

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE CITY OF LA CANADA FLINTRIDGE  
HELD ON SEPTEMBER 27, 2011**

- I. CALL TO ORDER:** The meeting was called to order at 6:03 p.m.
- II. ROLL:** Chairman Curtis, Commissioners Der Sarkissian, Jain, and Gunter. Director Stanley, Deputy City Attorney Guerra, Planners Gjolme and Clarke, and Assistant Planner Lang. Vice Chairman Cahill arrived at 6:05)
- III. PLEDGE OF ALLEGIANCE:** Commissioner Der Sarkissian led the Pledge of Allegiance.
- IV. COMMENTS FROM THE PUBLIC:**

John Caire, of 2028 Lombardy Drive, addressed the Commission regarding an issue that would have larger implications on projects in La Canada. In 2011, the California State Legislature and the Building Commission changed the fire codes to require that all new homes have fire sprinklers but not on additions or remodels that are less than 50% of the homes original size. In addition, the code requires that fire hydrants must have a minimum flow of 1,250 gallons per minute for any home less than 3,600 S.F. in a high fire zone. La Canada is classified as an extremely high fire zone. Hydrants must provide a minimum flow of 1,750 gallons per minute for homes that are 3,600 to 4,800 S.F. and continues to go up as the square footage increases. Installing sprinklers in the home reduces the fire hydrant flow requirement. Sprinkler designs are based on the size of the home and the fire flow at the hydrant which is measure by a metered flow test on the hydrant. All water agencies in Los Angeles County conduct flow tests regularly. La Canada Irrigation will not conduct fire flow tests anymore. He checked with La Canada Irrigation and they could not point to a written policy or rule. He was told by them that they stopped conducting the tests three years ago because it stressed the pipes in their system and wastes water. The effect of this policy to not conduct the tests will limit the size of any new home that can be built to 3,600 S.F. including the garage, or limit additions to less than 1,000 S.F. The 1,000 S.F. is a review threshold for the fire department. Installing fire sprinklers in a residence is very expensive. Some sprinkler installations require that a new fire hydrant also be installed. If you are required to install a new fire hydrant because of your project, La Canada Irrigation will not even test a new fire hydrant as required by the fire department. As a result, La Canada Irrigation is limiting construction projects in the City. This could cause financial repercussions for the City. Property values within the La Canada Irrigation District will drop and the number of building permits and their associated fees will be significantly reduced. He added that there is no coordination between various city departments and the water company. He stated that he was here tonight to bring the problem to the Commission's attention. He was concerned that La Canada Irrigation is the only water company in the area that will not conduct water flow tests. He stated that he was trying to get the fire department and water company to communicate.

Chairman Curtis stated that the information Mr. Caire discussed was very informative and he directed Director Stanley to schedule the issue for a briefing at a future Planning Commission meeting.

Director Stanley stated that the City Manager is well aware of the issue and other issues are preventing the City from getting involved at this time. He explained that they would probably be forming a committee of the City Council to look in to the issue.

Vice Chairman Cahill asked if what the water district is doing prevents them from building projects.

Director Stanley explained that there are other things that applicants can do to move forward with their projects including installing sprinklers in the house.

Chairman Curtis thought it was odd that La Canada Irrigation is the only one that won't do it.

Director Stanley agreed that it is an issue and it will be addressed but it was a question of when and how it will be addressed.

Chairman Curtis indicated that it might be discussed later during the Commissioner comments

**V. REORDERING OF THE AGENDA** No items were reordered.

**VI. CONSENT CALENDAR: Minutes - June 28, 2011 Meeting**

Commissioners Gunter and Der Sarkissian offered minor corrections to the minutes.

M/S/C Gunter/Der Sarkissian to approve the Minutes as amended. Unanimous 5-0

**VII. CONTINUED PUBLIC HEARINGS** There were no continued public hearings.

**VIII. PUBLIC HEARINGS:**

**A. Second-floor Review 11-22 and Setback Modification 11-16 (previously Second-floor Review 10-14 & Setback Modification 10-11 which have expired); 277 St. Katherine Drive; Semler/Blatt:** allow construction of a new 464 sq. ft. 2<sup>nd</sup>-floor. A Setback Modification is also requested since the addition would encroach approximately 16 feet into the required 32-foot front setback. (Planner Gjolme)

Planner Gjolme gave a brief history of the project including when it was reviewed and prior unanimous approval from the Planning Commission. The project has expired and re-approval is requested with no changes to the project.

The Commission had no questions for staff.

Mike Blatt - project architect - reaffirmed that project's modest scale, limited visibility and lack of any offsite impacts.

Brad Leland - 294 St. Katherine Drive – questioned whether the project had been changed and what the maximum height for the site was.

Planner Gjolme responded 28 feet but noted that the project was only 21 feet in height.

Mr. Leland asked about the timing of the project and is concerned about the red zone parking area at Sacred Heart. He felt that he is the most impacted property and asked what landscaping proposals, if any, were associated with the request.

Commissioner Curtis asked for clarification about where the Mr. Leland resides.

Planner Gjolme displayed an aerial of the area and indicated Mr. Leland's property.

Commissioner Curtis pointed out that there is a construction parking plan and asked if there was landscape plan.

Planner Gjolme responded that a landscape plan was not required since the site is not a hillside lot, nor was one regarded as necessary by staff.

Director Stanley commented on the building permit process and the term of validity for a building permit.

Mr. Leland asked if story poles could be reinstalled.

Commissioner Curtis responded that they weren't required since it was an old project and nothing has changed.

Planner Gjolme showed the prior story pole pictures and was confident that the project would have no impact on Mr. Leland's property.

Owner Richard Semler stated he was looking for project re-approval and had every intention of moving forward with the project at this time.

Commissioner Jain inquired if the project had been granted an approval extension.

Planner Gjolme responded that the request was not received in time and the project's approval expired.

Commissioner Der Sarkissian regarded the project as a very modest addition with a ridge of very limited height. He was surprised that Public Works didn't require trimming of the hedges because of the blind curve along the site's frontage, but could support the request as submitted.

Commissioner Jain agreed and noted the project's limited size and visibility.

Chairman Cahill agreed with the other Commissioner comments and supported the request.

Commissioner Gunter concurred and had no additional comments.

Commissioner Curtis felt it was a modest addition that fit the neighborhood well.

M/S/C Gunter/Cahill to approve the project as submitted and to strike condition of approval No. 13 pertaining to removal of story poles. Unanimous 5-0.

**B. Setback Modification 11-14; 4313 Chevy Chase Drive; Ozzimo/Kidushim:** allow 1<sup>st</sup>-floor additions to an existing residence to encroach up to 15 feet into the required front setback. (Planner Clarke)

Planner Clarke gave a presentation in accordance with the staff report. He highlighted the tree protection zone around the sycamore near the front porch addition and that a portion of the project encroaches into the root zone. He also pointed out the eaves would be 2' from the tree and the canopy is tall and the addition would not interfere with it.

Commissioner Gunter asked if the attachments identified in the arborist report were in their packets.

Planner Clarke stated that he didn't have the background materials copied for the Commission.

Commissioner Gunter asked what the trunk diameter of the tree is.

Planner Clarke replied that the trunk diameter of the tree is 37".

Tracy Ozzimo, of 3500 Ocean View Boulevard, is the project designer and is available to answer any questions.

Chairman Curtis stated that they received the two letters that were from the neighbors.

Marshall Bohannon, of 4322 Chevy Chase Drive stated that he lives on a flag lot across the street and didn't have time to write a letter. He liked the modest addition to the house and felt it fits in with the rest of the neighborhood. He supported the project.

Craig Bloomquist, of 4350 Chevy Chase Drive, was also in support of the project. He felt that it was well designed and an enhancement to the neighborhood.

Greg Chin, of 4327 Chevy Chase Drive, also spoke in support of the project. The contractor who is performing other work to the home is doing a good job and there are no parking issues.

Margot Kidushim, the property owner, stated that she has lived in La Canada for almost 25 years and loves the neighborhood and wanted to stay. She indicated that she received a phone call in support of her project from the Wagners of 1015 Descanso Drive who were out of town and her other neighbors at 4310 Chevy Chase Drive were also in support of her project.

Commissioner Gunter felt that the project was a modest addition on an unusual lot and the encroaching area is an open porch which looks and feels differently than a two story structure. He can support the project.

Vice Chairman Cahill felt that the Modification request was low key and an open porch which doesn't have a massing effect. He reiterated that it is a reasonable Setback Modification request. Commissioner Jain stated that he is supportive of the single-story, modest addition. He felt that the project shouldn't have been brought in front of the Planning Commission because it was a side-yard setback encroachment.

Commissioner Der Sarkissian stated that he was glad that the project is being reviewed by the Planning Commission because it faces Chevy Chase Drive. He felt that it was a nice addition in the right place and that it is a small encroachment. He wanted some assurance that the foundation of the corner of the addition gets bridged to protect the Sycamore tree in the front. He commented that the home to the rear of the property was an intrusion to the subject property.

Chairman Curtis stated that the other house was constructed before Second Floor Review was created. He stated that this was a modest addition that fits neighborhood. He would like the tree roots preserved. He added that the RV parking would be temporary during the construction. He liked that people came out in support of the project.

Director Stanley asked if they wanted to add a condition to bridge the roots of the protected tree. He asked the applicant if she was agreeable to bridging the roots of the tree.

Ms. Kidushim stated there are no roots in that area of the addition and that the contractor dug the trench prior to the arborist coming out and did not find any roots in that area.

Vice Chairman Cahill suggested that an arborist come out and verify that.

Chairman Curtis stated that Condition No. 12 states that all recommendation in the arborist report shall be adhered to.

Director Stanley also pointed out that the Condition No. 4 states that arborist supervision is required for any work that takes place in the tree protection zone but that it is not specific about bridging the roots of the protected tree.

Ms. Ozzimo stated that they dug some pits in the area so that the arborist could see and he didn't find any roots. Based on this, bridging probably wasn't necessary. She acknowledged that it is a small area but was willing to address any encountered roots if necessary.

Commissioner Gunter stated that he would like to see a condition added to require that any roots be bridged if necessary. He commented that the language in the arborist report is different than our code regarding the protection zone. Our code uses 3 ½ times the trunk diameter and the arborist uses the dripline as the protection zone. He commented that currently there is a shipping container stored under the dripline of the tree.

Director Stanley clarified that the arborist drew a circle around the tree at 11' and refers to that as the protection zone but called it the dripline.

Commissioner Der Sarkissian agreed that there was confusion in the terminology used.

Planner Clarke suggested adding two conditions of approval regarding bridging the roots if necessary which will be determined during construction and reviewed by the Director of Community Development. The second condition would change the wording in the arborist report to conform to our ordinance and the addendum would be reviewed by the Director of Community Development prior to plan check.

Chairman Curtis clarified that he is interpreting the tree protection zone in the report as 3 ½ times the trunk diameter.

M/S/C Jain/Gunter to approve the request with the added conditions. Unanimous 5-0.

**C. Second-floor Review 11-18 / Setback Modification 11-15; 834 Wiladonda Drive; Mr. and Mrs. Townsend:** allow first-floor expansion of an existing single-story residence and construction of a new 807 sq. ft. 2<sup>nd</sup> floor. Since the existing roof would be removed and reconstructed, a Setback Modification is also requested to allow retention of deficient 1<sup>st</sup>-floor side setbacks to the east and west, which, at 5 feet, are below the 8-foot requirement for the 80-foot wide lot. (Planner Gjolme)

Planner Gjolme gave a presentation in accordance with the staff report and noted that the project qualifies as a new project since the proposed second floor would require removal of the existing roof. Despite retention of non-conforming side setbacks and the associated Setback Modification, approval was recommended considering the superlative design of the project and “fit” within the neighborhood.

Craig Stoddard asked about condition #11 pertaining to the onsite parking of all construction vehicles.

Peggy Touchstone and Jim Phillips - 828 Wiladonda Drive - liked the presentation and asked for clarification where the street was and what the setback will be for the new family room.

Planner Gjolme explained that the family room is compliant and it will match the location of the existing covered patio. A trellis will extend toward the rear beyond the existing first floor. He clarified that the architect has requested that construction parking be allowed in front of the house along the site’s 80-foot frontage.

Ms. Touchstone asked how long the construction is supposed to take.

Mr. Stoddard responded that construction would take approximately 9 months.

Commissioner Curtis asked if the Commission was amenable to construction parking along the site’s immediate street frontage.

Commissioner Jain said the project was very well-designed and although he did not venture into the back yard, he could support the request as submitted.

Commissioner Der Sarkissian visited the site and talked to the western neighbor, who had no issue with the 2<sup>nd</sup>-floor windows as proposed. He supported the request but thought the 2<sup>nd</sup>-floor window bank to the west was a bit excessive.

Chairman Cahill also supported the project and felt the design worked well with the neighborhood. He had no issue with the Setback Modification requested since 5-foot side setbacks were commonplace along Wiladonda Drive.

Commissioner Gunter complimented the architect on the design and felt the project meet the spirit of the Design Guidelines. He also appreciated that the 1<sup>st</sup>-floor additions were recessed to provide compliant setbacks.

Commissioner Curtis agreed and felt the project would be a wonderful addition to the area.

M/S/C Cahill/Der Sarkissian to approve the project as submitted and to allow construction parking along the site's immediate street frontage. Unanimous 5-0.

## **IX. OTHER BUSINESS**

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

- A. **Second-floor Review 11-20 (Dir.)**, 5160 La Canada Blvd.: Allow a 486 sq. ft. 2<sup>nd</sup>-floor addition to an existing 4,839 sq. ft. 2-story residence on a non-hillside lot.

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

Chairman Curtis asked if the Commission was OK with the way the Director's Reviews are distributed to them via email.

Vice Chairman Cahill felt that the Planning Commission should have a statement on the issue that was brought up by Mr. Caire about Water Company and the fire flow issue. He also wanted to get updates from the Director of Community regarding the issue.

Chairman Curtis was shocked to hear about the issue. Especially since it is contrary to every other district and that the water district cannot provide the policy in writing.

Commissioner Der Sarkissian asked how many water companies are in town.

Director Stanley responded that there are five water companies in town.

Commissioner Der Sarkissian stated that in Glendale the Fire Department performs the test.

Director Stanley stated that Glendale is a full-service city.

Vice Chairman Cahill asked if the City's Fire Department is part of the county and if we can contract with them to run the flow tests.

Director Stanley replied that La Canada has a fire district that is part of the county and that the water companies are separate entities – either private companies or districts.

Deputy City Attorney Guerra agreed to look at the issue and clarify if the Fire Department can do the test.

Director Stanley asked if the Commission wished to have the topic agendaized for a future meeting.

Vice Chairman Cahill responded yes. From that they can prepare a statement.

Deputy City Attorney Guerra recommended that they agendaize the issue for future discussion and they can discuss further action at that time.

Commissioner Gunter asked in reference to past projects if we are consistent with the curb and gutter conditions of approval or if we are randomly applying the rules.

Director Stanley responded that those conditions come from Public Works and that only larger projects and Hillside Development Permits get sent to the Public Works Department. Also, when there are improvements in the right-of-way, the Public Works Department would review those projects too. He offered to discuss the matter with the Public Works Director.

Chairman Curtis asked about timing of the Tree Ordinance.

Director Stanley responded that it would be discussed at the meeting in the beginning of November.

Commissioner Der Sarkissian clarified that when he suggested the bridging of the roots for the project earlier this evening he was suggesting it as a means to protect the structure in the distant future so that it does not become an issue like on the Beulah Drive Chinese Elm case where the patio is cracking.

Director Stanley explained that in his experience, the roots of trees when faced with a barrier like a foundation will change direction rather than do damage to a foundation.

Chairman Curtis received call from past commissioner who said the past commission was advised that other things can be structures.

Commissioner Gunter added, in reference to tree removals, he felt that a dollar valuation for trees is not useful because it can misrepresent the situation.

Director Stanley reported that he spoke with someone familiar with the tree on Beulah Drive and they reported that the tree has been in that state for at least 15 years.

Commissioner Der Sarkissian pointed out that some of the lines on the valuation form are discretionary.

Commissioner Gunter felt that valuation should be based on the cost to replace the tree at its current size and spread.

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

Director Stanley reported that the General Plan meeting dates are still tentative because they are still working things out with the state regarding the housing element.

Chairman Curtis reported that compared to some other jurisdictions he has dealt with our reports and presentations are much better.

**XIII. ADJOURNMENT** The meeting was adjourned at 8pm.