

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD SEPTEMBER 9, 2008**

I. CALL TO ORDER:

Chair Gelhaar called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Jonathon Curtis, Michael Cahill, Vice Chair James Hill and Chair Charles Gelhaar.

Commissioner Davitt was absent.

III. PLEDGE OF ALLEGIANCE

Commissioner Curtis led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Bob Rhody addressed the Commission regarding the cost of building and planning permits in the City and requested the Commission rethink what it costs for smaller room additions.

Chair Gelhaar commented that the expenses to operate the City continued to rise. He stated the Planning Commission did not set permit fees.

V. REORDERING OF THE AGENDA

The agenda was not reordered.

VI. CONSENT CALENDAR

A. Minutes of May 13, 2008

The minutes were not considered due to the need for revision and were pulled from the Consent Calendar.

VII. CONTINUED PUBLIC HEARINGS

A. Conditional Use Permit 435; 657 Foothill Blvd.; Coldwell Banker/Vons Companies Inc.: Request to allow a real estate office to occupy an existing 2,250 square foot tenant space in the Vons Center. The zoning for the site is Mixed Use 1.

Senior Planner Buss explained that the request for a conditional use permit was to allow for an office located in the Vons Shopping Center. He explained the location of the proposed office. He stated the proposal was to replace a vacant space with a real estate

office. He stated the tenant had already moved in to the site, made improvements and was operational. He stated staff had informed the business owner that it was necessary to apply for a conditional use permit. He discussed the future use of the Villa Center area and stated the intent was to develop the area with retail uses. He stated the center had received a prior approval which included the parking approval. He presented a chart comparing what was required under the current code and specific plan. He pointed out that staff had recently conducted a parking study and found that the Vons center was adequately parked. He stated the real estate office use would reduce the need for parking. He stated staff had recommended approval but wanted to clarify that the Villa Center area was intended for pedestrian oriented retail uses.

In response to Chair Gelhaar, Director Stanley stated the parking approval was for the entire Vons center. Chair Cahill asked if the entry to Vons was going to be redone to encourage pedestrian access. Planner Gjolme stated he recalled that the remodel of the center involved new facades. He stated a pedestrian pathway was opened to the rear of the center.

Commissioner Curtis asked why the project was approved with a potential deficiency of 174 parking spaces. Senior Planner Buss stated the 651 building would be eliminated; however other floor area would be developed. He stated there was an overall increase in floor area. He stated the parking lot design was redone. Director Stanley stated the redesign made it a more efficient layout in terms of parking. He stated the amenities of the remodel made it a more desirable project. He explained the proposed pedestrian access which would open up the parking to the north. He stated Vons would be expanded. He stated a provision was included in the specific plan to allow real estate offices with a conditional use permit.

Barry Jones, Coldwell Banker, stated they had been a neighbor and business in La Canada since 1996 and looked forward to continuing. He discussed the renovations made to the space. He stated the employees and patrons of the real estate office utilized the other businesses in the center. He requested the Council approve the permit.

In response to Chair Gelhaar, Mr. Jones indicated acceptance of parking being required on the north side. He stated the lease was month to month and may extend out for two years.

Janice McLashin, Coldwell Banker, discussed their prior location. She stated parking in the current center was much improved.

Chair Gelhaar closed the public hearing.

Commissioner Cahill stated that although it was not completely consistent with the specific plan he would approve the CUP.

Commissioner Curtis stated he would support the CUP.

Commissioner Hill concurred.

Chair Gelhaar agreed with the other Commissioners.

MOTION

Commissioner Cahill moved and Commissioner Curtis seconded a motion to approve Conditional Use Permit 435; 657 Foothill Blvd.; Coldwell Banker/Vons Companies Inc. to allow a real estate office to occupy an existing 2,250 square foot tenant space in the Vons Center. The motion carried 4-0, Commissioner Davitt absent.

B. Setback Modification 08-08; 1220 Lanterman Lane; DeAngelis/Sauro: Request to add 722 sq. ft. to an existing detached garage and retain a 5'-2" west side yard setback, which is below the 7'-8" requirement for the subject lot.

Assistant Planner Parinas presented the staff report. She stated the request was to allow a garage addition to the existing non-compliant garage. She explained that the existing garage had a gable that would be modified into hip. She stated the total floor area would be 3,778 square feet. She displayed the proposed elevations. She discussed the materials to be used.

RECESS

Due to a potential natural gas leak outside the building, Chair Gelhaar called a recess at 6:27 p.m. The meeting reconvened at 6:45 p.m. with all Commissioners present except Commissioner Davitt.

Assistant Planner Parinas presented photographs of the site. She stated staff recommended approval subject to the conditions listed in the resolution.

Dave DeAngelis, project architect, explained that the property owners wanted to add on to the garage due to the need for storage of bicycles and motorcycles. He stated there was no intent other than for a garage.

Chair Gelhaar closed the public hearing.

Commissioner Curtis stated he went to the site and noted the buffering around the project. He indicated support for the modification.

Commissioner Hill indicated support for the request. He stated the project design was nice.

Commissioner Cahill stated he supported the project and the proposed roof line was better.

Chair Gelhaar indicated support.

MOTION

Commissioner Hill moved and Commissioner Curtis seconded a motion to approve Setback Modification 08-08; 1220 Lanterman Lane; DeAngelis/Sauro, a request to add 722 square feet to an existing detached garage and retain a 5'-2" west side yard setback, which is below the 7'-8" requirement for the subject lot. The motion carried 4-0, Commissioner Davitt absent.

C. Hillside Development Permit 08-32, Second-floor Review 08-17, Setback Modification 08-10, Variance 08-07; 519 Paulette Place; Rhody/Spry: Request to construct a new 966 sq. ft. 2nd floor and retain existing 1st-floor encroachments and angle plane violations into the side yard setbacks.

Assistant Planner Parinas presented the staff report. She explained that a second floor review, setback modification and variance were required. She stated the proposed additions would create a 3662 square foot structure which was below the allowable area. She discussed the setbacks of each floor. She stated it would be necessary to demolish a large portion of the existing area in order to accommodate the required setback. She stated unreasonable and unnecessary hardship would be caused if the garage had to be relocated. She presented the proposed floor plans. She recommended shifting the second floor, changing the second floor gable or to incorporate a similar clip to provide a balance to the reduced angle plane. She discussed the variance required for the angle plane encroachment. She displayed other houses in the area depicting angle plane encroachments. She showed photographs displaying the story poles. She stated the southeasterly and northwesterly neighbors had submitted letters of support. She stated the request was appropriate for the site and the proposed design fit the styles in the neighborhoods. She stated staff recommended approval subject to the conditions of approval contained in the resolution.

Commissioner Curtis asked if there were changes to the first floor. Assistant Planner Parinas stated the entry area was currently a covered porch which would be reduced in size to increase the first floor by 30 feet. Commissioner Curtis asked if any bearing walls would be removed. Assistant Planner Parinas stated no bearing walls would be removed and the proposed second floor addition would be on top of a bearing wall.

Bob Rhody, applicant, stated the total square footage would be less than the average two story home on the block. He discussed staff's recommendation regarding the angel clip. He stated he did not want to remove the clip due to aesthetics of the wall alignment and use of bearing wall. He requested the Commission leave the clip out and allow the roof line as proposed. He stated the clips on the first floor were unavoidable but were similar to other houses on the street.

Commissioner Cahill asked if Mr. Rhody was requesting to leave the clip. Mr. Rhody explained that he was proposing to eliminate the clip.

Chair Gelhaar stated he was asking that none of the clips be included.

Mr. Rhody stated no bearing walls would be removed.

Vice Chair Hill asked about changing the second floor to a hip roof. Mr. Rhody stated it would be more proportionate if it remained. He stated all hip roofs could be installed. He stated the idea of the addition was to give it a New England look.

James Andrew Spry (applicant) stated they came to La Canada from the United Kingdom. He stated they wanted to increase the living space to reflect their growing family. He stated the neighbors were supportive of the project.

Chair Gelhaar closed the public hearing.

Commissioner Hill stated he visited the site and viewed the story poles. He agreed with the staff recommendation without the clip. He stated the project would fit with the neighborhood. He stated he could support the project.

Commissioner Cahill agreed with Commissioner Hill.

Commissioner Curtis stated he visited the site. He indicated that changing the roof was really the only issue. He stated the use was not being intensified and he did not see an issue with the angled plane. He indicated support for no clips.

Chair Gelhaar stated he visited the site and agreed that the clip was not necessary. He stated he could make the variance findings and support the project.

MOTION

Commissioner Hill moved and Chair Gelhaar seconded a motion to approve Hillside Development Permit 08-32, Second-floor Review 08-17, Setback Modification 08-10, Variance 08-07; 519 Paulette Place; Rhody/Spry, a request to construct a new 966 square foot 2nd floor and retain existing 1st-floor encroachments and angle plane violations into the side yard setbacks, removing Condition No. 14. The motion carried 4-0, Commissioner Davitt absent.

D. Conditional Use Permit 430, Variance 08-06; 5500 Godbey Drive (Lot 11-LCF Country Club); Robert Dreyfuss/La Canada Flintridge Country Club: Request to allow construction of a new enclosed practice range that would achieve a maximum height of 30 feet and a synthetic chipping/putting green adjacent to the 10th fairway.

Planner Gjolme presented the staff report. He stated there would be two new additions: a netted driving range and chipping range. He explained that the range would be fenced which required a height variance. He stated the range would be well below Godby Drive. He stated the chipping range was proposed at a higher elevation but somewhat below Godby Drive. He stated both improvements were adjacent to the 10th fairway. He displayed the proposed site plan. He discussed the size of the driving range. He stated the driving range would be enclosed with netting. He stated the chipping green contained no structures and no lighting was proposed. He stated the applicant had provided a cross section showing Godby Drive which showed approximately 30 feet grade level difference between range and street. He presented photographs showing Godby Drive. He stated the nearby residences were single story and step down along the street. He stated the structure would be transparent from the adjacent homes. He stated the chipping area did not have as much depression from the street. He discussed potential safe guarding that may be required for the chipping green. He stated staff was recommending further discussion to ensure protection of the roadway and proximate houses. He discussed the proposed landscaping. He stated a new cart path was proposed to provide access to the ranges. He stated staff would support the conditional use permit. He stated the height was a product of proposed function and necessary for the use. He stated the topography supported the request. He suggested the hours of operation and chipping green protection be addressed. He stated staff could support the conditional use permit and variance and recommended approval.

Chair Gelhaar questioned the landscaping plan. Planner Gjolme stated the proposed landscaping plan was submitted after the packet had gone out to the Commission. Chair Gelhaar asked the color of the netting. He asked about retaining walls and soil import and export. Planner Gjolme stated there would be dirt imported but no retaining walls. He stated a haul route plan would be added.

Robert Dreyfus, La Canada Flintridge Country Club, stated the applicant was the Country Club. He explained that the proposed location was currently unused. He discussed the need for a warm up area for tournament users and for members for practice. He stated the facility was also used by La Canada High School. He stated the greens would be made of synthetic material and therefore no water would be used. He stated electricity and potable water would be used for lessons.

In response to Chair Gelhaar, Mr. Dreyfus stated the existing chipping facility would be removed. Chair Gelhaar asked if retaining walls would be used. Mr. Dreyfus stated no retaining walls were planned. He explained that no dirt would be exported, rather existing dirt would be moved around. In response to Chair Gelhaar, Mr. Dreyfus stated carts were not allowed on the street and there would be no access from the street. Chair Gelhaar asked if the practice area could be established in the opposite direction. Mr. Dreyfus explained that the purpose was to serve as a bunker so that balls would be hit towards the fairway. Chair Gelhaar suggested the green be relocated.

William Phillips, golf course architect, explained the sitting area. He stated the tee would be about 20 to 30 feet, meant for short shots. He explained the bollard system to prevent vehicular access. He stated there were tough grades on site which made it difficult to design. He discussed the rock base which limited grading. He stated there would be no dirt imported and no retaining walls.

In response to Commissioner Curtis, Mr. Phillips discussed the grade and drainage. He stated the poles would be flat black and the netting would be black.

Bill Hafner took exception to the report indicating this was the first application for the property. He stated the Commission had previously discussed another development on the golf course. He expressed concern regarding parking in the community parking lot. He discussed the private portion of Godby Drive. He stated maintenance vehicles should not be allowed from Godby Drive. He requested the Council comply with State Vehicle Code Section 21107.7 to enforce the Vehicle Code along the private road.

Jean Costanza stated Godby Drive was private and requested the Commission protect the neighbors. She requested the use of green netting and poles. She expressed disappointment that the proponents had not provided story poles.

Dick Cohen stated he lived on Godby Drive, directly across from the sand trap. He stated he had no problem with the driving range although he would like to see story poles. He suggested the chipping and putting range be moved to the other side. He stated the proposed location would create noise and disruption. He expressed concern regarding the liability of flying golf balls. He suggested a condition be included requiring the club to accept responsibility for errant balls. He stated they did not want screens or walls. He stated golf carts were often on the streets surrounding the golf course.

Robert Parker requested story poles be erected. He stated the netting would be 20 feet about his property. He expressed concern regarding losing his mountain view.

Bill Koury stated the residents on Godby Drive had not yet had the opportunity to work with the applicant. He requested referring the matter back to the applicant to work with the residents. He expressed concern regarding increased noise.

Ned Russell stated he purchased his home for the view. He stated his new view would be a driving range with its accompanying noise. He discussed the impact to the adjacent homes. He stated the public hearing notice was inadequate. He stated the proposed sized driving range was not worth it. He stated there was already a practice area along Angeles Crest Highway. He expressed concern regarding parking along the street.

Robert Dreyfus stated they had met with the Board of the condominiums and held an open meeting for the residents. He stated trees would be strategically planted in order to block the poles. He explained views from the surrounding areas. He stated the proposed

location could be more easily patrolled. He stated the intent was to have no cars park on Godby Drive. He explained that bollards were required for Americans with Disabilities Act (ADA) access.

In response to Commissioner Cahill, Mr. Dreyfus explained the strategic placement of the range to prevent wayward golf balls. He stated he was not in a position to respond to whether they would accept responsibility of wayward balls.

Commissioner Curtis asked how members would use the driving range. Mr. Dreyfus explained that members would have to check in at the club house and rent a golf cart.

Gilbert Dreyfus, owner of La Canada Flintridge Country Club, provided an overview of the history of the club. He discussed the importance of the driving range to the club. He discussed the need to turn people in to golfers. He requested the matter not be continued or delayed.

Commissioner Cahill asked about damage from golf balls. Mr. Dreyfus stated they had discussed the elements of liability. He stated it would not be an issue because balls would be hit away from the street.

Bill Phillips demonstrated the limited motion of the chip shot. He explained that the proposed area was designed for chip shots.

Chair Gelhaar closed the public hearing.

Chair Gelhaar expressed disappointment that story poles had not been erected and recommended a continuance to allow story poles to be installed. He stated there were specific findings regarding visual impact. He stated the club had done a lot of good things. He stated it was important for the club to have a driving range but had to pass the findings he had to make. He suggested it be designed so there was no opportunity to hit the ball towards Godby Drive.

Commissioner Hill stated story poles would be beneficial to the Commission and neighbors to see what was going on. He expressed concern regarding the chipping green and balls going beyond the range. He respectfully suggested a continuance.

Commissioner Curtis concurred with the Commissioners and requested updated landscaping plans.

Commissioner Cahill expressed concern regarding the lack of story poles. He requested clarity on the length of the driving range.

MOTION

Commissioner Curtis moved and Chair Gelhaar seconded a motion to continue the public hearing to September 23, 2008. The motion carried 4-0, Commissioner Davitt absent.

VIII. OTHER BUSINESS

A. Discussion of basement space as habitable living area. Assistant Planner Parinas presented the staff report. She explained the possible building codes related to basements. She discussed fire risks to residents. She stated requiring light wells for safety purposes may be viewed as reasonable. She stated the purpose of the study session was to discuss the issue and provide direction to staff.

Chair Gelhaar stated he wanted window wells for basements for safety purposes. He stated there was minimal impact when building a house but would tremendously increase safety.

Commissioner Curtis stated he had been to many new houses with and without window wells. He stated both worked out. He stated there may be fire safety and security issues. He asked if there were alternatives other than light wells such as two sets of stairs or mandating sprinklers or fire alarms. He asked if the Commission should come up with a laundry list of possible solutions.

Commissioner Cahill suggested looking in to what other municipalities were doing regarding basements.

Commissioner Hill expressed concern regarding fire safety.

Chair Gelhaar asked the appropriate process. Director Stanley explained the difference between a study session and public hearing. Chair Gelhaar suggested conducting an additional study sessions after staff could provide additional information.

Senior Planner Buss explained the required dimensions of light wells. Director Stanley explained evacuation from escape wells. He stated habitable basements required escape wells. Senior Planner Buss stated revisions to the Building Code had to be approved by the State. He suggested a modification to the Zoning Ordinance changing basement to habitable space.

Chair Gelhaar discussed the potential for disasters to happen in basements.

Director Stanley indicated staff would gather the information and bring the matter back to the Commission.

IX. COMMENTS FROM THE COMMISSIONERS

None.

X. COMMENTS FROM THE DIRECTOR

Assistant City Attorney Vargas asked about the current interpretation regarding loss of non-conforming status if 30% of a roof was removed.

Chair Gelhaar expressed concern that the 30% of roof does not mean removal of floor area. Maybe the issue should be removal of actual floor area.

Director Stanley stated staff's position regarding encroachment into the side yard setback. He explained that removal of 30% of roof structure triggered the application as a new structure.

Assistant City Attorney Vargas explained that staff is using the definition of floor area in conjunction with the roof structure.

Director Stanley stated the City Council specifically determined that grandfathering was lost if 30% of roof structure was removed. The intent was to determine when it is considered a new structure.

Commissioner Curtis read the definition of floor area and noted its reference to roof area.

Chair Gelhaar suggested the wording be tightened so there was no grey area.

Director Stanley explained the previous condition prohibiting removal of any portion of the solid roof except for that over the addition.

Senior Planner Buss stated the findings should be on point.

Director Stanley stated the R1 standards with the modification findings were discussed at the Council level. He stated the Council wanted more review.

Chair Gelhaar stated it was a political issue.

Director Stanley stated compliance would be gained over time through remodeling of homes.

Chair Gelhaar asked if staff was inclined to review the modification standards. Director Stanley indicated that staff can do that.

Chair Gelhaar requested the Commission have the opportunity to discuss grading issues. Director Stanley stated it would require an R-1 revision.

Commissioner Curtis discussed the internal discrepancy with the Tree Ordinance, specifically how the recitals conflict with the use and protection of deodar cedars.

Director Stanley discussed the prior revision of the Tree Ordinance, and that another comprehensive review is needed.

Director Stanley informed the Commission of his absence from the next meeting, and the recent truck accident due to loss of breaks.

XI. ADJOURNMENT

Chair Gelhaar adjourned the meeting at 8:56 p.m.

Secretary to the Planning Commission