

ATTACHMENT 1

RESOLUTION 2024-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING PRECISE PLAN 23-0001 AND DEVELOPMENT PLAN REVIEW BOARD 23-0008, A REQUEST FOR A MAJOR EXTERIOR REMODEL AND A 6,563 SQUARE-FOOT ADDITION WITH A 340 SQUARE-FOOT COVERED PATIO AND TWO DECKS TOTALING 435 SQUARE FEET FOR THE PROPERTY LOCATED AT 302 E. FOOTHILL BOULEVARD WITHIN THE COMMERCIAL-HIGHWAY (C-H) ZONE WITH A SCENIC HIGHWAY OVERLAY (SHO).

WHEREAS, applications were filed for Precise Plan No. 23-0001 and Development Plan Review Board No. 23-0008; PROJ-23-0001 by:

Mark Gross
Mark Gross & Associates, Inc.
8881 Research Drive
Irvine, CA 92618

On behalf of the property owner:

302 Foothill LLC
358 E. Foothill Boulevard
San Dimas, CA 91773

WHEREAS, the Precise Plan No. 23-0001 and Development Plan Review Board No. 23-0008 is described as:

A request for a major exterior remodel and a 6,563 square-foot addition with a 340 square-foot covered patio, and two decks totaling 435 square feet to an existing 5,861 square-foot two-story office building.

WHEREAS, the Precise Plan No. 23-0001 and Development Plan Review Board No. 23-0008 applies to the following described real property:

302 E. Foothill Boulevard (APN'S: 8661-017-032 & -018)

WHEREAS, pursuant to San Dimas Zoning Code Section 18.108, properties designated with the Scenic Highway Overlay are subject to a Precise Plan review to be reviewed by the Development Plan Review Board, the Planning Commission, and subsequently by the City Council for a final determination; and

WHEREAS, on February 22, 2024, the Development Plan Review Board, at a regularly held and noticed meeting, heard evidence and recommended approval of Precise Plan No. 23-0001 and Development Review Board No. 21-0008 to the Planning Commission; and

WHEREAS, on March 21, 2024, at the Planning Commission meeting the Commission received the recommendation of approval from the Development Plan Review Board including the written report and recommendation of Staff; a notice was duly given of the public hearing on the matter and the public hearing was held at the hour of 6:00 p.m., with all testimony received being made a part of the public record; and

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WHEREAS, notice was duly given of the City Council public hearing on the matter and that public hearing was held on April 9, 2024 at the hour of 7:00 p.m., with all testimony received being made part of the public record; and

WHEREAS, the Planning Division has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies under the Class 1 exemption under the State CEQA Guidelines Title 14, Section 6, Chapter 3, Article 19, Section 15301 Existing Facilities Class 1 operations which consists of the operation, repair, maintenance or minor alteration of existing public or private facilities involving negligible or no expansion of existing or former use. In addition, there is no substantial evidence that the project may have a significant effect on the environment. The Planning Commission and City Council has reviewed the Planning Division's determination of exemption, and based on their own independent judgment, concurs in the staff's determination of exemption.

NOW, THEREFORE, in consideration of the evidence received at Development Plan Review Board meeting on February 22, 2024, and for the reasons discussed by the Board members at the meeting, and the evidence received at the Planning Commission hearing; and or the reasons discussed by the Planning Commissioners at the March 21, 2024 hearing, and the evidence received at the City Council hearing; and or the reasons discussed by the City Council at the April 9, 2024 hearing, and subject to the Conditions attached as "Attachment 1", the City Council now finds as follows:

DEVELOPMENT PLAN REVIEW BOARD FINDINGS -

- A. The development of the site in accordance with the development plan is suitable for the use or development intended.

The development of the site in accordance with the plan is suitable for the use and intended development. The development consists of remodeling an existing 5,861 square-foot two-story office building including a 6,563 square-foot addition with a 340 square-foot covered patio, and two decks totaling 435 square feet. Although the architectural style of the existing building will be entirely altered as a result of the remodel and additional square footage added onto the building, the new contemporary design style is compatible with the nearby existing office buildings in the vicinity. The proposed site improvements and square footage expansion of the existing two-story office building will not impede any existing easements that run across portions of the property including the 120'-0" wide Los Angeles Department of Water and Power (LADWP) easement, the 40'-0" wide Metropolitan Water District (MWD), and the 10'-0" wide City storm drain easements. Additionally, there will be adequate parking provided on site for the existing use including accessible parking stalls located in both the front and rear parking lots on the subject site. The proposed development will be in compliance with the subject zone and is compatible with surrounding uses within the vicinity.

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- B. The total development is so arranged as to avoid traffic congestion, ensure the public health, safety and general welfare, prevent adverse effects on neighboring property.

The subject site is currently accessed via a primary driveway located along Foothill Boulevard and two secondary driveways located along Walnut Avenue. The project site is located off of Foothill Boulevard, which is a major arterial and has capacity to accommodate the number of vehicle trips that would be generated during the morning and evening peak hours. It is anticipated that traffic on local roads would be negligible since the existing two-story office building, which was developed in 1993, is only expanding the building footprint to be able to accommodate additional office space. The property owner also operates out of the existing two-story office building located on the adjacent lot to east and south and intends to create an opening between the two lots to further improve vehicular circulation through the project site. The nearest residential uses, which are located along Walnut Avenue are approximately 60 feet away from the project site. Most of the parking and operations of the facility are located along the northern portion of the building along Foothill Boulevard. The south property line of the project site has an existing woodcrete concrete wall system that is 6'-0" high with a number of mature trees in front of the wall that provides noise attenuation as well as security. The City has not received complaints from nearby residential uses related to the operation of the existing two-story office building. All commercial projects are required to comply with the City's noise regulations and the City enforces violations related to noise and property maintenance.

- C. The development is consistent with all elements of the general plan and is in compliance with all applicable provisions of the zoning code and other ordinances and regulations of the city.

The development is consistent with the General Plan Land Use Element Policies, Goal #5 that calls to "provide well planned commercial centers and nodes. Discourage "strip" commercial development." Policy 5.1.1 states "encourage employee-based business uses with a higher ratio of employee to floor area." The proposed project is also consistent with this Policy of the General Plan because it expands an existing local business that is located along a major arterial of the northern part of the City. The project meets all the development standards set forth in the Commercial Highway (C-H) Zone and Scenic Highway Overlay (SHO).

NOW, THEREFORE, BE IT FURTHER RESOLVED, PURSUANT TO THE ABOVE FINDINGS, that the City Council of the City of San Dimas grants approval of Precise Plan No. 23-0001 and Development Plan Review Board No. 23-0008, subject to compliance with the Conditions as set forth in Attachment 1.

PASSED, APPROVED and ADOPTED, the 9th day of April, 2024.

Emmett G. Badar, Mayor

April 9, 2024

ATTEST:

Debra Black, City Clerk

I Debra Black, City Clerk, hereby certify that Resolution 2024-19 was adopted by the City Council of San Dimas at its regular meeting of April 9, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Black, City Clerk

Attachment 1**Conditions of Approval for
DPRB No. 23-0008 / Precise Plan No. 23-0001
ACCELA PROJ-23-0051**

A request for a major exterior remodel and a 6,563 sq. ft. addition with a 340 sq. ft. covered patio and two decks totaling 435 sq. ft. to an existing 5,861 sq. ft. two-story office building located at 302 E. Foothill Boulevard within the Commercial-Highway (C-H) Zone with a Scenic Highway Overlay (SHO) (APN'S: 8661-017-032 & -018).

PLANNING DIVISION - (909) 394-6250**GENERAL**

1. The Applicant/Developer shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
2. The Applicant/Developer shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The applicant shall deposit funds with the City to cover these costs in an amount to be determined by the City.
3. Copies of the signed Development Plan Review Board (DPRB) Conditions of Approval shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
4. The Applicant/Developer shall comply with all Zoning Ordinances applicable to the project/request.
5. The building permits for this project must be issued and construction commenced and diligently pursued toward completion within one (1) year from the date of approval or the approval will become invalid. A time extension may be granted under the provisions set forth in Chapter 18.12.070 F.
6. The Applicant/Developer shall sign an affidavit accepting all Conditions and all Standard Conditions before issuance of building permits.

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7. The Applicant/Developer shall comply with all City of San Dimas Business License requirements and shall provide a list of all contractors and subcontractors that are subject to business license requirements.
8. The Applicant/Developer shall comply with all Conditions of Approval as recommended for approval by the Development Plan Review Board on February 22, 2024 and the Planning Commission on March 21, 2024, and approved by the City Council on April 9, 2024.
9. Prior to the start of construction, the Applicant/Developer shall install a minimum five-foot (5') high chain-link fence or other approved material which shall have a dark green or black colored view obscuring screen. The fence shall totally enclose the project site when vacant, under construction or under demolition and said fence shall remain until occupancy is granted.
10. The entire site shall be kept free from trash and debris at all times and in no event shall trash and debris remain for more than 24 hours.
11. During grading and construction phases, the construction manager shall serve as the contact person in the event that dust or noise levels become disruptive to local residents. A sign shall be posted at the project site with the contact phone number.
12. Businesses and public entities that dispose of 4 cubic yards/week of solid waste, and residential projects of five or more units shall comply with the state Model Ordinance adopted pursuant to the California Solid Waste Reuse and Recycling Access Act of 1991. This shall include adequate, accessible, and convenient areas for collecting and loading recyclable materials. Recycling programs shall be implemented in coordination with the trash company. Program shall include weekly collection of recyclable material using any combination of bins or 96-gallon waste containers (residential) in sufficient numbers to contain recyclables generated each week.
13. Graffiti shall be removed within 72 hours from the project site.
14. All parking provided shall meet the requirements of Section 18.156 of the San Dimas Municipal Code.
15. The existing conditional use permit (CUP 89-15) for the property will be terminated as part of this approval. There shall be no outdoor storage of materials as part of this project approval. Any proposed outdoor storage use shall require the submittal of a new conditional use permit, which will be subject to review and approval by the Planning Commission. Any overnight outdoor storage of vehicles associated with the business shall be at the discretion of the Director of Community Development.

DESIGN

16. Building architecture and site plan shall be consistent with plans presented to the Development Plan Review Board on February 22, 2024, the Planning Commission on March 21, 2024, and the City Council on April 9, 2024, provided that the Director of Community Development is authorized to make revisions consistent with the San Dimas Municipal Code.

17. Plans for all exterior design features, including, but not limited to, doors, windows, mailboxes and architectural treatments, shall be submitted to the Planning Division for review and approval before issuance of building permits.
18. The lighting fixture design shall complement the architectural program. Location and type of exterior lighting fixtures shall be submitted by the developer to the Planning Division for review and approval prior to installation.
19. The Applicant/Developer shall install the parking lot lighting in accordance with a lighting plan showing illumination levels and lighting distribution, as approved by the Planning Division. Shielding shall be implemented where appropriate to reduce light emissions onto adjoining properties. A lighting plan shall be submitted for review and approval, in addition to a \$1,500 deposit for review of the plans.
20. All roof-mounted equipment and appurtenances shall be totally screened from public view and shall be located below the building parapet. The applicant shall supply a section drawing indicating the parapet height and all proposed roof equipment. In the event additional screening is necessary, it shall be approved by the Planning Division and installed prior to final inspection and occupancy.
21. Trash/Recycling enclosure(s) shall be constructed by the Applicant/Developer per City of San Dimas standard plan and shown on the construction plans. The exact location of the trash/recycling enclosure(s) shall be approved by the Planning Division and the Trash Company.
22. Gas meters, backflow prevention devices and other ground-mounted mechanical or electrical equipment installed by the Applicant/Developer shall be inconspicuously located and screened, as approved by the Director of Community Development. Location of this equipment shall be clearly noted on landscape construction documents.
23. Electrical and other service facilities shall be located within an interior electrical room or approved comparable location. All electrical service facilities shall be totally screened from public view, as approved by the Planning Division.
24. Downspout pipes shall be placed on the inside of the building or concealed within architectural features of the building. When downspout pipes exit the building within the landscaped area, a splash pad shall be provided subject to review and approval by the Planning Division. The downspout pipe nozzle shall be decorative.
25. All exterior building colors shall match the color and material board on file with the Planning Division. The proposed awnings shall be the FS 13538 Yellow 90 Gloss color. Any revision to the approved building colors shall be submitted to the Planning Division for review and approval.
26. The Applicant/Developer shall paint all exposed flashing and/or exposed vents the same color as the adjacent wall/roof.
27. The existing monument sign shall be redesigned to match the newly remodeled building. The new monument sign shall be reviewed separately by the Planning Division. The building

final for the remodel and expansion will not be issued until after the new monument sign has been redesigned, including but not limited to its sign height, size, materials, and area requirements.

LANDSCAPE

28. No mature trees shall be removed as part of this approval. If any trees are proposed to be removed, the Applicant shall apply for a Tree Removal Permit that is subject to review by the Planning Division.
29. The Applicant/Developer shall submit to the Planning Division, prior to the issuance of building permits, a separate landscape plan for landscape areas on site that are affected due to the exterior remodel and site work improvements. Installation of new landscape is subject to the Model Water Efficient Landscape Ordinance (MWEL0). Water efficient landscapes shall be implemented in all new and rehabilitated landscaping in single-family and multi-family projects, and in private development projects that require a grading permit, building permit or use permit, as required by Chapter 18.14 of the San Dimas Municipal Code. Installation of landscaping and irrigation shall be completed prior to final of the project.
30. All landscaping and automatic irrigation shall be installed and functional prior to occupancy of the building(s), in accordance with the plans approved by the Planning Division.

BUILDING DIVISION – (909) 394-6260

31. The plans shall be prepared in compliance with the latest edition of the codes as amended and adopted by reference by the City of San Dimas: California Green Building Standards Code, California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, and California Electrical Code.
32. The Applicant/Developer shall comply with the latest California Title 24 Energy requirements for all new lighting, insulation, and mechanical equipment and submit calculations and signed at time of initial plan review. All exterior lighting to comply with required lighting density limits, controls and BUG standards.
33. The Applicant/Developer shall submit to the Building Division of the City of San Dimas plans that have been reviewed and approved by the Los Angeles County Fire Department. Plans may include access, fire sprinklers, mechanical ventilation, and any other applicable items regulated under the Fire Code.
34. The Applicant/Developer shall comply with the latest disabled access regulations as found in Title 24 of the California Code of Regulations and the Americans with Disabilities Act. Accessible items shall include, but not be limited to: Path of travel requirements and facilities, accessible path from public right of way, parking facilities, including garage facility, accessible pedestrian routes, interior path of travel, public/common use areas, restrooms, breakrooms, etc.

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35. All plans are required to be stamped by a California Registered Engineer or Architect unless specifically exempted by Sections 5537-5538 of the California Business & Professions Code.
36. Construction calculations, including lateral analysis, shall be required at the time plans are submitted for plan check.
37. Mechanical, Electrical and Plumbing plans are required to be submitted at time of initial plan submittal. Electrical schematic and load calculations, and plumbing (drain, waste, vent, water, and gas) schematics will be required before issuance of electrical or plumbing permits.
38. The Applicant/Developer shall submit a Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and the Building Official.
39. Prior to the issuance of any grading or building permits, the Applicant/Developer shall submit an updated Engineering Geology/Soils Report that includes an accurate description of the geology of the site and conclusions and recommendations regarding the effect of the geologic conditions on the proposed development and include a discussion of the expansiveness of the soils and recommended measures for foundations and slabs on grade to resist volumetric changes of the soil.
40. Prior to the inspection of the foundation, the Applicant/Developer shall submit a footing bottom compaction certification by a licensed soils technician who is working under the direct supervision of the Geologist of Record.
41. Applicant to expose uninspected work started without permit for code verification at discretion of Building Inspector.
42. Fees shall be paid to Bonita Unified School District in compliance with Government Code Section 65995.
43. The Applicant/Developer shall Contact the Los Angeles County Public Works Department, Environmental Program Division for any required permit or clearance of industrial and hazardous waste disposal.
44. The Applicant/Developer shall Contact the Los Angeles County Sanitation District for potential fees associated with annexation, connection, or change of occupancy
45. The Applicant/Developer shall comply with CAL Green Section 5.408.2 "Commercial Mandatory Measures, Commercial waste recycling".
46. The Applicant/Developer shall submit an Electrical Distribution Plan for all proposed switchgear or transformers to the City for review as soon as available.
47. Construction hours shall be limited to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holidays, per San Dimas Municipal Code Section 8.36.100.

ENGINEERING DIVISION – (909) 394-6240

48. Trash/Recycling enclosure(s) shall be constructed by the Applicant/Developer per City of San Dimas standard plan and shown on the construction plans. The exact location of the trash/recycling enclosure(s) shall be approved by the Planning Division and the Trash Company.
49. The Applicant/Developer shall submit a Precise Paving and Drainage Plan for the proposed development to be reviewed and approved by the City Engineer and the Director of Community Development. Plans shall include a composite utility location, paving and striping plan as well as the size of the disturbed area and the volumetric amount of cut, fill, and over-excavation.
50. The Applicant/Developer shall provide a signed copy of the City's certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES).
51. The Applicant shall provide drainage improvements to carry runoff of storm waters in the area proposed to be developed to be reviewed and approved by the City Engineer. The proposed drainage improvements shall be based on a detailed Hydrology Study conforming to the current Los Angeles County methodology. The developed flows out letting into the existing downstream system(s) from this project cannot exceed the pre-existing storm flows.
52. For all projects which disturb less than one (1) acre of soil, Applicant/Developer shall submit a temporary erosion control plan to be approved by the City Engineer and filed with the City and shall be installed and operable at all times.
53. For all non-exempt projects which disturb less than one (1) acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, Applicant/Developer must submit a signed certification statement declaring that the contractor will comply with Minimum Best Management Practices (BMPs) required by the MS4 permit for Los Angeles County as mandated by the National Pollutant Discharge Elimination System (NPDES). Additionally, all projects within this category will require the preparation and submittal by the Applicant/Developer a local Stormwater Pollution Prevention Plan/Wet Weather Erosion Control Plan. The project proponent is ultimately responsible to comply with all requirements of the MS4 permit, which the City of San Dimas enforces. The City of San Dimas has the authority to enter the project site, review the local SWPPP/WWECP and require modifications and subsequent implementation to the local SWPPP/WWECP in order to prevent polluted runoff from leaving the project site onto private or public property. In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site:
 - a. Retention basins of sufficient size shall be utilized to retain storm water on the site. (BMP SE-2, Sedimentation Basin)
 - b. Where storm water is conveyed to a public drainage system, collection point, gutter, or similar disposal method, water shall be filtered by use of a barrier system, wattle, or other method approved by the enforcing agency. (BMPs SE-1, Silt Fence; SE-5, Fiber Rolls; SE-6, Gravel Bag Berm)

54. The Applicant/Developer shall be responsible for any repairs within the limits of the development, including but not limited to streets and paving, curbs and gutters, sidewalks, and street lights as determined by the City Engineer and Public Works Director.
55. The Applicant/Developer shall obtain a Public Works permit for all work within or adjacent to the public right-of-way and shall be subject to review and approval of the Public Works Director and the work shall be in accordance with applicable standards of the City of San Dimas; i.e. Standard Specifications for Public Works Construction (Green Book) and the California Manual of Uniform Traffic Control Devices (CA MUTCD), and further that the construction equipment ingress and egress be controlled by a plan approved by Public Works.
56. For all projects subject to Low Impact Development (LID) regulations, Applicant/Developer must submit a site-specific drainage concept and stormwater quality plan to implement LID design principles.
57. A fully executed "Maintenance Covenant for LID Requirements" shall be recorded with the L.A. County Registrar/Recorder and submitted to the Public Works Department prior to the Certificate of Occupancy. Covenant documents shall be required to include an exhibit that details the installed treatment control devices as well as any site design or source control Best Management Practices (BMPs) for post construction. The information to be provided on this exhibit shall include, but not be limited to:
 - i. 8 ½" x 11" exhibits with record property owner information.
 - ii. Types of BMPs (i.e., site design, source control and/or treatment control) to ensure modifications to the site are not conducted without the property owner being aware of the ramifications to BMP implementation.
 - iii. Clear depiction of location of BMPs, especially those located below ground.
 - iv. A matrix depicting the types of BMPs, frequency of inspection, type of maintenance required, and if proprietary BMPs, the company information to perform the necessary maintenance.
 - v. Calculations to support the sizing of the BMPs employed on the project shall be included in the report. These calculations shall correlate directly with the minimum treatment requirements of the current MS4 permit. In the case of implementing infiltration BMPs, a percolation test of the affected soil shall be performed and submitted for review by the City Engineer.
 - vi. This document shall be reviewed by and concurred with Public Works to ensure the covenant complies with the MS4 Permit.
58. Construction parking and material storage shall be confined to the site. Construction related parking or material storage is not permitted on the surrounding streets.
59. The Applicant/Developer shall obtain all approvals from Los Angeles Department of Water & Power (LADWP) and Metropolitan Water District (MWD) for construction within their respective easement areas including the installation of parking prior to permit issuance from the City of San Dimas.
60. The Applicant /Developer shall provide calculations verifying that the proposed construction will not impact the adjacent existing City of San Dimas storm drain conduit.

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61. The Applicant/Developer shall contact Waste Management to determine the required refuse level of service per California state law.

End of Conditions

DRAFT