

**A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
HELD JULY 23, 2002**

- CALL TO ORDER:** Chairman Levine called the meeting to order at 6:00 p.m.
- ROLL:** Present were Commissioners Brown, Engler, Gelhaar and Mehranian. Also present: Assistant City Attorney Steres, Director of Community Development Stanley, Planner Cantrell and Assistant Planner Gjolme.
- COMMENTS FROM THE PUBLIC:** Comments were not offered.
- CONSENT CALENDAR:
Minutes** M/S/C Gelhaar/Mehranian to adopt the Minutes of June 25, 2002. Unanimous. The Minutes of the July 9th meeting were not submitted.
- Resolution 02-28;
Modification 02-03;
Cahill;
1966 Lombardy Dr.:** Prior to voting, Commissioner Gelhaar stated that this was not an issue of saving a tree; there is another option, which is to construct the addition in an area that would not require a Modification. He made a motion to adopt the Resolution
- Commissioner Engler advised of having met with the applicant and the Rices, the neighbors who reside below the project, and asked them to consider options. He asked that his colleagues do likewise.
- Assistant City Attorney Steres commented that the Commission had two options: adopt the Resolution or make a motion for reconsideration, which would have to be noticed for a future date. A review of the options alluded to by Commissioner Engler would be for informational purposes only at this point.
- Chairman Levine seconded the motion, adding that he preferred not to review the options at the present time, given the lengthy agenda.
- The motion failed on a vote of 2 Ayes and 3 Noes.

M/S/C Brown/Mehranian to allow reconsideration of Modification 02-03. 3 Ayes; No: Gelhaar and Levine.

Attorney Steres advised the audience that the reconsideration hearing would most likely be heard in September.

RE-ORDERING OF THE AGENDA:

**OTHER BUSINESS:
Determination of
Conformance with
Imposed Conditions;
CUP 279; Hillside
Development Permit 99-
17; Modification 99-22;
Johnson;
5857 Angeles Crest:**

Director Stanley inquired if the Chair would be willing to hear the item regarding 5857 Angeles Crest Highway, under Other Business. He advised that Staff would be requesting a continuance.

Chairman Levine commented that the item is shown as last on the agenda and preferred to give anyone who might be interested, time to arrive. He confirmed by a show of hands that six people were interested in the item and that only one would speak. He did not see a reason to move the item forward at this point.

Attorney Steres advised that Staff's recommendation would be not to take comments and continue the matter to July 30 to verify compliance.

Chairman Levine recused himself from deliberations; Vice-Chair Engler requested Staff's report.

Director Stanley reported that the basis for bringing this to the Commission was due to what Staff felt was non-compliance with a condition of approval, which resulted in impeding public access to the Crosstown trail. He displayed an overhead of how the trail appeared the previous week, compared with how it appeared earlier that day. The property owner has re-opened the trail access located to the right of the entry gate, has completed grading the trail and a directional sign has been replaced. Staff is requesting a continuance since it appears that Mr. Johnson's property now complies with condition 21. If the Public Works inspectors concur and sign-off, there would be no reason to hold a public hearing.

Attorney Steres advised that this was a matter of narrow focus; the Commissioners were not to address the particulars of access on the right side, etc., those issues could be addressed at another forum. If the Commission

determines that the site complies with the conditions of approval, there is no need to take testimony or for a public hearing.

Commissioner Brown confirmed that Staff would consult with the Trails Council.

Director Stanley noted that the applicant is not required to change the composition of the trail, which has always been dirt. Its width was set by the Planning Commission.

Commissioner Brown preferred to continue the matter to September, after the ongoing work is completed.

M/S Brown/Mehranian to continue the determination of conformance to September 10.

Commissioner Gelhaar advised of having walked the site as late as 4:00 pm that day. He noted that the fence opening was approximately 6 ft.

Attorney Steres cautioned that the Planning Commission would not do more than it is allowed; the issue is not redesigning or making improvements to the trail. The condition clearly states that the project must not impede access and that is the threshold. Responding to a question from Commissioner Mehranian, he stated it was a known factor that the driveway would be paved.

Commissioner Mehranian stated that the curb was her main concern.

Attorney Steres commented that Staff would make a determination whether it impedes access --- if it determines that it does not, it would not be brought before the Commission.

Director Stanley added that now that immediate access is available, the County is able to enter and make improvements.

The motion to continue to September 10 passed 4-0-1. Chairman Levine returned to the Commission table.

**COMMENTS FROM
THE PUBLIC -
RE-OPENED:**

Director Stanley inquired if the Public Comment period could be reopened. A member of the audience, who intended to address the Commission under Public Comments, just arrived.

Chairman Levine allowed 3 minutes.

Steve Jennings addressed the Commission's requirement to redesign the landscape frontage so that it is "less formal" in appearance --- the interpretation was left to the Planning Director. Mrs. Jennings visited the Planning Department and left with the understanding that the matter was resolved; however, the Director refuses to sign the Certificate of Occupancy. Mr. Jennings requested to be heard in a public forum on July 30 and have the Commission make a determination; he believed that it could be resolved in 10-15 minutes.

Director Stanley advised of having met Mrs. Jennings on site and they did not agree that the modifications met the condition imposed by the Planning Commission. He gave Mrs. Jennings the opportunity of presenting her cause to the Commission on July 30, only if a landscape plan was timely submitted. He stated that he was still awaiting such a plan.

Mr. Jennings stated that he would bring one in the following morning.

Chairman Levine confirmed that the conditions read "subject to the Director of Community Development's approval".

Director Stanley stated that because this was more of a dispute resolution, he preferred to have the Commission review the plan and include the option of an appeal to the City Council. The Commissioners concurred

**CONTINUED
PUBLIC HEARING:**

**HILLSIDE DEVELOP-
MENT PERMIT 00-07;
BAROIAN;
365 CORONA DR.:**

Senior Planner Buss reported that approval for this project would expire on July 25th; the applicants have two days in which to vest the project. The applicant was in the audience to provide a status report.

Responding to Commissioner Engler's request, the condition of approval calling out the definition of "vesting" was displayed on a screen.

Marco Brambilla, project architect, reported that all the trenches were dug, all slabs were poured and an inspection was scheduled for the following day. An engineer was on site full-time to do what he could to "make this happen".

Responding to a question from Commissioner Engler, he advised that since the Commission denied the adjacent project, he would reported what his plans were for dealing with the excess dirt at the next meeting.

Director Stanley advised the Commission that the applicant had filed a \$10,000.00 grading deposit to assure that the site would be returned to its original condition if the house is not constructed.

Chairman Levine confirmed that the applicant is proceeding under the assumption that the project would pass inspection and that a public hearing was not expected at this point. He then opened the public hearing.

Tina Skaggs, 358 Corona Drive, was concerned with the house sliding down the hill and therefore preferred that the retaining wall be constructed first. She reported that six caissons support her garage, on a much flatter pad.

Sally Kane, 345 Corona Drive, stated that the house exceeds the slope factor guidelines. She confirmed that if the applicant meets all the requirements, the house size would be allowed to remain as approved.

Chairman Levine thanked the applicant and Staff for their reports.

CONTINUED PUBLIC MEETING:

**FLOOR AREA REVIEW
02-08; GAVINA;
4339 OAKWOOD AVE.:**

Chairman Levine recalled that the public hearing was closed and the matter continued for additional information from Staff.

Assistant Planner Gjolme addressed the Commission's request to expand and define the neighborhood matrix for evaluation of the project's compatibility with the neighborhood.

Two dozen properties were now included in the comparison table, including lot area, house size, FAR and lot frontage. Staff determined that the average lot area is 26,925-sf and the average house size is 4,350-sf, (exclusive of the garages and accessory structures) and an average FAR of approximately 26%. A more limited comparison chart depicts properties north and south of the project site, including detached structures, which raises the figures and establishes a more reasonable compatibility within the neighborhood. Assistant Planner Gjolme noted that the numbers are somewhat striking as they represent FARs of 19%, 23% and 24%.

Responding to a question from Commissioner Engler. Assistant Planner Gjolme advised that the matrix includes a sample of most structures on Oakwood.

Chairman Levine asked if the project that was reviewed initially was still relevant.

Assistant Planner Gjolme responded that the plans submitted with Staff's report reflect changes following a meeting between the applicant and the southerly neighbor. That neighbor now supports the project as revised.

Attorney Steres recalled that at the last hearing, the applicant declined the option to continue for redesign. As a result of that decision, the public hearing was closed and the matter was continued pending additional information for decision-making purposes. In the interim, the applicant elected to redesign, but the neighbors have not had an opportunity of review. Given the new information, he recommended a continuance to a date uncertain

M/S/C Brown/Gelhaar to continue Floor Area Review 02-08 to a date uncertain. Unanimous.

PUBLIC HEARINGS:

**CONDITIONAL USE
PERMIT 349; RUBIO'S
RESTAURANTS, INC.;
801 FOOTHILL BLVD**

Planner Cantrell reported the applicant's request to allow beer/wine service for the existing Rubio's Baja Grill. He recalled this component was originally included in the earlier CUP application but was withdrawn prior to approval of the facility which included outdoor dining.

The conditions of approval limit Rubio's business hours to 10:00 a.m. until 11:00 p.m., Monday-Saturday and 10:00 a.m. to 10:00 p.m. on Sundays. The applicant believes that beer and wine sales would enhance dining, and there is the potential of attracting new customers, who would eat elsewhere if not for the beer and wine. Though more customers would add a demand for parking, the applicant advises that beer and wine sales would amount to a very small percentage of total sales. Staff believes that beer and wine sales would complement dining for existing customers rather than draw new ones. The timeframe of greatest concern is the lunch hour because of its peak draw; however, the majority of beer and wine service would be at dinnertime when there is no peak demand for parking. There are residential areas to the rear and across from Rubio's, similar to Panda Panda, where a beer and wine CUP application was denied, based on proximity to residential area and a school. Planner Cantrell pointed out that the topography and buffering of Rubio's is more favorable to neighboring residences; the project abuts a transitional mixed use zone, rather than the R-1 adjacent to Panda Panda and importantly, there is no proximity or exposure to a school.

Georgee's Pizza is similar to Rubio's, combining fast food with beer and wine sales, a corner location with outdoor dining at the front and a rear parking lot backing up to residences. Based on interviews with homeowners behind Georgee's, Staff doubts there would be any effect to homes to the rear or Rubio's and does not anticipate disturbances or peak hour parking problems from this proposal.

While Staff recommends positive findings, prudence dictates a condition to revisit the CUP after a year and prohibiting exterior signs related to beer and wine service.

Chairman Levine confirmed that if the facility were sold, the CUP would carry forward with the new tenant.

Planner Cantrell noted that CUP approvals run with the land; however, Staff was recommending a one-year limitation.

Commissioner Brown confirmed that beer and wine would be sold on-site only; take out of alcohol is not allowed.

Art Rodriguez, agent for Rubio's Restaurants, reported that of their 110 locations, 108 sell beer and wine; the exceptions are: Salt Lake City and the UCLA campus. He advised that beer and wine is ancillary to food sales and that there has only been a single violation in their history. Mr. Rodriguez advised that Rubio's has a long-term lease and he believed that allowing beer and wine would increase sales at dinner time. Their ABC license prohibits sale of alcohol for off site consumption and the employees strictly monitor that aspect.

Commissioner Engler expressed a concern with the outdoor dining aspect and asked Mr. Rodriguez if Rubio's would agree to confine beer and wine sales to the restaurant interior.

Mr. Rodriguez stated that he would.

Chairman Levine's recollection was that the only reason the Commission approved Rubio's was because the beer and wine sales component was withdrawn.

Chairman Levine opened the public hearing.

Susan Andruck, 4519 Commonwealth, lives upslope from the project site. She opposed the project originally and had not changed her mind. She felt that the sale of beer and wine would add to the duration of trash pick-up and noise. She advised that the trash is picked up every morning at approximately 6:15 a.m., with truck engines running and that sometimes the cleaning crews leave their car doors open while loud music playing. Noise, odors and safety issues were her largest concerns. The idea of

people eating and drinking quickly would impact the busy intersection and the neighborhood.

Commissioner Brown confirmed that the janitorial crew at times exceeds the 11:00 pm cut-off per the conditions of approval.

Commissioner Engler stated that BFI might be using the parking lot as a staging area to collect trash from the surrounding neighborhood. If so, Ms. Andruck needed to speak with BFI, rather than Rubio's.

Property owner, Ted Slaughter, 736 Hillcrest Avenue, spoke in support of the request. He stated that if BFI violates the conditions of approval, he would support enforcement and that he has never observed trash bins collected on the street. He acknowledged Chairman Levine's recollection but Rubio's had hoped that once the restaurant was fully operational, observations would change as to how Rubio's conducts business. Mr. Slaughter advised that at great expense, his building was designed to provide a pleasant outdoor environment, whereas at Panda Panda and Georgee's, diners are sitting near the street. He noted that the evening trade is less than expected, which could be because Rubio's cannot compete with restaurants that serve beer and wine.

Jane Sisson, 814 La Porte, stated that Mr. Slaughter assured the neighbors that alcohol would not be served. She did not believe that the sale of beer and wine could be controlled and recalled a meeting between the neighbors and Rubio's, when the neighbors were told that alcohol represents 3% of its gross sales. Ms. Sisson stated that the City doesn't need to encourage more alcohol.

Commissioner Gelhaar requested that Mr. Slaughter respond to the neighbors' assertions.

Mr. Slaughter confirmed that when Rubio's was attempting to obtain approval, the objection to alcohol sales became apparent. They consequently withdrew that component with the thought that time would demonstrate their good business acumen. He did not believe Rubio's made a promise to not ever sell something that is a typical part of their business.

Chairman Levine closed the public hearing.

Commissioner Gelhaar stated that it is important to support the business owners and that he had no problem with beer and wine served on the patio, but he believed the neighbors were promised that alcohol would not be served.

Commissioner Engler stated that his original position remains unchanged and noted that beer and wine is not a major portion of their business.

Commissioner Mehranian agreed with the neighbors that the City does not need more places that serve alcohol. She encouraged the applicant to make it more like the location on the UCLA campus.

Commissioner Brown noted the proximity of the restaurant to residences and could not agree with adding more impacts.

Chairman Levine expressed concern with any transfer of ownership and did not believe that beer and wine service was appropriate in a fast food restaurant.

M/S/C Mehranian/Engler to deny Conditional Use Permit 349. Unanimous.

**HILLSIDE DEVELOPMENT PERMIT 02-36;
CIMMARUSTI; 355
FLINTRIDGE OAKS:**

Planner Cantrell reported the applicants' request to construct a new, single-story home and related site work, including a retaining wall and a pool, that would replace a house that has already been demolished.

The project site is located on the west side of Flintridge Oaks Drive, near its northern end, in the R-1-40,000 Zone. The property is 20,324-sf in area and the proposed total floor and roofed area is 5,119-sf. It has a pad 90-100-ft deep, extending back from the street to a downslope averaging over 50%. The downslope area overlooks a flag lot on Georgian Road that is more than 40 ft lower in elevation; only portions of the house's roofline are visible through a stand of trees. Due to trees and distances, there are no views to or from the subject pad and no issues of ridgeline protection.

The front setbacks of the two adjacent homes are just over 20 ft and the new house is consistent with that pattern as well as the single-story configuration. A single retaining wall, ranging in height from 3 to 8 ft would allow creation of a flat rear lawn area. Buff, split-face block is proposed with fast growing and reliable vines.

Staff concluded that positive findings could be made and recommended project approval.

Project architect, Tony George, designed a project across the street and was very familiar with the area; his intent was to reflect the neighborhood's low profile character. He rotated the 2-car garage to that it would not face the street, which in turn pushed the house back, resulting in the need for a retaining wall. Mr. George advised of having instructed his engineer to set it up so that a second floor could not be added.

Responding to a question from Commissioner Gelhaar, Mr. George thought there was sufficient room on site to accommodate construction vehicles.

Chairman Levine opened the public hearing.

Commissioner Brown lauded the project, pointing out its compatibility with the neighborhood. He had a minor concern with the 8-ft-high retaining wall, but noted that it would not be visible.

Commissioner Mehranian concurred.

Commissioner Engler requested that irrigation be provided for the vines on the wall.

Commissioner Gelhaar complimented the architect and their client on the project.

M/S/C Levine/Mehranian to approve Hillside Development Permit 02-36 with added conditions requiring drip irrigation for the 8-ft-high wall, all construction parking to be on site or along the freeway side of Flintridge Oaks Drive. Unanimous.

**CONDITIONAL USE
PERMIT 350;
VARIANCE 02-04;
FLOOR AREA REVIEW
02-13;
SCHWARTZ/CIOFFI;
1447 EL VAGO:**

Assistant Planner Gjolme reported the applicant's request to expand an existing, non-conforming ALQ unit. The Variance related to the Unit's proposed size and existing front and a north side yard setback encroachments. Lastly, Floor Area Review is necessary since the existing total floor area exceeds the standard for the lot, though it is within the parameters of the maximum allowed with review. The ALQ was legally constructed in 1960 and therefore considered a legal, non-conforming structure.

The 20,860-sf, pie-shaped property is located long the curved intersection of El Vago and Alta Canyada in the R-1-20,000 Zone. A thicket of trees and shrubs along the property's 260-ft frontage serves to buffer the home and detached ALQ unit, which are located along the northerly side property line. The applicant proposes to add a 458-sf, step-down game room that would extend 22 ft toward the west.

The various application components were then reviewed:

Conditional Use Permit – required when an ALQ is expanded more than 75 sf. The ALQ does not raise concerns of view, use or privacy, as it would not be seen from the street or from neighboring properties. It is appropriately sited and scaled and adequate parking is provided. Considering its long-standing use, Staff determined the expansion to be reasonable.

Floor Area Review – Assistant Planner Gjolme reminded the Commission that with Floor Area Review projects, only visual compatibility needs to be established. Existing development exceeds the 5,992-sf maximum for the lot but is numerically comparable with numerous properties in the area. The scale is appropriate for the site and would not disrupt the character of the site or the neighborhood, considering the abundant screening.

Variance – The non-conforming northerly side yard setback of 6 ft would remain, but the existing 47 ft front yard setback would be reduced to 28 ft --- greater than the minimum 25-ft, but significantly less than the 60 ft required when averaging the two adjacent properties. Assistant Planner Gjolme noted that the curvilinear front property line and the extreme front yard setbacks of the two adjacent properties results in an immoderate 60-ft,

front yard setback requirement. He noted that a large deodar, a grade change and a front yard pool present site constraints and prohibit expansion of the ALQ other than to the west. He noted that the project would preserve the existing building line.

The proposed expansion exceeds the 775-sf allowed by Code, as well as the *maximum* allowed through an ALQ Modification (an additional 94-sf). Staff determined that the requested excess area was excessive and did not demonstrate a compelling need. Staff recommended that the ALQ be reduced so that it would reflect what would be allowed through the ALQ Modification process ---852-sf. Staff believed that this ALQ Unit was non-intrusive in nature would not impact the neighborhood setting. Draft conditions include an arborist report to protect the deodar during construction.

Commissioner Mehranian stated that it was premature to include tree protection recommendations without an arborist's report.

Project architect, James Coane, described how the deodar would be protected and advised that he is involved in another project in the City where oaks are being protected during construction. Mr. Coane advised that a pool table would be added within the structure, which would serve more as a recreation room than an ALQ. He noted that the excess sq footage would not affect anyone and cited other examples of where the Commission allowed excess area for ALQs.

Roy Dill, 4172 Alta Canyonada, resides north and adjacent to the project, stated that his initial concern was with the excess sq footage but now, it was with the 663-sf on the west side that troubled him. He disputed Staff's contention that it would be minimally visible and stated that it would destroy the tranquility of the area and that the metal roof would be particularly visible.

Applicant, Russell Schwartz, advised that he wanted to give his sons an area where they could be with their friends --- an option he wanted to give them as they enter their teen years. He advised of having contacted Mr. Dill to discuss his opposition; because Mr. Dill's driveway

approach is wide and the ALQ roof might be momentarily visible, he offered to plant trees or shrubs for screening purposes. Mr. Dill expressed appreciation for the gesture, and stated that the area is already heavily screened. Mr. Schwartz stated that he then offered to install a flat roof, though it would not match the house. Mr. Schwartz stated that he believed he had reach out to his neighbor.

Chairman Levine inquired if the plans before the Commission were the same as what was being proposed.

Mr. Coane responded that the roof design might change. Mr. Schwartz stated that his neighbor indicated he was willing to compromise if the Commission was willing to consider.

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

Commissioner Mehranian stated that she understood and appreciated the need for more roof, but was troubled with the roof and design issues. She suggested that the ALQ be reduced in size, that at least some of the setbacks meet Code and that the deodar be protected.

Commissioner Engler supported Staff's recommendations, including protection of the deodar.

Commissioner Gelhaar commented that a disadvantage of remodeling is the issue of non-conforming structures. Given the extent of non-conformance, the setbacks and the floor area, he could not make the findings of hardship or special privilege and therefore, could not support the project.

Commissioner Brown concurred that the intent of the project may be for the best of reasons, but he was concerned with the extent of the encroachments, particularly the front yard encroachment, which is far beyond the standards.

Chairman Levine stated that he could not support the project and, since it appeared that some or all of the exceptions would be rejected, he asked the applicant if he had any desire to continue the matter.

Mr. Schwartz agreed to continue his request to October 8 and asked the Commission for direction.

Chairman Levine and Commissioner Gelhaar stated they could not support any encroachment into the north side.

M/S/C Mehranian/Gelhaar to continue Conditional Use Permit 350, Variance 02-04 and Floor Area Review 02-13 to October 8. Unanimous.

PUBLIC MEETINGS:

**Tree Removal Permit 02-28; Khalil
4202 Woodleigh Lane:**

Planning Aide Shimazu reported the applicant's request to remove an oak tree, measuring 19" in diameter and to remove one trunk from two, double-trunk oaks, measuring 20" and 14". There are more than 20 oaks on the property, which the applicant advises, limit the siting of a new home.

Further, another oak, located south of the residence, was removed approximately a month ago. Staff could not determine whether it qualified for protected status.

Director Stanley suggested that the applicant submit construction plans to the Commission prior to any removal of trees.

Responding to a question from Commissioner Mehranian regarding the previously removed oak, Mr. Shimazu reiterated that Staff does not have proof the tree exceeded 12" in diameter.

Commissioner Brown commented that without information as to where the house would be sited, there is no way to be sure that more trees would not be involved. He felt that the request was premature.

Project architect, Zohrabian, reported that he has completed floor plans for the new home; "A", as shown in the Staff report, restricts construction and needs to be removed; Trees "B" and "C", which are visible from the street, would be incorporated into the landscape plan. He noted that the conditions of approval require two, 36"-box replacement oaks.

Director Stanley noted that removal of tree "A" would require a 20-day notice for environmental review, since the diameter of both trunks exceed 36".

Lisa Walker, 4193 Woodleigh, who resides diagonally across from the project site, stated that the house should be designed within the confines of the trees. She asked what the mitigation was for the previously removed oak and asked that the Commission deny any tree removal from this property.

Property owner and applicant, Mike Khalil, advised that he purchased the home because of the oaks and that of the 30 trees on his property, 25 are oaks. He advised further that the existing home is termite and rat infested, so he needs to start from 'scratch' and that there are no formal house plans as yet. Tree "A" is proposed for removal due to its proximity to the existing and future structure – the other oak is at the side and not visible. Mr. Khalil explained that the oak at the southern portion of the property was removed because its roots were extending beneath the house. He also reported of finding evidence of people congregating there, i.e., cigarette butts, etc., which raised fire safety concerns.

Further comments were not offered.

Commissioner Brown observed that the Commission could not proceed, given the new information to remove tree "A" and the need for environmental review.

Director Stanley commented that it might be more helpful for the applicant to wait until his house plans are complete.

Commissioner Mehranian encouraged a design that preserved the trees, adding that it would be difficult to approve oak removal on a property of this size.

Commissioner Gelhaar commented on the prominent oaks, especially tree "A", which the applicant is suggesting to remove.

M/S/C Levine/Mehranian to deny Tree Removal Permit 02-28. Unanimous.

**Tree Removal Permit
02-26; Geragos;
4134 Commonwealth Ave**

Planning Aide Shimazu advised the Commission that the applicant had earlier received approval to remove two oaks with diameters of 18" and 20". A new application requests removal of two more oaks; one, a single trunk tree with a diameter of 17" and the other, a double-trunk oak with a combined diameter of 32". Neither tree is visible from the street and both demonstrate a high level of decay due to excessive irrigation. An arborist report was attached to the staff report.

Due to the wooded character of the property which includes numerous oaks, Staff recommended approval with a condition that the trees be replaced on the property with two, 36-in-box oaks.

Chairman Levine confirmed that a 36-inch-box tree is not particularly large.

Commissioner Brown inquired if the irrigation problem had been remedied.

Director Stanley advised that the photos of the area do not show sprinklers.

Applicant, Paulette Geragos, advised of having purchased the property two years ago; she had two oaks removed as they were obviously dead and out of concerns for safety. The two oaks in question present hazard and have severe decay, per the submitted arborist report. She stated that she was willing to replace the two oaks, but was unsure where to plant them, given the numerous existing trees.

Further comments were not offered.

Commissioner Gelhaar stated there was no question that the interiors of the oaks in question were gone. He supported the request.

Commissioner Brown concurred.

Commissioner Mehranian suggested that the landscape plans take into consideration the tree driplines.

Commissioner Engler felt that 48-inch-box replacement trees would be more appropriate than 36-inch-boxes. He

suggested that one could be planted on the property and the other on Descanso Drive where street trees have been lost.

Chairman Levine suggested that 60-inch-box trees would be more appropriate; he concurred that planting them off site was acceptable.

Director Stanley advised that it is difficult to locate 60-inch boxed trees.

Commissioner Brown commented that the initial two oaks were not illegally removed and noted that a 60-inch-box tree represented a significant expense. He made a motion to approve the request as conditioned. The motion died for lack of a second.

M/S/C Engler/Gelhaar that replacement oak trees consist of one, 48-inch-box and one 36-inch-box, both which could be planted off site.

Director Stanley suggested as an option that the applicant could make a like contribution to the City's Tree Fund.

Chairman Levine stated that was not part of the motion.

4 Ayes; No: Brown.

Chairman Levine advised the applicant of her appeal rights to the City Council within 15 days.

**COMMENTS FROM
THE DIRECTOR:**

Director Stanley advised that the City Clerk was requesting the Commissioners to turn in their Code books for updating.

ADJOURNMENT:

M/S/C Mehranian/Gelhaar to adjourn at 9:00 p.m.
Unanimous.

Secretary to the Planning Commission