
PLANNING COMMISSION MEETING MINUTES
REGULAR MEETING
JANUARY 15, 2003

MEETING CALLED TO ORDER: 1:15 p.m.

FLAG SALUTE: Commissioner Day

PRESENT: Vice-Chairman Thomas Beede
Commissioner Charles Brewster
Commissioner Robert Day
Commissioner Bill Jahn

STAFF: Molly Bogh, Community Development Director
Janice Etter, Associate Planner
Neil Braunstein, Associate Planner
Sandra Molina, Principal Planner
Stephen Deitsch, City Attorney
Phil Mosley, City Building Official
Anne Schneider, City Engineer
Lynne Rayner, Administrative Secretary

The Planning Commission of the City of Big Bear Lake took the following actions at the January 15, 2003 meeting held in Hofert Hall, Civic and Performing Arts Center, 39707 Big Bear Boulevard, Big Bear Lake, California.

AGENDA APPROVAL

Moved by Commissioner Day, seconded by Commissioner Brewster, to approve the agenda as presented.

PRESENTATIONS/ANNOUNCEMENTS/INFORMATIONAL ITEMS

Community Development Director Molly Bogh reminded the Planning Commissioners that a joint workshop with the City Council on bark beetles is scheduled for Monday, January 27th at 3:00 p.m. in Hofert Hall. The Forest Service will be making the presentation, and the Community Services District has been invited. She also announced that the Chamber of Commerce would be presenting a kick-off Fire Safe Council Meeting in the Performing Arts Center on Wednesday, January 29th at 6:30 p.m.

PUBLIC FORUM

Dennis Largé, resident of Big Bear Lake, asked the Commission for an update on the Waterview Drive tree ordinance violation.

Ms. Bogh stated that it has been referred to our prosecuting attorney, Dapeer, Rosenblit and Litvak. They are conducting an investigation and to date we have not received a recommended course of action.

1. CONSENT CALENDAR

- 1.1 Moved by Commissioner Brewster, seconded by Commissioner Jahn, to approve the minutes of December 18, 2002. The minutes were approved by a vote of 3 in favor and 0 opposed. Vice-Chairman Beede abstained, as he was not present at the December 18, 2002 meeting.

REORGANIZATION

- 1.2 Selection of Chairman and Vice-Chairman

Commissioner Brewster nominated Commissioner Jahn as Chairman of the Planning Commission. Commissioner Day nominated Commissioner Brewster as Chairman of the Planning Commission. Commissioner Brewster declined the nomination.

The nomination of Commissioner Jahn as Chairman was approved by the following vote:

AYES: BREWSTER, BEEDE, JAHN
NOES: DAY
ABSENT: NONE
ABSTAIN: NONE

Commissioner Brewster nominated Commissioner Day as Vice-Chairman of the Planning Commission. Commissioner Day declined the nomination. Commissioner Jahn nominated Commissioner Beede as Vice-Chairman of the Planning Commission.

The nomination of Commissioner Beede as Vice-Chairman was approved by the following vote:

AYES: BREWSTER, DAY, BEEDE, JAHN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

2. PUBLIC HEARING ITEM

- 2.1 Plot Plan Review 2002-150
Applicant: Dennis Hall
Representative: Bob Chaney
Location: 42686 & 42672 Moonridge Road
APN#: 2328-384-03, 04

To construct a single story, 3,190 square foot office building and a 15-space parking lot on a 12,500 square foot lot zoned Commercial Resort (CR).

Associate Planner Neil Braunstein presented the staff report recommending that the Planning Commission hold a public hearing and adopt a resolution finding the project exempt from the California Environmental Quality Act and approving Plot Plan Review 2002-150, based on the findings and subject to the conditions of approval in the resolution.

Mr. Braunstein addressed the Commission's questions and concerns regarding the loss of four parking spaces on Moonridge Road due to the driveway approach and the tree credit for the remaining tree in lieu of the 16th parking space.

Ms. Bogh stated that the applicant has redesigned the site three times and has moved the parking lot and the building out of the critical root zone to ensure that the tree would survive, at the request of staff.

Vice-Chairman Beede stated he would like to have an arborist involved during construction to fully protect the tree. City Building Official Phil Mosley stated that Building and Safety has an established pre-site construction inspection wherein tree preservation requirements are addressed.

Chairman Jahn opened the public hearing at 1:38 p.m.

Bob Chaney, representative, answered questions presented by members of the Planning Commission and staff.

Michael Gray, resident of Big Bear City and owner of the neighboring business, expressed concern about drainage. Mr. Mosley stated that any increased flows would be addressed by Building and Safety during construction and directed to an approved drainage facility, so there will be no impact on Mr. Gray's property.

Dennis Hall, applicant, addressed questions presented by staff and members of the Planning Commission and agreed to an added condition of approval as follows:

34. The 48-inch existing pine tree shall be protected pursuant to the Tree Conservation Ordinance. With respect to the 48-inch pine tree to remain on the site, a qualified tree expert shall be consulted, at the cost of the applicant, prior to any ground disturbing activity on the site, and the recommendations of the qualified tree expert shall be implemented with regard to tree protection during and after construction.

There being no further comments from the public, Chairman Jahn closed the public hearing at 1:45 p.m.

Moved by Commissioner Brewster, seconded by Commissioner Day, to adopt Resolution No. PC2003-001 as revised, approving Plot Plan Review 2002-150, based on the findings and subject to the recommended conditions of approval, as amended, as follows:

RESOLUTION NO. PC2003-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING PLOT PLAN REVIEW 2002-150 TO CONSTRUCT A 3,190 SQUARE FOOT OFFICE BUILDING LOCATED AT 42686-42672 MOONRIDGE ROAD (ASSESSOR'S PARCEL NUMBERS 2328-384-03, 04, 05, AND 06).

The motion was passed by the following vote:

AYES: BREWSTER, DAY, BEEDE, JAHN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2.2 Tentative Parcel Map Application 2002-231

Applicant: Ms. Pat Kirianoff

Representative: Mr. Bob Carlisle, Mapco

Location: 200 North Eagle Drive

APN#: 309-071-02

The applicant is requesting approval to subdivide an existing 1.175 acre property into 3 parcels. The property is currently developed with a 1,459 square foot single-family residence on the south side of the property and a 2,112 square foot detached garage located on the north side of the property. The applicant proposes to convert the existing garage into a single-family residence, on its own lot. The property is zoned R-1 (Single-Family Residential).

Commissioner Brewster excused himself from the discussion and vote and left the hall, due to a potential conflict of interest based on ownership of property within 541 ½ feet of the project site.

Vice-Chairman Beede stated that as he was not present at the December 18, 2002 Planning Commission meeting, he had listened to the meeting tapes from that date so that he might participate in the discussion and vote.

Associate Planner Janice Etter presented the staff report, reminded the Planning Commission that the public hearing was continued from December 18, 2002 meeting, and recommended that the Commission determine that the project is exempt from the California Environmental Quality Act (CEQA) and adopt the resolution approving Tentative Parcel Map application 2002-231/Tentative Parcel Map No. 15613, based on the findings and subject to recommended conditions of approval.

Mrs. Etter addressed the Commission's questions and concerns regarding the lot widths of surrounding properties.

Chairman Jahn opened the public hearing at 1:56 p.m.

Bob Carlisle, representative, spoke in favor of the project, stated that the applicant is in agreement with the conditions of approval, and answered questions presented by members of the Planning Commission and staff regarding water and tree conservation.

There being no further comments from the public, Chairman Jahn closed the public hearing at 2:07 p.m.

Moved by Vice-Chairman Beede, seconded by Commissioner Day, to adopt Resolution No. PC2003-002, approving Minor Subdivision 2002-231, based on the findings and subject to the recommended conditions of approval, as follows:

RESOLUTION NO. PC2003-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING TENTATIVE PARCEL MAP APPLICATION 2002-231/TENTATIVE PARCEL MAP NO. 15613 TO SUBDIVIDE AN EXISTING 1.175-ACRE PROPERTY INTO THREE LOTS AT 200 NORTH EAGLE DRIVE (ASSESSOR'S PARCEL NUMBER 309-071-02)

The motion was passed by the following vote:

AYES: DAY, BEEDE, JAHN

NOES: NONE

ABSENT: NONE

ABSTAIN: BREWSTER

Commissioner Brewster rejoined the meeting at 2:12 p.m.

2.3 Variance 2002-192

Applicant: Ron Erikson

Representative: Mr. Bob Carlisle, Mapco

Location: 42947 Dogwood Drive

APN#: 310-292-07

The applicant is requesting approval to encroach 15 feet into the required 15-ft. front yard setback in order to construct a subterranean parking structure to serve a proposed single-family residence.

Associate Planner Neil Braunstein presented the staff report recommending that the Planning Commission hold a public hearing and adopt a resolution finding the project exempt from the California Environmental Quality Act and approving Variance 2002-192, based on the findings and subject to the conditions of approval in the resolution.

Mr. Braunstein addressed the Commission's questions and concerns regarding 22 feet of street paving relative to the 40-foot wide easement on Dogwood Drive.

Chairman Jahn opened the public hearing at 2:17 p.m.

Bob Carlisle, representative, spoke in favor the project, stating that it is an innovative and unique way of providing parking without building tall, blank retaining walls. He stated that the applicant is in agreement with the conditions of approval, and answered questions presented by members of the Planning Commission and staff.

There being no further comments from the public, Chairman Jahn closed the public hearing at 2:21 p.m.

Moved by Commissioner Brewster, seconded by Vice-Chairman Beede, to adopt Resolution No. PC2003-003, approving Variance 2002-192, based on the findings and subject to the recommended conditions of approval, as follows:

RESOLUTION NO. PC2003-003

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, APPROVING VARIANCE 2002-192 TO DEVIATE FROM SECTION 61.0219(k)(2)(A)(I) OF THE DEVELOPMENT CODE BY ENCROACHING 15 FEET INTO THE REQUIRED 15-FOOT FRONT YARD SETBACK AREA TO CONSTRUCT A SUBTERRANEAN PARKING STRUCTURE TO SERVE A PROPOSED SINGLE FAMILY RESIDENCE LOCATED AT 42947 DOGWOOD DRIVE (ASSESSOR'S PARCEL NUMBER 310-292-07).

The motion was passed by the following vote:

AYES: BREWSTER, DAY, BEEDE, JAHN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

At the hour of 2:28 p.m., Chairman Jahn called for a recess.

At the hour of 2:34 p.m., the Planning Commission reconvened.

3. DISCUSSION ITEM

3.1 Status report on Minor Modification 2002-255 to Plot Plan Review 2001-031

Applicant: Bear Valley Paving Company

Representative: Jacque P. Montero

Location: 41841 Garstin Drive

APN#: 2328-033-02, 14, 18

Principal Planner Sandra Molina presented the staff report recommending to the Commission that Minor Modification 2002-255 be denied based on the findings in the

resolution; staff further recommended that the Planning Commission establish dates by which the applicant shall bring Summit Creek improvements into compliance with all applicable regulations and permits.

Chairman Jahn stated that he proposed to consider the two matters presented by staff separately. First, he proposed that the Planning Commission consider the remediation needed for Summit Creek. Secondly, and separately, he proposed that the Planning Commission consider the proposed Minor Modification application. The Planning Commission concurred.

Ms. Molina addressed the Commission's questions as to why the revised grading plans submitted were not approved and whether the applicant would have the time needed to obtain necessary approvals if new plans were resubmitted on or before January 31, 2003.

Anne Schneider, City Engineer, stated she did not feel the applicant would be able to obtain approvals from the Regional Water Quality Control Board, Fish & Game, and the Army Corps. of Engineers on a new, more complex grading plan by April 15th, as the original proposal took a significant amount of time to get approved.

Ms. Bogh stated that due to the change of scope, the Resource Agencies might require environmental review before re-approval. Given those constraints, Chairman Jahn inquired as to whether it was more realistic to have the Creek modifications completed in a timely manner by directing the applicant to complete the improvements based on the approved grading plan. Staff indicated that it was.

Chairman Jahn opened the public hearing at 3:02 p.m.

Jacque Montero, applicant, stated he agreed with staff's direction and will begin work on Summit Creek on April 16, 2003 to correct modifications previously made and return Summit Creek to the original grading plan dated August 15, 2001, and complete the work within 30 days. He further stated that he agreed to pay for a City inspector to monitor construction activities within Summit Creek.

Ms. Schneider stated that there were three areas of concern: 1) new improvements that were supposed to be done per the approved grading plan; 2) everything that has to be removed that was done outside of the scope of the grading plan; and 3) to restore the areas in and around the Creek to its original condition. She stated that the City would require an as-built plan to be submitted showing the removal area and the area that is being surrendered back to the Creek. Mr. Montero stated that this had been submitted but he would have his engineer clarify the discrepancies with respect to the property lines.

David Cockrum from So & Associates, the applicant's engineer, stated this would have to be accomplished with two different sheets, one showing a demolition plan and the other an as-built plan, and that he would provide these to the City.

There being no further comments from the public, Chairman Jahn closed the public hearing at 3:19 p.m.

Moved by Vice-Chairman Beede, seconded by Commissioner Day, to direct the applicant to implement improvements shown on the grading plan approved by the City of Big Bear Lake on September 24, 2001; and to submit demolition/remediation plans for Summit Creek to the City by January 31, 2003; and to commence construction by April 16, 2003 (weather permitting); and complete work within 30 days after commencement.

The motion was passed by the following vote:

AYES: BREWSTER, DAY, BEEDE, JAHN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Chairman Jahn stated that the Commission would now discuss Minor Modification Application 2002-255.

Ms. Bogh stated that staff recommended that Mr. Montero withdraw Minor Modification Application 2002-255 and resubmit at a later date, as this application is not consistent with the General Plan and the Development Code. Mr. Montero concurred but asked about the fees paid for the application. The Planning Commission directed staff to credit fees paid on Minor Modification 2002-255 toward any future application submitted substantially similar to the one withdrawn.

4. PLANNING OFFICIAL'S REPORT

Ms. Bogh announced that revisions to the Development Code are substantially completed. Staff from various departments has made their revisions and the goal is to get the final draft out within the next two to three weeks. Beginning in late February or early March, a discussion item will be included at every Planning Commission meeting until review of the new Development Code is completed.

5. SUMMARY COMMENTS

Commissioner Brewster inquired if the City of Big Bear Lake is being affected by the State of California budget cuts. Ms. Bogh replied that the Governor's proposal is to take back the State's Vehicle License Fees, which would affect the City's general fund by about \$300,000, and about \$750,000 of housing set-aside money. At this time, the City does not know how the Legislature will act on the rest of the Governor's plan. Mr. Brewster also inquired as to the status of the vacant Planning Commission seat. Ms. Bogh replied that applications are being accepted until January 24th and the City Clerk is tentatively scheduling interviews for candidates. A new appointment could be announced at the February 10th City Council meeting.

Commissioner Day commented that the MARTA bus schedule during Christmas was not reliable and people had been stranded. He also indicated that the last bus out of the Village would not accommodate anyone attending a late night movie. Ms. Bogh indicated that there was a MARTA board meeting on January 21st at 1:00 p.m. in Hofert Hall. Commissioner Day added that he did not believe a change to the Paine and Village intersection would help to ease

congestion on Big Bear Boulevard and was disappointed that the low income housing would be affected by the budget cuts. He was also concerned about the snow storage in the China Garden and whether a filtration system protected the lake from pollutants. Mr. Mosley responded that since the snow storage area is within an old sewage treatment pond, the clay barrier protecting the pond prevents pollutant infiltration into the groundwater. Commissioner Day also asked if time could be set aside with the City Attorney to review the State's conflict of interest laws. Ms. Bogh stated that this would be scheduled after the new Planning Commissioner is appointed.

Vice-Chairman Beede commented that left hand turns should not be allowed at the Paine and Village Drive intersection. In addition, he noted that the asphalt parking lot at the adventure hostel on Knickerbocker has still not been completed. Mr. Mosley replied that an enforcement action would be taken. Mr. Beede also stated that he felt the short water supply issue should not be handled by creating a lottery system for contractors building new homes. Mr. Mosley answered that the DWP was looking for additional water supplies, and staff is not aware that a lottery system is being considered.

Chairman Jahn thanked the Planning Commission for his appointment to Chairman. He also commented on resident trash pickup over the holidays.

6. ADJOURNMENT

There being no further comments, Chairman Jahn adjourned the meeting at 3:50 p.m. to the next regular Planning Commission meeting of February 5, 2003.

MINUTES APPROVED AT THE MEETING OF _____.

Lynne Rayner, Planning Commission Secretary