

# **CITY OF SAN DIMAS PLANNING COMMISSION MINUTES**

Regularly Scheduled Meeting  
Wednesday, September 21, 2005 at 7:30 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Chairman Emmett Badar (arrived 7:36 p.m.)  
Vice-Chair Jim Schoonover  
Commissioner Stephen Ensberg  
Commissioner Yunus Rahi  
Planning Manager Craig Hensley  
Associate Planner Laura Locket  
City Attorney Ken Brown

## **Absent**

Commissioner David Bratt

## **CALL TO ORDER**

Vice-Chair Schoonover called the meeting to order at 7:35 p.m. and Commissioner Rahi led the flag salute.

Chairman Badar arrived at 7:36 p.m.

## **CONSENT CALENDAR**

1. Approval of Minutes for September 7, 2005.
2. Approval of Conditional Use Permit 05-07 – A request to conduct on-site alcohol sales of beer and wine on the property located at 806 West Arrow Highway.

### RESOLUTION PC-1323

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 05-07, A REQUEST BY JOHN RIBEIRO TO CONDUCT ON-SITE ALCOHOL SALES OF BEER AND WINE ON THE PROPERTY LOCATED AT 806 WEST ARROW HIGHWAY

3. Approval of Conditional Use Permit 05-06 – A request to conduct on-site and off-site sales of beer and wine in conjunction with a retail use, on the property located at 225 W. Bonita Avenue.

#### RESOLUTION PC-1324

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 05-06, A REQUEST BY HEIDI DANIELS FOR ON-SITE AND OFF-SITE SALES OF BEER AND WINE IN CONJUNCTION WITH A RETAIL USE, ON THE PROPERTY LOCATED AT 225 W. BONITA AVENUE

**MOTION:** Moved by Schoonover, seconded by Ensberg to approve the Consent Calendar. Motion carried unanimously, 4-0-1 (Bratt absent).

#### **PUBLIC HEARINGS**

- **No Items Submitted.**

#### **COMMISSION BUSINESS**

4. **DISCUSSION OF THE BROWN ACT** – A presentation by the City Attorney.

*City Attorney Ken Brown* passed out a hand-out on the Ralph M. Brown Act, the open meeting law. He presented information on how it was developed 54 years ago, and stated that other than for a few minor amendments, it has not changed over the years. The intent of the act is to guarantee that all actions taken by a public body are done in public, and that the citizens of the jurisdiction have an opportunity to participate in all actions.

He stated any modifications come from Attorney General opinions, which usually favor the side of the public and openness. A meeting is considered public when a majority, or quorum, of the legislative body is together to deliberate actions. Less than a quorum is not governed by the Brown Act as long as they are not a standing committee.

The types of meetings covered by the Brown Act are regular, special and emergency meetings, and it is illegal to work through a third party to gain consensus, or for a member to call a majority of the other members to discuss a potential action. Members can attend conferences and social gatherings as long as they don't discuss business. The Brown Act requires agendas for regular meetings to be posted 72 hours in advance with a sufficient description of the items so that the public can understand what is to be discussed. Action can only be taken on items listed on the agenda. He explained when emergency and adjourned meetings take place and their posting requirements, and

what items can be discussed in closed session. If a member of the public believes a violation has occurred, they can file a civil lawsuit.

*Commissioner Ensberg* asked about conflict of interest.

*Attorney Brown* gave a brief explanation and stated if there was ever a project on an agenda located within 1,000 feet of a Commissioner's property, they should contact him immediately.

## **ORAL COMMUNICATIONS**

### **5. Director of Community Development**

*Planning Manager Craig Hensley* stated staff is still working on arranging a thank-you dinner for the former Commissioners and would report back when further details were available.

In response to Commissioner Rahi, *Manager Hensley* stated the City's General Plan was last updated in 1991. There are funds in the budget to start a review, but it can cost anywhere from \$600,000 to over a million dollars to revise. Updates are typically done every twenty years, but it might be appropriate to look into it now as San Dimas is almost built-out and the only properties left to develop have challenges. He felt they would probably start on this after several of the major projects were completed.

*Commissioner Rahi* asked how the City deals with projects that are located on the border with neighboring cities, such as Glendora.

*Manager Hensley* stated with the Costco project there is an agreement to review traffic improvements to determine which city will bear the cost of which improvements. He also presented information regarding the NJD lawsuit and the creation of Specific Plan No. 25.

### **6. Members of the Audience**

No communications were made.

### **7. Planning Commission**

No communications were made.

## **ADJOURNMENT**

There being no further business, Chairman Badar adjourned the meeting at 8:25 p.m. to the regular Planning Commission meeting scheduled for October 5, 2005 at 7:30 p.m.

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Emmett Badar, Chairman  
San Dimas Planning Commission

ATTEST:

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Craig Hensley  
Planning Manager

Approved: