

**A MEETING OF THE PLANNING COMMISSION OF  
THE CITY OF LA CAÑADA FLINTRIDGE,  
HELD APRIL 10, 2001**

**CALL TO ORDER:** Chairman Orr called the meeting to order at 6:04p.m.

**ROLL:** Present were Commissioners Engler, and Mehranian; Commissioner Levine was expected momentarily. Also present were: Assistant City Attorney Steres, Director of Community Development Stanley, Planner Cantrell and Planning Aide Gjolme.

**COMMENTS FROM THE PUBLIC:** Comments were not offered.

**CONSENT CALENDAR:** M/S/C Engler/Mehranian to adopt the Minutes of March 27<sup>th</sup> as amended Unanimous.

**CONTINUED PUBLIC HEARINGS:**

**ZONE CHANGE 00-01; CITY OF LA CAÑADA FLINTRIDGE; RE: PRESERVATION & PROTECTION OF TREES:** Following confirmation that no one in the audience wished to speak on this matter, the agenda was reordered to hear the next scheduled item for the convenience of the public.

**CONDITIONAL USE PERMIT 308; SETBACK MODIFICATION 00-35; KING; 4618 ENCINAS:** Senior Planner Buss recalled that this matter was continued from March 27 with direction from the Commission for the applicant to consider revising the wall design -- there was concern expressed regarding its 124-ft-length, and for more landscaping details. The applicant submitted a colored rendering as well as alternative designs for consideration. Variations show an adobe-type arrangement and a gate.

The Commission also requested that Staff determine whether the pool could be relocated more to the rear. Mr. Buss advised that doing so would result in only a one-foot difference, given that the Tree Ordinance requires that development remain a certain distance from the canopy of trees.

Addressing Commissioner Levine's earlier expressed concerns with the height of the wall; however, Mr. Buss reiterated that Code requires pools to be enclosed by a wall or fencing of at least 5-ft-high. Regarding the wall extending to the rear of the property along the Channel, the applicant proposes extending the wall back to Flood Control's chain link fence.

The Draft conditions require the applicant to obtain approval from Flood Control to cross their property and tie into the chain link fence. If permission is not granted, the applicant would have to extend the wall along the back property line. Senior Planner Buss noted that the back yards of properties across the channel face the applicant's back yard.

Commissioner Engler confirmed that Staff has not yet determined whether the requested encroachment requires City Council approval. He further confirmed that the requisite 5-ft-high perimeter wall for the pool could be moved out of the setback, thereby allowing the height of an outside wall to conform with Code.

Senior Planner Buss advised that the necessity of Conditional Use Permits for pools located in front yards, abrogates all setback requirements.

Commissioner Mehranian asked about ramifications if the Commission approves the fence and County Flood does not issue a permit.

Mr. Buss noted that the draft conditions of approval require written permission from County Flood to encroach. Failing that provision, the applicant must construct a wall along the back property line.

Applicants, Thomas and Nancy King, submitted photos of walls located within the City and in San Marino. They concluded that what makes walls interesting is the landscaping. Because their home is a simple adobe design, an elaborate wall would be inappropriate.

Their alternative renderings included the wall with offsets. They were willing to make modifications to the proposed landscape plan and advised that

County Flood had given preliminary verbal authorization allowing their fence at the rear of the property to be considered as part of the required protection for the pool.

Mr. King pointed out which alternative they preferred.

Nancy King advised that color rendering depicted landscaping at between two and five years maturity.

Chairman Orr confirmed that the landscaped planting strip would be irrigated.

Chairman Orr opened the public hearing; comments were not offered and the public hearing was closed.

Commissioner Mehranian expressed appreciation for the alternatives and the timeline for landscape maturation. She stated that she was ready to move forward with an added condition that the landscaping materials and maturation timeline to screen the wall be submitted, reviewed and approved by the Director of Community Development.

Commissioner Engler stated that the applicants had done a good job on the wall and while he would have preferred that the wall be set back further, he could support the project.

Chairman Orr concurred and felt that modifying condition No. 14 would address Commissioner Mehranian's concerns. The applicant's preferred alternative with the arch over the gate was acceptable to him.

Director Stanley addressed Commissioner Engler's comment regarding City Council review of right-of-way encroachments. The Director of Public Works is establishing a policy to address such requests. Until that happens, the Council will review these requests on a case-by-case basis.

Commissioner Engler encouraged Staff to get this case before the Council in a timely matter.

Chairman Orr cautioned the applicant to be prepared to fully report the details of the request before the Council.

M/S/C Mehranian/Engler to approve Conditional Use Permit 308 and Modification 35,as amended. 3 Ayes.

## **PUBLIC HEARINGS:**

### **HILLSIDE DEVELOPMENT PERMIT 01-07; GREEN; 1329 EL VAGO:**

Planner Cantrell reported the applicants' request for a 1,148 sf, first and second-floor residential expansion that would result in 3,690 sf of floor and roofed area. The 25,427-sf site is located on the north side of El Vago in the R-1-15,000 Zone. The slope averages 20%, with the majority of the slope concentrated along the east and east sides of the property. To the west of the property is the Edison easement that runs through town, the north portion forms a point and the east frontage abuts the rear lines of several properties on Doña Maria Lane. At its closest point, the house is set back 56 ft from the front property line.

The house is older and more rustic than those in the area and its massing is simple as viewed from the street. The design extends the ground floor to the north and west and expands the second floor to the east where a mature stand of olive trees limits views from the street and from neighboring properties to the east. Planner Cantrell stated that the overall maximum width and depth of the house would basically remain unchanged; the street elevation would change slightly due to the roof expansions. No additional landscaping is proposed; however, all trees would be retained.

The main addition would reach the maximum 28-foot height limit for hillside properties and the average height of the new roofline reaches only 22 ft.

A discrepancy noted by Staff was that the submittal indicated a 13' 6" ground floor sideyard setback. Staff, however, determined the lot width to be 140 ft, which would necessitate a 14-foot sideyard setback. If that were corrected, all setbacks would comply with Code and density would be barely more than half the allowable.

The difference of 6" was addressed in the conditions of approval. The addition would expand the house without substantially adding to its perceived size, since the expansion would be viewed primarily from the west, if at all. Planner Cantrell noted that the expansion is screened from that side and also from the east, where it is screened by the olive trees.

Additionally, the south elevation dormer extends beyond the existing building line--- Staff proposes moving it over in line with the edge. Aside from that, Staff determined that the project is consistent with positive hillside findings and recommended approval.

Commissioner Mehranian questioned Staff's reference to the extension of a shallow pitch as "resulting in a configuration that would be quite awkward to the extent that it would be viewed". She asked if there was unease on the part of Staff in recommending approval.

Planner Cantrell commented that it is an issue, but it's mitigated by the landscape screening.

Commissioner Levine arrived at 6:30 p.m.

John Reed, project architect, addressed Staff's recommendation to relocate the dormer. As the designer, he felt that the centered dormer as submitted presents a more pleasant environment in the bedroom rather than being set off to one side. He did not feel that the offset of the second floor would be seen from the street and preferred to keep the design as submitted. Regarding the 6" side property line discrepancy, he advised that re-measurement revealed there is a 15-ft side yard setback.

Responding to a question from Chairman Orr, Planner Cantrell advised that Staff believed that as submitted, the dormer presented a discordant look, but it was a judgement call.

Chairman Orr opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Engler stated that he did not have any objections to the project, nor with the submitted design.

Commissioners Levine and Mehranian concurred.  
M/S/C Levine/Engler to approve Hillside Development Permit 01-07 as submitted. Unanimous.

**VARIANCE 94-16  
amendment; DESIGN  
REVIEW 01-02;  
FLINTRIDGE SACRED  
HEART ACADEMY; 440  
ST. KATHERINE DR.:**

Planner Cantrell described the request to allow two, new monument signs that would exceed the length and area limits of the Sign Ordinance, and for a pair of entry gates that would exceed the 6-ft height limit for fencing in the Public/Semi-Public Zone. Several years have past since the Student Activity Center and soccer field were completed; those additions add to the importance of the west vehicular entry that lines up with Wendover Drive. The applicant now seeks an appropriate expression of that entry point with monument signs, gates and landscaping. The same monument sign treatment is proposed for the north side of St. Katherine Drive, just east of the Administration building. The proposal would open and focus views to the entry upon approach. The gently concave shaped monument sign would present a welcoming focus element and the landscaping would be completely appropriate for the setting. The Design Commission unanimously granted design approval and expressed support for the Variance as being more in scale with the surroundings than would Code-compliant signs and gates - Staff concurs with that justification for the Variance. Planner Cantrell stated that despite exceeding the height limit, the proposed elements would maintain a graceful horizontal appearance in keeping with the open surroundings. Positive findings could be made and Staff recommended approval on that basis.

Commissioner Engler stated that he was accustomed to back lighted, subtle signs and asked how many lumens the sign lighting would emit. He stated that conceivably, there could be 400 watts of light.

Planner Cantrell responded that it a wall washed situation and the tube light is within a cove.

Scott Baker, project landscape architect, stated that Staff's report was a good description of the project. The

materials are in keeping with local vernacular materials on the campus . The sign, though larger than what Code allows, is appropriately scaled for the property. He recognized that the issues of lighting in a residential area is important and advised that it is all low voltage, there are wall washers are ground-mounted and focus on the signs. The tube referred to is not a single fluorescent tube, but a segmented, low sodium warmer color that would not cast light beyond the letters of the sign.

The sign near Palmerstone would not exceed 28 ft of overall length as it would be closer to residences. He estimated the length to be approximately 24 ft. A Code-compliant sign would not be in keeping with existing wall or with the history of the property. The idea is to install something understated while focusing on the approach and conscious of the residences.

Commissioner Engler stated that he had no issues with the sign, but felt the wattage should be reviewed and approved by the Director of Community Development since it is not defined on the plans.

Chairman Orr opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Mehranian asked if the neighbors had been contacted.

Sister Katherine Jean O.P., Administrator, advised that neighbors received a photo of existing conditions and the proposed improvements. The notification was signed by her and by a long-time resident on "the hill". There were no comments received from that mailing. Sister Katherine Jean stated that they were proposing to improve the aesthetics of the school and to identify it - they are nearing their 75<sup>th</sup> year on the hill. Cutting back the hillside on the right as one approaches will increase visibility and safety.

Commissioner Mehranian felt that the proposal was desirable and agreed with Mr. Baker on the issues of proportion and continuity. She concurred with Commissioner Engler's suggestion to add a condition

requiring the wattage to be reviewed and approved by the Director of Community Development.

Commissioner Levine agreed that the proposal was attractive, but he found it difficult to make the necessary findings to approve a Variance.

Chairman Orr commented that the proposal was in keeping with the high quality and style of the campus.

M/S/C Mehranian/Engler to approve Variance 94-16 and Design Review 01-02 with an added condition as requested by Commissioner Engler. 3 Ayes; No: Levine.

**HILLSIDE  
DEVELOPMENT  
PERMIT 00-61; MILLS;  
4040 CHEVY CHASE:**

Planner Cantrell reported that request to construct a new, two-story, home and a 3-car garage, on an acre of property. Total proposed floor and roof area is 7,191 sf. He advised that the site was created through a subdivision in 1999. A condition of the Parcel Map was Fish & Game clearance, which has been obtained. The site is within a hairpin curve on Chevy Chase with tree and shrub screening principally in the northern portion and decreasing at the southern portion. The banks of the Blue Line Stream which traverses the northern portion of the property have sufficient slope to classify it as hillside, although the slope outside of the Stream area is only approximately 10%. Properties to the north and east of the site are generally 10-30 ft lower in elevation and those across Chevy Chase are substantially higher in elevation. Homes to the north, south and east have views of the subject property, but there are no long range views due to the gentle terrain and abundance of trees in the area. The two-story home would be centrally located within the most moderately sloped portion of the site; vehicular access would be from the east side of the frontage via a circuitous and gently sloping driveway, loading into the side of the garage. The basic building height would reach 27 ft from grade at the main floor level, and step down 4 ft at the garage entry. Building length including the garage would be 93 ½ ft -- well below the 120-ft maximum Guideline. The design features highly organized window arrangements and restrained massing throughout the second floor. Porches and balconies are used sparingly but effectively and details such as rafter tails, shutters and wrought iron

balusters add to the overall effect of refinement. All setbacks would greatly exceed Code requirements and average 2.8 times the minimum required setback. Total floor and roofed area would be nearly 5,000 sf less than the maximum allowed. The covenant from the Map and the City Engineer's comments, cover the customary range of technical concerns. The restricted use area called out in the Covenant was shown on the site plan with the project lying outside. Grading would be minimal. Five oaks, ranging in diameter from 16" to 20" are indicated for removal out of approximately 36 oaks on site. The home has been sited to minimize tree removal and Staff's view was there is little point to retain the trees requested for removal. Another oak leaning inward and near to the proposed home with lawn area beneath it, which would exacerbate the tree's situation. Staff's recommendation was to either approve removal of that tree or at least require something other than lawn underneath it. A further recommendation from Staff is to replace a redwood hedge in the same area with another material that would grown to at least 15 ft in height without the need of being topped. A condition requiring construction parking on-site is also recommended. Since this is essentially a flat lot development with no view issues typical of hillside projects, Staff did not recommend imposition of LRV guidelines.

A letter was received from a neighbor across Chevy Chase, who was concerned with the lighting plan, which is comprised entirely of low voltage lighting, basically walkway lighting. Additionally, because there are 2:1 fill slopes on the yard behind the house that are not indicated as being planted, a condition was included to assure that area would be planted to assure erosion control.

Commissioner Engler commented that the percolation test lacks a date, the leach field is not indicated. Regarding lighting, he stated that because something is "low voltage, doesn't mean it's low wattage".

Commissioner Mehranian asked if there was an alternative to removing the leaning oak tree and asked if Staff has an "average" size of homes in the area.

Planner Cantrell's estimate of approximately 4,000 sf was disputed by Commissioner Engler.

Responding to a question from Chairman Orr, applicant Todd Mills confirmed that 5 oaks would be removed of the approximately 40 oaks on the property.

Chairman Orr remarked that the house on the adjacent parcel is quite close to the property line and there would be significant fill, 2:1 slope and 7 ft in height, in that area. He confirmed that nothing would be built on the fill and that it would be planted.

Project architect, Hamid Gabbay, stated that he did not have a lot to add to the detailed staff report. His efforts were chiefly geared to designing a house that was compatible with the neighborhood and the number of trees removed would be kept to a minimum. He displayed a color rendering and a site plan. The house is almost centrally located, far exceeds all setback requirements, and the length that would be visible from the street is approximately 75 ft. Only one retaining wall, approximately 4 ft in height, would be near the garage.

Responding to a question from Chairman Orr, Mr. Gabbay advised that ficus benjamina, hedges and native plantings would be installed between the project and the neighboring home. There would be approximately 1,700 cubic yards of fill - some which would be balanced on site.

Responding to a question from Commissioner Mehranian, Mr. Gabbay advised that the house is a Tuscan design and the landscaping would complement it. He envisioned olive trees and perhaps more oaks. He assured her that the landscaping would not be exotic.

Commissioner Engler stated that size of the proposed home was commensurate with the size of the property, but when he sees retaining walls of undetermined height, he was not inclined to approve the project until the issue was clear.

There was a discussion regarding the lack of clarity of retaining wall height indicated throughout the site plan.

Mr. Mills remarked that he shared that concern, because he did not want extensive retaining walls. He pointed out that the back yard "is all berm" and not retained.

Mr. Gabbay advised that there are no retaining walls along the streambed. He felt the Civil Engineer called out any wall retaining any amount of dirt as a retaining wall subject to separate permits.

Commissioner Engler confirmed that the pool has been eliminated from the design, even though there was a reference to it.

Commissioner Levine confirmed that the applicant would not object to eliminating all walls that are not retaining walls with the exception of the wall near the garage.

Director Stanley felt there seemed to be a problem with terminology -- the City considers anything that retains dirt to be a "retaining" wall, under the Hillside Ordinance. He then referred to the 24" oak that is near the garage near the slope of a graded area---he suggested that the slope be kept away from the base of the tree.

Chairman Orr suggested submitting a revised plan that accurately reflects what Mr. Mills has expressed he wants.

Chairman Orr opened the public hearing.

Mark Spraic, 3975 Chevy Chase, submitted a letter to the Commission, requesting that the lighting be "substantially scaled back and reduced". There is no street lighting and little exterior residential lighting in the neighborhood. Two-thirds of the subject property is visible from the street and any extensive lighting plan would be out of character with the area and inappropriate.

Mr. Mills concurred regarding Mr. Spraic's concerns. His philosophy is the less lighting, the better.

Hearing no further comments, Chairman Orr closed the public hearing.

Commissioner Levine stated that the key is for the applicant to submit a plan that represents what is proposed.

Commissioner Mehranian asked that the landscape plan be more definitive and that the "retaining" wall issue be clarified.

Commissioner Engler stated that he had no objections with the proposed size of the house, but would prefer to see the pad height reduced, as "that would eliminate a lot of problems with the oaks".

Chairman Orr was concerned with the amount of fill; he felt the Commission might need to add a condition regarding a haul route; lowering the pad might eliminate that concern. He also felt the applicant should address the realities of the survivability of trees that would be retained but are located only a few feet from the house -- is it realistic to believe they would survive after construction?

Chairman Orr then explained the options of a continuance. Mr. Mills opted to continue to May 8.

Director Stanley advised that Staff needed to work with the applicant to address the Commission's direction. Revised plans should be submitted to the Planning Department by April 23.

M/S/C Levine/Mehranian to continue Hillside Development Permit 00-61 to May 8. Unanimous.

**PUBLIC MEETING:**

**MODIFICATION 01-16;  
GERLACH;  
5070 INDIANOLA WAY:**

Planning Aide Gjolme reported the applicants' request to allow an outdoor fireplace and trellis structure to encroach 13 feet into the required 15-ft rear yard setback. The project site is located north of Knight Way at the end of a cul-de-sac.

The project is proposed to be constructed directly adjacent to a remodeled pool; the intent is to create a

central recreational area. The 18' x 23' trellis would be attached to the fireplace, with half of it encroaching into the setback. Except for the rear yard encroachment, the project meets Code. Planning Aide Gjolme noted that the lot is triangular in shape. The side lot lines splay to the rear property line that is over 250 ft in length where there is a 6 ft-high fence and a bank of mature oleanders. The entire rear property is bordered by the Gould Canyon Channel, a 50-ft-wide County right-of-way, an access road and a 20-ft-wide horse trail. Staff determined that the property is more than adequately screened and would not have a negative affect on the neighborhood setting.

Applicant, Linda Gerlach, advised that she had contacted all her neighbors and received unanimous support.

Commissioner Engler stated that he had no objections to the request, given the separation from neighboring properties.

Commissioner Levine stated that the project was attractive, but he would have a difficult time supporting the encroachment.

Commissioner Mehranian had no objections to the project.

Chairman Orr concurred with Commissioner Engler's comments.

M/S/C Engler/Mehranian to approve Modification 10-16 as conditioned. 3 Ayes; No: Levine.

**CONTINUED PUBLIC HEARING:**

**ZONE CHANGE 00-01;  
CITY OF LA CAÑADA  
FLINTRIDGE; re:  
PROTECTION &  
PRESERVATION OF  
TREES:**

Director Stanley noted that this was the third formal review of the Draft Ordinance by the Commission. There have been public five meeting held on this matter, Including Study Sessions.

Remaining issues have been narrowed to a few: Rather than requiring homeowners to acquire a permit, the Commission preferred that tree service companies be required to obtain a City business license. The license would require proof that they possess a state contractor's license or prove that they are certified by the Western

Chapter of the International Society of Arborists (ISA) or, they could attend a City-approved tree trimming class and demonstrate knowledge of trimming techniques and pass a written exam. That class would be taught by the instructor who provides identical services to the city of San Marino.

Language now addresses should illegal tree trimming or tree removal occur by licensed or unlicensed companies. Such action would be treated as a misdemeanor and subject to applicable fines and penalties. Licensed companies could be subject to having their licenses suspended or revoked.

Regarding the posting of a bond or surety to replace trees, the Draft Ordinance now includes a mechanism to assess the value of lost trees.

Chairman Orr opened the public hearing.

Larry Moss stated his belief that the 25% tree trimming criteria should be lowered because of the damage that can result when trimming 25% of a tree. He referred to page 2, under B. *Removal of Trees*. Mr. Moss felt that allowing tree to be removed without a permit when their trunks measure 12 inches in diameter at 4 ft from the ground was too liberal. He preferred the draft 12 inch proposed standard be changed to 8 inches.

Director Stanley commented that 4 ft seems to be the norm used by tree arborist organizations throughout the state.

Commissioner Levine concurred with Mr. Moss, stating that the environment in this city is more like San Marino, Palos Verdes, Los Gatos and Saratoga.

Responding to a question from Commissioner Engler, Director Stanley stated that the Commission had earlier decided to go from 8" diameter to 12" diameter so that fruit and ornamental trees that generally fall into the 8" category would not be subject to the Ordinance. Staff was also attempting to arrive at a reasonable number. He advised that San Marino uses 4½ ft at a 24" circumference.

Chairman Orr closed the public hearing.

Commissioner Levine concurred with Mr. Moss' comments and suggested that a reasonable solution would be to set a 10" criteria

There was unanimous consent to change the 12" criteria to 10".

The Commissioners also agreed that a lot of progress had been made with this Ordinance.

Commissioner Mehranian expressed concern that public education regarding these revisions remain a priority.

Director Stanley assured the Commission that Staff would implement the Ordinance in that manner. There will be direct mass mailings city-wide.

Chairman Orr stated that he agreed with the revisions and that the Draft Ordinance represented a vast improvement over what "it was to start with".. However, he was going to vote 'no' because he felt the necessity of a public prosecutor was foremost. Until that position is in place, he stated "it was putting the cart before the horse".

Assistant City Attorney Steres then reviewed the language changes that the revisions triggered.

Attorney Steres referred to the "Enforcement and Penalties" section, which subjects a licensed commercial service to a 6 month license suspension for removal or excessively trimming a tree without a permit or in violation of a permit. The 6-month suspension would be applicable to the first offense and could be extended or the license revoked. He suggested that the first offense be a 3-month suspension, rather than 6 months. Further, if the license is revoked, when could the licensee reapply for reinstatement?

Following discussion, the Commissioner agreed that the language should read that a license shall be subject to a suspension of 6 months for the first offense and that

revocation of a license shall be subject for a minimum of one year.

M/S/C Engler/Levine, recommending to the City Council that the Draft Ordinance be adopted as revised.  
3 Ayes. No: Orr

**COMMENTS FROM  
THE COMMISSION:**

Commissioner Engler asked if Staff had information on the block wall that failed at Berkshire Avenue and Berkshire Place.

Director Stanley advised that the applicant pulled a permit for a retaining wall and backfilled it before grouting, resulting in its failure.

Commissioner Engler also asked Staff to check on a wall over 3 ft in height on Berkshire.

**ADJOURNMENT:**

M/S/C Levine/Mehranian to adjourn at 9:00 p.m.  
Unanimous.

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Secretary to the Planning Commission