

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD NOVEMBER 10, 2009**

- I. CALL TO ORDER AT:** Chairman Davitt called the meeting to order at 6:00 pm.
- II. ROLL:** Present were Commissioners Cahill, Curtis, Gelhaar and Hill, City Attorney Guerra, Director Stanley, Planners Gjolme and Clarke and Assistant Planner Lang.
- III. PLEDGE OF ALLEGIANCE:** – The Pledge of Allegiance was lead by Commissioner Hill.
- IV. COMMENTS FROM THE PUBLIC:** There were no comments on non-agendized items.
- V. REORDERING OF THE AGENDA:** No changes.
- VI. CONSENT CALENDAR**

A. Minutes: September 22, 2009
M/S/C Gelhaar/Hill to approve. Unanimous.

VII. CONTINUED PUBLIC HEARINGS:

A. Modification 09-02 (Amendment); Jamison/Hartford; 1411 El Vago Street: A request for an amendment to an approved Setback Modification to add 180 sq. ft. to the previously approved encroachment. Additionally, the applicant proposes to add to the previously approved 3-car garage and make it a 4-car garage. The house addition would encroach 10’-6” into the required 17’-0” required street side-yard setback. The additional garage extension would encroach 12’-0” into the required setback. The project complies with all floor area and height standards. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Lang)

Assistant Planner Lang asked if the Commission wanted a shortened presentation since the members had seen the proposal before. Commissioner Hill, who was not at the last meeting, stated that he had visited the site and agreed with a shortened presentation which was then given by Assistant Planner Lang.

There were no questions for staff.

The architect for the project, Kent Jamison, identified himself.

Commissioner Gelhaar said that the site was a unique property, particularly the driveway and drainage channel and distance from other properties. He said that he could make the findings.

Commissioner Hill said that he had visited the site several times and stated that he used to walk on El Vago. He said that it was a unique property and that it was appropriate to grant the request. Overall, he could make the findings. He noted that he liked the extra garage space for keeping cars off street.

Assistant Planner Lang answered questions from Commissioner Cahill regarding the distance of the neighboring house to the north (9') and the garage (12' 3") on the east side measuring to the edge of the pavement. Commissioner Cahill asked how far it was from the wall to the fence as shown on the aerial photograph from the Powerpoint presentation. Assistant Planner Lang said that it was 3'-3.5' and that it was equidistant from edge of pool to the low wall and the low wall to the fence. The pool equipment was located there. Commissioner Cahill said that he had the same opinion as before as the proposal was for a 12' encroachment into 17' setback. He did not object to the increased garage size but opposed it at a 5' setback but not at a 7.5' setback.

Commissioner Curtis said that it was a unique site and that he could fully support the house and a three-car garage. However, he was concerned with the impacts of a 4-car garage on neighbors and could not make those findings as there were unacceptable impacts.

Commissioner Davitt said that he was supportive at last meeting and could support the proposed amendment

M/S/C Gelhaar/Hill - Approved 3-2. (No - Cahill and Curtis)

VIII. PUBLIC HEARINGS:

A. Setback Modification 09-09/Second Floor Review 09-19/Variance 09-02; Rhody/Reinoso; 4634 Lasheart Drive: A request for a Second-floor Review to allow construction of a new 942 sq. ft. second-floor. A Variance is also requested since total project floor area would be 3,059 sq. ft. above the 2,980 sq. ft. limit for the lot and to allow an angle-plane encroachment along the north side of the second floor. A Setback Modification would allow the new 2nd-floor to encroach 1 foot into the required 12-foot north side yard setback.

Planner Gjolme gave a detailed Powerpoint presentation of the project to the Commission.

Commissioner Gelhaar asked if the second story revision suggested by staff would be cantilevered.

Planner Gjolme stated that it would align with the first floor family room and that it would not be cantilevered.

The Public Hearing was opened.

Bob Rhody, builder and designer for the project, said that Planner Gjolme had given a commendable presentation. Mr. Rhody said that he had worked with Planner Gjolme over time to get the plans where they were today. The north side 1' encroachment was not a big concern. Providing a conforming setback would not make the house more attractive. The north side angle plane encroachment is only 1'. The lot coverage is only over by about 79 SF. He had worked to reduce or eliminate this but could only remove it through a reduction in the size of the new master bathroom and second bedroom bathroom. He needed a family room as it would be used by visiting family members twice a month. If the size of the addition is reduced it would impact the size of the family room. This is the first time that he ever asked for excess square footage and he respectfully has made this request. His clients ask for second floor additions to their houses but don't want them to look like additions but rather original two-story houses. If the addition is moved back it will force stairs to the back of the house. He started off the design of the second floor with the location of the stairs as if new house and then laid out rooms upstairs. Stairs to new second floors have to be located in the back of existing houses. If you put the second floor addition forward it will result in several hallways. This type of project needs to have 2beds/2baths on second floor in order for it to pencil out. If the Commission approves the proposed rotation it will end up looking like a box. The proposal is different from the other example shown in the Powerpoint presentation. Boxes and towers (85%) – only 20% look like two-story houses. He questioned what this does to the valuation of the house and valuations the neighborhood. The objective is to increase valuation of houses in the neighborhood. The proposal looks like an attractive 2-story house that will fit in the neighborhood.

Mr. and Ms. Reynoso (property owners) were introduced by Mr. Rhody.

Mr.Reynoso said that it was a dream of his wife and him to have the addition. They have lived in the house for over 6 years, had their 3 children in it and plan to raise their family there. From an aesthetic perspective Mr. Rhody had created a beautiful design. They currently have 2 bed/1 bath house. His mother-in-law visits once a month to help in child rearing as they both work. Commissioner Cahill visited the house today and saw clutter in it. If they had a one-story addition it would eliminate most of yard where the children play. The impacts on the north elevation are most important as it is most visible to the neighbors. He had a letter from this neighbor who had no issues with the proposal. He had not spoken to the neighbor to the south yet, but had not heard any comments. There were no privacy issues due to lack of windows on the second floor facades facing north and south.

Ms. Reynoso, applicant, said that she was thrilled to be at the meeting and hoped for success.

Donna Saraceno, neighbor to the east of the subject property, said that she had read the staff report and saw concerns raised in it about the north and south sides but nothing about the east side. She was concerned about impacts on privacy from the windows facing east on the second floor. She said that the owners had removed vegetation which had reduced privacy.

She asked why have rules if they are broken all the time. She said that the neighborhood was primarily comprised of one story houses. She has lived in her house for 16 years and would not have bought the house if a two-house existed behind her property. She was sympathetic to the applicants but concerned about the impacts of the second story on privacy.

Commissioner Cahill asked about the suggested rotation of the house.

Ms. Saraceno said that rotating the house would make it even worse.

Mr. Rhody mentioned average lot sizes in the area and that the lot coverage for the proposal was only 35% in the context of that average.

The public hearing was closed.

Commissioner Cahill stated that when he first read the report he had concerns about findings. However, his concerns were reduced when he visited the house. He said that he would approve the concept of a two-story house. Compatible does not mean identical. He felt that Mr. Rhody has done a great job in the design as it will look like an integrated house. He felt that Variances needed unusual conditions to be approved. He was not concerned about the 1' Modification but was concerned about the size of the wall and felt that shutters could be added. He noted that he put significant importance on the letter from the neighbor who is most impacted. He stated that the Variance for house size seems to fit the requirements of the house. He noted that the house was 23' tall, instead of the 28' which is permitted, which is significant as it downsizes the overall appearance of the house in terms of massing. He said that it was a well designed house and that the findings can be made as the height has been reduced.

Commissioner Curtis noted that it was an excellent staff report and that he agreed with Commissioner Cahill. He stated that moving the house back would be detrimental. He supported the project as proposed.

Commissioner Gelhaar agreed with the other commissioners. He believed that moving the second floor would infringe on the neighbors to the rear. He requested a condition be added for landscaping at the back of the property to mitigate privacy impacts. He also requested that shutters be added on the side of the building. With the added landscaping condition he can make the findings.

Commissioner Hill said that the Planning Commission is not the Design Commission deciding what is pretty, etc. He noted that Variances require high legal standards in the findings and that you have to legally justify granting a Variance. He said that he agreed 100% with staff for the reasons given in the staff report and that it was a grant of special privilege. He disagreed with Variance Finding # 4 regarding special treatment. However, it does not mean that he does not like the design but that legally he can not approve it.

Commissioner Davitt said the project design was well articulated and that he can make all the findings. He agreed with Commission Gelhaar on landscaping and articulation and included it as additional conditions.

M/S/C Cahill/Gelhaar Approved 4-1 (No – Hill). The resolution and Conditions of Approval will be brought back to the next Commission meeting. .

IX. OTHER BUSINESS: None

X. COMMENTS FROM THE COMMISSIONERS: None

XI. COMMENTS FROM THE DIRECTOR: Director Stanley introduced former City employee Naoki who was visiting from Japan. The Commission was asked if December 15th, 2009 could work as the next meeting date. Commissioner Gelhaar said that he probably had a conflict on that date, as may Commission Cahill. A Commission meeting will be held December 8, 2009 but the second November meeting was cancelled. Director Stanley reported that the Winnaman project would be going to the City Council next week. He said that he would have staff email the staff report to all of the Commission members in response to a Commission Gelhaar request. There will be two appeals to the City Council also in December for the Rockridge Terrace and Princess Ann cases. Commissioner Gelhaar had question regarding details of Merritt project regarding the access to house. Director Stanley noted that Public Works had added conditions and that applicant was revising the plans. Commissioner Curtis asked if a videotape could be made of the City Council meeting and be put on Youtube. Staff will be bringing a new tree ordinance to the Commission next year. Commissioner Curtis said that Public Safety will be bringing ordinance regarding street widths, parking, etc.

A. Report of Director's Approvals since the last meeting:

1. **Hillside Development Permit 09-39; Weinstein; 4130 Hampstead Road** – approved wrought iron balcony at rear of house.
2. **Tree Removal 09-31; Hanna; 3958 Hampstead Road** – allowed removal of a 12” and a 14” oaks.
3. **Fence Review 09-07; Cioffi & Schwartz; 1447 El Vago Street** – allowed 5’ fence and 6’ pilasters.

B. Other comments

XII. ADJOURNMENT: The meeting was adjourned at 7:06.