

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON APRIL 26, 2011**

**I. CALL TO ORDER:** 6:07 p.m.

**II. ROLL:** Chairman Cahill, Vice Chairman Curtis, Commissioner Der Sarkissian, Commissioner Jain, Director Stanley, Senior Planner Buss, Planner Gjolme, Planner Clarke, Assistant Planner Lang, Assistant Planner Parinas, Public Works Project Manager Shoushtarian, and Deputy City Attorney Guerra were present.

**III. PLEDGE OF ALLEGIANCE** – Commissioner Curtis led the flag salute.

**VI. COMMENTS FROM THE PUBLIC:**

Edward Antonini, 4351 Chevy Chase Drive, stated that he lives across Dirk Debrito's property on 4366 Chevy Chase Drive where there is constantly construction debris and on-going construction for years. The property does not have a useable driveway and construction debris is everywhere. He showed the Planning Commission pictures regarding the condition of the home.

Commissioner Cahill asked how long the construction has been going on.

Mr. Antonini stated that he moved in his home in 2006 and the house was already under construction.

Deputy City Attorney Guerra advised the Planning Commission that the item is a code enforcement case and is not in the Planning Commission's purview.

**V. REORDERING OF THE AGENDA**

Items VIII D and VIII A were heard before item VII A.

**VI. CONSENT CALENDAR**

**A. Minutes:** January 11, 2011

**B. Minutes:** April 12, 2011

**VII. CONTINUED PUBLIC HEARINGS**

**A. Hillside Development Permit 06-18/Second Floor Review 09-03; Barcus/Paredes; 3950 Robin Hill Road:** A request to allow construction of a new two-story 3,159 sq. ft. residence plus 70 sq. ft. of cantilevered area, and related site work on a 28,686 sq. ft. vacant, hillside lot. The project also includes retaining walls of various heights up to a maximum of 8'-0". Staff is

recommending that the Planning Commission approve a Negative Declaration for this project. (Assistant Planner Lang)

Assistant Planner Lang presented project in accordance to the staff report. Assistant Planner Lang added condition #18, project to comply with light reflectance value.

Brad Barcus, architect, summarized that changes to the plans. He stated that the goal was to minimize views from down slope which were accomplished by breaking up the wall near the garage, reducing the size (square footage) of the house, and lowering the walls from 10 feet tall to 8 feet tall. He stated that two new trees could be moved around to block the view corridor to and from the down slope rear neighbor. He presented the color and material board. He stated that the proposed color is tan. He presented the rendering. He stated that the landscape architect was able to get fire department approval for the palm trees. He explained that the Oak trees on the foreground in the rendering are the existing oak trees.

Commissioner Der Sarkissian asked about the frequency of the piers.

Mr. Barcus explained that the piles are typically placed at 20 feet on center. The piles will be 20-24" wide. The piles are friction piles. The wall is 65-70 long; it would have approximately 8 piers. The upper wall will have approximately 12 piers. There will be a lot more piles under the building. There will be approximately 20 piles under the building. The pile system was recommended by the geologist. There will be a series of reviews just for the foundation. It will be reviewed by the geologist, Building and Safety, and various other departments.

Commissioner Der Sarkissian asked if the hydrology will be dealt with separately.

Wes Lind, applicant's civil engineer, explained that the only change to the hydrology report is that the flow of water coming from the private driveway would get picked up by a catch basin that will be installed further south in front of the proposed house. The new catch basin will pick up most of the water that was originally picked up by the existing catch basin located further north. There is no capacity problem with the pipe system based on a 10 year bulk and burn hydrology. Local drains and terrace drains will be installed. The old terrace drains were plugged up and were opened up recently.

Chairman Cahill asked how the construction will affect water flow to the down slope properties.

Mr. Lind explained that the flow of the water mostly comes down from the west and a large percentage of it goes down the west side of Robin Hill Road, is picked up by the existing catch basin, is conducted down the slope to the property below where the outlet is located, is carried on by an open creek, and crosses under the road below. The water that comes down the private driveway will be picked up sooner by the proposed catch basin and will connect to the system. In the past there was trouble with water going over the curb and gutter, going down the slope and eroding the slope. In his opinion, it is doubtful that this will happen with the new catch basin. He believes that this happened possibly because of cars parked near the curb causing the water to jump the curb. There is a substantial height from the top of the curb. His calculations show that water should go down to the catch basin if the slope is unimpeded by other things such as cars because the catch basins are more than adequate to pick up the

water. The water that used to go over the slope will go down to the storm drain. The same amount of water will go down but it will be in the pipe rather than just on the surface.

Commissioner Curtis stated that the existing improvements are going to be rebuilt so that it functions properly. He asked if the water will be going in to the pits.

Mr. Lind stated that there are dry wells there to make up the differential from the impervious surface. The water flowing to the storm drain will be the same based on a 10 year bulk and burn.

Commissioner Curtis asked for clarification regarding the Los Angeles County requirement for designing drainage improvements.

Project Manager Shoushtarian clarified that the 50 year bulk and burn is for the public right-of-way and that 10 year bulk and burn is for private property.

Commissioner Curtis stated that he is concerned about dry wells that is going to handle extra flow. He asked if the drainage improvements are adequate to maintain the site.

Project Manager Shoushtarian verified that the improvements are adequate. He stated that the water onsite will be infiltrated in the well and is a part of State Law. He stated that his review of the geology did not encounter water level. He confirmed that the piles would be stabilizing the slope.

Commissioner Der Sarkissian stated that the water will go down the west wall near the garage area. He asked about the trench drain.

Mr. Lind stated that if the water goes up over the driveway it will get picked up by the drain on the driveway (both on the top and at the bottom of the driveway).

Commissioner Der Sarkissian asked about proposing dry wells that would reduce the flow of water down slope.

Mr. Lind stated that it will be part of the USWMP review. He pointed out that one well is shown on the plans on the north side of residence. He stated that adding more wells would not result in a noticeable reduction of water flow.

Bill Waller, 4031 Hampstead Road, stated that the project still exceeds the hillside ordinance by 245%. He stated that the slope factor is a guideline and not a standard, but in order to go beyond the slope factor guideline certain findings must be met. In his opinion the findings are not met. He read the required findings and expressed that: the policy is to protect hillsides; the project is a nuisance and hazard; the project site does not have special conditions and unique characteristics and the project is highly visible (you can see it from Sport Chalet and Angeles Crest Highway). He stated that he did some research on the hillside ordinance. He urged the Planning Commission to vote against the project and to ask for redesign.

Emily Blaney, 4027 Hampstead Road, was concerned about the impact of the project on the hillside and community. She stated that the project was reduced by less than 10% in

comparison to the previous plans. She stated that the previous mud slides caused thousands of dollars in property damage to her lot. She quoted the Los Angeles Mayor's office "from now on the size and slope of the lot would dictate the size of the home not the dreams of the homeowner."

Scott Figge, 4081 Hampstead Road, stated that his property is composed of three lots. He discussed the history of his lot. On grounds that collapsed in the past, the project is not safe, not wanted and violates the requirements. The project should not be allowed to proceed as planned. The project does not follow the hillside ordinance.

Anne Buettner, 4021 Hampstead Road, stated that if the proposal exceeds the ordinance by 200% the intent of the ordinance is not adhered to.

Deborah Johannes, 3955 Robin Hill Road, stated that the proposal is still 217% higher than what is allowed to by the hillside ordinance. She asked if the slope factor guideline is a commandment or a suggestion. She stated that a 298 square foot reduction is a very small reduction. She stated that in the past they were told that the lot was a "junk lot" and the neighbors were not concerned, but the neighbors are concerned now.

Mr. Barcus clarified that the reduction in square footage is not major, but it is close to the neighborhood average. He stated that many projects on hillside lots exceed the guideline and are approved by the Planning Commission. He pointed out that a wall along the front of the property that runs almost the entire length of the frontage and a brand new storm drain are proposed. The storm drain would capture the majority of the water. The old swale is in complete disrepair and does not work; the project will include a new swale. In addition, the proposed landscaping will beautify the slope and protect the stability of the hillside. The basic design has walls and swales that would catch the water and eliminate the problems that occurred in the past. The project will improve the site drainage situation.

Mr. Waller stated that the houses that were used to point out that the proposal is in character with the neighborhood were built prior to the hillside ordinance.

Mrs. Johannes asked why the property was not maintained and if the lack of maintenance contributed to the damage that the down slope neighbor had.

Chairman Cahill closed the public hearing

Commissioner Jain disclosed that he has known the property owner for a long time and he has received a phone call from the architect discussing the project. He stated that the Building and Safety review process will address hydrology and the stability of slope. He stated that most of the houses in the neighborhood were built prior to the hillside ordinance. He stated that the project would have to be consistent with the existing neighborhood. He would like to see the house further reduced by a few hundred square feet.

Commissioner Curtis stated that the primary issue is distant views. In his opinion the project mitigates views and a lot of effort was placed to work on view issue. The project can help the drainage situation instead of making it worse. He stated that the slope factor is a guideline, but

exceeding the guideline by a large percentage is not consistent with the hillside ordinance. He is not prepared for a positive vote.

Commissioner Der Sarkissian stated that he got a call from the architect. He suggested the size of the house be reduced and more dry wells added. He stated requiring the home owner to put an expensive drainage system to prevent water coming from the hill above the project site from flowing into the neighbor's property is expecting too much. He agrees with the size reduction. He stated that the piers and retaining walls will help with the drainage issues and slope stability. He suggested that the neighbors communicate with the architect. He stated that it is not practical to build a 1,800 sf house in today's standard.

Chairman Cahill stated that there are two issues: hydrology/flooding and the size of the house. According to the experts, the project will not worsen the situation on site, but might alleviate the problem. Although the numbers are large (2x the slope factor guideline), the lot is 28,686 sf. If the slope factor guideline is followed the house would be reduced to equal the size that would be allowable on a 6,000 sf lot. It is not economical to ask the applicant to build a house equaling in size to a 6,000 square foot lot.

Mr. Barcus asked if the Planning Commission could give a condition of approval for square footage reduction rather than a continuance.

Commissioner Jain stated that he will support the project if the total net square footage is not in excess of 3,000 square feet.

Commissioner Der Sarkissian concurs with Commissioner Jain.

Mr. Barcus stated that the proposal is acceptable.

A motion was made by Commissioner Der Sarkissian, seconded by Commissioner Jain to approve the project with added condition #18 requiring the project to comply with the Light Reflectance Value (LRV), #37 requiring the house not to exceed 3,000 square feet subject to review and approval of the Director of Community Development prior to plan check submittal; 4-0.

## **VIII. PUBLIC HEARINGS**

- A. Hillside Development Permit 06-44/Setback Modification 06-54/Second-floor Review 08-11; Avedian; 1936 Hilldale Drive:** A request to consider an amendment of Condition No. 6 re-initiating the approval for a Hillside Development Permit to allow construction of a new 3,200 sq. ft. house upon a hillside lot. A Setback Modification is required for a substandard front yard setback and for reduced second-floor side yard setbacks at the rear corners of the house. Second-floor review is required since the home would achieve a 2-story profile along the downslope to the rear. Staff is recommending that the Planning Commission use the previously approved Negative Declaration. (Senior Planner Buss)

Senior Planner Buss presented the project in accordance to the staff report

Commissioner Curtis thanked staff for the report and asked if the project is lower than the adjacent neighbor. He also asked if landscaping will be used as a mitigation measure.

Senior Planner Buss noted that the applicant had previously (2008 approval) stated that he will enhance the landscaping on his adjacent lot. He stated that septic is the issue for this site and the adjacent site. Landscaping is an issue due to the requirements of the on-site waste treatment system (OWTS). The applicant will have to place fill in the lot for planting that will live and survive and also potentially for the OWTS expansion area.

Commissioner Jain asked if the retaining wall will be eliminated; the previous minutes discussed the ultimate elimination of the retaining wall at the rear.

Senior Planner Buss states that staff does not want to eliminate the retaining wall.

Chairman Cahill asked for clarification on the height of the retaining wall.

Senior Planner Buss indicated that the retaining wall would be up to 14 feet tall and 41 feet long.

Chairman Cahill asked if the house can be built without a retaining wall.

Senior Planner Buss indicated that the retaining wall was conditioned to be removed.

Director Stanley clarified that the Planning Commission is reviewing the case because the project is going to expire.

Commissioner Jain asked if the building can be approved and the retaining wall be continued to another hearing date.

Senior Planner Buss indicated that the entire project should be addressed together.

Director Stanley noted that the plans with the 14' high wall were given to the Planning Commission. If the Commission desires, the project can be continued with the 6' tall wall design. Chairman Cahill opened the public hearing.

Mr. Avedian stated that the plans are in Building & Safety plan check. He would like to build his dream house.

Chris Harris, 1967 Hilldale Drive, stated his concerns regarding the size of the house. He also noted the parking problems on this very narrow street. He commented that the average size of the houses along Hilldale Drive is 1,900 sf. He believes the proposed house is not compatible with the neighborhood.

Commissioner Der Sarkissian asked how many *off-site* parking spaces the project has.

Senior Planner Buss stated that the project has one off-site parking space. [*On-site spaces are four.*]

Chairman Cahill closed the public hearing.

Commissioner Der Sarkissian commented that it takes a long time to go through the permitting process. He would like to see the retaining walls, color, material, and landscape plan. He defers to the wisdom of the previous Planning Commission. However, he would like to see conditions regarding the retaining wall, colors, materials, and the landscape plan.

Commissioner Jain concurred with Commissioner Der Sarkissian. He stated that he will support the project if no wall is taller than 8 feet.

Commissioner Curtis stated that he would like to see the wall and a detailed landscape plan. He would like a continuance.

Chairman Cahill asked if the project would expire if the case is continued.

Director Stanley suggested a continuance of the item.

Chairman Cahill stated that the issue is the retaining wall and landscaping. He recommended a continuance with review of the retaining wall. He does not want to see a retaining wall taller than 6 feet.

A motion was made by Chairman Cahill, seconded by Commissioner Jain to continue the item to a date uncertain; 4-0.

- B. Second Floor Review 11-06/Modification 11-02;Caire; 2028 Lombardy Drive:** A request to allow the addition of a total of 1,614 sf (add 307 sf on first floor and a new 1,307 sf second floor) to an existing 2,335 sf single-story residence (1,899 sf house and 436 sf garage) for a new total house size of 3,949 sf. A Second Floor Review is required because the proposal includes the addition of a new second floor. In addition, since the addition of a second floor would require demolition of the existing roof, a Modification is also requested to retain the existing non-conforming 6' - 1" west, 5' 0" east and 6' - 5" north side yard setbacks. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Chairman Cahill rescued himself because he lives within 500 feet of the project site.

Planner Clarke presented the project in accordance with the staff report.

Vice Chairman Curtis opened the public hearing.

John Caire, applicant/property owner, is a local builder. He clarified that his family is vested in the neighborhood and the project is not a "spec" house. He presented a PowerPoint with photographs of other homes in the neighborhood. He pointed out that the neighborhood is eclectic. The project site has landscaping in the front that buffer views from the street. The area where the second story is proposed is screened by a Privet tree. The existing house has a simple floor plan. Older ranch style houses throughout the community are now being replaced by larger homes. The existing first floor is not being changed. Mr. Caire stated that he worked hard to mask the massing of the house. He pointed-out that the rear balcony is only 3 feet deep and stated that it is more

like an architectural feature. He discussed the second floor windows on the north, east, west, and south elevations. He indicated that he has already installed landscape privacy screening along property line. He presented the building materials and finishes for the proposed house.

Raymond Tatevossian, 2024 Lombardy Drive, stated that adjacent neighbors on the cul-de-sac also have some concerns. His major concerns are: invasion of privacy, inadequate screening, inadequate setbacks, and inappropriate scale. He discussed the background regarding the play structure that the applicant constructed. He stated that the applicant has a history of violating their privacy through the construction of the play structure that looked into their backyard.

Elsa Tatevossian, 2024 Lombardy Drive, stated that they are the most affected neighbor because the proposed second floor would invade their privacy. The privacy of the south neighbor is not affected because the Oak tree would block the second floor. The project site is located approximately 6 feet above her property and the sense of a two-story structure already exist. The nonconforming five-foot first floor setback creates a crowded sensation. She discussed the use of their back yard area and presented a line-of-sight perspective to illustrate that the proposal would violate their privacy.

Harry Kelly, 2018 Lombardy Drive, stated that the neighbors on the cul-de-sac are the most affected by the proposal. All the homes on the cul-de-sac are single-story ranch style homes. The visual impact of the house is similar to a three-story house. Mr. Caire is the most inconsiderate neighbor: Mr. Caire doesn't use his garage and parks his cars on the street. The proposed house doesn't fit in Lombardy: it's too big and is the wrong style.

Hovik Aghaian, 4281 Hampstead Road, stated that the project is too large and the house should stay a one story ranch style. He stated that there currently is a parking problem in the neighborhood.

Lindsay Bozzani, 2009 Lombardy Drive, stated that John Caire's building is quality. The project is moving in the right direction. The neighborhood needs to move forward and put the differences aside. She stated that small ranch-style homes are considered "tear-down" homes in this era.

Jon Kagawa, 2060 Lyans Drive, presented photographs taken from his back yard. He is concerned about views and blockage of the mountain side.

Mr. Caire stated that the size of the house is within the guidelines. The houses on the neighborhood are not significantly larger. He stated that he can not address everyone's issues.

Vice Chairman Curtis closed the public hearing.

Commissioner Der Sarkissian stated that he visited the site. The lots are small in the area and the houses are tight. The tree house onsite is not a tree house and looks like a cardboard box. The proposed house has tremendous impacts. He suggested revising the architectural style to a Craftsman-style house with the second floor relocated towards the north side. He stated that once revised as suggested the proposal will not be Spanish-style, but will give the square footage desired. He also suggested that the applicant plant 30' tall Cypress trees along the side property line because the Ficus trees planted would take a long time to grow. He stated that the project needs immediate effective screening.

Commissioner Jain stated that he visited the site, met with the property owner and neighbors. He pointed out that Mr. Caire oriented the design of the house away from the street so that he can screen the structure, but in doing so the project impacts the neighbors. He stated that the bathroom windows can be frosted and the window in the closet can be eliminated. He added that it would be wise to redesign the second floor and relocated it towards the garage. He would like four windows eliminated. He suggested removing the tree house because it is not neighborly.

Vice Chairman Curtis visited the site and the Tatevossian property. The project is within floor area standards and the second-floor setback requirements are being met. He believes that landscaping can mitigate impacts. At the very least, the 4 windows that Commissioner Jain addressed should be removed.

Mr. Caire stated that if he builds a single-story house it would extend 23 feet toward the back and would still be visible from the Tatevossian property. He explained that the master bedroom window is over the bed.

Commissioner Jain explained that although the bedroom window is over the bed, the window can still be used.

Commissioner Der Sarkissian stated that his solution is to relocate the second-floor toward the garage.

Mr. Caire stated that if the second floor is relocated toward the front of the house it will impact the neighborhood more because the house would be more visible from the street.

Commissioner Curtis stated that he will be supportive with moving the bulk of the house toward the front. He does not believe the Commission should be dictating architectural style. He stated that since there are still windows on the second-floor, the landscaping should be installed. He presented the applicant with a choice to either go for a vote or a continuance for a redesign.

Commissioner Jain made a motion to continue the project to a date uncertain. Commissioner Curtis seconded; 4-0.

- C. Second Floor Review 10-17/Modification 10-14/Director's Miscellaneous 11-06/Fence Review 10-04; Johnson/Park; 1313 Descanso Drive:** A request to allow construction of a new 7,167 sq. ft. two-story residence on a 27,250 sq. ft. lot. Staff-level Flat Roof Review is also required since more than 25% of the home's roof would be flat. A Setback Modification would allow over-height 2<sup>nd</sup>-floor space to encroach into the required south side yard setback. Fence Review is required to allow new fencing, driveway gates and pilasters up to 7 feet in height within the required front yard setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Planner Gjolme presented the project in accordance to the staff report.

Commissioner Curtis asked if the setback modification could be applied to the light well.

Planner Gjolme stated that the project would have to be renoticed.

Chairman Cahill opened the public hearing.

Jay Johnson, architect, stated that he would like the light wells included in the modification. He added that the property owner is concerned with security and would like to have a fence. He stated that the Fire Department requires 15' wide driveway, but the Zoning code limits circular driveways to 12'.

Director Stanley clarified that the Fire Department requirement would be satisfied by the south side of the driveway; only the curvature and the north side of the driveway would have to be reduced to 12' in width.

Commissioner Jain stated that if the north light well is going to be used as a courtyard, the height issue and "day-lighting" comes to play, so the basement should be counted towards the floor area requirement.

Chairman Cahill asked Mr. Johnson if his client would be okay with not putting up the fence because the neighborhood has an open feel.

Mr. Johnson stated that his clients would be agreeable. He proposed solving the tree setback problem by moving the house towards the north.

Elizabeth Arque, 1314 Descanso Drive, stated that there has never been a security problem in the area and the ambiance of neighborhood does not relate to the fence. She suggested that trucks not park on one side of the street during construction because the house across the street created a parking problem when it was being constructed; the mailman can't deliver the mail because people park in front of the mailboxes.

Chairman Cahill closed the public hearing

Commissioner Der Sarkissian stated that the design of the house is very nice. He has a problem with the basement and light wells because the large light wells create a low datum point; it is not the spirit of the code. He stated that the north side is the most impacted by the roof.

Commissioner Jain stated that he is okay with the design of the house. He has no problem with the flat roof and decks. He has a problem with the light wells. He is not ready to support the project as is because the light wells are too large.

Commissioner Curtis stated that the project is nicely designed. He would like to add a condition to eliminate the fencing along the front. He stated that basements are not counted toward floor area because it does not contribute to bulk; you can't see it. He supports moving the house towards the north and including the light well in the setback modification. Commissioner Curtis asked if a setback modification would address the light well issues.

Planner Gjolme explained that light wells are not addressed in the code, but the Department policy is that the maximum size allowed is the minimum size required by the Building Code.

Chairman Cahill supports the project without the fence. He is flexible on the driveway width as long as there is 50% landscaping. He does not have a problem with the flat-roof.

Deputy City Attorney Guerra pointed out that a condition to prohibit fencing is not enforceable because the code allows fencing up to 42" tall.

A motion was made by Chairman Cahill and seconded by Commissioner Curtis, to approve the project with added conditions to move the house to the north, no fencing, and the light wells be limited to the minimum size required by the Building Code; 4-0.

- D. Conditional Use Permit 466; Geragos; 837 Foothill Boulevard:** A request to allow a real estate office with contractor's service within an existing building located at 837 Foothill Boulevard. No new square footage will be added to the existing building. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Planner Clarke presented the project in accordance to the staff report.

Commissioner Der Sarkissian commented that both the first and the last parking stalls are nonconforming. He asked about landscaping. He stated that the parking lot could be reconfigured to provide 6 compliant parking spaces.

Planner Clarke stated that he did not ask for a landscape plan; however a condition of approval can be added to require a landscape plan and the restriping of the parking lot.

Commissioner Der Sarkissian would like the condition of approval added for a landscape plan and the reconfiguring of the parking lot.

Director Stanley stated that the condition would state that the Design Commission would review the landscape plan and parking lot which is a requirement.

Commissioner Curtis asked if the real estate office includes real estate sales with a brokerage license. He asked if the intent of the application was to exclude construction vehicles for the construction services use. He suggested that the applicant expand on what they meant by "construction services."

Planner Clarke responded that the application was for a real estate office use and it is assumed that it is real estate sales.

Director Stanley reported that there are 15 real estate offices within the Downtown Village Specific Plan.

Commissioner Curtis asked if Director Stanley believes that the amount of real estate offices in the City has unintended consequences and impacts.

Director Stanley stated that the main objective of the Downtown Village Specific plan is to establish a retail environment especially within the Village Center. There is a provision in the Downtown

Village Specific Plan to allow for real estate offices on the ground floor and other professional offices would only be allowed on the ground floor as an accessory use which is the case for the proposal. The application was not evaluated to look at unintended consequences as a result of the amount of real estate offices in the area.

Chairman Cahill opened the public hearing.

Mike Geragos, applicant, stated that the intent of the project was to review traffic and parking with the Design Commission; because of the angled nature of the lot there would be enough space to reconfigure the parking lot and add landscaping. An application for Design Review will also be filed to install awning on the front of the building. He stated that the real estate office would be a broker and construction materials would not be stored onsite; however, there would be vehicles for the business parked onsite.

Commissioner Curtis asked for clarification on the nature of the business.

Mr. Geragos stated that the business would be majority real estate with a construction services component. The proposal would conform to the Specific Plan.

Pat Anderson, CEO of the Chamber of Commerce, spoke in support of the request with the noted conditions. She stated that the project site is an awkward site for retail.

Commissioner Curtis stated that he encourages a mixture of uses in the downtown area. He commented that office uses feed retail and vice-versa. He would like a condition limiting the number of construction vehicles parked on the lot added to the conditions of approval.

Director Stanley asked for clarification on the construction vehicle parking limitation.

Commissioner Curtis stated that he would like the limitation on the amount of construction vehicles parked on the lot to be left to the Director of Community Development's discretion.

Commissioner Der Sarkissian concurred with Commissioner Curtis. He would like the new owner to dramatically improve the appearance of the building/property, particularly the rear of the site.

Commissioner Jain supports the request and agreed with his fellow Commissioners' comments. He asked that the applicant strive to provide 7 spaces, but 6 spaces would be acceptable.

Chairman Cahill recognized the increasing number of real estate offices, but concluded that an office is better than a vacancy.

A motion was made by Commissioner Der Sarkissian and seconded by Commissioner Curtis to approve the project with added conditions of approval to restripe the parking lot, add landscaping, limit construction vehicles per the discretion of the Director of Community Development and expand condition #12 to address Design Commission review. 4-0.

## **IX. OTHER BUSINESS**

### **A. Budget Requests from the Planning Commission**

Director Stanley asked if the Planning Commission would like to propose a budget request so that staff can propose it to the City Council.

Chairman Cahill asked about the median along West side of Foothill Boulevard and plans to complete Olbertz Park.

Director Stanley stated that the medians are already in the budget. There is partial funding available. They have already gone through the engineering. The City has submitted an application to get additional funding from MTA. The project involves bike paths. The design was reviewed by Public Works, approved by the City Council, and is currently awaiting additional funding. Director Stanley stated that the potential buyers of the Town Center would like to eliminate the restrictions on Olbertz Park because they see the benefit of having City events such as "Music in the Park" and the Farmer's Market. There are funds identified in the five-year Capital Improvement Plan and the gazebo is one of the projects identified to be built on Olbertz Park.

Commissioner Curtis asked about making old documents available online.

Director Stanley stated that staff was going to go to the City Council for a funding request and part of the proposal would be to have the County scan Building & Safety paper records.

Commissioner Der Sarkissian suggested that online forms and tree valuation information be included to the request.

Director Stanley stated that the Department bought the book on tree valuation; the arborist will be invited to explain the valuation of trees when the tree ordinance gets reviewed by the Commission. There is no need for a funding request regarding this matter.

## **B. – 4366 Chevy Chase Drive Code Enforcement Case**

Director Stanley explained that the property owners have been cited several times. They get cited and clean the problem up, and then continue to dump more dirt afterwards.

Commissioner Curtis asked if the certificate of occupancy could be revoked.

Director Stanley stated that the property owners did not vacate the house during construction.

## **X. COMMENTS FROM THE COMMISSIONERS**

Commissioner Curtis asked to have a study session on real estate office uses.

## **XI. COMMENTS FROM THE DIRECTOR**

Director Stanley informed the Planning Commission that they can regulate the style of a house because of the neighborhood compatibility finding and design guidelines.

## **XII. ADJOURNMENT : 12:11 a.m.**