

**MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION
OF THE CITY OF BRADBURY, HELD ON DECEMBER 16, 2015 AT 7:00 PM
IN THE BRADBURY CIVIC CENTER**

Meeting Called to Order and Pledge of Allegiance: The regular meeting of the Planning Commission of the City of Bradbury was called to order by Chairman Novodor at 7:00 p.m. Commissioner Hernandez led the Pledge of Allegiance.

Roll Call: PRESENT: Chairman Novodor, Vice-Chairperson Esparza, Commissioners Dunst and Hernandez

ABSENT: Commissioner Kuba

STAFF: City Manager Keith, City Clerk Saldana and Management Analyst Donayre

Commissioner Kuba Excused: Commissioner Hernandez made a motion to excuse Commissioner Kuba from the meeting. Commissioner Dunst seconded the motion, which carried unanimously.

Approval of Agenda: Chairperson Novodor approved the agenda as presented. All ayes.

Approval of November 18, 2015 Minutes: Vice-Chairperson Esparza made a motion to approve the minutes of the November 18, 2015 Planning Commission meeting. Commissioner Dunst seconded the motion, which carried.

Compliance with Fair Political Practices Act: In compliance with the California State Fair Political Practices Act, each Commissioner has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision making process concerning development applications.

Public Hearings:

6.A 14 Bradbury Hills Road
Commissioners residing within 500 feet of 14 Bradbury Hills Road:
None

6.B 528 Winston Avenue
Commissioners residing within 500 feet of 528 Winston Avenue:
Commissioner Dunst

6.C 425 Mount Olive Drive
Commissioners residing within 500 feet of 425 Mount Olive Drive:
None

Discussion Item: 7.A 11 Deodar Lane
Commissioners residing within 500 feet of 11 Deodar Lane:
None

Motion: Commissioner Hernandez made a motion to receive and file the Fair Political Practices Report dated December 11, 2015. Vice-Chairperson Esparza seconded the motion, which carried unanimously.

**14 Bradbury Hills
Road:**

***Architectural Review Application No. AR 15-006
Modification No. 15-001***

Project Description:

City Manager Keith stated that this is a request to construct an attached 1,028 square foot addition (second unit) and a 441 square foot two-car garage to a single-family home for a new total square footage of 3,643 square feet in the A-2 zone. The major architectural review is required for the addition over 1,000 square feet. The modification is required for a reduction of required front and side yard setbacks to the underlying A-2 zone pursuant to the hillside development standards. This application originally included a variance request, but that has been changed to Modification due to the recent adoption of an ordinance by the City Council.

**Environmental
Review:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction) and Section 15332 (In-Fill Development) of the CEQA Guidelines.

Background:

This application has been in the planning review process since February 2015 due to several changing site conditions that have needed to be addressed. At the time the conceptual review application was submitted, there were two mature oak trees in very close proximity to the proposed building footprint. The applicant needed to address tree preservation measures as well as fire department fuel modification requirements, and this took time. Then, after the architectural application was submitted, it came to the City's attention by the neighboring property owner that a lot line adjustment had been recorded on this property in the 1980s, but had not been accurately depicted on the site plan. Staff notified the applicant who then redesigned the project to maintain a 25-foot side yard setback from that revised side lot line. The new design would require the removal of one of the two oak trees. Finally, the applicant contacted the City in August to inform staff that the second oak tree, which was not to be impacted by the development, had fallen over due to natural causes. An arborist's report analyzing the cause of the incident was submitted.

With all of these changing conditions, this application is just now ready to be considered by the Planning Commission.

Zoning:

This property is zoned A-2, which allows for this development as proposed with a major architectural review permit. It is a single-story addition and therefore does not require a Neighborhood Compatibility approval from the Planning Commission. The proposal meets all development standards.

**Setting and Existing
Site Conditions:**

The house was originally built in 1952 as a one-story, single-family home and has been remodeled since that time. It is situated on a flat pad at the highest part of a hillside lot that drops dramatically to the south. The entry to the house is off of Bradbury Hills Road on the north, but the house is designed to take in the views and solar exposure on the south with large windows along the southern side. The surrounding properties to the west, east and north are also zoned A-2 and should not be visually impacted by this development in any way.

Recommendation: Staff recommends that the Planning Commission open the public hearing, solicit testimony on the proposed project, close the public hearing and adopt Resolution No. 15-250 approving the project with conditions.

Public Hearing Opened: Chairman Novodor opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

Public Testimony: The applicant/designer, Mr. Steve Sun, 4028 Rosemead Blvd. #35, Pico Rivera, presented the project to the Planning Commission, showing pictures of the existing site conditions and drawings of the proposed addition.

Mr. John Hibbert, 17 Bradbury Hills Road, stated that he objects to the addition encroaching into the setback areas. City Manager Keith assured Mr. Hibbert that the proposed project, with the Modification, complies with all setback requirements.

Mr. Hibbert also objected to the increased traffic the added square footage would bring to Bradbury Hills Road. Staff could not comment as the number of residents at this address is unknown and also has no impact on the approval of the development application.

Public Hearing Closed: There being no further public testimony, Chairman Novodor declared the public hearing closed.

Motion: Vice-Chairperson Esparza made a motion to adopt Resolution No. 15-250 conditionally approving Architectural Review Application No. 15-006 and Modification No. 15-001, approving the construction of a one-story addition to an existing home at 14 Bradbury Hills Road. Commissioner Dunst seconded the motion, which was carried by the following roll call vote:

Approved: AYES: Chairman Novodor, Vice-Chairperson Esparza, Commissioners Dunst and Hernandez

NOES: None

ABSENT: Commissioner Kuba

ABSTAIN: None

Motion carried 4:0

Commissioner Dunst Recused: Commissioner Dunst recused herself from the decision making process regarding 528 Winston Avenue and left the room.

528 Winston Avenue: *Architectural Review Application No. AR 13-281(Modification)*

Summary: City Manager Keith stated that on February 26, 2014, the Planning Commission approved Architectural Review No. AR 13-281, Variance No. V 13-76, and Neighborhood Compatibility No. NC 13-104. The applicant for this project is requesting to amend two conditions of approval to 1) allow existing paving to remain around existing oak trees; and 2) allowing an export of soil in the amount of 560 cubic yards.

Both of these requests are a result of the plan check review process. Because these are both conditions of approval in the adopted resolution, staff has noticed this item as a public hearing. The Planning Commission has the authority to modify these conditions.

The applicant, Anthony George, Architect, has submitted a letter which further outlines the requests. Staff feels that amendments are necessary to protect the integrity of the Planning Commission approval, as well as to protect the topographical and natural landscape conditions on the site.

Recommendation: Staff recommends that the Planning Commission hear a presentation by the applicant regarding the proposed changes and approve the changes with a voice vote. Staff will simply replace the previous architectural pages with the one approved tonight. The applicant will submit the revised construction drawings to the building department.

Public Hearing Opened: Chairman Novodor opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

Public Testimony: The applicant, Anthony George, Architect, 1000 Freemont Avenue, Suite F, South Pasadena, stated that the plans have not changed, only the calculation of the cut and fill.

Public Hearing Closed: There being no further public testimony, Chairman Novodor declared the public hearing closed.

Motion: Vice-Chairperson Esparza made a motion to approve the Modification of Architectural Review No. AR 13-281 for 528 Winston Avenue. Commissioner Hernandez seconded the motion, which was carried by the following roll call vote:

Approved: AYES: Chairman Novodor, Vice-Chairperson Esparza, Commissioner Hernandez
NOES: None
ABSENT: Commissioner Kuba
ABSTAIN: Commissioner Dunst

Motion carried 3:0

Commissioner Dunst Returns: Commissioner Dunst rejoined the meeting.

425 Mount Olive Drive: *Architectural Review Application No. AR 15-001
Variance Application No. V 15-001 (Modification)*

Summary: City Manager Keith stated that on March 25, 2015, the Planning Commission approved Architectural Review No. AR 15-001 and Variance No. V 15-001 for the construction of a residence at 425 Mount Olive Drive. The applicant is requesting an amendment to the Architectural Review and Variance permits to add a tennis court within the 100 foot hillside setback, and to add a property line fence along the street frontage, with revised landscape.

Because the plans that the Commission approved expressly identified the tennis court as being requested "under separate permit" and because the front fence is so integral to the aesthetics of the front elevations of this project, staff has noticed this item as a public hearing. The Planning Commission has the authority to modify these conditions.

Background:

The applicant, The Code Solutions, has submitted revisions of the site plan depicting a tennis court, revised landscape, and a front wall/fence and gates. The previous plan approved by the Commission did not include these site features. As the Planning Commission is aware, this project has been reviewed by staff and the Commission on three previous occasions. In 2013, a lot line adjustment was granted. In 2014, an Architectural Review Permit was granted for an addition to an existing house. After the existing house was demolished in its entirety, the Building Official determined that the project was no longer an "addition" but rather a new construction. In March 2015, the Planning Commission approved a new Architectural Review and Variance for a new construction project. Now the Commission is considering a modification of those permits.

No Tennis Court Lighting:

Staff has already required some changes to the plans the applicant submitted, which had requests which did not comply with the development code. The applicant has revised the plans three or four times now to adhere to both the development code and design guidelines regarding courts and front yard fences/walls/gates. Specifically, staff has determined that NO LIGHTING be allowed around the court due to its proximity to the neighboring properties and visibility to the Mount Olive Drive neighborhood. Further, staff required that the front fence/wall be designed with 40% permeability, and that the gates be set back 20 and 25 feet, respectively, from the curb.

Recommendation:

Staff recommends that the Planning Commission hear a presentation by the applicant regarding the proposed changes and approve the changes with a voice vote. Staff will simply replace the previous architectural pages with the ones approved tonight. The applicant will submit the revised construction drawings to the building department.

Public Hearing Opened:

Chairman Novodor opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

Public Testimony:

Mr. Antonious Semos, Architect, 1125 W. 6h Street, Suite 205, Los Angeles, CA 90017, presented the project to the Commission.

Public Hearing Closed:

There being no further public testimony, Chairman Novodor declared the public hearing closed.

Motion:

Vice-Chairperson Esparza made a motion to approve the proposed changes (tennis court, revised landscape, front wall/fence and gates) to Architectural Review Application No. AR 15-001 for 425 Mount Olive Drive. Commissioner Dunst seconded the motion, which was carried by the following roll call vote:

Approved: AYES: Chairman Novodor, Vice-Chairperson Esparza,
Commissioners Dunst and Hernandez
NOES: None
ABSENT: Commissioner Kuba
ABSTAIN: None

Motion carried 4:0

11 Deodar Lane: *Discussion of Change to North and East Elevation*

Summary: City Manager Keith stated that on November 18, 2015, the Planning Commission approved a new construction project at 11 Deodar Lane. The applicant, Robert Liu, has requested a minor change to the architecture of the project, particularly 1) the west roof elevation, and 2) adding a curve in all of the rooflines as shown on the drawings. Staff is notifying the Planning Commission of this request and inviting comments prior to approving the change.

Discussion: The Planning Commission had no questions.

Commissioner Hernandez stated that the Bradbury Estates HOA reviewed the changes and is fine with it.

Approved: AYES: Chairman Novodor, Vice-Chairperson Esparza,
Commissioners Dunst and Hernandez
NOES: None
ABSENT: Commissioner Kuba
ABSTAIN: None

Motion carried 4:0

Public Comment: Mr. John Hibbert, 17 Bradbury Hills Road, inquired about the lot on the corner of Royal Oaks Drive North and Winston Avenue and what is going on with the property. City Manager Keith replied that nothing is going on right now. The City has worked with three different arborists to oversee the clearance of dead vegetation, including deceased oak trees, on the property to meet the fire code. No plans have been submitted for the development of 1533 Royal Oaks Drive North.

Mr. Hibbert then inquired if the avocados next door on Mr. Penney's property are a fire hazard. Ms. Keith stated that the Fire Department conducts brush clearance inspections for every year and that it is under their purview to make that determination.

**Reports and Items for
Future Agendas:**

Commission Members: Commissioner Hernandez wanted to discuss a subdivision project in the Bradbury Estates. City Manager Keith stated that the City Council has already been advised not to talk about this project unless it is on the agenda.

Chairman Novodor inquired about expediting projects. City Manager Keith stated that this topic was discussed at the joint City Council/Planning Commission study session and that it's on the applicant, not staff, to submit complete development applications.

Ms. Keith also stated that former City Planner Dave Meyer used to work on weekends, but no one is going to do that anymore.

Commissioner Hernandez inquired if applicants can pay extra money to expedite applications. City Manager Keith stated that we have been over this. Regulations have changed since Dave Meyer was the City Planner and there really isn't a way to expedite projects as there are so many different staff levels involved.

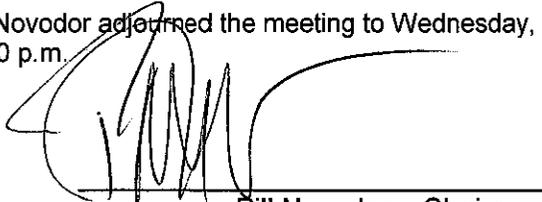
Vice-Chairperson Esparza stated that the story poles at 606 Spring Point Drive (Shah) are still up.

City Manager: City Manager Keith stated that City Hall will be closed for the Holidays from December 24, 2015 through January 1, 2016. City Hall will re-open on Monday, January 4th.

City Planner: Not present

Adjournment:

At 7:50 p.m. Chairman Novodor adjourned the meeting to Wednesday, January 27, 2016 at 7:00 p.m.



Bill Novodor – Chairman

ATTEST:

Claudia Saldana
Claudia Saldana - City Clerk