

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON FEBRUARY 26, 2013**

- I. CALL TO ORDER:** Chairman Der Sarkissian called the meeting to order at 6:00 p.m.
- II. ROLL:** Chairman Der Sarkissian, Vice Chairman Jain, Commissioners Curtis, Gunter and Walker, Director Stanley, Assistant City Attorney Guerra, Senior Planner Buss and Planner Clarke were present.
- III. PLEDGE OF ALLEGIANCE:** It was led by a member of a local Boy Scout troop.
- 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.

Resident Mr. Steve Brown (3757 Normandy Drive) gave an update on issues related to his neighbor's (Ms. Lee) garage at 3745 Normandy Drive. He spoke about a City letter regarding the case which had no deadline that had options. Then he spoke about a second City letter with a deadline in February that outlined choices but had no consequences from not complying. The letter noted that the neighbor had retained an attorney. A parking space has been eliminated which made it hard to navigate due to a narrow passageway. An unsafe situation was created with near accidents outside his front door for over half a year. He recommended vigilance. Without deadlines and consequences it will remain as such. He said that City documents contain errors and omissions.

V. REORDERING OF THE AGENDA

VI. CONSENT CALENDAR

- A. Minutes:** January 29, 2013 and February 12, 2013

M/S/C Walker/Gunter with minor corrections approved 4-0 with abstentions as follows: Commissioner Curtis was absent from the February 12, 2013 meeting and Commissioner Jain was absent from the January 29, 2013 meeting.

VII. CONTINUED PUBLIC HEARINGS

- A. Hillside Development Permit 12-54 & Directors Miscellaneous 12-42(SB); Gropper/Caire; 5240 Pizzo Ranch Road:** Request to allow a retaining wall up to 10' tall for a proposed swimming pool and patio to be located in the rear of an existing residence on a hillside lot with the pool equipment to be located within the side setback. Staff is recommending that a Categorical Exemption be approved for this project. (Planner Clarke) [This item is requested to be continued to March 12, 2013]

Director Stanley gave an overview of the request to continue.

M/S/C/ Curtis/Jain to continue to 3/12/2013. 5-0 Approved

- B. Zone Change 12-03; City-Wide except in Downtown Village Specific Plan:** Consideration to amend the parking standards [Section 11.14.030.D. Parking] of the City's Zoning Ordinance. More specifically, the amendment would simplify the restaurant parking requirement to a flat ten spaces per one thousand square feet of floor area, reduce the number of parking spaces required for general commercial uses from five spaces per one thousand square feet to four spaces per one thousand square feet, and establish a shared parking provision through a Conditional Use Permit process. Staff is recommending that a Draft Negative Declaration be approved for this project. (Senior Planner Buss)

Senior Planner Buss gave an update of the proposal outlining changes made at the direction of the Commission.

Commissioner Jain asked about parking easements to other properties when they want to nullify contracts.

Senior Planner Buss said shared parking was an agreement with the City and the parties involved reducing the potential for a more intensive use. Property would be locked in and new uses would have to be studied. Agreement would have to be changed. User would have to come up with a new location for parking. CUP process could be used.

Commissioner Jain spoke about parking and how property can be burdened until tenant leaves or other party agrees. He suggested time limit for agreements and not to extend time.

Senior Planner Buss said that this could cause tenants to lose parking and could force businesses out.

Director Stanley said that agreements put entitlements on properties until businesses leave.

Commissioner Curtis said that parties could agree on 5-7-10 years limits through agreements.

Senior Planner Buss said that agreements could be looked at yearly. Could be one year renewable or give it sunset period and report back to the Commission.

Commissioner Jain spoke about a case in Pasadena and another in the City of Los Angeles with time clauses as part of CUPs for both cases. Property could be burdened forever. Owners need to be able to nullify agreements.

Commissioner Curtis said that parties could make their own agreements.

Senior Planner Buss said that an agreement was a contract.

Commissioner Gunter thinks that people free to enter contracts – not the business of the City. It is not common to have 40-year old businesses in the City.

Commissioner Jain said lease agreements have timelines. No time limits could burden the property.

Commissioner Gunter noted that they enter into agreements by themselves. The City should not interfere in private property agreement.

Chairman Der Sarkissian said it's a covenant and has conditions.

Commissioner Gunter is comfortable with how it's written. Private property negotiations best left to owners.

Senior Planner Buss said a CUP could be used for time shifting such as hours of operation for restaurants and retail stores.

Commissioner Curtis said the City should reference uses on both properties. City Attorney will have to review contract. No need for yearly review.

Commissioner Walker said that the City did good job at making changes to the plan since the last Commission meeting.

Chairman Der Sarkissian spoke about the classic mode of assigning parking requirements. Intensification could bring proportionality into use.

Senior Planner Buss said the City would look at cases when there was an intensification case though a CUP process.

Director Stanley said that CUP looks at hours of operation that could justify sharing of parking. Different uses have different times of use – restaurants and retail.

Chairman Der Sarkissian spoke about how change in use could trigger review.

Commissioner Curtis said that CUP is a mechanism to look at parking.

Public hearing opened:

David Miketa (810 Parkman Drive) thought that there should be a regulation controlling speeding on residential streets. There should be regulation to keep cars about 1' from the curb so that cars can be seen coming down the street.

Chairman Der Sarkissian said it was a sheriff's issue and not the Zoning Code.

Commissioner Curtis gave an overview of the planning process detailing how reports were prepared and distributed to Commission members. Public hearing is to hear from the public as input is valuable. Tonight's Commission meeting was short but other meetings have more cases and last longer. There is also a public comment period that allows people to comment on items not on the agenda.

Director Stanley added that notices are published in the newspaper and are also available on the City's website. The case tonight will go before the City Council for a final decision and further input can be given at that time.

Commissioner Curtis mentioned other commissions and what they cover. People are all volunteers like the Boy Scouts when working with the community.

Director Stanley said that David Miketa should go to the Public Works Commission and raise his issue there.

Commissioner Curtis was pleased to see ordinance before the Commission and that it reflects what is needed today in the city. It allows for new business to come to the City and give some relief which is beneficial to the community.

Director Stanley asked for recommendation to City Council for expanding the area of applicability. Could be brought back with new ad in newspaper.

M/S/C Gunter/Jain to continue to March 26, 2013, approved 5-0.

VIII. PUBLIC HEARINGS: None.

IX. OTHER BUSINESS: None.

X. REPORT OF DIRECTOR'S REVIEWS: None.

XI. COMMENTS FROM THE COMMISSIONERS

Commissioner Walker asked about an update on the 787 Greenridge property as 90-day deadline has expired.

Director Stanley said that the case will be brought back by Harriet Harris to the Commission as she is reviewing documents currently.

Commissioner Gunter asked for drainage plan to be prepared by a licensed civil engineer. Draft Specific Plan for Sacred Heart - he preferred to get information from staff and not the general public. Complex cases – reviewing preliminary documents was helpful. Cases with many small parts are helped by early review and thought preliminary information useful.

Senior Planner Buss said that he would be providing materials to the Commission in a timely fashion. He wasn't going to provide preliminary information. He would need to discuss with the Director.

Director Stanley noted that drafts were drafts.

Chairman Der Sarkissian thought that the City was being used as post office for documents from various sources. He noted that if items come from the City he reads them more carefully.

Director Stanley said that some of these documents were not given out by the City.

Senior Planner Buss said that if information was from the City it is not biased.

XII. COMMENTS FROM THE DIRECTOR

He noted that he would be at a conference tomorrow and asked Commissioners also about ethics training.

The RV ordinance was passed by the City Council and the tree ordinance was continued again.

There will be a joint City Council/Planning Commission meeting regarding drive-throughs in May or June. It may be separate from a regular City Council meeting.

Chairman Der Sarkissian spoke about going to the City Council regarding deodar trees. He asked if specified areas of the City could be designated for deodars.

Director Stanley said that there could be such a compromise. The City Council will ultimately decide.

XIII. ADJOURNMENT 6:54 p.m.