CITY OF SAN DIMAS
DEVELOPMENT PLAN REVIEW BOARD AGENDA
THURSDAY, AUGUST 9, 2018 at 8:30 A.M.
245 EAST BONITA AVENUE
COUNCIL CHAMBERS CONFERENCE ROOM

CALL TO ORDER

APPROVAL OF MINUTES

June 28, 2018

1. DPRB Case No. 18-0017

ACCELA PROJ-18-0058

A request to construct a 258 square foot addition and a 335 square foot deck at the rear of an existing 832 square foot historic home located within the Single Family Downtown Residential (SF-DR) Zone at 408 W. Fourth Street.

Applicant: Sahamar Flores  APN:           8386-013-003
Planner:   Anne Nguyen    Zone:              SF-DR

ADJOURN

CITY OF SAN DIMAS
PERMIT LICENSE AND HEARING BOARD
THURSDAY, AUGUST 9, 2018

CALL TO ORDER

1. Entertainment Special Permit 18-01

Associated Cases:  LPHB  18-0002
                    PROJ-18-0035

A request to allow live music entertainment in conjunction with an existing restaurant, Café Las Pupusas, located at 380 S. San Dimas Avenue within the Creative Growth Area 3 (CG-3) Zone.

Applicant:          Steve Mendoza  APN:           8390-018-070
Planner:           Ariana Ruiz    Zone:              Creative Growth Area 3
ORAL COMMUNICATIONS

(Members of the audience are invited to address the Board on any item not on the agenda. Under the provisions of the Brown Act, the Board 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. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

Adjournment

Copies of staff reports and/or other written documentation pertaining to the items on the agenda are on file in the Planning Department and are available for public inspection during the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday.

Notice Regarding Americans with Disabilities Act: In compliance with the ADA, if you need assistance to participate in a city meeting, please contact the City Clerk’s Office at (909) 394-6216. Early notification before the meeting you wish to attend will make it possible for the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

Copies of documents distributed for the meeting are available in alternative formats upon request.
CALL TO ORDER

Scott Dilley called the regular meeting of the Development Plan Review Board to order at 8:30 a.m. so as to conduct regular business in the Council Chambers Conference Room.

APPROVAL OF MINUTES

Larry Stevens moved, seconded by Shari Garwick to approve the minutes of March 8, 2018 (Bratt absent). Motion carried 6-0-0-1 (Green abstained).

DPRB Case No. 18-0016
Accela: PROJ-18-0053

A request to determine if a proposed restoration of a historic sign at 160 W. Bonita Avenue (Johnstone Block/Roady’s) should be exempt from applicable sign regulations on permitted number of signs and sign area, located in the Creative Growth, Area 2 (CG-2) Zone. (APN: 8390-023-011)

Mr. Stevens stated there has been a recent effort between the community, the City, and the business owner to fund the restoration of the existing Roady’s Sign. Section 18.152.250 of the Sign Code, which addresses Historic Signs, states if the Board determines there is historic value to the sign, it may be exempted from certain requirements. The sign is in poor condition but the intent is to repair the neon and damaged parts of the sign, and restore to the original colors. Unfortunately there is little photographic history to go by. The current restaurant owner thinks the Health Department may not want the “Homemade Pies” portion of the sign, so the suggestion is to put that on a separate circuit so that it does not have to light up if there is an
issue. They are also not sure how it is currently attached to the building and there may need to be some engineering done for the reinstallation to the unreinforced masonry building so that it does not impact the historic integrity of the sign or create a safety issue.

Mr. Michaelis, in response to Mr. Dilley and Mr. Badar, stated Williams Sign Company has been chosen to do the restoration, and that there has been no confirmation that the Health Department has an issue with the sign wording. The business owner and building owner have approved the project and there is a person who has expressed interest in heading a community committee. If this item receives approval, a 50% deposit will be given to the sign company and the engineering plans will be drawn up prior to removal of the sign.

Mr. Sorcinelli expressed concerns about the deteriorated condition of the building, and how that may even impact the ability to reinstall the sign.

Mr. Badar asked how difficult it would be to remove the sign again if the building were to be repaired in the future.

Mr. Stevens stated the sign may be in a different area than where repairs are needed, and they could probably do painting around it without removal needed. In response to Ms. Garwick he stated if the sign is hanging in the public right-of-way, a no-fee encroachment permit can be issued.

Emmett Badar moved, seconded by Blaine Michaelis to approve DPRB Case No. 18-0016 for restoration of the historic sign per the submitted Conditions of Approval. Motion carried 6-0-0-1 (Sorcinelli abstained).

ORAL COMMUNICATIONS

No communications were made.

Adjournment

There being no further business the meeting was adjourned at 8:50 a.m. to the meeting of July 12, 2018 at 8:30 a.m.

Scott Dilley, Vice-Chair
San Dimas Development Plan Review Board

ATTEST:

Development Plan Review Board
Administrative Secretary

Approved:
DEVELOPMENT PLAN REVIEW BOARD
FACT SHEET

DATE: August 9, 2018
TO: Development Plan Review Board
FROM: Anne Nguyen, Associate Planner
SUBJECT: DPRB Case No. 18-0017
PROJ-18-0058

A request to construct a 258 square foot addition and a 335 square foot deck at the rear of an existing 832 square foot historic home located within the Single Family Downtown Residential (SF-DR) Zone at 408 W. Fourth Street. (APN: 8386-013-003)

FACTS:

The applicant is requesting to construct a 258 square foot addition and a 335 square foot deck at the rear of a historic home. The front yard of the home will also be rehabilitated with drought tolerant landscaping. The home, which was constructed in 1913, is located at 408 W. Fourth Street and is within the Single Family Downtown Residential (SF-DR) Zone. The property is developed with an 832 square foot single story single-family residence designed in the Craftsman bungalow architectural style, which includes a side-gabled roof and a wide front-gabled porch roof supported by two square columns and a solid railing.

Table 18.12.050 of Chapter 18.12 of the San Dimas Municipal Code (SDMC) requires that additions or structural modifications to a historic structure be reviewed and approved by the Board. Since the structure is on the City’s Historic Resources Inventory list, the applicant’s request is before the Board for review.

ANALYSIS:

The historic home is designed in the Craftsman bungalow architectural style and is developed with an existing side-gabled roof and a wide front-gabled porch roof. Shingle siding is found under the front-gabled roof while horizontal clapboard siding is used for the rest of the house. The smaller gabled porch roof at the rear of the house includes a solid railing that is also finished with horizontal clapboard siding. Exposed beams and rafters are located under the wide eave overhangs, which are typical architectural features of this style. The City’s historical survey of the home indicates that there had once been a garage located at the rear of the property, which no longer exists, that was accessed from the alley.
SDMC Section 18.156.050(C)(1) requires two garage spaces per residential unit; however, this requirement does not apply for existing single family residences where no more than 500 square feet of total livable square footage has been added to the residence since its original construction as stated in SDMC Section 18.156.040(H)(3). The proposed addition of 258 square feet for the master bedroom and bathroom is below the total livable square foot threshold that would otherwise require the construction of a new two-car garage on the subject site. Therefore, the existing residence will continue its legal non-conforming designation and will not be required to construct a new two-car garage on the property at this time. The existing concrete parking pad located in the rear will remain. In the event that there is an increase in livable square footage that exceeds the 500 square foot threshold in the future, the property will be required to return to the Board for review and will be subject to the parking requirements set forth in SDMC Section 18.156.050(C)(1).

The proposed addition and deck will be constructed at the rear, which will require the removal of the existing gabled porch at the rear of the property. The new built up deck made of Douglas Fir will be accessed from both the existing house and from the proposed master bedroom. An open wooden railing will be constructed along the perimeter of the entire deck and an optional wooden trellis is being proposed to cover the new deck. The entire home will be re-roofed and the addition, including the deck will be designed to match the existing home, which will include the following:

- Hardie Plank Lap Siding
- Composition shingle roofing
- A gabled roof slope of 5:12
- Wide wood trim around new doors and windows
- Exposed beams and rafters beneath new eaves

The addition will be constructed to comply with the development standards of the SF-DR zone, including setbacks, lot coverage, and height as follows:

- East side-yard setback: 13'-10" (12’ min.)
- West side-yard setback: 5'-1" (5’ min.)
- Rear-yard setback: 58'-11 ½" (3’ min.)
- Lot coverage: 21% (35% max.)
- Height: 11'-6" (30’ max.)

In addition to the proposed development complying with the required development standards, it will be designed to match the existing historic home and will preserve the home’s historic character.

ISSUES:

None.

RECOMMENDATION:

Staff recommends that the Development Plan Review Board approve Development Plan Review Board 18-0017 subject to the attached conditions.
Respectfully submitted,

Anne Nguyen
Associate Planner

ATTACHMENTS:
1. Vicinity Map
2. Photos of Subject Site
3. Historic Resources Inventory Form

EXHIBITS:
A. Conditions of Approval
Attachment 1

Vicinity Map
Attachment 2

Photos of Subject Site

View looking south at the subject site
Note: Entire front yard to be rehabilitated

View looking southeast at the subject site
View looking west at the subject site
Note: Existing chain link fence to remain

View from the alley looking into the rear yard.
Note: Existing concrete parking pad to remain.
**attachment 3**

**Historic Resources Inventory Form**

<table>
<thead>
<tr>
<th>IDENTIFICATION AND LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Historic name None</td>
</tr>
<tr>
<td>*2. Common or current name None</td>
</tr>
<tr>
<td>*3. Number &amp; Street 408 West Fourth Street</td>
</tr>
<tr>
<td>City San Dimas Asset only</td>
</tr>
<tr>
<td>Zip 91773 County Los Angeles</td>
</tr>
<tr>
<td>4. UTM zone 11 A 425000/7724500 D 0</td>
</tr>
<tr>
<td>5. Quad map No. J094 Parcel No. 8386.13.03 Other</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Property category Building If district, number of documented resources</td>
</tr>
</tbody>
</table>

Rectangular in plan, this one story California Bungalow has a side-facing gable roof with a front gable over the porch. Exposed beams and rafters are located under the eaves. The attached front porch is supported by two square columns and balustrade. At the corners of the balustrade are two short capped wood columns. Under the gable peak is a decorative vent. Shingle siding is found under the gable roof with horizontal clapboard siding used for the rest of the house. Windows are one over one sash with flat wood moldings. The house rests on a stone foundation. The 50' x 140' lot had a garage at the rear of the property. A chainlink fence is located along the front of the property. The house is in good condition.

| 8. Planning Agency |
| San Dimas Planning Department |

| 9. Owner & address |
| Vivian Carnace 408 West Fourth Street San Dimas, CA 91773 |

| 10. Type of Ownership Private |

| 11. Present Use Residential |

| 12. Zoning ME D |

| 13. Threats None |

Send a copy of this form to: State Office of Historic Preservation, P.O. Box 942896, Sacramento, CA 942896-0001

Note these items for Historic preservation compliance projects under Section 106 (26 CFR 800). All item must be completed for historical resources survey intake.
HISTORICAL INFORMATION

14. Construction date(s) 1913-F
16. Alterations & date
17. Architect Unknown
18. Historic attributes (with number from list) Single Family Property

SIGNIFICANCE AND EVALUATION

19. Briefly discuss the property's importance within the context. Use historical and architectural analysis as appropriate. Compare with similar properties.

This house is identical to its neighbor at 404 W. Fourth Street. It is representative of early residential architecture in San Dimas and was built in the boom period of 1910 to 1914 when many houses were built in response to the opening of the two large packing houses and the rapid rise of the citrus industry. The house was built in 1913 for Henry R. Smith, who also owned the property at 404 W. Fourth. No information was found on Mr. Smith.

20. Sources:
   Assessor's Map Book, #113, 1911-19
   Sanborn Map, 1915

21. Applicable National Register criteria N/A

22. Other recognition

23. Evaluator Judith P. Triem
24. Survey type Comprehensive

25. Survey name San Dimas Historic Resources Survey

* Sketch map. Show location and boundaries of property in relation to nearby streets, railways, natural landmarks, etc. Name each feature.

26. Year form prepared 1991
   By (name) Judith P. Triem
   Organization City of San Dimas
   Address 241 E. Bonita Avenue
   City & Zip San Dimas 91773
   Phone (714) 599-6713
Exhibit A
Conditions of Approval
for
DPRB Case No. 18-0017

A request to construct a 258 square foot addition and a 335 square foot deck at the rear of a historic home located at 408 W. Fourth Street located within the Single Family Downtown Residential (SF-DR) Zone.
(APN: 8386-013-003)

PLANNING DIVISION - (909) 394-6250

1. The Applicant/Developer shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney’s fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.

2. The Applicant/Developer shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The applicant shall deposit funds with the City to cover these costs in an amount to be determined by the City.

3. Copies of the Conditions of Approval shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.

4. The Applicant/Developer shall comply with all requirements of the Single Family Downtown Residential Zone.

5. All Conditions are final unless appealed to the City Council within 14 days of the issuance of the Conditions in accordance with the provisions of Chapter 18.212 of the San Dimas Zoning Code.

6. The building permits for this project must be issued within one year from the date of approval or the approval will become invalid. A time extension may be granted under the provisions set forth in Chapter 18.12.070 F.

7. The Applicant/Developer shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of building permits.
8. Future additions/expansions greater than 252 square feet will require compliance with San Dimas Municipal Code Section 18.156.050 C.1 (off-street parking requirements).

9. The Applicant/Developer shall comply with all City of San Dimas Business License requirements and shall provide a list of all contractors and subcontractors that are subject to business license requirements.

10. The Applicant/Developer shall comply with all Conditions of Approval as approved by the Development Plan Review Board on August 9, 2018.

11. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.

**DESIGN**

12. Building architecture and site plan shall be consistent with plans presented to the Development Plan Review Board on August 9, 2018 provided that the Director of Development Services is authorized to make revisions consistent with the San Dimas Municipal Code.

13. Any changes to the exterior finishes after August 9, 2018 shall require review and approval by the Planning Division.

14. All exterior building colors shall match the color and material board on file with the Planning Division. Any revision to the approved building colors shall be submitted to the Planning Division for review and approval.

15. The roof material shall match the existing roof material.

16. The Applicant/Developer shall underground all new utilities, and utility drops, and shall underground all existing overhead utilities to the closest power pole located at the alley behind the subject site.

**BUILDING DIVISION – (909) 394-6260**

17. The plans shall be prepared in compliance with the latest edition of the codes as adopted by reference by the City of San Dimas: California Green Building Standards Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code.

18. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations at time of initial plan review.
19. The Applicant/Developer shall include a Precise Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and the Director of Development Services.

20. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil. This report shall also include recommendations for surcharge setback requirements in the area of ungraded slopes steeper than five horizontal to one vertical.

21. Building foundation inspections shall not be performed until a footing compaction report has been filed with the City and approved.

22. Construction calculations, including lateral analysis, shall be required at the time plans are submitted for plan check if conventional construction as outlined in the Residential Code are not proposed to be followed. Electrical schematic and load list and plumbing (drainage, water, gas) schematics will be required before issuance of electrical or plumbing permits.

23. Construction hours shall be limited to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holidays, per San Dimas Municipal Code Section 8.36.100.

24. Prior to removing any existing structures on the property, the Applicant/Developer shall contact SCAQMD and obtain a Demolition Permit from the Building and Safety Division.

**ENGINEERING DIVISION – (909) 394-6240**

25. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).

26. The Applicant/Developer shall install sanitary sewers to serve the entire development to the specifications of the City Engineer.

27. The Applicant/Developer shall contact the Los Angeles County Sanitation District for any required annexation, extension, or sewer trunk fee. Proof of payment/clearance is required before the City will issue any sewer permit.
28. For all projects which disturb less than one (1) acre of soil, Applicant/Developer shall submit a temporary erosion control plan to be approved by the City Engineer and filed with the City and shall be installed and operable at all times.

29. The Applicant/Developer shall provide street improvements on all streets within the limits of the development. Improvements to include curbs and gutters, and sidewalks according to City standards, as shown in the following table:

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Pavement</th>
<th>A.C.</th>
<th>Curb &amp; Gutter</th>
<th>Sidewalk</th>
<th>Approach</th>
<th>Drive</th>
<th>Street Lights</th>
<th>Street Trees</th>
<th>Bike Trail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fourth St</td>
<td>x</td>
<td>x</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Notes: Curb and Gutter and Sidewalk to be repaired as determined by the Director of Public Works

30. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and Public Works Director.

31. All work adjacent to or within the public right-of-way shall be subject to review and approval of the Public Works Director and the work shall be in accordance with applicable standards of the City of San Dimas; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.

32. Construction material storage to be confined to the site. No construction related material storage will be allowed on the surrounding streets.

PARKS & RECREATION – (909) 394-6230

33. The Applicant/Developer shall comply with City regulations regarding payment of Park, Recreation and Open Space Development Fee per SDMC Chapter 3.26. Fees shall be paid prior to issuance of building permits.

End of Conditions
ENTERTAINMENT SPECIAL PERMIT
STAFF REPORT

DATE: August 9, 2018
TO: License and Permit Hearing Board
FROM: Ariana Ruiz, Planning Aide
SUBJECT: Entertainment Special Permit 18-01
Associated Cases: LPHB 18-0002
ACCELA PROJ 18-0035
A request to allow live music entertainment in conjunction with an existing restaurant, Café Las Pupusas, located at 380 S. San Dimas Avenue within the Creative Growth Area 3 (CG-3) Zone.
(APN: 8390-018-070).

FACTS:

Café Las Pupusas is a full-service restaurant located at 380 S. San Dimas Avenue within the Creative Growth Area 3, Sub-Area A—Downtown Mixed Use zone. The Applicant is requesting an Entertainment Special Permit to allow live music (amplified music) within the outdoor patio area.

The Applicant would like to host karaoke nights, Trio (three musicians), and a 2-3 person live band entertainment. The hours of entertainment proposed are Sunday from 11:00 am to 3:00 pm, Tuesday from 11:00 am to 8:00 pm and Thursday through Saturday from 6:00 pm to 11:00 pm. The type of entertainment to be performed will vary each week depending on the availability of the performers. All entertainment events will be open to the public with the exception of private reservations.

Café Las Pupusas obtained an encroachment permit in 2016 from the City of San Dimas for the use of outdoor dining in front of their restaurant. The encroachment permit allows Café Las Pupusas to occupy approximately 896 square feet of outdoor patio space. The encroachment permit must be renewed every year and the Special Entertainment Permit is contingent on this renewal.

ANALYSIS:

Floor Plan

Café Las Pupusas occupies 1,830 square feet of interior tenant space. The restrooms, kitchen, and service area are located on the east side of the building. The seating area is located on the west side of the building. The outdoor patio is west of the building.
As shown on the proposed floor plan (Exhibit B), the Applicant is requesting to use the outdoor patio area for both the entertainment purposes and seating for the restaurant (see Figures 1 & 2). Approximately 9%, or 80 square feet shall be used for the stage area. The north west area of the patio is shown on the floor plan as the staging area. CUP 16-06 mandates that an Americans with Disabilities Act (ADA) path of travel remain unobstructed at all times and meets ADA requirements. A condition of approval is included in the resolution to ensure that the proposed stage will not interfere with the ADA path of travel, which shall be provided at all times regardless of whether or not an event will be taking place within the outdoor patio area. In addition, the Applicant is not proposing to construct a raised stage area: performers will bring their own speakers and sound system equipment.
Current Hours of Operation

The applicant was approved for the following hours of operation through Conditional Use Permit 16-06:

- Sunday—Wednesday: 11:00 a.m. to 10:00 p.m.
- Thursday—Saturday: 11:00 a.m. to 12:00 a.m.

Entertainment Hours of Operation

The Applicant is looking to receive approval for the following hours for the requested Entertainment Special Permit.

- Sunday: 11:00 a.m. to 3:00 p.m.
- Tuesday: 11:00 a.m. to 8:00 p.m.
- Thursday—Saturday: 7:00 p.m. to 11:00 p.m.

ISSUES:

The Applicant began having live entertainment without the benefit of the City’s approval. Live entertainment began as early as August of 2017 and the Sheriff’s Department has informed Staff of a few complaints regarding the live entertainment.

The request from the Applicant includes having live entertainment until 11:00 pm Thursday through Saturday. Staff has concerns with the proposed hours in the late evening due to the restaurant’s close proximity to residential use west of the site (see Figure 3). The applicant has proposed to monitor sounds by ensuring the performers are aware of and clearly understand the noise level restrictions before they are booked.
However, allowing entertainment to run as late as 11:00 pm may cause disturbance to the residents as sound may carry over from the outdoor patio. The San Dimas Municipal Code Section 8.36.040 limits noise level or sound in low to medium residential areas (which the subject site is located in) to the following:

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Decibels</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 a.m. – 6:00 p.m.</td>
<td>50</td>
</tr>
<tr>
<td>6:00 p.m. – 10:00 p.m.</td>
<td>45</td>
</tr>
<tr>
<td>10:00 p.m. – 7:00 a.m.</td>
<td>40</td>
</tr>
</tbody>
</table>

Noise is measured in decibels (dB). The human ear is not equally sensitive to sound at all frequencies. Thus, the “A-weighted scale,” abbreviated dBA, reflects the normal hearing sensitivity range of the human ear. On this scale, the range of human hearing extends from about 3 dBA to about 140 dBA.

Studies have shown that the smallest perceptible change in sound level is approximately three decibels. A change of at least five decibels would be noticeable. A ten decibel increase is subjectively heard as a doubling in loudness. Therefore, Staff is recommending that live entertainment should not be provided after 10:00 p.m. due to the close proximity to residential uses and the lack of ability to attenuate noises.

As shown in Figure 3, the closest home to the site is approximately 130 feet away; therefore, noise generating from the subject site is a concern. Typically, background music in cafes or restaurants range between 40-60 decibels and voices and conversations from a group of people range between 60-70 decibels. Therefore, events held outside in the patio area would exceed the noise limits set forth by the Code due to the inability of providing any type of acoustic isolation. Events held inside may comply with the noise ordinance if windows and doors are kept closed when entertainment is being conducted.

**RECOMMENDATION:**

Staff recommends that the License and Permit Hearing Board approve the request subject to the attached conditions of approval.

Respectfully submitted,

Ariana Ruiz
Planning Aide

**EXHIBITS:**

A. Conditions of Approval
B. Proposed Floor Plan for Outdoor Patio
EXHIBIT A
Conditions of Approval
Entertainment Special Permit 18-01

PLANNING DIVISION - (909) 394-6250

GENERAL

1. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney’s fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.

2. The applicant shall comply with all requirements of the Creative Growth Area 3 Zone.

3. All Conditions are final unless appealed to the City Council within 14 days of the issuance of the Conditions in accordance with the provisions of Chapter 18.212 of the San Dimas Zoning Code.

4. The applicant shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of license permit.

5. The applicant shall comply with all conditions of approval as approved by the License and Permit Hearing Board on August 9, 2018.

6. The hours of operation for the entertainment shall cease at 10:00 p.m. Any expansion of hours shall require prior modification to this permit. (There is no limitation on the days for the live music entertainment.)

7. In the event that a third party has hired the entertainment:
   a. Third parties must adhere to all conditions of approval.
   b. In harsh weather conditions, entertainment may be conducted inside the building, doors and windows shall remain closed for noise attenuation purposes.

8. In no case may more than 2 events take place at the same time.

9. Approval of this Conditional Use Permit does not grant approval to exceed the noise limits set forth in San Dimas Municipal Code Section 8.36.040. Noise levels
generating from events at the subject site shall comply with City Code.

10. If operation of this Entertainment Special Permit causes adverse effects upon adjacent residences, businesses, or operations including, but not limited to noise, loitering, parking, or disturbances, the Entertainment Special Permit shall be brought before the License and Permit Hearing Board for consideration and possible suspension or revocation of the permit.

11. Access to the entertainment area must be from the main entrance to the primary use and not from a separate exterior entrance. Other exits shall be for “Fire Exit Only.”

12. Approval of this request shall not waive compliance with any sections of the Municipal Code, State Fire Marshal's regulations, 2016 California Building Code, or any other City Ordinances.

13. This Entertainment Special Permit shall be renewed annually by the applicant per Municipal Code Section 5.36.010.B.

14. Dancing by customers shall be prohibited at all times.

15. No cover charges, entry fees, or minimum drink orders shall be charged/required of patrons. There shall be no restrictions on the age of customers.

16. Customized lighting and sound system conductive of a nightclub atmosphere shall be prohibited at all times.

17. The maximum number of occupants shall not exceed building and fire codes. The maximum occupancy for each room shall be posted as determined by the Los Angeles County Fire Department.

18. The Applicant/Operator shall maintain path of travel/access in compliance with the Americans with Disabilities Act (ADA) standards at all times from and to the patio area to the restaurant.

End of Conditions
EXHIBIT B

Proposed Floor Plan for Outdoor Patio

Entrance to Patio

- Black Steel Patio Benches (12)
- Black Dining Tables 30x48 (4)
- Three Bowl Cascading Fountain (2)
- Black Table (4) 30x30
- Aluminum Black Sling Stacking Chairs (46)
- Propane Patio Heater (4)
- Black Table 36x24 (4)
- Black Table 48x36 (4)
- Sevilla Steel/Slate Propane Outdoor Fire Pit
- Red Patio Umbrella 13' (4)
- Stage/musician Area