

CITY OF LA CAÑADA FLINTRIDGE

**PLANNING COMMISSION
MEETING MINUTES
October 11, 2016 - 6:00 p.m.
City Hall Council Chambers
1327 Foothill Boulevard**

- I. **CALL TO ORDER** Chairman McConnell called the meeting to order at 6:04 p.m.
- II. **ROLL:** Also present were Commissioners, Jain, Hazen and Oh. Commissioner Gunter arrived at 6:15 p.m.
- III. **PLEDGE OF ALLEGIANCE** - The Flag Salute was recited.
- IV. **SELECTION OF CHAIR, VICE-CHAIR AND ADMINISTRATIVE HEARING OFFICER.** M/S/C – McConnell/Jain to approve the nomination of Commissioner Gunter for Planning Commission Chairman, Commissioner Hazen as Vice Chairman, and Commissioner Jain as the primary Administrative Hearing Officer and Commissioner McConnell as the alternate Officer. Approved 5-0.
- V. **COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar. There were none.
- VI. **REORDERING OF THE AGENDA** – Chairman McConnell suggested reordering the agenda as follows: IX-b, IX-a, VIII-a, IX-C, VII-a. M/S/C – McConnell/Jain to approve. Approved 4-0.
- VII. **CONSENT CALENDAR**
 - A. **Minutes** – [6/14/2016 Meeting](#). M/S/C – McConnell/Hazen to approve the minutes. Approved 3-0-2. Both Commissioners Jain and Oh abstained as neither one attended the Planning Commission meeting of June 14, 2016.
- VIII. **CONTINUED PUBLIC HEARINGS**
 - A. **[Zone Change 16-02:](#)** addition of Section 11.13.020 (B) and (C) (Permitted Uses) to Chapter 11.13 (R-3 Multifamily Zone) of the City's Zoning Code, deeming commercial structures and uses that were rendered legal nonconforming solely as a response to the adoption of Ordinance No. 419 (R-3 rezone) in 2014 as legal uses. Staff is recommending approval of a Categorical Exemption for this project. (Deputy Director Koleda).

The Commission did not request that a presentation be given by staff.

Chairman McConnell opened up the public hearing.

There were no public comments.

Chairman McConnell closed the public hearing.

Chairman McConnell made a motion for recommendation to forward the item to the City Council.

Commissioner Oh asked if non-conforming uses are proposed to be phased out under Municipal Code Section 11.51.030 and how does this relate to Municipal Code Section 11.13.020?

Deputy City Attorney Guerra clarified that notwithstanding Section 11.51.030, that the item be forwarded to the City Council for approval.

Commissioner Gunter asked that the code section be clarified.

Both Commissioners Hazen and Jain agreed with Commissioner Gunter.

Chairman McConnell asked that the clarifying language be included within the Planning Commission Resolution. He moved to approve the Zone Change.

M/S/C – McConnell/Gunter to approve the project. Approved 5-0.

IX. PUBLIC HEARINGS

- A. [Conditional Use Permit 501 \(Amendment\); Gelson's Market / ROIC, CA LLC; 635 Foothill Boulevard:](#) request to amend a conditional of approval pertaining to expiration for a previously approved Conditional Use Permit (CUP) to allow the addition of on-sale of beer and wine in conjunction with a bona fide eating place within an existing grocery store. The instructional tastings within the existing grocery store has already been established. The project is located in the Mixed Use 1 zone. Staff is recommending approval of a Categorical Exemption for this project. (Assistant Planner Harris).

No staff report was required.

Speaker, Cindy Block, spoke on behalf of the applicant. She requested an extension.

Commissioner Oh asked about the proposed outdoor restaurant and if part of the sidewalk would be blocked. He questioned whether pedestrians would have to use the parking lot as access.

Commissioner Gunter asked about Condition Number 13 and why it was not part of the Resolution tonight.

Ms. Block said that she would take the two Commissioner comments back to Gelson's representatives for clarification.

Commissioner Hazen asked if a fence would be placed in the area where there would be alcohol consumption.

Ms. Block, indicated, "Yes, there will be a barrier per Alcohol Beverage Control's (ABC) requirements.

Commissioner Jain said that plans will need to indicate that the access way be open, not blocked.

Director Stanley said that some tables may need to be eliminated and that staff will work with the applicant.

Commissioner Oh said that it seemed that the request is a change of use from retail to restaurant and expressed concern over the fact that additional parking may be required.

Director Stanley said that the parking lot was reorganized and the parking count was increased as part of a previous shopping center renovation. He believed that the parking that is available for this use is acceptable and meets code.

Chairman McConnell stated that the City Traffic Engineer indicated that there would not be any additional vehicle trips as a result of the applicant's request.

Speaker, Randy Strapazon, 444 Georgian, commented in favor of Gelson's. He said that Gelson's has always been helpful, and accommodating for Riding Club and Chamber events and in providing food and refreshments.

Commissioner Gunter said that he visited the site. He understood that seating would be placed at the front as opposed to the inside which is a small change. Outdoor dining is supported and although there could be challenges with pathways, the Building and Safety Department will address that. He reiterated that the Commission is considering the beer and wine use and should not be considering chair placements at this time.

Commissioner Hazen visited the site. He agreed with Commissioner Gunter that adequate access is needed and that it will be addressed separately. He said that he can make the findings to support the project.

Commissioner Jain said that he visited the site. He is concerned about public access but understands that the item before the Commission that evening

was for a beer and wine use. He believed that the exhibit should not be part of the approval and should be revised to satisfy the conditions.

Director Stanley recommended approving the project with conditions or with a recommendation for the applicant to provide required changes.

Commissioner Oh had a safety concern about the narrow pathway and the potential for the restaurant to take up pedestrian access that could potentially limit access to the shops and force pedestrians to the driveway of the parking lot. As the plan shows, the seating area takes up all of the walkway area. He said that he could make all the findings besides the outdoor dining area.

Commissioner Jain stated that the exhibit showing the access area is not part of the approval.

Chairman McConnell indicated that he voted against the concept before and that he still will not vote in favor of the applicant's request. He suggested that the applicant bring back a new design to satisfy all conditions, especially that of Condition No. 13.

Director Stanley clarified that the applicant will be required to go through the Design Review process which will cover the outdoor seating area.

Commissioner Gunter asked if the actual layout could be corrected prior to Design Commission review.

Chairman McConnell confirmed that the Commission would not be approving the site plan and that the revised plan would be provided to staff for further review. At this time, the Planning Commission is only approving the license type and not the configuration or layout plan. The Design Commission will review the layout when it is submitted to them for review.

M/S/C – Gunter/Hazen to approve the project. Approved with added Condition #4, 3-2. Both McConnell and Oh voted no.

- B. [Hillside Development Permit 16-16/Second Floor Review 16-14/Setback Modification 16-08; Oganesyany; 2345 Conle Way](#): request to allow 1st and 2nd-floor expansion of the existing residence. The front and south additions would encroach 5'-6" and the new porch posts would encroach 10'-0" into the required 25'-0" front-yard setback. The south side addition also encroaches 2'-3" into the required 13'-6" first-floor side-yard setback and 8'-9" into the required 20'-0" second-floor side-yard setback. This project was originally approved in March of 2015 but has since expired. The applicant/owner is seeking re-approval of the project. Staff is recommending approval of a Categorical Exemption for this project. (Assistant Planner Harris).

The Commission did not require that a staff report be given.

The public hearing was opened.

Property owner, Alex Oganessian, introduced himself as the property owner.

Neighbor, Jay Min, 4605 Leir Drive, spoke about the project and distributed additional exhibits.

The public hearing was closed.

Chairman McConnell recommended that the applicant look at the landscape plan.

Commissioner Jain said that he is familiar with the project site. He can make the findings for the approval and stated that he believed that the project had not changed and therefore, does not warrant any additional review.

Commissioner Hazen stated that the house is very large as viewed from the street and that the landscaping should mitigate that. He said that Condition Numbers 14 and 15 are critical.

Commissioner Oh said that he visited the site and recalled the orientation of the house toward a drainage channel. Based on the plans and the fact that the second floor does not have intruding windows, he said that he could make all of the findings.

Chairman McConnell said that he visited the site. He recalled that the project was reviewed a number of times. He believed that solutions were discussed and they are sufficient.

M/S/C – Jain/Hazen to approve the project. Approved 4-0. Commissioner Gunter had not arrived yet to vote.

- C. [Hillside Development Permit 16-17/Second Floor Review 16-13/Setback Modification 16-07; De Angelis Designs/Avanessian; 5462 La Forest Drive:](#) request to construct a new two-story house and attached garage comprising 5,258 sq. ft. on a 24,627 sq. ft. hillside lot with an average slope of 17%. A Setback Modification is also requested to allow the new residence and fencing above 42" in height to encroach into the required front setback. Swimming pool, patio and other site improvements are also proposed. Staff is recommending approval of a Categorical Exemption for this project. (Planner Gjolme).

Planner Gjolme presented the proposed new two-story house on a hillside lot and discussed the elements and justification for the setback modification request. The property is unique as its frontage curves all around La Forest

Drive. Applying the standard setback requirement for this lot limits the reasonable buildable area for this lot. The proposed property line fence was also discussed. Detailed information was presented as part of the presentation with positive findings and a recommendation of approval.

Chairman McConnell asked for clarification as to when a curve frontage stopped being counted as the front of the property.

Planner Gjolme answered that as long as it curves continuously along a single street, it is considered single frontage and in this case, the front of the lot.

Chairman McConnell asked if grading would take place within the Oak's drip line.

Planner Gjolme said that the architect, Dave De Angelis, would have the accurate information with regards to the Oak's drip line.

Chairman McConnell asked whether an existing retaining wall would be removed.

Planner Gjolme stated that Mr. De Angelis would be able to clarify that for him.

Commissioner Hazen asked a question about parking spaces on the site and whether there would be any architectural requirements for a lengthy six-foot high fence.

Director Stanley said that the good side of the fence would need to face the neighbor.

Commissioner Oh asked if the yard designation would be changed along the curve as the lot is a corner lot.

Planner Gjolme answered, "No," since the curved frontage is along a single street. The lot is not considered a corner lot.

Chairman McConnell opened up the public hearing.

The project architect, Dave De Angelis, spoke about the design, orientation and siting of the house. Many options were considered and the final proposal is what he believed was the best possible orientation. As to the Oak tree, the protection radius is maintained as it relates to the trunk size and not its canopy. Minor grading would occur within the drip line.

Chairman McConnell asked if there would be an arborist on-site during construction to monitor the tree.

Mr. De Angelis indicated, “no,” but that the intent is to protect and preserve the Oak.

Mr. De Angelis asked that Condition No. 15 of the Second Floor Review be adjusted to include a forestry requirement.

The public hearing was closed.

Commissioner Hazen said that he visited the site, saw the possibilities and said that he believed that what is proposed is the most practical design. He can make all of the findings.

Commissioner Jain said that he visited the site and believed that the site is difficult due to its curvature and the 25-foot setback. He said that he believed that the Setback Modification request should not be needed but can agree with the request. He felt that the orientation is well done and he can make all of the findings to approve the project as submitted.

Commissioner Gunter said that he is familiar with the project and agreed with the Commissioners. He said that he could make all of the findings.

Commissioner Oh said that he agreed with his fellow Commissioners and could make all of the findings to approve the project.

Chairman McConnell said that he could not make the finding for the fence and that the condition for the landscaping is unnecessary as it will need to come back to the Commission if Forestry has a problem.

M/S/C – Gunter/Jain to approve the project. Approved 5-0 for the residence and 4-1 for the fence. Chairman McConnell was not in favor of the fence.

X. REPORT OF DIRECTOR’S REVIEWS- Was reported.

- A **Hillside Development Permit 16-27 (Dir.); Der-Bedrossian; 5541 Rock Castle Drive:** allowed a new pool, spa and low deck on a hillside lot.
- B. **Director’s Misc. Review 16-39 (Telecom); Synergy/AT&T; 2320 Foothill Blvd.:** allowed replacement and new rooftop antennas and remote radio units on an existing commercial building.

XI. OTHER BUSINESS – There was none.

XII. COMMENTS FROM THE COMMISSIONERS – There were none.

XIII. COMMENTS FROM THE DIRECTOR –

Director Stanley proposed November 7 and 14, 2016 as potential dates for discussing Zoning Code Update items.

He asked the Commissioners if they would be available to attend a meeting the week of Thanksgiving. He also inquired as to whether the Commissioners would be available to attend the meeting of December 27, 2016 as he would need determine if there would be a quorum.

XIV. ADJOURNMENT – M/S/C – McConnell/Gunter to adjourn the meeting at 7:28 p.m. Approved 5-0.