda. If the current applicant withdraws and another applicant wants to submit a proposal, they will need to go through the same process for a shared parking agreement in order to operate a restaurant.

Commissioner Bratt asked if the code defined research facilities because he was concerned about the impact on the daycare facility located to the east of the site.

Associate Planner Espinoza stated there are two different types of research facilities. A general research facility is an office type of facility without production. There is another category which involves manufacturing facilities. The proposed category is the office type.

Chairman Schoonover asked if a restaurant use is approved, would a new parking agreement have to be approved whenever it changed owners, and if there was an example of a similar size restaurant locally.

Associate Planner Espinoza stated if a new restaurant wanted to come to the center, they would only have to come back before the Commission if they wanted to change any of the limitations in the shared parking agreement. The proposed restaurant is only 1300 square feet and would be comparable to the size of Sweet and Savory on Bonita Avenue. Details about the restaurant are contained in the next item.

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

Sid Maksoudian, 120 W. Bonita Avenue, stated he was not familiar with the application but was concerned about parking at the site and felt you could not consider allowing the use without looking at the parking as well. He also wanted to be sure that any food establishment gets their approval from the Health Department and felt they should have that approval prior to coming to the City.

Pat Smith, Empro, 301 E. Arrow Highway, Suite 100, was supportive of having a restaurant in that zone, and would encourage a new business to start, especially one that can service the existing businesses on Foothill Boulevard.

Travis Simison, stated he works in San Dimas but has to leave the City to find a quick and healthy meal. He would appreciate having an establishment nearby that can provide that service.

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

Commissioner Davis felt they needed to talk about the parking issue before they could make a determination on allowing the restaurant use.

MOTION: Moved by Davis, seconded by Ensberg to continue the public hearing to after the discussion on Item No. 3. Motion carried unanimously, 5-0.

RESOLUTION PC-1415

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF CLASSIFICATION OF USE CASE NO. 09-04, A REQUEST TO ALLOW THE FOLLOWING USES AS PERMITTED BY RIGHT WITHIN SPECIFIC PLAN NO. 90, AREA 4: "RESTAURANT" AND "RESEARCH FACILITY, GENERAL"

After discussion on Item No. 3, the continued public hearing was closed.

MOTION: Moved by Davis, seconded by Bratt to approve Classification of Use 09-04 and adopt Resolution PC-1415. Motion carried unanimously, 5-0.

3. **CONSIDERATION OF CONDITIONAL USE PERMIT 10-01** – A request to allow a Shared Parking Agreement within the Canyon Trail Plaza, 343-433 E. Foothill Blvd., in order to accommodate a restaurant use. APN: 8665-008-013 and -033

Staff report presented by *Associate Planner Marco Espinoza*, who stated Canyon Trail Plaza was developed as an office complex and the parking was calculated at 1:250 sq. ft. of floor area, and exceeds the required parking of 70 spaces by three. A restaurant is a more intense use than office and requires more parking at 1:75 sq. ft. of floor area. If a restaurant is allowed, the center will be deficient in parking spaces. The owner has explored acquiring more parking area by leasing part of the DWP easement currently not included in the project site, but it is a very long, drawn-out process with no guarantee that he would be successful in bidding on the lease agreement. Thus, the owner has decided to amend the CC&R's for the plaza and incorporate a shared parking agreement. Shared parking is allowed in multi-tenant centers when there is no conflict, and several have been allowed in the City, but this will be the first for an office complex. The shared parking will be between just two of the tenant spaces: the research and development offices for Seawest Enterprises and the empty tenant space proposed for the restaurant use. In order to accommodate the shared parking, the restaurant hours will be from 6:00 a.m. to 3:00 p.m. and the research facilities can only operate between 3:00 p.m. to 6:00 a.m.

Commissioner Ensberg asked if the requirements would be different if the restaurant was open later than 3:00 p.m., and if it was going to create an administrative problem in tracking when the two businesses involved are open.

Associate Planner Espinoza stated the required parking is the same but the hours of operation cannot conflict, so the research facility cannot be open whenever the restaurant is open. As to tracking compliance, Staff would track to a certain degree, but it is a requirement in

the CC&R's, Section 29, that any change in hours of operation would require review by the City. Any new owners of businesses in these two tenant spaces would be given a copy of the CC&R's and made aware of the requirement. He then explained the chart in the staff report that showed the parking calculations and how the café will have 19 parking spaces available during operation with the shared parking agreement. The City Attorney has reviewed the document and feels it meets the City's requirements and addresses all concerns. Staff is recommending approval of Conditional Use Permit 10-01.

Commissioner Davis asked if the applicant was able to secure the lease from DWP for additional parking spaces, could they dissolve the shared parking agreement.

Associate Planner Espinoza stated that could be a possibility.

Commissioner Rahi asked if this item would be a moot point if the Classification of Use request was not approved.

Associate Planner Espinoza stated that is correct.

Commissioner Rahi thought the shared parking spaces would need to be marked in order to prevent future problems during peak hours when all of the office spaces were occupied.

Associate Planner Espinoza stated that was considered, but was felt that it might restrict the use of parking in that area for others if the café wasn't occupied at full capacity. The parking for the Plaza was designed to accommodate full capacity so Staff did not foresee any conflicts. Also, one of the tenant spaces would be unoccupied during the café's hours of operation so there should be enough spaces available.

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

Travis Simison, who stated when the parking calculations were done for the Plaza, they could only include the on-site parking spaces. However, there is 400 lineal feet of legal parking on the street available which is near the other buildings, so he did not feel there would be any problems with parking availability.

Eric Simison, Applicant and Owner of Seawest Enterprises, stated they are in ongoing negotiations with DWP for use of the easement for parking overflow and aesthetic considerations. The shared parking is based on a tenant space they hold for Seawest which is designated for research facilities. That tenant space is 2,500 square feet and it is rarely used. He explained that for the types of contracts they bid on, the clients want to see that there are dedicated research facilities available, so they always have some space set aside, but that most of their research is done in the field. The shared parking agreement is for two specific tenants, and if any changes are made in those businesses, a new agreement will have to be recorded. They are currently 70% occupied in the Plaza without marked parking spaces and they do not have any problems.

Steve Johnson, 5763 Glen Oaks, La Verne, stated he was in support of the proposed project.

Jennifer Simison, Property Manager of Canyon Trails Plaza, stated when they first proposed this complex in 2005 they were strictly looking at providing office condos; however, it is a different business climate now. With the change in the economy, they have tried to look for other uses to utilize the available space. With all the new offices that have recently been built

on Foothill, there is a need for a café in the area and she hopes they will consider their request for the Classification of Use and shared parking.

Sid Maksoudian, 120 W. Bonita, felt if they approved restaurant as a use but only had enough shared parking for this café, you would create a future dilemma if another restaurateur wanted to come into the same center.

Jolyn Thompson, Applicant, Twisted Sage Café, stated she did contact the Health Department to verify this building was suitable for a café before moving forward with the request. Along with serving the businesses in the area, she is also looking at providing catering. She passed out a copy of the café's Mission Statement to the Commissioners.

There being no further comments, the public hearing for Item 2 and the continued public hearing for Item 3 was closed.

Commissioner Ensberg stated they can't base their decision on abstract possibilities, and that the applicant has an expectation that their application will be acted on in a reasonable timeframe. He doesn't see a parking problem and feels it would be good to have more businesses open in that area, and supported both applications.

Commissioner Davis felt the ultimate solution is to get the DWP lease, which would open the center up for more uses. He did not feel that approving the applications tonight would restrict any future uses as a more intense use could not go into this center anyway unless part of it was shut down. He did not have any objections to approving this.

Commissioners Rahi, Bratt and Schoonover concurred.

RESOLUTION PC-1416

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 10-01, A SHARED PARKING AGREEMENT WITHIN THE CANYON TRAIL PLAZA (343 – 433 E. FOOTHILL BOULEVARD) TO PROVIDE THE REQUIRED PARKING FOR A RESTAURANT USE

MOTION: Moved by Ensberg, seconded by Davis to approve Conditional Use Permit 10-01 and adopt Resolution PC-1416. Motion carried unanimously, 5-0.

ORAL COMMUNICATION

4. Planning Manager

Director Coleman stated he met with the contractor for the Bonita Gateway project and they expect to pull permits for onsite utilities this week and to start utility and site improvement work starting next Monday. He added the construction is going well on the City Hall project.

5. Members of the Audience

No communications were made.

6. Planning Commission

No communications were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Bratt to adjourn. Motion carried 5-0. The meeting adjourned at 8:14 p.m. to the regular Planning Commission meeting scheduled for June 2, 2010, at 7:00 p.m.

James Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton, Planning Secretary

Approved: June 2, 2010