

**MINUTES OF A POSTPONED REGULAR MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF BRADBURY, HELD ON DECEMBER 2, 2020 AT 7:00 PM**

- Executive Order N-25-20:** *Pursuant to Governor Newsom's Executive Order N-25-20, this Planning Commission Meeting was held remotely with the Planning Commissioners, staff, and the public participating in this meeting by means of a Zoom video or telephone call. Participants are able to hear the entire proceedings and to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.*
- 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 Chairman Hernandez at 7:00 p.m. Commissioner Novodor led the Pledge of Allegiance.
- Roll Call:** PRESENT: Chairman Hernandez, Vice-Chairman Jones, Commissioners Hunt, Kuba and Novodor  
ABSENT: None  
STAFF: City Manager Kearney, City Attorney Reisman, City Planner Kasama, and City Clerk Saldana
- Supplemental Information:** City Planner Kasama stated that Commissioner Hunt had some questions regarding 734 Braewood Drive and the Development of Front Yards that he will address during the pertaining item discussion.
- Approval of Agenda:** Commissioner Kuba moved to approve the agenda as presented. Commissioner Novodor seconded the motion which carried.
- Approval of Oct 28 Minutes:** Commissioner Kuba moved to approve the Planning Commission meeting minutes of October 28, 2020, as revised. 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.
- 734 Braewood Drive – Resolution No. 20-290**  
*Commissioners residing within 500 feet of 734 Braewood Drive: None*
- 1456 Lemon Avenue – Resolution No. 20-292**  
*Commissioners residing within 500 feet of 1456 Lemon Avenue: None*
- Discussion of Development Standards and Design Guidelines for Front yards**  
*Citywide*
- Motion:** Commissioner Kuba made a motion to order the Fair Political Practices Report for the December 2 Planning Commission meeting received and filed. Commissioner Novodor seconded the motion which carried.
- Public Comment:** None

**734 Braewood Drive: Referral of Minor Architectural Reviews Nos. 18-009 & 20-007**

**Summary:** City Planner Kasama stated that Minor Architectural Review Nos. 18-009 and 20-007 were referred to the Planning Commission for the exterior finish of the residence, the re-landscaping of the front yard, and the expansion of the driveway at 734 Braewood Drive. At the August 26, 2020 meeting, the Commission did not find the presented plans and materials sufficient for a decision to be made and continued the hearing so that the homeowner could prepare complete plans and drop off material boards and color sample presentations. The homeowner has presented a colored elevation and samples for the finish of the residence, detailed plans for the re-landscaping with photos of the types of plants to be installed, and detailed plans and samples for the expanded driveway. All aspects of the revised proposal comply with the Development Code and the project is Categorically Exempt under the California Environmental Quality Act (CEQA).

**Discussion Items:** The project is subject to minor architectural review, the purpose of which is to ensure compliance with the Development Code. The additions and remodel of the house are complete. The finish color of the house is the one remaining issue under Minor Architectural Review No. 18-009. The issues under Minor Architectural Review No. 20-007 are the re-landscaping and driveway expansion.

**Finish Color of the House:** Minor Architectural Review No. 18-009 was approved with the finish color of the house to be white; however, the homeowner has used an orangish beige color. The color is similar to that of the neighboring house to the north. The homeowner is proposing to keep the current color and add stone veneer to the corners of the house, which will add texture and be similar to most of the other houses on Braewood Drive.

**Re-Landscaping Plan:** At the July 22, 2020 meeting, the Planning Commission decided that the rehabilitated landscaping is to comply with the Water Efficient Landscaping Ordinance (WELO) without any artificial turf; that the gravel walkway be eliminated; and that the revised re-landscaping plan be resubmitted for the Commission's review. It was also stated that the planter area along the north side of the driveway be widened to 36 inches and that a separate walkway parallel with the driveway should be included. The proposed re-landscaping plan satisfied all of the Planning Commission's directives. Approximately 65% of the front yard will be plant material. The use of gravel is limited to the area around a decorative pot to be situated beside the front porch, and this area is to be encircled by shrubbery. Low-growing plants are selected for the areas adjacent to the driveway so as not to create visibility hazards. The homeowner's landscape architect stated that the plan complies with WELO. The landscaping and irrigation plans are to be submitted to the City for approval.

**Driveway Plan:** The homeowner is proposing that the driveway be widened and re-paved with interlocking pavers. The driveway is being widened to provide access to the north side yard for RV parking. A new gate will be installed at the north side yard. The new driveway at 528 Winston Avenue is the homeowner's inspiration for using interlocking pavers.

The Development Code does not address the proportion of hardscape to landscape for a front yard, and the design guidelines only state that hardscape is to be commensurate with the surrounding neighborhood, and that brick, wood, or tile is encouraged to be used as accent trim or inlays within driveway or walkways. The Code does not require that driveways be paved with an impervious material. In the Braewood Drive neighborhood, brick is used as the decorative feature in most driveways. Interlocking pavers is a material that was not available when the City's design guidelines were adopted in 1995. They will provide an impervious surface if properly installed. The proposed expanded driveway with decorative pavers is acceptable and would complement the stone veneer on the house.

**Staff  
Recommendation:**

Staff finds the revised re-landscaping plan, the finish proposal for the house with the current color and stone veneer at the corners, and the decorative interlocking pavers for the driveway acceptable.

It is recommended that the Planning Commission adopt Resolution No. 20-290 to conditionally approve Minor Architectural Review Nos. 18-009 and 20-007.

**Planning Commission  
Discussion:**

Commissioner Hunt had a question regarding the proposed RV parking. City Planner Kasama stated that the RV parking complied with code.

Commissioner Kuba stated that the color of the house is still not white even though the homeowner signed an agreement. Commissioner Novodor stated he thought the Commission agreed on the original color board presented in 2018. City Planner Kasama replied the homeowner changed his mind and the proposal is to keep the orangish beige color and to add stone veneer. Commissioner Kuba insisted that it was the Commission's directive to change the color back to white. Commissioner Novodor inquired if there was any pushback from the neighbors about the color. City Planner Kasama replied no.

Commissioner Novodor inquired if the gate blocks the RV from street view. City Planner Kasama stated that there is no code requirement that the RV be screened from view. The neighbors might be able to see 3 feet of the RV above the fence. Also, the RV can be parked there permanently. Commissioner Kuba asked if there is any shrubbery or trees to screen the RV. City Planner Kasama stated that it is not part of the landscape plan. Vice-Chairman Jones stated that planting to screen the RV might block the sun and the neighbor might not like it. Also, the Commission is not in the business of dictating how tall trees have to be. Commissioner Kuba inquired if the neighbors were notified. City Planner Kasama stated that everyone on Braewood Drive signed a petition presented at the first public hearing in 2018. Commissioner Kuba stated that the plans have changed. City Planner Kasama stated that this review is not a public hearing and notification is not required.

Commissioner Kuba added that she would like to see stone veneer between the two garage doors.

**City Attorney:**

City Attorney Reisman stated that the Planning Commission's job is to determine if the proposed plan is compatible with the neighborhood. Commissioner Kuba asked about the agreement the owner signed in 2018. City Attorney Reisman stated that the homeowners have the right to change their mind and that the agreement is not enforceable.

**Public Comment:** Chairman Hernandez opened up the discussion for public comment.

Nicholas D'Amico, Attorney at Law, 4500 Park Granada, Ste 202, Calabasas, CA 91202, representing the homeowner, stated that his clients have done everything they were asked to do. The plans comply with the code and the homeowner is hoping that the Planning Commission will render a decision for approval tonight.

Following public comment, Chairman Hernandez took a moment to sum up the issues and stated that the Commission is still struggling with the color of the house. Do the homeowners have the right to change the color? (The answer is yes) Chairman Hernandez added that the current orangish beige color was never approved by the Commission.

**Motion:** Commissioner Kuba made a motion to adopt Resolution No. 20-290 with three conditions: for the house to be repainted in a cream or off-white color, to add stone veneers between the two garage doors and to plant a buffer (to screen the RV) along the north property line.

**City Attorney:** City Attorney Reisman suggested to open up the discussion for public comment again and ask the homeowners if they accept the Commission's three conditions.

Mr. D'Amico responded that his clients did not sign a binding agreement in regards to the color. Compatibility is not sameness. The stained stucco can't be simply repainted. The additional veneer is acceptable. In regards to the screening, there is no regulation in the code, so the Planning Commission has no authority to request a buffer.

**Roll call vote:** Chairman Hernandez asked the City Clerk to do a roll call vote for the adoption of Resolution No. 20-290 with the three stipulations added in Commissioner Kuba's motion:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH THE FINDINGS OF FACT AND DECISION WITH CATEGORICAL EXEMPTIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CONDITIONALLY APPROVE THE EXTERIOR FINISHING OF THE RESIDENCE UNDER MINOR ARCHITECTURAL REVIEW NO. MAR 18-009, AND CONDITIONALLY APPROVE THE RE-LANDSCAPING OF THE FRONT YARD AND EXPANSION OF THE DRIVEWAY UNDER MINOR ARCHITECTURAL REVIEW NO. MAR 20-007 AT 734 BRAEWOOD DRIVE

Chairman Hernandez: AYE  
Vice-Chairman Jones: NO  
Commissioner Hunt: NO  
Commissioner Kuba: AYE  
Commissioner Novodor: AYE

Motion carried 3:2

**Appeal Procedure:** City Planner Kasama advised the applicant that they can appeal the decision of the Planning Commission in writing within a 10-day period. The appeal shall be filed with the City Clerk accompanied by the appeal fee of \$2,165.06. Absent a timely appeal, the decision shall become final.

**1456 Lemon Avenue:** *Architectural Review No. 20-001*  
*Neighborhood Compatibility Review No. 20-001*  
*Variance Application No. 20-001*

**Summary:** City Planner Kasama stated that Joshua Cain of Saxony Design Build, Inc. submitted plans for a complete exterior renovation of the house and garage at 1456 Lemon Avenue. The plans are for all new doors, windows, stucco, and roofing, and a new, 18-foot tall, 13-foot wide, entry gateway tower on the east side of the property between the house and garage. The subject property is zoned A-1. The proposed renovations comply with the zoning requirements, except for the proposed entry tower. Because the east side of the property is adjacent to a private driveway that serves more than two properties, there is a 50-foot setback requirement. A variance is requested to allow the proposed entry tower to have a 22-foot setback from the east property line.

The proposed renovation and addition of a new entry gateway tower will not expand the existing building pad area and will not affect any ridgelines or views, and privacy will not be impacted.

**Vehicular Easements:** The 50-foot setback requirement is for private streets and vehicular easements serving more than two properties. There are two access easements along the east side of the subject property. These are improved as a single driveway that serves four properties. If the easements were utilized individually, the 50-foot setback requirement would not apply, and the entry gateway tower addition could be built at a 25-foot setback. The proposed 22-foot setback will not adversely affect the private driveway, nor will it impinge upon any neighboring development.

**Environmental Review:** It is recommended that the project be determined to qualify as Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15303 of the CEQA Guidelines for, respectively, an addition to an existing single-family residence, and a minor variance.

**Recommendation:** It is recommended that the Planning Commission open a public hearing and solicit testimony on the proposed project, close the public hearing and determine that the findings can be made for conditional approval of the proposed project and that the project is Categorically Exempt under CEQA and adopt Resolution No. PC 20-292.

**Planning Commission Discussion:** Commissioner Novodor inquired if the tower would pose an issue with the Fire Department. City Planner Kasama replied no.

Commissioner Kuba stated that she had no problem with the project.

Vice-Chairman Jones asked City Planner Kasama to explain the issue with the tower setback.

**Public Hearing Open:** Chairman Hernandez opened the public hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

**Public Testimony:** Josh Cain, Saxony, Design Build, Inc. stated that his client is going to upgrade the property in three steps:

1. Exterior remodel
2. Interior remodel
3. Landscaping

Chairman Hernandez had a question about staging. Mr. Cain stated that staging is not going to be a problem because there is lots of paved area and plenty of room.

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

**Motion:** Commissioner Kuba made a motion to adopt Resolution No. 20-292:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH THE FINDINGS OF FACT AND DECISION WITH CATEGORICAL EXEMPTIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CONDITIONALLY APPROVE ARCHITECTURAL REVIEW NO. AR 20-001 AND NEIGHBORHOOD COMPATIBILITY REVIEW NO. NC 20-001 FOR AN EXTERIOR RENOVATION TO REPLACE ALL DOORS, WINDOWS, STUCCO AND ROOFING, AND ADD A NEW 18-FOOT TALL ENTRY GATEWAY TOWER ON THE EAST SIDE OF THE RESIDENCE WITH VARIANCE APPLICATION NO. V 20-001 FOR AN EAST SIDE SETBACK FROM THE PRIVATE DRIVEWAY OF 22 FEET IN LIEU OF THE 50-FOOT REQUIREMENT AT 1456 LEMON AVENUE

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

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

Motion carried 5:0

**Discussion of Development Standards and Design Guidelines for Front Yards:** City Planner Kasama stated that last year the City Council directed staff to review the Development Code and propose updates for consideration. At the October 28, 2020 regular meeting, the Planning Commission began a discussion on development issues related to front yards, such as the lack of regulations for driveways, circular driveways, the maximum amount of hardscape or impervious surfaces, and the types of materials to be allowed; such as artificial turf, gravel, and other decorative materials. There was also the question of when a front yard or front façade improvement is of enough significance to be subject to design review by the Planning Commission. The Planning Commission directed staff to check the regulations of cities that are similar to the City of Bradbury. Staff reviewed the regulations of the cities of Arcadia, Hidden Hills, Malibu, Rolling Hills Estates, San Marino, and Sierra Madre.

**Discussion Points:** At the October 28, 2020 meeting, the Planning Commission considered the following eight issues:

1. Landscaping vs. Hardscape – How much of a front yard should be hardscape, i.e., driveway and walkways?
2. Should there be a maximum width for a driveway? At the street or on site?
3. Should there be only one driveway access per property? Are there circumstances for which an additional/circular driveway is to be allowed?
4. Should contemporary materials and methods such as stamping, scoring, pavers, and colored concrete be allowed as decorative features for driveways and walkways?
5. Should artificial turf be allowed in front yards? And, if so, how much?
6. To what extent should stones, boulders, gravel, and other non-living materials be allowed as part of front yard landscaping?
7. What front yard and/or building changes should be subject to Planning Commission review?
8. In addition to the mailing of public hearing notices, should there be additional notices and/or signs about development/construction projects, even if a public hearing is not required?

**City Council Concerns:** Among the concerns that the City Council has for pursuing Development Code updates is the lack of regulations for driveways, in particular, circular driveways, and the question has been raised if significant front yard and front façade developments should be subject to review by the Planning Commission. Given these issues, staff has reviewed the various regulations that affect front yard improvements, such as the amount of landscaping versus hardscape, the types and amounts of certain materials that may be used in landscaping in front yards, limiting properties to one driveway access, and the applicability of Significant Architectural Review by the Planning Commission.

**Recommendation for Planning Commission Action:** City Planner Kasama stated that this discussion is not expected to be concluded at this meeting. The discussion should be continued so that the Planning Commission can request additional information, refine the suggested regulations, or add issues to the discussion. When the Planning Commission makes decisions on the issues for new regulations, an ordinance and resolution will be drafted for the Commission's consideration at a public hearing.

**Discussion:** The Planning Commission reviewed the City Planner's Report comparing the regulations of the cities of Arcadia, Hidden Hills, Malibu, Rolling Hills Estates, San Marino and Sierra Madre.

Commissioner Kuba stated that the report does not include our neighboring cities of Duarte and Monrovia. Chairman Hernandez suggested that the City Planner contact a more cities for comparison, such as Azusa, Duarte, Monrovia, La Verne and San Dimas.

Commissioner Kuba stated that it's a lot to ask and commended City Planner Kasama on doing a great job collecting information from other cities.

Vice-Chairman Jones wants to make sure we don't accidentally ban desert hardscapes.


**Direction to Staff:** The Planning Commission directed staff to contact the cities of Azusa, Duarte, Monrovia, La Verne and San Dimas about their regulations regarding front yard landscaping design guidelines and circular driveways and report back at the January meeting.

**Items from Staff:** City Manager Kearney had nothing to report.

**Upcoming Agenda Items:** City Planner Kasama stated that plans have been submitted for 180 Mt. Olive Drive and 213 Deodar Lane for review at the January meeting.

**Items from Commissioners:** Commissioner Kuba wished everyone Happy Holidays.+.

**Adjournment:** At 8:26 pm Chairman Hernandez adjourned the meeting to Wednesday, January 27, 2021 at 7:00 p.m.

  
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Frank Hernandez – Chairman

ATTEST:

  
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Claudia Saldana - City Clerk