

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

Regularly Scheduled Meeting  
Wednesday, October 19, 2005 at 7:30 p.m.  
245 East Bonita Avenue, Council Chambers

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## **Present**

Chairman Emmett Badar  
Commissioner David Bratt  
Commissioner Stephen Ensberg  
Commissioner Yunus Rahi  
Commissioner Jim Schoonover  
Planning Manager Craig Hensley  
Associate Planner Laura Lockett  
Assistant Planner Michael Concepcion  
Planning Intern Amy Altomare

## **CALL TO ORDER**

Chairman Badar called the regular meeting of the Planning Commission to order at 7:35 p.m. and Commissioner Bratt led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes for October 5, 2005.
2. Approval of Municipal Code Text Amendment 05-02 – A request to amend Section 18.204 of the San Dimas Municipal Code to add Subsection 18.204.075 regarding re-submittal of denied Zone Variance applications.

## **RESOLUTION PC-1325**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 05-02, A REQUEST TO AMEND SECTION 18.204 REGARDING RE-SUBMITTAL OF DENIED VARIANCE APPLICATIONS

**MOTION:** Moved by Schoonover, seconded by Bratt to approve the Consent Calendar. Motion carried unanimously, 5-0.

**Discussion of Item 2, re-opened by Chairman Badar.**

*Commissioner Ensberg* stated in the motion at the previous meeting it was noted that a recommendation should be made to the City Council that the appropriate code sections should be amended in the future for an integrated approach for re-submitting denied applications with language that is more generous to the City and more restrictive to applicants. He asked why that recommendation was not contained in Resolution PC-1325.

*Planning Manager Craig Hensley* stated since the Commission approved the language as submitted, that is what was prepared for approval, and that when the item goes to the City Council, the Commission's recommendation will be noted in the staff report and in the Commission minutes which are always included as an attachment.

*Commissioner Ensberg* felt it would elevate the level of seriousness of the recommendation if it were placed in a resolve resolution more than a mention in the minutes and would like to see that done in the future if possible.

*Manager Hensley* stated the Commission's recommendation would be part of the discussion at the Council meeting, but they would also seek clarification from the City Attorney on the feasibility of incorporating the recommendation into a resolution as that has not been done in the past.

**PUBLIC HEARINGS**

3. **CONSIDERATION OF TENTATIVE PARCEL MAP 05-01 (063238)** – A request to subdivide a 1.45 acre parcel into four lots to accommodate a previously approved four-building, 16,000 square foot office complex, located at 343 East Foothill Blvd.

Staff report presented by *Planning Manager Craig Hensley*, who stated this is a request to subdivide a 1.45 acre parcel on the north side of Foothill near Dixie Drive.

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*Commissioner Ensberg* apologized and stated he didn't understand that Resolution PC-1325 was part of the Consent Calendar and asked if they could return to that item as he had a comment to make.

*Chairman Badar* opened discussion on Item 2, which is shown above.

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**Manager Hensley** stated this item came before the Commission previously for approval of the Precise Plan for the four-building office complex. The request tonight is to split the property into four parcels so the buildings can be sold individually. He stated there were two items not mentioned in the staff report that he wanted to discuss tonight.

First, this project is in plan check, and when plans are submitted to the Building Department, a copy is given to the Fire Department's Building Division to review. That Division has approved the plans. However, as part of the subdivision process, a copy of the plans is submitted to the Fire Department's Subdivision Division. That Division did not approve the plan because they felt the west entrance should include access across the median for fire equipment. Fire Department access will be at the east entrance, and the Fire Dept. Building Division has approved that. The Subdivision Division does not have authority for approval or denial of projects, that is the Building Division only, and it is not uncommon for the two Divisions to have different opinions.

**Manager Hensley** stated there were also a couple of minor changes. In Condition #5, the third line refers to eight condominium units, that should have been removed and the correct language will be in the resolution of approval. In addition to that, there is a numerical error in Condition #7, the parenthesis should read 063238, not 063236.

**Manager Hensley** stated the last item to discuss is outlined in the memos that were handed out and relates to the issue of a sidewalk, equestrian trail and possibly an additional easement dedication. When this item originally went to DPRB, and subsequently to the Planning Commission and City Council, the DPRB addressed the issue of the equestrian trail and sidewalk. They felt an equestrian trail was more appropriate for this area and did not want additional dedication for a sidewalk because that would take up landscape area. This issue was not raised at either Planning Commission or City Council when the Precise Plan was approved. The memo from the Director of Public Works indicates they would like an additional eight feet of public right-of-way for a sidewalk and equestrian trail in this area. Staff has also prepared another suggested condition that would allow for an equestrian trail only. He passed out a map and showed how this property is located in a major equestrian area and the access route to the canyon trails. The current sidewalk runs along the Kindercare site and the DWP property, then dies out. The next time there is space for a sidewalk is at the Glendora border because there isn't room for a trail and sidewalk west of Walnut until then. That is why the DPRB took the position that they did. The Commission can take a position either way, but he felt the real issue was how much landscape area should be at the front of the property. This is located in the Scenic Highway Overlay which requires a 25-foot landscape buffer along the street, and if they take space for a sidewalk, that would reduce the amount of landscaping.

**Chairman Badar** asked if the Planning staff recommendation has been discussed with the Director of Public Works.

**Manager Hensley** stated there are two different recommendations, one from the DPRB and one from the Director of Public Works, and staff is willing to implement either one,

depending on the Commission's preference. The Commission could also defer the decision to the City Council.

**Commissioner Rahi** felt there should be continuity to the sidewalk and it should be extended in front of the project property.

**Manager Hensley** stated whichever way they decide, the sidewalk will end either at the eastern edge or western edge of this project because there is no room for a sidewalk west of Walnut.

**Commissioner Ensberg** stated he has served on the Equestrian Commission and the community has consistently expressed the need to maintain equestrian trails and access. Based on the historically strong commitment to maintain the western flavor of the community, he would be opposed to extending the sidewalk and would be supportive of the DPRB's decision to leave this area entirely for equestrian use.

**Commissioner Schoonover** stated in picturing the existing equestrian trails in town, he thought most of them did not have a sidewalk next to them and would agree with the DPRB's position for safety reasons.

**Chairman Badar** stated the Via Verde equestrian trail is used as a sidewalk.

**Manager Hensley** stated there have been issues in the past with that trail as there is not as much equestrian activity in Via Verde as there is in this location. There is a sidewalk on the south side of Foothill so pedestrian access is available along Foothill, unlike sections of Puente.

**Commissioner Bratt** felt this was one of those ideas that sounded good on paper, but once you get to Walnut there won't be a sidewalk anyway so didn't see the point of this additional section. He stated it seemed to be the new trend to make office buildings into office condos and knows from experience that the CC&R's can make or break a development. He stated the Conditions of Approval require them, but was concerned about granting approval for the project without having a chance to review the CC&R's because he felt it was pertinent to their approval.

**Manager Hensley** stated the usual process is that the attorney for the applicant will prepare the CC&R's and submit them to the City for review by staff and the City Attorney. The City is made a party to the CC&R's so they cannot be amended without the City's knowledge. He thinks office condos have become more popular in general over the last few years, not just in San Dimas.

**Commissioner Ensberg** asked how much of a burden would it be on the applicant to have the CC&R's prepared prior to approval.

**Manager Hensley** stated they usually come much later in the process but before approval of the Final Map. After the Preliminary Map is approved, the engineer has to finalize the details and submit it to the County to have the map checked for technical

details. This can take many months. Then it comes back to the Council for final approval on the Consent Calendar. Before the map can go to the County for their review, the City must have a completed, approved set of CC&R's.

*Chairman Badar* stated this has not been a problem in the past and didn't think they needed to change the process.

*Manager Hensley* stated the staff takes CC&R's very seriously and they are closely reviewed because the City feels it is to their advantage to have them to allow for more effective enforcement in the future.

*Commissioner Rahi* asked if a traffic study was done for the initial approval of the project.

*Manager Hensley* stated as part of the environmental review a determination was made on trip generation, but since Foothill Boulevard is under capacity, traffic from the project should have little impact.

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

**Eric Simison, applicant, 514 N. Lone Hill Avenue**, thanked staff for working with them on putting together a quality project. They have gone to great lengths to work on creating an aesthetically pleasing project in an early-California style to blend with the equestrian theme of the area. To clarify his discussions with Public Works, they prefer having a sidewalk because of a projected forecast that someday a signal will be installed at Walnut and Foothill. He understands that equestrian issues are significant and aware that landscaping along Foothill Boulevard is greatly desired by the City. He felt the best scenario would be to have a sidewalk next to the street and the horse trail inset to keep the horses away from the street, increase line-of-sight for vehicles exiting the project, and providing a sense of openness along that stretch of highway. He would not be opposed to dedicating a portion of his property for equestrian access as long as he did not have to give up more space for landscaping which would impact the location of his buildings. He stated the condo concept is because a lot of business owners would like to own their own buildings, and he is trying to make these parcels usable and in a price range that is affordable for the small business owner. The types of businesses interested in a project like this would be accountants, small engineering firms and other similar professional businesses. In regards to the CC&R's, as the owner they are interested in maintaining a high-end look and felt the rules needed to be clear up-front. There will be an emphasis on landscape maintenance, along with lighting and parking requirements, to name a few things.

*Commissioner Rahi* asked if he anticipated heavy pedestrian traffic from his project.

**Eric Simison** stated there are pedestrians that walk along Foothill now and use the horse trail. He felt it would depend on what improvements are made on the south side of Foothill and the development there.

*Chairman Badar* asked if the suggestion to have a sidewalk and then the equestrian trail was brought up to the DPRB.

**Eric Simison** stated the site is very restricted and has limited useable space. If they were to give up property in the front, there will be almost no space for the buildings. At that meeting only a horse trail was required, and this current debate came up later. He stated they are willing to work with the City.

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

*Commissioner Ensberg* felt that sidewalks and equestrian trails were not compatible together and that sidewalks take away from the trails. He did not want to see more land dedicated and would be supportive of staff's recommendation for the trail.

*Chairman Badar* appreciated the concerns about mixing horses and people, but people will walk in the trail. He did not have a problem with the application for subdivision.

*Commissioner Ensberg* felt safety was a concern but that it was paramount to maintain, safeguard and secure the horse trail area and not see that impacted or degraded.

**MOTION:** Moved by Ensberg, seconded by Schoonover to approve the project without further dedication of property and with the condition that it be an equestrian trail only in front of the project area to be consistent with the City's goals of preserving equestrian uses. Motion carried unanimously, 5-0.

4. **CONSIDERATION OF CONDITIONAL USE PERMIT 05-08** – A request to operate a Martial Arts and Fitness Studio, located at 1108 Via Verde Avenue.

Staff report presented by *Planning Intern Amy Altomare*. She stated the square footage of the pad building is adequate for this type of use, there is sufficient parking, and there will be a condition that there is a 15-minute interval between classes to avoid congestion. The front of the building will contain a pro shop for the sale of equipment and supplies. Staff recommends approval of Conditional Use Permit 05-08 and adoption of the Negative Declaration.

*Commissioner Ensberg* asked why the karate studio needs a CUP to operate if this was a commercial building.

*Manager Hensley* explained the different classifications in the Zoning Code, and that those that are deemed discretionary are brought to the Commission for approval and setting of conditions to lessen impacts on surrounding businesses or neighbors.

*Commissioner Rahi* stated the proposed schedule shows classes during peak traffic hours but didn't see anything on the plan for a designated drop-off/pick-up location. He thought they should have a circulation plan for getting children safely into the building and asked if a circulation plan had been submitted.

*Manager Hensley* stated they have not required that with previous karate studios so did not request one with this application. This location is unique for a karate studio in that it is in a pad building and has parking available on all four sides.

*Chairman Badar* stated when the previous karate studio was in this center in the in-line buildings there was a problem with parents dropping off kids when they were late, but felt the location of this building would keep people out of the traffic flow and have little impact on the overall center. While he liked the idea of a drop-off zone, since people could go in four different directions he wasn't sure if it would be feasible at this location.

*Commissioner Bratt* asked about the kitchen shown on the floor plan and suggested there be a condition that prohibited food preparation.

*Manager Hensley* thought it might be a break room area for employees and may just need to be labeled differently.

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

**Mark Ten Eyck, 203 E. 4<sup>th</sup> Street,** stated he has been teaching and managing the Glendora school with Chris Cassamassa for seven years. In regards to the drop-off issue, they have a large seating area and encourage the parents to come and participate and view the classes. Because their lessons are only thirty minutes, it leaves little time for parents to do something else before having to come back, so most walk their children in and stay. He stated the sinks in the kitchen area have been eliminated and there won't be a kitchen in the facility.

*Commissioner Rahi* asked about the average class size.

**Mark Ten Eyck** stated most classes are 15-25 students.

*Chairman Badar* asked if he will be holding tournaments at this facility.

**Mark Ten Eyck** stated they won't be hosting tournaments as the facility is not large enough, but they do offer community programs for children on self-defense, stranger danger, etc. These are held on the weekends.

**Kent Davis, 422 Woodglen Drive,** stated he was in support of the application and thought it would be good for the community.

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

**MOTION:** Moved by Rahi, seconded by Ensberg to approve Conditional Use Permit 05-08 and direct staff to bring back a resolution of approval, and to adopt the Negative Declaration. Motion carried unanimously, 5-0.

## **ORAL COMMUNICATIONS**

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

*Manager Hensley* stated another meeting was conducted by the Gold Line Authority on Monday and was well attended. The City Council will be reconsidering the item at the October 25<sup>th</sup> meeting to determine if they want a station and in which location.

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

No communications were made.

### **7. Planning Commission**

*Commissioner Schoonover* inquired about the Via Verde Park and Ride.

*Manager Hensley* stated the City has been involved in the project to the extent that the Park and Ride is overflowing and cars are parking on City streets; however, the City does not have jurisdiction over the facility. There was a meeting to let neighbors in the immediate area know what the status was and involved the County, Foothill Transit and MTA. Council direction has been very clear that they would like staff to keep a close eye on what is going on and to see if there is a way to solve the problems without creating new ones. An additional parking structure may be the answer, but the City only wants to be involved with that if they can have control over how it is designed.

*Commissioner Rahi* asked what the City's policy was on speed humps and gated communities.

*Manager Hensley* stated based on the recommendation of the Public Works Department, City Engineer and the City's insurance agency, the Council does not allow the installation of speed humps on public streets. They also do not favor having gated communities.

*Chairman Badar* asked since the next meeting will have a limited agenda, would it be possible to have a Commissioner training session on Conditional Use Permits or other planning matters.

*Manager Hensley* stated they could prepare something for the next agenda

## **ADJOURNMENT**

**MOTION:** Moved by Bratt, seconded by Ensberg to adjourn. Motion carried unanimously, 5-0. The meeting adjourned at 9:30 p.m. to the regular Planning Commission meeting scheduled for November 2, 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: