

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, May 7, 2015 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman David Bratt
Commissioner John Davis
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Senior Planner Marco Espinoza
Associate Planner Jennifer Williams
Planning Secretary Jan Sutton

CALL TO ORDER AND FLAG SALUTE

Chairman Bratt called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Ensberg led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: November 20, 2014
 April 16, 2015

MOTION: Moved by Davis, seconded by Ensberg to approve the Consent Calendar. Motion carried unanimously, 4-0.

COMMISSION BUSINESS

2. CONSIDERATION OF INITIATING A MUNICIPAL CODE TEXT AMENDMENT TO AMEND THE USES AND PARKING REQUIREMENTS IN SPECIFIC PLAN NO. 9

Staff report presented by *Associate Planner Jennifer Williams* who stated an application was received to review additional uses and parking standards within Area 4 of Specific Plan No. 9. She presented the history of the different subareas of SP-9 and that when Area 4 was created, the uses would be those permitted by the Planning Commission because of the unique property restrictions in this area. The code was written in 1981 when the site was undeveloped, and leaving the uses unidentified was to help these odd parcels develop to the best use of the site. When Canyon Trails Plaza was developed it was as an office complex so the allowed uses were professional uses. Through a subsequent Classification of Use process research facilities and restaurant uses were added, which required a shared parking agreement to allow the higher parking ratio required for the restaurant. A Conditional Use Permit was also processed to allow for the expansion of the restaurant for the outdoor eating area.

Tonight's request is to consider amending the uses and parking requirements to allow convenience goods and service businesses, specialty commercial, and retail uses to allow the Applicant more flexibility for existing uses to expand or lease space to new tenants. These uses would be parked at a higher ratio than the permitted office uses, but the Applicant is asking for consideration based on their proposal to develop a parking lot on land leased from the Los Angeles Department of Water and Power (DWP) in Area 5 adjacent to their site. They will be entering into a 30-year lease term. However, DWP restricts its property from being used to fulfill Code Required parking, and they have the ability to cancel the lease at any time. How to address these issues will be part of the analysis conducted by Staff if this initiation is approved. She added that if they are given direction to proceed, Staff will also be looking at all the subareas within SP-9 and include any updating that is needed. Staff is recommending the Commission approve the request for initiation.

Commissioner Ensberg stated when they reviewed the proposal for housing to the west of this site there were issues associated with having a road connecting to Horsethief Canyon Park in that project and asked if there was any potential to have a connection to the park through this project site. He also asked if the public was notified of the potential change.

Senior Planner Marco Espinoza stated the flood control channel separates the two parcels.

Associate Planner Williams stated there would be constraints on this parcel to have any direct connection because of the power lines and the horse trail. In regards to the initiation process, it is not a public hearing so the only noticing at this point is the posting of the item on the agenda and on the City's website. If it is approved to move forward with amending the code, a radius mailing would be sent out advising of the public hearing and the site would be posted with a notice board.

Commissioner Ensberg felt they should be notifying and involving the public sooner in the process rather than later, and asked if they anticipate the neighbors being concerned about any of these changes. He asked if Staff had any indication if there was any conceptual opposition from the City Council on this or any of the other recent projects they worked on.

Senior Planner Espinoza stated the purpose of the initiation process is to allow the Commission or City Council to determine if the request is appropriate or not for the zone before proceeding with the full application and public hearing process. He stated the Council does not provide input on applications at this stage being brought before the Commission.

Associate Planner Williams stated the policy the Council implemented was for projects that would require amending the General Plan.

Senior Planner Espinoza stated this is similar to other recent applications to update the uses in the shopping centers; the Applicant would like to take a more creative look at permitting additional uses and parking for this center.

Commissioner Ensberg asked if DWP has reviewed the request and advised they are willing to work with us on this.

Senior Planner Espinoza stated DWP will still own the land where the parking lot will be, they are only authorizing construction of a parking lot through the lease agreement.

Commissioner Rahi asked if the horse trail that is also located in Area 5 will be impacted by this new proposal. He confirmed that the Applicant is requesting additional uses in Area 4 and that the construction of the parking in Area 5 is how they are proposing to support that. He was

also in support of reviewing the other areas within the Specific Plan to be sure they are updated to current standards.

Senior Planner Espinoza stated the horse trail has been there for a long time and was not part of the parking lot.

Associate Planner Williams stated Staff would probably not recommend moving forward with the initiation if there wasn't going to be the new parking lot, but there will need to be specific language to address how to deal with required parking for uses if the parking lot goes away since the area is not owned by the Applicant.

Commissioner Davis asked for clarification on the statement that DWP does not allow code required parking on their property. He asked if the lease was non-cancellable.

Associate Planner Williams stated the lease agreement states the parking needs to be considered overflow or excess parking and specifically prohibits code required parking because if the lease is cancelled because they need their land back, they do not want to be in the middle of a dispute between the City and the lessee. This will be a 30-year lease and we will assume it can be used for some time, but part of the analysis will be to determine how they will address any tenants with additional parking needs that are in the center if that parking is taken away and any future tenants at that point. She stated DWP has the right to cancel the lease at any time.

Senior Planner Espinoza stated the site currently meets parking requirements with the shared parking agreement, and no new square footage will be constructed which could have been an issue in regards to required parking. It is also possible that these new uses might never come into the center.

Commissioner Davis stated he would like to see additional flexibility in the uses to help the owners with leasing tenant spaces, but wants to be sure the parking is addressed.

Chairman Bratt stated he appreciates the Applicant's intent to allow other types of businesses for the center, but he frequents the restaurant once a week and the parking lot is so full around the lunch hour that people are parking on the street. With expanded uses the volume of traffic would increase and he was concerned about having insufficient parking if the lease were rescinded and the overflow parking no longer available. He stated he wouldn't want to see a business go in and then be impacted if the parking were taken away.

Commissioner Ensberg felt there should be a disclosure in the tenant's lease agreement that parking may not be available in the future.

Senior Planner Espinoza stated new businesses would need to come to City Hall for a business license and Staff would also advise them at that time about the parking situation. They will try to address it in the actual code amendment as best as they can. He stated this was discussed with the Applicant, and it is why DWP says it cannot be used for required parking, but it will be a 30-year lease which could go the full term. An option may be to only allow these additional uses until parking is no longer available.

Chairman Bratt reiterated he felt they should be careful in considering what additional uses to allow in light of the limited parking if the secondary lot is no longer available.

Commissioner Rahi stated at the same time, what other opportunity would there be for DWP other than a parking lot.

Commissioner Davis stated he understands his concerns and felt it was worth examining and felt the two items didn't have to be tied together; it would be possible to build the extra parking area even if they did not allow the expanded uses.

Associate Planner Williams stated they may have a provision that any new uses would not commence until the parking lot was constructed, but it will be reviewed in-depth before the public hearing.

Commissioner Davis felt it was consistent with recent changes to not make lack of required parking prohibitive as a regulatory condition but felt they would need to consider how to address the issue if the parking lot goes away.

MOTION: Moved by Davis, seconded by Rahi to initiate a Municipal Code Text Amendment to amend the uses and parking requirements in Specific Plan No. 9. Motion carried unanimously, 4-0.

ORAL COMMUNICATION

3. Community Development Department

Senior Planner Marco Espinoza stated at the next meeting will be the public hearing to amend the uses in Specific Plan No. 18 and an update to the Water Efficient Guidelines based on the new state mandates. The Ordinance calls out that the guidelines are to be adopted/amended by the Planning Commission. There is also a study session with the City Council scheduled for May 26th from 5:30-7:00 p.m. to discuss the new housing proposal at 299 E. Foothill Boulevard. The grading and walls have started on the mixed-use project on San Dimas Avenue, and the pad buildings at Costco are still moving through the plan check process.

4. Members of the Audience

John Margis, resident, stated he has served on the Parks and Recreation Commission in the past and has applied for the vacancy on Planning Commission and was here to observe.

5. Planning Commission

No communications were made.

ADJOURNMENT

MOTION: Moved by Ensberg, seconded by Davis to adjourn. Motion carried unanimously, 4-0. The meeting adjourned at 7:39 p.m. to the regular Planning Commission meeting scheduled for Thursday, May 21, 2015, at 7:00 p.m.

David A. Bratt, Chairman
San Dimas Planning Commission

ATTEST:

Jan Sutton
Planning Commission Secretary

Approved: June 4, 2015