



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
JANUARY 30, 2008

1. CALL TO ORDER: 7:08 p.m.
2. ROLL CALL: Chair Newton, Vice-Chair Wright, Commissioners Harris, Hedges and Jaffarian
3. STAFF PRESENT: Director of Community Development Daniels, Senior Planner King, Associate Planner Robles, Executive Secretary Daniels
4. PLEDGE OF ALLEGIANCE: Vice-Chair Wright
- 4.A. PRESENTATION: Former Commissioner James Mercer was presented a very nice plaque highlighting his participation in the Planning Commission. The Commission wished him well.
5. APPEAL NOTICE: Read by DCD Daniels
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: Danny Baca, who lives on Valley Drive, asked how to get the trails repaired not only timely but so that the repairs last. DCD Daniels said he would follow up on this.
7. APPROVAL OF MINUTES: Minutes of January 9, 2008

MOTION: M/S Wright/Hedges to approve the minutes of January 9, 2008 as written.

AYES: Unanimous

MOTION CARRIED

8. CONTINUED ITEMS: None
9. PUBLIC HEARINGS
 - A. **Resolution No. 2008-___**, Zone Code Amendment 2008-01 (Car Spa): A zone code amendment to amend Chapter 18.37 of the Norco Municipal Code for freeway-oriented signs and the types of businesses that are considered to be freeway-oriented businesses. *Project Planner:* Senior Planner King. *Recommendation:* Recommend approval to City Council

SP King presented the staff report on file in the Planning Department and offered to answer questions of the Commission.

SP King confirmed car washes are not included in the list of freeway-oriented businesses that Norco would allow on the signs, which is the reason for this amendment. He said the 660-foot distance for businesses to be allowed freeway advertising is set by Caltrans.

The public hearing was declared opened.

John Welch, general manager of CarSpa, has been here two months and was surprised at how many people are not aware of his business, which he feels does offer the traveling public car services beyond car washes.

Justin Hiegel, representing CarSpa corporate from Dallas, Texas, said the business also offers lube jobs, oil changes, etc. He said the Chevron pole sign was designed to hold advertising from another freeway business and he feels CarSpa is staying within limits by requesting this amendment.

There were no further comments and the public hearing was closed.

MOTION: M/S Wright/Jaffarian to adopt Resolution No. 2008-02 recommending approval of Zone Code Amendment 2008-01 to the City Council

AYES: Unanimous

MOTION CARRIED

- B. **Resolution No. 2008-___**, Conditional Use Permit 2007-12 (Crawford/Smith): A request for approval to allow a temporary mobile home for use as a caretaker dwelling on a 1.34-acre parcel located at 2425 Valley View Avenue within the A-1-20 zone. **Project Planner:** Associate Planner Robles. **Recommendation:** Approval.

DCD Daniels said that the mailing labels submitted with the application were in error, missing several of the neighboring properties, so staff had to resend the notices. Staff was asking for continuance to February 13, 2008 to allow for the proper process.

MOTION: M/S Wright/Hedges to continue Conditional Use Permit 2007-12 to February 13, 2008.

AYES: Unanimous

MOTION CARRIED

10. BUSINESS ITEMS:

- A. Site Plan 2007-06 (Get A Grip Foundation): Proposed Accessory Building at the Hidden Valley Golf Club, Located at 10 Club House Drive in the Hillside (HS) Zone. **Project Planner:** Senior Planner King. **Recommendation:** Approve Site Plan 2007-06 with direction that the architecture be revised and returned to the Planning Commission for later approval.

SP King presented the staff report on file in the Planning Department. He said the modular elevations as submitted did not match the clubhouse, but that there was ample parking, and that Mr. Miller and staff had agreed to limit the amount of students in the Education Program to 350 and to limit to 30 the youth in the Outreach Program. Daily limits in the Education Program were 20, with 2-hour timeslots. With up to 40 showing up for extra tutoring, that would be up to 120 youth a day. He did not know what the occupancy of the building was. He offered to answer any questions of the Commission.

PC Harris disclosed he had spent about one hour on the site on January 29, 2008.

In response to Chair Newton's questions, SP King said there wasn't a color board and nothing to show existing clubhouse colors. He explained how the temporary foundation for this modular would be the same as for the temporary mobile homes set up for the elderly or caretakers. SK King said that regarding the mechanical units being on the side of the building, staff will work with the applicant when the plans come in. He confirmed there would be two bathrooms. Chair Newton asked about sewer hookup requirements for the golf course but SP King said staff has not been able to find anything in writing. He said the existing septic tank is adequate but could not be enlarged.

Chair Newton wanted attention brought to Project Review Board comments from the Building Official regarding revising the occupancy level. He noted an error on the Notice of Determination, and referred to the condition requiring that all grading needs to be approved prior, which wasn't done.

There was discussion held on how the limits were set by the City Manager and the applicant before this meeting. Chair Newton asked if there was a deal of sorts that this was done before the audience or the Commission had any input.

DCD Daniels explained that while staff is advisory to the Commission, it is part of the process that staff meets with the applicant prior to Commission meetings.

Chair Newton questioned why the trash enclosure would be a condition but not shown on the plan. SP King answered that because the clubhouse already had a trash enclosure, another one was not deemed necessary but could certainly be put on the plan if the Commission so wished.

This was not a public hearing but the Commission was open to comments, and the applicant was invited to speak first and last.

Jay Miller, applicant, 31855 Wagon Wheel Lane, verified he currently has 24 at-risk youth; he has agreed to the offer from the city for the limit to be 30. He explained the scheduling for the center, which limits the daily amount of his youth on-site. He said the septic tank has a 2,500-gallon capacity and is certified by the State. He will use whatever color the Commission wants on the modular. Mr. Miller added that he has not agreed to modify the

original conditional use permit, only to modify the number of at-risk youth. In response to Chair Newton, Mr. Miller said the detention centers budget for transportation for the at-risk youth, and he uses grant funds to pay for the meals. All he wants is for his education building to go in.

Roger Baker, 1439 Valley Drive, spoke against Get A Grip, saying high crime in the area was due to that group.

Bill Kohl, 1454 Andalusian, Norco, also spoke against Get A Grip Foundation and asked for a proper hearing for an amendment to the conditional use permit for the golf course.

John Box, 159 Oldenburg Lane, Norco, turned in petitions against the Foundation, read and submitted a letter, and asked the Commission to deny this use.

Mike Box, 3620 Corona Avenue, Norco, voiced concern for his daughter's safety with this kind of use and lack of police protection. His friend who helped build the golf course would offer his services to the City regarding sewer questions and electrical questions.

Jeffrey Bennett, 760 Parkridge, Corona, spoke in favor of the Foundation, said there were no weapons onsite, and that staff's recommendation was fair. He added that too much time has passed since the initial approval to make any changes now.

John Moore, 19442 Sheeford Drive, Cerritos, has a daughter living in this area and his grandson is part of the Education Program. He praised the commitment and compassion of the staff towards the youth and that it was free to participate in the education program.

Song Tran, 265 Isabella Way, lead tutor for the Foundation, voiced his frustrations at the concerns being brought up. He said there is no way these kids are the cause of the neighborhood's problems. Such as, these kids don't just eat dinner, they have learning conversations during dinner; this is such a good environment for them to be in.

Pastor Paul Yoshikawa, 685 Dry Gulch Place, Norco, talked about a personal success experience story within his family and the Foundation. This is after a private school in Norco could no longer help.

Peter Durkin, 1100 Viewcrest Ct., Corona, also spoke of a personal success within his family that came about due to the Foundation, after the Corona-Norco Unified School District either could not or would not help.

Victor Morgan, 2636 Las Mercedes Lane, said his family also was very happy with the Foundation and spoke how it has benefited his daughter and son with their grades.

Mike Dan, 190 Haflinger Road, Norco, a deputy sheriff in Orange County, said he didn't care as much about the modular building so much as the inmates that are being brought in,

and he emphasized inmates. He has worked with at-risk youth. He emphasized the problem is the lack of police response, sometimes up to 2 ½ hours. Since most of the people speaking in favor of the Foundation were from Corona, he suggested they find a program in Corona.

Emmet McKune, 1508 Valley, Norco, said the City is blatantly in favor of the Foundation, and said the report was a spin. There is gang-banger activity in the neighborhood; the property owners in the area are paying \$15,000 a year in property taxes and not being protected; the City needs to call the modular building a school because that is what it is, and he requested Vice-Chair Wright exclude himself from voting because his daughter goes to the education program.

Chair Newton stated that City Attorney Harper was aware of that and had cleared Vice-Chair Wright to vote. Chair Newton called for a recess at 8:45 p.m. and called the meeting back to order at 9 p.m.

David Henderson, 3010 Corona Avenue, Norco, had issues about processing this application. The golf course is a conditional use. A few weeks ago, it came across as an educational use but tonight it is being touted as more of a golf use. Mr. Miller had to get a CUP modification from Corona. Norco's own Project Review Board comments always processed this as a CUP modification. It was only the City Attorney's opinion that a modification was not needed, and Mr. Henderson felt that was wrong.

Jonathan Stevens, 9227 Haven Avenue, Suite 320, Rancho Cucamonga, representing some of the Norco Hills residents, submitted a letter against the project for the record, and cited issues with the third building not being on the initial CUP, an educational center not being mentioned on the initial CUP and that these uses are not CEQA-exempt. He said this hearing violated the residents' due process.

Mando Arellano, 1424 Valley Drive, Norco, said he was paying high taxes and not getting the security he was paying for.

Roy Hungerford, 3201 Cutting Horse Road, Norco, asked for the public hearing process. He asked who is going to monitor the number of students. Horse fencing has not been completed in that area and now this will bring in 300+ vehicle trips a day, making for a very unsafe situation. He did not feel that carpooling was the answer since the Foundation was so strict in requiring the identification of who the youth were being released to. He suggested the City look at double the numbers being told.

Willie Houze, 1443 Andalusian Drive, Norco, an associate pastor, said police response was null and void in his neighborhood. He asked the Commission to preserve the rural atmosphere and peace that he moved to Norco for.

Timothy Holland, 3082 Vandermolen Drive, Norco, cited problems with the unfinished trails in the area, too much traffic, and that that it can't be proven that it is Jay's kids doing the damages only because of the lack of police protection.

Rosa Zuniga-Green, 180 Cross Rail Lane, Norco, said she was not opposed to Get A Grip but to the way in which the process has been handled. She said the age of a CUP has nonbearing on whether a modification can be done. She demanded staff take responsibility and read the codes and also get with the times and read and reply to e-mails because she has not gotten any responses.

Tanner Obermeyer, 3665 Center, Norco, spoke in favor of Get A Grip and said the main reason for the meeting tonight is for the building, and asked the Commission approve the request so that the building could be opened for use.

Lia Vaca, 1435 Valley Drive, Norco, was familiar with the Get A Grip program, but was concerned not only because of the additional traffic, but that the at-risk youth could return when they are released from the detention centers, or let their friends know, about the nice neighborhoods surrounding the golf course being a prime area for their criminal activities, especially since there is no police coverage.

Mark Fitzpatrick, Oldenburg Lane, Norco, asked the Commission to show respect and reconsider the value of the process taken away from the people.

Janice Eichman, 490 Termino Avenue, Corona, lives next to the Cresta Verde Golf Course, and has had no problems with the program. She pointed out that since the program left Cresta Verde, crime has gone up instead of down. Her son has been involved with Get A Grip for three years.

Michael Rise, 1408 Mariposa Drive, Corona, spoke in favor and said this building is not a school. He does understand why a building that is going to help kids is such a big deal. He has personally seen a friend in the Program go from a 1.5 GPA to a 3.5 GPA.

There were no further comments and Chair Newton asked Mr. Miller to give closing comments.

Jay Miller, applicant, said every golf course has a junior program. He is going through the process as directed by the City of Norco. He said when graffiti happens where he lives, he cleans it. If crime happens, he puts up cameras. He added that carpooling is available and the security is just as tight on that. He said he said it at the last meeting, but reiterated the reason he left Cresta Verde in Corona was due to lack of disclosure on the seller's part. It had nothing to do with the Get A Grip Foundation.

Chair Newton brought the item back to the Commission for discussion and recommendation.

PC Harris was concerned about the safety of the neighborhood, and that the City due process. He disclosed that he did spend about one hour at the golf course with the education part of the program. He wanted to see the existing CUP modified and he felt the City Attorney's decision was wrong.

PC Hedges asked if Mr. Miller would do the program without the 30 at-risk youth.

Mr. Miller said these youth are only 3-4 percent of his program. He could do it without them but he will not.

PC Hedges said she would be in favor of a public hearing.

Vice-Chair Wright stated his daughter is in the program; City Attorney Harper has confirmed there is no violation of the Brown Act by Vice-Chair voting on the issue.

PC Jaffarian said the architecture for the modular is dismal; it could use a porch and wooden rails. He said the use going in was more than golf and found it difficult to say the educational use is permitted as an ancillary use. However, since this building is only for the Foundation and is to be removed when the Foundation leaves, and with the limitations on the amount of, and time spent onsite, for the at-risk youth, PC Jaffarian was okay with the conditions staff offered.

Chair Newton agreed with PC Jaffarian about the building elevations, but noted there was no materials board presented. He said he could not support the Negative Declaration at this time, referring to the Initial Study and citing land use compatibility (page 13, item E), and the need for more information (page 19, item 24).

Chair Newton asked why this item did not get reviewed by the Streets and Trails Commission because of the trail fencing in that area not being completed. He wanted a condition added that the trail fencing must be in place. He wanted complete calculations on whether the existing septic system is large enough. He asked about a possible expansion of the restaurant.

Mr. Miller confirmed that was for Cresta Verde Golf Course back in 2003, not the Norco Hills Golf Course.

MOTION: M/S Newton/Harris that the negative declaration, site plan and building elevations all be continued and motion to schedule a modification of the conditional use permit, with all the information to be provided in the form of a public hearing.

Discussion:

PC Jaffarian noted that the motion needed to be in two parts, one to move to continue the Negative Declaration and the other items Chair Newton asked for, and the other to move to ask for modification of the CUP.

Chair Newton asked if he could change that. Then he decided to let his first motion stand.

Chair Newton verified his motion with PC Harris seconding was for modification to the conditional use permit as a public hearing at the next meeting

AYES: Harris, Hedges, and Newton
NOES: Jaffarian, Wright

MOTION CARRIED

MOTION: M/S Jaffarian/Wright that Site Plan 2007-06 be continued for re-submittal of architectural elevations and to address the Chairman's concerns on the Negative Declaration, the horse trail, and sewer

PC Harris asked if the site plan could be voted on if the Commission was going to look at a modified conditional use permit.

AYES: Unanimous

MOTION CARRIED

NOTE: See Item 14; Vice Chair Newton

Chair Newton called for a recess at 10 p.m. and called the meeting back to order at 10:05 p.m.

11. CITY COUNCIL: Received and filed.

- A. City Council Action Agenda dated January 16, 2008
- B. City Council Minutes dated December 19, 2007 (January 2, 2008 was cancelled)
- C. City Council has requested a workshop with the Planning Commission on February 27, 2008 at 5:30 p.m. in Conference Rooms A & B, with dinner provided. That meeting will adjourn to the regular Commission meeting at 7 p.m.

12. PLANNING COMMISSION: Oral Reports from Representatives on Various Committees/Commissions: None

13. STAFF: Current Work Program: Received and filed.

14. OTHER MATTERS:

- A. Planning Commission/Building Department Workshop on Accessory Structures to be set by staff.

DCD Daniels said that this would be scheduled within the next 45 days.

Chair Newton made the announcement that the second motion made by PC Jaffarian for Site Plan 2007-06 might have been made in error; Chair Newton will confer with the City Attorney, and if made in error, it will be mute and brought back on our agenda to correct it.

DCD Daniels said that those two items would then be joined as one agenda item.

B. Discussion on Clear Access to Primary Animal-Keeping Areas (PAKA) and Accessory Buildings.

SP King presented a request by a citizen with a PAKA on his lot to be allowed to construct a recreational vehicle (RV) garage over the required 15-foot PAKA access that would include 12-foot by 14-foot roll-up doors on either side of the garage to maintain the required access through the garage. The requested 12-foot width is the same width requirement for gates in the access way, and the 14-foot height is the same clearance requirement for trucks under overpasses.

SP King said the Norco Ridge Ranch Specific Plan where the property is located does not expressly prohibit what has been proposed although a general interpretation is that the intent was to not allow anything within the 15-foot access from the ground up.

Although this item was presented for discussion purposes only, a straw vote of 3-2 was taken (Hedges, Newton opposed) determining that the proposed structure with the drive-through doors did meet the intent of providing access to the PAKA.

C. City Council/Planning Commission Workshop set for 5:30 P.M. on February 27, 2008.

15. ADJOURNMENT: 10:38 p.m.

Respectfully submitted,

James E. Daniels
Planning Secretary

/sd-68024