

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD SEPTEMBER 26, 2006**

I. CALL TO ORDER:

Chairman Davitt called the meeting to order at 6:00 p.m.

II. ROLL CALL:

Present were Commissioners Cahill, Gelhaar, Hill, Mehranian, and City Attorney Steres, Director of Community Development Stanley, Planner Gjolme and Assistant Planner Lang.

III. PLEDGE OF ALLEGIANCE

Commissioner Gelhaar led the salute to the flag.

IV. REORDERING OF THE AGENDA

Chairman Davitt announced for the benefit of the audience that item VII C, regarding 4910 Burgoyne Lane, would not be heard at this meeting and that Staff had re-scheduled it for October 10th.

M/S/C Gelhaar/Hill to continue FAR 06-10, CUP 404, MOD 06-37 and 38 to October 10, 2006. Unanimous.

Additionally, item VII D regarding 4612 Encinas Drive would not be heard, pending a further reduction in floor area. M/S/C Gelhaar/Hill to continue FAR 06-09 to October 10, 2006. Unanimous.

V. COMMENTS FROM THE PUBLIC

Sally Kalaghan, 4228 Chula Senda Lane addressed the Commission regarding item A on the Consent Calendar. She read a letter which had been distributed earlier to the Commission, citing the basis for her request, including that she was not given an opportunity to comment on modified conditions at the last meeting. She requested that the Commission defer action on the Resolution and appoint a neutral staff person mediate an agreement between her family and the O'Dells, who reside at 4232 Chula Senda Lane, regarding condition 12. Ms. Kalaghan related of having sought City intervention and was told that her issue was a civil matter between her and the O'Dells.

Randi Strappazone spoke on behalf of the Trails Council. She related that in 2002, former mayor Portantino formed an ad hoc Trails Committee, which met once a month for 4 years. Those meetings produced a Trails Master Plan,

which identified and mapped the City's trail system. She related the Trails Council's disappointment that the City is now faced with a drawn-out process regarding realignment of the trail and the idea of the trails being held hostage pending a decision, was not appreciated.

VI. CONSENT CALENDAR

M/S/ Gelhaar/Mehranian to approve the Consent Calendar. Commissioner Cahill requested discussion on the motion.

He stated that the process puzzled him; the request started as a discreet matter that evolved into an issue between 2 neighbors and then the trail system became involved. It appeared that a decision was dependant on an agreement among all 3 parties. He believed that a continuance was worth considering, since a condition requires Mr. Hurlbutt to acquire approval of all 3 parties and the Commission was being advised that 1 of those parties is not willing to proceed at this point. He noted that a continuance would not defer any construction and would allow time to see if the issues can be addressed.

Without reflecting personally on Chairman Davitt and Commissioner Cahill, Commissioner Gelhaar questioned if they were allowed to vote on the Consent Calendar, since they were not present for the entire meeting when this matter was heard.

Chairman Davitt stated that he and Vice-chair Cahill were aware of the situation and had resolved it prior to the meeting; however procedurally, Vice chair Cahill had a right to comment.

Commissioner Mehranian stated that delaying adoption of the resolution might not be the route to take. She suggested adopting the resolution and separately considering the issues raised by Ms. Kalaghan.

Assistant Planner Lang read the minor changes to condition 12.

The motion passed with 3 Ayes; Davitt and Cahill abstaining.

City Attorney Steres remarked that the City has an interest in resolving the trail issue and was willing to participate in its resolution.

VII. PUBLIC HEARINGS

A. Modifications 06-33 and 34; Hillside Development Permits (Dir) 06-40 and 06-41; Sellman/Watson; 906-08 Big Briar Way:

Assistant Planner Lang related the request filed by abutting neighbors, to construct a 7-ft-high wrought iron fence along portions of their side and rear property lines.

The subject sites are located near the easterly terminus of Big Briar Way, in the R-1-15,000 Zone. Both parcels are flag lots and are above street elevation; the Watson property at 906 Big Briar is higher in elevation than the Sellman property.

The request is part of a larger fencing project that will enclose the two parcels and protect their properties from foraging deer. The applicants propose to construct 7-ft-high wrought iron fencing that would extend for 106 ft around a majority of the perimeters of both properties and span $\frac{3}{4}$ of the rear property lines of both parcels. A 6-ft-high wrought iron gate and pilasters would extend across single entrance to the flag lots, 30 ft from the front property line. Existing and new 6-ft-high fencing and the gate meet Code; the Modification addresses fencing over 6 ft.

The application relates the applicants' numerous attempts to prevent deer from jumping temporary 6-ft-high fence and destroying vegetation. A PowerPoint presentation showed the abutting properties.

Ms. Lang noted that only portions of the fence would be over-height and those would be minimally visible from both parcels. The open work nature of the fence and the isolated location are positive features and consistent with the Hillside Ordinance. Staff recommended positive findings and project approval.

Commissioner Mehranian inquired if there was a methodology associated with the assurance that 7-ft-high fencing would be effective.

Ms. Lang suggested hearing from the applicants.

Chairman Davitt opened the public hearing.

Kurt Sellman, 908 Big Briar, advised that he was also representing co-applicant, Jack Watson, who was ill. He related that there have always been deer in the area, but it was never an issue with him due to the limited landscaping. In 1999, the Planning Commission approved a guesthouse and retaining walls for his property with a condition that the slopes be fully landscaped. He attempted to comply; however, the deer ate the plants as fast as he could install them. He then hired a second landscaper who had a deer-proof plan but soon discovered that the irrigation allowed the deer to enjoy the "deer-proof" young

plants. He then contacted the City Manager who confirmed that the City does not have a program to thin out the herds and suggested that he contact Fish & Game. Mr. Sellman advised that Fish & Game offered no assistance. Messrs. Sellman and Watson then tried various home remedies without success and concluded that the only way to protect their vegetation was to fence the yard. He then installed a temporary 6-ft-high electric fence, which did not discourage the deer until he raised it to 7 ft., and that seems to have worked. He advised of having spoken with all his neighbors and they all support this concept without exception. Letters of support were included in the Commissioners' packets.

Commissioner Mehranian asked if the problem would be resolved if the Commission exempted him from the condition to landscape the slopes.

Mr. Sellman responded that it would not solve the problem as the deer come up the driveway and eat the flowerbeds near his home. He stated that he would like to enhance his property and the area in general.

Commissioner Cahill confirmed that the fence would extend around the properties' perimeter.

Mr. Sellman anticipated that a 6-ft-high fence in the flat strip area would suffice.

Commissioner Gelhaar commented that the photos show spiked pickets on the fence and stated his preference for a condition prohibiting spikes, as he did not want to create a situation that allows deer to impale themselves on the spikes.

Mr. Sellman showed a photo of fencing with blunt pickets.

Chairman Davitt opened the public hearing. Since there were no comments, he closed the public hearing. He solicited comments from his colleagues.

Commissioner Hill stated he was prepared to make the findings, though he had a small concern with the pickets.

Commissioner Gelhaar concurred with the condition so long as the top of the fence is flat and there are no spikes.

Commissioner Cahill felt the conditions were reasonable and commented that round or blunt spikes were acceptable to him

Commissioner Mehranian concurred.

Commissioner Hill remarked that the question remains if the Commission would be approving a project that would continue to allow deer to access the properties.

Chairman Davitt commented that while reading the staff report, he kept thinking he would find a letter from Fish & Game stating that 7 ft is the "magic" number. He did not want to injure animals. And stated he could support the project with flat top fencing.

M/S/C Gelhaar/Mehranian to approve Modifications 06-33 and 06-34 and Hillside Director's Reviews 06-40 and 06-41 with an added condition that any fence exceeding 6 ft in height shall have a flat top; spiked pickets are not permitted. Unanimous.

B. Floor Area Review 06-06; Kim; 1011 Descanso Drive:

Planner Gjolme described the applicants' to expand both floors of their residence, which is located in the northeast corner of their lot. The lot is irregularly configured; its 50 ft frontage extends back where it widens and then extends west at a 90 degree angle. Proposed roofed floor area exceeds the 4,500-sf review threshold for parcels with less than 80 ft of frontage. The most proximate homes are: 4313 Chevy Chase, which shares a rear property line with the project site and to the north, 4327 Chevy Chase, half of its south side property line abuts the subject site. Both are single-story and include mature landscaping.

The 16,990-sf parcel is located on the north side of Descanso Drive, one lot west of Chevy Chase Drive in the R-1-20,000 Zone.

First floor expansion would increase the footprint to 3,011-sf.; 364-sf of new first-floor includes a 9-ft projection to the front and an expansion to the east. The second floor would be expanded to the east and north by 734-sf. Total floor area would be 4,443-sf, within the maximum allowed for the site --- it is the 700-sf, detached garage, which is separated from the house by approximately 70 ft, that increases total floor area calculations to 5,143-sf and triggers Floor Area Review.

The subject site and the project were depicted on PowerPoint, showing that the north and east sides of the home would be maintained. The irregular lot configuration results in required side setbacks of 5 ft for the first floor and 10 feet for the second floor. Multiple roof forms would be replaced with gable roofs on each end. Overall building height would remain at 23'-5" ridge height

and 26-ft at an entry tower on the west elevation, oriented towards the interior of the lot and over 100 ft from Descanso Drive.

Staff concluded that the issue of massing was avoided by distribution of the additions throughout the floor plan and adverse effects on neighboring properties is not anticipated.

Commissioner Cahill commented that the Commission is typically provided with a comparison chart showing floor area for the immediate neighborhood.

Planner Gjolme stated that Staff did not believe it was necessary to include the chart since the project complies with the FAR standard for the lot and the residence alone complied with the adjusted standard. He recognized that high entry towers were an item of concern for the City Council during R-1 revision hearings. He pointed out that the area within the tower was counted twice – it is not a stairwell; there is functional floor area in the tower.

Chairman Davitt opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Gelhaar agreed with Staff's findings and conclusions.

Commissioner Cahill did not consider the project as excessive for the site. While it would create more of a wall effect to neighboring properties, those property owners apparently don't mind.

Commissioners Hill and Mehranian and Chairman Davitt concurred.

M/S/C Mehranian/Hill to approve Floor Area Review 06-06 as conditioned.
Unanimous.

C and D - earlier action continued these items to October 10th.

E. Floor Area Review 06-20; Manning; 1239 Fernside Drive:

Planner Gjolme described the applicant's proposal to demolish her existing home and replace it with a new, 2,566-sf, two-story home. The project exceeds the maximum allowed floor area for this lot by 226 sf. Planner Gjolme described the area as a uniform, cohesive neighborhood of single-story homes on parcels of 10,000-sf or less. There are, however, 2 large and prominent two-story homes to the north and another to the south.

The subject site is 6,500-sf in area and located on the northeast side of Fernside, between Encinas Drive and La Cañada Boulevard in the R-1-7,500 zone.

The new residence would be sited at the center of the pad and eliminate existing non-conforming setbacks by providing compliant setbacks in all directions. The Cape Code design presents a more efficient and cohesive plan and creates a viable back yard for the small lot. The first floor would accommodate approximately 59% of the total floor area, excluding a covered front porch, which is exempt from floor area calculations and the garage would be brought forward. The second floor comprises 1,062-sf. A material board depicts a diverse palette, with shingle siding on all facades, stonework, a deep front hip, a central dormer and hip ends to the north and south reduce the impression of vertical mass. Staff emphasize that 2,500-sf of floor area was not excessive, regardless of lot size and recommended approval.

Dave De Angelis related his client's need to have a more efficient home to accommodate 5 children. The Cape Code design includes direct access to the back yard from the family room and kitchen, where is there currently no direct access. Adequate side yards are provided and the house does not loom over neighbors' properties in any way. He advised that the only way to get the garage and driveway work was to put them on the north side; a small retaining wall would visually lower the house elevation by 2 ft. The staircase was placed on the north side; windows were minimized to the north and south. Mr. De Angelis commented that the excess 226-sf makes an immense difference for a house of this size and allows a reasonable master bedroom suite.

Commissioner Hill stated that the first thing he noticed during his site visit was the non-protected tree that would have to be removed to accommodate the garage relocation.

Mr. De Angelis advised that the tree is not healthy and would be removed in any event. He offered to install a 48-inch-box tree on the property or in the right-of-way, subject to approval by Public Works.

Commissioner Gelhaar noted that the plans show a 24" box replacement and confirmed that the applicants are willing to install a larger tree in the front yard.

Director Stanley confirmed that the existing driveway approach would be removed from the south corner and suggested adding a condition to assure that happens.

Chairman Davitt opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Cahill noted that the project resolves a non-conforming setback situation and stated that it is a beautifully designed compact house on a compact lot.

Commissioner Mehranian stated that she appreciated the fact that the house is compatible with the neighborhood and that a 48-inch-box tree would make a difference.

Commissioner Hill agreed that the house was beautifully designed, but he did not believe it 'fits' the neighborhood. He advised of having spend a good deal of time walking around the site and standing in the street to visualize the project. He stated "coming around the corner, it would detract", even though there are larger homes to the west. Compared with the immediate neighborhood development, it doesn't appear that it belongs there.

Commissioner Gelhaar commented the neighborhood is changing and that the home is well-designed. He asked that the tree designated on the plans as a sycamore be replaced with a 48-inch oak tree.

Chairman Davitt stated that the project represents an efficient use of space and that it was nicely designed.

M/S/C Mehranian/Gelhaar to approve Floor Area Review 06-20 with added conditions that a 48-inch oak be installed in the front yard and that the driveway approach and curb at the south corner be removed. 4 Ayes; Hill dissenting.

F. Hillside Development Permit 06-29 (Admin); Modification 06-35; Chun; 5260 Vista Lejana Lane:

Planner Gjolme described the applicant's request to expand the second floor of his home by 318-sf. Though the expansion would continue the west building line and would not extend into the existing 9½-ft side setback, Code requires a 17-ft second floor setback for this parcel. Thus, the request for a Modification.

The subject site is on a narrow, winding private street extending north from the terminus of Vista Del Valle, in the R-1-15,000 zone. It has an average slope of 30% and 72 ft of frontage, which eventually widens to 87 ft at the rear property line.

The project consists of a master bedroom/bath suite along the west side where adjacent, a sliver of 5305 Harter Lane extends upward along the subject property's west border. It has a severe slope and is heavily wooded,

precluding any development in that area and makes the non-conforming setback more than sufficient.

The front elevation has an existing hip element on the eastern side; the west roof hip would be raised to match, so that the addition appears more as a story and a half in its presentation to the west. The existing 24-ft-building height would be maintained. Total floor area would reach 3,627-sf, which the 15,250-sf site can easily support. The project would not result in crowding or adverse impact, given the unique topography surrounding the site. Staff recommended positive findings and project approval.

Chairman Davitt confirmed that condition 12, which requires that the site be connected to sewers within 6 months of their availability, is a standard condition.

The Commissioners concurred that the project was practical and void of impacts.

M/S/C Mehranian/Hill to approve Hillside Development Permit 06-29 and Modification 06-35 as conditioned. Unanimous.

VIII. OTHER BUSINESS

There were no reports

IX. COMMENTS FROM THE COMMISSIONERS

Commissioner Gelhaar asked Staff to check with the Fire Department regarding item C for 4910 Burgoyne Lane, which was continued to October 10th. He had concerns the existing water heater and retaining wall might preclude their passage.

X. COMMENTS FROM THE DIRECTOR

Director Stanley announced that the Flintridge Tract was called-up by the City Council and would be heard on Tuesday, October 3.

Also, the draft Residential Design Guidelines will be on the next agenda, October 10th, as the City Council needs to review and approve them before November 1.

XI. ADJOURNMENT

M/S/C Cahill/Hill to adjourn at 7:23 p.m. Unanimous.

Secretary to the Planning Commission