

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON JUNE 26, 2012**

I. CALL TO ORDER: 6:00 p.m.

II. ROLL: Chair Curtis, Commissioners Der Sarkissian, Jain, Gunter and Walker, Community Development Director Stanley, City Attorney Steres, Senior Planner Buss, Planners Clarke and Gjolme and Assistant Planner Parinas.

III. PLEDGE OF ALLEGIANCE By RG

IV. ELECTION OF CHAIR AND VICE CHAIR

Motion to appoint Commissioner Der Sarkissian as Chair: Gunter / Second: Jain / Approved 5-0.

Motion for Commissioner Jain to be Vice Chair: Curtis / Second: Sarkissian / Approved 5-0

Chair Der Sarkissian thanked the Commissioners and said he would do his best with their help.

V. COMMENTS FROM THE PUBLIC: At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar.

None

VI. REORDERING OF THE AGENDA

No.

VII. CONSENT CALENDAR:

A. Approval of Minutes: April 24, 2012

Vice Chair Jain and Commissioner Walker were absent from the meeting and abstained.

Motion: Curtis / Second: Gunter / Approved 3-0.

VIII. CONTINUED PUBLIC HEARINGS

IX. PUBLIC HEARINGS:

A. Hillside Development Permit 12-08/Second Floor Review 12-04; Khanjian/Tashakkor; 1001 Ridgecliff Lane: Request to allow expansion of an

existing 2-story residence on a hillside lot by approximately 1,240 sq. ft. A rear yard deck is also proposed. Staff is recommending that the Planning Commission approve a Negative Declaration for this project. (Planner Gjolme)

Planner Gjolme gave an overview of the proposal as described in the staff report.

Commissioner Gunter asked about the underside of the deck and the solid wall proposal

Chair Der Sarkissian asked about the house at 1002 Ridgecliff and how close it was to the property line.

Director Stanley said that the house had eaves which made it look closer.

Babak Tashakkor (owner) said that he wanted a house in a modern Mediterranean style with coins on side of stucco as accent pieces. He noted that other homes in the City have this architectural detail. He had a letter from the neighbor from 1002 Ridgecliff approving the plans as proposed. He said that it will add value to the property in the area. Over time people will remodel their homes to a Mediterranean style. Others have used pre-cast in their homes. He found the architect through a house he had designed elsewhere in the City.

Agop Khanjian (architect) said he has designed other houses in the City.

Vice Chair Jain asked the architect about the section shown on A-9.

Mr. Khanjian described how the deck area functions and how it cantilevers over the edge.

Planner Gjolme said that Commissioner Jain was correct about the deck's proposed height as shown on the plans.

Vice Chair Jain asked if it was greater than 7' would the area be counted as square footage.

Planner Gjolme confirmed that it would.

Mr. Khanjian spoke about handicapped access.

Commissioner Gunter asked about neighboring decks. Solid plaster deck?

Mr. Khanjian wanted privacy but could change the plans if necessary and would plant vegetation.

Planner Gjolme said that staff recommended an alternative design.

Commissioner Curtis visited the property and did not see adverse impacts and noted that neighbors supported it and that no variances were required. It was compatible with

the neighborhood. Shrubs could grow – either with or without a wall. He accepted the proposed coins on the building and he could make the findings.

Vice Chair Jain visited the site. He said it was a small project and that he could support it with the coins. Coins could make it cluttered as there is limited place for them.

Commissioner Gunter also visited the site. He appreciated that it was outside the required setbacks for the property. He could make the findings. Quoins are fine and he had no problems keeping them. He supported the project.

Commissioner Walker agreed with the other commissioners and could make the findings including inclusion of the quoins.

Chair Der Sarkissian said that he spoke with the neighbor who had no concerns. He also met with the owner and has no problems with the proposal. He noted that the neighboring house was close. He suggested removing the coins above the arch.

Director Stanley asked about the deck and which version would be recommended.

Chair Der Sarkissian asked if the square footage under the deck would be counted as floor area.

Planner Gjolme clarified issues regarding the deck. He said that he used the site plan in his review and made recommendations based on initial drawings.

Commissioner Gunter suggested asking the architect if the deck story poles match the plan.

Planner Gjolme said that they did not.

Chair Der Sarkissian said it was a technical discrepancy. There is a 13' elevation change at the edge of the deck which could result in the FAR being exceeded.

Vice Chair Jain noted that additional FAR was available as shown in the staff report. The maximum height of the deck including the railing shall be 15' where it touches natural grade.

Commissioner Gunter agreed with that and the City Attorney comments.

City Attorney Steres spoke about sheet A-9 and noted it looked as if it was substantially further out.

Director Stanley said that the applicant would be held to code standards.

Motion: Curtis / Second: Walker / Approved 5-0

Condition of Approval added to include the coins. Deck as presented in the site plan shall have a maximum height 15' including the railing.

- B. Telecommunications Permit 12-02; Kim/AT&T/Church of the Lighted Window; 1370 Foothill Boulevard:** Request to allow upgrades to cellular telephone antennas currently mounted on the roof of the office building located at 1370 Foothill Boulevard. The existing steel mounting frame will be modified to accommodate changes in the antennas' directionality and equipment. Eight existing 3rd Generation GSM antennas will be removed. Twelve new six foot tall 4th Generation LTE antennas will be mounted in conjunction with a small GPS antenna, remote radio units and surge suppressors. New equipment cabinets will be added to the existing interior equipment room on the ground floor of the building. The antennas would be mounted in the same location as the previous antennas, at the rear of the roof and away from the front of the building. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Senior Planner Buss)

Commissioner Walker recused herself from the project as she owns property within 500' of the subject property.

Senior Planner Buss gave an overview of the proposal.

Commissioner Curtis asked about the antenna being longer.

Senior Planner Buss said that currently they were 4' long and that the new ones would be 6' long - no significant impact from the change.

Edwin Kim (applicant) said that the staff report was comprehensive. Antennas are 2' longer but that the top height would remain the same.

Commissioner Curtis asked if this was exclusive to AT&T or could others use it. Is the rooftop open to other carriers for co-location.

Commissioner Gunter said that he visited the site and that he can make the findings.

Vice Chair Jain said that he knew the property and that he can make the findings.

Commissioner Curtis said that he had never noticed them on the roof before and was prepared to support the request.

Chair Der Sarkissian agreed with Commissioner Curtis.

Motion: Jain / Second: Gunter / Approved 4-0

- C. Modification 12-05; Goddard/Johnson; 4224 Beulah Drive:** Request to allow a 140 sq. ft. walk-in closet addition to encroach 6 feet into the required 15-foot north side yard setback. The existing residence currently maintains a 10-foot setback to the north; thus, the addition would extend 1 foot beyond the existing north façade of the residence. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Commissioner Walker returned to the Council Chambers.

Planner Gjolme gave an overview of the proposal.

Jay Johnson (architect) pointed out that the two story neighboring house is also 9' from the property line. The applicants decided to do an addition on the first floor due to health of a family member.

Commissioner Curtis asked about the roof and how it flattened.

Mr. Johnson said that the ridgeline would not be raised.

Commissioner Walker said she visited the site and agreed with not putting the closet at the end of the house. She was not opposed to the placement but concerned about the additional 1'. The purpose for side yard setbacks was to provide for air and light. She was concerned about the existing shrub. She would like the existing encroachment line of 10' to be maintained.

Commissioner Gunter said that he had walked the neighborhood extensively. He said that it was not ideal with the house location but he cannot make the findings as proposed. Internal functions are not a purview of the Commission. The inside of the house could be redesigned. The proposed encroachment is twice the size of the existing encroachment. This is not a continuation of an existing encroachment. He noted that the roof is a flat shed and not in keeping with the neighborhood. The next door house is not being reviewed. He cannot make the findings.

Commissioner Walker asked about the 9' staff level review. If the Commission does not approve the 10', it can be built if reduced to 9'.

Vice Chair Jain said he visited the site and thought it was a difficult call. He asked if allowed only 50% increase in the encroachment area. Encroaching further cannot be justified and he would not support that.

Commissioner Curtis also visited the site and thought it would be a grant of a special privilege. The encroachment and roof would be out of balance and character with other houses in the area.

Chair Der Sarkissian said he also visited the site but that the gate was locked. He spoke about the shed roof and how the architect could do it if it was reduced to 9'.

Commissioner Gunter spoke about retaining a 10' setback and said that he would call up the case if proposed at 9'

Commissioner Walker said that she agreed with Commissioner Gunter.

Commissioner Curtis said he would not support the proposal either.

Vice Chair Jain asked about any future applications for the property.

Director Stanley said that they would have to reapply and that 3 Commissioners were against the 10' setback and that they would call it up.

Chair Der Sarkissian asked if the encroachment or the flat roof was the issue. The encroachment was the main issue.

Motion: Curtis / Second: Gunter / Deny 5-0.

X. OTHER BUSINESS

- A. Appeal of Tree Removal 12-24; Rhew; 4558 Viro Road:** Request to overturn the Director's denial to remove a Coast Live Oak tree from the property. The Director did not find grounds to support any of the findings to allow removal of the tree. The arborist found the tree to be in good health. (Planning Intern Rodriquez)

Assistant Planner Parinas gave an overview of the staff report.

Commissioner Walker asked City Attorney Steres about the obligation when tree roots impact a neighbor's driveway.

City Attorney Steres said that if a tree grows over a fence the tree can be trimmed back reasonably. The owner of the tree does not necessarily have to trim the tree but neighbors can trim it.

Commissioner Walker also asked the age of the tree which was unknown.

Vice Chair Jain asked about the width of the driveway and how much width is required by the Code.

Director Stanley said that it was about 10' wide and that 9' was required.

Vice Chair Jain asked if access to the garage was denied by the tree. The proposal needed further evaluation. He asked if the neighbor can access his garage.

Director Stanley said that he did not see anything that denied access to the garage, or in the arborist report.

Chair Der Sarkissian asked if the arborist was present (no). He asked what the rate of growth of the trunk of the tree. The tree could begin to impact the roof as it grows over time. The pricing of the tree was emailed to him today. The tree is badly placed and may inhibit the passing of fire personnel. It's not adding in appearance to the subject house and it does not provide shade. He favors the idea of further review for costs and future impacts. The value of the tree was to the northern neighbor. He was sympathetic to removal of the tree but wants assurance of the price of the tree.

Commissioner Curtis asked about the tree costs as shown in the arborist report.

Director Stanley said the City uses the appraisal as shown in the arborist report but it is up to the Commission's discretion.

Liam Lopez (property owner's attorney) said that the owner never wanted to remove the tree. The owner is in the process of escrow and was under the impression that she was required to remove the tree. The owner approached the City and was provided the City Code and the arborist list. Her intention was not to remove the tree. The tree provides significant shade, reducing utility usage as well as aesthetic value. Taking away trees would erode the neighborhood. It was a problematic time as the property is in escrow. An engineer or contractor should comment on the tree damage. The pictures make the problem look bigger. There is no denial of access to the garage. Page 10 of the arborist report addresses mitigation measures to be made by the owner. To remove the tree would be a catastrophe.

City Attorney Steres asked about the applicant not wanting to remove the tree.

Mr. Lopez said that the applicant would be willing to withdraw her application. The realtor may be able to speak further about the application.

Commissioner Curtis asked if the neighbor has the right to appeal.

City Attorney Steres said that interested parties can appeal and be heard by the Commission. Even if the Commission allowed the removal, the applicant still doesn't have to remove the tree. It would be moot if the application was withdrawn. He also said if the Commission denied the appeal, it could in turn be appealed to the City Council. He did not know what will happen with the neighbors. He recommended that the issue be tabled to allow the applicant to withdraw the application in writing. There needed to be a motion to table the case.

Motion: Gunter/Curtis to table 5-0 to approve.

XI. REPORT OF DIRECTOR'S REVIEWS: [Director's Setback Modifications; Director's Height Modifications and Director's Second Floor Reviews]: None

None.

XII. COMMENTS FROM THE COMMISSIONERS

Director Stanley said that there was a substantial conformance case emailed to the Commissioners.

Chair Der Sarkissian noted the 6-7' retaining wall. He mentioned the Fire Department and its needs.

Director Stanley noted that he visited the site and it's not visible as it's at the end of a cul-de-sac.

Chair Der Sarkissian recommended that the wall be improved with some veneer added to soften its appearance.

Vice Chair Jain asked the City Attorney about the tree case.

City Attorney Steres said that he asked to table the case as he did not want it to return in the future as a case.

Director Stanley said that the owner was confused and made the application by mistake. It was tabled pending a formal request to withdraw.

City Attorney Steres said that the facts of the case can change over time. It was curious why they were hearing the item at all.

Commissioner Gunter spoke about tree cost replacement fees and how the system needs to be changed. They need to look at what other cities use. It's too arbitrary and arborists can give different numbers.

Director Stanley said he thought that they corrected this in the tree ordinance. It was not remanded back to the Commission from the City Council. It will go to the City Council again on 8/6/2012.

City Attorney Steres said that the City Council wanted some changes regarding terms used and some specific issues.

Director Stanley said that tree trimming was not an issue and nor was tree removal. The City Council wanted a damage amount not based on the tree removal.

Commissioner Curtis asked to be informed of changes and wanted a staff report when available.

Chair Der Sarkissian suggested a matrix and then force them to comply with the provisions. There is too large of a price range for the trees.

Commissioner Curtis noted that arborists use the same worksheet.

Director Stanley said that they have to rely on the experts.

Commissioner Gunter asked for guidance and consistency about tree costs.

Commissioner Curtis spoke about trees on St. Katherine and the legality of walls.

Director Stanley said that Public Works approved the slope location and walls. The owner needs to backfill one wall and bring down another. Arborists have been watching the work and the owner is working towards compliance.

XIII. COMMENTS FROM THE DIRECTOR

Director Stanley gave Commissioner Walker a plaque from the City Council.

Director Stanley said that the City Council will work on the General Plan tomorrow and come up with more dates for elements. Tempary Use permit and reader boards will be on future City Council agendas.

The new intern introduced - Gary Yesayan from CSUN.

XIV. ADJOURNMENT at 7:57 p.m.