

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD OCTOBER 28, 2003**

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Commissioners Davitt, Gelhaar and Levine, City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Assistant Planner Gjolme and Planning Aide Shimazu. Commissioner Mehranian was expected shortly.

III. PLEDGE OF ALLEGIANCE

Chairman Levine led the flag salute in Commissioner Mehranian's absence.

IV. COMMENTS FROM THE PUBLIC:

Comments were not offered.

V. CONSENT CALENDAR:

A. M/S/C Gelhaar/Levine to adopt the minutes of September 23, 2003. Staff is to verify a comment attributed to Commissioner Levine. Unanimous.

Commissioner Mehranian arrived at this point.

M/S/C Levine/Gelhaar to adopt the minutes of October 14, 2003. Unanimous.

B. Resolution 03-63; approving Modification 03-44, Building Depth Review 03-10; 5088 Alta Canyada Road:

Applicant, Rose Chan Loui, requested reconsideration of a condition imposed by the Commission to replace a removed deodar tree with a 14-inch-diameter deodar, in the same location. She related that the deodar was removed for safety reasons as confirmed by two arborists; one advised that severe damage was done to the tree when a retaining wall was installed less than 3 ft from the house. She followed instructions regarding safety and preservation, however, in January 2003, the deodar lost a large limb, which fell on the house. She contacted the arborist, who again expressed concern. Ms. Chan reported that she and her contractor believed that Planning Staff gave verbal authorization to remove the tree. She related it was always her intention to replace the deodar, but it is physically impossible to plant a 14-inch-diameter tree in the same location, due to lack of access. Ms. Chan submitted a letter from a certified arborist, which states that replacement might be possible via the Edison

easement. The arborist also recommends that the deodar be replaced by a tree with a broad canopy, rather than the conical deodar that was removed.

She asked the Commission to defer adoption of the resolution and allow her to work with the Director of Community Development and a landscape architect to work out a safe solution.

Following confirmation that a licensed arborist removed the tree, Chairman Engler asked Staff to respond to Ms. Chan's comments.

Director Stanley reported that the Planning Aide denies giving verbal approval, and in any case, written approval is required. Arborist Mike Mc Cauley, who removed the tree and who contracts with the City, advised the Director of having received verbal authorization to remove protected trees in the past. Director Stanley did not fault the property owner, as she correctly applied for a tree removal permit; however, there would be consequences under the Tree Protection Ordinance as to what happens to a commercial tree operator removes a protected tree without written approval.

Responding to a question from Commissioner Mehranian, Ms. Chan advised that the tree should be removed when it lost a large limb. As she worked with her contractor in connection with a home remodel, the issue whether to accommodate the tree or remove it was raised again.

Commissioner Levine suggested that the Commission grant reconsideration and place the item on a future agenda .

Commissioner Gelhaar confirmed that granting the request would put all issues back on the table, including review of the building depth.

M/S/C Gelhaar/Davitt not to act on the resolution and grant reconsideration. 4 Ayes. Levine dissenting.

VI. CONTINUED PUBLIC HEARING:

A. Hillside Development Permit 02-59; Schuberth; 3829 Chevy Chase Drive:

Commissioner Levine was recused from deliberations on this matter.

Senior Planner Buss recalled the initial hearing on September 23, which was continued for a revised landscape plan. There was discussion whether view corridors of the house should be allowed through two gaps in the landscaping, or if the house should be totally screened from street view. There was concern expressed regarding the height of the turrets, which met the definition of Architectural Extensions under the Ordinance.

Chairman Engler confirmed that Staff had not received a revised landscape plan and an elevation of the east side.

Commissioner Mehranian observed that the staff report talks about "existing trees in poor health"; without a revised landscape plan, it would be difficult for her to review the plan fairly.

Applicant, Jill Schuberth, reported that she and her husband carefully considered the Commission's recommendations. She felt that the landscape plan originally submitted addressed any concerns; there are six liquid ambar trees that would fill the gap nicely, as well as abundant shrubbery.

Bill Schuberth advised that he and his wife arrived at the instant design following many years of travel and acquiring an extensive architectural library. Their objective was an elegant and timeless home that would be an asset to the neighborhood and the City. Mr. Schuberth stated that he did not understand the need to make the house "invisible", and since all his neighbors enthusiastically support the plan, he questioned whose views would be affected. He pointed out that a small handful of homes would have distant views of his home and only 3 would see it from nearby. Mr. Shuberth stated that he was not happy with compromising the integrity of this project and was only "placating the wishes of some of the Commissioners".

Jay Johnson, project architect, addressed the turrets, since the massing was dealt with the last time. He recalled that when revisions to the Ordinance were under discussion, that the importance of allowing architectural extensions was highlighted and they were subsequently allowed to a height of 40 ft. The turrets were initially submitted at 30 ft and 34'-6" in height. He then explained that he was able to reduce the height of the turrets by lowering the right side of the house by 2 ft. The main turret over the entry now reaches 31'-6" in height. He lowered the plate 1½ ft and changed the pitch of the turret. Mr. Johnson stated that lowering any further would seriously impact the design.

Discussion followed regarding the lack of scaled plans. Mr. Johnson disagreed and agreed for the record, that his plans scaled at 29 ft.

Director Stanley expressed concern with imposing a condition requiring a certain height without seeing elevations.

Christopher Cox, project landscape architect, stated that the landscape plan originally submitted clearly calls out plant materials. Rather than put his client through the unnecessary expense of submitting an elevation, he

displayed overlays of the project, which he believed more clearly demonstrated the end product.

Director Stanley reported for the record that the plant material was called out.

Mr. Cox continued with his photo overlay; the only thing he had added were two, 24-inch-box liquid ambars, which would provide continuity and allow the applicant an outside view. He explained that a 24-inch-box tree will grow to the size of a 48-inch-box in 2-3 years. He advised that to his knowledge there are no unhealthy trees on site; some might have bark beetle infestation, which is common.

Responding to a question from Commissioner Mehranian, Senior Planner Buss advised that comments in the Staff report regarding misshapen and/or unhealthy trees resulted from his observation.

Proposed fencing and gating were briefly discussed; Mr. Cox pointed out that the Director would be reviewing the request.

Commissioner Davitt confirmed that the center turret now measured 30½-ft in height.

Commissioner Gelhaar commented that it would be 2½-ft above the roof ridge, since the architect was showing a roof ridge at 29 ft.

Chairman Engler opened the public hearing. Since comments were not offered, the public hearing was closed.

Commissioner Davitt advised that he drove by the site visit that morning to refresh his memory. He did not have a problem initially, though he believed that concerns regarding the height of the turrets were valid. Commissioner Davitt stated that he would like to see more screening without impairing the property owners' views, and that he could support the project.

Commissioner Mehranian expressed appreciation for lowering the turrets. She continued to be concerned with landscape buffering and requested assurance that the physical composition of Chevy Chase remain wooded and informal.

Commissioner Gelhaar recognized that the applicants might have been perplexed over the varying opinions from the Commissioners. He felt it was important that the roofline comply with the 28-ft height limit and he

had no problem with the entry turret being 2½-ft over that. He believed that the site was abundantly landscaped and did not require more. Rather than referencing photo overlays, he suggested rewording condition 5 to call out the allowed turret heights and roof height.

Chairman Engler stated that he was never concerned with the house, but he continued to have some concern with deciduous trees. The single-story home that is now visible from gaps in the landscaping will change. He asked that Mr. Cox be more creative with some of the landscaping and that Staff delete “substantially” from conditions 4 and 5. He confirmed that all Commissioners agreed to limit the roof height to 28 ft.

M/S/C Gelhaar/Davitt to approve Hillside Development Permit 02-59, amending condition 5 to limit the roof height to a maximum of 28 ft and the turrets to a height of 30’-6”, and delete “substantially” from conditions 4 and 5.

Chairman Engler stated that he preferred evergreen trees rather than the proposed liquid ambars. Attorney Steres suggested modifying condition 14 accordingly.

4 Ayes.

Commissioner Levine returned to the table.

VII. CONTINUED PUBLIC MEETINGS:

A. Building Depth Review 03-11; Anderson; 5024 Angeles Crest Highway:

Senior Planner Buss recalled that this project was continued from the last meeting, with direction to add modulation to the north elevation and revisit the landscape plan.

The applicant responded by extending a 29-ft-long section between the chimneys on the north side first floor by 1 ft. The new area is capped by the roofline and rafter tails and totals 87-sf, still well below the maximum allowable floor area. An elevation of the north side was submitted, including podocarpus plantings to illustrate the result from the adjacent property.

Additionally, the applicant’s measurement of front setbacks of all properties on his side of the block results in a reduction of the front setback from the originally submitted 99 ft to 60 ft. When the neighbor to the north expressed apprehension that the main portion of the house would parallel his back yard, the applicant offered to move the house forward, at the 70-ft

front setback line, so that the house would be nearly even with the rear of the neighbor's garage. This allows both homes to enjoy north/south views.

Staff supported both revisions.

Commissioner Gelhaar expressed disbelief upon learning of the difference in setbacks. He asked where in the process would that have been caught.

Senior Planner Buss advised that Code states that when ascertaining the average front setback, the first option is to look at the entire face of the block if feasible. The second choice is to look at the two adjacent neighboring properties, which is what the applicant had originally done.

Chairman Engler commented it seemed to him that it would be most fair to measure the entire block; which requires a great deal of effort and time and many times, cannot be done. He confirmed that Staff relied on the information submitted by the applicant and questioned how the Commission could be assured that the most recent information is correct.

Commissioner Davitt commented on the either/or situation in the Code and inquired if there was a *preference* for one method over the other.

Attorney Steres then read the development standard from Code:

The average front yard setback shall be the average depth of the front setback of the properties along the same side of the block, subject to available data. In the event that data for the entire block is not available, the average front setback shall be determined according to the two adjacent properties, with the following exceptions An adjacent lot that is vacant or an adjacent flag strip shall be omitted from calculation of average setbacks

He recalled that when R-1 standards were being revisited, the City was looking to have an entire block measured for consistency. The question as to what would happen if it couldn't be done, was raised since it is difficult to establish front setbacks on some properties --- that is how 'either/or' came about.

Chairman Engler stated that at minimum, Staff should count the number of lots on a block and check for the correct calculations. Since this is a change in procedure, he asked that it be discussed at a future meeting.

Applicant Craig Anderson, related his discussion with his neighbor. Mr. Anderson's lot is 280-ft in depth east/west. Since his neighbor's property runs north/south, they soon realized that the project would block sunlight from the neighbor's back yard, and the decision was made to move the

project forward. Mr. Anderson later realized that properties on Angeles Crest are irregularly shaped; he measured 11 homes on the block and came up with an average of 59 ft. He noted that the setbacks of his 2 adjacent neighbors are 102 ft and 103 ft. He felt that a good compromise was reached by eliminating any line-of-sight issues. The 15 gallon podocarpus will reach the second-floor level due to the difference in elevation between the two properties.

Commissioner Gelhaar stated that he did not have a problem initially nor with the revisions, though he was interested in discussing the method for calculating front setbacks.

Commissioners Davitt and Mehranian concurred.

Chairman Engler thanked Mr. Anderson for his efforts, adding that he had done what he was asked to do.

M/S/C Gelhaar/Mehranian to approve Building Depth Review 03-11 as conditioned. Unanimous.

Senior Planner Buss advised that the average front setback for the block is 62 ft, rather than 59 ft if the Hales' vacant lot is included.

B. Variance 02-07; Modification 01-10; Kimbrough; 4853 Revlon Drive:

Assistant Planner Gjolme described the applicant's request to allow 275 sf of first-floor expansion and to construct a new, 1,033-sf second-floor. The Variance represents a floor area ratio of 47%, exceeding the 40% allowed for Floor Area Review. The Modification would allow second-floor encroachments into the North side yard.

The 6,960-sf, pie-shaped lot is located on the west side on an arched portion of Revlon Drive, between Alminar and Rupert Lane, in the R-1-7,500 Zone. It has 104 ft of curving frontage, narrowing to 32'-6" in width at the rear. This reduces the overall lot size to 6,960-sf, below the 7,500 sf which is typical of several nearby properties.

The average width of 82-ft warrants 16'-4" side yard setbacks at the second-floor. Proposed side yards are: 7'-6" at the north and a 12-ft to the south. Approximately 3,265-sf of total floor area is proposed.

Staff believes there is a strong uniformity in the neighborhood; the majority of homes are less than 2,000-sf as noted on the comparison chart provided in the staff report. While some relief with the setbacks might be warranted, due to the lot's irregular shape, staff considered the project as excessive and

overbuilding of the lot. Staff could not support the Variance or the encroachments as proposed and recommended denial of both requests.

Commissioner Levine believed that discussion should stop at this point, since the submitted plans did not comply with submittal requirements.

Commissioner Gelhaar believed the process should continue.

Commissioner Davitt felt the applicant should be allowed to address the Commission, since it was noticed as a public hearing.

Attorney Steres responded that Commissioner Levine was suggesting a denial based on an incomplete submittal. He advised that if the Commission would not be acting on the merits of the case, there was no point in opening the public hearing.

Commissioner Mehranian asked why the matter was scheduled, since the project did not meet the criteria.

Attorney Steres explained that when Staff determined that the submittal was complete, it only had one set of plans. Procedurally, when the time comes to set a project for public hearing, staff requested the additional sets of plans. The applicant failed to comply and the first hearing was continued. Thereafter, Staff again requested full size plans and 8½ x 11 reductions for overhead display purposes. Mr. Kimbrough submitted 13 sets of plans – all 8½ x 11. Since the Permit Streamlining Act is triggered once a submittal is deemed 'complete', Attorney Steres recommended that the Commission act, barring the applicant agreeing to a continuance.

Commissioner Gelhaar supported Commissioner Levine's position.

Director Stanley pointed out that Mr. Kimbrough's interpretation is that all plans had to be 8½ x 11, even though Staff believed it made the requirements abundantly clear.

Chairman Engler invited the applicant to address the Commission.

Walter Kimbrough related that his expansion plan began in 1999 when he wanted to put on a new roof. He explained how the balconies shift the second-floor mass forward, to comply with the angle plane requirement. He disputed how Staff calculates lot area and was told that he could not count the parkway easement. Mr. Kimbrough reported that he investigated this issue at the law library and discovered that the easement is his property so long as he doesn't interfere with use of the area. He stated that the

parkway easement is not dedicated; if it were, the City would have to maintain it. His FAR calculations reach 39%, within the review threshold. He did not believe that Staff has the right to use the Tax Assessor rolls to ascertain the sq footage of a property, since the Assessor does not take measurements. He reported that he has neighborhood support for his project and that he wanted to "go up" to preclude impacting his neighbors. There are no windows on either side to protect his neighbors' privacy and the large trees would mitigate any visual impact. He concluded by stating that he is living in a 1,300-sf home in a city where maid's quarters are larger; his only obstacle is determination of lot size.

There were no questions from the Commissioners and testimony was not offered from the audience.

Chairman Engler commented that the Tax Assessor and the County Recorder should have identical information and that lot size should be the same as when the subdivision was approved.

Mr. Kimbrough reiterated that the right-of-way is his property and that it is unfair to require a 10% setback, because his lot is odd-shaped, whereas others in the neighborhood are rectangular in shape. He stated that the issue of including the right-of-way is not addressed in the Ordinance and he believed the Commission had the prerogative of doing so.

Commissioner Gelhaar stated that the project epitomizes the definition of mansionization.

Mr. Kimbrough left the chambers at this point.

Commissioner Levine expressed a concern with Staff's viewpoint that the project is not compatible with the neighborhood, yet the chart provided with the staff report shows a number of two-story homes in the area.

Commissioners Davitt and Mehranian concurred with Staff's recommendation.

M/S/C Levine/Mehranian to deny Variance 02-07 and Modification 01-10.
Unanimous.

VIII. PUBLIC MEETINGS:

Modification 03-60; Rouleau; 1336 Olive Lane:

Assistant Planner Gjolme described the applicants' request to allow a new 525-sf, detached garage to encroach 16 ft into the required 15-ft front setback.

The flag lot property is located on the south side of Olive Lane, south of Fairlawn Drive in the R-1-15,000 zone.

The existing attached garage would be converted into office space. An open breezeway would connect the office and the new garage. A water feature would be included in the alcove area.

The new garage and breezeway would maintain the existing 6'-6" south side yard setback, but would encroach into the 25-ft minimum front setback requirement for flag lots. Assistant Planner Gjolme pointed out that while the encroachment is numerically significant, in reality, the new garage would be set back more than 200 ft from Olive lane. The 14-ft-high garage would mimic the home's profile and the water feature would mitigate the 100+-ft-long span of the house. The project site's location, adjacent to an Edison easement and to above-ground reservoirs, zoned Public-Semi-public serves to mitigate any impacts.

Staff believed that the project would enhance the property and supported approval based on the flag lot configuration.

Designer Rafael Quezada, described the surrounding 'patchwork' development; the east border of the site abuts the side yards of adjacent homes. He believed that the project would enhance the northerly entrance.

Chairman Engle confirmed that the front yard setback of 42'-6" was measured to the **new** garage.

The Commissioners did not have any questions of Mr. Quezada, and testimony was not offered from the audience.

Commissioner Mehranian was convinced with the applicants' 'justification Statement and she stated she could support the project.

Commissioners Davitt, Gelhaar, Levine and Chairman Engler concurred.

M/S/C Mehranian/Davitt to approve Modification 03-60 as conditioned.
Unanimous.

B. Modification 02-53; Elmassian; 4144 Commonwealth Avenue:

Assistant Planner Gjolme reported the applicant's request to allow first and second-floor additions to encroach into the required front and side yard setbacks.

The project site is located on the east side of Commonwealth Avenue, between Berkshire and Flintridge Avenues, in the R-1-40,000 Zone.

The 48,740-sf lot is typical for the lower Commonwealth area; however, the single-story, 4,046 house and garage on the subject lot are not. The applicant proposes to more than double the size of the existing residence by adding approximately 5,200-sf, including a new second-floor, for a total of 9,140-sf total floor area, set back 38–6" from the front property line.

Assistant Planner Gjolme advised that a 35-ft *average* front yard setback was derived from the three adjacent lots to the north; however, when the house immediately to the south, which is set back 190 ft, is included in those calculations, the front yard setback requirement increases to 74 ft. That inflated component results in a 35'-6" front yard encroachment and nearly half of the total floor area to be non-conforming.

The project provides a 36'-8" front setback at the first floor and would project no further than the existing roof overhang. The first floor would be expanded along the front, rear and north side, where the two-car, detached garage would be attached and expanded to accommodate 5 cars, while maintaining the existing 6-ft north side yard setback.

An overhead transparency was displayed, showing the new second floor under the canopy of a steep roof. It is essentially attic space with vertical clearance over 6 ft., a playroom, office and deck area would comprise 2,488-sf. The expanded roof structure diminishes the vertical scale and conceals the second floor under sloping hips to the north and south. The functional second floor complies with the required 20-ft side yard setbacks at the perimeter walls, steep hip ends would extend beyond the living space of the second floor and encroach 10 ft and 12 ft from the north and south property line respectively. Assistant Planner Gjolme emphasized that the encroachments would occur within attic space and under hip roofs that slope away from the side property lines. He noted that the project is 2,000-sf below the maximum allowed for the lot and that both adjacent homes represent comparable floor area. Staff recommended positive findings and approval and emphasized the estate-scale of the area.

Responding to a question from Commissioner Mehranian, Assistant Planner Gjolme confirmed that 9,000-sf is an average, but floor area is not an issue with this request. The attic space is a design and Code issue; he read from Code which requires that any attic space with over 6 ft of clearance falls under the definition of floor area.

Chairman Engler confirmed that a condition could be added to require the attic space to be non-habitable.

Applicant Joseph Elmassian, distributed letters of support from each adjoining neighbor.

Since comments were not offered from the audience. Chairman Engler solicited comments from the Commissioners.

Commissioner Gelhaar stated that he had a problem with the first floor encroachment on the north side and that he would like it to meet Code. He could not make Findings 1 or 3.

Commissioner Levine stated he had a problem with Commissioner Gelhaar's suggestion.

Mr. Elmassian advised that he had worked on this design for a long time and that it would not look as proportional.

Commissioner Levine suggesting "shrinking the entire house".

Commissioner Mehranian stated that it was difficult to grant a side yard modification of a property of this size.

Commissioner Davitt stated that he could support the front yard encroachment and concurred with Commissioner Gelhaar regarding a code compliant north side yard.

Chairman Engler agreed with Commissioner Levine's suggestion.

Commissioner Levine asked whether the applicant intended to tear down the existing house or a majority of it.

Director Stanley commented that looking at the plans, one can only assume that the walls "are going".

Mr. Elmassian advised that the garage would be moved and a guest bedroom eliminated. He was told that the key factors were the front setback and that the existing north side encroachment could be approved administratively.

Commissioner Levine remarked that he could support remodels when the existing building line and setback is maintained, but that he looks at it differently if the house is demolished. He asked if the applicant would be tearing down the north side of the house.

Mr. Elmassian confirmed that he would, to accommodate the garage. He added that the 3-car garage would be used for vehicles and the one in the back would be used as storage area. He offered to reduce the structure to a 2-car garage to meet Code.

Chairman Engler noted that the majority of the existing garage would be demolished and its depth extended to the rear.

Commissioner Gelhaar stated he was prepared to approve the request with a condition that the north setback must meet the 12'-6" Code.

Second: Davitt; No: Engler and Mehranian

Commissioner Levine stated that his problem with the motion is that he has no idea what the house would look like with a code compliant setback.

Mr. Elmassian stated that he would simply remove one of the garage spaces and the angle would be moved inward.

Commissioner Levine modified the motion requiring the symmetry and angles remain the same when the setback is increased from 6't to 12'-6".

Commissioner Gelhaar accepted the modification and the motion passed unanimously.

Director Stanley asked the applicant to submit a revised plan for the Department's file.

- C. **Modification 03-68; Tree Removal Permit 03-55; Becker; 918 Green Lane:** Planning Aide Shimazu described the applicants' proposal to demolish the existing home and detached garage, and construct a 4,890-sf, single-story home with an attached garage, that would encroach 10'-2" into the required 50'-8" front yard setback. Otherwise, the project complies with all other code requirements. The 26,300-sf site is located at the southeast corner of Green Lane and Princess Ann Road in the R-1-20,000 Zone.

The Tree Removal Permit would allow removal of a 24-inch-diameter Chinese elm and a 15-inch-diameter California pepper, which are located at the rear of the existing home. The remaining trees, five Chinese elms, an oak and various fruit trees, would be retained. He recalled that earlier in the year, the Commission approved a modification and Tree Removal Permit for a 1,992-sf residential expansion. Rather than pursue that project, the applicant decided to start anew.

The project would maintain the low profile of the existing residence and the rear yard. Staff determined that the requested front setback encroachment would have no adverse effects on the immediate area, and that a code-compliance setback would have no discernible benefit when compared to the project. Staff believed that the request meets the intent of the R-1 standards and considers the request as justifiable. Regarding the requested tree removal, Staff included a draft condition requiring that two, 36-inch-box trees, chosen from the City's protected species list be installed somewhere on the property.

Chairman Engler recalled that the initial approval granted removal of the Chinese elm at the front; this plan maintains that tree by shifting the garage to the opposite side.

Commissioner Davitt noted that the project is 700+-sf larger than what was approved in June.

Commissioner Gelhaar confirmed that the average front setback was calculated based on the two adjoining properties.

Applicant, Connie Becker, reported that in discussions with her contractor following the approval in June, she found out there was little monetary difference between remodeling and starting from scratch. The entire corner of her property wraps around Princess Anne, where the garage would be located. There is a substantial setback from Green Lane and there would be no discernible visual change from what exists.

Commissioner Mehranian confirmed that the width of Princess Ann Road, including the right-of-way is 60 ft.

Commissioner Gelhaar reported that he had earlier advised the applicant that he could not make Finding 3 for the front setback, given the substantial front yard area, but that he could support the tree removal request.

Commissioner Mehranian concurred.

Commissioner Davitt expressed a preference for the earlier design. He concurred with Commissioner Gelhaar regarding the tree removal, and could support the front yard encroachment. He commended the applicant for maintaining a single-story development and believed there was justification for the encroachment, given that it is a corner lot.

Chairman Engler concurred, adding that the minimal encroachment would not be discernible.

M/S Levine/Davitt to approve Modification 03-68 and Tree Removal Permit 03-55. 3 Ayes. Dissenting: Gelhaar and Mehranian.

Commissioner Levine then noticed that the condition for parking should read as what was initially imposed.

Ms. Becker advised that the original approval allowed her the option of contributing to the City's Tree Fund in lieu of replacing the trees. She preferred that option if it was possible.

M/S/C Levine/Davitt to reconsider adoption of the resolution.
Unanimous.

Commissioner Levine made a motion to approve Modification 03-68, Tree Removal Permit 03-55, modifying the parking condition 13 to reflect language previously adopted to require construction parking to be on site.

Director Stanley read the adopted language into the record, requiring all construction vehicles to park on site or, if deemed that sufficient on site area is not available, then parking in front of the site will be permitted if it would not interfere with the neighbors or use of the street. Otherwise, off-site construction parking shall be at a location approved by Director of Community Development. Construction, deliveries, or movement of construction material is prohibited on Sundays or city-recognized holidays.

Ms. Becker stated that she would not want to inconvenience her neighbors, as she has lived through several nearby construction projects for years. She asked if an exception could be made to allow parking on Princess Ann Road.

Director Stanley advised that there is no exception unless the Commission finds justification to allow parking on the street.

Commissioner Davitt remarked that the original approval required 1 protected tree to be planted on site, with the option of donating the second

tree to the city. Barring that donation, two trees of a protected species were to have been installed on site.

Commissioner Davitt modified Commissioner Levine's motion regarding condition 12: two protected trees shall be installed on the property with the option of planting only 1 on site and donating the value of the second tree to the City's Tree Fund.

Second: Gelhaar. The motion passed with 3 ayes. Dissenting: Mehranian and Gelhaar.

IX. OTHER BUSINESS:

A. Commissioner Gelhaar reported on the Administrative Hearing that he heard that morning. He stated that it is a good project, comprised of a small, second-story addition, and that he had spoken with the neighbors.

X. COMMENTS FROM THE COMMISSIONERS:

Commissioner Gelhaar stated that he was dumbfounded by the tremendous difference in the front setback on the Anderson project and stressed the need for consistency.

Chairman Engler concurred and he was also concerned with accuracy of measurements.

Commissioner Levine asked that their items be scheduled for a future agenda or perhaps the Commission should recommend to the City Council that such items be verified and that the appropriate resources be allocated to do that.

Discussion followed on the 365 Corona project, on 4770 Dover Road, 1514 Descanso Drive and 4073 Chevy Chase.

Commissioner Levine remarked that it seemed there were limited resources to handle the number of complaints that are filed. He stated that perhaps the commission should formally advise the City Council of the Commission's concern with enforcement action for Planning and Public Works.

Director Stanley advised that there is a set budget for property maintenance and that Staff is handling complaints as efficiently as possible. The most appropriate time to address the commission's concerns would be during the budget process or at mid-year review.

XI COMMENTS FROM THE DIRECTOR:

Director Stanley reported that the City Council would be hearing two appeals of the Planning Commission's determinations for 1629 Verdugo Road and 2264 Laughlin Street.

He reminded the Commissioners that the next meeting would be held Monday, November 10th, since Tuesday the 11th is observance of Veteran's Day.

XIII. ADJOURNMENT

M/S/C Gelhaar/Davitt to adjourn at 9:08 p.m. Unanimous.

Secretary to the Planning Commission