

**A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE,
HELD JUNE 26, 2001**

- CALL TO ORDER:** Vice-Chairman Levine called the meeting to order at 6:00 p.m.
- ROLL:** Present were Commissioners Brown, Engler, Gelhaar and Mehranian. Also present were Deputy City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Planner Cantrell and Planning Aide Gjolme.
- COMMENTS FROM THE PUBLIC:** Public Safety Commissioner Faye Therrien reported the City Council's direction that all Commissioners report to duty at City Hall in the event of an emergency; therefore, training in emergency preparedness is critical. Emergency Coordinator Pachon distributed a survey to the Commissioners for completion.
- CONSENT CALENDAR:
MINUTES OF MAY 8** M/S/C Gelhaar/Mehranian to adopt the minutes of June 12 as corrected by Commissioners Mehranian and Engler. Abstain: Brown and Levine. The motion passed 3-0-2.
- ELECTION OF CHAIR
and VICE-CHAIR:** M/S/C Mehranian/Engler nominating Commissioner Levine as Planning Commission Chair. There were no other nominations. The motion passed unanimously.
- M/S/C Mehranian/Gelhaar, nominating Commissioner Engler as Vice-Chair of the Planning Commission. No other nominations were offered and the motion passed unanimously.
- CONTINUED PUBLIC
HEARINGS:**
- ZONE CHANGE 00-02;
CITY OF LA CAÑADA
FLINTRIDGE;
WIRELESS
COMMUNICATION
FACILITIES:** Senior Planner Buss recalled that at the Commission meeting on April 24, 2001, two representatives of wireless service providers raised several concerns, including the location of microcell facilities in the public right-of-way. The Commission continued the hearing, with direction that the providers contact the City

Attorney. On May 8, 2001, Staff advised of an April 25th ruling by the Ninth Circuit Court of Appeals that directly related to the public right-of-way issue. While the Draft Ordinance now addresses the Ninth Circuit's decision and allows certain antennae within the public right-of-way without discretionary review, Staff was unable to submit the changes to the Telecommunications Committee before this meeting.

Commissioner Gelhaar asked if there was any urgency at this point.

Senior Planner Buss responded that much of the urgency issue was resolved when the City Council approved an appeal filed by Nextel, whose request fell in line with the Draft Ordinance. However, Staff has refrained from issuing another permit to locate equipment in the right-of-way on Chevy Chase Drive.

Responding to a question from Commissioner Engler, Assistant City Attorney Steres stated that the Draft Ordinance gives some regulation to equipment located in the rights-of-way.

Commissioner Engler preferred that the Telecommunications Committee have the opportunity to review the draft language.

Commissioner Mehranian asked what had occurred since the April 24th meeting, when the Commission directed the carriers to work with the City Attorney's office.

Attorney Steres noted that correspondence received from vendors raised a number of concerns. The following day, the Ninth Circuit Court issued its ruling which he and Senior Planner Buss reviewed. The Draft Ordinance was then revised to address the issues raised by the court case. Though there was not much iteration between him and the vendors, the changes address many of their concerns. Changes include clarification of the notification requirement and use of public rights-of-way.

Commissioner Brown stated that he had a number of comments and preferred to continue the matter after hearing public testimony.

Chairman Levine opened the public hearing and noted that the issue would likely be continued.

Bob Langdon, member of the Telecommunications Committee, submitted a written request for a continuance.

Leslie Daigle, representing AT &T and Verizon Wireless, supported what she described as a significant change. The revisions allow carriers into the rights-of-way; whereas there was a presumption of denial in the previous language. AT & T and Verizon anticipate using the rights-of-way "quite a bit". The sizes of equipment boxes proposed at this time are not useful in terms of new technology. Lack of flexibility regarding the ability to mount their equipment on poles can be an issue because they typically do not own the poles. There are times when they have to mount their equipment on the ground. Ms. Daigle advised that some competitors are exempted from using the rights-of-way; the City of Los Angeles exempted only their own Department of Traffic Control. If 'wireless' would be limited, she believed their competitors should be as well. Mitigation measures, such as painting the boxes, etc. are acceptable. Providing notice to members of schools, churches, YMCA, etc., causes a disincentive for them to locate there. Ms. Daigle advised that their revenue provides outreach programs and that her carriers work with schools and churches.

Ms. Daigle stated that the issue is complicated, that is the reason for the plethora of lawyers in this arena. Another concern was the proposed condition of renewal and installation of new technology every 5 years. She noted that is not the case with So. California Edison. Regarding Minor Facilities, Ms. Daigle stated she would like increased to 30% and include more than just the antenna without discretionary review. Finally, section 11.26.080 "B" *Waiver*, gives the City the right to have an

independent consultant, at the applicant's expense, evaluate the issues raised by the waiver request. Ms. Daigle expressed concern with the City hiring legal consultants, particularly on an open-ended basis. She felt the City's legal representatives would suffice.

Commissioner Engler, a member of the Telecommunications Committee, stated that the condition most appreciated by the community is the *stealth* requirement.

Dean Brown, of The Planning Consortium, spoke on behalf of his client, Sprint PCS. He felt Staff made significant headway in modifying the Draft Ordinance and requested the opportunity of working with Staff, particularly in the area of microcell requirements, which are smaller than the size of Sprint's equipment. He advised that Sprint has many of the concerns outlined by Ms. Daigle.

Walt Diem, a member of the Telecommunications Committee, strongly recommended that the Draft Ordinance be remanded to the Committee, since it has not reviewed the City Attorney's new language. Responding to a question from Commissioner Brown, Mr. Diem felt the Committee could conclude its review within a month.

Chairman Levine closed the public hearing.

Commissioner Mehranian asked Attorney Steres if there was an issue of priority notification, knowing there will be many providers competing for limited space.

Assistant City Attorney Steres noted that for some requests, it would be an over-the-counter issuance. Regarding the priority issue, the City would not be gathering information. What the City is proposing is that no more than four antennas per pole and spacing requirements for equipment boxes. If that criteria was not met, a public process would be necessary.

Commissioner Engler asked for particulars regarding Verizon's installation of infrastructure on Chevy Chase.

Director Stanley advised that upon learning that Verizon began laying fiber optics in the street; Staff issued a Stop Work order, notifying them that the existing Ordinance requires a Conditional Use Permit. However, that was before the Circuit Court's decision.

Attorney Steres commented that while the City cannot prohibit carriers from locating in the right-of-way, the City can impose regulations requiring spacing and screening of equipment. He cited the need to be consistent across the board.

Commissioner Gelhaar felt the Telecommunications Committee deserved the opportunity to review the modified language.

Commissioner Brown concurred and suggested that the Committee focus on the microcell situation since it is a right without a process. He also pointed out that the Draft Ordinance lacks any color requirement for above-ground equipment.

M/S/C Brown/Mehranian to continue Zone Change 00-02 to September 11, 2001. Unanimous.

**HILLSIDE
DEVELOPMENT
PERMIT 00-47;
BARANIAN;
760 WALDORF DRIVE:**

Planning Aide Gjolme recalled that the applicant originally proposed a two-story, 4,600 sf home to be developed along a ridgeline facing the city of Glendale to the north. Public hearings in January and February resulted in a consensus that the vertical scale and overall impact of the house should be reduced to fit its setting. Structural changes since the February 13th hearing include: a reduction of second floor area from 1,350 sf to 900 sf and shifting it 16 ft further away from the south side. Along the north side, the second floor has been shifted back 12 ft. These changes result in a 31-ft rear yard setback and a more centralized appearance of the second floor. The decrease in upper floor area necessitated moving two bedrooms to the first floor, resulting in a 400-sf expansion at the northwest and southeast ends. Since the original submittal, the overall structure height has been reduced by 7 ft (from 27 ft to 23 ft) and the pad level reduced a total of 3 ft. The

project meets all Code requirements for floor area, lot coverage, height and setbacks. Staff determined that the changes are significant and respond to the Commission's prior direction. Staff continued to recommend approval.

Commissioner Gelhaar confirmed that this revision is one ft lower than the second submittal.

Commissioner Engler confirmed that would be one addition ft of cut required.

Commissioner Brown noted that the roofline would extend approximately 2 ft above pad level of the neighboring property to the east.

An overhead transparency depicted the line of sight from the easterly neighbor's pad level.

Chairman Levine opened the continued public hearing.

Craig Stoddard, project architect, displayed a color rendering showing that the stucco and trim were darkened. The upper floor is now solely a master bedroom suite, resulting in a reduction of 60 sf of windows to 3 sf on that floor. The front of the structure was moved back 10 ft, and the left and right sides moved inward 16ft and 12 ft, respectively. The Sell's home to the east would be approximately 20 ft above the project's pad level. Mr. Stoddard was doubtful that the second story would be visible to Glendale residents immediately downslope.

Responding to a question from Commissioner Gelhaar, Mr. Stoddard explained that it would be difficult to excavate 3 ft as there is only 1½ ft of fill before they hit solid granite.

Helen Phinney, 760 Waldorf Road, requested assurance that the condition restricting construction parking to on site was still effective.

Chairman Levine assured Mrs. Phinney that it was, and read the condition.

Madeline Sell, 750 Wendover, who resides adjacent to, and above the project site, commented that "obviously significant changes were made", but she wanted assurance that tree canopies would not block her views.

Commissioner Brown confirmed that the intent of draft condition #15 was that if the city of Glendale has the capacity and offer to serve the property, the applicant must connect to that sewer line. He asked that the language be expanded and clarified.

As an aside, Director Stanley advised that as part of the city's Sewer Master Plan, we were looking into the possibility of the Glendale system to serve properties along the ridgeline.

Donald Phinney reiterated prior comments regarding the narrowness of the public road. He questioned if there was sufficient room to store all construction parking on site.

Commissioner Engler commended the architect, adding that all that could be reasonably done to reduce the impact of this project has been accomplished. He stated support for the project with an additional condition that landscaping preserve the viewshed from the Sell's property.

Commissioner Brown made a site visit and reviewed the earlier plans. He felt that a significant effort was made to meet the Commission's direction.

Commissioner Gelhaar also visited the site and concurred with Commissioner Brown's comments.

Commissioner Mehranian stated that she was pleased with the design revisions to reduce the size of the second story and the vertical appearance. She confirmed with the applicant's that the roadway would be kept clear for neighborhood access.

Chairman Levine commented on what he felt was a much improved project.

M/S/C Mehranian/Gelhaar to approve Hillside Development Permit 00-47, modifying condition #15 per Commissioner Brown's comments and requiring that trees along the east side of the lot shall be of a species that do not grow in excess of 25 ft in height.

PUBLIC HEARINGS:

CONDITIONAL USE PERMIT 318;

VARIANCE 01-02; ST. BEDE the VENERABLE CATHOLIC CHURCH; 215 FOOTHILL BLVD.:

Chairman Levine addressed the overflow audience that seating and speakers were available outside the Chambers as well as upstairs. He then explained the Commission's role in this process.

Planner Cantrell described the proposed phased construction project to upgrade the school and the church facilities. Phase I consists of replacing the rectory, convent and school buildings with a new parish center and a new education building. Phase II would involve demolition and replacement of the parish hall in its current location. The church would remain unaffected by the proposal. Design, landscaping and related design components are subject to separate review by the Design Commission.

The four-acre site is located at the northeast corner of Foothill and Crown Avenue, and is within the confines of the Downtown Village Specific Plan area. Immediately north is residential development; across the street to the south is the St. Francis campus, to the east is a horse trail with residences beyond, and to the west is the Flintridge Prep campus. Proposed new construction totals 56,342 sf, for a total building area of 65,908 sf, for a total lot coverage of 24%. Planner Cantrell noted that school enrollment of 281 students will continue well below the 320 student limit approved by the County over 50 years ago.

The project would create an intimate internal courtyard viewed from Foothill through an arbor narrowing to the north and opening to the playground area. The new school would form an obtuse 'L' shape with its internal portion facing the playground. The school building would extend along Crown Avenue and attain a stronger street presence and more complete screening of the playground than does the existing building.

A traffic study was reviewed and approved by the City's consulting traffic engineer, who concluded that the lack of increased intensification of use corresponds to a lack of any increase in traffic impact. Planner Cantrell pointed out that the parking standard is based on the church, since it is the largest room or space used for assembly purposes. Code requires 172 spaces for the church and another 9 spaces for the classrooms. He noted that while the project conforms to the requirements for the church parking, it lacks the 9 spaces for the school; however, the church and school are not used concurrently. Importantly, available parking exceeds code, given the agreements that St. Bede's has with Flintridge Preparatory and St. Francis. Planner Cantrell stated that any approval should include a condition in the Agreement to include parking within in the new parking structure at St. Francis as well as coordination of scheduling. Bicycle parking is also required, and could be easily accommodated.

VARIANCE - Recommended adjustments to the site plan to improve landscaping and buffering would reduce the parking count further. Staff regards this as justified, given the availability of parking on the corner lot owned by Flintridge Prep as well as the St. Francis garage structure and surface parking.

Parking lot lighting would be mitigated by using cutoff shields on the light standards, and with the proposed screening and distance from residential, glare from the buildings is not a factor.

Planner Cantrell then addressed the subject of noise, which is a big issue because of the proximity to residences north of the site. An existing garage, a 5-ft-high wall with vines, currently serve as a buffer and provide greater acoustic benefit than would a customary property line wall. The proposal would remove the garage and replace it with a wall and a row of trees. Staff is awaiting receipt of a Noise Study since it is unknown what it would take to replace the noise buffering effect of the existing garage and shed. Planner Cantrell stated that whatever the solution is, it appeared that a Variance would be required to construct something higher than 6 ft, which

is the maximum height allowed by Code. Staff anticipated that if a Variance was needed for an over-height buffer, positive findings could be made with regard to Special Circumstances. Staff recommended that the project be required to maintain the existing level of sound buffering to the north and to relocate the basketball courts at least 150 ft from the northern property line, and that the trash enclosure be relocated to the south parking lot.

The Design Commission has twice preliminarily reviewed the project. The Commissioners enthusiastically supported the site plan in general and the internal setting in particular, provided that appropriate architecture and landscape treatment was applied. Their approval was dependant on preservation of mature trees wherever possible. Planner Cantrell noted that several trees could be preserved with minimal adjustment to the site plan, particularly the large deodar at the northwest corner of the site, and a large incense cedar. Staff and the Design Commission strongly recommended that those trees be preserved. Beyond that, 3 deodars would be removed to construct the school building. The Design Commission's view is that retention of those trees would be a disproportionately onerous requirement, with one Commissioner dissenting. The Design Commission's primary concern was the lack of tree clustering, particularly along Crown Avenue. Planner Cantrell noted that this could easily be remedied, given the 25-ft width of the setback area.

Architecture -- the project architect advises that the contemporary design of the church has influenced the design choice; in particular, its curved rear wall has led to curved rooflines. The Design Commission has expressed discomfort with that approach, though there is a limited level of concern with the interior-facing building elevations. Much of the concern is with the street-facing sides of the school building and more particularly with Phase II that would include replacement of the parish hall at the corner. The proposed elevation of the parish hall was determined to be problematic in terms of scale, focus and composition. Following a preliminary meeting with the Design

Commission, the applicant conceded that the new parish hall relied on a separate fund raising campaign and might never be built.

It was agreed that the new parish hall would be subject to separate design review and that the school building would have to be architecturally compatible with the existing parish hall.

The City Engineer reviewed the request and considered the project as approvable with routine conditions.

Planner Cantrell concluded his presentation by noting that while the final architecture is not determined at this time, there are no issues at this time that would preclude granting of the requested Conditional Use Permit.

Staff felt that all the findings necessary to approve a CUP could be made with the exception of finding No. 2., ..*"that the proposed use will not adversely affect the health, peace, comfort, or welfare or persons residing or working in the surrounding area*" The City's request for a Noise Study has not been met, though a letter was included in the Commissioners' packets that included a generic suggestion to build a massive wall of at least 6 ft in height. Staff confirmed that the acoustic engineer had not visited the site in preparation of his letter. Upon completion of a detailed Noise Study, substantial redesign will be required as well as a revised draft Negative Declaration and a noticing to the public for the Variance component. Building elevations and landscaping will be separately reviewed by the Design Commissioners, who cannot take action until the Planning Commission acts on the requested land entitlements.

Commissioner Engler inquired as to the source for "the sudden urge for a sound wall" and asked if Staff had used a decibel meter on site to determine existing noise levels.

Director Stanley responded that the environmental checklist indicates that a Noise Study might be needed. He reiterated that Staff needs additional information

because of the sensitive receptor (Mrs. Linder) who resides to the north of the project site. Removing the garage will change the noise factor. While Staff has not conducted a scientific evaluation, a Negative Declaration was prepared for this project and the Downtown Village Specific Plan addresses noise mitigation.

Planner Cantrell commented that even if the project meets the noise threshold, the Commission has the authority to require more mitigation since it is a discretionary approval.

Commissioner Mehranian confirmed that there would be replacements required for the trees slated for removal.

Commissioner Brown confirmed that parking is allowed within the 25-ft setback area and that there is no issue with the proposed lot coverage.

The applicant's presentation followed.

Jeff Boysen introduced himself and other members of the Building Committee, the parish Business Manager Steve Pavich and Msgr. Wallace, pastor. He advised of having conducted numerous meetings within the 2,000 families who comprise the church community. He advised that of the 1,375 active members, 920 support the project. Phase 1 consists of a new parish center and school; Phase II involves replacement of the exiting parish hall. He stated that the project does not include any increase in students or noise. Mr. Boysen advised that Mrs. Linder's main objection was noise from the basketball court. Because it is an open campus, students from the community use the playground area. He suggested that removable hoops would preclude weekend use. Mr. Boysen cited the community services and various ministries that need modern facilities and, because the project is regulated by the school year, time is of the essence.

Msgr. Wallace stated that this is an important moment in the history of St. Bede's parish, which is celebrating its 50-year anniversary. He is charged with the

responsibility to assure that future generations will enjoy a home for those who have common interests.

Rick McLaughlin, project architect, displayed a color rendering of the interior site plan. He advised of having carefully listened to concerns expressed by the Design Commissioners. Mr. McLaughlin then explained why and where the buildings are sited and the circulation laid out. During the week, the entrance for the drop-off area will double as a drop off area for the teachers. Children are not allowed into that area for safety reasons. Another path leads into the parish center. He felt that Staff's recommendation to relocate the basketball courts 150 ft back is onerous and agreed that the trash area could be relocated.

Design - Though design is not the purview of this Commission, he presented color rendering for informational purposes.

Noise - Mr. McLaughlin referred to the letter from Veneklasen Associates. He advised that it is a well-known, established firm and their recommendation should be taken seriously.

Commissioner Gelhaar confirmed that gates are not contemplated and that the campus would remain an open one.

Commissioner Engler asked how they intended to keep children out of the fire lane.

Mr. McLaughlin responded that the row of trees and education by the teachers should take care of that concern.

Responding to a question from Commissioner Mehranian, Mr. McLaughlin advised that what is currently used as a fire lane does not meet Fire Department specifications. He advised of having met with the Fire Department -- the new fire lane is located within the interior of the site, thereby increasing the safety of the site.

Mr. Boysen advised that the Building Committee's recommendation was to close the northerly access. He also advised that they have historically shared parking with St. Francis and they are in discussions to formalize that.

Responding to a question from Commissioner Brown, Mr. Boysen advised that the highest parking demand occurs on Sundays for the 9:00 a.m. mass. Overflow parking is accommodated on the Flintridge Prep parking lot on the corner of Crown and Foothill.

Robert Curley, Landscape Architect for the project, advised of having met with Design Commissioner Moss to address his concerns regarding tree preservation. Trees will be planted in clusters along Crown Avenue e.g., sycamores, deodars and southern live oaks (at Commissioner Moss' recommendation). Along the east side adjacent to the horse trail, trees and vines spilling over a wall are proposed. To the north, a similar clustered effect, using cedars and sycamore trees would be utilized.

Commissioner Gelhaar confirmed that the meeting with Commissioner Moss resulted in preservation of the large deodar at the northwest corner. He asked if that would require realignment of the entryway.

Mr. McLaughlin responded that 2 parking spaces were eliminated to accommodate that tree, reducing the total of on-site parking spaces to 170.

Commissioner Brown asked what would replace the existing wall along Crown Avenue.

Mr. McLaughlin stated that a new fence or enclosure, probably wrought iron would be constructed. It would not be replaced with another rock wall, however.

Chairman Levine recalled that the Planning Commission required St. Francis to install 60-inch-box trees to assure that the landscaping would appear mature at planting. He also confirmed that the Design

Commission had not yet approved the landscape plan; his concern was with the proposed palm trees.

Prior to opening the public hearing, Chairman Levine asked for a show of hands from those supporting the project; the majority of those present inside the Council Chambers did so. He then asked for comments in support of the project.

Rob Smith, 4805 Vineta, advised of having attended St. Bede's School many years ago and has seen the site change from a horse stable to a small church and classrooms, to the current development. He stated that education has changed as has the church, and the way they want to use the property has changed after 50 years in the same buildings.

Joan Harper, 240 Baptiste Way, resides at the corner of Daleridge. She has reviewed the plans and supports the project and its design. Ms. Harper recognized that the existing parish hall and school buildings have sentimental value for some parishioners, but stated that those buildings are worn and tired.

Tom Reynolds, 4387 Chevy Chase Drive, is not a parishioner, but frequently uses the hall for Scout meetings. He related of the difficulty involved when 50-60 boys meet at one time; the building needs to accommodate larger groups. He also noted that the City lacks park space and felt the basketball hoops should remain, including the weekends.

Father Matt Elshoff, St. Francis High School, reported of the historical amiable relationship between the two campuses, including parking, and he anticipated that situation continuing.

Maureen Langdon, 4634 Lasheart Drive, commented on concerns of noise to the northerly property. She felt it was important to remember it is an elementary school "and that means kids run around and make noise".

Kathleen Kulper, 320 Georgian Road, concurred, stating that those who reside near a school need to understand the associated noise. Ms. Kulper stated that the design

is respectable and would be an improvement to that end of town.

Opposing viewpoints were then heard.

Joyce Flynn, a 50-year parishioner, advised that her family was instrumental in developing the church and school. She felt the existing parish hall and its stage and kitchen could be remodeled to accommodate current needs and noted that it is earthquake-sound. She suggested it be declared a historical building and pointed out that it is the first building in the City one sees upon exiting the freeway. Regarding the school, Ms. Flynn suggested that it needs minor renovations, including air conditioning, noting that 280 students are enrolled, compared to past enrollment that reached 700 students. She added that as designed, the new school would be exposed to morning and afternoon sun. The former convent building was recently remodeled and could be used for many meetings. Addressing the rectory that would be demolished, Ms. Flynn advised that Msgr. Boyer's (pastor emeritus) apartment is located on the upper floor; the Chancery allowed it to be built and used by Msgr. Boyer until his demise. She asked that the Planning Commission require the existing buildings to remain.

Patricia Rowe, representing Mary Jane Linder, whose property to the north abuts the project site, asked which construction phase would address the north property line. She opposed granting a Variance to reduce the required 25-ft rear setback, "which is established and should prevail." She was grateful that the large deodar would be retained and stated that she would appreciate the same condition required for the St. Francis project with regard to replacement trees. Ms. Rowe asked for the opportunity to review the acoustical study and "hoped that the rear setback and height of the wall are not considered simultaneously". She was unsure about the north circulation route and was concerned with the schedule for trash pick-up, noting that they typically arrive in the early morning.

Commissioner Brown asked about Mrs. Linder's position on the current noise levels.

Ms. Rowe advised that Mrs. Linder's concern was with use of the property, e.g., deliveries, night basketball games, trash trucks, rather than children playing. She noted that upon purchasing the property, there was another home between her property and the project site, which was later purchased by St. Bede's.

Commissioner Gelhaar asked if Mrs. Linder would accept an 8-9-ft-high sound wall to separate the properties.

Ms. Rowe stated that she would, adding that an acoustical study was necessary to learn the specifics regarding sound. She felt Mrs. Linder would want assurance that the wall was attractive and would not want it used for handball, tennis, etc. She suggested terracing the wall or planting it, similar to the crib wall across from the YMCA.

Further comments were not offered, and Chairman Levine closed the public hearing.

Mr. Boysen felt that trash truck deliveries could be managed by requiring them to enter via the southerly access road.

Commissioner Gelhaar asked Mr. Boysen to respond to Ms. Rowe's comments regarding a wall.

Mr. Boysen stated that they wanted an attractive wall and that it could be built when the school building is constructed. He was willing to have its construction built "tomorrow".

The Commissioners then discussed the project.

Commissioner Brown noted the large acreage of the project, located within the Downtown Village Specific Plan area. He concurred that the existing parish hall needs refurbishing and that it could clearly be retrofitted. However, his experience was that refurbishing projects typically do not meet their goals and are generally more expensive. His concerns included the Foothill entrance; he would like additional landscape softening across the front. The ultimate

solution would be for Flintridge Prep to install landscaping on their parking lot and he suggested the project could include the planting of street trees. Another concern was the protection of the Linder property; the Specific Plan charges the Commission to provide an appropriate buffer between institutional and residential uses. Commissioner Brown stated that it was difficult to understand what would be accomplished replacing the existing wall with another. He stated there was no immediate answer; a possible solution could be to add a sound wall inside the existing wall.

Mr. McLaughlin advised that the property line is actually 5 ft north of the existing wall and there is another 1-2 ft between that and where the parking area begins.

Commissioner Brown continued, stating that it appeared the visual issues could be mitigated; noise was a little more difficult to establish. He felt that if the replacement trees were of sufficient size, they would replace the existing greenbelt barrier. He stated that it made abundant sense to site the playground where proposed, but he would prefer an expanded buffer zone. Commissioner Brown commented that the Design Commission's duty is to assure the community that the design complies with the Specific Plan and recognized that the existing parish hall is more in keeping with the Specific Plan than is the church.

Commissioner Mehranian stated that her study of the proposal did not reveal any significant changes to the existing situation i.e., the number of vehicle trips, and the landscaping would be expanded. She stated that she could support the request so long as mitigation was provided for noise, dust and truck circulation. She concurred with Commissioner Engler that more solid data is needed regarding the wall, even though there would be an insignificant change of use. She also concurred with Commissioner Brown's suggestions regarding softening the Foothill frontage with landscaping.

Commissioner Engler felt the project was timely and noted that costs increase exponentially when buildings are refurbished, rather than replaced. He reiterated that a sound study was needed and that a sound wall should be a top priority and be included in the construction's first phase.

Commissioner Gelhaar also supported the project, stating that it would improve the property. He was pleased that the two large deodars would be retained and stated he was prepared to support the request once the issue of the sound wall is resolved.

Chairman Levine remarked that the design might not meet the requirements of the Specific Plan, but he was unsure if he supported the Design Commission's direction, because he likes contemporary architecture. He stated that he had no problem with Phase I and that "the existing parish hall is more suitable to the community than is the church". If a sound wall is constructed, he agreed that it would have to be screened with landscaping.

Director Stanley noted that Staff did not provide a resolution with conditions because of the lack of a noise study. The study is needed so that the Commission could certify the Negative Declaration that was prepared for this project. He then quoted the Specific Plan regarding acceptable noise levels. The primary issue for the applicant is the ability to demolish structures during the summer when school is not in session. An overheight sound wall would require a Variance and Staff would have to re-notice the neighbors and the Commission would have to address that separately. He advised the applicant that, if they wished, they could submit plans 'at risk' to Building and Safety, but the risk would be theirs. He felt that if the Design Commission made any changes, they would be aesthetic changes rather than structural one.

Commissioner Brown suggested that the applicant have the Sound Engineer present at the next meeting and stated that it would be helpful to see renderings from the exterior of the property.

Chairman Levine encouraged the applicant to work with Staff regarding the noise study, the sound wall, perhaps information regarding the size of replacement trees and replacement of the wall along Crown Avenue.

Director Stanley confirmed there was consensus for landscaping along Foothill.

M/S/C Mehranian/Engler to continue Conditional Use Permit 318 and Variance 01-02 to July 24th. Unanimous.

**HILLSIDE
DEVELOPMENT
PERMIT 01-24;
SETBACK
MODIFICATION 01-36;
KHALSA/WONG; 4038
HAMPSTEAD RD.:**

Planning Aide Gjolme described the applicants' request to allow a 683-sf residential expansion to their 2,100 sf home. The average slope of the property is approximately 35%; the Modification would allow a roof extension over an existing deck to encroach 11' 6" into the required south sideyard setback at the second-floor level. Mr. Gjolme noted that the setback request maintains the existing building line.

The site, which has a consistent downslope slope to the northeast, is located on the east side of Hampstead Road, in the R-1-20,000 zone. The first floor would be expanded 290 sf at the northeast corner and increase the footprint to just under 2,400 sf. A large open deck above an office and bedroom, would be enclosed to create a new, 390 sf family room. The addition would extend the home 15 ft to the rear and reach a height of 24 ft. All setbacks, angle-plan and lot coverage are met. Since the deck roof is considered a structure and even though it maintains the existing building line, a second floor encroachment results.

Staff determined that the project does not raise issues typical of those presented in hillside projects. The purpose of providing a covered deck is valid and Staff recommended positive findings. Planning Aide Gjolme advised that the neighbor to the south, the only neighbor who could be affected by the project, supported the request.

Chairman Levine opened the public hearing.

Gurubanda Khalsa reiterated his neighbors' support for the project and stated that the support of Staff had made moving from the City of Glendale a positive experience.

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

Commissioner Gelhaar reported of making a site visit. He noted that the neighboring property's garage is located near the proposed roofline, thereby mitigating any visual concerns. He stated that he had no problem with the request.

Commissioner Engler agreed, stating that the proposed project represented an improvement to the property.

Commissioner Mehranian concurred, adding that the proposal was straightforward.

Commissioner Brown also made a site visit and stood on the deck where the roof would extend. He advised that the neighboring residence could not be seen from that height. He stated that it was a good project.

Chairman Levine concurred with his colleagues.

M/S/C Brown/Mehranian to approve Hillside Development Permit 01-24 and Setback Modification 01-36 as proposed. Unanimous.

**HILLSIDE
DEVELOPMENT
PERMIT 01-25;
BUILDING DEPTH
REVIEW 01-01;
McCARTHY;
1202 INVERNESS DR.:**

Commissioner Engler requested to be recused as the project is adjacent to his home.

Planning Aide Gjolme reported the project applicants' request to expand their residence by 2,344 sf, including a new second floor.

The site is located on the south side of Inverness, between Roanoke Place and Madison Road in the R-1-20,000 Zone. Building Depth Review is required because the new second floor, at a depth of 70 ft, would exceed the 60-ft review threshold. The 22,000-sf site is somewhat irregular, extending 250 ft from Inverness Drive and screened with mature landscaping along

the southwest and rear property lines where the elevation is as much as 30 ft below pad level. This accounts for the lot's 26% average slope. The house is slightly below street level and well below homes across the street.

A new, three-car garage would be provided at the front with a setback of 49 ft. First-floor additions would be minor and increase the footprint to 3,580 sf. The new, 2,014-sf second floor would have an "L" configuration and project forward over the new garage. On the south side, the majority of the second floor would align with the floor below. It's 70-ft depth would be minimally apparent from the south because of the dense landscape screening. The majority of the structure would reach 27 ft in height, with a maximum height of 30 ft reached at the southwest corner. Mr. Gjolme explained that Staff considered the excess height as an architectural extension under the Hillside Ordinance. The Ordinance allows such extensions so long as their width and depth does not exceed 20ft x 20ft. Compliance with the Light Reflectance Value (LRV) is not an issue because of the lack of prominence and long range views. Staff considered the design as reasonably scaled and attractive, and recommended that positive findings be made.

Pete Volbeda, project architect, advised that the existing garage is less than 5 ft from the northerly property line. He intends on rotating it so that it would not be visible from the street. He explained that the reason for exceeding the 60-ft depth for second floor is because of the existing building footprint.

Martin O'Toole, 1225 Inverness, resides immediately north of the project site, "the only neighbor that would be the least bit affected" by the project and supported the request. He stated that he and the applicants are involved in construction project which he felt would improve the neighborhood.

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

Commissioner Mehranian commented that the project did not present any significant issues. She felt that the project would be larger than most homes in the neighborhood, but noted that the majority are two stories. Further, the site and footprint are not visible.

Commissioner Brown advised of having made a site visit. He noted that the home across the street is very large and at 1225 Inverness, the home is 6,900 sf. He stated that this was an excellent project and tastefully designed.

Commissioner Gelhaar stated he understood that Mr. O'Toole's home will be considerably larger than this project. He stated that this was "a great project".

Chairman Levine concurred, and had no additional comments to offer.

M/S/C Brown/Gelhaar to approve Hillside Development Permit 01-25 and Building Depth Review 01-01, as conditioned. 4 Ayes.

Commissioner Engler returned to the table.

**COMMENTS FROM
THE COMMISSIONERS:**

The Commissioners agreed that sign-in sheets might be helpful, especially when large groups of residents are expected to speak.

Commissioner Engler referred to a recent court ruling in which the Court of Appeal found the city of Santa Monica's Second Unit Ordinance unconstitutional. Staff provided a copy of the City Attorney's review of the ruling. Santa Monica's ordinance allowed only the property owner, dependents or a caregiver to live in second units in the R-1 Zone. The Court held the distinction among occupants to be unconstitutional and found it "difficult to see how the exclusion of unrelated persons and non-dependent family members from second units, while permitting dependants and caregivers, advances the preservation of the character of a neighborhood, or is pertinent to noise traffic crime or parking congestion."

Commissioner Engler stated he would have been reluctant to approve the Variance for a non-conforming ALQ had he known the law now allows them to be rented.

Assistant City Attorney Steres advised that there may be a condition on a property that could support imposing a condition precluding rental of an ALQ. They must be evaluated on a case-by-case basis.

On another matter, Commissioner Brown commented that it would very helpful if Staff consistently provided tax assessor info on all cases, lot sizes, development sq footage, etc.

DIRECTOR'S REPORT:

Director Stanley advised that budget meetings were now concluded. The City Council removed funding for the Old Town improvements but did provide funding for community outreach on the west side to see if there is interest in establishing a plan based on the Foothill Boulevard Master Plan.

ADJOURN:

M/S/C Engler/Mehranian to adjourn at 9:45 p.m.
Unanimous.

Secretary to the Planning Commission