



**MINUTES**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
FEBRUARY 27, 2008

---

1. CALL TO ORDER: 7:18 p.m.
2. ROLL CALL: Chair Newton, Vice Chair Wright, Commissioners Harris, Hedges, Jaffarian and City Attorney Harper
3. STAFF PRESENT: Director of Community Development Daniels, Senior Planner King, Associate Planner Robles, Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Commissioner Hedges
5. APPEAL NOTICE: Read by DCD Daniels
6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: Robert Leonard, 4475 Hillside Avenue, questioned how construction of a very high block wall and illegal grading is continuing at the end of Scotts Lane, without permits. His property is adjacent and downhill from the site and drainage issues or dirt movements have not been addressed. DCD Daniels said he would call Mr. Leonard.
7. APPROVAL OF MINUTES: Minutes of February 13, 2008  
**MOTION:** M/S Wright/Harris to approve the Minutes of February 13, 2008 as written.

AYES: Unanimous

**MOTION CARRIED**

8. CONTINUED ITEM: **Resolution No. 2008-03**, Conditional Use Permit 93-07, Modification No. 1, Site Plan 2007-06 (Get A Grip Foundation): a request to allow a modification to an existing conditional use permit that allowed for the development and operation of the Hidden Valley Golf Course. The modification will allow for the operation of a non-profit organization called Get A Grip Foundation. The non-profit operation will be accommodated on the existing golf course and in a proposed modular education structure. (Continued from February 13, 2008 Meeting) Project Planner: Director Daniels. Recommendation: Approval

Chair Newton announced that because the public hearing portion was closed at the last meeting, he could not accept testimony from three in the audience who had filled out speaker cards, nor could he share with the Commission whatever paperwork he had received from members of the audience just tonight.

DCD Daniels presented the staff report on file in the Planning Department. He said that the draft resolution did not address the at-risk portion of the Get A Grip Program as directed at the last meeting. The present septic system is acceptable until it fails or new development occurs or there is new ownership, then the property must be connected to City sewer. Traffic analysis was hampered because of rain so he has not received any counts yet. The entitlement for the existing restaurant goes back to the original conditional use permit as a full restaurant. There is a vested right to operate the restaurant; one has been there for 15 years without any changes to the building. The occupancy is 246.

Chair Newton asked Mr. Harper if there was a connection between the Italian restaurant and Get A Grip. Mr. Harper did not think so. Even a fast-food restaurant could go in.

PC Harris referred to revocation questions about abandoned uses as the restaurant as he knew it served only breakfast and lunch for years and now it serves dinner. Mr. Harper repeated that the vested right comes from the approval of the original conditional use permit. PC Harris said he is not against the restaurant but is concerned about the conditions not being specific enough.

PC Jaffarian said the use is confined within an existing building with the same owner. The conditional use permit cannot be challenged unless one or all of those change.

DCD Daniels addressed concerns about the environmental process and he confirmed it was done correctly and met more than the basic requirements. Based on the Code, parking is more than adequate.

SP King said the revised elevation is before the Commission tonight and shows a clean angular building in a southwestern design that matches the clubhouse. Screening the air conditioning is no longer an issue because it is hidden by the hill.

DCD Daniels offered to answer questions of the Commission.

PC Jaffarian stated that there are two outcomes; either reject the CUP or take and identify uses on which the Commission places conditions. Mr. Harper said the at-risk portion can't be mitigated. If the Commission simply approved the

amendment, it continues to be a permitted use. The Commission has to make a finding on whatever mitigation measures it does and needs to have evidence to make factual findings. Mr. Harper said theoretically, the Commission could say no at-risk youth but that places a substantial burden on the Commission.

There was discussion that if the State wants to bring, for example, six at-risk youth to come and play golf at full green fees, no one can stop them, or at least it would be very difficult.

PC Harris questioned the safety of the neighborhood. Mr. Harper said the Commission would have to make a factual finding relating to health and safety concerns. The testimonies of the neighbors at the public hearings was not enough as there was no mention of anyone actually seeing any of the at-risk youth running away or committing crimes.

The Commission discussed the Findings. They had no changes for A, B, E, and F. PC Harris was concerned about Finding C. It was confirmed that the at-risk portion has been operating for the past year without any escapes, even though there were escapes from the camps they came from. PC Jaffarian said he did not hear any concerns throughout the meetings that could not be mitigated. The last two sentences in C and D referring to the at-risk portions being denied were deleted.

The Commission discussed the conditions. **No. 2 was amended** to read that all three parties had to sign the affidavit of acceptance on the conditions of approval, by adding the word "and". **No. 15 was amended** to require the landscaping plan come back to staff, and not the Commission.

There was more discussion on **No. 27** regarding the septic system. DCD Daniels explained how staff interpreted the Code; that the intent of the Code is not to make room additions a requirement to connect to sewer. He said this has been the position of the City since 1985. Chair Newton did not agree with staff's interpretation of the Code; and said perhaps the City should change or clarify the Code. PC Harris wanted the Code applied as it stands. Mr. Harper said nothing in the Code requires a simple change like a room addition to be a trigger to connecting to the sewer. PC Jaffarian agreed and said that would be setting a precedence that all homeowners making any minor changes would have to connect to sewer. It was agreed to **leave No. 27 as written**.

**No. 46 was amended** to strike out, "regardless of any change in ownership."

There was a lot of discussion on **No. 48**; but it was ultimately decided to leave it as written by staff. Both PCs Jaffarian and Hedges disagreed with having zero as a number of the at-risk youth.

Mr. Miller did confirm he was open Monday through Friday, 45 weeks a year, with never more than 400 youth a week. He said 120 a day is a high amount...

Chair Newton wanted a new condition, No. 51, regarding warning signs on Valley where golf paths cross the street at Holes 1 and 2. He said this was tied to Get A Grip because the kids would be using this crossing. **He added that he has not received any information that he has asked for regarding the improvements on Valley. DCD Daniels indicated that the Public Works Director was aware of the request.**

Mr. Miller said stop signs were stolen but replaced by Public Works. White hatched lines on crossing are visible at the crossing.

PC Harris wanted to condition special event permits and limit to 150 persons. PC Jaffarian disagreed if it were to be a blanket condition. If during the time Get A Grip was there, it could be okay. He felt that banquets and golf tournaments are a permitted use and draw a lot more than 150 people. He felt a concert might merit a special event permit.

PC Harris wanted signs put up to warn golfers of the wildlife in the area, and to protect them from getting hit by golf balls. Mr. Miller said he would.

**MOTION 1:** M/S Wright/Hedges to approve the Negative Declaration indicating that the project will not have a significant impact on the environment; and

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

**MOTION CARRIED**

PC Harris and Chair Newton could not support the finding that the project would not be detrimental to the general welfare of the neighborhood and they could not agree with staff's interpretation of the Code that the project did not have to connect to sewer.

**MOTION 2:** M/S Wright/Hedges to approve Conditional Use Permit 93-07, Modification No. 1 and Site Plan 2007-06, in accordance with and subject to all conditions of approval as amended and added within draft Resolution 2008-03.

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

**MOTION DENIED 2-3.**

PC Jaffarian dissented because he felt Condition 48 needed to condition at-risk youth. Chair Newton disagreed with staff's interpretation on the sewer connection. PC Harris disagreed with staff's interpretation on the sewer issue, and he was not convinced that parking is adequate, and there was no traffic study to look at.

Chair Newton called for a recess at 8:45 p.m. and reconvened the meeting at 9:00 p.m.

9. PUBLIC HEARINGS: **Resolution No. 2008-04**, Conditional Use Permit 2007-11 (Oldknow): A request for approval to modify existing Conditional Use Permit 99-04 and Conditional Use Permit 2003-07 to allow for the on-site consumption of alcohol and serving of food within the outdoor patio area at the Saddle Sore Saloon Eatery & Saloon located at 343 Sixth Street within the C-4 zone. Project Planner: Associate Planner Robles. Recommendation: Approval

AP Robles presented the staff report on file. She mentioned the Sheriff's concern about parking. It was verified that everything is legal with this business. AP Robles offered to answer questions of the Commission.

The public hearing was opened.

Mike Box referred to the smoking laws that state there is no smoking allowed within 20 feet of entrances. He has seen alcohol being passed to people sitting on trail fencing during parades.

Theresa Oldknow, 343 Sixth Street, owner, purchased the business in 2005, with the transfer of the alcohol license and the business. Because there was alcohol use on the patio, she continued for 2 ½ years until the Sheriff's Department stopped her. The patio is a wrap-around for people who wanted to keep an eye on their horses kept in her corral along Sixth Street. She went to ABC to allow the serving of liquor on the patio. While she did not intentionally break the law, she still got put on probation for one year. Her customers know not to take drinks out on the patio and that it is only used for smoking. She asked that **No. 15** be deleted, as it indicated to her that a serious problem exists. She was okay with all the others.

Chair Newton closed the public hearing.

After some discussion, the Commission chose to **leave No. 15 as written**.

PC Hedges said Maverick's was not allowed drinking on its patio so she disagreed that this request be allowed. There was some discussion on the

differences between the two businesses, with Mavericks having several other issues.

PC Jaffarian suggested adding security personnel to **Condition 17**.

**MOTION:** M/S Wright/Jaffarian to approve Conditional Use Permit 2007-11 in accordance with and subject to all conditions of approval as modified within draft Resolution No. 2008-04.

AYES: Unanimous

**MOTION CARRIED**

10. BUSINESS ITEMS: None
11. CITY COUNCIL: Received and filed.
  - A. City Council Action Agenda dated February 20, 2008
  - B. City Council Minutes dated February 6, 2008
12. PLANNING COMMISSION: Oral Reports from Representatives on Various Committees/Commissions: None
13. STAFF: Current Work Program: Received and filed.
14. OTHER MATTERS: PC Jaffarian asked about procedures when finding burrowing owls on a site (RCC). There was a light discussion indicating a burrowing owls study costs about \$5,000. Chair Newton said these owls do not burrow their own holes but use old gopher holes. A newly tilled field attracts them.
15. ADJOURNMENT: 9:40

Respectfully submitted,

James E. Daniels  
Planning Secretary

/sd-68308