

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD FEBRUARY 24, 2004**

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Commissioners Davitt, Gelhaar and Levine, City Attorney Steres, Senior Planner Buss, Planner Cantrell, Assistant Planner Gjolme and Planning Aide Shimazu. Commissioner Mehranian was expected to arrive shortly.

III. PLEDGE OF ALLEGIANCE

Commissioner Gelhaar led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC:

Comments were not offered.

V. CONSENT CALENDAR:

A. M/S/C Davitt/Gelhaar, adopting Resolution 04-16, recommending that the City Council determine that the vacation of public right-of-way and slope easement, Highland Drive, is in conformity with the General Plan. 4 Ayes.

B. M/S/C Davitt/Gelhaar to adopt the minutes of January 27, 2004. 4 Ayes
M/S/C Gelhaar/Davitt to adopt the minutes of February 10, 2004. 4 Ayes.

VI. PUBLIC HEARINGS::

A. Modification 04-11; Rady; 4939 Angeles Crest Highway:

Chairman Engler announced that this item had been pulled from the agenda. The requisite signatures had been obtained, allowing staff level review.

B. Hillside Development Permit 04-08; Modification 04-09; Wiktor; 2106 Earnslow Drive:

Assistant Planner Gjolme reported the applicants' request for a minor first floor expansion and a new, 810-sf second floor, including a deck to the rear. A Modification is required since the second-floor would encroach 6'-8" into the required 13'-8" east side yard setback, but maintain the existing first-floor setback. There is a minor encroachment at the front, where a new two-car garage would be constructed; it would retain the 20-ft setback currently provided by the carport.

The Commission unanimously approved this project in 2002, however, because building permits were not issued within the one-year timeframe the approval expired. The applicants are seeking approval of the identical project. Staff had no concerns with the project and recommended positive findings and project approval.

Project architect Inez Chessum responded to a question from Commissioner Davitt. She misunderstood the original approval to state that permits must be pulled within 18-months, rather than 12 months.

Applicant George Wiktor stated that they simply ran out of time and requested consideration of a fee reduction, since this request was identical to the first.

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

Commissioner Gelhaar recalled that he was on the Commission when this project was approved. After confirming that the second floor deck was a part of the original proposal, he stated that he now had concern for the neighbor's privacy.

Ms. Chessum displayed a model of the project and pointed out that the deck would face the back yard of the neighbor's service door; that neighbor does not object to the project.

Commissioner Gelhaar commented that he voted to approve this project initially, but now believed that it would impact the most immediate neighbor. He stated that he could approve the project without the deck and wanted assurance that it would not be occupied.

Commissioner Levine noted that he too, voted to approve this project. He made another site visit and stated that he is "becoming more and more concerned with neighborhood compatibility". His concern was the new second-story.

Commissioner Davitt advised of having made a site visit over the weekend. He believed the project to be practical and did not have concerns.

Chairman Engler remarked that perhaps additional landscape screening would address Commissioner Gelhaar's concerns.

Commissioner Gelhaar stated that the view would be over the deck and he could not support it.

Commissioner Levine confirmed that Commissioner Gelhaar was recommending removal of the deck in its entirety.

Mr. Wiktor asked Commissioner Levine how his concerns could be alleviated.

Commissioner Levine responded that he was inclined to vote with Commissioner Gelhaar.

Mr. Wiktor commented that views from the deck are of the Verdugo hills.

Commissioner Gelhaar stated that the alternative was to erect story poles. As submitted, he felt it is very imposing with views to his neighbor's entire back yard.

Chairman Engler advised the applicant that a tie vote seemed likely, which is the equivalent of a denial.

Mr. Wiktor requested a continuance to March 23.

M/S/C Levine/Gelhaar to continue Hillside Development Permit 04-08 and Modification 04-09 to March 23. 4 Ayes.

C. Floor Area Review 03-24; Modification 03-92; Nowotny; 5572 Vista Cañada Place:

Commissioner Gelhaar was recused from this hearing as he resides within 500 ft of the project.

Commissioner Mehranian arrived at 6:20 p.m.

Planning Aide Shimazu described the applicants' request for a 1,668-sf, two-story residential expansion that would exceed the FAR standard for the lot and the 4,500-sf review threshold for properties with less than 80 ft of frontage. The north and south sides of the home would be expanded. The Modification would allow the second floor to encroach 6 ft into the required 20-ft second-story setback on the south side. The encroachment would extend along the front third of the south facade and align with the existing first-floor wall line. Five, 24-inch-box pine trees would be installed at the west and south sides.

The project site is located on a cul-de-sac at the end of Vista Cañada Place in the R-1-15,000 Zone. It slopes up from the street and set back over 50 ft from the front property line.

The majority of the expanded south facade would exhibit a single-story profile; the two-story exposure would span 20 ft and is the result of the partially sunken floor below. Planning Aide Shimazu noted that shirting the bedroom 6 ft to the north to achieve a compliant setback would require substantial reconfiguration of interior space, which Staff concluded was unnecessary, given the lack of impacts.

Though the 5,353-sf project slightly exceeds the 5,148-sf standard. Staff noted that the single-story design is for the most part retained. and there are no views of the project from off site.

Commissioner Mehranian confirmed that it was the applicant who suggested additional pine trees.

Applicant Jane Nowotny reported of having reviewed the plan with all her neighbors; the most affected neighbor resides downslope and she continues to advise her of the project's status. Ms. Nowotny stated that she was flexible with the tree species - she simply chose to expand on the number of existing pines on her property.

Project architect Jay Johnson observed that there was the option of designing a two-story within Code and without Commission approval, but he and his client felt it would be more imposing. He noted that this home is set back 30 ft at the front, whereas the majority of homes in the neighborhood are located much closer to the street. He added that because the lower level is partially exposed, the entire space is counted toward FAR, when in reality two-thirds of it is basement.

Chairman Engler opened the public hearing. Testimony was not offered and the public hearing was closed.

Commissioner Mehranian stated that she had an issue with the requested excess floor area; otherwise, the project was supportable.

Commissioner Davitt stated that it is a good project and compatible with the home and the neighborhood.

Chairman Engler preferred that the project meet FAR standards, but a larger concern was the need for modulation on the vertical face of the south facing wall.

Commissioners Davitt and Mehranian expressed appreciation for that point.

M/S Levine/Davitt to approve the project as submitted. No: Engler and Mehranian. The motion failed for lack of a majority vote.

City Attorney Steres suggested that another motion be made or the applicant could address some of the concerns.

Mr. Johnson stated that changing the second floor would impact the design and if the pushing the second story element back would result in a project that was out of scale. His client was willing to plant five more pine trees to mitigate any concerns with the two-story wall.

Commissioner Mehranian commented that redesign is always an issue, but the Commission's issue is the guideline.

Mr. Johnson opted for a continuance to March 23.

M/S/C Levine/Mehranian to continue Floor Area Review 03-24 and Modification 03-92 to March 23. 4 Ayes.

Commissioner Gelhaar returned to the room.

D. Building Depth Review 04-03; Zwaneveld; 4245 Beulah Drive:

Senior Planner Buss described the applicants' proposal to demolish their home and garage, replacing it with a new two-story home and attached garage.

The project site is located on the west side of Beulah Drive, near the intersection of Descanso Drive in the R-1-20,000 zone.

Since the new house is designed around a large deodar tree, it would be further forward than the existing home, with single-story wings extending east and west of the deodar. Senior Planner Buss pointed out that the wing walls maintain a distance of 12 ft from the trunk in all directions which allows the tree to grow and exceeds the Tree Ordinance's protection guidelines. A plan with minor revisions was recently submitted showing the entrance slightly popped out and the southern portion of the front fascia recessed. The project has a 57 ft-9 inch front setback, compared with the block average of 46 ft. Overall height is 32 ft. and a hip roof on the north side at a 1:1 pitch pulls away from northern property line quickly. Additionally, recessed windows within the hip roof provide natural light into the stair well area; there are no privacy concerns raised. All side yard setbacks are met.

Building Depth Review is triggered because 1-ft eaves at each end results in a second floor depth of 62 ft. Additionally, the height of the first floor exceeds 10-ft and when measured from that point, the first floor exceeds 72 ft in depth. Senior Planner Buss pointed out that the first-floor wall would be 1'-9" further from the

property line than that of the existing home and the view from the northerly neighbor would be of a single-story home with a high roofline.

Upon review of the single finding required to approve Building Depth Review, Staff concluded that the proposal preserves the existing scale and character of the surrounding neighborhood and protects property values in the neighborhood.

Project designer Dave De Angelis addressed trees, setbacks, views, bulk and compatibility with the neighborhood. He described the deodar as the most prominent feature of the site and has provided a protection area more than 3-½ times the tree's diameter. An arborist report requires Jim Miller of Miller's Tree Service to be on site during construction to assure that any digging near the tree is done by hand. He pointed out the driveway and retaining wall at the rear maintain the required distance from the large oaks.

Setbacks – the revised plan shows that the project is well beyond the 46-ft average front setback. The second floor is approximately 50 ft from the property line and the north side is setback 20 feet.

Views – a staircase window on the north side will allow light entrance and is positioned high. The windows on the south are 50 ft from the property line will be obscured by the deodar and mature landscaping.

Bulk – The second story is approximately 45-ft wide. The remainder is single-story. Hip roofs were used to keep the scale down; a single gable roof was used for the family room to provide a vaulted ceiling.

Mr. De Angelis concluded by stating that the design is compatible with those located at the south end of Beulah, which has been in transition over the last few years.

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

Commissioner Mehranian expressed appreciation for the design and tree protection; her sole concern with the "huge, bulky roofline" on the north elevation.

Commissioners Davitt and Chairman Engler explained that the roof slopes upward so that it will not appear as a vertical "wall".

Commissioner Davitt remarked on the exceptional design and appreciated the tree preservation. He believed that the lot could support the depth as requested.

Commissioner Levine had no comment.

Commissioner Gelhaar stated that Mr. De Angelis had done a great job with the design and with preserving the large deodar.

Chairman Engler stated that Mr. De Angelis had done "a wonderful job" and that he preferred the most recent revision.

M/S/SC Mehranian/Gelhaar to approve Building Depth Review 04-03 per the submitted revision. Unanimous.

E. Hillside Development Permit 03-63; Modification 03-89; Floor Area Review 03-25; Kearn; 5134 Earl Drive:

Commissioner Levine requested to be recused out of an abundance of caution that he might reside within 500 ft of the project site.

Planner Cantrell reported the applicants' request to allow a 163-sf second-floor addition and a new garage roof. Both components would encroach within the 85-ft required front setback and the addition would also encroach within the required 20-ft north side yard setback. Total floor and roofed area would exceed the review threshold of 4,500-sf for lots with 80 ft of less of frontage.

The project site is located on the east side of Earl Drive in the R-1-20,000 Zone. The site has nearly 19,000-sf of area; the 162-sf addition would bring total floor and roofed area to 5,453-sf. A steep gradient behind the shallow back yard creates an average slope of 32%. Other homes fronting Earl Drive vary in size; the house would be somewhat above the average density as demonstrated in a chart submitted with the staff report. There is dense landscape screening to the north that would minimize any perception of crowding between the two properties. The proposal would increase the width of the existing second floor's front portion by 8'-7". The new garage roof would have a slope similar to the rest of the house and improve the overall appearance in Staff's estimation. The addition would result in a second floor wall length of 21'-2" and encroach into the 10-ft north side yard setback. Aside from the front and north side encroachments, the conforms to Code standards and thresholds. Total floor area conforms to Code limit but exceeds the Slope Factor Guideline by 688 sf. Neighborhood compatibility would be achieved by retention of existing trees and the harmonious architectural improvement of the garage roof. Major hillside concerns of visible build and view blockage are not raised by the addition; there would be no downslope views of the project, since the slope is far behind the house and screened. Staff recommended against the Light Reflectance Value limitation due to the lack of long range views and the appropriateness of matching the existing house color. Slope Factor Guidelines

should not apply to this project since the average slope is elevated by the slope to the rear from which the project would not be viewed. Planner Cantrell noted that this project falls under Floor Area Review because of its frontage of exactly 80 ft. Any impacts would be marginal, with no increase in bulk as viewed from neighboring properties. The reduced setback would allow expansion of the second floor in a logical manner with minimal room dimensions and its combined reconfiguration of the garage roof achieves a functional improvement in drainage as well as an aesthetic improvement as seen from the front of the property. Staff recommended positive findings and project approval.

Project designer Dave De Angelis, reported that the applicant was raised in this home and recently purchased it from his father. The carport was constructed with permit in 1971 and two years later legally converted to a garage. His clients' objective is to improve the aesthetics of the house by reconstructing the roof; Spanish tile and a sloped roofline over the garage would be a visual improvement. Additionally, the project presented an opportunity to add another bedroom and expand a bathroom on the second floor for his growing family. Given the size of the property and the house and those in the neighborhood, he believed that 150-sf was a reasonable and a minor request, considering the overall improvement.

Chairman Engler opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Gelhaar stated that he had a philosophical difference with Staff's analysis of the Slope Factor Guideline. The steep slope at the rear represents approximately 8,000 sf; eliminating that area would allow a 3,820-sf house, compared with the 5,400-sf existing home. He advised that he could not make the findings due to the slope factor.

Commissioner Davitt visited the site visit and recognized the benefits of an extra bedroom; however; his biggest concern was the 600-sf over the Slope Factor Guideline. He stated that he could not support the request as submitted.

Commissioner Mehranian concurred.

Chairman Engler stated that remodeling the carport and adding a roofline over the garage would improve the property.

Commissioner Gelhaar pointed out that garage roofline could be revised without Commission review.

Mr. De Angelis requested a continuance rather than a vote. He advised that there is a shop of approximately 150-sf behind the garage. He asked the Commissioners if they would look more favorably on the project if that component was eliminated. Though his client has emotional ties to the shop, it is more important to have a functional bedroom.

Commissioner Mehranian responded that it seemed to be a good option.

Commissioner Gelhaar concurred, adding that 163-sf would have to be eliminated from the project.

Planner Cantrell suggested rather than a continuance, that a condition be added to reduce the FAR. The Commissioners agreed.

M/S/C Gelhaar/Davitt to approve Hillside Development Permit 03-63, Modification 03-89 and Floor Area Review 03-25 with an added condition that 163-sf be eliminated from the project. Unanimous.

City Attorney Steres clarified that the intent of the condition is that there is no net increase in the sq. footage of the house.

Commissioner Levine returned to the table.

F. Modification 04-05; Principe; 3932 Robin Hill Road:

Assistant Planner Gjolme described the applicant's request to add a 246-sf, first-floor addition that would encroach into the north side yard setback. The site is a hillside lot and already has staff level hillside approval.

The project site is one of three deep flag lots isolated from the Robin Hill cul-de-sac, in the R-1-20,000 zone. Since the 45,303-sf site is partially obscured by higher grades to the north and west, the project does not raise any view or massing issues.

The project involves a new bedroom and porch at the northwest corner of the home. The expansion would extend 12'-6" to the north and encroach 4'-6" into the required 11' side yard setback. While a code compliant project could be added to the rear, the homeowners prefer not to intrude into the rear yard.

Letters from neighbors concerned with slope stability were submitted. Assistant Planner Gjolme noted that a retaining wall would address those concerns and the City Engineer reviewed the plan and did not identify any problems.

Chairman Engler noted that the wall was not depicted on the plan and if it carries any surcharge, they need to be engineered.

Assistant Planner Gjolme advised that a 3-ft high retaining wall was approved in concept under a Director's review.

Applicant Bill Principie, did not believe he needed an engineered wall; he stated that he was simply replacing a wall and elongating it.

Assistant Planner Gjolme advised that Staff saw the existing cut and there was clearly a wall there before. The City Engineer did not identify a nexus between the cut, roadway and curb to slope failure. Therefore, the walls were considered as a potential safeguard.

Chairman Engler invited testimony, however comments were not offered.

Commissioner Davitt stated that the project did not raise concerns, this is a unique lot and the project is single-story. He noted that a code-compliant project would not yield any better scenario. He supported the project with an engineered wall.

The Commissioners agreed.

M/S/C Gelhaar/Davitt to approve Modification 04-05 with an added condition requiring an engineered wall. Unanimous.

VII. OTHER BUSINESS:

A. Tree Removal 03-61; Essen; 5117 Stoneglan Road:

Chairman Engler announced that the property owner had submitted a letter withdrawing the appeal of the Director's determination.

VIII. COMMENTS FROM THE COMMISSIONERS:

Chairman Engler reported that residents along Beulah had complained about the numerous catering trucks. He confirmed they are required to have business licenses.

Commissioner Levine believed that they fall under the category of construction vehicles and they should park on site.

Chairman Engler concurred, adding that they tend to block passage on streets.

Chairman Engler reported that a mature oak fell on Descanso Drive during recent rainstorms. He hoped that a substantial replacement tree would be installed with the City's Tree Fund.

IX. COMMENTS FROM THE DIRECTOR:

Senior Planner Buss provided an update on several projects.

X. ADJOURNMENT

M/S/C Gelhaar/Mehranian to adjourn at 7:27 p.m. Unanimous.

Secretary to the Planning Commission