

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD MARCH 22, 2005**

I. CALL TO ORDER

Chairwoman Mehranian called the meeting to order at 6:00 p.m.

II. ROLL CALL

Present were Commissioners Cahill, Davitt, Engler and Gelhaar, City Attorney Steres, Director of Community Development Stanley, Planner Gjolme, Assistant Planner Lang

III. PLEDGE OF ALLEGIANCE

Chairwoman Mehranian led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. CONSENT CALENDAR:

- A. Minutes of February 23, 2005. Adopted as amended, unanimous.
- B. Resolution 05-18; approving DUP 210 (amendment); Variance 05-04; Flintridge Preparatory; 4543 Crown Avenue - Adopted, unanimous
- C. Resolution 05-19; Zone Change 04-02; revisions to R-1 standards

VI. REORDERING OF THE AGENDA:

Chairwoman Mehranian pulled Resolution 05-19; draft revisions to the R-1 standards for discussion at the end of the agenda to accommodate those applicants in the audience waiting to have their requests heard. She advised that the Commission would discuss the revisions made by Staff and a resolution would be present at the next hearing.

VII. CONTINUED PUBLIC HEARINGS:

A. Floor Area Review 04-15; Building Depth Review 04-09; Liang; 4218 Shepherd's Lane:

Planner Gjolme recalled that the applicant's request to allow a 1,300-sf, single-story addition along the north side of an existing two-story residence was initially heard in January. Requested total floor area would exceed code standard for the lot and Building Depth exceeds 60 ft, despite it being a single-story addition. The Commission continued the hearing to allow the applicant time to reduce the size and length of the addition and lessen view and massing

impacts to the adjacent property to the north. The project was reduced in size from 1,323-sf to 737-sf, representing a 586-sf reduction, nearly half of what was initially presented. Overall first-floor building length was reduced by 23 ft-6 inches, for a total depth of approximately 70 ft. The second-floor would remain unaffected and remains within the 60 ft threshold. The site plan depicted the difference between what was originally proposed and the revised plan; the addition now angles away from the property line and presents a variable rear setback ranging from 12 ½ ft to 20 ft. Lastly, significant side yard landscape screening has been installed along entirety of north side property line, eliminating any offsite views of the addition. Collectively, the reduction of project's size, reconfiguration of the addition and new screening significantly reduce the project's visibility.

Staff believed that a legitimate effort was made to address the Commission's direction and concerns voiced by the neighbor to the north and continued to recommend positive findings and project approval.

Project designer, Dave De Angelis, advised that he had drastically changed the design approach; there is more space between property lines with angled building line, so that concerns of the neighbor to the north is now a non-issue. He noted that absent the covered patios, the home's square footage complies with Code.

Applicant Ken Liang, stated that he took the Commission and the neighbor's concerns seriously. He installed over 91 mature trees along the perimeter of his property to provide immediate screening and address his neighbor's concern with view of the project's roofline. He requested a favorable decision, given the redesign, reduction in floor area and landscape screening.

Chairwoman Mehranian opened the public hearing.

Adjacent neighbor Greg Eberhardt, 4224 Shepherd's Lane, questioned the ultimate height of the hedges planted from rear property line to the street. They are now 12 ft in height, while the plans show them at 20 ft. He recognized that the hedges would screen the addition, but he believed they would in effect form a wall, not unlike his opposition to the initial submittal, which he felt would result in a closed in feeling from his property. Mr. Eberhardt stated that a reasonable height for the hedges would be 12-15 ft at the rear and 8-10 ft in the front.

Chairwoman Mehranian confirmed with Mr. Eberhardt that 12-15-ft-high hedges would shield the project's roofline from his property. She commented

that it would be difficult to monitor hedge height, if such a condition were imposed, especially when the property changed hands.

Mr. Eberhardt proposed that a covenant be recorded on both properties requiring that the property owners maintain the hedges at a certain height.

Ken Liang stated that he tried to address Mr. Eberhardt's concern voiced at the initial meeting that landscape screening would never be thick enough to provide privacy. He expected hedges to grow to the height of a typical tree, and noted that trees on the Eberhardt property reach 30-50 ft in height. Mr. Liang advised of having receiving compliments from his neighbor at the rear, who wanted tall screening for privacy – as does his family. He stated that it was a significant expenditure to purchase mature hedges and that he was concerned with any covenant or cloud on his title to address this issue. Addressing Mr. Eberhardt's comments regarding the front yard, he stated he was unaware that the front yard was under review or an issue on this agenda.

Commissioner Cahill confirmed that the landscaping was comprised of ficus trees planted in a hedge-like manner.

Further comments were not offered and the public hearing was closed.

Director Stanley displayed an overhead photo of the applicant's back yard as planted. He advised the Commission that regardless how other cities regulate landscaping, this city does not regulate the height of hedges nor does it preclude anyone from planting hedge screening around their property.

Further comments were not offered and the public hearing was closed.

Commissioner Cahill remarked that he was unaware that hedge height was an issue. He noted that the project had been significantly downscaled and that it complies with Code with the exception of the building depth threshold, which involves a single-story addition. Since Mr. Eberhardt's initial concern was with loss of privacy, Commissioner Cahill thought the screening would be acceptable. He did not have a strong opinion whether to regulate the height of screening, but a covenant "is not the way to go", though he agreed the hedge should be trimmed if it reached a certain height. He supported the project and Staff's findings.

Commissioner Gelhaar congratulated the applicant on the redesign, stating that the designer had done a good job in scaling down and angling the addition. He agreed that discounting the 700-sf of patio cover would result in a compliant project. He made a note of the "tree issue" from the aspect of

preserving blue sky and light, and stated he had a real concern with the ultimate height of the trees. He supported imposing a covenant. If the applicant was comfortable with restricting tree height at the rear and sides to 12-15-ft and to 10 ft at the front, he could support the request.

Chair Mehranian confirmed that the ficus trees grow 6"-12" a year, reaching an ultimate height of 15-20 feet.

Commissioner Engler continued to support the project and saw no reason to impose covenant without support of the Ordinance.

Commissioner Davitt remarked that the designer had done a good job in reducing the scale of the project and that he could support it. He stated that he wouldn't have a problem with adding a condition if his colleagues wanted to control the hedge height, but he would not support a covenant.

Chairwoman Mehranian commented on the positive redesign and agreed with Commissioner Davitt to impose a condition rather than a covenant to address hedge height.

M/S/C Davitt/Gelhaar to approve Floor Area Review 04-15 and Building Depth Review 04-09 with an added condition that the hedging along the north side of the property and at the rear be maintained at an average height of 12-15 ft and between 8-10 ft at the front of the property. 3 Ayes; Cahill and Engler dissenting.

Mr. Liang asked if the Commission applied these rules to any other property that has hedging.

Director Stanley advised the applicant of his right to appeal the Commission's action to the City Council within 15 days.

VII. PUBLIC HEARINGS:

A. Conditional Use Permit 393; Modification 04-89; Wohl; 991 Flintridge Avenue:

Planner Gjolme described the applicant's proposal to install a new pool and spa along the north side of the prop w/in an area that qualifies as "front yard".

The project site is located at the northeast corner of Flintridge Avenue and Chevy Chase Drive, in the R-1-40,000 zone.

Though the project area is at the rear of the house and well separated from the street in terms of distance and grade, the property's designation as "hairpin"

requires that frontage along both streets be considered as “front yard”. Code requires a conditional use permit for any pool located within the front yard. A Modification is also required to allow pool equipment to encroach into the front setback along Chevy Chase Drive. The visibility of all the components would be limited from both streets and neighboring properties due to dramatically different elevations and the sunken location of the proposed improvements. The site is heavily wooded with many protected oaks; one of them, a 20-inch-diameter oak immediately northeast of the pool would be removed to accommodate the pool. A city-contracted arborist opined that increasing the pool’s setbacks from the 5-6 oaks in proximity to the pool would resolve any issues of adverse impacts. The draft conditions reflect that recommendation.

While Staff was somewhat uncertain with the viability of a pool in an area so heavily shaded by tree canopies, the primary purpose of CUP review for front yard pools is to address the potential for acoustic and view impacts on the street setting. Considering the topography, negative impacts are not anticipated. Staff made positive findings and recommended approval with strong emphasis on the conditions addressing separation from the oaks and installation and maintenance of construction barriers during the entirety of construction.

Responding to a concern raised by Chair Mehranian, Planner Gjolme referred the Commission to a letter provided in their packets from Fish & Game, stating that a Streambed Alteration Agreement was not required and that impacts on the Blue Line Stream were not anticipated.

At Chair Mehranian’s request, Planner Gjolme graphically reviewed the tree protection and tree removal aspects of the project.

In accordance with an arborists’ review and recommendations, the draft conditions increase the required distance between the oaks and the pool. There would be 6 ft clearance between a cluster of small oaks (12”-16”-trunk diameter) at the north of the pool and 7½-ft of clearance between the pool and a large double-trunk oak. This compares with a 4½-ft separation proposed on the submitted plans. Additionally, a Tree Removal Permit has been approved by Staff to allow removal of the 20”-trunk diameter oak shown on the plan, noting the significantly wooded character of the site and the lack of any aesthetic impact from removal of that tree.

Director Stanley pointed out the proximity of the proposed pool footing to the 20”-diameter oak and noted past problems with trees impacting structures. Given the wooded site, Staff determined it appropriate to remove the single

oak. He stated it would not be a good situation to have an oak growing between the house and the pool; unless the PC denied the request to install the pool.

Planner Gjolme pointed out that a condition of the approved tree removal was that two, 36-inch-box oaks at the far west end of the site, which the applicant has done and which increases the number of oaks on site by one.

Commissioner Gelhaar confirmed that the applicant had applied for a Decorative Fence permit and the chain link fencing will be removed.

The applicant was present to respond to questions, but had nothing further to add.

Chair Mehranian opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Davitt commented that realistically, the pool would be located in the back yard. He did not have an issue with the request; the property is unique and large, there is an ample number of trees on the property and the pool would not be seen from offsite.

Commissioner Engler agreed that the property is unique, given the nearly 270 degree area designated as front yard, though he had a minor concern with the tree removal authorized by staff.

Commissioner Gelhaar supported the request and remarked on the numerous oaks on this property.

Commissioner Cahill observed that the property resembles a forest and though he is an advocate of trees, removing the 20-inch-trunk-diameter oak would not change the situation. He added that the pool would be logically situated.

Chair Mehranian commented that she had reservations with the 20" -diameter oak that was approved for removal, though she understood the purpose.

M/S/C Gelhaar/Davitt to approve Conditional Use Permit 393 and Modification 04-89 as conditioned. 4 Ayes; Mehranian abstaining.

B. Floor Area Review 05-01; Building Depth Review 05-1; Brower; 4309 Woodleigh Lane:

Assistant Planner Lang described the applicant's request to expand their 5,305-sf, single-story home. The project site is located on the west side of Woodleigh, mid-block between Georgian and Berkshire, in the R-1-20,000 Zone.

The proposal would add 63-sf to the first floor and a new, 1,857-sf second-floor. Floor Area Review is required since the requested total floor and roofed area of 7,225-sf (including a detached 3-car garage), exceeds the 6,678-sf allowed for the lot, but it is within the 7,663-sf maximum allowed through Floor Area Review. Building Depth Review is also required since the 2nd floor addition of 46'-8" in depth, coupled with the first-floor wall height exceeding 10 ft, comprises an overall building depth of 74 ft-8-inches.

Impacts from the project are minimized by: the gentle upward slope of the wooded front yard, which places the house higher than the street, the positioning of the second-floor to the rear of the house and the generous rear yard setback of 127'-3".

Staff determined that positive findings could be made and recommended project approval.

Project architect, Christopher Wood, commented on his positive experience in working with staff on this project. He advised that the philosophy behind the design meets his clients' request to restore the house to its original Hacienda design with an interior courtyard. He pointed out that Floor Area Review was triggered due to the frontage measuring exactly 80 ft; he would have had more leeway with just another inch. Building Depth Review was triggered due to a first floor, north side, 10-ft gable roof; and absent the existing port-cochère and covered patio at the rear, the project would meet floor area requirements.

Chairwoman Mehranian opened the public hearing.

Hakan Johanson, 4219 Woodleigh Lane, resides immediately north of the subject property. His issue was loss of privacy, since the proposed design would extend 30 ft beyond his home's building line and two windows would face into his garden patio and pool, and provide views into his master bathroom window. Distributed an example of how he felt it would appear. He advised that he would have to install curtains on his master bedroom windows for privacy. Mr. Johanson then cited what he believed were inaccuracies in staff report comparing the project's floor area with that of adjacent homes. He further advised of having met with Assistant Planner Lang, who agreed that _____ is 30 ft, rather than 24 ft as reported.

Addressing landscape screening, Mr. Johansson stated, "construction is permanent and trees are not". He stated he would have no recourse if future owners removed the landscaping. In conclusion, he stated he was not opposed to a 2nd story addition so long as it was in line with his home.

Commissioner Engler asked if the north side windows were clerestory, with bottoms at a height of 6 ft to preclude anyone from looking out would satisfy him.

Mr. Johansson stated that would respond to his issues of privacy.

Commissioner Gelhaar asked staff to respond to Mr. Johansson's comments regarding floor area.

Assistant Planner Lang explained that house sizes of neighboring homes provided in the matrix so not include garages, covered patios or accessory buildings. Absent those, the project's floor area would be 5,669-sf, well within the neighborhood norm.

Applicant, Rod Brower, spoke to the issue of windows. He stated that with due respect, Mr. Johansson's master bedroom windows would have a view into his windows as proposed. He did not have a problem with screening, but was reluctant to agree raising the windows to clerestory, as it is bedroom space and light, ventilation and adequate exit space is needed in case of fire.

Responding to a question from Chairwoman Mehranian, he stated that his project complies with the setback requirements and presumed that his neighbor did likewise for his recent expansion. He added that sometimes people look out there windows in residential neighborhoods.

Commissioner Engler asked Mr. Brower to reconsider clerestory windows.

Further comments were not offered and the public hearing was closed.

Commissioner Gelhaar remarked that among the Commission's recommendations to the City Council is to eliminate the 4% review threshold. He stated that he had an issue with the excess floor area and noted that eliminating the carport, would meet Floor Area standards. If that were accomplished, he could support the Depth Review. He added that he would like either add a condition to modify the windows per Commissioner Engler's suggestion or require adding a couple trees in that area to protect views from the neighboring property.

Commissioner Cahill commented that there is a Depth issue solely because the ceilings on the 1st floor are a little higher than 10 ft, which he viewed as a technicality, and that in reality, a 46-ft depth was under review. He stated that a 46 ft-deep project on a 308-foot-deep lot is 15% --- minimal for a 2nd story addition on a lot this size. He recognized that placing the second floor towards the rear of the house makes it less visible from the street but it is more visible Mr. Johansson’s home – which is sizeable also – there is only 6 ft difference in size between the two homes. He advised of having stood in the applicant’s back yard and was able to see into the windows of Mr. Johansson’s home, which in turn, would have views into the applicant’s back yard. He remarked that views would be bilateral and the fact that one “got there first”, should not preclude the next one from the opportunity of having windows for light and views. He stated he would support the request without any condition to eliminate the windows and that he could accept a requirement for additional landscape screening on the north side.

Commissioner Davitt supported both components of the project, and though he found the design very acceptable, he stated he would be more comfortable if the applicant would consider clerestory windows. At a minimum he asked for landscape screening along the north side subject to the Director’s approval, but would want something done with the windows as a first priority.

Commissioner Engler commented that the second story was nicely sited and not intrusive on street views. While he could “live” with requiring landscape screening, as Mr. Johansson said, future property owners could remove it. If there was something tying it to the property

Chairwoman Mehranian

M/S/C ____/____ to approve Floor Area Review 05-01 and Building Depth Review 05-01, modifying condition 12 to require a recorded covenant, approved by the City Attorney, prior to issuance of occupancy. Said covenant is to address landscaping and its maintenance, along the north side property line. Unanimous.

C. Building Depth Review 05-02; Bywater; 4363 Oakwood Avenue:

Assistant Planner Lang described the applicants' proposal to demolish an existing single-story home and replace it with 7,961-sf of floor and roofed area. The 31,059-sf project site is located on the west side of Oakwood Avenue, just south of its intersection with Georgian Road, in the R-1-20,000 zone. It is a flat lot and larger than adjacent parcels.

The north side of the second floor would achieve a depth of 111 ft; exceeding the 60-ft review threshold that triggers review. She pointed out that through lowered plate heights and articulation, impacts created by the second-floor depth are reduced. Specifically, there is an 8-ft-deep recess on the north side that spans 24 ft. When combined with other minor articulation at the front and rear, the north facade that is not recessed spans 59 ft (within the 60-ft threshold). On the south side, the depth reaches 63 ft **is there some mitigation on this side??**