

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
HELD MARCH 14, 2017**

**I. CALL TO ORDER**

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

**II. ROLL CALL**

Also present were Vice Chairman Hazen and Commissioners Jain and Oh. Commissioner McConnell arrived at 6:18 p.m.

**III. PLEDGE OF ALLEGIANCE**

The Flag Salute was recited.

**IV. COMMENTS FROM THE PUBLIC**

Comments were not offered.

**V. REORDERING OF THE AGENDA**

Mid-way through the review of Item VII.A, the Public Hearing was closed and the item was moved until the project architect arrived. In the meantime, Item VII.B. was heard. After that, Item, VII. A. Public Hearing was opened again. Item VIII. A. was heard after that and the Commission proceeded through the remainder of the agenda.

**VI. CONSENT CALENDAR**

A. **Resolution 17-07**; approving Variance 16-06 for a new monument sign at 1537 Foothill Blvd as requested by Lacy Park Real Estate Investment LLC and Bulent Kerimo.

B. **Minutes – 11/22/2016 (Regular and Special) PC meetings. –**

M/S/C – Jain/Hazen. Approved 4-0. Commissioner McConnell was absent during voting of Consent Calendar items.

**VII. CONTINUED PUBLIC HEARINGS**

**A. Second-Floor Review 15-22; Lim/De Angelis Designs; 4824 Commonwealth Avenue (Lot 1):** request to construct a new 2-story residence and attached garage comprising 3,819 sq. ft. on a 10,955 sq. ft. lot, created through Parcel Map 73402.

Assistant Planner Harris gave a presentation in accordance with the staff report. She explained the project proposal and that the architect was asked at the last meeting to look at the building height and possibly shifting the house, south. She

showed the site plan and described the project proposal from the last meeting. Ms. Harris said she visited the site with the Director and viewed the new project proposal. The shifted proposal would result in the removal of three protected trees.

Ms. Harris explained that an exhibit shown at the prior Planning Commission meeting depicted a project with second floor windows. Late today, a flipped version was provided to staff. Ms. Harris indicated that staff recommended approval of the flipped design.

Ms. Harris showed both the original project elevations and new proposed elevations. The house was lowered and a clerestory window and roof design was changed. She showed the garage where the pitch of the roof was changed. She explained that staff prefers the non-flipped third option.

Chairman Gunter asked for clarification of staff's recommendation. He believed that three sets of drawings were submitted and asked if staff was requesting that the Commission pick the version they preferred. He also said that a survey was not provided to the Commission.

Vice Chairman Hazen asked about the setback at the north portion of the property where the wall and neighboring garage are.

The Public Hearing was opened.

Applicant, Mario Lim, introduced himself as owner of the property. He explained that the architect, Dave De Angelis, was expected to attend the meeting, but had not arrived yet.

Commissioner Oh suggested that the item be reordered.

Deputy City Attorney Guerra recommended that the public hearing be closed and that the item could be moved to later in the agenda when the project architect arrived.

The Public Hearing was closed.

Commissioner McConnell said that he had a question about the proposed flipped design.

Chairman Gunter offered clarification to McConnell about the non-flipped design proposal.

The Public Hearing was reopened.

Speaker, architect Dave De Angelis apologized for being late to the meeting. He said that he would like to propose the flipped design. He re-evaluated saving the Deodar tree and explained that he could not lower the house because of the tree and the codes concerning grading would not allow it.

Chairman Gunter asked the applicant if he preferred the flipped design.

Mr. De Angelis said, "yes."

Chairman Gunter asked if the adjacent neighbor preferred the flipped plan, too.

Mr. De Angelis indicated, "yes." He said that he believed, however, that the Fire Department could have an issue with Oaks being maintained in between two properties.

Commissioner Jain said that the Public Works Department should be contacted about removal of the existing Olive tree.

Mr. De Angelis said that he can move the driveway.

Commissioner Oh said that the flipped design should consider possible encroachment of the condensers into the setback.

The neighbor to the north said that the Oak trees and the Deodar tree are in bad shape. He believed that trees should be planted in the future. He said that he is appreciative of the coordination put forth by both Mr. Lim and Mr. De Angelis. He felt that the Commission does a good job of encouraging all parties to work together.

Chairman Gunter asked Mr. De Angelis if he was all right with the trees being planted later. He said he agreed with the flipped design.

The Public Hearing was closed.

Commissioner McConnell said that he supported the flipped design as well.

Commissioner Oh said that he appreciated the applicant's efforts to come up with the proposed design. He said that he would like to see an arborist report to make the findings.

Chairman Gunter said that if a finding is made for other than reasonable cause, then an arborist report is not required. He talked about adding a condition that would dictate what time construction could commence.

Commissioner Jain said that he visited the site and commended the applicants.

Vice Chairman Hazen concurred with all Commissioners that the proposal is good.

Chairman Gunter said that he was happy that the applicant was working with the neighbors. He said he liked the design, but did not like when trees are removed. He believed that the tree stock should be replenished. Chairman Gunter indicated that he could make all the findings to approve the flipped design.

Director Stanley confirmed that tree removals require the Director's approval.

M/S/C - Gunter/McConnell to approve the flipped design with two additional conditions pertaining to protected trees on the site and clarifying that the Planning Commission's approval is good for one year from the map recording or two years from the Planning Commission's approval, whichever is earlier. Approved 5-0.

Deputy City Attorney Guerra said that a statement should be added clarifying that the conceptual design be attached as Exhibit A.

**B. Second-Floor Review 16-25/Setback Modification 16-12; Volbeda/Slaught; 4848 Commonwealth Avenue:** request to allow 1<sup>st</sup> and 2<sup>nd</sup>-floor expansion of an existing single-story residence, including a new 1,037 sq. ft. sq. ft. second floor. A Setback Modification is also requested to retain existing front and south side setbacks of approximately 16'-5" and 4'-10", which are below the requirements for the lot.

Planner Gjolme gave a presentation in accordance with the staff report. He showed a site plan and explained the proposed second floor and showed four large Oak trees proximate to the house.

Mr. Gjolme explained that the existing house is traditional and the design and massing would be continued with the new design. The primary height would increase to 25 feet. The property is held to a maximum height of 28 feet. He highlighted that the house is angled. The side of the garage retreats away from the minimum setback. Retention of the garage in the existing location allows for covered two-car garage. The side setback achieves a distance along the first floor that is greater than is required. A compliant 15-foot side yard setback is maintained at the second-floor level.

Mr. Gjolme said that staff can make the findings for the setback modification request. He visited the property and went up on the roof to further understand second floor vantage points. He found there to be a lot of separation at the west end of the second floor. There are many mature Oak trees to the north and no sensitive views to the south. Staff believes the design is sensitive to surrounding neighbors. After looking at the size of the request and any privacy impacts, staff believed that it would be less than significant.

Staff recommended approval and believed that all findings could be made.

Vice Chairman Hazen expressed concern over the massing of the project.

The Public Hearing was opened.

Applicant, Brian Slaughter, spoke and said that he was available to answer any questions.

Vice Chairman Hazen inquired about the 4 and 12 pitch of the ridge.

Architect, Pete Volbeda, said that he could lower the pitch to 3 and 12 which would reduce the height by one foot.

Mr. Slaughter said that he was looking for a property for his son and highlighted that the property contains five mature Oak trees which helps to beautify the site. He thanked the Commission for their consideration of the proposed project.

Speaker, Dezireh Sevanesian, 4844 Commonwealth, said that she is concerned about the proposed plan. She said that she understood the request to expand, but she is concerned about the massing of the home and how the roofline will impact views of the sky. She said that she felt that the surrounding neighbors would be impacted by the project and that the project's owners are trying to capitalize as much as they can by maximizing the square footage of the project. She believed that a proposed window would be infringing on her privacy.

Speaker, Maxine Shan, 4838 Commonwealth, said that she planted a hedge so that the subject property's backyard would not have any direct view into her property.

Speaker, Helen Whang, 4850 Commonwealth, asked what the timeline would be for completion of the project.

Applicant, Ted Slaughter, explained that the property was chosen because he believed that the development options would be least obtrusive and impacting to the neighbors. He said that one of the neighbors recently built a new home in 2014.

The Public Hearing was closed.

Vice Chairman Hazen said that he visited the site and understood the request. He is sympathetic to the neighbors. He said that he believed that the design is thoughtful. He believed that screening options could help. He expressed that he wished to be sensitive to the neighbors. He said that plans for additional screening should be considered.

Commissioner McConnell said that with the common occurrence of flag lots that there is a standard policy that is followed that modifications be granted when there is no significant change to the building footprint. He highlighted that the west portion of the property bared the most impact. He believed that given the privacy concerns of neighbors, that the property owner attempted to provide a carefully thought-out project. He believed that providing additional screening could be helpful. He said that he would like to include an additional condition that would require the Community Development Director to review the proposed landscaping.

Commissioner Oh said that he agreed with Commissioner McConnell's comments. He said that he felt that the applicant had done what he could to mitigate any impacts on the neighbors. He felt that the property to the south would be the most impacted. He would like to see an additional condition that would require Director's review of additional landscaping.

Commissioner Jain said that he agreed with the comments of the Commissioners. He felt that screening on the south side should be required. He said that he could make all the findings.

Commissioner Gunter said that he agreed with his fellow Commissioners and believed that Commissioner McConnell explained it best. He said he could make all the findings.

M/S/C - McConnell/Jain to approve the project with additional screening on the south subject to the review and approval of the Director and with the Condition to change the roof pitch from 4:12 to 3:12. Approved 5-0.

Chairman Gunter called for a break at 7:36 p.m.

The meeting resumed at 7:42 pm.

## VIII. PUBLIC HEARINGS

**A. Conditional Use Permit 458 (Amendment); Core Power Yoga-Terri Dickerhoff / La Canada Retail, LLC; 965 Foothill Boulevard:** request to consider an amendment to CUP 458 which allowed a children's gym in the Town Center. The request is to modify condition of approval No. 12 to expand the hours of operation for a new yoga studio. Staff is recommending approval of a Categorical Exemption for the project (Assistant Planner Harris).

The Commission did not require an oral report.

The Public Hearing was opened.

Speaker and applicant, Terri Dickerhoff, indicated she was available for questions.

Commissioner McConnell make a recommendation that the businesses' patrons park in the nearby free-standing parking structure.

Chairman Gunter said that the amount of employee parking that would be needed should be minimal.

The Public Hearing was closed.

Commissioner McConnell stated that he believed the parking structure can be crowded and that the employees should park their vehicle in another location.

Chairman Gunter asked Deputy City Attorney Guerra for clarification on where the Commission could require employees to park and asked if the former Sport Chalet roof parking could be utilized.

Director Stanley clarified that a reciprocal parking agreement exists, the former Sport Chalet parking structure can be used.

Deputy City Attorney Guerra suggested that the parking issue be left for staff to review.

Commissioner McConnell suggested reviewing the parking issue in about six months from now.

Vice Chairman Hazen asked if the new City Hall parking lot location could be utilized for overflow parking.

Director Stanley indicated, "no."

Commissioner Oh said that he can make the findings.

Chairman Gunter said that he can make the findings.

M/S/C – Gunter/ Jain to approve with the condition that staff review parking plan for business six months from Planning Commission approval. Approved 5-0.

**B. Hillside Development Permit 10-41 (Amendment)/Second Floor Review 10-29 (Amendment)/Setback Modification 10-21 (Amendment); De Angelis Designs/ Dipaolo; 3721 Madison Road;** request to consider an amendment to an approved Hillside Development Permit, Setback Modification and a Second-floor Review to allow enclosure and conversion of a previously approved 390 square foot 2<sup>nd</sup>-floor deck into habitable space. The proposed enclosure will maintain the 11-foot northeast setback originally approved for the parapet wall.

The Commission did not require an oral report.

Commissioner Oh said that the staff report indicates that there is an existing chimney.

Assistant Planner Yesayan said that the chimney would be subject to the Building Code.

Commissioner McConnell asked that continuing the roof line instead of a flat roof be considered.

The Public Hearing was opened.

Speaker, applicant, Rob Dipaolo, said that he would prefer a flat roof so that he could install solar panels.

Commissioner McConnell asked for clarification on the view of the panels.

Mr. Dipaolo clarified that when you stand and look at the roof pitch from the street, you would not be able to see the solar panels.

The Public Hearing was closed.

Commissioner Oh said that he agreed with the applicant that the roof is not visible from the street. He said that he could make all the findings.

Commissioner Jain said that the roof is not visible and that the applicant's request, if granted would be beneficial for him. He said that he could make all the findings.

Vice Chairman Hazen said that he visited the site and the home is beautiful. He said that he could make all the findings.

Commissioner McConnell also agreed that the roof is difficult to see. He said that he had no issue with the setback modification. However, he did not believe that a thoughtful design has been brought before the Commission.

Chairman Gunter said he could make all the findings necessary with an overhang on the eastern side.

M/S/C – Gunter/Jain to approve the project with an additional condition requiring an eave overhang at the end of the flat roof. Approved 4-0-1. McConnell abstained.

**C. Variance 17-01; Swain Sign-Jessica Jimenez/McDonald's USA; 449 Foothill Blvd.:** request to consider an application for a Variance to allow new wall

signs in conjunction with approved exterior building remodeling. Specifically, 5 wall signs are proposed which exceeds the 4-sign maximum for the subject building. Two of the signs - "McDonald's" - would employ letters up to 24" in height, which exceeds the maximum letter height allowed for the signs considering their location on the subject building.

Planner Gjolme gave a presentation in accordance with the staff report. He explained that the request was considered by the Design Commission back in November 2016. When the proposal went to the Design Commission, smaller scaled letters were presented.

Five primary wall signs are requested and four is the maximum allowed by code. 24-inch letters are proposed when 19 inches is the maximum allowed by code, plus a bonus, which would still be less than what is proposed. The Variance request is for one extra sign as well as increased letter height on the south-facing sign.

Mr. Gjolme said that the logos meet code, but believed that reducing the 24-inch letters to 20 inches would result in better proportion. He did explain that the performance findings could be difficult to make. Staff supported excess letter height, but not the request for a fifth sign.

Commissioner McConnell asked if the logo is part of the wall sign request.

Mr. Gjolme explained that any of the four signs can be approved. He said that he believed that the Play Place is the least important sign requested, but that he would defer to the owner for clarification.

The Public Hearing was opened.

Sign contractor, Jessica Jimenez, explained that the applicant would be open to reducing the proposed signage of 24 inches down to 20 inches. She said that the applicant would still like to request five signs. The proposed signage is submitted in order to provide adequate corporate identity. She said that because the façade is changing as a result of the remodel, that the applicant believes five signs are necessary.

Applicant, Julie Pernecky, said that she is a proud resident and business owner. She explained that 70% of her business consists of drive-through orders. She said that the Play Place is iconic and is a destination for families with small children. She said that she felt that all signs are relevant and would not be overbearing.

Commissioner McConnell asked Ms. Pernecky why the business is being remodeled.

Ms. Pernecky said that McDonald's corporate office is requiring it.

The Public Hearing was closed.

Chairman Gunter said that he understood that the business is good for the community, however, he cannot make the findings for this request.

Commissioner McConnell said that he did not believe that staff made their case in their findings and the applicant did not, as well. He believed that the business would enjoy a lot of signage. He said that he could not make the findings.

Commissioner Oh said that he sympathized with the owner and had a difficult time making the necessary findings.

Commissioner Jain said he could not make the findings.

Vice Chairman Hazen said that he believed that staff's scaling of 20 inches was good. He said that he felt that five signs are justified at 20 inches in height.

Mr. Gjolme clarified Mr. Hazen's recommendation of 20-inch-high letters and five signs.

Mr. Hazen indicated, "yes."

M/S/C – Hazen/Oh to approve the letter height of the proposed signs. Denied 3-2 with Hazen and Oh voting yes; M/S/C – Hazen/Oh to deny the extra fifth wall sign. Denied 4-1. With Hazen voting yes; and direct staff to bring back a Resolution of Denial.

**D. Zone Change 17-01; City of La Canada Flintridge:** modifying Section 11.01.030 to add new definitions of "liquor store" and "convenience store."

The Commission did not require an oral report.

Chairman Gunter asked what the definition of a grocery store is as opposed to a convenience store and Commissioner Oh asked what the reason was behind bringing this item to the Commission.

Deputy City Attorney Guerra explained that the item is being brought as the result of recent Code Enforcement issues. There is a current case where a liquor store had begun working as a convenience store. The Municipal Code generally prohibits convenience stores.

Vice Chairman Hazen asked about convenience stores contained within gas stations.

Deputy City Attorney Guerra explained that nonconforming uses such as that are not applicable.

Commissioner McConnell expressed concern over clarifying the difference between on-site alcohol sales and on-site consumption.

The Public Hearing was opened.

The Public Hearing was closed.

M/S/C – Gunter/Oh to recommend to the City Council, modifying the code to add new definitions of liquor store and convenience store and change “volume” to “inventory” in convenience store and allow on-site consumption to liquor store. Approved 5-0.

**IX. REPORT OF DIRECTOR’S REVIEWS –** Were reviewed.

**A. Hillside Development Permit 16-36 (Dir.); Markie; 805 Saint Katherine Drive:** allowed a 180-sq. ft. detached gazebo adjacent to an existing deck on a hillside lot.

**B. Hillside Development Permit 16-40 (Dir.); Christensen; 268 Saint Katherine Drive:** allowed a new swimming pool and associated equipment on a hillside lot.

**C. Second-floor Review 16-23 (Dir.) & Director’s Misc. Review 16-23 (Dir.); Prager; 1720 La Floresta Drive:** allowed enclosure of a covered 2<sup>nd</sup>-floor balcony with retention of a non-conforming 6-foot side yard setback to the south.

**X. OTHER BUSINESS –** There was none.

**XI. COMMENTS FROM THE COMMISSIONERS –**

Vice Chairman Hazen asked staff for clarification as to what he was to do with information in his packet pertaining to environmental study information on another case to be heard in the future.

Director Stanley said that the Commission should hold on to the item and review it as it will be brought before the Commission at a later date.

**XII. COMMENTS FROM THE DIRECTOR**

Director Stanley informed the Commission that the allowance for semicircular driveways will be discussed at the next City Council meeting.

**XIII. ADJOURNMENT** – M/S/C – Gunter/Hazen to adjourn the meeting at 8:53 p.m.  
Approved 5-0.

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Secretary to the Planning Commission