

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON APRIL 10, 2018**

**I. CALL TO ORDER**

Chairman Gunter called the meeting to order at 6:01 p.m.

**II. ROLL**

Also present were Vice Chairman Hazen and Commissioners McConnell, Jain, and Oh.

**III. PLEDGE OF ALLEGIANCE**

The Flag Salute was recited.

**IV. COMMENTS FROM THE PUBLIC:**

Speaker, Patty Smith, a resident on Woodleigh Lane spoke about receiving notice about fencing that was approved for her neighbor located across the street. Chairman Gunter said that the Commission does not hear fence reviews. She explained that she had other issues relating to trash cans being left out after trash day and wall height concerns. Chairman Gunter explained that because the items Ms. Smith is raising are not agendized, the Commission cannot comment. He asked her to please visit the Planning Dept. to speak with the Director.

**V. REORDERING OF THE AGENDA**

There was no reordering of the agenda.

**VI. CONSENT CALENDAR**

There were no items.

**VII. CONTINUED PUBLIC HEARINGS**

A. Variance 17-08; EIS Studio/Nam; 4201 Mesa Vista Drive:

Planner Gjolme gave a presentation in accordance with the staff report. Chairman Gunter confirmed that the submittal is the same as what was submitted previously and that the staff report has not changed.

Chairman Gunter asked staff if the intent of Finding No. 2 was to state that it was not detrimental to locate the fence in the proposed location. Planner Gjolme confirmed this.

Commissioner McConnell asked for clarification about the setback and the edge of pavement. Planner Gjolme said that the edge of pavement is delineated. The gate would be on the inside portion of the first pilaster and would slide. Commissioner McConnell asked if the Fire Department would require 150 feet. Planner Gjolme confirmed that fundamentally, it would. Commissioners McConnell and Oh and Planner Gjolme discussed Fire vehicle turn-around requirements on the private street. There is a condition of approval that addresses this requirement.

Commissioner Jain asked if a 42-inch high fence would need to go before the Commission. Planner Gjolme confirmed it would not.

The Public Hearing was opened.

Speaker, applicant, Sue Lee said she was available for questions.

Commissioner McConnell asked when the house was constructed. Ms. Lee said she was not sure.

Commissioner McConnell asked Ms. Lee if she was aware of any Fire Department requirements. She said she was not aware of any.

Commissioner Jain asked the applicant if they would be amenable to locating the gate 10 feet back. Ms. Lee said she would be fine with that.

Commissioner Oh asked why the applicant desired the request now as she had lived in the house for nearly 3 years. Ms. Lee said that due to the increase in crime in the City and with 3 young children, she'd feel better having the fence. Chairman Gunter asked if Ms. Lee would entertain a fence back 20 feet from the street. She indicated she would not as she has small children that play in the area.

The Public Hearing was closed.

Vice Chairman Hazen said he would approve the request as it would provide security for the family. He said he could make all of the findings.

Commissioner McConnell said that the City takes Variance requests very seriously. It is oftentimes difficult to meet the findings, typically. He said he was under the impression that the City approved the other gates on the street at a reduced setback distance so the request would not be a special privilege. He said that practically, it is difficult to turn around and that he believed there is a solution that would preserve the auto court but also would create space to turn around adequately. He believed that Mr. Jain's suggestion to install a gate with a 10-foot setback would preserve the auto court.

Commissioner Oh agreed with Vice Chairman Hazen that the situation is unique, and that the family should be able to enjoy the use of their driveway. There is very

little traffic on the street. Commissioner Oh said he could make the findings as long as the Fire Department has no concerns.

Commissioner Jain visited the site and measured the pavement and gate area. He noted that there would not be enough space for adequate backup. He believed that the gate should be at least 10 feet from the edge of pavement and he agreed with Commissioner McConnell that the gate should be smaller in size. He said he could make the findings if the gate is a minimum 10 feet from the edge of the pavement.

Chairman Gunter visited the site. He said that the ordinance does not differentiate between public and private streets with regards to the subject request, so he cannot make the findings.

Both Vice Chairman Hazen and Commissioner Oh said they would be all-right with the fence being 5 or 10 feet back.

The Public Hearing was opened.

Chairman Gunter asked applicant, Ms. Lee, if she would accept a distance for the fence of 10 feet from the pavement. Ms. Lee agreed.

The Public Hearing was closed.

Assistant Attorney, Guerra, said that Finding No. 3 is incorrect, and staff will correct it so that it is consistent with the Zoning Code.

M/S/C - Jain/McConnell to approve the request with the revised distance of the gate a minimum of 10 feet from the edge of pavement and to correct Finding No. 3. Approved 4-1. Chairman Gunter voted no.

## **VIII. PUBLIC HEARINGS**

- A. Minor Conditional Use Permit 537; Kaesler Family Trust/Bell; 1111 Foothill Blvd., Suite A & B:

Deputy Director Koleda gave a very brief presentation in accordance with the staff report.

Commissioner McConnell clarified that a Conditional Use Permit was required. Deputy Director Koleda confirmed this.

Commissioner Oh asked about the Lot Merger to take place as part of an approved entitlement for 1109 – 1113 Foothill Boulevard. Deputy Director Koleda said this was not required until the construction on the building takes place.

Chairman Gunter asked if a business license is required. Deputy Director Koleda said that it is required, and that Code Enforcement would get involved if a business operates without a license.

The Public Hearing was opened.

Speaker, applicant Cindy Bell explained that she has been testing out what hours are best to operate to determine any impact on parking. She said she is open to any questions the Commission has.

Chairman Gunter asked Ms. Bell if she was following City rules on hours of operation. Ms. Bell said that she spoke to the City first and was told she could move forward.

Commissioner Hazen asked for clarification on the parking and how the business's peak times might impact neighboring businesses. Ms. Bell said her goal is to be courteous of her neighbors and therefore, she is trying to work out the bugs regarding parking. Commissioner Jain said that good parking signage is essential in order to avoid conflicts with the existing surrounding businesses.

Speaker, Dr. Kessler, is the subject property owner. She explained she will sign a lease with Ms. Bell only upon receiving approval from the Planning Commission. She said that she is going through the remainder of the entitlement process to construct the parking and Lot Merger. She has allowed Ms. Bell to test out her business operation to see if any potential noise from the business would need to be mitigated as Dr. Kessler's medical practice is located next door.

The Commission discussed the remaining approvals that Dr. Kessler must obtain for her parking lot in the back and that she will need to go through the Design Commission for lighting, landscaping and the architectural design features of the building that she will be constructing on the neighboring property.

The following speakers expressed concerns about the proposed business:

Speaker, Patty Smith, operates the salon on the corner - Had concerns about parking. She asked the Commission how many spaces are required for the proposed business.

Commissioner McConnell gave a copy of the staff report to Ms. Smith. Ms. Smith asked if the hours of operation will always be the same. Chairman Gunter explained that there will be limitations to the hours. Director Stanley said that a six-month review of the parking at the location can be made.

Speaker, Ms. Yoursouri owner of Cakery Bakery – Had concerns about parking and is worried about the proposed business negatively affecting her business. She requested that parking limits be enforced on Foothill Boulevard. She was also told in the past that she could not sell sandwiches out of her business because it could

trigger parking problems. She believed that the staff report does not adequately reflect the number of parking spaces that are required.

Speaker – Ray Yoursouri, Owner of Cakery Bakery – Expressed problems with parking and who the spaces belong to. He felt that the spin pedal studio is requesting to operate in a space that is too large. He is also concerned about parking during construction of the neighboring building impacting parking.

Speaker- Emin Baltazar, owner of nearby Flintridge Cleaners expressed concern over the proposed business. He said that all of the 20-minute limit parking spaces are full during his business's peak time due to the spin pedal studio. He believes that this will hurt his business.

Pam Glynn- Neighboring property owner expressed concerns about the parking.

The following speakers spoke in favor of the proposed business:

Speaker, Nicole Bednar - Patron of the spin pedal studio said she has witnessed the business requesting that their patrons refrain from parking in the nearby 20-minute limit parking spaces.

Speaker, Kurt Bednar – Stated that he believed there is ample parking and that there is parking that is located up the street near the park.

Speaker, Mark Adams – Patron of the spin pedal studio – explained that he parks a fair distance away so that he does not impact parking. He encouraged approval of the application.

Applicant, Ms. Bell spoke and expressed that she wished to address any fears about her business operations. She explained that she operated in Montrose for 20 years and had 25 bikes in her studio. Based on her experience in Montrose and about her business in general, she indicated that the classes are not typically full. She expressed that her patrons would not be allowed to park in the nearby 20-minute parking area. She is concerned about her neighboring business's concerns.

Vice Chairman Hazen asked if the primary operating morning hours would be from 5 – 9 am. Ms. Bell confirmed this.

Chairman Gunter asked if Ms. Bell was aware of the Conditions of Approval. Ms. Bell confirmed that she was.

Vice Chairman Hazen and Ms. Bell discussed the fact that 20 bikes would be allowed.

The Public Hearing was closed.

Director Stanley indicated that staff never talked with Ms. Bell about being able to operate prior to obtaining Planning Commission approval. Tenant improvements were allowed to take place, but not operations. Code Enforcement will be sent out and will monitor. He said that he was not aware that the business was already operating.

Commissioner McConnell said there are a lot of issues with the application that will not be addressed this evening. He is concerned about the larger parking issue. He does not believe the City has appropriately addressed commercial parking in the city. He said that there is parking located across the street from the park down the street. Shared parking could be an option to be explored. He was concerned about the perception that potential businesses are not welcomed to the City due to existing parking problems. He wishes for all businesses to succeed.

He did express that operating without a business license is a problem.

Vice Chairman Hazen concurred with Commissioner McConnell. He believed there are too many gray areas that would hamper him making a decision at this time. He believes that parking requirements should be revisited at this time. He could not make an informed decision at this time.

Commissioner Oh agreed with his fellow Commissioners. He said that the parking issues need to be figured out. Also, it is not good to have vacant buildings.

Commissioner Jain said that the parking lot located behind the subject business should be addressed first. He is concerned about existing businesses being impacted.

Chairman Gunter said he was concerned about the fact that the business is operating already as well as about the differences between the staff report facts and what the applicant has explained. He believes that more uses are taking place than what staff has been told. He does not want current businesses to suffer. Detailed parking counts have been supplied in the past for proposed projects. Not every business fits in every space. There appears to be a parking deficiency at the subject location. He believed the item should must be continued to a date uncertain.

Director Stanley confirmed that there are discrepancies in what the applicant has expressed tonight and what was submitted by the applicant to staff.

Chairman Gunter informed the applicant that there are three potential outcomes: Approval, denial or continuation of the request.

M/S/C - Gunter/Jain to continue to a date uncertain. Approved 5-0.

B. Hillside Development Permit 18-15; Wilson; 5453 Ocean View Boulevard

There was no presentation required to be given by staff.

Commissioner McConnell said that he viewed the site from the Briggs side of the flood control channel and the view as difficult. Assistant Planner Yesayan said that he did not have access from the Briggs side as well.

Vice Chairman Hazen asked if the 11 – 12-foot high wall could be viewed. Planner Yesayan said that the visible portion of retaining wall is 12 feet high.

The Public Hearing was opened.

There were no speakers.

The Public Hearing was closed.

Commissioners Oh, Jain, and Hazen indicated they could not get a visual inspection of the wall due to the topography. They understand that it is a safety issue. Both said they could make the findings. Commissioner Jain said he would like to add a condition requiring that the wall be muted so that it blends with the hill.

The Commissioners agreed that they would not want a white wall visible and that landscaping could be installed to cover the wall. They could all make the findings.

M/S/C – McConnell/Hazen to approve the request with a condition requiring color and landscaping in front of the wall. Approved 5-0.

C. Second Floor Review 15-09/Conditional Use Permit 515/Tree Removal Permit 14-29; Johnson/Grandway US Dev., LLC; 4235 Woodleigh Lane:

Planner Gjolme gave a presentation in accordance with the staff report.

Commissioner McConnell asked if the floor area is being based on a lot merger that has not taken place. Planner Gjolme confirmed this was the case. He explained that there are two parcels and no current lot ties. A lot merger will be required.

Planner Gjolme confirmed for Commissioner Oh that LA County owns the trail and that the trail is not included in the setback for the subject property. He explained to Commissioner Jain that the property line in question was the side property line.

Deputy Director Koleda explained that there are three parcels and two AINs.

Planner Gjolme said that the design is logical and traditionally massed. It is a large European villa expressing Tuscan architecture.

Planner Gjolme confirmed for Commissioner McConnell that the flood control easement would be reviewed. Planner Gjolme also explained that the house was sited accordingly due to the existing Oak trees and the nearby flood control channel.

Planner Gjolme explained to the Commission that the pool is not within the scope of the entitlement but that the tree removal request was. The tree removal request is the result of the increased front setback and corresponding footprint location.

The Commission, Planner Gjolme and Director Stanley discussed how the entitlement requests related to the work to be done on the site. Assistant Attorney Guerra said that the findings suggest that the entire property will be reviewed.

Chairman Gunter asked about the cabana against the existing structure. Planner Gjolme said that a condition can be added that the accessory structure cannot exceed 15 feet.

The Public Hearing was opened.

Speaker, applicant, Jay Johnson, explained the design concept for the site. The setback is large and though the proposed design is large, he believed it was in character with the rest of the neighborhood. Mr. Johnson said that the property owner plans to replace the Oak trees that are requested to be removed with protected trees.

Commissioner Oh asked if there would be privacy for the pool. Mr. Johnson said that the proposed landscape plan provides for privacy.

The Project Landscape Architect, John Pride, said that the easement can be paved over. He indicated that the tree needs to be removed to meet code and that the upslope above would be detrimental to Tree No. 7.

Commissioner Oh stated that the Flood Control District will require that the wall be removed. Improving the property will require the wall which will weaken the tree.

Mr. Pride clarified for Commissioner McConnell that the non-protected trees would be replaced. Commissioner McConnell stated that the trees would need to be 10-12 feet tall in order for the yard to be adequately screened from those utilizing the trail.

Mr. Pride explained to Vice Chairman Hazen that the new landscaping to be installed will be 36-inch box Sycamore trees that will reach that height within 3 – 5 years.

Speaker, William McKinley, completed an arborist report in 2014 and a follow up report in May 2017. The reports described that the subject trees are diseased and potentially dangerous. It was explained that Tree 5 had limited soil and would have to eventually be removed. He explained that retaining Tree 7 could have a significant impact on the tree root system. There is fill soil added around the trunk. This is believed to be impacted by the construction. He supports preservation of the Oak trees at the far west end of the lot.

The Public Hearing was opened.

Speaker, Patty Smith, resides on Woodleigh Lane. She said she was concerned about the property ownership of the subject property as she understands that it is a Limited Liability Corporation (LLC). She explained that she moved to the City for the Oak trees. She is not in support of the requested Oak tree removal request. She is also concerned about the density of properties in the area. She believed seven Oak trees need to be planted. She also asked if an EIR had been prepared.

Chairman Gunter said the Commission is neutral to property ownership and therefore cannot discuss ownership. Assistant City Attorney Guerra agreed.

Chairman Gunter clarified that the trees that are proposed to be removed will be replaced with a mixture of Sycamore and Oaks.

Speaker, Nancy Antonoplis, 4251 Woodleigh, expressed concerned about square footage proposed, the precedence tree removal would set, and how offsite parking during construction will be enforced.

Chairman Gunter indicated that Code Enforcement would enforce construction parking violations.

Ms. Antonoplis asked what the timeframe for construction would be. Assistant City Attorney Guerra said it would have to commence within 24 months of approval.

Speaker, Bob Antanoplis expressed concern about drainage. He believed that a flood control easement cannot be built upon. He also was concerned about the proposed size of the home.

Chairman Gunter explained that the buildable area is based on site size not ownership. The Commission cannot consider this. There have been instances where other 11,000 square foot houses or larger have been approved by the Commission.

The Public Hearing was closed.

Chairman Gunter said he visited the site and found the request to be compliant. He also liked that no exception is being asked for. He was in favor that the view from the street is one-story. He felt the arborist conducted a thoughtful review. He was pleased that protected trees are proposed to be planted on the site. He said he could make the findings. He said the package was thorough and complete which makes the Commission's evaluation easy.

Commissioner McConnell visited the site and regularly frequents the neighboring trail. He recommended that the construction project manager that will be assigned to the project provide their phone number to neighboring residents to contact them

with any concerns during construction. He also suggested that the landscaping plan be amended to contain trees that will grow taller along the north property line. He said he could make all the findings.

Vice Chairman Hazen visited the site. He said that the size of the proposal fits within the code. He agreed with Commissioner McConnell's suggestion about the project manager. He did express concern about the deck and asked that if any future concerns come up on this, that the Director of Community Development be contacted. He said he could make all findings.

Commissioner Jain said he visited the site and is familiar with it. He believed that the view of a one story from the street presents a simple and modest look. He said he could make all findings.

Commissioner Oh visited the site. He concurred with his fellow commissioners about additional conditions. The proposed design is reasonable and complimentary. He said he could make all findings. He recommended adding a condition requiring that landscaping be planted along the northern property line which could be reviewed at the Director's discretion. Condition No. 20 should read that prior to any permits being issued, a lot line merger must be completed. Condition No. 32 should require that a project manager make themselves available to address any surrounding property owners' concerns. He asked that the Building and Safety Division verify the approved square footage during construction.

M/S/C – McConnell/Oh to approve with modified Condition No. 20 and adding two new conditions regarding screening and a project construction manager. Approved 5-0.

#### **IX. REPORT OF DIRECTOR'S REVIEWS – Reviewed**

A. **Hillside Development Permit 18-13 (Dir.); Moore; 5287 La Canada Blvd.:** allowed installation of a latticed patio cover to an existing residence on a hillside lot.

#### **X. OTHER BUSINESS**

A. Finding of General Plan Conformance – public street vacation (portion) at the southeast corner of Foothill Blvd. and Woodleigh Lane.

B. Finding of General Plan Conformance – public street vacation (portion) at Hill Street north of Valley Sun Lane.

Deputy Director Koleda explained that prior to street vacations, that the city must make a finding of General Plan Conformance.

Commissioner Oh asked, regarding Item B, who owns the property once the streets are vacated? Deputy Director Koleda explained that technically it is a public street at the current time. It is a remnant parcel. Vacating it will yield two additional parking spaces that can be used for the salon on the corner.

M/S/C – A. Gunter/Hazen to find the request in conformance with the General Plan. Approved 4-1. McConnell voted no.

M/S/C – B. Gunter/Jain to find the request in conformance with the General Plan. Approved 5-0.

C. Discussion: 2018-2019 Budget requests.

Director Stanley informed the Commission that the budget requests that will be going before the City Council this year will consist of amending the Downtown Village Specific Plan (DVSP) and a parking study.

Chairman Gunter said that the DVSP needs to be assessed as much of it has been built-out since the Plan was adopted. Other cities should be evaluated to see how they address use of public streets during given business hours. Hiring a consultant to assess this would be a good thing to do.

Vice Chairman Hazen and Director Stanley discussed how a comprehensive parking analysis is needed.

Commissioner McConnell recommended that an economic development consultant evaluate the commercial area and recommend how the City can improve the process for encouraging businesses to establish in the City.

Commissioner Oh gave an example of how the City of Los Angeles utilizes an ombudsman to guide businesses through City processes. Commissioner McConnell indicated that the set-up of the new public counter at the new City Hall should also aid in properly guiding prospective businesses and applicants.

## **XI. COMMENTS FROM THE COMMISSIONERS**

Commissioner Oh thanked Director Stanley for his over 20 years of service to the City of La Cañada Flintridge. The Chairman and Commissioners all congratulated Director Stanley for his dedication.

## **XII. COMMENTS FROM THE DIRECTOR**

Director Stanley thanked the Commission for being so good to work with over his career with the City.

Director Stanley explained that a draft of the Historic Ordinance will be going to the City Council on April 17, 2018.

Director Stanley said that the Target project was not appealed.

### **XIII. ADJOURNMENT**

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

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Secretary to the Planning Commission

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