

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

CALL TO ORDER: Chairman Orr called the meeting to order at 6:00 p.m.

ROLL: Present were Commissioners Del Guercio, Engler and Levine. Commissioner Mehranian was expected momentarily. Also present: Assistant City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Planner Cantrell, Planning Aide Gjolme and Planning Intern Shimazu.

COMMENTS FROM THE PUBLIC: Chairman Orr announced that this was a singular moment for the Planning Commission, as it was about to lose one of its members. Commissioner Del Guercio, now Councilman-elect Del Guercio, waged a successful campaign for city office. The Commissioners and Staff congratulated Commissioner Del Guercio and thanked him for all his work while on the Commission.

Commissioner Del Guercio thanked his colleagues and Staff and stated that something he's realized was the pride of having been a part of the Planning Commission and the mutual respect the Commissioners have for one another. He stated that he has fond memories and would always remember his association with the Planning Commission.

COMMENTS FROM THE PUBLIC: Comments were not offered.

CONSENT CALENDAR: M/S/C Levine/Engler to adopt the minutes of February 13 as amended. 4 Ayes. M/S/C Levine/Del Guercio to adopt the minutes of February 27 as amended. 4 Ayes.

**PUBLIC HEARINGS
ZONE CHANGE 00-01
Regarding Protection &
Preservation of Trees:**

Commissioner Mehranian arrived at this point.

After confirming that no one in the audience wished to address the Commission on this item, Chairman Orr elected to defer this item to the end of the agenda as a consideration to the applicants waiting to be heard.

Commissioner Engler was recused from hearing this request as he is a Board member of the Community Center.

**COMMUNITY CENTER
PRESCHOOL/BARKLEY
COMMUNITY CENTER;
4469 CHEVY CHASE
CONDITIONAL USE
PERMIT 316;
VARIANCE 00-12; CITY
OF LA CAÑADA
FLINTRIDGE DRIVE:**

Senior Planner Buss described the request to expand an existing classroom by 559 sf, add a multi-purpose room, construct a 135-sf covered entry at the south end, and reconfigure the parking lot in a manner that would add 15 spaces. The preschool is part of the non-profit Roger Barkley Community Center, which has a long-term lease and operating agreement with the City. The request would add 689 sf of lot coverage and presents a 12½-ft encroachment into the required 15-ft north-side setback. The preschool's license with the Department of Social Services restricts each session (morning and afternoon), to a maximum of 75 students. Current enrollment totals 122.

The City-owned property is located within the Downtown Village Specific Plan, but outside the Village Center area. It is zoned an Institutional Use, is subject to the development standards of the Public/Semi-Public Zone, which requires 15-ft. side yard setbacks. Existing structures at the Center are approximately 2½ ft from the northerly property line, where the expansion is proposed. Senior Planner Buss noted that the building expansion would duplicate the building line of the office structure. Further, because Setback Modifications are not permitted in the Institutional zones, a Variance application was filed for the proposed side yard setback encroachment.

On February 20th, the City Council authorized the applicant to proceed with Planning Commission review.

As proposed, classroom #3 would be expanded and attached to the office building, representing a net increase of 559 sf. Additionally, a new porch, providing a sheltered entry would be added to classroom 1.

The proposal offers an expanded play area and importantly, a safer pedestrian access to the preschool. Currently, there are separate entry and exit driveways

leading to the parking lot and the main entry gate opens two feet from the entry driveway. The parking lot, which holds 55 cars, is at capacity use throughout the day due to neighboring uses availing themselves of the parking spaces. Staff did not believe that posting signs to restrict parking to the Center's clients would be effective because the site is located in the Downtown Village area where there is a parking allocation problem. Senior Planner Buss noted that peak parking demand for the Center varies throughout the day.

Staff has reviewed the proposed reconfiguration with all 90° parking, and determined that approximately 66 to 70 spaces would be provided, depending on the number of landscape 'fingers', etc. Draft conditions require review and approval by the Design Commission and Director of Community Development and completion of the parking lot improvements prior to occupancy of the building improvements.

Staff recommended project approval as conditioned, including striping of the parking lot as proposed with few modifications. Staff felt the proposal would not only provide more parking opportunities, but an overall practical and more secure situation.

Commissioner Levine confirmed that all the parking spaces would be for standard size vehicles 9 x 20.

Commissioner Mehranian confirmed that the current enrollment was 65 students; her concern was congestion in the parking lot and adequate parking. She also asked if the Commission would be receiving a final and clarified parking lot layout.

Senior Planner Buss advised that 'school' is divided into half-day sessions and explained that classroom 3 would be expanded - it would not be a new structure. As to the parking reconfiguration, a reduced plan was included in the packets that was a good representation of what it would ultimately look like, absent handicapped parking and landscaping.

Commissioner Levine confirmed that the requested would allow a side yard encroachment of 12 1/2 ft that would extend approximately 16 to 17 ft.

Senior Planner Buss noted that the office building has an identical encroachment.

Chairman Orr confirmed there would be no gate or control at the entry driveway for those who attempt to park that do not use the Center's facilities.

Commissioner Del Guercio confirmed that the new parking arrangement would not affect drop-off areas since the only change is that the entry from Chevy Chase would be moved closer to the street and expanded. He asked if there was the potential that cars could not pull as far forward into the site.

Senior Planner Buss confirmed that could happen and noted that currently doesn't happen, because there is no parking along the driveway until you get past the building - He suggested that the Commission could consider putting in a drop-off area, though that would reduce the number of parking spaces.

Kurt Bednar, project architect, Pamela Stephens, Director of the Preschool and Aaron Solomon, Director of the Roger Barkley Community Center were in attendance to respond to questions.

Mr. Bednar commented that because the children are toddlers, they are not dropped off, but rather brought in by a caregiver, who signs them in and out. Currently one of the biggest problems is that the long expanse between Chevy Chase and the first parking stall permits speeding within the lot. He concurred that the parking lot reconfiguration would provide a much safer situation as it would create a buffer zone

Responding to a question from Chairman Orr, Mr. Bednar advised that the parking lot is generally at capacity when FIS is holding an event, but not during school time.

Ms. Stephens advised that the lot is also full at 9:00 a.m. when parents are bringing their children, but it is more of a flow than a traffic jam. There is a problem with illegal parking in the late afternoon when FIS has scheduled games.

Commissioner Mehranian asked "what happens during construction - safety wise and how would it impact the children.

Mr. Bednar responded that the preschool would be postponing their summer classes this year in order to complete the building construction. Regarding the parking lot modifications, the only window of opportunity is during the Christmas break. Construction workers would park in the patio area and the project should be completed within a month and a half.

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

Commissioner Mehranian stated that she had no opposition with the plan, but still had concerns with the construction phasing and safety measures. She asked that language be added to the conditions to address those concerns.

Director Stanley advised that while the Design Commission reviewed the project conceptually, it would conduct a formal review of the parking lot layout, landscaping and building design.

Commissioner Levine stated he was still mulling the requested side yard encroachment. His other concerns had been addressed.

Commissioner Del Guercio felt that the building improvements were minor in nature and continued an existing building line. He confidently expected the parking lot improvements to be carried out in a way that alleviates the associated parking and safety issues and agreed with the details coming back to the Planning Commission for review. He confirmed that condition 12 requires the parking lot improvements to

be completed by the time the building improvements are completed. He stated that he likes that aspect and that he could support the request as conditioned.

Chairman Orr felt there could be a serious, albeit temporary problem if construction was delayed for any reason into the fall. There would be traffic congestion from construction workers, teachers and parents vying for parking spaces.

Senior Planner Buss felt that draft condition #12 would provide a partial solution. The building improvements are scheduled for June when the pre-school is not in session, so that traffic would be non-existent. Further, construction workers arrive early a.m. and leave in mid to late afternoon. He noted that the lot would have to be either completely closed to strip it, or it would have to be done section by section. Landscape fingers will require removal of asphalt and most likely installation of an irrigation system. Staff's idea was "to get it done at once". Any other commercial project would require completion of driveway improvements simultaneously.

Commissioner Levine asked what assurance is there that the entire project will be completed prior to start of the school year? He suggested that a condition be added requiring all improvements to be completed prior to school starting in September.

Chairman Orr asked if the Commission could require a liquidated damages clause to be added in the contract, since it is city-owned property.

Commissioner Levine stated "we're going overboard; we don't apply restrictions on construction for projects that are across the street from a school other than 'no parking' signs on the street.

Director Stanley described the available on-site areas that could accommodate construction vehicles. His concern was that the parking lot be completed prior to finalization of the building permits. He commented that the Commission could require a construction management plan to be submitted for his review prior to start of construction.

Assistant City Attorney Steres advised that a construction management plan would include a phasing element for the construction schedule and also relate to safety issues regarding the stationing of vehicles, where materials would be stored and workers' ingress and egress. This would need to be submitted and approved by the Director of Community Development.

Mr. Bednar stated the project began with a needs assessment for the preschool; the biggest issue was that the improvements not be done during the rainy season. He stated that the immediate problem is the issue of parking; the lot attempts to solve the community's parking problem "everybody uses that parking lot". Mr. Bednar encouraged the Commissioners to focus on the needs of the preschool and what could be done immediately. He advised that requiring the parking lot improvements to "go first" would hurt the program because of the need for the multi-use space. Any delays would add to the scope of work.

Director Stanley commented that if the project were phased and managed correctly, they should be able to do the construction and the parking lot improvements simultaneously --- that might mean pouring the curbing for the parking lot at the same time they're pouring the foundation for the addition.

Chairman Orr stated that he did not believe this would impact the project overall and that it would help "in the short run". The City has imposed similar conditions on other projects; "it requires you to take a hard look as to how you're going to do this".

Commissioner Engler commented as a member of the public. He explained that phasing the project and allowing the parking lot improvements to be made during the Christmas holidays "when things are slow", would mean they would not have to forego programs that are a big part of the community during the summer. Responding to a question from Director Stanley, he felt it would take approximately 3 weeks to complete the parking lot improvements, not including the landscaping.

For the record, Chairman Orr confirmed that the draft conditions run counter to what Mr. Engler was saying which was, 'it's one before the other'.

Commissioner Del Guercio noted that some features of the parking lot such as sidewalks, are integral to the preschool. He felt it would behoove the applicant to have those improvements done initially.

Commissioner Levine made a motion to approve Conditional Use Permit 316 and Variance 00-12 as conditioned by Staff.

The motion failed for lack of a second.

M/S/C Del Guercio/Levine to approve Conditional Use Permit and Variance 00-12 with an added condition No.16, requiring submittal of a construction management plan to the Director of Community Development prior to issuance of permits. 4 Ayes.

**HILLSIDE
DEVELOPMENT
PERMIT 99-13 (amd);
TROEDSSON; 5424
PALM DRIVE:**

Commissioner Engler returned to the table at this point.

Planning Intern Shimazu described the applicants request to allow two retaining walls. One wall, adjacent to the north side of the residence, would span for 80 ft and range in height from 4 ft to 10 ft. The second wall would retain slope at the rear of the house and would span for 65 ft and range in height from 4 ft to 6 ft.

He advised the Commissioners that the current stage of wall construction was done without City approval.

Director Stanley provided background. The applicant received prior approval, and pulled permits to construct a 3-ft-high wall. Staff made a site inspection after the Staff report was written and discovered that 10-ft-high retaining walls were in place. How that came about is up for discussion.

Commissioner Engler confirmed that the City did not have any engineering data on the 10-ft-high wall.

Assistant City Attorney Steres commented that if the Commission approved this request, it would not be

approving what's out there now -- that would have to go through the process and whatever the Building Inspector's investigation revealed was necessary, would have to be done.

Director Stanley suggested that the Commission might want to defer any action until it receives a report from the Building Inspector.

Anders Troedsson, property owner, advised the Commission that "the wall is not finished" and that it was an oversight on his part that the retaining wall was not included in the previous approval. The plans that were submitted to the City included a wall of 10-ft in height on the grading plan and a soils report.. The soils inspection was conducted based on a 10-ft-high wall, it has a 5½-ft-wide pad, a 12"-deep key, it is on a 4-ft-poured in place wall, and designed for the overall height that he was looking to achieve. Stability of the slope was not an issue, but with rains forecast, he opted to build the block up. It is not grouted, but the cells and rebar are in place. It has not been back-filled nor grouted. He felt that from the issue of safety, the wall needs to be 'there' and noted that it would not be visible from off site. He recognized that the plans approved by the City state "maximum height 3 ft", but the details are there for a wall ranging in height from 4 to 10 ft. He advised that it was all designed and engineered for a 10-ft-high wall.

Director Stanley again suggested that the Commission might consider continuing the request so that he can confer with the Building Inspector as to what was inspected.

Commissioner Engler confirmed that Mr. Troedsson's plans are stamped by the Soils and structural engineers.

Chairman Orr stated that the Commission needs to be satisfied that Staff is comfortable as to where this project is from a paperwork and mechanical standpoint, "and right now, they aren't". He felt that the Commission would be more comfortable if it could

review the approved plans and the information that Mr. Troedsson stated he had. A continuance seemed to be the quickest way to move this along, rather than having Mr. Troedsson trying to convince the Commission that all is in order.

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

Commissioner Levine requested to review the minutes of the prior meetings.

Chairman Orr explained to Mr. Troedsson that he was entitled to a vote, which seemed likely to be negative for lack of information. His right of appeal to such a vote or a continuance was further explained.

Mr. Troedsson opted for a continuance.

M/S/C Levine/Mehranian to continue the requested amendment to Hillside Development Permit 99-13 to March 27. 4 Ayes. No: Levine.

CONTINUED PUBLIC MEETING:

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

Planning Aide Gjolme recalled that the request for excess floor area and a side yard encroachment at the second-floor, had been reviewed on two prior occasions. At each review, the direction from the Commission was to reduce the size of the house in a manner more compatible with the 7,500-sf lot and with the nearby properties. Since the last meeting, the project has been reduced from 2,891 sf to 2,731 sf - a net reduction of 160 sf., representing an FAR of 36.4%, barely above the new 36% standard. Essentially, the excess area totals 31 sf. The areas eliminated since the initial hearing were depicted on an overhead transparency and included a balcony a portion of a closet. Revised code no longer includes porches when calculating floor area. Staff determined that the overage was negligible and continued to recommend positive findings and project approval.

Commissioner Engler asked if the Commission could review the request under the standards that were in effect at the time the application was submitted.

Assistant City Attorney Steres responded that the applicant always has the option and advantage of 'using' the new standards once they become effective. Subdivisions are subject to state law but application of previous code is dependant on how the ordinance is written. In this case, the applicant can opt to have their request reviewed under the new standards.

Applicant, Julie Hutchens, commented on the square footage reductions - 60 sf were eliminated from the front porch, 58 sf from a deck, 27 sf from a vanity area and 10 ft between a dining room and bedroom and 100 sf from behind the garage. She understood that the Commissioners had no problem with the design and asked for approval of the 31 sf overage.

The Commissioners did not have any questions for the applicant.

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

Commissioner Engler stated "I heard what the law says but I still think the house is extremely large for that size lot". He was unsure how he would vote at this point.

Commissioner Del Guercio commented that the applicant was now within 31 ft of the new standards, the equivalent of half the surface of the Commissioner's table. He felt the project was close enough to Code at this point.

Commissioner Mehranian felt the applicant made a serious attempt to comply with the Commission's direction to reduce the floor area and was ready to support the request.

Commissioner Levine did not have comments.

M/S/C Levine/Mehranian to approve Modification 00-48 as conditioned. Unanimous.

PUBLIC MEETING:

**MODIFICATION 01-08;
BOYD; 5125 HAYMAN
AVENUE:**

Planning Aide Gjolme described the request to construct a 396 sq-ft, first-floor addition that would encroach 8; 8: into the required 13'-10" side yard setback.

The project site is located on the west side of Hayman Avenue, north of Lavender Lane, in the R-1-15,000 Zone.

The addition would be slightly angled in relation to the south side property line resulting in an encroachment varying from 5' 2" to 10' towards the rear of the property. Planning Aide Gjolme noted that no portion of the proposed expansion would extend beyond the pool house, which stands at 2 ft from the property line. Staff noted that other homes in the neighborhood exhibit substandard side yards. The property is well landscaped and there is ample separation between the project and the neighbor to the south.

Staff believes that the reasonable solution has been presented, one that would not be seen from the street, preserves the interior of the home and maintains usable pool and patio area at the rear. Staff recommended positive findings and project approval.

Responding to a question from Commissioner Engler, Planning Aide Gjolme advised that this lot was one of three that was subject to an approved Lot Line Adjustment request that eliminated structural and yard encroachments.

Applicant, Susan Boyd, was present for any questions from the Commission.

Chairman Orr invited testimony. Comments were not offered.

Commissioner Del Guercio confirmed that the neighbor to the south, who would be the most affected, supported the project. He concurred with Staff's report that there are limitations to expanding this house on a single-story basis. The south side backs to the rear yard

of a neighbor, resulting in minimal impact to that property. He stated that he could support the project.

Commissioner Engler was encouraged that the applicant chose to maintain a single-story development rather than create a new second floor.

Commissioner Levine stated he could not support the project because it does not maintain an existing building line.

Commissioner Mehranian stated approval.

M/S/C Del Guercio/Engler to approve Modification 01-08 as conditioned. 4 Ayes. No: Levine.

CONTINUED PUBLIC HEARING:

**ZONE CHANGE 00-01;
CITY OF LA CAÑADA
FLINTRIDGE
REGARDING
PROTECTION &
PRESERVATION OF
TREES:**

Director Stanley reported the five changes made to the Draft Ordinance since the last meeting. Changes: tree protection criteria has been increased to protect trees with a trunk diameter of 12" (less than the 18" existing criteria). This should exclude regulations for decorative trees and fruit trees. A permit for tree trimming would now apply only to commercial tree service companies. The third change applies to tagging only protected trees for projects that require discretionary approval. The fourth change allows routine or emergency trimming or removal in order to protect or maintain overhead public utility lines, or 13' 6" or vertical roadway clearance for fire fighting apparatus. Finally, under the Enforcement and Penalty Section, the City would allow cash restitution for replacement trees.

Assistant City Attorney Steres noted that the Draft Ordinance states that all fines received by the City under this section shall be deposited in a Tree Replacement Fund account, designated for planting trees within public areas of the City.

Responding to Chairman Orr's question as to how the fees would be collected, Assistant City Attorney Steres advised that when referred to the District Attorney - part of the resolution would be the fine and there are a.

variety of ways to collect ranging from collection agencies or small claims court.

Commissioner Levine referred to language on page 4 which requires a resident to post a bond or surety to replace trees that do not survive for a period of 2 years. As a resident, he would like to know what that amount would be.

Director Stanley referred the Commissioners to page 1, section 'D' *Guide for plant Appraisal*, a publication by the International Society of Arboriculture would be used to determine the value of a tree.

Commissioner Del Guercio expressed a continuing concerns regarding tree trimming and the need for a permit. A good law is one that you know people will observe. He asked if residents would come to City Hall and request a permit when minor tree work is contemplated. If it isn't going to be enforced, are we doing the right thing by enacting an ordinance.

Another question - for purposes of this Ordinance, are gardeners considered a 'commercial tree trimming service' when they perform minor tree cleaning services? Even assuming that people would comply, are we ready to request everyone (7000 houses in town) to get a permit. His experience is that gardeners or a tree trimming service trims trees probably 4 to 6 times a year. If all the households in the City have their trees trimmed twice a year, we're talking about 14,000 permits annually. He noted that the majority of these services are done on Saturdays and questioned if compliance would be achieved.

Commissioner Levine remarked that if he didn't sit on the Commission, he wouldn't go to City Hall for a permit and would rely on the gardener or tree trimmer to do whatever was appropriate.

Director Stanley advised that the City would advise all the major tree companies in the City and advise them that a permit is required.

Chairman Orr stated that until we have effective enforcement to go after rogue contractors, we would never apprehend them or prosecute them.

Commissioner Engler preferred that all tree trimmers be required to have a license to do business in the city.

Commissioner Del Guercio stated that that might be preferable to requiring a permit every time. The City could hand out publications as to property trimming procedures. He confirmed that topping of trees is prohibited.

Director Stanley asked if the Commission wanted to proceed with requiring a license. The City could send out a list of licensed tree trimmers to the public if necessary. He suggested that the City could issue decals for trucks, similar to the City of San Marino.

Commissioner Del Guercio suggested that perhaps the penalty could be that a company would lose its license if they worked without a permit.

The Commissioners agreed that the Draft Ordinance was moving in the right direction and that a lot of progress was made. They agree to continue the matter to April 10th for final review.

M/S/C Del Guercio/Mehranian to continue Zone Change 00-01 to April 10. Unanimous.

**COMMENTS FROM
THE COMMISSIONERS:**

Commissioner Engler advised that fiber optic is being installed along Chevy Chase and the trench is not being filled with asphalt at the end of each day. He advised that a biker had fallen into the trench and asked Staff to check with Public Works.

Chairman Orr asked what became of Mr. Dobkowitz's concern regarding drainage on the Palm/Hillard project.

Director Stanley advised that he had called Messrs. Dobkowitz and Martin and reviewed the conditions and what was required. He requested that they present

their concerns in writing. Mr. Martin stated that he did not have concerns and Director Stanley believed that once Mr. Dobkowitz understood those items, he was satisfied.

DIRECTOR'S REPORT:

Director Stanley advised that a memo would be included in the next packet regarding the budget process. He asked the Commissioners to keep this in mind in the event they had any suggestions relating to planning programs.

ADJOURNMENT:

M/S/C Engler/Levine to adjourn at 8:15 p.m.
Unanimous.

Secretary to the Planning Commission