

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD JUNE 29, 2004**

I. CALL TO ORDER:

Chairwoman Mehranian called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Cahill, Davitt, Engler and Gelhaar, City Attorney Steres, Director of Community Development Stanley, Planner Cantrell, Assistant Planner Gjolme and Planning Aide Shimazu.

III. PLEDGE OF ALLEGIANCE

Commissioner Engler led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC:

Stan Stenstrom, 5209 Diamond Point and a resident since 1967, requested confirmation of a newspaper report that the Commission was considering prohibition of overnight parking on residential streets.

Mr. Stenstrom was advised that the Commission included the idea to the City Council as a part its goals and objectives for fiscal year 2004-05. Discussion would have to begin with the Public Works Commission. Mr. Stenstrom verified that he could contact the members of the City Council directly.

V. CONSENT CALENDAR:

A. M/S/C Gelhaar/Davitt to adopt the minutes of June 15,2004.
Unanimous.

VI. PUBLIC HEARINGS:

A. Hillside Development Permit 04-27; Modification 04-28; Mkrtychyan; 3700 Via Serrano:

Planner Cantrell reported the applicant's request to allow construction of retaining walls in the front yard that would encroach into the required front yard setback.

The 40,000-sf project site is located on the east side of Via Serrano, a private cul-de-sac, in the R-1-40,000 zone and is one of five lots created through Tract Map 43113 in 1985. It is a through lot that slopes upward from Via Serrano to St. Katherine Drive, reaching the higher course of St. Katherine Drive as it approaches Flintridge Sacred Heart Academy. Only two properties have a

view of the isolated subject site ; one at grade across the street at 3701 Via Serrano and 3708 Via Serrano, an abutting property, where the driveway and garage are located near the north end of the subject site. The 3708 property would have limited views from downslope, where the tapered wall would be screened.

The project is limited to a forward expansion of the front yard by removing the existing fence and erecting new retaining walls and adding backfill. The house and garage, which represent 6,059-sf of floor and roofed area would not be altered. New retaining wall height would range from less than 3 ft at the south end to 6 ft at the north end, with the center dying into the slope. Minimum setback from the front property line to the wall would be 20 ft at the more southerly of the two small projections.

Planner Cantrell pointed out that in addition to the limited view of the subject frontage, there are no consistent front setbacks to be protected by applying front yard averaging. Staff believed that the wall should be attractive even without the proposed landscape screening and added a condition requiring Director's approval of wall color and material.

Staff believed that the project represents a modest extension of the existing profile and that positive findings could be made.

Commissioner Gelhaar referred to the application, which states that the project does not involve grading. Planner Cantrell advised that Building & Safety does not consider backfill as "grading".

Responding to a question from Commissioner Davitt, Planner Cantrell advised that the existing front yard configuration is not based on any limitation set by the City.

Commissioner Engler observed that wrought iron fencing atop the retaining walls yields a total height of 10 ft according to the engineer's plan.

Project landscape architect Roy Leisure, described the project, including plants in front of the wall. Responding to questions from Commissioner Gelhaar, he advised that the purpose of the project is to improve the appearance of the front yard. He was unsure how many truckloads of import would be necessary, but noted that he was not relocating the wall far from the existing top of slope.

Commissioner Engler asked Mr. Leisure to address the overall wall height and the lights shown on the plans. He recalled that another property owner at the end of Via Serrano was given approval for a wall with a condition that it be

screened. Since that hadn't happened, he stated he was not leaning towards approving a 10-ft-high barrier in the front yard.

Mr. Leisure pointed out that 13 Pride of Madeira plants, which grow to a height of 8 ft, would be planted in front of the wall. He could not explain why the civil engineer included electroliers atop the wall and pointed out that lights are not included on his landscape plan.

Commissioner Cahill confirmed that the wall would match the house color.

Property owner Jennifer Mkrtchyan, related that the project would not be higher than the existing fence. The project is for aesthetics, as her husband believes the existing fence appears as an afterthought.

Director Stanley commented that Staff reviewed section AA on the engineering plan, which refers to a 3-ft-high metal fence, identical to the landscape plan.

Commissioner Gelhaar confirmed that the existing fence serves as pool security fencing.

Chairwoman Mehranian opened the public hearing. Since comments were not offered, the public hearing was closed and comments from the Commissioners solicited.

Commissioner Cahill stated that he did not have concerns with the project; it would simply extend the front yard somewhat. With conditions requiring that landscaping screen the wall as shown on the plans and that the fence atop the wall is wrought-iron rather than solid, he could support the request.

Commissioner Gelhaar concurred, but wanted an added condition requiring a haul route, since the site is difficult to reach.

Commissioner Engler reiterated the Commission's prior approvals for homes on Via Serrano, which included conditions to screen retaining walls. He stated that since those conditions were ignored, he didn't want another similar situation. He requested details reflecting removal of the electroliers and verification that the wrought-iron fence atop the wall would reach a maximum height of 3 ft.

Planner Cantrell offered that a condition could require adequate landscaping to screen the wall, prohibit lights and limit the overall height to 9 ft.

Commissioner Davitt stated that with those conditions, he could support the project.

Chairwoman Mehranian stated that she had an issue with grading and preferred that it be subject to the Director's review and approval, but she wanted another check and balance.

Planner Cantrell believed it likely that a nearby construction project could provide the extra fill, so dump trucks would not have to travel far.

Commissioner Engler asked that Staff check the landscape screening on the east side of Via Serrano as it is inadequate.

M/S/C Gelhaar/Davitt to approve Hillside Development Permit 04-17 and Modification 04-28 with added conditions requiring that a haul route be submitted to the Director for his approval, that elevation "BB" be eliminated from the engineer's plan, restricting the combined wall and fence height to 9 ft, prohibiting any lights atop the wall and requiring the Director's review and approval of a landscape plan. Unanimous.

B. Hillside Development Permit 04-14; Modification 04-41; Wohl; 991 Flintridge Avenue:

Planner Cantrell described the applicant's request to allow first and second-floor expansions to her home located at the northeast corner of Flintridge Avenue and Chevy Chase Drive. It is in the R-1-40,000 Zone and is classified as a hairpin lot, consequently both street frontages are subject to a 32'-6" front yard setback. Total floor and roofed area would reach 4,358-sf.

The house is hidden from Chevy Chase Drive due to its low pad level; the roof ridge is well below street grade, while oaks and other trees complete the screening. Properties across Flintridge Avenue and Chevy Chase are upslope with driveways far and few between. The expansion would occur in three areas: the northwest corner of the second-story would be expanded and at the northeast corner, first and second-story expansions would provide a master suite above, and two bedrooms and a bathroom below.

The project would not affect a blue-line stream that runs beneath the south portion of the house. The applicant provided a letter from Fish and Game exempting the project from their review.

The project would follow the rambling lines of the existing home, using low roof pitches, deep eaves and rustic materials. Existing trees would be avoided and the project would not change the home's inconspicuous blending into the

site. Aside from the hairpin lot encroachment along Chevy Chase ---- 22½-ft at the northwest corner and 31'-7" at the northeast (compared with the required 32½-ft), code standards are easily met. Issues of visible bulk and view blockage which are common with hillside projects, are not raised by the request.

The proximity of three oaks led Staff to include a draft condition requiring arborist review of the areas where construction would occur near the oaks, eaves or footings.

Addressing the requested encroachment, Planner Cantrell noted that the reduced setback along Chevy Chase allows the project to be built at the rear, where it works with the site and preserves trees. He pointed out that Chevy Chase functions as the rear of the property, but is considered as a frontage due to the "hairpin lot" designation. He noted that the Hillside Ordinance accommodates setbacks as small as 20 ft for single-story development on downslope lots. Though this is a two-story home, this is of interest, given that the second-floor ridgeline is below street elevation.

Director Stanley addressed draft condition 12 and asked that \$1,000 cash, rather than a bond, be required to cover the arborist fees.

Chairwoman Mehranian confirmed that an existing deck and bridge, located downstream from the house would be replaced, as shown on the plans.

Project architect Colin Sarjeant, described the challenge he faced with 80 oaks on the site and a Blue Line stream. His client's desire not to harm the oaks led to hiring an arborist to determine the best spot for the expansions. He asked to that the same arborist be allowed to comply with condition 12.

Commissioner Engler confirmed that Mr. Sarjeant understood Fish & Game's directive that 200-sf of streambed be protected during reconstruction of the bridge.

Chairwoman Mehranian opened the public hearing.

Carol Hack, 953 Flintridge Avenue, requested clarification where the additions would be located.

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

Commissioner Davitt advised of having made a site visit. He commended the architect and property owner on the design and protection of the oaks, noting that total floor and roofed area would only reach 11.4%.

Commissioners Engler and Gelhaar concurred.

Commissioner Cahill remarked that the project is consistent with the attractive and tranquil site and that it would not negatively impact its surroundings.

Planner Cantrell suggested that the City Engineer's comments should be included in the conditions.

M/S/C Davitt/Engler to approve Hillside Development Permit 04-14 and Modification 04-41, modifying condition 12 to require a \$1,000 deposit, rather than a bond, for the arborist's review and adding comments from the City Engineer and Fish and Game as a condition. Unanimous.

C. Modification 04-39; Miller; 1212 Green Lane:

Assistant Planner Gjolme reported the applicants' request to allow a 200-sf garage addition along the north side of the lot.

The project site is located at the southwest corner of La Cañada Boulevard and Green Lane, in the R-1-15,000 Zone. It is 24,048-sf in area and fronts La Cañada Boulevard, taking access from Green Lane, where a short driveway leads to a two-car garage. The applicants propose to expand their garage ten ft northward, creating a third parking space and a laundry area. Doing so would reduce the existing 22-ft setback to 13'-2" at its closest point, due to the angled orientation of the north property line, where a 20-ft street side yard is required. All other code requirements are satisfied, including two residential additions at the front of the house.

Since the garage is slightly below street level and screened by a heavy bank of oleanders and there are no homes immediately adjacent that would be potentially impacted by the project, Staff recommended positive findings and project approval. The sliver projection, comprising approximately 50-sf would not affect views or privacy and is suited to the site and area.

Project architect John Vandeveld, related that he and his clients spent many months getting to this point. He explained how the design retains the character of the single-story home, is compatible with the neighborhood and resolves a parking issue. Parking is impossible on La Cañada Boulevard due to its curvature and a gully and the sloped driveway does not lend itself to parking vehicles. He believed that increasing the floor area without increasing the garage space would be a mistake.

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

Chairwoman Mehranian confirmed that the property owners would soon be connecting to sewers.

Commissioner Gelhaar commented that he couldn't support encroaching into that setback on that street, and noted that the lot is 24,048-sf in area. He believed there were other development options and stated that he could not make Findings 1,2,3 and 5.

Commissioner Engler stated that he did not have an issue with the project, but wanted to require sewer connection before issuing final permits.

City Attorney Steres commented that a City Ordinance requires sewer hook up within 5 years of their availability. He did not see a nexus between this project and installation of sewers.

Applicant Robert Miller, stated he would not oppose such a condition; his family was looking forward to connecting to the sewer and that it would happen at the most logical time.

Commissioner Davitt remarked that he did not have a problem with the project, adding that it was tastefully designed. He stated that he would be more comfortable with a condition requiring retention of the bank of oleanders.

Commissioner Cahill stated that he could make all the Findings and viewed the encroachment as modest. The configuration of the house dictates how this project was design. He concurred with Commissioner Davitt regarding maintaining the oleanders.

Chairwoman Mehranian agreed with Commissioner Gelhaar and preferred to look at other options.

Attorney Steres addressed Commissioner Engler's request for a condition requiring sewer connection. He advised that it could not become a standard condition without the Commission establishing a need for immediate hook-up, since the same rules must apply to everyone. It could be acceptable in this case, given the applicant's statement.

Director Stanley advised that the city has a Temporary Private Septic Policy, which requires recordation of a covenant on the subject property upon sale or when expansions are proposed. It allows the property owners to use the

existing septic system, until sewers are available, subject to inspection and sign-off by the Health Department. Building Permits are not issued until the Health Department signs-off. That is one option; the other is to connect to the sewers, when they are available.

M/S/C Davitt/Engler to approve Modification 04-39 with added conditions requiring exiting landscape screening to remain and sewer connection prior to issuance of a Certificate of Occupancy. 3 Ayes; Gelhaar and Mehranian dissenting.

D. Modification 04-18 (amendment); Harrington; 4548 Leland Place: Planning Aide Shimazu reported that the applicant was seeking relief from condition 13, which required that a new wrought-iron fence maintain a 9-ft distance from the outer curb edge and that shrubs along the fence on the curb side be maintained at a height of 5 ft. It was later discovered that doing so would necessitate partial demolition of an existing pool deck. Mr. Harrington now asks that the fence be allowed to maintain a variable setback, ranging from 7½-ft to 17½ ft and to plant cherry laurels to screen the entire fence and pool area.

Staff believed that the requested amendment would even more effectively meet the intent of condition 13, as the fence would maintain greater distance from the edge of the oak located in the right-of-way. Staff continued to recommend positive findings and project approval.

Commissioner Gelhaar remarked that the plans were not scaled.

Commissioner Cahill asked what the distance is between the existing fence and the curb.

Planning Aide Shimazu advised that the fence encroaches into the right-of-way. Staff issued a Stop Work Order in February upon receiving a complaint regarding an over-height fence. As proposed, the fence would be set back less than 9 ft from the curb in some areas.

Director Stanley recalled that Mr. Harrington had provided photos of a wood fence that was legally installed in 1974; Staff required him to apply for a Modification when he began replacing it with a wrought-iron fence.

Applicant Michael Harrington, stated that he was virtually asking for a matter of inches to preclude jogging the fence and having it partially located on the patio. The problem area is at the north end where the patio is set back 8 ft from the curb --- if the fence were at 9 ft from curb in that location, he would

have to tear out a portion of the patio to accommodate the fence. He advised that the wrought iron fence and hedges in front – both on his property – would eventually hide the patio and pool.

Responding to a questions from Commissioner Gelhaar, Mr. Harrington advised that the patio was poured in January of this year. Further, the trellis over the patio in the front yard replaced a wood trellis in the same location that rotted. The same posts were used.

Planning Aide Shimazu offered to investigate the matter.

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

Commissioner Engler remarked on the uniqueness of the property, it appeared as an island between two streets. He supported the project so long as the screening is enforced.

Commission Davitt concurred and felt the conditions should spell-out a timeframe by which the landscape screening should screen the patio and fence.

Commissioner Cahill agreed and added that he did not have a problem with the request and that the variable setback would only be noticeable when driving by.

Commissioner Gelhaar stated that he could support the requested amendment as long as Staff investigates the trellis and since the patio was poured before Mr. Harrington was aware there was a problem.

Chairwoman Mehranian agreed.

Attorney Steres addressed draft conditions 13 and 15. He stated that No. 13 needs to be clear that a 7½-ft setback from the curb is not intended for the entirety of the fence. Additionally, if the plans in the file are to scale, the condition should refer to the scaled plans.

Director Stanley stated that the fence should be just outside the pool deck. He advised that Staff would take measurement to be accurate. Regarding the trellis, if it is a replacement and the roof is not solid, it would not be included in floor area calculations.

Addressing draft condition 15, Attorney Steres advised that a time frame be set for planting the shrubs along the fence on the curb side, per the approval of the Director and they should maintain a certain height at all times. He also

suggested that a covenant be recorded to assure that the landscaping would be maintained.

Commissioner Cahill felt that 30 days after fence installation would be reasonable.

Mr. Harrington commented that he needed to install irrigation and would do so as quickly as the fence is installed. He preferred a 60-day timeframe to install the shrubs, since he has no control over the fence installer.

M/S/C Engler/Gelhaar to approve the requested amendment to Modification 04-18 with added amendments to require review and approval of a landscape plan by the Director of Community Development prior to installation, shrubs shall be planted along the curb side of the fence within 60 days from the date of the Commission's approval and shall be maintained at a height of 5 ft, and a covenant shall be recorded to ensure future maintenance of the fencing and landscaping. Unanimous.

VII. OTHER BUSINESS

A. Report only; outcome of Administrative Hearings:

Commissioner Gelhaar reported on three Administrative Hearings over which he presided. He commented that the process failed somewhat on Item 3, an amendment to a hillside approval for 1540 Earlmont. There was initially a condition requiring an arborist to inspect and sign-off regarding protection of deodars before construction. Unfortunately, the applicant received the arborist's report and then proceeded to construct the addition, which is inches from the trunk of the tree, causing the tree to rub against the structure. The applicant then requested to remove that particular deodar. He stated that what fell through the cracks is that the arborist did not follow through or, the property owner could have observed the problem. He suggested that Staff meet with the architect and arborist to explain the process.

Director Stanley remarked that the City has since adopted a policy wherein the City hires the arborist at the property owner's expense and the arborist reports directly to the City.

VIII. COMMENTS FROM THE COMMISSIONERS:

Commissioner Engler reported that the story poles need to be removed from 3710 Madison; check the crib walls at 1100 Inverness; they were not approved and work continues despite a Stop Work Order.; at 3996 Chevy Chase, two large pilasters in the front were approved. The property owner is now installing caps atop the pilasters.

IX. COMMENTS FROM THE DIRECTOR:

Director Stanley noted that this would be the last meeting for Planner Roger Cantrell, who was retiring from the City. He thanked Planner Cantrell for his work on the Foothill Boulevard Master Plan and the Design Options Manual, two instrumental documents that serve as guides for the development the Foothill corridor. When he was hired, a moratorium on hillside development was in place; Roger drafted a revised Ordinance with public input and led it through the public hearing process. He also worked on the R-1 standards and took the Design Review Board to the status of a full Commission. Director Stanley stated that Planner Cantrell had a tremendous influence on the appearance and character of Foothill Boulevard and will be sorely missed.

Commissioner Gelhaar commented that he had worked with Planner Cantrell on the Citizens Committee for Residential Design Review. He stated that Planner Cantrell had done a masterful job of developing a system of objectivity rather than one of subjectivity.

Director Stanley advised that Roger would continue to assist the Department on a contractual basis.

On another matter, Attorney Steres advised that the City Council is the proper venue for the Commission to recommend or suggest changes to the Ordinance regarding sewer connection.

After polling the Commission, the Commission unanimously agreed not to meet during the month of August.

X. ADJOURNMENT

M/S/C Davitt/Engler to adjourn at 7:25 p.m. Unanimous.

Secretary to the Planning Commission