

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, May 16, 2013 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner John Davis
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Assistant City Manager for Comm. Dev. Larry Stevens
Senior Planner Marco Espinoza
Planning Commission Secretary Jan Sutton

CALL TO ORDER AND FLAG SALUTE

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:03 p.m. and Commissioner Bratt led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: May 2, 2013

MOTION: Moved by Bratt, seconded by Ensberg to approve the Consent Calendar. Motion carried unanimously, 5-0.

PUBLIC HEARINGS

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 12-05; MODIFICATION TO DEVELOPMENT STANDARDS 12-01; AND DPRB CASE NO. 12-07 (Associated Case: Lot Combination 12-01)** - A request to construct a 95,455 sq. ft. enclosed RV storage facility consisting of eight structures on a 4.39 acre site, located at 638 E. Baseline Road. (APN: 8661-016-004, -030, -031, and -032)

MOTION: Moved by Schoonover, seconded by Davis to continue this item to a date uncertain. Motion carried unanimously, 5-0.

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. **(Continued from May 2, 2012)**

Staff report presented by *Assistant City Manager Larry Stevens* who stated at the end of the last meeting direction was given to evaluate potential standards related to the FAR/pad coverage issue. Attachment #4 is the same as last time and evaluates using a FAR to both the pad and the lot size, and shows the maximum floor area for the custom and semi-custom home lots. Attachment #5 is an effort to look at an appropriate numerical standard for either a FAR or lot coverage standard, and is based on discussions with the applicant last week regarding pad coverage.

He stated initially Staff was in support of a FAR standard, but as Attachment #5 was developed, it became apparent that using that standard was relatively discriminatory to the two-story lots, and now would be supportive of using a pad coverage standard instead so there could be uniformity throughout the project. By going from a FAR standard to pad coverage, you eliminate any second story square footage, whether it is the habitable architectural element or a full second story. The second point of consideration is that the Applicant is asking that a portion of the garage be excluded from the calculation as well from a lot coverage standard. Staff feels that is inconsistent with current standards and that there is no merit in excluding what could be 600-800 square feet of garage area.

Staff is recommending exclusion of minor structures under 120 square feet that do not need a building permit, which is similar to other zones. He stated the most difficulty is arriving at what number to use in terms of percentage of coverage. Attachment #5 presents three options that show how each parcel would be impacted using the Applicant's maximum floor area for a primary residential structure. The Guidelines state only the primary residential structure counts towards floor area and does not include the garage or accessory structures in the maximum square footage amounts. Under that standard there could be some very large structures on these pads because all that is left are setback requirements in the Guidelines.

Assistant City Manager Stevens stated the analysis is based on the maximum square footage even though most parcels will not be built out to the maximum, and they should not be because of the varying size of the pads. He stated if you look at the semi-custom lots in Attachment #5 it is obvious that using a pad coverage standard would be better than a FAR. On Page 2 of the Staff Report the two tables illustrate what the impact would be on the different lot types with the different coverage standards, using a half-acre lot and a 30,000 square foot custom pad as examples. He went over what Staff's proposed changes would be and compared them to the language submitted by the Applicant in the hand-out on the dais. He also went over a map of where the different type lots were located within the tract and how the pad coverage standard would work on the different lots, especially with the garages and accessory structures. He stated the resolution includes Staff's recommendation but it can be amended if the Commission desires.

Commissioner Davis thought the equestrian lots should be considered differently because he felt the standard was more restrictive on those lots. He also thought there had been consensus to go to 30 feet in height on the architectural element and staff was not increasing the height in the resolution language. He thought the discussion was to allow the Applicant to go to 30 feet to give them the extra five feet for habitable area.

Assistant City Manager Stevens stated the height can exceed 25 feet already for a non-habitable architectural element. The request for extra height was the Applicant's desire but Staff did not see the need for the increase.

Commissioner Ensberg asked if Staff could support a 50% pad coverage standard, and would it address the concerns of some of the Commissioners about mansionization, or would he feel better about 45%.

Assistant City Manager Stevens stated if you look at Attachment #5, it affects maybe 7-8 parcels at the most from achieving an 8,500 sq. ft. house, which is an arbitrary number to begin with, and on the equestrian lots a decision will probably have to be made about the square footage of the houses versus accessory buildings, such as having a barn or covered stable, so he doesn't think 50% is the optimum amount. While 45% could be acceptable, he still felt 40% was a better number to use. He also would not exclude any garage area from the requirement.

Commissioner Ensberg thought it would be acceptable to go with the Applicant's suggestion to eliminate review authority by the Development Plan Review Board because that seemed too subjective. He did not think the DPRB should have the right to limit something if it meets the objective standard.

Assistant City Manager Stevens stated all architectural review has an element of subjectivity. The City will have to review the architecture no matter what, so it could stand with or without it. It is a criteria in which to measure an objective standard, and would be beneficial to keep the language in, but is not mandatory. He was trying to bring to the forefront that this is primarily a one-story development, and wanted to emphasize that it is not a two-story development.

Commissioner Bratt asked why the second floor is not included in the Pad Coverage section. That was his whole point against mansionization, so if you don't include the second story or the enhancement, then what is the point.

Assistant City Manager Stevens stated originally he concurred with that viewpoint which is why a FAR was suggested, but when he started doing the numerical analysis, he became concerned that using a FAR and trying to apply it uniformly across the 61 parcels wouldn't work because it negatively affected the two-story lots, several of which are under 20,000 square feet in pad area. If you look at Attachment #5 in the second column, there are nine lots less than 20,000 square feet, and if you used a FAR standard, not only would they be way under the maximum square footage allowed, they would be under the mid-point. So while he did not support there being two-story homes originally, there still needs to be some type of standard, and because of the negative impact of using a FAR, he went back to a pad coverage standard and felt they could achieve the same goal without having to create a separate standard for the two-story lots.

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

Stan Stringfellow, 2011 E. Financial Way #203, Glendora, CA 91741, Applicant, stated their request for an amendment was for an architectural element and felt it was being turned into a second story, when at best it would be a 1-1/2 story architectural element for the one-story homes. Their intent is to enhance the quality of the architecture, and of the five variations that could be incorporated, only one has habitable area. He has spoken to several architects who have stated that when you have large homes like these, you need something to break up the rooflines, and they object to it being called a second-story element.

He stated the exclusion of the garages has always been part of the calculations for maximum area to be built on the lots. They had 8,500 square feet as the maximum house size, with the average size at approximately 5,000 square feet. The maximum of 15,600 square feet wasn't their choice; it was a requirement of the Fire Department because that was the maximum that could be handled by the water tanks. He stated this community was presented as a large lot, large home development and there seemed to be a real effort to reduce the size of the homes. He stated the people they are going to market to will want a large home, especially on the equestrian lots, though he didn't think they ever intended that every lot will be built to the maximum capacity.

Mr. Stringfellow, Applicant, stated that both Attachments #4 and #5 were taken from an older table and not their current table. In the back of the Design Guidelines, there is a lot study that defines the building pad of each lot and has been approved by the Commission and Council. Now that they are asking for this architectural element, he feels Staff is trying to reduce the size and scope of the project. He stated this will also have an economic impact and presented figures indicating that out of the 276 acres of the project site, only 37 acres, or 1.612 million square feet, constitutes the residential pad area. The original Tentative Tract Map did not have as much open space, and using a 35% lot coverage standard would give them more than 1 million square feet developable area. The 50% pad coverage amount they are requesting would only be slightly over 800,000 square feet, so when it is said they are mansionizing everything on the site, it concerns him. Only 7% of the project area will be covered with homes, and they have applied setback standards in the Guidelines. All they requested originally was to increase the height on the one-story homes to allow for a 30-foot tall architectural element, whether habitable or non-habitable, because he does not read the standard the same as Staff that they can exceed 25 feet in height for non-habitable architectural elements.

Mr. Stringfellow, Applicant, stated the architectural element has to be consistent in style with the residence and only allowed if it enhances the character of the architecture. There will be an architectural committee that reviews all the plans prior to submittal to the DPRB, and felt it was too subjective that the DPRB might turn something down that the residents of the community have approved. They have asked for a maximum coverage not to exceed 50% of the total graded area for the first floor area and the first three spaces of the garage, which he felt was a compromise because they weren't including the attached garages in their Guideline calculations.

He stated the pads were designed to allow flexibility for locating the homes and accessory structures so they wouldn't necessarily all sit parallel to the street, and felt that 50% coverage allowed them the maximum flexibility. The City seemed concerned about encroachment into setback areas, but that would require review by both the architectural committee and the City, and there were other protections in the Guidelines to prevent over-building.

In conclusion, a .35 lot coverage ratio benefits the larger lots and adversely impacts the smaller lots. A 50% pad coverage ratio benefits the smaller lots and the area where those are located are hidden from view of the city and will only be seen by the people who live in the community. The 40% pad coverage ratio limits all of the pads and applying that ratio reduces the value of the lots and limits how much can be built, reducing it by 165,000 square feet, and they are unable to accept that. However, they would agree to a 50% pad coverage ratio.

Commissioner Davis asked if including the equestrian lots in that calculation was acceptable to him.

Stan Stringfellow, Applicant, stated he was fine with a 50% coverage on all the lots and felt it would be easier to administer.

Commissioner Rahi asked who would be the people on the architectural committee he referred to earlier.

Stan Stringfellow, Applicant, stated initially it would be comprised of the developer and the builder, but once there are a certain number of homes occupied, members of the community will be brought in to be on the committee.

Commissioner Rahi felt that by the time they have enough occupants, those people will be reviewing additions and accessory structures, but that there wouldn't be community members involved in the initial review of homes as he had stated.

Commissioner Bratt concurred that since it will be the builder that is the architectural committee when the homes are initially being built, it wasn't right to say that the residents will be involved in the design review.

Stan Stringfellow, Applicant, stated the builder will have to adhere to the Design Guidelines.

Commissioner Rahi stated the homeowners really don't have any say in the design of the homes because they are mostly built before there are enough homeowners to be on the committee.

Commissioner Davis asked what number of lots have to be sold to trigger formation of the HOA. He asked if they would be developing the lots.

Stan Stringfellow, Applicant, stated either 50% of the lots or possibly after two years; he would have to go back and check. He stated the plan was to sell to a builder. This project was designed so that Brasada would install the backbone, and then a semi-custom home builder would come in and buy a number of the lots to develop, and then they would sell off the more estate type lots to individuals.

Commissioner Bratt stated that by the time you sell 50-60% of the lots, the houses are already built. He felt the builder will control what they are discussing tonight and the homeowners will be around to control the accessory structures. There did not seem to be any controls to protect what they are discussing.

Chairman Schoonover stated it can also be difficult to find homeowners that want to serve on the architectural committee.

Commissioner Rahi felt they should retain the language to have the DPRB make the design decisions because the homeowners won't be involved. He asked why the Applicant objected to having review by the DPRB called out in the language.

Stan Stringfellow, Applicant, stated their objection was to the wording, "shall be allowed only if the DPRB determines it enhances the architectural character of the structure." He felt if the people who live up there and own the property in the development have given their approval, why should the DPRB have the authority to possibly deny it.

Commissioner Rahi stated the homeowners won't come into the decision making process until much later. They went through that process in his community and the homeowners had a

hard time getting control of the architectural review board from the developer, and they would come into the process too late to be involved in this.

Stan Stringfellow, Applicant, felt there will be a major developer that comes in with 3-4 floor plans and variations in the semi-custom lots, and that is what will get approved. They just felt it was too restrictive and subjective because they don't know who will be on the DPRB. In response to Commissioner Rahi's concerns, there is a transition process for architectural review and sometimes it goes smoothly and sometimes it does not. He feels it will be the homeowners that will be reviewing the custom lots and accessory structures.

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

Commissioner Davis felt they needed to deal with the height and coverage amounts separately. In regards to the height for the architectural element, he would support the Applicant's proposed Item b.

Commissioner Bratt stated they should add the 30 feet in height to section b, and leave in the requirement for DPRB review. He would be willing to go with 45% on the pad coverage but felt it should include all of the house, not just the first floor, and all the garages, not just those in excess of three.

Commissioner Ensberg understands his concerns, but felt that Staff had explained why the second floor or architectural element should not be included in the calculation. Otherwise, he concurs with including a height limit of 30 feet for the architectural element, a 45% pad coverage standard, review by DPRB and inclusion of all garage space. In regards to how it is identified, if people can occupy the area, it is a second floor; if they cannot, it is an element.

Commissioner Rahi concurred with including all of the structures in the calculation. He was reluctant to go to 45%, but will, and would be alright with using the term "architectural element" instead of "second-story element" in part B.

Commissioner Davis felt selecting 45% for a pad coverage standard was an arbitrary compromise position since if they were allowed the 35% lot coverage standard, they would be able to build on more than 50% of the pad area. He felt they should just stay at 50% pad coverage as requested by the Applicant.

Commissioner Ensberg felt it wasn't an arbitrary choice, that it is a figure that Staff feels can be used without creating mansionization.

Commissioner Davis stated he didn't know what mansionization means in a development where you can build large homes, and felt it was arbitrary. The Applicant was requesting addition of a five-foot taller architectural element and now we are trying to reduce the size of structures that can be built, and felt they should just approve giving him the extra height for the element and leave the residential size at 15,600 and 8,500 square feet.

Commissioner Bratt felt these were not normal lots that you could apply the standard 35% lot coverage amount to because of how they are situated in the hills

Chairman Schoonover stated he did not agree with either granting them a height increase for the element or granting 45% pad coverage.

RESOLUTION PC-1482

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 12-03, AMENDING BUILDING HEIGHT AND PAD COVERAGE STANDARDS IN SPECIFIC PLAN NO 25, PLANNING AREA ONE

MOTION: Moved by Davis, seconded by Bratt to approve the Applicant's submitted language under Section 18.542.250.A.1.b with the exception of the strikeout for review by the DPRB. Motion carried 4-0-1 (Schoonover no).

MOTION: Moved by Ensberg, seconded by Bratt for new Section 18.542.265 to approve the Applicant's submitted language, except change 50% to be 45%, and include all structures, including all garage space and other habitable and non-habitable accessory structures. Motion carried 3-0-2 (Davis, Schoonover no).

Assistant City Manager Stevens stated he will amend Resolution PC-1482 to address the architectural element, and create a new resolution with slightly different findings to address the pad coverage and asked if the Commission would like the new resolutions to come back for approval or to direct Staff to create the findings that reflect the motions.

The Commission concurred to have Staff write the appropriate findings to reflect the motions and to move the item forward in the process without coming back to the Commission for further action.

ORAL COMMUNICATION

4. Assistant City Manager for Community Development

Assistant City Manager Stevens stated in regards to recent discussions about the fate of the Walker House subsequent to the dissolution of the Redevelopment Agency, the first issue is regarding the loan between the City and the Walker House LLC, which was approved in the first three ROPS but not in the last one. The second part relates to whether the Walker House is a property the Agency has to dispose of. The Property Management Plan has just begun which will identify which properties are government property, which are to be held, and which are to be disposed of. That should be completed approximately September of this year, and then will be submitted to the State for review. If the City does not receive a favorable decision, then we will seek legal or legislative relief.

There has still been no submittal from the real estate community for review to amend the code regarding commercial real estate signs. All but one site has complied, and two citations have been issued to the property owner. Grove Station should be pulling permits for the last three phases next week, and the City Council approved the code amendment regarding the carports for Bonita Canyon Gateway and the assignment of the Affordable Housing Agreement from VCH to Avalon Bay. The new owner would like to start construction in early June. The City should have a draft of the Housing Element by early July and will probably start hearings in late August or early September.

5. Members of the Audience

Kim Scott, NJD, 3300 E. 1st Street, #510, Denver, Colorado, stated he has been coming to San Dimas for many years and commented on the high quality of the new track installed at the high school, and appreciated that it was open to the public to use.

6. Planning Commission

No comments were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Davis to adjourn. Motion carried 5-0. The meeting adjourned at 9:11 p.m. to the regular Planning Commission meeting scheduled for Thursday, June 6, 2013, at 7:00 p.m.

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: June 20, 2013