

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF BRADBURY, HELD ON MARCH 25, 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 Hernandez at 7:00 p.m. Chairman Hernandez led the pledge of allegiance.
- Roll Call:** PRESENT: Chairman Hernandez, Vice-Chairperson Dunst, Commissioners Esparza, Kuba and Novodor
ABSENT: None
STAFF: City Manager Keith, City Planner McIntosh, Deputy City Engineer Gilbertson, City Clerk Saldana and Management Analyst Donayre
- Approval of Agenda:** Commissioner Kuba made a motion to approve the agenda as presented. Commissioner Novodor seconded the motion, which carried.
- Approval of February 25, 2015 Minutes:** Commissioner Kuba made a motion to approve the minutes of the February 25, 2015 Planning Commission meeting. Commissioner Esparza seconded the motion, which carried unanimously. Commissioner Novodor abstained.
- Compliance with California Political Reform Act:** In compliance with the California Political Reform 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. The Commissioners disclosed the following information relative to the items contained on the agenda:
- Public Hearing:** 6.A – 425 Mount Olive Drive:
Commissioners residing within 500 feet of 425 Mount Olive Drive:
None
- Motion to Receive and File Report:** Commissioner Kuba made a motion to receive and file the report as presented. Commissioner Novodor seconded the motion, which carried unanimously.
- 425 Mount Olive Drive:** *Architectural Review Application No. AR 15-001
Variance Application No. V 15-001
Neighborhood Compatibility Application No. NC 15-001*
- Background:** City Planner McIntosh stated on May 28, 2014 the Planning Commission approved a remodel and addition to an existing single-family house at 425 Mount Olive Drive. The approval included an Architectural Review and Neighborhood Compatibility permit as well as a Variance for setbacks. Construction began in Fall 2014 and during the construction process the Building Official determined that the existing house had been demolished.

The status of the application was discussed by the Planning Commission at the meeting of February 25, 2015. The Commission determined that findings used to grant the previous approvals were made, in part, due to the location of the existing house. The circumstances of the house now being demolished could have an impact on the findings and conditions for the project. Therefore, the Planning Commission determined that the project as currently proposed is a different project and directed the applicant to resubmit applications and directed staff to agendaize a new, duly noticed hearing. The new project is before the Commission tonight.

Project Description: The Code Solution, on behalf of Rockport Development, LLC, has filed an application to construct a single-family home in the A-2 zone. The property is vacant and has been graded. A majority of the original foundation for the previous house remains, but may or may not be utilized in the construction of the new house.

The property underwent a lot line adjustment in 2013, and is 94,477 square feet in size, exceeding the minimum two acres. The site has an average slope of 14.35% - greater than 10% - and therefore requires conformance to the hillside development standards. The applicant is asking for a variance from the hillside standards.

No Pool in Setback Area: City Planner McIntosh stated that the plans show a future pool located in the setback area. Pools are not permitted in the setback areas, therefore the future pool is not part of the approval and will be taken off the construction drawings.

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 the updated staff report, take public testimony, and adopt Resolution No. 15-240 approving the project.

City Engineer: Deputy City Engineer Gilbertson was present to discuss the grading on this site.

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

Public Testimony: Mr. John Tapei, cousin of the property owner, apologized to the Planning Commission for having to hold another public hearing because of the mistake made by the applicant. Mr. Tapei stated that everything that was approved before stays the same and that he understands that the pool is not part of the approval.

Mr. Juan Mercade, 535 Mount Olive Drive, was concerned about run-off and dirt from 425 Mount Olive onto his property.

Deputy City Engineer Gilbertson stated that the existing V-Gutter at 425 Mount Olive was not maintained before but has been cleaned out now. The inspector was out to check it and the V-gutter should take care of the run-off.

Mr. Mercade also commented on the trees. Of the 14 eucalyptus trees 3 remain and one is leaning on the Edison wire. Mr. Mercade stated that the tree stumps look ugly.

City Planner McIntosh replied that the construction is in the front of the property and the trees are way in the back and staff tried to negotiate with the applicant to cure the issues.

Commissioner Novodor suggested to get the Fire Department involved for brush clearance.

Anne McIntosh stated that the issue with the eucalyptus trees goes back 20 years, but staff could add a condition to the Resolution to have the remaining 3 eucalyptus trees removed.

Commissioner Novodor wanted to know how the City can make sure that the V-Gutter is maintained. City Planner McIntosh stated that we can't and that it becomes a private property issue once construction is completed.

Mr. Mercade would like the applicant to construct a retaining wall. Deputy City Engineer Gilbertson stated that it makes no sense to put a retaining wall above the V-Gutter because it would cause debris to go over the retaining wall. Most of the debris is from the eucalyptus trees anyway and that issue will be taken care of.

Public Hearing Closed:

There being no further public comments, Chairman Hernandez declared the public hearing closed.

Discussion:

Vice-Chairperson Dunst inquired about the trash enclosure. City Manager Keith stated that there are new regulations regarding 2-yard bins.

Chairman Hernandez asked for a list of recreational items that will not be allowed in the setback area. City Planner McIntosh stated that recreational items include tennis courts, pools, decks, etc.

Motion:

Commissioner Kuba made a motion to adopt Resolution No. 15-240 (as amended to strike the pool from the construction plans and require the removal of the remaining 3 eucalyptus trees) approving Architectural Review Application No. AR 15-001, Neighborhood Compatibility Application No. NC 15-001 and Variance Application No. V 15-001 for 425 Mount Olive Drive. Commissioner Novodor seconded the motion, which was carried by the following roll call vote:

Approved:

AYES: Chairman Hernandez, Vice-Chairperson Dunst, Commissioner Esparza, Kuba and Novodor

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried 5:0

City Manager Keith advised the applicant that there will be a 10-day grace period and then a pre-construction meeting before permits can be obtained.

Public Comment: None

Reports and Items for Future Agendas:

Commission Members: Vice-Chairperson Dunst reported graffiti on the Lemon and Royal Oaks Trail. City Manager Keith stated that due to two tagging crews there is lots of recent activity, including three shootings in Duarte in the last week. If you see any graffiti, please take a picture and report it to City Hall.

There has also been an increase of homeless people on Buena Vista, particularly in the parking lots of Ralphs and Big Lots, so shoppers should be careful.

Commissioner Kuba reported that the catch basin at the entrance to Lemon Trail is full of debris and sediment and the clog-up causes run-off on rainy days onto the three properties located west of the trail. City Manager Keith stated that she and Deputy City Engineer Gilbertson will have a look at it.

City Manager: City Manager Keith introduced the City's new Management Analyst, Julio Donayre.

City Manager Keith stated that terms for the Planning Commissioners of Districts 1, 3 and 5 are up in April and suggested that they contact their respective Council representatives if they wish to be re-appointed. The Planning Commission will also reorganize in April.

Commissioner Esparza inquired how the City Council's discussion with Cal-Am Water regarding billing practices went. City Manager Keith stated that it's an ongoing issue.

City Planner: City Planner McIntosh stated that the City Council reviewed Draft Ordinance No. 339 at its March meeting and one provision of the Demo Ordinance will come back to the Planning Commission for revision.

City Planner McIntosh stated that the Development Team will meet on Monday, March 30, therefore the Monthly Project Status Report for March 2015 is not available yet.

Adjournment:

At 7:50 p.m. Chairman Hernandez adjourned the meeting to Wednesday, April 27, 2015 at 7:00 p.m.



Frank Hernandez – Chairman

ATTEST:

Claudia Saldana
Claudia Saldana - City Clerk