

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, July 21, 2011 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Vice-Chairman David Bratt
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Director of Development Services Dan Coleman
Associate Planner Marco Espinoza
Assistant Planner Michael Concepcion
Planning Secretary Jan Sutton

Absent

Commissioner John Davis
Chairman Jim Schoonover

CALL TO ORDER AND FLAG SALUTE

Vice-Chairman Bratt called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Rahi led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: June 16, 2011

MOTION: Moved by Ensberg, seconded by Rahi to approve the Consent Calendar. Motion carried 3-0-2 (Davis, Schoonover absent).

PUBLIC HEARINGS

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 11-06** – A request to consider a modification to the previously approved shared parking agreement within the Canyon Trail Plaza (343 – 433 E. Foothill Blvd.) to accommodate a restaurant use (Twisted Sage Café and Catering). The modification would allow the restaurant to expand its use, days and hours of operation by providing the required parking.

Staff report presented by *Associate Planner Marco Espinoza* who stated an amended parking agreement was needed to accommodate the restaurant and its expanded use, which would be between Sea West Research Division, Sea West Enterprises, and Twisted Sage Café. The applicant would like to expand the hours of operation for Twisted Sage Café to Monday – Friday, 5:00 p.m. to 2:00 a.m. the next day, and Saturday – Sunday, 6:00 a.m. to 2:00 a.m. the

next day. The additional parking needed to allow the expanded hours will be provided by Sea West Enterprises, which will provide 12 of their 17 spaces, leaving them five spaces to operate on a limited basis after 5:00 p.m. during the week. The applicant is also asking to expand their use to an outside patio area, which will close by 11:00 p.m. The additional parking needed for the patio will be provided by an 800 sq. ft. office space leased by Twisted Sage Café which will not be in operation during the hours the restaurant is open. The charts in the staff report show how this will be accomplished. A legal instrument is required to record this arrangement. The agreement also outlines that if there are any changes to the hours, days of operation or the use, it will require a new Conditional Use Permit and fees paid to the City.

Associate Planner Espinoza stated the applicant would also like to host private parties on site. These would be small in nature and only during the regular hours of operation. Twisted Sage does not serve alcohol, and does not have a license to do so; nor is the sale of alcohol allowed in the zone. He stated the café use is compatible to uses in the area and meets the requirements of the zone; therefore, Staff is recommending approval of Conditional Use Permit 11-06.

Commissioner Ensberg asked if the tenants changed at the addresses that are providing the extra parking spaces, are the new tenants bound by this agreement in the new leases. He wanted to be sure that if a new tenant came into the center they would be aware that they have given up the benefit of some of their parking for the restaurant.

Associate Planner Espinoza stated yes, they would be. It is recorded in the CC&R's and they would be made aware of the restrictions when they lease the space.

Commissioner Ensberg asked if the only reason the Café is not serving alcohol is because they currently do not hold a license. He asked if they were planning to add this in the future, because he recalled when they originally came to the Commission they said they only wanted to serve breakfast and lunch, and now they are requesting to stay open until 2:00 a.m. He asked if this was going to be like the restaurant at the previous meeting that wanted to expand their use by adding beer and wine. If that is going to be the next step for Twisted Sage, it just seemed inefficient to piecemeal these requests.

Associate Planner Espinoza stated when the issue of extending the hours came up, Staff wanted to allow the applicant enough flexibility that they did not have to come back again to modify the CUP if they decided to be open later, so the thought was to allow them to stay open until 2:00 a.m. and then they can adjust their hours as needed without further approval from the City. As to the issue of alcohol, when the restaurant use was classified, it was not allowed with the restaurant, so it would have to go through another hearing to classify it within this zone. He has discussed this issue with ABC in relation to the private parties, and they advised that the owner cannot serve alcohol, but if someone brings it in and makes it available to the attendees, that is a different situation.

Commissioner Ensberg stated he is in favor of making more food and dining options available in San Dimas, and if the people within the complex understand the parking restrictions, then he is in support. However, he would encourage the applicant to be more pro-active and not piecemeal their request for uses.

Associate Planner Espinoza stated this has been discussed with the applicant several times and they have indicated that they do not wish to add alcohol service at this time to their Use Permit.

Commissioner Rahi asked if there was a time limit to the parking agreement.

Associate Planner Espinoza stated the agreement stays in effect until they want to change it. The other possibility is that the owner of the center may be able to add more parking if they can get a lease agreement for utilizing one of the utility easements. If they were able to add to the parking lot, then they would not need the shared parking agreement because there would be adequate parking for the site.

Vice-Chairman Bratt asked what the process would be if the applicant decided to add alcohol service in the future.

Associate Planner Espinoza stated first they would go through a Classification of Use process, and if that is approved, then a Conditional Use Permit would be required.

Director of Development Services Dan Coleman stated the issue with this particular zone is that there are no permitted uses, so the City Council has to approve any permitted or conditionally permitted uses to be added.

Commissioner Bratt asked if a private party wanted to provide alcohol, would they need a permit from ABC. He stated he has been involved with organizations that serve alcohol at special events and they were required to have a one-day permit. He also wanted to clarify that if there was a private party that was going to last beyond 11:00 p.m., they would not be able to use the patio area beyond that time.

Associate Planner Espinoza stated according to ABC the private parties would not require a license from them; however, there could be liability issues associated with providing alcohol. It would be up to ABC to determine if a one-day permit was needed. He confirmed that any events going on past 11:00 p.m. would have to be held within the restaurant and could not be out on the patio.

Vice-Chairman Bratt opened the meeting for public hearing. Addressing the Commission was:

Jolyn Thompson, Applicant and Owner of Twisted Sage Café, stated the reason they are not requesting to serve alcohol is that their facility does not meet Health Department requirements. They would need more square footage in order to accommodate all the requirements, and if they add square footage, they need more parking. If the center is able to finally get the lease agreement for the utility easement and can increase the parking lot, that may be a possibility in the future, but she did not want to hold up being open additional days and hours. She stated they are a breakfast and lunch café, and the purpose of the extended hours is to hold private parties. She thought that by offering catering that she could hold private events on site, but learned that they are considered two different things and catering services did not cover that.

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

RESOLUTION PC-1442

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 11-06, A SHARED PARKING AGREEMENT WITHIN THE CANYON TRAIL PLAZA (343 – 433 E. FOOTHILL BOULEVAVRD) TO PROVIDE THE REQUIRED PARKING FOR A RESTAURANT USE

MOTION: Moved by Ensberg, seconded by Rahi to approve Conditional Use Permit 11-06. Motion carried 3-0-2 (Davis, Schoonover absent).

COMMISSION BUSINESS

3. **CONSIDERATION OF CLASSIFICATION OF USE CASE NO. 11-01** – A request to classify “Bank use, including drive-through service” as similar to an existing conditionally permitted use in the Specific Plan No. 18 (SP-18) Zone, Area 1. The entire SP-18 Zone, Area 1 encompasses the San Dimas Plaza Shopping Center, located on the north side of Arrow Highway between Lone Hill Avenue and the 57 Freeway.

Staff report presented by **Assistant Planner Michael Concepcion** who stated that Chase Bank is proposing to occupy 4,300 square feet out of the 6,300 square feet available in the old Blockbuster Video site at 1001 W. Arrow Highway, and would like to have a drive-through ATM for the bank. Currently within SP-18, Area 1, a drive-through is conditionally allowed as an accessory use to a restaurant only. Since there is no listing for a drive-through ATM, the applicant is proposing that it be classified as similar. He explained the findings the Commission would need to meet in order to classify this use as outlined in the staff report.

He went over the previous action taken by City Council that limited the amount of floor space within the center for office uses to no more than 10%, but deleted the 3,000 square foot maximum floor area limitation for any single office tenant. This allowed Wells Fargo to occupy a 5,300 square foot tenant space in the same center. The addition of Chase Bank would still leave the center under the 10% limitation for office uses. San Dimas Plaza is the only area contained in this zone. He stated that the design of the drive-through ATM is not part of this process, only the use. Design will be addressed through the CUP and DPRB processes. He went over the findings as outlined in the report and stated the current drive-through at Burger King has not had a negative impact on surrounding businesses, and it was felt that allowing a drive-through with the bank would be comparable. Because of this, Staff is recommending approval of Classification of Use 11-01.

Commissioner Ensberg asked if Wells Fargo wanted to add a drive-through ATM, would they be allowed to. He did not see a prohibition on how many there could be, so conceivably this would be open to any other financial user.

Assistant Planner Concepcion stated if this classification is approved, that would be a possibility.

Commissioner Ensberg felt this might increase the traffic to the center and improve the commercial viability of the other businesses.

Commissioner Rahi felt more traffic would be generated by a retail use rather than a bank, and felt that information should be provided.

Vice-Chairman Bratt stated all they had to do tonight was determine if the use was similar to a use that is already permitted, and any review of traffic numbers would be with submittal of the project.

Commissioner Rahi concurred, but felt they needed to look at that as the drive-through for the bank would be open 24-hours as opposed to limited hours for the restaurant. It might lead to an increase in vandalism having it open 24-hours, but other than that, he did not have any issues with it.

Vice-Chairman Bratt opened the meeting for public comment. Addressing the Commission was:

Austin Hahn, Civil Engineer for CaliChi, located in Chicago, stated the way the existing tenant space is located, it would be impossible to add a wraparound drive-through to the building, which is why they are requesting a remote location. He stated the drive-through ATM is essential to Chase for customers that wish to make a large, secure deposit at any hour of the day. He stated that from a parking standpoint, if you have a remote drive-through ATM, many customers will choose to conduct their business there and will not be taking up parking spaces to go inside of the bank.

Commissioner Ensberg asked where they are envisioning the location of the ATM.

Austin Hahn stated they are looking at areas to the southwest of the tenant space and have been working with the landlord on minimizing the loss of parking.

RESOLUTION PC-1443

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CLASSIFICATION OF USE CASE NO. 11-01, A REQUEST TO CONSIDER "BANK USE, INCLUDING DRIVE-THROUGH SERVICE" AS A SIMILAR USE TO "FAST-FOOD RESTAURANT USE, INCLUDING DRIVE THROUGH SERVICE" WITHIN THE SPECIFIC PLAN NUMBER 18 (SP-18) ZONE, AREA 1

MOTION: Moved by Ensberg, seconded by Rahi to approve Classification of Use No. 11-01. Motion carried 3-0-2 (Davis, Schoonover absent).

ORAL COMMUNICATION

4. Director of Development Services

Director Coleman stated they have received the precise grading plans and third submittal for landscaping to review for the Loma Bonita Apartments. Staff also anticipates submittal of a new application for developing the Grove Station property in the near future.

5. Members of the Audience

Emily Stillion, 1245 W. Cienega Avenue, felt the city was lacking casual dining establishments reflective of the San Dimas personality. She stated Red Robin and Applebee's are basically sports bars geared to a younger crowd, which means she and her friends need to go outside of San Dimas to eat. She stated several residents share her view, and that possibly there could be a "restaurant row" at the Costco center. She felt Mimi's Café or Polly's Pies would be ideal establishments for San Dimas and encouraged pursuing these two establishments for the citizens.

6. Planning Commission

No comments were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Rahi to adjourn. Motion carried 3-0-2 (Davis, Schoonover absent). The meeting adjourned at 7:41 p.m. to the regular Planning Commission meeting scheduled for August 4, 2011, at 7:00 p.m.

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: August 18, 2011