



**NOTICE AND AGENDA 10-19**

**PLANNING COMMISSION  
Tuesday, November 9, 2010**

**CITY HALL COUNCIL CHAMBERS  
1327 Foothill Boulevard  
6:00 p.m.**

- I. CALL TO ORDER:** 6:00 p.m.
- II. ROLL:** Chair Cahill, Vice Chair Curtis, Commissioners Davitt, Der Sarkissian, Jain
- III. PLEDGE OF ALLEGIANCE** – Commissioner Jain
- VI. COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar.
- V. REORDERING OF THE AGENDA**
- VI. CONSENT CALENDAR**
  - A. Minutes:** April 27, 2010
  - B. Setback Modification 10-18; Wawrychuk; 4315 Beulah Drive:** Denial Resolution
- VII. CONTINUED PUBLIC HEARINGS**
- VIII. PUBLIC HEARINGS**
  - A. Zone Change 10-03/Conditional Use Permit 454; Cary Architects/Henry's Holdings; 920 Foothill Boulevard:** A request to consider amendments to Chapter 6 of the Downtown Village Specific Plan Relating to Size Limitations for Food Markets (Zone Change), and for uses with a gross floor area over 10,000 square feet and off-site sales of alcoholic beverages (Conditional Use Permit). Staff is recommending that the Planning Commission approve a Finding of Consistency with the Program Environmental Impact Report for the Downtown Village Specific Plan for this project. (Senior Planner Buss)
  - B. Hillside Development Permit 10-41/Second Floor Review 10-29/Modification 10-21; De Angelis Designs/Dipaolo; 3721 Madison Road:** A request to allow the construction of a new 4,489-square foot two-story house on a 16,640-square foot lot hillside lot. A Setback Modification is required to allow a 2'-9" encroachment in to the required 8'-10" first-floor northeast side setback and to allow a new 6'-8"

encroachment in to the required 17'-8" second-floor northeast side setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Parinas)

- C. Hillside Development Permit 10-10/Director's Miscellaneous 10-09; Cohen; 4128 Pembury Place:** Appeal of a request to legalize a 261-square foot deck (35.75-square feet will be considered floor-area) located on the southeast side of the residence, to legalize a 120-square foot deck located on the southwest side of the residence and to allow the construction of a 72' long, 3'-0" high (maximum) retaining wall located on the southeast side of the property on a hillside lot per the review criteria set forth in Section 11.35 – Hillside Development of the Municipal Code. A Director's Miscellaneous Review is required because the portion of the 261-square foot deck and 120-square foot deck that exceeds 6'-0" in height encroaches into the required 11'-4" east side setback. *[The Director's setback modification was denied based on there being adequate room within the yard to build a structure that would be compliant with the city's setback requirements.]* The Director has approved a Categorical Exemption for this project. (Assistant Planner Parinas)

**IX. OTHER BUSINESS**

**X. COMMENTS FROM THE COMMISSIONERS**

**XI. COMMENTS FROM THE DIRECTOR**

**XII. ADJOURNMENT**

I hereby certify that this agenda was posted in a location accessible to the public at 1327 Foothill Boulevard, at least 72 hours prior to the regular meeting, in accordance with Government Code Section 54945.2



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Fred Buss ~ Senior Planner ~ Community Development Department

Staff reports, project drawings and other materials related to items on this agenda are available for public inspection in the Planning Dept., Monday through Thursday from 7:00 a.m. to 5:00 p.m., and from 8:00 a.m. to 5:00 p.m. on Fridays, except City holidays. Any decision of the Planning Commission may be appealed to the City Council by any interested person by filing a letter of appeal with the City Clerk and paying an appeal fee of one-half of the applicant's fee plus the applicable Notice Fee. The appeal must be filed within 15 days after the decision is rendered. The date of decision is the date the associated resolution is adopted by the Planning Commission.