



CITY OF SIERRA MADRE
CITY COUNCIL SPECIAL MEETING MINUTES
JOINT MEETING OF THE SIERRA MADRE CITY COUNCIL
AND PLANNING COMMISSION

Tuesday, March 1, 2022 - 5:30 pm

Sierra Madre Middle School Auditorium
160 N. Canon Avenue, Sierra Madre Boulevard, Sierra Madre, CA 91024

Pursuant to the Wednesday January 05, 2022 Los Angeles County Public Health Officer's order, everyone must wear a mask covering their mouth and nose at all times while indoors

The Brown Act provides the public with an opportunity to make public comments at any public meeting. Public comment may also be made by e-mail to PublicComment@CityofSierraMadre.com by 3:00PM on the day of the meeting. Emails will be acknowledged at the Council meeting, filed into public record and scanned onto the City website for public review.

This meeting will be recorded live and broadcasted on the City's website at www.cityofsierramadre.com, on Foothills Media website at <http://www.foothillsmedia.org/sierramadre> and broadcast on Government Access Channel 3 (Spectrum)

CODE OF CONDUCT

The purpose of a City Council meeting is to conduct City business. Members of the public that behave in a manner that interrupts or obstructs the Council's ability to conduct City business may be asked to leave the meeting. Any and all demonstrations which disrupt, interrupt, or obstruct the Council's ability to conduct City business are prohibited. No signs, posters or other large objects shall be brought into the Council Chambers or other meeting place if doing so would disrupt, disturb or otherwise impede the orderly course of the meeting.

CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor Goss called the meeting to order at 5:05 p.m. City Clerk Aguilar called the roll.

Present: Mayor Gene Goss, Mayor Pro Tem Edward Garcia, and Council Member Rachelle Arizmendi, Council Member Kelly Kriebs, Council Member Robert Parkhurst, Planning Commission Vice Chair Thomas Denison, Planning Commissioner Peggy Dallas, Planning Commissioner John Hutt, Planning Commissioner Bob Spears

Absent: Planning Chair William Pevsner (arrived 6:05 pm)

Also Present: Jose Reynoso, City Manager
Miguel Hernandez, Assistant City Manager
Aleks Giragosian, City Attorney
Laura Aguilar, City Clerk/Administrative Services Manager
Vincent Gonzalez, Director of Planning and Community Preservation
Clair Lin, Senior Planner
Rodrick Armalin, Police Chief
Brent Bartlett, Fire Chief
Chris Cimino, Public Works Director
Lori Garza, Interim City Librarian
Oscar Millan, IT Manager
James Carlson, Management Analyst
Jennifer Peterson, Administrative Analyst

Also present:

New Urban West: Jonathan Frankel, Project Manager

Dudek: Carey Fernandes, Principal
Julia Roman, Environmental Planner
Ryan Allen, Arborist
Mike Cady, Senior Biologist
Douglas Nickles, Urban Forestry Specialist

Others: Steve Brown, Fehr and Peers
John Vandavelde, Architect
Adele Chang, Architect LCRA Architects
Jason Jones, Landscape Architect, Groundlevel Landscape Architecture
Winnie Tham, Civil Engineer, Fuscoe Engineering
Father Michael Higgins, Mater Dolorosa
Father Bruno D'Souza

PLEDGE OF ALLEGIANCE AND INSPIRATION

Mayor Goss led the Pledge of Allegiance.

APPROVAL OF MEETING AGENDA

Mayor Goss asked for a motion to approve the agenda.

Council Member Arizmendi made a motion to approve the agenda as presented.

Mayor Pro Tem Garcia seconded the motion.

Mayor Goss called for a roll call vote of the Council to approve the agenda.

Ayes: Mayor Goss, Mayor Pro Tem Garcia, and Council Members Arizmendi, Kriebs, and Parkhurst
Noes: None.
Absent: None.

The motion to approve the agenda as presented was passed by the City Council by a unanimous voice vote.

PUBLIC COMMENT

The Council will listen to the public on any item on the agenda. Addressing the City Council from the audience is not permitted; all comments addressing the Council must be made from the podium. Only public comment made from the podium will be recognized by the City Council and entered into public record.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA

Persons wishing to speak on any item on the agenda will be called during the comment period at the time the agenda item is brought forward.

COMMENTS

1. Any person wishing to provide public comment is asked to complete a comment card. Please include your name and address. Each speaker will be limited to up to three continuous minutes, which may not be delegated or deferred.
2. The City provides a podium for public comment. Comments addressed to the Council shall occur during the appropriate time on the agenda and should not be construed as an opportunity for dialogue. Each speaker will be limited to three continuous minutes, which may not be delegated or deferred.

PRESENTATION

PROCEEDINGS FOR THE MEADOWS AT BAILEY CANYON CONTEMPLATED 42 LOT RESIDENTIAL SUBDIVISION LOCATED AT 700 NORTH SUNNYSIDE AVENUE

City Manager Reynoso provided a Power Point Presentation which included a description of the contemplated project, the steps the City has taken in maintaining transparency throughout the process, and the City's public outreach.

The project description:

- Preserve open space above the Retreat Center
- 42 single-family detached homes
- 3-acre park, public park Community Facilities District (CFD)
- Net zero water
- Homes equipped with solar and electric appliances

Transparency and responsiveness:

- Transparency portal on the City's website
- Enhanced DEIR public noticing – all residential addresses in the City versus the required area around the project site
- Extended public review period from 45 days to 60 days
- Responses to over 37 Public Records Act requests to date, producing over 1000 records
- Over 14 opportunities for public engagement

Responding to community concerns:

- Enhanced public engagement opportunities
- March 10, 2020; April 28, 2020, August 4, 2020, August 5, 2020; March 9, 2021; July 14, 2021; July 27, 2021; August 5, 2021; August 19, 2021; November 4, 2021; March 1, 2022

Director Gonzalez provided a Power Point Presentation which included the project entitlement process, the response to comments, a summary of the environmental impacts, key issues.

Project entitlement process:

- Phase 1 proceedings: Legislative Decision; not subject to 5 Hearing Rule
- Phase 2 proceedings: Subject to the 5 Hearing Rule; Quasi-Judicial: tied to specific parcel

Response to comments:

- Public comment extended from 45 days to 64 days (August 2, 2021 – October 4, 2021)
- 112 comments included in the response to comments in Final EIR
- Discovery of 6 additional public comments with responses incorporated in a revised Final EIR

Summary of Environmental Impacts:

- Listing of standards for environmental quality that can be met or exceeded without mitigation
- Listing of less than significant impact after mitigation

Key Issues:

- Water supply
- Wildfire protection
- Traffic and circulation
- Arborist report
- West Carter roadway off-site improvements
- CEQA project alternatives

City Attorney Giragosian provided a Power Point Presentation which included the Development Agreement, timeline, future actions.

Development Agreement:

- A three-way agreement intended to bind the parties to commitments made in the MOU
- Net Zero water
- Electric utilities for reduction of greenhouse gas emissions
- Timeline

The City's presentation was followed by a Power Point presentation given by Jonathan Frankel, Project Manager for New Urban West, Inc. The presentation included information about:

- The design process
- Outreach and engagements
- Community feedback
- Key topics of interest: Architecture, traffic flow, open space, wildlife preservation, fire safety, sustainability, density and community character
- New Urban West, Inc.'s response to the key topics of interest
- Community benefits

5:45 pm – Mayor Goss paused the meeting for a brief break.

5:55 pm – The City Council and Planning Commission reconvened the meeting.

Mayor Goss opened the meeting for public comment.

Speaker cards for in-person public comment were received by:

1. Pat Alcorn
2. Tricia Searcy
3. Father Michael Higgins
4. Mike Cunningham
5. Marta Salgado-Nino
6. John Doyle
7. Thomas Padilla
8. Sally Shore
9. Queenie Shore (submitted speaker card but declined to comment)
10. Jim Foster
11. Susan Neuhausen
12. Deb Sheridan
13. Karen Rowinsky (submitted speaker card but declined to comment)
14. Carol Parker
15. Reverend Bruno D'Souza (submitted speaker card but declined to comment)
16. Jeanne Warlick
17. Alice Whichello

6:40 pm – Mayor Goss paused the meeting for a brief break.

6:53 pm - The City Council and Planning Commission reconvened the meeting.

Mayor Goss asked for the next speaker to approach the podium

18. Nancy Beckham
19. Filippo Fanara
20. Natalie Shore Peterson
21. Anne Chesterman
22. Barbara Leigh Cline
23. Christina Dreyer
24. Scott Oliver
25. Stephen Bishop
26. Lynne Collmann
27. Alex Arrieta
28. Elaine MacPherson
29. Claire Mc Lean
30. Robert Gjerde
31. Alison Snow
32. Matt Blain
33. Scott Hook
34. David Hughes

7:51 Seeing no one else come forward, Mayor Goss closed public comment and brought the matter back to the Council and Planning Commission for questions and discussion.

Concerns about traffic and parking were discussed first

Council Member Arizmendi asked the developer to address traffic concerns
Steve Brown - Fehr & Peers spoke regarding rules for EIR. Measurement methodology has changed. Traffic is no longer part of CEQA considerations. Vehicle Miles Traveled (VMT) is the new criteria for traffic impacts within the CEQA context. Based on that, the VMT of this project would not have a significant impact. It is estimated that trips per day - park and residential areas – will be about 35 trips peak hour in the morning and about 49 trips during the peak afternoon hours. Trips are considered as round trips.

Council Member Kriebs asked about improvements to Carter.
Mr. Frankel commented that there have been a number of discussions with the County and that the cost would be borne by New Urban West.
City Attorney Giragosian stated that there was no agreement in place for the expansion of Carter

Mayor Pro Tem Garcia asked about construction traffic impacts; any abatement available?
management plan?

Mr. Frankel responded in the affirmative. NUWI will submit a traffic control plan for review, prior to any construction

Council Member Parkhurst asked if updates to the Alverno Master Plan were included in the calculation of traffic?

Mr. Brown responded that the information used was from SCAG about projected growth, and used that in the calculations, not expected to be consequential

Mayor Goss asked about anticipated Grandview congestion?

Mr. Brown responded that not all streets are studied, only primary routes. Grandview wasn't studied. It may receive some trips, but not at an impactful level.

Commissioner Denison – Section 3.12 of the EIR implies that the expansion of Carter is a done deal. If no agreement from the County is in place, then why include in EIR?

Mr. Frankel responded that it is included to provide the study of the impact. Would not be appropriate to apply with the County if project is not yet approved.

Commissioner Spears - addition of parking in park development - good.

Widening of Carter as portrayed in EIR would necessitate the removal of mature trees. Need a sidewalk there. Can add a walkway proximal to the trees, serpentine through the trees. Encourage look at alternatives, as opposed to traditional relationship between sidewalks and curbs.

Commissioner Dallas – Seems there were additional studies done which weren't required by CEQA. Where can the public review these reports?

Mr. Frankel responded; Not included in CEQA doc, but has been and will continue to be available.

Mayor Pro Tem Garcia – asked about Grove/Carter congestion.

Mr. Frankel responded that public streets are available to public.

All 40 spaces not included in parking lot - they will reach out to the neighbors on Crestvale and work with them.

Commissioner Spears requested clarification on the parking inside the development on the east side.

Mr. Frankel responded that the 40 spaces are in addition to the parking on the streets, Carter, Sunnyside and the residence driveways and garages

Commissioner Dallas – mentioned the unique design: houses with streets on both sides. Suggested removing the top street and then could increase the buffer at the top. Back the streets up to the retreat property.

Mr. Frankel responded that the design was based on a complicated mix of factors, but will look at options that improve parking and circulation.

8:58 pm Mayor Goss announced a brief recess.

9:06 pm the meeting reconvened

Wildfire Protection

Mayor Goss asked if development would inhibit the spread of wildfire.

Mr. Jones described the fire protection plan - many factors are considered in the model. Adding defensible space and the landscaping proposed actually reduces fire risk. Plants chosen with fire safety in mind.

Council Member Parkhurst - What resources are you using to determine fire-safe landscaping?

Mr. Frankel responded that available County, and other resources and is open to revisit.

Mr. Jones - Will ensure all plant life adheres to all agencies.

Mayor Pro Tem Garcia asked if having a row of homes will create a fire ladder.

Mr. Nickles explained that a fire ladder concept refers to ground vegetation which ignites small shrubs and up and up to the crown of the trees; maintaining a plant palette that is not as flammable and maintain the separation.

Mayor Pro Tem Garcia asked if it was possible to have low vegetation without causing a fuel ladder effect?

Mr. Nickles said they consider the flammability of the plant, and consider the location/spread.

Council Member Parkhurst asked if houses closer together would increase fire danger

Mr. Nickles responded that landscape will ensure separation between vegetation and the structure, focusing on the area of 5 feet of the structure.

Commissioner Spears asked if homes be sold with landscaping installed?

Mr. Frankel responded that in the front yes, but not yet sure about the rear.

Commissioner Spears asked if there would be regular fire inspections by City?
Mr. Frankel responded in the affirmative.

Chair Hut asked about maintenance. Will there be an Home Owners Association or CFD? Would like to see the more vulnerable areas maintained by the CFD.
Mr. Frankel responded that they are open to evaluating scenarios at the Council and Planning Commission's preference.

Commissioner Dallas asked for further explanation about the grass fuel.
Mr. Nickels explained the difference between flashy fuels and the chaparral and sage, which are more combustible, but fire doesn't move as fast. They will review vegetation types with fuel moisture content in mind.

Commissioner Denison asked about a fire protection plan - modeling based on the expectation that the grasses would be manicured/watered, vs. existing.
Mr. Nickels responded that existing conditions vs landscaped, irrigated setting

Commissioner Denison also asked about a specific palette of plants that can achieve the level of reduction? How do we ensure that palette?
Mr. Nickels responded that there are different types of treatments /vegetation in different zones. They will review all to make recommendations.

Commissioner Denison asked about helicopter use of monastery grounds. Is the property part of any aerial ops plans?
Fire Chief Bartlett responded that it has potential for unimproved landing site and could potentially be used in an emergency landing scenario. However, the monastery is not identified as an official landing spot by Los Angeles County.

Mayor Goss asked if there were any ops plan to use that field for staging in any kind of major emergency.
Fire Chief Bartlett responded "no."

Water Supply

Council Member Arizmendi asked about sustainability and clarification of 100% electrification?
Mr. Frankel responded that model homes will be offering electric models as an option.

Council Member Kriebs asked if there would be financial incentives?
Mr. Frankel responded "no."

Mayor Pro Tem Garcia asked about water options: A, B, or C in the PowerPoint? Can SGVMWD provide?
City Manager Reynoso responded that there is currently no supplemental water available. Would take a couple of good years of snowfall in the Sierra. Would only be available for purchase after SGVMWD filled their coffers.

Mayor Pro Tem Garcia asked if there was any way to put an escalation clause regarding the price of water.
City Attorney Giragosian suggesting tying to CPI or some type of index? Can explore with the applicant.
Mr. Frankel responded that they would be open to that discussion.

Council Member Kriebs asked if there was definition when choice B would become available.
City Attorney Giragosian explained that the discretion would rest with the City Council, funds are managed and controlled by the City Council.

Council Member Kriebs asked if there have been any years where supplemental water was available?
City Manager Reynoso responded that it has happened in the past.

Council Member Parkhurst asked for clarification between the agreement vs. EIR
City Attorney Giragosian stated that the Development Agreement is the controlling document.

Council Member Parkhurst asked if they considered the use of rainwater as potable water.
Mr. Frankel responded that they had considered many options, including gray water, but not rainwater.

Council Member Parkhurst asked how sustainable the developer is making this project?
Mr. Frankel responded that he believes it is the most sustainable in the City. Responsive to the needs of the City and the potential owners.

Council Member Parkhurst asked: What if the homeowner doesn't want to use gray water?
Mr. Frankel responded that the homeowner will not have the choice to not use gray water.

Council Member Arizmendi asked how would the water be purchased in advance?
City Attorney Giragosian responded that the water would be paid fractionally, upon pulling each building permit.

Mayor Pro Tem Garcia asked if benzene leached into the aquifer?
City Manager Reynoso responded that a sub-aquifer provides water to Sierra Madre; no issues historically.

Mr. Frankel commented that they are not proposing xeriscaping at this time.

Commissioner Denison asked about a surety bond for Grading/Drainage?
City Attorney Giragosian responded that it is standard practice.

Arborist Report

Council Member Parkhurst asked about the removal of 10 Coast Live Oak trees, to be replaced on a minimum of 1-1 basis. How many actually have to be replaced?

Management Analyst Carlson stated that 11 Live Oaks, will have to be replaced consistent with ordinance. Ordinance dictates like-for-like replacement based on diameter and health.

Council Member Parkhurst asked about preserving the Morton Fig Tree.
Mr. Frankel responded that it would need to be removed.

Director Gonzalez provided that a Specific Plan does allow for additional modifications/mitigations for tree removal/relocation; it allows the Director of Planning to grant Minor Conditional Use Permit to allow for deviation from Specific Plan.

Council Member Parkhurst asked where could replacement trees go?
Director Gonzales stated that it could be anywhere in the City, up to the discretion of the Director of Public Works.

Mayor Goss asked if they could transplant the Morton Fig to Bailey Canyon?
Mr. Frankel responded that it is not a great candidate for survival. Site specialist did not recommend transplanting.

Council Member Kriebs asked if there had been any consideration given to planning development around the existing trees?

Mr. Frankel responded that they are open to all opportunities to preserve trees. Will investigate all options.

Land Use

Council Member Kriebs asked for the lot coverage estimate of largest house?

Mr. Frankel responded: 2400 sf for the smallest house, although that's not an exact figure; 7800 sf lot, 2400 sf house.

Mayor Pro Tem Garcia asked about lot coverage vs. ADU's SB 9; is there still potential for ADU's?
Mr. Frankel stated that he didn't want to speculate - CA law allows for it, but would not expect SB 9 to be able to be used in this community.

Mayor Goss asked about the density proposed and if it is more favorable than other neighborhoods.
Mr. Frankel responded that stories did not figure into overall gross density.

Commissioner Spears asked about the access road to flood control. Has there been any consideration given to moving that road north? He believes there would be a lot to be gained by the developer and the City by moving that gate north.

Mr. Frankel stated that he was willing to have that conversation.

Alternative Projects

None.

Development Agreement

Council Member Kriebs asked about the affirmative obligation clause.

City Attorney Giragosian stated that the developer would be required to develop as approved in the Specific Plan.

Chair Hutt asked about tying the Design Review process to the Development Agreement. How will process work?

City Attorney Giragosian explained that the process abides by State law, which greatly restricts the Planning Commission's ability to govern design aspects. Review begins with review of Specific Plan. Then, Design Review will be tied to the Specific Plan.

Commissioner Denison asked if the Specific Plan was not limited by quasi-judicial 5 meeting limit. City Attorney Giragosian responded "yes."

Miscellaneous Topics of Discussion - 9:43pm

Council Member Parkhurst asked about bats. What consideration was given to the bats?
Mike Cady - Biologist –Dudek – stated that bats were given a consideration. Existing conditions in the area, given human traffic, lack of caves and mines are not prone to bats. They would not be prone to roost in such areas. No bats are listed under protected species act; CEQA analysis but not under endangered species act.

Council Member Parkhurst asked about mountain lions?
Mr. Cady responded that mountain lions are a candidate for listing, but not presently listed. Mountain lions were considered in their evaluation; Would not expect there to be a direct impact.

Council Member Kriebs asked about the impact on the Mountain Lion food source.
Mr. Cady responded that the project doesn't expect to fully remove the Mule Deer. Mountain Lion preying on Mule Deer up in the natural habitat will actually prevent them from coming further down.

ADJOURNMENT:

Mayor Goss Asked for a motion to adjourn the meeting.

Council Member Kriebs made a motion to adjourn.
Seconded by Council Member Arizmendi.

The motion to adjourn was passed by a unanimous voice vote of the City Council.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 9:55 p.m. to a Regular Meeting to be held on March 8, 2022.



Gene Goss, Mayor

Minutes taken and prepared by:



Jen Peterson, Administrative Analyst



Laura Aguilar, City Clerk