



**CITY OF SOUTH PASADENA
Special Planning Commission
Meeting Minutes
Monday, April 18, 2022, 6:30 PM**

CALL TO ORDER

A Special Meeting of the South Pasadena Planning Commission was called to order by Chair Lesak on Monday, April 18, 2022 at 6:31 p.m. The meeting was held in Person Hybrid and Via Zoom webinar, in the Amedee O. "Dick" Richards, Jr., City Council Chamber, located at 1424 Mission Street, South Pasadena, California.

ROLL CALL

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

City Staff

Present: Matt Chang, Planning Manager
City Attorney Office

Absent: Angelica Frausto-Lupo, Community Development Director

Council

Present: Council Liaison Diana Mahmud

PLEDGE OF ALLEGIANCE: John Lesak

PUBLIC COMMENT

1. Public Comment General - General (Non Agenda Items)

Mr. Josh Albrektson provided public comment in person, expressing concerns regarding past practices and drafts of the Housing Element.

Mr. Brandon Young provided public comment via zoom in support of item no. 4 on the agenda, 815 Fremont Avenue project.

BUSINESS ITEM

2. Planning Commission Reorganization

Planning Commissioners discussed amongst themselves, asking current Chair John Lesak if he would be willing to continue as Chair for another year. Chair John Lesak was willing to continue the role for another year.

Vice-Chair Padilla expressed that she would like to provide the opportunity to one of the other Commissioners to take the role of Vice-Chair.

Commissioner Dahl mentioned that she would be willing to take the role of Vice-Chair and Commissioner Barthakur would be willing to take the role of Secretary.

Commissioner Braun motioned to elect Chair Lesak as Chair, Secretary Dahl as Vice-Chair, and Commissioner Barthakur as Secretary for the next year.

Commissioner Padilla seconded the motion.
Motion carried 5-0

DISCUSSION

3. Proposed Inclusionary Housing In-Lieu Fee

City consultants Julie Cooper and Darin Smith of Economic & Planning Systems, Inc. gave the presentation for the Inclusionary Housing In-Lieu Fee requirements for ownership and rental properties. After the staff report, the consultant asked if there were any questions from the Commission.

Commissioner Braun asked about the calculation of odd versus the even number of units and noted that the difference in in-lieu fee was dramatic. Commissioner Braun did not understand the analysis of the two and noted that developers would choose the more favorable number of units.

Consultant Darin Smith explained that the ordinance, as it reads, requires that a developer of a rental project provide 20 percent total affordable units with 10 percent of that being very-low income units and 10 percent being low-income units. Mr. Smith then provided an example of a 22-unit development and stated that the project would be required to provide 4.4 units and they would only be eligible to pay the in-lieu fee on the fractional amount. If they build four, the next unit that they would have built would have to be for very-low income, in that case the fee is \$489 per square foot. The next example, a 27-unit project, provides 5 units and with 3 units being very-low income and 2 being low-income, the 0.4 fraction would be applied to low-income because they have already complied with the very-low income requirement. The case is \$289 per square foot.

Commissioner Braun reaffirmed that it is based on the total number of units they are missing based on the total number of affordable housing units they built. Commissioner Braun further noted that Table 3 was not very clear, but understood that the numbers were based on averages and asked how South Pasadena's numbers compare to Pasadena, Alhambra, and Glendale.

Mr. Smith noted that EPS did not provide analysis for those communities and cannot say specifically what they did. However, Mr. Smith noted that the methodology is standard for this type of analysis to determine how much it would cost to build an affordable unit and compare that to the value of that unit to determine the financial gap.

Vice-Chair Dahl asked why staff is going back and forth to City Council, then to Planning Commission, then back to City Council on this item, as it seems counterproductive and takes more staff time than necessary.

Planning Manager, Matt Chang, explained that the fee is determined under the guidance of Council, since they are the final approving body. This helps create a better approach before coming to the Planning Commission for further comments.

Vice-Chair Dahl asked about the prototype of the units and stated that she is not comfortable that it was enough of a representation sample of the units and asked if there would not have been more sense to create more prototypes and average them together.

Mr. Smith and Ms. Cooper explained that the fees are calculated per square foot instead of per unit; however, similar fees would have resulted if the calculations were based per unit instead. Further explanation on the analysis was provided for Commissioners.

Commissioner Padilla asked if there are any suggested adjustments on fees based on the inclusionary analysis to encourage on-site units.

Mr. Smith stated that in his professional opinion the inclusionary ordinance does not incentivize the in-lieu fee instead of the on-site affordable unit based on the calculation and the language used in the inclusionary ordinance.

Secretary Barthakur stated that it was unclear if the 20 units per acre for ownership is an accurate representation of the projects that may be presented to the City. A previous project on El Centro, approved by the Commission, had a higher density. It is also unclear how much that changes what the potential costs of financing gap is for higher density projects.

Secretary Barthakur asked if there was a reason why the cost of a for-sale unit was significantly lower than a rental unit and asked if the reason was parking or if it was because of construction typology. Commissioner Barthakur also noted that there were lower land costs on a per acre basis.

Secretary Barthakur further asked about the 110 percent and 120 percent moderate income determination and stated that the City Council has not made a decision on which one to pick. He further asked about any precedents from other cities as to where they are establishing that moderate income line. Commissioner Barthakur stated that the consultant had mentioned that the state density board recognizes 110 percent, but asked if that was the precedent.

Secretary Barthakur asked a third question about indexing the fee and asked if there were any suggestions that the consultant would have in terms of what would be an appropriate index to revise the fee on an annual basis or every so many years to account for inflation and other factors. The Commissioner further asked if the fee would be determined via construction cost index or CPI and asked what other cities are doing.

Secretary Barthakur asked a fourth question directed at staff and stated that he looked at the financial analysis done by EPS and the financial analysis in the subsequent agenda item and the assumptions for a prototype are quite different in both those analyses. Secretary Barthakur noted that the difference in the analyses would result in different results and states that he would like to see some consistency in the assumptions we are making across and a current financial analysis so that we can make policy decisions that are consistent across the board.

Mr. Smith stated that prototypes were chosen to be consistent with the other analysis that the City has done for its Housing Element in terms of density and size of units. Regarding the 110 percent and 120 percent median income threshold on the for-sale units, Mr. Smith stated that there are over 100 jurisdictions in California that have inclusionary policies and they are all different because there is a lot of flexibility in the law for how they can be administered. Mr. Smith further added that the most common threshold tends to be the 110 percent because of its consistency with state density bonus law and noted that by setting the price at 110 percent, the project automatically qualifies for density bonus, whereas if they set it at 120 percent, the project would not qualify. The Intention, Mr. Smith explained, is to increase the number of households that can reach that pricing. In this case, one of the attributes of the City's inclusionary policy was to discourage the use of in-lieu fees and encourage the production of units onsite. Mr. Smith noted that the City of South Pasadena's preference is to encourage the production of units onsite, which is the reason he recommends setting it at 110 percent of median income. Additionally, Mr. Smith noted that 110 percent is consistent with many other jurisdictions and state law.

Mr. Smith continued answering Secretary Barthakur's question about indexing. Mr. Smith stated that it is very common for these fees to be set in the year that they are calculated and adopted and then recalculated every 5 to 8 years to make sure the numbers are contemporary with economic conditions. Mr. Smith further noted that many communities reengage a firm like EPS to update the numbers to make sure the City is getting contemporary land values, contemporary construction costs, contemporary affordability standards and so forth. In the intervening years, many communities use the Consumer Price Index as a way of adjusting the figures from year to year. Mr. Smith added that other communities use an index from the Engineering News Records (ENR) which is a national publication in the construction industry. The ENR has two different standards; one is called the Building Cost Index, the other is called the Construction Cost Index. Both indices are tied to construction and development inputs, which include construction labor and materials. Mr. Smith explained that as those commodities change over time, those indices can change in a very different way than just a general Consumer Price Index. Mr. Smith stated that it is generally his recommendation to use one of those standards—Building Cost Index or Construction Cost Index—as the City's intervening escalator between times when the City can conduct a full study.

Mr. Smith continued to answer Secretary Barthakur's question regarding the difference in cost of for-sale units versus rental units. Mr. Smith explained that several factors go into that calculation. In the case of the apartments, EPS is assuming that the building is wood frame construction, multi-story with structured parking. To get 55 units per acre the developer will need structured parking as opposed to surface parking. Mr. Smith explained that between the cost of the materials, the more advanced engineering and architecture and so forth, it is typical that a project like that would have a higher construction cost per square foot than would a comparatively simpler townhome development. Mr. Smith stated that it is common to have a differential between multifamily housing with or without structured parking as opposed to a single-family or attached townhome format. In addition to that, Mr. Smith stated that EPS looked at land transactions in and around the City of South Pasadena and found that land that is zoned for higher density housing tends to sell at a higher price than land that is zoned for lower density housing, which is the reason why EPS have factored those into the analysis as well. Mr. Smith concluded that due to the factors mentioned, there is a lower all-in cost for the townhomes than estimated for the multifamily housing.

Secretary Barthakur asked about the feasibility of the City's ordinance is it is not known about the impact of the 20 percent and 10 percent PLI on the projects. Commissioner Barthakur asked if the consultant had looked at the financial feasibility of the policy itself.

Mr. Smith stated that EPS had not been asked to consider the financial feasibility. Staff instruction was to assume the ordinance passed last year and adjustments

to that ordinance were not part of their scope. However, Mr. Smith added that if directed by staff or City Council to do so, this is a service EPS provides.

Chair Lesak opened for public comments.

Public Comments:

Josh Albrektson stated that the feasibility of the ordinance was not answered. Mr. Albrektson further noted that the City has the highest inclusionary housing ordinance in the state and said that the cost per square foot is much higher in the City of South Pasadena as compared to other communities in the analysis. Mr. Albrektson expressed concerns that the City will not have a compliant Housing Element with this ordinance.

With no further comments, Chair Lesak closed public comments and opened Commissioner discussion.

Commissioner Braun stated that there are more things to think about with this analysis, but in reading it and looking at tables and looking at comparison with other cities, she questions why South Pasadena is the only city with a higher in-lieu fee for rental units than for ownership units. Commissioner Braun further noted that she is concerned if this is the correct ordinance for the City.

Vice-Chair Dahl recommended that the analysis eliminate discussion of even versus odd calculations and stated that she is not conformable with the assumptions or the prototypes. Vice-Chair Dahl believes it to be wise, now more data has been presented, to rethink the ordinance that we adopted less than a year ago. Vice-Chair Dahl expressed concern for having high fees that may discourage these units altogether.

Commissioner Padilla thought the comment that the consultant made about the in-lieu fee being set at 110 percent and it being consistent with the state and more of what is seen across California was compelling. Commissioner Padilla further stated that combining both the 110 percent and 120 percent might be an effective combination. Commissioner Padilla concluded that it is important when processes are new that they are reevaluated and refined if needed, this analysis is helpful in doing that.

Secretary Barthakur agreed that it is imperative to evaluate the policy itself and its financial feasibility. Secretary Barthakur recommends utilizing the consultant's expertise to fine tune and refine the ordinance in a way that it procedures more onsite units. Commissioner Barthakur concluded that the prototypes should be more closely aligned with what could be delivered in South Pasadena.

Chair Lesak stated that when the Planning Commission adopted the ordinance, they were moving at a fast rate, but they stated that the ordinance would need to come back and be revisited. Chair Lesak agreed that a financial feasibility is needed with recommendations on how to adjust it to make it more feasible. Chair Lesak concluded that the study must consider today's factors and how construction is more expensive and asked staff if this recommendation was sufficient.

Staff stated that the purpose of the meeting was to solicit comment for the May City Council meeting.

PUBLIC HEARING

4. **815 Fremont Avenue (APN: 5315-009-051) Project No. 2392 - CUP/DRX/DBR/AHR/TRP:** A Conditional Use Permit, Design Review, Density Bonus Review, Affordable Housing Review, and Tree Removal Permit, to demolish an existing non historic building, and to construct a new mixed-use project (Arbor Square Mixed-Use Project) consisting of 50 residential rental units (45 market rate units and 5 units designated for very-low income households), approximately 3,769 square feet of indoor commercial retail space, outdoor dining areas, and 95 parking spaces on the ground level and one subterranean level (Project) on an approximately 35,469-square foot site located at 815 Fremont Avenue.

Vice-Chair Dahl expressed that she owns property within 500 feet of the project site, therefore recusing herself from the project due to a conflict of interest.

Presentation:

Contract Planner, Jennifer Williams presented the project to the Planning Commission via Zoom. Staff recommended that the Planning Commission make the findings in the draft resolution and approved the project.

Questions to Staff:

Secretary Barthakur made a comment about how he could not tie together the two analyses, the one for the inclusionary housing and the one for the density bonus assumptions. Expressing that they were both different assumptions for the baseline. He had questions about the 763 square feet that was being used as an average size and asked if that was an average that was being used from the housing element.

Contract Planner, Jennifer Williams answered that due to no prescribed density, as in units per acre through the General Plan or the designated zoning in the Mission Street Specific Plan (MSSP), the advice of the consultant for the density bonus analysis, identified that the average unit size was 763 square feet. Which

was based on what was prescribed in the General Plan for the MSSP area specifically.

Secretary Barthakur asked what the proposed exterior materials for the ground floor level would be.

Contract Planner, Jennifer Williams described the materials proposed to be utilized.

Commissioner Padilla asked if when the project was submitted prior to the Inclusionary Housing Ordinance, if there was a requirement that the application be considered complete.

Contract Planner, Jennifer Williams mentioned that under SB 330 the applicant would not need to have the application deemed complete and that the submittal date is what locks in the project.

Commissioner Braun, expressed her concern of the accuracy of traffic study because the car count was taken in October 2021 in the midst of the Covid-19 pandemic. In addition, she commented on the average unit size and was curious where that number was based on. Further, Commissioner Braun asked if the third retail space has a proposed specific use for the space, other than the proposed “pop-up” use as described during the presentation due to its small size. Lastly, Commissioner understood that the subterranean parking would have access from Hope Street and the ground level parking would have access from Fremont Street, but was unsure if both driveway accesses would provide both ingress and egress and if the parking areas would have access to one another.

Contract Planner, Jennifer Williams answered that the subterranean parking accessed through Hope will be utilized for residential use. The ground level parking spaces would be utilized for the commercial uses. The two parking areas have separate circulation. Additionally, Contract Planner Jennifer Williams confirmed the calculation of the average unit size. Lastly, she mentioned that there is no proposed operator at the moment, but that the small space is intended for a florist, art vendor, or small food vendor. The unit size was minimized to maximize the first tenant space to accommodate a restaurant use and outdoor seating.

Public Works Director, Ted Gerber answered the question regarding the traffic report count during the Covid-19 pandemic. Public Works placed a Condition for Approval that upon completion of the construction for the project, there will be another circulation study performed to determine if any alterations need to be done near the streets of the project.

Commissioner Braun expressed her concern of traffic in the area with the proposal of other major mixed-use projects within the vicinity area.

Public Work Director, Ted Gerber, mentioned that future projects would need to take into account the 815 Fremont Project into consideration when doing their traffic studies.

Chair Lesak, asked if the standards within the MSSP District A store front design were applied for the project.

Contract Planner, Jennifer Williams confirmed that they were considered for the project and complies with the design guidelines.

Commissioner Padilla inquired if asking for a credit on the Carrows traffic counts is typical for a project of this size and how base calculations were calculated.

Public Works Director, Ted Gerber mentioned that it is typical to utilize a net impact, as described in the City's adopted traffic and act methodology.

Questions for the Applicant:

The applicant presented a presentation to the Planning Commission.

Secretary Barthakur asked about the two parking garages, if one will be open to the public and the second will be kept private.

The applicant mentioned that both parking garages will be available for the public. The parking lot at the ground level will be utilized predominantly for the commercial uses, however if the commercial uses require more parking due to the use, the subterranean parking can be utilized for the commercial uses.

Commissioner Padilla expressed a thank you to the applicant and asked about loading for the site.

The applicant mentioned that loading would take place on the street along Mission Street.

Commissioner Padilla expressed that the landscape plan had missing information and if that would be something that would be addressed during plan check. Additionally, she had difficulty identifying the materials proposed for the project due to the number of cut sheets provided with the agenda packet. Commissioner Padilla went on further to ask how the affordable units are identified and if the units are integrated throughout the project.

The applicant stated that they would be following the City of South Pasadena affordable housing guidelines as required by the conditions of approval and the Housing and Community Department with the State. He then went further and

provided an example of the number of units that would need to be designated for low-income.

Commissioner Padilla mentioned that the unit plans did not have information regarding windows and was wondering if those units would end up having sufficient lighting coming in.

Architect, Samantha Hill, mentioned that all units will have windows and will have adequate lighting. However if a lighting study is required, that would be something they would be open too.

Commissioner Padilla identified the units that she was referring to and mentioned that it may be due to the printing of the plans. However, she still wanted to bring the comment up.

Commissioner Braun commented that the step back of the third and fourth floor was a good idea. In addition, she commented on the tandem parking stalls and how most likely the spaces will be utilized for the residential units with multiple vehicles. Further, she expressed her concern of the proposed third tenant size, due to a similar small tenant space at another commercial location and the difficulty of finding a tenant for that location. Lastly, Commissioner Braun expressed that she had questions regarding the materials, but that the commission might have a discussion later.

Chair Lesak mentioned that it may be a good idea for the architect to walk the commission through the materials board and asked if they would be ok with presenting it to the commission.

Architect Samantha Hill mentioned that she had some of the materials with her and presented them to the Commission. She went further to explain that the design guidelines in the MSSP ask for a more contemporary design and that is the approach they took when choosing the design and materials. Architect Samantha Hill went further to explain the design elements of the project.

Chair Lesak asked a question about the different windows between the commercial and residential space.

Architect Samantha Hill explains the distinction of the windows and the reason.

Commissioner Braun asked above the aluminum with the wood finish and if it needs to be that high, if something is being hidden behind.

Architect Samantha Hill explained that they do have to be that height, because they are located where their circulation towers are located.

Chair Lesak explained that there are no more questions for the applicant and opened it up for public comments.

Public Comments:

Mr. Josh Albrektson commented on the number of hearings allowed under SB 330. Additionally, he expressed his support for the project, however he recommended changes to the proposed material. Lastly, he commented on the length of time the project took to go through the process.

Ms. Robin Ortega, expressed her support of the project. Additionally, she mentioned that the project would bring in additional patrons into the area and other businesses. Lastly, the affordable housing would be beneficial for both young and older populations that cannot afford to live in the area.

Mr. Nivel Sullivan expressed his support for the project. He mentioned that individuals like his parents who are older, would be able to move from their current housing to a smaller space.

Ms. Lyn Sullivan, 820 Mission Street, expressed that comments and questions asked by the Commission were great. She moved to her current residence due to access to public transportation. Additionally, she commented on how many of her neighbors take public transit to their jobs, only requiring them to have one vehicle, so she believes that traffic will not be an issue. Further, she expressed her approval of the proposed materials. Lastly, she expressed that there is a need for the smaller one bedroom units because they provide workforce housing for local businesses. She was in support of the project.

Mr. James Martin provided comments via Zoom, expressing support of the project. Additionally, he mentioned that the community has responded positively towards the project. There has been an increase of local businesses opening up within the area and the farmer's market is becoming more popular.

Chair Lesak, mentioned that there were a few written comments provided in support of the project and invited the applicant to provide any remarks on the comments made.

The applicant mentioned that they did a lot of community outreach, where some concerns were brought up, specifically to the density of the project. Which he addressed with the community and felt comfortable with the density. The applicant further explained that concerns were brought up regarding circulation and traffic to the site, which conditions of approval have been placed to mitigate those concerns. The applicant expressed that a lot of thought was given to the retail spaces and potential future tenants.

With no further comments, Chair Lesak closed public comments and opened Commissioner discussion.

Secretary Barthakur mentioned that some of the concerns brought up during the meeting, he had as well, however he still believes that it is a great project. Secretary Barthakur does not have too many concerns about the materials, but is willing to discuss further.

Commissioner Padilla mentioned that the project's vision was inspiring, was nicely articulated, and had a lot of spirit to what the team is trying to achieve. Commissioner Padilla mentioned that the applicant did an excellent job of reflecting the mission of the MSSP, while providing additional density. Commissioner Padilla went further to explain her gratitude to the staff for their hard work and working with the applicant.

Commissioner Padilla explained that one of the circulation towers located on the arbor square corner needs additional refinement if the commissioners agree. Additionally, she commented that it would be great to add additional trees to the corner plaza due to the loss of existing trees. Further, she explained that as a City, they should be more bikeable and support efforts for better biking on Mission Street.

Commissioner Braun expressed her appreciation of the applicant for stepping back the massing on the building, the parking charging stations, and the separate parking facilities for residents and the commercial uses. Further, Commissioner Braun expressed her concern of the traffic, but believed that could be a conversation for additional infrastructure improvements within the area. Lastly, Commissioner Braun expressed that the only item that needs to be addressed is the materials and design. Commissioner Braun agreed with Commissioner Padilla that the signage needed to be refined.

Chair Lesak expressed his appreciation of the massing, the courtyard's design, and the possibility of adding more landscaping. Additionally, Chair Lesak commented on the design of the storefront and bridging it down to more of a pedestrian level. Chair Lesak provided some comments on the design and suggested adding red brick throughout the exterior materials to create a "pop of color". He stated that the small modifications to the building can assist in the performance and utilization of the space. Lastly, Chair Lesak commented on the signage and how it may be a good area to add art within that space.

Chair Lesak asked the legal council how the Commission would structure a motion for the project and if any of the comments brought up by the Commission can be conditions of approval.

Deputy City Attorney, Ephraim Margolin stated that the Commission could decide to bring the project back to the Commission, however under SB 330 there is a maximum of five meeting limits. Additionally, there could be a motion to approve the project with specific suggestions.

Chair Lesak mentioned that in past projects, the Commission had created a list of recommendations and then asked to see the plans prior to permit submission. Deputy City Attorney, Ephraim Margolin, recommended the Commission against that approach due to new state laws related to housing.

Commissioner Braun mentioned that one of the findings for the project is that design of the building fits into the character of the neighborhood. Commissioner Braun stated that the Commission's comments are related to that finding. Additionally, the Commission in the past had provided approval with a Chair review.

Deputy City Attorney, Ephraim Margolin recommended that if the Commission would be conditioning the project then he would advise for the condition to be a specific standard.

Chair Lesak mentioned that the comments are more related to the angulation and pattern of the building as opposed to the color.

Commissioner Braun mentioned that the art mural was an interesting thought to comment related to the signage.

Chair Lesak mentioned that the art mural is more of a suggestion. He believes that the signage may be more prominent on the elevation drawings, but may not be once it has been installed.

Commissioner Padilla commented that the applicant did an amenable job in the design and public outreach. However the standards as they are interpreted need to be objective and measurable. Commissioner Padilla expressed that the applicant has been waiting a long time and to consider the amount of projects in line. She stated that this is not to push the project through, however the City and the Commission is in a new era of the way that projects are reviewed and approved due to new housing state laws.

Commissioner Braun expressed her agreement with Commission Padilla's comments, however if the process had to be completely objective then why would the project require that the Commission review the project. This would mean that the Commission would not be able to comment on the project and would only provide a yes or no. Commissioner Braun would like for the Commission to move forward in a way that is not obstructive, but that makes sense from both the applicant stand point and community standpoint. Commissioner Braun expressed

that this can be done in a collaborative manner, which has been done for other projects. Commissioner Braun expressed that the comments are not to delay the project but to refine the design, which has always been the goal of the Commission.

Council Liaison, Council Member Diana Mahmud, stated that to her understanding the project would not come to City Council unless the project is appealed or two members of the Council motion of their own to take on the project. Council Member Mahmud expressed that she cannot speak on the probability of an appeal, but does not anticipate that there would be two Council Members that on their own would appeal this Commission's findings for this project.

Deputy City Attorney, Ephraim Margolin responded to Commissioner Braun's comment regarding the reason for projects being presented before the Commission. he mentioned that it the Commission's job to ensure that the applicant's are following the objective development standards within the Municipal Code and that the technical studies submitted are accurate.

Planning Manager Matt Chang mentioned that Commissioner Braun brought up the idea of a chair review, which was done for another project by adding a condition of approval related to the elevation design review. Planning Manager Matt Chang mentioned that with legal council approval, the Commission can add a condition of approval that the project revise the elevation plan and be brought to a chair review prior to submission to the Building and Safety Division.

Commissioner Braun asked if there is a plan for construction due to upcoming further events within the vacant lot across the project site that may cause traffic issues.

Planning Manager Matt Chang was unsure if the applicant may utilize the vacant site for construction staging area.

Commissioner Braun asked if the Commission would be able to ask the applicant if they would be willing to consider a chair review concept.

Deputy City Attorney, Ephraim Margolin recommended that it would be a good idea to help the Commission understand how to move forward.

The applicant mentioned that he has been in contact with the property owner for the vacant lot across the street and is unsure of the proposed future events, but is willing to ask if he would be able to utilize the site for construction staging. The applicant asked the Commission if they would be willing to allow a review with the Director of Community Development or Planning Manager after the enhancement has been made to the design based on the comments provided by the Commission and some additional comment provided by the Chamber of Commerce that had

not been incorporated. The applicant performance would be a Director's review due to timing, but would be open to a Chair review as well.

Commissioner Braun expressed her preference for a Chair review, but understood the applicant's concern with timing.

Secretary Barthakur expressed his indecision of the idea of a Chair review.

Chair Lesak and Deputy City Attorney, Ephraim Margolin clarified what a Chair review would entail and that it would not count as a meeting under SB 330.

The Commission discussed among themselves the process of the Chair review.

Chair Lesak brought up the section of the storefront requirements as specified in the MSSP.

Council Member Diana Mahmud brought up SB 330 five meeting limit and how it is specific to public hearings as stipulated in the senate bill. Therefore she did not believe that the Chair review would be counted as part of the five meeting limit.

Chair Lesak listed out the comments made related to landscaping, shading in the plaza, storefront openings, refinement of the vertical core signage massing, material, and balconies.

The Commission discussed the brick material and the need for a modification to the proposed design of the brick.

The applicant mentioned his awareness of the five meeting limit, but never really considered utilizing it. The applicant went on further to explain that his plan was to make slight modifications based on the comments received prior to the meeting that had not been incorporated.

The applicant's land use representative asked the Commission for clarification on the condition of approval for the Chair review.

Chair Lesak explained the Chair review process to the land use representative.

The land use representative asked legal counsel if the decision letter would be based on the decision made that night.

Commission and legal counsel agreed that

Commissioner Padilla asked staff about the hydrology report and how it mentioned recommendations for fire hydrant and water flow issues. She expressed that the conditions should include that due to life safety.

Public Works Director Ted Gerber stated the hydraulic modeling identified a need for infrastructure improvements to meet minimum fire flow requirements and a general comment has been included due to the complexity of scenarios that could accomplish that.

Commissioner Padilla made a motion to approve Project No. 2392 - CUP/DRX/DBR/AHR/TRP to demolish an existing non historic building, and to construct a new mixed-use project (Arbor Square Mixed-Use Project) consisting of 50 residential rental units (45 market rate units and 5 units designated for very-low income households), approximately 3,769 square feet of indoor commercial retail space, outdoor dining areas, and 95 parking spaces on the ground level and one subterranean level (Project) on an approximately 35,469-square foot site located at 815 Fremont Avenue, subject the conditions of approval and the additional condition that;

Prior to issuance of building permits for the proposed mixed-use development, the applicant shall submit revised architectural and landscape plans for a Chair review to the Planning Commission Chair or his/her designee and obtain approval. The revised plans shall address the following:

- 1) Landscape and shading at the corner plaza
- 2) Storefront doors/windows
- 3) Vertical core and signage
- 4) Exterior brick material
- 5) Second floor windows and/or potential balconies.

Secretary Barthakur seconded the motion.

Commissioner Braun asked about the timing of the project.

Planning Manager Matt provided a breakdown of the timeline.

Chair Lesak asked for Roll Call.

AYES: LESAK, PADILLA, BARTHAKUR, BRAUN
NOES: NONE
ABSENT: DAHL
ABSTAIN: NONE

Motion carried, 4-0

ADMINISTRATION

5. Comments for City Council Liaison

Liaison Diana Mahmud made comments regarding City Council authorized funds for the study on restructure on Mission Street, temperature increases in the San Gabriel Valley in the next 40 years and the need for awnings, and SB 330 limit of the number of meetings.

6. Comments From Planning Commissioners

Commissioner Braun expressed her gratitude to Commissioner Padilla for her role as Vice-Chair the past year.

Commissioner Padilla expressed her gratitude for her fellow commissioners.

Secretary Barthakur expressed his excitement for the project.

Chair Lesak reminded the need for civil discourse up at the podium.


7. Comments from Staff

Planning Manager Matt Chang addressed and thanked the Commission for supporting and being patient as the department progresses on the Housing Element (HE) and the department is in the process of hiring a new Deputy Director. Also he introduced new Associate Planner Braulio Madrid and Administrative Secretary Lillian Estrada and a special thanks to Christina Munoz, City Clerk for training new staff.

ADJOURNMENT

8. Adjournment to the Regular Planning Commission meeting scheduled for May 10, 2022

There being no further matters, Chair Lesak adjourned the meeting at 10:12 PM.



John Lesak, Chair



Amitabh Barthakur, Secretary