



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
APRIL 8, 2015

CALL TO ORDER: **7:03 PM**

ROLL CALL: **Chair Leonard, Vice Chair Hoffman, Commission Members Hedges and Rigler; Member Jaffarian absent.**

STAFF PRESENT: **Planning Director King, Senior Planner Robles and Deputy City Clerk Germain**

PLEDGE OF ALLEGIANCE: **Chair Leonard**

1. APPEAL NOTICE: **Read by Planning Director King**

2. PUBLIC COMMENTS: **None**

3. APPROVAL OF MINUTES:

❖ Minutes of Regular Meeting of February 11, 2015 (Continued from 3/11/15)

Recommended Action: Approval (Deputy City Clerk)

M/S Rigler/Hoffman to approve the minutes of regular meeting February 11, 2015, as written

AYES: Leonard, Hoffman, Hedges, Rigler

Motion Passed

ABSENT: Jaffarian

4. PUBLIC HEARINGS:

- A. **Conditional Use Permit 2013-01, Amendment No. 1** (Bogdan): A request for approval to allow a 640 square-foot carport addition to an existing detached accessory building at 2460 Crazy Horse Lane located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She stated that the Architectural Review Committee (ARC) noted the lack of space available in the back, but likes that it cannot be seen from the street. As proposed, all requirements are met. Staff recommends approval.

Senior Planner Robles confirmed for Vice Chair Hoffman that the location of the carport is in the same area as the previously approved building, and that the distance between the building and animal keeping area is 20 feet.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak. With no one wishing to speak, Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

M/S Hedges/Rigler to adopt Resolution 2015-16, to approve Conditional Use Permit 2013-01, Modification No. 1, to allow a 640 square-foot carport addition to an existing detached accessory building at 2460 Crazy Horse Lane.

AYES: Leonard, Hoffman, Hedges, Rigler

Motion Passed

ABSENT: Jaffarian

B. Conditional Use Permit 2015-03 (Rivera): A request for approval to allow a batting cage facility for private lessons at 2800 Reservoir Drive located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval (Senior Planner)**

Senior Planner Robles presented the staff report on file in the Planning Department. She asserted that business athletic uses are allowed in the A-1-20 Zone. She noted that this item had come to light based on a code complaint filed, that Mr. Rivera has been operating without a business license or proper permits for his facility. If approved, staff recommends that a photo metric plan be required. Additional letters of support had been received prior to the meeting, including an opinion from a real estate agent on property value. Staff requested direction if not approved as presented.

In response to Member Hedges, Director King confirmed that this item was reviewed for a potential indoor batting cage by the Planning Commission in 2011; no application for approval had been filed.

Senior Planner Robles explained that a CUP must be approved before the applicant applies for a business license; this is not considered a home occupation, but a permitted use in the zone.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Jerry Kliebert, owner of Norco Batting Cages, stated that if allowed this will affect his business, a loss of revenue. He is against this proposal.

Lana Romero stated that her son attends lessons at Mr. Rivera's facility; noting a positive influence. She supports the facility.

Joy Olea read a letter from Coach Leary in support of the facility and Mr. Romero.

Matthew Juback is a neighbor, and spoke against the facility, noting that he can hear the loud noise produced from the bat hitting a ball. He shared studies on noise at high decibels, adding that the noise produced is louder than most realize.

Mary Juback stated when visiting her son's home, she could hear the noise. She noted her concern of his being unable to sell the property without disclosing the disturbance. She is opposed to the facility.

Jim Juback opposes the business, noting that he is operating without a permit, or paying taxes.

Mickay Manhan stated his support for Mr. Rivera, asked to allow him to share his passion with Norco's youth.

Sandy MacQuarrie stated her support of the business, noting only one complaint was received in 2011, which shows that the neighbors are accepting of the business.

Bill Stubbs stated that as a neighbor, he has no issues with the facility.

Lou Rivera, applicant, stated that he doesn't take business away from the Norco Batting Cages, noting that he is helping him as students go the Norco Batting Cages to practice what he has taught. He shared that he used to receive donations from those he trained to help keep up the facility but now charges a small fee for its upkeep. Mr. Rivera noted that he is willing to work with the City to become compliant. He shared additional information on how he runs the lessons, age of those he coaches and the number of appointments in a week and the length of each lesson. He noted that the new noise ordinance does not mention sounds from baseball bats; as such he is not in violation of this ordinance.

In response to questions from the Commission, Mr. Rivera stated that he used to coach for the Norco Little League back in 1992, the minor A division; has not coached since 2001; started coaching college level in 2010; one child at most of sessions, on occasion siblings will come together; and each session are one hour long. In reference to the report discussed at the 2011 Planning Commission meeting, he stated that he chose not to pursue an indoor structure for lessons, only to continue private lessons in the current setting. He explained that he has allowed a couple of coaches to use his facility for their individual teams. When asked if he would consider building a buffer for sound, such as adding rubber walls, Mr. Rivera was unable to answer as he was not sure how that could be done. He noted that of 22 hours of coaching in a week, only 12 are used for batting training.

Sharon Delbuono-Schonne, next door neighbor, stated that she never had a problem with the sound, adding that roosters and peacocks are louder. She supports the facility.

Gary Schonne stated that as a firefighter, the shriek of a fire siren is much higher in decibels and louder than batting sounds. He supports the facility; noting a good avenue for kids to stay off streets.

Cara McCray noted her support for Coach Rivera, adding that under his tutelage her son has overcome hardship and plays baseball back to standard. She added that although he does need a business license, it doesn't mean that he needs to shut down.

Jackie Grana stated that her son has taken lessons for 10 years at the facility, she supports Coach Rivera. Her son also spoke, stated that Coach is a good person, is very supportive.

Jessica Uhle spoke in support of Coach Rivera. She also read a letter on behalf of a friend in support of the facility.

Lou Paltza questioned the distance of the decibel reading, the location of batting cage to the horse trail, and height of shrubs. He added that a nonprofit business should be allowed to exist and allowed to take money for upkeep of equipment.

Judy Dekker left prior to her name being called, a member of the public read a letter provided she had provided in support of the facility.

Jeannie Johnson stated her support of the facility, noting that her grandson attends lessons.

Andrew Schanner stated that he had been coached by Coach Rivera, now he is attending college on a baseball scholarship and continues to go work out at the facility.

Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

Member Hedges stated her concern with the illegal business, noting that it doesn't belong in a residential area, batting cage on private property should be only for own kids, and that Mr. Rivera should do the coaching outside the area, such as at the park close by.

Member Rigler concurred, noting that it is a great opportunity for local kids but doesn't belong in residential area.

Vice Chair Hoffman detailed his concerns with the lack of permits for business, any structure including lighting; public safety; trees and shrubs are too tall which makes visibility for leaving the property is traffic concern.

Chair Leonard stated that although he supports FFA, 4H and other kids programs, his concern is the lack of a business license which means it's an illegal business; indicating that the applicant has known since 2011 what he needed. All businesses should pay its share of taxes, and it is illegal as a residential business.

M/S Hedges/Hoffman to deny Conditional Use Permit 2015-03, to allow a batting cage facility at 2800 Reservoir Drive.

AYES: Leonard, Hoffman, Hedges, Rigler
ABSENT: Jaffarian

Motion Passed

Recessed 8:39 pm

Reconvened 8:49 pm

C. Conditional Use Permit 2015-04 (Boladian): A request for approval to allow a detached accessory building consisting of a 1,200 square-foot garage/workshop at 2428 Alhambra Street located within the A-E (Agricultural Estate) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. She stated that all requirements are met; the ARC has reviewed and only asked that the façade match the home. Staff recommends approval.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Doreen Grimes answered a few questions from the Commission.

Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

M/S Hedges/Rigler to adopt Resolution 2015-17, to approve Conditional Use Permit 2015-04, to allow a detached accessory building consisting of a 1,200 square-foot garage and workshop at 2428 Alhambra Street.

AYES: Leonard, Hoffman, Hedges, Rigler
ABSENT: Jaffarian

Motion Passed

D. Conditional Use Permit 2015-05 (Bond): A request for approval to allow a detached accessory building consisting of a 2,400 square-foot Recreation Vehicle (RV) storage and workshop building at 1191 Seventh Street located within the R-1(Residential Single-Family) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles presented the staff report on file in the Planning Department. All minimum requirements are met. Staff recommends approval.

Senior Planner Robles confirmed that the existing shed will be coming down, and that no concerns from neighbors have been received.

Chair Leonard OPENED the public hearing, indicating that proper notification had been made and asked for the appearance of those wishing to speak.

Craig Bond, applicant, thanked the Planning Commission for its consideration. He shared that he is considering creating an old town façade look for the building.

Chair Leonard CLOSED the public hearing, bringing the discussion back to the Commission.

Chair Leonard asked that the façade diagram be forwarded for review to the ARC.

M/S Hedges/Hoffman to adopt Resolution 2015-18, to approve Conditional Use Permit 2015-05, to allow a detached accessory building consisting of a 2,400 recreational vehicle (RV) and workshop building at 1191 Seventh Street.

AYES: Leonard, Hoffman, Hedges

Motion Passed

NOES: Rigler

ABSENT: Jaffarian

- E. **Conditional Use Permit 2015-06** (Duarte): A request for approval to allow a detached accessory building consisting of a 1,250 square-foot storage and barn building at 5060 Pinto Place located within the A-1-20 (Agricultural Low Density) Zone. **Recommended Action: Approval** (Senior Planner)

Senior Planner Robles stated that this item is being continued by staff recommendation to a future regular meeting.

5. DISCUSSION ITEM:

- A. Zone Code Amendment 2015-05; Draft C-4 zone code amendments.
Recommended Action : Discuss and Provide Direction(Planning Director)

Planning Director King presented the staff report on file in the Planning Department. He reviewed previous discussions by the City Council/Planning Commission Working Group, such as potentially creating categories to bring more options into the C-4 Zone, make it development friendly, and introduce ways to encourage lot combination to develop larger lots for business growth in the zone. Director King asked for input from the Commission, he is hopeful to follow up with a scheduled public hearing and make a recommendation to the City Council soon.

Discussions ensued, including the suggestion that tattoo parlors, body piercing and permanent makeup be separate allowances, and not necessarily as ancillary uses, as all are different services.

Member Hedges asked about the reference to “rentals” under section D, suggesting that rentals should only be allowed as ancillary uses. Director King stated that the existing services are non-conforming and grandfathered in.

Director King thanked the Commission for its input, he will bring back the items discussed as code amendments for permitted uses only. A zone code amendment will be brought back at a later date.

6. CITY COUNCIL MINUTES: **Received and Filed**

- City Council Study Session Special Meeting of January 21, 2015
- City Council Regular Meeting of March 4, 2015
- City Council Regular Meeting of March 18, 2015

7. PLANNING COMMISSION:

A. Oral Reports from Various Committees

Member Hedges shared that the next Ad-Hoc Committee meeting is scheduled for Monday, April 13, 2015; discussions are continuing at the direction of City Council.

B. Request for Items on Future Agenda (within the purview of the Commission)

- Member Hedges asked staff if the Planning Commission can take any action on buildings that are being built without permits. Director King offered to prepare a report to address this issue.

8. ADJOURNMENT: Chair Leonard adjourned the meeting at **9:34 PM**

Respectfully Submitted,

Steve King, Secretary
Planning Commission

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