

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON APRIL 10, 2012**

I. CALL TO ORDER: 6:06 p.m.

II. ROLL: Chairman Curtis, Vice Chair Cahill, Commissioners Der Sarkissian, Jain, (Gunter 6:08 p.m.) Also present were: Director Stanley, Assistant City Attorney Guerra, Assistant Planner Parinas, Planner Clarke, Assistant Planner Lang, Planner Gjolme, and Senior Planner Buss.

III. PLEDGE OF ALLEGIANCE

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. (None)

V. REORDERING OF THE AGENDA Chair polls the audience on which projects they are here for. Leaves order as is.

VI. CONSENT CALENDAR:

A. Approval of Minutes: December 13, 2011, January 24, 2012, March 27, 2012
Approved 5-0

VII. CONTINUED PUBLIC HEARINGS

VIII. PUBLIC HEARINGS:

A. Conditional Use Permit 231 (Amendment)/Hillside Development Permit 12-12 /Second Floor Review 12-05; Panossian/DeAngelis; 1600 Fairmount Avenue: Request to allow a 315-square foot 1st floor addition to an existing two-story house on a hillside lot. A Conditional Use Permit is required because the existing house is greater than 10,000 square feet. A Second Floor Review is required because the exterior wall height of the 1st floor addition is 14'-3". Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Parinas)

Commission waives the presentation by Assistant Planner Parinas.

The Chairman opens the public hearing. The applicant is asked if he has comments. He states he has no comments.

With no other speakers, the Chairman closes the Public Hearing

Commissioner Der Sarkissian states that he visited the site and met with architect and is fine with the project.

Commissioner Jain also visited the site and supports the project.
Commissioner Gunter supports the project.

Commissioners Cahill and Chairman Curtis concur.

Commissioner Der Sarkissian moves, Commissioner Cahill seconds, a motion to approve the project as presented by staff. Motion carries unanimously.

- B. Minor Conditional Use Permit 477; MDM Architects/Bean; 1061 Valley Sun Lane:** Request to allow an existing office building to be used by a legal firm for office purposes. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Planner Clarke is asked to make a very brief presentation.

Chairman Curtis asks staff about parking. Staff responds that all required parking is provided.

Chairman Curtis asks Richard Dell, representing the owner, if he had any comments. He states that he concurs with staff's findings and agrees with the conditions. He is available for questions.

Pat Anderson, Executive Director of the Chamber of Commerce, states that Melby and Anderson is a long-time respected law firm and she is glad to have them in the city.

Chairman Curtis closes the public hearing.

Commissioner Jain notes that he visited site and can support the findings contained within the report. He can approve the project.

Commissioner Cahill also notes that he agrees with draft findings and can approve the project.

Commissioners Gunter and Der Sarkissian both indicate support of the project.

Chairman Curtis notes that he visited the site and is pleased to have the vacant office space filled. He states he supports the use and that there are no issues.

Commissioner Jain moves, Commissioner Der Sarkissian seconds, a motion to approve the project as presented by staff. Motion carries unanimously.

- C. Setback Modification 11-19; Frame/Bednar/Dietrich; 4854 Hampton Road:** Request for a Setback Modification to legalize a 413 sq. ft. storage building that encroaches 8'-0" into the 9'-0" required side-yard setback and 14'-0" into the 15'-0" rear-yard setback. The applicant is also asking to legalize a 182 sq. ft. storage shed that encroaches 13'-0" into the 15'-0" required rear yard setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Lang)

Assistant Planner Lang is called to present the project to the Planning Commission. She presents the Staff Report with the aid of a PowerPoint presentation. Chairman Curtis asks staff several questions regarding the lot merger and where the newer additions are.

Commissioner Cahill asks about the garage versus the workshop and when certain occupancies were changed (under whose control and responsibility).

Commissioner Der Sarkissian also asks about setbacks and what was permitted at various times since there are no plans that define the chronology of development. He also asks whether new plans and approvals would now be required.

Commissioner Gunter asks whether the applicant would still have to get a building permit for the things that are there. He states the roof angle needs to be addressed for angle plane (clip vs. Variance).

The Chairman opens the public hearing.

Kurt Bednar, applicant's representative states that it is a tricky lot to deal with. He notes that the project has been scaled back from where it was. The biggest point is to keep the project moving forward in the direction of making these corrections and keeping the existing structure.

Commissioner Cahill asks when the shed was added. Property owner (Jaime Dietrich) says shed was added after they bought the property but was done by her ex-husband.

Commissioner Der Sarkissian asks where are the drawings for the shed? Mr. Bednar notes that the drawings for the earlier parts of the project were drawn by a contractor.

Assistant Planner Lang and Director Stanley note that this project started as a code enforcement action with other parties and now has progressed to using an architect. The project has been long and drawn out and the property owner is trying to gain compliance.

The Chairman closes the public hearing.

Commissioner Cahill states that there are two parts to this project – an existing part and the storage shed. He states he can make the findings because that part of the project was there before the current owner, it has longevity and people are used to it, and regarding the shed, the setback is problematic but of such low impact that he can support it.

Commissioner Gunter visited the site. He can support the request and make all the findings for the same reasons as Commissioner Cahill. Removing the shed would be a hardship, it is such a low impact and does not affect anyone that it would not make sense to remove it. He would support it as submitted.

Commissioner Jain concurs with the other Commissioners. The neighbors are okay with it and there are no negative comments. He can support the request as submitted.

Commissioner Der Sarkissian attempted to go on the site but no one was home and he could not get in. He states he still has a problem with asking for forgiveness after having violated the code, and therefore can't support.

Chairman Curtis visited the site but could not get in the back to see the small shed. He comes down in the middle. He is okay with the garage long term as it creates functional garage/workshop/storage but he wants a condition added to keep it as a garage not allow it to become habitable space. He wants no living quarters for rear area. He wants recent structures added without permits in the setback to be removed.

Chairman Curtis asks for a motion. Commissioner Cahill moves for approval as suggested by staff with no additional conditions. The motion died for lack of a second.

Commissioner Jain moves for approval with a condition that the garage/workshop/storage structure never be permitted to have living quarters. Commissioner Gunter seconded the motion. The motion carries on a 3-2 vote (Der Sarkissian/Curtis).

- D. Minor Conditional Use Permit 476; X-Treme Pilates; 2196 Foothill Boulevard, Suite A-2:** Request for a Minor Conditional Use Permit (MCUP) to allow a Pilates studio in an existing building that is zoned Community Planned Development (CPD). Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Lang)

Presentation is made by Assistant Planner Lang as per staff report. The project is in the commercial center at corner of Foothill Boulevard and La Canada Plaza Road. This is a tenant space within the building. It would be adjacent to the Little Kids Gym.

Chairman Curtis opens the public hearing.

Larry Fishman, building owner, agrees with the Staff Report and all the conditions. He supports the project.

Julie Rhyne, owner of X-Treme Pilates, explains what she does and what the machines do. She says that synergy is the key. The kids are at the adjacent "Little Gym" and the parents now have a place to work out also.

The owner of the "Little Gym" (adjacent business) also supports the idea of having the "X-Treme Pilates" next door so the parents would have something to do. She believes it is a wonderful opportunity. Parking in one spot for multiple uses would be even better although there have not been any issues with parking.

The Chairman closes the public hearing.

Commissioner Gunter states he visited site and can make the findings for approval.

Commissioner Cahill agrees with Commissioner Gunter.

Commissioner Der Sarkissian is ready to support the project. He states that he would like the employees to park in the rear.

Commissioner Jain also states that he supports the project as submitted.

Chairman Curtis notes that he visited the site and can support the project.

Assistant City Attorney Guerra notes changes to condition #12 due to typos.

Commissioner Gunter moves, Commissioner Cahill seconds, a motion to approve the project with corrections to condition #12. The motion carries unanimously.

- E. Second Floor Review 12-02, Setback Modification 12-01; Johnson/Awad; 1132 Sheraton Drive:** Request for Second Floor Review to allow a new 524 sq. ft. second floor in conjunction with significant remodeling/reconfiguration of the existing roof. A Setback Modification would allow a new 2-car garage to encroach 4 feet into the required 17-foot street side yard setback along Cornishon Avenue. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Planner Gjolme presents the project to the Planning Commission in accordance with the Staff Report. He notes that this is the only two-story house in the neighborhood. This is a very uniform neighborhood in that regard. Staff recommends conditional approval.

Chairman Curtis opens the public hearing.

Jay Johnson, the applicant's architect, addresses the Commission and comments on the design. He highlights the Modification for Cornishon where there is 27 feet between the street and house. He wants to protect the trees along the street. He notes the garage will cut into the house to make the garage meet code. He states that where the addition is occurring has very little impact on the neighbors. He says probably the one issue would be the two story house but because it is under one roof it is architecturally 1½ stories. He states that 23' is modest for a two story house and the angle planes are way under the requirement. He would like this to be considered one story with converted attic space. The building has the same footprint except for the rear.

Chairman Curtis asks Mr. Johnson to address the trees and footings.

Mr. Johnson states that the setback from the trees will be greater and a grade beam will be used to reduce the impact to trees. He says he doesn't have an arborist's report.

Commissioner Jain asks if the existing footing can be used so there is no further disturbance. Mr. Johnson says he will have to check on that.

Commissioner Der Sarkissian wonders if the story poles were not set correctly as far as the trees. Mr. Johnson says that at one time there was to be a deck in the back, but no longer. Commissioner Sarkissian also asks about the bay window and it's proximity to trees.

Commissioner Gunter asks if the carport will be removed and replaced. Mr. Johnson says yes, that was the plan.

Alex Mateuchev, neighbor, states that Planner Gjolme addressed some of his concerns but he is still not supportive. Why affect the trees and why is a setback modification required? He still objects as it is precedent setting to have two stories in this neighborhood.

Steve Steinberg, neighbor across the street, states that this is a single story area. It ruins the neighborhood internal to Sheraton. There are others in the immediate area who are interested in doing the same thing. The roof pitches in the rest of the neighborhood are not like this. Don't allow this to be the first person to build a 2nd story in the area. Just build more house at single story rather than going up, there is plenty of space to do it.

Robert Harker, 4319 Hayman, notes that the [city] blocks are small and the streets are not far apart. The proposed second floor is not attic space, it is second floor. People don't want a 2nd story in the area. It would set a bad precedent for the area and he objects to it.

Pat Harker, 4319 Hayman, addresses neighborhood character. Even though some houses across the street have dormers, they are still single story. It can be done without being huge and keep the character of the neighborhood.

Steve Stedny, 1124 Sheraton, said that it impacts our side view of the existing house. The houses are currently tight and uniform.

Rene Steinberg, 1125 Sheraton, said her family spoke to the neighbors before they expanded their house. They wanted to be sure to be compatible. Some of the other houses have expanded without going two story. In the past, the neighbors have tried to stay compatible with neighborhood. There are a few pockets of single story character in the City. She doesn't like the McMansions.

Brant Kline, 1110 Fordhook, said that all houses were built in the 1950s. The CC&Rs have helped to maintain the character. He objects to a second story.

The property owner, Dennis Awad, states that he has lived here for twelve years and he wants to retain the character. He used an architect that has knowledge of the community. The house is set down into the lot and there are two story houses in close proximity. He wants to get along with his neighbors. He has family here that are active in the community. He says he would be willing to make some other modifications to the design to mitigate the objections. He is looking to expend a significant amount of money and would consider other things rather than rejection.

Jay Johnson states there are certain features that make it look two stories. He could make changes to the front and lower the roof. He would like to have some recommendations from the Planning Commission to make changes: dormers, roof, appearance, what compromises?

Chairman Curtis closed the public hearing.

Commissioner Jain noted that he visited the site. He has concerns about the appearance from street. Just eliminating the dormer does not do it. The applicant needs to bring the roof down.

He needs 3-4 feet height reduction to one story and incorporate the entry. He is okay with the Modification request but don't move footings near the trees.

Commissioner Gunter also visited the site. He is really concerned about the project. The discussion misses the point. The roof pitch is wrong, it needs to change. The massing is too much. The house is not compatible with the neighborhood. There are no 8:12 roofs. The neighborhood is 2:12. There is too much roof height. Just add 500 sf in place where you have it. The carport Modification is difficult and he cannot support the findings. There is no hardship since there is to be a new structure. He is concerned about the trees and what came first – the trees have precedence – not size or front setback issue. The style of the roof is wrong.

Commissioner Der Sarkissian visited site. He concurs with his fellow Commissioners. There is hardly anything left of the original house. The extension is all new and puts the 500 sf into this area (he points). The roof and style are the problem areas. The neighbor across the street is not here tonight and he wonders why? He states his comments are in line with the others, locate the proposed 500 sf recreation room addition below the main level in the eastern wing of the house where there is a substantial grade drop, and it can open into the rear yard. This could be more contemporary but does not have to be 1940s ranch house. He concurs with the other Commissioners and cannot support.

Commissioner Cahill notes that a 17' side setback can be supported since the distance from the street is far. The impact is minimal and setback rules are harsh. This is not entirely consistent with neighborhood. He could see a large house going up that would upset the area. This design is not that bad. Much of the second floor is camouflaged by surrounding vegetation. He is also concerned about precedence, but this is not precedence. It would be incumbent upon future Commissions not to let it get out of hand. There could be expansion in the back, but the design is nice and not wholly inconsistent or out of character. He would want the height to go down and he could support the Modification and the second story.

Chairman Curtis visited site. He states the floor area is acceptable. The Modification could be supported. Otherwise the house seems jammed against one side of lot. He supports Commissioner Cahill's comments. Protecting the existing trees and lowering the height would help, but the votes for approval are not here. He asks the applicant if he wants a continuance?

Mr. Johnson agrees to a one month extension.

Commissioner Gunter moves, and Commissioner Jain seconds, a motion to continue the matter to May 22. The motion carries unanimously.

IX. OTHER BUSINESS

X. REPORT OF DIRECTOR'S REVIEWS: [Director's Setback Modifications; Director's Height Modifications and Director's Second Floor Reviews]: None

XI. COMMENTS FROM THE COMMISSIONERS

Question regarding the General Plan Update and the provision of the staff report for next meeting. The PC has all the information and concurs with the changes.

Town Center changes - please send in early so they can go into the field and talk to the owners and review the plans ahead. The Design Commission staff report can be sent to Planning Commission now for review and background knowledge.

Members of the Planning Commission request a way to have some advanced knowledge of upcoming projects ahead of the staff reports. Staff will think of a way and make it happen.

The Chairman asks if staff can provide information on the average timing between the date of completion of an application to the date of decision at the Planning Commission.

XII. COMMENTS FROM THE DIRECTOR

Temporary use permit ordinance to City Council on Apr 16th – the Roberts appeal goes to Apr 16th but he wants a continuance – Budget will be on the next PC meeting – the General Plan Update will be on the next agenda.

XIII. ADJOURNMENT: 8:39 p.m.