

**A MEETING OF THE PLANNING COMMISSION OF
THE CITY OF LA CAÑADA FLINTRIDGE HELD
JUNE 24, 2003**

- CALL TO ORDER:** Chairman Engler called the meeting to order at 6:00 p.m.
- ROLL:** Present were Commissioners Davitt, Gelhaar, Levine and Mehranian, Assistant City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Planner Cantrell, Assistant Planner Gjolme and Planning Aide Shimazu.
- COMMENTS FROM THE PUBLIC:** Comments were not offered.
- CONSENT CALENDAR:
Minutes of June 10, 2003** M/S/C Levine/Mehranian to adopt the minutes of June 10.
4 Ayes. Abstain: Gelhaar
- Vacation of public right-of-way; Inverness Walk:** M/S/C Mehranian/Levine to approve Vacation of public right-of-way 03-01. Unanimous.
- CONTINUED PUBLIC HEARING:**
- MODIFICATION 03-09,
BUILDING DEPTH
REVIEW 03-02; KING;
4738 PALM DR.:** Assistant Planner Gjolme recalled that this item was initially considered on April 22 and continued with direction to the applicant to explore alternatives for the garage design and location. He described the project, which includes expanding the first and second floors by nearly 3,900-sf, for a total roofed area of 7,413-sf. The Setback Modification addresses encroachments into the side yards by the new second floor and the existing garage building line. Though the Commission did not take action on April 22nd, there was consensus that the residential expansion as conditioned, was appropriate for the 28,000+-sf property. Similarly, the Commission did not consider the building depth as problematic, so long as a 20-ft side yard setback was provided (with the exception of an alcove at the rear).
- The applicant complied with the Commission's request to explore design alternatives for the garage and concluded that the original proposal would require the least amount of

physical disruption to the site. Planner Gjolme reminded the Commissioners that allowing the garage modification would allow its expansion or its demolition and replacement. Staff determined that any impacts to the adjacent neighbor resulting from the Commission's allowing a 3-car garage would be negligible, given the neighboring property's higher elevation and adjacent driveway. The long-standing garage in its current location justifies allowing it to remain as sited. Staff continued to recommend positive findings and project approval.

Applicant Teresa King, provided a brief overview of her project. The sole remaining issue was the existing garage, which is located 2 ft from the property line. Expanding it to accommodate 3 cars requires a 2'9" setback at the front and a 1' 8" setback at the rear. Mrs. King stressed that a three-car garage fits with the size and design of her home and would meet her family's needs. She advised of having reviewed the plans with 23 of her 27 neighbors; all but two abstentions and 1 objection, supported the design. She advised that the architect was prepared to present a number of schemes, showing different orientations for the garage and the positives and negatives of same. She believed that the original proposed meets the objectives of the community and the needs of her family.

Project architect, Juan Acetuño, Jr., displayed alternatives compared with the proposal, in relation to the neighboring Chow residence. The Chow's home is approximately 4 ft higher in elevation, with view and site angles over the garage which is approximately 14 ft from the common property line. The windows of the Chow home are approximately 8 ft in front of the garage, with a clear view to the street. Further reorienting the garage so that the doors are at the side rather than at the front would mitigate noise to the Chow property.

Mr. Acetuño displayed an exhibit of the portion that would remain if the garage were expanded. The roof, wall, footing and slab would remain – he calculated that 13% of the garage located within the setback would be demolished. He then presented a design showing the garage at the rear of the property and stated there were many negatives with this design, the most significant being a 10-ft-wide driveway, approximately 190 ft in length. This design would add at least 2,600-sf of new concrete, would eliminate landscaping

along the side yard and require demolishing the existing garage and creation of a turnaround. The mature avocado tree, with a drip line of approximately 30 ft and which provides screening between the Chow's home and the garage would have to be removed.

Commissioner Gelhaar confirmed that regardless of the negatives, a 3-car garage located at the rear of the property would meet floor area requirements.

Mr. Acetuño pointed out that the lot is 280 ft deep. A 3-car garage would block the view of the rear lot from the house and destroy the back yard area.

Another exhibit showed an expanded 3-car garage with a hip roof. The architecture would not complement the home and 3 garage doors would face the street – an undesirable plan, according to Staff. The noise would also increase, which is a concern for Mrs. Chow, the driveway width increased, and landscaping removed.

The last exhibit showed the garage at a code-compliant 10-ft setback from the property line. Mr. Acetuño explored this design and found that he could attach it to the house and create a two-story mass. He noted this design would result in a side yard that would be a utility yard for trash cans, a dog run, etc. His client could also add a 5-ft-high garden wall, which would reduce views from the Chow property, bring the house forward and present more mass from the street.

Responding to a question from Commission Gelhaar, Mr. Acetuño recognized this design would add approximately 600-sf above the garage, but floor area would be reconfigured and would not exceed what is currently proposed.

Director Stanley noted that a two-story garage would add to the building depth.

Lastly, a rendering of the house and garage as proposed was displayed.

Chairman Engler opened the public hearing.

Susan Chow, 4746 Palm Drive, distributed material to the Commissioners.

Speaking only for himself, Chairman Engler stated that he would accept the material but would not consider it, given its late submittal.

Commissioner Levine supported the comment, adding that the message needs to get out to the community that last minute submittals will not be considered during deliberations.

Ms. Chow reported of having discovered earlier in the day that the project would be heard the same evening. She believed that allowing the garage expansion would affect the privacy and enjoyment of her property and that demolishing more than 50% of the garage was tantamount to allowing a new structure. She related of showing the plans to 95 residents, who believed the design should be changed.

Commissioner Levine informed Ms. Chow that the Commission did not require a redesign; it merely provided an opportunity to consider options.

Visman Chow read a statement from a licensed general contractor, who opined that more than 50% of the garage would have to be demolished in order to expand it.

Don Vandervort, 4716 Palm Drive, stated that he appreciated the design and inward facing garage doors, but felt it should be redesigned and not impact the neighbors.

Steve Forestman, 4748 Palm Drive, related the tangible impacts associated with granting the modification.

Commissioner Levine confirmed that Mr. Forestman is not a property owner and asked if he preferred a garage at the rear of the King's property, where it would likely directly impact him.

Mr. Forestman responded that he frequently drives by the existing garage and believed there is ample room on the property to relocate it.

Alice Law, 1824 Orchard Lane, requested that the building codes be enforced.

Edwin Kan, 5224 Castle Road, stated that it was an imposition on everyone to continue a project if changes are not made.

Bob Linka, 4752 Palm Drive, resides directly south of the project site. He supported the project and doubted there a better alternative to what is proposed.

Dennis McNamara, 4825 Hillard, who resides east of the King's property, stated it is a great project that is 90% "there". He expressed concern with the proposed setback and how it would impact the neighbor.

Julie Markowitz, 4810 Palm Drive, stated that the code-compliant alternatives reinforced her support of the project. She pointed out that Palm Drive is comprised of large and smaller lots and she believed the project as proposed, is compatible with several homes in the neighborhood.

Evelyn Quinn, 4747 Palm Drive, who resides directly across from the project site, stated that she strongly felt the garage should not be at the rear. She related of having spent a good deal of time reviewing the plans and recalled that at the last hearing, Ms. Chow stated her intent to remodel her home. She felt it should be designed so that any impacts would be mitigated.

Chairman Engler allowed rebuttal time.

Mr. Acetuño stated that he "did his best for his client and for the neighborhood". Addressing Ms. Chow's assertion that an expanded garage would restrict light and air to her property, he noted that the garage height would be increased only 18" at the ridge and extended 2' 8" at the front. Regarding the engineer's letter read by Mr. Chow, Mr. Acetuño advised that he also has designed many projects and felt he clearly demonstrated that only 13% of the garage's encroaching would be demolished.

Chairman Engler closed the public hearing. He asked the Assistant City Attorney if the 50% "rule" applied to the entire structure or was it limited to the encroachment.

Attorney Steres advised that it applied to the entire structure and that the Commission should concentrate on what would be demolished.

Director Stanley noted that the Modification assumes that the entire garage is “gone”. He expressed concern with the “50% argument” and requested the Commission to focus on the findings. If the findings could be made, it would be appropriate to allow the expanded garage in its current location. He observed that Mrs. King questions the asserted impact, given that there is an existing structure.

Commissioner Gelhaar stated that when the Commission agreed to a continuance, he was hoping there would be a serious effort to redesign within Code. He stated, “there has been a concerted effort to demonstrate why the alternatives won’t work, rather than show how it could work”. He felt that viable options included relocating the garage to the rear yard rotating it and moving it 8 ft south. He stated he could not make findings 1 or 2.

Commissioner Davitt advised he made a site visit and read the minutes of the initial hearing. He stated he did not have a problem with the building depth and believed that relocating the garage to the rear yard would be more intrusive with regard to light and noise. He preferred the garage doors facing south as proposed.

Director Stanley then read from the Zoning Code addressing the “50% demolition” discussion and pointed out that it is meaningless and not germane to the project under discussion. It deals with replacement value i.e., if less than 50% of the garage was destroyed by fire, it could be rebuilt to reflect its current condition. He informed the Commission of the City’s long standing policy allowing garages to replace carports, even though the garage might encroach into the setback.

Commissioner Mehranian found the presentation of alternatives helpful and supported alternative D. She did not have a problem with the building depth, but believed that the existing garage is close to being intrusive. She stated she could support a single-story configuration for the garage and moving it inward an additional 8 ft to comply with Code.

Commissioner Levine commented that the garage is “probably in the right place, given the house design”, but he could not make the findings to allow an 8-ft encroachment.

Chairman Engler confirmed that alternative “C” would not require a modification so long as the front and rear walls remained as is.

Commissioner Gelhaar made a motion to deny Modification 03-09 and approve Building Depth Review 03-02. The motion died for lack of a second.

Director Stanley confirmed that Commissioner Gelhaar intended his motion to deny the second floor alcove’s encroachment into the setback.

Commissioner Levine made a motion to approve Building Depth Review 03-02 and deny Modification 03-09 with a condition that the garage return to the Commission for review “no matter where it is and what it looks like”.

Attorney Steres advised Commissioner Levine that approving the Building Depth requires a code compliant garage. He pointed out that the Draft Resolution approved both items. He suggested that the Commission could adopt the Resolution with a condition that the garage meet the required side setbacks. Doing so would allow the 2nd floor alcove encroachment.

Commissioner Mehranian stated that the applicant was short changing the Commission in light of the alternatives presented.

Attorney Steres remarked that the Commission had the option of denying the request.

Director Stanley related the benefits of allowing the garage to remain where currently located: 1) architectural consistency, 2) garage doors facing away from the street, which the City Council and Commission maintain is desirable, and 3) a detached garage at the front breaks the visual mass from street view.

Commissioner Levine noted that the Council was also looking to increasing space between properties.

Attorney Steres opined that the Commission did not have authority for further discretion.

Commissioner Davitt confirmed that if the garage were within the setback, the only issue would be the building depth review, per the draft conditions.

Attorney Steres noted that there was the option of a redesign so that Commission review would not be required or, an appeal to the City council.

M/S Levine/Gelhaar to deny Modification 03-0 and Building Depth Review 03-02. No: Davitt, Engler and Mehranian. The motion failed for lack of a majority.

M/S/C Mehranian/Gelhaar to approve Building Depth Review 03-02 and alternate D, and limiting the garage to single-story. 3 Ayes. No: Davitt; Abstain Levine. The motion passed, 3-1-1.

Commissioner Levine pointed out that the Commission has no idea what the garage would look like. Since the second story is measured from wall height; the garage could have a steep roof with no restriction to height, since it would be attached.

Commissioner Engler advised the applicant of their right to appeal to the City Council within 15 days.

PUBLIC HEARINGS:

**CONDITIONAL USE
PERMIT 355
(amendment);
VARIANCE 02-08; City
of LA CAÑADA
FLINTRIDGE; 1800
FOOTHILL BLVD.:**

Senior Planner Buss reported the City's request to amend an approved CUP to develop a passive park at the southern portion of the Park & Ride lot facility. The site is located at the southwest corner of Foothill land the CA 2 Freeway in the Public/Semi-Public Zone. He recalled that the initial Planning Commission hearing resulted in a tie vote (2-2), the equivalent of no action taken. Staff appealed the "non-decision" to the City Council, which approved the project.

The requested amendment addresses Caltrans' determination that the restroom/snackbar/storage building was located overly distant from the Park & Ride facility; the restroom portion might be open when the concession portion is not. Consequently, the structure and the sand play area switched locations. The structure was redesigned and is now

proposed at 560-sf and moved to the northern end of the sound wall at the northeast corner of the park. Doing so necessitates a Variance to allow the structure to encroach as much as 23 ft into the exterior side yard setback. The exercise station was eliminated, some of the bike racks would be closer to the restroom and at least thirty spaces continue to be available in the Park & Ride lot area.

Director Stanley reported that the Design Commission reviewed and approved the revised plan with conditions. The project's architect, landscape architect and the City Engineer were in the audience to respond to any questions.

Commissioner Engler expressed concern with having a building adjacent to an acceleration onramp. He recalled that the previous design had a water feature separating the public from errant cars. He suggested that K rails would be a good preventative solution.

City Engineer Kwan advised that the design is not subject to Caltrans review and as designed, does not include K rails. The structure is located in a cut out that sets it away from traffic lanes.

Commissioner Levine questioned if the Commission's purview included setting safety standards, though he agreed with the comments.

Chairman Engler opened the public hearing.

Landscape architect, Ronnie Siegel addressed the safety issue and noted there is a grade change – the steel-framed structure would be 2 ft lower than the onramp and approximately 15 ft from the acceleration lane. There would also be trees and a reinforced block wall providing further separation. She offered to look into more reinforcing during the engineering phase.

Commissioner Levine cautioned that motorists make U turns there, including the CHP, to re-enter the freeway.

Chairman Engler closed the public hearing.

Commissioner Gelhaar stated he was not comfortable with having the Planning Commission propose engineering

specifications, but agreed that a strongly worded recommendation regarding safety, would be appropriate.

Commissioner Levine stated he would not support the amended project.

Commissioner Mehranian supported it.

Commissioner Davitt echoed Commissioner Gelhaar's comments and supported the project.

Chairman Engler stated he would not support the request.

M/S/C Gelhaar/Mehranian to approve amendment to Conditional Use Permit 355 and Variance 02-08. 3 Ayes. Dissenting: Engler and Levine.

**HILLSIDE DEVELOPMENT PERMIT 03-13;
VARIANCE 03-06;
BUILDING DEPTH REVIEW 03-05;
MODIFICATION 03-29;
MONROE; 4322
WOODLEIGH LANE:**

Planner Cantrell reported the applicants' proposal to construct a new, two-story home on hillside property, including a Modification to reduce the north side yard from 10 feet to the existing 3 ft; a Variance to allow an overall height of 31' 8" and Building Depth Review for balconies extending beyond the 50-ft threshold.

The subject site is located on the east side of Woodleigh Lane, 500 ft south of Georgian Road in the R-1-20,000 Zone. The project would replace a single-story home with 6,284-sf of floor and roofed area and a pool, spa and terracing in the rear yard. Planner Cantrell noted that the classification of hillside' is a formality in this instance and is due to a slope at the rear of the property that leads to a ravine, which returns up on the other side. The ravine is graced by many oak trees; there are 16 on the subject property.

The submittal is traditional in design, similar to the conservative character of the area. The house would be generously set back from the street at 41' 10", with total floor area designed to code limit. The ground floor is nearly twice the area of the second floor.

Modification: The existing garage on the north side of the property would be replaced by a deeper one to accommodate four cars in tandem configuration. It would be extend 45 ft at

a 3-ft setback (a 7-ft encroachment). Planner Cantrell noted that the existing garage and a portion of the house extend for a length of 56-ft along the same 3-ft; therefore, the length of encroachment would be reduced by 11 ft. The garage's front setback would be increased by 13 ft. Nonetheless, Staff recommended a 5-ft side setback as more consistent with neighborhood pattern, to preclude a crowded situation.

Variance: The excess height results from the declining slope at the rear of the house and the 28-ft height maximum imposed by the technicality of the *hillside* designation. Overall height would conform to the 32-ft limit attained by many homes in the neighborhood. Further, the house is sited below street level and presents a 26' 5" front elevation.

Building Depth Review: the house is subject to this review since its balconies lead to overall depth exceeding 60 feet. This was not problematic for Staff due to the second floor's generous setbacks on both sides and because the balconies do not cause a more crowded side yard, which was the genesis of the Building Depth Review threshold.

Staff recommended positive findings and project approval as conditioned.

Responding to a question from Commissioner Davitt, Planner Cantrell advised that the balconies extend 3 ft.

Chairman Engler confirmed that the structure's height was measured from the low datum point at the southeast corner. Planner Cantrell noted that the applicant could simply adjust the grade and avoid the Variance.

Project architect, Pete Volbeda, pointed out that the house could be brought forward nearly 10 ft and meet Code. Rather than do that, he preferred to maintain the existing side yard encroachment and not affect living area.

Commissioner Gelhaar inquired why the house couldn't be shifted side ways.

Director Stanley explained doing so would affect the mature oak. The applicant is required to maintain clearance of 3½ x the diameter of the oak

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

Chairman Levine felt that since this is a new house, it should meet the setback requirements.

Commissioner Gelhaar stated he could make the findings for all the requests with the exception of the setback modification.

Commissioners Davitt and Mehranian concurred.

Chairman Engler agreed and offered the applicant options including a vote or a continuance for redesign.

Planner Cantrell suggested that the Commission could deny the Modification and approve the other components, since the Commission's objections seemed to be that a new house ought to meet the required setbacks.

Commissioner Levine stated he wanted to see the "whole thing again" and that he would not approve a design that he doesn't review.

M/S/C Levine/Gelhaar to continue HDP 03-13, Variance 03-06, Modification 03-29 and Building Depth Review 03-5 to July 22. Unanimous.

A 5 minute break was taken, with the Commission reconvening at 8:07 p.m.

**CONDITIONAL USE
PERMIT 370; VALLEY
WATER COMPANY;
4524 HAMPTON RD.:**

Planner Cantrell described the applicant's request to expand their administrative offices.. The site is located on the east side of Hampton Road, immediately north of the 210 freeway overpass, in the Public/Semi-Public Zone. Properties north of the site are zoned R-1-7,500.

Existing office space consists of 1,600-sf. The 735-sf proposed expansion consists of an expanded manager's office, an adjacent office, a lunch room. Handicap access will also be provided at the front. The addition would be at the rear and not viewed from off site.

Commissioner Mehranian confirmed that the project would not generate any new traffic.

Project architect, Craig Stoddard, described the project and small and straightforward. The design is consistent with and integral to the existing design and materials.

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

Commissioner Davitt remarked that the project makes good use of the facilities and would out of view from offsite.

The Commissioners concurred.

M/S/C Levine/Gelhaar to approve Conditional Use Permit 370 as conditioned. Unanimous.

**VARIANCE 03-05;
MODIFICATION 03-17;
OLIVER;
2258 DAISY LANE:**

Planning Aide Shimazu reported the request to legalize a non-habitable second-floor addition, which encroaches into the required 45° angle plane and also encroaches 10'-8" into the required 11'-8" second-floor setback.

The subject site is located near the T intersection of Daisy Lane and Cypress Street, in the R-1-5,000 Zone.

The Commission's attention was restricted to the second-floor expansion above an existing staircase. The construction was done without zoning clearance or building permits. The previous 8-ft-roof height was increased to 16 ft and the facade above was pushed out approximately 4 ft to fill in a recess along the building's west side. The addition faces a flat roofed patio structure on the adjacent property and a pool further south. Mr. Shimazu noted that while the addition does not represent habitable space, it introduces mass 1-ft from the side property line. The required findings were then reviewed. Staff determined that any hardship was self created through illegal construction and an existing encroachment further exacerbated. Further consistency with neighborhood development was not apparent. Staff recommended denial of both requests.

Commissioner Levine confirmed that the first floor also encroaches into the setback.

Tom Newman representing the applicant, advised that the former "tacked on" stairway with a stucco flat roof, leaked and caused interior water damage. He stated there was

never an intention to add square footage, but rather to resolve an ongoing water infiltration problem.

Director Stanley responded to a question from Commissioner Gelhaar, advising that permits were obtained for a staircase in the early 1960's, on a two-story home.

Chairman Engler confirmed that the Variance request is to allow the angle plane encroachment.

Chairman Engler invited testimony.

Nerses Sinanian, 2260 Daisy Lane, the adjacent neighbor to the west, stated that the single-story home was more acceptable. He reported that the applicant has views into his back yard and that the enclosed stairwell "looks ugly", and distributed photos showing the project from his yard.

Mary Sinanian, advised that before she left on vacation, there was a Stop Work order on the applicant's project as it was to close to the property line. Upon her return, the project had been completed.

Mr. Newman felt that the submitted photos were deceiving, noting that the stairwell pre-existed the enclosure.

No further comments were offered and the public hearing was closed.

Commissioner Davitt reported of having made a site visit and stated that while he was sensitive to the applicant's request, he was unsure if he could support the Variance.

Commissioner Mehranian supported Staff's recommendations and found it disturbing that work was done with out permits.

Commissioners Levine and Gelhaar and Chairman Engler concurred.

M/S/C Levine/Gelhaar to deny Variance 03-05 and Modification 03-17. Unanimous.

Director Stanley remarked that the home must return to its “permitted” state. He notified the applicant of her right to appeal the decision to the City Council within fifteen days.

**PUBLIC MEETINGS:
FLOOR AREA REVIEW
03-11; APPLEBAUM; 4565
INDIANA AVENUE:**

Assistant Planner Gjolme described the applicant’s request to construct a 335-sf, covered patio, which would yield a total floor area of 4,137-sf, and exceed the maximum for the lot by 298-sf.

The subject site is located on the southwest corner of Indiana Avenue and Flanders Road, north of Foothill Boulevard, in the R-1-7,500 Zone.

The new patio would be located at the rear of the two-story home, adjacent to the garage and a new family room. Although not enclosed habitable space, its solid roof counts as new floor area. It would not be viewed from the street and would be only minimally seen from homes to the south and west.

Staff determined that the positive findings could be made and recommended project approval.

Craig Edwards, project architect, was in the audience to respond to any questions the Commission might have.

Chairman Engler invited testimony, however; no one wished to speak on this project.

Commissioner Gelhaar stated he made a site visit. He supported Staff’s recommendation and asked for a condition requiring on-site construction parking or carpooling.

Applicant, William Applebaum, expressed concern with such a condition. He pointed out that all his neighbors have an understanding of the construction impact and have provided signed support. Additionally, his street dead-ends into the wash.

Director Stanley commented that it would be extremely difficult to enforce such a condition and could prolong the project. He noted that the street is not heavily traveled.

Chairman Engler requested *substantially* be stricken from draft condition five.

M/S/C Levine/Davitt approving Floor Area Review 03-11, modifying condition 4 to address only the patio cover, striking *substantially* from condition 5 and adding a condition that construction parking be accommodated on site or along the frontage of the subject property. Unanimous.

**FLOOR AREA REVIEW
03-06; RAYMOND; 4278
OAKWOOD AVENUE:**

Assistant Planner Gjolme related the applicants proposal to demolish an existing home and replace it with a 6,021-sf, two-story home on a 25,161-sf lot. Though floor area meets Code, it exceeds the review threshold for lots with less than 80 ft of frontage. The subject lot has 77 ft of frontage.

The project includes shifting the driveway approximately 20 ft to the north and removing a non-conforming garage. The new house would be developed near the center of the lot with an attached garage at the rear. Approximately 60% of floor area would be accommodated on the first floor. Generous setbacks are proposed i.e., a 75-ft front setback, 77-ft at the rear; and along the south side, the first floor would be set back 17 ft and the second floor 22 ft. Assistant Planner Gjolme pointed out that the overall scale is consistent with numerous homes in the area and while the project triggers review, the underlying standards are met. The project would not cause any visual disruption, considering the mature landscaping at the front and the area's development pattern. Staff recommended positive findings and project approval.

Commissioner Davitt confirmed that the proposed sq footage is lower than what Code allows and that threshold review would not be required if the lot had 3 additional ft of frontage.

Project designer Bert Notch, advised that he had prepared a production schedule for the neighbors, so that they would be aware of material delivery times.

Chairman Engler invited testimony.

Larry Stone, advised that he has resided at 421 Oakwood for 32 years. He disputed staff's comments regarding the project's consistency with other homes on the block and stated that the project has the characteristics of a fortress.

Commissioner Gelhaar explained that the City does not have a residential design review process.

Elizabeth Powell reported that she lives adjacent to the project site. She felt the house appeared to be three stories and noted that three chimneys are proposed. She was pleased that the garage would be at the rear of the property and asked that second-story windows on the north side be eliminated to protect her privacy.

John Horral, 4271 Oakwood Avenue, thanked the Commission for insisting that construction vehicles park on site or that workers carpool. He reported that Oakwood has experienced six new projects and two major remodels recently. He counted 27 trucks parked on both sides of the street earlier that day, contrary to the City's posted "no parking" signs.

Commissioner Mehranian confirmed that the existing landscaping would be maintained.

Commissioner Davitt confirmed that the applicant would be willing to add landscape screening on the north side if there was an issue with privacy.

Applicant, Cordella Raymond responded to comments regarding the house and landscaping. The home is not a three-story structure and there is row of eucalyptus trees along the north side. The remaining spot that could accommodate another tree is where the garage is. She then listed the numerous trees along the entirety of the north side property line. Ms. Raymond noted that windows on the existing home have faced Ms. Powell's property for 17 years; this was the first time she was made aware of any problem. Nevertheless, she offered to add another eucalyptus tree.

Mr. Notch advised that an arborist has reported that all trees on site are healthy.

Commissioner Levine noted that the threshold review requires only the finding of compatibility. He stated that he did not have a problem with setbacks or the proposed size of the home, but questioned staff's finding of "no disruption to the character of the neighborhood".

Commissioner Mehranian felt the Commission was at a disadvantage in terms of not knowing how the landscape would appear. She requested a condition requiring landscape screening of the site.

Commissioner Davitt concurred, and he believed the Director should review the landscape plan. While he appreciated the neighbors' comments, many of the concerns related to what is occurring citywide, rather than addressing specific impacts from this project. He expressed support for the project, noting that it falls within the scope of what Code allows. He further pointed out that the size of the lot allows ample opportunity for on site construction parking.

Commissioner Gelhaar stated that the additional three feet of frontage that would have precluded this project from Commission review would not change the dynamics. He concurred with Staff's findings.

Chairman Engler agreed and asked that the plans be numbered and that *substantially* be stricken from draft condition five.

M/S/C Levine/Gelhaar to modify condition 5 as noted, add a condition requiring Director's review and approval of a landscape plan and simplify the wording of condition 13 prohibiting on-street parking, and add Saturdays, Sundays or holidays to the last sentence. Unanimous.

**MODIFICATION 03-22;
TREE REMOVAL
PERMIT 03-24; BECKER;
918 GREEN LANE:**

Planning Aide Shimazu reported the applicant's request to allow a single-story addition that would encroach 5'-8" into the required 50'-8" front yard setback and 3'-7" into the required 13'-7" easterly side yard setback. Additionally, two Chinese elm trees, each with trunk diameters of 24" are requested to be removed.

The subject site is located on the southeast corner of Green Lane and Princess Anne Road in the R-1-20,000 Zone.

The project involves an expansion into the eastern side yard of the single-story residence . A 2,412-sf addition would extend for 96 ft, at a 26-ft height compared to the existing 20-ft height of the home. The existing garage, which is set back 10 ft from the easterly property line, would be demolished and replaced with a new, street-facing attached garage.

The elevation difference between the subject property and that of the adjacent eastern property assures that views would not be affected. Staff is confident that the requested 3'-7" side yard encroachment would not have any discernible effect on the immediate area. The intent of the project is to maintain the rear yard's open space and to maintain the low profile of the single-story home.

The project would not compromise the purpose of the R-1 setback standards. Staff believed that the finding of hardship could be balanced versus the negligible effects and appearance benefits.

Tree Removal – A two-story expansion is the only alternative that would maintain all existing Chinese elms. Access to the new garage also requires removal of a Chinese elm ; otherwise, rear yard open space would be disrupted. Staff believes that the elms contribute to the wooded character of the property and therefore recommends that two, 36" -box trees, selected from the City's protected species list, be installed on the property.

In summary, Mr. Shimazu reported that Staff supported both requests,

Applicant, Brian Becker, explained his desire to maintain his low key, ranch style home. He advised of having brought in 19 of the 30+ trees on his property, some which were brought in by crane. Given the numerous liquid ambars in the front yard, he asked to be allowed that species rather than two from the protected list.

Commissioner Gelhaar advised Mr. Becker that in similar situations, the City has given the option of contributions to the City's Tree fund, or allowing plantings on public land.

Mr. Becker commented that he would be pleased to contribute to a tree fund.

Commissioner Gelhaar observed that this was a unique situation; the house "is exactly where it should be on this lot". He concurred with Staff's findings and conditions.

Commissioners Davitt and Mehranian concurred.

Chairman Engler commented on his preference for single-story additions; he felt they tend to enhance a neighborhood rather than having total two-story development. He requested more information on the City's Tree Fund.

Director Stanley advised that the cost would be based on two, 36-inch box trees with the option of purchase and installation of protected trees on City property.

Commissioner Gelhaar asked that condition 14 should include Saturdays as a prohibited delivery day and that construction parking should be restricted to on site or immediately in front of the subject property.

M/S/C Gelhaar/Davitt to approve Setback Modification 03-22 and Tree Removal Permit 03-24 with condition 14 revised and the option given to contribute to the City's Tree Fund. Unanimous.

OTHER BUSINESS:

**HDP 99-66; Ragusa; 1849
Glenhaven Drive:
Determination of
substantial conformance
with approval:**

Director Stanley reported that the house is nearing completion and landscaping, including oaks and oleanders, has been installed. The property owner has proposed revisions that raise concern as to whether those revisions are in substantial conformance with the approved plan.

The approved plans depicted a railing above a wall, which overlooks La Granada Way. The wall ranges in height from 4 ft to 10 ft at the corner of the pool. Rather than a guard rail, the applicant constructed a solid masonry extension of the wall, adding approximately 4 ft to the wall height. He advises this provides a noise buffer and privacy for his pool area. Another issue is the color of the house, which appears as unfinished concrete. The original furnished color chip was a lighter color.

Commissioner Gelhaar confirmed that the rebar above the retaining wall simply needs to be cut; it is not an indicator of more wall height. Addressing the wall, he advised that the color is called mock green and stated he was willing to do whatever it takes to screen it. Addressing the wall, he requested to maintain it for privacy and a noise barrier. He pointed out that 8 creeping fig plants were recently planted to grow over the wall.

Commissioner Levine verified that the existing house color is darker than what was approved.

Director Stanley advised that the color sample originally submitted did not conform to LRV guidelines. Planner Cantrell advised that the existing color is much closer to the Guideline.

Commissioner Davitt reported that he made a site visit. He was not concerned with the house color and suggested stuccoing the wall so that it blends with the house.

Commissioner Gelhaar remarked that if the existing house color is closer to LRV, he didn't have a problem with it. He believed that allowing open fencing to enclose the pool area is dangerous and would likely result in motorists on the freeway rubbernecking. He preferred that a landscape architect prepare a plan that would assure screening of the wall within a year's period of time.

Commissioner Mehranian stated that she had major issues with the house color and the wall, no matter how well screened it is.

Commissioner Levine stated that the house color was acceptable, but he had a big problem with the wall, which he did not believe substantially conformed with the Commission's approval.

Chairman Engler stated that he recalled that the applicant is a local contractor. He suggested that the top portion of the wall be removed to reduce its height.

Mr. Ragusa advised that the wall was not grouted and it would be fairly easy to lower it.

Director Stanley asked if the Commission would accept wrought iron rather than a metal railing.

M/S/ Mehranian/Engler finding that the wall is not in substantial conformance with the approved project.

Dissenting: Davitt and Gelhaar; Abstain: Levine.
The motion did not carry.

M/S Gelhaar/Davitt finding that the wall would be in conformance if it can be 100% screened within 12 months, subject to the approval of the Director.

Dissenting: Engler, Levine and Mehranian.
The motion failed 2-3

M/S/C Levine/Gelhaar requiring that the upper wall be reduced in height by 3 ft; the maximum height of the metal or wrought iron railing shall not exceed 42" above that, and requiring the wall to be covered with appropriate landscaping subject to the approval of the Director. 3 Ayes; Dissenting: Engler and Mehranian.

**COMMENTS FROM
THE COMMISSIONERS:**

Commissioner Levine asked Staff to check on a swing set in the front yard of a new house on Hillard.

Director Stanley advised that if it does not meet the criteria of a structure, it is not prohibited.

Chairman Engler requested status reports on an over height structures on Verdugo Road and an over height wall on Chevy Chase, and an update on oaks which were removed and replaced by a pool on Commonwealth.

Commissioner Levine commented on the length of the agendas.

Director Stanley suggested that reporting property maintenance and zoning concerns to Staff by phone or e mail might shorten the meeting, and Staff could have responses for the Commissioners.

Chairman Engler commented on a comment expressed by a Council member during a recent appeal hearing. He believed concern was expressed about Planning Commissioners addressing the Council during such matters. He asked if Commissioners were allowed to attend appeal hearings.

Assistant Attorney Steres responded that the Commissioners are certainly allowed to be there and suggested this might be an item for discussion with the City Council at the joint

meeting. He added that only a comment was made; there was no concurrence.

**COMMENTS FROM
THE DIRECTOR:**

Director Stanley asked the Commissioners to call in available dates from July through September for a joint meeting with the City Council.

He advised that the appeal on the Muro project on Hilldale Drive is scheduled for July 7.

ADJOURNMENT:

M/S/C Gelhaar/Mehranian to adjourn at 10:35 p.m.
Unanimous.

Secretary to the Planning Commission