

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON DECEMBER 12, 2017**

I. CALL TO ORDER

Chairman Gunter called the meeting to order at 6:00 p.m.

II. ROLL

Also present were Vice Chairman Hazen and Commissioners McConnell and Jain. Commissioner Oh arrived at 6:07 pm.

III. PLEDGE OF ALLEGIANCE

The Flag Salute was recited.

IV. COMMENTS FROM THE PUBLIC

There were none.

V. REORDERING OF THE AGENDA

The agenda was reordered with item VIII. E. being taken first, VIII. C. second, VIII. A. and then the rest of the agenda was heard in numerical order.

VI. CONSENT CALENDAR

A. Minutes – 9/26/2017 & 10/10/2017

M/S/C – McConnell/Jain to approve. 9/26/2017 minutes – Approved 3-0-1. Commissioner Oh had not arrived yet and Vice Chairman Hazen abstained as he was not present at the meeting of 9/26/2017; 10/10/2017 minutes – Approved 3-0-1. Commissioner Oh had not arrived yet and Commissioner Gunter abstained as he was not present at the meeting of 10/10/2017.

VII. CONTINUED PUBLIC HEARINGS

There were none.

VIII. PUBLIC HEARINGS

- A. Hillside Development Permit 17-24/Second-Floor Review 17-15; Lachner/Knox; 2104 Normanton Drive:** request to allow a new 586 sq. ft. second-floor addition to a single-story residence on a hillside lot. A 98-sq. ft. un-roofed balcony is also proposed. Staff is recommending

adoption of a Categorical Exemption for the project (Consulting Planner Sivapathasundaram).

Director Stanley introduced consulting Planner, Yahlini Sivapathasundaram, who gave a presentation in accordance with the staff report. Ms. Sivapathasundaram showed a rendering. She indicated that staff recommended approval of the project.

Chairman Gunter asked if the requirement for clerestory windows that is included in the Conditions of Approval was discussed with the applicant. Ms. Sivapathasundaram said that, "yes," it was discussed at the site with the applicant.

Commissioner McConnell asked staff for clarification about roof and floor area and how the stairs are counted. Assistant Planner Harris explained that it is counted 1 time.

Chairman Gunter read an email furnished by Community Development Director, Robert Stanley, from City Manager, Mark Alexander. The email explained that in 2006 the City Council did not establish an ordinance prohibiting second-story additions and decided to have them reviewed on a case-by-case basis by the Planning Commission. The subject request is the first second-story request in this area since 2006. At this time there is no prohibition on second stories in this area.

Chairman Gunter explained that the public hearing process allows for the applicant to be called up, first, to speak on behalf of their project. The Commission does not limit speakers' time at the podium.

Applicant, Larry Lachner, 20455 Covina Hills Road, Covina, studied the possibility of a single-story addition at first. He explained that the neighbors to the northeast have concerns with privacy and believe that the subject residents would be able to look into their living room windows. He explained that a person would not be able to do so. He also felt that the addition does not qualify as "mansionization." Clerestory windows were suggested and he said that both he and the property owners would be amenable to installing clerestory windows on the east side.

Speaker, Gary Stibal, lives across the street. He is the president of the Paradise Valley Homeowners Association. He explained that his neighborhood is unique. There is only one entrance, in and out. The last second-story was added in the area in the 1980s. He said that in 2006, there was a unanimous decision made that second-story additions are not permitted in the area. He strongly opposes the second-story request and

recommends that the Commission reject the proposed addition. He indicated that a petition against the addition has been made by 77 nearby homeowners (representing 44 homes) that have signed in opposition.

Commissioner McConnell stated that he questioned if there are any Codes Covenants and Restrictions (CC&Rs) currently in place for this neighborhood.

Speaker, Lien Yang, 2107 Normanton Drive, spoke in opposition of the proposed addition. He showed projected views into the living room windows of 2100 Normanton Drive from the windows of the proposed 2nd floor.

Speaker, Diane Stibal, 2103 Normanton Drive, spoke in opposition and expressed concerns about loss of privacy and lack of architectural compatibility the proposed addition would possess as opposed to that in the rest of the neighborhood.

Speaker, Hui Tory Gong, 2100 Normanton Drive, spoke in opposition. She showed a view from her living room out and up to the proposed second story.

Speaker, Steve Newsom, 2100 Normanton Drive, spoke in opposition. He showed photos of substandard foundations, mud slides and earthquake faults. He stated that he believed the hill was unstable and showed a photo of a steep hillside.

Speaker, Mark Graf, 5604 Ocean View, spoke in opposition. He said the addition would make one feel like they were in a fishbowl.

Speaker, Rick Frazier, 5647 Ocean View, spoke in opposition. He handed out photos to the Commissioners and explained that adding two stories would not be in keeping with the community.

Speaker, resident of 2101 Earnslow Drive, asked to view an aerial view. They have lived in the neighborhood for many years and believe it would be hypocritical to speak against the project. They requested that the deck be removed from the proposal, however, due to potential privacy concerns.

Speaker, 2106 Normanton Drive, spoke in opposition.

Speaker, James DeRose, 2105 Earnslow Drive said that he could see both sides of the story.

Speaker, Kathy Allen, 2115 Normanton Drive, is for the proposed addition.

Applicant, Larry Lachner, said that he requested approval.

The Public Hearing was closed.

Chairman Gunter said he met with the homeowner and spoke about potential issues with the request. He explained that the Commission's role is to administer the City's Zoning Ordinance as it is written. Setbacks, height, massing, and placement are all studied and considered with each request.

He stated that with regards to the proposed balcony, he did not believe that one could peer into the back yard of 2106 Normanton. He said that when viewing the proposed project in the field, he could see 4 different pools while standing in the rear yard of the subject property.

The project would not be permitted, unless safe. Adding stories typically results in a net increase in property values. He said that over the last many years, requests by the neighborhood could have been made to the City Council to prohibit second stories in the area. He said that the community that lives there is what makes it pleasant to live in.

He said that the proposal meets all of the required code standards and he believes it protects the privacy to the east because the balcony cannot project out far into the neighbor's home and clerestory windows are proposed.

He said he could make the required findings. He encouraged that the community visit a City Council meeting to get rules changed if they felt they should be.

Vice Chairman Hazen stated that the neighborhood is unique and single story in nature. He agreed with Commissioner Gunter's comments. He said that his only concern would be with the setback. He did not believe that the architectural features met the intent of the code with relation to placement and organization.

Commissioner McConnell said that he believed that the City Council should be petitioned. He felt the second story was thoughtfully placed. He understands Chairman Gunter's comments. He does struggle with the balcony placement and that it could potentially impact the neighbor to the northeast. He believed that the landscaping could remedy the situation.

He appreciates staff's recommendation of clerestory windows. He expressed that he believed the applicant has been thoughtful in accommodating their neighbor.

Commissioner Oh said he spoke to many neighbors. He is impressed by the intimacy and congenial feeling they have for their fellow neighbors. He is concerned about the neighbors and the fact that their setbacks are close. He did not believe he could make the findings for the second-floor review request, but he could for the hillside development review. Chairman Gunter asked if the second-floor request posed an issue for Commissioner Oh. Commissioner Oh said that he was not sure what the solution should be.

Commissioner Jain said he visited the site. He said he could make the findings. He suggested requiring that the windows on the second floor on the east façade, be clerestory windows.

M/S/C – Gunter/McConnell to approve the Hillside Development Permit as submitted, in line with the Resolution. Approved 5-0. SFR – Gunter/Jain to approve with written conditions requiring the deck on the south being no more than 5-feet deep on the inside and the east-facing windows be clerestory as per the Conditions of Approval; as to the windows on the north facade, the windows should be reduced to 1 or if retained, both windows shall be made clerestory subject to the review and approval of the Community Development Director. Approved 3-2. Hazen and Oh voted no.

B. Second-Floor Review 17-19/Setback Modification 17-06; Ichiki/Hakushi Family Trust; 4849 Castle Road:

Consulting Planner Yahlini Sivapathasundaram gave a presentation in accordance with the staff report.

Chairman Gunter suggested approving the Second Floor Review application, denying the encroachment, and remanding the minor changes to the Director for review and approval.

The Public Hearing was opened.

Speaker, architect, Mr. Hakushi described the design and placement of the addition and the attempts that were made to retain the existing building style.

The Public Hearing was closed.

Commissioner Jain said there was some confusion with the setback modification request that can be addressed by remanding it to the Director to make the final decision.

Commissioner Oh said that he understood the requests and that he can make the findings for the Second Floor Review request, but not the Setback Modification request.

Vice Chairman Hazen said he could not make the findings for the Setback Modification, but can for the Second Floor Review request.

Chairman Gunter said that he could make the findings for the Second Floor Review request, but not the Setback Modification request.

M/S/C – Gunter/McConnell to approve Second Floor Review 17-19 and deny Setback Modification 17-06, and that the revised second floor plans be remanded to the Director of Community Development for review and approval. Approved 5-0.

C. Conditional Use Permit 530/Second-Floor Review 17-20; Watson Design Group/Gao; 1600 Fairmount Avenue:

Assistant Planner Yesayan gave a brief presentation in accordance with the staff report. He said that staff support the findings.

Commissioner McConnell asked about calculating the height. Mr. Yesayan said it is measured from the existing grade and the proposed project will be in line with this. It will not alter the datum point.

The Public Hearing was opened.

Speaker, Project architect, Carolyn Watson explained that the applicant has a large family and like to them visit. Ms. Watson also explained that she is a historic designer.

The Public Hearing was closed.

The Commission discussed the project.

Commissioner Oh said he believed that the addition is reasonable. The architectural style is good and the addition will make the house look more symmetrical. He said he could make the findings in support of the project.

Vice Chairman Hazen agreed with his fellow Commissioners and said he could make the findings.

Commissioner McConnell said that initially, he was concerned about the size of the house and that it might be out of place. It will not create any public view issues and has been designed with historic sensitivity. He said he could make the findings.

Chairman Gunter commented that the home and property is beautiful and that the addition is sensitive and thoughtful. The application is thorough and well thought through.

M/S/C – Gunter/Hazen to approve the project. Approved 5-0.

D. Second-floor Review 16-20/Setback Modification 17 07;Johnson/Mattunts; 4774 Rosebank Drive:

Consulting Planner Sivapathasundaram gave a presentation in accordance with the staff report.

Chairman Gunter asked if less than 30% of the roof would be removed. Planner Gjolme said that the project is being reviewed as a new project, despite information on the plans that indicate the project retains a majority of the roof and involves additions.

Commissioner McConnell asked if the porch would be counted as floor area. Mr. Gjolme said that the porch is exempt from floor area.

Commissioner Jain asked staff if the wall was moved, would it still be considered as an existing garage? Mr. Gjolme said that moving one foot to the north would have no impact on the front setback.

Chairman Gunter asked that a more detailed explanation be included in the Resolution for what the setback modification is for.

The Public Hearing was opened.

Speaker, applicant, Jay Johnson said that eliminating the porch would result in a design that would be too boxy, in his opinion. The porch element helps with finistration and massing. He explained the basement and roof design elements for the Commission.

Chairman Gunter asked if the perimeter walls would all be new and how would the roof be shored up and new walls be installed?

Mr. Johnson said that the Setback Modification request is made so that the remainder of the house would not be required to be torn down.

Speaker, owner, Mr. Mattunts said that he recently moved to the City and if he were to completely rebuild the home, an Oak tree would have to be removed.

Speaker, owner, Ms. Mattunts said that her children and parents live with them.

The Public Hearing was closed.

Commissioner McConnell asked staff about Right-of-Way improvements. Director Stanley said that a condition could be added that would stipulate that a new driveway must meet Public Works standards. McConnell said that he had concerns about the entry way design.

Commissioner Oh said that he visited the site. He believed that the secluded location of the proposed additions would fit with the neighborhood. He said he could make findings for both entitlements.

Vice Chairman Hazen said that he was concerned about the entry design.

Commissioner Jain also acknowledged that the site is isolated.

Chairman Gunter said he was concerned about an apparent misuse of the intent of the Code relating to the structure, roof, and public right of way. He did not believe that the Setback Modification was justified. He said that the Public Works Department should be consulted.

M/S/C – Jain/Hazen to approve the project with the review of the entrance height to be made by the Director of Community Development; that the Director of Community Development verify with the Public Works Department the street improvements that the applicant will be required to install; that the Conditions of Approval contain language for Building and Safety Plan Check verification and field verification that no more than 30% of the roof is removed or the project becomes null and void. Approved 3-2. Chairman Gunter and Commissioner McConnell both voted no.

E. Tree Removal Permit 17-31 (appeal); Park/Rustigian; 4847 Hampton Road:

Chairman Gunter explained the process for the hearing and public comment. He said that he would invite the applicant up to speak first. The possible outcomes are: Approval, denial, or continuance of the item. The conversation that the speaker will have between the speaker and the

Commission and not the audience and the speaker. It is the Commission's role to decide the case.

Intern Barkhordarian gave a presentation in accordance with the staff report.

Commissioner Oh asked Assistant City Attorney Guerra if the denial is without prejudice. If the tree has signs of distress, can the applicant come again before the Commission with a new consideration? Assistant City Attorney, Guerra said, "yes."

Commissioner McConnell asked staff for clarification about the request for removal of the trees.

Director Stanley said that the applicant and appellant can apply to remove someone else's tree, given the owners approval.

Chairman Gunter asked if the property owner had already agreed to planting of the trees.

Director Stanley said there are no remediation measures that have been clarified at this point. The applicant is the neighbor and property owner agreed for the applicant neighbor to remove his tree.

Commissioner McConnell asked if imminent danger of tree failure needed to be evident. Director Stanley said, "no."

The Public Hearing was opened.

Applicant, Eric Rustigian, 4843 Hampton Road, said that the subject tree to the left of his property could impact his children if they were nearby and the tree failed. He said he would be amendable to placing other trees on the property or paying into the Tree Fund.

Commissioner Jain asked the Assistant City Attorney, Guerra, if placing the tree on the property is acceptable. Assistant City Attorney Guerra said that it must place tree on the subject site.

Chairman Gunter asked the applicant when they purchased their property. They said, "one year ago."

The Public Hearing was closed.

The Commission had a conversation about the City Council's intent for the updated tree ordinance. Commissioner McConnell said that it should be incorporated into the Zoning Code update.

Commissioner Oh said that he supports the decision made by Director Stanley.

Vice Chairman Hazen said that he felt the Oak tree appeared to be healthy. However, he shares the same concern with the applicant. He thought that trimming the tree might help with the maintenance. He concurred with the Director’s decision and felt the appeal should be denied.

Commissioner Jain supports the Director’s approval.

Chairman Gunter said that he agreed with his fellow commissioners.

M/S/C – Oh/Jain to deny the appeal and uphold the Director’s approval. Approved 4-1. McConnell voted no.

IX. REPORT OF DIRECTOR’S REVIEWS

Were reported.

A. Hillside Development Permit 17-01 / Fence Review 17-02; Sargsyan; 4170 Cambridge Road: allowed a retaining wall and wrought iron fence along the street/front property line; denied a service road and gate for pool access and a retaining wall and fence along the southeast property line.

B. Hillside Development Permit 17-41; Freeman; 4716 Hillard Avenue: allowed 1st-floor expansion of an existing 2-story residence and pool house on a hillside lot, and limited exterior remodeling.

X. OTHER BUSINESS

There was none.

XI. COMMENTS FROM THE COMMISSIONERS

Chairman Gunter said that loop holes through code requirements need to be addressed. Director Stanley acknowledged the request.

XII. COMMENTS FROM THE DIRECTOR

The General Plan Amendment request for 1109 Foothill Blvd. will be going before the City Council at the next meeting in addition to the Flintridge Sacred Heart Academy’s Specific Plan. There will be no second meeting of either the Planning Commission or City Council in December.

XIII. ADJOURNMENT

M/S/C - Gunter/Jain to adjourn the meeting at 10:04 pm. Approved 5-0.

Planning Secretary