

**A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE,
HELD NOVEMBER 27, 2001**

CALL TO ORDER: Chairman Levine called the meeting to order at 6:00 p.m.

ROLL: Present were Commissioners Brown, Engler, Gelhaar and Mehranian. Also present were Assistant City Attorney Steres, and Director of Community Development Stanley.

COMMENTS FROM THE PUBLIC: Comments were not offered.

CONSENT CALENDAR: The Minutes of November 13th were not submitted and therefore continued.

CONTINUED PUBLIC HEARING:

**HILLSIDE
DEVELOPMENT
PERMIT 01-42;
JOHNSON; 5485 LA
FOREST DRIVE:**

Chairman Levine announced the applicant had submitted a request for a continuance to a date uncertain. He confirmed that no one wished to speak on this project.

M/S/C Gelhaar/Brown to continue Hillside Development Permit 01-42 to a date uncertain.
Unanimous.

CONTINUED PUBLIC MEETING:

**MODIFICATION 01-59;
MAHLI; 5206 VISTA
LEJANA DRIVE:**

Director Stanley reported the applicant's request to allow an existing 10-ft-high wall to remain, but reduced to a height of 6 ft. The component to allow plexiglass panels has been withdrawn.

The subject site is located on the northeast corner of Angeles Crest Highway and Vista Lejana Lane, in the R-1-15,000 Zone. The subject site is a rectangular, 117-ft x 170-ft lot, sloping gently upward to the Northeast and downward to the West and South.

Parcel Map 24833 involved subdivision of a parcel at 5209 Harter Lane into two lots. An overhead transparency was displayed, showing the property prior to the subdivision. The approval included a condition requiring removal of the wall, or lowering it to comply with current code within the front yard setback, or as determined by the Planning Commission. (Recent revisions to the Zoning Ordinance dictate that the frontages of Vista Lajana *and* Harter Lane be considered as side yards and that Angeles Crest be considered as a front yard, for purposes of establishing setbacks.)

It became clear while removing overgrown ivy from the wall that it required stabilization . Upon discovering that the wall could not withstand more weight, it was demolished and replaced with a new, 10- ft- high wall along Angeles Crest Highway where the applicant thought was beyond the side setback line.

The revised plan is comprised of a 6-ft-high wall along the entire south property line. The visual height would be reduced by extending a new crib wall along the entire length of the free standing wall, which would range in height from 4 to 6 ft.because of the slope, and bring the low datum point so that only 6 ft of wall would be visible. Director Stanley pointed out the deodar, oak and Carolina cherry trees that were planted and advised that additional landscaping would be installed between the crib wall and the freestanding wall

A Noise Study was distributed to the Commission. Director Stanley noted that he walked to the back of the site and the wall appeared to attenuate traffic noise.

Commissioner Brown referred to the configuration of the subdivision and asked how Staff would handle a request for a fence along Angeles Crest from the other property owner.

Director Stanley remarked that it appeared Angeles Crest would be considered as the front yard of that property ---compared with it being the side yard during the parcel map process.

Commissioner Engler asked if a permit was pulled for the crib wall and noted that its sole purpose is to raise the datum point.

Director Stanley confirmed that permits were not pulled for any of the walls, but a permit is not required for the 6-ft high wall. Code allows wall/fence combinations up to 9 ft in height, so long as it is an inward facing and the most impacted neighbor supports it.

Commissioner Brown asked if any landscaping was required initially.

Director Stanley responded that the Parcel Map only required the applicant to retain existing trees.

Applicant, J.J. Mahli, advised the Noise Study concluded that the wall reduced the noise level from 69 to 58 decibels, approximately a 16% reduction.

Commissioner Gelhaar confirmed that a consulting arborist was not retained for the oak and other protected trees during construction of the crib wall.

Commissioner Mehranian asked Mr. Mahli to explain the change in plans.

Mr. Mahli reported confusion on his part when the Code changed. Upon removing the ivy from the wall, it was determined to be unsafe and they decided at that time to remove it. He pointed out that when the Parcel Map was approved, Vista Lejana was considered as a front yard. The wall is 32½ ft from the property line – outside the setback area, where they are allowed to go to a 15-ft height -- if it were still a side yard. He added that not until June did Staff's correspondence refer to a *front yard*.

Commissioner Brown expressed a concern with the difference in property maintenance between inside the wall, which is irrigated and landscaped, compared with the property outside the wall, which has no irrigation and is full of debris.

Mr. Mahli advised that the house is in escrow and the new property owner was in the audience.. Mr. Mahli stated he was waiting to learn what got approved before moving forward.

Cyrus Karimi, new owner of the Vista Lejana property, stated that while he enjoys his home, the noise is a big concern and the offer for sound attenuation would be of great help as his children's bedrooms face Angeles Crest Highway. He requested that the Commission allow the plexiglass panels since they would not obscure any line of sight.

Ron Horowitz stated that John Mahli left the neighborhood with "lot's of building material". He did not believe the wall was in keeping with the neighborhood as constructed and requested that it be lowered in height to 6 ft.

Marty Motic, 5306 Angeles Crest, lives just north of the project site. She stated that she also, is subjected to a lot of noise form the Crest, but she also "got more house for the money". Ms. Motic stated that her main concern was the noise from the continual construction. While she did not like the wall, she "did not strongly object to its height", and was more concerned with the plexiglass but now understood it was withdrawn from consideration.

Jim Busaloki, 4379 Ocean View Boulevard, a local Realtor with REMAX, stated that he has seen some objectionable walls and fences in the City and felt that what is proposed would compliment the neighborhood.

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

Commisisoner Brown stated that he spent a fair amount of time walking inside and outside the property. He felt this was a classic case of balancing the interests of the homeowner versus those of the community. He felt the wall had minimal impact on noise reduction because of the way Angeles Crest slopes, a significant amount of the noise comes over the wall from the adjoining property where the wall is approximately 6 ft high. The

same applies for traffic coming up the street – the noise comes over the gate. He felt that the wall was in reality protecting the garage rather than the living area of the house. He was concerned that the wall is significantly seen from the side of Angeles Crest and was unsure if building a crib wall and piling dirt at its base to create a 6 ft-high wall would reduce its appearance from Angeles Crest. He felt the wall needed to be reduced in height and even though the plexiglass panels were no longer under consideration, they would be totally unacceptable.

Commissioner Mehranian made a site visit and stated that she understood the concern with noise, but as a nearby resident testified, it is a fact of life in the area. She stated she was wrestling with the idea of a 6-ft-high wall and felt its height should be lowered.

Commissioner Gelhaar commented that the Commission had deliberated on the front yard/side yard issue on several occasions recently. He could accept Vista Le Jana as a sideyard, but felt the findings address the issue of precedent. He believed that allowing the wall as built would be granting a special privilege and concurred that it should be reduced to a height of 6 ft. He also asked that a condition be added requiring an arborist to determine and advise what affect, if any, the cribwall would have on the City-protected trees.

Commissioner Engler advised of having made several site visits. He did not support the idea of creating an artificial datum point to justify a wall that was constructed without permits. He felt the applicant should revert to the original datum point and reduce the wall to 6 ft in height.

Chairman Levine concurred with Commissioner Engler's comments; he could support the wall at a height of 6 ft as originally approved.

Commissioner Brown commented that clearly the wall should be lowered; he asked if his colleagues would consider a continuance and have the applicant return with a proposal. He was unclear where that leaves us

as a practical matter, given the grading inside the wall – he was unsure what effect that would have how and where the measurements.

Responding to a question from Commissioner Mehranian, Director Stanley confirmed that the pad had been raised above the grade facing the street. He was unsure what impact that would have to get the wall to a height of 6 ft from the exterior grade.

Chairman Levine confirmed that the Commission could decide not to vote on the request and require the applicant to comply with the original approval.

M/S Brown/Mehranian to continue Modification 01-59 to the next meeting, directing Staff to report what the original grade was and what the impact a 6-ft-high wall, at that grade, would have on the existing interior grade. How high would the wall appear from the inside?
2 Ayes; No: Engler, Gelhaar and Levine.

M/S/C Engler/Gelhaar requiring the applicant to comply with the September 14, 1999 conditions. No: Brown and Mehranian, Ayes: Engler, Gelhaar and Levine.

Chairman Levine advised the audience of the right to appeal the decision to the City Council.

PUBLIC MEETING:

**FLOOR AREA REVIEW
01-07; CHAU; 4326
BEULAH DRIVE:**

Director Stanley reported the applicant's request to construct a new house that would exceed the 4,500-sf review threshold by 300 sf.

The 15,427-sf project site is located on the east side of Beulah in the R-1-20,000 Zone. Beulah Drive is a very long and straight, gently sloping block, traditionally typified by homes of modest scale and refined detail. There are a few two-story homes in the vicinity and they increase as one travels further into the Flintridge area. The parcel's size is typical for the area – 75 x 205 ft; the proposed front setback of 45 ft 8 inches is 150% of the neighborhood average and side yard setbacks are at Code minimum of 7'- 6" at the ground floor and 15' at

the second floor. The floor area above threshold review amounts to 350-sf for narrow lots – those with frontages less than 80 ft have a review threshold of 4,500-sf of floor area.

The design is nearly square and approaches the 60-ft review threshold for second-floor depth. Hipped roofs are used throughout with a low eave relative to the ridge height, reducing the visual size. The street elevation has three dormers representing second-floor mass among extensive and modulated roof surface. Downplaying of the second-floor wall presence at the side elevation is even more notable. Director Stanley noted that parking is provided for three cars, with tandem parking for the third vehicle, so that only a two-car garage faces the street.

Staff determined that with the generous front setback, the limited garage presence and well-modulated roof forms, rather than second-floor walls and windows, the house successfully fits into the setting of generally smaller homes. Staff recommended positive findings and project approval.

Commissioner Mehranian asked Director Stanley to elucidate on a comment in the Staff Report that referred to the second floor attaining full visibility with the three projecting bays.

Director Stanley advised that the view of the second-story wall elevation would only be seen from the rear.

Project architect, Jay Johnson, stated that the goal of recent Code revisions was to achieve compatibility. By sloping the roof back at the front and sides, the massing is reduced. Also, the multi-trunk sycamore tree which provides visual screening, was the chief reason for the substantial front setback. A landscape plan was submitted, reflecting new tree plantings. He advised that his client owns the property to the north and that the other adjacent neighbor had submitted a letter of support.

Chairman Levine invited public testimony.

Dorothy Juett believed that 90% of the large, two-story homes that cause the most opposition, have been built within the past four years. She stated that such homes "make all the other houses seem lost; it is a continuing battle". She asked that the Commission give consideration to placement of the air conditioning units, "since there's only 7½ ft between neighbors". Ms. Juett advised of having reached an agreement with her new neighbor which requires relocation of the a/c units if a certain decibel is exceeded.

Carol Cupp, 4252 Mesa Vista, stated that the Commission needs to consider the impact the larger homes have on others, and questioned the necessity of having 300-sf over the threshold.

Mr. Johnson pointed out that the project meets all guidelines and that the 4500 sf is only a threshold that triggers review. He stated that placement of a/c units is typically determined during construction and that he hadn't given thought about the placement. He pointed out that a/c units are not allowed to encroach within side yards without written support from the most impacted neighbor.

Director Stanley confirmed that a/c units are allowed within side yard areas if they meet the setback requirements. Absent that, a letter of support from the most impacted neighbor is required. Additionally, a 5-ft access must be maintained for emergency access. He noted that it was within the Commission's authority to prohibit such equipment within the side yards.

Further public comments were not offered.

Commissioner Engler commented that the design was tasteful and recognized the concerns of long-time residents with the size of newer homes. He stated that he could support the project with an added condition to place the a/c equipment at the rear of the property.

Commissioner Mehranian acknowledged concerns expressed with the substantial size of many newer homes; however, this project meets Code and the design is compatible with the neighborhood.

Commissioner Gelhaar addressed Ms. Juett's concerns. He stated it was important to understand that based on the square footage of this lot, the house meets R-1 standards. He felt the architect's design diminished the visual mass and stated that he could support Staff's recommendations.

Commissioner Brown conceded that a number of the larger homes could not be built under current Code. He noted that the applicant could reduce the size by 300 sf and continue to have a two-story home. He felt the design was sensitive and stated he could support the request.

Chairman Levine stated that Mr. Johnson had done a good job with the design. He commented that placement of a/c equipment is addressed in the Ordinance, and was unsure if it was necessary to require its placement at the rear. He felt that the Commission and Council had worked hard to reduce the appearance of mansionization and as a general comment, wished architects did not look at the maximum allowed as a 'magic' number.

Commissioner Gelhaar asked if the property could accommodate parking of construction vehicles.

Chairman Levine remarked that a condition similar to one imposed on a recent project would be appropriate – i.e., when parking of construction vehicles cannot be accommodated on site, a carpool plan shall be established, making the contractor responsible for carpooling his sub-contractors to the site.

Commissioner Brown recalled that the Commission allowed construction vehicles to park in front of the subject site, but not in front of any other homes.

M/S/C Engler/Brown to approve Floor Area Review 01-07, with added conditions to locate the a/c units at the rear of the structure and to allow construction parking only immediately in front of the subject site or on site. Otherwise, the general contractor is to establish a carpool plan.

Mr. Johnson asked if they would allow the issue of the a/c units to be handled between neighbors.

3 Ayes; No: Mehranian and Gelhaar

**COMMENTS FROM
THE COMMISSIONERS:**

Commissioner Engler confirmed that no further meetings have taken place with the Committee that will review rights-of-way issues for telecommunication facilities.

Following a brief discussion, the Commissioners agreed to hold only one meeting in December.

Director Stanley advised that the Commission's regularly scheduled meeting of January 22 would have to be rescheduled. The City Council is meeting that evening rather than on Monday January 21, because of the Martin Luther King, Jr. holiday. It was agreed that the Commission would hold its second meeting in January on Wednesday, the 23rd.

**COMMENTS FROM
THE DIRECTOR:**

Director Stanley reported that the City has signed an agreement with a law firm to act as City Prosecutor.

On another matter, the City is working with Los Angeles County to develop a septic system policy that would give alternatives and a temporary reprieve to what some consider cost prohibitive County requirements. The policy would apply to homeowners with construction projects and when installation of sewers is either under consideration or imminent.

ADJOURNMENT:

M/S/C Engler/Gelhaar to adjourn at 7:17 p.m.
Unanimous.

Secretary to the Planning Commission