

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD July 11, 2006**

I. CALL TO ORDER:

Chairman Davitt called the meeting to order at 6:15 p.m.

II. ROLL CALL:

Present were Commissioners Cahill, Gelhaar, Hill, City Attorney Steres, Deputy City Attorney Cobey, Director of Community Development Stanley, Senior Planner Buss and Consulting Architect/Planner Cantrell. Commissioner Mehranian was absent.

III. PLEDGE OF ALLEGIANCE

Commissioner Gelhaar led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

The Chair elected to hear item VIII A first.

VI. CONSENT CALENDAR

Minutes of June 20, 2006 were tabled.

VII. PUBLIC HEARINGS

A. Modification 06-25; Greene; 2041 Los Amigos Street:

Director Stanley related the applicant's request to expand his single-story home that would result in front and east side yard setback encroachments

The 16,450-sf subject site is located on the north side of Los Amigos, west of La Forest Drive, in the R-1-15,000 Zone. The County Flood Control channel borders the property on the east side and adjacent to the Channel, is 40-ft-wide La Forest Drive. The Channel and La Forest Drive provide more than 100 ft of separation from the nearest home to the east. Additionally, a collection of flag strip properties on the west side creates an island effect for the westerly neighbor and the subject site.

The 16,450-sf lot is developed with a 2,600-sf, single-story home, typical in scale and character of the neighborhood development with a front setback of 57 ft. It

is 110 ft wide, requiring 11 ft side yard setbacks and a 51½-ft front setback. Existing side encroachments consists of a carport on the east side, which extends beyond that property line into the channel easement and a 7-ft encroachment by the house on the west side.

The project includes expanding the home forward and along the east side, removal of the non-conforming carport and construction of a new, 2-car garage at the southeast corner. Resulting floor area would reach 1,930-sf, increasing the size of the home to 4,564-sf, and within the 5,400 sf maximum for the lot. The existing 58'8" front setback would be reduced to 42'-8" and the east side setback would vary from 1 ft to 14 ft.

Staff concluded that the home's character and profile would be maintained and noted that a major non-conforming aspect would be removed by removal of the carport and constructing a 2-car garage. Staff did not view the front encroachment as a deterrent; the encroachment would be consistent with the property immediately to the west. The scattered arrangement of nearby homes does not present a uniform pattern of front setbacks. Strict adherence to the required setbacks would not yield significant benefits. Staff recommended positive findings and project approval

Commissioner Gelhaar remarked that during his site visit, Mrs. Green mentioned the possibility of purchasing 4 ft from within the Flood Control Channel to resolve the east side encroachment.

Mr. Green advised that the County is willing to sell him a portion of the 19-foot landscaped area, which would be less than 4 ft and would not solve the encroachment problem.

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

Commissioner Cahill concurred with Staff's determination and commented that the landscaped strip between the property and the Channel provides a built-in setback. The project resolves a non-compliant situation and would bring the project into conformity with the neighboring properties.

Commissioner Gelhaar agreed, but he was concerned with the area where a 1-ft setback is provided. He stated he would be more comfortable if the applicant purchased 4 ft from the County, which would produce a 5-ft setback or, require the applicant to provide a 5-ft east side setback.

Commissioner Hill stated he could support the project if the applicant purchased some area from the County, though he would prefer to see a greater side setback.

Chairman Davitt noted that the addition is all first-floor. He recognized "it is a little tight at one point", but he wouldn't want to condition something that isn't there.

M/S/C Cahill/Hill to approve Modification 06-25 as conditioned. 3 Ayes; Gelhaar dissenting.

VIII. CONTINUED PUBLIC HEARING:

A. Tentative Parcel Map 066491; Conditional Use Permit 403; Zone Change 06-01; Tree Removal 06-16; Certification of the Mitigated Negative Declaration; La Cañada Properties/Mattix Development Partners; northeast corner of Foothill Boulevard and Angeles Crest Highway:

Director Stanley advised that he would provide an overview of the project, Mr. Cantrell would discuss the various requests and building "B" and Marianne Tanzer from EIP would address the mitigated Negative Declaration and the Mitigation Monitoring Plan.

The project site is located on the northeast corner of Foothill Boulevard and Angeles Crest Highway. It is bordered by Foothill on the south, Angeles Crest Highway to the west, the 210 freeway to the north and Lillian Court to the east. The request includes a Tentative Map, a Zone Change, a Tree Removal Permit, a Conditional Use Permit and certification of the Mitigated Negative Declaration and approval of the Mitigation Monitoring Plan. Relocation of the North Road other than as specified in the Specific Plan does not require an amendment to the Plan.

The applicant proposes to convert existing residential and office uses into a commercial, village-style commercial complex that includes a park. All existing structures within the area would be demolished with the exception of the Sport Chalet Corporate office building, the Montessori School and Taylor's Restaurant. (The Shell station on Angeles Crest would remain, but it is not part of the project.)

The project proposes 111,000-sf of new floor area; with a total floor area for all buildings, including the Sport Chalet corporate, the school and Taylor's of 143,700-sf. Vehicular access would be from the North Road off Angeles Crest Highway, below the Shell station, leading east and ending in a roundabout. The Beulah extension would be eliminated and a new access road provided

west of Taylor's restaurant, creating a north/south connection to the North Road from Foothill Boulevard.

Also included, per the DVSP, is a park larger than stipulated in the DVSP (35,000-sf), however, the applicant has relocated it away from Foothill Boulevard. Some have raised concerns regarding this aspect; however, Section 6.8 of the DVSP addresses a Flexible Park District Boundary and states that the Park District Location and size are flexible.

Zone Change – is required to modify portions of the DVSP and accommodate nonconformance with the park location and connector road locations as previously discussed, and building height.

Building Height: The DVSP limits front wall height for buildings fronting Foothill to 14 ft. For up to 40% of their front elevation length, those buildings are allowed architectural elements to attain a wall height of up to 24 ft and an overall height of up to 28 ft. The intent was to preserve views of the mountains. The Design Commission determined that higher walls would be acceptable and that mountain views would be preserved via 25-ft-wide paseos and the connector road. Staff's recommendation was to limit wall height to 24 ft, roof height to 32 ft and 40 ft for architectural extensions.

Conditional Use Permit – is required for: structures greater than 10,000-sf in size, office uses, and service of alcohol at restaurants. It also deals with parking spaces. The Specific Plan defers the required number of parking spaces to the Director of Community Development as long as certain findings can be made. The traffic analysis, which reviewed shared parking uses, identified this project as sufficiently parked. The applicant is providing more than the required 611 parking spaces.

Taylor's restaurant is proposing to remain open during construction and utilize valet parking. Staff is awaiting submittal of a parking and traffic circulation plan.

Parcel Map – seeks to subdivide 50 parcels, vacate 3 dedicated streets and alley easements and Lillian Court parkway off Lillian Court. into 6 parcels, a connector road and a park.

The Commissioners' packets included various reports on hydrology, geology, liquefaction and an environmental analysis. All cleared the site for development.

Cut and Fill - 35,000 cubic yards of cut and 10,750 of fill would result in approximately 12,250 sf of export, equating to more than 1,000 truck trips. The draft conditions require a haul route and dust mitigation measures.

Bulb outs would be located along Foothill and the North Road, per the Specific Plan. Their design will be reviewed by the Design Commission but their locations and sizes are identified.

Tree Removal - there was concern expressed regarding the number of trees to be removed. Director Stanley advised that all trees on commercial sites are protected regardless of their species. There are 69 trees of a protected species and 23 of those have trunk diameters greater than 12". The thirty-four trees to remain are mostly located along the office building and perimeter of the site. The Mitigation Monitoring Program identified a deodar as scenic (a trunk diameter greater than 36 inches) and suggested preserving it if possible. It is located in the middle of the proposed North Road. Director Stanley advised that some trees could be relocated on site and noted that the landscape plan shows 168 new trees.

Lastly, Director Stanley responded to concerns expressed at the last meeting.

Parking - a memo was provided from the City's Traffic Engineer explaining the concept of shared parking. Additionally, the applicant submitted a reciprocal Access and Parking Agreement, which the City Attorney will review.

Drainage - due to offsite storm drain capacity limitations and compliance with NPDS which allows only a certain amount of water into the drain pipe on Foothill, the applicant proposed detention capability on site. Staff questioned that strategy, as it would limit use of the park following storms and recommended investigating alternatives --- either another retention site or perhaps infiltrators. The developer provided a revised grading plan of the park site, which made the basin less of a deep hole and confined to a specific area.

Trash enclosures - the Specific Plan talks about enclosing trash enclosures within new structures. The City Attorney advised that it would require a code change to allow otherwise.

Taylor's lease - from the information Staff has, it appears that their lease is month-to-month. As discussed earlier, Staff was concerned with the west and north elevations of the restaurant.

975 Foothill – a former gas station site – The applicant submitted a copy of a letter from the County, dated 1997 stating that the site is ‘clean’.

Cost Recovery condition – revised so it includes monitoring compliance with the conditions of approval.

Stop Sign on Houseman/Commonwealth – The City’s Traffic Engineer determined that a stop sign is not warranted. The matter could be referred to the Public Works Commission.

Chairman Davitt invited comments or questions from the Commission.

Commissioner Gelhaar addressed the parcel map. His impression from reading the reports was that Staff was going to recommend adjustment to vacation items. He asked for Staff’s position.

Director Stanley responded that Staff did not have a problem with vacating the west portion of Lillian Court. The concern was Parcel 7, Craig Avenue, which is not part of the project. At this point, Staff does not recommend vacating Parcel 7.

Responding to a question from Commissioner Hill, Director Stanley stated that Craig Avenue would simply remain as is for +/- 100 ft. some information was discovered that it is owned by the City in fee.

Commissioner Gelhaar addressed storm water retention and confirmed that the draft conditions require another location for the detention basin or an alternative method.

Chairman Davitt was concerned that a covenant was not required that the developer hold all parcels as one and that all parking is shared.

City Attorney Steres stated it is not unusual for a center to be comprised of multiple parcels. The idea of a parcel map is to create separate parcels that can be sold separately, financed, etc. If the City did not want individual lots it would not be recommending approval of the parcel map.

Commissioner Hill asked if the east side of Taylor’s would be vacated.

Director Stanley displayed the existing elevations and pointed out that the issue is with the rear portion of the restaurant. Mr. Taylor’s architect submitted a plan earlier that day which must be reviewed by the Design Commission. Mr. Cantrell was introduced.

He related that Building "B" presented problems that we continue to deal with. It is the second largest tenant space and fronts on Foothill Boulevard, so the gradient is a fixed number. It is the only building that does not include a sloped roof. It plays a pivotal role anchoring the south entry and, through Design Commission review, the massing on the southeast corner and the roof form was required to be revised. Mr. Cantrell advised that "B" 's large floor plate is a result of the prospective tenant's demands and causes a significant grade difference unless an interior slab step is introduced. The applicant articulated his desire to avoid a slab step at the previous meeting. As proposed, the finish floor elevation is more than 11 ft above the sidewalk at the southeast corner. The Design Commission, which reviewed only concept elevation drawings, was concerned with the apparent height. Following receipt of the grading plan, Staff also was concerned with the elevation above street level. Previously, Staff had recommended a condition limiting floor height along Foothill Boulevard to 3 feet above sidewalk elevation. Following the applicant's objection to the slab step required for such a condition, Staff introduced the alternate approach of introducing a tenant space beneath the main floorplate; possible through the 11-foot height difference. The tenant space would fulfill the Specific Plan's objective of activating Foothill Boulevard.

Director Stanley offered another alternative of relocating the entrance from the northwest corner and closer to the paseo. The floor elevation would have to be reduced by 4 ft and the terrace could wrap around the building to 7 ft, and it would only be 2 ft above the street. This would result in 2 entrances along Foothill, which the tenant does not want due to concerns of loss from theft. He related of having seen similar uses with 2 access points on the main Boulevard, which help to activate the street. He emphasized that there are options to what was submitted.

Mr. Cantrell referred to the applicant's most recent submittal for "B", which shows the same building minus the sloped roof and the floor elevation corrected. The massing did not change. The idea of lowering the entire floorplate or having a tenant located below floor elevation oppose each other since a downstairs tenant space would need as much height as provided by the proposed 11-foot difference. He advised that the Design Commission held a special hearing solely to discuss Building "B" and eventually endorsed the idea of a downstairs tenant, but not the lowered floor alternate. The applicant submitted a letter from the Clover Company, describing the idea of a downstairs tenant as "catastrophic". The letter was based on invalid assumptions such as the need for a 4-foot truss, and it didn't express the legitimate concern that the corner space would not be adjacent to parking. Mr. Cantrell commented that the City was looking for interesting storefronts that

are not necessarily readily available to parking. He stated that the idea endorsed by the Design Commission wasn't too much to ask of the applicant.

Commissioner Gelhaar recalled that the Planning Commission asked the applicant if the parking structure could be lowered and that the applicant thought it could be lowered 5 ft to be level with the North Road. He felt the same could be done with "B" and perhaps lower it 9 ft.

Mr. Cantrell did not believe that aspect had been studied, but the height of the parking structure is a minor concern compared with the corner of "B".

Marianne Tanzer with EIP stated she reviewed the public input received on the Mitigation Monitoring Program and the Mitigated Negative Declaration and revisions to that document. Ten letters were received including letters outside the scope of the CEQA process. She read the related correspondence and reviewed the Mitigation Monitoring Program, referred to as a "road map" for compliance with the mitigation measures. The construction schedule, drainage retention, health and safety plan are all reviewed during the plan check process. All requirements are spelled out in the final document and the applicant is responsible for implementation of the mitigation measures.

Ms. Tanzer then reviewed the changes to the MND and advised that the site accommodated several gas tanks, which were removed several years ago. At this point, it is unclear if the proposed retention basin would meet County requirements, but the MND calls for an alternate location on site, subject to monitoring by Public Works.

Responding to a question from Commissioner Cahill, Ms. Tanzer explained how the public received notice of the environmental process.

Responding to questions from Chairman Davitt and Commissioner Cahill, Director Stanley advised that the 3:1 tree replacement required in the Specific Plan applies only to trees qualifying as 'scenic'. Of the 168 trees proposed, only three are needed to replace the 60-inch-diameter scenic tree. He added however, that the Commission had the authority to require more trees, larger trees or relocation of trees. He noted that the Design Commission approved a landscape palette which divided the site into zones and endorsed the idea of installing some smaller box size trees, as they tend to grow quicker.

Commissioner Gelhaar confirmed that a mitigation monitor hired at the expense of the applicant and restriction of deliveries during peak hours were included in the conditions. He reported a telephone call with a Council

member who believed that street improvements and street lights were items that would be discussed by the City Council.

Director Stanley advised that the City and the developer were working on a Development Agreement. All items with bullet points in the staff report would be addressed in that Agreement.

For the record, Director Stanley stated that Specific Plan talks about trash enclosures and incorporating them into the individual buildings. Staff's interpretation is that the applicant would have to apply for a zone change would be required to allow trash enclosures elsewhere. He also made it clear that he made a determination of parking adequacy based on the shared parking analysis.

Commissioner Gelhaar noted the significant bulb-outs in front of "B" and Taylor's restaurant and asked if Staff had a concern with providing bulb-outs solely to allow cross walks rather than more street parking.

Director Stanley recognized that the one in front of "B" could be smaller, but the idea was to have a large sidewalk treatment lead to a pedestrian walkway.

Commissioner Cahill confirmed that there is an overlap in review and that once all entitlements are granted, the Design Commission would again review the project.

Commissioner Cahill stated that the Design Commission was comprised of competent members and he preferred to leave the design issues to them. He was more concerned with site planning.

Mr. Cantrell recalled that at the initial hearing, the Commissioners expressed concern with the height of "B"; the draft conditions are in the realm of that discussion.

Commissioner Hill referred to the draft conditions and asked if the trash area behind Taylor's would be upgraded.

Director Stanley responded that existing buildings are allowed extra trash enclosure area. A recently submitted plan for Taylor's has yet to be analyzed by Staff.

Commissioner Cahill commented that the myriad of conditions were difficult to digest. He confirmed that the Foothill Boulevard dedication was addressed under the subdivision section in the conditions.

Chairman Davitt asked if the Foothill Boulevard dedication was “off the table” if the Commission adopted the resolution and if it would be discussed as part of the Development Agreement.

Director Stanley responded that it was up to the City Council to determine whether a 2-ft or 5-ft dedication was needed. The Planning Commission could recommend a greater or lesser dedication to the Council.

City Manager Alexander stated that since Staff had not identified any basis for the 5-ft dedication, the recommendation from Staff to the Council would be not to require it.

Director Stanley related that a number of issues raised by the Traffic Engineer or the contract engineer need to be evaluated as they may not necessarily be required as part of this project.

Chairman Davitt commented that it was helpful to understand that the Planning Commission didn't need to debate some of these issues, since they would be addressed in the future by the City Council. Out of a concern voiced by a resident that comments were accepted too late at the first meeting, he advised that public testimony would be limited to 3 minutes. Further, Peter Kudrave had requested to make a presentation, which would be limited to 20 minutes.

Chairman Davitt opened the public hearing.

Jennifer Rudisill, 4610 Commonwealth, stated that the project is a good one and would benefit the community, but she was concerned with eliminating the barrier along the east side. She related of an agreement with Norbert Olberz to provide a barrier between the project and the adjoining residential neighborhood. She opposed allowing construction vehicles to park in her neighborhood and requested temporary parking permits for the residents as well as a stop sign at Houseman and Commonwealth. She suggested a wall/landscape berm combination to protect her neighborhood.

Gould Allison, 4602 Commonwealth, related that the 33 homes between Lillian Court and Oakwood east of the project have greatly increased in value; a trend he did not want interrupted. He felt it is vital to have a western edge separating his neighborhood and the project.

Jimmy Kam, 822 La Porte, reported that the one notice he received from the City did not mention the environmental process. He noted that parking spaces

“could go as high as 799, but only 540 spaces are provided”. He was concerned with overflow parking and pointed out that Lillian Court was accessible for those who want to park in the “G” building. He suggested that a block wall or half-wall, half wrought iron gate separate the project from the easterly neighborhood and questioned why the project could not be built in two phases.

Ken Schmidt, 1142 Flintridge Avenue recalled the 1988 public hearings on a former project. He stated that this is a far different and better plan and we need to remember the reason for that is we now have a Specific Plan. He was concerned with the lack of a village square on Foothill and assumed that it came about through negotiations with the city rather than in the public arena.

Laura Beck, 821 La Porte, agreed with previous comments. She stated that since parked vehicles seem to attract crime, vandals could flee through her neighborhood. She added that while this plan is by far the best, she wanted assurance that her peaceful neighborhood would be preserved and wanted assurance that lighting, noise and deliveries would not affect her neighborhood.

Robert Iverson, 4603 Commonwealth, pointed out that the mitigation measures state “the City may require a barrier to preclude noise and dust from the immediate neighborhood”. He preferred “should” or “will” statements.

Dan Weston, 817 and 824 La Porte, stated there was nothing to preclude walk through traffic or pedestrians who wanted to “short-cut”. He requested a wall or fence along Lillian Court to separate commercial from residential property. He asked that the trash area near “G” and adjacent to his home be relocated to preclude attracting rodents to his property.

Cheri Manuel, 822 Houseman stated that she did not receive a notice regarding environmental issues and advised that vehicles cross the existing barrier between 6:00 and 8:00 p.m. Monday through Friday. She recalled that during construction of the Sport Chalet corporate office building, construction vehicles would park in front of her house 8-10 hours a day. She was also concerned with preservation of the sycamores on Lillian Court.

Mary Parmerly reported that she owns 15 homes in the City, including 817 and 824 La Porte. She requested a landscaped separation between the residential uses and commercial. She stated that rules for tree removal on residential should similarly apply to commercial sites. Her concerns were lights, noise and a decrease in property values for the adjacent residential neighborhood.

Diane Holloway, 804 Houseman, stated that she liked the plan, but wanted to maintain the integrity of her neighborhood. A landscaped berm with a wall or some type of barrier and trees sounded "like a great idea". Having a store below "B" seemed "too commercial and unwelcoming".

Peter Kudrave, 1615 Fairmont Avenue related that he had a long term commitment to this property and see a project through to a conclusion. He reported of having shared his thoughts and drawings with the developer and members of the community and that he wanted to respond to the developer if the Planning Commission could not. He stated that of the 5 plans submitted previously, this was the best, though it had flaws and weaknesses. He noted the several items out of compliance with the Specific Plan, which should not be amended to fit a specific proposal. Mr. Kudrave then summarized what he stated were the plan's weaknesses:

A village square is missing from the plan; the abandonment of the Beulah extension, which was constructed only years ago; the North Road while useful, is devoid of human life -- other than "A", there are no buildings fronting it; "spaces between "C", "D" and "A" are crying out for relationship across each other; the submittal the requirement for buildings to front Foothill was taken a bit too far - it's a long, unbroken wall except for small openings and not in the spirit of the Specific Plan. Mr. Kudrave stated that he was a member of the Specific Plan Committee and the one thing recognized was the views to the mountains - this plan negates that potential. He stated there is no need to rip out a street (the Beulah extension) and create a jog into the site. He stated that "B" is in the wrong place, "topo-wise" and suggested relocating it to the proposed area for the park. "Open it up and put the park in here; it could have berms, steps and a village square and the area become a "coming together". He explained that village squares are different from parks - parks are pastoral and passive, while a village square is a place for all ages to come to congregate. "By bending the road, you can bring the road down and provide enough pad space to build a 25,000-sf major facility. A building in the park area would, by nature, be tall and seen, and allow visual relief of the mountains (???). Staff should study the possibility of inserting a building between the rooftop parking and the grade, which would activate the area. He believed that a structure on the rooftop deck would "be a good thing" and activate the North Road."

Summarizing his critique, he asked that the City allow Beulah to continue as a connector road through the project; a village square is absolutely necessary ----- "there is no validity to call it a park and put it in the back". He advised of having addressed these issues earlier and that a schematic design could be easily included and the plan adjusted. "Rather than fighting each other, it's a matter of finding a better way".

Chairman Davitt called a recess at 8:54 p.m. and reconvened the meeting at 9:07 p.m.

Director Stanley responded to comments.

Barrier along Lillian Court – the plan provides for continuation of a barrier once the project is completed, but it is not the intent of the applicant or the City to construct a wall. There is no evidence in the traffic report that identifies the need for a barrier.

Overflow parking and Restricted Parking – the City’s Traffic Engineer, Eric Zandvliet’s, traffic analysis concludes there would not be overflow parking. Aside from surplus spaces on site, there are available spaces along the North Road and adjacent to the park. Residents can petition the Public Works Commission to restrict parking on their street at any time, but it is not a requirement of the project.

Requested Stop Sign At Houseman & Commonwealth – the City has reviewed similar requests in the past and can do so again, but the traffic volume on Houseman is too low to justify a stop sign.

Responding to a question from Commissioner Gelhaar, Traffic Engineer Zandvliet stated that all construction vehicles would access the project site from Angeles Crest Highway or Foothill Boulevard and are required to park on site. The only parking allowed on Houseman is for the day care center or the office building.

Director Stanley noted that the draft conditions require a haul route subject to review and approval by Public Works. The City recognizes and has stated that there will be parking on Houseman during construction by the Montessori School and Sport Chalet corporate; however construction traffic will be prohibited. There will be an appropriate barrier in place during construction; however it should be understood that there is an upward slope to the pad holding “G” building. The intent is that “G, which will be heavily landscaped, would provide a solid barrier from noise and light.

Parking – A variance is not under consideration. The parking analysis was positively reviewed by the City’s Traffic Engineer. The Conditional Use Process allows the Director of Community Development to reduce the number of required parking stalls if appropriate. It is not unusual to reduce the number of spaces in a shared parking concept and he was able to make the determination based on two expert opinions that the project would not result

in overflow parking. Valet parking will be required for Taylor's renovation and they will not be allowed to use residential streets for parking.

Request for a phased project - it is up to the applicant, but he prefers to construction it in a single phase. Seemingly, it would be less intrusive to the neighbors and potentially cut the length of construction.

Village Square concept - The Planning Commission needs to discuss and make a recommendation to the City Council.

Concerns of crime - Director Stanley advised that this is an area with low crime statistics, but he would check with the Sheriff.

Noise from deliveries - the draft conditions restrict delivery times. The largest building, "A", is 300-400 ft distant from any restaurant area.

Lighting - is covered via a number of mitigation measures in the Mitigation Monitoring Program; EIP presented a detailed report and referred to studies from the Institute of Lighting Engineers regarding night light pollution, particularly from the rooftop parking. Low intensity level light is required and lights will be turned off 1 hour after the center closes; 0.2-ft candle power will be used for security lighting.

Construction Noise - restricted to the same as residential development.

Proximity of "G" trash enclosure - not allowed per the Specific Plan; trash enclosures must be incorporated into new buildings to preclude odors and vector problems.

Lack of notice re environmental - this information was included in the Public Hearing notice. The City has a certified notice of publishing reflecting that.

Preservation of sycamores on Lillian Court, why isn't the applicant required to comply with tree replacement regulations similar to residential properties -- - the submitted plan shows the sycamores as being preserved. The City allows tree removals on all properties with replacements. Additionally, Staff will notify the Sheriff's Department regarding the owners of two SUVs reported by Ms. Manual who drive over the barrier between the project site and residential.

"B" being too commercial - unsure how to respond to the proposed use below the terrace on "B". It is meant to be a commercial use.

Director Stanley noted that the City's Traffic Engineer, the City Engineer and the former chair of the Design Commission were in the audience for any questions.

Chairman Davitt invited the developer to speak.

Darren Mattix responded to Mr. Kudrave's comments and reported that Perkowitz + Ruth, project architects, consistently rank in the top ten nationally and have received honors for their work. He remarked that Mr. Kudrave's perception of traffic issues associated to relocating the Beulah Drive connector road as "better traffic movement for thousands of citizens for daily commute" is not substantiated by facts and ignores other basic and significant requirements contained in the Specific Plan. Mr. Mattix advised of having spent over 10 months, over \$200,000 and hundreds of hours studying many concepts and planning alternatives. Addressing Mr. Kudrave's statement that the "park use does not have a corresponding parking area", Mr. Mattix pointed out that the Specific Plan requires him to set aside $\frac{3}{4}$ of an acre for a park - he is not obligated to provide parking. Further, Mr. Kudrave's plan shows a deficit of 159 parking spaces, trash receptacles are not shown anywhere, finger planters as required in the Specific Plan are not shown in the parking areas, it is impossible for trucks to back into the loading dock of "B", his plan has the parking ramp too steep to allow parking on the parking deck - 5% grade is the maximum; his plan shows a connection between Houseman and the North Road connector road, his plan lacks an exit from the parking lot, "B" would be 17 ft in the air due to the grade difference and would provide a view of a wall to anyone entering from Foothill; the "J" shop on the Kudrave plan would be 4-6 ft above the North Road and "H" would only daylight at the south elevation under the parking deck; "G" has no connection to the remaining development; if Taylor's is gone, where do people park for 23,000-sf of building?

Commissioner Gelhaar asked if traffic was the motivation for eliminating the Beulah extension.

Mr. Mattix responded that a traffic survey proposed two connector roads as required in the Specific Plan, but traffic studies revealed a large impact on Foothill and Angeles Crest. He felt it was an oversight during development of the Specific Plan. He then analyzed a single entrance and Beulah was disjointed and too far south to be part of the development. While not inexpensive, "it's the right point of entry, centered on the park".

Commissioner Gelhaar asked if the connector road was moved to west of Taylor's because the existing Beulah extension is too far on the eastern edge of the development.

Mr. Mattix stated that it is too far from the North Road. The submitted plan is a balanced project with parking zones carefully calculated so that each zone can stand alone for the nearest use.

Project Traffic Engineer Steven Green advised that in laying out the site plan the existing Beulah connector road essentially became a driveway for the Sport Chalet office building and did not provide good access to the project in terms of vistas.

Responding to a question from Commissioner Gelhaar, Mr. Green acknowledged that he prefers 4-leg intersections; "traffic engineers like to see long blocks so that traffic moves". This intersection is offset and precludes left turns between intersections and cars queuing between intersections.

Commissioner Hill commented that offset intersections such as Alta Canyada/Foothill are a huge concern, where he has witnessed confusion and near accidents on a monthly basis. He asked if the project's offset intersection was more dangerous than what Mr. Kudrave suggested.

Mr. Green responded that polarized signal heads, which are seen only from certain angles can reduce confusion and accidents. Importantly, the signals would be timed to preclude being caught in the middle of intersections and left turns from the project will be based on demand.

Commissioner Hill asked Mr. Green if his plan was inherently more dangerous than a 4-leg intersection.

Mr. Green stated he did not believe it was. He explained that there are two types of offset intersections. Those in which the streets on the right are reached before the streets on the left, such as the Alta Canyada intersection, are dangerous because motorists turning left must go through the intersection before turning. Those with the streets on the left reached before those on the right (such as the proposed project intersection), are safe because motorists are not making left turns within the intersection and causing congestion or creating hazards.

Commissioner Cahill offered his comments. He expressed appreciation for the opportunity to review the plan with Mr. Mattix and was looking forward to potential changes in the core of the downtown area. He stated that the submittal "fell a little short of where this should be for a village center" and

asked if there was a way to overcome that. He related of having carefully reviewed the Specific Plan and the Foothill Boulevard Master Plan and it was apparent that resident had put in thousands of hours in drafting these documents. He read from the Specific Plan, which states its vision as characterized by traditional, main-street development, rather than typical urban development, etc. The first vision is that it would be a small town village atmosphere; the second vision is that it would be a pedestrian friendly area, where people can park their cars and walk. It talks about the village center being the heart of the Downtown Village Specific Plan and focuses on pedestrian amenities, including a variety of small scale retail businesses. It was envisioned as an important pedestrian environment in the downtown area. The Land Use section of the Specific Plan describes a mixture of retail and pedestrian environments to encourage walking as an alternate to driving. It also encourages formal and informal places for the community to gather; even the primary objective for the development standards is to create a pedestrian friendly environment.

Commissioner Cahill continued, stating that the modern village, where people park their cars and walk is the way to the present and future. He believed that was lacking in this project. He asked the developer if he could relocate some of the green space closer to the shops and create pedestrian and movement areas. He characterized the park as the front lawn for the Sport Chalet office building and, while he would never say "no" to a park, yet the neighbors have requested walls, gates and barriers. Visitors to the Center will not cross 2 parking lots and a North Road to go to a park that is not readily apparent as to how it would be used. He asked Mr. Mattix if any thought was given to creating a more pedestrian friendly, walking village feeling of the 21st century, rather than a 20th century, overly suburban mall.

Mr. Mattix responded that the Specific Plan refers to a community survey taken to determine its vision for a village center. The response was that Foothill is too long to become a pedestrian corridor. "During its 10-month review, the Design Commission looked at just about everything that could possible be put into this site". He pointed out what he felt was a great deal of pedestrian connection in the plan: the sidewalks adjacent to Foothill parking are 8 ft wide and where there is no parking, the sidewalks are 16 ft. wide. The sidewalks in Old Town Pasadena and Glendale are 14 ft wide, notwithstanding bulb-outs. Mr. Mattix pointed out the decorative cross walks, bulb-outs, paseos, a main gathering spot on the corner, seating benches, a coffee spot for "C", scattered seating benches and a pedestrian crossing and a bus bench on the North Road. All 4 sides of the buildings are visible to the public and in all cases, the paseos lead to the North Road, the connector road and the park.

Commissioner Cahill agreed that the plan contains numerous paths; however, much of what Mr. Mattix referenced was pathways leading from car-to-store, store-to-store or crosswalks. He quoted from the Specific Plan where it states that sidewalks be of sufficient width to be considered as gathering places rather than circulatory paths. He felt the plan was very car oriented.

Mr. Mattix commented that the Specific Plan calls for specific building requirements and that a certain number of parking spaces are required for a successful development. He stated that he would never say things could not be better, but the issues raised by Commissioner Cahill regarding gathering places are often provided with landscaping and trees. He assured the Commission that "there's lots more to come through final approval by the Design Commission".

Chairman Davitt remarked that relocating "B" would allow a center plaza and still have the park in back. He asked how viable Commissioner Gelhaar's idea was about lowering the building.

Mr. Mattix responded that the Design Commission voted 3 times: - 1 pertained to Staff's view, adding a 2nd floor element. The alternate plan he submitted resulted in a split vote and another plan (also submitted by Mattix) received a 3-1 vote. He explained why it was impractical to lower the grade of the entire parking field around buildings B, C, D and E and the parking deck. The ramp to the upper parking deck from the North Road on the west side is already at the maximum 5% to allow for parking. "C" is already below the North Road on the north side. A steep circulation ramp would not be comfortable for waiting motorists to turn on the North Road. He noted that trucks will be delivering at both sides of the ramp. Increasing the grade beyond 5% would make it difficult or impossible for trucks to navigate and/or execute.

Commissioner Gelhaar recalled that one of Mr. Mattix' experts stated the grade could be lowered 4-5 feet.

Mr. Mattix stated that it could not be done practically.

The Commissioners continued with their initial comments and questions.

Commissioner Hill disclosed that he accepted an invitation to review alternate designs at Mr. Kudrave's home and that Mr. Mattix was also there. He recalled the first meeting when many concerns were raised regarding the height of "B". He was enthusiastic about Mr. Kudrave's plan and it seemed feasible that "B" and the park exchange locations. He did not believe that the park would be used in the proposed location and concurred with Commissioner Cahill's observation that the adjacent neighbors wanted it blocked off. He disagreed

with Mr. Mattix that exchanging "B" with the park would produce a cave-like effect and noted that the issues associated with "B" would be eliminated, as it would be in the main area, open the project and, seemingly, improve traffic. He asked if a compromise was possible.

Mr. Mattix responded that many of Mr. Kudrave's concepts had been discussed and dismissed for a variety of reasons. He did not believe it was viable to take "B" off the Boulevard.

Commissioner Gelhaar asked Mr. Mattix to explain "not viable" and inquired if the location for "B" was tenant-driven?

Commissioner Hill remarked that he was talking about a northwest to southeast grade and asked if that was relevant. "B" would not be any higher than Mr. Mattix' submittal if it was "buried in the dirt".

Mr. Mattix responded that the grade of the North Road would dictate the placement of "B" if it were located in the proposed park location. That grade has a 4-ft differential from west to east. He asked whether it should be graded on the west or "popped up" so that it is on a flat pad --- the axial view would be of the parking deck rather than a park.

Commissioner Hill advised that when he first saw Mr. Kudrave's plan, he felt it answered all the questions. He felt that everyone appreciates the park, but he doubted it would be used much. A village square "up front" would be much more acceptable.

Mr. Mattix noted the lack of parking for that scheme and reiterated that it was not his obligation to include parking for a City park.

Director Stanley advised that there are no parking requirement for a park and pointed out that visitors to Memorial Park use street parking. The City's Traffic Engineer advised that parking demand for a park is low.

City Traffic Engineer Zandvliet observed that the proposal is for a passive park that would not require a lot of parking. There is ample shared angle parking adjacent to the park.

Director Stanley added that there are 36 street parking spaces available for the park use.

Mr. Mattix agreed that the Specific Plan addresses the possibility of an overlay with the park. He stated that he would not plan the park as proposed by Mr.

Kudrave as it does not meet the requirements of the Specific Plan. If he were comply with the requirements of the Specific Plan to the letter, he would locate the park along Foothill, east of "B" and eliminate Taylor's restaurant and the golf shop.

Craig Steele, counsel for the applicant, stated he felt compelled to respond as a lawyer and resident of the City. He observed that one of the reasons the project site is in its current condition is that "every time a developer presents a proposal, it's not good enough". He recalled the 3-year process for "the Specific Plan Committee to decide where the park should be located, its size, etc.". The Plan states that the developer can set aside the park, **which is where Taylor's and the golf shop are located?????**. If that were to happen, the City would not get a park until those two business ceased operation. Mr. Steele stated that his client's project complies with the Specific Plan in all ways except three areas. He was asking for amendments to the Specific Plan, which the Design Commission feels are necessary to make the project work.

Director Stanley rebutted Mr. Steele's comment regarding Taylor's and the golf shop. The Land Use section of the Specific Plan's Flexible Park District Boundary stated that the exact location and size of the park may be modified by the Planning Commission. Therefore, the Commission has the authority to deny that particular component of the project as submitted and provide direction.

Commissioner Cahill confirmed that a "no park" project would require an amendment to the Specific Plan.

Since further comments were not offered from the public, Chairman Davitt closed the public hearing and requested comments from the Commissioners.

Commissioner Hill commented that he sensed Mr. Mattix' frustration and didn't want to add to that. The bottom line is that the submittal is a beautiful project that can be improved. He liked the proposed modification and sensed there was a financial issue with the prospective tenant for "B". His hope was to get a project that will be acceptable to all and a credit to the community. He felt Mr. Kudrave's plan could be fine tuned and that there was some way to incorporate the village square idea.

Commissioner Cahill echoed those sentiments. He felt the site should be developed and recognized the developer's time and effort in going through all the meetings with compromise after compromise. The request before the Commission is to change certain requirements of the Specific Plan, and some of them are reasonable. He stated that he tended to agree with Commissioner

Gelhaar to allow the Beulah connector road to remain, rather than to create a new one that needs to jog. He was more flexible with the concept of the park, but as proposed, it seemed disintegrated from the project. Commissioner Cahill stated that Mr. Mattix could leave a legacy to this town if he reshuffled the space; it did not matter whether the human space was called a park or a village square.

Commissioner Gelhaar commented the myriad of issues. The problem with building "B" was presented late in the process. His thought was to lower the grade and he opposed Staff's recommendation for a two-story building. He related of having walked the site earlier in the day with Director Stanley and concluded that the proposed park and "B" should exchange locations, "it's a better place for "B". "The idea of having a civic center in the heart of this area has disappeared. He expressed strong feelings about maintaining the existing Beulah Drive connector road and cited the example of the Alta Canyon/ Foothill intersection, where the City has continuously worked to mitigate its configuration. "Requiring the developer to solve the Chevy Chase/Foothill/ Angeles Crest intersection problem and then require him to create a problem doesn't make sense". He preferred maintaining the existing Beulah extension as the connector road. He added that he could accept the park located as submitted but his preference was that it front Foothill. He agreed with the suggested revised building heights and preferred reducing the size of the bulb-outs to provide more parking on Foothill. He supported certification of the Mitigated Negative Declaration, the CUP and another method to solve the water retention problem in the park.

Chairman Davitt pointed out that one of the biggest obstacles with this project is the location of the North Road, which bisects the property because Caltrans would not allow it to be placed north of the Shell station. He thanked his colleagues for working through the issues and stated that whether Mr. Kudrave's plan works is a side issue, since the Commissioners' task was to act on what was in front of them. He supported certification of the Mitigated Negative Declaration, the Parcel map, building "H" and the park location, though he felt it would be more appropriate fronting Foothill. Addressing building "B", he stated that having 20,000-sf on Foothill was not a good thing and he believed the developer knew that. He agreed with Commissioner Gelhaar and did not understand the logic of eliminating the Beulah connector road and would like to see it maintained. Chairman Davitt supported the project with conditions, including a redesign of "B".

Director Stanley advised that the Commission could vote on the several requests individually. A majority seemed to support having only one

connector road and that it should be Beulah. The Commission seemed split on the park's location; a 2-2 vote would be a denial.

Commissioner Gelhaar asked if there was any advantage to a piecemeal approach.

Deputy City Attorney Cobey asked that when crafting their motions, that the Commissioners keep in mind the areas where they have authority, opposed to where they would be making recommendations to the City Council.

Commissioner Gelhaar was willing to hold a special meeting to a date certain to wrestle with "B" and the park's location.

Mr. Mattix thanked the Commission for the generous offer, but he preferred a vote at the time and stated that the project would not survive if "B" were relocated.

Commissioner Gelhaar reiterated that he could support the project including a condition requiring "B" to be redesigned per approval of the Design Commission and the Director with direction to eliminate the massing along Foothill Boulevard.

Commissioner Cahill stated he would not support the requested zone change for the park --- not because he thought it had to front Foothill, but because Mr. Mattix refuses to consider a village square. He did not have an issue with building "H" and understood why the developer wanted the connector road relocated.

The Chair called for a vote.

M/S/C Cahill/Gelhaar to certify the Mitigated Negative Declaration.
Unanimous.

Commissioner Gelhaar made a motion to approve Tentative Parcel Map 066491, excluding parcel 7.

Discussion followed the motion.

Responding to a question from Commissioner Cahill, Attorney Steres advised that approving the Parcel Map would approve parcelization, the location of all the public improvements and new circulation patterns. The uses are controlled by the CUP and Zone Change.

Deputy City Attorney Cobey was troubled with approving a parcel map when discussion of the project's uses indicated they might be radically changed.

Mr. Steele pointed out that if the Commission requires Beulah to be the connector road, it would run through buildings "F" and "G". Since the Council has reserved jurisdiction over the project, he suggested that the Parcel Map be denied with an explanation to the City Council.

M/S/C Hill/Gelhaar to deny Tentative Parcel Map066491 with a recommendation to the City Council that Beulah be realigned and extend through the project as the connector road and eliminating Parcel 7 from the project. 3 Ayes; Cahill dissenting.

M/S/C Gelhaar/Hill approving Tree Removal 06-16. Unanimous.

Commissioner Gelhaar made a motion to approve Conditional Use Permit 403, allowing a project over 10,000-sf, approving a realty office use, service of alcohol and the Director's finding regarding adequacy of parking.

City Attorney Steres advised there would be a conflict with approving a CUP that is attached to the site plan which the Commission was not approving.

Deputy City Attorney Cobey advised that the Commission could deny the CUP on the same basis that the parcel map was denied, so that the City Council could consider it similarly.

Commissioner Gelhaar withdrew his motion.

M/S/C Gelhaar/Hill to deny Conditional Use Permit 403 with an explanation to the City Council that the submitted proposal eliminate the Beulah Road extension, whereas some Commissioner prefer that it be maintained and continued through the project as the single access from Foothill. Unanimous.

The Commissioners then elected to vote separately on the various components of requested Zone Change 06-01:

M/S/C Cahill/Hill approving the building heights as recommended by Staff. Unanimous.

M/S Gelhaar/Davitt to approve the park location as submitted. Hill and Cahill dissenting. The request was denied for lack of a majority vote.

M/S/C Gelhaar/Hill approving the location of the connector road and limiting access from Foothill to a single connector road. 3 Ayes; Cahill abstaining.

A discussion followed with the Commissioners agreeing that Staff and the City Attorney would modify the conditions for the City Council to reflect the vote and distribute copies to the Commissioners.

Chairman Davitt acknowledged the enormous amount of time and effort expended on this project in dealing with some difficult issues and thanked everyone involved for their cooperation. He then confirmed there was no further business to discuss.

IX. ADJOURNMENT

M/S/C Gelhaar/Hill to adjourn at 11:28 p.m. Unanimous.

Secretary to the Planning Commission

