

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD MARCH 25, 2008**

I. CALL TO ORDER:

Vice Chair Gelhaar called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Davitt, Hill and Mehranian, Deputy City Attorney Vargas, Director of Community Development Stanley, Senior Planner Buss and Assistant Planners Lang and Parinas.

III. PLEDGE OF ALLEGIANCE

Vice Chair Gelhaar led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

Vice Chair Gelhaar advised that item VII D for 379 Mellow Land had been withdrawn and he reordered VII C for 4257 Chula Senda to be heard second on the agenda.

VI. CONSENT CALENDAR

M/S/C Davitt/Mehranian to approve the minutes of February 26, 2008 as submitted and of March 11, 2008, with corrections on page 10. Unanimous.

VII. PUBLIC HEARINGS

A. Second-Floor Review 07-58; Modification 07-59; McQueen; 4723 Indianola Way:

Vice Chair Gelhaar confirmed that his colleagues had indicated there was no need for a staff presentation.

Assistant Planner Parinas read condition #13, which was added after delivery of the packets to the Commissioners. It requires retention of the north side building line.

M/S/C Davitt/Mehranian to approve Second-Floor Review 07-58 and Modification 07-59 with the added condition. Unanimous.

C. This item was heard out of order:

Setback Modification 06-22; Vavoulis; 4257 Chula Senda Lane:

Assistant Planner Lang described the applicants' request to locate over-height walls and pillars within the front yard setback. A Director's Hillside Review is also required and will be processed separately.

The 37,020-sf project site is located on the west side of Chula Senda Lane, north of the cul-de-sac, in the R-1-40,000 zone. The lot is irregular in shape, including a curved frontage. The County's trail system extends to the south side and rear of this property.

Ms. Lang pointed out that the house sits on a knoll above street elevation, making it more prominent. The required front setback for this property is 68 ft.; the maximum height allowed for walls located in that setback is 3 ½ ft. While the plans show the highest wall at 4' 9", light fixtures, atop two pillars, raise the overall height to 6-½-ft. The walls and pillars would border a new entry walkway; the circular driveway would be partially eliminated and new stairs would replace a curved staircase and low walls. Since the walls would extend perpendicular to the street, views from off-site would be indirect rather than of their frontal surface. Draft condition 12 was expanded to require clearance from Public Works with regard to curb cuts, relocation of the mail box and a tree that might be in the public right-of-way.

Staff concluded that the walls visibility would be limited, given the mature landscaping and their proposed location, and that the scale of the project is appropriate for the site and the neighborhood.

Commissioner Mehranian was concerned that the solid walls would block the openness of the area and she questioned if consideration was given to an alternative design. She was unsure if the contractor could respond to that concern, since the applicant was not present.

Assistant Planner Lang responded that part of her justification for positive findings was because the walls would not be seen in profile, since they extend perpendicular to the street.

Commissioner Mehranian commented that there should always be an alternate and asked if Staff discussed a more open situation with the applicant.

Director Stanley responded that Staff always provides applicants with the City's regulations and what is required to comply with Code.

The contractor from Picture Perfect observed that the walls match the house design.

Vice Chair Gelhaar opened the public hearing.

Randy Strapazone, representing the Trails Council, asked that the project not impact the trails in any way and that storing of construction materials be prohibited on the trail.

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

Commissioner Mehranian stated her belief that a less impacting and more open design could be effectively designed.

Commissioner Davitt commented that he considered the request and his determination was similar to Staff's.

Commissioner Hill concurred, though he understood Commissioner Mehranian's concerns.

Vice Chair Gelhaar remarked that the walls would only be 4 ft in height at their highest point and that he could support the request.

M/S/C Davitt/Hill to approve Modification 06-22, revising condition 12 to require the approval of Public Works. 3 Ayes; Mehranian dissenting.

B. Variance 06-04 (amendment); Flintridge Bookstore; 1010 Foothill Blvd.

Senior Planner Buss related the request to amend a recently approved variance for a project at the corner of Foothill and Chevy Chase Drive. The approval allowed the site to be parked at 28 spaces, rather than the required 32 spaces. Approval of this amendment request would allow a further reduction of two more spaces. The approval included subterranean parking at the east property line. During review by the Design Commission, it was pointed out that the root system of trees located on the adjacent Hill Street Café would be impacted by the subterranean parking. Though the trees are not designated as a protected species, Code protects all trees on commercial properties. Staff was directed to hire an arborist at the applicant's expense to review and report on the situation. Mr. Buss advised that the arborist recommended pulling the parking wall back approximately 5 ft. Doing so affects parking and reduces it by 2 spaces. While the 6,400-sf of floor area would not change, the required 32 spaces for the intended use would be reduced to 26. The City's Traffic Engineer has reviewed the plans and approved the redesign. Senior Planner Buss noted that if a Parking District is established, the required spaces would drop to 24.

Given the availability of parking at the Town Center under construction and the pedestrian and traffic circulation, Staff continued to make the findings similar to the former approval.

Vice Chair Gelhaar commented that if the trees were on the applicant's property, the Planning Commission could approve their removal; in this instance, trees on a neighboring property are at issue. He stated this was an extreme hardship on a property owner who has no control of the situation, and inquired if the Commission could remand the item to the Design Commission and express its desire that the parking structure remain as approved.

Deputy City Attorney Vargas questioned if doing so would be helpful to the applicant. Though the applicant could trim any portion of the trees that overhang the property line, he cannot take any action that would destroy them, which is what would happen if the parking structure remains as originally approved. The consequences could result in litigation which otherwise could be avoided.

Project architect Greg Powell commented on the lengthy process and stated that Staff was trying to find a solution for all concerned.

Vice Chair Gelhaar opened the public hearing.

Chamber of Commerce president Pat Anderson, reported that the Chamber would like to see if there was some way that would allow the applicant to proceed with his plans. The site has been vacant for a long time and the community is anxious to see it developed.

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

Commissioner Hill concurred with Commissioner Gelhaar's comments and stated that Staff's position was a reasonable solution and he was prepared to support the requested amendment.

Commissioner Davitt stated that while a reduction of two more spaces is somewhat significant, once the Town Center is completed, it would all work out.

Commissioner Mehranian stated that she agreed in principal with Commissioner Gelhaar, but considering the status of the project and the minimal spaces lost, she could support the request.

M/S/C Davitt/Hill to approve amendment to Variance 06-04 as conditioned.
Unanimous.

E. Conditional Use Permit; Variance 08-01; Tree Removal 08-04; Howard; 1975 Verdugo Boulevard:

Senior Planner Buss described the request for a Conditional Use Permit to allow alcohol service and outdoor eating for a proposed restaurant. The applicant proposes to construct a retail center, including a restaurant, on the

site of a former Texaco station. The vacant corner lot at Verdugo and Hilldale Drive, is the last property at the City's west boundary line, adjacent to the City of Glendale. The site incorporated three slopes: at the western edge, the eastern edge and at the rear.

An unusual feature of this parcel is that the property line extends down the west slope and extends halfway into a commercial building that is located in a shopping center under the jurisdiction of the city of Glendale. The result is that half the building lies within the boundaries of La Cañada Flintridge and the other half is in the city of Glendale. The applicant owns all the aforementioned property and considers this project (as does Staff), as an extension of the adjoining center.

A 9,230-sf, single-story building with two subterranean parking levels is proposed. Parking would be accessed by changing the driveway grade that connects the site to the adjoining retail center down slope. The City's Traffic Engineer was requested to analyze the project, given the proximity of the freeway onramp. He recommended that the driveway adjacent to and parallel with Hilldale Drive, be restricted to ingress only, rather than its current two-way configuration. The project, which provides 90 parking spaces, is 'parked' to Code --- 21 surface spaces are provided, while the remaining 69 would be dispersed in the two subterranean levels. Trash enclosures are also shown on the subterranean levels.

The CUP addresses the request to allow on-site consumption of alcohol at the full service restaurant and an outdoor eating area. Since there is no separate bar service shown on the plans, alcohol is restricted to table service per the draft conditions.

The Variance addresses excess height. The lowest finish grade is located at the northwest corner (rear) of the site as is the source point for measuring height. (It is also adjacent to an R-1 zoned, vacant lot.) From this base, the overall height measures 47 ft, however, an 8-ft-high architectural tower increases the height to 55 ft. Senior Planner Buss advised that the allowed height maximum is 35 ft, with an allowance to 50 ft for architectural extensions, so long as the extension does not exceed 20% of its associated elevation. The tower measures 32% of its elevation. Additionally, building height at the rear pierces the required angle plane. Otherwise, the project meets Code.

The tree removal plan was displayed on Power Point. Excavation for the subterranean parking requires removal of a majority of the trees. On the east side, where there is a steep 1 ½:1 slope, the existing landscape strip will be narrowed by the parking arrangement. The entirety of the landscaping outside the public right-of-way would be eliminated, given that the east wall of the below grade parking structure would extend to the east property line. The result would be a high retaining wall (higher than shown on the plans) along

the face of the parking structure with a planter box atop the roof of the garage. Since the wall will likely affect the root systems of nearby trees and given that Staff does not have plans showing the design of the subterranean walls above grade, cross sections of that side of the structure are critical in light of the proximity of Hilldale Drive.

The Negative Declaration prepared for this project concluded that the project would not result in significant impacts.

Pending issues were the need for cross sections to show how the east side of the property would be developed, the structure's 10 ft encroachment into the rear setback, (the applicant owns the slope to the rear, so that issue could be easily addressed with a lot line adjustment). Lastly, the Radio Shack pole sign, which is on the subject site, needs to be removed or lowered.

Staff recommended approval of the CUP to allow outdoor eating and which restricts alcohol to table service; approval of the variance for height with modifications to the architecture and address the setback issue. The tree removal and landscape plan will be reviewed by the Design Commission. Senior Planner Buss added that the Planning Commission should also address -- or allow the Design Commission and Staff to address --- site design regarding construction at the boundary line, treatment of the wall heights, screening of the retaining walls and landscaping of the slopes.

Commissioner Mehranian questioned how alcohol service was controlled when indoor and outdoor spaces are considered.

Mr. Buss noted that there is a defined border to this site and that tables are shown along a walkway, which could be secured by a small gate. He suggested that it might be simpler to restrict alcohol service to the interior; however, he crafted the conditions to comply with ABC regulations in terms of area, hours of operation and no bar.

Vice chair Gelhaar commented that 41 trees are proposed for removal to allow underground parking, yet there is ample space for parking in the commonly owned shopping center down slope. He inquired if a smaller underground structure would save the trees and parking credit be given to the applicant for the available parking in the shopping center, which, for the most part, is closed at night.

Mr. Buss responded that the adjacent shopping center is "off limits", because it does not currently meet the City of Glendale's parking code. This project's 90 spaces is Code compliant; however, the Commission has the authority to reduce the number of required spaces through the CUP process, or require the applicant to reduce the floor area of the proposed retail uses. He added that

the restaurant's use would be more concentrated when a majority of the retail stores would be closed.

Director Stanley reported that he and Senior Planner Buss discussed the possibility of boxing the trees and transplanting them on site, similar to what was required of the developer for the La Cañada Town Center; however, he was unsure if there was room on site to accomplish that. Since the plans do not show the property line in relation to the curb and down slope, it is not clear how much space is available. Once cross sections are provided, Staff can make that determination.

Commissioner Hill confirmed that a decision had not been made regarding merging the adjacent residential property that is commonly owner, or recording a lot merger.

Vice chair Gelhaar confirmed that Staff's recommendations included restricting the entrance from Verdugo Boulevard to one-way.

Senior Planner Buss commented that exiting the site to Verdugo or exiting Hilldale Drive is a challenge at best. The recommendation is to exit the project site from the adjacent Center's signalized intersection.

Commissioner Mehranian asked that Staff provide the survivability rate of large trees after boxing them.

Project architect Bob Taylor, advised that his client preferred a lot merger rather than a lot line adjustment and wanted to maintain the dual ingress/egress from Verdugo Boulevard, similar to the former Texaco station, which was a more intensive use. Addressing service of alcohol, his client was assuming there would be a bar, incidental to the restaurant. He further advised that he had his civil engineer's plans, which show 10 ft from the curb to the east property line --- he suggested that relocated trees could be planted on the east side.

Director Stanley confirmed that the 10 ft is in the public right-of-way and that Public Works would have to review the plans.

Vice chair Gelhaar inquired about the feasibility of saving the trees by narrowing the parking structure and excavating a 3rd parking level.

Mr. Taylor commented on the financial burden of providing a third subterranean level. Additionally, the adjacent center was formerly known as Indian Wells, and provided a public pool. The well has since been capped, but the soils report indicates a concern that excavating further could result hitting well water.

Commissioner Hill confirmed that the condition addressing alcohol service was to preclude a public bar and to allow alcohol only in combination with food service.

Property owner Brad Howard, reported that his father built the adjacent shopping center in the 1970s and that a lot of the dirt from constructing Verdugo Hills Hospital went into establishing the shopping center.

He addressed the Commission's concerns: the natural spring that accommodated the Indian Springs pool, was a live spring. There is a 50-ft storm drain that runs under the parking lot into a channel approximately 300 ft south of Verdugo Boulevard; a third subterranean level would not work out financially; when the shopping center was built, the ingress/egress from Verdugo Boulevard was included for emergency access. He stated that the police and fire departments would want that situation to remain; however, he supported right-turns only from the project site. Parking: when the shopping center was built in 1971, it was parked to code. Once the instant project is modeled, he intends to renovate the Center, which will include a high-end Vons market. Addressing the pole sign for Radio Shack, he advised that it is part of the lease agreement, but he might be able to move it somewhat. Mr. Howard commented on the site's limitations and reported that he tried to design something that would complement whatever he does with the shopping center. He agreed to having the City investigate whether relocating the trees to buffer Radio Shack at the back and the shopping center and advised that he would contact Public Works. Merging the R-1 lot at the rear was acceptable and he offered to plant more trees there.

Responding to a question from Commissioner Hill, Mr. Howard reported that the City of Glendale allows pole signs across the street from the shopping center, but not on the north side, despite it being below grade. There are two pole signs; one for Billy's and the other for Radio Shack.

Responding to a question from Commissioner Hill, Mr. Howard stated he was willing to approach Billy's and Radio Shack to determine if they would be amenable to a monument sign, rather than pole signs.

Director Stanley commented that a lot merger would make it possible for some of the fill to be placed on the R-1 lot and have it serve for parking. He stated that if the two pole signs are within the City's boundaries, that they should be converted to monument signs. He asked that Staff check who and how the pole signs were permitted, because our City did not issue permits.

Vice chair Gelhaar opened the public hearing.

Lindsey Manlia, 1920 Hilldale, inquired where the outdoor eating area would be located and stated that she did not oppose the tree removal so long as

“something else as high replaces them”. She confirmed that the existing traffic situation at Hilldale and Verdugo Boulevard is dangerous and reported that there are continual accidents there. She supported the idea of a one-way exit and asked that the curb in front of her home be painted red to preclude restaurant parking in front of her home.

Melida Siptak, 1980 Hilldale, commented on the difficulty with making a left turn from Hilldale or to access the freeway across Verdugo. She stated that alcohol would bring another challenge for residents along Hilldale and was also concerned with earth movement during excavation.

Vice chair Gelhaar advised Ms. Siptak that all engineering is reviewed by the County.

Further comments were not offered and the public hearing was closed. Comments were solicited from the Commission.

Commissioner Davitt remarked that the project was well designed and laid out and that in totality, he did not have concerns. He asked that cross sections be submitted for the Commission’s review and the a red zone on Hilldale was a good idea; he suggested that the applicant contact the Public Works Department in that regard. He did not find the existing trees to be attractive, but he was not adverse to boxing them for relocation --- he asked that evidence be provided as to the feasibility of their survivability in that regard.

Commissioner Mehranian commented that the project would be a welcome change, but she had an issue with the proposed removal of 43 trees, despite the possibility of their relocation, and she would find it difficult to approve that component. She felt it was important for the Commission to revisit the traffic and circulation issue and to take into account the neighbors’ testimony. She also agreed with Commissioner Davitt’s suggestions.

Commissioner Hill stated that he wanted the pole sign removed, but understood the problem if its existence is included in the lease with Radio Shack. He asked that the lot to the rear be either merged with the project lot or that a lot line adjustment be recorded. He doubted that customer parking on Hillside would be an issue, given the steepness of the street. Commissioner Hill reported that he spent time in his car on the site facing Verdugo to experience the traffic situation first-hand. He observed many motorists having difficulty getting to the freeway onramp, but there was no problem with exiting the site via right-turns; so he felt that was a likely solution. Planting trees to screen the project from upslope was a good idea and, while he understood the basis restricting alcohol service, there are many nearby restaurants where alcohol is served outside without issue. He preferred not to restrict alcohol service to the restaurant’s interior. He was prepared to support the project with modifications to condition 13.

Commissioner Mehranian stated she would prefer at least a landscape buffer between outside tables and the street.

Vice chair Gelhaar supported the project, but he preferred a continuance of this item to resolve remaining issues. He asked to review a landscape plan and he supported Staff's idea to box and relocate the trees. Merging the adjacent lot to the rear to provide surface parking would be helpful. He supported a right-turn-only egress from the driveway and he was not concerned with service of alcohol in the outside dining area. He noted there are ways to assure that alcohol is not taken off the premises.

Director Stanley confirmed that the Commissioner did not have a problem with having an internal bar and advised the applicant that a deposit was required so that the City could hire an arborist.

Following a short discussion regarding a continuance, Mr. Howard expressed a preference for a continuance to a date certain.

Commissioner Hill stated that he was interested with the possibility of losing both pole signs.

Vice chair Gelhaar confirmed that the applicant would provide a copy of his lease for the City Attorney to review.

M/S/C Davitt/Mehranian to continue Conditional Use Permit 420, Variance 08-01 and Tree Removal Permit 08-04 to April 22. Unanimous.

VIII. OTHER BUSINESS

IX. COMMENTS FROM THE COMMISSIONERS

X. COMMENTS FROM THE DIRECTOR

Director Stanley reminded the Commissioners to submit their 700 forms to the City Clerk.

Should the Commissioners have any questions regarding information or lack thereof upon reviewing their packets, he asked that they contact Staff so they will have responses for the meeting.

Time is fast approaching for mid-year budget; he asked that the Commissioners contact him if there is any item they would want the Department to cover.

XI. M/S/C Hill/Davitt to adjourn at 7:45 p.m. Unanimous.

Secretary to the Planning Commission