

**MINUTES OF THE MEETING OF THE
CITY OF SOUTH PASADENA PLANNING COMMISSION
CONVENED THIS APRIL 23rd 2012, 6:30 P.M.
AT THE AMEDEE O. DICK RICHARDS JR.
CITY COUNCIL CHAMBERS, 1424 MISSION STREET**

ROLL CALL		<p>Meeting convened at: 6:33 p.m.</p> <p>Commissioners Present: Steven Friedman, Chair Anthony George, Vice-Chair Kristin Morrish, Secretary Evan Davis, Commissioner J. Stephen Felice, Commissioner</p> <p>Council Liaison: Robert S. Joe</p> <p>Staff Present: David G. Watkins, Director of Planning and Building Richard L. Adams II, City Attorney John Mayer, Senior Planner Paul Garnett, Assoc. Planner Jose Villegas, Planning Intern</p> <p>Comm. Davis led the pledge of allegiance.</p>
PUBLIC COMMENTS		None
CONTINUED HEARINGS	1	<p>2100 Hanscom Drive (Hillside Development Permit/Design Review – New Single Family Residence)</p> <p>This item was continued from the March 26, 2012 meeting to provide staff with additional time to explain how the Southwest Hills measures apply to this project, to revise the conditions and for staff to respond to the comments received at the last meeting.</p> <p>Mr. Mayer presented an overview of the Southwest Hills measures followed by responses to the comments from residents at the last Planning Commission meeting. Mr. Mayer reviewed the history of the project as follows: 1) in 2006 the City Council appointed a Southwest Hills Committee to work with staff on construction mitigation measures in response to increased construction in the Southwest Hills area; 2) on August 18, 2006 the City Council approved the recommendations from the Southwest Hills committee and directed staff to implement those recommendations; 3) the committee’s recommendations are implemented</p>

in a variety of mechanisms such as codification in the Municipal Code, administrative procedures, and Conditions of Approval for Hillside Development permits. Mr. Mayer pointed out that the revised conditions are necessary and required to mitigate construction impacts. Staff responded to several letters received from the public in opposition to the project.

Mr. Mayer noted that the Initial Study was revised to include the two Toyon trees as native species.

Mr. Mayer pointed out the following oversights, regarding the design of the plans: 1) Detached Potting Shed – the floor area of the potting shed must be included in the overall floor area ratio. Staff’s recommendation: Condition of Approval – Remove the potting shed from the plans prior to submitting to plan check for approval; and 2) Trellis – the trellis facing Hanscom Drive will need to be scaled back 30 inches from the property line.

At the conclusion of his staff report, Mr. Mayer answered questions from the Commission, regarding changes made to the plans as follows: 1) Drainage Plans (revised) – the drainage will flow along the southwest corner of the property and drain on to Elkins through underground piping; 2) Windows – two windows were removed on the north elevation; and 3) Deck (patio) – the patio area along Hanscom Drive was lowered to stay 30 inches off of the grade.

Regarding condition 54 and 68, Comm. Davis inquired about the legality of imposing conditions on the applicant with high dollar amounts.

City Attorney Adams addressed the logistics, regarding “Conditions of Approval”. He elaborated on what the Commission’s options are when new conditions are being proposed. Mr. Adams pointed out the following: 1) Conditions - Imposed conditions must relate to the impacts for the project and there must be evidence, such as public comments, written materials and staff reports to support the position. It must be demonstrated that there are impacts, which need to be mitigated; 2) Setting Precedents – New conditions can be made when new issues arise but they must be applied citywide; 3) Evaluation - Only evaluate conditions that have been contested, such as by the applicant’s attorney.

Vice-Chair George had questions for Shin Furakawa, regarding the details for the drainage onto Elkins.

The Commission discussed the substantiation of complaints, such as how to apply the correct criteria for valid complaints.

Jim Fenske, the project architect pointed out that all of his building structures are stable and still standing. Mr. Fenske presented the Commission with a design model and a materials board for the project. He reviewed and discussed the following details of the project: 1) oak tree placement 2) master bedroom windows – fixed and laminated, 3) sprinkler

system – simple system, 4) siding – cement board , 5) roofing – sheet metal class A, 6) guard rails - cable, 7) metallic finish – window/boards, 8) drainage – catch basin, 9) trellis – alleviates massing, 10) property line - visible, 11) Toyon trees – 10 replacement trees, 12) potting shed removal.

Mr. George pointed out that the plans were not clear; therefore, he had multiple design questions for Mr. Fenske.

Chair Friedman invited the applicant to speak at the podium. Rebecca How thanked her neighbors for welcoming her family to the neighborhood. Mrs. How submitted a petition to the Commission with forty signatures of people supporting the project.

Chair Friedman pointed out that it is a federal offence to place mail in someone else's mail box; therefore, he reprimanded Mr. How for hand delivering a letter from his attorney and placing it in his mail box.

Mr. How was feeling ill; therefore, the Commission took a five minute recess.

The applicant's attorney, Christopher Sutton did not approve of the treatment received by Mr. How. Mr. Sutton did not agree with the conditions of approval that required his client to provide additional reports, which he did not feel were a part of the application. Mr. Sutton requested that the Commission delete the following conditions: 11, 12, 39, 40, 52, 53, 57, 58, 60, 63, 66, 67, 70, 71, 72, 16, 22, 23, 26,

The following people spoke in favor of the project; they spoke highly about the How's and looked forward to having them as neighbors. The same speakers expressed their concerns about stringent conditions, fees, and setbacks [Hanscom Dr.]. It was pointed out that the desire for open space by neighbors opposed to the project, should not impede construction.

1) Lela Bissner, 2018 Hanscom Dr., 2) Anne Eastwood, 1909 Illinois Dr., 3) James Galligan, 2016 Hanscom Dr., 4) Roberta Nansen, 2145 Hanscom Dr., 5) Lucia Wiltrout, 1140, 6) Susan Smith, 2036 Hanscom Dr., 7) David Margrave, 928 Buena Vista Ave., 8) Mark Nansen, 2145 Hanscom Dr., 9) Scott Margrave, 1915 Illinois Dr.,

Mr. Bangar requested that the Commission delay judgment on this item until

the Southwest Hills Committee reconvenes. Mr. Bangar requested to have the rules passed by the City Council in 2006 enforced. The following people spoke in opposition to the project and expressed their concerns, regarding, unfinished projects, truck driver safety, proper fee allocation, plans, setback requirements (deck extensive excavation), tree survival, proper drainage, existing stairs (emergency exit): 1) Nick Bangar, 1878 Peterson Ave., 2) Toby Bangar, 2118 Hanscom Dr., 3) Kevan Steffey, 2080 Hanscom Dr., 4) Susan Shapiro, 2106 Hanscom Dr., and 5) Jeff Shapiro, 2106 Hanscom Dr.

Mr. Fenske commented that the homeowner and the neighbors should resolve the existing stair issue.

Mr. Sutton commented that the stairway (series of railroad ties) is an illegal nuisance in the public right of way. It is located on the house property without permits; therefore, the applicant should not be required to correct the neighbor's illegality, as a condition of approval. Mr. Sutton stated that the City Council never approved the rules of the Southwest Hills Committee, but the committee was asked to come back with appropriate language in 2006.

Chair Friedman declared the public hearing closed

Mr. Mayer went through the rational for the Conditions of Approval at the request of the Commission.

Mr. Mayer pointed out two additional and recommended conditions: 1) remove the potting shed from the project [comply with the FAR]; 2) the trellis should be scaled back to the setbacks.

After discussing the conditions in question with Mr. Mayer, The Commission made the following determinations regarding, the Conditions of approval:

- 1.) Conditions 11 and 12 were removed. The decision was approved by consensus.
- 2.) Condition 16 – the wording “if required” or “if applicable” was included. *This decision was approved by consensus.*
- 3.) Condition 39 and 40 – Standard Conditions
- 4.) Condition 52 – The wording “any encroachment of the public right of way” was included. *This decision was approved by consensus.*
- 5.) Condition 53 – Standard Condition
- 6.) Condition 57 – Standard Condition

	<p>7.) Condition 58 – Standard Condition</p> <p>8.) Condition 63 – the wording was included “ to the extent the asphalt is damaged in the course of the project resulting from construction activity” Staff will prepare the language.</p> <p>9.) Conditions 66 (Compliance Monitor) and 67 (Security Deposit) were removed.</p> <p>10.) Condition 70 – Notification required for street closures exceeding 4 hours</p> <p>11.) Condition 71 –Number change – 13’ roadway clearance.</p> <p>12.) Condition 72 was removed</p> <p>The Commission approved the additional conditions presented by Mr. Mayer, regarding the potting shed removal and the scaling back of the trellis.</p> <p>Vice-Chair George requested that the architect provide additional details as follows: 1) drawing clarification [materials and color], 2) door and window details [interfacing with wall panels], 3) the drawings must mirror the model and the rendering.</p> <p>After considering the staff report and draft resolution, a motion was made by Chair Friedman to adopt the resolution, adopting the Negative Declaration, approving Design Review and the Hillside Development Permit for the project located at 2100 Hanscom Drive, subject to the modification in the Conditions of Approval, as discussed this evening, including the modification to the trellis structure and the removal of the potting shed, subject to further condition and that there be an administrative approval of revised drawings that reflect the rendering and the model made by Comm. George.</p> <p>The motion carried 5-0. (Resolution 12-10)</p>
2	<p>2121, 2123, 2127 Hanscom Drive (Hillside Development Permit/Design Review – Three New Homes)</p> <p>Senior Planner, John Mayer presented his staff report, regarding approval for a Hillside Development Permit and Design Review to construct three contemporary style single family homes on three separate lots located at 2121, 2123, 2127 Hanscom Drive. Mr. Mayer pointed out that this item was continued from the March 23, 2012 meeting to provide staff with additional time to address the applicant’s objections to specific Conditions of Approval, resulting in the alteration of designated conditions. Mr. Mayer noted that</p>

condition number 14 – (Diesel fuel reduction plan) was inadvertently included in the staff report. Regarding condition number 8, Comm. Davis verified with Mr. Mayer that construction hours were changed to 8:30 a.m. – 6:00 p.m. Monday thru Friday, as a result of the onsite meeting. Mr. Mayer pointed out that the applicant was not in agreement with the conditions, regarding the requirement for a Compliance Monitor and a Noise Coordinator. Mr. Mayer also pointed out that the applicant requested to have the same condition modifications/deletions as were made for 2100 Hanscom Drive.

Chair Friedman declared the public hearing open and invited the applicant to speak at the podium. Mr. Milad Oijian, the project architect decided to forego his PowerPoint presentation, since it was late in the evening. Mr. Oijian pointed out that he was not in agreement with the following conditions: 1) Cond. 13 – Website [posting construction activity], 2) Cond. 12 – Noise Element, 3) Cond. 24 – Liquefaction Potential, 4) 25 – Soils Report [additional], 5) Cond. 42 – footing depth verification [surveyor], and 6) Cond. 60 – Compliance Monitor. Mr. Oijian did not want to review all of the conditions; therefore, he requested to have the conditions for his project revised the same way as the conditions were revised for 2100 Hanscom Drive.

Chair Friedman declared the public hearing open.

Mr. Margrave, 928 Buena Vista, spoke in favor of the project. He pointed out that he would like the project to be completed quickly and for street accessibility to be maintained along with safety and cleanliness.

Mr. James Mentel, 1871 Peterson Ave. took a neutral position, regarding the project. He expressed his concerns about the possibility of damaged roads, as a result of heavy construction. He would like street maintenance to be closely watched during construction.

The following people spoke in opposition to the project and expressed the need for a Deputy inspector to regulate the grading, excavation/trucking process, and proper street maintenance. An emphasis was placed on following the Hillside Development rules passed by the City Council in 2006. It was also requested to have the Southwest Hills Committee reconvene and research why the rules are not being followed: 1) Kevan Steffey, 2080 Hanscom Dr. and 2) Nick Bangar, 1878 Peterson Ave.

Mr. Mayer pointed out that the conditions recommended by the Building department cannot be removed, since they are required by the Building Code.

The Commission reviewed the conditions and made the following

	<p>judgments/changes: 1.) Cond. 12 & 13 – the sections regarding the Noise Disturbance Coordinator were removed, 2.) Cond. 14 - removed, 3.) Cond. 25 – the end clause was changed to read” ... Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits a new Preliminary Soils and/or Geotechnical Investigation and first has been accepted by the Building division.”</p> <p>The Commission discussed with the City Attorney how to implement Condition No. 60, regarding the Compliance Monitor.</p> <p>Mr. Oujjian pointed out that after the project was submitted to Design Review a change was made to the back retaining wall of the property. The interlocking wall was changed to a permanent shoring wall.</p> <p>The Commission discussed and determined that this project met the requirements for a Hillside Development Permit; therefore, the conditions were discussed and changes were made as follows : 1) Cond. 12 was removed; 2) Condition 13 remained with the omission of the last phrase “... and the telephone number for the noise disturbance coordinator.”; 3) Cond.13 – the addition of the word “and” in front of the email address; 4) Cond. 14 was removed by staff; 5) Cond. 25 – the clause was changed as previously stated; 6) Cond. 60 – The deposit was changed from \$12,000 to \$6,000. The condition was modified to have a trigger, if there is non-compliance with the Conditions of Approval and all applicable laws. The Deputy Inspector will be there once a week at \$60.00/hour & deposit of \$6,000 dollars. The verbiage in the last paragraph was deleted except for the final sentence as follows: “Any funds not used for the Compliance Monitor upon issuance of a Certificate of Occupancy will be returned to the applicant.”; 7) Cond. 64 – street closure in an excess of four hours; 8) Cond. 65 – the minimum road clearance was changed from 16 feet to 13 feet; and 9.) Cond. 69 was deleted.</p> <p>After considering the staff report and draft resolution, a motion was made by Comm. Friedman, seconded by Comm. George, to adopt the resolution, adopting the Negative Declaration, approving Design Review and the Hillside Development permit for 2121, 2123, 2127 Hanscom Drive, subject to the modified Conditions of Approval.</p> <p>The motion carried 5-0. (Resolution 12-11)</p>
<p>PUBLIC HEARINGS</p>	<p>3</p> <p>625 Fair Oaks Avenue (Conditional Use Permit/Design Review)</p> <p>The City Attorney suggested that the Commission waive listening to the staff report for this item and the remaining items, since it was very early in the morning at this point in the meeting.</p> <p>Chair Friedman introduced this item and pointed out that staff requested</p>

	<p>approval for a Conditional Use Permit and Design Review to modify the existing unmanned telecommunication facility. The modification will include removing and replacing the existing panel antennas with larger antennas located at 625 Fair Oaks Avenue.</p> <p>Chair Friedman declared the public hearing open.</p> <p>Amy Julian, the applicant's representative, pointed out that AT&T will be replacing the existing antennas with larger antennas. The overall height of the project will not increase, due to the lowering of the RAD center. Comm. George verified with Ms. Julian that the length of the antennas will increase but the overall height of the antennas will not increase, due to the lowering of the RAD center.</p> <p>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.</p> <p>The motion carried 5-0. (Resolution 12-12)</p>
4	<p>716 Fair Oaks Avenue (Conditional Use Permit/Design Review - McDonald's Expansion/Facelift)</p> <p>Chair Friedman introduced this item as an application for a Conditional Use Permit and Design review for the Mc. Donald's expansion and Facelift at 716 Fair Oaks Avenue.</p> <p>Chair Friedman declared the public hearing open.</p> <p>Carlos Madrigal, the project applicant/engineer from McDonalds USA, pointed out that he was in agreement with the Conditions of Approval for the project.</p> <p>Mr. Madrigal discussed the details of the project with Comm. George, and pointed out the following: 1) the building height will be increased to 26 feet, 2) the dining room ceiling height will be increased to 8 feet, 3) the kitchen ceiling height will be increased to 10 feet, 4) the door and window openings will be flush with the brick veneer and 5) all equipment will be screened, such as the air conditioners by way of a parapet.</p> <p>Comm. George suggested that the applicant pull the store front back to articulate the brick veneer and to recess the window/door openings.</p> <p>Comm. Morrish inquired about the flooring for the previous play area. Mr. Madrigal commented that the brick will be replaced with something like tile or stamped concrete.</p>

		<p>Brad Colerick, 735 Brent Ave., expressed his concerns, regarding the dilapidated fence along Brent Ave., an egress onto Brent Ave., and possible traffic increase, due to the enlargement of the building. Paul Evelett, 638 Crane Blvd. requested to have the design of the building retain 70's architecture.</p> <p>Mr. Madrigal responded to their concerns. He pointed out that there will not be a driveway on to Brent Ave. He commented that the current architecture is outdated; therefore, the design of the project will be updated to reflect the current architectural design for Mc. Donald's restaurants.</p> <p>Comm. George commended Mr. Madrigal for doing a great job, regarding the use of materials, especially the brick veneer.</p> <p>After considering the staff report and draft resolution, a motion was made by Vice-Chair George, seconded by Comm. Felice to approve the Conditional Use Permit Application Modification and Design Review for the McDonald's restaurant at 716 Fair Oaks Avenue, including the fenestration and glazing details on all full bricked conditions to be recessed to the inside face of the brick.</p> <p>The motion carried 5-0. (Resolution 12-13)</p>
NEW BUSINESS	5	<p>Downtown Project (Planned Development Permit Extension)</p> <p>Chair Friedman noted that the project representative from Genton left the Council Chambers prior to staff presenting this item to the Commission, due to the late hour; therefore, Chair Friedman verified with staff that continuing this item to the next regularly scheduled meeting would not jeopardize existing approvals for this project.</p> <p>Chair Friedman declared the public hearing open. A motion was made by Chair Friedman, seconded by Comm. Davis to continue this item to the next regularly scheduled meeting.</p> <p>The motion carried 5-0.</p>
	6	<p>Minutes of the Planning Commission's March 26, 2012</p> <p>The minutes were approved with minor corrections.</p>
	7	<p>Comments from City Council Liaison</p> <p>No Comments -- Council Liaison Joe was not present at this point in the meeting.</p>
	8	<p>Comments from Planning Commissioners</p> <p>Chair Friedman thanked the Commissioners for their stamina and for staying to the end of the meeting.</p>

	9	Comments from Staff Mr. Watkins congratulated the Commission for their labor and staying to the end of the meeting.
ADJOURN- MENT	10	The meeting adjourned at 12:56 a.m. to the next meeting of the Planning Commission scheduled for May 29, 2012.

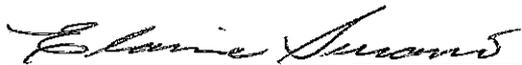
I HEREBY CERTIFY that the foregoing minutes were adopted by the Planning Commission of the City of South Pasadena at a meeting held on May 31, 2012.

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


 Steven Friedman, Chair


 Anthony R. George, Vice-Chair

ATTEST:


 Elaine Serrano, Recording Secretary