

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CANADA FLINTRIDGE
HELD ON NOVEMBER 26, 2013**

- I. CALL TO ORDER** The meeting was called to order at 6:10 p.m.
- II. ROLL:** Chairman Gunter, Vice Chairman Jain, Commissioners Der Sarkissian, McConnell and Walker, Director Stanley, Deputy City Attorney Guerra, Senior Planner Buss Planner, Planners Gjolme and Clarke, Assistant Planners Harris and Parinas.
- III. PLEDGE OF ALLEGIANCE** The Pledge of Allegiance was led by Chairman Gunter.
- IV. COMMENTS FROM THE PUBLIC:** At this time, members of the audience may address the Commission regarding matters that are not on the agenda or matters that are on the Consent Calendar.

Michelle Brown, of 3757 Normandy Drive, provided an update regarding the project at 3745 Normandy Drive. She explained that the project has been left idle for more than two months. She expressed concern that the original Building and Safety approval was still in place when the Planning Department approval was revoked. She also expressed concern about the code enforcement timeline.

Shaker Eissa, of 787 Greenridge Drive, asked the Planning Commission to reconsider their requirement that he demolish the extra floor area at his home that was unpermitted.

Commissioner Jain recused himself from the discussion.

Dave Golonski, friend of property owner, agreed that there should be consequences because the work was done illegally; however, the improvements are not visible from the street and do not impact the neighbors. A condition could be added that Mr. Eissa maintains screening forever. He felt that some facts could support the Variance request. The property includes trail which is excluded from lot area and shouldn't be since other neighbors don't have trails that cross their properties. There are no privacy concerns since no windows face the neighboring property.

V. REORDERING OF THE AGENDA

The Sign Ordinance was continued.

- 1) 425 Woodfield Road
- 1) 5138 Redwillow Lane
- 2) 5357 Alta Canyon Mills Act
- 3) 5237 Alta Canyon Mills Act
- 4) Housing General Plan Amendment
- 5) Zone Change- Housing Element Implementation Plan

VI. CONSENT CALENDAR

- A. **Minutes:** March 12, 2013
- B. **Minutes:** September 10, 2013
- C. **Minutes:** September 24, 2013 Commissioner Walker submitted a small change to staff

M/C/S Gunter/Jain motion 5-0 Unanimous

- D. **Hillside Development Permit 12-24/Variance 12-01/Second Floor Review 12-08 (Dir)/Director's Miscellaneous Review 12-17 (SB)/Categorical Exemption; Eissa; 787 Greenridge Drive:** Resolution of Approval (in part) and Denial (in part)

M/S/C Gunter/McConnell
Commissioner Jain recused himself
Commissioner Walker abstained
Commissioner Der Sarkissian opposed
2-1-2

VII. CONTINUED PUBLIC HEARINGS

- A. **Second Floor Review 13-07/Tree Removal Permit 13-09; Negative Declaration; Chun; 425 Woodfield Road:** Request to allow construction of a 7,800 sq. ft. 2-story residence on a 31,183 sq. ft. lot and remove a protected oak tree. The project complies with all floor area, setback and height limits for the subject lot. Staff is recommending approval of a Negative Declaration for this project. (Planner Gjolme)

Chairman Gunter stated that the Commission did not need a full staff report.

Planner Gjolme showed the most recent plan. He pointed out that Conditions No. 15 & 16 were modified based on input received from the neighbors. The conditions were related to the planting of non-deciduous trees and minimum planting height. He added that the architect and property owner were OK with the modified conditions.

Craig Stoddard, the project architect, pointed out that they had a two-page supplemental report from the project arborist. He quoted from the letter regarding the risk of the tree falling. He added that if the Oak tree in question had been healthy, they would have designed the home around it to preserve the tree.

Commissioner Der Sarkissian was disappointed that a second opinion regarding the trees was not obtained especially since the neighbors were willing to pay for it. The supplemental report was by the same arborist and he could not support the project.

Commissioner Walker disagreed with Commissioner Der Sarkissian. This is an Arborist on the approved list. It is a beautiful tree. This is a difficult choice for the owner who has complied with the City's rules by using the approved arborist list.

Vice Chairman Jain added that he is reluctantly accepting the Arborist's opinion. He would have liked more information. He could not support removing the tree.

Commissioner McConnell stated that his concerns were alleviated by the revised siting of house. He could now support the project. He pointed out that some of the arborist's statements were over the top. He could, however, support the tree removal and the project.

Chairman Gunter agreed with Commissioner Walker's comments. He could support the project as submitted.

M/S/C Walker/Gunter 3-2 Commissioner Der Sarkissian and Vice Chairman Jain opposed.

- B. **Zone Change 13-01 (Sign Ordinance Amendment)/Negative Declaration; City-wide:** Request to consider adoption of an amendment to the City's Zoning Ordinance pertaining to Section 11.37.040; Sign Regulations Standards and Guidelines. More specifically, the amendment would allow electronic reader-boards in excess of 4 sq. ft. on

certain properties zoned Public/Semi-public and Institutional with private school uses. This is an amendment to the City's Zoning Ordinance, which requires a future City Council public hearing and City Council approval (to be noticed later). The Planning Commission will make a recommendation to the City Council at this hearing. Staff is recommending that the Planning Commission recommend approval of a Negative Declaration. (Planner Gjolme)

M/S/C Gunter/McConnell to continue the project to a date uncertain. 5-0 Unanimous.

- C. **Hillside Development Permit 13-35/Variance 13-08/Categorical Exemption; Johnson/Hughes/Wang; 5138 Redwillow Lane:** Request to allow the construction of a 1,061-square foot single-story addition on a 16,112-square foot hillside lot. The applicant is requesting a Variance in order to allow bedroom additions to a house with a substandard garage. Staff is recommending that the Planning Commission approve a Categorical Exemption for this project. (Assistant Planner Parinas)

Assistant Planner Parinas explained that the Variance was to allow a substandard garage to be retained. The original project included a Setback Modification but they now want to keep substandard garage and not ask for the Setback Modification.

Vice Chairman Jain indicated that he could support the project.

Commissioners McConnell, Der Sarkissian, Walker and Chairman Gunter all concurred.

M/S/C McConnell/Jain Motion to approve the project as submitted. 5-0 Unanimous.

VIII. PUBLIC HEARINGS:

- A. **General Plan Amendment 13-01; City of La Cañada Flintridge; Housing Element Update:** Update of the Housing Element for fifth cycle review. A technical update addressing increased Regional Housing Needs Assessment (RHNA) requirements of the State. (Senior Planner Buss and staff)
- B. **Zone Change 13-07; City of La Cañada Flintridge; Downtown Village Specific Plan and Zoning Ordinance Text and Map Update to Implement Housing Element Policies:** Update of the Zoning Ordinance, to include, but limited to, addressing development standards for multi-family residential development, mixed use development, single room occupancies, transitional housing, emergency shelters, reasonable accommodation, supportive housing, senior/workforce housing, and other updates to support these areas of development. Properties within the City will be rezoned (including, but not limited to, R-3 and Mixed Use) to be consistent with the adopted General Plan Land Use Element Map. (Senior Planner Buss and staff)

Commissioner Walker recused herself because she has an interest in property that might be affected by the proposed zone change. She stayed for part of the presentation but left when the public testimony started.

Commissioner Gunter explained that everyone will get a chance to voice their concerns and that there will be other opportunities to participate in the public comment process. There are two items under consideration. They don't actually approve the Housing Element and/or the Zone change. They will only make a recommendation to the City Council who will hear it at a future date.

Director Stanley introduced Bill Trimble, of Veronica Tam and Associates, who gave the presentation regarding Housing Element update.

Mr. Trimble gave the presentation. He explained the General Plan process and Housing Element specifically. It establishes present and future needs for housing units statewide. The Housing Element is reviewed by the State for compliance with State law. He also explained how the Regional Housing Needs Assessment (RHNA) is done. A Housing Element must address three issues: 1) assessment of current and future needs for housing; 2) identification of constraints and opportunities for meeting those needs; and 3) provision of a comprehensive strategy through goals, objectives, and programs. It also looks at market strengths, environmental constraints and resources available. It also identifies sites that would be good candidates for additional housing units. The Housing Element builds on needs, constraints and resources. Each jurisdiction is responsible for its share of the growth that is predicted. We are beginning the fifth-cycle of the RHNA and for this cycle the City of La Cañada Flintridge is responsible for 112 units. For the last cycle we were assigned 235 units and four units were constructed, so 231 remain. The units from the previous cycle are not usually carried forward but because the zoning was not in place to create the units, we add the current cycle to the previous cycle for a total of 343 units. This is not an obligation to construct the units but to have mechanisms in place that would allow their creation. The RHNA is broken up by income level – very low income, low income, moderate income and above moderate income. These are based on Los Angeles County median income which is further broken down by household size. Based on this, the City's zoning needs to allow for housing at a maximum of 30 dwelling units/acre. In general, housing costs are lower at higher densities. The La Cañada median income is almost 3 times higher than the County median of \$64,800 for a four-person household. There are 19 programs in the Housing Element for carrying out the development of housing opportunities for developing housing units in La Cañada. Minor changes are proposed in the programs for the new cycle of the Housing Element. They include the hearing on the proposed zone changes that are also being heard tonight and that the City Council will adopt zone changes before the new Housing Element is approved. He also pointed out that the amendment to the Downtown Village Specific Plan (DVSP) will allow Mixed Use generally which contrasts from the current DVSP which allows Mixed Use for senior housing only. There are also programs for lot consolidations and the allowance of second units. There are also existing programs for the preservation and maintenance of existing housing, including the code enforcement program, residential rehabilitation program and the sewer connection program, among others. There are also programs for lower income households and housing opportunities for special needs housing. Concurrent with the hearing tonight and in December the State Department of Housing and Community Development (HCD) will review the Draft Housing Element for the 2013-2021 period. Comments are expected to be returned to the City on January 14, 2014. Substantial comments are not expected because the submitted Housing Element is almost the same as the previously submitted one. The final document will have language that indicates that the zone changes have been adopted and the legal status of the City has changed. It is preferred that City Council adoption of the new element will be no later than February 12, 2014. This is important since if it is adopted by then, the period of the new Housing Element will be eight years and not four years.

Commissioner McConnell asked about the timing and if HCD's comments would be reviewed by the Planning Commission or only the City Council.

Mr. Trimble indicated that it would depend on the nature of the comments from HCD. It is not legally required to return to the Planning Commission.

Commissioner Der Sarkissian asked if the Zoning Ordinance details have to be finalized within 60 days.

Mr. Trimble indicated that the legal requirement is that it occurs before the Housing Element is adopted.

Senior Planner Buss explained that what is before the Planning Commission tonight are zone changes that would make the zoning consistent with the March 2013 adopted Housing Element. The zone changes

need to be adopted before the new Housing Element is adopted by the City Council. He expected the City Council to review the zone changes at their January 21 and February 3 meetings and adopt the new Housing Element after that. These proposed dates would make the February 12th deadline.

Commissioner Der Sarkissian reiterated his question of when is the target date to approve the zoning details.

Chairman Gunter replied February 3 at the end of the City Council meeting. He then asked staff if we could have the presentation for the zone change portion and have the public comment session on both topics at the end. He reiterated that they are discussing two topics 1) the Housing Element and 2) the Zone Changes related to the Housing Element.

Deputy City Attorney Guerra advised Commissioner Walker to review the meeting minutes so that she can comment on aspects of the Housing Element that do not directly impact her.

Commissioner Walker left the room.

Director Stanley introduced Claudia Tedford of CityPlace Planning who gave a presentation which contained the same information that was presented during the study session earlier in the evening. She explained that the purpose of the proposed zone changes were to meet the state requirement to allow specific types and amounts of housing. The purpose is also to achieve the Housing Element goals. Every city in the State of California has to adopt these standards. She spoke regarding the three different category changes 1) housing types (including emergency shelters, supportive housing, transitional housing and single room occupancy housing - SRO); 2) proposed zoning modifications (changes to the R-3 and RPD zones, DVSP and create a new Mixed Use zone); 3) new procedures added to the Zoning Code (reasonable accommodations for disabilities and an affordable housing density bonus). She explained the housing types in more detail, reiterating that the regulations make allowances for these housing types in the zoning code not that any are proposed to be built at this time. Emergency Shelters are for temporary housing with some supportive services. They must be allowed by right in at least one zoning designation in the City. The recommendation was that they be allowed in the Community Planned Development (CPD) zone. Supportive housing is already allowed in the City but it is not listed as a specified use. It is for those with long-term mental or physical disabilities and is required by State law and linked to supportive services. It is regulated like other residential uses in their respective zones. Transitional housing provides temporary housing for those transitioning from being homeless to those having permanent housing. It is also already allowed in the City but it is not listed as a specified use. The City does have more discretion when it comes to allowing SRO housing. The City could require a Conditional Use Permit in the CPD zone. Unit size would vary from 200-350 sq. ft.

Katie Matchett of CityPlace Planning explained that the R-3 Zone would allow a density of 20-30 dwelling units per acre. She showed slides of other developments in Los Angeles County with densities within that range for multi-family projects. The proposal would be to allow the multi-family units by right without discretionary review. It would still, however, require standards and Design Review for compatibility with the surrounding uses. Other development standards are proposed that would specify the parking requirement and minimum unit size. The RPD zone which currently allows 12 d.u. per acre would have similar changes but would require a discretionary permit. The changes to the DVSP zone would allow multi-family housing for all ages not just seniors. The new Mixed Use zone would allow uses similar to the CPD zone and would be pedestrian friendly. The density range would be the same as the other multi-family zones. Other development standards would be required. She showed slides of other developments in Los Angeles County of mixed use projects. She also discussed the State requirement of reasonable accommodation that can be requested to accommodate their disabilities. Included is a provision that the reasonable accommodation is removed when it is no longer needed at the location. The Community Development Director would have review authority. Another addition to the code would be an affordable housing density bonus of up to 35% to encourage developers to include affordable housing and seniors

in their projects. Design standards are also included as part of the amendments to the Zoning Code. She showed the slides that indicated which parcels would be rezoned to R-3 or Mixed Use zoning identified in the recently approved Housing Element.

Chairman Gunter asked if the sites were specifically identified in the General Plan that was adopted this year.

Senior Planner Buss replied with the addition of two parcels on Castle and the one on Rockland which are zoned commercial but currently being utilized as multi-family.

William Lee, of 4474 Indiana Avenue, presented written comments from many residents. He wished to preserve the right to raise issues in the future. He was concerned about the timing issue regarding the notice and that there was no notification of previous General Plan discussions. He informed the Commission that that there were approximately 20 people who didn't get a chance to speak and some already left.

Chairman Gunter explained that the right to speak and be heard is not limited while the public hearing process is on-going.

Mr. Lee asked for clarification if the change is from senior only to regular low income multi-family uses. He wanted to know the unit count that would be changed to multi-family. He added that he believed that La Cañada residents are not interested in expanding the low income multi-family component in the City. He asked what the actual impacts to the City would be if the City did not proceed with the proposed zone changes. He stated that he believed that it was going to be a big impact on the lifestyle of the residents. It will be a big demographic change to the way La Cañada has been in the last 10 years.

Chairman Gunter explained that the City of La Cañada is not in the business of building low-income housing. What we are doing is what the state requires us to do is allow for those uses. He added that multi-family does not necessarily equal low income. The City is not telling a developer what to build – they are just giving a developer options.

William Lee stated that the zoning changes would take away ability to say no.

Chairman Gunter agreed that under certain circumstances the State doesn't let us say no but developers would have to meet many other requirements such as heights, densities, appearance, etc. like any other property.

William Lee asked how many units would be converted from senior housing to multi-family housing and the impact of not complying with the State's rules.

Mr. Trimble explained that one impact would be eligibility for funding of certain State programs which the City may or may not be interested in. If the City does not adopt changes that allow for additional housing, then the Housing Element would not be certified by the State for the next cycle. There are two options 1) the City is not concerned with State law and there could be potential litigation if the Housing element was not certified or, 2) funding related to housing or parks could be jeopardized. The State Legislature could affect additional programs in the future whose funding could be at stake if the Housing Element is not certified.

Ms. Tedford added that it would not be a loss of senior housing but that housing for all ages could be built in the DVSP.

Mr. Lee reiterated that he is most concerned about increasing the multi-family units by 321 units city-wide.

Chairman Gunter asked for clarification if it was 321 units through the year 2021.

Mr. Trimble clarified that the RHNA allocation numbers would be through the year 2021 and includes the required number of units from the last Housing Element which were not previously addressed. It also would allow for units at all income levels and not necessarily focus on low income.

Vice Chairman Jain asked that if all proposed changes were implemented what the land area affected would be and the maximum number of units that would result.

Mr. Trimble stated that the developers will not necessarily build to the maximum density based on the market in La Cañada and that unit size would drive the of number units built for a specific site.

Vice Chairman Jain asked what would be the maximum number of units if the developer chooses to build to the maximum density.

Mr. Lee stated that with the proposed zone changes he could convert his house to emergency, transitional or supportive housing.

Chairman Gunter clarified that any residential property could do that under the current law.

Mr. Lee stated that some felt the properties that are close to La Cañada Elementary should not be made denser. He added that the general consensus in the statements from other residents that were submitted tonight also expressed that sentiment. He concluded by stating that the General Plan was difficult to navigate on the City's website.

Chairman Gunter clarified that all the documents, including the Program EIR, are available on the City's website and that the Planning Commission was also concerned about the location of some of the properties proposed for a zone change and their location near sensitive uses.

Mr. Lee asked if they could get appropriate notice for the next hearing.

Chairman Gunter clarified that it will be to a date certain but likely the December 10th meeting.

David Rose, of 310 Knight Way asked for clarification if under SB 2 the City could sign a multi-jurisdiction agreement with other jurisdictions to provide homeless shelters. He asked if we contacted other cities like San Marino to see what could be done to preserve the family environment of the two cities, to explore what the other options are.

Chairman Gunter replied that they looked at multi-jurisdictional agreements and it can be difficult to make the multi-jurisdictional agreements work. There is no practical way to get to what the law requires.

Mr. Trimble added that they looked at it and the statute is specific on the requirements of the agreements. He explained what would be required by the statute. He added that Pasadena and Glendale would be possible partners.

Mr. Rose asked if the City could buy time by saying we are looking into potential partners to provide homeless shelters.

Mr. Trimble added that it was not clear what the future would allow with respect to multi-jurisdictional agreements.

Deputy City Attorney Guerra concurred with Mr. Trimble's assessment of the SB 2 and its future and the feasibility of partnering with another city to provide homeless shelters. He indicated that he has not spoken to his counter parts in the City of San Marino.

Mr. Rose stated that the City of San Marino has some creative ideas for preserving the same environment.

Chairman Gunter clarified that the City is not proposing a shelter. He added that he is not aware of a burning need for one in the City of La Cañada but the State is saying that each city has to provide the zoning for one. He felt that if we partner with another City we would have to provide the funding for a need that might not be present rather than creating the zoning for one that may never be built.

Director Stanley clarified that we did contact San Marino and South Pasadena and both cities did not want to expend funding to join with other cities to establish a homeless shelter because there was no need in their communities. Those cities opted to allow for it in their cities in a specified zoning.

Mr. Trimble was not aware of a single jurisdiction in the SCAG region or San Diego County that has entered into such an agreement.

Mr. Rose asked if we could have the information available at the next meeting of how much money we are forfeiting from the State if we don't implement the requirement.

Chairman Gunter clarified that we are not doing this for funding but we are doing it to comply with State law.

Mr. Rose concluded by saying that, while the Planning Commission is saying that there is nothing in process for these types of housing, at a meeting in October a developer was present that was exploring the option of this type of project.

Director Stanley stated that an advertised workshop was held and two developers showed that wanted to do market rate development for senior units that are not in the areas we are discussing tonight. One was for assisted living and the other was senior citizen units. He added that nothing had been submitted yet and at that time they hadn't purchased the properties.

Mr. Rose asked if there was an out for the City for low-income seniors given that many senior citizens meet the demographic of low-income.

Senior Planner Buss clarified that the City can't discriminate based on age. It has to be based on income. He added that affordable senior housing is needed in La Cañada.

Director Stanley added that a developer would look at community need and there is not much need for a homeless shelter. We have a lot of seniors who are transitioning from their large homes but want to stay in the community in some type of senior facility.

Julia Dixon, of 4507 El Camino Corto, asked how the needs assessment was determined.

Mr. Trimble explained that the California Department of Finance looks at total statewide growth and then the Department of Housing and Community Development assigns a portion of that statewide total growth to each large metropolitan planning organization that in turn allocates it to each city. The City is part of the Southern California Association of Governments (SCAG) region. The six counties of the SCAG region are almost half of the entire population of the State. The distribution is based on the economic development, employment and housing in a community. It also takes into account the available area within a city that is not usable for housing.

Ms. Dixon asked if they made a determination if there was a need for low-income housing units in the City of La Cañada.

Mr. Trimble explained that the fair share of housing by income level is also determined through this process.

Chairman Gunter followed up by clarifying that, in the case of La Cañada, this equates to 92 units for very low income, 57 units low income, 62 units moderate income and 132 units above moderate income.

Ms. Dixon asked if requiring a homeless shelter was based on a needs assessment and if we only had one homeless person could we pay another city for just that one person.

Chairman Gunter reiterated that each City has to have zoning to allow at least one homeless shelter.

Mr. Trimble added that if the City opted to go in with another city to fund a homeless shelter, the City would likely have to pay more as it is not based on need.

Marilee Mitchell, of 4606 Rockland Place, commented that she didn't see the provision of multi-family zoning in the Flintridge area. She asked if the property near the Flintridge Tennis Club was considered for rezoning to multi-family. She is primarily concerned with safety especially for the Ocean View property under consideration.

Director Stanley replied that we did consider the property by the tennis club and also an area up by the golf course but that the City Council chose the properties that are currently under consideration.

JC Moore, of 1417 Curran Street, stated she was worried about overcrowding and how it will affect the school district and property values. She felt that property values would decline. She wanted to know how the rezoning affected property values in Glendale and Pasadena.

Mr. Trimble indicated that there is a long history of homeless shelters in Pasadena and that property values went up after the revitalization of the Old Town area where a large quantity of high-density housing was constructed. He added that it is, however, difficult to determine a general pattern.

Commissioner Der Sarkissian stated that one cannot make comparison between Glendale and La Cañada. Glendale has many areas where this zoning would be appropriate. Glendale has many areas where higher density housing is appropriate and La Cañada, a bedroom community, only has the Foothill Boulevard corridor. He encouraged the members of the audience to talk to their State representatives since they write the laws that are imposed on the cities. You have to find the least damaging solution for La Cañada.

Ms. Moore stated that Glendale used to have high value homes but Glendale High School doesn't compare to the La Cañada Flintridge school system. She wanted to protect the schools and protect housing values.

Fernando Roman, of 4601 Ocean View Boulevard, asked how the residents can be assured that the developers will not build to the max allowed by the new multi-family zoning designation. He doesn't want the additional housing units and population. He didn't see the need for the additional units.

Chairman Gunter stated that the Commission shares your passion for the city. The City tried to figure out how to meet the mandates required by State law in the least impactful way.

Director Stanley added that the City could regulate the design through the Design Review process.

Mr. Roman clarified that he is not concerned with the quality of the construction but he is concerned with the quality of the people that the higher densities would attract.

Chairman Gunter stated that he is not aware of an eminent crush of low-income housing projects but we have to accommodate the State's requirement for it. The ordinance allows the maximum but the marketplace will drive the number of units for the actual projects.

Mr. Roman asked how we could be sure that they are not going to build 300 low-income housing units.

Chairman Gunter stated that we couldn't discriminate in that way.

Commissioner Der Sarkissian added that he has built units in Glendale and the development standards for the projects will control the number of units. It may well be the 30 units/acre or the development won't work financially, however, the development standards are where the City could control the development. Parking requirements are a good control mechanism and become a big issue on small lots.

Mr. Roman asked if someone at the State level would be present for the next meeting.

Chairman Gunter encouraged that they contact Senator Carol Liu and Assembly Member Gatto.

Deputy City Attorney Guerra clarified that the City would not have the authority to make a development more difficult in order to control the potential developments that would be allowed under the rezoning. He would need to look at Glendale's ordinance. The City can't provide hurdles to discourage affordable housing. If someone wanted to build affordable housing we would have to allow it.

Commissioner Der Sarkissian clarified that he wasn't talking about putting up hurdles but about not making concessions.

The Commission took a 5-minute break.

Gloria Chiang, of 4609 Rockland Place, understood the bigger concept of need and allocation. She asked how the properties were selected for rezoning. Why was the property behind Big Lots selected since it doesn't have direct access to Foothill Boulevard? She asked if it was selected for a specific group or purpose.

Chairman Gunter explained that the parcels were selected as part of a six-year General Plan update process. He was not aware of any reason why that specific lot was selected.

Director Stanley stated that at one time it was under the same ownership as the parcel that the Big Lots is on and it is also a vacant lot.

Senior Planner Buss explained that it is one lot and includes the area that the house on Ocean View sits on. The Planning Commission could decide to exclude this lot as part of the rezoning. He also clarified that this parcel is designated as Mixed-Use in the new General Plan.

Ms. Chiang asked that this lot be excluded from consideration for rezoning. She felt that it is not a good candidate for rezoning since it would be surrounded by single-family homes and Ocean View is a main route used by children to and from school. She urged the Commission to look at the impacts to the neighborhood. She asked if consideration was given to rezoning the whole block to multi-family housing. She felt that the lot was selected for a specific purpose.

Kevin Brennan, of 4627 El Camino Corto, stated that he never met a developer who would build less than the maximum allowed because they are looking for a return on their investments. He asked for

clarification if someone didn't sell their lot could they still increase the density if their lot was large enough without any review.

Commissioner Jain replied yes they could.

Director Stanley clarified that there still is a Design Review process that they would have to go through and it all depends on the lot's size.

Mr. Brennan asked if opportunities in the downtown area or the new building next to Magpie's Restaurant were explored for higher density housing like the Americana in Glendale. He asked how it impacts the existing services such as police, fire and the impact to quality of life issues. He added that La Cañada is not equipped to deal with the issues associated with SROs and transitional housing.

Chairman Gunter reiterated that non-profit developers will go where they can afford the land. The City is not proposing to put one in, just have to allow for it.

Mr. Brennan stated that his focus is on the SROs. He is worried that La Cañada doesn't have the facilities to serve those groups.

Chairman Gunter clarified that SROs would be allowed in commercial zones and they would require a Conditional Use Permit (CUP). He didn't foresee an immediate need for SROs but we have to allow for the possibility and put in controls regarding size, hours, operation, management, etc. to address the potential issues. He felt that there wasn't a need for this type of housing in the City.

Commissioner McConnell asked if the addendum to the EIR addressed additional fire and police needs.

Senior Planner Buss clarified that the Addendum would only identify if there were any changes to the Program EIR which addressed police and fire resources issues impacts associated with the increase in the number of residential units.

Mr. Brennan asked if our police and fire costs would go up if we require more services because of the increased population and issues with SROs.

Chairman Gunter did not know the answer to that. He read the requirements for establishing an SRO from the report.

Director Stanley clarified that SROs would only be allowed in the CPD zone and not in any of the new multi-family zones that are proposed. Multi-family lots have a 7,500 sq. ft. minimum lot size. Lots would have to be packaged together since many of the proposed lots are smaller than that.

Glenn Schlundt, of 5257 Haskell Street, stated that he is mostly concerned with the site near La Cañada Elementary. He asked about the legal costs if transients come in contact with children had been considered. He stated that police costs are a significant concern. He urged the Commission to find a different site that is not near La Cañada Elementary.

Chairman Gunter reiterated that no one is proposing a homeless shelter near La Cañada Elementary. We have to select a zone and the CPD zone is the most logical zone. He asked staff what restrictions can be added to the provisions such as distance requirements/limits from sensitive uses.

Mr. Schlundt stated that the community feels that the meeting came on too suddenly which could create a potential public relations issue.

Chairman Gunter clarified that this is not the first time the Housing Element was discussed. The Housing Element was prepared in a public forum over the course of many years. His concerns are taken very seriously and all the Commissioners also live in town.

Mr. Schlundt stated that the people who live here care about how their kids are kept safe. There needs to be more discussion and a serious consideration of different locations for these uses.

Commissioner Der Sarkissian reminded the residents that they could go to the City Council meeting and speak during the public comment session and not wait for this topic to be agendaized.

Maria Lee, of 4474 Indiana Avenue, stated that she is familiar with the way homeless shelters are assigned. There are clearing houses in LA County where they are assigned to a certain location countywide. We don't have a need in La Cañada but neighboring cities do have a need. She asked if the new zones would be allowed to have transitional and supportive housing.

Chairman Gunter clarified that all residential lots have the ability to be transitional or supportive housing under current rules.

Ms. Lee felt that Indiana Avenue is close to La Cañada Elementary and Bee-Line bus stops. She was concerned with exposure to people with mental illness. She asked for clarification if transitional housing is a minimum of 6 months and if they would be allowed to attend La Cañada schools.

Chairman Gunter stated that it is a minimum of six months stay and any child would be allowed to go to La Cañada schools but the current rules allow for supportive and transitional housing uses in existing residential zones and will continue to be allowed and we are just writing the rules into the Zoning Ordinance but nothing is being changed.

Marjorie Cates, of 4471 Indiana Avenue, explained that she and some of her neighbors didn't get the mailed notice. She came to the office and appreciated that the notice was hand delivered. She likes the country/town feel of La Cañada Flintridge like when she moved here. She felt that there were already too many people here and did not want to see more. She asked for clarification if selling her property is up to her.

Chairman Gunter clarified that the zone change will not impact anyone's ability to keep or sell their land.

Ms. Cates appreciated the Chair's explanation. She thanked staff and the residents that came to the meeting.

Mr. Roman indicated that he passed out about 75 copies of the notice in his neighborhood and many didn't know about the meeting.

Chairman Gunter explained that there are many issues in the City and people need to come out and let the City know how they feel.

Director Stanley explained the notification process. The legal ad was in the newspaper, posted at City Hall and on the City's website. We also direct mailed many notices to all the properties that were proposed to be rezoned, as well as, all properties within an 800 ft. radius of all the affected properties. We use the latest Tax Assessor rolls to send it to the property owner. We sent out about 1300 notices and some came back as undeliverable. Some didn't have the right postage and those are the ones we followed up with hand deliveries.

Chairman Gunter added that the City takes the notification process very seriously and that we make every effort to notify the affected parties.

Hamlet Garabedian, of 1922 Lombard Drive, asked for clarification if the proposed zoning changes are inevitable.

Chairman Gunter explained the process that the City has gone through for this review. It will likely have another Planning Commission hearing in two weeks and will likely be modified and passed on to the City Council for their review and final decision. The City Council will make the final decision. They have, however, reviewed and approved the General Plan and Housing Element which included much of what is being discussed tonight.

Mr. Garabedian picked La Cañada when he moved here because it is not overpopulated. People who own the lots will benefit financially and the surrounding neighbors will live with the impacts.

Chairman Gunter explained that there are already many lots in La Cañada that allow high-density senior housing and none have been developed with those uses. If the need had been there they would have been built since it was already allowed.

Commissioner McConnell asked if the Planning Commission does not recommend the rezoning of the properties, will the City Council have to do a General Plan Amendment to make it consistent with the unchanged zoning designations.

Senior Planner Buss replied yes, if the City Council does not approve the rezoning.

Chairman Gunter asked what the projected population growth for the State is from now to 2021.

Veronica Tam explained that State growth from 2000 to 2010 was about 4 million people.

Mr. Trimble added that we are not talking about migrants from someplace else but these would be the offspring of current California residents.

Mr. Roman asked for clarification if there would be a vote by the Planning Commission tonight.

Chairman Gunter clarified that the Commission will either vote to make a recommendation to the City Council or to continue the project tonight. The City Council would have the final vote on the proposed changes.

Senior Planner Buss stated that La Cañada Flintridge population decreased by 70 people from 2000-2010.

Commissioner McConnell added that the number of households added increased but population decreased.

Commissioner Der Sarkissian asked if the zone changes are adopted would the number of units created exceed the RHNA requirement and if we removed a parcel from consideration would it impact the total. He followed up by asking why the General Plan would have to be update if we are still meeting our RHNA requirement.

Senior Planner Buss replied that it would exceed our current allotment by about 150 units and it would depend on the size of the parcel that would be excluded and its size. He added that the Land Use Element was adopted and the Zoning map has to be consistent with it so if the proposed zone changes are not adopted it reverts to its original zoning and would be inconsistent with the current Housing and Land Use Elements that proposed the zone changes on these parcels. We would have to make sure that we are not underestimating the number of potential units that could be created and consistent with the RHNA needs.

Director Stanley calculated the amount of potential units with the available acreage of the parcels proposed for the zone change and determined that approximately 88 to 132 potential units for the proposed R-3 Zones and if all the potential acreage for the Mixed Use Zone were developed to capacity then a total of 399 units would be created but some of the area could be devoted to commercial or some other use.

Commissioner McConnell asked for clarification if the Mixed Use Zone is required to have a commercial component or a certain percentage of it has to be commercial.

Director Stanley stated that there is no requirement that the Mixed Use Zone have residential or commercial.

Ms. Matchett clarified that other cities do have such a requirement but the way the zone change is currently written, we do not have that provision.

Commissioner Der Sarkissian clarified that we have a potential for approximately 500 units.

Director Stanley replied yes if all developments were built to their maximum capacity.

Vice Chairman Jain asked what happens after the fifth cycle of the Housing Element.

Ms. Tam responded that every housing element cycle there is a new RHNA requirement and that the potential stays there even if the units are not built.

Vice Chairman Jain asked for clarification if the increase in the number of units would be cumulative.

Ms. Tam stated that it would not be cumulative if the rezoning is approved and the opportunities to create the housing are provided. The potential would be recycled.

Vice Chairman Jain asked if it would be cumulative if the units don't get built.

Ms. Tam replied only if you don't go through the rezoning process. If we accommodated the units and they did not get built, we are not responsible for the units that didn't get built.

Commissioner McConnell stated that since the City didn't act before the last housing element cycle, the number of units is added to the new number.

Ms. Tam replied yes.

Elizabeth Risha, of 523 Inverness Drive stated that even though they did receive the notice many people couldn't make it to the meeting this week because of the holiday. She asked that the Commission postpone its vote tonight to a future date so that more residents can be heard on the issue.

Chairman Gunter replied that he didn't anticipate a vote on this issue tonight and that it would be continued.

Mr. Lee stated that he is a software developer and offered to help with future outreach.

Enrique Muñoz, of 1431 Curran Street, voiced his opposition to having his property rezoned and would also like the final decision deferred to a later date.

Mr. Lee asked who he can work with on staff.

Director Stanley replied that he could work with Senior Planner Buss who is the case planner on the project.

Commissioner Der Sarkissian asked Senior Planner Buss why the small lot on the south side of Union and Curren Streets was included.

Senior Planner Buss clarified that CalTrans gave the lot back to the property owner when they completed the 210 Freeway. If all lots were purchased and consolidated the street could potentially be vacated and that area added to the lot areas. The lot does not currently have a zoning designation.

Commissioner Der Sarkissian stated that these lots proposed for rezoning are the better of the bad choices, with the exception of the Ocean View parcel. If we don't rezone and wait for the next housing element cycle, the requirement will continue to go up. He felt that the rest of the parcels make sense for rezoning.

Deputy City Attorney Guerra suggested tabling the discussion on the Housing Element and some of the proposed changes since Commissioner Walker was not here and she should be part of the discussion on those topics.

Chairman Gunter suggested staff revisit the lot between Rockland and Ocean View. He wanted to know why it was included. He would also like to see a minimum percentage requirement for commercial within a mixed use development. Even though they did not discuss the reasonable accommodation process tonight he felt that one was definitely needed. He was concerned the one staff has suggested is not ideal. He would also like to know if the City can impose distance standards for emergency shelters and SROs from schools or other sensitive uses.

Commissioner McConnell added that it would be useful to show the zoning on the parcels that are adjacent to the ones that are part of the zone change proposal. He also thought it would be useful to see some examples of massing and scale to show what the potential height impacts could be. He thought it would offer some context.

Vice Chairman Jain stated that there should be a limit on number of stories and the design should include arcades if the proposed developments are built to the maximum height. He added that commercial developments should not be directly on the sidewalk and should have a stepped design with an increased front-yard setback that includes arcades and landscaping to make it a more walkable environment.

Commissioner McConnell stated that those provisions were already included in the document.

Chairman Gunter thanked the residents for their input and participation.

M/S/C Gunter/Jain to continue GPA 13-01, Housing Element update and ZC 13-07 to a date certain of December 10, 2013 with direction given to staff. He added that they would do more to provide additional notice. 4-0 Walker recused.

IX. OTHER BUSINESS:

- A. **Mills Act Contract (MAC) 13-01; Wilk-Burch Family Trust; 5357 Alta Canyon Road:** Request for Mills Act Contract property review. The Planning Commission shall make a determination as to whether the property is a qualified historic property based on the criteria set forth in the Municipal Code. (Planner Clarke)

Planner Clarke gave a brief description of the applications. He explained that the properties are near each other and both are owned by the same owners.

Commissioner Walker indicated her support of both applications.

Commissioner Der Sarkissian concurred with Commissioner Walker. He added that the addition done at 5357 Alta Canyonada Road was well done.

Vice Chairman Jain commended the way addition and restoration was completed and complimented the original home. He could support the project.

Commissioner McConnell also supported the project.

Chairman Gunter toured both properties. He commented that the restoration on 5357 Alta Canyonada Road was nicely done.

M/S/C Gunter/Der Sarkissian motion to recommend approval of the Mills Act contract to the City Council. 5-0 Unanimous.

- B. **Mills Act Contract (MAC) 13-02; Wilk-Burch Family Trust; 5237 Alta Canyonada Road:** Request for Mills Act Contract property review. The Planning Commission shall make a determination as to whether the property is a qualified historic property based on the criteria set forth in the Municipal Code. (Planner Clarke)

Chairman Gunter thought that the home at 5237 Alta Canyonada was a spectacular home but he didn't like that the house was doubled in size. He felt that, while the additions were nicely done, the additions altered the character of the home and was contrary to what the Mills Act called for.

M/S/C Der Sarkissian/Jain motion to recommend approval of the Mills Act contract to the City Council. 4-1 Gunter opposed.

X. REPORT OF DIRECTOR'S REVIEWS

- A. **DM 13-40 (SB); Yun/Kim; 356 Flintridge Oaks Road:** Approval of a 7.5' encroachment (enclosing an existing open patio) into the front yard to match existing face of house.
- B. **Hillside Development Permit 13-44 (Dir)/Second Floor Review 13-19 (Dir)/Director's Misc. Review 13-32 (SB)/Fence Review 13-09; Tehani; 735 St. Katherine Drive:** Approval of a 125 sq. ft. upper-floor addition under an existing roof (new mudroom and expanded dining room). The project includes a 1,029 sq. ft. lower-floor addition under existing roofed area (including a sitting room, three bedrooms and Commissioner Walker baths); and an addition to an existing deck that is on the lower level comprising 250 sq. ft. of under balcony area that qualifies as new floor area. The upper-level mudroom would have a 10'-0" front setback which constitutes a 15'-0" encroachment into the 25'-0" required front-yard setback. The mudroom is under an existing roof and would match the existing encroachment of the entire house. The applicant is also proposing a 6'-0" wrought iron fence that would be placed within the front-yard setback (allowed).
- C. **Hillside Development Permit 13-51; Castillo; 944 Big Briar Way:** Approval of a 75 sf addition on the first floor.
- D. **Hillside Development Permit 13-50/Fence Review 13-10; Dudukjian; 1459 Sugarloaf Drive:** Approval of a 3' retaining wall, 85' in length and a 2'-10" expansion of

the existing driveway (to the retaining wall). The front yard fence will be 6' tall wrought iron with vehicle and pedestrian entry gates. A portion of the fence will be located on a 3' inward-facing retaining wall (allowed).

XI. COMMENTS FROM THE COMMISSIONERS

Vice Chairman Jain asked staff to limit the items on the December 10th agenda to the Housing Element update and Zone Change.

Chairman Gunter thanked the consultant for all their hard work on the Housing Element Update and Zone Change.

Chair Gunter suggested we try something different for the next notice for the Housing Element Update and Zone Change to ensure delivery.

Director Stanley stated that we would resend all the notices and have them verified by more than one staff person. We have met the legal requirements for notice.

Commissioner McConnell suggested distributing fliers or door hangers in the affected areas.

Chairman Gunter suggested using a regular ad in the newspaper.

Senior Planner Buss stated that a regular notice is too expensive.

Commissioner Der Sarkissian suggested using the cable channel to advertise the meetings.

XII. COMMENTS FROM THE DIRECTOR

The City Council will discuss liquor store hours and the Noren Street appeal at their December 2, 2013 meeting.

XIII. ADJOURNMENT The meeting was adjourned at 10:22 P.M.