



**MINUTES**  
**SPECIAL CITY COUNCIL MEETING/RETREAT**  
**MONDAY, APRIL 29, 2013 5:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

Mayor Curtis W. Morris  
Mayor Pro Tem Denis Bertone  
Councilmember Emmett Badar  
Councilmember John Ebner  
Councilmember Jeff Templeman

City Manager Blaine Michaelis  
City Attorney Ken Brown  
Assistant City Manager/City Clerk Ken Duran  
Assistant City Manager for Community Development Larry Stevens  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns

**1. CALL TO ORDER**

Mayor Morris called the Special Meeting to order at 5:00 p.m.

**2. MTA TRAFFIC SIGNALIZATION GRANT**

Councilmember Ebner recused himself and left the room due to a conflict of interest on this item.

Director Patel provided a history of the MTA grant that had previously been awarded to the City for traffic signalization improvements to the Bonita Cataract intersection. He provided several previously reviewed designs. He further added that for the City to move forward we would need to spend \$100,000 - \$150,000 in further design costs and staff feels that there is currently not a feasible design option to warrant going forward.

Councilmember Templeman made a motion to not go forward with a project at this time and to inform MTA that we are declining the grant. The motion was seconded by Mayor Morris and approved on a vote of 4-0 with Councilmember Ebner abstaining.

**3. POTENTIAL OVERFLOW PARK AND RIDE LOT**

Councilmember Ebner recused himself and was absent from the room due to a conflict of interest on this item.

Director Patel present a concept for a potential overflow park and ride lot utilizing underutilized/abandoned railroad right of way north of Rhoades Park. He requested that if the Council agrees that this concept has merit they authorize staff to further explore this idea with the MTA and Gold Line Construction Authority. He added that staff's intention would be to apply for a Call for Projects grant to fund the project. He further added that proposed design only works utilizing the former Redevelopment Agency property.

The Council discussed the project including safety issues. There was a consensus that the project has merit. Mayor Pro Tem Bertone made a motion to direct staff to proceed with the conceptual plan. The

motion was seconded by Councilmember Templeman and approved by a vote of 4-0 with Councilmember Ebner abstaining.

#### **4. TYPE 20 LIQUOR LICENSE MORITORIUM**

(Councilmember Ebner rejoined the meeting at 5:30 p.m.)

Associate Planner Jennifer Williams provided an overview of her staff report regarding the ABC moratorium on issuing any new Type 20, off-site beer and wine, liquor licenses. She also reviewed the difference between snack shops and convenience markets at gas stations. She also explained the exemption process to override the moratorium and the need for the City Council to make a finding of Public Convenience and Necessity (PCN) on a case by case basis. Assistant City Manager Stevens added that it has been the Council prior policy not to make (PCN) findings.

The Council discussed the moratorium, the finding necessary for PCN and current gas station requests for convenience markets and beer and wine sales. The Council also discussed the current Council policy on not allowing convenience markets at gas stations even though they are permitted in most zones.

After further discussion Assistant City Manager Stevens summarized the City Council direction as the previous Council policy on accessory snack shops is no longer in effect and to clarify that convenience stores are allowable under existing zoning, except in CG Area 1, and there are no limitations on size. He further added that the Councils position is not to consider PCN requests. The Council concurred with Assistant City Manager Stevens summary of the Council direction.

#### **5. MATERNITY HOTEL ISSUES**

Mr. Stevens described what are commonly being referred to as maternity hotels as residential homes that are being used as hotels that cater to foreign woman who are pregnant. He explained how other communities are investigating and responding to these operations. He discussed a strategy that staff is considering to investigate potential hotels that may occur in the City.

Mayor Morris recessed that meeting at 6:25 p.m. The meeting reconvened at 6:30 p.m.

#### **6. CASE STUDY OF RECENT ZONING AND LAND USE ISSUES**

Assistant City Manager Stevens reported that in order to address some recent planning related issues that have been raised he will be presenting a few recent examples to see if there are perceived problems and see if solutions can be developed. He provided the background, details and issues with each of the case studies. He explained that case study #1 was a request for a use in the M 1 zone that was not a clearly permitted use. Issues that were raised and discussed by Council included the length of time and cost of a zone change application, whether our process is similar to other cities, that portions of our code are archaic without much latitude given to staff, the increasing number of applications for uses that are not clear cut and fit into current definitions and the feeling that we need to be business friendly.

Assistant City Manager Stevens described another case study as a conditional use permit application where parking and compatibility with other tenants in the center became issues raised by the other tenants. The need for a parking study became an issue by the applicant. The landlord ended up not allowing the applicant to go forward. Assistant City Manager Stevens commented that staff has discussed that maybe the City should be less concerned about parking impacts in existing centers and let the landlord and tenants address impacts.

Assistant City Manager Stevens described another case that dealt with a use determination of a retail store in the downtown. He described the use determination process.

Assistant City Manager Stevens also described a case study of a use determination for a use in the M 1 zone. There was discussion on what process use determinations might take.

There was discussion on ways to make use determinations or to further clarify permitted or prohibited uses in M 1 and commercial centers. There was quite a bit of discussion on ways to determine appropriate uses.

City Manager Michaelis suggested that maybe there is a way to get preliminary feedback from the Council early on in the process on some of these use determination type matters.

Assistant City Manager Stevens offered that he will write-up a summary of the Council's discussion and comments and bring that back at a future study session for Council review and discuss the next steps.

City Manager Michaelis commented that he will use his weekly status report to informally update the Council on issues that come forward.

## **7. REDEVELOPMENT DISSOLUTION UPDATE**

Assistant City Manager Duran provided a brief update on recent activities regarding the redevelopment agency dissolution process.

**8. ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

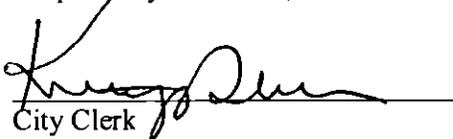
a. **Members of the Audience**

No comments.

## **9. ADJOURNMENT**

Mayor Morris adjourned the Special City Council at 8:50 p.m.

Respectfully submitted,

  
City Clerk