

**MINUTES OF THE MEETING OF THE
CITY OF SOUTH PASADENA PLANNING COMMISSION
CONVENED THIS JULY 25TH, 2011, 6:30 P.M. AT
COUNCIL CHAMBERS, 1424 MISSION STREET**

<p>ROLL CALL</p>		<p>Meeting convened at: 6:30 p.m.</p> <p>Commissioners Present: J. Stephen Felice, Chair Vijay Sehgal, Vice-Chair (arrived at 6:35 p.m.) Richard Tom, Secretary Anthony George, Commissioner Steven Friedman, Commissioner</p> <p>Council Liaison: Richard D. Schneider, M.D.</p> <p>Staff Present: David G. Watkins, Director of Planning and Building Richard L. Adams II, City Attorney Jose Villegas, Planning Intern Knarik Vizcarra, Planning Intern Paul Garnett, Assoc. Planner</p> <p>Comm. Friedman led the pledge of allegiance.</p>
<p>PUBLIC HEARING</p>	<p>1</p>	<p>805 Stratford Avenue (General Plan Amendment/Zoning Code – Correct Single Family – Park Boundaries)</p> <p>Associate Planner, Paul Garnett presented his staff report regarding approval for a General Plan Amendment and Zoning Map Amendment to allow a land swap between 805 Stratford Avenue and Garfield park to correct errors from a street vacation in 1956 and to reflect the prevailing historic use of portions of these properties. At the conclusion of his staff report, Mr. Garnett answered questions from the Commission, regarding the following: 1) existing and amended zoning maps; 2) the size of the two areas to be swapped; and 3) the party responsible for legal filings.</p> <p>The applicant, Cathy Pierson, pointed out that she bought the house in 1984 and that she paid for the title policy, legal recordings and surveyor costs.</p> <p>Chair Felice declared the public hearing open, and seeing that there were no speakers in favor of or in opposition to the item, he declared the public hearing closed.</p> <p>Commissioner Friedman pointed out that this item was for the purpose of correcting a mistake and that it is fair to the City and to the property owner.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Friedman to approve an amendment to change the designation in the</p>

		<p>general plan and to amend the Zoning Map to reflect the proposed changes. Comm. Tom seconded Comm. Friedman's motion with the clarification that this is a recommendation from the Planning Commission to the City Council for the purpose of carrying out the changes.</p> <p>The motion carried 5-0. (Resolution 11-16)</p>
	2	<p>807B Meridian Avenue (Conditional Use Permit Modification – Fitness Studio)</p> <p>Associate Planner, Paul Garnett presented his staff report, regarding approval of a Conditional Use Permit Modification for a fitness studio located at 807 B Meridian Avenue. Mr. Garnett pointed out that the owner of an existing fitness studio in the Mission/Meridian complex is requesting to expand his business by occupying an adjacent suite, which would provide additional space for exercise classes and personal training purposes. Mr. Garnett reviewed the history of the project. The Conditions of Approval included restrictions for the use of amplified music to ensure that there are no detrimental effects on the adjacent units. Staff's recommendation was to approve the Conditional Use Permit Modification subject to the Conditions of Approval. At the conclusion of his staff report, Mr. Garnett answered questions from the Commission, regarding who is the business owner for the complex and questions, regarding re-noticing for this item, since there was a change in hours of operation.</p> <p>The applicant and owner of Snap Fitness at 807A Meridian Avenue, Alan Cutler pointed out that Jody Martin is the owner of the four commercial units where his business is located. Mr. Cutler answered questions from the Commission regarding the following: 1) plans to expand; 2) operating hours; and 3) retail expansion (retail supplements and exercise apparel).</p> <p>Chair Felice declared the public hearing open. Seeing that there were no speakers in favor of or in opposition to this item, the public hearing was declared closed by Chair Felice.</p> <p>Comm. Friedman expressed his concerns, regarding the request for a change in closing time from 9:00 p.m. to 10:00 p.m. by the applicant, since this item was previously noticed with a closing time of 9:00 p.m.</p> <p>Comm. Friedman sought the City Attorney's advise on the matter. City Attorney Adams pointed out that the change in closing time was a minor change, which did not need to be re-noticed; therefore, a decision on the matter could be made by the Commission.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Tom, seconded by Comm. George to adopt the Conditional Use Permit Modification as subject to the Conditions of Approval.</p> <p>Mr. Garnett pointed out that in Condition 3, the business closing time should</p>

		<p>be changed from 9:00 p.m. to 10:00 p.m.</p> <p>Comm. Tom amended his motion by stating that in Exhibit “A” Condition 3, the permitted hours of operation for 807B Meridian Avenue are from 6:00 a.m. to 10:00 p.m. and that all patrons must leave the premises by no later than 10:00 p.m., seconded by Comm. George.</p> <p>The motion carried 5-0. (Resolution 11-17)</p>
	<p>3</p>	<p>1119 Fair Oaks Avenue (Alcohol Conditional Use Permit –Grass-roots)</p> <p>Planning Intern, Jose Villegas presented his staff report, regarding the request for a Conditional Use Permit approval to serve/sell beer and wine within the interior and exterior dining areas of the existing Grassroots Natural Market Kitchen. At the conclusion of his report the Commission did not have questions for Mr. Villegas.</p> <p>Mr. Meir Puni, the applicant and the owner of Grassroots introduced himself to the Commission and talked about the health benefits of Kombutcha (fermented tea), which will be on sale at Grassroots due to popular demand. Possibly, in the future, organic beer and wine may be sold at Grassroots.</p> <p>Comm. Friedman verified with Mr. Villegas that alcohol will be served inside and outside (outdoor dining area) in front of Grassroots.</p> <p>Per the applicant, Council Liaison, Schneider clarified that that the correct percentage of alcohol in Kombutcha is .5% instead of less than 5% alcohol, which was stated in the staff report.</p> <p>Chair Felice declared the public hearing open. Seeing that there were no speakers in favor of or in opposition to this item, the public hearing was declared closed by the Chair.</p> <p>Comm. Friedman emphasized that this application was not only for the request to serve Kombutcha but also to serve alcoholic beverages, such as beer and wine in and outside the premises.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. George, seconded by Comm. Tom to approve the request to serve and sell beer and wine on the outdoor dining area and within the existing Grassroots Natural Market and Kitchen located at 1119 Fair Oaks Avenue.</p> <p>The motion carried 5-0. (Resolution 11-18)</p>

4

266 Monterey Road (Conditional Use Permit Modification – Tandem Parking/Increase Building Size)

Associate Planner, Paul Garnett presented his staff report regarding a Conditional Use Permit Modification. Mr. Garnett pointed out that the applicant has requested to convert unusable space to usable space by proposing the use of three tandem parking spaces to satisfy the increased parking requirement of 25 parking spaces. He noted the following: 1) The overall footprint of the exterior building will not change as a result of the modification. 2) The two mezzanines located in Suite A (coffee shop) and Suite B (Remax Office) were approved administratively by staff. 3) The mezzanines were incorporated in the overall square footage to compute the total parking requirement. 4) The applicant proposed a revised tandem parking system. The tandem parking spaces will be dedicated to three of the suites and will be used by staff and management only, including signage to indicate the restriction. 5) Conditions 69 through 78 were added to the existing Conditions of Approval. Mr. Garnett emphasized conditions 70 through 73 and pointed out that condition 73 related to the use of the mezzanine for workshops and meetings. The conditions also point out that the mezzanine cannot be used as an extension of the coffee shop because the total area for the use would exceed 20%. If this would occur, the CUP would require further modification. The conditions also point out how the mezzanines cannot be used. Staff's recommendation was to approve the Conditional Use Permit Modification per the conditions of approval. At the conclusion of his staff report, Mr. Garnett answered questions from Comm. George regarding the dimensions of the mezzanine spaces.

The applicant, David Margrave presented the Commission with the recently adopted Building Code. Mr. Margrave pointed out the mezzanine space dimensions and stated that the mezzanines should not be included in the floor area. He presented his case regarding the matter. As a part of his position, Mr. Margrave commented that since the Zoning Code is silent regarding mezzanines and the Building Code is not, the Building Code is to be referenced. Mr. Margrave requested to have conditions 69, 70, 71, 72, and 73 removed from the Conditions of Approval.

The Commission did not agree with Mr. Margrave's position that the Building Code is the final authority when the Zoning Code is silent. Comm. George and City Attorney Adams pointed out that when the Zoning Code is silent, the Planning Director makes the final judgment on the matter. The Building Code addresses square footage and safety issues. The Zoning Code addresses land use matters; therefore, the Zoning Code and the Building Code are used for separate purposes. The Building Code cannot be used to make a Zoning Code determination.

	<p>Chair Felice declared the public hearing open. Seeing that there were no speakers in favor of or in opposition to this item, the public hearing was declared closed by Chair Felice.</p> <p>The Commission continued discussion on the matter. The Commission did not feel comfortable with removing staff's recommended conditions and did not agree with Mr. Margrave's solution for the matter.</p> <p>Chair Felice re-opened the public hearing to entertain a motion to continue this item.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. George, seconded by Comm. Sehgal to continue this item for the purpose of clarification between staff and the applicant, regarding conditions 69, 70, 71, 72, and 73 and to receive a report from staff by next month.</p> <p>Mr. Margrave requested to have the Commission make a determination on this item rather than have it continued to the next regularly scheduled meeting.</p> <p>Chair Felice declared the public hearing closed.</p> <p>The Commission discussed Mr. Margrave's request. City Attorney, Adams pointed out that, since the applicant changed his mind and does not agree with the proposal, he does not have a right to require that the Commission make a determination on it tonight.</p> <p>Chair Felice re-opened the public hearing. Mr. Margrave requested that the Commission give him the opportunity to construct and use his building. Mr. Garnett presented different solutions to the floor area issue. Mr. Garnett pointed out that staff drafts the conditions of approval and the conditions are shared with the applicant well in advance of the Commission meeting. Mr. Garnett pointed out that the applicant was in agreement with the conditions last week.</p> <p>Comm. George renewed his motion.</p> <p>The motion carried 5-0.</p>
5	<p>525 Meridian Avenue (Variance/Design Review – Single Family Addition)</p> <p>Ms. Vizcarra presented updated window information to the Commission, which proposed aluminum windows instead of vinyl windows as stated on the plans and in the staff report.</p> <p>Planning Intern, Knarik Vizcarra presented her staff report, regarding the request for a Variance and Design Review approval for 525 Meridian</p>

		<p>Avenue. Ms. Vizcarra pointed out that this request was for the construction of an additional bedroom, office space and attached garage, which will be located in front of the house. At the conclusion of her staff report, Ms. Vizcarra answered questions from Comm. George, regarding garage configurations for hillside properties and the slope/elevation of the property.</p> <p>The applicant, Tom Nott pointed out that there were very interesting points on the North side of the property, such as the buttresses, the retaining wall and the circular stairway entrance. Mr. Nott reviewed the details of the project and pointed out different possible locations for the garage. Mr. Nott answered questions from Chair Felice, regarding the retaining wall and the walkway.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Tom, seconded by Comm. Friedman to approve the Variance and Design Review subject to the conditions of approval, including the change in window treatments.</p> <p>The motion carried 5-0. (Resolution 11-19)</p>
<p>CONTINUED HEARING</p>	<p>6</p>	<p>Code Amendment – Conditional Use Permit for Massage etal</p> <p>Planning and Building Director, David Watkins presented his staff report and reviewed the history of the code amendment. Mr. Watkins pointed out that as of January 1, 2010, massage establishments comprised about 1% of the total businesses in the City of South Pasadena. Currently, massage establishments are just under 2% of the total businesses in the City of South Pasadena. Mr. Watkins pointed out that staff's revised recommendation to the City Council is not to adopt the code amendment but to ask the City Council to explore alternatives similar to the massage establishment permit.</p> <p>City Attorney Adams pointed out that the Commission may recommend a specific permit requirement or to have the City Council explore alternatives. The Zoning Code amendment may be approved as is or with changes. The Commission continued discussion on this item.</p> <p>Chair Felice declared the public hearing open, Lisa Pendalton, 1241 Blair Ave. spoke on behalf of WISSPA and expressed her concerns, regarding the hours of operation, the proliferation, the location and the appearance of massage establishments. She approved of requiring a CUP for massage establishments. Seeing that there were no other speakers in favor or in opposition to the project, Chair Felice declared the public hearing closed.</p> <p>The Commission continued discussion on the matter regarding a moratorium, the CUP process, state law, alternate options, community's</p>

		<p>interest, and the interest of free market.</p> <p>Mr. Watkins pointed out that the City Council is not expecting the Planning Commission to provide a recommendation next month; therefore, he suggested that the Commission continue this matter to explore Zoning options in lieu of a CUP but retain the option for a Massage Establishment permit.</p> <p>Chair Felice made a motion, seconded by Comm. Friedman to make a recommendation to City Council “not” to adopt the Zoning Code at this time, and table the item to review staff’s recommendations as a reasonable alternative.</p> <p>City Attorney Adams suggested making the following motion, “The Commission does not recommend this particular solution at this time and recommends the exploration of alternate solutions”.</p> <p>Chair Felice agreed to amend his motion with the City Attorney’s suggested motion.</p> <p>The motion carried 5-0.</p>
	7	<p>Minutes of the Planning Commission’s May 23, 2011 and June 27, 2011 meeting.</p> <p>The May 23, 2011 minutes were approved as submitted by staff and the June 27, 2011 minutes were approved with minor corrections.</p>
	8	<p>Comments from City Council Liaison:</p> <p>Dr. Schneider enjoyed tonight’s discussions, regarding Planning Commission items.</p>
	9	<p>Comments from Planning Commissioners:</p> <p>Comm. George complemented Dr. Schneider for attending the Planning Commission meetings and commented that he is a valuable asset to the City Council. Comm. George pointed out that Dr. Schneider attended a Design Review Meeting in the past and that was commendable.</p>
	10	<p>Comments from Staff:</p> <p>David Watkins, the Director of Planning and Building pointed out that 923 El Centro has been appealed and is scheduled to be heard by the City Council on August 17, 2011.</p>
ADJOURN- MENT	11	<p>The meeting adjourned at 9:25 p.m. to the next meeting of the Planning Commission scheduled for August 22, 2011.</p>

I HEREBY CERTIFY that the foregoing minutes were adopted by the Planning Commission of the City of South Pasadena at a meeting held on August 22, 2011.

AYES: FELICE, FRIEDMAN, GEORGE,
NOES: NONE
ABSENT: SEHGAL
ABSTAIN: TOM


I. Stephen Felice, Chair


Richard Tom, Secretary

ATTEST:


Elaine Serrano, Recording Secretary