

**MINUTES OF A REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF BRADBURY,  
HELD ON FEBRUARY 22, 2012 AT 7:00 PM  
IN THE BRADBURY CIVIC CENTER**

- Meeting Called to Order:** The meeting of the Planning Commission of the City of Bradbury was called to order by Chairperson Dunst at 7:00 p.m.
- Oath of Office:** City Manager Keith administered the Oath of Office to Susan Esparza, who was appointed by the City Council on February 21 to replace Joe Gifford as Planning Commissioner for District Four.
- Pledge of Allegiance:** Chairperson Dunst led the pledge of Allegiance.
- Roll Call:** PRESENT: Chairperson Dunst, Vice-Chairman Novodor, Commissioners Hernandez and Esparza  
ABSENT: Commissioner Kuba  
STAFF: City Manager Keith and City Planner Meyer
- Commissioner Kuba Excused:** Vice-Chairman Novodor made a motion to excuse Commissioner Kuba from the meeting. Commissioner Hernandez seconded the motion, which carried.
- Approval of Agenda:** Vice-Chairman Novodor moved to approve the agenda as presented. Chairman Dunst seconded the motion, which carried unanimously.
- Approval of Jan. 25, 2011 Minutes:** The approval of the minutes of the January 25, 2012 Planning Commission meeting was continued to the next meeting.
- 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:
- 2428 Mount Olive Lane:** Commissioners residing within 500 feet of 2428 Mount Olive Lane:  
*None*
- AR 06-197 for 2428 Mount Olive Lane (Elizabeth Iglesias):** City Planner Meyer stated that the applicant, Ms. Elizabeth Iglesias, is seeking final approval of the project. Staff inspected the property in question and determined that two conditions, established by the Planning Commission in Resolution No. 06-158.PC, have not been met.
- The property owner/applicant is requesting relief from Condition No. 5 and Condition No. 9 of Planning Commission Resolution No. 06-158.PC.
- Site Visits:** Vice-Chairman Novodor and Commissioner Esparza disclosed that they visited the site.

**Analysis:** The Planning Commission, at its meeting of January 25, 2012 continued this item to the February 22, 2012 meeting.

On June 28, 2006, the Planning Commission adopted Resolution No. 06-158.PC. Among other things the Planning Commission required compliance with the following two conditions of approval:

**Conditions  
No. 5 & 9:**

**Condition No. 5:** "The applicant shall dedicate to the City of Bradbury a 10-foot wide easement for public utility and sewer purposes. The easement shall be parallel with and adjacent to the southerly property line. The dedication documents shall be prepared to the satisfaction of the City Engineer and the City Attorney."

**Condition No. 9:** "Vehicular access gates shall not be located closer than 20 feet to the public street easement line. The design of the access gate shall be consistent with the City's design guidelines. Not more than two lights may be installed at the entry gates. The light fixtures shall be non-glare and shall be shaded so as to eliminate glare visible from surrounding properties."

**Sewer Public  
Easement:**

When the Planning Commission reviewed the subject development plans in 2006, the City Council was interested in providing opportunities to the residents to extend the public sewer in a northerly direction along Mount Olive Drive. In order to serve the dwelling units located on Mount Olive Lane, a sewer easement would be needed. Therefore, the Planning Commission imposed the condition for the dedication of the public sewer easement.

Due to a public opposition to the cost of the sewer line extension, the City Council is not currently pursuing its goal to extend the public sewer in Mount Olive Drive. The subject public sewer easement is currently not urgently needed for the benefit of the community.

City Planner Meyer stated that the Planning Commission may determine that the required easement is no longer of public benefit and it may eliminate Condition No. 5.

**Vehicle  
Access Gate:**

City Planner Meyer stated that the existing vehicle access gate was constructed on the subject property over two decades ago. Staff cannot find a permit in the files. The Planning Commission may wish to have the existing gate removed or it may consider the existing gate as a non-conforming item and rule that the intent of Condition No. 9 has been satisfied.

**Environmental  
Assessment:**

The subject remodel and expansion of the single-family dwelling unit was found to be categorically exempt from the provisions of the California Environmental Quality Act. No additional environmental review is required as a result of the applicant's request to seek relief from two conditions of approval.

**Recommendation:**

The Planning Department recommends that the Planning Commission review the applicant's request and provide direction to staff.

**Public Input:**

Chairperson Dunst opened the discussion for public input.

**Discussion:** Dan Jossart spoke on behalf of the property owner, Elizabeth Iglesias. He wanted to know if the sewer line would run along Mount Olive Drive. City Planner Meyer explained that the sewer line would be for the lots across the rear of the property, not the front of the property. Mr. Jossart stated that 2416 Mount Olive Lane, the property next to Mrs. Iglesias, did not have to get an easement for the sewer line. City Planner Meyer stated that the cost to get an easement is minimal.

Regarding Condition No. 9 Dan Jossart stated that the gates have been there a long time and that it's a small cul-de-sac. Mrs. Iglesias's is reluctant to remove the gates because of crime in the neighborhood and is hoping not to have to meet the requirement of remove or relocate the gate at this time.

**Public Input Closed:** Chairperson Dunst closed the discussion for public input.

**Discussion:** Chairperson Dunst felt that there was no consistency regarding the public sewer easements.

**Motion regarding Condition No. 5:** Commissioner Hernandez made a motion to eliminate Condition No. 5 regarding the dedication of a 10-foot wide easement for public utilities. Ms. Iglesias is no longer required to dedicate a public utility easement to the City of Bradbury. Chairperson Dunst seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: Commissioner Kuba

Motion passed 4:0

**Motion regarding Condition No. 5:** Commissioner Hernandez made a motion to deny eliminating Condition No. 9. regarding the location of the existing vehicle access gate. Chairperson Dunstan seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: Commissioner Kuba

Motion passed 4:0

**Commissioner Hernandez:** Commissioner Hernandez clarified that if the vehicular access gates were removed then Condition No. 9 of Resolution No. 06-158 would be satisfied.

**City Planner:** City Planner Meyer stated that it is important that the vehicle access gates be brought into conformance with the City's Zoning requirements within 30 days. Failure to complete the requirements of approval of will result in a requirement to pay the building department the fees required to extent the expiration date of the building permits.

**Public Comment:** None

**Reports and Items  
for Future Agendas:** Planning Commissioners: Nothing to report.

City Manager: Nothing to report.

City Planner: Mr. Meyer presented the Planning Department Project Status Log dated February 10, 2012.

**Adjournment:** At 7:50 p.m. the meeting was adjourned to Wednesday, March 28, 2012 at 7:00 p.m.



Karen Dunst - Chairperson

ATTEST:

  
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Claudia Saldana - City Clerk