

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

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

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner John Davis
Commissioner M. Yunus Rahi
Director of Development Services Dan Coleman
Associate Planner Kristi Grabow
Assistant Planner Michael Concepcion
Planning Secretary Jan Sutton

Absent

Commissioner Stephen Ensberg

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: June 2, 2011 (Bratt, Ensberg absent)
 July 7, 2011 (Bratt, Ensberg absent)
 August 18, 2011 (Davis absent)

MOTION: Moved by Rahi, seconded by Davis to approve the Minutes of June 2, 2011 and July 7, 2011. Motion carried 3-0-1-1 (Ensberg absent, Bratt abstain).

MOTION: Moved by Bratt, seconded by Rahi to approve the minutes of August 18, 2011. Motion carried 3-0-1-1 (Ensberg absent, Davis abstain).

PUBLIC HEARINGS

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 11-07** – A request to sell beer and wine for on-site consumption (Type 41 License) in conjunction with a restaurant use, Phoenix Garden Chinese Restaurant, located at 641 W. Arrow Highway in San Dimas Station North. (APN: 8386-007-064)

Staff report presented by *Associate Planner Kristi Grabow*, who stated an established restaurant, Phoenix Garden Chinese Restaurant, in business for 19 years has signed a lease to occupy the 4,000 sq. ft. tenant space previously occupied by Veggie Tea House. They are requesting to serve alcohol in conjunction with the restaurant use. Their hours of operation will

be Monday through Sunday, 11:00 a.m. to 11:00 p.m. They do not plan to have a bar area; all alcohol will be served in conjunction with the meals. They are adding a private dining area to accommodate up to ten customers. There are no issues with parking as they are taking over a tenant space that had been included in the calculations for the 20% limitation on food service in the center.

She stated the proposed business is located in ABC Census Tract 40 which currently has 19 businesses with alcohol licenses. This exceeds the six licenses allocated by ABC for this census tract; however, ABC has the authority to issue more at their discretion. Staff is recommending approval of this item.

Commissioner Rahi asked for clarification of the boundaries of the census tract and if Staff knew what was the size of the tenant space in La Verne.

Associate Planner Grabow went over the boundaries contained on page 2 of the staff report, and stated she did not know the size of the previous location and maybe the applicant could answer that.

Chairman Schoonover stated it was mentioned there are still two possible pad sites and asked if they could be developed as restaurants.

Associate Planner Grabow stated not at this time because the center is at the maximum amount of square footage allowed for restaurants. They could be developed as additional retail space.

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

Brad Umansky, Progressive Real Estate Partners, stated he was representing the owner who unfortunately was out of the country and could not attend the hearing. He stated the size of the previous location for Phoenix Garden was 3,000 square feet and it was located across from the University of La Verne. They will have about 20% more seating at this location.

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

Chairman Schoonover stated he had eaten at the previous location and the layout and location of this tenant space is much better than the one they had in La Verne.

Commissioner Rahi felt the location was appropriate for the use and was glad they were coming to San Dimas.

RESOLUTION PC-1451

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 11-07, A REQUEST TO AUTHORIZE THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION (TYPE 41 LICENSE) IN CONJUNCTION WITH A PROPOSED RESTAURANT, PHOENIX GARDEN CHINESE RESTAURANT, LOCATED WITHIN SAN DIMAS STATION NORTH (APN 8386-007-064)

MOTION: Moved by Bratt, seconded by Davis to approve Conditional Use Permit 11-07 and adopt Resolution PC-1451. Motion carried 4-0-1 (Ensberg absent).

3. **CONSIDERATION OF CONDITIONAL USE PERMIT 11-08** – A request to operate a martial arts/fitness studio and host birthday parties at 1142 Via Verde in the Via Verde Shopping Center. (APN: 8448-022-013)

Staff report presented by *Assistant Planner Michael Concepcion* who stated Red Dragon Karate has been operating at their current location of 1108 Via Verde since 2005 under CUP 05-08. They have decided to downsize and are moving to an in-line tenant space in the same center will which be approximately half the size at 1,500 square feet. In the Commercial Neighborhood zone martial arts and fitness studios can be conditionally approved under the designation of athletic clubs/performing arts. He went over the hours of operation for both the classes and birthday parties. He stated the parties are martial arts themed and are held in the dojo for approximately 7-25 children. All food associated with the parties will be brought in from the outside.

He stated the center requires 357 parking spaces per the code. There are actually 459 parking spaces, so the center has an excess of 102 parking spaces. He stated previous approvals for martial arts studios have usually contained a condition to have a 15-minute break between classes to minimize the impact on parking. Under CUP 05-08, the classes were scheduled at one-hour intervals to allow this change-over; however, the classes are now schedule back-to-back at 30 minute intervals. Staff does not feel this will be a problem as there is an excess of parking available for the center, and a condition has been included that if complaints are received, a review of the CUP can be conducted. Because the studio is moving to an in-line suite, a condition has been included requiring sound attenuation measures with the tenant improvement to minimize the noise impact on the neighboring businesses. Staff is recommending approval of this request.

Commissioner Bratt wanted to confirm that on Saturday, the regular class schedule would be from 9:00 a.m. to 2:00 p.m, and they would only be open longer if they have a birthday party scheduled.

Assistant Planner Concepcion stated that was correct.

Commissioner Rahi stated Condition No. 4 stated the hours are from 9:00 a.m. to 10:00 p.m. and asked if that should be adjusted since they do not stay open that late.

Assistant Planner Concepcion stated the hours are written that way to allow the applicant flexibility in operating their business without having to come back to the Commission for an amendment every time they adjust their schedule.

Commissioner Davis thought this was the third location in this center this business has occupied.

Assistant Planner Concepcion stated that is correct, and that in 1992 they were in an in-line suite as well. He could not find anything in the file to suggest there were any complaints when they were in a similar site.

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

Chris Casamassa, Applicant, stated the tenant space they are going to occupy is located next to La Villa Kitchen and then there is an empty space on the other side. He did not feel that noise would be a concern. In 1982 they were located next to La Villa Kitchen and it seemed to work well. He stated he is still in negotiations with the landlord about this space and that there

was a small chance the deal may fall through, and wanted to know if he were to look at another location, would he need to go through this entire process again as he was concerned about the length of time it would take to file a new application. He was considering locations at Grove Station or San Dimas Town Center.

Chairman Schoonover stated if he went to a different location, he would have to go through the process again as the approval is based on the physical location of the business and the zone.

Director of Development Services Dan Coleman stated if he chose to go to a new location, it would require a new application and floor plan to be reviewed. With advertising, the whole process should only take about 4-6 weeks.

Commissioner Rahi stated there could be issues with parking at the alternate locations he is considering.

Chris Casamassa stated he has taken this business over in the last 90 days as the student level was dropping, but it has now leveled out. The problem with the Via Verde Center is that the landlord wants a high rent for a vacant center.

Assistant Planner Concepcion stated in follow-up to the applicant's request, the Grove Station is zoned Creative Growth, Area 3A which allows retail, office and commercial uses. Because the code does not mention fitness facilities, they would first need to go through the Classification of Use process to see if it was similar to another permitted use, then the Conditional Use Permit process. The San Dimas Town Center is zoned Creative Growth Area 2, and martial arts could be allowed with a Conditional Use Permit; however, that center is already deficient in parking and is operating with multiple shared parking agreements, so that could be an issue.

Commissioner Davis stated it appears that the space in Grove Station would be more difficult to approve and asked if there was anything similar in that zone.

Director Coleman stated the situation would be similar to when Gymboree relocated; they moved to a different zone that had different rules and it increased the time for their approval process. He added there were no similar businesses in Grove Station.

Commissioner Bratt asked if most of his business was "drop and go."

Chris Casamassa stated they currently separate their classes based on age group and skill level which allows them to hold them at 30 minute intervals. Parents are constantly in and out so there is not a rush in the parking lot. He stated class size can be 8-25 kids per class.

Commissioner Bratt stated parking is very limited at Grove Station and that could be an issue, and that a shopping center would be better for accommodating parking.

Assistant Planner Concepcion stated the Via Verde center was different than most centers in town because they have an excess of parking.

Director Coleman stated another possibility would be where the 24 Hour Fitness is located as they are closing that facility.

Chris Casamassa stated that would be too close to his Glendora location.

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

RESOLUTION PC-1452

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 11-08, A REQUEST BY CHRIS CASAMASSA TO OPERATE A MARTIAL ARTS/FITNESS STUDIO AND HOST BIRTHDAY PARTIES LOCATED AT 1142 VIA VERDE

MOTION: Moved by Davis, seconded by Bratt to Approval Conditional Use Permit 11-08 and adopt Resolution PC-1452. Motion carried 4-0-1 (Ensberg absent).

ORAL COMMUNICATION

4. Director of Development Services

Director Coleman stated Los Angeles County will be conducting a series of meetings on updating their 1980 General Plan. One is scheduled for the library on October 11, 2011 and information about it is on the City's website. He stated the 24 Hour Fitness is scheduled to close at the end of October and he just received word that Office Max was going to close.

5. Members of the Audience

No communications were made.

6. Planning Commission

Commissioner Davis stated he thought the new Montessori school project came out nice and that it didn't seem to be creating any issues.

Commissioner Bratt stated he would be unable to attend the meeting next Thursday regarding the Walnut Creek Open Space and Habitat project.

ADJOURNMENT

MOTION: Moved by Bratt, seconded by Davis to adjourn. Motion carried 4-0-1 (Ensberg absent). The meeting adjourned at 7:36 p.m. to the regular Planning Commission meeting scheduled for October 5, 2011, at 7:00 p.m.

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: October 5, 2011