REGULAR MEETING
OF THE SAN MARINO PLANNING COMMISSION
MARCH 23, 2016 - 7:00 P.M.

CALL TO ORDER Chairman Lundgren called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL **PRESENT:** Chairman Ben Lundgren, Vice-Chairman Marcos Velayos, Howard Brody, Raymond Cheng, Se-Yao Hsu, Alternate Susan Jakubowski

PUBLIC COMMENTS

PUBLIC HEARINGS

1. **GENERAL PLAN AMENDMENT FOR THE PARKING LOTS LOCATED AT 1270 BELHAVEN ROAD (APN 5332-002-010), 1265 SAN GABRIEL BOULEVARD (APN 5332-002-009), 1620 CHELSEA ROAD (APN 5335-005-001), 2020 HUNTINGTON DRIVE (APN 5334-016-018), 2010 HUNTINGTON DRIVE (APN 5334-016-017), 1630 CHELSEA ROAD (APN 5335-005-005), 2000 HUNTINGTON DRIVE (APN 5334-016-016)**

Item 7 on the agenda was heard first, following by this item and the remaining agenda items.

Planning and Building Director Cervantes presented the staff report and answered questions.

The following people spoke in favor of the project:

Michele Lumley, 420 Pilgrim Place
Dirceu Botelho, 1081 Roanoke Road

Vice-Chairman Velayos stated he agreed with the proposed changes provided the staff recommendation is corrected to indicate 2-4 dwelling units/acre for the Very Low Density Residential designation. He also suggested considering changing the area on Sussex from Low Density Residential to Very Low Density Residential to be consistent with the surrounding area.

The other Planning Commissioners agreed.

Vice-Chairman Velayos moved to recommend to the City Council the proposed changes to the General Plan Land Use Map. Seconded by Commissioner Cheng. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

2. MODIFICATION TO CONDITIONAL USE PERMIT NO. CUP14-27
2327 HUNTINGTON DRIVE, (HUANG)

Associate Planner Merlo presented the staff report for this item and answered questions.

Ben Butts and Glen, applicants, presented the proposed business to the Planning Commission and answered questions.

Vice-Chairman Velayos stated he was could support the proposal as a "test run", limiting the use to Dynamx Physical Therapy only and with the other conditions of approval identified in the staff report.

The other Commissioners agreed.

Commissioner Cheng moved to approve the project subject to the following conditions:

1. No more than one (1) licensed physical therapist and no more than one (1) physical therapy aid shall be on-site and assisting clients at any given time.
2. DynamX Physical Therapy shall not operate until a business license is obtained.
3. Hours of operation shall be Monday – Friday 7 a.m. to 7 p.m.
4. This approval shall only be for DynamX Physical Therapy.

Seconded by Vice-Chairman Velayos. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

3. CONDITIONAL USE PERMIT NO. CUP15-36, DESIGN REVIEW NOS. DRC15-99
AND DRC16-10
1470 VIRGINIA ROAD, (CHAN/TYLER)

Assistant Planner Choi presented the staff report on this item.

Vincent Tseng, owners' representative and Robert Tyler, presented the project and answered questions.

The following person spoke about the project:

Heidi Hobart, 1305 Woodstock Road

The following person spoke in favor of the project:

Dennis Kneier, 1425 Hampton Road

The following people spoke in opposition to the project:

Laurie Barlow, 2434 Sherwood Road
Rich Haserot, 2365 Sherwood Road
Michele Lumley, 420 Pilgrim Place
Fran Benuska, 2410 Coniston Place

The majority of the Planning Commission agreed that the project needed further design modifications and was not yet ready for approval.

Commissioner Brody stated that he was not in favor of a continuance.

Commissioner Cheng moved to continue the project to the meeting of April 27, 2016. Seconded by Commissioner Hsu. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Cheng, Commissioner Hsu. NOES: Commissioner Brody

4. VARIANCE NO. V16-01, CONDITIONAL USE PERMIT NO. CUP16-01, AND DESIGN REVIEW NO. DRC16-11
485 PLYMOUTH RD., (MINICH)

Associate Planner Merlo presented the staff report for this item.

Virginia Paca, architect, presented the project.

There were no public comments.

It was the consensus of the Planning Commission that the project could meet all of the required findings due to the small lot and compatibility of the project with itself and with the neighborhood.

Commissioner Brody moved to approve the project as submitted. Seconded by Vice-Chairman Velayos. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

5. CONDITIONAL USE PERMIT NO. CUP15-33 AND DESIGN REVIEW NO. DRC15-101
1940 MARINO TERR., (ITO)

Assistant Planner Choi presented the staff report for this item.

Tanya Cooper, applicant, and Thomas Workman, owner, presented the project.

There was no public comment.

The Planning Commission has concerns about a potential fifth bedroom and was in favor of a continuance so the applicant could address this issue.
Commissioner Brody moved to continue the project to the meeting of April 27, 2016. Second by Commissioner Hsu. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

6. CONDITIONAL USE PERMIT NOS. CUP15-03, CUP15-04, DESIGN REVIEW NOS. DRC15-11, AND DRC15-49
1040 OAK GROVE AVENUE, (MA)

Assistant Planner Choi stated that the applicant has requested to withdraw their application.

Commissioner Cheng moved to receive and file the request. Second by Commissioner Hsu AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

OTHER MATTERS

7. REQUEST FOR EXTENSION OF PROJECT COMPLETION DATE
1001 ROSALIND ROAD, (ZHONG)

This item was heard before the other item at the request of Chairman Lundgren.

Planning and Building Director Cervantes presented the staff report and answered questions.

Peter Zhong, representing the owner, asked for clarification regarding some of the conditions and presented additional information. He identified Andrew Chen as the project manager.

The following people spoke about the project and presented their concerns regarding the construction:

Christopher Norgaard, Representing the Jones Family at 1100 Oak Grove Avenue
Tiffany Lam, 1095 Rosalind Road
Kevin Brogan, 1778 Oak Grove Avenue
Ronny Lam, 1095 Rosalind Road
Heidi Hobart, 1305 `Woodstock Road
Jeff Jones, 1100 Oak Grove Avenue
Louise Jones, 1100 Oak Grove Avenue

Kate Harvey and Rebecca Latta, project landscape architect and arborist, answered questions about the trees and landscape plan.

The Planning Commission agreed that the project completion deadline should be extended, but subject to several conditions. The Planning Commission discussed the proposed conditions in detail and made changes as necessary.

Vice-Chairman Velayos moved to extend the project completion date to May 31, 2017 subject to the following conditions:

1. The owner shall maintain general liability insurance in the amount of $5,000,000 per occurrence, with an aggregate amount of $5,000,000. Nothing herein shall limit the property owner's liability.
2. The project shall comply with the allowable construction work hours identified in Section 25.01.02 of the City Code. No construction vehicles may park on any public street.
3. The owner shall provide a project manager, effective immediately. One sign, visible from the street, must be posted on-site and must list the name(s) and phone number(s) of the project manager(s). The project manager shall be on-site and available during all times that construction activity is occurring. A flag man shall be on-site to direct ingress and egress of vehicle traffic to and from the site.
4. The landscape architect shall complete the final landscape plan, including details on the sizes and types of plants and trees. The applicant shall provide evidence showing reasonable steps taken to present the landscape plan to property owners within 500' of the subject property. The Landscape Plan shall be submitted to the City prior to May 27, 2016 with evidence that the neighbors were provided an opportunity to review and comment on the plans. Included with the landscape plan shall be a 3-dimensional model or rendering.
5. The project shall return to the Planning Commission every three (3) months with a complete project progress report, including pictures. The applicant shall inform the Director of Building and Planning of any anticipated delay in construction. The first status report shall be provided at the May 27, 2016, Planning Commission meeting which is two months from the March 25, 2016 meeting.
6. The penalties for non-compliance with any of the above conditions shall include financial penalties of no less than $1,000 per violation per day and may include a revocation of all permits associated with the property.
7. If the project fails to receive a successful final inspection by May 31, 2017, a penalty shall be assessed in the amount listed below:

   1st month - $5,000
   2nd month - $10,000
   3rd month - $15,000
   After the third month, each day beyond shall incur a $1,000 penalty fee paid to the City of San Marino.
8. Delay in performance hereunder shall not be deemed to be default to the extent the delay is due to war, insurrection, floods, earthquakes, fires, casualties, epidemics, quarantine restrictions, unusually severe weather, strikes causing inability to secure necessary labor, materials or tools, acts of the City and any

other causes beyond the control and without the fault of the property owner. An extension of time for any such cause shall be for the period of the delay and shall commence to run from the time of the commencement of the cause, but only if property owner sends written notice to the City within five days after commencement of the cause.

9. Any violation shall be photo documented for the record and presented to the Planning Commission during the periodic updates.

Seconded by Commissioner Brody. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

8. MEETING MINUTES FOR FEBRUARY 24, 2016

Commissioner Cheng moved to approve the minutes. Seconded by Vice-Chairman Velayos. AYES: Chairman Lundgren, Vice-Chairman Velayos, Commissioner Brody, Commissioner Cheng, Commissioner Hsu. NOES: None.

ADJOURNMENT

With no further items to consider, the Planning Commission adjourned to the next regular meeting on Wednesday, April 27, 2016 in the City Hall Council Chambers, 2200 Huntington Drive, San Marino, CA 91108.

ALDO CERVANTES,
SECRETARY