



AZUSA CITY PLANNING COMMISSION MINUTES

July 30, 2008
7:00 P.M.

NOTICE: A copy of the following public hearing staff reports and Initial Studies, if applicable, for the Planning Commission projects will be available for review during regular working hours of 7:00 a.m. to 5:30 p.m., Monday - Thursday at the Planning Division and during regular hours of the Azusa City Library. Any questions regarding any agenda item may be answered by the Planning Division at (626) 812-5017. The Planning Commission Meetings are held at 7:00 p.m. in the Azusa Civic Auditorium at 213 East Foothill Boulevard, Azusa, California

Call To Order

Chairman Dierking called the meeting to order at 7:05p.m.

Pledge of Allegiance

Commissioner Dodson led the flag salute.

Roll Call

Members present: RENTSCHLER, ALVA, DIERKING, DODSON

Members Absent: ROSALES

Staff Present

Assistant Director of Community Development, Conal McNamara; BBK Attorney, Michael Torres; Senior Planner, Susan Cole; Tierra West Advisors, Redevelopment Consultant, Jose Ometeotl; Planning Technician, Graciela Acosta.

Approval of Minutes

None

Public Participation

1. Mike Lee, resides at 636 E. Lee Place, spoke.
2. Art Morales, spoke.

Public Hearing

1. **Extension of Time for Tentative Tract Map 066689, DR-2006-37 and MUP-2006-18**
Location: APN 8622-002-030

A request to approval of an Extension of Time for a previously approved Tentative Tract Map for condominium purposes.

Attorney Torres stated the California Governor signed Senate Bill 1185 into law granting automatic extension, effective immediately in response to the state housing crisis.

Ms. Susan Cole, Senior Planner, made the staff presentation.

Recommendation: The Planning Division recommends based on the Development Code, the one year extension of time for Tentative Tract Map TTM 066689, Design Review DR-2006-37 and Minor Use Permit MUP-2006-18.

Chairman Dierking asked if the issue of the bus stop resolved and Ms. Cole stated that the City Engineer resolved the issue. He also stated the time extension would be prudent. He wanted to know if the any physical or structural changes would affect the General Plan. Ms. Cole stated there would be no affect to the General Plan.

Commissioner Dodson asked the applicant if he secured a construction loan and the Mr. Arthur Shu, property owner answered no. Applicant said an approval would help which would give his more time for the price of houses to get better.

Public Hearing

1. Art Morales, resides in the City, spoke.

Deliberation

Commissioner Rentschler asked if the tandem parking assigned to the condominium units? Ms. Cole stated that was correct. She also asked if a one year extension would be granted would he return in a year? Ms. Cole answered her yes at the Commission's discretion.

Commissioner Dodson asked what is the reason for delay on pulling a Building Division permit? Ms. Cole stated the application process is not at obtaining a Building Division permit point, but the Planning Division fees were paid if TTM bonds secured? Mr. McNamara stated infrastructure bonds are paid up front per the subdivision map act. He asked any other issues with trash enclosures and line of sight? Ms. Cole stated that the trash enclosure is being process by Engineering Department and line of sight is between the applicant and transit. And the Fire Department may bond for a hydrant etc.

Commissioner Alva wanted to know who maintains the property and Ms. Cole stated the property owner would and Code Enforcement would cite him or her if not maintained.

Commissioner Rentschler moved to approve a two year extension of DR-2006-37 and MUP-2006-18 and Commission Alva second. The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING

NOES: DODSON

ABSENT: ROSALES

The vote resulted in approval 3 to 1.

2. Minor Use Permit MUP-2008-05

Applicant: T-Burgers

Location: 444 E. Foothill Boulevard

A request to allow an existing food service drive-thru currently permitted to operate from 6a.m. to 12a.m. to operate 24 hours a day in the CFB zone. Approved by Planning Commission on April 30, 2008, reviewed by City Council on June 16, 2008 and remanded to Planning Commission for reconsideration.

Mr. Conal McNamara, Assistant Director of Community Development, made the staff presentation of remanded item from City Council.

Recommendation: The Planning Division recommends based on the Development Code, the Minor Use Permit findings of fact and the General Plan CEQA guidelines that the Planning Commission adopt the attached resolution denying Minor Use Permit MUP-2008-05.

Commissioner Dodson thanked the property owner Mr. Bicos, present for compromising on measuring factors. And he commented excessive police activity and trash.

Mr. Bicos, applicant was present and spoke and addressed the Commissioner by stating he does not foresee a problem, would clean up any trash, would use low impact speakers, and would promote the restaurant for Friday and Saturday night in bulk.

Chairman Dieking asked if he was open until 2:30 a.m. now? And the applicant answered no and that was the reason for requesting the Minor Use Permit.

The following spoke against:

1. Terri Harbin, resides at 570 E. Sixth Street
2. Art Morales, City resident
3. Uriel Macias, resides at 625 N. Pasadena Avenue

The following spoke in favor:

1. Mike Lee, resides at 636 E. Lee Place
2. Peggy Martinez, resides at 339 N. Alameda

Deliberation

Commissioner Dodson stated he would be in total support of the request to operate on a probationary period to allow him his request.

Mr. McNamara stated the surrounding land uses are high intensity versus single family dwelling by the property.

Chairman Dierking stated the expansion of hours to 24 hours would create a different project. Limiting the day and hour of operation therefore creates a different project which he cannot support.

Commissioner Rentschler moved to deny MUP 2008-05 with a second made by Commissioner Alva. The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING

NOES: DODSON

ABSENT: ROSALES

The vote failed 3 to 1. Applicant may appeal the decision to the City of Azusa City Council during the twenty (20) day appeal period.

Unfinished Business

None

New Business

None

Reports and Communications

1. Consideration of findings of General Plan conformity to allow the acquisition of property by the Redevelopment Agency of the City of Azusa.

Applicant: City of Azusa

Location: East Arrow Highway

Mr. Jose Ometeotl, Redevelopment Project Manager, made staff presentation.

Recommendation: The Redevelopment Department recommends that the Planning Commission adopt the attached resolution finding that the acquisition of real property located at 17515, 17525 and 17523 East Arrow Highway is in conformance with the General Plan of the City of Azusa.

Commissioner Rentschler moved to approve the funding of General Plan conformity GC 65402 with a second made by Commissioner Alva. The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING, DODSON

NOES: NONE

ABSENT: ROSALES

The vote was approved 4 to 0.

2. Consideration of findings of General Plan conformity to allow the disposition of property by the City of Azusa to El Proyecto Del Barrio.

Applicant: City of Azusa

Location: 150 North Azusa Avenue

Mr. Jose Ometeotl, Redevelopment Project Manager, made staff presentation.

Recommendation: The Redevelopment Department recommends that the Planning Commission adopt the attached resolution finding that the acquisition of real property located at 150 North Azusa Avenue is in conformance with the General Plan of the City of Azusa.

The following spoke against:

1. Terri Harbin, resides at 570 E. Sixth Street

2. Art Morales, City resident

Attorney Torres stated that the activities of the Clinic are not agendized and only disposition of land is before the Commission to conformance to the General Plan.

Chairman Dierking stated the General Plan has a section for safety issues.

Commissioner Alva asked who was the concerned party? Jose Ometeotl stated that the applicant is the City of Azusa.

First Motion

Commissioner Rentschler moved to allow the disposition of property GC 65402 with no second.

The motion failed.

Second Motion

Commissioner Alva moved to deny the disposition of property GC 65402 with a second made by Commissioner Dodson. The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING

NOES: DODSON

ABSENT: ROSALES

The vote failed 3 to 1. Applicant may appeal the decision to the City of Azusa City Council during the twenty (20) day appeal period.

Discussion Items From the Planning Commission

Commissioner Rentschler asked in light of the recent earthquake, does anyone check the dam and notify of safety status to the residents? Mr. McNamara stated he would report back on that question.

Commissioner Rentschler asked about the study session or workshop. The Assistant City Attorney responded that a presentation has been put together for the Commission for presentation at the upcoming meeting.

Commissioner Dodson thanked staff for the letter to Mr. Prado's family and extended the thanks to Mr. Macias that the City Council had done a very nice touch too.

Chairman Dierking requested a copy of by-laws for the entire Commission. Mr. McNamara stated that a copy would be provided.

Adjournment

Meeting adjourned at 9:25 pm.

Upcoming Meeting

August 13, 2008 workshop.

August 27, 2008 cancelled.