

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF BRADBURY, HELD ON MARCH 28, 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 Hernandez led the Pledge of Allegiance.
- Roll Call:** PRESENT: Chairperson Kuba, Vice-Chairperson Dunst, Commissioners Esparza, Hernandez and Novodor
- ABSENT: None
- STAFF: City Manager Kearney, City Planner Kasama, City Clerk Saldana and Management Analyst Santos Leon
- Supplemental Information:** City Planner Kasama stated that there was no supplemental information from staff regarding agenda items.
- Approval of Agenda:** Commissioner Novodor moved to approve the agenda as presented. Vice-Chairperson Dunst seconded the motion which carried.
- Approval of February 24, 2018 Minutes:** Commissioner Hernandez made a motion to approve the minutes of the February 28, 2018 Planning Commission meeting. Commissioner Esparza seconded the motion which carried. Commissioner Novodor 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 concerning development applications.
- 2331 Freeborn Street:
Commissioners residing within 500 feet of 2331 Freeborn Street:
Commissioner Esparza
- 663 Deodar Lane:
Commissioners residing within 500 feet of 663 Deodar Lane:
None
- City-Wide Zoning Code Amendment No. 18-001 and General Plan Amendment No. 18-001:
City-Wide
- Motion:** Commissioner Novodor made a motion to order the Fair Political Practices Report dated March 23, 2018 received and filed. Vice-Chairperson Dunst seconded the motion which carried.
- Commissioner Esparza Recused:** Commissioner Esparza recused herself from the decision making process regarding 2331 Freeborn Street and left the room.
- 2331 Freeborn Street:** *Minor Architectural Review Application No. AR 18-001
Neighborhood Compatibility Application No. NC 18-001*

Withdrawal of Applications: City Planner Kasama stated that on March 2, 2018, Mr. Woodrow Pratanakul, the homeowner and applicant, sent an email to the City stating that he is withdrawing the Architectural Review and Neighborhood Compatibility applications.

Background: At the January 24, 2018 meeting, the Planning Commission opened a public hearing for Architectural Review No. AR 18-001 and Neighborhood Compatibility Application No. NC 18-001 for a proposed second floor addition at 2331 Freeborn Street. The proposed second floor would have been the first second floor on the block, which is a cul-de-sac, comprised of 12 lots. The Planning Commission had concerns about the appearance of the proposed second floor, continued the hearing to the March 28, 2018 meeting, and directed the applicant to erect story poles to enable the Commissioners and neighbors to better visualize the proposed second floor.

Recommendation: Based on the withdrawal of the applications, it is recommended that the Planning Commission close the public hearing and acknowledge the withdrawal of the applications.

Motion: Commissioner Novodor made a motion to close the public hearing for 2331 Freeborn Street and acknowledge the withdrawal of the applications. 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: None
ABSTAIN: Commissioner Esparza

Motion carried 4:0

Commissioner Esparza: Commissioner Esparza rejoined the meeting.

663 Deodar Lane: *Architectural Review Application No. AR 18-002
Neighborhood Compatibility Application No. NC 18-002
Variance Application No. V 18-001*

Project Description: City Planner Kasama stated that the subject property is an approximately 2.45-acre lot zoned A-5 with an average slope of 13.58%. The proposed project is to demolish the existing, one-story, single-family residence, and build a new, two-story 14,389 square foot, single-family residence with a 2,313 square foot guest house and 7,306 square feet of accessory structures that will include porches, decks and garages. The proposed project is subject to the City's Hillside Development Standards as a single-lot, hillside project. The proposed design has been approved by the Bradbury Estates Homeowners Association and Community Services District. The proposed design satisfies the requirements for Architectural Design approval and Neighborhood Compatibility, and will require variances and exceptions from the setback requirements of the Hillside Development Standards, as well as meeting the criteria for a building height of 35 feet as provided for in the A-5 zoning regulations.

Grading: Most of the portion of the subject property at which the proposed new house is to be situated is an already graded area of the existing house. This pad will be expanded to the sides to provide a relatively level building area for the new house. The grading will not require any import fill and will be achieved according to City guidelines. The area is well below the pad areas of the lots to the north and east, and is sufficiently distant from the west side and rear so as not to impose upon the topographic features visible from the lots to the south and west.

Architectural Review: The proposed new house is larger and more expansive than the existing house but is similar in scale to other new house in this area. The new house will be situated at approximately the same area as the existing house and sufficiently distant from the front of the property so as not to impose upon the streetscape of the neighborhood, and is buffered from neighboring properties by mature trees that are to be preserved, and by substantial changes in topography. The floor plans of the proposed new house and guest house are designed to limit views towards the neighboring properties. The proposed new house will comply with the maximum building height of 35 feet and the location of the pad area is such that the structures will not impose upon any ridgelines.

Variances: The proposed project requires variances and exceptions from the setback requirements of the Hillside Standards. The subject property is a legal non-conforming substandard lot with an area of approximately only two and a half acres, as opposed to the current minimum requirement of five acres. This, combined with the imposition of the 100-foot setback requirements of the Hillside Development Standards, is due to the 13.58 percent average slope of the lot, which results in only 13% of the subject property being developable, and the 100-foot setback requirements already impinge upon the existing building pad area. This is a very small buildable area as compared to other properties in the area and denies the owner a substantial property right as this property cannot be feasibly developed in a manner consistent with current market expectations.

Engineering: There will be a significant amount of grading to expand the existing building site. The conceptual grading and drainage plan estimates that there will be 900 cubic yards of cut, 500 cubic yards of fill, and 400 cubic yards of export. The plan indicates that grading for the building area will be achieved in accordance with the City's guidelines and requirements of the Hillside Development Standards.

Landscaping: City Planner Kasama stated that an arborist's analysis by Michael Crane of Arbor Care, Inc. and a conceptual landscaping plan were provided and reviewed by the City's Landscape Architect. Several oak trees and other species are to be preserved, and replacements for the protected trees to be removed have been included.

Additional Dept./ Agency Review: Preliminary review has been conducted by the Fire Department and California American Water for fuel modification and fire flow adequacy. No additional reviews are needed at this time.

Environmental Review: The proposed project qualifies to be Categorical Exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) (New Construction or Conversion of Small Structures, including a Single-Family Residence) of the CEQA guidelines.

Findings: The proposed project is of high architectural design quality and is compatible with its neighborhood. The variance and exception request provide for setbacks that will allow for a development that is consistent with the character of other new developments in the area, and the topography of the site is appropriate for a 35-foot building height.

Recommendation: It is recommended that the Planning Commission open and close the public hearing and determine that the proposed project meets the findings for approval and a Categorical Exemption under CEQA, and approve a motion to adopt Resolution No. PC 18-273.

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: Arvin Lam, A+K Architects
Tommy Ou, A+K Architects
Mark Generro, Landscape Architect

Vice-Chairperson Dunst commented that the landscaping plan is one of the nicest we've seen and asked how the guest house will fit in. Mark Generro stated that the guest house is already there.

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

Discussion: Vice-Chairperson Dunst asked what the City's policy on two-story guest houses is. City Planner Kasama replied that there are no restrictions on two-story guest houses.

Motion: Vice-Chairperson Dunst made a motion to adopt Resolution No. PC 18-723:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH ITS FINDINGS OF FACT AND DECISION WITH A CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CONDITIONALLY APPROVE ARCHITECTURAL DESIGN REVIEW NO. AR 18-002, NEIGHBORHOOD COMPATIBILITY APPLICATION NO. 18-002, AND VARIANCE NO. V 18-001 FOR A NEW TWO-STORY, 14,389 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH A 2,313 SQUARE FOOT GUEST HOUSE AND 7,306 SQUARE FEET OF ACCESSORY STRUCTURES AT 663 DEODAR LANE

Commissioner Esparza seconded the motion, which was carried by the following roll call vote:

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

Motion carried 5:0

Housing Element: *City-Wide Zoning Code Amendment No. 18-001*
General Plan Amendment No. 18-001

Project Description: City Planner Kasama stated that the City's Housing Element of the General Plan is overdue (it was due October 15, 2017) for a required update. City Manager Kearney added that staff is behind because of staff turnover of the City Manager and City Planner.

Consultant: The City has retained a consultant, Karen Warner Associates, to prepare the update. This is the same consultant that prepared the previous update, and staff has been advised that before the next update can be submitted to the State for review, the City must amend the Development Code and General Plan Land Use Map as directed by HCD in 2014 for the previous update.

The amendments to the Development Code include:

- New Definitions
- R-75,00 and R-20,000 Zone Amendments
- A-1, A-2 and A-5 Zone Amendments
- Reasonable Accommodation Procedures
- General Plan Amendment
- Environmental Document

Recommendation: It is recommended that the Planning Commission state its recommendations and direct staff to prepare the appropriate resolution for adoption at the next meeting.

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: None

Discussion: The Commission discussed affordable housing in the City. Commissioner Hernandez suggested to check the building permits for the last 4 years to see how many new guest houses and maids quarters have been built. The Commission wanted to know how many units we are short to comply with the affordable housing requirements for the City. Commissioner Novodor suggested to let the consultant do the work.

Motion to Continue Public Hearing: Commissioner Hernandez made a motion to continue the Public Hearing open to the next meeting to receive input from the consultant. Commissioner Novodor seconded the motion, which was carried by the following roll call vote:

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

Motion carried 5:0

Public Comment: None

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

Draft Story Pole Policy:

City Manager Kearney stated that at the February 2018 meeting, staff presented a report to the City Council for discussion on the City's informal story pole process. Currently as it is written in the Bradbury Municipal Code (BMC) 9.43.030, staff (the City Planner) may request the use of story poles for any proposed project that may have a possible impact on the views or vista of any pre-existing structure. Additionally, the City Council and Planning Commission may also informally request story poles during the public hearing on an item.

The City Council directed staff to draft a formalized Story Pole Policy for review, which staff presented to the City Council at the March 28 meeting. After some discussion and alteration, the City Council directed staff to present the policy to the Planning Commission for review.

Recommendation: It is recommended that the Planning Commission review the policy, make alterations, if needed, and formally approve it.

Motion: The Planning Commission reviewed the Story Pole Policy. Following discussion, Commissioner Hernandez made a motion to formally approve the Story Pole Policy as presented. Commissioner Novodor seconded the motion, which carried unanimously.

Items from City Manager: City Manager Kearney reminded the Commission of the City Council-Planning Commission retreat on Saturday, May 12th at City Hall.

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

Items from Commissioners: Commissioner Novodor inquired about the gate at 2428 Mount Olive Drive. City Manager Kearney stated that staff had to look at the history of the (unpermitted) gate and will begin code enforcement proceedings.

The Commission inquired about the Utility User Tax (UUT) Renewal. City Manager Kearney stated that it is an ongoing discussion. The UUT sunsets in May 2018. The City Council is considering placing the UUT measure on the November ballot.

Vice-Chairperson Dunst stated that the Lemon trail looks bad. City Manager Kearney stated that RKA (City Engineer) is currently doing a survey of the Lemon trail.

Ms. Dunst also stated that the gardeners need to do a better job on the Royal Oaks Trail. There are trees overhanging the trail and holes in the ground from squirrels. The oak trees planted with grant money are dead. Vice-Chairperson Dunst also informed staff that the rooster is still there (same place as the goats).

Adjournment:

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



Karen Dunst – Vice-Chairperson

ATTEST:

Claudia Saldana
Claudia Saldana - City Clerk