

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD APRIL 22, 2008**

I. CALL TO ORDER:

Chairman Cahill called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Davitt, Gelhaar, Hill and Mehranian, Deputy City Attorney Vargas, Director of Community Development Stanley, Planners Clarke and Gjolme and Assistant Planners Lang and Parinas and City Traffic Engineer Zanvliet.

III. PLEDGE OF ALLEGIANCE

Commissioner Davitt led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

Chairman Cahill asked that item VII-A, the continued public hearing for Zone Change 07-02 regarding batting cages, be heard last. There were no objections from his colleagues.

Director Stanley asked that item IX-B, Department budget considerations be continued to May 13th. M/S/C Davitt/Mehranian to continue the item as requested. Unanimous.

VI. CONSENT CALENDAR

A. Minutes of April 8, 2008 - Approved 3 Ayes; Davitt and Hill abstaining.

B. Lot Line Adjustment 08-01; Yeretsyan/Kazarian; 5430 Rock Castle and adjacent vacant parcel. Approved unanimous.

VII. CONTINUED PUBLIC HEARING

This item was heard out of order

B. Conditional Use permit 420; Variance 08-01; Tree Removal 08-04; Howard; 1975 Verdugo Boulevard:

Senior Planner Buss recalled that this item was initially heard on March 25 and continued for: cross sections, evaluations by an arborist regarding tree retention and protection, advice from the Traffic Engineer regarding right-turns-only to egress the site, and an opinion from the City Attorney regarding the feasibility of removing the two pole signs located on the applicant's property, and which serve adjacent commercial business located within Glendale's city boundaries.

The 34,850-sf, irregularly shaped vacant site is the last parcel in the City on its western boundary. An unusual characteristic is its western boundary line, which extends down slope through half of the commercial building occupied by Radio Shack and Billy's among others, which are part of the adjacent commercial center. The project consists of a 9,230-sf retail/restaurant structure, with two levels of subterranean parking. A Draft Negative Declaration was prepared; the written comment period ended March 24, 2008.

The subject site has been vacant for years and has been an eyesore and the subject of Code Enforcement. Underground tanks of a former Texaco station were removed in 2002, followed by the vapor extraction process, which was completed when the structure was demolished last year.

The site fronts Verdugo Boulevard and is bordered by Hilldale Drive to the northeast. The site is accessed from a driveway off Verdugo that runs parallel to Hilldale, and then extends to the rear of the lot and downhill to the adjacent Indian Springs shopping center.

Revisions - Senior Planner Buss displayed aerial views of the site, and pointed out the most prominent revisions on the east side, where a subterranean parking wall was moved inward and away from the Hilldale right-of-way. Doing so requires a series of inward-facing, stepped, retaining walls and relocation of some surface parking, though the project remains parked to Code. It also causes a deck, located outside the restaurant entry, to encroach 4 ft into the Hilldale Drive right-of-way. Cross sections and elevations were displayed and showed the two subterranean parking levels exiting on the driveway.

Trees - Copies of an arborist's report, who was retained at the Commissioners' direction, and whose services are paid by the applicant, were included in the packets. Based upon inspection, he determined that the project would not preserve any trees. His recommendation included boxing several trees and modifying the structure to preserve 3 trees on the west side and 5 on the east side. He further determined that the pines and eucalyptus were crowded, unbalanced, in poor condition, and planted on steep slopes, making them poor candidates for preservation.

While Staff would welcome preserving the trees on the east side if possible, there were concerns that maintaining them could affect the subterranean parking. Staff was not recommending preserving the trees at all cost, noting that none of the trees are of the species that the City protects, and that a new landscape plan could include large and protected species.

Pole signs - There was discussion at the initial meeting regarding the feasibility of removing and replacing 2 pole signs with a single monument sign. While they are located on the subject site, they relate to businesses down slope, within the commonly owned Indian Springs Center. Staff has placed a call to the City of Glendale to ascertain if permits were issued for the pole sign. If they were legally installed, mitigation options are limited.

Alcohol service - Senior Planner Buss asked for clarification regarding the Commissioner's thoughts on allowing an interior bar.

Parking spillover - Responding to concerns expressed by residents of Hilldale Drive, Mr. Buss advised that Hilldale does not have red curbs, nor is it signed for "No Parking". Staff highly doubts that customers would park on Hilldale, since on-site surface and subterranean parking

would be more accessible. If the residents prefer to pursue parking restrictions on Hilldale, Public Works needs to become involved.

Traffic Engineer Zandvliet was present to respond to any questions.

Commissioner Gelhaar confirmed that moving the subterranean parking inward was done solely to save trees on the east property line.

Responding to a question from Commissioner Mehranian, Senior Planner Buss advised that approximately 30 trees would be removed --- there are no protected tree species on the site. He advised further that the Commission could express any concerns regarding landscaping to the Design Commission, which has purview over the landscape and the retaining wall plan.

Director Stanley advised that all the soil will be removed, the structure built and the fill brought in.

Responding to a question from Commissioner Gelhaar, Senior Planner Buss related that the retaining walls would be concrete and painted. From the lowest point, where the structure begins to pull away from the east property line, the wall would be 20 ½-ft high; immediately adjacent to the east, Hilldale Drive begins its ascent. Other walls at the back are 10 and 15-ft high and all the walls are “stepped.”

Commissioner Gelhaar asked Staff to include a condition requiring a haul route, given the significant amount of dirt that would be exported.

Deputy City Attorney Vargas reported of having reviewed the applicant’s lease with Radio Shack. It appeared that the Lease Agreement provides some protection to the tenant, with respect to signage. While it is not clear that the pole sign is one of the signs referred to in the Agreement, the applicant indicated that the intent was to ensure that Radio Shack could continue use of the pole sign. Mr. Howard is concerned with resulting legal action and conveyed to Attorney Vargas an unwillingness to proceed with the project if he were required to remove the pole sign. Attorney Vargas stated that the City’s ability to compel the applicant to remove the pole sign is limited by state law, which requires payment of fair compensation, including the fair market value of the sign, cost of removal and the cost of damage to the real property resulting from the removal. His advice was to refrain from compelling removal of the pole sign for Radio Shack. He had not reviewed any lease agreements with regard to the Billy’s sign.

Commissioner Gelhaar confirmed Attorney Vargas’ opinion that requiring replacement of the pole sign with a monument sign raises the same legal issues if the applicant objects. He further confirmed that if we discover the pole signs were not permitted by the City of Glendale, La Cañada Flintridge could pursue removal through Code Enforcement.

Chairman Cahill confirmed that the proposed structure would not block the pole sign and that the arborist had the opportunity to review the development plans.

Responding to further questions from Chairman Cahill, Senior Planner Buss stated that it might be possible that a majority of the trees on the east side could be protected; however, the building would have to be redesigned to protect the root systems. Some subterranean parking spaces would also be eliminated.

Chairman Cahill observed that this project was one of only a few the Commission has reviewed with code compliant parking. He also confirmed that the Commission has the discretion to reduce the number of parking spaces.

Commissioner Mehranian clarified that the arborist's recommendations and Staff's recommendation are at odds. Since the Commission continued the initial meeting so that an arborist could be consulted, she questioned why that recommendation was now being disregarded. She further asked how the Commission could justify removal of 40 trees if the City has the distinction of being a Tree City USA.

Senior Planner Buss commented that the Commission had the prerogative to reject Staff's recommendation.

Project architect Bob Taylor, stated that the intent in moving the subterranean walls was to have deep soil that could drain and accommodate new or relocated trees. Since they would be shoring at the east property line, all that soil will have to be removed (and later replaced), to construct the subterranean levels. New or boxed trees would be planted between the shoring and the subterranean level. His thought was to box those recommended by the arborist and remove the remaining trees. He added that Canary pines are not conducive to parking lots and they drip sap and pollen. He then reviewed the draft conditions of approval. Condition #14 - He reported that his client wants to have a bar inside the restaurant. Condition #15 - no problem with boxing trees 1,2,3 and 12, but the root system of trees # 8,9 and 13 would be affected, as they are located adjacent to where shoring will be take place and the soil will be removed.

Commissioner Gelhaar referred to draft condition #12 which talks about a rear setback encroachment and angle plane issues. He questioned if the option of applying for a Setback Modification shouldn't be eliminated, since the Commission would be requiring a lot merger.

Director Stanley advised that because this is a commercial property, a Variance, rather than a Modification would be required --- if a lot merger or lot line adjustment were not pursued.

Property owner Brad Howard reported that the pole sign for Billy's is not addressed in the lease; it was installed in 1971 for Shakey's Pizza.

Radio Shack has not returned his calls, but his preference is to replace the pole signs for a single monument sign.

Chairman Cahill confirmed that the lease for Billy's is not as specific as Radio Shack's lease. Mr. Howard stated that he probably had more leeway with Billy's pole sign.

Responding to a question from Commissioner Hill, Mr. Howard advised that the bar would be incidental to the restaurant and probably have no more than 10-12 seats; enough to accommodate customers waiting to be seated.

Mr. Howard related that he intends to save as many trees as possible, but some would be affected when the walls are shored and constructed.

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

Commissioner Gelhaar remarked that he appreciated the applicant's efforts to improve the site; "the project has a lot to offer". He believed it was important that an interior bar be allowed; it would be unfair for the Commission to expect the applicant to lure a first-class tenant without one. He then addressed trees and pole signs. He noted that many trees would be lost and asked that an added condition require that with the redesign of the subterranean garage, every effort be made to save as many trees as possible, subject to an arborist or the Director's review. Another condition should require the applicant to make his best effort to work with his tenants to remove the pole signs. He observed that in the past, he has supported monument signs larger than allowed in order to eliminate pole signs - and would be willing to do so in this case. A haul route is important.

Director Stanley advised that the City pursues the eradication of pole signs and there is a process where grant funds are available to replace them with monument signs. Any costs over and above what is allowed would be reviewed by the City Council.

Commissioner Hill stated that he would like the pole signs removed, but recognized that Radio Shack is protected by their lease. He wanted to see a Lot Line Adjustment proceed and he agreed with Commissioner Gelhaar regarding bar service. He observed the many restaurants in town that operate successfully with bars. Regarding parking, he did not want the number of spaces reduced.

Commissioner Mehranian stated that it is a great project and she would like to see it built. The issue of egress was resolved and she did not have a problem with an interior bar, as long as there is some kind of buffer between outside service of alcohol and public areas. She also believed a haul route is important and though she preferred to hold to the arborist's recommendations, she was willing to support the project so long as the applicant was willing to make every effort to protect as many trees as possible.

Commissioner Davitt advised that he did not have any issue with the interior bar; it was a logical amenity and supportable. He believed the project was designed well, and he appreciated the code compliant parking. With added conditions requiring the applicant to preserve as many trees as possible, a comprehensive landscape plan, right-turn-only to egress the site, a haul route and a recorded Lot Line Adjustment, he could support the project.

Chairman Cahill also supported the project with an interior bar and was hopeful that something could be worked out with regard to the pole signs. He strongly recommended that the Design Commission provide a substantial landscape plan to buffer and soften the project.

Director Stanley advised that the Commission could require the arborist to place a value on the trees slated for removal and require the applicant to transfer that cost into the landscape plan, including installation of significant trees. There is less effort and hardship involved in acquiring established, boxed trees from nurseries than boxing mature trees on site. Further, if the Commissioners had concerns regarding the size of the interior bar, they could establish a dining-area-to-bar-area ratio.

Senior Planner Buss commented that the bar would necessarily be small, due to the need for table space.

A brief discussion ensued regarding the idea of setting a valuation.

Commissioner Davitt was reluctant with setting a quantifier valuation since it is an unknown factor at this point. He preferred that a strong message be conveyed to the Design Commission that the Planning Commission wants to see significant trees installed.

Chairman Cahill felt that valuation should be a basis for consideration, rather than a dollar-for-dollar requirement.

Commissioner Gelhaar agreed, stating that it would send a strong message to the Design Commission.

Director Stanley was confident that the Design Commission would require tree plantings. He cautioned that without including specifics, the Planning Commission was losing control of the number and size of new tree plantings.

Mr. Howard informed the Commission that he did not intend to install small trees.

M/S/C Gelhaar/Davitt to approve Conditional Use Permit 420, Variance 08-01 and Tree Removal 08-04, finding that the proposed bar is incidental to the restaurant use; modify condition #12 to reflect that a Lot Line Adjustment or Merger is required prior to issuance of permits; revise condition #14 to allow an interior public bar; revise condition #15 to state that the Director of Community Development is to review the revised underground parking and determine which trees can be saved, and require that be done; add a condition requiring the applicant to work with Staff to remove the pole signs and replace them with a monument sign; add a condition requiring a haul route and some sort of buffer between the outside eating area and the public area. Unanimous.

VIII. PUBLIC HEARINGS

A. Second-Floor Review 08-08; Frame; 4237 Beulah Drive:

Planner Clarke related the applicants' proposal to demolish a single-story home and replace it with a 4,399-sf, two story residence. A 2,041-sf basement is also proposed, but is not included in floor area calculations.

The 25,312-sf parcel is located on lower Beulah Drive, north of Berkshire Avenue, in the R-1-20,000 zone. A guesthouse with an associated garage and the main garage/pool house would remain and would not be affected by the project.

The subject site is slightly smaller than the average 26,607-sf parcel in the area. The proposed residence would have 4,399-sf of livable area compared to the neighborhood average of 4,342-sf, and an FAR of 17.4%, compared to the average of 16.7%

Elevations were shown of the French Country design, with brick veneer and a slate roof. Small balconies on the west and east are quite a distance from the property line, and iron railings accent 4, second-story windows. North/south side setbacks are 21 and 23 ft. Draft conditions include submitted of a haul route prior to issuance of building permits and subject to approval by Public Works, as the basement will require 970 cubic yards of export, equivalent to 100 truck trips.

Staff determined that the project is Code compliant and that the design is consistent with the City's Residential Design Guidelines.

Project architect Dave De Angelis, stated that his intent was for the house to appear as an old and classic French County home; his client had a distinct design in mind. Both floors are equally distant from property lines. Materials include copper gutters and washed brick or real stone. The terrace at the rear is small and only serves to make the room feel larger.

Property owner Jeff Frame, reported that the guest house, garage and pool were built in 1997. He believed the project fits with the Flintridge area and noted that slate roof on the existing accessory buildings would mirror the main house roof material.

Mr. De Angelis referenced draft condition #17, which requires relocation of pool equipment from the rear and side setbacks. Given that the equipment's location has not change since the pool was built in 1940 and there is no other logical location for it, he requested that it be allowed to remain with the adjoining neighbor's sign-off.

Mr. Frame advised that $\frac{3}{4}$ of the equipment is enclosed.

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

Commissioner Hill stated he was prepared to support the project without relocation of the pool equipment. Though the project is large, it fits the neighborhood.

Commissioner Mehranian stated that the project was well designed and compatible.

Commissioner Davitt concurred and though he is generally disinclined to support balconies, these, in particular were supportable. He did not have concerns with the existing location of the pool equipment.

Commissioner Gelhaar commented that the proposed balconies are more like doors. He asked that the pool equipment be as noise-free as possible and expressed appreciation that the design includes a parking space for the recreational vehicle.

Chairman Cahill concurred with his colleagues and requested a motion.

M/S/C Davitt/Gelhaar to approve Second-Floor Review 08-08 and eliminating condition #17. Unanimous.

B. Minor Conditional Use Permit 429; Shoemake/The Doghouse; 2242 Foothill Boulevard:

Assistant Planner Lang reported the applicant's request to allow outdoor eating at a newly established restaurant, a hot dog stand, at the southeast corner of Young Drive and Foothill, near the western boundary of the City. The 273-sf building, with non-conforming setbacks, has been vacant and in disrepair more than 2 years. The request includes a 15' x 15' awning on the east side of the structure to shelter 3 portable tables.

Parking - The subject site, which includes a lower level parking to the rear, the adjoining parking lot and Yuki Yama Sushi restaurant, are commonly owned. Since the site is zoned Commercial Planned Development, 39 parking spaces are required, whereas 17 spaces are provided. Planner Lang advised that as a stand alone project, The Doghouse would require 5 parking spaces. As proposed, The Doghouse and Yuki Yama restaurant would share all available parking. Given this situation, Staff recommended merging the 3 parcels.

Site photos were displayed on Power Point. Staff determined that the project would enhance the existing uses and its limited size and hours of operation: 11:00 am-7:00 pm Monday through Friday; Saturdays 11:00 am to 6:00 pm and 11:00 am- 5:00 pm on Sundays, would not conflict with the adjacent Yuki Yama restaurant. Staff recommended approval with conditions including a Lot Merger and relocation of the awning to meet the required 5-ft setback.

Commissioner Gelhaar confirmed that the Design Commission reviewed and approved all the awnings, including those over 2 windows. Review and approval by Public Works will be required, as they extend into the right-of-way.

Business owner Tal Shoemake, reported that the property owner does not have a problem with a Lot Merger. He reported that the existing awning post is original to the site.

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

Commissioner Mehranian believed that the outdoor eating area would be a welcome improvement for the west side of the City, and requested that some sort of green buffer be added. She agreed that a Lot Merger was appropriate and did not have a problem with allowing the awning post to remain 'as is'. she questioned if relocating it would accomplish anything.

Commissioner Gelhaar did not have a problem with leaving the awning post 'as is' and encouraged the applicant to add planters to soften the site.

Commissioner Hill stated he was prepared to support the request and he, too, would like to see some type of landscaping there.

Mr. Shoemak advised that Design Commission required a tree and plantings in the planter on the outside west edge of the structure.

Chairman Cahill supported the request with the awning post as located and also supported the idea of adding large, potted planters.

M/S/C Mehranian/Davitt to approve Minor Conditional Use Permit 429, eliminating condition #13 and adding a condition that potted plants are to be placed along the Foothill frontage, subject to review and approval by the Director of Community Development. Unanimous.

C. Second-floor review 08-03; Setback Modification 08-02; Variance 08-02; Enterante; 1116 Lavender Lane:

Planner Gjolme described the applicant's request to construct a 1,115-sf second floor to her home that would require significant demolition of the existing residence and trigger a Modification to maintain existing, non-conforming side setbacks. A Variance is required to retain an angle plane violation along the east side.

The 15,555-sf subject site is located mid-block, between La Cañada Boulevard and Hayman Avenue, where most properties have substandard setbacks and are large and rectangular in shape. The residence is approximately 3-4 ft below street level and buffered by mature and tall landscaping. It exhibits a 5-ft side setback to the west and a 3ft side setback on the west side, rather than the required 8 ft. Additionally, the non-conforming side setback on the east side causes an existing gable end to violate the required angle plane --- which is not evident from off site.

Minor first-floor expansion is proposed - the entry would be reconfigured and a new staircase added at the northeast corner; since it's highest exterior measurement is 14 ft, it qualifies as second story, for purposes of side setback calculations. The home would maintain its traditional style, including wood siding at the 2nd floor level, shallow roof forms and a brick base at the stairwell. Overall height would reach 26 ft. Multiple gables break the front elevation; there any numerous subtle and attractive details, including a focal entry with wood corbels and exposed beams framing the balcony above. The new, 1,115-sf second floor would be compact and centralized. A front balcony is enclosed on both sides and relates solely to the street. A large, 20-ft x 22-ft sun deck is strategically placed and notched to the rear, buffered by a 2nd floor bedroom; the same situation exists to the north. It would be minimally viewed from the east, as a gable roof rises and serves to conceal it. It is not counted as floor area, since it is not roofed. The lateral separation --- the 19-ft-wide family room and another 5 ft to the property line, provides approximately 24 ft of separation from the property line, making views to the neighboring pool to the east difficult at best. Despite its size, Planner Gjolme stated that the

deck design serves to mitigate view issues so that it relates to the rear and pool area. Story poles demonstrated the project well

Project architect Bob Souva, related of the significant effort that went into saving the existing home. After thorough study, he decided that the stairway was best sited as proposed. Large trees buffer the east side of the deck and the design maintains the scale of the neighborhood.

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

Commissioner Davitt considered the project to be well designed and compatible with the neighborhood. He agreed with Staff that it would be an undue hardship to disregard two prior modifications granted by the Commission, that allowed the existing encroachments. While he typically struggles when large, open decks and/or balconies are proposed, their placement and the illustrations show them to be logical and non-intrusive - mostly due to their distance from other properties.

Commissioner Gelhaar supported all the proposed improvements, with the exception of the deck, which he felt had a direct view to the southern property, due to elevation changes. He could not support the deck.

Commissioner Hill commented that the project was beautifully designed, but he too, was troubled with the deck. Since the Commission is charged with bringing non-conforming properties into compliance, he would not make the finding to approve the Modification.

Commissioner Mehranian did not have an issue with the deck due to its location and the site's topography. There are other two-story homes in the neighborhood and the site being at a lower grade from the street is helpful.

Chairman Cahill supported the project as submitted, adding that it would be an undue hardship to require a longstanding encroachment to comply with current code. He added that he considers projects with balconies on a case-by-case basis, and these were not an issue for him.

M/S/C Davitt/Mehranian to approve Second-floor Review 08-03, Setback Modification 08-02 and Variance 08-02 as conditioned. 3 Ayes; Hill and Gelhaar dissenting.

The Commission recessed at 8:12 p.m. and reconvened at 8:16 p.m.

Chairman Cahill elected to consider the following items out of order:

IX. OTHER BUSINESS

A. Tree Removal 05-16; Tammewar; 420 Richmond Road:

Chairman Cahill confirmed that the Commissioners did not have comments or concerns regarding the request to extend the approval an additional 12 months. He requested a motion.

M/S/C Gelhaar/Mehranian to approve the amendment to TR 05-16 and allow the requested extension. Unanimous.

VII. CONTINUED PUBLIC HEARING

A. Zone Change 07-02; Proposed Regulation of the Zoning Code citywide regarding batting cages:

Planner Clarke recalled that the Commission informally discussed this matter in December and held a public hearing in March, instructing Staff to conduct a survey of neighbors who reside within a radius of batting cages. Approximately 40 out of 165 residents responded to mailed surveys. While comments were generally favorable, residents wanted standards to mitigate noise impacts; however, a number were adamantly opposed to allowing batting cages in residential areas of the City. Survey results were reviewed by the Commission last month, and the matter was continued to hold a demonstration of the various noise levels produced from different bats, balls and batting cages. A resident offered his home as a demonstration site, which was attended by 2 Commissioners, to show, first-hand, the differences in noise among wood, aluminum and composition bats, as well as different ball types. The Commissioners and Staff noted the minimal noise from the ball machine and composition bats. Planner Clarke advised that a video and audio were made of the proceeding, then proceeded to show photos taken during the site demonstration on Power Point.

Recommended standards - which could be revised based on the demonstration were: 15-ft perimeter setbacks; noise to be controlled by type of bat, ball and netting size; CUP required for lights; the Director may approve if code compliant; grading more than 50 cubic yards requires a CUP; landscaping required to mitigate batting cage visibility; 12-month review by the Director following approval; notification to 300-ft radius informing neighbors of the decision to allow a batting cage.

Lastly, Planner Clarke reported that an audience member brought demonstration bats for the Commission to evaluate.

Chairman Cahill, who attended the demonstration, did not find the ball machine to be loud, and composite bats and dimple balls tend to muffle sound. A hard ball is significantly louder. He felt that incessant sound is the issue.

Commissioner Davitt also attended the demonstration and felt it was evident that nuisance could be an issue, depending on the type of equipment used. A metal bat against a hardball on a continual basis would be difficult to accept. The ball machine used in the demonstration barely made noise and was not intolerable, unlike those used at the high school.

Chairman Cahill opened the public hearing.

Craig Cornwell, 4290 Beulah, stated there was no merit in requiring a 15-ft perimeter setback for batting cages --- their 70 x 100-ft size would preclude many properties from accommodating them. He felt the ideal location for a batting cage would be at the rear property line and he believed the photo shown on Power Point of a batting cage with netting blended with its surroundings.

Chairman Cahill commented that the demonstration cage had an absorbing pad for balls at the rear of the cage.

Denny Barge, 1341 Descanso, reported he had a batting cage with a 15-ft perimeter setback, in the front yard of his property, which is not seen from off site. He reported of having contacted his neighbors and experimented with different balls and bats. He resolved the number 1 sound issue of balls hitting the canvas at the back of the batting cage by putting a net in front of the canvas.

Commissioner Davitt remarked that the demonstration site had the same accommodation and that it made a significant difference in noise --- the net precludes balls from hitting anything solid.

Mr. Barge stated that 90% of batting practice involves wood bats and that only the last 5-10 pitches involve metal bats, which his neighbor states is barely audible. He stated that he hoped this regulation does not create a situation that essentially prohibits batting cages, as they provide a vital service to the youth of this community.

John Moe, President of La Cañada Jr. Baseball and Softball, agreed that the main issue is having a pad at the back of the cage, which cancels-out any sound when balls hit the back of the batting cage. He recommended adding a condition that a net be provided at the rear of batting cages. His organization opposes a 15-ft perimeter setback and the need for a block wall (per the Tennis Court Ordinance), as it would eliminate the opportunity for a majority of citizens to have a batting cage on their premises.

Planner Clarke noted that the Draft Ordinance - similar to the Tennis Court Ordinance - states that a solid block wall between the court and the street be provided at the discretion of the Director of Community Development.

Responding to a question from Commissioner Gelhaar, Planner Clarke and Director Stanley advised that a block wall would be required as part of a landscape plan or if grading is involved - each at the discretion of the Director.

Commissioner Davitt remarked it appeared there are two scenarios to consider; permanent batting cages similar to that reviewed in the demonstration, and those which appear to be more portable and comparable to the photos displayed by Staff on Power Point. He clarified that the Commission is making recommendations to the City Council, who will review the issue again.

Commissioner Hill concurred and added that not unlike the different types of sport courts - some more permanent and extensive with concrete slabs, etc., and others more portable, there are differences in batting cages. He supported adding a recommendation to require a catch net to deaden the sound and considered allowing lights on batting cages as problematic. Lastly, Commissioner Hill believed that neighbors within a given radius should have notice prior to a decision, and that the decision be made at a public hearing. He felt it would be inappropriate to send notices after a decision is rendered.

Chairman Cahill inquired if thought was given to hours or duration of use.

Director Stanley responded that a CUP would set time restrictions if it were lighted; however, if the Commission prefers, the Tennis Court Ordinance, which prohibits use between 10:00 pm and 6:00 a.m., could be modified.

Commissioner Hill commented that it seemed if the noise issue is addressed, "the problem goes away". He was initially apprehensive with the noise issue, but upon learning of ways to mitigate sound, he changed his mind. He confirmed that a Notice of Public Hearing was mailed to all survey respondents for the March 11 meeting.

Commissioner Mehranian felt the Commission had studied the issue sufficiently. She preferred to add time and duration restrictions and a net at the back of the batting cage to the recommendations.

Commissioner Davitt agreed with suggestions to require netting inside the cage; padded metal poles for safety also mutes sound. He preferred not to enforce intervals and noted that younger children, who would be using the batting cages, tire easily after a certain number of turns at bat. Perhaps a 7:00 pm cut-off time was fair. The noise problem was resolved for him; it seemed that the 15-ft perimeter setback was the remaining issue. Because of the shape of a batting cage, it would be difficult for most properties to provide the recommended setback, and he looked forward to hearing the City Council's comments.

Commissioner Gelhaar stated that his two issues with batting cages continue to be noise and aesthetics. Prior to these discussions, he believed that prohibiting batting cages would be appropriate, but was convinced that the noise issue can be addressed. He felt the City should require: netting on both ends of the cages, padded poles, composite bats, and dimple balls, define the type of pitching machine -- the one used for the demonstration should be required, if grading is involved, the language should read similar to the Tennis Court Ordinance. Commissioner Gelhaar believed that a 15-ft perimeter setback and landscaping to mitigate the batting cage's visibility was critical.

Chairman Cahill provided his recommendations and asked for consensus thereafter. He gave the recommended 15-ft perimeter setback a lot of thought and concluded that perhaps a 10-ft setback would be acceptable for portable cages; otherwise, a 15-ft was appropriate. Pitching machines and bats (composite, metal or wood) should be specified; restrict batting cages to rear yards and require a special application for front yards. Hours of operation and duration of use should be called out for those who would abuse the system --- perhaps 2-3 consecutive hours would work. Require a CUP to light a cage. He strongly agreed with Commissioner Hill to notify neighbors when a batting cage is proposed before a decision is made. All batting cages should be allowed for a certain period of time and could be automatically renewed. Apply height standards and sound-absorbing nets. Requiring a block wall would be an unnecessary hardship, as would a landscape plan, though we should be more stringent on landscaping for permanent cages.

There was unanimous consensus to accept Chairman Cahill's summary and directed Staff to put the revised recommendations in Ordinance form and present it to the Commission for final review and approval.

Director Stanley confirmed that the Commission preferred a three-hour time limit.

X. COMMENTS FROM COMMISSIONERS

Comments were not offered.

XI. COMMENTS FROM THE DIRECTOR

Director Stanley reported that this was the last Commission meeting for the Department's Administrative Assistant, Mirna Stanley, who was retiring.

XII. ADJOURNMENT

M/S/C Hill/Mehranian to adjourn at 9:06 p.m. Unanimous.

Secretary to the Planning Commission