

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD MAY 10, 2005**

I. CALL TO ORDER:

Vice-Chair Gelhaar called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Cahill, Davitt, and Engler, Deputy City Attorney Guerra, Director of Community Development Stanley, Planner Gjolme, Assistant Planner Lang, Planning Aide Shimazu and Planning Intern Mikhail. Chair Mehranian was absent.

III. PLEDGE OF ALLEGIANCE

Commissioner Davitt led the salute to the flag.

IV. CONSENT CALENDAR:

The Minutes of April 12, 2005 were not submitted and deferred to the next meeting.

V. CONTINUED PUBLIC HEARING:

A. Floor Area Review 05-08; Hillside Development Permit 05-01 (Adm.); Agakanian; 700 Forest Green Drive:

Planning Aide Shimazu recalled that this matter was first heard on April 26 and continued to this date with direction that story poles correctly reflect the project and for submittal of a landscape plan. The story poles now accurately depict the pool and height of the downslope retaining walls; however, they are positioned 3-ft lower than the true height of the decks and gazebo. Staff continued to recommend positive findings and project approval.

Curtis Suchmel, with Majestic Pools, spoke on behalf of the property owner and displayed a project model. He advised that the pool has an infinity edge on one side and that he would have to cut into the slope to accurately show the elevation. He further advised that the jacuzzi is 18" higher than shown on the plans. Steps provide access for the 4-ft elevation difference between the deck and the pool.

Vice-chair Gelhaar confirmed that the model was constructed at a 9-inch scale and that the height of the gazebo would be approximately 10 ft above pool

level. The edge of the slope would be cut approximately 18 inches to level it to accommodate the pool.

Commissioner Cahill remarked that the landscape plan was not specific as to plant types.

Mr. Suchmel advised that he had submitted a plant booklet and assured the Commissioners that the wall would be totally screened.

Vice-chair Gelhaar noted that the photos depict mature plants, yet the landscape plan calls for 1 and 15-gallon plants.

Mr. Suchmel stated that his client was willing to install 15-gallon plants; he believed doing so would immediately screen the lower portions of all structures.

Commissioner Cahill confirmed that the 294-sf of floor area is due to the solid roof on the gazebo. The wooden deck is not included in floor area calculations because it is less than 7½-ft above grade.

Vice-chair Gelhaar opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Cahill advised of having made another site visit to view the story poles. He pointed out that, as it exists, the property has excess floor area - this would add another 3%. However, he was not overly concerned, since there is not a lot of wall area. His issue was with upward views from downslope and he wanted the landscape plan to address that. He also requested an added condition that the landscape plan be submitted for review and approval by the Director to assure that the wooden members would be screened in a relatively short period of time.

Commissioner Engler concurred and observed that long distance views are a concern. He preferred that the Director review the landscaping after installation and prior to final permits, to ensure that it reflects what the Commission envisioned.

Commissioner Davitt agreed, as did the Vice-chair.

M/S/C Davitt/Cahill to approve Floor Area Review 05-08 and Hillside Development permit 05-01, modifying condition #17, requiring that the Director review the landscape plan before and after installation prior to issuance of final permits. Unanimous.

VI. PUBLIC HEARINGS:**A. Variance 03-13 (amendment); VonDerAhe; 1720 Fairmount Avenue:**

Assistant Planner Lang reported the applicants' request to amend a prior approval, which allowed construction of a solid roof over an existing deck. The new 700-sf roof would yield total floor area of 6,500-sf, exceeding the 5,377-sf allowed for the lot. The applicants testified that their daughter's medical condition affects her mobility and requires that she remain in an ambient temperature environment; a covered porch would be easily accessible and provide protection from the weather as needed. Following the City Attorney's research and advice that ADA requirements would allow positive findings to grant the Variance, the Commission approved the request. A condition of approval required that a covenant be recorded on the property, stating that the solid roofed area granted by the Variance be removed or made code compliant, upon sale of the property.

The applicants are now requesting relief from the covenant, stating it is an excessive monetary burden. At this point, Staff was requesting direction from the Commission.

Carolyn Von der Ahe reported that, originally, bids averaged \$74,000. She has now found that the roof cover will cost between \$100,000 to \$150,000 and another \$30,000 to remove it upon sale of the property. Installation of the new roof requires removal of the side of the house, which would have to be re-opened and repaired upon its removal. She submitted copies of estimates to the Commission.

Commissioner Davitt recalled prior discussion that a lattice cover was not feasible as it would not accomplish the desired goals. He further recalled that following research and advice from the City Attorney, there was consensus to approve the request and require a recorded covenant on the property, which he did not support, that the structure be removed upon sale of the property. The City Attorney's advice was based on ADA requirements, which talk about "reasonable accommodation". If it is found that requiring removal of the deck's roof upon sale of the house is unreasonable, he could support deleting the condition as requested. However, if the roof could be modified upon sale of the property so that 50% was open and code complaint, he could support that as well.

Commissioner Cahill commented that he was not on the Commission when the matter was reviewed. Given the medical reasons, he believed granting the Variance was reasonable and would not object to removing the condition if there was a significant cost in removing the patio roof. He suggested adding a

condition with a sunset clause stating that if the home was sold within 5 years, the covenant would remain; after 5-years, the covenant would be released.

Commissioner Gelhaar stated that he originally favored of a roof with lattice work of some kind that would comply with code. He believed that a 6,500-sf structure on a 4,773-sf lot would create a significant impact, but he voted to allow the Variance because of ADA compliance issues. He was unsure if he could support Commissioner Cahill's suggestion, but was inclined to leave the condition as is.

Commissioner Engler questioned the extent of work described in the submitted bids, dinvr only the roof structure over the deck would have to be removed.

Director Stanley agreed, stating that all major components of the roof cover could remain. An option would be to modify the condition stating that at the time of sale, the roof cover shall be code-compliant or that the patio cover shall consist of no more than 50% of solid roof.

Project designer Dave DeAngelis noted that planning the project, two public hearings, time for the City Attorney to research, drawing the plans, waiting for the Building Department and bidding the project, took two years. During that time, construction costs have increased significantly.

M/S Davitt/Cahill to support a 5-year sunset clause. The motion failed for lack of a majority; Commissioners Engler and Gelhaar dissenting.

M/S/C Engler/Gelhaar to modify condition 14 to read that the structure become code compliant or that no more than 50% of the patio cover be solid roof. Unanimous.

Director Stanley advised Mrs. VonDerAhe that Staff would record a new covenant if they agreed with the decision, or, they could appeal the determination to the City Council.

B. Floor Area Review 04-19; Iskander; 4714 Olive Court:

Assistant Planner Lang described the applicants' request to construct a new, two-story home and attached garage, comprised of a 2,880-sf first-floor and a 1,865-sf second floor. Total floor area would reach 4,745-sf, under the standard for the lot. The property's 55-ft-wide frontage, below the 80-ft threshold that triggers Floor Area Review.

The 15,003-sf project site is one of four lots on Olive Court, a new cul-de-sac created when Parcel Map 25567 was approved. It is located between Fairlawn

and Bradford, in the R-1-15,000 Zone. A landscape plan addressing specific conditions of the Map has been submitted for review and approval by the Director of Community Development.

Ms. Lang noted that the parcel is lower than street elevation and the narrowness of the frontage forces siting the residence to the rear. The low-pitch gable roof minimizes visual bulk and massing, as does the second-floor setback. Overall height measures at 24'-10", below the 32-ft maximum allowed for the lot and a generous 56-ft front setback is provided.

She pointed out that condition 15 of Parcel Map 25567 limits the height of structures on this lot (#3) and lot 4, to 20 ft above the 80-ft pre-graded contour, so that single-story profiles are presented to the north and east. The submitted design meets the height criteria of the condition, but does not exhibit a single-story profile to the north and east. Staff therefore recommended that the project be continued for redesign.

Project architect Jay Johnson, noted that this was the first of four lots to be developed in the new cul-de-sac. He stated that when approved in 2000, "it was only a plan on paper, we now see and understand the terrain"; he had new ideas that would improve the project and the neighborhood. The submitted plan shows a level pad and what appears to be a single-story home at the front at a height of 20 ft from low grade and a potential view of a two-story home from the south. Views from the most affected neighbor to the east were shown. His new idea was to lower the pad approximately 5-6 feet at the front; though doing so would result in more visible bulk, the ridge line would be no different than the original plan and would accomplish the spirit of the goal to preserve views of the lot to the east and allow a more attractive home. He stated that a condition of the Parcel Map requires planting 6 trees to block the views of the structure. He proposed to limit the tree height to an elevation of contour line 110, which would screen the structure and was also willing to remove a second-floor deck at the rear of the house. Mr. Johnson then read a letter from property owners of the lot to the south supporting the "new idea" because the activity rooms would be shifted to the lower floor, affording them more privacy. He asked the Commission to consider the merits of his proposal.

The landscape plan was then displayed on a Power Point presentation. Roy Leisure, landscape architect, advised of having met with the owner of the lot to the east to assure that the plan adequately screened his view of the project. He pointed out that views to the south, to the water tank over the southwest wall and the impact of the wall along the east side of the project, also need to be screened. The plan includes smaller trees and shrubs along the southerly wall.

He advised that Mr. and Mrs. Wallace, owners of the lot to the east, do not object to the design or profile of the house.

Responding to a question from Commissioner Gelhaar regarding export, Assistant Planner Lang advised that the applicant reported approximately 1,200 cubic yards, translating to 130 truck loads, would be exported – that was for the submitted project.

Applicant Ray Iskander, stated his belief that condition 15 of the Parcel Map was open to interpretation and does not specifically mention “single-story” development. He pointed out that due to the slope of the lot, a single-story home would require grading work. He believed that lowering the pad by 10 ft, as now suggested, would be better for all concerned.

Chairwoman Mehranian opened the public hearing.

John Wallace, 1320 Olive Lane, resides immediately east of the project site. He reported that the existing condition of the vacant lot is an eyesore. His primary concern is that his view of the project be “park- like”.

Further comments were not offered and the public hearing was closed.

Commissioner Davitt recognized the potential benefits of lowering the grade and increasing the landscaping and it was clear to him that the intent of the Map’s condition 15 was for the project to be single-story. What he struggled with most was that the current Commission was being asked to overturn a condition imposed by a former Planning Commission after significant deliberation.

Commissioner Engler expressed concern that another developer of the remaining lots would have the same issue. He also confirmed that the City would maintain the trees located in the easement area.

Commissioner Cahill asked how this property became so barren.

Mr. Iskander responded that it is a result of grading work.

Commissioner Cahill stated that he reviewed the Map’s condition 15 and agreed with Mr. Iskander as to its ambiguity, but reading the minutes and the dialogue between the neighbors and the Commission, the intent of the condition became clear. The Commission wanted low-profile houses that would not impact the lower yard and required that they appear as single-story

when viewed from the back yard of the neighbor to the east – though it is oddly phrased because it refers to a specific height maximum.

He stated that Mr. Johnson's "new idea" is superior in many ways to the submittal application. The two-story view from the north is not relevant; the main concern was for the neighbor to the east (the Wallaces), who would have homes on each of their side yards. It appears that the Wallaces do not oppose the "new idea", so long as landscaping is installed to the degree that it gives them a feeling of being enveloped by a park-like setting. He noted that the height requirement is met and that grading would provide the effect of a single-story home. He asked that whatever grading is done, that it get embedded in a condition as well as an increase in landscaping so that it blocks the lower portion of the house and subject to the Director's approval

Commissioner Gelhaar advised that he read the minutes of the former Commission's meetings and believed it was clear that the Commission wanted single-story homes on the cul-de-sac. He did not favor the "new idea", and the associated dirt hauling, which would have to be replicated by the owner of Lot 4. He supported Staff's recommendation.

Director Stanley commented that the Map's conditions also required 36-inch-box trees at the project's perimeter and also, Staff believed the Map would have to be amended if the Commission approved a two-story design.

Mr. Johnson clarified that he could design a two-story home so long as it appears single-story from the north and east. He asked if a redesign with a lower level under the main level would meet the criteria of condition 15 – and noted that it would continue to appear as two-story from the East elevation, given the slope.

Director Stanley confirmed that a split-level home would be acceptable so long as the north and east elevations appeared as single-story.

Mr. Johnson asked if he could build a retaining wall to screen the east view.

Director Stanley responded that his initial inclination was that he could, but he would have to review the plans to be certain.

Mr. Johnson requested a continuance for redesign to June 14.

M/S/C Davitt/Engler to continue Floor Area 04-19 to June 14. Unanimous.

C. Hillside Development Permit 05-19; Ulfeldt; 5415 Palm Drive:

Planner Gjolme described the applicants' request for a 711-sf, first-floor expansion and a new, 760-sf second-floor on a property with an average slope of 22%. Additionally, an existing, street-facing garage with setback encroachments, would be demolished and replaced with a compliant garage along the south side of the residence.

The subject site is located on the west side of Palm Drive, just south of its intersection with Del Oro Drive, in the R-1-15,000 Zone.

The project would expand the home to the north and south at the first-floor level and a second-floor master bedroom suite would be recessed and centrally located above. Existing landscaping and the grade difference between the pad and the ascending street elevation would partially screen the project from street view. Proposed setbacks and floor area are within Code standards and the concerns of view blockage and massing frequently raised with hillside projects, do not apply in this case. The Director waived the requirement for story poles, since the project does not raise visual concerns. Total project area is well below the 4,650-sf allowed by applying the Slope Factor Guideline.

Staff considers the proposal as sensitive to the site and compatible with the neighborhood, evidenced by four, two-story homes across the street. Staff recommended positive findings and project approval as conditioned.

Property owner John Ulfeldt advised that his father purchased the property from Manchester Body and that he and his wife plan to retire in this home.

Chairwoman Mehranian opened the public hearing

Tania Nielsen a 5-month resident at 5329 Palm Drive, received clarification regarding the Slope Factor Guideline, why story poles were not required and what the City's requirements were for landscaping.

Further comments were not offered and the public hearing was closed.

Commissioner Cahill advised of having made a site visit and concurred with Staff's recommendation. The two-story addition is minimal and disregarding the severe slope at the rear, the building pad is on a flat lot. View blockage is not an issue and there are several two-story homes in the immediate vicinity.

Commissioner Engler agreed with the Director's waiver of the story pole requirement.

Commissioner Davitt noted that the project is well below the allowed sq. footage and well designed.

Commissioner Gelhaar stated that to his recollection, this was the first project he has reviewed that is significantly below the guidelines.

M/S/C Davitt/Cahill to approve Hillside Development Permit 05-19 as conditioned. Unanimous.

D. Floor Area Review 05-06; Van Slooten; 5155 Princess Anne Road:

Planner Gjolme described the request to demolish an existing home and replace it with a new, 5,600-sf, two-story home, on a 17,500-sq ft lot. Floor Area Review is required as the total project area exceeds the 5,247-sf standard for the lot by 387-sf.

The project site is located on the west side of Princess Anne Road, north of its intersection with Valley Crest, in the R-1-15,000 Zone. The area is characterized by one and two-story homes, including several in the 4,000-5,000-sf range with 3-car garages and two-story entries viewed from the street. Staff viewed the proposed design as a favorable contrast to those homes.

The new residence would be centered on the lot and include a two-car garage and conservative entry. Wood siding, steep-pitched roofs with dormers at the front, ample wall recesses, and a central covered porch lead to a conservative design. A 29-ft overall height, below the 32-ft allowed maximum and compliant setbacks are presented.

Planner Gjolme reviewed the lone finding necessary to approve a Floor Area Review request, that *through its siting, screening and/or massing effects, the project is compatible with its neighborhood setting*. Staff determined that the project was tasteful and well articulated and recommended project approval with standard conditions to include construction parking and protection of a sycamore tree located approximately 25-ft from the house. Written endorsement by approximately 20 neighbors residing immediate to the site was included in the Commissioners' packets.

Applicant David Van Slooten, stated that Mr. DeAngelis had designed a home for his wife and six children, in which he plans to reside through retirement. He pointed out that the design does not "push" any limits and is smaller in mass than many homes on the street.

Project designer David DeAngelis, commented that Floor Area Review is a positive procedure that encourages good design and neighborhood

compatibility. He stated that the Cape Cod design is reminiscent of the 1950s and very compatible with homes in the area; the one-story roofline breaks the visual bulk of the two-story elevation. He observed that the neighborhood is in transition and accommodates many homes larger than this project.

In preparation for this hearing, he and his clients sat in on several Commission meetings and his clients invited all their neighbors to review the plans. In conclusion, he reviewed the sole finding required to approve a Floor Area Review project and stated that the request is reasonable.

Commissioner Gelhaar believed that excavation for the basement might require as many as 20 truckloads of export and noted that the conditions did not include the need for a haul route.

Mr. DeAngelis advised that some of the excavation will be used for backfill and he agreed to provide a haul route. He added that the landscape plan was not complete at this point.

Chairwoman Mehranian opened the public hearing.

Sunny Asch, a resident of Princess Ann, stated that she did not have a problem with the conservative design, but 2 adults and 6 children with only 2 garages and a short driveway translated to a lot of cars in the street. She believed that any extra sq. footage should be directed to more garage space rather than basement area.

The property owner of 5017 Princess Ann, supported the design.

Sandi Tenerelli, 5169 Princess Ann, supported the project and stated it would be a great addition to the neighborhood.

Laurie Baumer, has resided immediately south of the subject site for 35 years stated that the plans were tasteful and compatible with the neighborhood. She commented that 9 of the 15 home on Princess Ann have been modified or expanded.

The property owner of 5122 Greencrest Road reported that the Van Sloomens brought the plans to his home to review despite the fact that he cannot see the project site from his home.

Miles Standish, 5180 Princess Anne, advised that he reviewed the plans and believed it would enhance the value of the neighborhood's properties.

Frank Gooch, 1210 Homewood Lane, coaches the applicants' children and spoke to the character and integrity of the Van Slooten family
Albert O'Brien reported that he reviewed the plans and stated "every home should look so good".

John Baumer, 5147 Princess Anne, remarked that the design is tasteful and functional and that he appreciated the applicant's interest in the appearance and feel of the neighborhood.

Glenn Embree, who has resided at 5139 Princess Anne for 30 years, stated that the project is a step in the right direction and that it would improve the City in general.

Further comments were not offered and the public hearing was closed.

Commissioner Davitt advised of having made a site visit. He complimented Mr. DeAngelis on his design and thanked the neighbors for their comments. He noted that the greatest floor area is on the first floor and that the project is code compliant. He stated that he could make the finding to approve with added conditions addressing on-site construction parking, a haul route subject to the review and approval of the Director, submittal of a landscape plan and protection of the sycamore.

Commissioner Engler suggested that the staff report include what the 387-sf equates to in relation to the 4% excess floor area allowed through review.

Commissioner Cahill made a site visit and reviewed the plans. He stated that this project is a prototype where extra space is warranted. The home is not a mansion and he noted it was designed below the height maximum --- a much higher structure could have been built and still meet Code. There is no depth request that would affect neighbors, no request to remove trees and all setbacks comply with Code. He was supportive of the project.

Commissioner Gelhaar stated that he was impressed with the applicants' efforts in notifying neighbors.

M/S/C Davitt/Cahill to approve Floor Area Review 05-6 with added conditions addressing on-site parking for construction vehicles, submittal of a haul route and landscape plan for approval by the Director and protection of the sycamore tree. Unanimous.

VII. OTHER BUSINESS

A. Appeal of Tree Removal Permit 05-16; Tammawar; 420 Richmond Road:

Planning Intern Mikhail reported that the City received a request to remove an oak with a 26-inch-diameter trunk to accommodate a residential expansion. The oak is located in a breezeway between a detached garage and the main residence. Following a site inspection and review of the application, Staff was unable to make the necessary findings to remove the tree and denied the request. The applicant then appealed the denial and asked for reconsideration and submitted conceptual and alternative building plans.

Director Stanley advised the Commission that he was willing to approve a Tree Removal Permit when and if expansion plans are submitted and permits issued by Building and Safety. He believed that doing so would formally validate the applicant's intent to expand their home.

Planning Intern Mikhail advised that the property owner accepted the condition, but did not want to expend funds for an architect at this point.

Commissioner Gelhaar noted that the property owner could build a second-story without Commission approval. He believed that maintaining single-story development in this neighborhood and allow the tree removal would be a good tradeoff. He asked if the Commission could require a recorded covenant to that effect.

Ms. Mikhail noted that the property owner is simply looking to attach the guest house/garage to the main dwelling; there has been no mention of a second story.

Commissioner Cahill remarked that he would not want to restrain a future property owner with a recorded covenant. He did not view the request as excessive and pointed out the numerous existing trees in the back yard that would remain.

M/S/C Davitt/Engler to approve Tree Removal Permit 05-16 with a condition that the tree shall not be removed until building permits are issued for the proposed addition. Unanimous.

B. Budget Considerations:

Director Stanley recalled prior discussion included whether to add a Parking Model as a budget consideration for the Department. He obtained a partial Power Point program of what he learned at the APA conference; a model can show existing uses versus available parking, which is analyzed by a consultant,

who considers zoning standards. The model can also show existing parking demand on an hour-by-hour, block-by-block basis and can be queried regarding proposed uses. He believed it would be a useful planning tool, specifically when considering proposed uses in the Downtown Village Specific Plan. A model for the City of Ontario covered 50 blocks of property and cost approximately \$30,000. It is in Excel format and can be updated by Staff.

Commissioner Gelhaar asked how close the City was with creating a Parking District or establishing In- Lieu fees.

Director Stanley responded that a Parking District might be smaller than originally conceived; the City needs to be creative when locating parking structures.

Commissioner Cahill suggested a small budget consideration for a landscape consultant who staff could call when there is a landscape issue.

Commissioner Gelhaar commented that as an alternative, Staff could request that an applicant's landscape architect attend a meeting with photos of plants and generic names.

The Commissioners agreed to increase the budget for a consultant planner, additional staffing, equipment and a parking model; whatever the Director believes is necessary.

Commissioner Engler stated that the Planning Department should have a dedicated computer.

VIII. COMMENTS FROM THE COMMISSIONERS

Commissioner Davitt asked if Staff would ask Public Works to leave the restroom at the Mayor's Discovery Park open until at least 7:30. It is currently being locked at 5:00 p.m., making it difficult when baseball games last until 7:30 p.m. or so.

Commissioner Engler advised that a home facing Dartmouth on the curve on Chevy Chase, past Stratford has a chain line fence in the rear yard. He suggested that we might want to consider requiring that any chain link fence be either green or black.

IX. COMMENTS FROM THE DIRECTOR

The Negative Declaration for the Bilaver project was distributed to the Commissioners.

The Director received a letter from the City Prosecutor, who interprets Code that LRV can be applied to any home, regardless if it was subject to review. Once non-compliance with the LRV is determined, the property owner can be brought before a hearing.

The Commission will be voting on the position for Chair and Vice-Chair in June.

X. ADJOURNMENT

M/S/C Davitt/Engler to adjourn at 8:55 p.m. Unanimous.

Secretary to the Planning Commission