

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD JANUARY 10, 2006**

**I. CALL TO ORDER:**

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

**II. ROLL CALL:**

Present were Commissioners Cahill, Davitt, Engler and Mehranian, Deputy City Attorney Cobey, Director of Community Development Stanley, Senior Planner Buss, Planner Gjolme, Assistant Planner Lang and Planning Intern Mikhail.

**III. PLEDGE OF ALLEGIANCE**

Commissioner Davitt led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC:**

Jay Johnson addressed the Resolution of Denial under the Consent Calendar for 3901 Hampstead. He advised that his clients intended to appeal the denial to the City Council; however, after he showed them a single-story design that he had earlier designed but did not show them, they liked the concept and agreed to request reconsideration. The single-story design has more floor area, they can have higher ceilings, grading is minimized and they would not need as many trees to screen the project.

Chairman Gelhaar confirmed that his colleagues, with the exception of Commissioner Engler, who was recused from deliberations as he resides within the 500-ft notification area, agreed to allow reconsideration. A discussion followed regarding a rescheduled date.

Mr. Johnson preferred a date certain and verified that the Commission would not require story poles.

Commissioner Cahill commented that it would be useful to have at least 1 story pole to get a sense of the structural height.

Director Stanley advised that if Staff did not timely have all the required information, that the matter would not be heard. A Negative Declaration was filed for the project, therefore, Staff would need all information 3 weeks from this date.

Mr. Johnson added that the project would no longer require as much grading as the former submittal. What would cause a delay is returning to a civil engineer for a new grading plan. He asked if he would be allowed to show grading on the landscape plan.

Director Stanley remarked that a plan becomes cluttered when landscaping and grading are simultaneously shown; a separate site plan was preferable. He also confirmed with Mr. Johnson that there would be approximately 18" of grading required at the rear.

Mr. Johnson agreed to have all pertinent information in the Planning Department, 3 weeks from this meeting.

M/S/C Mehranian/Cahill setting the item for the February 28<sup>th</sup> agenda. 4 Ayes; Engler recused.

**V. REORDERING OF THE AGENDA:**

Chairman Gelhaar advised the agenda would remain as submitted.

**VI. CONSENT CALENDAR:**

A. M/S/C Davitt/Engler to adopt the minutes of December 13, 2005 as submitted. Unanimous.

B. M/S/C Resolution 06-01; approving FAR 05-17; 4427 Oakwood Avenue.

C. Resolution 06-02 denying HDP 04-36; 3901 Hampstead Road – action was not taken on the Resolution per the prior discussion.

**VII. PUBLIC HEARINGS:**

**A. Hillside Development Permit 05-70; Gharahbegi; 5315 Palm Drive:**  
Planner Gjolme described the applicant's request for a residential expansion on a hillside lot with an average slope of 23%. The first floor would be expanded by 616-sf and a new, 792-sf, second-floor is proposed.

The subject site is located on the west side of Palm Drive, south of Del Oro Drive, in the R-1-10,000 Zone. There is a mixture of single and two-story homes in the neighborhood. While the 10,140-sf property is mostly flat, there is a substantial slope at the west, leading to the rear property line.

The project expands the home to the front on the first floor and the new second floor would be centralized above. The existing garage and driveway are shown

as reconfigured to accommodate the first-floor expansion; the garage would face the street and a shorter, direct driveway provided.

Planner Gjolme advised that the setbacks and floor area are code compliant and the typical concerns with hillside projects of massing and view blockage are not raised by the project. (Total floor area exceeds the Slope Factor Guideline by 100 sf.) Staff considered the hillside designation as marginal, given the amount of level pad and separation of the house from the rear slope. The single concern is the two-foot separation between the new driveway and a large deodar in the front yard. Though there are similar designs in the neighborhood, with no apparent damage to trees, an arborist's report would be mandatory.

With the proposed conditions and the modest, low-scale of the design. Staff waived the requirement for story poles. Staff recommended positive findings and project approval.

Commissioner Mehranian asked what would happen if the arborist should report negative impacts from the reconfigured driveway.

Planner Gjolme stated that might warrant significant changes. He added that unbeknownst to Staff, the applicant hired an arborist who submitted a positive report with recommendations.

Ned Kalantar, property owner and designer, reiterated that his consultant arborist is among those on the City's approved list and while recommendations were cited, he reported no major impact to the tree. Mr. Kalanter advised that the existing driveway does not work for his family and that he now parks his car on the street. The proposed design allows him to park 2 cars in the garage and 2 more on the driveway.

Commissioner Mehranian confirmed that Mr. Kalantar was willing to comply with any recommendations made by the city-retained arborist.

Chairman Gelhaar opened the public hearing. Since comments were not offered, the public hearing was closed.

Planner Gjolme pointed out that draft condition #14 requires strict compliance with the City's arborist recommendations.

Commissioner Engler had no concerns with the project so long as the arborist approves the reconfigured driveway. He asked that Staff find suitable offsite

parking for construction vehicles, given the modest size of the lot and the narrow street.

Commissioner Davitt advised that he was initially concerned that the slope Factor Guideline was exceeded and with the lack of story poles; but the minor scope of the project became clear to him once he was on site.

Commissioner Mehranian stated that she could support the request, given the lack of significant impacts.

Commissioner Cahill concurred with his colleagues' comments and asked that an arborist review any grading as well.

Chairman Gelhaar concurred with comments and stressed the importance of story poles even in this case, as they assist the neighbors to visualize a project.

Commissioner Engler concurred.

M/S/C Mehranian/Engler approving Hillside Development Permit 05-70, modifying condition No. 11 to require parking of construction vehicles off site and condition No. 14 requiring an arborists review of any grading.

Unanimous.

Chairman Gelhaar asked Mr. Kalantar to check with Staff regarding off street parking.

**B. Modification 05-84; Kim; 1959 Lamp Post Lane:**

Planning Aide Mikhail described the applicants' request to allow a new two-story addition to encroach as much as 11 ft into the required 32-ft front setback, and 2 ft into the 19-ft side yard setback. The corner property qualifies as a *hairpin* lot, subjecting its 235-ft of frontage to front yard setback requirements. She advised that an Administrative Modification was approved in December to allow a first-floor addition to maintain the existing encroachment.

The subject site is located on a private street in the R-1-15,000 zone. The second floor represents 1,150-sf of new area, for a total floor area of 3,750-sf, whereas allowable floor area is 3,704-sf. The 35-ft westerly front yard setback complies with Code - which Staff determined to be the functional front yard. However, Staff determined that requiring the same setback for the west and south property lines would be draconian, given the configuration of the lot. The second-story's 19-ft front setback represents a 13-ft encroachment; however if considered a street side yard, the setback would comply with Code.

While Staff could justify the Modification request, the overall mass of the 2<sup>nd</sup> floor was problematic, specifically as viewed from the west and south. The home's 32-ft height would span 14 ft along the west elevation and over 50% of the roof would be visible from the south. Ms. Mikhail observed that the trees in the corner of the property are deciduous and would not screen the roof mass. Staff believed that reducing the second story height from 32 ft to 28 ft would help to mitigate those issues and recommended a continuance for redesign to address massing, a 50-ft reduction in floor area and a possible reduction in height.

Commissioner Davitt inquired if Staff could support the project if those three requests were met.

Ms. Mikhail responded that Staff would have to review the redesign.

Responding to a question from Commissioner Cahill, Ms. Mikhail advised that though there is a height issue, story poles are not required on non-hillside projects.

Commissioner Engler commented that, in this case, story poles would be beneficial.

Designer San Oh was in the audience to respond to any questions the Commissioner might ask of him.

Chairman Gelhaar opened the public hearing.

Nancy Fairchild advised that she resides across the street and at a lower elevation from the project. She was concerned that the proposed second story would have views into her back hard and would hover over her home. She asked that all guidelines be enforced.

Steve Richter, an adjacent neighbor, thanked the Commission for its recommendation to erect story poles, as it would be helpful in visualizing the project.

The designer, Mr. Oh, did not have any comments.

Chairman Gelhaar closed the public hearing.

Commissioner Davitt made a site visit over the weekend; the massing and side yard encroachments concerned him. He supported the idea to require story

poles in this instance and stated that he could not support the project as currently configured.

Commissioner Mehranian stated that the combination of massing and encroachment troubled her. She concurred with Staff's recommendation and suggestions as how to possibly mitigate the concerns.

Commissioner Cahill remarked that some accommodation for the setback encroachments were in order since the property is a hairpin lot. Unfortunately, in exchange for that concession, the applicant expanded the width of the house, which creates more massing than is needed. He supported a redesign to lessen the massing and to require story poles.

Commissioner Engler agreed with Commissioner Cahill regarding the side yard encroachments, stating that compliance with Code would be too restrictive. He did not believe that a 4-ft reduction in height would make much of a difference and agreed that story poles would provide a true picture.

Chairman Gelhaar expressed agreement with most comments and supported Staff's findings and conclusions. He noted that when the Commission reviews hairpin lots, it consistently considers one frontage as a side yard. He thought it was a good idea to continue the matter for redesign, keeping in mind Staff's suggestions.

Mr. Oh requested a continuance to February 14<sup>th</sup>.

M/S/C Mehranian/Davitt to continue Modification 05-84 to February 14<sup>th</sup> for redesign and story poles. Unanimous.

**C. Floor Area Review 05-20; Moore; 1833 Fairmount Avenue:**

Planner Gjolme described the applicant's project, that would add 1,206-sf of first floor area; total floor/roofed area would reach 5,454-sf, exceeding the allowed standard for the lot by 204 sf.

The subject site is located on the north side of Fairmount Avenue, between Palm Drive and Earlmont Avenue in the R-1-20,000 zone. The 17,500-sf lot measures 100 ft x 175 ft and is distinguished by two stands of large deodars that frame the site. Adjacent properties and those across the street have similar characteristics ---tall deodars are the dominant visual trait of the neighborhood; their canopies limit views in all directions.

Two separate staff-level approvals are pending: an Administrative Modification to maintain a legal, non-conforming 8-ft, west side setback and a

Tree Removal Permit to allow removal of a deodar with a 20-inch truck-diameter . A check in the amount of \$7,500, representing the cash value of the tree as determined by an arborist, has been paid to the City.

The project maintains the single-story design and maintains the character of the home. Existing building height would be preserved and compliant setbacks are provided to the front and east side. Ten large and mature deodars at the front of the home would buffer any views of the proposed expansion.

Planner Gjolme noted that the immediate neighborhood accommodates large two-story homes; the one across the street is nearly twice the size of the project. Though the project represents excess floor area, Staff determined that it is sensitively distributed throughout the floor plan and that it would not adversely impact the neighborhood or its setting. He pointed out that the carport, which will remain, causes the excess 204-sf of floor area.

Applicant, Sheila Moore, addressed the proposed removal of the deodar. Though healthy, it leans over her home and makes her apprehensive as a single mother of three children. She asked the Commission if there possibility of reducing the cash value of the tree, given the number of protected trees that would remain and which are cared for annually.

Project designer, John Schmidt, noted the provision in the Tree Ordinance that allows existing protected tree(s) on site to be considered as replacement for a removed tree.

Planner Gjolme confirmed that remaining protected trees on site could be designated as replacement for the removed deodar. He pointed out the lack of negative impacts from removal of the subject deodar.

Director Stanley cited the three available options, 1) designate existing trees on site as replacement, 2) require restitution for removal of the deodar, or 3) require installation of another protected tree.

Commissioner Cahill did not believe the expansion would affect the very recessed and wooded property. Addressing the applicant's request for some sort of accommodation for the value of the tree, he recalled that Sport Chalet was allowed an adjustment on a similar request and he was willing to do likewise in this situation.

Commissioner Engler stated it was "a great design" and he was willing to cut the replacement cost of the deodar in half.

Commissioner Davitt also made a site visit. He felt the project was well designed and importantly, would remain single-story. He supported working with the applicant on the tree's replacement cost.

Commissioner Mehranian agreed the project was well designed but would have preferred removal of the carport. Regarding the options cited by Director Stanley, she preferred planting a replacement tree, but could support cutting the value in half.

M/S/C Davitt/Engler to approve Floor Area Review 05-20 and allowing the applicant to pay one-half the fee of the removed tree's value as cited by the City's arborist. Unanimous.

**D. Floor Area Review 05-11; Kim; 1715 La Floresta Drive:**

Assistant Planner Lang reported the applicant's proposal to expand the first and second floors of his home for a total floor/roofed area of 5,679-sf. Though the project meets the underlying floor area standard, Floor Area Review is triggered because the lot has less than 80 ft of frontage.

The subject site is one of three parcels on La Floresta Drive, a private cul-de-sac off Hillard Avenue. It is developed with a two-story home, attached garage and pool.

A 729-sf addition would be constructed on the front of the home, above a portion of the attached 3-car garage. The remaining roof area would accommodate a deck accessed from the home's second floor. Cantilevered area under the deck would add 181-sf of new floor area, but would not create bulk or mass. While the project would be visible from the front, generous perimeter setbacks are provided and it is separated from neighboring structures, except for an accessory structure at the rear of a property that fronts Hillard Avenue.

Responding to a question from Chairman Gelhaar, Director Stanley advised that Staff thought the new balcony would be level with, or slightly below the yard to the north. However, it now appears that the project would be visible to the upslope neighbor.

Chairman Gelhaar opened the public hearing.

Harvey Horswell, who lives at 4806 Hillard, directly west of the project, thanked the Commissioners for viewing the subject site from his property. He distributed photos of the area and pointed out that his home and the one to the north are modest, single-story structures. He related that the project would be the largest home in the neighborhood and add to the encroaching density

experienced by the neighborhood over time. He felt project would impact the privacy of his back yard by bringing mass and bulk closer, it would obviate his views and a proposed balcony would have views directly into his back yard. He suggested a less ambitious plan. Mr. Horswell suggested that the unaffected portion of the garage remain "as is" and eliminate the balcony; the rest could be mitigated by new trees. Lastly, he suggested that the applicant attend to a fence in disrepair, that he replace a stand of redwood trees that fell over in a windstorm and that a massive Alepo pine in the northwest corner be removed before the addition is constructed, as he feels it poses a danger to his property.

John Priebe, who resides at 4816 Hillard, resides north of the site, related that a house built approximately 15 years ago has viewed directly into his back yard. If the project includes windows on the north side, it would further impact his rear yard.

Further comments were not offered and the public hearing was closed.

Commissioner Engler noted that the neighborhood is comprised of single and two-story homes. He felt the balconies are intrusive and should be eliminated; he did not have a problem with the remainder.

Commissioner Davitt agreed, how the home is positioned with views to homes on Hillard call for removal of the deck and balcony. More window treatment and more landscaping would be beneficial.

Commissioner Mehranian stated that she did not have much more to add and agreed that eliminating the deck and balcony would make a big difference.

Commissioner Cahill remarked that the project would be very intrusive on the two adjoining neighbors; the Horswell home would be the most impacted and hemmed in. He noted that this property ascends from the street and has a large driveway - he suggested either extending the first floor or lowering the grade for the second story. He agreed with eliminating the balconies and requiring the windows to be treated.

Chairman Gelhaar stated that he was not concerned with the two-story aspect, since it represents closets, bathrooms and bedrooms, but he could not make the findings unless the balcony, deck and doors be removed and replaced with a roofline to preclude conversion in the future.

Designer, Steven Hsaio, commented that the neighbors made valid points and that he needs to consult with his clients. He requested a continuance for redesign; February 28<sup>th</sup> was acceptable.

M/S/C Engler/Mehranian to continue Floor Are Review 05-11 to February 28<sup>th</sup>. Unanimous.

**VIII. OTHER BUSINESS:**

**Overhead Utilities Agreement 05-01; La Cañada Presbyterian Church; 626 Foothill Boulevard:**

Senior Planner Buss explained the applicant's request for relief from the requirement to underground certain sections of power lines that serve the church and neighboring abutting residences. The request relates to a 2005 approved master plan currently under construction.

One set of lines runs along the south portion of the Church's west property line and the other is from Woodleigh to the same west property line along the northern edge of the parking lot. Lines extending between the center of the west property line to Woodleigh and from the center of the lot to Georgian are requested to remain above ground. All utility lines located within the church property are being undergrounded as part of Phase 1 construction.

Senior Planner Buss pointed out that the cost to underground utility lines on adjacent residential properties would include expenses not typically incurred with this request, i.e., service upgrades and permission from those property owners to do so. The applicant points out that the subject utility poles and lines are not visible from Foothill and that it would be an unreasonable hardship to require the church to pay the cost of undergrounding adjacent residential properties.

Staff's recommendation was to grant the waiver, with a suggestion that the Commission consider requiring the church to underground from Woodleigh into the western property line. The adjacent First Church of Christ Scientist is apparently "undergrounded", since there are no overhead drops to that property; consequently, there is no reason why the applicant cannot underground as suggested.

While this matter is not a scheduled public hearing, it is the Commission's prerogative to accept public comments.

Commissioner Cahill asked if there was any consultation with the two abutting neighbors regarding the cost of undergrounding. He also referred to a letter

just distributed to the Commission from Edison, stating it would be “extremely costly to the church” to underground nearby residential customers. He asked how SCE arrived at that conclusion.

Senior Planner Buss responded that the neighbors could potentially cooperate and that Edison requires a \$1,500 deposit to determine the ultimate cost.

Director Stanley responded to a question from Commissioner Mehranian and advised that he would investigate whether the City can request a rough estimate from Edison without paying a fee.

Chairman Gelhaar asked if this matter had to be resolved post haste and if it would delay construction.

Mr. Buss confirmed that permits had been granted.

Jim Anderson, member of the church’s Building Committee, addressed the Commission and clarified that the green north/south line shown on site plan is incorrect. He referred to existing high voltage lines that extend from Foothill to a pole at the end of the green line which includes some drops that serve the church, while others serve homes on Oakwood to the rear. A lower line returns to the north and has a couple of drops that serve homes behind the sanctuary and the preschool. He had no idea what it would cost to underground the blue line on the site plan; and he noted that there are many high voltage lines there. Further, there are drops from the westerly blue line, across the church property, which serve homes on Woodleigh. Lastly, he referenced a statement in the staff report that the church would continue to be served by “drops”; he advised that ultimately, all church buildings would be serviced by an underground transformer.

Chairman Gelhaar invited testimony.

Charles Ajalat, 4412 Oakwood Avenue, recognized that the Municipal Code does not require public notice of this meeting; however, when an Ordinance is being tested, there should be formal or informal notice to neighbors. He stated that this request significantly affects his property. He related that Edison indicated they could just “do” his property, or move the utility pole to the corner of the church property and run a line underground. Edison would need a work order and a non-refundable \$1,500 charge to take measurements and compute the exact cost. Mr. Ajalat stated it did not make sense to him that the church would be selective. The church architect related to him that it might cost \$20,000. Mr. Ajalat commented that even if that amount were doubled “we’re talking about less than 1/10<sup>th</sup> of a percent of a 12 million-dollar project.”

He summarized his comments by reiterating that the church was being selective and that requiring it to comply with the mandatory language of the Ordinance language is not a hardship. He added that he wanted the wires off his property "now, or very soon". If it is really a hardship, he was willing to make a charitable contribution to the church. He asked that his home be excluded from any waiver that the Commission might consider or, defer the matter to February 14<sup>th</sup> and allow the church, the neighbors, City staff and Edison to pin down the cost and how it would be funded.

Christopher DeFaria, 4400 Oakwood, resides next door to Mr. Ajalat; there is a utility pole between his property and the Ajalats' which spans from his property to Georgian Road. He supported a continuance to study the matter and determined if the issue can be resolved without causing a hardship to anyone.

Senior Planner Buss advised the Commission that Michael Brown had e-mailed, asking for more time to comment.

Chairman Gelhaar commented that it was logical to have some idea regarding cost and that it appeared everyone was willing to work together.

Commissioner Engler requested to see Edison's profile and where the service lines drop to individual homes. Mr. Ajalat's underground connection needs to be modified because the pole serving his home is one of the poles slated for removal. He had no problem with requiring the church to underground the line from Woodleigh to the west.

Commissioner Cahill stated that if the reason for the waiver is hardship, the Commission needs to know what that is; in addition, the costs could be broken down incrementally, based on different segments. He agreed it would be useful to know "what is serving what" and that Edison could easily provide that information.

Director Stanley remarked this seemed to be a good opportunity to underground the entire line, not to say that the church should fund it. He doubted whether cost can be the determining factor for "hardship". If neighboring properties do not have lines to the utility poles, that could be regarded as a hardship.

Following a brief discussion, Staff was requested to draft language to amend the Undergrounding Ordinance to require some sort of notification for issues such as this one.

Chairman Gelhaar confirmed that Staff would notify neighbors of the status.

Mr. Anderson asked that Staff include the cost for the east/west line when contacting Edison. His sense was that it would be costly.

Director Stanley stated that he would see if anything can be done for the entire area; it would entail an entire block of undergrounding.

Commissioner Cahill commented that the church should pay the \$1,500, since it has the obligation to show what the cost is in demonstrating hardship.

**IX. COMMENTS FROM THE COMMISSIONERS**

Commissioner Engler remarked that the Commission has been clear about requiring story poles on all hillside projects; it should not be at the prerogative of Staff.

Planner Gjolme advised that the Hillside Ordinance give the Director the prerogative to waive them.

Commissioner Engler stated that they are mostly for the neighbors and that the Commission strongly prefers that they be provided.

Chairman Gelhaar asked for a status on his suggested wording for the R-1 guidelines; there is a public perception that the Code and the Department's hand-out conflict.

Director Stanley responded that he had distributed the suggestions to the City Council and that he is meeting with Council members Brown and DelGuercio regarding the hand-out brochure.

Responding to a question from Chairman Gelhaar, Director Stanley acknowledged that Staff needs to bring a draft ordinance to the Commission dealing with surveillance cameras.

Chairman Gelhaar announced that he was asked to form a subcommittee of two and meet with Sport Chalet. He appointed himself and Commissioner Davitt, the Chair and Vice Chair.

**X. COMMENTS FROM THE DIRECTOR**

Director Stanley distributed a chart showing a three-year trend of calls and walk-ins to the Department, which showed a significant increase fro '04 to '05.

Chairman Gelhaar asked that another category be added to show how the workload would increase if the City Council requires review of second-stories. Director Stanley advised that information had been provided to the City Council.

**XI. ADJOURNMENT**

M/S/C Mehranian/Engler to adjourn at 8:23 p.m. Unanimous.

---

Secretary to the Planning Commission