

**MINUTES OF A REGULAR MEETING OF THE  
PLANNING COMMISSION OF THE CITY OF BRADBURY,  
HELD ON JULY 22, 2009 AT 7:30 PM  
IN THE COUNCIL CHAMBERS AT CITY HALL**

**Meeting Called to Order:** The meeting of the Planning Commission of the City of Bradbury was called to order by Chairman Hernandez at 7:30 p.m.

**Pledge of Allegiance:** Chairman Hernandez led the pledge of Allegiance.

**Roll Call:** PRESENT: Chairman Hernandez, Vice-Chairman Dunst, Commissioners Gifford and Ryan  
ABSENT: Commissioner Kuba  
STAFF: City Planner Meyer, City Manager Keith and City Clerk Saldana

**Commissioner Kuba Excused:** Commissioner Ryan made a motion to excuse Commissioner Kuba from the meeting. Commissioner Gifford seconded the motion, which carried.

**Approval of Agenda:** Commissioner Gifford move to approve the agenda as presented. Vice-Chairman Dunst seconded the motion, which carried.

**Minutes of June 24, 2009 Approved:** Commissioner Gifford moved to approve the Planning Commission Meeting Minutes of June 24, 2009. Commissioner Ryan 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. The Commissioners disclosed the following information relative to the items contained on the agenda:

**Agenda Items:** Specific Plan No. SP 05-01 – Amendment No. 1 for Sharon Hill Lane (Sheng Development)

Commissioners living within 500 feet of Sharon Hill Lane:  
*None*

**Motion to Receive and File Staff Memo:** Commissioner Gifford made a motion to receive and file the staff memorandum dated July 22, 2009. Vice-Chairman Dunst seconded the motion, which carried.

**Public Hearing Specific Plan No. SP 05-01 - Amendment No. 1 for Sharon Hill Lane:** City Planner Meyer stated that the applicant, Mr. John Sheng, is requesting approval of plans to install an 8-foot high wrought iron vehicular access gate across the private street (Sharon Hill Lane) that provides access to four residential estate parcels of land. On June 20, 2006, the City Council adopted Specific Plan No. SP 05-01, which created unique development standards for the 9.14 acre site.

**General Plan:** The Specific Plan is in conformance with the goals and objectives of the City's General Plan. The proposed vehicular access gate does not comply with the development standards set forth in the Specific Plan document. The applicant is requesting that the development standard prohibiting the access gates be eliminated.

**Zone:** The subject property is zoned A-2-SP (Agriculture/Residential 1-acre minimum Specific Plan). The property contains 9.14 gross acres of land area and is subdivided into five lots. Four of the lots are designated for residential development and one parcel is designated as permanent open space.

**Surrounding Land Uses and Zoning:** The subject property is surrounded on the west and south by property zoned A-2. The property to the north is located in the City of Duarte and it is zoned and utilized by the Los Angeles County Flood Control District as a debris basin. The property to the east is located in the City of Duarte and it is zoned and utilized for single-family residential development.

**Environmental Assessment:** The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities) and 15332 (In-Fill Development Projects).

**Recommendation:** The Planning Department recommends that the Planning Commission take the following action:

- A. Approve an environmental Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA); and
- B. Adopt a Resolution recommending that the City Council amend Specific Plan No. SP 05-01 by eliminating the restriction regarding the construction of vehicular access gates across the private street (Sharon Hill Lane).

**Letters:** City Planner Meyer stated for the record that the City has received two letters in opposition to Specific Plan No. SP 05- 01 - Amendment No. 1: one from John and Carol Wallace, 209 Westvale Road, Duarte, and the other from the City of Duarte.

**Speaker Cards:** Staff handed out "Speaker Cards" (Voluntary Request to Address the Planning Commission). This form is intended to assist the Chairperson in ensuring that all persons wishing to address the Commission will have the opportunity to be heard in an orderly manner and to ensure correct spelling of names in the Meeting Minutes. One gentleman in the audience adamantly refused to fill out the card, accusing staff of trying to take away his rights. City Manager Keith told him that he could still address the Planning Commission, but that he would be last. He was also asked not to interrupt the proceedings.

**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. Chairman Hernandez asked the applicant to speak first.

**Applicant:** The applicant, Mr. John Sheng, stated that he would like to install the access gate to avoid graffiti and minimize street repair and street sweeping costs for the private street. Mr. Sheng was also concerned about liability for the HOA if the public has access to the debris basin, which he considers an attractive nuisance.

**Public Input:** Michael Fortanasce, 1531 Glen Oaks Blvd., Pasadena, stated that he was interested in buying one of the lots in the development and thought it would be nicer with the gate and was also concerned about the liability.

Art Ohanian, 201 Westvale Road, Duarte, reported that there have been two recent robberies and thought that a fence/gate would make the area more secure and also be an animal deterrent (i.e. bears, mountain lions).

Bob Reid, 213 Westvale Road, Duarte, presented another letter in opposition, signed by six Duarte property owners (Bob and Linda Reid, Matthew & Candie Chew, Marty & Ruth Stubbs, John & Carol Wallace, Ron & Michi Oba, and Don & Julie Eagles). Mr. Reid felt that the gate would make the Duarte neighbors feel like second class citizens. City Planner Meyer asked Mr. Reid to supply the addresses of the parties that signed the letter.

Victor De Los Santos, 406 Mt. Olive Drive, Bradbury, stated that the proposed project is beautiful and that the gates would add security.

Tzeitel Paras-Caracci, Duarte Councilmember, stated that Duarte residents are affected by the construction, not Bradbury residents. Ms. Paras-Caracci wanted to know if the Planning Commissioners had visited the site. Ms. Paras-Caracci asked the Planning Commission to honor what the Bradbury City Council decided two years ago (no gate), when adopting the Specific Plan.

Leno/Leo Paras, a Duarte resident who did not wish to state his address, stated that it was an ungentlemanly act of Mr. Sheng to renege on the previous agreement not to install the gates.

**Rebuttal:** Mr. John Sheng stated that the drainage he put in benefitted the neighbors too and that is it easier to see/visualize the need for the gate now than it was before.

**Discussion:** Commissioner Gifford didn't like that the applicant wanted to change things now and said he would vote "no" on the gate.

Vice-Chairman Dunst stated that she hadn't been to the site yet. Ms. Dunst said she understood the concerns Mr. Sheng had and didn't think that the gate was loathsome or offensive.

Commissioner Ryan stated that he had visited the property this afternoon. Mr. Ryan agreed that the drainage channel could be an attractive nuisance and stated that he would have the same concerns as the developer.

Chairman Hernandez felt that the applicant should have brought all the cards to the table at the time the project was reviewed two years ago and felt that Mr. Sheng needs to stand behind what was approved.

It was agreed that there were too many different opinions. Vice-Chairman Dunst stated she would like to hear what Commissioner Kuba thinks as well as have the opportunity to visit the site.

Commissioner Gifford also agreed he wished to visit the site.

City Planner Meyer recommended continuing the Public Hearing to next month and giving everyone the opportunity to visit the site. Mr. Meyer also stated that the end result will be a recommendation by the Planning Commission to the City Council. The final decision will be made by the City Council.

**Motion to Continue Public Hearing to June:** Commissioner Ryan made a motion to continue the Public Hearing for Specific Plan No. SP 05-01 - Amendment No. 1 to the Aug. 26, 2009 Planning Commission meeting. Commissioner Gifford seconded the motion, which carried.

**Public Comment:** Duarte Councilmember Tzeitel Paras-Caracci thanked the Commission for listening to the concerns of the residents of the City of Duarte.

**Reports and  
Items for Future  
Agendas:**

Commission Members: Vice-Chairman Dunst reported on the Cal-Am Water rate increase issue. Ms. Dunst stated that she is in email contact with the law firm that handles the case for Cal-Am and that she made a public records request. Ms. Dunst is specifically looking for a contract between the City of Bradbury and Cal-Am Water, not the franchise agreement. Vice-Chairman Dunst stated that a lot of new projects in the City have problems getting approval from the Fire Department because of low fire flow. Some property owners have trouble coming up with the money for required infrastructure to meet the requirements.

City Manager: City Manger Keith reported on the status of the "Lemon" Equestrian Trail improvements. Ms. Keith also asked the Commissioners to review their FPPC Statements and attached schedules.

City Planner: City Planner Meyer stated that 338 Mt. Olive Drive (Avakian) and the Shalabi project at 460 Old Ranch Road are being held up and may have to start over.

**Adjournment:**

At 9:00 PM, Commissioner Gifford made a motion to adjourn the meeting to Wednesday, August 26, 2009, at 7:30 p.m. The motion was seconded by Vice-Chairman Dunst.

ATTEST:

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Frank Hernandez - Chairman

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Claudia Saldana - City Clerk