

**MINUTES OF A SPECIAL MEETING OF THE PLANNING COMMISSION
OF THE CITY OF BRADBURY, HELD ON SEPTEMBER 30, 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, Hernandez and Kuba
ABSENT: None
STAFF: City Planner McIntosh, City Clerk Saldana and Management Analyst Donayre

Approval of Agenda: Commissioner Kuba made a motion to approve the agenda as presented. Vice-Chairperson Esparza seconded the motion, which carried.

Approval of July 22, 2015 Minutes: Commissioner Hernandez made a motion to approve the minutes of the July 22, 2015 Planning Commission meeting. Commissioner Dunst seconded the motion, which carried.

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.

Public Hearings:

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

6.B 388 Long Canyon Road
Commissioners residing within 500 feet of 388 Long Canyon Road:
Commissioner Hernandez

6.C 330 Mount Olive Drive
Commissioners residing within 500 feet of 330 Mount Olive Drive:
Chairman Novodor

14 Bradbury Hills Road: *Architectural Review Application No. AR 15-006
Variance Application No. V 15-004*

Project Description: City Planner McIntosh stated that this is a request to construct an attached 1,083 square foot addition (second unit) and 441 square foot two-car garage to a single-family house 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 variance is required for a reduction of required front and side yard setbacks pursuant to the hillside development standards.

Environmental Review: The proposed project is Categorical 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.

Project Analysis:

This application has been in the planning review process since February 2015, due to several changing site conditions that 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 review 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 1980's, but had not been accurately depicted on the site plan. We notified the applicant who then redesigned the project to maintain the 25-foot side yard setback from that revised side lot line. Finally, the applicant contacted the City in August to inform us 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.

City Planner McIntosh stated that with all these changing conditions, this application is just now ready to be considered by the Planning Commission.

Recommendation:

Staff recommends that the Planning Commission close the public hearing and adopt Resolution No. 14-246 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:

Steve Sun, Architect, made his power point presentation to the Commission. Mr. Sun stated that the addition will match the existing craftsman style.

Tony Tulleners, 16 Bradbury Hills Road, stated that he had no objections to the project as long as the setbacks are met. Mr. Tulleners also stated that no one seems to live at the property.

City Planner McIntosh stated the subject property falls under the hillside development standards, which require 100 foot setbacks from all property lines. However, the setbacks meet the underlying A-2 setback requirements. The current house precedes the hillside standards.

Commissioner Hernandez stated that the City Council wants the Planning Commission to be careful about granting variances from the hillside setback requirements.

Commissioner Kuba asked for a report on other properties on Bradbury Hills Road that had been granted variances from setback requirements.

Landscape Architect Report:

Anna Armstrong, the City's landscape consultant, reported that she did visit the site. The oak tree that fell died of natural causes from a fungus in the soil. It is recommended to plant other species not susceptible to this fungus. There are 10 Engelmann oaks onsite that need protection during construction.

**Motion to Continue
Public Hearing:**

Commissioner Kuba made a motion to continue the hearing to November. The applicant was directed to submit an updated landscape plan with an accurate tree list, including the 10 Engelmann oaks. Staff was directed to prepare a matrix on setback Variances on Bradbury Hills Road. Vice-Chairperson Esparza seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion carried 5:0

**Commissioner
Hernandez Recused:**

Commissioner Hernandez recused himself from the decision making process regarding 388 Long Canyon Road and left the room.

**388 Long Canyon
Road:**

Architectural Review Application No. AR 15-009
Neighborhood Compatibility Application No. NC 15-008
Variance Application No. V 15-006

Background:

City Planner McIntosh stated that this project was first approved by the Planning Commission on January 13, 2013. The applicant submitted construction drawings to plan check but had delays in meeting fire department fuel modification requirements and structural calculations for the glass atrium that would be constructed over the courtyard. During the period that the plans were in plan check, the Architectural Review, Neighborhood Compatibility and Variance entitlements expired.

De-Novo Hearing:

At this time the applicant is re-applying for the same permits that were issued in 2013. This report essentially contains the same information that was in the previous staff report. There are a few exceptions related to landscape requirements. Tonight's hearing is a "de-novo" hearing, meaning that the Commission may reconsider any discretionary decisions, regardless of the previous approval.

Project Description:

The property owner, Hieu Tai Tran, and his representative, Steven Phillips (architect), are requesting approval of plans to:

1. Convert a portion of an existing 6-car garage into habitable space (1,570 sq. ft.);
2. Construct a new 1,818 sq. ft. 4-car garage
3. Construct a new 1,120 sq. ft. second story bedroom/office; and
4. Install a metal framed glass roof over an existing courtyard (1,250 sq. ft.).

The result of the proposed construction will be the creation of an eleven 11-bedroom, fifteen 15-bathroom, 23,920 square foot two-story single-family dwelling unit with an attached 4-bedroom, 4-bath, 2,492 square foot second dwelling unit.

Environmental Review: The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Minor Additions) of the CEQA Guidelines.

CSD/HOA Review: The project was reviewed by the Bradbury Estates CSD and HOA on July 13, 2015. They approved the plans as it had originally been approved by the Planning Commission in January 2013 and re-submitted on August 6, 2015.

Project Analysis: The property is zoned A-5 and allows for the uses proposed with a Major Architectural Review Permit and Neighborhood Compatibility approval from the Planning Commission.

Landscape Report by Anna Armstrong: One issue that staff feels was not adequately addressed in the previous approval is landscape requirements. According to the review by the City's landscape consultants Armstrong & Walker, the LA County Fire Department approved Fuel Modification Plans which designate existing trees to be removed, have little information pertaining to new landscape. A few new or replacement trees are shown, but not the quantity that would be required under normal City mitigation conditions. Further, the extent of this addition makes the project subject to the City's Water Efficient Landscape Standards. We are recommending that the Commission require the landscape to be brought into compliance with the requirements as a condition of approval and tree replacement according to the City's requirements.

Recommendation: Staff recommends that the Planning Commission close the public hearing and determine that the findings and conditions can be made which approve the environmental categorical exemptions and conditionally approve the proposed development by adopting Resolution No. 14-247.

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 architect, Mr. Steven Phillips, presented the project to the Commission. There were no further public comments.

Motion to Continue Public Hearing: Commissioner Kuba made a motion to continue the hearing and directed the applicant to submit an arborist report and a landscape plan. Vice-Chairperson Esparza seconded the motion, which was carried by the following roll call vote:
AYES: Chairman Novodor, Vice-Chairperson Esparza, Commissioners Dunst and Kuba
NOES: None
ABSENT: None
ABSTAIN: Commissioner Hernandez

Motion carried 4:0

Commissioner Hernandez: Commissioner Hernandez rejoined the meeting.

Chairman Novodor Recused: Chairman Novodor recused himself from the decision making process regarding 330 Mount Olive Drive and left the room.

330 Mount Olive Drive: *Architectural Review Application No. AR 15-007*
Neighborhood Compatibility Application No. NC 15-006
Variance Application No. V 15-005

Project Description: City Planner McIntosh stated that this is a request by Steve Phillips, Architect, to construct a new two-story, single-family dwelling on a vacant, previously undeveloped lot. The gross building area, inclusive of a subterranean 5-car garage, is 11,381 square feet. The major architectural review is required for new construction over 1,000 square feet. Findings of neighborhood compatibility are required because the structure is two stories. The variance is required for a reduction of required front and side yard setbacks due to the location of the existing graded pad on the site.

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.

Noticing: Due to the confusion over the exact property boundaries, staff received two sets of labels from the applicant – one for the original lot configuration, which has a flag to Mount Olive, and one for the revised lot configuration that is recorded with the County Assessor. Staff took the conservative approach and mailed the notice to all property owners on both lists.

Project Analysis: The property is zoned A-2, which allows for this development as proposed with a Major Architectural Review Permit and Neighborhood Compatibility approval from the Planning Commission. A variance must be granted to allow for reduced setbacks.

City Planner McIntosh stated that it should be noted that there is an as yet unresolved discrepancy between the applicant's calculation of the lot area and what is shown on the Assessor's Parcel map for this parcel number. This affects whether or not the project is subject to hillside standards and also may affect the lot coverage that is shown.

Lot Configuration: The code definitions for front and rear lot lines do not really apply in the same way they would with a more traditional lot configuration. This lot does not have street frontage, but rather an access easement.

Variance Request: City Planner McIntosh stated that there are two sets of setback requirements to consider. First, this property must comply with the Hillside Development Standards. This was acknowledged when the original grading permit was issued with a variance in 2003. Based on the site area of 2 acres, with a slope of 31%, the setbacks are required to be 100 feet. The front and side yard setbacks are not 100 feet. Second, even using the underlying A-2 Standards which will be employed if the site is 1.35 acres as indicated by the Assessor, the setbacks are 50 feet in the front and 25 feet on the side and rear. The proposed features located in the setback areas are the pool and cabana along the front yard line.

Staff has no alternative but to deem the front yard to be the side of the lot that is closest to Mount Olive. Therefore, the pool, cabana, and house are all located in the front yard setback of the A-2 Zone.

In order to grant a variance request, the Commission must find that this lot does not afford similar opportunities that are found on similar properties in the vicinity. Staff believes that the unusual topography and shape of the lot qualify as unique site characteristics.

Recommendation:

Staff recommends that the Planning Commission close the public hearing and determine that the findings and conditions can be made to approve the Environmental Categorical Exemptions, conditionally approve the proposed development, and direct staff to prepare a resolution of approval for the Commission's adoption at the next meeting.

**Public Hearing
Opened:**

Vice-Chairperson Esparza opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

Public Testimony:

The architect, Mr. Steven Phillips, presented the project to the Commission. Mr. Stevens stated that the site has been developed into three buildable lots with a common driveway. A Sewer Reimbursement District has been formed to connect all three lots to the public sewer. Mr. Stevens presented a 3-D model of the proposed project and stated that the house conforms to the 28 foot height limit.

Mr. Phillips stated that the three property owners have formed an HOA to maintain hillside landscaping.

Rosemary, the landscape designer, presented a slide show.

Commissioner Kuba wanted to see the arborist report, which City Planner McIntosh handed to her. The City's landscape consultant, Anna Armstrong, did a detailed review of the plans, which are pretty much complete.

The property owners of Lot 6, Hernan Segura and Ilda Gomez, and Lot 8, Hou Siem Alfredo and Patricia Hou Siim Fung, were also present.

Mr. Patel, property owner of 330 Mount Olive Drive, stated that he has been working on this project for two and a half years and needed clarification on what he needed to do now to move forward.

Mrs. Barbara Chang, 2320 Rim Road, Duarte, stated that she thinks she owns part of the parcel addressed as 330 Mount Olive Drive. The Commissioners directed staff to follow up with Mrs. Chang.

**Motion to Continue
Public Hearing:**

Commissioner Kuba made a motion to continue the hearing and directed the applicant to resolve the calculation of the lot area and lot configuration or have staff contact the County, if necessary. Vice-Chairperson Esparza seconded the motion, which was carried by the following roll call vote:

AYES: Vice-Chairperson Esparza, Commissioners Dunst, Hernandez and Kuba

NOES: None

ABSENT: None

ABSTAIN: Chairman Novodor

Motion carried 4:0

Chairman Novodor: Chairman Novodor rejoined the meeting.

Public Comment: None

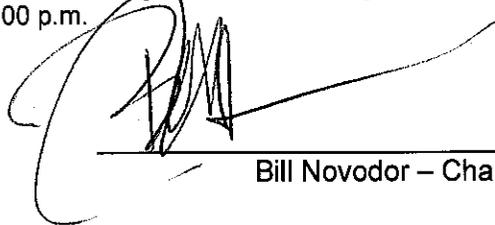
Reports and Items for Future Agendas: Commission Members: Commissioner Dunst thanked staff for moving the November and December meeting dates to accommodate the holidays.

Commissioner Kuba reported RV parking at 1409 Royal Oaks Drive North and asked staff to look into it.

City Manager: Not present

City Planner: City Planner McIntosh distributed the Development Project Status Report for September 2015.

Adjournment: At 9:00 p.m. Chairman Novodor adjourned the meeting to Wednesday, October 28, 2015 at 7:00 p.m.



Bill Novodor – Chairman

ATTEST:

Claudia Saldana
Claudia Saldana - City Clerk