

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD JULY 25, 2006**

I. CALL TO ORDER:

Chairman Davitt called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Gelhaar, Hill and Mehranian, Deputy City Attorney Cobey, Director of Community Development Stanley and Planner Gjolme. Commissioner Cahill was absent.

III. PLEDGE OF ALLEGIANCE

Commissioner Mehranian led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

The agenda remained as submitted.

VI. CONSENT CALENDAR

A. Final Map; PM 063584; 320 Baptiste Way; Head

B. Lot Line Adjustment 06-04; Moreno/Rengleberg; 2064-68 Hilldale Drive

M/S/C Gelhaar/Mehranian to approve the Consent Calendar. 4 Ayes; Hill abstaining on item A.

VII. CONTINUED PUBLIC HEARINGS:

A. Hillside Development Permit 06-1; Modification 06-01; Ibrahim; 5703 Ocean View Boulevard:

Planner Gjolme described the request for a minor, first-floor expansion and construction of a new, 824-ft second floor on hillside property with an average slope of 38%. The Modification addresses a 2-ft north side yard encroachment.

The subject property is located at the north end of Ocean View Boulevard on the west side of the street. It is 31,100-sf in area with a flat building pad at the front and a severe slope to the rear. The property is located in a tiered, single-story tract, where homes ascend in elevation as the street extends to the north. The homes have centralized atriums open to the sky that are somewhat exposed to upslope properties. There are two-story homes immediately east and further south on Ocean View.

Planner Gjolme reported that the project had been downsized since the last hearing --- the second floor was reduced by approximately 300 sf and shifted to

the northwest corner. The applicant also confirmed that the CC&Rs prohibiting second floors had expired.

The proposed floor area of 3,998-sf (including the garage and a covered first-floor patio) is below the 5,818-sf allowed after applying the Slope Factor Guideline. The second floor is confined to a master bedroom and interior stairway access. It is located at the far northwest corner to accommodate the downslope neighbor and would be recessed from the front and south side. The south side lacks windows to preclude any view intrusion into the downslope neighbor's atrium. The north side would align with existing building line but because the house is oriented at an angle, the second floor setback ranges from 17 ft to 22 ft, rather than the 19-ft second-floor setback required for this project. However, the average setback provided would comply with Code. From the front, the roof planes step up, and access to the rear, to an overall building height of 25 ft. A second-floor balcony, which was included in the first submittal, was eliminated; however, Staff questioned the inclusion of sliding glass doors, which could afford comparable view intrusion. Planner Gjolme suggested that the Commission consider replacing them with permanent windows and limit any future balcony conversion.

Planner Gjolme advised of having made several site visits and pointed out that the second floor is set back 30 ft from the south property line at its closest measurement. The side yard encroachment results from an effort to maximize separation from the down slope neighbor. He stated that this project is before the Commission because it is on hillside property, rather than the addition of a second story.

Applicant, Mukdad Ibrahim stated that he would respond to any concerns.

Following a show of hands from those who wished to speak, Chairman Davitt advised that he would limit individual comments to 3 minutes.

Rick Frasier, 5647 Ocean View, stated that the project would appear as a three-story home from his property immediately south and down slope. He advised that more than 77 neighbors signed a petition opposing the project. His objections were: loss of privacy, view obstruction, diminution of property Values, and lack of compatibility. He advised that he purchased his home assured that he had privacy and security and asked the Commission to prohibit construction of the second-story.

Star Frasier asked that the Commission require the project to extend to the side and rear and limit it to single-story. She presented a booklet with photos, including one of her standing on her rooftop, which allowed her views into the neighboring home, which she felt was comparable to what the requested project would allow.

Commissioner Mehranian asked if her concerns of privacy would be assuaged if the Commission added a condition prohibiting windows from the rear elevation.

Ms. Frasier responded that doing so might eliminate views into her home's atrium, but views into her back yard would be possible.

Mr. Silva, 2120 Bristow Drive read a letter from Rob and Penny Smith, 5524 Ocean View, who could not attend the meeting and who opposed the project. Their letter stated that views of the canyon are preserved by prohibition of second stories; they were concerned with setting a precedent.

Mr. Silva then read a letter that he submitted in April, which he believed was still applicable.

Sheila Hanson, 5713 Ocean View, resides 3 parcels north of the project, which is approximately 93 ft from her home. She acknowledged that the revisions were an improvement, but she had a concern with preservation of the large redwood tree located near the proposed second story. Ms. Hanson, a Realtor, furnished a market analysis in a booklet compiled by the neighbors and noted that houses in the neighborhood are valued at one million dollars. They estimate that introducing a second story would result in a value loss of \$36,380 to nearby properties and another \$12,000 for loss of view, especially if the redwood was cut down.

Richard Atwater, 5707 Ocean View Boulevard, resides immediately north of the subject site. He stated that as a former Planning Commissioner, he understood the concerns associated with the request. The redwood tree alluded to is significant; it was planted approximately 40 years ago and would not be impacted by the new second story. He related of having worked with the applicant for ten months on his project and advised that last summer, a two-story home on the cul-de-sac sold for over a million dollars, so from a real estate standpoint, the second-story added value. Mr. Atwater recalled that approximately ten years ago, representatives of the Paradise Valley Homeowners Association attended City-sponsored workshops to review city-wide zoning. Concerns regarding zoning were not raised by the Association.

Jerry Burkman, 2003 Manistee Dive distributed aerial views of the neighborhood. He stated that loss of privacy is a major issue and did not want to set a precedent with second stories. Because the homes are all terraced, he felt that second stories would preclude installation of solar panels on down slope properties.

Mike Scharr, 5733 Ocean View, reported that upon purchasing his home, he pulled the CC&Rs, which stated there were no two-story homes in the area. As a Realtor, he felt that conforming neighborhoods were generally more desirable

neighborhoods. He opposed allowing a second-story as it would detract from others' views and set a precedent.

Patty Kindle, 5719 Ocean View, 3 homes north of the subject site, advised that her views of the Verdugo Woodlands mountains and sunsets would be impacted by the proposed second story. She commented that all existing two-story homes are located within the cul de sac, not on the canyon side nor in the Paradise Valley tract.

Applicant, Moukdad Ibrahim responded to comments. Out of concern for his neighbor's privacy, there are no windows facing south and a second-story balcony on the west side was eliminated. He pointed out that he and his neighbors to the north and south have views into each others' pool areas. He did not oppose exchanging the sliding glass doors for windows and that the redwood tree would hide approximately 80% of the second floor. Mr. Ibrahim referred to the booklet distributed by Mrs. Frasier and pointed out that it failed to show the redwood tree and also shows second-story windows, which is not the case.

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

Commissioner Gelhaar advised the audience that he is very sensitive to preserving views, as is code. He pointed out that the Commission deals with the required findings which must be made; there is nothing in the Code that prohibits second story homes. He stated that the applicant had done a wonderful job in making the second story "fit" and minimizing privacy issues. He agreed with Staff's suggestion to exchange the second-story sliding doors for windows and would like the patio cover sloped to preclude future owners from converting it into a balcony. Commissioner Gelhaar commented there would be no loss of view from the living areas of neighboring homes and that the most impacted neighbor, Mr. Atwater, supports the project. He advised that the Hillside Ordinance deals with protection of significant views, which is not the case with this project.

Commissioner Hill stated that he sympathized with both sides; however he could make the required findings and was prepared to support the project.

Commissioner Mehranian expressed agreement with comments regarding views, privacy, property values, and that the design and character of the neighborhood matter to her. While she believed that the neighborhood should remain developed 'as is', the proposed second story was not a violation of privacy. She commented that the applicant justified his request and that she could make all the required findings.

Chairman Davitt commented on the concern of a 'domino effect'. The Commission has been advised by the City Attorney on numerous occasions

that the findings are case specific and any decision is not precedent setting. He stated it is unrealistic to have total isolation and that the applicant had done a good job on the redesign in meeting some of the neighbors' concerns. He stated that he could make the required findings for the Modification and the Hillside Development Permit.

Responding to a concern from Commissioner Mehranian that the redwood tree be preserved, Director Stanley stated that condition #13 could be reworded. Another condition would be added requiring the patio cover to be sloped to preclude future addition of a deck above.

M/S/C Gelhaar/Mehranian to approve Hillside Development Permit 06-01 and Modification 06-01 with added conditions as noted by the Director.
Unanimous.

Director Stanley advised the audience that the 15-day appeal period commenced with this date and that there were fees associated with any appeal.

**B. Floor Area Review 06-03; Building Depth Review 06-04; Lee; 1435
El Vago:**

Planner Gjolme recalled that this request was before the Commission on June 13 and though the Commissioners expressed appreciation for the style and design, the configuration of the floor plan along the west side and its impact on the adjacent neighbor, was a concern. At that meeting, Commissioner Gelhaar suggested reversing the east and west elevations i.e. "flip" the floor plan. The project architect followed through on that suggestion so that the garage, central alcove, auto court and driveway are now along the west side. The revision also resulted in a significant reduction in building depth to the west from 95 ft to 64 ft (the garage was lowered so that exterior walls are now less than 10 ft in height and not 'counted' towards building depth), 125-sf of floor area was eliminated and a projecting chimney shifted inward so that an Administrative Setback Modification is no longer required.

A Power Point demonstration depicted the original setbacks compared with the current more substantial west side setbacks of 21-ft for the first floor and 28 ft for the second floor.

Chairman Davitt requested a full rendering of the west elevation, which was also depicted on Power Point, as well as retention of all the landscaping.

Given the reduction of building depth and garage height, retention of the landscape screening and design reversal, Staff recommended positive findings and project approval.

Project architect John Vandavelde, stated that Planner Gjolme thoroughly explained the revisions and that originally, he and his client debated whether they wanted morning or afternoon sun. There was no problem with reversing

the design. He explained where the floor area was reduced and the chimney relocated.

Chairman Davitt opened the public hearing.

Gilbert Gembacz, 1439 El Vago, the neighbor to the west advised that the revisions addressed his concerns and that he could support the project. He added that Staff assured him the existing landscaping would be protected during construction and if damaged, would be replaced.

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

Commissioner Mehranian complimented the architect and stated that the revisions presented a more compatible plan for all.

Commissioner Hill commented that this was a fine example of neighbors working together.

Commissioner Gelhaar stated that the architect had done a great job.

Chairman Davitt agreed and was pleased that the neighbors and the applicant were satisfied.

M/S/C Mehranian/Hill to approve Floor Area Review 06-03 as conditioned.
Unanimous.

VIII. PUBLIC HEARING:

A. Hillside Development Permit 05-62; Floor Area Review 05-21; Building Depth Review 05-14; O'Leary; 3627 Karen Sue Lane:

Planner Gjolme reported the applicants' request to demolish a sing-story home and construct a new two-story home and 3-car garage that would compromise 6,530-sf of floor area. Associated development e.g., a pool and retaining walls are also proposed. Since the project exceeds the 6,281-sf standard for the lot, Floor Area Review is required and is Building Depth Review for a second-floor depth of 68 ft. Though the property qualifies as hillside at a 19.7% average slope, the Slope Factor Guideline does not apply. Planner Gjolme noted that a theater and wine cellar contained within a basement are not included in the floor area.

The subject site is located along the northwest curve of Karen Sue Lane, north of Wendover Road, in the R-1-20,000 zone. The 22,654-sf lot has 180 ft of frontage and narrows to 80 ft at the rear. An aerial view depicted the lot ascending from the street to a relatively flat pad with a more severe slope to the east that terminates at a roadway easement on the east side. The property is fairly isolated with water tanks to the west, a vacant lot to the north and a roadway to the east. Despite its isolation, the site projects outward and is

viewed from lower points to the north, east and west and is seen directly from Wendover and Karen Sue Lane, where the existing home is profiled against the sky. The most proximate home is located down slope and fronts St. Katherine Drive. Across the street and to the southeast are two, 2-story homes with views to the proposed residence.

The applicants propose to lower the pad approximately 3 ft to reduce the profile of the home. While a majority of the cut would be distributed to the rear to create a yard area, export is projected at approximately 2,000 cubic yards, translating to approximately 180 truck trips and requiring submittal of a haul route. Aside from the second floor's depth of 68 ft., the second floor presents a 57-ft front setback, a 20 ft setback along the west property line, 35 ft on the east side, a 75-ft rear yard setback and a limited building height of 24'-6" as viewed from the front, then extending to a 28-ft overall height at the rear.

A retaining wall, proposed along the east, west and rear property lines would face outward and range in height from 1'-3' along the west and rear and 5' 6" at the northeast corner. The landscape plan includes a mixed palette of trees and shrubs and retention of the 13-inch-trunk diameter oak along the east bank.

Floor Area - absent the garage and covered patios, the project represents 5,500-sf of floor area, which translates to a density of 23%. The average of the neighborhood is slightly less. While Staff struggled with justifying the excess floor area given the prominence of the site and the 6,281-sf of compliant floor area, Staff concluded that removal of the excess 249-sf located at the rear and created in part by the cantilever of the 2nd floor, would not change the viewable mass, which is eased by sloping hip roofs. Given its limited visibility, the lack of nearby homes and architectural merit, Staff was inclined to support that component.

Building Depth Review - the 8 ft of excess depth is isolated to the rear, where the home is well modulated with ample recesses. Planner Gjolme pointed out the lack of homes to the east and west. The story poles were displayed on Power Point, depicting how the project would extend approximately 6 ft into the skyline. Staff did not believe this change was excessive or unreasonable and noted that other homes in the area demonstrate greater mass.

Views - 3640 Karen Sue Lane, a two-story home located southeast of the subject site would benefit from the proposed grading and would maintain views toward the San Gabriel Mountains. The home at 3612 Karen Sue aligns more directly with the subject home, but it is more to the west and 10 ft higher in elevation than the subject lot. There is also a stand of cypress trees surrounding the pool area. Staff determined that the difference in elevation, the ridge height and the trees make any view impacts less than significant.

Given the unique location of the site, the stepped massing design, enhanced landscaping and appropriate materials, view blockage is not an issue. Staff recommended project approval as conditioned.

Applicant, Lynn O'Leary, related that though Staff rejected her first three proposals, she appreciated the time taken and stated that this submittal was the final draft. The property is subjected to CC & Rs and will be reviewed to an Architectural Review Committee.

Designer, Graham Briggs, displayed a color rendering, showing the project in three dimension.

Commissioner Gelhaar stated that he liked what he saw in terms of plants and their location, however, the retaining walls needed to be landscaped.

Mr. Briggs advised that a previous plan showed shrubs on the downhill side of the retaining walls. He confirmed that he could submit a final landscape plan for the Director's review and approval and advised that neighbors have requested that he not plant trees on the northwest corner.

Commissioner Gelhaar agreed with the neighbors' request.

Chairman Davitt opened the public hearing.

Armen Baronian, 760 Waldorf, resides across the street and down slope. Speaking for himself and two neighbors, there was no opposition to the project but there was concern with heavy trucks exporting material. He related of significant erosion on the hillside and was concerned that it might slide during rains. He asked that trucks use Wendover.

Jeff Dickson, 807 Waldorf, stated that the project represented an improvement to the property and echoed Commissioner Gelhaar's comment to screen the retaining walls.

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

Director Stanley remarked that Staff could add a condition requiring the applicant to return with a complete landscape plan including decorative block and screening of the retaining walls, subject to his review and approval.

Commissioners Gelhaar and Mehranian requested that landscaping screen the entire retaining wall.

Commissioner Hill concurred and commented that the design was appropriate for this highly visible property.

Planner Gjolme responded to the applicant's comment regarding the length of time it took to get the project to this point. The applicant and designer worked with Staff through three submittals to get a viable project before the Commission.

Commissioner Mehranian commented to the applicant that without doing their homework, this project would not have passed so easily. She complimented the applicant and Staff for their efforts.

M/S/C Gelhaar/Mehranian to approve Hillside Development Permit 05-62, Floor Area Review 05-21 and Building Depth Review 05-14 with an added condition requiring a landscape plan, including screening of the entire retaining wall. Unanimous.

IX. OTHER BUSINESS

Commissioner Gelhaar reported on three Administrative Hearings over which he presided: HDP 05-47 for 4110 Cambridge; HDP 05-07 for 928 Big Briar Way and HDP 06-21 for 756 Greenridge.

X. COMMENTS FROM THE COMMISSIONERS

Commissioner Gelhaar stated his belief that the Commission directed Staff at a previous meeting not to allow yellow tape for story poles. It is nearly worthless and is easily affected by weather. Snow fencing needs to be used as the City handout requires. He also asked that the handout be refined to require that eaves and ridgelines are in different colors of snow fencing.

Director Stanley advised that Staff would address this matter during the August break.

XI. DIRECTOR'S COMMENTS

Director Stanley reported that the Code Enforcement Officer visited the house on St. Katherine whose color has been the subject of discussion. It was determined through use of a color wheel that the darker color complies with the Light Reflectance Value guidelines; however, the yellow does not. Staff will contact the property owner and require a darker color.

On another matter, the La Cañada Properties project is scheduled for August 7th before the City Council.

XII. ADJOURNMENT

M/S/C Hill/Mehranian to adjourn at 7:50 p.m. Unanimous.