

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD JULY 13, 2004**

I. CALL TO ORDER:

Vice-Chair Gelhaar called the meeting to order at 6:05 p.m.

II. ROLL CALL:

Present were Commissioners Davitt and Engler, City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss and Planning Aide Shimazu. Commissioner Cahill had earlier advised that he would be absent; Chairwoman Mehranian was expected to arrive shortly.

III. PLEDGE OF ALLEGIANCE

Vice-Chair Gelhaar led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC:

Comments were not offered.

V. CONSENT CALENDAR:

A. Minutes of June 29, 2004 - M/S/C Engler/Davitt to adopt the minutes as submitted. 3 Ayes.

B. Lot Line Adjustment 04-03 - Deferred for discussion at the request of the Vice-Chair.

C. Determination of Substantial Conformance; Building Depth Review 03-02; Modification 03-09; King; 4738 Palm Drive:

Commissioner Engler confirmed that Staff's recommendation was to allow a 16-ft setback.

M/S/C Davitt/Engler approving Staff's recommendation to allow a 16-ft, second-floor setback on the North side. 3 Ayes.

Mrs. King clarified that she was only requesting a 15-ft setback.

Director Stanley explained that Staff's original recommendation in 2003, was to allow a 16-ft setback for a second-floor alcove, compared with the 14-ft setback requested by the applicant. Though the issue was discussed, it was not addressed. Mrs. King is now seeking a compromise – one foot less than what

was discussed and never acted upon and one foot greater than her original request.

M/S/C Gelhaar/Davitt to reconsider the motion. 3 Ayes

M/S/C Davitt/Engler finding that a 15-ft, second-floor setback for the rear bedroom alcove was in substantial conformance with the Commission's approval. 3 Ayes.

Commissioner Mehranian arrived at this point.

**Discussion on B. Lot Line Adjustment 04-03; Tobias; 4385-4377
Commonwealth Avenue:**

Commissioner Gelhaar referred to the proposed layout for the parcels. He inquired about the width of each lot and questioned the jog in the proposed new interior boundary line.

Director Stanley advised that the frontage for both lots would remain at 100 ft.

Senior Planner Fred Buss described the request to move an area of 21,979-sf from the rear of Parcel 2, to the rear of Parcel 1. If approved, Parcel 1 would be comprised of 65,133-sf and parcel 2 would be 21,820-sf; both meeting the 20,000-sf minimum lot size for the area. The frontage on both lots would not change and neither the Zoning Ordinance nor the Subdivision Ordinance deal with length-to-width ratios, though the City might analyze that in the future. If there were concerns as to how far back a new home could be built on Parcel 1, Senior Planner Buss reminded the Commission that without its approval, a front yard setback may not exceed the Code requirement by more than 150%.

Applicant Keith Tobias, was concerned that a future property owner could build a house that loomed over his property. He related that the home to the south was built 5 ft from the property line and looks down into his back yard. He did not want that to be repeated.

Commissioner Gelhaar asked Mr. Tobias if he was willing to limit the size of a future house on Parcel 1 based on its current lot size of 43,134-sf.

Mr. Tobias recognized that a 9,750-sf house would be allowed, which he "wouldn't do". He related that he would most likely maintain the barn for aesthetic purposes but was unsure if he would keep horses.

Chairwoman Mehranian asked if there were any public comments. None were offered.

Commissioner Gelhaar confirmed with City Attorney Steres that the Commission could restrict the size of a future home on Parcel 1, based on its current area, since the applicant has agreed to do so.

M/S/C Davitt/Gelhaar approving Lot Line Adjustment 04-03 with an added condition requiring that a covenant be recorded limiting the sq footage of the principal home. Unanimous.

VI. CONTINUED PUBLIC HEARING:

A. Hillside Development Permit 00-07; Baroian; 365 Corona Drive:

Senior Planner Buss recalled that at the last public hearing, the Commission directed the applicant to return with a complete and detailed landscape plan and to address specific outlined issues. Color renderings of the proposed landscape plan and retaining walls were displayed and the applicant was present.

Chairwoman Mehranian thanked the applicant for the orderly and thorough submittals.

Project architect Marco Brambilla, stated his understanding that of the 7 issues discussed at the last hearing, only 3 continue to be problematic and 2 new issues were raised. He reviewed all 7 items:

1. Location of the Septic Tank - has been satisfactorily addressed
2. Fire Dept. access - explained in detail. Turf block is now called out on the plans.
3. Lower retaining walls - A color rendering showing a series of crib walls, their location and height. They suggested using a wider cribwall stone to accommodate plantings. The stairs would be embedded in concrete and not visible.
4. Landscaping - there were questions whether hydroseeding was appropriate for the areas that were cleared of brush. Mr. Brambilla reiterated that the brush clearance was done at the Fire Department's direction. The proposal is to initially irrigate the hydroseeded areas until the plants are established

At the request of the Chair, Mr. Brambilla approached the color boards and pointed out the area where the Fire Department wants the natural vegetation removed. The intent is for the hydroseeding to complement the natural vegetation; however, it does not preclude the Fire Department from

periodically requesting that it be cut back. He confirmed that the hydroseeding would work if it is irrigated properly at the start.

Commissioner Engler confirmed that the coyote brush at the perimeter would be maintained with drip irrigation. He also confirmed that the landscape plan approved by the Fire Department did not include the hydroseeding.

Mr. Brambilla stated that he proposed to implement what the Fire Department has approved and he was willing to request a second sign-off from the Department for the hydroseeding.

Chairwoman Mehranian favored doing so, noting that the Fire Department might not want to see more brush on the hillside.

Commissioner Engler noted that putting a fence atop a retaining wall would make it impossible for wildlife to access the area. He further noted that the retaining wall along the driveway is shown higher than what was approved and the lights atop the gate were not originally approved.

Mr. Brambilla assured the Commission that the wildlife corridor would be totally unobstructed. The new gate, which is set back 28 feet, does not extend to the wall. He recognized that the Commission had not discussed the proposal to add planters in front of the walls, but felt they would visually reduce the wall height.

5. The HVAC pad – was not initially shown on the architectural plans; the Mechanical plans showed it adjacent to the garage. Solutions to the Commissioners concern with potential noise, suggestions included: ground isolators to eliminate vibration and noise, a new solid wall and planter in lieu of a railing to shield the units, new block crib walls at the lower level of the pad to screen the area under the pad.

Responding to a question from Senior Planner Buss, Mr. Brambilla advised that the steel bars would serve as a form for the stairs. They would not be visible and would be within the frame embedded in concrete.

Finally, a public comment was raised regarding debris flowing to the street during the rainy season. Mr. Brambilla stated that the approved grading plan was contingent on what the Commission wanted done on the hillside.

New issues:

1. Height of retaining wall by the driveway, visible from the street: The wall height was approved at an average of 8'-9" and reaching a maximum height of 13 ft in certain locations. As built, the walls average 9' in height with one section reaching 13'-6". He advised that the County requires 18 inches of freeboard atop the retaining portion of the wall, for drainage purposes.

Commissioner Gelhaar asked Staff to confirm the need for freeboard, as there are numerous walls in the City that don't meet that criteria.

Director Stanley confirmed that it depends on the slope behind the wall, the height of the wall and other issues. He pointed out that the Inspector only looks at the "retaining" portion of the wall.

Mr. Brambilla commented that the original plans do not reflect a retaining wall, which is how he preferred it; he left it to the discretion of the Commission.

1. A new retaining wall in proximity to the street at the driveway entrance. The original plans did not reflect a wall in this location; however, the geologist insists that the exposed rock cannot be left un-reinforced and is requesting a shotcrete wall.

Commissioner Engler questioned the increased width of the driveway apron, from 16 ft to 25 ft and noted that the Fire Department would not be accessing the site via the driveway.

Senior Planner Buss responded that Public Works controls the width of the apron and relies on County standards.

Director Stanley advised that the street frontage is taken into consideration.

Commissioner Gelhaar expressed interest in Mr. Brambilla's comments regarding a shot-crete wall.

Mr. Brambilla explained that the geologist was concerned that the wall be sound and stated he assumed the Commission would want the texture to match the other walls.

Responding to a suggestion from Commissioner Gelhaar that a slump stone wall could catch the debris, project civil engineer Jonathan Sagherian advised that the neighboring property is steep and the grade change needs

to be addressed in a more permanent solution; there are fractures in the rock and they could fall.

Commissioner Engler suggested that a shot-crete wall could be molded to include planting pockets at the top and bottom. The Los Angeles Zoo used such walls quite successfully.

Mr. Brambilla suggested allowing the geologist to make that decision.

Commissioner Engler was unwilling to permit that.

Mr. Sagherian commented that the area between the lower driveway and upper apron would remain ungraded.

Commissioner Engler questioned that a 48-inch-box sycamore could be planted beyond the eastern end of the new retaining walls at the edge of the property, as it is very steep and has been scraped. He suggested that the crib wall might have to extend to wrap around the shoulder of the hill near Corona Drive.

Mr. Brambilla remarked that the area would either be hand dug or they could construct a lower crib wall.

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

Commissioner Gelhaar commented on the difficulty of this project. He stated that a reasonable compromise could be reached with the following conditions: that the crib walls continue to wrap northward, around the shoulder of the hill so that dirt can be added to allow room and soil for the sycamore to grow; that a shot-crete wall be used at the driveway entrance slope and include two planting pockets, one at the top and one at the bottom, with the plans submitted to the Director for review and approval. He was not convinced that hydroseeding was practical on this steep hillside and would be satisfied allowing the natural brush to grow.

Commissioner Engler confirmed that the irrigation plan would be reworked and asked that the new gate and railing atop the wall be eliminated.

Mr. Brambilla stated that he could proceed under those conditions with the proviso that those very items might later be required by Building & Safety for safety reasons. If that were the case, he would bring those items back to the Commission for a de novo hearing.

Commissioner Engler confirmed that the fence and gate did not meet Code.

Commissioner Davitt commended the applicants for their efforts on the myriad issues; he sensed that resolution was near. He suggested that his colleagues consider approving the project with conditions and wait until the next meeting to adopt a resolution so that everyone was clear as to what was being approved and to preclude any unanswered questions. He asked that conditions require the crib wall to wrap around the shoulder of the hill to the north until it dies in the right-of-way.

Commissioner Engler asked that the exhibits be attached to the Resolution and that drip irrigation be provided on the slope

Chairwoman Mehranian asked how the Commission could be reassured that the extensive landscape plan would be maintained.

Director Stanley stated that a cash deposit could be required for a set timeframe and Staff would investigate whether a recorded covenant would be appropriate.

M/S/C Gelhaar/Davitt to approve Hillside Development Permit 00-07 as modified and directing Staff to prepare a Resolution for the next meeting. Unanimous.

Director Stanley advised Mr. Brambilla that the revised plan, including the shock absorbers for the HVAC, the irrigation plan, etc., must be submitted to Staff within a week.

VII. PUBLIC HEARING:

A. Modification 04-43; Odell; 4232 Chula Senda Lane:

Director Stanley reported the applicants' request to install solid wood fencing atop existing retaining walls, which are located along the north side and rear property lines. The combined height would range between 10-11 feet, exceeding the 9-ft maximum allowed for fences atop inward-facing retaining walls.

The project site is located on the east side of Chula Senda Lane, south of Georgian Road in the R-1-40,000 Zone. The secluded street accommodates 12 properties, all more than 30,000-sf in area. An above ground drainage channel bisects the lot along the north/south, as does an adjacent, dedicated horse trail. Further to the rear, Woodfield Road, a private street, crosses through the property.

The applicants seek to gain privacy for their pool area, which is near the north side property line. A 5-ft-high, inward-facing wall located along the north side property line would be topped with a 5-ft-high, solid wood fence. It would span 94 ft and essentially fill a gap between a tall shrub bank at the front and an over-height wall to the rear.

Even further to the rear, a second fence would provide a buffer from Woodfield Road, where other properties accommodate solid walls and fences. An existing retaining wall spans the north half of Woodfield Road and lowers to street level as it extends southward. The applicants propose to replace a chain link fence atop the wall with a solid wood fence that would present a consistent 6-ft height from Woodfield and a maximum height of nearly 11 ft from the interior of the site.

Director Stanley noted that the 50-ft-long flood control easement includes a 10-ft dedicated horse trail easement parallel with the channel. The applicants have obtained permission from the County to bridge over the channel in order to gain access to a proposed new garage at the rear. The horse trail would be rerouted eastward, along Woodfield Road. Staff had a concern with the proximity of the garage to the trail and was therefore deferring permits for the garage and the rear fence until a 10-ft-wide trail is provided and relocated. He related of a multi-jurisdictional meeting held at Supervisor Antonovich's office.

Commissioner Gelhaar confirmed that rerouting would legalize the trail, which would be dedicated to the County.

Director Stanley advised that the County is also working with the four property owners to the east regarding the trails easement, after which the Fire Department will advise of their requirements for access.

Applicant Amy Odell, reported that the Fire Department has no problem with accessing the site with hook and ladder trucks. She advised that there are 5, rather than 4 property owners working with the County and that the neighbor to the rear is signing a letter approving a shared ingress/egress.

Director Stanley remarked that the adjacent property owners' deeds do not describe the road width or cite the location of the horse trail.

Ms. Odell presented photos of her property and noted that if the wall is relocated, 8 trees would have to be relocated also, including sycamore trees over 12 inches in diameter. In the interim, she asked to be allowed to

construct the fence for privacy. She added that she has verbal permission from the Chief Planner at the County Parks & Recreation Department to build a garage across the drainage channel.

Director Stanley related during the meeting at the Supervisor's office, he was very clear that he would not allow permits for the fences atop the walls or the garage until relocation of the horse trail was resolved. He was concerned that the garage might cause a safety issue - while it would not be located within the easement, it would be alongside the trail. There would be a problem if the trail could not be relocated.

Commissioner Gelhaar asked if the applicants could be allowed to erect the fence at risk and would have to remove it if the trail is not rerouted within a certain time frame.

Director Stanley advised that reversing an entitlement is always difficult, as property owners cite issues of time and money spent; however, a specific time frame could be included.

Responding to a question from Commissioner Davitt regarding the County's process time, Director Stanley stated that this was a simple trail relocation. The County is checking on Fire Department criteria and if there are any Flood Control issues.

John Odell reported that all his neighbors are amenable to relocating the trail along his property.

Commissioner Davitt stated that he could support approving the northerly fence with a condition that the easterly fence could not be erected until the issue with the County is resolved.

Mary Barrie, Chair of the Ad Hoc Trails Committee, informed the Commission that maps show the trail bisecting the applicants' property since 1948. She expressed doubt that any equestrian has ever crossed through the applicants' back yard and that they ride along the road. Ms. Barrie supported the applicants' request and looked forward to a recorded and rerouted 10-ft-wide trail at the side of the road. She suggested that condition #12 be modified to require that and noted that her Trails Committee is finding numerous similar situations.

She confirmed that the proposed fence would not encroach on the trail and concurred with Director Stanley's notations taken at the meeting with Supervisor Antonovich's field representative.

Commissioner Gelhaar confirmed that Ms. Barrie would support allowing the applicants to erect a fence with a condition that it would have to be removed if the trail is not relocated.

City Attorney Steres advised the Commissioners that their discussion should not include the proposed garage, as it was not before them at this time.

Chairwoman Mehranian opened the public hearing. Since comments were not offered, the public hearing was closed and she requested comments from her colleagues.

Commissioner Davitt stated that he would not routinely support something that was subject to future action by the County, but would do so in this instance since the applicants are willing to build the fence at risk.

City Attorney Steres advised that when conditions are imposed for a period of time, a covenant should be recorded for the benefit of future property owners. Doing so would permit the applicant to building the new fence at the rear east side of their property prior to the trail being rerouted to the access road. However, the fence must be removed if the relocated trail is not recorded with the County within a year. He added that the applicant could ask for a one-year extension if more time was needed and that the City could always ask for a cash deposit.

Commissioner Gelhaar felt it would be practical for the applicants to have a fence and that he could support their request with a recorded covenant as cited by the City Attorney.

Commissioner Engler stated he would agree if the Director requires a cash deposit.

Chairwoman Mehranian recognized the applicants' need for privacy and felt that a covenant would assure preservation of the trail.

M/S/C Engler/Gelhaar to allow the easterly fence to be constructed, with language as noted by the City Attorney and a deposit for removal of the fence should relocation of the trail not occur within a year. Unanimous.

VII. COMMENTS FROM THE COMMISSIONERS

Commissioner Engler asked Staff to provide a status on the rock formation in the front yard of the property at La Tour and Verdugo Boulevard and advised that the story poles are still in place at 3710 Madison Road.

Regarding 1100 Inverness, Director Stanley advised that the property owner was constructing retaining walls so that he can have a driveway with a landing at the front. The crib wall will be removed. Responding to Commissioner Engler' concern that there is no compaction, Director Stanley advised that the property owner submitted engineered plans that included approximately one page of comments.

Commissioner Davitt asked what the City's code enforcement procedures were with regard to early placement of trashcans in the right-of-way.

Director Stanley reported that the community is apprised of the Property Maintenance Ordinance by issuing Notices of Violation, through the Community Newsletter and the cable channel.

Responding to a question from Commissioner Engler, Director Stanley advised that R-1 revisions had been scheduled for July 27th , however the agenda is quite extensive.

Commissioner Engler stated that if there was no time for discussion, the Commissioners could at least take the report home to study.

Director Stanley noted that the Commission could also schedule an extra meeting.

XIII. COMMENTS FROM THE DIRECTOR:

Director Stanley reported that the City Council would hear a continued appeal for the Gazmarian project on July 19th, and that the Council sustained the Commission's denial on the appeal by Cho.

VIII. ADJOURNMENT:

M/S/C Davitt/Gelhaar to adjourn at 8:35 p.m. Unanimous.

Secretary to the Planning Commission