

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON APRIL 8, 2014**

- I. **CALL TO ORDER:** 6:02 p.m.
- II. **ROLL:** Chairman Gunter, Vice Chairman Jain, Commissioners Der Sarkissian, and Walker, Community Development Director Stanley, Assistant City Attorney Guerra, Senior Planner Buss, Planners Gjolme and Clarke and Assistant Planner Harris. Commissioner McConnell was absent.
- III. **PLEDGE OF ALLEGIANCE** The Flag Salute was given
- IV. **COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar.

Michele Brown spoke about Normandy Drive. She said that she went to Building & Safety today and was not allowed to look at the plans. She asked the Commission to look at the plans as there was a wrong property line shown on prior plans. She said that Nader Samaan said she could look at the plans after they were approved. It seemed unfair not to be able to look at the plans. She said that dimensions shown on the plans were wrong in the past.

Chair Gunter said it was not an agenda item but it could be discussed at a later date.

Ms. Brown mentioned a stop work order. She read from a statement but did not leave a copy for the Commission.

Directly Stanley responded by saying that some of the comments were inaccurate.

Chair Gunter said that they had to be fair to both sides and that there would be no more comments at this time.

- V. **REORDERING OF THE AGENDA** None.

- VI. **CONSENT CALENDAR**

- A. **Minutes:** March 26, 2013

M/S/C. Chair Gunter mentioned corrections he had provided staff. Gunter/Der Sarkissian with Commissioner Jain abstaining. Approved 3-0 as amended.

- VII. **CONTINUED PUBLIC HEARINGS**

- A. **Hillside Development Permit 13-47/Second Floor Review 13-23/Setback Modification 13-14/Negative Declaration; Sargsyan/Nazaryan; 4170 Cambridge Road:** [Continued from February 11,

2014] Request to allow construction of a new two-story 6,500 sq. ft. residence, inclusive of a partially subterranean recreation room and patio, and related site work. A Setback Modification would allow the new home to encroach into the required front yard setback. The proposal is similar to a project approved in 2009, but has since expired. Staff is recommending approval of a Negative Declaration for this project. (Planner Gjolme)

Planner Gjolme gave an update on the case including the original project and the revised plans.

Commissioner Der Sarkissian asked about Hillside Deployment Permit Finding # 5.

Planner Gjolme summarized the finding; front setback inadequate; undue visual or massing impact.

Chair Gunter asked about the front setback.

Planner Gjolme used the entire street as the setback average and the subject house setback would be an anomaly.

Chair Gunter was not sure that leaving the south side intact and just using the pad was a bad idea.

Planner Gjolme said it was not a pristine hillside property and that stepping the house down the hill could alleviate some of the impacts .

Director Stanley also mentioned not changing the character of the neighborhood.

Franco Noravian (architect for the project) spoke about the past Commission meeting and the alternatives. He looked at using the hillside and included options in the plans. There was not a problem with the square footage but how it was put on the site. Going down the hill would increase the impact to the neighbor to the south. He said that the neighbors supported the project as proposed. An oak tree blocks views of the house. Across the street are one-story houses on raised pads. There would be more grading if they went down the hill. The owner does not want to live in a house where the entire first floor is a basement. He wants a normal two story house with a small basement. Relocating the driveway creates more grading and an increase in the size of retaining walls. In addition, they want to stay away from the blue line stream. It seemed that the flat pad was okay and he played with the design a bit and the windows.

Owner, Henrik Sargsyan, said that he was a contractor with 25 years of experience in Los Angeles. He said that Planner Gjolme did not want to talk to him. He was out of town during the last Commission meeting. He has to get along with neighbors and make this a family house. He works a lot with City employees. The planner did not come out but if it was a white guy he would. He said that neighbors don't have complaints. He claimed he was being treated unfairly. He spoke to his neighbors and emailed them plans.

Chair Gunter asked if he referred to staff as an architect.

Mr. Sargsyan said yes. He said that the City had architects.

Chair Gunter said that there are private architects but that the City does not have one. The report and review are prepared according to the City codes. The Commission can approve, change or deny based on the City codes. The Commission never has conversations about who the applicants are.

Mr. Sargsyan said he has 7 family members and friends who had built homes in La Cañada Flintridge. He said it was a simple project on a 1 acre lot. Only one neighbor complained. He spoke about the height of neighboring house. He was out of the country and missed the last meeting. He deals with lots of cities. Some inspectors can make his life difficult.

The public hearing was closed.

Planner Gjolme said he met with the applicant many times. He did miss talking to the applicant when he was in a staff meeting and once when he was dealing with another project and the applicant had to wait.

Commissioner Der Sarkissian noted that he was a member of the Commission and strongly disagreed with the owners discrimination comment. He spoke about the front setback. The entire house is crowded in front. He suggested that they step down the hill and not create a three story building. Find a way to have a garage entry at another level. He noted that Mr. Noravian tried but that this was the same project as was submitted previously. It is a big house close to the street but he does not agree with the required 105' setback. The rest of the parcel is generally ignored and not close to the blue line stream. He asked if Mr. Noravian could come back to speak and reopen the public hearing. He suggested that they use the unused portion of the property.

The public hearing was reopened.

Mr. Noravian said that the nearest part of the property to the pad is part of the steepest part of the hill. He would go over the height limit if he went down the hill as it forces a three-story house. The logical thing is to use the slope. He spoke about the project from a few years ago.

Commissioner Der Sarkissian asked if three floors would go beyond the level of the old guest house.

Mr. Noravian said they would lose about 1,000 sf.

Commissioner Jain asked Mr. Noravian about the volume of the second floor. He suggested moving the building at an angle which would allow him to keep the square footage and minimize the second floor impact.

Mr. Noravian said it was an option. He would have to look at what impacts it would have.

Commissioner Der Sarkissian spoke about impacts of going down the hill.

Chair Gunter said that Mr. Noravian cannot respond to this now.

The public hearing was closed.

Chair Gunter said that he had revisited the site. It's a difficult site to develop going back to when it was subdivided. The front setback requirement is too large. Using the flat pad portion of the property makes sense. The second floor of the proposed house is not too large. He liked that the house tried to maintain the slope. The changes made since the first Commission meeting were not significant but they were meaningful. The house complies with the codes except for the front setback. The lot supports a 9,700 sf house so the owner is not building at the maximum permitted. The house meets the requirements of the code. Two story houses are permitted by the code. Applicants don't have to go to extraordinary costs to build. It's suitable for the neighborhood. At this time he would make the findings and respectfully disagrees with staff. People can disagree at times but he can make the findings. It's not a reflection about the process.

Commissioner Walker concurred with the Chair. She said she was sorry if the applicant felt he was dealt with discriminatorily. The City has worked to reduce mansionization which staff is sensitive to the reviewing project. She studied the site a lot to see how the house would impact the street. Two oak trees shelter the house. It's a hard property to work with and she understands the setback issues. The only neighbor who is impacted is the one below. She understands not wanting to live in a dark hole. She can make the findings.

Commissioner Der Sarkissian said the code does not allow how he would like the project to be designed. The applicant's hands were tied. With such a large lot he felt that more of it could be used. He would support the project in its current form, however.

Commissioner Jain visited the site and did not have issues with the two-stories and the size of the house and the front setback as proposed. He can support the project as proposed.

Chair Gunter said that they could vote tonight but it would need a Resolution to be adopted at the next meeting. This would be placed on the Consent Calendar. He explained the appeal period.

M/S/C Walker/Der Sarkissian to approve 4-0.

Assistant Attorney Guerra asked if there were any special conditions of approval.

Chair Gunter noted the on-site parking condition of approval and the need to enforce it more.

VIII. PUBLIC HEARINGS

IX. OTHER BUSINESS:

- A. Study Session to familiarize the Planning Commission with the new Tree Ordinance (Chapter 11.40 of the Zoning Ordinance)

Assistant Planner Harris gave the highlights of the new tree ordinance, amendments and replacement tree resolution.

Director Stanley noted that it only applied up to 20' from the curb for the deodars. He said the City Council wanted things simplified and make the ordinance user-friendly. It's on the City's website and a newsletter will be sent to all residents. He spoke about the exception of removal required by the Fire Department and gave an example of a deodar.

Chair Gunter spoke about tree removal required by the Fire Department. Those cases can come back to the Commission for review and possible redesign. It is up to owners of non-protected trees to decide what to do. He appreciated the clarity of the new ordinance and how the findings were straightforward. He noted that people will have to get used to the new ordinance.

Commissioner Walker said she would appreciate an article in the local papers.

Wes Seastrom asked about including Tondolea Lane which is outside the district but has deodar trees.

Director Stanley noted many of the trees are street trees and that all street trees were protected, regardless of specifics.

Mr. Seastrom spoke about cost to replace trees based on size.

The public hearing was closed.

X. REPORT OF DIRECTOR'S REVIEWS

- A. **DM 14-01 (Director's Telecom)**; 4815 Oak Grove Drive; Verizon Wireless; installation of a 30kw diesel generator, 210-gallon diesel storage tank and concrete slab on grade to serve an existing monopole.

Commissioner Jain mentioned noise and fumes from this type of use.

Director Stanley said it was at the JPL and away from neighbors.

Chair Gunter said that the code did not have noise requirements and that it needs to be considered and standards set.

Director Stanley said they the City will prepare a new noise ordinance and this will be considered as part of that process.

XI. COMMENTS FROM THE COMMISSIONERS

Commissioner Walker asked for the minutes to be distributed more timely and for the Commission to be provided with draft sets of minutes for continued items.

Commissioner Der Sarkissian spoke about two themes from the conference. (1) Consultants have programs to help communication between planning staff and the public. It helps

democracy and reduces impacts of consultants. People get to vote on issues at home. (2) Importance of legislation at State level such as CEQA streamlining. The four of them attended different lectures and may have different impressions.

Commissioner Jain said that the theme of communication was central but that they need to tailor it to this city.

XII. COMMENTS FROM THE DIRECTOR

Director Stanley spoke about a possible Berkshire senior citizen building and that applications for a General Plan Amendment and a Zone Change have been submitted.

Senior Planner Buss said that the issue was whether to go to the City Council. It was up to the City Council whether to decide to accept an application. He is studying the issue in light of City Council comments.

Director Stanley reminded Commissioners of upcoming City Council cases. He thought that the League meeting was a 100% improvement over past meetings. He also went to sessions dealing with housing, drug use, massage parlors and was interested in the San Bernardino denial of pot shops.

Commissioner Der Sarkissian thought that the choice of speakers by the chair for the conference was good.

Director Stanley mentioned new appeals to the City Council for Berkshire, Lyans and possibly Bonita.

XIII. ADJOURNMENT: M/S/C Gunter/Jain to adjourn at 7:50 p.m. approved 4-0.