

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, March 20, 2014 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
Senior Planner Marco Espinoza
Planning Aide Nicole Ellis
Planning Secretary Jan Sutton

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 6, 2014 (Ensberg absent)

MOTION: Moved by Davis, seconded by Bratt to approve the Consent Calendar. Motion carried 4-0-0-1 (Ensberg abstained).

PUBLIC HEARING

2. **CONSIDERATION OF CONDITIONAL USE PERMIT 14-01** – A request to expand the use of the existing on-site alcohol sales of beer and wine (Type 41 Alcohol License) in conjunction with the expansion of an existing restaurant, in addition to modification to the operation standards (floor plan and hours of operation), located at 951 and 957 W. Arrow Highway in the San Dimas Plaza. (APN: 8383-010-030)

Staff report presented by *Planning Aide Nicole Ellis*, who stated this is a request to expand the use of on-site beer and wine sales in conjunction with the expansion of the existing Sushi Show restaurant. The expansion of the restaurant into the tenant space previously occupied by Fantastic Sam's creates inconsistencies with the original CUP granted in 2002 to the previous sushi restaurant, so it was determined a new CUP would be required. She stated they will be maintaining the existing Type 41 license, and went over the proposed floor plan and added

amenities. The Applicant is also asking for approval for a future patio seating area, and Condition No. 8 addresses the requirements for that addition. Another proposed change is in the hours of operation, so Staff is recommending expanded hours beyond the current request to allow the Applicant flexibility to change their hours as needed as outlined in Condition No. 13. Both of these conditions are to allow the Applicant to make these minor changes without having to go through a new Conditional Use Permit hearing process.

She stated because the restaurant has an existing Type 41 license there will not be an increase in the number of licenses within the Census Tract, and it will not negatively impact the center. The Sheriff's Department has reviewed the request and has indicated there have not been any problems with the sale of alcohol at this location. Staff is recommending approval of CUP 14-01.

Commissioner Davis asked if the CUP is just related to the sale of alcohol.

Planning Aide Ellis stated the previous CUP conditioned that if there is any expansion of the use a new CUP would be required, so this also includes the expansion of the business into the neighboring tenant space. This center allows up to 20% total square footage for restaurant uses. The current restaurant uses are at 14.5% and with this expansion they will be approximately 14.7%.

Commissioner Bratt asked if there will be any type of fencing around the proposed outdoor seating area.

Planning Aide Ellis stated the City will require a barrier of some sort. ABC does not have any specific requirements for a barrier but Planning staff will determine what is appropriate at that time.

Commissioner Bratt asked if it was usual to include conditions that allow the Applicant to change operations in the future without having to come back for a public hearing. He felt like they may be giving up a certain amount of control in regards to Conditions No. 8 and 13.

Senior Planner Marco Espinoza stated this has been typical with the last few CUPs. The intent is to help streamline the process so that if the Applicant wanted to make a minor change in the future, such as staying open an hour later, they do not have to go through a three month process in order to do so. The Commission is being asked to approve a range they are comfortable with, and if they did not want to approve that range, no matter what hours the Applicant wants to currently operate, they could make a change in the condition. In regards to the outdoor patio area, it was discussed during the previous CUP approval but the prior restaurant never implemented that. The Applicant would like to see how they do with the expanded indoor area prior to adding outdoor dining. Staff does not have any concerns with Condition No. 13, but if the Commission does, it can be removed.

Chairman Schoonover asked if there is a proposed percentage of the walkway that can be used for the outdoor patio. He asked who will be approving the barrier mentioned in Condition No. 8.

Senior Planner Espinoza stated the patio dining area will be located under the canopy of the existing roofline and does not go past the portico area. Staff will review and approve the barrier design.

Planning Aide Ellis added that the patio will not go beyond the next tenant space.

Commissioner Rahi asked how many seats will be in the patio area. He also asked for clarification in regards to the alcohol license.

Planning Aide Ellis stated the patio size will be 10 feet x 28 feet, but the exact number of seats has not been determined yet. It will depend upon the type of barrier used, and then the type of tables and spacing. In regards to the alcohol license, the Applicant already holds a Type 41 license to sell beer and wine on-site.

Senior Planner Espinoza stated the action tonight is to approve the expansion of the restaurant and the sale of alcohol with that expansion. This allows Staff to verify that alcohol sales are continuing as accessory to the restaurant and the use is not changing into a bar.

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

Yi Jin, Applicant, 957 W. Arrow Highway, stated they are requesting this expansion because they have been very successful and he wants to create a nice environment for his customers and a better workspace for the employees.

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

Commissioner Ensberg stated he likes the idea of adding the outdoor dining area which will encourage people to stay out and enhance the night life in San Dimas. There is already an existing alcohol license for this location, and it will not intensify the use that was already created by Fantastic Sam's.

RESOLUTION PC-1504

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 14-01, A REQUEST TO EXPAND THE USE OF THE EXISTING ON-SITE ALCOHOL SALES OF BEER AND WINE (TYPE 41 ALCOHOL LICENSE) IN CONJUNCTION WITH THE EXPANSION OF AN EXISTING RESTAURANT LOCATED AT 951 & 957 WEST ARROW HIGHWAY (APN: 8383-010-030)

MOTION: Moved by Davis, seconded by Ensberg to adopt Resolution PC-1504 approving Conditional Use Permit 14-01. Motion carried unanimously, 5-0.

ORAL COMMUNICATION

3. Assistant City Manager for Community Development

Senior Planner Espinoza stated Staff is bringing the proposed code amendment to allow chickens, ducks and geese in residential zones to the next meeting. The Smart & Final Extra opened yesterday, though they are still completing a few construction items for both tenant spaces.

4. Members of the Audience

No communications were made.

5. Planning Commission

Commissioner Bratt asked the status of the two housing projects that were considered for initiation of a code amendment a few meetings back.

Senior Planner Espinoza stated the Olson Company is still working on environmental and utility issues for the project on Foothill. They are finding that when the bridge is reconstructed there won't be enough depth to run conduit for utilities through it, and the sewer lines may have to come through a property located to the west. He stated City Ventures has submitted revised plans for the L.A. Signal property on Eucla, and that both projects were moving forward.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Davis to adjourn. Motion carried unanimously, 5-0. The meeting adjourned at 7:25 p.m. to the regular Planning Commission meeting scheduled for Thursday, April 3, 2014, at 7:00 p.m.

Jim Schoonover, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: April 3, 2014