

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD NOVEMBER 10, 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 Mehranian, City Attorney Steres, Director of Community Development Stanley, Planner Cantrell, Assistant Planner Gjolme and Planning Aide Shimazu. Commissioner Levine was expected to arrive shortly.

**III. PLEDGE OF ALLEGIANCE**

Commissioner Mehranian led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC:**

Comments were not offered.

**V. CONSENT CALENDAR:**

**A.** Minutes of October 28, 2003. M/S/Gelhaar/Davitt to adopt; unanimous.

**B.** Finding of consistency with the General Plan; re: the County's vacation of easement; La Bruna; 615 Berkshire Ave.,  
Director Stanley responded to a question from Chairman Engler. He recalled that a condition of approval of CUP 339 required the La Brunas to purchase the northern portion of property that crosses their lot and which is owned by the County. Offer to Purchase correspondence between the County and the La Brunas was included in the Commissioners' packets. The easement is currently zoned Open Space and is designated Public/Semi-Public in the General Plan's Land Use Element.

Commissioner Gelhaar confirmed that an approval would not affect the trail.

**VI. PUBLIC HEARING:**

**A. Conditional Use Permit 375; Floor Area Review 03-15; Building Depth Review 03-13; Modification 03-61; Lee; 4331 Commonwealth Avenue:**

Assistant Planner Gjolme reported the applicants' proposal to demolish an existing two-story home and replace it with a 7,927-sf project, comprised of a new two-story home, 3-car garage, pool house and several covered patio areas.

The site is located on the west side of Commonwealth between Georgian Road and Berkshire Avenue in the R-1-20,000 Zone. It is 35,600-sf in area and has a width of 75 ft and a depth of nearly 480 ft. Proposed floor area of 7,927-sf complies with the underlying standard for the lot. A tennis court with six light fixtures is also proposed well to the rear of the lot.

The Spanish design is very detailed and incorporates varying roof heights, architectural elements and wood accents. The second floor, with a depth of 96 ft. , exceeds the 60-ft threshold for review. Otherwise, it meets height and setback standards. Floor Area Review was triggered since the project exceeds 4,500-sf on a lot with less than 80 ft of frontage, the CUP addresses the request to light the tennis court, and the Modification would allow non-compliant 10-ft perimeter setbacks for the court, rather than the required 15 ft. and a minor 1-ft chimney encroachment to the south.

Assistant Planner Gjolme reported that the total floor and roofed area of is somewhat misleading. The 430-sf cabaña and 575-sf of patios notwithstanding, the home's enclosed footprint would reach 4,399-sf. , consistent with homes in the area. Both adjoining properties accommodate two-story homes with large accessory structures that encroach into the required side yards.

Staff believed that the issue of first-floor visual scale was not a concern, given the 75-ft front setback and the modulated linear design; however, the proposed 96-ft depth of the second floor caused concern. It would exceed the average depth of other second floors in the neighborhood and intensify impacts to adjacent neighbors, specifically the one to the south, due to the narrowness of the lot.

Addressing the tennis court, he noted that the tennis court would be sited well to the rear of the subject site and adjacent homes. The lot's 75-ft width precludes a regulation 60-ft-wide court with 15-ft perimeter setbacks. Therefore, a 55-ft-wide, screened, tennis court with 10-ft setbacks is proposed -- greater than the 7'-6" setback for the first-floor. The grove of trees downhill from the court would be maintained and substantial landscaping would be installed around the court. Staff did not believe that a use benefit would be gained by greater setbacks. However, acoustic and visual impacts could be intensified from night use of the court, making it difficult for Staff to recommend approval to allow lights. Assistant Planner Gjolme noted that the Commission approved a court with eight fixtures at the neighboring residence. The draft conditions require chain link buffer protection for the two large oaks on the south side

In conclusion, it was noted that the design remains clear of the two large oaks and a 45-inch-diameter deodar at the front, it meets the angle plane requirement and closely follows the footprint of the existing structure. Staff considered the overall design as well conceived, but could only recommend approval of the Floor Area Review and the Modification for the court's substandard setbacks.

Responding to a question from Commissioner Gelhaar, Assistant Planner Gjolme explained that the second-floor bump-out qualifies as a dormer and its encroachment into the required second floor setback is approvable at Staff level. However, since Staff did not recommend approval of the building depth, the project was before the Commission in its totality.

Robert Tyler, project architect, explained his clients' intent to develop the site in a manner commensurate with an estate property. He felt the traditional design made for thoughtful use of the site with a variety of features, including generous outdoor areas, recreational opportunities and natural areas. A key consideration was to put the motor court at the rear and conceal it from the street. A pool is proposed at the west side of the property with an art studio adjacent. The tennis court works off an area above a trellis at the rear of the property with an undeveloped, well screened area beyond. Mr. Tyler noted that the project closely follows the footprint of the existing structure and pointed out the single-story elements at the front and the recessed entry and second floor, tile roof, shutters, decorative chimney caps with the same level of detail applied to all four sides of the home. He pointed out that there is 2,700-sf of available space if he were to build-out the entire building envelope at the 2<sup>nd</sup> floor level, but doing so would present a bulkier appearance and raise the ridgeline (the project is 4'-7" below the maximum allowed), and would eliminate the bump outs that make the design more interesting. He reported of holding several neighborhood meetings to review the project.

Commissioner Gelhaar advised of having walked the site and asked if the tennis court could be located in the lower back yard, if there were no protected trees in that area.

Mr. Tyler responded that doing so would require extensive grading, separate the court from the rest of the property and look down on the neighboring property.

Assistant Planner Gjolme believed that all the trees in that area are oaks.

Chairman Engler opened the public hearing.

Jay Kern, 4325 Commonwealth, who resides directly south of the subject site, submitted a letter that was included in the Commissioners' packets. He commended the architect on his design, but opposed the proposed depth of the second floor. Upon hearing the details of the court, he no longer objected to it and stated that he was unsure if he cared about the lighting. Mr. Kern advised that his home is 4,300-sf, which was a little larger than most when built. He expressed concern that when his other neighbors expands his home that he will be "between a tunnel". He asked if the Commission could convince the architect to eliminate some sq footage from the second floor. He again complimented the architect on the design and broken wall lines.

Commissioner Gelhaar confirmed that trees planted along the common property line to obscure views from the project's second story would make a positive difference.

Further comments were not offered and the public hearing was closed.

For the record, Attorney Steres recognized two letters received earlier in the day from neighbors on Commonwealth and electronic mail from a property owner on Beulah, who resides behind the subject site.

Commissioner Gelhaar commented on the persistent problem with long and narrow lots and that 5 ft more of frontage would preclude the Commission from reviewing a code compliant 8,000-sf project. Historically, the Commission has held such lots to the same standards as those with 80-ft-wide frontages, which would require a 16-ft second-floor setback. He expressed appreciation for the varied setbacks and because of the modulation, he could support the Building Depth with two conditions: that trees be installed along the common south property line and that the balcony be eliminated. Further, he could not make the findings to allow the reduced setbacks for the tennis court.

Commissioner Mehranian recognized that the site constraints impact the design, but stated that the thresholds are there for a purpose. She could not make the findings to approve the building depth and while she had issues with the setbacks, she could compromise in this instance.

Commissioner Davitt lauded the architect on his design, but he could review it more favorably if the depth were reduce; 30-35 ft over the threshold was a concern. He could support the reduced setbacks for the tennis court but not the request to light it, out of concern that it impact future development. He supported Commissioner Gelhaar's suggestion for additional screening and if

the Commission views this as a lot with 80 ft of frontage, a 16-ft second-floor setback is more logical.

Commissioner Levine commented that the design was attractive, but not appropriate for this lot at the proposed depth. He opposed allowing setback encroachments for new homes and could not support the requested encroachments for the tennis court, noting that it is not regulation size.

Chairman Engler concurred with prior comments regarding the architectural design. He stated that he would not have a problem with the proposed depth if it were single-story. He would not support lights on the tennis court and encouraged the applicant to consider a smaller sports court. He also agreed with Commissioner Gelhaar's comment to consider the project as if it had 80 ft of frontage and stated he would prefer to see the house size reduced, specifically the second-story. Chairman Engler asked Mr. Tyler to consider a continuance for redesign.

Mr. Tyler opted for a continuance and added that it is difficult to look at thresholds that trigger review without having a definitive idea as to what the Commissioners need to make the findings. He was amenable to providing landscaping along the south property line.

Commissioner Levine felt that he was more likely to get a majority vote if the neighbor to the south supported the project.

M/S/C Gelhaar/Levine to continue Conditional Use Permit 375, Floor Area Review 03-15, Building Depth Review 03-13 and Modification 03-61 to December 9<sup>th</sup>. Unanimous.

**VII. PUBLIC MEETINGS:**

**A. Modification 03-72; Vaughn/Madonna; 1037 Green Lane:**

Assistant Planner Gjolme described the applicants' residential expansion plans, which includes a first-floor walk-in closet that would provide a variable setback ranging from 7 to 10 ft., due to an angled property line. The addition would encroach a maximum of 5'-6" into the east side yard setback, below the 12'-6" requirement for the lot.

The project site is located on the north side of Green Lane, between Hill Street and Angeles Crest Highway, in the R-1-15,000 Zone.

An adjacent driveway to the east provides a 12-ft-wide buffer and when combined with the proposed setback and banks on either side, a 30 ft setback is created. Additionally, the home to the east is 37 ft from the project at its closest point and has a high dense bank of bamboo along its west property line.

The project satisfies all Code requirements other than the requested encroachment. Staff did not believe that strict adherence to Code would result in any visual or privacy benefit and concluded that the driveway and landscape buffer provide adequate space between the project and the adjacent neighbor.

Commissioner Gelhaar asked the applicant to explain the construction that is underway.

Cheryl Madonna reported that she erroneously assumed the property line was at the curb. When the error was discovered, construction was halted.

Commissioner Levine confirmed that Behr Construction poured the footing and it was they who stopped the construction.

Commissioner Davitt confirmed that she had a valid permit.

Chairman Engler invited testimony, however comments were not offered. He solicited comments from the Commissioners.

Commissioner Mehranian stated that the project did not raise any major issues.

Commissioner Davitt stated he could support the request.

Commissioner Gelhaar asked the City Attorney if the Commission could add a condition requiring any future second-story development to meet Code.

Attorney Steres advised that the request applies to the first floor only; a second-floor addition would have to meet Code.

Director Stanley advised that Staff now requires a survey if the property line is not clearly defined.

M/S/C Mehranian/Davitt to approve Modification 03-62. 4 Ayes; Levine dissenting.

**B. Modification 03-62; Barsamian; 5020 Commonwealth Avenue:**

Assistant Planner Gjolme reported the applicant's request to allow a portion of a residential expansion to encroach 10 ft into the required 20-ft second-floor setback on the south side.

The 20,800-sf site is located on the east side of Commonwealth Avenue, just north of the Lynnhaven Lane intersection, in the R-1-20,000 Zone.

The project would expand the single-story home to the rear and add a new two-car garage at the front with a bedroom above that would connect to the home's interior. The grade would be lowered in that area to accommodate the garage, resulting in a two-story appearance from the neighboring property to the south. The existing ridgeline height would be substantially maintained. The bedroom/ garage component would extend forward from the existing home and provide a compliant front yard setback. While the garage would meet first-floor setback requirements, the bedroom would encroach 10 ft into the required 20-ft setback for the second floor. Assistant Planner Gjolme pointed out that the encroachment would be limited to the front third of the south facade and is greater than the adjacent home's setback. A liquidambar tree located within the right of way would be removed with prior City approval.

Staff viewed the request as reasonable and consistent with the scale of the area, in particular, the adjacent home to the south, and recommended approval.

Commissioner Mehranian confirmed that a two-story facade would be visible only from the south.

Project designer, Dave DeAngelis, stated he felt the project was going in the right direction by grading down rather than constructing a full second-story and possible affecting views. The bedroom/garage is 48% below grade and allows a flat driveway. Eight, 15-gallon trees are proposed for screening purposes, but he was unsure if that degree of additional landscaping is needed, given the thick hedge of bamboo along the common property line.

Chairman Engler suggested that eliminating the trash enclosure and having the stairs to go into the back yard would eliminate the setback encroachment.

Mr. DeAngelis advised that pulling the stairs forward would put the garage 50% below grade and require a conditional use permit.

Commissioners Gelhaar, Levine and Mehranian supported the project, as did Commissioner Davitt, who preferred to see the proposed landscape screening installed, subject to the Director's approval.

An overhead photo demonstrated the density of the existing bamboo. Commissioner Gelhaar convinced Commissioner Davitt that bamboo is such an aggressive plant, it would kill any new plant material.

Commissioner Levine remarked that condition 12 requires all construction parking on site; he did not believe that was possible and stated that he would support parking in front of the house.

M/S/C Gelhaar/Levine to approve Modification 03-62 with condition 12 modified per Commissioner Levine's comment. Unanimous.

C. **Modification 03-66; Leininger; 4965 Crown Avenue:**

Planner Cantrell related the applicants' proposal to add 257-sf to their single-story home, which would bring total floor and roofed area to 2,402-sf .

The 8,480-sf site is located on the west side of Crown Avenue in the R-1-10,000 Zone. It is just over 100 ft deep, with 77'-9" of street frontage with the side property lines splaying outward toward the rear.

The request is to allow the lower portion of a new family room to encroach 2'-2" into the required 8'-2" north side yard setback. The inward taper of the property allows the upper portion of the room to meet Code. The request also includes an encroachment for relocated spa equipment.

The view from the street would continue to be that of a detached garage. The project would be visible from offsite, but only from a distant point if one is specifically searching for it. The house directly north has a driveway abutting the shared property line and the neighboring house to the south is set back 6'-6". Expansion to the north is the most logical solution due to site constraints, and narrowing the addition to conform to the setback would result in an unreasonably limited width. Staff recommended positive findings and project approval.

There were no questions of Staff from the Commission.

Responding to a question from Commissioner Gelhaar, contractor Tom Crosby advised that he preferred to park construction vehicles on the street; his 4-5 sub-contractors would be on site only 25% of the time.

Chairman Engler confirmed that Mr. Crosby did not have a problem if a condition was placed to cover the a/c unit on the north side.

Comments were not offered from the audience.

Commissioner Levine stated that he had a problem with new setback encroachments.

M/S/C Mehranian/Gelhaar to approve Modification 03-66 with an added condition that the mechanical equipment be enclosed. 4 Ayes; Levine dissenting.

**VIII. OTHER BUSINESS:**

There were no items for discussion.

**IX. COMMENTS FROM THE COMMISSIONERS:**

Commissioner Gelhaar addressed hillside projects, stating that he would like a better job done with maintaining story poles and assuring that they are viewable from a distance. Orange snow fencing seems to work best.

Commissioner Mehranian confirmed that the Schuberth project on Chevy Chase was appealed based on the maximum height allowed for the turrets and the required additional landscaping in the front yard.

Responding to a question from Commissioner Davitt, Director Stanley reported on the outcome of the Sardo appeal on Verdugo Road. The City Council's initial vote was tied 2-2, but based on the applicant's presentation of an electrical permit and because a Building & Safety inspector advised Mrs. Sardo that a building permit was not required to construct a 6-ft-high wall on her property, the Council felt that the site was inspected. The appeal was granted on a 3-1 vote with a condition that landscaping be installed between the wall and the sidewalk.

Chairman Engler felt that Staff should have notified the Council that he had filed a complaint as the wall was being constructed. He was told that it wouldn't be allowed, given that a sidewalk project was planned in the same location. Subsequently, a meeting between Public Works and residents along Verdugo Boulevard resulted in those property owners being allowed to maintain their front yard fences and walls despite the sidewalk project.

On other matters, Planning Aide Shimazu advised Chairman Engler that a gate and fence were approved at 4134 Commonwealth. Commissioner Mehranian asked that Staff investigate the removal of two oak trees.

Commissioner Davitt asked what the basis was for the Rohan appeal. He believed that she was pleased with the outcome.

Director Stanley advised that that the property owner felt the requirement to install three, 48-inch-diameter box trees was onerous.

**X. COMMENTS FROM THE DIRECTOR:**

Director Stanley reported on the Muro project on Hilldale. The property owner has paid fines and is working toward removing portions of the structure as required.

He reported that the City Council would be considering the Artajanian on Laughlin and the Rohan appeal on November 17<sup>th</sup>.

A discussion followed whether the Commission would meet on December 23. The majority decided that the Commission would only meet once in December.

**XI. ADJOURNEMENT:**

M/S/C Gelhaar/Mehranian to adjourn at 8:45 p.m. Unanimous.

---

Secretary to the Planning Commission