

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF BRADBURY, HELD ON NOVEMBER 22, 2017 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 Chairperson Kuba at 7:00 p.m. Commissioner Hernandez led the Pledge of Allegiance.

**Roll Call:** PRESENT: Chairperson Kuba, Vice-Chairperson Dunst, Commissioners Hernandez and Novodor

ABSENT: Commissioner Esparza

STAFF: City Manager Kearney, City Planner Kasama, City Clerk Saldana and Management Analyst Santos Leon

**Commissioner Esparza Excused:** Commissioner Novodor made a motion to excuse Commissioner Esparza from the meeting. Vice-Chairperson Dunst seconded the motion which carried.

**Approval of Agenda:** Vice-Chairperson Dunst moved to approve the agenda as presented. Commissioner Hernandez seconded the motion which carried.

**Approval of October 25, 2017 Minutes:** Vice-Chairperson Dunst made a motion to approve the minutes of the October 25, 2017 Planning Commission meeting. Commissioner Novodor seconded the motion which carried.

**Compliance with Fair Political Practices Act:** In compliance with the California State Fair Political Practices 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.

**406 Mount Olive Drive:** 406 Mount Olive Drive – AR 17-006 & NC 17-005:  
Commissioners residing within 500 feet of 406 Mt. Olive Drive:  
*None*

388 Long Canyon Road – AR 17-008 & NC 17-006:  
Commissioners residing within 500 feet of 388 Long Canyon Road:  
*None*

**Motion:** Commissioner Novodor made a motion to order the Fair Political Practices Report dated November 16, 2017 received and filed. Vice-Chairperson Dunst seconded the motion which carried.

**406 Mount Olive Drive:** *Architectural Review Application No. AR 17-007  
Neighborhood Compatibility Application No. NC 17-005*

**Project Description:** City Planner Kasama stated that this proposed project is to build a new two-story 6,323 square foot Spanish style single-family residence with accessory features, including a swimming pool, tennis court, outdoor living area, and putting green.

<b>Project Description:</b>	Also included is the remodeling of the existing one-story, 1,704 square foot residence to a Spanish style accessory living quarter/guest house. The new residence is to be built toward the rear of the property at an area that is sloped. The area will be graded to provide a relatively level building area.
<b>Environmental Review:</b>	The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (In-fill Development) of the CEQA Guidelines.
<b>Planning Department Review:</b>	The Spanish architectural style of the proposed project is well executed and compatible with the neighborhood. The proposed new house is thoroughly articulated with consistent architectural features. The site of the proposed new house is on a sloped area with level building areas to be provided by grading that is within the City's guidelines, and will not necessitate any import or fill. The site is also amongst an area that is buffered from neighboring properties by mature trees, which are proposed to be preserved. The existing residence that is to become an accessory living quarter/guest house, and will be remodeled to match the Spanish style of the new residence. Most of the existing landscaping at the front of the subject property will be maintained, and provided that the hardscape and paving in front of the existing residence is kept to a minimum, the only significant change to the existing streetscape will be the new front yard fence and gates. The design of the new front yard fence and gates should be revised to have the pilasters and solid portions of the fence finished with stucco that matches the remodeled accessory living quarter/guest house.
<b>Findings:</b>	Staff believes that the proposed project is of high architectural quality and compatible with the neighborhood, and is situated so as not to affect any significant views. The project meets the required purpose and findings stated in Section 9.34.050 of Chapter 34 (Architectural Review, Significant), Section 9.40.040 of Chapter 40 (Neighborhood Compatibility), and Section 9.43.020 of Chapter 43 (Ridgeline Preservation) of the Bradbury Development Code. The required determinations are stated in draft Resolution No. PC 17-269.
<b>Recommendation:</b>	It is recommended that the Planning Commission close the Public Hearing and determine that the findings can be made for approval of the project and a determination that the project is Categorically Exempt under CEQA, and make a motion to approve Architectural Review No. AR 17-006 and Neighborhood Compatibility No. NC 17-005, and adopt Resolution No. PC 17-269.
<b>Public Hearing Opened:</b>	Chairperson Kuba opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.
<b>Public Testimony:</b>	An attorney with Fitzgerald-Yap-Kreditor LLP, representing Mr. Hon K. Shing, property owner of 412 Mount Olive Drive, asked the Planning Commission to continue the hearing and to stake the property (406 Mount Olive Drive) with story poles to demonstrate the impact of the structure on his client. Planning Chairperson Kuba stated that it is customary to let the applicant make his presentation first before hearing objections.

**Public Testimony:** Mr. David Meyer, LDM Associates, representing the property owner, Mr. Victor De Los Santos, had concerns regarding Condition No. 8 (*Hardscape and paving for, at and around the existing residence that is to be remodeled to an accessory living quarter/guest house shall be minimized, and no parking shall be allowed in the 50-foot front yard setback, except in the existing two-car garage.*) and Condition No. 9 (*The design of the new front yard fence and gates shall be revised to have the pilasters and solid portions of the fence finished with stucco that matches the remodeled accessory living quarter/guest house.*) Mr. Meyer stated that the property owner would like to see these two conditions waived and asked to use masonry veneer instead of stucco for the pilasters. Mr. Meyer also stated that he was surprised at the opposition from the neighbor and stated that his client, Mr. De Los Santos, has tried to reach out to Mr. Shing and even gave him his plans to look at. Mr. Meyer responded to the five allegations made in the letter from Deborah Rosenthal of Fitzgerald-Yap-Kreditor, dated November 17, 2017.

Mr. Shing's attorney stated that Ms. Rosenthal could not attend the meeting tonight because of the Thanksgiving holiday and requested again to continue the public hearing and stake the property. The Commission asked if Mr. Shing was present. He was not.

**Public Hearing Closed:** There being no further testimony, Chairperson Kuba declared the public hearing closed.

**Discussion:** Vice-Chairperson Dunst inquired if the City asked for story poles. City Planner Kasama replied that the City did not because the proposed project won't impact any views.

City Planner Kasama stated that in regards to Condition No. 8 the problem is the two parking spaces next to garage. In regards to Condition No. 9 Mr. Kasama stated that stone veneer would not match the stucco house.

Commission Novodor stated that he was ready to proceed.

**Motion:** Commissioner Hernandez made a motion to adopt Resolution No. 17-269 approving Architectural Review Application No. AR 17-006 and Neighborhood Compatibility Application No. NC 17-005 for 406 Mount Olive Drive, and removing Conditions 8 & 9. Commissioner Novodor seconded the motion, which was carried by the following roll call vote:

**Approved:** AYES: Chairperson Kuba, Vice-Chairperson Dunst, Commissioners Hernandez and Novodor  
NOES: None  
ABSENT: Commissioner Esparza  
ABSTAIN: None

Motion carried 4:0

**Appeal Process:** City Planner Kasama advised Mr. Shing's attorney/representative that appeals of Planning Commission decisions must be filed with the City Clerk within ten (10) days after the date of the Planning Commission decision.

**388 Long Canyon Road:**

*Architectural Review Application No. AR 17-008  
Neighborhood Compatibility Application No. NC 17-006*

**Background:**

City Planner Kasama stated that this project was approved by the Planning Commission twice before, in 2013 and in 2015, and both times the approval expired before construction was initiated. The expirations were due to delays in the fuel modification plan and structural design of the glass atrium roof. The applicant is re-applying for the approvals, and has a fuel modification plan approval and structural design ready. The new applications constitute a "de novo" hearing, which means that the Commission may reconsider any discretionary decisions, regardless of the previous approvals.

**Project Description:**

The proposed project is to enclose the existing entry/auto courtyard and convert a portion of the existing 6-car garage to provide the following:

- a 1,215 square foot bedroom and office suite;
- addition of 1,827 square feet to the garage to provide four (4) parking spaces and new access; and
- installation of a glass roof/skylight over a portion of the existing courtyard to create a 1,250 square foot, two-story atrium

The proposed construction will result in a 23,920 square foot, two-story residence with 11 bedrooms, 15 bathrooms, an attached 8-car garage, and an attached 4-bedroom, 2-bath, 2,492 square foot guest house.

**Environmental Review:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(2) (Existing Facilities - Additions) of the CEQA Guidelines.

**Findings:**

Staff believes that the proposed project is of high architectural quality and will involve minimal site work. The project meets the required findings stated in Section 9.34.050 of Chapter 34 (Architectural Review, Significant) of the Bradbury Development Code, and are included in draft Resolution No. PC 17-270.

The project meets the standards stated in Section 9.40.040 of Chapter 40 (Neighborhood Compatibility) of the Bradbury Development Code, and are included in draft Resolution No. 17-270.

The Hillside Development Standards apply to the subject property because it has an area of more than two acres and an average slope that is greater than 10%. The proposed project is consistent with the Hillside Development Standards stated in Chapter 97 of the Bradbury Development Code. The location of the proposed project is an existing, paved entry and automobile courtyard and garage area that is enclosed on three sides, and the project will not significantly extend beyond the existing easterly sides of the existing residence. Grading will be limited to insignificant amounts and areas, and only to adjust the edges of the existing driveway.

**Recommendation:** It is recommended that the Planning Commission close the Public Hearing and determine that the findings can be made for approval of the project and a determination that the project is Categorically Exempt under CEQA, and make a motion to approve Architectural Review No. AR 17-008 and Neighborhood Compatibility No. NC 17-006, and adopt Resolution No. PC 17-270.

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

**Public Testimony:** Architect Steven Phillips, 23177 La Cadena, Suite 101, Laguna Hills, presented the project to the Planning Commission.

**Public Hearing Closed:** There being no further testimony, Chairperson Kuba declared the public hearing closed.

**Discussion:** Commissioner Hernandez inquired if the project is the same as before. The answer was yes (with some minor changes). City Planner Kasama added that the project has been reviewed and approved by the Bradbury Estates CSD/HOA.

**Motion:** Commissioner Novodor made a motion to adopt Resolution No. 17-270 approving Architectural Review Application No. AR 17-008 and Neighborhood Compatibility Application No. NC 17-006 for 388 Long Canyon Road. Vice-Chairperson Dunst seconded the motion, which was carried by the following roll call vote:

**Approved:** AYES: Chairperson Kuba, Vice-Chairperson Dunst, Commissioners Hernandez and Novodor  
NOES: None  
ABSENT: Commissioner Esparza  
ABSTAIN: None

Motion carried 4:0

**Public Comment:** Mrs. Sonal Shah, 606 Spring Point Drive, addressed the Planning Commission with a request to hold a special meeting in December (no meeting is scheduled for December). Mrs. Shah stated that her project is on a personal time crunch because her daughter is getting married in February and the family is hosting many people for the wedding. Mrs. Shah hopes to welcome the wedding guests into her own home. Waiting until January to get planning approval for small changes (front door, shape of living room window and window material changed from Anderson wood to vinyl) makes this difficult if not impossible. Chairperson Kuba thanked Mrs. Shah for her comments and stated the Commission cannot look at her plans because the item is not on the agenda.

**Items from Commissioners and Reports from Staff** City Planner: City Planner Kasama presented the Development Review - Project Status Log for November 2017. City Manager Kearney stated that the Development Review – Project Status Log will be part of the Agenda Packet from now on to allow the Commissioners time to review the report.

**Items from  
Commissioners and  
Reports from Staff:**

The Planning Commission inquired about the Conceptual Plan Review for 1901 Royal Oaks Drive North. City Planner Kasama stated that it will be several months before a formal review.

The Planning Commission discussed 412 Mount Olive Drive, which is currently under construction. There are issues with the (circular) driveway, fence and landscape design which are not per the approved plans.

**Adjournment:**

Chairperson Kuba adjourned the meeting to Wednesday, January 24, 2018 at 7:00 p.m.

  
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Darlene Kuba – Chairperson

**ATTEST:**

  
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Claudia Saldana - City Clerk