



MINUTES
CITY OF NORCO
PLANNING COMMISSION
CITY COUNCIL CHAMBERS – 2820 CLARK AVENUE
REGULAR MEETING
DECEMBER 10, 2008

1. CALL TO ORDER: 7:00 p.m.
2. ROLL CALL: Chair Wright, Commission Members Harris, Hedges and Newton.
Absent: Vice-Chair Jaffarian
3. STAFF PRESENT: Planning Manager King, Senior Planner Robles, Senior Engineer Askew and Executive Secretary Dvorak
4. PLEDGE OF ALLEGIANCE: Chair Wright
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 November 26, 2008 and Joint Minutes for December 1, 2008

December 1, 2008: Chair Wright: Corrections to page 5: PM King explained that ~~existing~~ proposed buildings such as the barn and the proposed permanent restrooms...

Commission Member Newton: Corrections to page 7: PC Chair ~~Newton~~ Wright...

MOTION: M/S Hedges/Newton to approve the minutes of November 26, 2008 as written and the minutes of December 1, 2008 with the noted changes.

AYES: Harris, Hedges, Newton and Wright

ABSENT: Jaffarian

MOTION CARRIED

8. CONTINUED ITEMS: None
9. PUBLIC HEARINGS
 - A. A Request for Approval to allow an Early Childhood Care Center for a Maximum of 90 Students at 4193 Bluff Street located within the A-1-20 Zone. **Resolution No. 2008-37**; Conditional Use Permit 2008-10 (Pasley): Recommendation: Approval. (Senior Planner Robles)

SP Robles presented the staff report on file in the Planning Division. A colored site plan was prepared for the meeting, as were four additional conditions, also on file.

Commission Member Newton asked how many residents were notified and why a zone change was not done.

SP Robles replied that 53 notices were sent out. She added it was because a child care center is a permitted use in the A-1-20 zone that a zone change was not needed.

Commission Member Newton asked SE Askew about septic tank use. She explained that Riverside County has the final say about the size of the septic tank and the leach system; if the County is okay with it, Norco will allow it. The County follows the conditions of the Santa Ana River Water Regional Control Board. The actual permit comes from Riverside County. Whatever there was for septic for the residence will obviously not be sufficient for 90 students.

Commission Member Harris asked about adjusted noise level as to who does it and how. SP Robles said that was the applicant's responsibility and explained how and when it would probably be done.

Commission Member Harris asked how far the City sewer connections were from this site. SE Askew said one was 480 feet and the other one was about 1,300 feet.

Chair Wright asked about the Streets and Trails and Utility Commission changes that were not included in the report and resolution.

SP Robles explained that the Municipal Code calls for 9'x20' parking stalls and that wrought iron is safer than chain link.

The public hearing was opened.

The applicant, Katie Pasley, owner and director of the preschool, said that 90 children would be the maximum but 60 children would be more reasonable. Her calculations offered for drop-offs and pick-ups during the day were based on her experience and the types of programs the children would be enrolled in. Except for the academics, nothing is mandatory at this age, so the schedule is very flexible.

Commission Member Newton asked the applicant about the status of State approval.

Ms. Pasley said she is fully certified. She explained that she has been to several meetings with the State; but cannot submit until her facility is fully built. She will be assigned an agent who can come by anytime to investigate. She added that the Fire Department inspection will determine the total number of students allowed. Ms. Pasley added she has met with the County about the septic system.

Commission Member Hedges questioned SE Askew if the River Road project would impact this project. SE Askew responded that the bridge project has acquired a temporary construction easement from the applicant and she has advised the applicant to coordinate her project with the River Road Bridge project.

Commission Member Newton feels that this is a misinterpretation of the general plan to take a residence and convert it to a commercial use. He said this doesn't seem that is the direction the City should go and this should have been a zone change. He was concerned that child care facilities could open up anywhere in A-1 neighborhoods.

Discussion followed. Chair Wright said this is a conditionally permitted use in the A-1-20 zone and it would be considered spot-zoning to do just this one property. The rest of the Commission agreed, as did staff. PM Harris said another child care facility could not open up closer than 500 feet from this.

SP Robles said during the Project Review Board process, staff would be able to screen out sites and applications that could not meet requirements.

Commission Member Newton said it troubles him that we are taking an animal-keeping property and converting it 100 percent to a commercial use. It doesn't matter whether they have the room or not.

Chair Wright noted that this proposal doesn't mean that the residential use can't return, to which Commission Member Newton asked who would need or want that many paved parking spaces for a residential use.

Chair Wright had a concern with Condition 34, regarding the payment of in-lieu fees instead of doing the street improvements now. He said the street improvements never get done.

SE Askew said Director of Public Works Thompson said this was what he wanted; as did the STUC.

Chair Wright was concerned with a potential problem if all the cars show up at the same time, regardless of whether the student count is 60 or 90.

Ms. Pasley offered flexibility in controlling traffic. This was not a formal school with strict scheduling. She confirmed her business would not be picking up/delivering children to the school at this time.

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

MOTION: M/S Hedges/Harris to approve the negative declaration indicating that the project will not have a significant impact on the environment.

AYES: Harris, Hedges, Wright
NOES: Newton
ABSENT: Jaffarian
ABSTAIN: None

MOTION CARRIED

Commission Member Newton voted no because he felt that this is a misinterpretation of the general plan to take a residence and convert it to a commercial use. He said this should have been a zone change.

MOTION: M/S Hedges/Harris to approve Conditional Use Permit 2008-10, subject to all conditions of approval set for in Resolution 2008-37, with the addition of Conditions 69-72, as filed in the Planning Division.

AYES: Harris, Hedges and Wright
NOES: Newton
ABSENT: Jaffarian
ABSTAIN: None

MOTION CARRIED

Commission Member Newton voted no again because he felt that this is a misinterpretation of the general plan to take a residence and convert it to a commercial use. He said this should have been a zone change.

- B. A Request for Approval to allow the Ancillary Sale of Liquor for Off-Site Consumption at a Convenience Store Proposed at 2743 Hamner Avenue Suite 105, located within the C-G (Commercial General) Zone. **Resolution No. 2008-38**; Conditional Use Permit 2008-12 (Farhoomond) Recommendation: Approval. (Planning Manager King)

PM King presented the staff report on file in the Planning Department. He asked to strike Condition 16 as it is covered under Condition 10.

Commission Member Harris asked about limiting licenses. Discussion followed about what makes Norco an impacted community as labeled by ABC, who sets the limits, and does the new license have to come from within Norco's boundaries.

It was noted the license can be obtained from any business within the County of Riverside. It was clarified the applicant does not have a store yet; he wants to secure the right to sell alcohol first.

Commission Member Newton noted the absence of Sheriff's comments from the Project Review Board meeting and there was no letter from ABC regarding the proposal.

PC Harris asked about public noticing; staff replied that it was done accordingly.

The public hearing was opened.

Lois Louck, 4328 Crestview Drive, was convinced both ABC and the City do not know what the word saturation means. She read off a list of over 26 businesses selling liquor in the general area of the proposed site.

Fred Farhoomand, applicant, offered to answer questions.

PC Harris asked how was the license going to be obtained.

Mr. Farhoomand said it can be obtained from anywhere in Riverside County. The County issues 25 new licenses a year, obtainable by lottery. Or, a person could refer to a list that is updated every two-three months and buy a license from a closing business, such as supermarkets closing its liquor departments.

Commission Member Harris said Norco seems to be saturated with alcohol sales and he does not feel the Commission would be doing good for the residents to approve this. Commission Member Hedges agreed.

Commission Member Newton asked that staff get the list from ABC listing businesses giving up their licenses.

Chair Wright: asked about adding a condition that the license had to be obtained from another business within Norco.

PC Harris said Norco already has too many, so it does not matter whether a new license is from within the City or not.

PM King said the item could be approved with an added condition to say the license has to be from Norco. The Commission could deny the project without prejudice based on if/when a license within Norco becomes available, the applicant could then reapply.

Further discussion centered on when is enough, enough. The Commission wants to see just how saturated Norco is because that would make a difference in its determination.

MOTION: M/S Hedges /Newton to continue based on what saturation is.

Discussion: Commission Member Newton wanted more information to make a better determination.

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

MOTION CARRIED

10. BUSINESS ITEMS: None
11. CITY COUNCIL: Received and filed.
 - A. City Council Action Agenda dated December 3, 2008
 - B. City Council Minutes dated December 19, 2008
12. PLANNING COMMISSION: PC Harris said the EDAC was to refocus on its commitment of Council and the reasons for EDAC. He added that attendance was weak.
13. STAFF: Current Work Program: Received and filed.
14. OTHER MATTERS:
 - A. Oral Report on 911 Sixth Street. Recommendation: Receive and File (SP Robles): Staff said the property has been used for commercial and the current residential use is in violation. PM King said the owner/occupant will be sent a letter.
 - B. Oral Report on truck parking at the northeast corner of Sixth Street and Valley View Avenue. (SP Robles): Staff said the owner has been sent a letter regarding the violation.

- C. Commission Member Hedges asked if rumors about a 7-Eleven going in next to Silverado on Sixth Street are true. Staff said yes. The Commission voiced concern about the parking.
- D. Chair Wright asked staff to contact R.J. Brandes about the possibility of locating the HorseTown Hall of Fame in a portion of the proposed barn/event building.
- E. Chair Wright asked to have a report comparing the City's residential specific plans with the regulations of the A-1 zone to see if it would be feasible and beneficial to change the specific plans to the A-1 zone for consistency. He asked how long a specific plan stays a specific plan.
- F. Commission Member Newton requested that staff provide a status report on the construction project at 2335 Hamner Avenue (formally Rancho De La Torre) which seems to have come to halt and is a fire/safety issue. The Commission requested a status report.

15. ADJOURNMENT: 8:20 p.m. to January 14, 2009

Respectfully submitted,

Steve R. King
Planning Manager

/sd-71075