

**MINUTES OF THE MEETING OF THE  
CITY OF SOUTH PASADENA PLANNING COMMISSION  
CONVENED THIS 20<sup>th</sup> DAY OF MAY 2013, 6:30 P.M.  
AT THE AMEDEE O. DICK RICHARDS JR.  
CITY COUNCIL CHAMBERS, 1424 MISSION STREET**

<b>ROLL CALL</b>		<p>Meeting convened at: 6:30 p.m.</p> <p><b>Commissioners Present:</b> Anthony George, Chair Kristin Morrish, Vice-Chair Evan Davis, Secretary J. Stephen Felice Steven Friedman</p> <p><b>Council Liaison:</b> Robert S. Joe</p> <p><b>Staff Present:</b> David G. Watkins, Director of Planning and Building Ivy Tsai, Assistant City Attorney John Mayer, Senior Planner Knarik Vizcarra, Assistant Planner</p> <p>Comm. Davis led the pledge of allegiance.</p>
<b>PUBLIC COMMENTS</b>		<p>Miguel Navarro pointed out that he used to live above Griffins of Kinsale, but he had to move, due to restaurant and street level noise. He noted that other residents made complaints and filed police reports. He requested to have the owner sound proof the restaurant. He also expressed concerns regarding elevated noise levels. Mr. Navarro requested to speak on a future item but he was advised to wait until the item is presented to the Planning Commission.</p>
<b>CONTINUED HEARINGS</b>	1	<p><b>716 Fair Oaks Avenue (Conditional Use Permit Modification Facade)</b></p> <p>Assistant Planner, Knarik Vizcarra presented her staff report, regarding the approval for a Conditional Use Permit Modification (CUP MOD) and Design Review. Ms. Vizcarra noted that she included a new condition of approval, which states that future design changes may be reviewed by the Design Review Board, unless it is determined that the proposed alterations will affect the use for the CUP MOD granted on April 23, 2012. The proposed patio covers, which were initially approved last year, were tensile. Currently, Mr. Madrigal is proposing patio covers made of aluminum and Plexiglas with a flat roof which will expose a larger portion of the front façade. Additionally, the applicants request includes approval to install tile on all existing stucco elements of the building mainly on the front and south elevations. Ms. Vizcarra noted that staff received one inquiry, which pertained to the construction at 716 Fair Oaks Avenue. The project met the required findings for a CUP MOD. Regarding the conditions of approval, Ms. Vizcarra noted that the date of April 23, 2012 should be changed to the</p>

	<p>date of May 20, 2013 mid-way down on page 13 and for condition 3 on page 13. The Commission did not have questions for Ms. Vizcarra at the conclusion of her presentation.</p> <p>Chair George acknowledged the arrival of Counsel Liaison Joe.</p> <p>Chair George declared the public hearing open.</p> <p>The applicant, Carlos Madrigal reiterated what Ms. Vizcarra noted in her staff report. Mr. Madrigal pointed out that the proposed modification consists of material change-outs, such as, patio furniture instead of the originally proposed canopies and a tile façade for the side and front entries, including a decorative drive through hearth, instead of the originally proposed stucco. In response to questions from the Commission, Mr. Madrigal presented the Commission with an oyster colored tile sample. He noted that the grout will match the tile and have a ¼ inch separation between the tiles. He also pointed out that the proposed patio furniture will be of a contemporary style consisting of aluminum/metal with a light sand color and that the roof will have a porous texture to it.</p> <p>Seeing that there were no speakers in favor of or in opposition to the project, Chair George declared the public hearing closed.</p> <p>The Commission continued discussion on the item and noted the following about the project: 1) construction was completed in a timely manner; and 2) the quality of work was beautifully done on the exterior and interior of the building.</p> <p>Comm. Felice was not in favor of the changes made to the original CUP MOD. He felt that the originally proposed canopies framed the façade nicely; therefore, he noted that the facade has a poor street appearance, due to the applicant's decision to remove the original canopies.</p> <p>After considering the staff report and draft resolution, a motion was made by Vice-Chair. Morrish, seconded by Comm. Davis to approve the project as submitted by staff.</p> <p>Comm. Davis amended the motion to include the date changes as noted by Ms. Vizcarra during her staff report on page 13 from 4/23/13 to 5/20/13.</p> <p>The motion carried 4-1 with Comm. Felice as the dissenting party.</p> <p>(Resolution 13-15)</p>
2	<p><b>Zoning Code Amendment – Reasonable Accommodations</b></p> <p>This item was continued from the April 22, 2013 meeting to provide staff with additional time to research the role of Design Review, if any, for this</p>

project.

The Director of Planning and Building, Mr. David Watkins presented his staff report, regarding reasonable accommodations for disabled persons. Mr. Watkins noted that "only" minor changes were made to the ordinance and that the Design Review process will not change. Mr. Watkins pointed out that the determining factor, regarding this benefit is contingent upon what the accommodation is and if a building permit is triggered. If a building permit is not triggered, Design Review will not be required. Most of the accommodations will be in the form of a wheelchair ramp, which does not require a building permit; therefore, design review will not be a part of the process. Interior accommodations may require design review depending on the scope of the work. Mr. Watkins noted that South Pasadena's Design Review thresholds are lower than other cities; therefore, circumstances that would not trigger Design Review in the city of Santa Rosa (Model City Ordinance - Reasonable Accommodations) will be triggered in the City of South Pasadena. Mr. Watkins pointed out that this item is more of a civil rights matter for disabled persons; therefore, they are entitled to reasonable accommodations to enjoy comfortable access to their homes. Within the last 10 years, staff has not received any requests for reasonable accommodations, but an ordinance must be in place when such requests are received by staff. Mr. Watkins noted that the following safeguards are set in place: 1) the applicant must have a qualified disability; and 2) their request must be reasonable and necessary.

At the conclusion of his staff report, Comm. Friedman had questions for Mr. Watkins, regarding the proposed ordinance. He pointed out section 5 D3, and suggested removing the word "either" from the sentence, since both a and b are permissible as follows: *"If necessary to reach a determination on the request for reasonable accommodation, the Review Authority may request further information from the applicant consistent with the fair housing laws, specifying in detail the information that is required, as it relates to either a) establishing the existence of a qualifying disability to determine the applicability of this chapter, or b) determining the necessity for the requested accommodation and its impact on access to housing to the disabled individuals(s)."*

Mr. Watkins was in agreement with removing the word "either".

Chair George declared the public hearing open.

Seeing that there were no speakers in favor of or in opposition to the project, Chair George declared the public hearing closed.

Comm. Friedman suggested adding the underlined wording to the ordinance under 36.410.110 Reasonable Accommodation [G.1. a] to settle any ambiguity, regarding the class of persons entitled to the benefit as follows:

		<p><i>"The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the fair housing laws <u>and entitled to a reasonable accommodation.</u>"</i></p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Friedman, seconded by Comm. Davis to adopt the resolution recommending to the City Council that it adopt the proposed ordinance change with the additional language and striking the word "either".</p> <p>The motion carried 5-0. (Resolution 13-16)</p>
	3	<p><b>Zoning Code Amendment – Community Gardens</b></p> <p>Senior Planner, John Mayer presented staff's request to have this item continued to the next regularly scheduled meeting on June 24, 2013 to provide staff with additional time to work with the AdHoc committee on the issues that were noted at last month's PC meeting.</p> <p>Chair George declared the public hearing open.</p> <p>A motion was made by Comm. Davis, seconded by Comm. Friedman to continue this item to the next regularly scheduled meeting on June 24, 2013.</p> <p>The motion carried 5-0.</p>
	4	<p><b>Zoning Code Amendment – Density Bonus Update</b></p> <p>Assistant Planner, Knarik Vizcarra presented her staff report, regarding approval for a Zoning Code amendment to remove governmental constraints and comply with state requirements by removing the Conditional Use Permit (CUP) as a requirement for density bonus approval. Ms. Vizcarra noted the importance of synchronizing the Zoning Code with State Law. Ms. Vizcarra reviewed the details of the project and presented staff's request to continue this item to the next regularly scheduled meeting. This continuance was requested for the purpose of providing staff with additional time to adjust the ordinance to clarify the approval of the density bonus project versus the density bonus agreement and to create a trigger, whereby the density bonus can be approved by the Planning Commission without a CUP. At the conclusion of her staff report, Comm. Friedman requested to have staff clarify in the ordinance that (10% of the total number of proposed units was designated). Chair George verified with Ms. Vizcarra that the parking ratio will not change. Vice-Chair Morrish inquired if a Density Bonus over the 35 % can be requested, but Ms. Vizcarra noted that it was not the intent of the code and she would clarify that in the ordinance.</p> <p>Chair George declared the public hearing open. Karen Bachard, 1929 spoke in opposition of the proposed amendment.</p>

	<p>The Commission provided direction to Ms. Vizcarra as follows: 1) Make clarifications in the ordinance regarding concessions/incentives; 2) explore inclusion of a strict penalty for breach agreement; 3) consider a possible threshold for the removal of the CUP; and 4) do the minimum required to comply with state law.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Davis, seconded by Comm. Friedman to continue this item to the next regularly scheduled meeting on June 24, 2013.</p> <p>The motion carried 5-0.</p>
5	<p><b>879 Oneonta Drive (Hillside Development Permit/Design Review – New Single Family Residence)</b></p> <p>Senior Planner, John Mayer presented his staff report, regarding approval for a Hillside Development Permit and Design Review for a new single family residence. Mr. Mayer reviewed the details of the tri-level residence and noted that tree removal will not be a part of this project. The project complies with the Hillside Development guidelines and the Zoning Code. At the conclusion of his presentation, Comm. Davis inquired about a letter of concern received by staff. Mr. Mayer noted that Ms. Haig was concerned about construction impacts; therefore, construction traffic was addressed in conditions 55 (staging plans – how to get in and out of the project site) and 56 (roadway clearance – 16 feet of roadway clearance is required at all times). Ms. Haig also expressed concerns, regarding cars traveling in the wrong direction on Oneonta Drive but Mr. Mayer noted that “Do Not Enter” signs and other roadway signs are posted along the street. Vice-Chair Morrish verified with Mr. Mayer that the conditions of approval were presented to the applicant.</p> <p>Chair George declared the public hearing open.</p> <p>The applicant, Elizabeth Herron discussed the design process, design generation and addressed construction concerns, regarding the construction process. Ms. Herron noted that flagmen will be stationed along the street to direct traffic, trucks will be limited to a maximum load of 6-tons and construction vehicles will be parked off site. At the request of Comm. Morris, Ms. Herron noted that it would take about two weeks to do the grading (excavation).</p> <p>The following people spoke in opposition of the project and expressed their concerns, regarding the grading, topography preservation, construction traffic, emergency vehicle access, and hill stabilization: 1) David Tull, 872 Oneonta Dr., and 2) Patricia Holguin, 882 Oneonta Dr.</p> <p>Karen Bachard, 1929 La France, was not in opposition to the project but she wanted to ensure that the hillside will be stabilized during construction.</p>

Ms. Herron addressed the speakers' concerns and noted that the construction workers will be careful and very meticulous during the grading portion of the project and that excavation requirements should be included in the conditions of approval.

Chair George declared the public hearing closed.

The Commission continued discussion on this item. Comm. Morrish expressed her concerns, regarding the large amount of grading needed for this project. Comm. Davis could not see a way around the grading because of the parking requirement. As long as mitigating factors are included in the conditions of approval, such as ensuring that the hill is stabilized during grading/construction, Comm. Davis approved of the project. Chair George commended the architect on a job well done.

Chair George requested additional details, such as trellis details, railing details (railing connection with the exterior façade/siding) and waterproofing. He requested to include a condition stating that the material for the siding is to be presented in the actual color.

Comm. Friedman also echoed the concerns raised by others, regarding the large amount of grading needed for this project, which may result in the project shortfalling the threshold requirements for the Hillside Development Permit standards.

Chair George noted that even though, the project requires cutting into the hillside, the entirety of the hillside will be maintained; therefore, it will meet the requirements for a Hillside Development permit.

After considering the staff report and draft resolution, a motion was made by Comm. Felice, seconded by Comm. Davis to approve the item as submitted by staff.

Chair George amended Comm. Felice's motion to include counter review by staff, regarding guard rail details, trellis detail, siding material and the interface of the guardrail to the siding.

Mr. Mayer requested that the Commission add the following language to the resolution, "the trucks will be limited to 10 cubic yards capacity".

Chair George amended the motion to include the suggested wording by Mr. Mayer, seconded by Comm. Davis.

The motion carried 5-0. (Resolution 13-17)

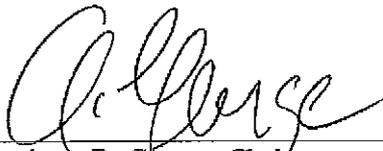
6	<p><b>706 La Portada (Hillside Development Permit – Single Family Addition)</b></p> <p>Senior Planner, John Mayer presented his staff report, regarding approval to build a single family addition for a single family residence located at 706 La Portada in the Altos de Monterey district. Mr. Mayer noted that the applicant is proposing an extension from the bedroom leading to a hobby workshop with a restroom and a roll-up garage door. At the conclusion of his presentation, the Commission did not have questions for Mr. Mayer.</p> <p>Chair George declared the public hearing open.</p> <p>The applicant, Tom Nott reviewed details of the project. Mr. Nott pointed out that the owner is a hobbyist and loves to build furniture. Mr. Nott noted that the addition is contiguous with the house and no grading will be involved in this project.</p> <p>Chair George declared the public hearing open. Seeing that there were no speakers in favor or in opposition to the project, he declared the public closed.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Davis, seconded by Comm. Friedman to approve the item as submitted by staff.</p> <p>The motion carried 5-0. (Resolution 13-18)</p>
7	<p><b>Zoning Code Amendment – Eliminate Conditional Use Permit for Multi-Family</b></p> <p>Assistant Planner, Knarik Vizcarra presented her staff report, regarding a Zoning Code amendment to eliminate the requirement for a Conditional Use Permit (CUP) for multi-family dwellings in the Residential High Density (RH) and Residential Medium Density zone (RM) zoning districts and to designate Design Review as the only required discretionary approval for multifamily developments. Ms. Vizcarra noted that this is one of the code amendments that the Commission initiated to implement the policies of the adopted Housing Element. At the conclusion of her presentation, the Commission had questions, regarding how eliminating a CUP encourages the development of affordable housing. Mr. Watkins noted that the CUP process adds time and money to the review process. One of the requirements of the Housing Element is to remove government constraints, such as CUP's, which will facilitate a speedy process. Mr. Watkins noted that one of the conditions to get the housing element certified was to remove the CUP from multi-housing.</p> <p>The Commission continued discussion, regarding if this amendment is facilitating multi-family housing or affordable housing. If it is facilitating multi-housing, it should be labeled as such. Mr. Watkins noted that the</p>

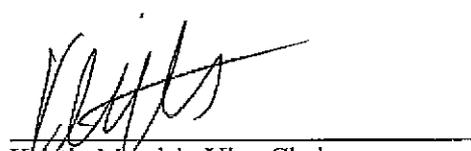
		<p>state insisted that its policy is to be included in the Housing Element for certification, which involves the removal of governmental constraints.</p> <p>Chair George declared the public hearing open.</p> <p>Harry Knapp, 417 El Centro St., Karen Bachard, 1929 La France spoke in opposition of eliminating the CUP process for multi-family housing.</p> <p>Chair George declared the public hearing closed.</p> <p>The Commission continued discussing options for the purpose of retaining the requirement of a CUP for multi-family dwellings.</p> <p>Chair George re-opened the public hearing to allow Mr. Knapp the opportunity to speak again.</p> <p>Harry Knapp was in agreement with the direction that the Commission's discussion was moving in for the purpose of retaining the CUP process for multi-family dwellings.</p> <p>A motion was made by Comm. Friedman, seconded by Comm. Davis to continue this item to the next regularly scheduled meeting on June 24, 2013.</p> <p>The motion carried 5-0.</p>
	8	<p><b>Minutes from the Planning Commission's April 22, 2013 meeting</b></p> <p>The minutes from the April 22, 2013 meeting were approved with a minor correction.</p>
	9	<p><b>Comments from City Council Liaison</b></p> <p>Council member Joe noted the following decisions made by the City Council: 1) a contract was awarded to DMR for the purpose of designing a sanitary sewer lift station to service the golf course and future development; 2) legal counsel and direction was provided during closed session, regarding the Nansen appeal; 3) the city is looking towards having jurisdiction once again over the land use authority and massage establishments; 4) after the November election, the City Clerk position will revert to a part-time stipend position; 5) an ordinance regarding second units was adopted; 6) the budget will be presented to the City Council for final approval at the June 5<sup>th</sup> meeting; and 7) additional funds were allocated for street improvement projects.</p>
	10	<p><b>Comments from Planning Commissioners</b></p> <p>Comm. Felice inquired about the status of litigation regarding the property at the southwest corner of El Centro and Meridian. Deputy City Attorney, Tsai will provide an update at a future time.</p>

		Chair George thanked Studio Spectrum for providing excellent video services to the City for numerous meetings.
	11	<b>Comments from Staff</b>  None
<b>ADJOURNMENT</b>	12	The meeting adjourned at 8:55 p.m. to the Planning Commission meeting scheduled for June 24, 2013.

I HEREBY CERTIFY that the foregoing minutes were adopted by the Planning Commission of the City of South Pasadena at a meeting held on June 24, 2013.

**AYES: DAVIS, FELICE, FRIEDMAN, GEORGE & MORRISH**  
**NOES: NONE**  
**ABSENT: NONE**  
**ABSTAIN: NONE**

  
 \_\_\_\_\_  
 Anthony R. George, Chair

  
 \_\_\_\_\_  
 Kristin Morrish, Vice-Chair

**ATTEST:**

  
 \_\_\_\_\_  
 Elaine Serrano, Recording Secretary