

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD SEPTEMBER 23, 2008**

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Commissioners Cahill (arrived at 6:06 p.m.), and Davitt, Vice Chair Hill and Chair Gelhaar.

Absent: Commissioner Curtis

III. PLEDGE OF ALLEGIANCE

Commissioner Davitt led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Nate Water stated his wife Lisa Novak had addressed the Council regarding the project at 1113 Uintah Street. He presented slides of the original plan for a two story, very large house. He displayed photographs of what was actually being constructed. He stated the house was a single story, being built up to 23 feet in height. He showed the view from his backyard. He stated the windows were looking down in to his garden. He expressed concern that the house was a two story house masquerading as a single story. He discussed the La Canada Residential Design Guidelines and references to mass and height and not overwhelming the neighbors. He discussed the "good neighbor considerations." He requested the Commission consider privacy and whether or not the attic conformed. He recommended the Commission consider any structure over 16 feet be considered as a two story building and come before the Commission for decision.

Chair Gelhaar suggested Mr. Water provide input during review of the guidelines. Senior Planner Buss indicated the house could be reviewed. Assistant Planner Parinas added that the Building inspector had reviewed the project and it was being built per plan.

V. REORDERING OF THE AGENDA

Chair Gelhaar moved Item IX. forward on the agenda.

VI. CONSENT CALENDAR

No items.

IX. OTHER BUSINESS

A. Tree Removal Permit 08-35; Mastro; 1917 Ravista Lane: Appeal of Director's denial to remove a 36" Deodar Cedar tree.

Senior Planner Buss provided an overview and explained that an applicant had requested permission to remove a tree. He explained review of the tree and stated staff could not make the appropriate findings for its removal. He stated staff had requested the applicant to deposit funds for a root examination but had refused. He stated the applicant was appealing the Director's determination.

Serena Mastro stated there were currently 9 trees on their property. She stated there were electric lines dropping sparks during winds and that the tree was in a tight space where it should never have been planted. She stated the tree hung over the neighbors house as well. She stated the roots were large and lifting the concrete walk. She requested the tree be allowed to be removed. She presented photographs of the existing situation.

Commissioner Davitt asked about the recommendation from the Fire Department to remove the tree. Ms. Mastro stated she had initially contacted the Fire Department.

Chair Gelhaar closed the public hearing.

Commissioner Hill stated an arborist report would have been helpful. He indicated he could not make the necessary findings to overturn the Director's determination.

Commissioner Davitt stated he visited the site and agreed that an arborist report would have been helpful.

Commissioner Cahill stated he viewed the tree from the street and it was a prominent, beautiful feature. He stated he could not make the findings for removal.

Chair Gelhaar concurred and agreed with the Director's decision.

MOTION Commissioner Cahill moved and Commissioner Davitt seconded a motion to uphold the Director's determination. The motion carried 4-0, Commissioner Curtis absent.

Senior Planner Buss explained that the request had been denied and the applicant had 15 days to appeal to the City Council.

VII. CONTINUED PUBLIC HEARINGS:

A. Conditional Use Permit 430, Variance 08-06; Robert Dreyfuss/La Canada Flintridge Country Club; 5500 Godbey Drive (Lot 11-LCF 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 stated the item had previously been continued to allow the applicant the opportunity to erect story poles. He stated the application was for a putting and chipping green. He discussed the bermed bunker. He explained that the Commission might wish to discuss the practice green. He provided photographs depicting the story poles. He stated the appearance of the structure had been a concern and landscaping would be critical. He stated staff continued to recommend approval of the project.

Robert Dreyfuss, La Canada Country Club, indicated they had installed the story poles and laid out the chipping green. He stated they had tested for potential noise. He stated staff would be onsite and people would not be allowed to hit towards the street. He explained the bunker, berm and hedge being installed to prevent balls from going on to the street.

In response to Chair Gelhaar, Mr. Dreyfus stated electric golf cars were used. Chair Gelhaar asked the first start time. Mr. Dreyfus stated 8:00 a.m. He stated staff would be at the facility at 7:00 a.m. and the facility would close at dusk.

Ned Russell (5609 Burning Tree) thanked the Commission for requiring the installation of story poles. He discussed the proposed structure and appearance. He stated the current practice area could accommodate the proposed structure. He stated the proposed site would not be adequately monitored. He stated he would rather be looking at condominiums instead of the proposed structure. He expressed concern regarding the diminished views caused by the proposed structure. He submitted a petition signed by the neighbors.

Doris Horowitz addressed the Commission regarding the proposed driving range and expressed concern regarding the impact to the view from her home. She suggested the driving range be located somewhere else on the golf course, away from the adjacent neighbors. She expressed concern regarding the disturbance to the residents. She requested the Commission deny the project.

Richard Cohen (5403 Godbey) displayed a diagram of the present practice area. He stated the proposed driving range could be relocated. He stated the notice for the meeting incorrectly indicated the variance number. He disagreed that the project was categorically exempt under California Environmental Quality Act (CEQA) and that an environmental impact report was necessary. He stated the driving range would attract new members which would increase noise, traffic and impact the environment. He stated the chipping range could injure people, destroy property and would create a dangerous situation. He stated the chipping area, putting area and driving range should remain in the current location. He stated the driving range was unattractive and would destroy the adjacent homeowner's views. He stated there had been other opportunities to build a driving range but homes had been developed instead. He suggested the driving range be relocated. He requested inclusion of the following conditions, if the project were approved: 1) that the hours of operation be limited to 8 am to 5 pm; 2) installation of a 3-4 foot hedge to cover the poles along Godbey Drive from the top of his property to the end of the driving range and putting green; 3) planting of tall trees all around the driving range so it was not visible; 4) prohibiting lights in perpetuity; 5) allowing only a putting green, or chipping area; 6) reconfiguring the greens to lessen the possibility of damage occurring or people being hurt; 7) requiring the Country Club to maintain the strip of land on Godbey Drive next to the chipping and putting area; 8) requiring maintenance of the strip of land on Meadow View; and 9) maintaining the strips outside fence along Starlight Crest Drive. He stated the pictures showed what an imposition the driving range would be.

Mr. Dreyfuss explained that mowing would not occur because the driving range would be synthetic turf. He stated the driving range was not visible from Mr. Cohen's home. He stated the range was located in the least impacted area.

In response to Commissioner Hill, Mr. Dreyfuss explained the size of the range and green. He explained the efforts to reduce the risk of stray balls. He discussed balls being hit out the sand trap.

In response to Commissioner Davitt, Mr. Dreyfuss indicated their intent was to have a dedicated staff person at the driving range at all times and to require check in and check out.

Chair Gelhaar stated his desire was for the Country Club to remain a country club. He expressed concern regarding noise, views and safety. He stated he could not approve the chipping area due to safety concerns. He suggested moving the putting green and sand trap to the location of the chipping area. He requested the use of green poles and fencing rather than black. He stated the landscaping plan lacked shielding on the north side. He suggested a condition requiring the

City arborist work with the Director to come up with a landscaping plan that would completely shield the north side of the driving range and to retain the existing trees. He suggested planting additional pine trees around the homes with balconies. He stated he could make the necessary findings with the added conditions.

Commissioner Cahill expressed concern between the conflict of the personal right to use their property and the necessary findings for the conditional use permit and variance. He stated the driving range would be a large, visible, imposing object. He stated it would affect the scenery. He stated it would detract from aesthetic views. He stated he would not vote in favor of the driving range. He stated he was less concerned with the pitching green after viewing it. He stated he could approve the pitching green with the addition of Chair Gelhaar's suggestions.

Commissioner Davitt stated he read the original staff report and visited the site. He stated the proposal was consistent with the use of the property. He stated Chair Gelhaar's recommendations would reduce the visual impact. He concurred with Commissioner Cahill regarding the chipping green. He requested a condition requiring staffing of the driving range during operating hours. He suggested prohibiting lighting. He stated he could make the required findings and approve the project with the proposed conditions.

Commissioner Hill expressed concern regarding the safety near the chipping green.

Chair Gelhaar stated the chipping area could be eliminated.

MOTION Commissioner Davitt moved and Commissioner Hill seconded a motion to approve Conditional Use Permit 430 and Variance 08-06 for 5500 Godbey with additional conditions that an arborist be retained by the applicant to work with the Director of Community Development to instill a comprehensive landscape plan to be completed prior to approval of the project, including but not limited to adequate screening to screen the driving range; green netting and poles to blend with grass; that the applicant is required to have staff onsite to monitor activity at the area; that the driving range be moved northwest and chipping area eliminated; lighting prohibited forever; hours of operation to be 8 am to dusk; and continuation of the pine trees along the eastern flank of the Godbey loop for the benefit of the balconies. The motion carried 3-1, Commissioner Cahill dissenting. Chair Gelhaar reminds the audience of the fifteen day appeal period.

VIII. PUBLIC HEARINGS:

A. Second-Floor Review 07-56, Setback Modification 07-54, Tree Removal 08-26; Kim; 5266 Alta Canyon Road: Request to construct a new 6,173 sq. ft. two-story residence on a 22,270 sq. ft. lot. A Setback Modification is also requested to allow the front of the residence to encroach 7'-6" into the required 50-foot front-yard setback. The applicant is also proposing to remove a 24" protected Deodar Cedar tree.

Assistant Planner Lang presented the staff report. She described the front yard fall and location of adjacent neighbors. She presented the proposed site plan. She explained that staff had requested the applicant shift the basement to the west. She stated there was a Redwood tree and Pine tree that the applicant wished to retain. She discussed the requested setbacks. She displayed the proposed floor plans and explained the attic space. She stated the applicant had worked with staff to create a palatable project. She discussed the proposed finishes and Tudor style. She stated, at staff's request, the second floor had been lowered from 32 to 31 feet. She displayed the side elevation depicting the single story wing. She presented sections provided by the applicant and site photos of the story poles. She discussed the protection of trees. She displayed photographs of the story poles and neighborhood photographs. She stated the Tudor style would be consistent with other homes in the neighborhood. She stated the tree removal was a staff determination but was included since it was directly related to the structure request. She stated she had added a condition requiring an arborist review the driveway configuration and basement configuration. She stated staff would recommend positive findings and approval.

Chair Gelhaar asked which trees were being removed. Assistant Planner Lang displayed the trees requested for removal.

Commissioner Cahill questioned the protected trees. Assistant Planner Lang stated they would be working in conjunction with Public Works to reconfigure the driveway to ensure City trees were protected. Commissioner Cahill stated he would like to know which trees would be remaining.

Commissioner Davitt asked about the basement location. Assistant Planner Lang displayed the proposed basement outline. She stated it had been shifted west by 6-8 feet.

Cindy Debrower (5227 Alta Canyon) stated she had not received notice of the meeting. She stated she was shocked that the project was not designed to fit within the City's rules and standards. She stated it was not within the design of the street and was too large. She stated the rules should be followed. She stated she did not want any trees removed.

Michael Burch (5237 Alta Canyonada) concurred with Ms. Debrower's comments. He stated the front yard encroachment was not necessary. He expressed concern regarding the potential future bootleg square footage of the attic.

Richard Pejha (5305 Linda Vista) discussed their view of the trees on the property. He expressed concern that they would be looking directly at the house. He discussed drainage from his property and disruption to the water fall due to construction. He asked why so many trees had to be removed and why the neighbors were impacted by the loss of trees.

Diane Wilk (5357 Alta Canyonada) stated she was an architect and sat on design review boards. She stated the house that used to be on lot was an eye sore but the trees hid it. She stated the lot was large but the house was too big and would create a significant impact on the neighborhood. She stated the square footage could be contained within the required setbacks. She discussed the elevations and floor plan and stated the house could be reconfigured to reduce the impact on the site. She urged the Commission to really think hard about approving a house that was not within the guidelines.

Raymond Forz (5260 Alta Canyonada) stated he was pleased that the height on his side was reduced. He expressed concern regarding the removal of trees.

Robert Craven (5279 Linda Vista) stated complimented the City for providing the public the opportunity to comment on projects. He stated the house was too large and too high. He suggested the property be graded to lower the house. He discussed removal of trees and requested the interior and frontage trees be protected.

Samuel Oh, applicant, discussed efforts to minimize the mass and bulk, reduce square footage and desire to maintain a single story on the east side. He discussed removal of trees.

Chair Gelhaar closed the public hearing.

Senior Planner Buss discussed drainage review required during the building permit process.

Commissioner Cahill stated he visited the site. He stated he appreciated the story poles. He stated the house was large although it fit within the size requirements. He expressed concern regarding removal of trees. He stated he was interested in knowing which trees would survive and which would be removed. He stated he could not make the findings with respect to setback.

Commissioner Hill stated he initially thought he was within the 500 foot radius but he is not. He stated he had no personal interest with the property. He stated he walked around the property. He stated the house was large and imposing. He stated it appeared there would be a lot of trees removed. He stated the setback modification and tree removal permit might not be necessary with slight modifications.

Commissioner Davitt concurred with the other commissioners. He stated tree removal would impact the neighborhood. He stated the house was big and on a big lot. He requested additional information on the proposed landscaping.

Chair Gelhaar agreed with the other Commissioners. He stated he was concerned with which trees would remain and be removed. He requested a continuance for redesign and landscape plan showing tree removal and its effect. He stated he could not make the necessary findings for setback modification. He asked the applicant if he would prefer a continuance or vote of the Commission. Mr. Oh stated they would prefer a continuance. Senior Planner Buss suggested continuing the hearing to October 28, 2008.

MOTION Commissioner Davitt moved and Commissioner Hill seconded a motion to continue the hearing to October 28, 2008.

B. Tree Removal 08-32; Brandon Lee/Jungai Lee/Vertex Investment; 1110 Lavender Lane: Request to allow removal of a double trunk Sycamore tree with diameters that measure 24 and 36 inches (54" combined trunk - heritage tree).

Assistant Planner Parinas provided the staff report. She displayed the location of the tree. She stated the tree removal request was the product of a stop work order. She discussed the draft negative declaration and indicated no public comments had been received. She stated the City and applicant arborists both recommended removal. She stated the environmental effects of the tree removal would be mitigated by replacement plants. She indicated staff recommended approval of Tree Removal Permit No. 08-32.

Jay Johnson, representing the applicant, stated the work done on the property was done by a prior property owners and the property had recently been purchased by his client. He stated the arborist's reports indicated the tree was hazardous. He requested allowing either a deposit to the City's Tree Fund or use of trees other than Sycamores. Assistant Planner Parinas stated the assessed value of the tree being removed was \$16,991.76 which would be the required deposit for the Tree Fund. Mr. Johnson requested they be allowed to plant protected trees but not necessarily Sycamores.

Chair Gelhaar closed the public hearing. He stated, in the past, the City had been most concerned that a protected tree was planted, not necessarily the type of tree.

Commissioner Davitt indicated he drove by the site and he concurred with staff's conclusions. He agreed to modify the condition that there be at least a minimum of two protected trees be installed or the appropriate tree deposit could be made.

Commissioner Hill stated he had not visited the site because the staff report indicated the tree was diseased. He indicated support for removal of the tree. He stated the applicant should be allowed to plant what he wanted in consultation with the Director.

Commissioner Cahill stated the tree was diseased which was not the fault of the applicant and therefore mitigation should not be required. He indicated support for allowing a replacement of other types of trees.

Chair Gelhaar agreed with Commissioner Cahill and indicated support for replacement with 2 trees.

MOTION Commissioner Cahill moved and Commissioner Hill seconded a motion to allow removal of a double trunk Sycamore tree with diameters that measure 24 and 36 inches (54" combined trunk - heritage tree) with the replacement by two 48 inch protected trees. The motion carried 4-0, Commissioner Curtis absent.

C. Hillside Development Permit 08-40, Second Floor Review 08-23, Setback Modification 08-11; Hanna; 3958 Hampstead Road: Request to construct a new 4,306-sf 2-story residence on the 31,680-sf lot. A Setback Modification is also requested to allow substandard 1st and 2nd-floor side setbacks to the east and an over-height retaining wall in the front and east side setback. A similar project was approved by the Commission in 2007; however, because the approval expired prior to start of construction, re-approval is sought.

Planner Gjolme presented the staff report. He discussed prior project approvals on the site. He reviewed the new proposed plan and discussed the size and topography of the property. He provided an overview of five homes recently approved in the neighborhood. He stated there was not a distinct pattern of architectural style or size. He stated the proposal made use of the eastern portion of the pad. He stated the proposed project was qualified as a new 2-story development. He discussed setbacks of the current proposal and previously approved projects. He stated the proposed setbacks seemed appropriate and reasonable. He stated the main change was a consolidated floor plan and

removal of required retaining wall. He explained that an inward facing retaining wall would be utilized in order to comply with County requirements. He stated the retaining wall was below street level and virtually unseen from offsite. He discussed the first floor footprint. He discussed the walkways required by the Fire Department and separation from the existing trees. He stated the total project request was for a 4306 square foot house which was within the limit for the lot. He displayed the proposed elevations. He stated the hillside issues were mitigated by the landscaping and placement of the project on the site. He expressed concern regarding the entry element and stated it seemed excessive and arbitrary. He stated 10 foot first floor plates and 9 foot second floor plates were proposed. He stated the most recent plan was much better and staff would recommend approval of all three requested entitlements.

Maher Hanna, property owner, discussed improvements to the proposed plan. He discussed Fire Department requirements. He explained the proposed stairways.

Chair Gelhaar closed the public hearing.

Commissioner Hill agreed with the staff report including lowering the entranceway. He indicated support for the project.

Commissioner Davitt concurred.

Commissioner Cahill concurred.

Planner Gjolme requested clarification on reduction of the plate height.

The Commissioner concurred that it was not necessary to lower the plate height.

MOTION Commissioner Davitt moved and Commissioner Hill seconded a motion to approve Hillside Development Permit 08-40, Second Floor Review 08-23, Setback Modification 08-11; Hanna; 3958 Hampstead Road eliminating Condition No. 20. The motion carried 4-0, Commissioner Curtis absent.

X. COMMENTS FROM THE COMMISSIONERS

Commissioner Cahill requested a copy of the Design Guidelines.

Chair Gelhaar requested completed story poles be removed in a timely manner. Senior Planner Buss suggested including removal of the story poles in the conditions of approval. Staff indicated it would add removal of story poles to the check list.

Commissioner Cahill requested landscape plans indicating protected and removable trees.

Commissioner Cahill suggested red and green ribbons be utilized to display trees that should remain and be removed.

Planner Gjolme asked if the bunker was still allowed on the Country Club project. Chair Gelhaar stated his intent was for the bunker to remain, just be moved 70 feet.

Chair Gelhaar expressed concern regarding completion of the minutes. Senior Planner Buss indicated three sets of minutes were out to the transcription service. He discussed time constraints in the department. Chair Gelhaar discussed the need to get the minutes approved and on the website.

Commissioner Cahill requested the agenda be posted on the website.

XI. COMMENTS FROM THE DIRECTOR

XII. ADJOURNMENT

Chair Gelhaar adjourned the meeting at 8:38 p.m.

Secretary to the Planning Commission