



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 9, 2014, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

CITY COUNCIL:

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

City Manager Blaine Michaelis
City Attorney Mark Steres
Assistant City Manager Community Development Larry Stevens
Assistant City Manager Ken Duran
Director of Parks & Recreation Theresa Bruns
Director of Public Works Krishna Patel

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m.

2. ANNOUNCEMENTS

Assemblyman Chris Holden presented a Resolution from the State Assembly recognizing the old Spanish Trail as 1 of 15 historic trails in the United States.

Assemblyman Holden provided a State of the State presentation regarding the state budget, legislative actions and statewide drought.

Recreation Coordinator Dominique Borba invited the community to the Family Fitness Festival on September 27th.

The City Council recognized the City Swim Team members who represented San Dimas at the Southern California Swimming Championships in La Mirada.

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 and ask 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

Anisha Leferige, San Dimas High School ASB President provided a report of activities from the High School.

Nora Chen Librarian announced monthly activities for the library.

Margie Green made announcements for San Dimas Day at the Fair, Western Days and the Historical Society.

Bob Hardcastle made an announcement for the Rodeo on October 4th and 5th.

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 requests separate discussion.)

MOTION: Motion was made by Councilmember Badar, seconded by Councilmember Bertone and carried to approve, accept and act upon the consent calendar as follows:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

RESOLUTION 2014 - 48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF AUGUST AND SEPTEMBER, 2014

- b. Approval of minutes for the regular City Council meeting of August 26, 2014.
- c. Denial of claim – Robert G. Young

END OF CONSENT CALENDAR

4. PLANNING MATTERS

- a. Adoption of Resolutions denying without prejudice various applications related to a 47 unit high density residential housing project at 155 N. Eucla Avenue and consideration of a request by City Ventures to continue the matter to allow submittal of revised plans.
 1. **RESOLUTION NO. 2014-49, A RESOLUTION OF THE CITY COUNCIL DENYING WITHOUT PREJUDICE GENERAL PLAN AMENDMENT 14-01, A REQUEST TO AMEND THE LAND USE DESIGNATION MAP FOR THE PROPERTY LOCATED AT 155 N. EUCLA AVENUE (APNS: 8386-006-010, 025, 026, 027, 028 AND 029)**
 2. **RESOLUTION NO. 2014-50, A RESOLUTION OF THE CITY COUNCIL DENYING WITHOUT PREJUDICE MUNICIPAL CODE TEXT AMENDMENT 13-06 AND ZONE CHANGE 14-01 FOR THE PROPERTY LOCATED 155 NORTH EUCLA AVENUE (APNS: 8386-010, 025, 026, 027, 028 AND 029)**
 3. **RESOLUTION NO. 2014-51, A RESOLUTION OF THE CITY COUNCIL DENYING WITHOUT PREJUDICE TENTATIVE TRACT MAP NO. 72590 (TTM 13-02), DEVELOPMENT PLAN REVIEW BOARD CASE 13-31 AND TREE REMOVAL PERMIT CASE 14-05, LOCATED AT 155 NORTH EUCLA AVENUE (APN'S 8386-006-010, 025, 026, 027, 028 AND 029)**

Senior Planner Marco Espinosa presented that at the August 26, 2014 meeting the Council voted to direct staff to bring back Resolutions denying the project at 155 N. Eucla Ave. He added that subsequent to the denial the applicant has submitted a request for reconsideration to the denial of

the project to allow time for the applicant to address concerns and bring back a revised design. He reviewed his staff report which outlined options for the Council to consideration and requested guidance from the Council on the next steps.

Mayor Morris asked for clarification that the Resolutions before them are for denial without prejudice and exactly what does that mean for the applicant. Mr. Stevens confirmed that they are without prejudice which would allow the applicant to resubmit a revised plan within a year. He added that the applicant has requested that the Council not adopt the Resolutions and allow them to resubmit a revised plan under the same application which would save them filing fees and time on the CEQA process. He clarified that a denial without prejudice would require them to refile under the normal process. City Attorney Steres clarified that without prejudice only goes to the ability to refile without having to wait one year if the project is substantially similar. He also stated that the applicant is requesting the Council consider a reconsideration which would require approval of a motion made by someone who voted in the majority. The reconsideration would allow the applicant to resubmit a revised plan instead of denial.

There was discussion on the difference in process between denial without prejudice and a reconsideration of the Council action.

There was discussion on the benefits of a study session to provide feedback to the developer and what type of feedback that could be given.

Councilmember Bertone made a motion to waive further reading and adopt Resolutions No. 2014-49, 2014-50 and 2014-51.

Mayor Morris commented that the City has several similar projects in consideration for rezoning property from its current zoning to residential and a study session on the general concepts, not project specific, with the Planning Commission would be a good way to give guidance.

Councilmember Templeman commented that it is hard to translate 12-16 units per acre into what it will look like; describing that should be a part of any discussion.

There was discussion on the benefits and format of a study session to discuss these types of projects in general terms.

Mayor Morris summarized that it appears the options the Council has is to vote to reconsider the denial, deny the project without prejudice or continue to take action on the Resolutions until we see if there is a revised plan. There was further discussion on the options.

Adam Lunzar, City Ventures, stated that the main reason they are asking for a reconsideration is to save time on the CEQA process. He added that they heard the comments from the hearing and would like the opportunity to reevaluate the project in light but don't have any specific design concepts at this time. They are requesting that the Council consider a motion for reconsideration and to have a study session with the Council to provide feedback on a revised plan.

There was further discussion on the pros and cons and approach to a study session on the general concept of projects that request changes in zoning to residential and not site specific projects.

Mr. Stevens commented that it appears there are three things in play, the disposition of this project and whether or not there will be some consideration of alternative designs, a global approach to densification requests and a global understanding of using study sessions as ways to provide feedback. He added that staff recommends that if the Council is inclined to consider

something different for this project that staff come back in two weeks with more detailed approaches on each of three items.

Ben Besley, City Ventures, commented that they really can't go back through the same process without hearing from the Council as to what they want in a project. They are requesting a study session, as soon as possible, on this specific project.

There was further discussion from the Council on the pros and cons of a project specific study session.

Heather Storum, resident, commented that she thought it would be fair to give a continuance on the matter to allow the applicant to hear some basic parameters from the Council.

Mayor Pro Tem Ebiner seconded the motion to waive further reading and adopt the Resolutions. He commented that the Council should deny the specific project because if any new project is brought back it will be substantially different than was presented and we owe it public who came out at the hearing to deny.

Mayor Morris commented that he prefers to continue the matter because we don't lose anything by continuing the vote to find out more from staff as to options. He asked if a motion to continue the matter would supersede the motion that is on the floor. City Attorney Steres responded that a motion to continue would indeed supersede a motion to approve the Resolutions.

Councilmember Templeman made a motion to continue the consideration of the Resolutions to allow for more information from staff. The motion was seconded by Councilmember Badar.

Councilmember Ebiner commented that he will vote against the motion because City Ventures had their opportunity to present their project at the public hearing. Councilmember Bertone commented that the Council already voted to deny the project and that's what the public expects. City Attorney Steres clarified that the motion is only to continue the actions on the Resolutions to a date uncertain.

The motion carried by a vote of 3-2 with Councilmembers Ebiner and Bertone voting against.

Mr. Stevens stated that staff will bring back some options for the next steps in two weeks. It was also agreed to place the Resolutions for denial on the next agenda.

6. ORAL COMMUNICATIONS

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

None.

b. City Manager

Announced the "Asked the Mayor" call in show this September 11th.

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.

Councilmember Templeman reported that he attended the League of California Cities Annual Conference in Los Angeles. He reported that he attended a session on budgeting for storm water requirements and the collective cost to cities will be in the millions of dollars.

Mayor Morris reported that he also attended the League conference and commented on the convenience in taking the express bus to downtown and that there was no good news for cities that came out of the conference.

2) Individual Members' comments and updates

Councilmember Templeman commented that he observed staff of the Red Roof Inn posting no trespassing signs and observed evidence of homeless camping out on the Cal Trans right of way. He asked staff to contact Cal Trans to trim up the vegetation on their property.

In response to a question Mr. Duran reported that LucaBella at the Walker House is still in the process of obtaining their liquor license and they don't have an official date for their opening.

Mayor Pro Tem Ebner commented that he had fun as a guest on the Ask the Mayor show.

Adjourned meeting at 9:10 p.m.

Respectfully submitted

Ken Duran, City Clerk