

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF BRADBURY, HELD ON JUNE 27, 2018 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 Jones led the Pledge of Allegiance.

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

ABSENT: None

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

**Appointment of Chairperson:** Commissioner Novodor nominated Darlene Kuba for the position of Chairperson. Vice-Chairperson Dunst seconded the nomination. They were no further nominations. All ayes 5:0.

**Appointment of Vice-Chair:** Chairperson Kuba nominated Bill Novodor for the position of Vice-Chair. Vice-Chairperson Dunst seconded the nomination. They were no further nominations. All ayes 5:0.

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

**Supplemental Information:** City Planner Kasama stated that there was no supplemental information from staff regarding agenda items.

**Approval of Agenda:** Vice-Chairman Novodor moved to approve the agenda as presented. Commissioner Jones seconded the motion which carried.

**Approval of May 23, 2018 Minutes:** Commissioner Dunst made a motion to approve the minutes of the May 23, 2018 Planning Commission meeting. Commissioner Jones Dunst seconded the motion which carried. Chairperson Kuba abstained.

**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.

Public Hearings:

Resolution No. PC 18-276 - 506 Deodar Lane

Commissioners residing within 500 feet of 506 Deodar Lane:  
*None*

Resolution No. PC 18-275 - Zoning Code Amendment No. 18-001 and  
General Plan Amendment No. 18-001

*City-Wide*

Discussion of Second Floors in the R-7,5000 Zone

Commissioners residing in the R-7,000 Zone:  
*Commissioner Jones*

**506 Deodar Lane:** *Modifications to Architectural Review No. AR 13-283 and Neighborhood Compatibility No. NC 13-105*

**Background:** City Planner Kasama stated that on October 23, 2013 the Planning Commission adopted Resolution No. 13-277 PC for the approval of Architectural Review No. AR 13-283 and Neighborhood Compatibility Application No. NC 13-105, for the construction of a new 30,114 square foot, single-family residence and accessory structures, which included a guest house, tennis court, swimming pool, and decorative water features at 506 Deodar Lane (formerly 399 Old Ranch Road).

The project is under construction, but due to changes in personal circumstances, the owner, Mr. Tan, is proposing to modify the design of the project. The guest house is to be a guest wing of the main residence, the tennis court is to be eliminated, the swimming pool is to be reoriented, and carports will be added for visitor and day-to-day parking.

The modified plans were presented to the Bradbury Estates Homeowners Association (HOA) at their meeting on May 14, 2018. The HOA Board unanimously approved the proposed modifications.

**Environmental Review:** City Planner Kasama stated that the proposed modifications to the project are Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the CEQA Guidelines (New construction or conversion of small structures, including a single-family residence).

This class of Categorical Exemption is stated as being for limited numbers of new, small facilities or structures, but includes the development of one single-family residence, or a second dwelling unit, and in urbanized areas, up to three single-family residences. The class also applies to the development of a duplex or similar multi-family residential structures of up to six units. Based on these parameters, the proposed project and the proposed modifications qualify for this class of exemption.

**Findings:** The proposed development, including the proposed modifications, are of superior architectural quality and site design. The project, with the modifications, is compatible with its neighborhood, and satisfies the required findings for approval of a Significant Architectural Review and a Neighborhood Compatibility Application. The findings are stated in Resolution No. 13-227 PC, and are still applicable. This is stated in Resolution No. 180-276:

**Planning Commission Resolution No. PC 18-276:** *A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH THE FINDINGS OF FACT AND A DECISION WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CONDITIONALLY APPROVAL MODIFICATIONS TO THE ARCHITECTURAL REVIEW NO. AR 13-283 AND NEIGHBORHOOD COMPATIBILITY APPLICATION NO. 13-105 FOR A NEW, TWO-STORY, 27,370 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH A 5,238 SQUARE FOOT BASEMENT, A 10,382 SQUARE FOOT 27-CAR GARAGE, AND 2,989 SQUARE FEET OF MECHANICAL EQUIPMENT AND STORAGE SPAE AT 506 DEODAR LANE.*

**Recommendation:** It is recommended that the Commission conduct a public hearing to solicit testimony on the proposed project and modifications, close the public hearing and determine that the proposed project and modifications meet the findings for approval and a Categorical Exemption under CEQA, and approve a motion to adopt Resolution No. PC 18-276.

**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:** Jim Schmidt of Schmidt Architecture presented the project to the Planning Commission.

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

**Motion:** Commissioner Dunst made a motion to adopt Resolution No. PC 18-276 for 506 Deodar Lane. Commissioner Hernandez seconded the motion, which was carried by the following roll call vote:

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

Motion carried 5:0

**Planning Commission Resolution No. PC 18-275:** *A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH THE FINDINGS OF FACT AND A DECISION TO RECOMMEND TO THE CITY COUNCIL APPROVAL OF DEVELOPMENT CODE AMENDMENTS AND A GENERAL PLAN AMENDMENT IN ACCORDANCE WITH THE PROGRAMS AND POLICIES OF THE HOUSING ELEMENT WITH AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)*

**Background:** City Planner Kasama stated that the City's Housing Element of the General Plan was due October 15, 2017. However, before an update can be submitted to the State Department of Housing and Community Development, the City must adopt Development Code amendments that the State required for the previous update in 2014. These amendments were presented in the agenda reports for the March 28, April 25, and May 23, 2018 Planning Commission meetings.

**April 25 Meeting:** After concluding the public hearing at the April 25, 2018 meeting, the Planning Commission found that the proposed amendments are consistent with the Housing Element and directed staff to prepare a resolution to recommend to the City Council approval of the amendments.

**May 23 Meeting:** At the May 23, 2018 meeting, the Planning Commission considered Resolution No. PC 18-275, but due to only three Commissioners being in attendance, the Commission chose to continue consideration of the Resolution to the June 27, 2018 meeting to afford an opportunity for the full Commission to act on the Resolution.

**Consultant  
Karen Warner:**

The City housing consultant, Karen Warner Associates, prepared the prior 2014 Housing Element Update and will prepare the current Housing Element update. In preparing for the update, the consultant found that the programs and policies of the 2014 Housing Element that called for the various Development Code amendment has not been implemented. These amendments need to be in place before the City Council can submit the next update to the State.

**Proposed  
Amendments:**

- New Definitions & Regulations for Residential Care Facilities, and Supportive & Transitional Housing (EXHIBIT A)
- New Definitions of Multi-Family Dwelling, and Amend Accessory Living Quarters Definitions (EXHIBIT B)
- Delete Accessory Living Quarters Regulations from the Residential Zones to Avoid Inconsistencies (EXHIBIT C)
- Amend Accessory Living Quarters Regulations (EXHIBIT D)
- Add Reasonable Accommodation Procedures for Disabled Persons (EXHIBIT E)
- Amend the General Plan to add the Affordable Housing Overlay to the Civic Center Site

**Environmental  
Review:**

It is recommended that the proposed amendments are exempt under the provisions of the California Quality Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as here is no possibility of a significant effect on the environment.

**Recommendation:**

It is recommended that the Planning Commission adopt Resolution No. PC 18-275.

**Discussion:**

The Planning Commission went over each of the Exhibits. Commissioner Dunst proposed to include the A-1, A-2 and A-5 zones in Exhibit A. City Manager Kearney explained that the State only requires residential zones to be included and that the City's goal is too limit, not to expand, the State's requirements. Chairperson Kuba stated that it would only be fair to include the entire City. Commissioner Dunst asked if the City is opening itself up to more exposure by including the agricultural zones. The answer was yes. Consultant Karen Warner clarified that Exhibit A only applies to state licensed facilities.

**Motion to approve  
Exhibit A:**

Commissioner Dunst made a motion to approve Exhibit A, as amended including all zones in the City. Vice-Chairman Novodor seconded the motion, which carried. Commissioner Hernandez voted no. Motion carried 4:1.

**Discussion:**

Vice-Chairman Novodor inquired what would happen if the Commission voted no on Exhibit B. City Planner Kasama stated that the City needs to comply or we might be prohibited from issuing building permits by the State.

**Motion to approve  
Exhibit B:**

Commissioner Jones made a motion to approve Exhibit B. Vice-Chairman Novodor seconded the motion, which carried. Motion carried 5:0.

**Motion to approve Exhibit C:** Commissioner Dunst made a motion to approve Exhibit C. Commissioner Jones seconded the motion, which carried. Motion carried 5:0.

**Motion to approve Exhibit D:** Vice-Chairman Novodor made a motion to approve Exhibit D. Commissioner Jones seconded the motion, which carried. Motion carried 5:0.

**Motion to approve Exhibit E:** Commissioner Dunst made a motion to approve Exhibit E. Commissioner Jones seconded the motion, which carried. Motion carried 5:0.

**Resolution No. PC 18-275:** City Planner Kasama stated that the Planning Commission needs to make one motion to adopt Resolution No. PC 18-275.

**Motion:** Commissioner Dunst made a motion to adopt Resolution No. PC 18-275. Commissioner Jones seconded the motion, which was carried by the following roll call vote:

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

Motion carried 5:0

**Commissioner Jones Recused:** Commissioner Jones, who resides in the R-7,500 Zone, recused himself from the decision making process regarding this agenda item and left the meeting.

**Discussion of Second Floors in the R-7,500 Zone:** City Planner Kasama stated that at the January 24, 2018 meeting, the Planning Commission considered a proposal for a second story addition at 2331 Freeborn Street. During the public hearing it was mentioned that two-story houses might be prohibited on Freeborn Street, as well as on the other two streets in the R-7,500 zone – Elda and Gardi Street. However, staff found no documentation on any two-story prohibitions. The Commission continued the public hearing and directed the applicant to erect story poles so that the neighbors could better visualize the proposed second story. The applicant, however, withdrew his application before installing the story poles. The testimony at the public hearing was split between those opposed to second stories and those in favor of two-story houses. The Commission expressed concerns about it not being clear as to whether two stories are allowed in this neighborhood.

**Regulations:** The R-7,500 zoning regulations do not expressly address second floors, but allow a height of 28 feet, subject to the ridgeline and view preservation regulations. A second story is also subject to a significant Architectural Review, and a review for Neighborhood Compatibility. A height of 28 feet is more than adequate to accommodate two stories, but because the regulations do not directly address second floors, and two stories are not expressly prohibited, it cannot be determined if a second floor will be allowed, except by going through the discretionary public hearing process for architectural review, neighborhood compatibility and ridgeline preservation.

**Recommendation:** It is recommended that the Planning Commission direct staff to further examine the Development Code regarding second floors in the R-7,500 zone.

**Discussion:** Commissioner Hernandez stated that people want to make room for their families, and a second story addition is the only way to do that in the R-7,500 zone, which has the smallest lots in the City.

Commissioner Dunst stated that she would like to hear from residents in that area. How many houses are we talking about on Elda, Freeborn and Gardi Street? City Planner Kasama stated that according to the map there are 38 parcels, and there is one two-story building on Gardi Street. Commissioner Dunst stated that the Commission needs guidelines now.

City Manager Kearney stated that the Commission should brainstorm tonight whether it wants to change the current regulation. A community meeting could be held at a later date.

**No Action:** The Planning Commission took no action tonight, but will discuss this item further.

**Public Comment:** Mayor Pro-Tem Hale wished Commissioner Frank Hernandez a Happy Birthday.

**Items from Commissioners and Staff, and Items for Future Agendas:**

**Items from the City Manager:** City Manager Kearney reminded the Commissioners of the Bradbury Night Out event to be held on Thursday, July 26, 2018 from 6-8 pm at the Civic Center. There will be free food, a speech from the Mayor Pro-Tem and a raffle at 7 pm.

City Manager Kearney informed the Commissioners that they need to update their AB1234 Ethic Training (available online) and send the completed certificate to the City Clerk.

**Items from the City Planner:** City Planner Kasama presented the Development Review - Project Status Log for June 2018.

**Items from Commissioners:** Vice-Chairperson Novodor inquired about the status of the gate at 2428 Mount Olive Lane. City Manager Kearney stated that it's a long discussion and nothing has materialized yet.

Commissioner Dunst inquired about the Community meeting held at City Hall regarding recent burglaries on Gardi Street. City Manager Kearney stated that the City Council will discuss regulating airbnbs and there will be a community meeting regarding setting up Neighborhood Watch Programs on Thursday, July 12<sup>th</sup>.

City Manager Kearney also stated that crime rates are low in Bradbury and to call the Sheriff's Department (instead of notifying the City) if there are any problems.

**Items for Future Agendas:** None

**Adjournment:**

At 8:20 pm Chairperson Kuba adjourned the meeting to Wednesday, July 25, 2018 at 7:00 p.m.



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Darlene Kuba – Chairperson

**ATTEST:**



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Claudia Saldana - City Clerk