

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD JUNE 15, 2004**

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Commissioners Davitt, Gelhaar and Mehranian, Director of Community Development Stanley, Senior Planner Buss, Assistant Planner Gjolme and Planning Aide Shimazu.

III. SALUTE TO THE FLAG

Commissioner Gelhaar led the salute to the flag.

IV. SWEARING-IN OF COMMISSION APPOINTEE, Michael Cahill.

City Clerk Wahlsten administered the oath of office to Mr. Cahill. Commissioner Cahill was congratulated by his colleagues and welcomed by Director Stanley on behalf of Staff. He then took his place at the Commissioners' table.

V. ELECTION OF CHAIR and VICE-CHAIR:

Chairman Engler requested nominations.

Commissioner Davitt first thanked Chairman Engler for leading the Commission with integrity during the past year. He then nominated Commissioner Mehranian as Chair and Commissioner Gelhaar as Vice-Chair. The motion was seconded by Commissioner Cahill.

There were no further nominations and the motion passed unanimously and Commissioner Engler passed the gavel to Chairwoman Mehranian.

VI. COMMENTS FROM THE PUBLIC:

Councilmember Portantino thanked Commissioner Engler for a job well done during his tenure as Chair, and congratulated Commissioner Cahill on his appointment and Chair Mehranian on her election as Commission Chair. He recognized the oftentimes difficult job of the Commissioners and expressed the City Council's appreciation for their dedication.

VII. CONSENT CALENDAR

A. M/S/C Davitt/Gelhaar to adopt the minutes of May 25, 2004. 4 Ayes;
Abstain: Cahill

VIII. CONTINUED PUBLIC HEARING:

A. Hillside Development Permit 00-07; Baroian; 365 Corona Drive:

Senior Planner Buss provided a brief report and noted that the issues had been reduced to 7 items:

- 1) **Septic Tank** - relocated to an underground location that meets requirements of the Fire and Health Departments.
- 2) **Fire Dept. Access** - plans describe the inordinate amount of additional cut and a higher retaining wall at Corona Drive to provide a hammerhead that would meet Fire Department specifications.
- 3) **Restoration of the hillside** - exhibits included in the packets including use of retaining walls to restore the hillside. Will be discussed and reviewed by the Commission for compliance with its direction.
- 4) **Landscaping** - A plan approved by the Fire Department was submitted.
- 5) **HVAC pad** - the applicant is requesting to use the area at end of garage, which was part of original foundation plan for HVAC equipment. It would be screened with landscaping.
- 6) **Wildlife corridor** - exhibits depict how the Commission's direction to maintain the deer path is met.
- 7) **Drainage and rain water** - An approved grading plan was submitted with exhibits relating to water flow.

Chairman Engler asked that Staff insist that full size plans be submitted as he found it difficult to read the notations on the 11 x 17 plans.

Jonathan Sagherian, civil engineer for the project, advised that the soils engineer and the landscape architect were present to answer questions. He recalled that the Commission granted a continuance with direction that he return with a plan that more closely resembled what was originally approved, keeping in mind that other agencies had input on the entitlements.

Chairwoman Mehranian asked that Mr. Sagherian first address the 7 items outlined in Staff's report, followed by any remaining issues.

Mr. Sagherian addressed item 1, location of the septic tank. The original location was approved by the County; nevertheless, it was relocated and fully buried in a flat area near the driveway. Evidence of County approval for the new location was provided to Staff.

Regarding Fire Department access, the idea of an alternative access would necessitate carving out a larger entrance and the hammerhead off the driveway would project in the air and require structural support for fire department trucks or a retaining wall. Neither were desirable solutions.

Commissioner Davitt confirmed that Fire Department approval was not obtained when the Commission gave its approval in 2000. Upon submitting for plan check, they were given a list of required sign-offs, including the Fire Department.

Commissioner Gelhaar commented that he had requested that a hammerhead alternative be investigated. Following review of the most recent plans and making another site visit, he conceded that it is not a viable option.

Chairwoman Mehranian commented on the most consequential issue for those Commissioners who were not originally involved. Originally, the Commission emphasized the need that the hillside remain in its natural condition and imposed a condition to that effect. "Something somewhere went totally wrong", as evidenced by the degree of cut and exposure of the hillside. Since the Commission now faced a project that it did not approve, all the separate issues such as a new retaining wall, etc., are open to question. She asked that Mr. Sagherian provide a "before and after" scenario.

Mr. Sagherian reported that he had worked with Staff to address hillside restoration and what could be done to provide a natural landscaping palette. The original condition required maintenance of the slope between Corona Drive and the upper driveway, but between complying with the requirements of outside agencies and "excessive zeal" in the field, vegetation and top soil were removed from the portion facing Corona and Highland and the slope steepened. He advised that the submitted landscape plan blends into the hill as much as possible and is consistent with Fire Department regulations.

Stairs that would provide direct access up the slope for the Fire Department would be encased in concrete and below grade so they would not be visible and would protect the deer corridor. Landscaping above and below the staircase would provide further mitigation. Exhibits included current versus proposed slope, and perspective views of the walls in front of the house.

Chairwoman Mehranian asked how the retaining walls coincided with the original approval.

Mr. Sagherian referred her to Staff's report and his submittal which demonstrates that the deer path would be restored to its correct location and that this is the best solution.

Commissioner Engler questioned the plan notation "existing native brush to be removed". He commented that the Fire Department required the slope to be irrigated, rather than removing the native brush.

Yael Lir, project landscape architect, advised that the Fire Department asked that the native brush be removed and that drip irrigation was provided on the slope at the request of the Commission. All plant material is either native or drought tolerant, oak groupings were added as were taller trees to screen the house from the street below. The entire slope will be hydroseeded with native plantings and once they are established, the irrigation will be shut down and they would survive.

Responding to a question from Commissioner Engler, Ms. Lir confirmed that the area proposed for hydroseeding is what the Fire Department wanted cleared of native brush.

Mr. Sagherian then addressed the "HVAC" pad shown on the plans. He recalled that the original approval included a three-car garage with its foundation extending per the current pad. Following project approval and all the revisions, they ended up with a two-car garage. Rather than demolish the extended pad, he proposed to maintain it as an HVAC pad that will be screened by a retaining wall with a wood fence atop, so that it would not be visible from Corona or Highland.

The deer path would be located and restored as originally approved.

He then addressed drainage of the entire site. An approved grading plan was submitted showing that all water would be collected from the roof and site and directed to the street, though all the drainage devices are not yet in place.

Commissioner Gelhaar asked if the steel structure that is currently hanging over the hill would be removed and replaced with poured in place concrete steps.

Mr. Sagherian confirmed it would. If the Commission approves the grading concept that incorporates retaining walls, the steel stairs will be used as forms. Concrete will be poured and the stairs will be encased below grade and non-visible.

Commissioner Engler commented that the original approval allowed retaining walls ranging in height from 2'-3" to 5'; the revised plan shows those walls now reaching a maximum of 8' at the northerly end. He asked how they would be screened. He felt it would have been helpful had the applicant brought the architectural model that was initially produced – that is what he believed the Commission would approve with the addition of the turnaround that was required by the Fire Department.

Mr. Sagherian responded that vines would cascade over the wall and he offered to add a planter in front of the wall to screen its lower portion.

Addressing the increased wall height, he advised that the final grade for the driveway caused a higher wall at certain elevations. He noted that there is a 2'-3" freeboard atop the wall that is not retaining anything but which makes the wall appear higher.

Ms. Lir pointed out that bougainvillea would screen a portion of the wall and that it could continue along the driveway to cascade downward. A planter could be added along the driveway so that vines could attach to the wall and cover it.

Commissioner Engler did not believe this was a solution and commented that it would simply provide an 8-ft-high retaining wall covered with bouganvilla - "it doesn't screen the wall".

Chairwoman Mehranian opened the public hearing.

Dorothy Melendy, 309 Inverness Drive, resides up the hill from the site. She preferred that the applicant make a larger cut at the driveway entrance and adjust the way the house and garage are designed rather than cutting further into the hillside. Addressing the condition that the deer path be restored to its natural condition, she commented that the landscape plan is not "natural" and that a good deal of landscape enhancement would be required to get the hillside close to how it appeared for most of her life. She asked why the HVAC could not be placed where originally approved and how the noise would be buffered; she related how noise from a neighbor's unit affects her family. She also questioned whether reverting to the original deer path was appropriate at this point, since she no longer sees deer on the site.

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

Responding to a question from Commissioner Engler, Senior Planner Buss advised that the HVAC unit was not shown on the plans that were reviewed by the Commission and since he has not seen the building plans, he does not know where it was originally proposed.

Mr. Sagherian stated that he was unaware if the HVAC unit was originally shown, but he was willing to add ground isolators to preclude vibration noise.

Commissioner Gelhaar commented on the lengthy and difficult process that everyone has endured as a result of having the hillside scraped. From his standpoint, the remediation proposed by the applicant was acceptable. He offered conditions which included comments from previous meetings:

a recorded covenant setting forth the wildlife link and requiring that the area be left in its natural state, except as provided in other conditions and except as provided by the approved landscape plans. The covenant shall be

subject to review and approval by the Director of Community Development and the City Attorney and shall be recorded prior to final inspection stating that: the steel stairs shall be encased in concrete; fencing shall not be erected on the site so as not to obstruct the wildlife corridor; the height of the retaining wall above the driveway shall be lowered to eliminate the 2-ft cap; that the approved landscaping screening shall cover 100% of the wall; a one-year review to assure that the landscaping is satisfactory to the Director; that the applicant return with a plan that depicts the wall around the HVAC and what landscaping will mitigate the wall and that all landscaping shall be maintained.

He stated that the applicant had done as good a job as possible under the circumstances that his suggested conditions would make him more comfortable in supporting the project.

Commissioner Engler felt the Commission needs to see a new landscape plan depicting all the items identified by Commissioner Gelhaar -- he had talked about turf block with grass planting for the Fire Department pad -- it was mentioned but it is not included in the plan. He noted that with the majority of hillside projects, irrigation and automatic sprinkler plan and he had asked to see a drip irrigation plan under the turf block area and all the plants on the hillside. Now that the Fire Department mandates removal of the native brush, "hydroseeding is not what I want to see on the rest of the hillside"; it would expose the house even more. He stated that he could not approve the project until he has an opportunity to review a new landscape plan as noted. Regarding the HVAC unit, he preferred that it be relocated to where it was originally approved, rather than where it could offend neighbors. He concluded by stating that the biggest disappointment for him was the retaining wall "with green on it".

Commissioner Davitt acknowledged the applicant's efforts to address the issues but recognized persistent concerns. He supported lowering the wall at the driveway and asked that the applicant compile the various approvals into a single document which includes whatever conditions are imposed so that it is apparent to all, now and in the future, what the Commission approved.

Commissioner Cahill remarked that he obviously did not have the historical perspective of this project and noted the number of issues addressed by the applicant. Since he had not studied the site, he was not in a position to reach a conclusion; however, he agreed with Commissioner Davitt that having a consolidated plan would be useful.

Chairwoman Mehranian commented that the new information and layers of unclear data has complicated the matter. She stated that she was trying to understand how many retaining walls and at what height are now proposed and who is mandating the height. She questioned why the Commission should

take the applicant's word that because "it's a different building at this point", certain kinds of retaining walls are necessary. Chairwoman Mehranian expressed concern that the Commission was being asked to approve a certain type of greenery that would cover a wall and which might conflict with the Fire Department's requirements. She likened it to working with a moving target and added that it was difficult for her to ascertain what the end product would look like. She requested a "before and after" visual so the Commission could determine how close the revised project is to the original approval. She did not have an issue with the septic tank or with the measures to restore the trail and re-create the natural corridor.

Commissioner Engler asked the applicant to bring in the original model that was approved, so the Commission has a comparison viewpoint.

Mr. Sagherian remarked that part of the difficulty was addressing the different components individually and how best to deal with one matter without resolving another. He felt that perhaps a simple model or a rendering of each wall, their location and the landscaping shown above and below would be beneficial. He stated that he "could live with the conditions suggested by Commissioner Gelhaar and he wanted to move forward, as this was becoming a burden on the property owner. Mr. Sagherian stated that he would try to find the original model and requested a continuance to a date certain.

M/S/C Gelhaar/Davitt to continue Hillside Development Permit 00-07 to July 13. Unanimous.

IX. PUBLIC HEARINGS:

A. Hillside Development Permit 04-26; Tsujihara; 4716 Hillard Avenue:

Assistant Planner Gjolme described the applicants' request to allow first and second-floor additions to their existing two-story home. The site is located on a deep flag lot on the east side of Hillard Avenue, north of Foothill Boulevard, in the R-1-20,000 Zone.

The project would add approximately 660-sf of second-floor area to the rear and south, and a 71-sf expansion at the rear to the first floor family room. A total floor area of 4,351-sf would result, below the standard for the 44,041-sf property.

All code requirements, setbacks, angle plane, height and the modified floor area limit with the Slope Factor Guideline are met. While the project would alter the scale and appearance of the second-floor, issues of view blockage and massing typically found with hillside projects are not apparent due to the remote and well-screened site. The house is also substantially separated from other homes in the immediate area. A

second-floor deck is proposed along the south side with potential views to the south and west; however Staff does not consider this as a problem, since the neighboring home to the south is sited well forward of the subject residence and any views would be obscured by several accessory structures located in the rear yard of the neighboring property.

Staff believes that the project offers a reasonable expansion scheme that is sensitive to the site and the area and recommended positive findings and project approval.

Commissioner Gelhaar confirmed that if the project were reduced by 60-sf, it would be eligible for Administrative approval.

The Commissioners did not have questions for the applicant.

Chairwoman Mehranian opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Davitt stated that the project was well designed, non-intrusive to the neighbors and the lot could support it. He supported the project as proposed.

The Commissioners concurred.

M/S/C Davitt/Engler to approve Hillside Development Permit 04-26 as submitted and conditioned. Unanimous.

B. Floor Area Review 04-09; Zentmyer; 5106 Earl Drive:

Assistant Planner Gjolme reported the applicant's request to allow construction of a 125-sf, first-floor addition along the east side of the existing two-story home that would result in total floor area of 5,056-sf.

The site is a hairpin lot at the southeast corner of Earl Drive and Jarvis Avenue in the R-1-20,000 zone. While the floor area exceeds the standard for the lot, it is within the 5,256-sf maximum allowed through Floor Area Review. The addition would extend minimally to the east where a compliant 12'-4" side yard setback would be provided. All other code requirements, height, angle plane and setbacks are satisfied by the addition. Other two-story homes of comparable size are found in the immediate area. Given the minimal expansion and its limited visibility, Staff determined that the request is well within the parameters of Floor Area Review and recommended approval.

The Commissioners did not have questions of Staff or the applicant.

Commissioner Cahill stated that given the minimal development which is not excessive relative to the area, he could support Staff's recommendation.

The Commissioners concurred.

M/S/C Gelhaar/Davitt to approve Floor Area Review 04-09 as conditioned. Unanimous.

C. Modification 04-27; Keh; 5170 Angeles Crest Highway:

Assistant Planner Gjolme related the applicants' request to allow an existing, over-height wood fence located within the front yard setback, to be replaced with a block wall. The new wall would span the majority of the property's curved frontage along Angeles Crest Highway and at 6 ft in height, would exceed the 42-inch maximum allowed. An overall wall height of 9 ft is proposed, with the lower 3 ft comprised of an inward facing retaining wall, as allowed by Code. Additionally, a small pool equipment enclosure is proposed within the front setback consisting of three, 5-ft high retaining walls set back from a new swimming pool and the new frontage wall. He noted that Angeles Crest Highway is subject to higher traffic volumes and vehicle speeds which in Staff's estimation would significantly diminish the wall's visibility and any impacts. Further, over-height front yard walls and fences are evident on several properties to the north, including the adjacent three properties, that are not visually intrusive considering the width of the Highway's right-of-way and the speed of traffic. Existing oleanders at the curb-side would be maintained to buffer the walls and the pool enclosure wall would be sited below street level. Considering the unique location and configuration of the property as well as the over-height fence which is being replaced, Staff views the request as reasonable.

Commissioner Gelhaar asked that a condition be added to assure that the pool equipment complies with Code.

Craig Stoddard, project architect, was in the audience to respond to questions.

Commissioner Engler confirmed that the wall would be block. He preferred a split faced block and landscaping and drip irrigation along the Angeles Crest Highway perimeter to soften the visual appearance of the walls. He noted that in reality, the front yard works as a rear yard, the way the house is sited. If Mr. Stoddard agreed to those conditions, he could support the project.

Mr. Stoddard agreed.

Responding to a question from Chairwoman Mehranian, Director Stanley stated that Staff typically allows fences to be replaced with the same material. Since the applicant seeks to replace a wood fence with a block wall for sound attenuation, Staff referred this matter to the Commission. He confirmed that such requests have been approved in the past.

Chairwoman Mehranian opened the public hearing. Since comments were not offered, the public hearing was closed.

Commissioner Davitt recognized Commissioner Engler's propitious comments; however, his issue was with locating the pool equipment in the front yard. He asked if it could be relocated and continue to service the pool. Since Code does not address pool equipment in front yards, he was concerned with setting a precedent.

Mr. Stoddard responded that other than locating it adjacent to the house, there are not a lot of options, since the lot slopes upward. He advised of having raised the same question and was told that the equipment must be at the same level as the pool since it is somewhat fed by gravity.

Commissioner Engler agreed that having the equipment at the pool's level was ideal, but suggested that check valves would preclude water from draining back into the equipment.

Commissioner Gelhaar stated that he could support the request only because of its location on Angeles Crest Highway. He agreed with Commissioner Engler that landscaping was necessary to shield the wall and also agreed with Commissioner Davitt to relocate the pool equipment, noting that it could be placed 5 ft from the property line with the most impact neighbor's support, whose home is a great distance away.

Commissioner Cahill stated that he had no issue with regard to the wall; it would not create more massing and since the site is a corner property, the wall would offer privacy and a sound barrier. Regarding the pool equipment, he believed that placing it at the front, next to Angeles Crest Highway would be preferable to the neighbors, rather than relocating it near the fence and closer to them.

Chairwoman Mehranian agreed with Commissioner Gelhaar that only the unique location makes the request supportable. She also agreed with relocating the pool equipment.

M/S/C Engler/Gelhaar to approve the Modification to allow the wall but denying the modification for the pool equipment. The landscaping, irrigation and cap on the wall are subject to review and approval by the Director of Community Development. Unanimous.

X. OTHER BUSINESS:

A. Report only - outcome of Administrative hearing on Hillside Development Permit 04-22 at 1717 Bonita Vista Drive. Commissioner Gelhaar reported that this project involved a couple of retaining walls. Since there was an issue with regard to an easement, a condition was imposed that the upper retaining wall had to be signed off by a civil engineer to confirm that the wall would not interfere with the septic system.

B. Report only - conditions of approval for Conditional Use Permit 378, 707 Foothill Boulevard; Family Fitness Center. Director Stanley recalled there were questions regarding the whether the business owner was allowed to accept clients between the hours of 11:30 a.m. and 2:00 p.m. The packets included copies of the minutes, a tape transcript and the resolution. He believed it was clear that the applicant did not intend to close between those hours, and that condition 12 only excludes appointments during that time.

City Attorney Steres commented that this matter came before the Commission on June 15th to comply with condition 13, which requires a review of the parking situation following 6 months from start of operation. During that meeting, a discussion ensued as to the meaning of condition 12 and whether the business was required to close between the hours of 11:30 a.m. and 2:00 p.m. He stated that the transcript clearly reveals the question was asked and answered early on and that the Commission's motion did not reflect anything about closing during those hours. Attorney Steres repeated the question before the Commission - is there a parking problem in the Center? If there is, can it be attributable to this business and to those specific hours. Since there is no indication that is the case, this is a report and file matter only. Base don the existing condition, the business is not closed between 11:30 am and 2:00 p.m., and walk-in business is allowed during that timeframe.

Commissioner Engler related of having observed the parking lot between 12:30 and 1:30 pm and the lot is parked to capacity. Since the condition prohibits the applicant from having "appointments" between 11:30 a.m. and 2:00 p.m., he questioned how customers could be working out during that timeframe.

Director Stanley referenced Staff's report which recognized a peak hour for the center which begins a few minutes before noon and ends before 1:00 p.m. Staff's weekday site visit revealed 34 vacant spaces at 12:45 p.m. and no patrons at the Family Fitness Center.

Commissioner Gelhaar remarked that it was never his intent to exclude the applicant from having walk-in patrons. He was satisfied with the conditions and with Staff's report from a site visit.

M/S/C Gelhaar/Cahill to receive and file the 6-month report for Conditional Use Permit 378. 4 Ayes. Engler dissenting.

XI. COMMENTS FROM THE COMMISSIONERS:

Commissioner Engler confirmed that Staff's report to the Commission was included in the City Council's packets for the Gazmarian appeal.

Commissioner Gelhaar referred to the Corona Drive project and the submitted plans. He recalled prior discussions regarding plan submittal and reiterated that he did not want any plans submitted that aren't to scale. They do not necessarily have to be full-size plans, but the print must be readable.

Chairman Engler asked that the story poles at 3710 Madison Road are still in place. On another matter, he reported what he felt was an untenable situation at 1100 Inverness where garden walls are retaining 9-10-ft of soil in the front yard. After confirming that Staff approved the walls at a 3-ft-height maximum, he requested a copy of the permit.

XII. COMMENTS FROM THE DIRECTOR:

Director Stanley reported that Staff would present a specific plan to the City Council for the West Gateway link .

The budget process will begin on June 23.

Two Trail Committee workshops would be held to decide on a master plan for Trails, which will ultimately become an element of the General Plan.

Commissioner Engler confirmed that Staff still had the R-1 revision scheduled for July.

Director Stanley advised that he is interviewing for Planner Cantrell's position as well as for a Planning Intern.

Planning Aide Shimazu provided two updates: regarding the rock structure in the front yard on Verdugo Boulevard, the property owner is contemplating whether to lower the height of the structure or to apply for a Modification. Regarding the report of the chain link fence on Starlight Crest, the Pasadena Water

XIII. ADJOURNMENT

M/S/C Davitt/Engler to adjourn at 8:00 p.m. Unanimous.

Secretary to the Planning Commission