



**MINUTES**  
**CITY OF NORCO**  
PLANNING COMMISSION  
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE  
REGULAR MEETING  
MARCH 12, 2008

- 
1. CALL TO ORDER: 7:03 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 Dvorak
  4. PLEDGE OF ALLEGIANCE: Commissioner Jaffarian
  5. APPEAL NOTICE: Read by staff.
  6. HEARING FROM THE AUDIENCE ON ITEMS NOT LISTED ON THE AGENDA: None.
  7. APPROVAL OF MINUTES: Minutes of February 27, 2008

**MOTION:** M/S Wright/Hedges to approve as written.

AYES: Unanimous

**MOTION CARRIED**

8. CONTINUED ITEMS: **Denial Resolution No 2008-03** for Conditional Use Permit 93-07, Modification No. 1 and Site Plan 2007-06 (Get A Grip Foundation). Item was denied February 27, 2008 and is being appealed to Council on March 19, 2008. Director Daniels. Recommendation: Approval

DCD Daniels presented Resolution No. 2008-03, written for the Commission's approval of denial, with the Findings as directed from the meeting of February 27, 2008. There was another draft resolution given to the Commission just tonight, with revisions to inconsistencies to the findings from the City Manager to the effect that the environmental was approved but was not noted in the first draft. Findings are the most important as they reflect why the Commission took the action they did. Staff is asking the Commission to review the draft findings on the copy received tonight and make their own determination.

Chair Newton voiced his distress that staff ignored his direction that the revised findings from the City Manager not be distributed until the Commission could at least poll themselves whether they wanted to see additional findings beyond what the Commission and the public were aware of. Neither the Commission nor the

public have had a chance to review the recent revisions. He was adamant that “this is our Commission, this is our authority, it is not the staff’s, and it is not the City Management’s.” With that, he asked the Commissioners if they wished to see the revised findings or to go with what was in the agenda packet.

PC Jaffarian said he spoke with DCD Daniels about if it would be a problem if the original findings were broken into individual findings because some he could agree with and some he could not.

Chair Newton told the audience that although he had speaker cards filled out from the audience that comments from the audience on the findings, either from the last meeting or tonight’s, would not be accepted per the City Attorney.

DCD Daniels said the findings are strictly a record of what the Commission has done.

PC Wright said he could not support any of the findings as they were not factual.

PC Hedges was fine with most of them; but wanted to deal with them individually.

PC Harris said the PC made a decision at the last meeting, 3-2 and nothing can change but we are attempting to clarify.

PC Wright said nothing from the last meeting would change.

PC Jaffarian said we need to explain in the Findings to Council what the basis was for the denial.

Chair Newton again voiced his concern that the audience was not going to be allowed to speak.

**Please note that any comments shouted out by the audience without the benefit of coming to the podium and being recognized to speak are not part of the written record.**

Working off the draft resolution given to the Commission at the start of the meeting, PC Jaffarian read Finding A regarding clarifying the two distinct reasons the CUP and SP were denied. He agreed with it because he was the third dissenting vote.

PC Wright said the Findings seem to be really for the three Commissioners who denied the project, not for the two who wanted it. He could not agree with Finding A. The Commission agreed to strike out the last sentence: “~~(three Commissioners disagreed and adopted a Negative Declaration).~~”

Finding B regarding the reasons two Commissioners denied the project was read. PC Jaffarian said it was okay. PC Harris wanted to add that there were answers left open on issues like parking and traffic, but it was pointed out that was addressed in Finding G. There were no changes to Finding B.

DCD Daniels said staff struck original Findings C, D, and E because the At-Risk Program was not going to go forward. Again, if the Commission wanted to leave them in because it was part of the denial, it was their choice.

PC Harris wanted them left in because of emphasis. So did PC Jaffarian because the Findings contained a lot of information. He also felt there was an opportunity for mitigation that the Commission did not take and wanted to add that one Commissioner believed these concerns could be mitigated.

PC Wright said that could not be a finding.

Although PCs Hedges and Wright did not want those findings, Findings C, D & E remained in the resolution by majority vote.

Finding F regarding the septic system was read. PC Wright had no comments. PC Jaffarian could not agree with the finding as written. He suggested an addition to the last sentence, adding "...200 feet of a sewer mainline if modifications are made which the property is adjacent to and could connect to." Otherwise, he said there would be a whole lot of places in town that would fall under this and would have to hook up. He disagreed with the Code. Also, strike out "~~clubhouse is~~" (stray words). Two Commissioners disagreed with staff's determination that the project did not have to hook up to sewer.

PC Harris said he wanted to see the Code of the City followed.

Chair Newton and PC Harris said that requested information was not received on sewer capacity. The other Commissioners pointed out that information was part of the previous packet.

In discussion about sewer hookups, PC Harris was adamant that the Code section is black and white and asked that the reference to the Code section referring to the sewer hookup be in the finding because Council doesn't even know where the Code is, but PC's Hedges and Wright noted it was PC Harris's interpretation that it had to be hooked up and not actually in the Code. Chair Newton said it is up to Council to interpret the Code also, but that it did not belong in the finding. PC Wright said the Commission doesn't normally quote the Code in the findings. PC Harris said the Council should have the Code available to them when it reviews this. DCD Daniels said it was not in black and white in the Code, but it certainly could be referenced if the Commission desired, Section 14.07 to be exact.

PC Jaffarian noted the background referencing the Code section was clearly mentioned in the minutes. PC Harris said he could not assume as PC Jaffarian was that the Council would read everything they received as attachments.

Finding G was read aloud. DCD Daniels said this was revised by the City Manager to correctly state that although the negative declaration had been adopted, two Commissioners were against it and their reasons were in the Finding stating there were environmental issues that had not been addressed.

PC Harris wanted the last sentence of the original finding kept. It was agreed that the last part of Finding G would remain in: The proposed project has the potential...specifically police and fire services. The rest of the Commission agreed.

Chair Newton asked if there were additional findings of the Commission. There were none.

PC Harris said a lot of documentation goes with this; he didn't want the Council to think that this one page of findings is what the Commission did after three meetings. He felt the findings were just a summary.

**MOTION:** M/S Jaffarian/Hedges to approve Resolution No. 2008-03 with modifications to Findings A and F, denying Conditional Use Permit 93-07, Amendment No. 1 and Site Plan 2007-06.

Discussion:

PC Wright stated he was not sure about the findings, he felt that it was ridiculous going forward to Council this way. He has never seen findings like this before.

DCD Daniels said these findings are more of a minute action of how and why the Commission arrived at their decision.

Chair Newton wanted the date on the resolution needed to be changed to March 12, 2008. Staff agreed.

PC Jaffarian said all the background on Get A Grip is massive; the findings are an executive summary of what the Commission did and why the project was denied; this lists the concerns. An unusual and huge diversity of issues and background had been brought up during the meetings. Chair Newton and PC Harris felt certain issues could not be mitigated, such as traffic and the at-risk use.

PC Harris said there wasn't enough information given on which to base a decision.

Chair Newton asked staff how to move this forward.

DCD Daniels explained the difficulty in crafting findings based on why it was denied because the reasons were so diverse. The findings say what occurred and why it happened.

PC Harris said this resolution is too simplistic and wanted to be more detailed as he was concerned that the rest of the Commission was assuming the City Council would read the Code. He was not convinced the Council would read all the documentation that was going to be given to them.

PC Wright disagreed, he said we vote the Council in; we should assume they are doing the job we elected them to do, we should not be making the assumption that they are not going to do their job.

DCD Daniels said there was not really a majority on any of the findings. This will probably wind up in court and Council's action is what will count.

PC Harris wanted it said these points were discussed and agreed upon.

PC Jaffarian disagreed. There was a motion on the table that said to forward to Council, just needs to say why the Commission denied the project. He said he liked what DCD Daniels wrote. As far as attaching the PC minutes, PC Jaffarian said the minutes were not all that clear.

Chair Newton agreed with PC Wright that these were not true findings.

Chair Newton asked for a vote. The motion remained the same.

AYES: Hedges, Newton, and Jaffarian

NOES: Harris and Wright

**MOTION CARRIED 3-2**

PC Wright felt that the findings were not factual, he didn't support the denial to begin with so could not support the findings, and that they were not true findings.

PC Harris said the findings were not agreed upon, they were not crystal clear and it should be noted that anyone who looks at this should rely on additional information that is part of public records because he did not feel the findings were specific enough.

9. PUBLIC HEARINGS: None

10. BUSINESS ITEMS:

- A. Site Plan 2008-01 (Trevino/Martinez): **Resolution No. 2008-05**; A request for site plan approval to allow the conversion of an existing structure from a residential home to a commercial office building at 1060 Sixth Street located within the C-4 zone. Associate Planner Robles. Recommendation: Approval

AP Robles presented the staff report on file in the Planning Department and offered to answer any questions of the Commission.

Questions of staff: Chair Newton asked if the applicant met with the architectural subcommittee. AP Robles said they only met with the Project Review Board.

Lee Trevino, applicant, was okay with all the conditions but because he has difficulty pulling his truck into the site, he wanted a realignment of the driveway. However, because the asphalt has already been removed and pavers put down at a great expense to the City, he does not want to rip out the whole approach out and get it re-poured at a lot of expense to him. He wanted to leave it open as one giant driveway so he can enter the driveway easier. He clarified that the only time he takes his large truck to the site is when he is cleaning up after his tenants move out.

Engineering and Streets and Trails Commission made their recommendations to take out the pavers but the owner wants to leave them.

PC Jaffarian understands there is a driveway that leads to nothing. He suggested leaving one approach where it exists and removing the other. He also wants to see trail fencing placed so that the area is not mistaken for parking.

PCs Wright and Hedges explained how the placement of the trail fencing will not allow the turning radius the applicant wants.

PCs Hedges and Jaffarian both felt what the applicant wanted was not okay.

PC Wright said that without knowing what type of business was really going in, this would be wrong to agree to.

Olivia Lopez, applicant, said an air conditioning company and taxi firm were the last two businesses there and used office space only. She and her partner/brother are looking at office-space only types of businesses to rent to such as realtors or accounting businesses... She said not having a larger driveway is a safety issue.

PC Wright said that there have been a number of conversions on Sixth Street and this is one of the better ones regarding western architecture. He wanted to make sure the horse trail fence comes to the appropriate end point. He was very concerned with hardscaped stamped concrete being called landscaping; that is not the intent of our Code and the area could easily become parking. Because the

Commission doesn't know what type of business is going in, he suggested the project be conditioned to come back for additional conditions once a business is going in. He was concerned with what will end up there, such as a contractor's storage yard, but that would have to come before the PC as a conditional use permit anyway.

Chair Newton mentioned paving the back portion as required for previous projects, especially since this is a commercial property.

PC Jaffarian agreed the architecture looks great; but noted the signage cannot be internally illuminated but must be decoratively lit and western in character. He was agreeing to what was indicated on the site plan except the part where it says to remove existing curbing. He felt then that was paving. There was discussion on the existing curb cut and the importance of the fencing to prevent, for example, delivery vehicles, from driving up and blocking the trail. He suggested cutting out about three feet off the concrete and putting in landscaping to keep anyone from ever parking there. PC Jaffarian also noted that on the plan, it shows dirt to the rear of the lot, but Condition 10 states it is to be graveled.

Chair Newton wanted to see the drawing return with PC Jaffarian's suggestions and with the correction to put down gravel to cover the back half of the site.

After more discussion, PC Jaffarian summarized the changes the Commission was directing. There was no change to Condition 19 regarding the driveway approaches being constructed per City standards. Condition 20 was to be eliminated because the Commission is not asking the applicant to remove existing pavers. Regarding Condition 21, strike the word "curb" and add verbiage to the end of the sentence to restrict the driveway width to 15 feet.

Chair Newton asked that 19, 20, 21, and 32 come back to the Commission, rewritten and on the plans to show revised details.

PC Hedges liked the western architecture, but wanted to see landscaping put in, not moveable pots, which would invite parking on the space. She would like to see the horse trail fencing go across the front but knows that would restrict access.

Chair Newton asked if storage containers are allowed.

DCD Daniels said they are allowed in the commercial zones.

AP Robles explained where the storage container was, way in the back of the lot and hardly visible from Sixth Street.

Lee Trevino agreed he could do with the drive approach as is.

PC Jaffarian said his only issue was when the horse trail goes across the existing driveway that the fencing turns back to the garage so that no one could park on the hardscaped area. Vice-Chair Wright and PC Hedges noted this would still leave the hardscape in.

Chair Newton stated this is right on Sixth Street; the Commission needs to get it right and although the applicant was in a hurry to get approval, Chair Newton said this should be continued so that the drawing could be revised.

Vice-Chair Wright clarified that the Commission wants a revised drawing of the area that deals with the horse trail fencing going across the existing driveway and something to soften the hardscape with some removal of concrete to prevent ever having parking there.

Staff was directed to work with the applicant to bring this back to the Commission. Chair Newton asked AP Robles to contact one or two of the Commissioners to make sure the applicant was on the right track.

**MOTION:** M/S Wright/Harris to continue Site Plan 2008-01 to March 27, 2008.

AYES: Unanimous

**MOTION CARRIED**

Chair Newton called for a recess at 8:45 p.m. and called the meeting back to order at 9:05 p.m.

B. A Proposal to Create a Historic Preservation Overlay (HPO) Zone. Associate Planner Robles. Recommendation: Seeking Direction

DCD Daniels briefed the Commission on the very important comments received from Gini Austerman, Kevin Bash and Su Bacon that aided staff in the preparing of the overlay zone.

AP Robles noted the staff report was on file in the Planning Department and offered to answer any questions of the Commission.

PC Jaffarian asked about the lake itself; because it was manmade, what would prevent it from being filled in sometime in the future.

DCD Daniels said there has been a lot of talk about a restaurant on Beacon Hill but talk also about the hill being preserved because of its history as a beacon of light was used to guide pilots to Norco during the late 20's and early 30's.

AP Robles said the hill and the lake are natural features that need to be preserved and would be included under a special category.

DCD Daniels said that putting this overlay zoning on the community center, even though it is public property, would preserve it, likewise the old city hall building.

Vice-Chair Wright said because the underlying zone is not changing, this is not considered spot zoning.

Kevin Bash, 3678 Pedley Avenue, thanked staff for doing the overlay because most cities are not, but then Norco has historic sites other cities don't. He hopes the Norconian will some day become a national landmark. He noted the complex actually encompassed much of Norco back in the 20's. He strongly felt saving the hotel and surrounding grounds was a magnificent opportunity to keep the City solvent. He said the now the Navy calls Ms. Austerman before they even take down a shack. He told the Commission the prison will go away eventually.

Chair Newton asked how the Commission could help move this through the process.

Kevin Bash mentioned Susan Brand Holly, a person well-known throughout the historical preservation circle, who said it was illegal what the Navy is doing to buildings (making changes/repairs). He said 1,500 square acres in the City offer no revenue because of the types of uses, such as the county welfare office, state prison, and federal warfare center. To repair the hotel lobby ceiling as it sits today would be over 2 million dollars. The gutters have to be cleaned; the water damage to the hotel is startling.

Gini Austerman, 1425 Hillrise Lane, thanked DCD Daniels for involving her group. This is a special grass-roots effort. A lot of people are resistant to preservation and some people might hastily destroy sites that would keep them from developing their properties. She noted that when historical sites are found; such efforts as putting cactus or poison oak around them can work to protect them; as does keeping development away from such sites found at the golf course. She spoke about the procedures of demolition and urged a moratorium on demolition.

Vice-Chair Wright noted that most people don't get demolition permits.

Ms. Austerman also talked about grading; that any site 45 years or older is considered historic and needs to be monitored.

Chair Newton asked about the grading on the hill by Town and Country Lane. Staff said it was being done without reviewing any historical concerns.

PC Jaffarian said the City would have to define geographical boundaries. There was a discussion regarding the need to look at old photos, aerial maps, and to conduct a survey to see what is still standing. It was indicated that there are over 400 structures built pre-1950 in Norco.

There was a concern voiced if a historical overlay was considered a taking. Staff does not see it as a taking. A developer would need to quantify why he wanted to develop and an owner would need to show there is no historical significance to anything on the property.

PC Jaffarian explained how the Moreno House could be shown not to have any character any more. Risk comes when it comes to land rather than just buildings. He said there was a procedure to gather items and remove them from site.

PC Harris wanted to see a procedure.

Mr. Bash said there were over 40 features needing to be preserved in and around the Norconian. It had the first all-grass golf course in the area; the houses by RCC would have never been built if this kind of study had been done back in the 1980's. There are still remnants of meandering walkways on RCC property left over from the Norconian times. Mr. Bash said he wants to seal the hotel up for now.

DCD Daniels said it would be nice to hire a firm to handle the study. Mr. Bash said the City Manager was already working on that.

Su Bacon, 111 Buckskin, said her background as a designer is as an historic preservationist in Pasadena, among other places in the country. She said an overlay is the first step in awareness in what we have in this town. This adds value not only to the Norconian property but to the entire City. Old Town Monrovia is another success story. The councils and commissions from these cities had so much to do with moving ahead with the changes that caused huge monetary benefits to those cities. With the mixed uses that could be brought to the City, Norco could become solvent. Redevelopment money could be used to bring funds back into the City. Historic neighborhoods are keeping their value. She said there is a lot of grant money available for preservation purposes. The Certified Local Government Program (CLG) makes available a lot of grant money, assistance from their staff, a lot of help, and takes away from the fear of how to make this happen. There is not just federal and state funding, but private funding from for example, the Getty. That is how important the historic preservation overlay is in giving status to the Norconian project.

Chair Newton asked staff to incorporate Ms. Austerman's comments into the next staff report.

Vice-Chair Wright said this requires a public hearing, with not only the overlay but the nomination of sites to be included. The Commission agreed to get started on a list as they know it today and add later as needed, but it was important to move quickly on creating the overlay zone

Several of the Commissioners offered their services to help Mr. Bash clean out gutters after checking on insurance; being careful not to have a quorum when they do it. Or, if they were to do a tour, it would be a special meeting. The Commission decided that only two would go initially to help Mr. Bash get the necessary work done to unclog the gutters and drains.

11. CITY COUNCIL: Received and filed.
  - A. City Council Action Agenda dated March 5, 2008
  - B. City Council Minutes dated February 20, 2008
12. PLANNING COMMISSION: Oral Reports from Representatives on Various Committees/Commissions: None
13. STAFF: Current Work Program: Received and filed.
14. OTHER MATTERS: Joint meeting: PC Jaffarian noted that regarding the manure to energy issue; after the meeting he wondered if we have a zone it fits in, what are the physical attributes of the plant, just something for the PC to think about.

Shane Tucker addressed the Commission, noting that the Commission has a lot of responsibility; that whatever decision they make stays for eternity.

15. ADJOURNMENT: 10:10 p.m.

Respectfully submitted,

James E. Daniels  
Planning Secretary

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