

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Wednesday, November 3, 2010 at 7:00 p.m.
270 South Walnut Avenue, Sheriff's Community Meeting Room

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Director of Development Services Dan Coleman
Associate Planner Kristi Grabow
Planning Commission Secretary Jan Sutton

Absent

Commissioner John Davis

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: October 20, 2010

MOTION: Moved by Bratt, seconded by Ensberg to approve the Consent Calendar. Motion carried 3-0-1-1 (Davis absent, Rahi abstain).

PUBLIC HEARINGS

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 10-03** – a request to amend various provisions of the Parking Chapter 18.156 of the Zoning Code for consistency with the 2010 CALGREEN Building Code.

Staff report presented by *Director of Development Services Dan Coleman*, who stated California is known for being a leader in environmentally friendly building codes. Recently the state adopted the CALGREEN code, which is the new building code that will go into effect January 1, 2011. As part of that, the City needs to amend the current parking code to comply with state mandates that require spaces near the entrances of buildings for low emission and carpool vehicles in the required ratios, along with providing bicycle parking and pavement

stenciling for clean air vehicles. This amendment, along with updates to all the other building codes, will go to the City Council for first and second reading, and then adoption. Staff is recommending approval.

Commissioner Ensberg asked if the City came up with the language for the amendments, and noted that the proposition to scale back environmental protections was defeated at the polls yesterday, so this appears to be in accordance with what the citizens of the state want.

Director Coleman stated the language for the amendments comes from the State code.

Commissioner Rahi stated the State is requiring these laws to be effective January 1, 2011 and asked if the City adopts this in December, will it become effective immediately.

Director Coleman stated yes, we want our codes to be consistent with the State codes to avoid confusion.

Commissioner Bratt stated it appears the number of carpool and vanpool spaces is based on the square footage of the building, but would the number of overall parking spaces required be based on the type of business.

Director Coleman stated the changes to the code won't affect the overall number of spaces required, which is determined by the use in the building; it will just require that a certain number be labeled for clean air parking spaces.

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

RESOLUTION PC-1423

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 10-03 REGARDING VARIOUS PROVISIONS OF THE PARKING CHAPTER 18.156 OF THE ZONING CODE FOR CONSISTENCY WITH THE 2010 CALGREEN BUILDING CODE

MOTION: Moved by Ensberg, seconded by Bratt to adopt Resolution PC-1423 recommending the City Council approve Municipal Code Text Amendment 10-03. Motion carried 4-0-1 (Davis absent).

- 3. CONSIDERATION OF PRECISE PLAN 10-01 AND CONDITIONAL USE PERMIT 10-07** – A request to Construct a 674 square foot addition for a deli/sandwich shop and a 656 square foot covered patio for an outdoor eating area; and a request to Allow Outdoor Display/Sales of Product at an Existing Fruit Stand Business located at 264 East Foothill Boulevard. (APN: 8661-014-030)

Staff report presented by **Associate Planner Kristi Grabow**, who stated the Commission is considering two applications for this location. The first one is the Precise Plan which is a request to expand the existing business to include a deli/sandwich/smoothie shop and add a covered patio for an outdoor eating area. The eating area will not contain any permanent furniture, but there will be low walls around it that will enclose the patio area. This property is

located in the Scenic Highway Overlay zone, which requires approval from the DPRB, Planning Commission and City Council. The DPRB reviewed the application on October 14, 2010 and recommends approval. This item also went to Traffic Committee in May and August of this year to review circulation and parking requirements. The applicant is increasing parking to meet the zoning code requirements.

The second application is a Conditional Use Permit to allow for outdoor sales/display of merchandise, in five moveable carts to be located in the colonnade area, as required by the Commercial Highway zone. Conditions limit the carts to that area only and require they be positioned to leave clear access into the business. Staff is recommending the Commission approve the Conditional Use Permit and recommend approval to the City Council of the Precise Plan.

Commissioner Ensberg asked if there would be any alcohol sales here and what the hours of operation would be for the sandwich shop.

Associate Planner Grabow stated there will be no alcohol sales, and the hours for the deli will be the same as the fruit stand, which the applicant can go over.

Commissioner Rahi asked if the Traffic Committee had any concerns with the width of the one-way driveway. He also asked about the number of parking spaces and if they were calculated for the retail or restaurant use.

Associate Planner Grabow stated the access plan was reviewed by the Traffic Committee and approved. There was discussion about the width of the driveway, but since it is one-way and a straight shot, and the applicant explained how deliveries would be made, they had no objections to the design. She said the applicant is providing 22 parking spaces as required by code, and the total includes calculating the square footage for retail and restaurant separately and then combining the total.

Commissioner Bratt was concerned that the placement of the driveway on Foothill Boulevard required the removal of what appears to be a healthy tree and was wondering if the driveway could be relocated slightly to preserve the tree.

Associate Planner Grabow stated the Traffic Committee required increasing the driveway width for safety purposes which would require removal of the tree. While the findings for removal can be met by the need to allow for construction, Staff can note his objection to the removal when this item moves forward.

Commissioner Bratt noted that it appears the display carts are already being used and that the adoption of the Conditional Use Permit was to bring the business into compliance.

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

Alan Smith, 12223 Highland Avenue, Suite 106-201, Rancho Cucamonga, Consultant for the Applicant, thanked Staff for their hard work on this proposal, especially with addressing parking and traffic requirements. He felt this will provide for a very nice expansion of the store that has been there for many years. He clarified for the Commission that the hours of operation are Monday through Saturday 8:00 a.m. to 8:00 p.m. and on Sunday from 8:00 a.m. to 6:00 p.m.

Commissioner Rahi asked how they arrived at 22 parking spaces.

Associate Planner Grabow stated the market requires four parking spaces while the restaurant requires 17.73, which was rounded up to 18, totaling 22 spaces.

Commissioner Bratt wanted to know if the seasonal operations were moving further to the west. He also reiterated that he felt the driveway could be reconfigured to save the tree along Foothill, and asked if the purpose of the Conditional Use Permit was to bring the business into compliance.

Alan Smith, Consultant, stated the new parking area is going where the seasonal operations are currently located so they will be moving further to the west. He stated the Traffic Committee wanted the driveway widened to address safety issues and comply with ADA requirements, and while it is a nice tree, he didn't think it was a specimen tree and that they would be providing replacement trees on the property. He confirmed that the CUP was to make the business compliant with the code.

Barbara Alvarez, 1300 Longhorn Drive, stated she has lived across Foothill from this business for 28 years and was very concerned about traffic issues. She stated a number of years ago a woman was killed pulling out of Walnut to turn west on Foothill because it is difficult to see the traffic from both directions. She stated her house has been broken into a couple of times and was concerned that the increase in customers will increase security issues. She felt adding the restaurant would not be beneficial to her neighborhood and would increase noise for them. People already use her cul-de-sac as a turnaround. She already deals with the cell tower, dust from the equestrian center and a huge light shining into her bedroom window. She felt 20 parking spaces would not be enough, especially during the seasonal sales.

Joe Aiello, 1317 Longhorn Drive, concurred. He stated since moving to this neighborhood he has seen a number of cars pull into the cul-de-sac to take pictures, stopping in front of the houses, or using it as a turnaround. He stated cars park constantly in front of the tract and the restaurants. He felt the on-site parking would be full constantly during the seasonal sales period. He thought it had been brought to the City before to gate their community, and hoped that they would take their concerns into consideration. He felt the surrounding businesses would be used for overflow parking and that the City will be getting constant calls.

Commissioner Ensberg asked what he would suggest since the code says they are providing enough parking and will be compliant.

Joe Aiello stated he respects that statement but felt there would still be overflow parking and wanted to know how they were going to keep people out of his neighborhood. He is concerned for the safety of his children and his neighbors and would like to see either a gate or permit parking required for his neighborhood.

Director Coleman clarified that the existing parking on-site is 11 spaces, and it will be doubling to 22 spaces with the proposed development.

Associate Planner Grabow stated there is legal street parking on the south side of Foothill, while on the north side it is prohibited west of Longhorn.

Randy Bell, 216 Rodeo Court, stated his backyard faces the store across Foothill. He stated he is a Sheriff's Deputy for San Dimas and understands the traffic problem. There are 11 homes in this neighborhood and five of them are occupied by law enforcement officers. He stated cars park in the neighborhood all the time, including students from Western University because they are carpooling. He has asked the City for help and has been told they could have no parking signs installed, but he would prefer a red curb rather than a sign post in his front

yard. He stated the seasonal sales create traffic problems for them three months of the year. He has seen people park on Longhorn and then cross Foothill carrying their Christmas trees. He stated the tree delivery trucks park on Foothill to unload, and that he hears the pounding of stands being put on the trees until 11:00 p.m.

Commissioner Ensberg stated maybe the issue for the neighbors is the seasonal sales and not the addition of the restaurant.

Randy Bell felt the restaurant will just add to the existing chaos. He feels that area is a disaster for six months of the year, and adding 11 more parking spaces will not help the problem. He stated the woman was killed at that intersection because she couldn't see oncoming traffic.

Catherine Bell, 216 Rodeo, stated she enjoys running and exercising, and when she runs by Starberry Farms she has observed that it is very narrow where they are proposing the restaurant and additional parking. She stated people do park across Foothill and it is dangerous to cross.

Catherine McNeil, San Dimas Equestrian Center, stated there have been many accidents in that area over the years and that it is difficult when heading north on Walnut to cross. She suggested putting a "No U-Turn" sign on Foothill at Walnut to limit congestion and confusion. She would prefer a traffic signal but knows they are expensive to install.

Brian DeLeon, 1324 Longhorn, wanted to reiterate the concerns expressed by his neighbors about traffic. He felt adding the restaurant would increase the congestion in that area and cause people to linger. He was also concerned about increased traffic because of the number of horses in that area. He has seen several near accidents between cars and horses and was concerned that having more people come there for the restaurant might increase the chance of accidents. He lives at the end of the cul-de-sac and was concerned for the safety of his children. He has had people ask for directions to the golf course because they pull into his neighborhood when they get lost coming off the freeway at San Dimas Avenue.

Xavier Alvarez, 1300 Longhorn, stated his house has been broken into three times and wanted to know what they can do to secure his neighborhood, such as a community gate. He is ready to ask the City for higher walls to help with his security. He felt the City should gate their community to keep people out of the cul-de-sac. He said there is already an issue at Christmas time with the noise from cutting the trees and nailing on stands. He did not think this area was meant for all these activities and that Starberry Farms should have additional parking for their seasonal sales. He wanted to know how many people would be allowed in the outdoor eating area.

Steve Rudy, Applicant, stated he is trying to keep his business viable. With new stores opening in the area, his produce sales are down, so he thought adding a sandwich shop would help to make up for that lost revenue. He was already in the process when he heard about the café across the street going in. He stated this is not going to be like a full-service restaurant, and that he is complying with all the City regulations. He added he just wants to be a good neighbor.

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

Chairman Schoonover asked when the last time a warrant study was done for a traffic signal for Foothill and Walnut. He stated when this item came to the Traffic Committee and DPRB no residents attended, and asked if they were sent notices.

Director Coleman stated he did not know when the last time a traffic study was done.

Associate Planner Grabow stated they did not send notices to the north side of Foothill for the DPRB meeting as usually they notice adjacent properties only. She did not know what the noticing practices were for Traffic Committee as that is handled by the Public Works Department.

Commissioner Ensberg asked how parking for seasonal sales is handled.

Associate Planner Grabow stated retail and restaurant are permitted by right in the Commercial Highway zone, and the parking is calculated for those uses. The Temporary Uses ordinance allows for temporary sales of pumpkins and Christmas trees, but there are no specific parking requirements because it is a temporary use.

RESOLUTION PC-1424

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF PRECISE PLAN REVIEW 10-01, A REQUEST TO CONSTRUCT A 674 SQ. FT. ADDITION FOR A DELI/SANDWICH SHOP AND A 656 SQ. FT. COVERED PATIO FOR AN OUTDOOR EATING AREA IN CONJUNCTION WITH AN EXISTING FRUIT STAND BUSINESS LOCATED AT 264 EAST FOOTHILL BOULEVARD (APN: 8661-014-030)

RESOLUTION PC-1425

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 10-07, A REQUEST TO ALLOW FOR OUTDOOR DISPLAY/SALES AT AN EXISTING FRUIT STAND BUSINESS LOCATED AT 264 EAST FOOTHILL BOULEVARD (APN: 8661-014-030)

MOTION: Moved by Ensberg, seconded by Schoonover, to continue this item for 30 days to allow Staff to research if there are any documented facts that support the anecdotal statements made tonight in regards to traffic, and to refer this back to the Traffic Committee for additional review of the comments made by the residents and to notice the surrounding neighborhood of that meeting.

Commissioner Rahi stated the Traffic Committee has reviewed this twice and they only required additional parking and did not mention any line-of-sight issues with cars parked on the street.

Associate Planner Grabow stated there are already regulations with how close cars can be parked to the corner and that there are conditions on the plans to provide restrictive measures.

Commissioner Bratt stated he would also like information from the Sheriff's Department included in the research.

Alan Smith, Consultant, in response to a question from Commissioner Ensberg stated the project does conform to the code and the business owner has not witnessed people crossing Foothill, and to keep in mind that in 2012 the City is planning to widen the bridge there which should alleviate some of the line-of-sight and parking issues.

Motion carried 4-0-1 (Davis absent)

ORAL COMMUNICATION

4. Director of Development Services

Director Coleman announced that Associate Planner Kristi Grabow completed her Master's Program at the University of La Verne. He also reminded the Commissioners that the next meeting on November 17th will be held at the Senior Citizen/Community Center to discuss the Brasada 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 4-0-1 (Davis absent). The meeting adjourned at 8:04 p.m. to the regular Planning Commission meeting scheduled for November 17, 2010, located at the Senior Citizen/Community Center in the Community Meeting Room, 201 E. Bonita Avenue.

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton, Planning Commission Secretary

Approved: December 1, 2010