

**MINUTES OF A SPECIAL STUDY SESSION  
AND REGULAR MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON SEPTEMBER 11, 2012**

**I. 5:00 P.M. SPECIAL STUDY SESSION: Recreational Vehicle Parking (RV) Regulations**

Assistant Planner Parinas gave an overview of the draft Ordinance and information gathered based on direction from the City Council and previous Planning Commission meetings.

Commissioner Gunter commented on one of the diagrams displayed and confirmed that parking was allowed in the auto-court between the front of the house and a recessed garage, provided a compliant side Setback was provided.

Commissioner Jain still had an issue with the definition of 'front façade'. The diagram showed too much of the side of the house qualifying as part of the front façade. This would impose an undue restriction in the parking of an RV on certain properties.

Director Stanley responded that an undue consequence of the regulation could be flat linear front elevations to simplify the 'front' of the house and allow greater flexibility for the parking of RVs.

Deputy City Attorney Guerra talked about the possible grandfathering of properties that had existing RVs parked on site. This has nothing to do with structures and the qualifier of 'permanance' since RVs are continually moved; thus, no grandfathering provision would apply.

Commissioner Curtis noted a hypothetical project that comes in for review under proposed standards. He questioned how staff would regard it if the project included an RV that was enormous. Could it be approved with screening, relocated, denied, etc.

Director Stanley responded that all projects are reviewed on a case by case basis given the variety of parcels in town. Each RV case would likely be fairly unique with one set of rules never applying in quite the same way.

Commissioner Curtis inquired if the right to appeal the Director's decision was with the applicant or the neighbors.

Chairman Der Sarkissian confirmed that an appeal process is part of the new Ordinance but is currently not in place.

Assistant Planner Parinas added that the new review process will have findings to substantiate decisions.

Commissioner Curtis inquired if there had been any discussion about treating horse trailers differently from RVs.

Director Stanley responded that if the vehicle in question is over 6 feet in height, it would be subject to the same review process.

Commissioner Jain asked if the 'vehicle' would be reviewed if it was attached to a truck.

Director Stanley clarified that the vehicles in question are not the same as a camper 'shell' attached to a truck, which sits atop it.

Commissioner Jain confirmed that there is a provision to allow construction trailers in conjunction with active projects.

Commissioner Walker asked if private streets are treated the same as public streets with regard to RV parking.

Director Stanley confirmed there is no difference between RV parking on public and private streets.

Commissioner Gunter asked about current code enforcement action within the 2-week allowance for RVs associated with visiting relatives.

Director Stanley responded that he is not aware of any such enforcement action.

Chairman Der Sarkissian stated that certain large vans looked as imposing as an RV.

Director Stanley did not agree and felt the vans are shorter and sleeker and not as imposing.

Assistant Planner Parinas added that the "reasonable" use of the vehicle is the prime determinant. Use of a vehicle for daily purposes and commutes essentially disqualifies it from being a part-time RV.

Senior Planner Buss added that 'function' takes precedent over 'form' with regard to the RV issue.

Chairman Der Sarkissian continued to have an issue with the setback definition. He felt a specific number for the distance from the structure to the property line needed to be established in order to allow for the RV and possibly additional space for a landscaped buffer. He wanted to have a 'hard number' in place.

Commissioner Curtis noted that conditions addressing landscaping could be added in various instances, apart from the set number.

Chairman Der Sarkissian stressed that measuring to landscaping was totally impractical in his estimation.

Commissioner Curtis agreed. The Director can stipulate the landscaping requirement once the setback is established.

Commissioner Jain agreed that a specific setback number was needed. Separation from the property line was the key consideration in his estimation.

Commissioner Gunter commented on the marked difference from property to property and the lack of consistent yard areas from lot to lot, which makes a 'hard' number difficult to impose universally. He was amenable with the requirement as currently worded since it takes these variables into account.

Commissioner Gunter asked if the side setback for RV parking was a requirement of the Fire Department.

Director Stanley stated that the side setback was not specifically to serve the Fire Dept. clearance.

Assistant Planner Parinas commented that the ultimate setback definition could combine both Fire Dept. and zoning concerns.

Director Stanley summarized that a variation to the setback standard based on the Commission's input and input from the Fire Dept. was needed at this time. This revision would be incorporated into the draft ordinance and discussed further at a later date.

Commissioner Curtis felt things were heading in the right direction.

Commissioner Jain reiterated his concern with the definition of front façade. It is too restrictive in its current form.

Commissioner Walker stated her concern with the issue of camper trucks in the front yard for extended periods of time except when on vacation.

Director Stanley responded that this was not currently an issue but that staff could explore it further and take a closer look at the 'use' of the vehicles in question.

Chairman Der Sarkissian reiterated that the point of this study and future ordinance was to keep the minimum front yard setback area free and clear of RVs but also to allow for reasonable storage of them if possible.

Chairman Der Sarkissian thanked staff for their work to this point and closed the item.

**II. 6:00 P.M. REGULAR MEETING CALL TO ORDER**

**III. ROLL:** Chairman Der Sarkissian, Vice Chairman Jain, Commissioners Curtis, Gunter and Walker, Director Stanley, Senior Planner Buss, Planner Clarke, Planner Gjolme, Assistant Planner Parinas, and Deputy City Attorney Guerra were present.

**IV. PLEDGE OF ALLEGIANCE:** Chairman Der Sarkissian led the flag salute and asked for a moment of silence in honor of the victims of the September 11, 2001 attack and the military members fighting for our Country.

**V. COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar.

Mr. Steven Brown, 3757 Normandy Drive, described his lot. He stated that he was surprised to find construction at his neighbor's house (Mrs. Lee). He did not receive notification of the approved project. He believes the approval of the project has been invalidated because of the lack of notification.

Mr. Raj Dhillon, 3751 Normandy Drive, stated that he was not included in the original mailing of the Hillside Development Permit approval. He stated that planners are trying to accommodate Mrs. Lee's construction. He believes that the project is not being approached properly.

**VI. REORDERING OF THE AGENDA:** Item XI. D was heard before VIII. A

**VII. CONSENT CALENDAR:**

**A. Minutes:** May 8, 2012; June 12, 2012; June 26, 2012; July 10, 2012; and July 24, 2012.

May 8 – Commissioner Walker abstained, Commissioner Curtis motioned to approve, Commissioner Gunter seconded, 4-0 approved.

June 26 – Commissioner Jain abstained, Commissioner Walker motioned to approve, Commissioner Curtis seconded, 4-0 approved.

July 10 – Commissioner Walker abstained, Commissioner Curtis motioned to approve as corrected, Commissioner Jain seconded, 4-0 approved.

July 24 – Commissioner Der Sarkissian abstained, Commissioner Jain motioned to approve, Commissioner Walker seconded, 4-0 approved.

## **VIII. CONTINUED PUBLIC HEARINGS**

- A. Hillside Development Permit 10-57/Second Floor Review 10-41/Modification 11-12; Chang/Johnson; 3800 Domal Lane:** A request to allow construction of a new approximately 2,700 square foot (down from 3,000 sf) two-story house (including garage area) on a 13,700 square foot hillside lot (41% average slope) on the east side of Domal Lane, a cul-de-sac. The first floor is at street level and the second floor is underneath the first floor. There is also a request to allow the front of the house to encroach five feet into the twenty-foot front setback (Modification) as opposed to the previous rear setback encroachment. Staff is recommending that the Planning Commission approve a Mitigated Negative Declaration for this project. (Senior Planner Buss)

Chairman Der Sarkissian stated that the project site is in his neighborhood and is within 500 feet from his property. He recused himself from reviewing the item.

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

Steve Shin, representative of the property owner, indicated that in order to provide a cross-section, they would have to trespass on Dr. Ji's property. He distributed photographs and the landscape plan to the Planning Commission. He described each photograph as it relates to screening.

Commissioner Curtis asked if the landscaping can be continued pass Dr. Ji's property.

Mr. Shin responded that there would be some constraints because of the steep slope.

Jay Johnson, applicant/designer, presented the color and material board. He stated that the roofing material is non-reflective. He clarified that the topography was resurveyed and as a result, adjustments were made to the design. He is confident that the new survey is accurate. He stated that the proposed house is two feet lower. The floor plan and architectural style was not impacted.

Sen Ji, 1350 Sugar Loaf Drive, discussed his concerns regarding: flooding/mudslides, drainage, privacy, design, lot, property boundary, and property values.

Christopher Chaney, 1340 Sugar Loaf Drive, thanked the Planning Commission for visiting the site. He stated that every property owner has the right to build on the property; it just has to be the right size. He is concerned with drainage and mudflow.

Mr. Johnson stated that the new design proposal has a 3' block wall with a 6' fence on top. The block wall will address the drainage and mudflow concerns. The engineer will work with Building and Safety to address drainage. He explained that the garage is high because the natural grade on the north side is high and the driveway slope is limited. He stated that the sliding door and the deck will be screened by the wall/fence and landscaping.

Vice Chairman Jain asked if the hydrology study is completed. He also asked about the size of the proposed pipe.

Commissioner Curtis clarified that the pipe would have to be upgraded to 18".

Senior Planner Buss clarified that the previous project was already approved including the engineering and drainage. He stated that the previous owner ran out of money and the approval expired.

Cynthia Chamberlain, 3818 Domal Lane, stated that she doesn't understand why the previous approval was 2,500 sf and the proposal is 2,700 sf. She believes that there are a lot of inconsistencies. The property owners have rights but the residents that live in the area also have rights. The lot size is 13,000 sf and the zoning has a minimum lot size of 20,000 sf.

Peter Chamberland, 3818 Domal Lane, stated that the city is headed for a lot of rain, which would result in a lot of dirt and mudslides. He is concerned about building a substandard house for the street and about property value.

Vice Chairman Jain closed the public hearing.

Commissioner Walker stated that the site is a difficult property to work with. She applauds the designer and property owner for being willing to revise the design to address a lot of the concerns. She stated that the wall needs to be continued to the rest of the property because it is necessary for the neighbors' privacy. She stated that Dr. Ji's privacy concerns are addressed by the proposed wall and the landscaping. She is in support of the project with the extended wall and she would like the wall to be installed prior to construction.

Commissioner Gunter stated that he appreciates the changes that the applicant made. The size of the house is below the slope factor guideline by 100 sf. Moving the house closer to the street is the right thing to do in the Planning Commission's and staff's point of view. He clarified that the minimum lot sizes are for creating new properties and existing lots are legal lots. He stated that the property owner has the right to develop the property as long as they comply with the Code. He would like a detailed drainage plan approved prior to issuance of building permits. He is in support of the project and would vote to approve it.

Commissioner Curtis stated that he likes the proposed location of the wall with the plantings in front. He stated that the wall/landscaping and its distance from the property line is beneficial for Dr. Ji. He is supportive of the project as redesigned. He agrees that the walls should be constructed prior to the construction of the house. He agrees with the parking waiver. He would like Condition of Approval #13 modified to require the City Engineer approve a drainage plan for the stabilization of the slope and the wall.

Senior Planner Buss suggested the Condition of Approval be similar to the Rosebank project. He read the following Condition of Approval: The City Engineer shall approve a detailed drainage plan prior to issuance of any permits of any kind. Drainage shall be carried to the street or other approved disposal area in a non-erosive device. A prior approved design for drainage on this site shall be the preferred manner for disposal.

The Commissioners agreed with the Condition of Approval as read by Senior Planner Buss.

Mr. Shin asked for clarification regarding the span of the wall.

Commissioner Curtis suggested planting the landscape screening prior to construction. He clarified that the project would have to be taken back to the Planning Commission if the property line is inaccurate.

Vice Chairman Jain stated that the City's Public Works Department has to look into the drainage issue. He is willing to give the waiver for parking. He agrees that the landscape plan and details be worked out with the Director of Community Development. He supports the project with the added conditions of approval. He would like to amend Condition # 13 to include that the retaining wall and landscaping are installed prior to building permit issuance for the house.

Commissioner Gunter motioned to approve Hillside Development Permit 10-57, Second Floor Review 10-41 and Modification 11-12 with added conditions, Commissioner Walker seconded, 4-0 approved.

## **XI. PUBLIC HEARINGS:**

- A. Hillside Development Permit 12-24 / Variance 12-01 / Second Floor Review 12-08 (Dir) / Director's Miscellaneous Review 12-17 (SB); Eissa; 787 Greenridge Drive:** Request to legalize retaining walls (15'-0" maximum height) in the rear yard, additions at the first (447 sq. ft.) and second-floor (148 sq. ft.) level, a new sport court, back-yard restroom, remodeled pool and various other site improvements, including 42" walls in the front yard. A Variance is also required because the additional floor area exceeds the allowable floor area for the lot, the sport court encroaches into the side-setback requirement and is placed on fill, and the second floor addition encroaches into the required angle plane. The maximum allowed floor area for the subject parcel is 4,665 sq. ft. and the total floor area proposed would be 6,222 S.F. (inclusive of existing volume space, covered porch areas and the restroom by the pool). A Director's Second-Floor Review is required because some of the additional area is at the second-floor level. A Director's Miscellaneous Review (Setback) is required since the additional first-floor area encroaches 6" into the west side-yard setback requirement and the additional second-floor area encroaches 8'-6" into the east side-yard second-floor setback requirement but in no case is closer than the existing house. Additionally, the replaced pool equipment encroaches into the west side-yard setback requirement. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Lang)

Vice Chairman Jain recused himself from reviewing the project.

Chairman Der Sarkissian requested for continuance because three Planning Commissioners were unable to visit the site due to access.

Commissioner Curtis motioned to continue Hillside Development Permit 12-24, Variance 12-01, and Second Floor Review 12-08 to a date certain of October 9, 2012, Commissioner Walker seconded, 4-0 continued.

- B. Mills Act Contract 12-01; Schwartz; 4166 Woodleigh Lane:** Request qualification from the Planning Commission for entry into a Mills Act Contract with the City of La Cañada Flintridge. A Mills Act Contract recognizes the historic nature of the residential structure located at this address and qualifies the property for reductions in property taxes. The Planning Commission reviews and makes a recommendation to the City Council. The City Council approves or denies the contract request. (Planner Clarke)

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

Vice Chairman Jain asked about the impact on construction value.

Chairman Der Sarkissian explained that the tax deduction has to do with the future rental of the house and not the property value.

Commissioner Curtis asked about the future renovations.

Brad Schwartz, property owner, explained that the renovations include restoring the kitchen to extend ceiling back to its original height, changing windows, and redoing the courtyard. He stated that he sought out an architect who specializes in Spanish style homes.

Chairman Der Sarkissian closed the public hearing.

Commissioner Curtis stated that the project is a perfect example of why the Mills Act has been adopted.

Vice Chairman Jain stated that he understands historic preservation because his childhood home is more than 600 years old. He is supportive of the project.

Commissioners Walker and Gunter both concur with their fellow Commissioners.

Commissioner Der Sarkissian stated that the property is a great representation of La Canada Flintridge. The repair efforts are excellent and the construction costs represent the seriousness of the owners in restoring the house.

Curtis motioned to recommend to City Council that the Mills Act Contract 12-01 be approved, Commissioner Jain seconded, 5-0.

- C. Second Floor Review 12-11 and Modification (Setback) 12-08; Pao; 4373 Fairlawn Drive:** Request to allow the addition of a total of 2,135 sf (add 650 sf on first floor and a new 1,450 sf second floor) to an existing 1,905 sf single-story residence (1,450 sf house and 455 sf garage) for a new total house size of 4,040 sf. A Second Floor Review is required because the proposal includes the addition of a new second floor. In addition a Modification is also requested for non-conforming side yard setbacks. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Planner Clarke)

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

Vice Chairman Jain pointed out that the story poles are not accurate and gives the illusion that the second floor will be directly above the first floor.

Jay Johnson, designer, agreed with staff except with the recommendation to tear down the south side of the house. He stated that removing the south side of the house is a practical difficulty. He added that he will address the drainage on the south side.

Chairman Der Sarkissian asked how the walls of the second floor will be supported.

Mr. Johnson stated that the second floor will be supported with beams and he would be able to support the second floor without changing the exterior walls

Director Stanley clarified that the findings only apply to the northern portion of the house.

Ted Pao, property owner, stated that he lived at the property for approximately 9 years. He has no issues with the neighbors. The neighbor's side has a garage and the construction does not impact that side. He has a tight budget.

Chairman Der Sarkissian closed the public hearing.

Commissioner Gunter agreed with staff's finding on the north side encroachment and disagreed with staff's finding on the south side encroachment. He was in support of the project as submitted. Commissioner Gunter stated that allowing the south side encroachment is consistent with past Planning Commission actions and removing 1' to the south side of the house would not add any value to the neighborhood.

Commissioner Walker met with the neighbor next door. She stated that the neighbor does not have a problem with the project. She added that making the property owner remove 1' on the south side was a hardship.

Vice Chairman Jain supported the project as is and would like Condition #14 deleted.

Commissioner Curtis agreed with his fellow Commissioners. He stated that the proposal is consistent with past approvals.

Chairman Der Sarkissian stated that the neighbor is a tenant. He spoke to the property owner and he was unaware of the project and was disinterested. He stated that a 1' encroachment is not an issue. However, he believed that the walls are going to be removed.

Commissioner Gunter motioned to approve Second Floor Review 12-11 and Modification 12-08 with Condition #14 deleted, Commissioner Walker seconded, 5-0 approved.

- D. Variance 08-05 (Amendment #2); IDS Real Estate Group; La Canada Flintridge Town Center, northeast corner of Foothill Boulevard and Angeles Crest Highway, Building "C":** Request to amend an approved Variance to consider deletion of a condition of approval that prohibits the installation of future wall signs along the west side of Building "C". Said condition was imposed in conjunction with approval of the Town Center's new monument signs. The amendment would allow for the installation of one wall sign on the west side of the tower at the southwest corner of Building "C". The prohibition of other future signs would remain in effect. 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. He stated that Design Commissioner Keith Tobias was present to discuss the Design Commission's point of view.

Design Commissioner Keith Tobias stated that the Design Commission unanimously voted for the proposed signage. The Design Commission believes that the proposed tower signage is better than providing the signage on the mid-section of the wall as originally approved. The proposed sign is not a cabinet sign; they are individual channel letters that are halo lit.

Planner Gjolme clarified that the tenant space that will be occupied by the Habit was originally designed for two separate tenant spaces; the Habit will occupy both spaces. He stated that the signage on the building will be reduced by two signs because of the elimination of the other tenant.

Chairman Der Sarkissian opened the public hearing.

Christopher Watley, Director of Development for the Habit, asked to reinstate the west wall sign because they are concerned about the visibility of the new restaurant from Angeles Crest Highway.

Pat Anderson, representing the Chamber of Commerce, thanked the Planning Commission for reordering agenda. She stated that the blank wall looks awful and by adding the sign, the aesthetics will be improved.

Chairman Der Sarkissian closed the public hearing.

Commissioner Walker stated that she is in support of the additional sign. She asked for information regarding the fee refund process.

Commissioner Gunter clarified that the Planning Commission intentionally eliminated the signs when the

monument sign was approved. He is comfortable approving project. He asked that the total size of both signs and its distance be reviewed.

Vice Chairman Jain stated that he is in support of the application.

Commissioner Curtis thanked Design Commissioner Tobias for attending the meeting. He is in support of the sign.

Chairman Der Sarkissian stated that the Planning Commission intentionally eliminated the wall signs because the Planning Commission was told that there would not be a need for wall signs at the proposed location given the new monument sign. He asked that the applicant consider reducing the size of the sign by approximately 20%. He is in support of the project.

Commissioner Walker motioned to approve Variance 08-05 (Amendment #2), Commissioner Curtis seconded, 5-0 approved.

**X. OTHER BUSINESS:** None

**XI. REPORT OF DIRECTOR'S REVIEWS:** [Director's Setback Modifications; Director's Height Modifications and Director's Second Floor Reviews]:

- A. Director's Miscellaneous 12-27 (Setback); Seghal; 368 Noren Street:** Request to allow the construction of 478 square-foot combined first floor additions and 71 square-foot covered porch. The east and west side additions to the house would encroach 2'-8" into the required 7'-8" side yard setback and maintain the 5'-0" side yard setback of the existing home. The 71 square-foot porch enclosure is well beyond the required 25' foot front yard setback. The project was approved.
- B. Director's Miscellaneous 12-24 (Setback); Beebee and Kalaghan; 4228 Chula Senda Lane:** Request to allow an encroaching barn to be converted into habitable space. The barn would be converted to office space for the use of the homeowner. In all, the converted barn is 488 sq. ft., of which 28 sq. ft. encroaches into the required 11'-5" side-yard setback. The encroaching area is existing and merely being converted from non-habitable area to habitable area. The existing side-yard setback is 5'-4" which would remain unchanged. The project was approved.
- C. Director's Miscellaneous 12-14 (Setback); Wang and Qian; 1433 Olive Lane:** Request to create two new bedrooms along the southwest side of the flag lot. The required front-yard setback for the flag lot is 25'-0" and the proposed addition would have a 5'-0" setback. This would be a 20'-0" encroachment. The required side-yard setback is 13'-3" and the addition would have a 5'-0" setback on the west side. This would be an 8'-3" encroachment. The addition would not encroach any closer than the existing house in the front and on the west side. Also as part of the project, the applicant is proposing to enclose a 287 sq. ft. existing porch on the north side of the residence that would have compliant setbacks. In all, the floor area would increase to 4,354 sq. ft. which is under the 4,500 maximum allowed for the lot. The project was approved.
- D. Director's Miscellaneous 12-26 (Setback); Crabtree; 545 Georgian Road:** Request to extend the garage forward of the existing garage by 4'-0". The required front-yard setback is 58'-8" and the new forward projection of the garage would be setback 51'-5" from the front property line. This would be a 7'-3" encroachment. Additionally, the required side-yard setback is 8'-0" and the garage addition would have a 5'-3" setback on the west side. This would be a 2'-9" encroachment. The garage addition would not encroach any closer than the existing house in the front and on the west side. Also as part of the project, the applicant is proposing additions to the rear of the property that

would have compliant setbacks. In all, the floor area would increase to 3,832 sq. ft. which is under the 5,346 maximum allowed for the lot. The project was approved.

## **XII. COMMENTS FROM THE COMMISSIONERS**

Commissioner Gunter asked about the construction fence on 835 Berkshire Avenue.

Assistant Planner Parinas stated that the fence is a current code enforcement case. The property owner cannot keep the fence without valid building permit. The property owner is attempting to obtain a demolition permit

Commissioner Gunter asked about houses under construction that have been abandoned. He used the house located at El Vago Street as an example.

Director Stanley stated that abandoned houses become code enforcement cases. He stated that he will present a report to Planning Commission regarding the issue.

Commissioner Curtis asked about the amount of code enforcement cases the City receives.

Director Stanley responded that the City receives approximately 400 cases a year.

Chairman Der Sarkissian asked about the project on St. Katherine Drive and Chevy Chase Drive.

Director Stanley stated that the property owner is currently dealing with issues from Public Works.

Assistant Planner Parinas stated that the Tree Removal permit application will be taken back to Planning Commission on 9/25/12.

## **XIII. COMMENTS FROM THE DIRECTOR**

Director Stanley informed the Planning Commission that the City Council will review the General Plan on 9/17/12 and the Tree Ordinance on 10/1/12.

**XIV. ADJOURNMENT:** 9:19 p.m.