

**A MEETING OF THE PLANNING COMMISSION OF
THE CITY OF LA CAÑADA FLINTRIDGE
HELD FEBRUARY 13, 2001**

CALL TO ORDER: Chairman Orr called the meeting to order at 6:04 p.m.

ROLL: Present were Commissioners Del Guercio, Engler, Levine and Mehranian, Assistant City Attorney Steres, Director of Community Development Stanley, Planner Cantrell and Planning Aide Gjolme

COMMENTS FROM THE PUBLIC: Roger Dobkowitz, representing Palm/Hillard Homeowners, reported neighbors' concerns regarding the housing development under construction, specifically tree protection and drainage. He asked that if there were any changes to the approved conditions of "activity on the lot that might negatively impact the quality of life, that a representative of the group be notified". He also advised that a neighbor, Ralph Martin, continues to disagree with the City Engineer's calculations regarding drainage.

Following discussion, agreement was reached to conduct an on-site meeting, including Staff where the plans and conditions would be reviewed. The outcome of that meeting will be reported to the Planning Commission.

Director Stanley asked Mr. Dobkowitz to submit a written list of the complaints to the Planning Department.

**CONSENT CALENDAR
Resolution 01-04:**

M/S/C Engler/Levine, denying Hillside Development Permit 99-67. Unanimous.

**Hillside Development
Permit 00-17;
5119 Solliden Lane:**

Director Stanley advised that the landscape plan was on the agenda at the behest of the City council.

Chairman Orr recalled that the Commission denied the applicant's request for tree removal and asked that a landscape plan be submitted. The applicant subsequently appealed the denial, which resulted in the City Council overruling the Commission. Chairman Orr questioned if the Commission could review the plan without noticing the public.

Director Stanley advised there would not have been any greater notice than what has already taken place. The item was posted on the agenda and a public hearing is not required.

Commissioner Engler stated that he was not inclined to review the plan and felt it should be a City Council consideration item, since the council overruled the Commission.

Commissioner Del Guercio commented that the Commission was overruled by a "higher court" in this instance. The City Council heard the appeal, allowed the tree removal request and remanded the landscape plan to the Commission. "That's what they want us to do". He supported resolving the matter after discussion.

Responding to a question from Commissioner Del Guercio, Planning Aide Gjolme confirmed that the detached trellis structure and the wrought iron fencing shown on the plans did not meet code and were not part of this request. Staff's copy of the plans was appropriately marked.

Following more discussion, Chairman Orr confirmed that a majority preferred to remove the item from the Consent Calendar and defer a decision to a future meeting at which time they wanted to review the conditions, minutes and the revised plans.

M/S/C Mehranian/Del Guercio to approve the Minutes as submitted. 4 Ayes. Abstain: Levine.

**Minutes of
December 12, 2000:**

M/S/C Levine/Mehranian the Minutes as submitted. 4 Ayes: Abstain: Levine

**Minutes of
January 9, 2001:**

M/S/C Levine/Del Guercio to approve the Minutes as submitted. Unanimous.

**Minutes of
February 4, 2001:**

**CONTINUED PUBLIC
HEARING:
HILLSIDE DEVELOP-
MENT PERMIT 00-07;
BARANIAN;**

Planner Gjolme recalled that the January 9th meeting was continued to give the applicant the opportunity to erect story poles that would indicate the original height

of the proposed two-story home, contrasted with the revised design, which was lowered 4 ft. for a total overall structure height of 23 ft. Additionally, the pad had been graded by 3 ft. The project fully complies with all City codes including the Slope Factor Guideline and the ridgeline to the rear of the site is not identified in the General Plan as protected. As to the necessity of a two-story home, Planning Aide Gjolme advised that the required seepage pits restrict westward expansion of the first floor. Additionally, draft conditions address the concerns expressed at the initial hearing regarding traffic impacts from construction vehicles and require such vehicles to park on site. Staff continued to recommend positive findings and project approval.

Chairman Orr opened the public hearing.

Helen Phinney, 830 Waldorf Road, confirmed that parking of construction vehicles would be restricted to on-site.

Donald Sell, 750 Wendover, referred to a letter and photos he delivered to City Hall earlier in the day. He recited his letter and stated that he had "no idea what, if any, impact a two-story home would have" on the value of his home. He stated that he reluctantly supported the project, "it would be good for the neighborhood and it was up to the Commission to decide if it was good for the area".

Commissioner Del Guercio asked Mr. Sell to confirm that if the pad were lowered another 3 ft., he would be satisfied.

Mr. Sell stated he was unsure if that was an economically feasible option. The difference between and 18-ft-high home, that represents a single-story, and one 21 ft in height with a lower roofline is negligible. He stated, "I think we're close".

Responding to a question from Commissioner Mehranian, Mr. Sell stated that while he continued to have a concern, it was "not as serious as it was in January."

Applicant, Armen Baranian, referred to the signed letter of support signed by neighbors to the north, northeast and south of his property. He believed that lowering the pad allows increased lot coverage and floor area since the slope is reduced and a more generous slope factor guideline is applied. He understood that lowering the pad would allow a 6,000-sf home. Mr. Baranian advised that he had economized a great deal and lowering the pad would increase the cost of the project.

Director Stanley advised that Mr. Baranian was mistaken -- the slope factor is applied to existing conditions and prior to any grading.

Mr. Baranian referred to a letter he provided citing the FAR of other homes in the area. He expressed his preference for a 25-ft-high home, as it would present a better relationship between the windows and roof.

Commissioner Del Guercio asked Mr. Baranian for a cost estimate of grading lower to allow a 25-ft-high structure.

Mr. Baranian advised it would require additional retaining walls that would be economically prohibitive.

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

Commissioner Mehranian stated that her issue has always been the height and having a two-story home in that particular area.

Commissioner Levine expressed appreciation for the story poles, but they and the photos furnished by the Sells were the source of real concern.

Commissioner Engler stated his mind was unchanged -- Single-story neighborhoods should remain so. He stated further that this project was not compatible with the neighborhood and there was a need for more scrutiny of hillside projects.

Commissioner Del Guercio concurred with Commissioners Levine and Mehranian, stating this is a large home and a prominent site.

Chairman Orr stated he had a "real concern with the architectural style of the house - no other house around has that style". He advised the applicant of his options: to request a vote, which appeared would be a denial, and which could be appealed to the City Council, or request a continuance.

Craig Stoddard, project architect, asked if there was any room for reconsideration for a two-story home if the pad were lowered further.

Commissioner Mehranian commented that nevertheless, it would still be a two-story home.

Chairman Orr reiterated that his concern with the architectural style; he did not believe it enhanced the neighborhood. He felt that support for Mr. Stoddard's proposal was questionable.

Commissioner Del Guercio stated that he would not rule out a two-story home if a lower pad design were submitted.

Commissioner Engler stated that he could accept a stepped, two-story home that faced the city of Glendale.

Mr. Baranian addressed the Commission and expressed his belief that new development in the area would be of a two-story design. He noted that not all of the nearby lots fall under the 'hillside' category and would not require Planning Commission review.

Chairman Orr acknowledged that lowering the pad was an option and there was a sense that the Commissioners would want to review another design. He pointed out to Mr. Baranian that he could ask for a continuance at this time and change his mind later.

Mr. Stoddard requested a continuance on behalf of his client.

M/S/C Levine/Engler to continue Hillside Development Permit 00-47 to a date uncertain.
Unanimous.

**HILLSIDE
DEVELOPMENT 00-03;
KWON; 4110
CAMBRIDGE ROAD:**

Planner Cantrell recalled that the January 23rd meeting was continued to February 4th for an on-site meeting to clarify the proposed project's footprint, the watercourse, tree removal, etc.

A redesign was submitted at the onsite meeting that eliminated a basement/garage which required a Variance for excess height. The garage door now faces the street and it has been narrowed to two tandem spaces. Planner Cantrell noted that while the usable floor area had been further reduced, the floor area as counted by the City had increased when the exempt basement level was eliminated from the plan. Compared with the original proposal, floor area had been reduced by nearly 2,000 sf. He pointed out that the most recent redesign maintains the substantially reduced building mass of the previous proposal as well as a significant reduction in floor area and eliminating the need for a Variance. Planner Cantrell stated that the project remained well screened, although Staff continued to recommend adjustments. Grading around the trees north of the house, including the oak encircled by a retaining wall, is more moderate than before and would not jeopardize their survival. At the site meeting, the Commissioners decided to allow the rerouting of the culvert and the associated Fish & Game approval as a condition.

Staff continued to recommend approval with further refinements to landscaping and grading.

Commissioner Engler expressed dissatisfaction with what he felt was Staff's consistent finding of "no impact" when filing Negative Declarations.

Planner Cantrell acknowledged that there is a level of subjectivity involved, but revising the checklist for a finding of 'less than significant' would not be a problem. He advised that Staff was not implying there would be no change, but rather there would be *no impact*.

Assistant City Attorney Steres noted that under 4E, rerouting of the channel was identified and was approved by Fish & Game.

Chairman Orr opened the public hearing.

Project architect, Jay Johnson, commented on the productive site meeting on February 4th and thanked everyone who attended. One change that resulted from the meeting was to slightly redirect the drainage across the property; the Civil Engineer was present to respond to any questions in that regard, as was the Landscape Architect. He then discussed the revisions to the dwelling. He and Dr. Kwon felt the plan with a subterranean garage was superior, since it reduced the mass as seen from the street, however, it appeared that design would not be approved. Mr. Johnson pointed out that Code allows a 12,000-sf project on this site and that the most recent redesign is just under 7,868 sf, including the garage. He then addressed Mr. Martin's continuing objection that this is a neighborhood in transition. Mr. Johnson stated that was a fundamental issue and commented that new homes are being built throughout the community, rather than being restricted to particular neighborhoods. Because new lots are not available, the only alternative is to tear down a home and rebuild, which he stated was easier than expanding. Mr. Johnson advised of having been contacted by two property owners in the immediate area who would like to build 6,000+sf-homes.

Commissioner Engler commented "you know we make our decisions by ourselves; I know you have displeasure with it and I don't think you have to personalize things with Mr. Martin and the transition thing. You really had me on your side, I'm beginning to look the other way, Jay. Every time you get up here and start doing that stuff, you really turn me. I want to tell you straight out and I'm just being honest with you. I agree with you, things are in transition, but this community's not looking for a huge transition overnight where we're going to have mansions everywhere on every corner, I can guarantee that. I was very convinced to vote for this project on Sunday but when you come up with that attitude, I've changed my mind"

Commissioner Levine stated that the Commission appreciates an applicant speaking to the facts and how a house fits on the lot, rather than what someone is going to say.

Commissioner Engler stated that it should not be made personal.

Director Stanley stated for the record, that the Planning Commission's decision would be based on the merits of this submittal, rather than on someone's attitude.

Commissioner Engler -- "I'll make any statement I choose to - we've been down this road, you and I".

Director Stanley - "I know but I want to make it clear for the record".

Commissioner Engler - "you can clear it up any way you want to -- I am what I am - remember?"

Landscape architect, Chris Cox, stated that he was willing to change the plantings per Staff's recommendations. Staff questioned the proposed introduction of lawn area around existing oaks unless outside the drip line. Mr. Cox noted that many of the oaks are commingles or leaning and the drip line of their trunks is deformed. He proposed placing bark mulch at an 8-ft radius from any point of the trunk.

Ivan Chiu, project engineer, advised of having spoken with Fish & Game about the site modifications. The Warden was very receptive and stated that they would not affect their earlier approval. Addressing Commissioner Engler's concerns with changes in the watercourse, Mr. Chiu advised that Fish & Game's reaction removing the existing pipe and concrete was favorably received.

Chairman Orr noted that the conditions require written approval for the modifications from Fish & Game.

Mr. Chiu advised that Fish & Game would not send a letter ,but would rather sign and stamp approval of the plans.

Jerry Martin, 4100 Dover Road, stated that he continued to oppose the project as designed and requested "once more that it be denied". The basis of his opposition was that 3 of the 9 findings could not be made and that the

proposal does not represent a redesign as directed by the Commission. There have been what he termed 'considerable adjustments', "but it's not a redesign, which is what the Commission directed". He then explained why he felt that findings 5,7 and 8 could not be made. He contended that the project violates provisions in the General Plan that speak to mansionization, which is defined as houses that are out of scale with the lot on which they are situated and that have architectural features that make it incompatible with other houses in the community. Mr. Martin stated that at 6,900 sf, the project would be the largest home in the neighborhood. The next largest is the Proper's home next door at 6,600 sf, built over ten years ago, which he felt was also out of scale with neighborhood development. At 4163 Dorsett Place is a two-story, 6,500 sf; across the street, the home is only 4,800 sf, visually the same size but much smaller in square footage. He believed this confirmed that sq footage alone does not determine a 'mansion'.

Addressing architectural features: Mr. Martin stated he "challenged" Staff's determination that the design represents stepped massing at the northwest corner. He conceded that "they are probably within the limits of the standards with this architectural feature that exceeds 28 ft., but I submit that while we may be within the letter of what's allowed, it's not within the spirit of what we're trying to do with this thing." Addressing finding #8, that speaks to any *potential* of the project to present excessive bulk, he stated "there is that potential because existing landscape screening can be removed at any time by any property owner because it is basically 'brush'. If that were to happen a very large, two-story home would be clearly visible from the street".

Anthony Boosalis, 463 Richmond Road, advised that he is in escrow to purchase the adjacent property at 4070 Dover Road. As a neighbor, he has reviewed Dr. Kwon's plans carefully, "support it and feel it would greatly improve the area."

The Commission recessed at 7:55 pm, and reconvened at 8:04 p.m.

Commissioner Del Guercio stated that his original concerns dealt with preservation of the natural setting and the streambed. The house has been moved back and a great deal of attention was given to relocating the stream and discussing what the effect, if any, that would cause. He did not consider the proposed house as too big for the 51,000 sf lot, which has a substantial flat portion, and noted that it would be situated a great distance from the street and screened by dense landscaping. He acknowledged the point made about the understory planting, which is called out on the plan, as an important aspect; "people are accustomed to this being a natural setting". He felt those matters could be addressed in the conditions. One aspect that remained was how the house and retaining wall would appear from the east; however, it does meet code and the most affect neighbor strongly supports the project. K Commissioner Del Guercio remarked on the number of iterations this proposal has undergone and the many concerns that had been addressed. He stated that at this point, if we go back and "fix" the landscaping, preserve the oaks (the 8' diameter standard was acceptable to him), and make it clear that the underplantings are to be maintained, he was ready to approve the project.

Commissioner Engler felt the house 'fits' the site and recalled that he had asked for square footage reduction of approximately 2,000 sf. He stated that it's very close to what he asked for but preferred that the architect reduce the height to the 28-ft limit. He felt that a redesign was achieved, though he disagreed with Staff's position that the design presents stepped massing. Changing the route of the stream satisfied him and he stated that the applicant accomplished what he asked for.

Commissioner Engler felt that conditions should be tied to the site so that future property owners could not destroy the natural setting. He also felt that this neighborhood was in a transition stage and stated that he could support the current proposal. Though the adjacent property at 4070 Dover was not under consideration, it is commonly owned by Dr. Kwon; Commissioner Engler encouraged him to re-establish the stream and the landscaping at that location.

Commissioner Levine had no comment.

Commissioner Mehranian stated "I'll continuously be uncomfortable with myself going on the record, making this decision to do that" (remove 5 oak trees).

Chairman Orr remarked that the applicant worked diligently to meet the requests of the Commission. He concurred with concerns regarding the adjacent property, noting that the 2 properties have been linked since the beginning. He stated that he hoped Dr. Kwon "does something about it as it detracts from the neighborhood".

A suggested new condition was read by the Assistant City Attorney - all the landscape screening along the property line shall be maintained, any modification shall be subject to the approval of the Director of Community Development. If landscaping is removed without approval, the Director of Community Development may require, and the applicant shall be obligated, to add additional screening or landscaping on the site. A covenant shall be recorded per approval of the City Attorney regarding this condition.

Commissioner Levine made a motion to approve Hillside Development 00-03 with an added condition as ready by Attorney Steres.

The motion was then discussed. Commissioner Del Guercio asked whether a condition should be included regarding lawn area within the dripline of the oaks.

Attorney Steres confirmed that condition #20 would be amended to read: no lawn shall be planted within an 8-ft radius of the oak trunks.

Commissioner Del Guercio then noted that language for finding No. 7, referring to a Variance, should be eliminated. He then seconded the motion.

Commissioner Engler repeated his prior comment regarding reducing the height to 28 ft. Commissioner Levine stated that was not included in his motion.

Chairman Orr called for a vote; the motion passed with 4 Ayes; No: Engler.

**HILLSIDE DEVELOPMENT PERMIT 9-62;
(amd) KWON;
4070 DOVER RD.:**

Commissioner Mehranian asked to be recused as she was not a seated commissioner when this matter was originally discussed.

Planner Cantrell advised that the County Grading Division would not accept the Planning Commission's February 2000 approval to route the drainage culvert underneath a structure. The most recent hearing, a request for a project amendment to reroute the culvert to the south side of the property, was for landscape plan review.

The Plan included 6 new oak trees, shrubs and ground covers. The draft conditions recommended using coffeeberry and toyon and suggested that the Commission might want to require the concrete to be colored a more natural shade. With those recommendations, Staff recommended positive findings and project approval.

Chris Cox, landscape architect, overlaid the previously approved landscape plan with the most recent revised plan.

Planner Cantrell advised that prior to final inspection, staff would verify compliance with the Streambed Alteration Agreement form Fish & Game.

Ivan Chiu, project civil engineer, related the history of drainage in this area, advising that this project would mitigate drainage problems that emanate from St. Katherine Drive.

Haring no further requests to comments, Chairman Orr closed the public hearing.

Chairman Orr asked the Commissioners if the screening of the revised drainage system was satisfactory.

Commissioner Engler stated that he was somewhat disappointed that the streambed has not been well maintained. He felt the energy dissipater would minimize scouring, but he was concerned with safety and the possibility of someone falling in. He stated that Mr. Cox had done a good job.

Commissioner Del Guercio stated that with added conditions that color be integrated in the concrete and landscaping modifications as recommended by staff, he would support the project.

M/S/C Del Guercio/Levine to approve the amendment to Hillside Development Permit 99-62 with amended conditions as discussed. 3 Ayes. No: Engler.

Commissioner Mehranian returned to the table.

PUBLIC HEARINGS:

**HILLSIDE DEVELOPMENT 00-60;
ANDERSON; 5111
SOLLIDEN LANE:**

Planning Aide Gjolme reported the applicant's request to construct a new 43,350-sf. two-story home, attached garage and related site work on hillside property. The 12,860 s-ft property has an average slope of 17% and slopes downward from the street; Hall's Canyon Channel is located to the rear. The site is not significant in terms of views or visibility due to its setting below street level.

The new home would be sited near the center of the pad, which is 6 ft below street level, and would be modestly articulated by a forward projecting garage and recessed second floor. The first and second floors meet the required setbacks, maximum height is 25 ft and the total project area complies with the 34% limit. While only 3 non-tandem parking spaces are provided, Staff did not view that as problematic, given the 85-ft frontage and the minimal traffic on the cul-de-sac. A landscape plan was submitted that includes 9 trees to be installed at the front of the house and along the north and south sides. Planning Aide Gjolme noted that while the floor area exceeds average neighborhood development, the home's siting and design ensure compatibility and it is more than 1,000 sf smaller in size than the home immediately north. The City Engineer's review included two conditions: underground the utilities and future review and approval of the drainage.

Kendall Hales, project developer, pointed out that the house is tucked into the slope and that it appears as a single-story development from the street. He displayed a color and materials board.

Chairman Orr opened the public hearing.

Marvin Chow, 5119 Solliden Lane, is an immediate neighbor. He had no issues with the project but noted there was no restriction regarding permitted hours of construction and asked for reconsideration of the limitation imposed on his expansion project.

With regard to the Anderson project, Mr. Chow asked that a sheeting barrier could be placed at the common property line to preclude debris and dust from falling into his pool. Additionally, many parents drop their children off at the end of the cul-de-sac and allow their children to walk across to Palm Crest Elementary. He was concerned with traffic congestion if construction vehicles were allowed to parking along Solliden Lane.

Commissioner Engler expressed doubt that the larger construction vehicles could make it down the steep driveway.

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

Commissioner Levine stated that he had no problem with the proposal and felt that adding a condition to require a sheeting barrier between Mr. Chow's property and the project site was reasonable. He suggested that some of the construction vehicles might be able to park on site since the house is pulled back.

Commissioner Del Guercio felt that allowing construction to begin at 7:00 a.m., as Code allows, was preferable to a later starting time because of the congestion when school starts.

Commissioners Engler and Mehranian agreed to add a condition to require a protective sheeting barrier.

M/S/C Levine/Engler to approve Hillside Development Permit 0-60 with an added condition as discussed. Unanimous.

CONTINUED PUBLIC MEETING:

**MODIFICATION 00-48;
HUTCHENS;
4309 BEL AIR DRIVE:**

Planning Aide Gjolme recalled that this matter was continued from November 14th at which time the Commissioners determined that the requested 40% FAR to be excessive. Since that time, the project has been reduced by 10 sf by eliminating a storage room at the rear of the garage. The home remains at 2,567 sf, identical to the original proposal.

Planning Aide Gjolme noted that based on recent revisions to the R-1 Code, the project exceeds Code by 190, contrasted with the 450 sf originally proposed. He stressed that the house expansion easily complies with the new standards. The excess area can be attributed to the existing, 324 sf, detached garage at the rear of the property rather than associating it with the residence. He noted that total residence FAR is just over 34%, and in two days, when the revisions become effective, the residence along will comply with the new 35% floor area standards.

Since the garage is detached and of minimal visibility and has minimal effect on the visual scale of the home, Staff reversed its prior view and recommended positive findings and project approval.

Applicant, Julie Ann Hutchens, stated that the first floor expansion is very minimal and the second floor would be of modest size.

Chairman Orr stated he as disappointed and did not believe that the applicant followed the Planning Commission's direction.

The Commissioners did not have any questions for the applicant.

Kent Cornwall, project architect, stated that his design considered the needs of his clients and that he was available for any questions.

Commissioner Engler stated it was a "nice design, but it doesn't fit the lot; we need to get these houses down without variances, etc."

Commissioner Del Guercio, who was absent when the project was initially reviewed, stated he would like to hear discussion from his colleagues before commenting.

Commissioner Levine recognized that the project would move more towards compliance in 2 days with the revised Code. He stated he didn't know how he would vote 2 days from now, but his answer today was that it was difficult to support.

Commissioner Mehranian stated that she concurred with the issue of square footage and suggested that the applicant bring the project into compliance with Cod.

Commissioner Del Guercio complimented the applicant on the design and felt this was a case for compromise.

Chairman Orr advised the applicant of her options; a continuance, or request a decision from the Commission with the opportunity to appeal to the City Council. Ms. Hutchens opted for continuance to March 13th.

Director Stanley noted that depending on the extent of any reduction in sq feet, the project may not require Planning Commission review.

M/S/C Levine/Del Guercio to continue Modification 00-38 to March 13th. Unanimous.

COMMENTS FROM THE COMMISSIONERS:

Commissioner Engler confirmed that the revisions to the R-1 Code would be effective February 15th and that proposed revisions to the Hillside Ordinance are tentatively scheduled on the City Council's April agenda.

ADJOURNMENT:

M/S/C Engler/Mehranian to adjourn at 9:00 p.m. Unanimous.

