

**MINUTES OF A MEETING OF THE PLANNING COMMISSION  
OF THE  
CITY OF LA CAÑADA FLINTRIDGE  
HELD NOVEMBER 23, 2004**

**I. CALL TO ORDER:**

Vice-Chair Gelhaar called the meeting to order at 6:00 p.m.

**II. ROLL CALL:**

Present were Commissioners Cahill, Davitt and Engler, City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss and Consulting Architect Cantrell.

**III. PLEDGE OF ALLEGIANCE**

Commissioner Davitt led the salute to the flag.

**IV. COMMENTS FROM THE PUBLIC:**

Comments were not offered.

**V. CONSENT CALENDAR:**

**A.** M/S/C Engler/Cahill to approve the minutes of November 9, 2004 as submitted. 3 Ayes; Davitt abstaining.

Chairwoman Mehranian arrived at this point.

**VI. CONTINUED PUBLIC HEARING:**

**A. Hillside Development Permit 99-15; Modification 99-44; Kobeissi; 5345 Haskell Street:**

Mr. Cantrell recalled that this project was initially before the Commission in July, 2002, when Commissioners Engler and Gelhaar were seated on the Commission. During that meeting which was continued, several neighbors expressed concerns with the project's size and placement. Since then, the architect has revised the project, shifting and reducing it in scale so that Building Depth Review is no longer required.

The 78,400-sf vacant lot is located along the west side of Haskell Street, between White Deer Drive and Ridgecliff Lane in the R-1-40,000 Zone. It exhibits a considerable upward slope from Haskell along its entire length. A consistent slope to the northwest yields an average slope of 67%. Access is provided by a winding path at the northeast corner.

A 4,704-sf, two-story home of restrained and traditional design with hipped roofs, arched windows and an entry colonnade would nestle into the hillside. Its highest ridge would reach 30 ft above driveway grade as it steps up the slope. With an average slope of 67%, the project complies with the slope factor guideline, which is at its strictest application.

The revised plan reflects a reduced profile as seen from properties below and from the street. Massing was broken into a series of sub-masses, the garage lowered 9 feet, the house pad lowered from 3 ft to 5 ft. and the front setback increased from 86 ft to 111 ft. An FAR of 6% is presented. Improved screening is achieved by replacing a 300-ft-span of traditional retaining walls with approximately 250-ft of planted crib walls along the down slope side of the driveway and motor court. The average height of the wall was lowered by approximately 1-ft. An upper retaining wall would be lower than the roof ridge, completely hidden from offsite view. The pool has been shifted farther from the south property line. Setbacks would be: front at 111 ft, north side 138 ft, south side, 130 ft and rear 18 ft.

A massing model was displayed and story poles provided. Photos of the poles in Staff's report reveals that only the tops of 1 or 2 of the poles are visible. Approximately 1,917 cubic yards of dirt, equaling 130 truck trips of export would travel a third of a mile to Angeles Crest Highway before accessing the freeway. The draft conditions require Public Works approval of the haul route.

Mr. Cantrell noted that the lot is not typical of the neighborhood in size or elevation. The home would be the largest in the neighborhood, but its density would be far below others. The large lot size and rugged terrain ensure that the height would not be visible. He stated that landscape screening is important in evaluating and controlling bulk and that screening the house from the south should strike a balance between blocking views of the house from below and affording views from the property. Improved landscape screening is a recommended condition, including the use of plant story poles at installation to illustrate the effectiveness of screening. A recorded covenant would prohibit future property owners from removing or severely pruning the landscape screening. Draft conditions also require: all construction parking be on the west side of Haskell, adjacent to the property's long frontage, prohibit fencing on the down slope side more than 30 ft from the pad and subjects such fencing to approval of the Director of Community Development, muted colors and compliance with the City's Light Reflectance Value guidelines.

Modification - Mr. Cantrell stated that the severe topography necessitates construction of over-height retaining walls. Driveway cuts cannot be retained by the 42-inch-high maximum. The driveway retaining walls would be in

profile with the upslope, while 10-12-ft-high retaining walls, needed to the rear of the home, would essentially be concealed by the house.

Staff acknowledged that visibility of the site, limited access and the open terrain of the site raise significant hillside concerns, but believed that massing and grading could be effectively addressed through a strategic landscape plan. Staff determined that the required findings could be made.

Mr. Cantrell noted that several letters had been submitted and advised that the project architect has a plan correction sheet from the Fire Department, which is more than typically given at this stage in the process.

Property Owner Mike Kobeissi, related of having spend the last four years working on a project that would satisfy his neighbors and stated he was still open to suggestions on how to enhance the neighborhood.

Project architect Brad Barcus, thanked Mr. Cantrell for working with him to address the neighbors' concerns. He reported of having met with the neighbors, read their suggestions, reviewed the staff report and was prepared to comply with the draft conditions.

Mr. Barcus then reviewed the project via a model he created and through PowerPoint. Originally, the home was oriented more towards the South; it has been moved northward as much as 36 ft, and further back from Haskell Street. The garage was lowered 8-9 ft and the house lowered 3-5 ft compared with the original design, which is now more elongated. He stated that this design fits into the hillside and is sited well below the ridgeline. He recalled that several neighbors suggested locating the house closer to Haskell; but doing so would require removal of 4,000-5,000 cubic yards of dirt and a high retaining wall at the front and at much higher one --- 26-30-ft at the rear. He pointed out that the geotechnical engineer originally determined that the best place to site the house was as proposed. He pointed out that his design eliminates 300 lineal ft of concrete retaining walls, replacing them with 250 ft of crib wall, which is a sloping wall with pockets for landscaping within the wall. In a short amount of time, the wall would be covered by landscaping and not be visible. He related of attempting to find a distinctive design style among the homes located on the Notification List; Spanish was the predominant design, with low pitched roofs. Several of the homes are located at the end of long driveways.

Continuing on the PowerPoint, he showed homes behind the project and views of that home from four others. He stated that the best view from the project site is Southeast or due South and showed the most invasive view from the living room, down to other properties. Mr. Barcus advised the public right-of-

way along Haskell, was an ideal spot to plant trees that would screen the pools of two properties located down slope and would also soften the project site. There is a knoll which Commissioner Gelhaar suggested planting to preclude anyone from walking down and having closer views of the Harris property and to Vista Miguel. He then displayed a color and material board showing muted earth tones and distributed a copy of the Fire Department's check sheet. The Department asked for a 20-ft-wide access to the property and noted that an automated sprinkler system is not required. Mr. Barcus further noted that a 5-ft perimeter access, fire retardant materials and drought-resistant planting material, irrigation, dual pane glass, stucco walls, and tile roofs all helped in this regard.

Responding to a question from Commissioner Cahill, Mr. Barcus advised that the structure reaches 30 ft at its highest point. All elevations on the Haskell side are single-story, including the garage's front elevation. Two-story sections are set against the hill and hide the retaining walls.

Chairwoman Mehranian opened the public hearing.

Rich Harris, 5315 Haskell, stated Messrs. Cantrell and Barcus "had done an eloquent job of misleading and misguiding the Planning Commission". He earlier submitted written opposition to the project which he believed was a "clear and compelling argument" that the project is a clear example of mansionization, as it would loom over surrounding properties and destroy the visual character of the neighborhood and violated the Hillside Ordinance. He disputed Staff's assessment regarding earthquake. and stated that the project exposes the home to the ridge top. Finally, constructing a pool near the edge of the slope would expose the City to liability. He asked that the Commission reject the project based on property rights, as it would look directly down on his yard, denying him of privacy.

Margaret Kruse has resided at 1026 White Deer Drive since 1978. She related of having submitted a letter to the Commission and that she and her husband, a civil engineer, met with Mr. Barcus. Ms. Kruse stated that the combined sq footage of the house and garage would exceed the size of homes in the neighborhood and Spanish design is not compatible with the neighborhood. Queen palms that would face the Harris' home are "non" trees and would not provide screening or soften the project. Subdued, exterior lighting should be used, the house should be reduced in size by 500 to 1,000-sf and the pad should be lowered more; it continues well above street level, allowing clear views into many back yards.

Omar Del Cueto, 1017 White Deer Drive, preferred that the house be moved down slope near the driveway and wants the retaining walls to be non-visible. He noted the lack of Spanish designed homes in the area and asked that rules not be bent or exceeded for a single project.

John Paton, 5260 Vista Miguel, was concerned with safety, loss of privacy and the message an approval would send to future developers. His property exceeds an acre and his home is 2,800-sf . He was concerned with a pool being located on or near a fault line and stated he was “okay with relocating the house closer to the street”.

Debbie Harris, 5315 Haskell, read a prepared statement for a resident on White Deer Drive. The letter stated that the project violates the Hillside Ordinance and the Municipal Code requirement that prominent ridges be maintained.????

May Woo, 1029 White Deer Drive, urged the Commission to reject the project due to height --- a single-story home would be more acceptable. She was concerned with loss of privacy and did not believe that the landscape screening would work and stated that a Spanish designed home does not fit her neighborhood, especially on top of a hill.

Greg Brown, 5250 Vista Miguel, expressed doubt that the project would be visible from his home but he believed it represented a new version of intrusion into the hillside. He reported that he had not discussed the project with any Commissioner or Planning Staff and that he did not have a problem with building on the lot. His issue was that the house is sited where it would be most contrary to the Hillside Ordinance and the mitigation he heard bespeaks the fact that it is sited where it would have the worst effect on the hillside. He quoted a passage from the Hillside Ordinance “Purposes” section and suggested placing the house where there is a gully and no steep hillside component. Lastly, he pointed out that the average sq footage of 5 homes that about this property is 2,238-sf, the largest being 2,747-sf.

Fran Evans, a resident of 1023 White Deer Drive for 39 years, urged the Commission to prohibit destruction of the natural hillside. She reported that she has a direct view of the project from her private back yard.

Greg Neet, 1010 White Deer Drive, recently moved from Altadena. He asked that the Commission maintain the trend of the neighborhood, “where the sizes and styles of homes are about the same and close to the street.”

Gerald Monahan, a resident of 1012 Ridgecliff Lane for 31 years, stated that the house is too massive and retaining walls flanking the driveway “would change the whole picture of this project”.

Brad Barcus responded to comments. He commented the house was redesigned with the intent of precluding the need for high retaining walls; relocating the house closer to the street would require them to be installed. He stated that he was willing to discuss sq footage but noted that his project does not exceed allowed sq footage. He stated that the neighborhood was in transition and future projects would exceed the floor area of nearby homes built in the '60's; “if the house were smaller, it wouldn't be lower, it just wouldn't be as wide”. Addressing grading, he pointed out that the lot was graded years ago. The majority of grading needed is to accommodate the house and will require removing a small amount of soil off the knoll; the ridge would remain intact.

Chairwoman Mehranian requested comments from the Commissioners.

Commissioner Gelhaar thanked everyone for their comments and addressed comments alleging Staff's inability to interpret codes properly. He stated that the Mitigated Negative Declaration was appropriate and that the Commission received a geology report that refutes concerns of safety. He felt that Mr. Barcus had done an excellent job in trying to mitigate concerns and to those who objected to a Spanish design, he pointed out that the City does not have residential design review. He reviewed the lot sizes in the area and came up with an average of 14,000-sf; property owners can expand their homes as much as 4,688-sf without review. He believed the neighborhood would experience development of larger homes. He then reviewed the findings for parcels with an average slope of 40% or greater. He could not make Finding (a) nor could he make Hillside finding #8 and therefore, could not support the request.

Commissioner Engler deferred to comments he made in July 1992, and continued to be concerned with the house sited on a prominent ridge and with a fault line that bisects the property and probably the hammerhead. He asked in 2002 that the architect explore an alternate plan rather than an altered plan, and he did not believe that was accomplished. He could not make the required findings per Commissioner Gelhaar's comments.

Commissioner Davitt congratulated Mr. Barcus on his design and Staff on its report, which he found to be factual and correct. While he was unsure if Mr. Barcus could make changes to satisfy everyone, his issue was “can a house of this size be built where proposed on this property”? He concurred with

Commissioner Gelhaar's comments regarding the findings for projects with an average slope of 40% or greater and further could not make Hillside Ordinance Findings 1 and 3.

Commissioner Cahill stated that in abstract, size is not an issue, concurring with Commissioner Gelhaar's comments regarding the proposed floor area. Given the size of nearby properties, many property owners have the ability to build larger homes but in this case, the steepness of the slope constrains the size of the house and makes the house more prominent. He observed that perhaps a single-story home of low profile with blended colors, low lighting and a landscape plan that showed the retaining walls would be possible in the proposed location. Though views from the site are spectacular, significant remedial action is necessary to preclude peering down on neighboring homes. Due to the privacy issues and site constraints, he could not support the project.

Chairwoman Mehranian thanked Mr. Barcus for his efforts to redesign a home on this difficult site. She did not have an issue with the numbers, they are within guidelines and while the house size was acceptable, she had an issue with massing. The applicant was advised of his options of requesting a vote or a continuance for redesign.

Mr. Barcus requested a continuance to a date certain.

City Attorney Steres commented that this project has been pending for a long time. He preferred that the Commission act without prejudice or have the applicant waive any rights he would have under the Permit Streamlining Act.

Mr. Barcus stated that he so waive any rights as noted.

M/S Cahill/Mehranian to continue Hillside Development Permit 99-15 and Modification 99-44 to a date uncertain. 2 Ayes; The motion failed for lack of a majority.

M/S/C Davitt/Engler to deny Hillside Development Permit 99-15 and Modification 99-44; 4 Ayes; Mehranian dissenting.

Attorney Steres advised that Staff would prepare a resolution of denial for the next meeting and advised the applicant of his option to appeal to the City Council within 15 days following adoption of the Resolution.

## **VII. PUBLIC HEARINGS:**

- A. Hillside Development Permit 01-41 (amendment); Petrossian; 657 Foxwood Road:

Director Stanley reported the applicant's request for an additional and final 6-month extension on his approved project; a one-year extension has already been granted and will expire December 2<sup>nd</sup>. Approving the request would not affect the project whatsoever.

Following several iterations before the Planning Commission, the City Council approved the project and denied a neighbors appeal. Since then, the property owner has been working with Building & Safety, County Health, and the Fire Department, but has not resolved all issues. Since it is impossible for the project to vest by the December 2, 2004 deadline, Mr. Petrossian is requesting an additional 6 month extension.

Applicant, Pete Petrossian, explained that the project's delay was caused by a number of issues and hardships. numerous

Chairwoman Mehranian opened the public hearing. Comments were not offered, and the public hearing was closed.

Commissioner Engler stated he would like to add a condition requiring that all construction vehicles park on site.

Director Stanley did not believe that was possible.

Commissioner Engler stated that the applicant would have to make other arrangements and reiterated his request that the standard parking condition apply.

M/S/C Davitt/Cahill to approve the request with an added condition as requested by Commissioner Engler. Unanimous.

**B. Hillside Development Permit 04-45; Bagramyam; 1427 Sugar Loaf Drive:**

Director Stanley described the applicant's request to construct a new 4,440-sf, Spanish design, two-story home and a 640-sf attached three car garage on hillside property. The site is located along the arc immediately north of Domal Lane, in the R-1-20,000 Zone. It is 17,000-sf in area and has over 200 ft of curved frontage; a majority of the flat building pad is below street level. A dense bank of 10-12-ft-high oleanders located in the street right-of-way and spanning a majority of the entire frontage, serves to conceal views of the site's interior. The project complies with all R-1 standards, including setbacks, floor area and height; it's 20% average slope does not warrant application of the slope factor guideline.

Related site work includes a series of 3-ft-high retaining walls along the northeast that would extend the pad area, where a pool would be installed. The walls would be horizontally offset by several feet and angled into the slope, thereby reducing their profile and creating two rows for landscape installation. An inward-facing, 6-ft-high retaining wall is proposed along the north portion of the frontage to allow room for the driveway and garage. It would be below the slope and not visible from off site.

Homes to the north and west are sited at higher elevations; the lot to the northeast is sited below the project site and separated by a significant bank, which limits upslope views of the subject site. Fill from a proposed basement would be used to extend the pad – additional import would be necessary. A second-floor deck on the rear facade would align directly with the down slope property to the east, at 1419 Sugar Loaf due to a considerable grade change. Staff recommended eliminating the deck and adding more landscaping in that area. This might require removal or relocation of the pool.

Staff determined that positive findings could be made and recommended approval as conditioned.

Commissioner Engler confirmed that the driveway apron would remain where currently located.

Commissioner Davitt confirmed that the quantity of import is an unknown factor at this point.

Project architect Craig Stoddard, advised that his client had explained the project to all neighbors. He stated he had no problem with removing the second-floor deck and that the pool could be relocated. Mr. Stoddard advised that his intent was to plant the slope with large shrubs and trees and was confident that he could work with Staff to accomplish that.

Responding to questions from Commissioner Engler, Mr. Stoddard stated that he had not worked out a grading plan yet; perhaps 1,500-2,000 cubic yards of fill would be necessary. The retaining walls would be keystone block and planted, similar to those across from the YMCA, with each step no higher than 3 ft.

Chairwoman Mehranian opened the public hearing.

Norman White, 3820 Domal Lane, resides across from the project site at the southwest corner. He submitted a letter outlining concern of a public safety hazard and alteration of neighborhood character. He believed that the new

pedestrian access at the apex of the curve would encourage parking and pedestrian traffic on the blind curve of the two-lane street. Removal of the bank of oleanders along the frontage and replacing them with low growing plants and trees would substantially change the visual character of the site. He noted that Staff recommended maintaining the oleanders. Lastly, he preferred earth-tone roof tiles, rather than red tiles.

Hilde Clark, 3821 Domal Lane, who resides across the street and upslope, stated that the new pedestrian walkway and removal of the oleanders would give her unobstructed views to the interior of the project site. She concurred with Mr. White's comments.

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

Commissioner Cahill asked the project architect if he had any concerns with the neighbors' requests.

Mr. Stoddard responded that relocating the walkway closer to the driveway was not a problem and that he preferred using muted tones of tile. He advised that Staff recommended removing some of the oleanders for an improved line of sight.

Director Stanley added that the oleanders are located in the public right-of-way and that Public Works expressed concerns with visibility.

Commissioner Davitt stated that the project was nicely designed and preferred maintaining the oleanders, but hesitated supporting the project pending information regarding the amount of import fill and truck loads.

Commissioner Engler agreed with Mr. White regarding the pedestrian entrance, which he felt was unnecessary. He noted there is ample guest parking along the side.

Commissioner Gelhaar agreed with Commissioner Davitt, stating that the Commission needs to review a grading plan and know the amount of import required; otherwise, he did not have a problem with the project. He believed the oleanders compromise visual safety and asked that condition #16 be modified so that the door to the deck is eliminated that the roof sloped to preclude a future deck addition.

Commissioner Cahill stated that the project represented a tasteful design and concurred with Commissioners Davitt and Engler to maintain the oleanders as they provide privacy and greenery to the neighborhood.

Chairwoman Mehranian stated that the oleanders “should go” and that she is sensitive to the amount of import that would be required and would like that information.

M/S/C Gelhaar/Mehranian to continue Hillside Development Permit 04-45 to December 14<sup>th</sup>. Unanimous.

The Commission recessed at 8:05 p.m. and reconvened at 8:11 p.m.

- C. Telecommunications Permit 04-01; Cingular Wireless/So. CA Edison; Edison transmission tower located in the Edison Right-of-way, north of Olive Lane:** Senior Planner Buss reported the applicant’s request to locate a cellular antenna on an existing transmission tower. Associated ground equipment would be installed at the base of the tower.

The Edison transmission line right-of-way runs through the middle of the City; the project site is approximately 813 ft north of Olive Lane and 1,500 ft south of El Vago, in the Open Space zone. The applicant proposes to attach 12 cellular antennas, divided into three sectors, to an existing transmission tower. The antennas would be attached approximately 61 ft above grade and a microwave dish antenna attached 51 ft. above grade. A concrete slab with 8 equipment cabinets would be located within the legs of the tower, which is encircled by a chain link fence.

The proposed site is an ideal location in Staff’s opinion; it is distant from residential uses, not available to the public and protected from intruders. Senior Planner Buss advised that the Open Space Zone prohibits Personal Wireless Service Facilities (PWSF), but allows microcells by definition. The applicant seeks a waiver (allowed under the Ordinance), to allow an antenna larger than a microcell in the OS Zone. Photo simulations of the tower with the antennas were included in the Commissioners’ packets.

Staff supported the requested waiver, pointing out that there is no other feasible nearby location to close the gaps in service. The project would not change the visual landscape, it does not require construction of a monopole or support buildings and there is good potential for co-location by other carriers.

Responding to a question from Commissioner Engler, City Attorney Steres confirmed that the Commission is authorized to grant the requested waiver.

Roberts Krebs, representing Cingular Wireless, reported that his client needs to provide seamless coverage to its subscribers. He noted that the antennas and equipment would be placed inconspicuously and that the site is the only

feasible location to locate the facility in this area. The antennas would be painted to match the tower i.e., non-reflective silver or gray.

Responding to a question from Commissioner Davitt, Mr. Krebs advises that the typical cell site is leased for 25 years; most sites are leased at an initial 5-year lease with renewals thereafter.

Chairwoman Mehranian opened the public hearing.

John Welch, 4849 Fairlawn, advised that his property is the most proximate to the tower. He questioned Mr. Krebs' statement that the equipment would be placed "inconspicuously" and felt that tower itself is conspicuous. He related of planting eucalyptus trees on his property to obscure the tower, but it is still very much in his view. Mr. Welch suggested that drought resistant plants such as oleanders be installed at the tower's base, and asked if the radio signals would interfere with his phone reception and if the equipment emitted any sound.

Bob Craven, 5179 Linda Vista Drive, stated that he is very familiar with the area and cautioned that we need to acknowledge and be sensitive to the nearby hiking trail; many residents walk from El Vago to Olive. He noted that the trail to the right of the tower is paved and likely owned by the Flood Control District. He doubted that the request would be an adverse addition to the area and appreciated that the applicant intends to upgrade the chain link fence with slats. He commented that the Staff report failed to mention that the hiking trail is also an equestrian trail and suggested it would be wise to obtain approval of the Trails Council.

Tom and Rowena Bouquet, 4855 Fairlawn Drive, reside north of Mr. Welch. They expressed concern with the possibility of health risks and pointed out that transmitters are not allowed to be placed near school sites. Mr. Bouquet stated he spoke out of an abundance of caution, as his two-year-old child "plays around the tower".

Dr. Blalock reported there are numerous scientific studies finding that there are no harmful effects from EMFs.

Mr. Bouquet, stated his experience as a Realtor is, "folks don't want transmission towers near their children".

Mr. Krebs advised that the project is 99.5% below what would be deemed unacceptable transmission exposure to the public. Addressing Mr. Welch's

question regarding noise transmission, he advised that when running, a cooling fan would emit noise similar to a refrigerator.

Responding to a question from Commissioner Engler, Mr. Krebs advised there is no stationery back up in the event of power outages.

Commissioner Cahill asked if there was any problem with installing oleanders at the tower's base as requested by Mr. Welch.

Mr. Krebs responded that Edison would not allow anything to interfere with access to the tower and assured the Commission that Cingular Wireless would comply with all federal and state laws.

Further commentary was not offered and the public hearing was closed.

Commissioner Engler remarked that the proposed site is preferable to a residential area that he could support the request so long as the antennas area painted and there is no generator equipment installed

Commissioner Cahill felt the project would be inconspicuous, was far preferable to erecting more towers and would not emit noise. He stated he could support the request for a waiver and approve the project.

Commissioner Davitt agreed that the proposed site is preferable to a more visible location.

Commissioner Gelhaar and Chairwoman Mehranian concurred.

Attorney Steres addressed concerns regarding emissions from cell antennas. Federal law has placed some limitations on local governments regarding land use controls; the FCC has set standards, and so long as those are met, the Commission is pre-empted from denying a request based on those concerns. He then referred to the draft resolution and suggested that the finding regarding granting a waiver be worded more specifically as to why the Commission is allowing this in the Open Space zone. It is important to separate this request from any others that might be filed.

M/S/C Gelhaar/Cahill to approve Telecommunications Permit 04-01 with modified language as outlined by the City Attorney. Unanimous.

**D. Conditional Use Permit 382, Variance 04-02; Tree Removal Permit 04-64; La Cañada Presbyterian Church:**

Senior Planner Buss reported the applicant's request to allow a major remodel of its site. Ten of 12 existing buildings, totaling 19,500-sf are proposed to be demolished and replaced with 5 buildings of approximately 47,800-sf (including basement area). The result would be 81,000-sf of floor area, including basements, though the building footprint would generally be maintained at 38,000-sf. A Conditional Use Permit is required to remodel a church in the Institutional Zone and to allow parking in an amount the Commission determines adequate. The Variance addresses 6-ft-of excess height for the new sanctuary and to allow it to encroach as much as 15 ft into the required 25-ft front yard setback on Foothill. It also addresses an architectural style different than those specified in the Downtown Village Specific Plan for new structures. Lastly, three protected sycamores would be removed near the Foothill frontage to accommodate the new sanctuary.

The site is bounded by Foothill Boulevard on the north, Woodleigh Lane and the First Church of Christ, Scientist on the east and residential uses to the west and south. The church was founded more than two decades prior to the city's incorporation.

A Negative Declaration was prepared and posted with the County and contains numerous mitigation measures in order for the project to proceed. Floor area would reach 81,287-sf at completion, representing a 109% increase over existing and includes new restrooms, stairs, elevators and additional storage rooms and closets. A new component would be a small chapel with a prayer garden and columbarium at the southwest corner of the site. Senior Planner Buss commented that the site is complex and likened it to a small community college - there is a lot of activity during the week irrespective of Sunday worship services. Matters of concern include parking and potential noise to neighboring residences. Length of construction is an issue as it relates to noise, dust, air quality, etc., which the Mitigated Negative Declaration addresses; nonetheless Staff was concerned with the neighbors enduring 3 construction phases over a 4½-year timeframe.

Parking: This is the biggest long-term issue. Applying parking requirements for the Public/Semi-Public Zone does not adequately address what might be the overall parking impact. Parking requirements are based on the largest assembly space, which would be the new sanctuary, seating 296. Code requires 60 parking spaces for Sunday services, yet information provided from the applicant demonstrates that approximately 320 spaces are needed on that day. The project site has 140 spaces available during the week and 195 spaces on Sundays. The Church rents 100 parking spaces from the Thursday Club for

Sunday use, and the applicant reports that parishioners also use the Vons Shopping Center parking lot on Sunday mornings, when the Center is least utilized. Additionally, 46 spaces are rented Monday through Friday from the adjacent First Church of Christ, Scientist. A parking requirement chart and information relating to the need for additional parking was provided in the Staff report including: a redesign to accommodate more parking and the required additional landscape screening and trash enclosures, or reducing the scale of the project to meet available parking.

Other issues include the requested 15-ft encroachment of Building A into the required 25-ft front yard setback requires removal of 3 sycamore trees. The applicant also seeks that the new sanctuary be allowed to exceed the maximum 35-ft height limit to match the 41-ft height of the existing sanctuary ("A"), and that the Children's Ministry (Building "B") and the Youth Center (C) be allowed at the same height. Senior Planner Buss advised that the City Council allowed a steeple for St. George's Church to exceed the maximum height, determining that it was an architectural feature, so there is precedent to allow the excess height for Building "A". The Design Commission voted to require that "A" not exceed the existing height of the sanctuary's ridge and to require a front setback not less than 10 ft for "A", and that the average setback along Foothill exceed 25 ft, all on 3-2 votes. The Commission unanimously allowed "C" a maximum height of 41 ft.

Staff did not support the excess height for B and C, which would be new, freestanding buildings, located within the interior of the site and closer to residential.

Regarding the architectural style, the Downtown Village Specific Plan states "structures less than 35,000-sf in area shall be influenced in terms of material, colors, forms and details by the following architectural styles: Spanish, Mission, Spanish Colonial Revival, Italian Renaissance, Craftsman and Monterey". Senior Planner Buss noted that the existing architecture does not meet these criteria and that 2 other Institutional sites (FIS, and St. Georges) on Foothill do not meet the architectural requirement of the Plan. Staff considered "A" as supplementing the existing sanctuary.

The DVSP also calls for certain public improvements along Foothill, including bulb-outs. Since parishioners park across the street in the Von's Shopping Center, a nexus can be made between the church and the public improvements. Staff recommended adding a condition requiring the church to pay its fair share if this project is approved; perhaps a parking agreement could be formalized with Vons to assure the availability of parking during off hours.

Overall, Staff believed the findings could eventually be made dependant on Staff acquiring a better idea of the parking required for the proposed uses and if there is any overlap. Staff recommended a continuance to work on remaining issues.

Church spokesman Bob Craven, advised that 3 members of the Building committee would address the Commission. According to church historians, the church was founded in Montrose in 1946. Shortly thereafter, the existing church property was purchased on what was probably a vineyard at the time. There were a number of existing homes south of the property that were built in the 1920's. The first building was constructed in 1948 and is still used for fellowship, small meetings and choir practice. In 1956, a brick sanctuary with a tall steeple was built and represented a milestone for the church which continues to grow with the community. A two-story administration building that was later added and the existing portable classrooms are slated for removal. He related that the Board debated for many years whether to expand the existing sanctuary to acquire more seating. A decision was ultimately made to hold 3 services on Sunday mornings and to refurbish the existing sanctuary.

Jim Anderson related that the Administration Building was constructed approximately 20 years ago. None of the ideas to expand seemed feasible as the Committee investigated better ways to use the facilities on site. The church enjoys a membership of approximately 1,600; it is currently at 1,544 and there is no desire to become a "mega-church". As the community becomes younger, the number of youth and children has grown and the facilities are no longer adequate; nearly half the facilities will be devoted to them. He concluded by stating that the master plan is a response to growth rather than promoting new growth.

George Garfield addressed the future of the church. He stated that the master plan is motivated by their needs and to positively participate in the community. He reported that the church held 4 meetings with the neighborhood to share the master plan with the community and elicit concerns, opinions, etc. Mr. Garfield related that a good deal of thought resulted in placing all the active uses at the front of the property towards Foothill Boulevard, while the quieter uses migrated south, adjacent to residential areas. The height of buildings "B" and "C" is maintained below the Code maximum and the construction phasing was shorted from 5 phases in 6 years to 3, 18-month phases. He introduced Lou Dominy, the project architect.

Mr. Dominy reported of having participated in over 30 meetings with the church, 3 with Staff, 2 with the Design Commission and 4 with neighbors. He

advised there was miscommunication regarding the Facility Use matrix; some uses meet only once a week. He offered to work with Staff to alleviate concerns.

An aerial view of the site was displayed in PowerPoint. It is an irregular site, adjacent to several parking lots. Several redesigns resulted in an increase of on site parking from 95 to 111; the Thursday Club agreement provides another 100 spaces for a total of 211 spaces on Sundays, excluding the Von's parking lot. He described how a 5-ft-wide sidewalk would provide interior circulation and that two-story buildings and basements would eliminate the existing crowded feeling.

Addressing the excess height, Mr. Dominy recognized that the new sanctuary would reach 41 ft in height. A project model was displayed, showing a 12:12 roof on the new sanctuary. He pointed out that the root pitches cause the excess height and that the Design Commission encouraged pitched roofs. He believed that the existing tower is an architectural landmark; Building "A", with a winged tower and copper roof would complement it.

The church stressed the importance of being a good neighbor. He submitted a petition of support from 11 neighbors residing on Oakwood and Woodleigh. Uses at the rear will include a Meditation Garden set back 80 ft from the property line, as well as a columbarium, a chapel and a restroom. Addressing the front setback encroachment, Mr. Dominy commented that only 8% of the 342-sf of frontage would encroach into the setback and that the majority of the front setback is setback 50 ft, or 3 times larger than the area that encroaches. On a split vote, the Design Commission voted to allow a 10-ft setback as a compromise.

The 3 sycamores that would be removed are located approximately 35 ft from the front property line and would be replaced with 6 sycamores. Mr. Dominy stated that over 170 sf of the site would remain open and park-like. Landscaped parking islands are not proposed in the parking lot, given the number of existing trees and landscaping that would remain.

Photos of nearby buildings with zero and 5-ft front setbacks were displayed. Mr. Dominy advised that as a compromise, the Design Commission recommended a 10-ft front setback on a 3-2 vote.

Commissioner Gelhaar asked Mr. Dominy to comment on Staff's recommendation for "B" and "C" to meet Code with regard to height.

Mr. Dominy believed that he could modify both structures to meet Code if the height was from adjacent grade. He pointed out that the playground would be below grade.

Commissioner Davitt inquired about the intended capacity for the columbarium.

Mr. Dominy responded that it would most likely accommodate 800-1,000 niches.

Commissioner Engler asked how the construction manager's trailer, general construction trailer, etc. would affect parking during the 4-year construction period, including material storage.

Mr. Dominy responded that they are working with David Robison of Strategic Construction Management in Santa Cruz, a Planning Mobilization consultant. Construction parking will be either on site or in a parking lot on Woodleigh and would not be there on weekends. The mobilization plan is to access the site and find a way around and out to Foothill Boulevard. Mr. Robison is currently working with the general contractor as to how much land is needed for construction materials and parking.

Chairwoman Mehranian opened the public hearing.

Steve Bache, 4400 Oakwood Avenue, stated his belief that there will be a much larger parking problem than anticipated and related his experience with neighborhood traffic on Sundays. He wanted assurance that sufficient landscape screening was required, given the proposed removal of trees, and asked that any windows facing west be opaque. Mr. Bache asked that time restrictions be placed the buildings' use.

Michael Brown, 635 Georgian Road, advised that the meditation garden extends to within feet of his property. He articulated his concerns: that a condition requiring maintenance of landscape screening be imposed, that drainage be corrected so that his yard is not saturated as frequently occurs, he agreed with the mitigation measure that the chapel, Building "E" be reduced in scale to single-story. Doing so would assuage his concern with the excess height being incompatible with nearby residences. Addressing noise, he asked for reasonable limitations to prohibit large groups from using the chapel 7 days a week. Additionally, given the length of construction, he asked the Commission do everything possible to minimize construction noise and asked that only interior work be allowed on Saturdays.

Gould Allison, 4412 Oakwood stated that he was originally concerned with protecting the oak canopies, only to now discover that sycamores would be removed. He stated it was difficult for him to believe that the Commission “would entertain the thought of removing the sycamores to satisfy church leaders”. He then confirmed that Staff’s recommendation was to preserve the sycamores.

George Ajalet spoke on behalf of his brother, Charles Ajalat 4412 Oakwood, who had earlier submitted written opposition to the project. Mr. Ajalet distributed additional mitigation measures which included: eliminating “Building E” or, if allowed, limit its height to 16 ft with opaque windows. Restrict Building “D”, the Administration building, to 16-ft in height and a basement with opaque windows. Restrict group use of the Meditation Garden to 10 people, no more than 10 times per year and the chapel’s (“E”) use to Sundays by 15 people, no more than 15 times per year. He asked that construction vehicles and equipment be prohibited from parking on the southern portion of the site and he opposed removing any protected trees.

Ed Johnson, 4418 Oakwood, supported Mr. Brown’s efforts and suggested mitigation.

Larry Moss, spoke as a member of the Design Commission and a longtime resident of the community. He opposed removal of the protected sycamore trees and the contemporary design of the new sanctuary. He stated that a sweeping copper roof contradicts the purpose and mandate of the Downtown Village Specific Plan.

David Gilstrap, owner of La Cañada Pre-School across the street lauded the church and pastor for their outreach efforts. Pastor Dennis agreed to build a block wall and install replacement landscaping to visually screen the Preschool from the new sanctuary (“A”). He commented on the substantial height of the new sanctuary and asked the Commission to deny that component of the request. He suggested that a 35-ft height would be more palatable.

Mr. Dominy responded to comments. He advised that 11 items were raised during meetings with the neighbors, including noise from use of leaf blowers on Saturdays and an older a/c unit – these are being addressed. He thanked Mr. Brown for his list of concerns and believed they could all be addressed. Regarding the tree removal, he noted that 35-40 trees would be maintained and that the 3 removed sycamores would be replaced with 9 sycamores. He agreed with Mr. Moss regarding the requirements of the Specific Plan and stated the project is as village-like as possible.

Chairwoman Mehranian closed the public hearing.

Commissioner Engler deferred comments until additional information including a parking matrix, etc., is submitted.

Commissioner Davitt reported that he met with Pastor Dennis and some of the neighbors. He liked the overall concept and remarked that the church is a positive force in the community. Given the significant size of the project, he asked that story poles be erected for buildings A, D and E and that restrictions on the uses at the rear of the property would be reasonable. The parking situation is an overall concern. Lastly, he clarified an earlier comment regarding the church membership ---1,500 refers to individuals of high school age and above, rather than households.

Commissioner Gelhaar disclosed that he is a member of the La Cañada Presbyterian Church. Addressing the Tree Removal Permit component first, he disagreed with Staff's recommendation to preserve the sycamore trees. After driving Foothill from Angeles Crest to Gould, he found this to be the only property on Foothill Boulevard that accommodates a significant number of trees. He supported the finding that taking into account the size, shape, topography and existing trees, a denial would create an unreasonable hardship. He believed the replacement trees should be of a protected species and planted at the rear with the approval of the neighbors. Addressing the 3 components of the Variance request, he was satisfied with Staff's recommendation to approve the excess height on "A", and after hearing the architect, he could support the excess height for "B" and "C". He did not have a problem with the design, which is divergent from the criteria of the Downtown Village Specific Plan, and noted that a majority of the Design Commission voted for it. He believed that the front setback encroachment is insignificant compared with what exists up and down Foothill, where the averages are significant. The Conditional Use Permit - need to address issues of noise and parking. He encouraged the applicant to continue working with the neighbors to develop reasonable restrictions on the uses at the rear of the property in terms of time, days of week, etc.

Commissioner Cahill expressed appreciation for the time it takes to think through a project of this magnitude; the commentary made it clear that thoughtful consideration was given to the neighbors and the neighborhood. He stated that he was struck with the amount of space requested; going from 37,000-sf to 81,000-sf was not a concern in context, but upon hearing how it would fit in, it appears to be bursting at the seams. A major issue for him was at the front of the property. If the purpose of removing protected trees is to

accommodate Building "A" 's encroachment into the front setback, the subsequent compounding encroachment is something the Commission should consider. He toured the site with Pastor Dennis and while it was very helpful, it remained unclear how far Building "A" would come forward and from where measurements were taken. Commissioner Cahill recognized there are nearby buildings with zero front setbacks, but his review of the Specific Plan, The Foothill Boulevard Master Plan and driving the Boulevard, he observed a line of demarcation at Commonwealth. There tends to be more openness headed West, i.e., the Post Office, a bank and shopping center with front lawn areas, with the exception of two buildings. The project represents somewhat of a change to that open character. Notwithstanding the considerable thought given to this project, he asked the architect if consideration was given to siting "A" in another spot, further from the street that would not require removal of trees.

Excess Height - D and C were not problematic. Siting the taller buildings with gable roofs towards the interior, away from the street and neighbors, solves some of the space problems. "A" will have more of an imposing appearance, given the encroachment and removal of trees, despite the encroachment represents a small portion of the entire frontage.

He stated that the church made significant concessions by putting the quieter aspects at the rear of the property for the neighbors' benefit. He asked for a closer look at the height and agreed that story poles would give better visualization.

Architectural style - he found it reasonable to continue with the existing style. Parking - probably less of an issue for him than for his colleagues and Staff. Churches, by their nature, have peaks and valleys for parking demand. He was not overly concerned with what is perceived to be insufficient parking; the peaks would be few and far between and a significant amount of parking is currently available. It appears there is adequate parking during the week, but another review of the facility use chart would be worthwhile.

Usage and Noise - orienting the chapel towards the parking lot represents a significant diminution of noise. He recommended a reasonable limitation to preclude people from congregating in that area.

Construction - he agreed with Mr. Brown's point regarding the need to mollify construction noise on Saturdays, given the construction timeframe.

In conclusion, he requested: 1) models for the additional 2-3 buildings if possible, 2) story poles for Buildings "A" and "E", 3) has the church considered the possibility of relocating the new sanctuary ?

Chairwoman Mehranian recognized the significant size of the project and the significant issues, specifically at the southwest corner. She emphasized the need for monitored mitigation for the neighbors with regard to parking, noise and dust during the 5-year construction project. She expressed concern with the proposed tree removal and stated that parking and over-height structures were issues for her.

M/S/C Davitt/Engler to continue Conditional Use Permit 382, Variance 04-04 and Tree Removal Permit 04-64 to January 25, 2005. Unanimous.

Director Stanley advised the audience there would be no further public notification mailed regarding the continued meeting.

Commissioner Davitt asked the Attorney Steres to check code regarding the proposed columbarium and if there is a cap on pre-school enrollment. Church representatives stated they did not intend on getting bigger, yet the project triples the existing space.

#### **VIII. OTHER BUSINESS**

There was discussion on the Chevron Station request that was heard by the City Council on the call-up provision. The Commission was not given information regarding the finding for public need and convenience.

Director Stanley advised that the City Council was made aware that the Commission's recommendation was entirely based on planning issues.

#### **IX. COMMENTS FROM THE COMMISISONERS**

Comments were not offered.

#### **X. COMMENTS FROM THE DIRECTOR**

Director Stanley advised the Commission that the City Council had approved an increase in planning fees, which will be effective in January.

#### **XI. ADJOURNMENT**

M/S/C Davitt/Cahill to adjourn at 10:40 p.m. Unanimous.