

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD APRIL 8, 2008**

**I. CALL TO ORDER:**

Chairman Cahill called the meeting to order at 6:12 p.m.

**II. ROLL CALL:**

Present were Commissioners Gelhaar and Mehranian, Deputy City Attorney Vargas, Director of Community Development Stanley and Planner Gjolme. Commissioners Davitt and Hill were absent.

**III. PLEDGE OF ALLEGIANCE**

Chairman Cahill led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC**

Comments were not offered.

**V. REORDERING OF THE AGENDA**

**VI. CONSENT CALENDAR**

M/S/C Gelhaar/Mehranian to approve the minutes of March 25, 2008.

**VII. PUBLIC HEARINGS:**

**A. Hillside Development Permit 06-44; Setback Modification 06-54; Second Floor Review 08-11; Avedian; 1936 Hilldale Drive:**

Chairman Cahill announced that the Commission would be deferring the public hearing in this matter, since story poles had not been erected. He confirmed with the applicant that he is aware that story poles are required.

Chairman Cahill inquired if anyone in the audience wished to address this item. Lacking any requests to speak, he asked for a motion.

M/C Gelhaar/Mehranian to continue Hillside Development Permit 06-55, Setback Modification 06-54 and Second-Floor Review 08-11 to a date uncertain.

Before taking a vote, Commissioner Mehranian asked the applicant if he had any comments at this time.

Applicant, Vahe Avedian, reported of the difficulty he was experiencing in finding someone to install the story poles on his steep property, which has a 47% slope. He inquired if the Commission could conduct a preliminary discussion.

Chairman Cahill responded that story poles would help the neighbors and the Commission to envision the project. It would not be useful to proceed with the hearing and discuss other aspects.

The motion passed unanimously.

Director Stanley explained that notices of the public hearing would have to be mailed after the story poles are up and that an additional notice fee would be required.

**B. Amendments to: Second-Floor Review 07-30; Conditional Use Permit 412; Large Garage Review 07-02 and a Setback Modification 08-05; Sarkissian; 5204 Castle Road:**

Planner Gjolme recalled that the Commission had recently approved the applicant's proposal to demolish an existing single-story home and replace it with a split-level home. Total square footage including an attached, 1,056-sf, three-garage, would be 4,928-sf. The project's compliance with Code played an integral part in Staff's recommendation for approval; however, Staff has since learned that the approved 40-ft front setback is deficient. Based on an average of adjacent lots to the north, the required front setback is 50 ft. The project is again before the Commission to amend the approval and to request a Setback Modification for an encroachment into the front setback. While the project's size and design have not changed, the house has been shifted back to the building line of the existing residence (which presents a 4 ft encroachment). This revision allows greater separation between the project and a multi-trunk oak in the front yard. Minor trimming as originally proposed, will no longer be necessary. However, Staff continues to recommend an arborist review, since the revision moves the project closer to a protected deodar tree located in the side yard.

Addressing the encroachment, Planner Gjolme displayed a matrix on Power Point, of all properties on Castle Road and on the same side of the street. Of those 10 properties, 3 have front setbacks less than 50 ft. Consequently, despite deviating from the average front setback, the project would not set a precedent and would be consistent with the siting of the existing residence. The front elevation reaches a height of 22 ft but as viewed in profile from Castle, only 18 ft would be visible. Staff regarded the request as reasonable and recommended approval.

Applicant Nick Sarkissian, reported that he was not aware of the front setback issue until after the Commission's approval. He considered the requested 4 ft encroachment as a compromise, as it would still allow use of the pool at the rear.

Chairman Cahill opened the public hearing.

Edwin Kan, reported of having resided at 5204 Castle Road for 30 years, 3 homes away from the project. He opposed the requested encroachment and objected "when projects morph into larger projects after an approval". He stated that rules should only be broken when there is a hardship and pointed out that at 4,927-sf, the proposed residence would be the largest in the neighborhood. He complimented the design, but he did not believe the project fit the neighborhood. Mr. Kan stated that a new home could easily fit the lot, given the 16,000-sf lot size. He failed to see a hardship and did not consider the loss of the pool as a hardship, but a loss of homogeneity. He distributed a typed list of 15 out of 17 neighbors, who reportedly opposed the project and approved of him speaking on their behalf. He asked the Commission to uphold the City's standards and deny the request.

Virgil Adnan, 5178 Castle Road supported Mr. Kan's comments. He inquired what the average front setback of the neighborhood was, if only 3 homes protruded into the front setback.

Planner Gjolme advised that the average was 50 ft; identical to the requirement.

Liz Dowd, 5179 Castle Road, stated that her biggest concern with the project is its size. She reported that two years prior, a project in the neighborhood was denied due to issues of mansionization.

Mr. Sarkissian responded to comments and stressed the relevancy of referring to homes fronting Castle, rather than homes fronting Escalante. He reported that two homes across the street from his, fronting Castle are larger than his project. He also questioned whether Mr. Kan ever complained about the encroachment and front wall, which existed long before Mr. Kan moved into the neighborhood.

Designer Ramiro Ortuño, stated that the requested 4 ft encroachment would not be noticeable.

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

Planner Gjolme displayed an aerial view of the existing home on the subject lot. He commented that since the proposed garage fronting Escalante provides a 28 ft side setback, rather than the 20-ft required, the house could be shifted towards Escalante and 'shrink' it from Castle Road. However, the Escalante exposure is where the second floor is visible and it is the most prominent elevation. Once the 50-ft front setback requirement was discovered, he and Mr. Sarkissian discussed the likelihood of Staff supporting the approved 40-ft setback. Staff was not comfortable with that and recommended that the project be no closer to the front property line than the existing structure's 4-ft encroachment, which has existed for 30 years. Planner Gjolme observed that

the requested floor area is compliant for the lot size and is not an issue relative to the requested entitlements.

Commissioner Gelhaar commented that as noted last time, the house is could be 4 ft higher and comply with Code and the front yard encroachment has existed for a long time. He stated that *mansionization* does not equate to the biggest house in the neighborhood; the project's house is commensurate with the lot size. He concurred with Staff's conclusion and he did not believe the project would be detrimental to the neighborhood.

Commissioner Mehranian stated that the area is in transition and though the project is large, the subject lot is also the largest in the neighborhood. She found the split level design to be appealing and the excess side setback on the two story side makes the project easier to approve.

Chairman Cahill called out the mitigating factors and stated that he much rather have a larger setback where the house is most prominent.

M/S/C Mehranian/Gelhaar to approve an amendment to Second floor Review 07-30, Conditional Use Permit 412; Large Garage Review 07-02 and a Setback Modification 08-05, as conditioned. Unanimous.

**C. Second-floor Review 08-06; Setback Modification 08-03; Yue/Law; 1924 Orchard Lane:**

Planner Gjolme described the applicants' request to expand the first floor of their single-story home and add a 1,261-sf second floor. A Setback Modification is required since more than 30% of the roof would be demolished and to retain a 6-ft, non-conforming setback on the west side.

The 14,780-sf site is located on the south side of Orchard Lane, just west of its intersection with Palm Drive, in the R-1-15,000 Zone. It is currently developed with a single-story home and detached garage on the east side. A long driveway and mature landscaping provide generous separation between the adjacent neighbor to the east. On the west side, where a non-conforming 6-ft side setback is provided, is a neighboring two-story home.

Planner Gjolme advised that the existing home is code compliant except for the existing west side setback, which is 2 ft below the required 8 ft. The mid-section of the home would be extended to the rear by 220-sf. A new, 1,261-sf second floor would be recessed along the front the west side and is shifted to the east side, providing compliant setbacks. Total floor area would reach 4,270-sf – at the high end for the area, but within the allowed 4,600-sf for the lot. Two balconies are proposed at the front and rear; the front balcony is totally enclosed and relates only to the street. The balcony at the rear is depicted centered on the south elevation and, with a depth of 2 ft., is more of a decorative element. A high gable end on the west side would be reconfigured

to accommodate the second floor and replaced by two shallow gables that would comply with the angle plane requirement.

The Modification further addresses a 2-ft encroachment into the west side yard setback as the home extends from front to rear --- the basement's exposed exterior wall at 12 ft in height, qualifies as a "two-story" structure, and as such, a 16-ft side setback is required.

Overall height ranges from 26 ft at the front to 31 ½-ft at the rear, due to the lot sloping from front to back. Planner Gjolme complimented the applicant on the story poles as correctly reflective of the project, which preserves the minimal traditional design of the existing residence.

Project architect Pete Volbeda, stated he was impressed with the Staff report and presentation and reiterated the centrally located second floor and generous setbacks.

Chairman Cahill opened the public hearing.

Marie Paul, 1922 Lyans Drive, resides immediately behind the subject site; her property is approximately 30% lower in elevation. She can see the story poles from her home and, while the oaks on the subject property help to mitigate the project, she had concerned that a window and rear balcony would affect her privacy.

Mr. Volbeda offered to plant a tree or more landscaping to screen the rear property line.

Chairman Cahill confirmed that the rear balcony is a decorative element.

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

Commissioner Mehranian also complimented staff's presentation and the sensitive design. She did not have issues with the second floor and the setback encroachment was not a problem; the oaks help to buffer the project from off site. The rear balcony is not functional and similar to a door opening. She asked for an arborist to be present when the tree is trimmed.

Commissioner Gelhaar concurred and asked for an additional condition requiring submittal of a landscape plan that includes more trees along the rear property line, subject to the review and approval of the Director.

Chairman Cahill agreed.

M/S/C Mehranian/Gelhaar to approve Second-floor Review 08-06 and Setback Modification 08-03 with an added condition requiring additional

landscaping as detailed by Commissioner Gelhaar and the presence of an arborist to monitor any trimming of the oaks, if necessary. Unanimous.

**XIII. OTHER BUSINESS**

**A. Substantial conformance for 4404 Beulah Drive:**

Director Stanley recalled that a request for Second-floor Review was approved by the Commission in November 2007. The approved plans included 3 windows on the north elevation and 4 on the south side. There was some controversy regarding privacy, which led the Commission to require clerestory windows on those two elevations.

The approval required the chimney to be relocated outside the setback and inside the house, which resulted in loss of a 2<sup>nd</sup> story window on the north elevation. The applicant replaced that window with two, smaller windows, with a total sq footage equal to the window that was eliminated. Additionally, three other windows were added to the same elevation and a small bathroom window on the south elevation, which were not included in the approved plans.

Director Stanley advised that he intended to grant 'substantial conformance' approval for the two windows that would replace the window impacted by relocating the chimney, and for the small bathroom window on the south side. He is not intent to approve the 3 windows added on the north elevation, out of concern for the neighboring house to the north.

Responding to a question from Commissioner Gelhaar, Director Stanley advised that the Senior Building Inspector caught the error in the framing stage and issued a Stop Work Order.

M/S/C Gelhaar/Mehranian concurring with the Director's proposal to grant a Substantial Conformance approval as indicated. Unanimous.

**IX. COMMENTS FROM COMMISSIONERS**

Commissioner Gelhaar referenced Staff's ideas for the forthcoming budget. He suggested: some sort of Privacy Code that would prohibit security cameras from infringing on a neighboring property; address grade changes that affect neighboring properties; in residential areas; require construction vehicles to park on one side of the street - on the 'odd' side in odd numbered years and on even sides during even number years. He noted that in many instances, construction vehicles park on both sides of the street and block emergency access.

Director Stanley advised that his request regarding construction vehicles to Public Works, but he has not seen any follow-up to date. He suggested a formal request from the Planning Commission to the Public Works Commission would be appropriate.

Commissioner Gelhaar, who is also a member of the General Plan Advisory Committee, provided suggestions that would help meet the goals of the Noise, Safety, Air Quality and Circulation elements of the General Plan, the City should consider having a single trash carrier, rather than the two contracts carriers that we now allow. Additionally, prohibiting parking on the City's streets between 2:00 a.m. and 5:00 a.m. would encourage residents to use their garages.

**X. COMMENTS FROM THE DIRECTOR**

Director Stanley reported that he and Planner Clarke attended the Planners Institute in Sacramento. "Green" building was a big topic of discussion.

Commissioner Gelhaar commented that there are lots of unintended consequences with 'green' construction, including the ability to building a house. He felt it important for the City to be a resource center, rather than to enforce "green" building.

Director Stanley further advised that LEEDS, a non-profit, informational agency for environmental awareness in energy, resource conservation and "green" building was represented. He suggested that the City include its recycling requirements and NPDS requirements on the website to inform residents of the City's efforts. Other issues were the 'mega' fires world-wide and how to educate the citizenry. Design was also discussed --- many cities have 6 members on their Design Commissions, 2 of whom are Planning Commissioners.

Lastly, Director Stanley announced a community workshop on the Housing Element would be held April 17 in the Council Chambers. He encouraged all to attend.

**XI. ADJOURNMENT**

M/S/C Gelhaar/Mehranian to adjourn at 7:36 p.m. Unanimous.

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Secretary to the Planning Commission