

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON JULY 27, 2010**

- I. CALL TO ORDER:** Chairman Cahill called the meeting to order at 6:00 p.m.
- II. ROLL:** Present were Chairman Cahill, Vice Chair Curtis, Der Sarkissian, and, Jain, Director Stanley, Senior Planner Buss, Planner Clarke, Planner Gjolme, Assistant Planner Lang, Assistant Planner Parinas, and Deputy City Attorney Guerra. Commissioner Davitt was absent.
- II. PLEDGE OF ALLEGIANCE:** Commissioner Jain led the flag salute.
- VI. COMMENTS FROM THE PUBLIC:** No comments were offered.
- V. REORDERING OF THE AGENDA:** Item VIII B was moved before item VIIA
- VI. CONSENT CALENDAR:** There were no Consent Calendar items.
- VII. CONTINUED PUBLIC HEARINGS**
  - A. Hillside Development Permit 10-07/Second-Floor Review 10-09/Setback Modification 10-09; Gustafson; 334 St. Katherine Drive:** A request to allow construction of a new two-story 6,200 sq. ft. residence and related site work, inclusive of an extended driveway and partially subterranean garage. A Setback Modification would allow the new residence to encroach approximately 2 feet into the required 14-foot south side yard setback. The house has been shifted to the southeast to accommodate reconfiguration of the proposed driveway. Staff is recommending that the Planning Commission approve a Negative Declaration for this project. (Planner Gjolme)

Planner Gjolme presented the project in accordance with the staff report.

Commissioner Curtis clarified that the word “clearance” in Conditions of Approval #s 20 and 30 refers to Certificate of Occupancy.

Chairman Cahill opened the public hearing.

Property Owner Ron Gufstafson stated that his neighbor, Charles Kenny, and him are working on finishing the Covenant, Conditions, and Restrictions (CC&R). Unfortunately, Mr. Kenny was out of town last week. Mr. Gufstafson stated that he is not personally opposed to anything written on the Conditions of Approval except for Condition #30 which requires him to maintain the existing slope of the driveway 330 St. Katherine Drive and maintain a height differential of 4 feet. He does not believe that this is what the Attorneys had in mind. He is in favor of the Kenny’s retaining their excellent view to the south and southeast. He asked for clarification regarding Condition #31; he asked that if

the Kenny's sell their property and he doesn't like the neighbors, would he have the right to block them off?

Charles Kenny, 330 St. Katherine Drive, thanked staff and Commissioner Jain. He stated that Commissioner Jain was absent at the last meeting but took his time to visit the site. He appreciates Mr. Gufstafson moving the driveway back to the original location. He believes the Covenant is necessary. The Attorney has drafted a covenant regarding view preservation; He stated that Mr. Gufstafson has always been supportive about the views being preserved. If the driveways are on the exact same level it will look like a parking lot, the slope should be maintained. The Covenant will address the slope. Once the measurements are obtained from the surveyor the easement can be drafted.

Bill Ross, Mr. Kenny's attorney, stated that he understands the issues associated with Mr. Gustafson's concerns regarding Condition #30 and 31. The language is capable of resolution. The concern with Condition #31 involves an area that is currently being maintained by the Kenny's and there is an old tree that is part of that area. With respect to the bond, there should be language stating "...bond sufficient in the judgment of the Planning Director" so that it can relate to all the adjacent properties otherwise there would be an issue regarding the bond's adequacy.

Mr. Kenny stated that he would like the Conditions to run with the land.

Mr. Gustafson stated that if Kenny sold the property he asked that Condition #31 is terminated upon their sale.

Deputy City Attorney Guerra stated that covenants generally run with the land. The bond issue and identifying a specific amount or giving the Director the authority of identifying an amount will not be a problem

Chairman Cahill closed the public hearing.

Commissioner Der Sarkissian stated that the driveway is well done. The revised landscaping proposed takes care of his concerns. He is not concerned with the side yard modification. He supports the project.

Commissioner Jain stated that the project is well designed. His major concern is the driveway. He suggested the preservation of the tree (has a sentimental value to the Kennys). He can support the project.

Commissioner Curtis is supportive of the project. He is pleased to have seen neighbors work together. He stated that the Conditions look consistent. He is supportive of the staff suggestion to vote on the project and come back with an approval resolution. He is supportive of Condition #32 (Mr. Ross' suggested revision). He clarified that the appeal period begins after the Resolution has been approved.

Chairman Cahill stated that he is in support of project and he does not have an issue with the setback modification.

M/S/C Curtis/Der Sarkissian to approve Hillside Development Permit 10-07, Second-Floor Review 10-09, and Setback Modification 10-09 with the added conditions as presented staff, revision to Condition #32 as presented by staff, and with the understanding that Condition #33 will be subject to a slight modification, 4-0.

## VIII. PUBLIC HEARINGS

**A. Conditional Use Permit 452; Flintridge Sacred Heart Academy; 440 Saint Katherine Drive:** A request to consider a request involving the addition of two new temporary modular classrooms within the existing private school compound. The classrooms are typical State Architect approved units that will be placed on a corner of the upper soccer field. The modular classrooms will used to reduce class sizes within the school. There will be no increase in the current student population. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Senior Planner Buss)

Senior Planner Buss presented the project in accordance with the staff report.

Chairman Cahill opened the public hearing.

Robert Goodwin, applicant representing the school, stated that he has no objections to the Conditions of Approval. He stated that the modular classrooms will be needed until the school can get the funds to construct. He is not opposed to the time frame stated in the Conditions of Approval but would like to have an option to renew.

Commissioner Curtis asked about painting the trailers dark green.

Mr. Goodwin stated that the existing buildings are white. The intent is to stay consistent with the color of the existing buildings. A green trim and/or landscaping can be added, but if the Planning Commission wanted the classrooms to be painted a dark green color he will not be opposed to it.

Jim Stoker, 4555 Encinas Drive, stated that the school is a designated historical resource in the General Plan and he didn't hear any discussions regarding the project impacting the historical resource designation. He also didn't hear any discussion regarding traffic studies to see if it is appropriate to expand the number of students.

Senior Planner Buss clarified that there is no increase in the number of students or teachers.

Commissioner Der Sarkissian asked regarding provisions about temporary foundation.

Senior Planner Buss stated that the building code addresses several different types of foundations such as piers or block, however that is not an issue here since there isn't any major wind conditions.

Chairman Cahill closed the public hearing.

Commissioner Jain stated that the project should be reviewed with a time limit.

Commissioner Curtis stated that the buildings and the school sits well into the setting. The project fits very well and will have no impact to the neighbors. He would like the applicant to work with the Director of Community Development to come up with a color palette to match the rest of the school. He suggested that the time limit be set to six years with an allowance for a four year extension to be approved by the Director of Community Development.

Commissioner Der Sarkissian stated that the project would not have impact. He supports the project.

Chairman Cahill concurs with his fellow Commissioners.

M/S/C Der Sarkissian/Jain to approve Conditional Use Permit 452 with Conditions as amended by Commissioner Curtis, 4-0.

**B. Hillside Development Permit 06-18/Second-Floor Review 09-03; Barcus/Paredes; 3950 Robin Hill Road:** A request to allow construction of a new two-story 3,460 sq. ft. residence with 67 sq. ft. of cantilevered area, and related site work, inclusive of an 8'-0" maximum height retaining wall on a 28, 686 sq. ft. vacant, hillside lot. Staff is recommending that the Planning Commission approve a Negative Declaration for this project. (Assistant Planner Lang)

The applicant has requested that the project be continued.

Chairman Cahill asked what date the item will be continued to.

Director Stanley responded that the item will be continued to the September 14, 2010 Planning Commission meeting. He added that the City will send out public hearing notices and re-advertise in the newspaper.

Chairman Cahill asked the audience if any one would like to speak regarding the case.

Mr. Crofton of 3935 Robin Hill Road stated that he did not receive any public hearing notices and found out about the hearing from his neighbors after seeing the story-poles. He would like to receive future public hearing notifications regarding the case. He lives directly across the street from the property in question.

Chairman Cahill closed the public hearing.

M/S/C Cahill/Curtis to continue the project to September 14, 2010.

- C. Second Floor Review 10-05/Modification 10-03; De Angelis/ LCF Oak Tree Partners LLC; 4801 La Canada Boulevard:** A request for Second-floor Review to allow construction of a new 4,591 sq. ft. two-story residence on a 14,310 sq. ft. lot. A Setback Modification is also requested since the new home would encroach 21 feet into the required front setback and 2 feet into the required south side setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Planner Gjolme presented the project in accordance with the staff report.

Dave De Angelis, architect, stated that La Canada Boulevard is the best direction for the house to face. If the house faces Flanders Road, the house will end up closer to the street and to the south side. The homes on Flanders Road are setback approximately 20 feet from the street and he certainly would not want the house that close to the street and have a side yard on La Canada Boulevard. The house was pushed a little bit to the south to get the house and driveway away from the tree. The setback encroachment for the chimney and light well is a minor encroachment and would have no impact. The chimney would not extend to the roof-line; it is a gas only burning fireplace. The profile of the house is kept low. Houses to the south are much closer to the street at approximately 20 feet.

Commissioner Der Sarkissian complimented the architect for the design of the house. He asked if placing the garage on Flanders Road has been considered because La Canada Boulevard is a fast street. He is concerned that the garage may not be used because it is difficult to get in to.

Mr. De Angelis stated that the problem with the garage access through Flanders Road is that it will take up more than 50% of backyard. He stated that he does not believe that an addition of one more driveway on La Canada Boulevard is going to hamper La Canada Boulevard.

Chairman Cahill asked what the plan with the olive trees are. The olive trees are mature and beautiful.

Mr. De Angelis stated that he is not sure if the olive trees will be removed. The olive trees do not necessarily go with the design of the house but he does have an appreciation for mature trees. The olive trees provide screening but he does not want the property owner to be stuck with the olive trees. He suggested adding a condition of approval requiring that screening to be provided on the south and west side to the satisfaction of the Planning Department.

Jim Stoker, 4555 Encinas Drive, stated that he is concerned about the south side encroachment because Flanders Road is a very narrow road; the encroachment would be very obvious.

Chairman Cahill closed the public hearing.

Commissioner Curtis asked if staff has any concerns with traffic.

Planner Gjolme stated that one more driveway on La Canada Boulevard would have a minimal effect on traffic. In addition, there is a stop sign on the intersection of Flanders Road and La Canada Boulevard. Staff does not believe that the project would create a traffic issue.

Commissioner Curtis stated that he likes the project; the home is beautiful. His only concern is the setback encroachment. The proposed setback would be an anomaly for the street. He has an issue with the front setback as presented. He would like to see the proposed front setback be revised to 46 feet to be more consistent with the neighborhood.

Commissioner Der Sarkissian asked the architect if the garage projection is purely an architectural treatment.

Mr. De Angelis stated that he tried to push the garage back as far as he could. There is a main hallway that passes through the middle of the house and if he pushes the garage back that would be issues with getting into the back room. He also would like to have the gable coming out.

Commissioner Jain suggested moving the house at the original house location so that the setback would not be aggravated.

Commissioner Curtis stated that he does not have a problem with moving the house an additional 5 feet to the original house location instead.

Commissioner Der Sarkissian stated that he has no problem with the chimney encroachment. He agrees with the retention of the olive trees or additional landscape screening.

Chairman Cahill stated that the proposed encroachment is not aggravating the situation. He would like to add a condition protecting the olive trees and would like to have the hedge replaced if the hedge will be removed. The olive trees are significant trees that screen the house from street view.

Mr. De Angelis stated that his client does not have a problem with a condition of approval preserving the olive trees.

M/S/C Curtis/Jain to approve Second Floor Review 10-05 and Modification 10-03 with added Conditions of Approval, 4-0.

**D. Second Floor Review 10-10 & Hillside Development Permit 10-08; Marr/Sun/Lee; 4337 Vista Place:** A request to allow construction of a new two-

story 3,659 sq. ft. house on a 10,261 sq. ft. hillside parcel. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

Planner Clarke presented the project in accordance with the staff report.

Commissioner Jain asked if a soils report has been prepared.

Planner Clarke stated that the Public Works Department added a condition of approval requiring a soils report.

Commissioner Curtis asked if there are interior noise standards because the project site is noisy because it is located in close proximity to the freeway.

Director Stanley clarified that the building code does not address interior noise; Title 24 deals with window light levels and energy efficiency.

Ian Marr, designer, stated that they have not finished a soils report at this time. The soils are not particularly a concern because there is granite there and the property owner placed one-foot of top soil on top of granite. The project site will be on City sewer. Mr. Marr stated that they are currently considering a wall system that has an STC value of at least 46 to reduce the decibel level by approximately 46 decibels between the exterior to the interior of the structure in order to address the noise issue. He added that the furthest extreme of the building only drops down 4 feet from the rest of the house.

Director Stanley pointed out that the plans indicate a ten foot drop.

Mr. Marr stated that they are not anticipating that high of a retaining wall.

Commissioner Jain pointed out that the house would be over-height.

Director Stanley suggested that the item be continued until accurate information is provided.

Commissioner Der Sarkissian added that he would like to see a more detailed landscape plan that deals with the frontage of the house. He pointed out that the length of the southerly neighbor's house on the plan is also incorrect

Chairman Cahill closed the public hearing.

M/S/C Der Sarkissian/Curtis to continue Second Floor Review 10-10 and Hillside Development Permit 10-08 to September 14, 2010, 4-0.

**E. Setback Modification 10-15; Edwards/Bushman; 2045 Lyans Drive:** A request to allow a 326 sq. ft. garage addition to encroach 5 feet into the required 41-foot front setback and 1 foot into the required east side yard setback. A second

addition behind the garage would also encroach 1 foot into the required east side yard setback. Both additions would preserve the east building line of the existing residence and corresponding 12-foot setback. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Gjolme)

Planner Gjolme presented the project in accordance to the staff report.

Craig Edward, architect, offered to answer questions.

Chairman Cahill closed the public hearing.

Commissioner Der Sarkissian stated that the request is modest and that the design is well done. He is in full support of the project.

Commissioner Jain supports the project. He stated that the encroachment is simple and logical because there is no other option to expand.

Commissioner Curtis stated that the house and landscaping are beautiful, and that the proposed setback is consistent with the neighborhood.

Chairman Cahill concurs with his fellow commissioners.

M/S/C Curtis/Jain to approve Setback Modification 10-15, 4-0.

**IX. OTHER BUSINESS:** None.

**X. COMMENTS FROM THE COMMISSIONERS:** None.

**XI. COMMENTS FROM THE DIRECTOR:**

A. Report of Director's Approvals since the last meeting:

1. **Director's Miscellaneous 10-20; Grigorian; 1523 Descanso Drive:** Approved setback modification to allow addition of 82 sf of pool house to encroach one foot into the six foot side yard.

B. Director Stanley reminded the Planning Commission that the Commission is dark in August and the next meeting will be held on September 14, 2010.

Director Stanley informed the Planning Commission that the appeal on Dr. Merritt's project was continued to August 2, 2010. On the August 2, 2010 the City Council will also have a study session on the Mills Act (historic preservation).

**XII. ADJOURNMENT:** The meeting was adjourned at 8:26 p.m.