



**CITY OF SOUTH PASADENA
Planning Commission
Meeting Minutes
Tuesday, July 13, 2021, 6:30 PM**

Via In-Person Hybrid Meeting

CALL TO ORDER

A regular meeting of the South Pasadena Planning Commission was called to order by Chair Lesak on Tuesday, July 13, 2021 at 6:30 p.m. The meeting was held via in-person hybrid.

ROLL CALL

Chair John Lesak
Vice-Chair: Lisa Padilla
Commissioners: Amitabh Barthakur, Janet Braun, and Laura Dahl

STAFF PRESENT:

Andrew L. Jared, Assistant City Attorney
Joanna Hankamer, Planning & Community Dev. Director
Kanika Kith, Planning Manager
Malinda Lim, Associate Planner
Elizabeth Bar-EI, AICP, Interim Manager of Long Range Planning
Jeff Anderson, Contract Planner

COUNCIL

Council Liaison: Diana Mahmud, Mayor

APPROVAL OF AGENDA

Chair Lesak made a motion to adopt the agenda as submitted by staff. Commissioner Braun seconded the motion

Motion carried, 5-0

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS

Chair Lesak visited the site and received two emails. Commissioner Dahl visited the site. Vice-Chair Padilla visited the site.

PUBLIC COMMENT:

None.

PUBLIC HEARING:

- 1. 89 Monterey Rd. Project No. 2197-HDP/DRX/VAR – Hillside Development Permit, Design Review and Variance to allow the construction of a 2,317 sq. ft. single-family resident and a detached garage. (Continue)**

Recommendation

Continue to July 22, 2021 Planning Commission meeting.

Motion:

Chair Lesak motioned to move this item to the July 22, 2021 special meeting of the Planning Commission.

Commissioner Braun seconded.

Motion carried, 5-0

- 2. 1818 Peterson Ave. Project No. 2237 – HDP/DRX/VAR/TRP – Hillside Development Permit, Design Review, Variance and Tree Removal Permit to allow the construction of a 1,219 sq. ft single-family residence, a 2 car garage on a 3,740 sq. ft. vacant lot, a variance to reduce the front and side yard setbacks and a tree permit for the removal of trees. (Continue)**

Recommendation:

Continue to the July 22, 2021 meeting Planning Commission meeting.

Motion:

Chair Lesak motioned to move this item to the July 22, 2021 special meeting of the Planning Commission.

Commissioner Braun seconded.

Motion carried, 5-0

3. 521 and 523 Mission St. Project No. 2396-CUP/MOD – Conditional Use Permit and an Administrative Modification to allow the sale of beer produced on-site at a microbrewery and for an 8 ft. wall along the west property line in front of the lot.

Staff Presentation:

Contract planner Anderson presented the project.

Staff recommendation:

Approve the CUP and an administrative modification for the construction of an 8 ft. wall along the west property line.

Condition prohibiting amplified sound and require one employee to live on the property.

Questions for Staff:

Commissioner Dahl asked if the microbrewery would be allowed without a live-in employee. Contract Planner Anderson replied the microbrewery is allowed within the Mission Street Specific Plan. Commissioner Dahl asked if the owner had to be the live-in employee. Contract Planner Anderson replied someone who works there has to live on the premises.

Vice-Chair Padilla confirmed there were 61 total seated guests, and asked how that related to occupancy. Contract Planner Anderson replied that inside they are limited by building code, outside they aren't limited by building which is why there is a condition to limit it to 16. Vice-Chair Padilla asked for an explanation of the ban on amplified sound. Contract Planner Anderson replied that the condition was to prevent loud music from being played out of the front of the shop.

Assistant City Attorney Jared clarified that the applicant asked for 45 seated occupants, but building code allows for more standing occupants.

Commissioner Braun asked what the zoning on the project and its neighbors were. Contract Planner Anderson replied it was all Mission Street Specific Plan zoning. Commissioner Braun asked what the parking situation was for the Mission Street, and for food trucks. Director Hankamer replied that food trucks have to have a business license and obey other parking permits.

Commissioner Dahl asked about the wall's adjacency to a historic resource. Assistant City Attorney Jared replied that it would be covered by CHC, but the commission could comment on it.

Applicant Presentation:

Owner Steve Martin presented. Mentioned he is married to Planning Manager Kanika Kith.

Questions for Applicant:

Vice-Chair Padilla asked how the outside space would be monitored. Applicant Martin replied it would depend on the situation, but if people were outside, an employee would be there to supervise.

Chair Lesak asked the applicant if he had looked at the building code. Applicant Martin said he calculated 32 inside, 16 outside, which is less than the estimated. Chair Lesak asked if currently the applicant parked in the back. Applicant Martin confirmed he did.

Commissioner Braun asked what time the brewing would take place. Applicant Martin replied it could happen at any time since it was noiseless. The only noise is the grinding of the grain. Chair Braun asked how the raw materials would be delivered. Applicant Martin replied that at the most it would take a few deliveries.

Public Comment:

Suzanne Endicott expressed concerns about bringing alcohol, food trucks, noises and rowdy customers to a residential neighborhood. Strongly opposed.

Ray Endicott expressed concerns about the increased traffic and alcohol. Strongly opposed.

Dale Pelch, an attorney for the neighbors of the project, brought up concerns with the legality of the zoning.

Shelly Stevens expressed suspicion given how fast the applicant was processed, given that the applicant's wife is the City Planning Manager. Doubted the traffic study, noise levels,

David Plenn expressed concern about the noise levels of the project.

Eric Ostby expressed concern about disrupting the neighborhood and alcohol and smokers next to his home and kids.

Carolina Santoro Blengini expressed concern about the distress and disturbance to the neighbors. She would not feel comfortable playing with her daughter on her lawn.

Fernanda Opperman expressed concern that the brewery would create an environment that would make it hard for her kids to play outside.

Commenter expressed concern about disruption to the neighbors.

Taylor Plan expressed concern about the feasibility of the business and did not feel that he would ever go to a brewery in a residential area. Suggested they open in one of the open lots in the downtown area.

Commenter expressed suspicion about a conflict of interest that led to the zoning being changed, and the location of a brewery in a residential area.

Christina Vaugh thought that the small business was charming and supported it.

Odom Stamps supported the project, he felt it fits in with the General Plan for mixed use projects.

Stephanie Williams supported the project, she felt that it complied with the mixed-use zoning of the Mission Street Plan.

Vance Sanders expressed strong opposition to having a bar open next to a family's house.

Commenter expressed strong opposition to opening a bar next to a family's house. Brought up the perceived "ugliness" of the current property that was owned by a planner. Thought it contradictory.

Commenter expressed support for the project, citing the mixed use zoning.

Taylor expressed suspicious of corruption due to one of the owners being a Planner. Mentioned none of the supporters lived nearby.

Carol Yeager opposed the opening of a beer bar in a family neighborhood.

William Fiala brought up the impact of the bar on the neighbors. Brought up suspicion of conflicts of interest due to an owner being a City Planner.

Michael Ramirez expressed concern about bringing a bar into a residential neighborhood.

Commenter expressed support

Josh Albrektson expressed support, he felt that it brings liveliness to a quiet commercial district.

William Fiala expressed concern about parking, food trucks and additional noise to neighbors.

Commenter expressed concern about having a brewery next to a home with two small kids. Brought up concerns of favoritism/corruption.

Applicant Rebuttal:

Applicant Martin brought up the concept of off-sale, expressed a lack of constructive criticism from neighbors. Applicant Martin mentioned that it took an exemption to put residents in the area. Applicant Martin's noise study found that the wall reduced sound by 8 decibels.

Vice-Chair Padilla asked the applicant if the chemicals used fell under the health department. Applicant Martin thought it fell under public health.

Commissioner Braun asked if there were any ordinances that would control the business hours in the area. Director Hankamer replied that there are requirements for extra hours of a CUP.

Assistant City Attorney Jared addressed the legality issues brought up by commenters. Clarified there is no requirement that food be served. Told the commission that they need to find evidence to back each of the 6 findings Staff has given to approve the project, same with the wall. Clarified that the zoning was not changed, the Director's interpretation of cottage industry was changed. Reminded commission that South Pasadena has an ordinance that does not allow smoking inside the building or on the sidewalk.

Chair Lesak asked if the municipal code only allowed for on-site sale. Assistant City Attorney Jared confirmed that.

Commissioner Dahl asked if there was a land-use in the zoning code that allowed for sale off-site. Assistant City Attorney Jared clarified it was allowed in the BP zone.

Vice-Chair Padilla asked what the 8 ft. wall was based on, and how high it was in comparison to the neighbor's property. Applicant's Architect Mark replied it was based on the patio and the idea of the wall was to provide mass to block sound. Vice-Chair Padilla asked what the height on the neighbor's side was. Architect Mark replied it was also 8 ft.

Chair Lesak asked if the wall was started further back from the sidewalk would the dampening be lessened. Applicant Martin added that the wall was also for privacy.

Commissioner Discussion:

Commissioner Dahl felt that the project was not in the spirit of cottage industry but fit the description of microbrewery.

Vice-Chair Padilla was comfortable with the Director's interpretation.

Commissioner Braun felt that since under cottage industry a welding business would be eligible, a microbrewery was not out of scope.

Chair Lesak asked if hours could be restricted to reduce noise to the neighborhood. Commissioner Braun thanked everyone for the public participation and wished the procedural complaints be put aside. Commissioner Braun brought up no outdoor patio, no wall, and reduced hours as ways to satisfy everyone.

Vice-Chair Padilla brought up that the applicant had suggested no on-site drinking and wondered if that was a solution. Discussed limited outdoor hours, limiting days, and lower occupancy. Mentioned that the parking issues were a community-wide issue.

Commissioner Dahl did not feel that finding 3 could be made and asked the applicant for suggestions given the commission's comment.

Chair Lesak brought up the whole point of the Mission Street plan was to preserve historic resources. Chair Lesak thought that finding 3 was the hardest to justify and his personal inclination was to limit hours and peak number of people. Felt that there was a consensus to deny the project. Assistant City Attorney Jared recommended the commission no prejudice deny the project and allow the applicant to come back with a project 2.0 given the comments heard.

Commissioner Dahl thought that customers would often bring the alcohol off-site. Chair Lesak asked how the city could limit food trucks without an ordinance.

Commissioner Braun asked what the difference between denying and continuing. Assistant City Attorney Jared replied that it would be a difference in administrative record if and when there is litigation. Director Hankamer added that much of the concern was not limited to the project. Commissioner Braun thought that a neighbor might want their concerns heard before the project was re-submitted. Vice-Chair Padilla requested to go through each finding.

Chair Lesak read the first finding. Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: Yes

Chair Lesak read the second finding. Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: Yes

Chair Lesak read the third finding. Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: No

Chair Lesak read the fourth finding. Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: Yes

Chair Lesak read the fifth finding. Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: Yes

Chair Lesak read the sixth finding. Commissioner Braun, Vice-Chair Padilla: Yes. Commissioner Dahl, Chair Lesak: No

Chair Lesak denied finding 6 due to the wall being part of the project.

Commissioner Braun voted yes on the wall. Vice-Chair Padilla, Chair Lesak and Commissioner Dahl voted no.

Chair Lesak read the second section: Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla and Chair Lesak: Yes.

Chair Lesak read the third section: Commissioner Braun, Commissioner Dahl, Vice-Chair Padilla: Yes. Chair Lesak: No.

Motion:

Chair Lesak motioned to deny the application.

Motion carried, 5-0

ADMINISTRATION

4. Comments from City Council Liaison

Mayor Mahmud thanked the commission and added she would not be there for the next meeting.

5. Comments from Commissioners

Chair Lesak thought that it would take some time to get used to the in-person meetings.

Vice-Chair Padilla thanked staff.

Commissioner Braun thanked Director Hankamer.

6. Comments from Staff

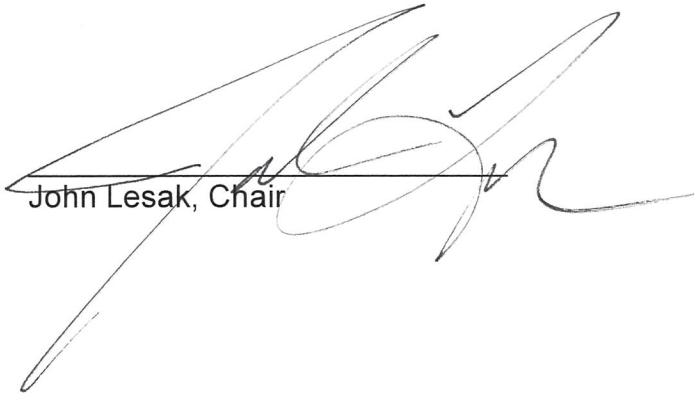
Director Hankamer updated the commission that due to turn-over the draft would be delayed but they have contract staff in place. More community outreach will be done.

ADJOURNMENT

7. Adjournment to the Planning Commission meeting scheduled on July 22, 2021.

There being no further matters, Chair Lesak adjourned the meeting at 10:05 p.m.

John Lesak, Chair

A large, stylized handwritten signature in black ink, written over a horizontal line. The signature is cursive and appears to read 'John Lesak'.