

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD OCTOBER 24, 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, Deputy City Cobey, Planner Gjolme and Assistant Planner Lang.

**III. PLEDGE OF ALLEGIANCE**

Commissioner Hill led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC**

Comments were not offered.

**V. REORDERING OF THE AGENDA**

The Chair saw no reason to reorder the agenda.

**VI. CONSENT CALENDAR**

M/S/C Mehranian/Gelhaar to approve the minutes of October 10, 2006.  
Unanimous.

**VII. PUBLIC HEARINGS:**

**A. Hillside Development Permit 05-65 (amendment); Building Depth Review 05-15 (amendment); Modification 06-19 (amendment); Zarate; 4141 Cambridge Road:**

Planner Gjolme recalled that in April, the Commission approved a project consisting of a new, 9,000-sf two-story residence and relocation of the driveway to the northeast side of the property. Approval included a driveway width of 15 ft., removal of a second-floor balcony and code compliant setbacks for an existing guesthouse at the front of the property.

The requested amendment is driven by the Fire Department, which is requiring a 20-ft-wide driveway and a hammerhead. The widened driveway necessitates reconfiguration of retaining walls e.g., a 6-ft-high retaining wall within the easterly lot interior would be constructed along the property line and a low retaining wall on the west side of the driveway would flare to the southwest and extend approximately 60 ft northward. A nearby oak is proposed to be

retained and a draft condition requires an arborist's review to access its viability throughout the process. Two pine trees near the required hammerhead would remain; however, a third pine located along the retaining wall curve would have to be removed. A Powerpoint presentation showed the driveway site and nearby trees as well as a section of the retaining wall.

Another issue tied to the original approval was the master bedroom balcony at the rear of the property, which the Commission required to be removed out of concern for the neighbors' privacy. The applicant is again requesting that it be allowed, having discussed it with the most proximate neighbors, who have submitted a letter of support. Additionally, the applicant proposes to plant a bank of ficus trees to fill a gap where there could be partial views into the neighboring yard.

Staff recognized that the relocated retaining wall might be somewhat more intrusive, but the considerable tree inventory would mitigate that concern. Staff also supports the requested balcony, given the neighbors' endorsement.

Commissioner Gelhaar confirmed that the Commission's approval did not include landscape screening for the east side of the retaining wall.

Commissioner Mehranian stated that she had the same concern, given the length of the wall. She also wanted assurance that the nearby oak would survive.

Planner Gjolme commented that Staff was concerned as well and that the applicant would be required to follow the arborist's recommendations. He recommended adding a condition for replacement in the event the oak does not survive.

Referring to the draft conditions, Commissioner Hill confirmed that all new hillside projects require an Urban Storm water Mitigation Plan. Addressing draft condition 23 requiring an arborist report, he commented that given the strict adherence to the arborist report, it seemed we were giving the arborist veto power.

Planner Gjolme stated that typically, the arborists' recommendations are followed without exception.

Applicant, Roberto Zarate noted that the former conditions required that he reduce the height of the towers from 28 to 26 ft out of consideration for the neighbor. Further, the guest house, which is a legal, non-conforming structure and was required to comply with current front setback requirements. While he

preferred to leave it as is, the conditions require otherwise. He noted that his neighbors were in the audience to support retention of his master bedroom balcony.

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

Commissioner Gelhaar remarked that he was probably the most vocal in opposing the balcony; however, he could now support it, given the offer to plant screening trees. He asked that another condition be added requiring a landscape plan to mitigate all sections of the retaining wall more than 3 ft in height and subject to the Director's review and approval.

Commissioner Hill stated that his sole issue was condition 23 which required adherence to all recommendations of the arborist; he preferred that *arborist* be replaced with the *Director of Community Development* to give the Planning Department veto or modification authority over the arborist's recommendations.

Commissioner Gelhaar noted that this has been consistent language and asked for the Deputy City Attorney's counsel.

Attorney Cobey stated that the language is Department policy rather than being required by Tree Ordinance; however, she hesitated to make any changes without the Director's input.

Commissioner Cahill stated that he did not have concerns with the reconfigured driveway or the balcony. He suggested that a new condition should require another oak of a sizeable diameter if the existing tree near the driveway does not survive. He inquired if the retaining wall was 6 ft high throughout.

Planner Gjolme responded that it only reached 6 ft at its mid-section; the remaining height is 3 ft.

Commissioner Cahill stated that he could support the request with Commissioner Gelhaar's added conditions.

Commissioner Mehranian concurred.

Chairman Davitt recalled his initial opposition to the rear balcony, but with the neighbors' consent and added screening, he could support its reinstatement as well as the driveway modifications.

At Attorney Cobey's request for more clarity regarding the oak in proximity to the driveway, Commissioner Cahill stated that if the existing oak dies within one year as a result of the project, that another oak shall be installed on the property, subject to approval by the Director of Community Development.

M/S/C Mehranian/Gelhaar to approve the requested amendments to Hillside Development Permit 05-65, Building Depth Review 05-15 and Modification 06-19. Unanimous.

**B. Hillside Development Permit 06-60; Modification 06-65; Koide; 3831  
Hampstead Road:**

Planner Gjolme described the applicants' request to construct two retaining walls within the rear yard of their property to stabilize the hillside and repair slope failure.

The 53,210-sf site is a corner lot at the intersection of Hampstead Road and Sugar Loaf Drive in the R1-20,000 Zone. The front of the property was determined to be Hampstead, where it has 67 ft of frontage, compared with its frontage along Sugar Loaf, which spans 308 ft. Wooded, sloping banks descend from both frontages to a level pad. The project area is considerably below street level and visually isolated.

The slope failure is mostly on the neighboring lot on Sugar Loaf; however, it breached the applicant's lot on its downward course, ruining a yard/patio area and exposing and damaging a City drain pipe. The existing drainage system extends from the street above, through a culvert and into a natural ravine to the east. The project consists of one retaining wall, ranging in height from 4-8 ft and re-grading at a 2:1 slope and in essence, creating a small catch basin. The wall would have outward exposure to both properties and would extend into the required 15-ft rear yard setback. A second retaining wall 5 ft in height, would be built below, facing the applicant's lot and paralleling the existing channel. It would allow creation of a new outlet structure so the City's drain pipe can be re-installed and allow transport of water down the pipe, through the outlet structure into the culvert and to the ravine. Additionally, the neighbor intends to replant his slope with new trees and shrubs for further stabilization.

Photos were displayed evidencing the severe slope failure. Planner Gjolme noted that the upper portion of the slope has yet to be restored or planted and that it is critical to address the situation before the winter rains.

Staff viewed the request as appropriate and necessary and recommended approval.

Commissioner Mehranian asked who would make the repairs, who would inspect the work and if a geological study was prepared.

Planner Gjolme advised that Staff was attempting to expedite this end of the process; Public Works would install the drainpipe and Building & Safety would handle the inspection. Geology and soils studies are requirements of the Plan Check process.

Applicant Patricia Koide, advised that a geological engineer has drilled the site and submitted a report to Building and Safety; she received a copy earlier in the day without changes. She emphasized that her primary concern is stabilization of the hillside.

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

Commissioner Cahill supported all the findings made by Staff. He noted that the new retaining wall would be facing inward; while he did not believe it needed to be landscaped, he would not object to such a condition.

Commissioner Mehranian stated that her concern was that the slope repairs are done correctly.

Commissioner Gelhaar remarked that he appreciated what the applicant was experiencing, his family experienced a similar misfortune. He supported Staff's findings.

Commissioner Hill and Chairman Davitt concurred.

M/S/C Mehranian/Gelhaar to approve Hillside Development Permit 06-60, Modification 06-65 as conditioned. Unanimous.

## **VIII. OTHER BUSINESS**

### **Tree Removal 06-39; Johnson; 4418 Oakwood:**

Assistant Planner Lang reported the appellant's request for relief from the Director's standard condition imposed on a tree removal permit that the removed tree be replaced with one of a protected species. The appellant prefers to install a redwood or liquid ambar.

Staff recommended that the appeal be denied; City policy is that removal of a protected tree should follow by installation of another protected species.

Appellant Ed Johnson, distributed photos of his front yard to the Planning Commission. Despite efforts to save a mature deodar in his front yard, disease had spread, shortening its life expectancy to 12 months and presenting a danger to the residence. The Director approved its removal with a condition that it be replaced with a 24" box tree of a protect species.

Mr. Johnson's property is immediately south of the La Cañada Presbyterian Church where two buildings are in advanced stages of construction as part of its master plan. He related of sharing 250 ft of common boundary with the church, including a small lot north of his main property. Since a portion of the children's building, chapel and the administration buildings would abut his property, he has begun to plant redwoods along his east property line as a screening buffer --- similar to the Church's approved landscape plan. His arborist advised that redwoods or liquid ambars would grow faster, taller and be less susceptible to fungus than a City -protected tree. He emphasized his need for immediate screening and stated he did not want to plant a tree that would inherit the fungus. He felt his request was a reasonable alternative "rather than sticking a protected tree on the property".

Commissioner Gelhaar commented that on occasion, the City allowed a property owner to deposit the cost of a replacement tree into the City's Tree Fund.

Commissioner Mehranian stated that if the Commission did so, that Mr. Johnson should be given credit for planting a replacement tree.

Responding to questions from Commissioner Hill, Mr. Johnson questioned the practicality of planting a tree where there is fungus.

Commissioner Cahill commented that the removal was not discretionary on the part of Mr. Johnson; replacing the deodar with a non-protected tree was acceptable to him.

Commissioner Hill stated that under normal circumstances, requiring a replacement tree would be appropriate and there is good reason not to install a tree in the same place as the diseased deodar. He did not believe the appellant should be required to make a deposit to the City's tree fund, stating "he's doing the neighborhood and the City a service by planting redwoods".

Chairman Davitt commented on the uniqueness of these circumstances and the heavily wooded site.

M/S/C Gelhaar/Mehranian to sustain the appeal and eliminate the condition that the replacement tree must be of a protected species. No other conditions were imposed. Unanimous.

**IX. COMMENTS FROM THE COMMISSIONERS**

Commissioner Hill suggested revising the language used when tree protection/replacement is concerned and give the final "say" to Staff rather than the arborist.

Planner Gjolme commented that was probably more appropriate, given that an arborist is hired in the capacity of a consultant.

Commissioner Gelhaar reviewed the Pending Item list provided in the packets. Surveillance Camera Ordinance was not on the list. Items should be removed if there is no longer interest.

Commissioner Cahill asked that elimination of billboards should also be on the list.

Commissioner Gelhaar recalled that the Commission talked about rewording of the story pole requirement handout and the need for different color snow fencing for the ridgelines.

Planner Gjolme advised that Senior Planner Buss was in the process of reworking all the applications.

**X. COMMENTS FROM THE DIRECTOR**

Planner Gjolme reported that the City Council overturned Commission's unanimous approval and upheld the appellants' appeal on the proposed second-floor addition for Mr. Ibrahim on Ocean View Boulevard.

Commissioner Gelhaar commented that some feel the Council might have inadvertently or otherwise created an overlay zone.

**XI. ADJOURNMENT**

M/S/C Hill/Cahill to adjourn at 6:56 p.m. Unanimous.

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Secretary to the Planning Commission