

# CITY OF LA CAÑADA FLINTRIDGE

## MINUTES OF A MEETING OF THE PLANNING COMMISSION OF THE CITY OF LA CANADA FLINTRIDGE HELD ON JANUARY 12, 2016

- I. CALL TO ORDER** – Chairman McConnell called the meeting to order at 6:05 p.m.
- II. ROLL:** Chair McConnell, Vice Chair Smith, Commissioners Gunter, Jain and Hazen were present.
- III. PLEDGE OF ALLEGIANCE:** The Flag Salute was recited.
- IV. COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar. There were none.
- V. REORDERING OF THE AGENDA:** Chairman McConnell recommended continuing items VIII A. and VIII B. as follows: Item VIII A. – M/S/C – Jain/Gunter to continue the Public Hearing to a Special Meeting of February 8, 2016. Continued 5-0. Item VIII B. – M/S/C – Gunter/Jain to continue the Public Hearing to the Regular Meeting of January 26, 2016. Continued 5-0.
- VI. CONSENT CALENDAR**
- A. **Minutes:** July 28, 2015 meeting: M/S/C – Smith/Hazen to approve the minutes of July 28, 2015. Approved. 4-0-1. Commissioner Jain abstained as he was not present.

### **VII. CONTINUED PUBLIC HEARINGS**

- A. Setback Modification 15-09/Categorical Exemption; Aslanian/Riverside Investors Inc.; 5300 Alta Canyada Road:**  
Request to allow conversion of an existing detached garage structure into an open cabana with a roof composed of individual trellis beams. The change would require removal and reconstruction of the structure's roof, which qualifies the structure as 'new.' The Setback Modification would allow the remodeled structure to retain encroachments into the required north side and rear setbacks. Staff is recommending approval of a Categorical Exemption for this project. (Consulting Planner Cantrell).

No staff report was given on this item based on the suggestion of Chairman McConnell and agreement of Deputy City Attorney Guerra.

Chairman McConnell opened up the public hearing.

Richard Peise, 5305 Linda Vista, asked about the status of an engineering study and the viability of the wall. He asked whether the study had been completed.

Chairman McConnell stated that it had been completed.

Director Stanley explained that the wall design has been reviewed by the Building and Safety Department and has gone through plan check and approved. Inspection of the wall could entail an x-ray of the wall to determine how it was built.

Chairman McConnell closed the public hearing.

Commissioner Gunter stated that he understood the staff report.

Vice Chairman Smith said that he understood the staff report but that the sketches provided with it were a little difficult to understand.

Commissioner Jain added that a covenant should be recorded stating that the trellis will remain open and never be converted into a garage.

Commissioner Hazen said that he felt due diligence was conducted.

Chairman McConnell said that the title report could state that there would not be a conversion into an accessory structure at a later date and that an additional Condition of Approval to this effect should be crafted to ensure that it is recorded subject to City Director's approval for maintenance of structure.

M/S/C–Smith/Jain to approve with condition that a covenant be prepared, approved, and recorded subject to City Attorney and Director approval for maintenance of the structure with a trellis roof. Approved 5-0.

- B. **Conditional Use Permit 514/Setback Modification 15-05/Categorical Exemption; Sarkissian; 330 Georgian Road:** request to allow an existing lighted sports court and associated over-height fencing with the required rear yard setback. Staff is recommending approval of a Categorical Exemption for this project. (Assistant Planner Parinas).

Assistant Planner, Parinas, gave a staff report on the item.

Ms. Parinas explained that the applicant is requesting to be allowed to retain an existing lighted sports court as well as an existing 10 foot high wall within the 15 foot side and rear yard setbacks. She stressed that both this application as well as the next, located at 342 Georgian are owned by the Sarkissian family.

Ms. Parinas explained that there are no fences in between properties and that the lots are not tied together.

Ms. Parinas said that staff is concerned that the lighting that casts onto the neighboring property, to the south side of the subject property, might cause their sleep to be affected. She stated that a light meter was not used to measure the lights as the light meter the City has is not calibrated but that if the Commission would like a Photometric plan to be completed, staff can require it.

Chairman McConnell asked what a photometric plan was.

Ms. Parinas clarified this for Chairman McConnell.

Chairman McConnell said that he understood.

Ms. Parinas presented current pictures of the site and indicated that there is a Code Enforcement case on the property.

Chairman McConnell asked for clarification about the setback modification and Conditional Use Permit (CUP) request.

Ms. Parinas clarified that a concrete pad itself would not require Planning Commission approval. Since the basketball court layout is painted on the ground and walls taller 6'-0" were constructed the project requires approval of a setback modification. The Conditional Use Permit is required to allow the sport court lights.

Commissioner Hazen asked if a non-sports court use could be built on the property line.

Ms. Parinas indicated, yes, it can.

Chairman McConnell opened the public hearing.

Applicant Mr. Sarkissian located at 330 Georgian Road indicated that he was happy to remove any lights that pose a problem.

Commissioner Gunter asked if it is currently used as a sports court and asked the applicant if he would be willing to remove the subject lighting.

The applicant said that he is happy to work with the City as to what lights should be removed.

Speaker, Pat Anderson, with the Chamber of Commerce said that the Chamber has residential members and that she asked for consideration for the applicant and his request.

Chairman McConnell closed the public hearing.

Commissioner Gunter said that he is familiar with the property and request. He indicated that he met with the applicant. He suggested that staff study the effect of providing less lighting as well as a light design that results in a lower casting of lighting on neighboring properties.

Vice Chairman Smith stated that he is most concerned with the lighting rather than the definition of a sports court. He questioned whether he would approve an application if it were presented to him as a first-time request and not as a solution to resolving a Code Enforcement case. He said that he does not believe that it makes sense to tear up the existing sports court concrete. He said that the lighting facing south could be removed or lowered in order to mitigate the glare on neighbors.

Commissioner Jain said that lighting was his only concern and that he agrees with Gunter & Smith's comments. Commissioner Jain stated that he feels that it would be beneficial to lower the lighting to lessen the glare. He said that he could support the project if it was mitigated. He suggested that a photometric plan could be reviewed by the Director of Community Development.

Commissioner Hazen said that he felt that if the item originally came before the Commission and was not a Code Enforcement case that it would not necessarily have been approved. He indicated that he struggles with the request. He would have a hard time approving the request.

Chairman McConnell stated that the lights are a key concern. He is concerned over the fence as well. Given the location on the hillside, the removal of the slab could help. He felt that three lights in the setback area should be removed and the light pointing at the lawn and neighboring house should be removed. He would like to see a photometric study completed.

Vice Chairman Smith asked if a photo of the west side portion of the property could be looked at to determine the required foot candles.

Director Stanley said that a photometric study would study this.

Smith asked if the sports court marking could be removed as a condition of approval.

Commissioner Gunter said that if there is no marking or hoop, then the court cannot be considered a sports court.

Director Stanley discussed the lighting for a sports court. The CUP can control the lighting and other requirements through the Conditions of Approval.

Ms. Parinas clarified that the City Zoning Code dictates the amount of light that is allowed to spill onto a neighboring site. A photometric study will provide a plan of how to direct the light in a way that meets the Code and has minimal impact on neighboring properties.

Vice Chair Smith confirmed Ms. Parinas's comments.

Chairman McConnell asked if the Commission needed to approve a photometric study and whether the Commission needed to see it.

Director Stanley stated that the south facing bulb must be eliminated.

Chairman McConnell indicated that the lighting should be limited to the court, not the yard or decorative lighting.

Commissioner Gunter stated that he was ok with this.

Vice Chair Smith said maybe there should be a lighting limit.

Chairman McConnell said that he does not want to limit too much. A Photometric study will provide direction for staff regarding appropriate lighting changes.

Director Stanley agreed with Chairman McConnell's comments.

Commissioner Gunter said that the light bulbs should be recessed. It should be covered in an ordinance that a Photometric survey be reviewed by the Director of Community Development.

Director Stanley confirmed this.

Commissioner Hazen asked if the fixtures were installed correctly.

Commissioner Jain and Vice Chair Smith, and Chairman McConnell all suggested a design within a junction box.

Chairman Gunter asked for clarification on whether the Setback Modification was for both the fence and the lights.

Director Stanley confirmed that the Setback Modification was for the sports court and the lighting height.

Commissioner Jain asked Director Stanley whether there is a required location for lighting of a sports court.

Director Stanley said that additional Conditions of Approval can be crafted to indicate where the lighting should be located.

Commissioner Gunter said that soft lighting can help with the elimination of glare. In addition, the location of the lights could be studied to determine the location where the lights should be placed so that there is less light glare.

Chairman McConnell said that he could approve the Setback Modification request as is and asked if there was a motion to approve.

Deputy City Attorney, Guerra stated that a Resolution would need to be brought back to the Commission. Removal of any lighting facing the yard and confirmation of a Photometric plan by the Director for proper lighting and containment should be addressed by the Resolution to be brought back on consent calendar at the next Regular Commission meeting.

M/S/C – McConnell/Smith to approve the project with conditions and direct staff to bring a Resolution back before the Commission. Approved 4 – 1.

- C. **Setback Modification 15-06/Categorical Exemption; Sarkissian; 342 Georgian Road:** request to allow freestanding wall topped with light fixtures in excess of 6 feet in height within the required south side yard setback. Staff is recommending a Categorical Exemption for this project. (Assistant Planner Harris).

Ms. Parinas gave a staff report on the item for Assistant Planner Harris. Ms. Parinas stated that the height of the pilaster results in a wall that is over the allowable height. Drainage might be an issue. Staff have been told that the drainage that is installed releases water into the flood control

channel. However, staff studied this and believe that water is not released into the channel. Code enforcement and the Building dept. will review this as well as the Los Angeles County Flood Control District.

Chairman McConnell asked about the pilaster height and whether it is in compliance.

Ms. Parinas confirmed that the pilaster height is a few inches over the 6'-0" maximum height allowed.

Chairman McConnell asked if the Setback Modification request applied to the pilasters.

Ms. Parinas indicated, yes, it did.

Commissioner Jain asked how many pilasters there were.

Commissioner Gunter had a dialogue with Chairman McConnell regarding the approval of the wall minus the lights.

Commissioner Hazen asked about the pilasters in the wall and if they are all over 6 feet high.

Chairman McConnell questioned how they were measured.

Director Stanley said they were measured from the lowest grade.

Commissioner Gunter asked if the pilasters were proposed at six feet, 8 inches.

Director Stanley confirmed that they were measured at a height that included a cap.

Chairman McConnell opened the public hearing.

Applicant, Mr. Sarkissian stated that he has removed all of the lights but He would like to retain the black cap.

Commissioner Jain asked for further clarification regarding the caps.

Chairman McConnell confirmed that the cap will remain with a black disk.

Director Stanley said that the applicant will be required to pull all of the electrical out.

Chairman McConnell asked if this is a regular requirement and if it would be listed as a Condition of Approval.

Director Stanley indicated that, yes, it was.

Speaker, Jose Gonzales, 344 Georgian, stated that he felt the caps should be removed because they are unsightly. He asked if the City could verify if the wall had been built to code.

Commissioner Gunter responded that there was an active Code Enforcement case on this.

Director Stanley confirmed that they could pull a permit after the fact if staff determined that it had been built correctly.

Speaker, Jose Gonzalez stated that the drainage is a concern.

Chairman McConnell said that the grading will be looked at by staff.

Director Stanley said that Building and Safety will verify and that weep holes are allowed.

Chairman McConnell closed the Public Hearing.

Commissioner Hazen said that he is all right with the request, but that outstanding issues involved with the Code Enforcement case should be contended with.

Commissioner Jain asked how many pilasters are existing and if the intent was to approve them at this meeting.

Vice Chair Smith said that he was all right with the pilasters. He'd like to add a condition that requires a clean finish be included.

Commissioner Gunter said that he agreed that the lights are the most egregious element of request and that they are being removed. He said that he could approve the project.

Chairman McConnell said that he agreed with the rest of Commission.

M/S/C McConnell/Smith to approve the project with conditions and direct staff to bring a Resolution back before the Commission. Approved 4 – 1.

## VIII. PUBLIC HEARINGS

- A. **Conditional Use Permit 185-Amendment/Negative Declaration; Flintridge Sacred Heart Academy; 440 St. Katherine Drive:** request to amend the enrollment cap approved under Conditional Use Permit 185 in 1994 from 385 to 425 students. No construction is proposed as part of the project. Staff is recommending approval of a Negative Declaration for this project. (Deputy Director of Community Development Koleda).

The Commission continued the item to a Special Meeting of February 8, 2016.

- B. **Lot Line Adjustment 15-03/Setback Modification 15-19/Categorical Exemption; Geragos/Rothgeb/Weaver; 4239 & 4249 Oakwood Avenue:** request to modify the common side property line between two existing parcels in the R-1-20,000 Zone. A Setback Modification is also required for an existing detached garage on the south lot, the adjusted north side setback for which would be 2'-3" feet, below the 5-foot requirement. The Setback Modification would also allow remodeling of the garage's roof and a 330 sq. ft. addition at the rear of the garage to match the proposed 2'-3" north side setback. Staff is recommending approval of a Categorical Exemption for this project. (Planner Gjolme).

The Commission continued the item to a Regular Meeting of January 26, 2016.

- C. **Hillside Development Permit 13-23 (Dir.)(Amend.); Lee; 3745 Normandy Drive:** request for an amendment to an approved Hillside Development Permit to allow installation of a new garage door on the upper portion of a previously approved and constructed addition. The single garage door would replace existing double man-doors and would match the garage door currently installed on the lower portion of the addition. Staff is recommending approval of a Categorical Exemption for this project. (Planner Gjolme).

Planner Gjolme gave a staff report on the item. He stated that a 500 square foot addition was previously approved and that a condition requiring double man doors was added to preclude its use as a two car garage.

Mr. Gjolme indicated that the applicant requests to amend and strike condition number 17 which would allow for installation of a roll up garage door. A roll up garage door will provide a better look. This will provide access to the bay. The slope to the lower bay is harder to access whereas the upper bay is easier.

Slope – helped maneuverability. Staff – improvement aesthetically.

This request began as a staff level review. Staff believes that the amendment request should be approved and that a new garage door should be installed and the original Condition #17 be struck.

Chairman McConnell asked if a man door is required and whether a solid wall could be installed.

Commissioner Gunter said that, initially, the project was conditioned under a previous approval as a result of traffic engineer input.

Mr. Gjolme stated that the upper bay is not conveniently accessible, based on code, but that staff does not have any initial concerns about it being unsafe.

Vice Chair Smith asked if there was a difference between the garage and living space.

Mr. Gjolme confirmed that there was not.

Director Stanley stated that there was not livable space.

Vice Chairman Smith asked about the living space.

Mr. Gjolme said that the parking basically counted as unofficial parking and that it cannot count as required parking for the site.

Vice Chair Smith asked if there was any intent to place a car there.

Director Stanley confirmed parking requirements.

Vice Chair Smith asked if either bay was being counted as a garage.

Director Stanley indicated, "No."

Chairman McConnell opened up the public hearing.

Applicant Jane Lee, 3745 Normandy, spoke and indicated that her request is to use the area as a garage.

Commissioner Gunter said that it could not be used as a legal garage.

Chairman McConnell indicated that the applicant can use it as a garage, but that the existing garage cannot be removed.

Commissioner Gunter indicated that the current garage must remain.

Commissioner Jain asked for clarification about the use of the garage. He asked the applicant if there is a plan to park a car in the subject space.

The applicant indicated, yes, three cars.

Speaker, Jean Yu, 3715 Normandy Drive, is speaking for the neighbor.

Commissioner Gunter asked the speaker to please stay on point.

Jean Yu said that there is no safety issue if they are planning to use the structure as a garage.

Chairman McConnell closed the public hearing.

Chairman McConnell commented that the original case did not come to a resolution based on neighbor concerns. He said that he felt that both sides lost and no solution was reached. He said he was surprised to see this request come back. Space must be available for a vehicle if it were to be parked there. He is comfortable with the change, however, it does not solve the applicant's original request. He said that he feels that he can support staff's finding.

Commissioner Hazen indicated that he visited the site and that the request would be a good cosmetic addition. He said that it would be more accessible. He said that he could support the findings.

Vice Chair Smith said that he does not understand the look of the two front doors. He said that the remote garage at the back cannot be removed as it is needed to satisfy code. He said that he could approve this cosmetic change.

Commissioner Gunter stated that he could not believe that the request was back before the Commission. The garage is substandard and is not accessible. He does not believe that it makes sense to come back for a new application. He said that he wished to deny the application and that he is offended because he worked to approve this project in the past and just because the neighbor moved, the applicant now is indicating that they no longer wish to abide by the original conditions of approval.

Commissioner Jain said that he agrees with Commissioner Gunter's comments and that the intent is to provide adequate accessibility and maneuverability to the structure so that the existing garage to the rear may possibly be converted.

Commissioner Gunter said that under no circumstances should the two garages be counted. The Building Department permit jacket should be adequately documented to reflect this.

Commissioners Smith and Jain indicated that there should be a covenant recorded.

Commissioner Gunter and Jain said that they wish to make sure that there is a condition for the garages. Commissioner Jain said that the garage door should be used as a garage door.

Director Stanley recommended that the request be denied.

Chairman McConnell asked about the storage of vehicles.

Commissioner Jain stated that it could not be used as a garage in an official capacity.

Commissioner Gunter asked that the Building Department permit jacket unequivocally reflect that the addition is not a garage.

M/S/C – McConnell/Hazen to approve the project with the request that City staff place a letter in the Building Department permit jacket stating that the use of the addition as a qualified garage will not be allowed under this approval. The addition may house vehicles but it does not count as a garage.

**IX. OTHER BUSINESS** There was none.

**X. REPORT OF DIRECTOR'S REVIEWS** Director Robert Stanley reported.

A. **Director's Misc. Review 15-45 (SB);** Arat; 5125 Hayman Avenue: allowed a 567 sq. ft. pool house to encroach 1 foot into the required 13'-10" north side yard setback while maintaining the building line of the existing garage, at the rear of which the pool house would be added.

B. **Director's Misc. Review 15-46;** Mclaughlin; 5037 Angeles Crest Hwy.: allowed a new porch and related roof alteration to encroach into the required front setback while maintaining the building line of the existing home.

C. **Director's Misc. Review 15-47;** Facto; 310 Santa Inez Way: allowed replacement of rooftop mechanical equipment atop an existing one-story residence.

**XI. COMMENTS FROM THE COMMISSIONERS** Brief comments were made complimenting Deputy Director of Community Development, Susan Koleda;

The estimated timeline for completion of the Zoning Code rewrite was discussed;

It was mentioned that Commissioner Hazen's e-mail was not posted on the City website.

**XII. COMMENTS FROM THE DIRECTOR** The Director wished the Commission a Happy New Year and informed them that the Community Development Department is fully staffed now that Deputy Director, Koleda, and Senior Management Analyst, Brancheau, are here.

**XIII. ADJOURNMENT** The meeting was adjourned at 7:39 p.m.