



## ***AZUSA CITY PLANNING COMMISSION MINUTES (revised)***

April 16, 2008  
7:00 P.M.

***NOTICE:*** A copy of the following public hearing staff reports and Initial Studies, if applicable, for the Planning Commission projects will be available for review during regular working hours of 7:00 a.m. to 5:30 p.m., Monday - Thursday at the Planning Division and during regular hours of the Azusa City Library. Any questions regarding any agenda item may be answered by the Planning Division at (626) 812-5017. The Planning Commission Meetings are held at 7:00 p.m. in the Azusa Civic Auditorium at 213 East Foothill Boulevard, Azusa, California

### **Call To Order**

Chairman Dierking called the meeting to order at 7:15 p.m.

### **Pledge of Allegiance**

Commissioner Alva led the flag salute.

### **Roll Call**

Members present: RENTSCHLER, ALVA, DIERKING, ROSALES

Members Absent: DODSON

### **Staff Present**

Assistant City Manager, Robert Person; Director of Economic and Community Development, Bruce Coleman; BBK Attorney, Michael Torres; BBK Attorney Marco Martinez; Senior Planner, Susan Cole; Contract Senior Planner, Katherine Laufenburger (Lilley Group); Administrative Secretary, Cindy Seffer; Planning Technician, Graciela Acosta

### **Approval of Minutes**

Minutes of March 12 , 2008

Motion by Commissioner Rosales to approve the minutes as revised. Motion was seconded by Commissioner Alva and the minutes were approved.

Minutes of March 27, 2008

Motion by Commissioner Alva to approve the minutes as written. Motion was seconded by Commissioner Rosales and the minutes were approved.

### **Public Participation**

Mr. Morales, resident, discussed a ceremony was held in Azusa in honor of World War II veteran Gabriel Noriega where a Purple Heart was received by his sister Ramona Rubio. He also stated his concern about the parking accommodations of the project of the 700 block of Dalton.

**Public Hearings**

**1. Case No.: Draft Ordinance amending portions of the City of Azusa Development Code concerning vehicle parking and storage, on private property; and temporary sign and tent regulations.**

**Location: City Wide**

**Applicant: City of Azusa**

Mr. Person stated this is a continued item and a result of the code committee and introduced Mr. Martinez to address legal issues verses committee recommendations.

Discussion was held regarding to the proposed code for regular vehicles and RVs as eight foot set back from property line. Attorney Martinez answered questions on legal issues and advised drafting zoning regulation is a policy issue. The policy drafted is to be the ideal and not for every situation. Commissioner Rentschler asked if there is a view analysis and Assistant City Manager Robert Person answered city engineer recommended an eight foot setback from property line which City Council did not go with. Chairman asked if any enforcement mechanism in the municipal code and counsel answered yes, through criminal and administrative citations.

Chairman Dierking opened the public hearing.

Mr. Art Morales stated there is a problem with hedges and driveways side by side and suggested a rule that requires residents back up into a driveway.

Chairman Dieking closed the public hearing.

Discussion continued on the proposed 8 foot setback for RV parking. Commissioner Renstchler moved to recommend an 8 foot setback from property line with individual cases to apply for a permit or variance. Chairman Dierking asked staff if we already have a mechanism for that and Ms. Cole answered yes. A minor variance for a 10% deviation and a major variance with reduced fee for property owners. The minor variance is adjudicated by zoning official and the major variance before Planning Commission.

The vote was as follows:

AYES: RENTSCHLER, ALVA,

NOES: DIERKING, ROSALES

ABSENT: DODSON

ABSTAIN: NONE

Vote resulted in a tie; commissioners discussed continuing the item to the next Planning Commission meeting to allow Commissioner Dodson to vote. Chairman Dierking motioned to continue this item to the April 30th Planning Commission meeting Commissioner Rosales second the motion.

The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING, ROSALES

NOES: NONE

ABSTAIN: NONE

ABSENT: DODSON

2.     **Case No.**     **Use Permit UP 2007-06, Variance V 2007-10 & Variance V 2007-11**  
       **Location:**   **1020 Tenth Street**  
       **Applicant:**  **Sprint / Nextel**

Request for approval of Use Permit to allow the construction of a 60 foot high wireless telecommunication facility, and two Variances to allow the height of the structure to exceed the 50 foot maximum and to reduce the required rear setback from 60' to 13'-6" and west setback from 60' to 17'-2" at 1020 E. Tenth Street.

Ms. Laufenburger provided the summary of the staff report. She stated that this is a City site and the applicant's goal is to provide co-location at a quality site.

Ms. Zimmerman represented the applicant and agreed with the staff report.

Chairman Dierking opened public hearing.

Mr. Morales, resident, stated he is a subscriber and is happy with the service.

Public hearing is closed.

Attorney Michael Torres advised Commissioners to vote on all Resolutions at one time.

Commissioner Alva motioned to approve UP 2007-06, V-2007-10 and V 2007-11 subject to the conditions of approval listed in the staff report. Commissioner Rosales seconded the motion.

The vote was as follows:

AYES:           RENTSCHLER, ALVA, ROSALES

NOES:           DIERKING

ABSENT:        DODSON

ABSTAIN:       NONE

3.     **Case No.:**     **Variance V-2008-01**  
       **Location:**   **845E. Haltern Street**  
       **Applicant:**  **Adrian Avalos**

Request for approval of a Variance to allow an existing 368 square foot room addition to previously constructed in the early 1960's, to encroach 4.5 feet into the required rear yard setback at 875 E. Haltern Street.

Ms. Laufenburger presented staff report and explained the Variance was used because the request exceeds the 10% limit for a minor variance. Staff clarified Condition of approval #8 requires a special inspection.

Chairman Dierking opened the public hearing.

Mr. Morales, resident, supported the project.

Chairman Dierking closed public hearing.

Chairman Dierking asked applicant if he agreed to Conditions of Approval and applicant stated he had not received a copy. Ms. Laufenburger provided a copy for review.

Chairman Dierking called for ten minute break to allow applicant to read and review Conditions of Approval in the staff report.

Chairman Dierking re-opened the public hearing and asked applicant if he agreed to Conditions of Approval on staff report.

Applicant stated he agreed to Conditions of Approval on the staff report.

Commissioner Alva motioned to approve V 2008-01 subject to the conditions listed in the staff report. Commissioner Rosales second the motion.

The vote was as follows:

AYES: RENTSCHLER, DIERKING, ALVA, ROSALES

NOES: ~~ALVA, ROSALES~~, NONE

ABSENT: DODSON

ABSTAIN: NONE

**4. Case No.: Design Review DR- 2007-69 and Variance V-2007-09**

**Location: 514 N. Alameda Avenue**

**Applicant: California Coast Residential Design**

Request for approval of a Variance and Design Review to allow for the encroachment of the residence 2 feet into the required side yard providing a three (3) foot setback, and the encroachment of the detached garage one (1) foot into the required side yard leaving a (2) foot setback.

Chairman Dierking asked if there was a conflict if Commissioner Alva participated.

Ms. Cole stated Commissioner Alva is eligible to participate in the review of this item.

Ms. Laufenburger presented the staff report and stated the applicant was present. She stated notices were sent out to the public and no responses were received.

Mr. Torres advised the Commission that the other two lots owned by the applicant were not on the agenda.

Mr. Wells, designer representing the property owner Mr. David Kim, property owner, were also present.

Chairman Dierking opened public hearing.

Chairman Dierking asked if public was interested in speaking and there was no interest.

Chairman Dierking closed public hearing.

Discussion continued on the 5 foot setback. Mr. Torres reminded the commission this item considers one lot only. Ms. Cole clarified for the commission a 3 foot set back is acceptable to the Building Department and 5 foot distance between structures is the minimum allowable and that fire access would be a Fire Department approval issue.

Commissioner Rentschler motioned to approve DR 2007-69 and V 2007-09 subject to the Conditions of Approval. Chairman Dierking seconded the motion.

The vote was as follows:

AYES: RENTSCHLER, DIERKING,

NOES: ALVA, ROSALES

ABSENT: DODSON

ABSTAIN: NONE

Vote resulted in a tie; commissioners discussed continuing the item. Commissioner Rentschler motioned to continue the item to the next Planning Commission meeting of April 30th. Commissioner Rosales seconded the motion.

The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING, ROSALES

NOES: NONE

ABSENT: DODSON

ABSTAIN: NONE

**Unfinished Business**

None

**New Business**

None

**Reports and Communications**

1. Report was withdrawn by the applicant.
2. APU ANNUAL REPORT

Ms. Cole summarized the report and introduced APU Attorney Mark Dickerson who indicated that he was there to answer their questions. The background of this proposal consists of the APU development Agreement along with Mitigation Monitoring Plan for the APU Specific Plan which were adopted by City Council on September 19, 2005 and resulted in requiring an annual review to determine compliance with all the provisions of the agreement. Staff concluded provisions were met.

Mr. Dickerson first reported APU has awarded this current year a total of 22 scholarships for the fall. Discussion was held on traffic mitigations. Mr. Dickerson informed the Planning Commission about traffic safety at Foothill and Citrus and reported meeting with Azusa PD, Stater Brothers about providing public information.

Chairman Dierking opened public hearing.

Mr. Morales, resident, stated APU is a great university.

Chairman Dierking closed public hearing.

The Commission thanked APU for participating in the community by awarding 37 scholarships of \$20,000 each in about a 7 year period and for allowing Saint Frances of Rome use of parking facility.

Commissioner Rosales motioned to approve APU Annual Report. Commissioner Alva seconded the motion.

The vote was as follows:

AYES: RENTSCHLER, ALVA, DIERKING, ROSALES

NOES: NONE

ABSENT: DODSON

ABSTAIN: NONE

### **3. CITY COUNCIL MEETING OF APRIL 7 , 2008**

Director Coleman gave a brief update of the April 7, 2008 City Council meeting. Mr. Coleman briefed the Planning Commission on contract for Hogle & Ireland, personnel item, lease by redevelopment, setting a date for plan amendment and a reduction of bond.

#### **Discussion Items From the Planning Commission**

Commissioner Rentschler thanked staff and the Commission for allowing her to represent the City of Azusa at the League of California Cities in Sacramento. Commissioner asks City Council to increase the budget would allow all Planning Commission to attend the next one in Anaheim.

Chairman Dierking and Planning Commissioners thanked Mr. Coleman for his service to the City on behalf of all residents of Azusa and he will be missed. Chairman Dierking requested Poilce Department enforcement safety violations at Soldano and Fifth at 4:50pm and 6:40pm. And Mr. Coleman stated he would contract the Police Department.

Ms. Cole formally introduced the new planning technician Graciela Acosta to the Planning Commission. Ms. Cole stated copies of the municipal code are available on hard copy and on line for the planning commission use. And Commissioners Rentschler and Alva requested hard copies.

#### **Adjournment**

Commissioner Alva motioned to adjourn the meeting in honor of WWII veteran Gabriel Noriega the meeting; seconded by Commissioner Rosales. The meeting was adjourned at 9:41pm.