

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON JUNE 8, 2010**

- I. **CALL TO ORDER:** Chairman Davitt convened the meeting at 6:00 p.m.
- II. **ROLL:** Present were Chairman Davitt, Commissioners Curtis, Jain, Der Sarkissian, Director of Community Development Stanley, Assistant City Attorney Guerra, Planners Gjolme and Clarke and Assistant Planner Parinas.
- III. **PLEDGE OF ALLEGIANCE** - The Flag Salute was recited.
- IV. **SEATING AND WELCOME TO NEW PLANNING COMMISSIONERS:** The new Commissioners were introduced.
- V. **COMMENTS FROM THE PUBLIC:** There were no comments offered.
- VI. **REORDERING OF THE AGENDA:** The agenda was not reordered.
- VII. **CONSENT CALENDAR:** No items
- VIII. **CONTINUED PUBLIC HEARINGS:** No items
- IX. **PUBLIC HEARINGS**

A. Conditional Use Permit 451/Setback Modification 10-07/Hillside Development Permit 10-13 (Dir.)/Fence Review 10-02; Socoloske; 423 Meadow Grove Street: A request to allow a new 342 sq. ft. pavilion to encroach into the required front and south side yard setbacks. A Conditional Use Permit would allow a new spa to be added to an existing front yard pool. Fence Review is requested since a front yard wall/fence up to 6 feet in height is proposed as are new driveway gates, which, considering their solid composition and location within the required front setback, are a second component of the requested Setback Modification. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme) **[NOTE: the applicant has requested a continuance to June 22, 2010 to explore staff supportable project design.]**

M/S/C Curtis/Der Sarkissian to continue the item to the June 22, 2010 meeting. 4-0-1 (Cahill)

B. Modification 10-04; Archer; 2223 Los Amigos Street: A request to construct a 719 square foot attached garage with west and south side setback encroachments. The garage would encroach 11" into the required 13'-2" south side setback and would encroach 6'-6" into the required 13'-2" west side setback. The proposed garage would replace an existing 411-square foot detached garage that would be demolished as a part of the project. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Parinas)

Chairman Davitt excused himself from the project given his proximity to the site.

Assistant Planner Parinas outlined the request via a PowerPoint presentation in accord with the project staff report.

Commissioner Cahill arrived at 6:18 p.m.

Commissioner Cahill inquired about the future RV pad location and its implications for the project before the Commission.

Assistant Planner Parinas explained that a Director's Misc. Review (DMR) would be required to allow RV parking within the side yard setback where adjacent to the proposed garage.

Commissioner Cahill inquired about the review criteria that must be met to approve such a request.

Assistant Planner Parinas explained the criteria but noted that no formal findings are required and that the DMR is not subject to review by the Planning Commission. She noted that landscape screening would be required in conjunction with approval.

Commissioner Cahill inquired about the extent of the driveway rise.

Assistant Planner Parinas estimated that the proposed pad height for the garage was approximately 2'-6" above existing grade.

Director Stanley noted that the proposed driveway complies with slope standards.

Miss Parinas noted that the new garage would be approximately 7'-6" higher than the existing garage.

Commissioner Curtis confirmed that the increased height includes the 2'-6" pad increase as part of the total height change.

Commissioner Cahill reiterated that the increase in height proposed for the new garage was 7'-6".

Commissioner Curtis confirmed that approval of the RV storage request would include a requirement for landscape screening and a new fence.

Director Stanley stated he was not sure as to the feasibility of screening in certain areas given the footings used for the slab.

Commissioner Der Sarkissian confirmed that 10'x20' garage spaces were required for new homes and that 9'x20' spaces could be used for existing structures, as was the case with the request.

Commissioner Jain noted that sheet 11 showed the overall changes proposed and was the best sheet to review when assessing the existing and new garages.

Eric Archer - applicant and property owner - explained that the existing detached garage was insufficient for their needs, not to mention non-conforming with regard to current code requirements. He tried to come up with a workable design to address his family's needs, satisfy code requirements and neighbor concerns. He mentioned that lowering the ridge height and adding new screening were all options available and he was willing to work with the Commission.

Commissioner Jain noted that he had visited the site and met with the applicant. He confirmed that the RV length would be 31 feet and its overall height would be approximately 12 feet.

Commissioner Jain asked the applicant if other design options were fully explored prior to submittal of project.

Mr. Archer responded that he had explored several designs before submittal. As an engineer, he prepared the plans himself and believed the project as submitted was the best scenario.

Commissioner Jain asked if RV parking or storage area was the more important objective beyond provision of a new garage.

Mr. Archer responded that the increased attic height would allow for storage in the attic and would not impact ground floor parking; thus both objectives could be achieved.

Commissioner Jain noted that bringing the garage forward could reduce the extent of the rear yard encroachment.

Mr. Archer explained that the City Traffic Engineer required an 18-foot wide garage door which would be narrowed if the garage was shifted forward given the angle of the north wall.

Commissioner Der Sarkissian specifically asked why the floor level of the garage needed to be raised.

Mr. Archer explained that a goal of the overall project was to provide a garage level with the floor-level of the house for the sake of his wife's health. It would also eliminate a grade difference and allow for creation of a single-level rear yard area behind and north of the garage.

Commissioner Der Sarkissian inquired if the garage could work with a single-step; i.e. a floor level 6 inches below the level of the house.

Mr. Archer was agreeable to a single step.

Commissioner Cahill confirmed that the RV is 12 feet in overall height. He noted that the RV cannot fit within the garage since the garage has an 8-foot high door. He questioned the need for elevating the garage and if the RV pad was also being raised.

Mr. Archer explained the different level of the garage and RV driveways and noted that the RV driveway was slightly lower. His design incorporated a split-level driveway at the convergence of the two.

Commissioner Curtis confirmed that the garage and RV pad could be dropped approximately 6 inches. He also asked if the south neighbor was amenable to the installation of new landscaping.

Commissioner Jain asked if the south wall would be set back to accommodate new landscaping.

Mr. Archer noted that landscaping would be installed on the neighboring property and that a setback for the wall was not necessary.

Ed Johnson - 5040 Ocean View - thanked the Commission for the opportunity to speak. He confirmed delivery of a packet he had put together which summarized his objections. He understands and appreciates the site's constraints. His primary concern is the negative impact of the proposed structure's massing on his lot. The RV parked next to garage compounds the problem. His main issue is with the height of the new roof and he would like to see roof line lowered as much as possible. He had yet to hear a compelling reason for raising the garage. He felt the

RV pad should stop at the rear wall of the garage. Recessing the pad from his property would in turn reduce the looming effect of the RV when parked.

Martin Pilgreen - 5103 Castle Road - had no direct concern other than the project's impact on the neighborhood as a whole. He believed it would be a vast improvement and supported the request as submitted.

Michael Davitt - 5034 Ocean View Blvd. - thanked the applicant for the story poles, which he had an opportunity to view over the weekend. He explained that his pool area is at the rear of his long deep lot and was visually proximate to the project area. He was concerned with the height of structure and the RV pad as proposed. He desired screening for the RV pad and lowering the garage roof. He believed the issues could be worked out through further discussion with the neighbors affected by the project and was hopeful for a mutually agreeable solution.

Mr. Archer recognized the validity of the questions about the garage's 12-foot plate height. He explained that an 8-foot garage door + 18 inches of required clearance + an 18-inch joist structure above the ceiling resulted in the 12-foot total plate height. Combined with 6 feet of attic clearance and the structure's total height resulted. He stated that the overall height could be reduced by up to 3 feet if ground-floor storage area was provided to the rear, which would further reduce the rear setback from 6'-8" to approximately 4-5 feet. He noted that Juniper trees could be added along the rear property line to mitigate view impacts.

Commissioner Cahill was glad that the neighbors were acceptable to working toward a resolution to the issues. He could not, however, approve the request in the form presented. He would like to see a redesign with the structure lowered, the garage wall and RV pad aligned to the rear and a landscaping plan to address RV screening to the south and west.

Commissioner Cahill excused himself from the meeting at 7:05 p.m., noting a previous engagement.

Commissioner Der Sarkissian noted his architectural background and its bias in his assessment of the project. He noted that the pads around the cul-de-sac are stepped as are the home's roofs. Raising the subject roof completely violates this pattern and has an adverse visual effect as seen from the street. He felt an 8-foot plate could be used and would achieve consistency with the development pattern in the area. He also had an issue with the proposed fence that projects straight toward the front property line. He felt the retaining wall along the south property line should be composed of split-block, beige in color, with planting to soften the overall appearance as viewed from the south. He readily understood the need for encroachments, but believed the garage needed to be lowered as much as possible.

Commissioner Jain was concerned with ingress and egress from the new garage and with its height and bulk. He felt that moving the garage forward or to the south would mitigate impacts to the west, but noted that the proposed RV parking would be compromised by southerly shifting. He showed a revised plan which demonstrated how to reconfigure the garage to match the location and course of the existing garage while at the same time reducing the encroachments, maintaining existing access and providing additional landscaping. He could not support the request as presented.

Commissioner Curtis stated that he had visited the site. He could not make the findings for the project as currently designed. He did not believe that a vote for project approval would happen given the comments made by the other Commissioners, and noted that a vote tonight would likely result in denial of the request. He believed a continuance was in order to explore alternatives and revise the design. He asked the applicant what action he preferred.

Mr. Archer appreciated the opportunity and desired a continuance to revise the project.

Commissioner Curtis commented that the bulk of the garage would be magnified with introduction of an RV next to new garage and stressed how the two requests, despite different review bodies, were strongly related and should be assessed in conjunction.

Commissioner Curtis believed a continuance to a date uncertain was probably the best option at this point.

M/S/C Jain/Der Sarkissian to continue the project to a date uncertain with direction to lower the garage, reevaluate the RV parking and develop a landscaping strategy. 3-0.

C. Second-Floor Review 10-08/Tree Removal Permit 10-03; Johnson/Balachian; 4816 Hillard Avenue: A request to allow construction of a code-compliant new 5,993 sq. ft. 2-story residence with a cabana on a 21,250 sq. ft. lot and removal of a 22 inch protected sycamore tree at the rear of the house. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

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

Chairman Davitt opened the public hearing.

Applicant and architect Jay Johnson stated that staff's recommendation of continuance is not because of bulk and massing; it is to require siding in front of the house where the stucco is. He stated that he met with Mr. Horswell (neighbor directly to the south) to discuss the project and Mr. Horswell told Mr. Johnson that he would like to see more stone work on the side of the house and additional trees planted in order to mitigate views of the big blank wall. Mr. Johnson's client would like to propose the installation of solid screen Italian cypress trees (15 gallon trees, 3 feet on center) along the entire side of the property as an added condition of approval. The Italian Cypress trees will not cover the second-floor wall, but would cover the first floor wall. The stone work would not be necessary. Mr. Johnson stated that he met with Mr. and Mrs. Carter (neighbor to the north at 4820 Hillard Avenue) to discuss the project. The Carters were surprised that city is requiring siding be placed on house. The Carters are comfortable with proposal and step massing. Mr. Johnson also met with the McNamaras (neighbors across the street at 4825 Hillard Avenue). The McNamaras expressed that placing siding is inappropriate. Mr. Johnson summarized that none of the other neighbors wanted siding when asked. Mr. Johnson pointed out that he was in the Design Review Commission; they discussed neighborhood compatibility but never discussed siding as a requirement. There are many homes in the neighborhood with stucco. Staff is suggesting that the house is redesigned to accommodate the Sycamore tree. The project has more than the required set back from the tree to the house. The issue is that the property owner does not want to have a messy Sycamore tree in his backyard. Can a property owner remove a tree in his backyard if he is willing to pay for it? Mr. Johnson proposed replacing the Sycamore tree with five Deodar Cedar trees along the backyard.

Commissioner Curtis asked Mr. Johnson which finding in the Criteria for Approving a Tree Removal Permit would be satisfied.

Mr. Johnson stated that there is no finding that can be made to justify the removal of the tree. The owner would just like to have the tree removed and offer to replace it with more than what the City is losing.

Samuel Kim, 1715 La Floresta Drive, stated that he has no complaint about the design of the house; the design of the house is beautiful. The only concern is privacy issues. He would like to see trees and additional landscaping planted along the south property line.

Mr. Harvey Horswell, 4806 Hillard Avenue, stated that the proposed house is big for an 80-foot wide lot. The massing effect is significant. Since the proposed house is two-stories and would be located on an elevated lot, the house would be blocking views of the mountains and trees. He would like to have additional

landscaping installed as mitigation, but would like to see how tall the trees/landscaping would be and the types of plantings proposed. He stated that the tree that is currently onsite is more like a weed/out of control shrub and is not really a tree. He pointed out that the balcony looks nice as an architectural element; however it would be looking down into his backyard and is a privacy issue. His wife is concerned with the stucco on the south elevation. The roof material needs to blend in with the trees and not be too dark that it would stand out.

Henry Balachian, property owner, thanked staff. He believes that the neighborhood should be viewed in a larger area than the area used in the staff analysis. There are a number of houses in the area with stucco. Mr. Balachian showed photographs of other homes in the area that utilize stucco.

Jay Johnson stated that the balcony issue is a possible concern. The only access to the balcony is through the Master Bedroom closet and will probably not be used much because the balcony is just an architectural element. There is much less massing with the balcony than with a roof-line. The property owner is willing to plant 36" box trees on the slope on neighbor's side of the property in addition to planting Italian Cypress along the entire length of the property to mitigate massing and privacy impacts.

Commissioner Davitt closed the public hearing.

Commissioner Davitt clarified that staff is recommending continuance; therefore, the Planning Commission does not have a draft approval resolution and can not make a definitive vote. The Planning Commission will provide comments and directions on what potentially can get approved. The project would have to come back to the Planning Commission at another meeting.

Director Stanley pointed out that there are five findings that must be met in order to approve a tree removal. Staff was not able to make any of the findings that apply: the tree is not a fire issue, the tree does impact a structure/proposed structure, the tree is not dead, and the tree does not create an unreasonable hardship.

Commissioner Curtis stated that he has no issue with the architectural style. He pointed out that in the Design Guidelines compatibility is defined as "having an architectural style, visual bulk, mass, height, width and length which is compatible with the neighborhood and which harmonizes with the existing residential structures in the neighborhood and with the existing building. Different Architectural styles can be compatible." The proposal is a nice architectural style, fits with the neighborhood given the setbacks and trees. He

supports the architectural style of the house as proposed. The house would be a great addition to the neighborhood. The balcony has an appearance of use and can be imposing to an adjacent neighboring property owner. He suggests that the balcony be deleted. If a decision had to be made today Commissioner Curtis stated that he would request the removal of the balcony. Landscaping may address privacy concerns regarding balcony. It would be best if the applicant works with Mr. Horswell regarding landscaping as mitigation. Landscaping is typically left for the Director's approval. He does not like Italian Cypress trees; there are more attractive trees that would address the same concerns the neighbors have. It looks like the Planning Commission would have a tough time making any of the findings for tree removal. Commissioner Curtis stated that he read arborists report. It looks like the tree would bring challenges in the future and these challenges may make the tree a candidate for tree removal. The Planning Commission is currently looking at the tree ordinance. The Planning Commission can not make the findings to approve the removal of the Sycamore tree. May be this is a policy issue that should be brought up to the Planning Commission during the tree ordinance hearings; may be there are other circumstance that can be appropriate for tree removal.

Commissioner Jain stated that he is okay with the architectural style. If the building is moved forward by 4-5 feet it will eliminate concerns with the balcony. The Sycamore tree would be outside the patio area, therefore its roots would not interfere with the patio area. He has some concerns that the five proposed Deodar Cedar trees located at the back of the property would impact the stability of the neighboring property at the east because these lots are much lower. The proposed Deodar Cedar trees should be moved toward the west away from the property line. The issues that he would like to see answered are: Is the property going to be filled up? If so, how much? Why is there a wing wall with a flat roof? Is there a consideration to create a deck in the future?

Commissioner Der Sarkisian stated that the two story element in front is dominating. He believes that the proposed house needs to be moved back to where the existing house is located to minimize the street view of the house. He is comfortable with the architectural style; however, the brick should be changed to stucco so that there is a dominant stone background and stucco that steps in front of it to tie it together. The elevation behind the terrace is incorrect; it is showing roof shingles, it should be a vertical stucco wall. He would like to see roofing behind the balcony.

Chairman Davitt stated that none of the findings can be made for the tree removal. Moving the house a few feet away from the neighbor to the south can help mitigate massing from the southerly neighbors' perspective. Moving the house back would also help. The neighbor to the south is the most affected.

Chairman Davitt suggested that the applicant and property owner work with the southerly neighbor to come up with a landscape plan. Italian Cypress trees are a fire hazard. The balcony is a privacy concern and is a classic example where a balcony should not be. The balcony should be removed from the south side. He is okay with the architectural style and building materials. The mix in the area is prevalent. He can support the project with modifications.

M/S/C Davitt/Curtis to continue the project to July 13, 2010. 4-0-1. Commissioner Cahill was not present.

X. OTHER BUSINESS: No items

XI. COMMENTS FROM THE COMMISSIONERS: There were no Commissioner comments offered.

XII. COMMENTS FROM THE DIRECTOR

A. Report of Director's Approvals since the last meeting:

1. **Hillside Development Permit 10-15; Salem; 1856 Foothill Boulevard:** Granted approval to reconstruct a 12' tennis court fence, and the construction of an unroofed deck on top of an existing garage on a hillside lot.
2. **Substantial Conformance and Director's Miscellaneous 10-14; 5209 Diamond Point Road; Lee:** Approved minor increase (361 sf) to PC approved (1/12/10) flat roof

B. **Appeal on 1225 1/2 Flanders Road; SFR 09-32 and MOD 09-13:** the Planning Commission's decision was upheld by the City Council with some conditions: plant trees, maintain landscaping, and replace full size windows with clerestory windows.

C. The Planning Commission currently does not have an Administrative Hearing Officer. We will include the Administrative Hearing Officer selection in the agenda for our next meeting. Please start thinking about who can be the next Administrative Hearing Officer. Chairman Davitt asked if former Planning Commissioner Gelhaar can remain the Administrative Hearing Officer. Director Stanley clarified that the Administrative Hearing Officer has to be a sitting Planning Commissioner.

XIII. ADJOURNMENT: The meeting was adjourned at 8:29 p.m.