



MINUTES
REGULAR CITY COUNCIL
HOUSING AUTHORITY AND SUCCESSOR AGENCY
MEETING
TUESDAY, SEPTEMBER 10, 2013, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

COUNCIL:

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

STAFF:

City Manager Blaine Michaelis
City Attorney Ken Brown
Assistant City Manager Community Development Larry Stevens
Assistant City Manager Administration Department Ken Duran
Director of Parks and Recreation Theresa Bruns
Director of Public Works Krishna Patel
Deputy City Clerk Debra Black
Senior Planner Marco Espinoza
Associate Planner Luis Torrico

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

2. ANNOUNCEMENTS

- San Dimas 5K and 1 mile Family Fun Run and Family Fitness Fair for Saturday, September 28, 2013.

Recreation Coordinator Dominique Borba announced the details of the event and invited everyone to come out and participate.

- 3. 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

- 1) Don Green and Bob Hardcastle provided details and information on the upcoming Chamber Mixer and The 19th Annual San Dimas Rodeo. They also thanked the city and community for supporting the Rodeo.

- 2) Kassidy C. ASB President San Dimas High School provided an updates on recent activities at the high school.
- 3) Amy Crow Acting Library Manager at the San Dimas Library announced upcoming activities planned at the library.
- 4) Alline Kranzer San Dimas resident shared input on what matters the City Council should address.
- 5) Ron Kranzer wished to address Council on item 6c on the agenda but decided to wait until the item was presented later.

4. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or audience requests removal for separate discussion.)

It was moved by Councilmember Badar and seconded by Councilmember Templeman and carried to accept, approve and act upon the consent calendar, as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 2013 - 49**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2013.
- b. Approval of minutes for regular City Council meeting of August 27, 2013.

END OF CONSENT CALENDAR

5. PUBLIC HEARING

- a. **M.C.T.A. 13-04** - Consideration of a City initiated request for Municipal Code Text Amendment Case No. 13-04 to make alterations to San Dimas Municipal Code Section 18.184 Home Occupations

ORDINANCE 1224 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 13-04, AMENDING CHAPTER 18.184 OF THE SAN DIMAS MUNICIPAL ZONING CODE

Associate Planner Luis Torrico presented staff's report on this item regarding the Home Based Cottage Food Industry with recommendation to approve M.C.T.A. 13-04 to include 300 ft. spacing requirement.

Councilmember Templeman asked for clarification on operating as primary residence or as a rental.

Associate Planner Torrico stated that the definitions used in the city ordinance are the same used by the State regarding primary residence and rentals. He added that there is enough language written that would prevent these operations from turning into commercial uses.

Councilmember Templeman asked if a landlord could approve a renter for operating the business out of the property.

Associate Planner Torrico answered yes.

Councilmember Ebner asked if there would be county licenses and permits on file.

Associate Planner Torrico replied that the county is the lead agency on these operations and they require class A licensing and no inspection is done unless a complaint is filed.

Councilmember Ebner asked if beer and wine were allowed and how are internet sales that would require additional room storage handled.

Associate Planner Torrico replied that beer and wine are not allowed and our ordinance as well as state law limits storage to one room.

Councilmember Templeman asked if the garage could be used as another room for storage.

Associate Planner Torrico answered no.

Councilmember Templeman asked for some input on signs.

Associate Planner Torrico responded that what is currently allowed is a one by one foot name plate that identifies the occupation; it is not illuminated and is only 1 sq. ft.

Councilmember Ebner asked if someone could have a car or truck parked with a sign attached.

Associate Planner Torrico answered that would have to be discussed.

Councilmember Badar asked how many home based businesses do we have in the city now.

Associate Planner Torrico replied at last check over 300.

Mayor Morris opened the public hearing on this matter.

Jim Mc Cants San Dimas resident asked how sanitation is monitored.

Mayor Morris replied that it isn't and no requirement for the Health Department to investigate.

Mayor Morris closed public hearing and brought the matter back to Council for discussion.

Councilmember Templeman asked what is done at renewal for these operations.

Associate Planner Torrico responded that as long as there were no changes from the initial application nothing further is required.

Councilmember Badar shared that he understands what staff is trying to do with setting the 300 ft. limit but agrees with the Planning Commission recommendation on eliminating the 300 ft. requirement.

Councilmember Templeman and Ebner also agreed with the Planning Commission's recommendation.

MOTION: It was moved by Councilmember Badar and seconded by Councilmember Templeman to waive further reading and introduced Ordinance No. 1224 with Planning Commission's recommendation to eliminate the 300 ft. requirement. The motion passed by vote of four to one (4 to 1), with Councilmember Bertone opposing.

6. PLANNING/DEVELOPMENT SERVICES

- a. **M.C.T.A. 10-06** - A request to delete the reverse/turn around gas station design from the Creative Growth Zone, Area 3A

ORDINANCE 1225 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 10-06, DELETING THE REVERSE/TURN AROUND GAS STATION DESIGN WITHIN THE CREATIVE-GROWTH, AREA 3A ZONE - **FIRST READING AND INTRODUCTION**

City Manager Michaelis announced that with direction from Council for changes this item from the August 27, 2013 meeting is being presented tonight for first reading.

MOTION: It was moved by Councilmember Ebiner and seconded by Councilmember Templeman to waive further reading and introduce Ordinance No. 1225. The motion carried by a vote of four to one (4 to 1) with Councilmember Bertone opposing.

- b. **Request from Meiloon Management (San Dimas Station) to initiate a Municipal Code Text Amendment to modify permitted and conditional uses in CG-1 and to consider parking adjustments/revisions to accommodate some future uses. (500-700 block of W. Arrow Highway (San Dimas Station – North & South)**

Assistant City Manager of Community Development Larry Stevens presented staff's report on this item and asked for Council's feedback on the approaches presented.

Councilmember Bertone asked Assistant City Manager Stevens if his choice would be option two a new specific plan.

Assistant City Manager Stevens responded that he would lean toward option two with some thought to five and six.

Councilmember Bertone asked if the applicant is aware of what they can and can't do.

Assistant City Manager Stevens answered that on pages two and three of the staff report was his response to the applicant provided in July.

Councilmember Badar asked what the time frame would be for a new specific plan.

Assistant City Manager Stevens replied six months.

Councilmember Badar asked if there was anything the applicant could do before the six months.

Assistant City Manager Stevens replied that any other modification would only be a couple of months less than doing a new specific plan.

Mayor Morris stated that time isn't as important as getting it right and staff's approach is the right approach. He went on to say that city's zoning codes are adding to the centers failings and we must be flexible but careful in our approach to correct.

Discussion continued on the parking layout, lease and ownership issues as well as aesthetics of the buildings.

Assistant City Manager Stevens summarized the direction to be taken as a combination of options one, four and five with the discretion to bring back to Council if any other ideas are thought of.

- c. **Report on D.P.R.B. 07-66** – Noncompliance of Conditions of Approval (removal of driveway approach and unpermitted carport/arbor) 131 West Sixth Street

Councilmember Ebner stated that he owned property near this location and although advised by City Attorney Ken Brown that he did not have to leave the dais, he would be leaving. He left at 8:39 p.m.

Senior Planner Marco Espinoza presented staff's report on this item.

Council and staff had discussion on possible ideas for solutions to keeping the arbor and revisiting the curb cut policy.

City Attorney Brown stated that there are two items that need to be addressed at this meeting, one is a report back to Council the other is direction from Council as result from this meetings discussion.

Assistant City Manager Stevens outlined the valid violation conditions with the arbor and stated that staff will meet with the owner and talk about options for the arbor and driveway. He went on to say that no action would be taken to void the permit and staff would report back to council.

Mayor Morris asked for public comment on this item.

Ron Kranzer San Dimas resident stated that the policy is too broad and should be revisited.

Walter Smith San Dimas resident commented on a tree in the same block that appears to be in violation of the same five foot code ruling.

Councilmember Ebner returned to the dais at 9:30 p.m.

7. OTHER BUSINESS

- a. Consider Request from San Dimas H.E.R.O.E.S. for Special Event on September 24, 2013

Director of Parks and Recreation Theresa Bruns presented staff's report on this item with the recommendation to close Commercial Street between Shirlmar Avenue and San Dimas Avenue between the hours of 3:00 to 7:00 p.m. with a rolling street closure with Sheriff patrol escort.

MOTION: A motion was made by Councilmember Bertone and seconded by Councilmember Templeman to approve the closure of Commercial Street between Shirlmar Avenue and San Dimas Avenue on Tuesday September 24, 2013.

- b. Consider Request from San Dimas H.E.R.E.O.S. for modification of the Veterans Monument Design

Director of Parks and Recreation Theresa Bruns presented staff's report on this item with the recommendation to proceed with installation of the six black granite panels.

Gary Enderle of the H.E.R.E.O.S. Organization explained to Council the cost breakdown of this phase of the project and outlined their design plans.

Dominick Black San Dimas High School Art Teach talked about the process behind the idea of the image for the mural.

Councilmember Bertone expressed his concern over the inconsistency of the type of artwork this new phase would bring to the project, but would support the change.

Councilmember Badar expressed that he would support the change and thought it was a good idea because of the community input.

Councilmember Templeman expressed support for the change once he understood the details.

Councilmember Ebner expressed his support because of the community input; however doesn't feel the painting fits in with original design of the monument.

MOTION: A motion was made by Councilmember Badar and seconded by Councilmember Templeman to approve the replacement of the granite with a mural; but eliminating the recommendation of \$3,000.00 holding fee. Motion carried unanimously.

8. HOUSING AUTHORITY

- a. Acceptance of a proposal from Keyser Marston for assistance in restructuring "for sale" affordable housing requirements. Appropriate \$10,000.00 to complete this work.

City Manager Blaine Michaelis presented staff's report on this item recommending approval of appropriation of \$10,000.00 from Housing Authority Funds.

Mayor Morris asked that we inquire if the City could sell at market rate and keep the money in the Housing Authority to be used for projects where we may not have the funds for.

Councilmember Bertone asked if changing the requirements would apply to the four units that have not been sold yet.

City Manager Michaelis responded that it would.

MOTION: A motion was made by Councilmember Bertone and seconded by Councilmember Badar to approve accept proposal from Keyser Marston. Motion carried unanimously.

9. SUCCESSOR AGENCY

- a. Verbal update report

Assistant City Manager Ken Duran provided the following update on recent activity of the Successor Agency:

- Initial review has been completed and is now with management
- Next Oversight Board meeting to discuss next round of ROPS (January –June 2014) and draft of long range property management plan:
 - 4 ½ vacant acres on Bonita and Cataract
 - Vacant property on Bonita and Eucla
 - 108 and 112 Cataract

Four classifications that the board could use to address how the City deals with the future of the properties:

- Governmental use would not apply
- Enforceable obligation (DDA) would not apply
- Retain for the City's use or future use consistent with former Redevelopment Agency Plan (Recommended)
- Make it available for sale

Councilmember Badar asked what would be the percentage of money from the sales.

Assistant Manager Duran replied 10% to 11%. would come back to the City.

10. ORAL COMMUNICATIONS

- a. Members of the Audience (*Speakers are limited to five (5) minutes or as may be determined by the Chair.*)

No one came forward.

- b. City Manager

Next Mayor call in Show September 26, 2013

- c. City Attorney

Nothing to report

- d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

Nothing to report

- 2) Individual Members' comments and updates.

Councilmember Templeman acknowledged having Mayor Morris at the meeting after his automobile accident. He also reported evidence of a Brown Widow Spider in the community.

Councilmember Bertone reported possible sound issues at the Plumber Building.

11. ADJOURNMENT

The meeting was adjourned at 10:37 p.m. The next meeting will be September 24, 2013, at 7:00 p.m.

Respectfully submitted,



Debra Black Deputy City Clerk