

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD MARCH 27, 2007**

**I. CALL TO ORDER:**

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

**II. ROLL CALL:**

Present were Commissioners Hill and Mehranian, Director of Community Development Stanley, Senior Planner Buss, Planner Clarke and Deputy City Attorney Cobey. Commissioner Cahill was absent and Chairman Davitt was expected to arrive shortly.

**III. PLEDGE OF ALLEGIANCE**

Commissioner Mehranian led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC**

Comments were not offered.

**V. REORDERING OF THE AGENDA**

There was no request to do so.

**VI. CONSENT CALENDAR**

**Minutes of February 27, 2007 and March 13, 2007.**

M/S/C Gelhaar/Hill to approve the Consent Calendar. 3 Ayes. Unanimous.

Chairman Davitt arrived at this point.

**VII. CONTINUED PUBLIC HEARING:**

**A. Modification 06-73; Schwartz/Cioffi; 1447 El Vago:**

Director Stanley presented the applicants request to legalize an over-height wall along the north side property line, which was constructed without permits. The violation was discovered during Building & Safety's routine inspection of an unrelated expansion on the west end of the home.

The 20,860-sf subject site is located along the curved intersection of El Vago and Alta Canyada Road in the R-1-20,000 Zone.

The property owners erected a 12-13-ft-high "art wall" at the rear of their home, which spans approximately 100 ft.

Given the wall's isolation from public view and its adjacency to a chain link fence and mature landscaping, Staff determined that positive findings could be made.

Property owner Russell Schwartz addressed the Commission.

Public comments were not offered.

Following deliberation, the Commissioners unanimously denied the request.

Director Stanley advised that Staff would present a resolution of denial for adoption at the next meeting.

## **VIII. PUBLIC HEARINGS**

### **A. Second Floor review 07-06; Hack; 953 Flintridge Avenue:**

Planner Clarke reported the applicant's request to add 696-sf of second floor volume space and allow clerestory windows to be installed to allow more natural light to enter the 'great room'. The home will remain single-story, but because the volume space is greater than 12-ft above natural grade, it is considered as "second-story" space under the revised R-1 Code.

The 98,180-sf lot is located on the north side of Flintridge Avenue, east of Chevy Chase, in the R-1-40,000 zone.

The area in question is located to the rear of the house and is not visible from the street. The new windows would not infringe on the privacy of neighbors and would not affect the bulk or mass of the home.

Staff determined that the windows would be an attractive addition to the house and would be consistent with the City's Residential Design Guidelines.

Designer John Schmidt, was in the audience to answer any questions the Commissioners might have.

Chairman Davitt opened the public hearing; since comments were not offered, the public hearing was closed.

The Commissioners concurred with Staff's findings and unanimously approved the request.

### **B. Hillside Development Permit 06-16; Second-Floor review 06-17; Modification 06-07; Khan; 222 Berkshire Avenue:**

Director Stanley reported the applicant's proposal to expand the first floor of his home and construct a new second floor. The lot has an average slope of 44%; application of the Slope Factor Guideline would allow 4,070-sf of floor/roofed area, whereas proposed FAR totals 4,400-sf.

The 28,940-sf subject site is an irregularly shaped through lot located at the intersection of Berkshire Avenue and Highland Drive, in the R-1-40,000 Zone. It has 300 ft of frontage on Berkshire and 400-ft of frontage along Highland Drive. Several mature oaks line the perimeter of the house.

Director Stanley noted that the revised R-1 Code requires application of the average front setback -- in this case, 55 ft --- to both frontages, resulting in 110 ft of lot depth assigned to setback area. The existing split-level home presents nonconforming setbacks of 13 ½ ft along Berkshire, which, though wooded, allows partial views to the site's interior, and 45 ft along Highland Drive, where a wooden fence and the street's higher elevation diminish impacts from the encroachment. Overall building height would reach 27 ft.

If necessary, the applicant is willing to remove a 160-sf pool house adjacent to the front deck. Additionally, a 36-inch-high, inward-facing wall is proposed along the west end of the property to improve ingress and egress.

Houses to the east and west are adequately separated and screened with intervening landscaping; downslope views are limited and to the north, the neighboring home is sited well below Highland Drive and buffered by a descending wooded bank.

Staff concluded that the project upholds the spirit of neighborhood compatibility and with the Hillside Ordinance. Though the project represents a considerable building program in relation to available pad area, Staff found it to be reasonable given the lot size and constraints and that it would not disrupt the wooded character of the area.

Chairman Davitt opened the public hearing. Since comments were not offered, the public hearing was closed.

Following discussion and deliberation, a majority of the Commissioners determined that they could support the project with the following added conditions:

That the floor area be reduced to comply with the Slope Factor Guideline, that an arborist be retained by the City and paid-for by the applicant to review the plan and report on the proximate oaks and requiring that existing oaks be protected and preserved to ensure screening. Color and materials are to be submitted for approval to the Director of Community Development. 3 Ayes; Gelhaar dissenting.

**C. Modification 07-05; Lee; 742 Greenridge Drive:**

Planner Clarke reported the request to legalize the installation of two, over-height statues located within the front setback.

The subject site is located on the west side of Greenridge Drive, north of Starlight Crest Drive, in the R-1-15,000 zone.

The two statues are similar in design and stand 7 ft in height (including their pedestals), where the maximum height for walls and statues is 3 ½ ft when located inside the required 25-ft front setback. The statues are located 16.3 ft and 18.7 ft from the front property line. Removing them from their pedestals and placing them on the ground would reduce their size to 5'4", still exceeding the 3 ½ ft permitted.

Staff could not make Modification findings 1 through 3 and therefore recommended denial of the request.

The Commissioners concurred with Staff's findings and unanimously denied the request.

**D. Excess Animal Permit 06-01; Bryan; 4840 Hillard Avenue:**

Senior Planner Buss reported that the Director had denied the appellants' request for an Excess Animal Permit to maintain 6 dogs on a single-family parcel.

In December 2006, Staff mailed a notice to surrounding neighbors, describing the request and indicating that it would be approved unless protested. The City later received a letter signed by 7 surrounding neighbors, protesting the request. Under Section 11.32.130, the Director is required to deny such requests in all cases where two or more protests are received. A denial letter was mailed in January, which was subsequently appealed by the dog owners.

The Planning Commission is required to hold a public hearing and determine whether to affirm, reverse or modify the Director's decision. The Commission can conditionally approve an application for an animal permit when the information submitted or presented at the hearing substantiating that: the required animal(s) will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare, and, that the proposed site is adequate in size and shape to accommodate the animal(s) requested without material detriment to the use, enjoyment or valuation of property of others located in vicinity of the site.

Staff concluded that how the dogs are maintained is more important than the number of dogs. Mr. Buss noted that the dogs are obedience-trained --- some of them were "show dogs", so that they are physically and mentally well maintained; the dogs sleep inside the house at night, when noise sensitivity is critical; though the dogs spend much of the day indoors, they have a large yard to run around in; 3 of the 6 dogs have been de-barked.

Chairman Davitt opened the public hearing.

Miles Wollam, 4800 Hillard Avenue, the neighbor immediately to the north, reported problems with noise from the dogs.

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

Following deliberation, the Commissioners unanimously concurred to deny the appeal to maintain 6 dogs on the premises.

**E. Zone Change 07-01; City of La Cañada Flintridge; various property owners of: 834, 838, 838 1/2, 840, 842, 846, 848, 850, 852, 858 Foothill Blvd.:** Senior Planner Buss reported a mapping error on the Land Use map of the Downtown Village Specific Plan that inadvertently carried forward a church's Institutional zoning to adjacent commercial uses on the same block. Approving the zone change would request that the City Council re-designate the properties to 'commercial', consistent with their historical use and change the zoning to Mixed Use 1.

The various sites are located at the southeast corner of Foothill and Beulah Drive and eastward, facing Foothill.

Staff recommended that the Commissioners adopt the Draft Resolution in their packets which recommends that the City Council correct the Zoning Ordinance.

The Commissioners concurred and unanimously adopted the Draft Resolution.

## **IX. OTHER BUSINESS**

The packets included language from the Los Angeles City Municipal Code, which makes it a misdemeanor to violate any conditions of approval. Commissioner Gelhaar submitted the language for discussion. After conferring, Deputy City Attorney Cobey offered to investigate whether City Council approval would be required to include the language, or if Staff could apply "penalty language" currently used with regard to Code Violations.

## **XII. ADJOURNMENT**

The meeting adjourned at 7:30 p.m.