

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, November 6, 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
Assistant City Manager Comm. Dev. Larry Stevens
Senior Planner Marco Espinoza
Assistant City Attorney Lindsay Tabaian
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: October 2, 2014 (Davis absent)

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

PUBLIC HEARING

2. **ENVIRONMENTAL ASSESSMENT AND CONSIDERATION OF THE FOLLOWING APPLICATIONS FOR THE PROPERTY LOCATED AT 299 E. FOOTHILL BOULEVARD, APNS 8665-008-016 & -017 AND A PORTION OF 8665-007-900 & -905: (Continued from October 2, 2014)**

GENERAL PLAN AMENDMENT 13-01: A request to amend the General Plan Land Use Designation from "Open Space" to "Residential Low" to allow for a density level of 3.1 to 6 units per acre (Revised); and

MUNICIPAL CODE TEXT AMENDMENT 13-08: A request to create a new "Specific Plan No. 27" that would allow for a 38-unit single-family detached residential development (Revised); and

ZONE CHANGE 13-01: A request to change the zone of the site from Light Agricultural (A-L) and Open Space (OS) to Specific Plan No. 27. The Open Space portion of land is excess

City land within and adjacent to Horsethief Canyon Park; this land will be acquired by the applicant through a Development Agreement; and

TENTATIVE TRACT MAP 72368 (TTM 13-01): A request to subdivide the subject site into 38 single-family residential lots with ten (10) common use lots to be maintained by the Homeowner's Association (Revised); and

DEVELOPMENT PLAN REVIEW BOARD CASE NO. 13-20 AND PRECISE PLAN NO. 13-03: A request to develop a non-gated community with 38 two-story, single-family detached residences on a 6.4 acre site. The homes will range in size from 2,175 sq. ft. to 2,475 sq. ft. on lots ranging in size from 3,010 sq. ft. to 3,430 sq. ft. (Revised); and

TREE REMOVAL NO. 13-27: A request to remove 53 of the 56 trees from the subject site; a tree replacement plan will be required and be incorporated into the landscape plan; and

MITIGATED NEGATIVE DECLARATION WITH MITIGATION MEASURES AND A DEVELOPMENT AGREEMENT WITH THE CITY: An Agreement to purchase approximately 20,000 sq. ft. of excess area of land within and adjacent to the City's Horsethief Canyon Park and to not allow for increases in the Development Fees and certain impact fees relating to the proposed development for a time period of ten (10) years in order to allow for the construction of the project.

Staff report presented by *Senior Planner Marco Espinoza* who clarified an error on the site plan in regards to it having two lots labeled Lot 13; the eastern lot should actually be labeled Lot 14. Therefore, in the staff report on Page 6, second paragraph, it should say Lots 1, 14, and 18, and on Page 10 in the recommendation, paragraph one, it should read Lots 1, 14, 15, and 38.

He stated Staff's intent tonight is to just cover the issues from the last meeting and not the entire application package. He reviewed the site plan and neighboring uses and zoning, and the concerns brought up at the October 2nd meeting. The Commission decided after that meeting to concentrate on the General Plan, Zone Change and Municipal Code Text Amendment, and to only address the DPRB, Precise Plan and Tree Removal applications as needed based on the final design. The Applicant is still proposing 38 homes but has increased the lot sizes and made changes in the setbacks, and has added back the multi-use trail along Walnut Avenue on the west side of the street closest to the curb with additional landscaping along the property line for buffering.

In regards to the side yard setbacks, all lots will have five feet on one side, and on 33 lots it will be 10 feet on the other; the remaining five lots will have an increased setback between six to eight feet. With the increased side yard setback, there is no need to require trash can storage in the garage. This plan includes the change made in the previous submittal with the undulation in the street for the southern lots which has increased the rear setback on those lots. The lot coverage has been reduced from 41% to an average of 37.9% for the development.

This plan has reduced the open space from 54,165 square feet, or 19% of the gross area, to 47,146 square feet, or 16% of the gross area, including the removal of the tot lot area. Staff is concerned that the loss of open space is internal to the project and taking away from an amenity for the residents. The location of Lot 14 has created a bottleneck in access to the bocce ball and horseshoe area, which is not an appropriate design for the entrance to a recreational amenity. Staff was also concerned with the reduction of open space near the cell tower due to increasing the setback at the project entrance and pushing Lots 24 and 38 closer to the tower. He felt if Lot 1 was removed, it would increase both side and rear setbacks on many of the lots. The Applicant has chosen to not address comments requesting deletion of the flag lots, the addition of a third house design, and fully addressing the utility undergrounding situation. As in prior iterations, when they try to address certain concerns without changing the number of lots, it creates new issues.

Senior Planner Espinoza felt it was at the point that asking for additional changes would just continue the project being prolonged without any real progress; therefore, Staff is recommending the Planning Commission direct that resolutions be brought back either recommending approval, or approval with specific modifications, if they feel that a small lot development is compatible with the surrounding area. If the Commission feels this is not an appropriate location for small lot development, they should deny the project. He added there were two emails received after the agenda was prepared and they have been placed on the dais; one in support and one in opposition.

Commissioner Davis asked which resolution would contain the dedication of the public street, and if this was zoned SFA-16,000 like the property to the west, how many lots would that be. He also asked about the housing project to the east and the density there.

Senior Planner Espinoza stated dedication of the public street would be part of the Tract Map. If you went strictly on square footage there would be about 12 equestrian lots; however, in the SFA zone the minimum lot size in a new subdivision is 20,001 square feet with a 150 foot frontage per lot, and then you also have to exclude the area needed for infrastructure. So for this site it might be approximately eight lots. The project to the east is a townhome community so it is a different product and density.

Commissioner Ensberg asked for clarification between the information on Page 6 of the report indicating that three lots should be deleted and the recommendation that four lots should be deleted, and when was the Applicant told Staff would recommend approval if they deleted four lots.

Senior Planner Espinoza stated the recommendation is for the deletion of four lots; on Page 6 the reason given was in regards to building separation, and the removal of the additional lot was in regards to open space. He stated the common practice is to give the Applicant a copy of the staff report with the recommendation after the packets have been given to the Commission members.

Commissioner Ensberg stated then there was no interaction with the Applicant after the last Commission meeting where they discussed getting lot coverage down to 38.5% and the Applicant indicated they thought they could improve setbacks on 80% of the lots. He also asked if the concerns about the open space were aesthetic only or did they involve safety issues, and if there was some type of metrics used to evaluate what is sufficient open space.

Senior Planner Espinoza stated in multi-family projects open space is required, and Staff felt this proposal is more like a multi-family project than a traditional single-family one because of the small lot size. They wanted to see an area included where the residents can come outside and enjoy the open space so taking away a portion of that limited area is a concern. He stated there is a standard in the Multi-Family code but this is a new product with no actual requirements. They say this is for families, but when open space is reduced what amenities are they providing for those families and how can they actually utilize them.

Commissioner Ensberg stated it was discussed at the last Commission meeting with the Applicant that if they could reduce the lot coverage below 38.5% and increase the setbacks on 80% of the lots, that would be acceptable and felt the Applicant came back with what was requested.

Commissioner Bratt asked for clarification on the lot coverage because it didn't seem to coincide with what was shown on page 4 of the report. He also asked about the size of the garages.

Senior Planner Espinoza stated the information is better explained in Exhibit A where they show every lot and then average the coverage. He felt the Applicant was trying to show that while every lot was different there are some that are a typical size. He stated the interior clearance of the garages was the minimum of 20 feet x 20 feet, though some were slightly larger, and they all had a driveway depth of 18 feet.

Commissioner Bratt stated the top of page 6 indicates the setbacks in the Town Core were 5 feet and 10 feet, and that other residential zones are 5 feet and 12 feet.

Senior Planner Espinoza stated they are applying the same side setbacks as used in the Town Core, but to keep in mind that most of those lots are also 7,000 square feet.

Commissioner Bratt thought they had requested that the side setbacks would be 10 feet on both sides. He stated according to Exhibit A there are 14 lots that have a lot coverage greater than 38.5%, which is 37% of the total lots, and did not feel that the Applicant has taken them to where he thought they were going with the lot coverage restrictions.

Chairman Schoonover stated there is one lot with 27% coverage, and another in the 20's, but there are 11 lots exceeding 40% coverage; averaging them all together is how the Applicant came up with achieving 38.5% lot coverage.

Commissioner Rahi felt the walkway to the east recreation area seemed rather narrow.

Chairman Schoonover wanted to reiterate the lots to the west of the project are 16,000 square feet, the lots south of the project along Walnut Avenue are 7,500 square feet, and in comparison the smallest lots in the City at 5,000 square feet are in the old neighborhood around Railway Street in the Town Core.

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

John Reekstin, Olson Company, stated when Chairman Schoonover indicated the lot coverage percentage was too large, they felt they responded by reducing to an average of less than 38.5%. When Commissioner Ensberg discussed increasing the side yard setback, they did so on 80% of the lots. They also added the multi-use trail back into the plan and added a hammerhead at the north property line. He felt the area taken from the open space to increase the side setbacks was now available to the residents on their property. He felt it was also decided that the architectural review would go back to the DPRB at the appropriate time in the process. He stated they met with Staff a few days after the last Planning Commission meeting to be responsive to the comments made at the meeting and felt that they had done so with the design presented tonight. He stated they are confused in that after redesigning to meet the direction of the Commission they did not receive a recommendation of approval from the Staff. He stated 100% of the lots have an enhanced side yard setback, decreased lot coverage, and the average lot size is now 4,100 square feet in what he feels is a highly amenitized project. He went over the history of the project and the site constraints and stated Olson feels they have met all the mutually agreed upon goals. He stated there is more open space in this plan than in the design with 48 homes, as well as many community amenities. He feels they fit within the context of the surrounding developments and asked the Commission to approve the project as submitted tonight.

Chairman Schoonover clarified that Olson is asking for support of what they have submitted and are opposed to the removal of the four lots as suggested by Staff.

Commissioner Rahi asked what is the width of the pedestrian access to the east recreation area and if there is access to Horsethief Canyon Park.

John Reekstin, Olson Company, stated the pedestrian access is 10 feet wide which is adequate for accessibility, and that there is pedestrian and equestrian access to the park.

Commissioner Davis asked him about who they were planning to market this community to and if it would be an older demographic.

John Reekstin, Olson Company, went over the information from the last meeting regarding the targeted buyers as being either “empty nesters” or people who desire “pools and patios.” While this could be an older demographic they will also have young families looking at this site.

Barbara Alvarez, 1400 Longhorn, stated it has been two years since this project was first proposed, and Olson has spent a lot of time with the boarders at the stables and the neighbors on addressing their concerns. She feels they now have a project that has appropriately sized lots and an open feel to it which she can support. However, she was concerned about the continuation of Walnut up to the park and would be opposed to the project if that is a part of it.

Randy Bell, 216 Rodeo Court, stated he is concerned that this has taken two years to get to this point but appreciated that Olson has kept the neighbors in the loop and listened to what they had to say. He stated his neighborhood opposes any extension of Walnut to the park and did not want the street to be dedicated to the City. He felt the Applicant has made many changes at the request of the community and the various boards, but that it is never enough and did not understand why this isn't done yet.

Jason England, 155 E. Commercial Street, stated he lives in Village Walk which was constructed by The Olson Company. He is not necessarily for or against this particular project but is opposed to Olson as a builder due to their negligence and false promises that were made to the residents of Village Walk and their HOA. He is not sure if this is intentional but felt the CC&Rs that govern them are affecting the City of San Dimas. He stated he was bringing this up because he felt if the City approved another project by this builder it would have a negative impact on the City because Olson is not upholding their promise to maintain the value of the project. He felt they should take that into consideration when reviewing this project.

John Reekstin, Olson Company, stated he will speak with Mr. England and the HOA rep for Olson. He stated one of the letters of support is from the President of that Association, but he will work on trying to resolve Mr. England's concerns.

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

Commissioner Ensberg stated in the October 2, 2014 draft minutes on Page 12, Mr. Stevens discussed lot coverage and the setbacks but did not say anything about the need to remove more lots. He felt Olson came back with what the Commission directed at that meeting and they now have the support of the neighborhood to the west, but now Staff is saying they can only support this if four more lots are removed. He thinks this will be a high quality project, and while it is a change in direction, he feels they need to adapt to the current times and meet the needs of an aging population. He stated he would support the proposal.

Commissioner Bratt stated the direction of having only 80% of the lots meet the setback requirement was just an idea put forth by Commissioner Ensberg and was not endorsed by the full Commission. It was similar with the lot coverage number, and it was also stated the maximum would not exceed 38.5% and nowhere does it say it would be an average. Currently

37% of the lots have a lot coverage exceeding 38.5%, so he does not agree with the statement that Olson has met the requirements of the Commissioners.

Commissioner Rahi stated he understood from the report that Staff was concerned over the loss of open space, and the suggestion to remove four lots was a way to try and add more space back in.

Senior Planner Espinoza stated it also has to do with the placement and location of the homes. Lot 14 creates a bottleneck effect and removing it would create a better overall design for the project.

Commissioner Rahi stated the Applicant indicated the access was 10 feet wide and it may not be that bad once it is built. Residents will also have access to Horsethief Canyon Park if they need more recreational space so he did not see the reduction within the project as a problem. He felt it was too much to ask the Applicant to reduce the number of lots again and he was leaning towards supporting the proposal. He liked the addition of the hammerhead because they would want something to show it is not a through street.

Commissioner Davis stated the Applicant has designed a smaller home on a small lot development, and we keep trying to push them to do something else. If we are going to accept a smaller lot community, they have a target market and they know what they are going. So it seems it is more a question of do we want a small lot development in that area, and if you push for more then you have something that is completely different. The Applicant seems to want a decision tonight, whether it is to recommend approval and move this up to the City Council, or to deny the project. He felt that listening to the recording of the meeting gives a different perspective, and he heard the community express last time and again tonight that they do not want the public street extended to connect to the park. And while the Commission says they are not here to talk about the road, this project requires dedication of Walnut to the City, and the only reason for that is so it can be extended in the future. He questioned if Walnut is extended, will it become the new main entrance to the park because it will be more convenient for people from the south to access. He felt having houses on one side and horses on the other of a narrow street was a terrible idea and he could not support the project if that was the case. He felt if they are going to approve the project it should be contingent upon removing the dedication of the street to the City.

Commissioner Bratt asked if they make Walnut a private street north of Foothill does that preclude a traffic signal being installed at the intersection of Foothill.

Senior Planner Espinoza stated not necessarily as the intersection is currently at Level of Service F and would still be that way with the project. Another thing to consider is if they make the road private, they lose the opportunity of ever extending the road up to Horsethief Canyon Park, and since there is a trail connection you might end up with people parking there to access the park anyway.

Commissioner Davis stated that might occur whether it was public or not. He felt that by having the dedication it is making it a given that at some point in time the road will be extended and he didn't think the project was designed properly for that. He felt the City Council should decide the road issue prior to moving forward with the housing proposal so there is no confusion about the future. He felt if the road is to go through, then the current design along Walnut was hazardous.

Senior Planner Espinoza stated if he felt that way then his recommendation could be that the entrance to the housing tract needed to be redesigned, rather than changing the road dedication

requirement. It is his understanding that the extension of Walnut has been part of the Master Plan for Horsethief Canyon Park from the beginning.

Commissioner Rahi stated then the issue is not whether the road will be public or extended all the way to the park, but to keep the option available for the City. He did not think they should lose that option forever.

Commissioner Ensberg stated no one from the public that has spoken has ever been in favor of extending the road, and in the meantime this project has taken two years of effort to get to this point and is now getting caught on this red herring. He felt they could recommend the project without the dedication and let it be decided later whether that has bearing on this project.

Chairman Schoonover stated this proposal has taken two years and multiple meetings to get to this point, and he has heard that this is the new trend in housing and what people want. He stated the lots to the west are 16,000 square feet and to the south 7,500 square feet, and nowhere in the community are there any lots this small, so the question is do they want to get on board with this new trend. He stated the City Council and Planning Commission have been talking about this, and the first thing that comes up in discussion is compatibility with the surrounding neighborhood, the density, and development standards. This project is greatly reducing the current standards. He appreciates all the effort Olson had made and has seen them making changes, but he still questions whether this is comparable to what we have in the City, and until the City Council determines otherwise he is going to go with the current standards. He does not think this project is compatible, and the Commission did not vote on allowing lot coverage to increase to 38.5% because if they had, he would have voted no. We would not allow anyone else to increase the lot coverage on their property. He is not in support of the project and feels they have held enough hearings and they should send it to the City Council for consideration.

MOTION: Moved by Ensberg to recommend approval to the City Council of the various applications but remove the condition requiring the dedication of the road to the City. Motion died for lack of a second.

MOTION: Moved by Schoonover to deny the various applications.

Commissioner Davis asked if the question was does the Commission think small lots belong in San Dimas in some fashion somewhere, or anywhere. Are we saying we do not believe any small lot development is appropriate in San Dimas, or are we saying we do not think small lot development is appropriate in this particular location.

Chairman Schoonover stated he does not feel that on Foothill Boulevard in a Scenic Highway area this is the right location for small lot development.

Commissioner Davis asked if they are questioning if there should be residential in this area or should it stay AL or change to commercial zoning then.

Commissioner Rahi felt they were beyond that stage and have concurred residential is acceptable, but he is hearing the objection is to it being a small lot development. He felt this was a unique situation in that it was not the standard single-family development and it is not multi-family but has amenities like it was multi-family.

Commissioner Davis felt it was not a bad spot for small lot development and did not think there was any developer that was going to put 12 horse properties in this location.

John Reekstin, Olson Company, suggested the Commission approve the project based on 38 lots but defer the road. He asked if they would be more comfortable if some of the units were removed.

The motion to deny died due to a lack of second.

MOTION: Moved by Ensberg, seconded by Bratt to recommend approval of the concept of the development with the recommendation that 1-4 lots be removed with the exact number worked out between Staff and the Applicant, prior to bringing it back to any authorizing body, and to remove the dedication of the public road.

Commissioners Davis and Rahi felt that Lot 14 should be removed.

Commissioner Bratt stated he was going to vote no but thinks that not dedicating Walnut to the City was shortsighted because there could be very good reasons down the road where you would want that connection.

Commissioner Davis asked if they felt having the six homes facing the street was appropriate if that was going to be a connector to the park. He asked how large the park was.

Commissioner Rahi felt the road met all the appropriate standards and setbacks.

Assistant City Manager Larry Stevens stated Horsethief Canyon Park is approximately 120 acres.

Commissioner Bratt stated the way the park is laid out though does not promote a large gathering. He goes there every day and there are never a lot of people there at any given time.

Commissioner Davis stated he could not support the project if those six homes are facing Walnut.

Commissioner Rahi felt the extension to the park was not their concern right now, and it may never happen but he did not want that option taken away from the City for the future, and felt the Commission did not have enough information now to make a determination on that issue.

John Reekstin, Olson Company, stated they would be willing to delete Lots 14 and 33 and asked the Commissioner's individual opinions be registered in the minutes for the City Council to make a final determination on the road.

Senior Planner Espinoza stated they should indicate the side yard setback should be greater to help push the homes away from the cell site.

Assistant City Manager Stevens felt they should bifurcate the decision on the project and the road and deal with them as two separate matters, then when Staff prepares the resolutions they can determine the best way to address those decisions. He felt they should first make a motion on whether the road should be dedicated or not, then they should make a separate motion on the project itself, the number of units, etc. such as approving subject to the deletion of Lots 14 and 33, as well as the potential two lots.

Commissioner Ensberg withdrew his previous motion.

MOTION: Moved by Davis, seconded by Ensberg to modify the Tract condition to eliminate the public dedication of the extension of Walnut Avenue. Motion failed 2-3 (Bratt, Rahi, Schoonover voted no).

Commissioner Bratt asked how Olson came up with eliminating Lot 33 when Staff was recommending the elimination of Lot 38.

John Reekstin, Olson Company, stated essentially they are saying remove a Plan 1 lot along Walnut Avenue, along with Lot 14.

MOTION: Moved by Bratt, seconded by Ensberg to direct Staff to bring back resolutions of approval for the various applications that reflect the direction that the project delete Lot 14 and one (1) Plan 1 lot along Walnut Avenue, and potentially two more lots after discussion between Staff and the Applicant. Motion carried 3-2 (Davis (based on the dedication of the road) and Schoonover voted no).

MOTION: Moved by Davis, seconded by Rahi to continue the public hearing to November 20, 2014 for the purpose of adopting the resolutions and discussion on the findings and conditions. Motion carried unanimously, 5-0.

ORAL COMMUNICATION

3. Community Development Department

Assistant City Manager Stevens reminded the Commissioners of the joint City Council Study Session on November 25th at 5:00 p.m. before the regular Council meeting, and that the second DPRB meeting in November will also be the morning of the 25th due to the holiday. He stated the new pad buildings by Costco will be going to City Council for consideration on November 12th. The rehab center is currently in plan check and should be submitting for second review shortly.

4. Members of the Audience

No communications were made.

5. Planning Commission

No communications were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Bratt to adjourn. Motion carried unanimously, 5-0. The meeting adjourned at 8:56 p.m. to the regular Planning Commission meeting scheduled for Thursday, November 20, 2014, at 7:00 p.m.

David Bratt, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: April 16, 2015