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**CITY OF SIERRA MADRE
PLANNING COMMISSION MINUTES**
Regular Meeting of
Thursday, June 1, 2017 at 7:00 p.m.
City Council Chambers, 232 W. Sierra Madre Blvd.

CALL TO ORDER

Chair Frierman-Hunt called the meeting to order at 7:40 p.m.

ROLL CALL

Present: Chair Frierman-Hunt, Vice Chair Spears Commissioners Desai, Hutt, Pevsner

Absent: Commissioners Hinton, Buckles

Staff: Vincent Gonzalez, Director of Planning and Community Preservation
Leticia Cardoso, Planning Manager
Jennifer Peterson, Administrative Analyst
Theresa Highsmith, City Attorney

REPORT OUT FROM CLOSED SESSION

City Attorney Highsmith reported that the Planning Commission had met in closed session and no action had been taken.

APPROVAL OF AGENDA

Commissioner Desai moved to approve the agenda. Commissioner Hutt seconded. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 18, 2017

Vice Chair Spears moved to approve the minutes. Commissioner Desai seconded. Motion carried unanimously.

AUDIENCE COMMENTS

None.

PUBLIC HEARING

- 1. DISCRETIONARY DEMOLITION PERMIT 16-01**
Address: 126 E. Mira Monte Avenue

45 Applicant: William and Anastasia Kefalas
46 (continued from May 4, 2017)
47

48
49 Director Gonzalez delivered the staff report.
50

51 Vice Chair Spears inquired about the roof of the garage.
52 Director Gonzalez stated that the roof had been removed, which was observed during a
53 site visit. Staff wanted to include the garage in the scope of conditions that the roof
54 shall be required to match the roof pitch and architectural style of the main house.
55

56 Scott Carlson

57 Representative of Applicant

58 Mr. Carlson spoke in agreement with the staff recommendations. He requested
59 clarification of proposed conditions 2 a, b, c based on the construction observation
60 report prepared by the City Building Official. Director Gonzalez stated that these
61 conditions would still be applicable to the project. Mr. Carlson stated that the applicant
62 may not want to use the existing wood and sister new structural framing to existing
63 studs. Director Gonzalez stated that the language does not compel the applicant to do
64 that, rather it provides opportunity for new materials to be used if the existing studs are
65 so deteriorated that they are unable to accept new structural material.

66 Mr. Carlson requested that the language "inaccuracies /misrepresentations will be
67 grounds for revocation" be deleted as he feels that it is ambiguous. City Attorney
68 Highsmith stated that the language does not waive compliance with revocation process.
69 Commissioner Hutt added that redundancy doesn't provide waiver of rights, simply
70 restates code. Director Gonzalez stated that the provision is standard language to the
71 conditions of approval.
72

73 Joe Catalano

74 N. Lima

75 License architect/Historic Architect

76 Mr. Catalano spoke about sistering vs. replacing, and the benefits to enact the historic
77 building code. Sistering allows preservation of historic profiles.

78 Mr. Catalano also stated that Mr. Carpenter's assessment is incorrect as he quoted the
79 incorrect code Secretary of International Standards.
80

81 Barry Gold

82 Preserve Sierra Madre

83 Spoke in favor of preservation of structure. Mr. Gold encouraged the Commission to
84 deny the Discretionary Demolition Permit, rescind the Conditional Use Permit, require
85 the applicant to rebuild the original structure and to penalize the applicant.
86

87 Cheryl Galbraith

88 W. Mira Monte

89 Ms. Galbraith spoke in favor of demolition, allowing project to move forward.

90
91 Robert Carpenter
92 Wrote report
93 Mr. Carpenter stated that he had been asked to review project in current state. He
94 stated that he had no knowledge of project prior to construction.
95 Mr. Carpenter stated that the Commission should have required a historic report from
96 the beginning. The project then would have been subject to historic building code.
97 Mr. Carpenter spoke regarding the option of sistering, stating that the old studs likely
98 don't have elasticity to accept new nails. He stated that it was possible that current
99 nailing requirements could not be met.
100
101 Scott Carlson
102 Representing applicant
103 Mr. Carlson spoke of communication breakdowns. Mr. Carlson stated that that the
104 applicant had complied with conditions of the Conditional Use Permit. Mr. Carlson
105 stated that when the applicant removed the roof it was to comply with building code, and
106 he had intended to rebuild the roof exactly.
107
108 Chair Frierman-Hunt pointed out that the applicant is requesting raising of roof, which
109 would not be an exact rebuild.
110
111 Mr. Carlson stated that Mr. Fisher is not a qualified Architectural Historian. He also
112 requested that the applicant be allowed to completely reframe the house.
113
114 City Attorney Highsmith stated that Mr. Fisher qualifies under City requirements.
115
116 Joe Catalano
117 N. Lima
118 Mr. Catalano spoke regarding the use of the International Building Code vs. the State
119 Historic Building Code, wherein the applicant would have options to work with existing
120 materials and circumstances.
121
122 Chair Frierman-Hunt closed the Public Hearing.
123
124 Vice Chair Spears requested to make a statement. He stated that there had been an
125 allegation by the applicant that he is biased based on the fact that he has restored a
126 historic structure, has visited the subject property and house, and statements he
127 allegedly made. Vice Chair Spears stated, "For the record that I am not biased and take
128 my commitment to the Commission very seriously."
129
130 Chair Frierman-Hunt noted that this is a very contentious project and the first test of the
131 Discretionary Demolition Ordinance. The Chair stated that under the current law, the
132 process would be different, and different decisions may have been made. She stated
133 that removal of roof rafters constitutes demolition. Chair Frierman-Hunt noted that the
134 commission is being asked to consider this matter 'after the fact' that the demolition has

135 already occurred. She recalled that the house was deteriorated when Commission
136 originally considered it two years ago, but the integrity existed.

137
138 Commissioner Pevsner stated that he wasn't around for the original Conditional Use
139 Permit hearings, but is sympathetic to neighbors/neighborhood. He stated however
140 that it is still difficult to make the first finding of the Discretionary Demolition Permit
141 Ordinance.

142
143 Chair Desai stated he had similar thoughts and had difficulty with the first finding, as
144 both historic resource evaluation reports are conflicting.

145
146 Vice Chair Spears stated that this project has a contentious history, but that the historic
147 nature of house has always been the guiding factor. He stated that the overall
148 perception is that the project has always had historic value. Vice Chair Spears stated
149 that after reviewing both reports, he would also have difficulty making finding No. 1.

150
151 Commissioner Hutt agreed with Mr. Carpenter. He stated that it would have been ideal
152 to have known historic significance from outset. Commissioner Hutt spoke as an
153 advocate for a citywide historic survey. He recalled that when the project was originally
154 considered, the Commission didn't have any reports, and that new information has
155 come to light. Commissioner Hutt also pointed out that CEQA guidelines are
156 addressing conflicting reports and directs the Commission to treat the project as
157 historic.

158
159 Scott Carlson
160 Rep Applicant

161 Mr. Carlson stated that the Categorical Exemption had been given with the granting of
162 the original Conditional Use Permit.

163
164 Commissioner Hutt stated that since that was granted we have received significant new
165 information.

166
167 Chair Frierman-Hunt noted that the scope of the project has changed as well. She
168 agreed with Commission that with the conflicting reports it is a challenge to make finding
169 #1. She stated that the Commission had three options: Can make recommendations
170 to deny Discretionary Demolition Permit 16-01; the Commission can request new tie
171 breaker historic report, at a cost to be borne by the applicant, or the Commission can
172 require the applicant to prepare an initial environmental study.

173
174 Scott Carlson
175 Applicant representative

176 Mr. Carlson rejected all of the Commissions options. He stated that the project has the
177 Categorical Exemption, and that all historic materials have been removed per the
178 Conditional Use Permit. He stated that he feels that it is unduly punitive to require
179 more reports or reviews.

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City Attorney Highsmith explained the options before the Commission, from a procedural standpoint because she was observing that the Commission did not have 3 supporting votes to make findings. She stated that if the Carpenter Report cannot be approved, the Commission has two choices:
1) Deny Discretionary Demolition Permit 16-01.
2) Continue the matter to allow applicant to return with tie breaking historic resources report.

City Attorney Highsmith suggested that the Commission give applicant options.

Mr. Carpenter

Stated that would like to challenge the Fisher report on basis that the report findings were all based on architectural style; not on historic significance. He further stated that the City granted CEQA exemption through Conditional Use Permit process. Mr. Carpenter stated that he felt that the house could no longer be designated as historic.

Action: Commissioner Desai moved to deny Planning Commission Resolution 16-09, as they are unable to make finding #1. Chair Spears seconded. Motion carried unanimously.

ORAL COMMUNICATION

Audience

None.

Planning Commission

Commissioner Hutt stated he was not available for the July 6, 2017 Planning Commission meeting.

Planning & Community Preservation Staff

Director Gonzalez reviewed the items for upcoming meetings.

Chair Frierman-Hunt adjourned the Planning Commission meeting at 8:59 p.m.



Secretary to the Planning Commission
Vincent Gonzalez, Director of Planning & Community Preservation