CITY OF SAN DIMAS
PLANNING COMMISSION
MINUTES

Regularly Scheduled Meeting
Thursday, April 18, 2013 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present
Chairman Jim Schoonover
Commissioner David Bratt
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Assistant City Manager for Comm. Dev. Larry Stevens
Planning Commission Secretary Jan Sutton

Absent
Commissioner John Davis

CALL TO ORDER AND FLAG SALUTE

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

CONSENT CALENDAR

1. Approval of Minutes: March 20, 2013 (Ensberg absent)

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

PUBLIC HEARINGS

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 12-01** – A Request to Amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow Accessory Structures, including Carports, into the Required Interior Property Line Setback, located at the northwest corner of Bonita Avenue and San Dimas Canyon Road. (APN: 8390-013-021, -024, -025 and -026)

Staff report presented by ***Assistant City Manager Larry Stevens*** who stated this code amendment is being driven by required changes to the original site plan for the podium building based on Fire Department access requirements. When the building was relocated, it put the covered carport parking at the north and west property lines, which encroached into the required 15-foot landscape area. Since carports are permitted to encroach into yards in the MF zone, Staff felt a code amendment was the appropriate way to address the situation. The property is currently in escrow with Avalon Bay, who is intending to build the project as previously approved with just a few minor changes. They are hoping to pull building permits shortly after closing escrow this spring.

With this amendment he is also addressing two other inconsistencies he found between the plan and the setback standards, and the code has been reformatted into an A and B section. Section A changes the setback from 15 to 10 feet due to an issue of an existing habitable building located between the residential and the commercial portions of the project. It also includes the exception for covered carports that are one-story or less in height. The new Section B is a clarification of the previous Subsections D and E, where the intention of the original language was to keep buildings away from the drive aisles when using the wording "building to curb face."

Staff is recommending approval of MCTA 12-01 as outlined in the staff report and set forth in Resolution PC-1481.

Commissioner Bratt asked what was located on the other side of the wall along the west property line.

Assistant City Manager Stevens stated it is almost entirely driveway or parking area along that property line, and also to the north. That is another reason why Staff is willing to allow the parking in that area, and felt the height limitation set some protection for the neighboring properties. He estimated that all the residential buildings on the neighboring properties were at least 45 feet away.

Commissioner Rahi asked about the standard in Item A3 being reduced from 15 feet to 10 feet.

Assistant City Manager Stevens stated that apparently Building Pad 18.3 is approximately 11 feet from the property line instead of 15 feet, so he amended the setback to allow it to remain in that location. It abuts the Fresh & Easy parking lot so there is still plenty of distance between the buildings.

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

RESOLUTION PC-1481

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMEDNT 12-01, A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPETY LINE SETBACK

MOTION: Moved by Bratt, seconded by Ensberg to recommend approval of Municipal Code Text Amendment 12-01 and adopt Resolution PC-1481. Motion carried 4-0-1 (Davis absent).

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 12-03** – A Request to Amend Section 18.542.250, and other Sections as deemed appropriate, of the San Dimas Municipal Code, to allow an up to 950 Square Foot Second-Story Architectural Element on lots with a One-Story Height Limit and other associated revisions, as deemed appropriate, located in Specific Plan No. 25 in the Northern Foothills of San Dimas.

Staff report presented by ***Assistant City Manager Larry Stevens*** who stated this item was mentioned when they reviewed the Precise Plan for the Architectural Guidelines, and the final

approval was contingent upon adoption of this particular change. Attachment 1 shows photo illustrations of a project in Orange County to show the advantage of having flexibility on the height. Attachment 2 contains excerpts from the Design Guidelines that cover the various standards. Attachment 3 is the off-site visualizations contained in the EIR for the project.

When the Specific Plan was originally adopted in 1999, the height of all buildings was limited to one-story or 25 feet. Subsequently there was litigation and a Settlement Agreement, which provided the Specific Plan would be amended to allow some two-story buildings, but it did not define how that would be done and how many would be allowed. NJD processed applications in 2010 to amend the General Plan, Specific Plan and the Tentative Tract Map to implement the components of the Settlement Agreement.

Ultimately two Planning Areas were created for the Northern Foothills. Planning Area 1 is the property under NJD ownership; Planning Area 2 is the rest of the foothills area. In Planning Area 1 the building height standard was modified to allow up to 27% of the lots (16 total) to exceed the one-story, 25-foot height limit, and that those lots would be identified on the Tract Map. In Planning Area 2, the original limitation was generally retained, but an amendment was made that if a parcel qualified to be subdivided into four or more lots, then they may have one two-story structure.

The Applicant is asking to amend the standards to allow the remaining 45 lots in Planning Area 1 that are limited to one-story structures to allow a further exception for a second-story component which would not exceed 10% of the habitable floor area or 950 square feet, whichever is greater. The Applicant's argument is that it gives them the ability to utilize the classic architectural features selected for the project and that it does not create an additional visual impact. He indicated that pages 2-4 of the staff report contain direct excerpts from the code, but since there are only flat pads in Planning Area 1, they only need to review that.

Assistant City Manager Stevens stated the original one-story standard was intended to create a more rural, rambling, ranch-style house. In Staff's opinion the Settlement Agreement and 2010 approval removed most of the rural nature from the hillsides due to the grading and tract design and replaced it with a flat pad development, so at least part of the reason for requiring mostly one-story structures has been negated. However, the request to consider changing the standard didn't occur until submittal of the Architectural Guidelines.

In response to Commissioner Ensberg, he stated it is important to look at the historic context. If you increase the height, you increase the opportunity for more mansionization. By allowing their request you get more opportunity for architectural flexibility internal to the project. While it may not be that noticeable from the exterior view, if you look at the overall concept and the original approach, there may need to be more protections. If they are going to allow the other 73% of the lots to have this flexibility, Staff feels there should be a massing reducing standard and presented the three options in the report for consideration. If they set a limit in the code, it allows some control if the Applicant or future homeowners want to change something again in the future. If the Commission agrees with this approach, he will bring back standards for review at the next meeting.

Commissioner Ensberg asked why they should have a codified change if the key issue was to protect the view and the view is not going to be significantly impacted. He asked if the 950 square foot limitation could be put in the code without the other standards.

Assistant City Manager Stevens stated the view is not largely impacted now, but guidelines are relatively easy to change and there is less discretion involved in any future changes. If the standards are in the code, there is a public hearing process before the standards can be

amended. He stated they could just amend the code without additional standards, but the concern is that in the future, without having some protections in place, it may allow the houses to become too large.

Commissioner Bratt stated the City has worked very hard to keep the number of houses in the foothills down, and the original approval gave them a reasonable mix of one- and two-story homes. He feels the developer is just going to keep picking away at the standards, and that will lead to mansionization.

Chairman Schoonover stated they could also leave the standard as it is with only 16 lots allocated for two-story houses and make no change.

Commissioner Bratt stated he supports business and development, but felt in this case the Applicant is going to make it as big and offensive as they possibly can and build castles with turrets. They were allowed to have two-story homes on a quarter of the property. If they increase the size on the one-story houses, he felt that wherever you are, you are going to see a massive housing development in the hills.

Commissioner Ensberg stated Staff indicated the visual impact was not going to be a problem.

Assistant City Manager Stevens clarified it was his opinion that the approved grading plan and the tract layout have already created a negative impact on the hills, so allowing the houses to be slightly larger isn't going to increase that negativity.

Commissioner Ensberg felt the Applicant had certain rights to develop their property as they see fit and didn't see why the Commission needed to discuss such a small change.

Commissioner Bratt stated the purpose of this board is to control what is done. If we allow them to do whatever they want, then you have a development like Morgan Ranch. He stated he did not want to increase the standard.

Commissioner Ensberg felt they should allow them to have the 950 square feet and set that as the limit without imposing another set of standards.

Commissioner Bratt stated even though Staff is recommending approval, he does not agree and does not support changing the standard.

Chairman Schoonover stated they are not a rubber stamp for the Staff.

Commissioner Ensberg stated he concurred but felt they should take into consideration the point of view of the professionals. His concern was whether the view was going to be impacted, and Staff has indicated it will not be largely impacted, so that is why he is in support of the recommendation.

Chairman Schoonover stated during the 2010 hearings, the General Plan was amended to state that only 27% of the houses can be two-story, so does this code amendment also amend the General Plan, or does the General Plan need to be amended.

Assistant City Manager Stevens stated you could probably interpret it either way but he would review it closely and advise the Commission on if a General Plan Amendment was needed as well.

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

Stan Stringfellow, Applicant, 2011 E. Financial Way #203, Glendora, representing NJD, stated what they are requesting is a limited height increase from 25 feet to up to 30 feet maximum to enhance the architectural styles selected for the project. The square footage would be 10% of the livable area or 950 square feet, whichever is less. The largest house that can be built is 15,600 square feet due to water storage requirements by the Fire Department. There are five types of proposed elements: a tower element at the entrance area; an outdoor roofed space with exterior access; an open viewing deck with exterior stair access; an open outdoor living area with a roof; and an enclosed room with interior/exterior stairs. These are to enhance the six architectural styles of Italianate, Spanish, Tuscan, Andalusian, French Country and Craftsman chosen for the project.

He stated they are not trying to mansionize these homes or to finagle a second story on them, and that only one option actually gives you a second story. The architectural guidelines have certain massing requirements. They have sent their revisions to Staff and felt they could work with them to address any concerns. If there were any significant changes made, it would be brought back to the Commission for approval. He then presented an overview of how these design features would work with the different styles in the guidelines.

Commissioner Bratt asked why he didn't discuss this while they were reviewing the guidelines if these elements were integral to the character of the houses.

Stan Stringfellow, Applicant, stated they did discuss it during that hearing, and they had already submitted for a Specific Plan Amendment, but they did not discuss it at length because it would be contingent on this amendment being adopted.

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

Assistant City Manager Stevens stated the current code allows the Applicant to have architectural elements that exceed the height limit so they don't need an amendment to have that, but felt the real issue here is that you can't have habitable space above the first floor and felt that is a part of what the Applicant is trying to create. He stated in regards to the question about the General Plan, Policy 10.2.10 Goals and Objectives states "houses shall not be excessively tall so as to dominate their surroundings." Then a sentence was added that reads "structures shall generally be limited to a maximum of one-story in height except that not more than 27% of the lots being created may include two-story structures in conjunction with any land division where additional analysis can demonstrate that any additional height does not increase visual intrusiveness."

He stated structures may be constructed on split-level lots, so they took out the maximum one-story there. He felt there is more than one way to read the revised language in the General Plan. He stated clearly they cannot ask for more than 27% of the lots to be two-story in height. He felt there is some judgment involved if the limited two-story component makes this a two-story structure, because it could be read that way as well. His suggestion was to address the interpretation in the findings.

Chairman Schoonover stated so the question is does the Commission want to allow two-story structures beyond the 16 lots that have already been approved.

Commissioner Ensberg felt the Applicant was not asking for two-story homes, they were asking for the ability to include architectural changes that are visually pleasing. He felt the proposed home styles were attractive and the elements will enhance the value to the people who will live there. He was willing to add a FAR standard to help address the concerns expressed by Commissioner Bratt regarding mansionization. He felt the key consideration was that it will not create a negative visual impact and that the property owner should be able to use his property the way he wants as long as it doesn't negatively impact the community.

Commissioner Bratt stated he would not be opposed as long as Staff feels there are appropriate controls in place, but in looking at the presentation, it looked like they were planning to build castles with turrets and he did not think this is what the City of San Dimas wants to see in the hillsides.

Commissioner Rahi felt they want to help the Applicant and felt this would allow architectural variations but no living space, except in the one option. He asked the Applicant why they are requesting this change.

Stan Stringfellow, Applicant, stated at the time the Tract Map was approved there was no particular style of architecture contemplated for this development. After reviewing the market, they identified six styles they felt were appropriate for the community, and have created an ambiance reminiscent of northern Tuscany, and incorporated Old World European designs, along with a California Craftsman. Because of this selection, they felt they needed to add the option for these architectural elements to present the best possible product.

Commissioner Rahi asked if this will be their final request for changes.

Stan Stringfellow, Applicant, stated it will be the final request from him but he can't speculate on what someone might ask for in the future. Now that they have the approval, they have individual lot studies on where the homes can be placed.

Chairman Schoonover stated he shared Commissioner Bratt's concerns, and when they saw the project in 2010, they had an idea of what it would look like when they agreed to 16 two-story lots, with the rest being one-story homes. He felt a good architect can create interesting one-story designs without adding all these turrets. He is willing to see what the Staff can come up with for them to review, but he would not be comfortable with moving forward approving more than the original 16 two-story homes.

Commissioner Ensberg felt they should allow Staff to come back with their recommendations, and then Commissioner Davis would also be present to review the proposal.

MOTION: Moved by Schoonover, seconded by Bratt to direct Staff to prepare standards and findings for further review of this item, and to continue the public hearing to May 2, 2013. Motion carried 4-0-1 (Davis absent).

ORAL COMMUNICATION

4. **Assistant City Manager for Community Development**

Assistant City Manager Stevens stated a group of commercial brokers and tenants met and submitted a proposal in regards to the commercial for sale/leasing signs. When he responded back for clarification on several items, they responded that the group was not able to resolve their internal differences on how best to approach possible amendments to the sign code. At

such time as there seems to be a unified proposal, he will bring that to the Commission to consider before taking it to the City Council.

He stated the Tzu Chi have filed an application for a Specific Plan Amendment with the City. Staff will be meeting with the County Planning Staff to discuss CEQA lead agency determination. He felt it would be quite some time before they are ready to bring this proposal forward for a hearing.

The City will be submitting an application to the County for grant funding for Phase I of the Walnut Creek Project. The first step will be CEQA and creating an environmental document that looks at the project as a whole, so they will be working on that over the next few months as well. The Lone Hill project has permits for nine homes, six of which have been sold, and they pulled the building permits for the remaining nine homes today. The Bank of the West building is ready to pull the grading permit, and the Shops building is in plan check.

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 8:34 p.m. to the regular Planning Commission meeting scheduled for Thursday, May 2, 2013, at 7:00 p.m.

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Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

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Jan Sutton
Planning Commission Secretary

Approved: May 2, 2013