

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD SEPTEMBER 14, 2004**

I. CALL TO ORDER:

Chairwoman Mehranian called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Cahill, Davitt, Gelhaar and Engler, City Attorney Steres, Director of Community Development Stanley, Planning Assistant Gjolme and Planning Aide Shimazu.

III. PLEDGE OF ALLEGIANCE

Commissioner Davitt led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC:

Comments were not offered.

V. CONSENT CALENDAR:

A. Minutes of July 27, 2004 - M/S/C Davitt/Engler to adopt the minutes with a date correction on page 1. Unanimous.

B. Lot Line Adjustment 04-05; Crescenta, Canada YMCA; 1930 Foothill Boulevard/Norrnan Eversole; 1856 Foothill Boulevard:

Director Stanley described the request to re-align a common property line and transfer 18,510-sf from the Eversole property to the YMCA. The area in question (Foothill frontage) has historically been rented by the Eversoles to the YMCA, who has paved, striped, planted and used the area for parking purposes.

The YMCA property is zoned Public/Semi-Public; the Eversole property is R-1. Director Stanley advised that the Zoning Code allows use of R-1 property for parking when it is contiguous to property in certain zones. The list of permitted zones does not include Public/Semi-Public. Two options to remedy the situation would be to amend the Zoning Code and include the P/PS Zone among the allowed zones, or amend the General Plan and Zoning Code and rezone the site to Public/Semi-Public. Staff suggested adding a condition requiring the applicant to apply for a General Plan Amendment and Zone Change.

Director Stanley noted that the use for the area in question would continue as parking.

M/S/C Davitt/Gelhaar to approve Lot Line Adjust 04-05 as conditioned.

Unanimous.

C. Hillside Development Permit 02-50; Gregorian; 5385 Vista Lejana Lane, finding of substantial conformance with prior approval.

Director Stanley reported it is not rare for adjustments to be made as a project progresses because of site constraints. In this case, the structural engineer provided a letter advising that he cannot locate the new footings in the same location without re-excavating the entire area to 5 ft beyond the existing footings. Rather than do that, the applicant is requesting to locate new footings just outside those existing. Doing so would add approximately 600-sf of floor area to the overall project. Upon reviewing the conditions of approval and adopted minutes, the main concern from the public and the Commission was the project's visibility. Staff determined that the additional 600-sf would not be visible and that all R-1 standards continue to be met. Additionally, the Director verbally approved the owner's request to add a basement on the condition that it be 100% below grade. While plans for that component have not been submitted, a new retaining wall might be required.

Chairwoman Mehranian asked for an explanation of the City's process when there are deviations from an approved plan.

Director Stanley assured the Commission that the revisions have not been made; rather the applicant's engineer made certain determinations based on existing site conditions. When the property owner approached him, Director Stanley included the request on the agenda for a finding of substantial conformance with the approved plan.

Commissioner Gelhaar confirmed that the pad elevation would not change from what was approved. He questioned if a new retaining wall was necessary in order to raise the soil elevation and get the basement 100% below grade.

Director Stanley advised that City code requires natural light into basements - the applicant would have to provide a skylight and a 5-ft walkway for the Fire Department.

Property owner Chris Gregorian explained that due to the descending slope, 5 caissons are needed, as there is not enough friction for new foundations. When the former home was demolished, his civil and soils engineers advised of the need for a "30-inch cushion". Otherwise, he would need to excavate five ft

below the existing foundation and remove, replace and re-compact the entire site, which is very costly.

Commissioner Gelhaar commented that the option is simply a matter of cost.

Responding to a question from Commissioner Gelhaar, Mr. Gregorian advised that a new retaining wall is needed to provide a skylight and ventilation for the basement. He reported of having purchased oleanders to screen the wall.

Commissioner Engler remarked that without the basement, there would be no need for a new downslope retaining wall.

Chairwoman Mehranian opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Davitt confirmed that notices of a hearing are not sent for items on the Consent Calendar.

City Attorney Steres addressed the Commission and advised that the item is on the agenda to determine whether the Commissioners believe the requested modifications conform with the existing approval. If they find it is not, the applicant's options are to build his project as approved or to apply for an amendment to the approval, which would be publicly noticed.

Commissioner Cahill confirmed there is no criteria to determine "substantial conformance".

City Attorney Steres added that such matters are more of a judgment call by the Director; the majority of such requests are not brought to the Commission.

Commissioner Engler stated that the problem was just a matter of cost for the property owner. He expressed concern with the new basement and believed the project should be built as approved and conditioned. Commissioner Gelhaar concurred.

Commissioner Cahill supported Staff's findings and did not believe the cost factor should be dismissed if the request upholds the intent of the approval. A review of the minutes revealed that initial concerns dealt with massing and the hauling of dirt. He was willing to consider mitigating factors that would make the situation less painful for the property owner. He did not have a problem with the additional 600 square feet, as it would not contribute to the massing.

A discussion followed regarding whether the basement would require additional truckloads. Mr. Gregorian explained that dirt from the basement excavation would be used to backfill the retaining wall, which would be 18" below finish grade. Additional export or input would not be required.

Commissioner Cahill noted that the existing plan would require hauling 20 truckloads of dirt and re-compacting the site. The current request would require only minimal export and not be visible.

Chairwoman Mehranian requested comments from the Commissioners.

Commissioner Davitt believed there are sufficient changes requested to give public notice.

Chairwoman Mehranian concurred, adding that it would be appropriate to schedule the modifications for public hearing or build the project as approved.

M/S/C Gelhaar/Davitt finding that the requested modifications are not in substantial conformance with the original approval. The motion passed 4-1 with Cahill dissenting.

VI. CONTINUED PUBLIC HEARING:

A. Modification 04-40; Tranz; 607 Wendover Road:

Assistant Planner Gjolme reported the applicant's request to legalize two structures that were constructed without permits --- a 570-sf garage which as partially constructed, encroaches into the required setbacks. Additionally, 8-ft-high entry gates were installed within the front yard setback.

The irregularly shaped lot is located along the curve between St, Katherine Drive and Wendover Road in the R-1-40,000 Zone. It is a hillside property with a 21% average slope and falls under the 'hairpin' lot category, therefore, both frontages are considered as "front yard" for purposes of establishing setbacks. It slopes upward from both streets with access taken from Wendover Road. Adjacent homes to the south and west are at equivalent or higher elevations; the home and subject garage are partially viewed from the street and from Sacred Heart Academy.

Staff administratively approved the hillside portion of the request; however, the setback encroachments require public review. Assistant Planner Gjolme stated that given the irregular configuration of the lot and topographical constraints, there is no functional yard space to the rear of the home - the site of the partially constructed garage could be considered as the 'rear' of the lot.

He noted that side and rear setbacks can be reduced for detached garages when located at the rear of properties. The 19-foot by 30-ft garage comprises 570-sf and is located in the most practical location, given the course of the driveway and adjacent auto court. Due to the narrowing of the lot, opportunities for compliant setbacks are very limited. As proposed, the 20-ft front setback represents a 5-ft encroachment, the 13 ft rear setback encroaches 2 ft and the 6-ft setback to the north encroaches 12-ft. Its 17 ft height exceeds the 15-ft maximum allowed for accessory structures and at 19 ft in depth, is below the minimum requirement for garages. A plan overview showed portions of the garage that would have to be removed to satisfy zoning criteria.

Gates -, Staff found the excess height to be arbitrary and did not find any legitimate privacy issue. Staff recommended lowering them to 6 ft as allowed with Decorative Fence approval.

Garage - The side and rear yard setbacks could be supported if the Planning Commission accepts the far north end as being the 'rear' of the property. Absent that, the entire project would be difficult to support. Staff could not make the findings to allow the front setback encroachment; doing so would only increase the prominence of the structure from St. Katherine Drive. Draft conditions require a compliant 25-ft front setback, a reduction in height to 15 ft and the depth increased by 1 ft.

Assistant Planner Gjolme pointed out the lack of functional yard space to the rear of the home and that the garage could be perceived as a "rear" garage as it is partially located behind the house.

Responding to a question from the Chair, Assistant Planner Gjolme commented that apparently, there have been a number of illegal construction activities on this site, which are subordinate to the request under consideration. Stop Work Orders have been issued, which means that this project could come again before the Commission.

Commissioner Gelhaar advised of having made a site visit. He did not believe this request should be separated from the illegal construction which represents approximately 800-sf of additional floor area and which would exceed the maximum floor area allowed. He noted that detached garages also require a 30° angle plane and an 8-ft eave height.

Assistant Planner Gjolme advised that the draft conditions assured full compliance with the exception of the required setbacks.

Project engineer George Boghossian, reported that he represented the applicant and the new property owner. He stated that “nothing has been touched” since issuance of the Stop Work Order and reiterated the difficulty in establishing property lines, even with Staff’s assistance. He pointed out that Sacred Heart Academy is across the street and properties to the exterior side are approximately 200 ft higher in elevation, making it very difficult to determine what the ‘average’ setback is for this site.

Mr. Boghossian advised that the garage is the “number one” issue and that his client(s) is willing to reduce its height. Since the setbacks are caused by the irregular configuration, he requested leniency and that he be allowed to leave the garage with 24 ft and 20-ft encroachments.

Regarding the over-height gates, Mr. Boghossian asked that they remain if possible, stating that they are antique and for the most part, not visible from the street. He advised that 90% of the neighbors support the project if the garage remained and if the project meets Code. He then read a letter from the new owner, Bob Penta, stating that the only work currently underway is by a security firm and roofers installing insulation.

Mr. Boghossian responded to a question from Commissioner Engler and advised that the garage was built by Justin Tranz, the former property owner.

Chairwoman Mehranian opened the public hearing.

Ramon Hannah, 3690 Karen Sue Lane, reported that the neighbors are concerned with the loss of property value due to the illegal construction done without permits. He disagreed with Mr. Boghossian’s statement that 90% of the owners support the project, as he represents many of those neighbors. Mr. Hannah advised there are CC & Rs recorded on the property and that the project required approval by the Architectural Review Committee for the area, which has not been done. On behalf of the immediate neighbors, he asked the Commission to enforce the City codes and regulations.

Responding to questions from Commissioner Gelhaar, Mr. Hannah advised that the patio and pergola were roofed within the last month.

Bill Watts, a local Realtor, spoke on behalf of his clients, the Hannas, who property is for sale. The Hannas have a downward view of the subject site and of the illegally built garage and patio structure. For the record, he advised that the subject property had been sold several times recently, but there is no record of a recent sale or when escrow closed.

John Offerman, who resides nearby, doubted that 90% of the neighbors approved the project as alleged by Mr. Boghossian.

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

Commissioner Davitt remarked that this was a difficult situation and agreed with Commissioner Gelhaar that more information is needed. He preferred that the request be scheduled for public review to be fair to the property owner and the neighbors.

Attorney Steres noted that the sole item in front of the Commission was the Modification. If the collective decision is that certain findings cannot be made, additional information is not pertinent; the garage would have to be removed or the decision appealed to the City Council. He noted that the size of the garage did not trigger a hillside amendment; its minimal sq. footage is subject only to the Director's review. However, other additions when combined with the garage, might have added enough sq. footage to require a Hillside Amendment and a Modification.

Commissioner Engler supported a denial.

Commissioner Cahill stated that two items troubled him; the report that the neighborhood has an Architectural Review Committee, which if true, anyone who buys land is made aware of and secondly, the piecemeal situation raised by Commissioner Gelhaar; he was not comfortable knowing that a covered patio might yet come before the Commission. Commissioner Cahill stated that he needs to know what pre-approvals are needed before anything comes before the Commission.

Chairwoman Mehranian commented that she was having difficulty understanding what it was the property owner wants to do and wanted assurance that construction has stopped. There is no project scope or description and she was unsure if a denial was appropriate without knowing what the plan is.

Though the Commission does not involve itself with Architectural CC & Rs, Commissioner Gelhaar preferred to see a sign-off of that review before the request comes back to the Commission.

Commissioner Engler stated that he could not make any of the findings; had the project gone through legitimate channels, chances are good that the garage would not have been allowed as sited.

Chairwoman Mehranian provided Mr. Boghossian with the options of either requesting a vote or a continuance.

Mr. Boghossian requested a continuance.

Director Stanley advised that the project could not be continued to a specific date due to extenuating circumstances, such as review by the neighborhood's Architectural Review Committee, a complete set of plans, et.

M/S/C Cahill/Davitt to continue Modification 04-40 to a date uncertain. 4-1; Engler dissenting.

Attorney Steres advised that notices would be mailed for the continued items and appropriate fees paid.

Director Stanley stated there would be no further construction until the property owner is authorized to do so from the Department of Building & Safety.

VII. PUBLIC HEARINGS:

A. Modification 04-38; Jenkins; 4450 Commonwealth Avenue:

Assistant Planner Gjolme described the applicants request to add a new 1,040-sf, second-floor that would encroach up to 10 ft into the required 15-ft north side yard setback. Total floor area of 3,227-sf is proposed, within the maximum allowed for the 9,675-sf property.

The project site is located on the east side of Commonwealth, immediately south of a parking lot that serves commercial property on Foothill Boulevard. It is zoned R-1-20,000. There is more than 100 ft from commercial on Foothill to the subject house.

The lot's 75-ft with requires a 15-ft setback for the second story. Three new bedrooms would be centrally located above the first floor and provide a north setback of 10 ft --- a 5-ft encroachment for the majority of the addition. A stairwell would project further to the north and align with the first floor's 5-ft north setback and present a 10-ft encroachment. Assistant Planner Gjolme noted that a small window bump-out reduces the setback to 4 ft; however it's similarity to a cantilevered bay window that would be allowed to encroach and the lack of a residential neighbor allow for positive findings. With the exception of the encroachment, the project meets all R-1 standards. Staff viewed the 10-ft setback as supportable, given the adjacent commercial parking

and because strict adherence to the required setbacks would not create any significant visual or privacy benefit.

Responding to a question from Commissioner Engler, Assistant Planner Gjolme confirmed that the majority of the second floor would provide a 10-ft setback; only the staircase would be at 5 ft.

The property owner was present for any questions and did not have anything to add.

Chairwoman Mehranian opened the public hearing; comments were not offered and the public hearing was closed.

Commissioner Cahill made a site visit and concurred with Staff's findings. He stated that the requested encroachment is minor and the northerly "neighbor" is a parking lot screened by trees. He believed that requiring a 15-ft setback for the second floor would result in an awkward looking structure.

The Commissioners agreed.

M/S/C Gelhaar/Davitt to approve Modification 04-38 as conditioned.
Unanimous.

B. Building Depth Review 04-06; Ramirez/Castro; 5026 Castle Road:

Commissioner Davitt was recused from the hearing and left the room, as he resides within 500-ft of the notice area.

Assistant Planner Gjolme described the proposal to expand the first and second-floors which would result in total building depth of 126 ft, exceeding the 60-ft review threshold. The project site is located on the east side of Castle Road, between Los Amigos and Countryman Lane, in the R-1-15,0000 zone.

The size of the home would be increased from 3,910-sf to 8,212-sf. Two, two-story wings would be added at the front and rear of the home, which is heavily screened and located on a lot over 39,000-sf in area. The house projects away from the street and fronts to the south, so that limited massing is exposed to the street. The lot's gentle fall towards the west exposes the home at three levels; the home's 33-ft, 6-inch height would be maintained and because it exceeds the 32-ft maximum, an Administrative Height Modification will be processed at Staff level. Setbacks would exceed code standards e.g., a 101-ft front setback, a 40-ft rear setback and a 72-ft south side setback.

The project requires removal of three non-protected trees and a portion of the canopy of a significant oak would have to be minimally removed to accommodate the project.

Responding to a question from Commission Engler regarding the oak near the driveway, Assistant Planner Gjolme advised that a property owner is allowed to remove 25% of the canopy without an arborist report. This project would not require trimming to that extent.

Project architect Kurt Beckmeyer, briefly described the self-contained, large property with the home facing the side property line, making Depth Review difficult to analyze. The home's presentation from the street is of a naturally wooded lot. The third story comes into play only in the far west corner; the remainder appears as a two-story home built under the eaves of a single-story.

Commissioner Gelhaar commented on the uniqueness of the lot and enthusiastically supported the project. He pointed out that the property to the north is at a higher elevation and he supported Staff's findings and conditions.

The Commissioners concurred.

M/S/C Gelhaar/Engler to approve Building Depth Review 04-06 with conditions as drafted. Unanimous.

Commissioner Davitt returned to the Commission table.

C. Tree Removal 04-38; Berberian; 4858-80 Commonwealth Avenue: Appeal of the Director's denial.

Planning Aide Shimazu reported the applicant's appeal of the Director's denial to remove an oak tree with a diameter of 22 inches, measured 4 ft above grade. The tree is growing on a common side property line. The appellant states that the subject tree is a volunteer oak, which grew during the time that 4 homes were developed adjacent to his home. In order to construct the home immediately north of his, 90% of the tree was "shaved", resulting in a one-sided tree, which leans over his roof and sheds acorns on his walkway.

Based on an inspection and information supplied by the appellant, it was determined that none of the conditions that must be met to remove a protected tree were present. Consequently, the request was denied. Mr. Berbian has appealed that decision, stating that either his neighbor or the City is responsible for the tree. Since the tree is on private property, Mr. Berbian was advised that either he and/or his neighbor must maintain the oak.

Appellant Zaven Barberian, a 39-year resident of 4858 Commonwealth, stated that he understood and appreciated the City's protection of trees. Since there

are required setbacks for trees, he questioned the lack of similar regulation for trees and added that this matter revolves around ownership of the tree in question.

Commissioner Engler supported the Director's determination.

Commissioner Davitt stated that he could not make the finding as the Ordinance is written.

Commissioner Gelhaar agreed.

Commissioner Cahill also agreed, noting there is no visible sign of the tree interfering with the structure.

M/S/C Gelhaar/Davitt to deny the appeal. Unanimous.

D. Tree Removal 04-46; Khalil; 4204 Woodleigh Lane: appeal of the Director's denial.

Planning Aide Shimazu reported that the Director had denied a request to remove an oak with a diameter of 17", measured 4 ft above grade. The oak is located in front of a newly constructed porte-cochere. Landscape architect Christopher Cox, advises that the oak was incorrectly shown on the survey by the civil engineer and that its true location makes it difficult for a vehicle to pass through the porte-cochere. Mr. Cox also asserts that the oak poses a hazard to the structure and the safety of his clients.

The Director could not make any of the required findings that would allow removal of the oak. The oak does not interfere with any structures and there are no evident conditions to support hardship. Mr. Shimazu noted that the earlier plans proposed a figure-eight driveway winding around two oaks. Since the tree appears to be healthy, the request was denied, which Mr. Cox later appealed on behalf of his clients.

Director Stanley pointed out that the garage can be accessed from the east side and a gate on the south side of the garage could accommodate a car; therefore, there is no necessity of accessing the garage through the porte-cochere. The applicant is aware of the City's Tree Ordinance; he recalled another issue with a cabana that was constructed only to be demolished and relocated due to constructing it too close to another significant oak. The applicant could have approached the City when the proximity of the oak to the porte-cochere was obvious - either before or during the early stages of construction. Staff believes there are alternatives to accessing the garage without removing the oak in question and recommended denying the appeal.

Commissioner Engler confirmed that the oak preceded construction of the porte-cochere and recalled that the property owner was allowed to remove a sizeable limb to accommodate the second-floor of his home.

Landscape architect Christopher Cox, reported that he was recently retained by his clients. He noted there are 23 oaks on site and the home's unusual footprint results from designing around and protecting the oaks. The design submitted to the City showing the driveway going around the porte-cochere, is not feasible because the subject oak was incorrectly shown on the site plan by the engineer. The oak is actually closer to the porte-cochere than shown on the plan. Mr. Cox advised that his client's have never removed any of the trees or their limbs without authorization to the extent that after building a cabaña, they demolished and relocated it due to another oak being incorrectly shown on the site plan.

The subject oak is located 11 ft from the front of the porte-cochere, which Mr. Cox believes poses a danger and hardship for his clients and does not provide the minimum turning radius required. The confined area will also pose a hardship for a disable child, who will soon be driving. Mr. Cox stated that the driveway approach suggested by the City would deprive his clients use of the porte-cochere and would result in 37% hardscape coverage in the front yard, on a heavily wooded site. He deemed it a liability to allow the oak to remain and stated that allowing removal of the oak would not change the character of the site whatsoever. Mr. Cox concluded by pointing out that his landscape plan includes installation of 16 additional trees and that he is trying to create a safe and useable situation.

Responding to a question from Commissioner Engler, Mr. Cox advised there is 12½-ft between the oak and the corner of the porte-cochere and a 14½-ft clearance.

Commissioner Cahill confirmed that the surveyor showed the oak incorrectly on the original site plan. The driveway looped around the oak with a turning radius that Mr. Cox advises does not meet safety standards.

Commissioner Gelhaar confirmed that prior to demolishing the original home, there was a breezeway between the garage and the main house and that the garage was accessed from Berkshire Avenue.

Chairwoman Mehranian opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Davitt stated that he could not make the findings that would allow removal of the oak; an engineer's mistake is not addressed in the Tree Ordinance.

Commissioner Engler agreed with Mr. Cox's assertion regarding safety but he felt it was obvious there was a problem when the house was laid out.

Commissioner Gelhaar supported the Director's denial and believed it should have been obvious when construction began on the porte-cochere that there was a problem.

Commissioner Cahill stated he could make the finding that the tree interferes with the porte-cochere as it clearly cannot be entered safely however, per Commissioner Gelhaar's comments, it is a self-imposed fact. He supported the Director's denial.

Chairwoman Mehranian concurred.

M/S/C Gelhaar/Davitt to deny the appeal of the Director's denial of Tree Removal 04-46. Unanimous.

- E. Hillside Development Permit 04-03; Cowell; 494 Starlight Crest Drive:** Planning Aide Shimazu reported that the City has received complaints from neighbors regarding poor maintenance and lack of landscaping at the above-referenced front yard. The situation has been ongoing for two years.

After waiting six months for Mr. Cowell to complete his application for a landscaping project, the City approved his request on July 28, 2004. A condition of approval required completion within a 5 week period, given the contractor's assurances that the entire project could be completed with 4 weeks, A copy of the approval was forwarded to the City Prosecutor, who wrote a letter to the property owner advising him that fines would be imposed if he failed to install the landscaping and remove construction debris by September 1, 2004.

The property owner appealed conditions 8, 9 and 13, citing financial hardship and advising that the 4 weeks alluded to by his contractor referred to lead time, rather than a completion date. His survey of contractors found this to be typical and he found that contractor will not bid projects with less than a 90-day finish date

Mr. Shimazu informed the Commission that the property owner failed to meet the September 1 deadline; verbal commitments are not satisfactory, even though the project is progressing.

Staff's analysis - conditions 8 and 9 are standard and applied to all projects to protect the City from certain liabilities. Staff recommended that the Commission deny the appeal.

Property owner Jeff Cowell advised the Commission that work began within a week of the approval. His contractor agreed to take the project based on a 90-day completion date; he is currently 30 days into that timeframe.

Since the contractor was not present, Commissioner Gelhaar confirmed that Mr. Cowell has a signed contract committing to 60 days to install the hardscape and 30 days for the softscape. The project is estimated to be completed by December 20.

Mr. Cowell acknowledged that "day one" occurred approximately 24 months ago and that he has two outstanding work permits which include a new roof, pool, etc. The landscaping was removed and not yet re-installed due to the extent of construction. He requested another 60 days to be allowed to exercise his contracts.

Chairwoman Mehranian invited testimony. Comments were not offered and the public hearing was closed.

Commissioner Cahill believed the condition requiring completion within 5 weeks was imposed to "light a fire" due to neighbors' complaints and was perhaps a little ambitious. Given that Mr. Cowell has a contract with a reasonable completion date, he believed it would be fair to support the requested 60-day extension.

The Commissioners agreed.

Commissioner Engler confirmed that the 60 days would not include weekends, when noisy contract work is not allowed.

M/S/C Cahill/Engler to support another 60 working days and denying the appeal of conditions 8 and 9. Unanimous.

VIII. COMMENTS FROM THE COMMISSIONERS

Commissioner Engler addressed the 365 Corona Drive project. The 2:1 slope appears more like 45 degrees. He was concerned how trees could be installed.

He suggested that the applicant re-shoot the grades to assure it's 2:1, rather than waiting later and having to tear everything out. He added that the crib wall was not being installed according to the manufacturer's installation directions.

Director Stanley stated that he would discuss this with the Building Inspector.

Commissioner Davitt advised that the property at the corner of Lyans and Rosebank, which contains enormous oaks, recently sold. He asked that Staff be aware of any calls or action that could involve tree removal.

IX. COMMENTS FROM THE DIRECTOR:

Director Stanley advised that the Rohan matter will again be before the City Council in October. He approved a request to remove an oak with a condition that it be replaced with 3 oaks. The property owner appealed the condition to the City Council, who funded an investigation to check if the oak in question was cracking the house foundation as asserted. It was determined that the siding was cracked, rather than the house itself. Since Ms. Rohan has not followed through with the Council's request, Staff has prepared a resolution for the Council's consideration.

On another matter, Director Stanley advised that the new intern in the Planning Department has prepared a list of city-authorized and licensed arborists, which will be posted on the City's website.

X. ADJOURNMENT

M/S/C Engler/Cahill to adjourn at 8:25 p.m. Unanimous.

Secretary to the Planning Commission