

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON FEBRUARY 14, 2012**

- I. **CALL TO ORDER:** 6:00 p.m.
- II. **ROLL:** Chairman Curtis, Vice Chair Cahill, Commissioner Der Sarkissian, Commissioner Jain, Commissioner Gunter, Director Stanley, Planner Clarke, Planner Gjolme, Consulting Planner Cantrell, Assistant Planner Lang, Assistant Planner Parinas, and Deputy City Attorney Guerra were present.
- III. **PLEDGE OF ALLEGIANCE:** Commissioner Jain led the flag salute.
- 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.

Jay Johnson, represented Seoul Market owner, he has concerns regarding the Lotte Market CUP for beer and wine sales approval. He supports the approval. He would like to have the same support for a similar CUP application for Seoul Market.

- V. **REORDERING OF THE AGENDA**

Item VII.A was reordered and was heard after item VIII.D.

- VI. **CONSENT CALENDAR:**

- A. **Minutes** - October 11, 2011; November 1, 2011; November 22, 2011; January 24, 2012; Commissioner Der Sarkissian made a motion to approve the consent calendar, Commissioner Jain seconded; Commissioner Cahill abstained from voting on the November 22, 2011 minutes; 5-0.

- VII. **CONTINUED PUBLIC HEARINGS**

- A. **Zone Change 09-04, Amendment to Chapter 4.26 of the City of La Cañada Flintridge's Municipal Code pertaining to the Preservation, Protection and Removal of Trees; Citywide; City of La Canada Flintridge:** Request to consider an amendment to the City's Municipal Code pertaining to the Preservation, Protection and Removal of Trees and possible relocation of said chapter into the Zoning Code. This is an amendment to the City's Municipal Code, which requires a future City Council public hearing and City Council approval (to be noticed later). The Planning Commission may make a recommendation to the City Council at this hearing. Staff is recommending that the Planning Commission approve a Negative Declaration for the project. (Assistant Planner Lang)

Assistant Planner Lang presented the changes that were made to the Tree Ordinance since the last Planning Commission meeting.

Director Stanley stated that there are issues that came up regarding excessively trimmed trees: he would like to add alteration of trees or excessively trimmed trees in 11.40.090. We can modify the existing paragraph. He asked if there are a number of trees that the Planning Commission would like to review.

The Planning Commission consensus was to require Director's Review for all tree alterations.

Director Stanley suggested creating a "stand-alone" section with its own findings and application for tree alterations.

Commissioner Cahill asked that tree alteration applications be appealable to the Planning Commission.

Assistant Planner Lang went through the proposed Ordinance page by page and discussed staff concerns and revisions with the input of the Planning Commission, Director Stanley, and Deputy City Attorney.

A consensus was reached to require a protected tree species as replacement.

A consensus was reached to consider replacement trees as protected regardless of size and species.

A consensus was reached that a "stop work" order for the project would be issued if the project has negative impacts on a protected tree.

Chairman Curtis had syntax corrections.

Commissioner Cahill asked for clarification regarding the reference to a heritage tree.

Chairman Curtis suggested placing heritage tree in the definition of the protected tree.

Assistant Lang stated that the definition of heritage tree can be removed.

Chairman Curtis opened the public hearing.

William Mckinley commented that the definition of protected as 12 inches in diameter was left off and the definition of pruning should be added. He suggested requiring a permit for pruning of 8" in diameter or greater. He suggested reaching a consensus on where cutting of the limb is measured: location of cut or branch collar.

A Planning Commission consensus was reached to measure at the location of the cut.

A Planning Commission consensus was reached to keep the required distance from structure as it is proposed in the Draft Ordinance.

Commissioner Cahill suggested replacing “as required by a certified arborist” to “as permitted by a certified arborist.”

Commissioner Cahill suggested language stating “clearance for fire department apparatus shall be determined by the fire department and road way clearance as required by Public Works.”

Commissioner Gunter suggested exempting a permit for existing roadways and not proposed roadways.

Chairman Curtis suggested checking the definition of roadway and make sure it is not the same as the definition of street.

Commissioner Jain asked if arborists will be hired by the City or individual property owner.

Assistant Planner Lang stated that she will verify what the Planning Commission consensus was.

Commissioner Cahill asked if the City will hold an Arborist/Tree Trimmer class regarding the changes to the Tree Ordinance.

Director Stanley stated that the City could hold a mandatory class and make the class required to get on the City’s Arborist/Tree Trimmer List.

VIII. PUBLIC HEARINGS:

- A. Second Floor Review 11-34; Aydin; 4620 Indiana Avenue:** Request to allow construction of a code-compliant 6,284 sq. ft. two-story residence inclusive of an existing detached 2-car garage and recreation room on a 32,670 sq. ft. lot. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Consulting Planner Cantrell)

Consulting Planner Cantrell presented the project in accordance to the staff report.

Commissioner Curtis asked if the front yard landscaping would require a variance.

Director Stanley clarified that the Director may allow front yard landscaping to be less than 50% if two findings could be made: compatible with the neighborhood and not prominently visible from the street.

Commissioner Gunther asked if the existing detached garage could be renovated.

Director Stanley clarified that it would depend on the level of renovation: they are allowed to do interior renovation and minor façade changes but they would not be allowed to change the roof (i.e. pitch, roof structure).

Chairman Curtis opened the public hearing.

Kareem Benjamin, designer, stated that the existing sycamore tree is protected in place since a portion of the house has already been removed. He is okay with the conditions of approval. He asked if the existing garage and guesthouse could be remodeled.

Director Stanley stated that the roof tile could be changed but not the roof structure.

Commissioner Der Sarkissian asked if the tower is accessible.

Mr. Benjamin responded that the towers are chimneys.

Chairman Curtis closed the public hearing.

Commissioner Der Sarkissian stated that the chimneys would have to be reduced in height per the minimum required by the Building Code. He is concerned with the view corridor from the north side neighbor. He suggested adding tall landscaping for screening.

Consulting Planner Cantrell showed photographs that were taken from the north side neighbor.

Commissioner Jain stated that the project is nicely designed and the approach taken is remarkable. He can make the findings. He is not concerned about the entry tower that staff recommended to be lowered.

Commissioner Cahill agreed with the landscaping recommendation. He agrees with staff's recommendation regarding the tower.

Commissioner Gunter supports the project. He has no problems with the windows. He is not in support of going less than the 50% required front yard landscaping because there are many options on satisfying the landscape requirement.

Chairman Curtis concurred with his fellow Commissioners. He agrees with Commissioner Gunter regarding landscaping.

Commissioner Der Sarkissian stated that he does not have problem with the driveway as is.

Commissioner Der Sarkissian made a motion to approve Second Floor Review 11-34, Commissioner Jain seconded; 5-0.

- B. Second Floor Review 11-29 & Director's Miscellaneous 11-28; 4366 Chevy Chase Drive; Kouyoumdjian:** Request to allow a total of 2,565 in additions to an existing one-story house and the creation of a new second story from the day-lighting and expansion of an existing basement. The proposed additions include 1,455 sf of upper level habitable area, adding 378 sf to the lower level, extending the garage by 82, and adding a 650 sf covered patio. A Director's Miscellaneous Review (Setback) is requested in order to permit the retention and extension of a nonconforming side yard setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Planner Clarke presented the project in accordance to the staff report.

Commissioner Curtis asked about the drainage to the neighbor's yard. He suggested a condition regarding drainage and Building and Safety review to make sure runoff is not increased.

Chairman Curtis opened the public hearing.

Craig Stoddard, architect, thanked staff for their assistance.

Chairman Curtis closed the public hearing.

Commissioner Jain stated that the addition is modest. The basement is not visible. He can make findings

Commissioners Cahill, Gunter, and Der Sarkissian concurred and said that they can make the findings.

Chairman Curtis concurred with his fellow Commissioners and suggested adding a condition regarding drainage.

Director Stanley asked the applicant if there is going to be excavation as part of the project.

Mr. Stoddard responded that the new part of the basement will be excavated.

Deputy City Attorney Guerra offered the code enforcement process as an alternative.

Commissioner Jain stated that he can support requiring a drainage plan.

Commissioner Jain motioned to approve Second Floor Review 11-29 and Director's Miscellaneous 11-28 with an added condition requiring a drainage plan, Commissioner Gunter seconded; 5-0.

- C. **Second-Floor Review 11-32; De Angelis Designs Inc./Ford; 5025 Hill Street:** Request to allow construction of a code-compliant 9,200 sq. ft. two-story residence inclusive of an attached 3-car garage on a 38,947 sq. ft. lot. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Planner Gjolme presented the project in accordance to the staff report.

Chairman Curtis asked if anything else required Public Works approval.

Planner Gjolme responded that Public Works approval is required just for the curb cut.

Commissioner Der Sarkissian asked about the retaining wall and swale.

Planner Gjolme stated that the swale and retaining wall are proximate from the tree.

Chairman Curtis opened the public hearing.

Dave De Angelis, architect, stated that the impacted neighbor is in support of the project. He added that the design of the house minimizes the two-story and fits well with the neighborhood.

Chairman Curtis closed the public hearing.

Commissioner Cahill stated that he has no problems with the project, the house is nicely designed, and he can make the findings.

Commissioner Gunter complimented the design and stated that he can make the findings.

Commissioners Jain, Der Sarkissian, and Curtis concurred with their fellow Commissioners and can support the project.

Commissioner Gunter motioned to approve Second Floor Review 11-32, Commissioner Cahill seconded; 5-0.

- D. Modification (SB) 11-22; Jung & Chung; 1708 La Taza Drive:** Request to permit the demolition of an existing carport and the construction of a new garage that encroaches into the required front yard setback and for an accessory structure that encroaches into the side and rear setbacks. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Planner Clarke presented the project in accordance with the staff report.

Commissioner Gunter asked about Condition#14.

Planner Clarke clarified that the intent is to require the storage shed to be relocated out of the setback or completely removed.

Commissioner Gunter suggested rewording Condition #14 to make it more clear on the intent.

Commissioner Curtis opened the public hearing.

Myung Chung, architect, asked for project approval.

Commissioner Curtis closed the public hearing.

Commissioner Gunter stated that he supports the project.

Commissioners Jain, Der Sarkissian, and Cahill stated that they support the project.

Chairman Curtis stated that he supports eliminating Condition #14.

Commissioner Der Sarkissian motioned to approve Modification 11-22 eliminating Condition #14, Commissioner Cahill seconded; 5-0.

IX. OTHER BUSINESS - None

X. REPORT OF DIRECTOR'S REVIEWS: [Director's Setback Modifications; Director's Height Modifications and Director's Second Floor Reviews] - None

XI. COMMENTS FROM THE COMMISSIONERS

Chairman Curtis would like the hours of operation removed in the Conditions of approval for the Lotte Market CUP when the Resolution goes back to the Planning Commission for adoption on February 28, 2012.

Commissioners Gunter and Curtis will be out of town and will not be able to attend the February 28, 2012 Planning Commission meeting.

XII. COMMENTS FROM THE DIRECTOR

Director Stanley stated that the flow testing study session was originally scheduled for the February 28th Planning Commissioner meeting. He will try to reschedule the flow testing study session to the March 13th Planning Commission Meeting.

Director Stanley stated that the Tree Ordinance will be back on the March 13th Planning Commission meeting.

Director Stanley asked the Planning Commission when they are would like to schedule the General Plan tour and if there are certain sites that they would like to visit.

Chairman Curtis stated that he would like to see a few houses that the Planning Commission approved.

Director Stanley stated that the City Council schedules an annual R-1 tour. He suggested the Planning Commission attending the R-1 tour.

All the Planning Commissioners are available on both March 3rd and March 10th.

XIII. ADJOURNMENT: The meeting was adjourned at 9:48 p.m.