

**MINUTES OF AN ADJOURNED MEETING OF THE
PLANNING COMMISSION OF THE CITY OF BRADBURY,
HELD ON NOVEMBER 18, 2009 AT 7:00 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 7:00 p.m.

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

Roll Call: PRESENT: Chairman Hernandez, Vice-Chairman Dunst, Commissioners Kuba, Gifford and Ryan

ABSENT: None

STAFF: City Planner Meyer, City Manager Keith and City Clerk Saldana

Approval of Agenda: Commissioner Ryan moved to approve the agenda as presented. Commissioner Kuba seconded the motion, which carried.

Approval of September Minutes: Commissioner Ryan moved to approve the minutes of the September 23, 2009 Planning Commission meeting. Commissioner Gifford seconded the motion, which carried. Commissioner Kuba abstained.

Approval of October Minutes: Commissioner Kuba moved to approve the minutes of the October 28, 2009 Planning Commission meeting. Commissioner Ryan seconded the motion, which carried. Vice-Chairman Dunst and Commissioner Gifford 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:

Agenda Items: Historic Building Preservation Policy:
Citywide

Motion to Receive and File Staff Memo: Commissioner Gifford made a motion to receive and file the staff memorandum dated November 18, 2009. Commissioner Kuba seconded the motion, which carried.

Historic Building Preservation Policy:	City Planner Meyer stated that the State of California notified the City that it is deficient in its development policies concerning the preservation of buildings and structures that may have historical significance to the community. The City Council has directed the Planning Commission to examine methods of protecting and preserving buildings and structures of local historical significance.
General Plan:	The City's adopted General Plan contains a Conservation Element that is designed to protect and maintain the City's natural and cultural resources, and to prevent their wasteful exploitation and destruction. Regulations and policies adopted by the City to preserve buildings and structures of historical significance are in keeping with the goals and objectives of the City's General Plan.
Zone:	The subject development policy that would act to preserve buildings and structures of historical significance would be applicable to all zones.
Environmental Assessment:	The proposed project is Categorical Exempt from the provisions of the California Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation).
Background:	The Planning Commission conducted public hearings on this matter on June 24, August 26, September 23 and October 28, 2009. The owners of the four parcels of land were invited to provide input. The October hearing was continued to November 18 to allow sufficient time for the property owners to address the Commission and for staff to expend the project analysis in response to previous testimony and direction from the Commission.
Definitions of Historical Significance:	Staff reviewed historical preservation ordinances from the cities of Ontario, Pasadena and Sierra Madre. In addition, the Secretary of the Interior's "Standards for Treatment of Historic Properties" were downloaded from the internet. The following is the federal definition of a historic landmark:
Historic Landmark:	Historic Landmark means any improvement or natural feature that meets the criteria identified in a local ordinance or is nominated to the National Register of Historic Places of the California Register of Historic Resources. Historic Landmarks can be sites associated with local, state or national cultural, social, economic, political or natural history of the community or it reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of park or community planning.

Architectural Significant Landmark:

Architectural significant landmarks are representative of the work or is one of a few remaining examples of a notable builder, designer or architect, or, it embodies distinctive characteristics of a style, type, period or method of construction, or, is a valuable example of architectural achievement or innovation such as the use of indigenous materials or craftsmanship.

Local Historic Landmark:

Cities are provided with the opportunity to identify and locate local historic landmarks. However, cities should develop criteria to identify sites that may have historic significance to the community. Potential Local Historic Landmarks include sites and structures, located in a community, that comply with locally adopted criteria that define items or issues of historical significance. Bradbury does not have criteria that define local historic landmarks.

Potential Historical Locations:

Staff tentatively identified four parcels of land that may contain buildings or structures of historical significance to the community:

1. **2001 Royal Oaks Drive North** (aka 2010 Gardi Street) – the existing two-story main dwelling unit.
2. **1775 Royal Oaks Drive North** – the buildings commonly referred to as the barn, stone milk house and the cistern.
3. **5 Bradbury Hills Road** – the main single-story dwelling unit.
4. **555 Deodar Lane** – the two-story dwelling commonly referred to as the stone carriage house.

Notification:

The owners of the above four parcels of land were invited to provide the Planning Commission with testimony regarding designating the sites as historically significant to the City of Bradbury. Three of the property owners appear to support a policy or program recognizing the local historical significance of certain buildings or structures located on their property provided that they are not prohibited from making alterations to the interior of the structures or unduly restricted from making improvements to the structures. The fourth property owner is very concerned that the City will create restrictions that will hamper his plans to sell the site for possible future subdivision and development.

Recommendation:

It is recommended that the Planning Commission adopt a Resolution recommending that the City Council

1. Adopt a map identifying parcels of land that contain buildings or structures of historical significance to the community; and
2. Specifically identify buildings, structures and locations that are of historical significance to the community;

Recommendation:

3. Adopt a policy that prohibits the Planning and Building Department staff from issuing permits for the exterior expansion or demolition of building and structures identified as having historical significance to the community; and
4. The installation of solar panels and the re-roofing of building and structures having historical significance to the community with similar or in-kind material is exempt from this policy; and
5. Confine the Planning Commission's review of expansion or demolition of buildings and structures having historical significance to the community for the following:
 - Determine that the construction activity complies with the City's development standards and design guidelines; and that the appearance of the proposed additions is consistent with the architectural style or concept of the original building.
 - Determine that if a building or structure of local historical significance is to be demolished, it shall be adequately photographed and documented. All reasonable efforts shall be made to create a written and graphic history of the building or structure before it is demolished. The documentation program shall be provided at no cost to the applicant or property owner.
 - Determine that all reasonable alternatives to the expansion or demolition of buildings or structures have been examined; and that effort has been expended to reconcile the applicant's construction objectives with the City's desire to preserve buildings and structures of historical significance to the community.
 - Determine that the applicant's construction objectives are not unduly restricted as compared with the development opportunities afforded to owners of similar property that does not contain buildings or structures of historical significance to the community.

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:**

Yvonne Rohan, property owner of 2001 Royal Oaks Drive North aka 2010 Gardi Street stated that she and her husband don't agree with their property being on the list of buildings of historical significance as they plan to sell the property next year and subdivide it into 3 or 4 lots. City Planner Meyer stated that the property could probably only be divided into two lots, but all of this dependent upon a development application and a specific project.

Diane Kester, 1447 Royal Oaks Drive North, stated that the intent of the City is clear, but the (policy) language is not. City Planner Meyer reiterated that the City's intent is not to prevent property owners from getting a demolition permit, but to give the City an opportunity to take pictures of structures to have a historical record or to allow interested parties to move these structures to a different location.

Ann Armstrong, 1775 Royal Oaks Drive North, asked if that meant property owners have to wait two month before getting a permit. Mr. Meyer confirmed that there would be a waiting period.

**Public Hearing
Closed:**

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

Discussion:

Commissioner Kuba wanted to know if the Rohans can "opt" out? City Manager Keith stated that the City is trying to make it easier for the Rohans in regards to CEQA (California Environmental Quality Act) requirements for structures 100 years and older, which their building falls under.

Vice-Chairman Dunst wanted to know what the absolute minimum was the State was requiring cities to do. City Manager Keith replied it's what staff is proposing.

Ann Armstrong wanted to know what would happen if the City did nothing. Ms. Keith stated that it wouldn't change the CEQA requirements and that our internal list would not be given to the State.

Yvonne Rohan asked again if they could be taken of the list and inquired about CEQA. City Planner Meyer stated that he would not issue a demolition permit for the Rohan house without prior Planning Commission review because of CEQA requirements.

Discussion:

Chairman Hernandez stated that the City Council asked the Planning Commission to do this and the Planning Commission has to make a recommendation to the City Council. Chairman Hernandez recommended that being on the list be voluntary.

Motion: Commissioner Kuba moved to adopt Resolution No. 09-200.PC, a Resolution of the Planning Commission of the City of Bradbury, California, setting forth its findings of fact and recommendation relative to development policies regarding the preservation of buildings, structures and locations having historical significance to the community. Vice-Chairman Dunst seconded the motion, which was carried by the following roll call vote:

Approved: AYES: Chairman Hernandez, Vice-Chairman Dunst, Commissioners Kuba, Gifford and Ryan
NOES: None
ABSENT: None

City Council Meeting: City Planner Meyer stated that this item will be on the January 2010 City Council agenda. However, the Rohans stated they would be out of the country and requested it be on the March agenda.

Public Comment: None

Reports and Items for Future Agendas: Commission Members: Nothing to report.
City Manager: City Manager Keith stated that the City Council has to adopt a Water Efficiency Ordinance by December 31, 2009 and send it to the State by January 31, 2010. Ms. Keith stated that the State Model Ordinance is very restrictive, such as requiring water audits and separate meters for properties over one acre in size. The item will be before the Commission at a later date.
City Planner: City Planner Meyer distributed the Department Status Report Update dated November 11, 2009.

No Meeting in December: City Planner Meyer stated that the next regular Planning Commission meeting is scheduled for December 23, 2009 (two days before Christmas). As there were no items for the December meeting, the Commission decided to adjourn to January 2010.

Adjournment: At 8:00 p.m., Chairman Hernandez adjourned the meeting to Wednesday, January 27, 2010, at 7:00 p.m.

Frank Hernandez - Chairman

ATTEST:

Claudia Saldana - City Clerk