

CITY OF **LA CAÑADA FLINTRIDGE**

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON SEPTEMBER 23, 2014**

- I. CALL TO ORDER:** 6:00 pm
- II. ROLL:** Chairman Walker, Vice Chairman Jain, Commissioners Gunter, and Smith.  
Absent: McConnell
- III. PLEDGE OF ALLEGIANCE**
- IV. COMMENTS FROM THE PUBLIC:**

Steven Brown, 3757 Normandy Drive, provided an update on 3745 Normandy Drive. He stated that another permit was issued by Planning before the current permit is complete. He claimed that the approval notice's appeal information had been incorrect. He expressed a desire for completion of the original project, with fencing taken down and the dirt driveway paved before another is started.

- V. REORDERING OF THE AGENDA:** none
- VI. CONSENT CALENDAR:** M/S/C Gunter/Jain 3-0-1 (Smith, not yet on PC, abstained)
  - A. **Minutes:** May 13, 2014
  - B. **Minutes:** May 27, 2014

**VII. CONTINUED PUBLIC HEARINGS**

- A. **4537 El Camino Corto:**  
Second Floor Review 14-24  
Isdaelian/Paronian

Request to allow construction of a code-compliant 3,348 sq. ft. 2-story residence on a 9,300 sq. ft. lot. Staff is recommending approval of a Categorical Exemption for this project. (Consultant Planner Cantrell)

Consultant Cantrell presented the project, continued from July 22. He noted that the applicant had addressed the Commission's concerns effectively. The house pad elevation had been lowered, now more than 4 feet below the demolished house's pad. The blockiness of the previous design had been mitigated through lowering the south portion of the roof, and by extending a trellis along the façade. The setback had been increased by a foot to the porch columns and an additional 3 feet to the recessed facade. The neighbor's trees to the north of the driveway were now shown on the plan, and staff included a condition to keep the planters at their current 7 foot width proximate to the tree trunks, while allowing a narrower planter elsewhere.

New landscape exhibits were handed to the Commission – received minutes before the meeting.

Commissioner Smith asked about the landscaping plans. Mr. Cantrell noted that the primary feature was crape myrtle trees along both side property lines.

Chair Walker asked if the story poles were measured by staff. Mr. Cantrell stated that they had not been. Commissioner Smith asked about criteria for story poles, noting that the project's poles did not outline the level of detail of some previous poles. Director Stanley explained what should be shown, chiefly eave and ridgelines. Mr. Cantrell exhibited current photos of the project's story poles.

Applicant and designer Arthur Isdaelian stated that he tried to soften the front, made changes to the driveway, and lowered the house, including the ceiling.

Tom Caswell, 4609 El Camino Corto, stated that he was very pleased with the revisions and that he thinks that the house will be great for the neighborhood and city.

Chair Walker closed the public hearing at Close at 6:25pm.

Commissioner Jain stated that he had visited the site again, and that he was comfortable with the revised story poles. He noted that the applicant had responded well to Commission direction. He stated support for the project as revised and conditioned.

Commissioner Smith stated that he had visited the site recently. He lauded the lowering of the pad as well as the new design elements. He stated that he would have preferred keeping the stone on the sides as before. He confirmed that the southwest corner is the point from which building height was measured.

Commissioner Gunter stated that he also had revisited the site. He supported the height and massing, but was still slightly uncomfortable with the front façade. He appreciated the changes by the applicant and that the neighbors like the revisions. He expressed concern about the window trim, noting that it is important that it not be reduced from what was indicated.

Chair Walker had revisited the site and agreed with the others Commissioners. She stated that she did not have a problem with the rocks not wrapping around, given the chimney's effect. She suggested that the Commission could place a condition about the window trim.

Commissioner Jain noted that it should be as shown on drawings. Commissioner Gunter confirmed that any changes to the window trim it would trigger substantial conformance evaluation.

M/S/C Gunter/Jain approval as conditioned, 4-0.

## **VIII. PUBLIC HEARINGS**

### **A. 964 Foothill Boulevard:**

## Minor Conditional Use Permit 502

### Partners Trust/Totta

Request to allow a new real estate office use within an existing tenant space. The project is located in the Mixed Use 2 zone of the Downtown Village Specific Plan (DVSP). Staff is recommending approval of a Categorical Exemption for this project. (Consultant Planner Cantrell)

Consultant Cantrell makes brief presentation at request of Commission. He noted the prior Variance from 2005, allowing the existing parking to support any future uses. This variance had grown less stringent since the parking standards had been reduced in the intervening years.

Mr. Cantrell noted that office use Conditional Use Permit requirements have two objectives: protecting the prospect of district vitality, and preventing nuisance effects.

Mr. Cantrell noted the nearby uses, especially Hill Street Café, Flintridge Bookstore, and the Town Center shops across Foothill. Although these are proven neighborhood draws, the area does not have the synergy of pedestrian vitality or much prospect of it in the future. Each of those uses has its own parking, and there is very little pedestrian activity along Foothill in between.

With regard to potential nuisance, Mr. Cantrell noted that it would be limited to parking, already addressed in a general sense by the Variance. He stated that realty uses typically have very low intensity with regard to parking, since most agents are in the field or working from home. The exception is officewide staff meetings, and in the past the City has conditioned realty approvals on limitations to such office meetings. In this case, staff regards this as appropriate, since such meetings could adversely affect other commercial tenants as well as nearby residents. Staff recommended a condition limiting staff meetings to once per week, between the hours of 6pm and 9pm. Staff had discussed this with Partners Trust and gotten an affirmative response.

Staff recommended positive findings and approval.

Commissioner Smith asked about Design Review. Mr. Cantrell noted that the review had already occurred, resulting in approval of the signs as the only exterior work. He showed the signs.

Commissioner Gunter asked what would happen to the sign approval if the use is denied. Mr. Cantrell stated that the sign approval would be moot, with no City action needed. He also confirmed that staff did not conduct a parking analysis to support the hours chosen for the staff meetings. Mr. Cantrell noted that such conditions had been placed in the past, and that the hours are based on staff's experience with such cases as well as the particular uses at the project location.

Chair Walker opened the public hearing at 6:44pm.

Applicant, Chaddy Arrieta, COO of Partners Trust, stated that it is a boutique real estate business with La Canada comprising its seventh office. Responding to a question from Commissioner Smith, she stated that the office would have between 25 and 35 agents.

Chair Walker closed the public hearing at 6:48pm.

Commissioner Smith stated little concern about the number of agents, given their infrequency of office use.

Commissioner Gunter had visited the site, and believed that this location is acceptable for the office use, with the condition limiting meetings to once a week. He questioned the need for the hours limitation.

Commissioner Jain had visited the site, and did not believe that the staff meeting hours should be constrained. time should not be constrained within the once weekly limit.

Chair Walker agreed that realty offices are not big traffic generatgors, and that it would not be a problem during the day. She prefers the hours limitation, but would not oppose removing it.

Commissioner Gunter stated that he was not concerned about the hours limitation on staff meetings for the current use, but about the potential effect on future uses in 20 years. He stated that the condition should remain if the applicant is not opposed to it.

Commissioner Smith concurred with the time limit portion of the condition as helpful to the other businesses.

Commissioner Jain stated his opposition to the time restrictions personally opposed to time limit because other users will be in the area at 6pm, and the restaurant is next door.

M/S/C Smith/Gunter approval including time limit condition for staff meetings: 3-1; No: Jain

**B. 4710 Oakwood Avenue:**

Second Floor Review 14-07/Modification (Setback) 14-12  
Lam/Malouf

Request to allow the construction of a 3,849-square foot two-story house. A Setback Modification is required because the project encroaches 2'-0" into the required 7'-0" first-floor north side setback. Staff is recommending approval of a Categorical Exemption for this project. (Assistant Planner Parinas)

Assistant Planner Parinas gave an overview of the corner lot, which has normal street frontage as well as a flag strip. She displayed the existing house footprint, with overlays of the first and second floors. The existing 5-foot sideyard setback was proposed to remain on the north side, which staff regarded as reasonable given its longstanding history and consistency with neighborhood patterns. Staff did not regard it as posing a crowded effect. On the other side, the existing 2'-8" setback would be increased to 9'-2".

The second-floor setbacks would exceed the 14-foot code minimum, and the front and rear setbacks would also exceed code.

The neighbor on the north side had sent an email stating no problem with the 5-foot setback, but expressing concerns about the lack of front yard landscaping and recommending a condition to add it.

The house would reach a 25'-4" height, well below the 32-foot height limit. A Spanish style would be followed.

While there would be a balcony at the rear elevation, staff identified no privacy concern, given the screening along the rear property line and the 80-foot distance to the neighbor. On the north and south side elevations, bedroom windows overlooking neighbors would be screened.

The neighboring houses are mostly one-story, with 2-story immediately north and across the street.

Staff regards the design as sensitive and compatible with its surroundings, and recommends positive findings and approval.

Commissioner Gunter noted that the house is considered new because it exceeds the threshold extent of roof removal. Assistant Planner Parinas noted that this is why a setback modification is required. Commissioner Gunter asked about a hardship argument, which Ms. Parinas verified that the Commission would have to make.

Commissioner Smith stated concern about bedroom windows, which he had hoped would be of clerestory height but were not shown as such on the drawings.

Chair Walker opened the public hearing.

Winnie Lam, project designer/engineer, introduced the homeowners, noting how their house of 8 years is too small. She stated that they were saving the foundation and wall at the nonconforming setback. She noted that Sheet A3.0 shows the extent of the retained house.

With regard to windows, Ms. Lam stated that a condition on minimum sill height, currently shown at around 4 feet, would be acceptable. She noted that the second floor setback is at 14 and 15 feet.

Commissioner Gunter inquired about the assumption that the existing wall could hold a second story. Ms. Lam replied that if the footing needs to be bigger, it can be done without affecting the interior. Commissioner Gunter asked if it's not mainly just cheaper and convenient, rather than undue hardship. Ms. Lam acknowledged that it was a matter of saving time and money, and that it doesn't make sense to remove all that good material. Commissioner Gunter noted that they are removing 80% and saving 20%, but they could save a different 20% and comply with setback requirements.

Chair Walker asked if strengthening the foundation would result in further encroachment. Ms. Lam stated that it would be underground.

Commissioner Smith inquired about sampling of existing foundations, and what would be achieved if they were structural deficient anyway at the setback. He noted that the whole house could be shifted over 2 feet and comply with setbacks.

Ms. Lam noted that this would not work with the floor plan and plumbing.

Commissioner Smith asked if they had considered a new house due to the amount of demolition.

Commissioner Jain noted that Condition 18 ensures that the encroaching walls are retained or the approval is voided.

Elias Barhoum, project contractor, stated that the purpose of the project is to increase size of house without destroying its desirable character. It is a wide house on a wide lot, and they are trying to keep it from being tall and narrow, to keep it as discreet as possible. He also stated that they would like to save as much as possible of the house.

Responding to a question from Commissioner Gunter, Mr. Barhoum indicated that they had investigated saving other parts of the house. Commissioner Gunter inquired as to whether the property itself presents a hardship to achieving the design they want. Mr. Barhoum indicated that it did in terms of shape, not size. Commissioner Gunter noted that they are only saving half the house. Mr. Barhoum replied that they are saving as much floor area as they can, with no need to demolish the beautiful existing house.

Owner Jim Malouf noted that the house is only three blocks away from his parents. He didn't want a 2-story box like across the street, and wanted to save the living room and rooms on north side. Coming in 2 feet would make the rooms unusable. He stated that he is pleased with the plan, and expressed hope that applicant and Commission can figure out a way for this to work.

Chair Walker closed the public hearing.

Director Stanley reiterated to the Commission that the Modification request is to treat the structure as if it is a brand new building. Staff evaluates practical difficulties, which were present. Staff also factored in the long-established nature of the encroachment, the lack of neighbor concern, the screening, and the general lack of impact. He noted that it could be appropriate to add a condition to maintain existing screening.

Commissioner Smith stated that he had visited the site, and that he liked the design. He had taken care to look at other homes in area, and noted the close siting. He agreed that a condition to provide front yard landscaping was needed. He had spoken to the neighbor to the north. Commissioner Smith had no real concerns about the windows. He noted that Commissioner Gunter's cautious approach to the hardship question was influential, but he also regarded the practicality issue as such. He favored avoiding demolition and landfill export, and noted that the encroachment had been there for many years. He regarded the project as fitting the neighborhood character, and could make the required findings.

Commissioner Jain spoke of having visited the site and met with the owner. He shared Commissioner Smith's thoughts on a well-balanced design, and that salvaging the north side made sense. He noted that strict enforcement of a setback requirement wouldn't serve any purpose, and stated that the City shouldn't force people to abandon their projects. He could support the project as submitted, with the addition of a front landscaping condition that would ensure that landscaping would maintain the dry conditions required for the survival of the existing tree.

Commissioner Gunter advised of having visited the site, and complimented the design. He stated that he could make all findings for Second-Floor Review. He stated that some of the design makes sense, but that his job isn't to override the zoning ordinance. The extent of roof removal qualifies the project as a new home, which leads to difficulties in determining that there are practical difficulties or hardship. Therefore he can't make positive findings for the Modification.

Chair Walker agreed that the case is difficult, and that the new-house categorization provides an opportunity to bring projects into code compliance. She stated some conflicting thoughts, noting that the house to the north has a significant setback. She wanted to avoid a tunnel effect or sound problems that could result from narrow setbacks. She also understand practical difficulty, and would hate to see the existing structure torn down if it could be useful. She stated that the project will be beneficial to neighborhood, and that she can find practical difficulty and make the findings. She also noted that there should be a condition to maintain the existing screening and provide front yard landscaping.

M/S/C Jain/Smith to approve project with the addition of conditions requiring front yard landscaping consistent with dry conditions required for oak tree survival, and maintenance of sideyard screening. 4-0 for Second-Floor Review; 3-1 for Setback Modification (No: Gunter)

## **IX. OTHER BUSINESS:**

- A. Mills Act Contract 14-01; Hackett; 1937 Orchard Lane: Review historical nature of house and determine if it qualifies for the program.

Assistant Planner Harris expressed appreciation for being able to work with historic Mills Act properties. The Act allows owners of qualified historic properties to apply for tax reductions.

She outlined the facts on the Orchard Lane property. Its parcel is 39,530 sf, with the house comprising 6,105 sf. The property was once part of a 4.5 acre estate. It was built in 1926 for George Hoag, in a Spanish Colonial revival design by architect Charles Kyson. She displayed photos including the chauffer's quarters above garage, the original owner's crest over the house entry, the original fireplace, open beams in the living room, the painted ceiling in the dining room, a barrel vaulted ceiling, leaded glass windows, arched pocket doors, grillwork, original fixtures and tilework, and a porte cochere featuring an arched arcade.

She reviewed the seven Mills Act criteria for historic properties in La Canada Flintridge, any one of which could qualify a property:

1. The property is identified with persons or events significant in local, regional, state or national history.
2. The property is representative of the work of a notable builder, designer or architect.
3. The property contributes to the significance of an historic area, being a geographically definable area.
4. The property embodies one or more distinctive characteristics of style, type, period, design, materials, or craftsmanship.
5. The property has a unique location or physical characteristics or represents an established and familiar visual feature of neighborhood, community, or the City.
6. The property promotes awareness and appreciation of City, local and national history, and demonstrates the value of historic preservation as a community value.
7. The property has yielded, or may be likely to yield information important in prehistory or history.

She stated that staff had determined that this house qualifies for #1, 2, 4, and 5.

She outlined the process, under which the Planning Commission makes a recommendation to the City Council to enter into a contract with the owner for a ten-year term. If the contract is broken, a hearing is held to revoke the property's status, and penalties can apply.

She noted that the Tax Assessor has three ways of quantifying property taxes: current or sale value, Proposition 13 parameters, or income value. Staff can only estimate what the tax reduction will be. In this case, the owners have held the property a long time, so that their taxes are already low and there might not be a reduction.

Director Stanley noted that, in adopting the Mills Act, the City Council set a \$10,000 limit for the total of properties approved each year. The total tax reductions for the three properties currently before the Commission don't approach that amount. The ten-year agreement is renewed annually. The Act provides a lot of protections for the historic properties, of benefit to City as well as the property owners. Owners approach the City voluntarily, and as such there are no property rights issues.

Responding to a question from Commissioner Jain, Director Stanley stated that the collective limit is the reduction of taxes to the City.

Chair Walker asked if these three properties are all for this year; Mr. Stanley affirmed.

Commissioner Jain asked about input on benefits to property owners. Mr. Stanley replied that they get a final accounting from the Assessor's office.

Commissioner Gunter inquired as to whether any of the three properties are within a historic district. Mr. Stanley replied that the City has no identified historic districts at this time.

Owner Karen Hackett stated that she has lived in the house since 1976. She is an artist who has worked on 26 showcase houses, and been involved in Pasadena's historic preservation. She had been waiting for La Canada Flintridge to adopt the Mills Act, and stayed in the City because of it.

Chair Walker confirmed that all the murals are original, except for the recreated mural over the living room fireplace that had replaced the original due to 1994 earthquake damage.

Commissioner Gunter confirmed with Director Stanley that the agreement runs with the property for at least ten years if they don't renew, with the agreement recorded with the County and sent to the State.

Chair Walker closed the public hearing.

Commissioner Gunter recalled visiting the site and praised the house as delightful and incredible. He noted how impressed he was with the originality, and that this is the kind of property the Mills Act was designed for. He noted how the kitchen had been updated within reasonable bounds. He favored a positive recommendation to the Council.

Commissioner Jain also commented on a wonderful tour, commending the design as exciting and recommending inclusion.

Commissioner Smith had also visited the house, and agreed with Commissioner Gunter's comments. He was impressed by the level of presentation, particularly the tilework. He noted the owners' passion and commended their work.

Chair Walker concurred, commending the hard work on the fabulous house.

M/S/C Gunter/Walker to recommend approval of the property for Mills Act inclusion. 4-0

- B. Mills Act Contract 14-02; Lauenstein; 3924 Alta Vista Drive: Review historical nature of house and determine if it qualifies for the program.

Assistant Planner Harris noted the parcel size of 28,530 sf, and the house size of 4,962 sf. The house had been built in 1925 for Harry Winters in Mediterranean style by noted architect Wallace Neff. She showed slides including the house's open beams, pocket doors and screens in arched openings, chandeliers, and an arched lintel painted to match tapestries.

She stated that staff had found the project to meet Criteria 2, 3, and 4. It was estimated that the City would lose less than \$1,000 in taxes, and the property owners could save \$124,000 over 10 years.

Director Stanley noted that reductions in taxes to other agencies and districts would bring the total up to the \$124,000 ten-year savings.

Peter Lauenstein, Owner, praised the Mills Act as helping to save historic houses. He noted the details of his Wallace Neff house, and stated that a remodel from the 1960s necessitates some corrections.

Chair Walker closed the hearing.

Commissioner Jain recalled visiting the house, with a great open design, and a good example of a property worthy of Mills Act inclusion.

Commissioner Smith stated that he had enjoyed seeing the distinctive features and evidence of care over the years, with the owners on the right path to correct past damage. He singled out the upper balcony for its pure whimsy.

Commissioner Gunter agreed and stated how much he was impressed with the essential character of the main rooms, the original grounds and orientation, and other outdoor features.

Chair Walker concurred, praising the owners' efforts to discover, restore, and maintain features that had been compromised by previous owners.

M/S/C Jain/Gunter to recommend approval of the property for Mills Act inclusion. 4-0

- C. Mills Act Contract 14-03; Romero; 4630 La Cañada Boulevard: Review historical nature of house and determine if it qualifies for the program.

Assistant Planner Harris outlined the facts: a 6,678 sf parcel with a 1,939 sf house built in 1930 for George Miller in Spanish Colonial style by an unknown designer. It had been part of a larger property which was a poultry farm. Each room has unique features; she showed slides including a barrel ceiling, a shallow fireplace mantel, and an outdoor room.

She noted that staff determined that the project met Criteria 4 and 6 for Mills Act inclusion.

Beth Romero, Owner, stated that she had moved there three years ago from South Pasadena, where she was involved in historic preservation. The house was not lucky enough to have had the care it needed, and a lot of work and research was needed to restore it.

Commissioner Jain recalled his visit to an interesting modest house, praising details such as the water fountain, doors, and patio. He noted the challenge of preserving the smaller homes. He stated that he could make all the findings as long as the owners keep on improving the property.

Commissioner Smith noted that on his visit he was impressed with a lot of the features that were admittedly added to the house. He realized that the owners didn't know what had been there, but used their vision well. He noted as well the retained features, such as original textures, hardwoods, and the fireplace. He noted that this property didn't meet as many criteria as the other two properties, but that if someone hadn't come in like these owners it could have been torn down. He praised their wonderful work.

Commissioner Gunter recalled his visit as a nice tour of a wonderful home. He praised the owner's work, energy, and research. His concern was that it is more of a reproduction house than a restoration house, and that the Mills Act is more about preservation. He stated that it would have helped if the house had been more part of a historic neighborhood, and that he did not regard the findings as applying well to this property.

Chair Walker posed a question to staff about Section 3.20.050.d, under which routine maintenance is not allowed as a Mills Act expense. She sought to reconcile that with a list of proposed work. Should the City approve a list of proposed work as supporting the Mills Act in general, without addressing line items that might conflict with Section 3.20.050.d? Director Stanley directed Chair Walker to look at subsection B2; the owners had completed some of the work prior to applying for the Mills Act and they will continue the restoration process.

Deputy City Attorney Guerra stated that the application of the Act is clear if the houses need restoration, and the other expenditures such as maintenance not enhancing historical value aren't consistent with Mills Act objectives.

Commissioner Smith stated that even if some items are not oriented toward preservation – e.g., air conditioning – that if those items work in concert with the preservation items, the list works with the Mills Act. Not every line item would need to pass the test. Deputy City Attorney Guerra confirmed that view.

Chair Walker praised the owner's work, despite sparse historical background to go on, to bring the house back to the style of the day. She advised of having a hard time on the decision, based on huge changes in the past. She could make the findings based on Criteria 4 and 6, although this case is on the fringe. She expressed concern that the definitions can become too broad, and a desire to readdress City criteria for the Mills Act.

M/S/C Smith/Walker to recommend approval of the property for Mills Act inclusion. 3-1. No: Gunter.

Director Stanley noted that there would be more discussion of historic preservation at the October 20 City Council meeting. In addition to the Mills Act, the discussion could include a historic preservation commission or other mechanisms to encourage preservation. He also mentioned that the Mills Act applicants are welcome to attend the City Council meeting.

## **X. REPORT OF DIRECTOR'S REVIEWS**

None

## **XI. COMMENTS FROM THE COMMISSIONERS**

Chair Walker wanted to reiterate concern with story pole issues due to recently reviewed inaccurate structures. She stated the need for a process going beyond applicant's certification.

Director Stanley confirmed that we rely on architect, contractor, or engineer certification. He noted that it has been helpful to have the poles labeled at one-foot intervals, and that they're

not intended to illustrate the house as the plans do, but just identify the extent of construction. He stated that we can agendize a story pole discussion.

Chair Walker stated that the Commission can also take another look at the Mills Act, given that one of the houses on the current agenda may have not been unique enough and that the criteria might be too loose. Director Stanley advised that there would be a few months interval, since the applications for next year are due March 15.

## **XII. COMMENTS FROM THE DIRECTOR**

Director Stanley noted that the electronic message centers ordinance will be at the October 6 City Council meeting. He mentioned three items at the October 20 City Council meeting: The Greenberg appeal of certain conditions on his wall approval at 285 Berkshire; a historic preservation discussion; and a noise abatement discussion.

## **XIII. ADJOURNMENT:**

M/S/C Gunter/Walker at 8:52 pm