

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF BRADBURY, HELD ON JULY 27, 2016 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 Chairperson Kuba at 7:00 p.m. Vice-Chairman Hernandez led the Pledge of Allegiance.
- Roll Call:** PRESENT: Chairperson Kuba, Vice-Chairman Hernandez, Commissioners Dunst, Esparza and Novodor
- ABSENT: None
- STAFF: City Planner McIntosh, City Clerk Saldana and Management Analyst Donayre
- Approval of Agenda:** With one correction to the agenda (the correct address for item 6.C is 2438 Mount Olive Lane, not 2436) Vice-Chairman Hernandez approved the agenda as presented. Commissioner Novodor seconded the motion which carried.
- Approval of June 29, 2016 Minutes:** Vice-Chairman Hernandez made a motion to approve the minutes of the June 29, 2016 Planning Commission meeting. Commissioner Novodor 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 208 Barranca Road:
Commissioners residing within 500 feet of 208 Barranca Road:
None
- 6.B 1488 Lemon Avenue:
Commissioners residing within 500 feet of 1488 Lemon Avenue:
Commissioner Dunst
- 6.C 2438 Mount Olive Lane:
Commissioners residing within 500 feet of 2438 Mount Olive Lane:
None
- Motion:** Commissioner Novodor made a motion to order the Fair Political Practices Report dated July 25, 2016 received and filed. Commissioner Esparza seconded the motion which carried.
- 208 Barranca Road:** *Architectural Review AR 16-004
Neighborhood Compatibility NC 16-004*
- The Planning Commission opened the public hearing for this project on June 29, 2016 and continued the item to tonight's meeting so that the applicant could address certain design and landscape issues.

- Project Description:** City Planner McIntosh stated that this is a request to demolish a 4,400 sq. ft. primary residence and a 1,330 sq. ft. accessory structure, and construct a 20,888 sq. ft. residence and detached 5-car garage of 1,550 sq. ft. in the Beaux Arts style. The project includes a tennis court and new gardens. The Architectural Review is for a structure over 1,000 sq. ft. in size. The Neighborhood Compatibility is for structures greater than one story in height. No variances are required for this project.
- Site Design:** The subject parcel is a trapezoidal shape, with the widest portion of the property occurring along Barranca Road. The current house is on a graded pad toward the front of the property. The proposed primary residence will be located toward the rear of the property.
- Architectural Review:** The project is 35 feet in height and therefore must comply with findings in Section 9.05.060.040E. The Planning Commission expressed concern at the June meeting that the design of the project appears to include a third story area. The applicant has submitted a new ceiling plan for the second floor, which shows the vaulted ceiling in many of the second floor rooms. This does not go as far as staff requested to render the attic area unusable as livable floor area, but a condition in the draft resolution indicates that the attic shall be unconditioned space and not intended for human occupancy. The architect has also reduced the height of four prominent chimneys on the roof that were originally an additional 8 feet high. These chimneys will now be just the minimum height required by the building code.
- Pavilion:** There is a very large, open pavilion in the northwest portion of the property. It is 26 feet in height and would be a decorative feature in the overall landscape of this site. The development code does not have restrictions on these types of structures as long as they are outside of the setback areas, but they must also be considered when evaluation views.
- Neighborhood Compatibility:** Overall, staff is concerned that this project may overwhelm the site, which is 3.39 acres. If the site was a full five acres as is now the minimum lot size in the Bradbury Estates, there would be ample room to create the appropriate setting for the massing proposed. Staff asks that the Commission discuss the overall height, massing, and number of stories to determine if findings of Neighborhood Compatibility can be met and if the 35 feet can be granted.
- Landscape Plan:** An updated landscape plan has been submitted and reviewed by Armstrong & Walker. Conditions are included in the draft resolution. Anna Armstrong was present to answer any questions.
- HOA/CSD Review:** The Bradbury Estates HOA and CSD (Community Services District) have reviewed the plans on several occasions over the past three years, most recently on May 9, 2016. Staff has received a letter with the conditions.
- Address Change:** The HOA conditioned to change the address because 208 is out of sequence. The original address was 200 Barranca. 218 Barranca was suggested. A condition will be added to the resolution to change the address.

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.

Recommendation: Staff recommends that the Commission receive a staff report, receive public testimony and adopt Resolution No. PC 16-254.

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

Speaking in Favor: The architect, Mr. Twen Ma, 195 Mount Olive Drive, Bradbury, stated that he lowered the chimney as requested by the Commission. The upper windows were fixed so now they do not open. In regards to the 35 foot height of the proposed primary residence, Mr. Ma stated that with the French Architecture, proportion is key.

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

Discussion: Commissioner Dunst asked what prevents the third floor from being used. Commissioner Dunst suggested to put language in the building permit stipulating that this is a 2-story, not a 3-story house. Commissioner Esparza wants to make sure we don't set a precedent.

Motion: Chairperson Dunst made a motion to adopt Resolution PC 16-254: A Resolution of the Planning Commission of the City of Bradbury, California, setting forth its findings of fact and decision relating to Architectural Review Application No. AR 16-004 and Neighborhood Compatibility No. NC 16-004 and approving a new residence and landscape features at 208 Barranca Road, Bradbury. Commissioner Esparza seconded the motion, with was carried by the following roll call vote:

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

Motion carried 5:0

Commissioner Dunst: Commissioner Dunst recused herself from the decision making process regarding 1488 Lemon Avenue and left the room.

1488 Lemon Avenue: *Architectural Review AR 16-006
Variance 16-002*

Project Description: City Planner McIntosh stated that this is a request to construct a tennis court and related amenities (fence, lighting, landscape) on a residential property located at 1488 Lemon Avenue in the A-1 Zone. The Architectural Review application is required for a project over 1,000 sf. ft. in size. The Variance is required for encroaching into rear and side yard setbacks with structures (fence and lighting fixtures).

Recommendation:	Staff recommends that the Planning Commission receive a staff report, receive public testimony, and adopt Resolution No. PC 16-257, approving the Major Architectural Review for the tennis court and landscape features, but denying the Variance for the fence and lighting encroachments into the setback areas.
Staff Report:	City Planner McIntosh stated that the Planning Commission can look at the two requests independently. There are no code restrictions on the location of a tennis court surface on a property, outside of making the findings for Major Architectural Review. However, there are specific hardship findings that must be made to grant the variance, which is required for the fencing and lighting as proposed.
Site Design:	<p>The property in question is a flag lot that has an entrance off of Lemon Avenue from a shared driveway that is 335 feet in length and 20 feet in wide. The main portion of the subject lot has a single-family house and garage/pool area that was constructed in 2008. The rectangular, undeveloped portion of the site where the tennis court is proposed extends 191 feet to the east of the house and pool.</p> <p>The lot, and the specific area of the yard in question, is surrounded on four sides by other A-1 properties developed with single-family houses. The property to the north (1524 Lemon Avenue) also has a tennis court located adjacent to the area in question, but it does not appear to have fencing and lighting.</p>
Landscape Review and Conditions:	An aerial photograph of the site shows a number of trees located around the edges of the proposed court area. The City's landscape architect has made a number of suggestions. Due to the proximity of the proposed court to the adjacent properties, staff does not recommend that a variance be granted for the fencing and lighting as proposed.
Engineering:	The City Engineer will require a grading and drainage plan at the time the construction drawings are submitted to building & safety.
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.
Public Hearing Opened:	Chairperson Kuba opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.
Public Testimony:	<p>The applicant, Dominic Marciello with DP Environments, Arcadia, stated that the proposed project would have a minimal impact to the surrounding area. Mr. Marciello thinks that the neighbor's tennis court to the north has fencing, but maybe no lighting.</p> <p>Anna Armstrong, the City's landscape consultant, stated that she visited the site and the oak trees are far away from the construction zone. There is one oak tree close to the driveway that needs to be protected during construction. This should be made a condition of approval. Ms. Armstrong would like to set up an appointment with the applicant to identify the other existing trees.</p>

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

Discussion: The Planning Commission discussed the request for the variance for fencing and lighting. It was the consensus of the Planning Commission that fencing was needed to keep the tennis balls inside the court. Seeing no problem with the request, the Planning Commission decided to grant the variance.

Motion: Commissioner Esparza moved to adopt Resolution No. 16-257: A Resolution of the Planning Commission of the City of Bradbury, California, setting forth its findings of fact and decision approving Architectural Review Application No. 16-006 and Variance Application No. V 16-002 for a tennis court, including fencing and lighting, and landscape features at 1488 Lemon Avenue, Bradbury. Vice-Chairman Hernandez seconded the motion, which was carried by the following roll call vote:

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

Motion carried 4:0

Commissioner Dunst: Commissioner Dunst rejoined the meeting.

2438 Mount Olive Lane: *Architectural Review AR 16-007*
Neighborhood Compatibility NC 16-006

Project Description: City Planner McIntosh stated that this is a request to construct a second-story addition on an existing single-family residence. The existing residence is 3,123 sf. ft. The addition is 1,034 sf. ft. including a covered porch. The new residence will have 4,121 sf. ft. of living area, including the attached 2-car garage. The Architectural Review is for a structure over 1,000 sq. ft. in size. The Neighborhood Compatibility is for height in excess of one story/18 feet.

Zoning: The property is zoned R-20,000, which allows for this 2,320 sf. ft. addition as proposed with a Major Architectural Review and Neighborhood Compatibility approval from the Planning Commission.

Setting and Existing Site Conditions: The property was developed in 1955 with a single-family home. Improvements were made to the property in 1976. Neighboring properties include single-family, single-story homes on all sides and several newer two-story homes to the east on Mount Olive Lane.

Architectural Review: The Planning Commission must make a series of findings when granting the Architectural Review and Neighborhood Compatibility applications. The City of Bradbury Design Guidelines are intended to create aesthetically pleasing, well designed structures. Architectural styles are not dictated to applicants, but the architectural character of every building should be clear and consistent with unifying features.

The existing house is a one-story ranch style home with wood siding, a shingle roof and rectangular windows. This style is characteristic of homes built in Bradbury during the 1950s.

Story Poles: The Planning Commission has the option of directing the applicant to install story poles to indicate the height and location of the addition. It appears the addition will not be a dramatic change to the neighboring properties due to its deep setback in the lot and limited street frontage. However, if there is a concern for views or privacy, the Commission may continue the hearing and ask to story poles.

Landscape: A preliminary landscape plan has been reviewed by the City's landscape consultants, Armstrong & Walker. The Planning Commission indicated that it would like a more formal landscape plan for the project.

Engineering: The site has already been graded for the existing development. Due to the addition, proposed drainage improvements will need to be reviewed during plan check. In addition, this property will be required to obtain health approvals for the septic system upgrades prior to plan check, and a sewer easement will be recorded.

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.

Recommendation: Staff is recommending that the Planning Commission open the public hearing, receive a staff report and presentation of the project by the architect, receive public testimony, deliberate regarding the merits of the project, and adopt Resolution No. PC 16-258.

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

Public Testimony: The architect, Walt Patroske, 2132 A. Gove Avenue, Suite F, Ontario, CA 91761, presented the project to the Planning Commission.

Paul Ciozda, 2436 Mount Olive Lane, stated that he was concerned about the window and balcony, which look over his backyard. Mr. Patroske offered to bring the window up from 4 feet to 5 feet and install landscaping for privacy. Mr. Ciozda stated that moving the window up one foot is not going to make a difference. Commissioner Dunst suggested a horizontal window. It was brought up that the area in question is next to the driveway, so there is no room for landscaping. Commissioner Dunst suggested a hedge.

City Planner McIntosh pointed out that there is a 10-foot sewer easement right in that area and stated that the public hearing may need to be continued to check with the City Engineer.

Bill Klinakis, a building contractor who used to live in Bradbury, suggested to bring out the sewer line to Duarte.

Public Hearing Continued Open: There being no further public testimony, Chairperson Kuba continued the public hearing open.

Motion: Commissioner Novodor made a motion to continue the public hearing open to August 24, 2016 to resolve the issue of the sewer easement with the City Engineer. Commissioner Esparza seconded the motion, which was carried by the following roll call vote:

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

Motion carried 5:0

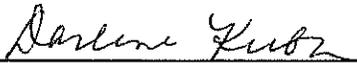
Public Comment: None

Reports and Items for Future Agendas: Commission Members: Nothing to report.

City Manager: Not present

City Planner: City Planner McIntosh distributed the Development Review - Project Status Log for July 2016.

Adjournment: At 8:05 p.m. Chairperson Kuba adjourned the meeting to Wednesday, August 24, 2016 at 7:00 p.m.



Darlene Kuba – Chairperson

ATTEST:



Claudia Saldana - City Clerk