

**A MEETING OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
HELD DECEMBER 10, 2002**

CALL TO ORDER:

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

ROLL:

Present were Commissioners Brown, Engler, Gelhaar and Mehranian, Assistant City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Planner Cantrell, Assistant Planner Gjolme and Planning Aide Shimazu.

**COMMENTS FROM
THE PUBLIC:**

Comments were not offered.

**CONSENT CALENDAR:
Resolution 02-75; Starnes;
4449 Gould Avenue:**

Director Stanley reported that Staff received a letter from the property owner, requesting reconsideration of his request so that it could be deliberated by a full Commission.

Neither of the two Commissioners who were involved in the original motion were willing to make a motion for reconsideration.

Mr. Starnes addressed the Commission, stating that the minor addition to the rear of his home would not be visible from the street and would parallel the patio and provide privacy for his family as well as his neighbors. Given those parameters and the fact that his neighbors support the project, he thought the Commission would be willing to re-consider his request.

The Commissioners did not have any comments to offer.

M/S/C Engler/Mehranian to adopt resolution 02-75, denying Floor are Review 02-18. 2 Ayes; Abstain: Brown and Levine; Dissenting Gelhaar.
The motion passed 2-1-1.

Mr. Starnes was advised of the opportunity to file an appeal to the City Council.

**Resolution 02-76;
La Bruna;
615 Berkshire Ave.:**

Director Stanley advised that the applicant was requesting reconsideration with the idea that all components would be considered simultaneously. He offered to make more concessions including installation of an additional row of Carolina cherry trees, which would be two-rows-deep to further screen the mesh and a trial period for the batting cage lights to assure that the lighting study was accurate.

Attorney Steres advised that on November 2, the Commission's vote was 3-1 to deny lights on the batting cage.

Commissioner Brown recalled that he originally requested that all components be deliberated simultaneously and what is currently before the Commission is the request for lights on the batting cage. He was willing to grant reconsideration, given the applicant's offer to further hide the mesh screening.

Brown/Engler to allow reconsideration as requested. 3 Ayes. No: Gelhaar and Levine.

Director Stanley advised that the motion rescinds the denial for the lights on the batting cage. The Commission will begin new deliberations based on what was approved in February and any new concessions offered by the applicant.. Given this new turn of events, Staff will ask the City Council to stay Mr. La Bruna's valid appeal and remand the matter to the Planning Commission.

Attorney Steres confirmed that the lights on the batting cage, the mesh screening and hedge height would all be reconsidered. He noted that the applicant has a valid approval for the existing hedge height - to which the Commission could add conditions. If any new conditions are not acceptable by the applicant, he has the option of reverting to the original approval given in February.

Chairman Levine commented that he did not want to delay the process. He asked that Staff schedule the reconsideration for January and allow the appeal to proceed.

Resolution 02-77 approving Lot Line Adjustment 02-04; Zentmyer; 1434 Foothill:

CONTINUED PUBLIC MEETINGS:

**MODIFICATION 02-40; WILLIAMSON;
1244 FLANDERS ROAD:**

Commissioner Brown confirmed that moving the east/west boundary lines to align them with the existing retaining wall would not create any violations.

M/S/C Brown/Gelhaar to adopt Resolution 02-77. Unanimous.

Assistant Planner Gjolme recalled that this matter was continued from the November 12th meeting, when it appeared that a tie vote would result. The applicant opted for a continuance in order to be heard by a full Commission. The request is to allow a patio enclosure to encroach 13 ft into the required 15-ft rear yard setback and 3 ft into the required 6 ft side yard setback.

Staff included new photos of the partially constructed structure, as viewed from the easterly neighboring property. Staff's concern of impacts continued as did a suggestion that the Commission could opt to grant approval with conditions that the structure meet the 5-ft setback requirements of a detached garage.

Applicant, Robert Williamson, advised the Commission that he now proposed a flat roof (compared with a pitched roof), a trellis and provide a 5-ft rear setback.

Chairman Levine invited comments from the audience.

Jenny Johanssen, the neighbor to the east, stated that while the patio cover was a "nice design", but it was it too large. She noted that it would be only 20" from the wall and 16" from the common property line.

Further comments were not offered.

Commissioners Engler and Gelhaar stated that they could not make the findings of hardship and special privilege.

Commissioner Mehranian supported Staff's suggestion for 5-ft rear and side yard setbacks.

Commissioner Brown observed that the encroachment did not appear excessive when viewed from the project site. However, the photos demonstrated a much different situation. He stated that he was wrestling with the suggested 5-ft rear setback versus the required 15 feet.

M/S/C Gelhaar/Mehranian to deny Modification 02-40. Unanimous.

Chairman Levine advised the applicant of his right to timely file an appeal with the City Council.

CONTINUED PUBLIC HEARING:

HILLSIDE DEVELOPMENT PERMIT 00-08; MODIFICATION 00-62; ABNOOSIAN; 2201 CANALDA DRIVE:

Senior Planner Buss reported the applicant's request to construct a two story home and two-car garage, comprised of 3,668-sf, on vacant hillside land. The Modification addresses a retaining wall in the front yard setback more than 3' 6" in height and a west-side setback encroachment.

The 55,272-sf site is located at the northeast terminus of Canalda Drive, off Ocean View Boulevard in the R-1-10-Acre Zone. It lacks street frontage but the legal description provides access across an adjacent parcel at 2207 Canalda. The Angeles National Forest abuts the subject site to the southeast and several slopes on the site result in an average slope of 55%.

The home would be constructed within the westerly lower half of the property, accessed via a 15-ft-wide driveway that would consume two-thirds of the access easement. At its center, the driveway would reach 20% in slope (the maximum allowed by Code) an upslope retaining wall would reach 8 ft in height in front of 2207 Canalda, while a downslope, inward-facing wall would range in height from 5-8 ft. The single oak in that area, on the upper side of the driveway, will have to be removed. Additionally, retaining walls around the house decks on the east and west sides, would reach a height of 10 feet at intervals.

A drainage channel (which is not a Blue Line Stream), is centrally located and to the east of the structure, was reviewed by the Regional Water Quality Control Board and the Army Corps of Engineers. Fish & Game expressed concern for the trees along the west side of the ravine; their protection is required during construction to preclude silt from entering the ravine.

Senior Planner Buss advised that the project was submitted under the tenets of the previous Hillside Ordinance; nevertheless, it meets the requirements of the revised Ordinance with the exception of the retaining wall encroachments. The angle plane requirement is met and the design demonstrates stepped massing. Lot coverage and total floor area easily meet underlying Code, but exceed the extreme minimal level of construction indicated by the slope factor guidelines. The 55% average slope triggers the most restrictive slope factor guideline of 0.2. Standard floor area allows 12,204-sf and the project presents 3,668-sf. Application of the slope factor would only allow 2,440-sf.

Landscaping includes at least 17, 24-inch-box oaks that would screen the building pad at the north side and the southwest corner. Additionally, multi-trunk toyon is shown in mass plantings on the west side, screening the house and retaining wall from 2707 Canalda. California coffeeberry also serves as a screening element adjacent to the driveway and coyote bush is used as an ever-green ground cover among the trees.

Senior Planner Buss advised that the project does not raise concerns of view blockage and building mass --- 2204 Canalda, across the street, is the only house from which the downslope mass could be viewed and the landscape plan provides substantial screening from that direction.

He provided a brief historical perspective; the project was originally considered by the Commission in September 2000 and continued for redesign. Peter Lyons, 2207 Canalda, made several unsuccessful attempts to convince the Forest Service to provide access to the subject property.

Staff supports the retaining wall's front encroachment as it minimizes grading and tree removal for the driveway. Staff did not support the minor encroachment of the corner retaining wall on the west side, as it could be easily rectified by eliminating a portion of deck area. Compliance with the LRV guidelines was included in the conditions.

Senior Planner Buss then addressed a previous concern raised by Peter Lyons, 2207 Canalda, regarding the city-owned drainage channel located at the northern end of the swale. The drain terminates at the head of the swale on the subject site, where the City constructed an energy dissipater and diverter wall. The City was involved in litigation in the '80's over failure of this particular drainage device. Apparently, pine needles blocked the tin whistle design and mud washed over the swale, causing erosion and slope failure on the northerly neighboring property. The City thereafter gained ownership of the drainpipe from the County, re-engineered it and lined it with concrete. This device and all others in the City are inspected annually; the Director of Public Works advises that the swale in question is working well. Mr. Lyons requested that a railing be required above the driveway and atop the retaining wall, as it traverses his front yard. The applicant has agreed to comply, but notes that it would be visible.

Commissioner Engler inquired who owned the "6-inch pipe". He commented that application guidelines should be met before projects are reviewed by the Planning Commission --- a material board was not submitted and retaining walls over 3 ft in height must be shown as screened by landscaping.

Mr. Buss advised that the water company owns the new water pipe and that it is not within a specific easement --it will have to be relocated.

Responding to a question from Commissioner Gelhaar, he advised that only a few feet of retaining wall would be visible from the street and the inward-facing wall on the downslope side would be 2-8 ft in height.

Commissioner Brown confirmed that the Fire Department signed-off on the 15-ft-wide driveway.

Commissioner Mehranian confirmed that approximately ten oaks would be planted to replace the single oak removed in the driveway area.

B. Curtis Sturgill, project architect, responded to the Commissioners' comments. The minimal amount of grading results from the proposed maximum slope for the driveway. Only a couple of feet of the retaining wall on the south side of the driveway would be visible. Five oaks would replace the removed oak in the driveway area, while 5 more would be planted at the rear. The previous design included a detached garage whereas the instant design includes a two-story house with an underground garage. Mission architecture with an off-white color and approximately 3,200-sf of living space. He noted that the site is comprised of a steep slopes and commented that if he were allowed to make the driveway steeper, he could have lowered the height of the retaining walls and the pad could have been higher.

Larry Tyson, landscape architect, provided an overview of his efforts to retain the native plant palette. Oaks, coffeeberry and rosemary would soften the walls and "settle" within 3-5 years. There is a gradation of plants along the retaining walls and he offered to add planting pockets on the inward side of the lower wall every 10-12 ft. Jute matting will be placed on the slopes to control erosion as the plants establish. Mr. Tyson stated that he was a proponent of installing smaller-size box trees, especially oaks --- anything exceeding a 24-inch-box tree would require a crane.

Commissioner Mehranian asked that he include the planting pockets on the landscape plan.

Chairman Levine opened the public hearing.

Peter Lyons, 2207 Canalda Drive, owner of the adjacent parcel, remarked that the subject site is land locked. He expressed concern with the proposed size and bulk of the house; his neighborhood is generally comprised of

flat lots and the 9 homes are “mostly 2,200-sf”. He felt the project should come close to that and felt it should comply with the slope factor guideline. Mr. Lyons stated that a two-story house, surrounded by decks, does not mitigate excessive bulk and that it needs to “genuinely” step-up the hill. He was willing to allow the access area to be landscaped and was concerned that 24-inch-box oaks would take too long to provide adequate screening. He recommended planting a larger box size, mixing toyon among the trees, increasing the coyote brush to 15-gallon plantings and a vine system to screen the retaining walls.

Chairman Levine confirmed that Mr. Lyons’ property is 40,000-sf in area.

Delila Corral, 2207 Canalda Drive, expressed disappointment with the lack of information regarding the litigation resulting from slope failure in 1978. Her research disclosed that a city-retained geologist stated there is substantial probability that the system would fail again and undermine the adjacent property. She stated that the County Flood Control District did not accept the pipe as it was only 24” in diameter- the District requires 36”. Since the applicant’s plans do not show the pipe, she inquired when the modifications were made --- before or after the City Engineer’s statements? Ms. Corral advised that she had named the applicant as defendant in a lawsuit regarding easement to the subject property; the proposed access road crosses her front yard. She stated that while the litigation has been resolved, details remain. She supported Staff’s recommendations.

Chairman Levine requested Staff to comment on Ms. Corral’s statement.

Senior Planner Buss advised that the drainage system is owned by the City. Ms. Corral referred to a declaration by geologist, Russell McGuire, who was retained by the City. Following conclusion of the referenced litigation, the City repaired the drain and lined the pipe with concrete. The initial failure occurred when the water overflowed the inlet and mud flowed across properties.

He reported that the new self-flushing catch basin does not require extensive maintenance; it drains on the downside of the hill and ends in an energy diverter wall. It has been in continuous operation and is on the city's annual maintenance program. Public Works inspected the site as recently as the prior day.

Mrs. Redmond 2198 Fairhurst, who has resided north of the project since 1964, provided a history of the drainage pipe's failure. She advised that the failure was caused by a 50-year storm and reported having replaced the pipes herself, underground, while the County "watched". Mrs. Edmond reported that the City regularly maintains the pipe and that it works well.

Commissioner Engler inquired why she was replacing a County drain.

Mrs. Redmond stated that she had no choice; the hill had to be sustained and litigation had not concluded.

Peter Wright, counsel for the applicant, researched the subject site and discovered that it and the Lyons property were originally under common ownership. The original property owner kept the easement for egress purposes; when the Lyons bought their lot, the easement was a matter of record. Mr. Wright advised that neither his client nor the Lyons prefer the current access; both parties worked for a long time to acquire access over Forest Service property, to no avail. He pointed out that the driveway could have begun at the opposite side with a more gentle slope, but the Lyons prefer a shorter turn to allow them access to their front steps, leaving their existing driveway intact. Several color samples and landscape proposals have been submitted to the Lyons for their comments.

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

Commissioner Brown observed that the site is a difficult one for several reasons and he could not appreciate the impact of the project from the drawings. He requested a model that includes the Lyons home as well as existing and proposed landscaping. He also wanted story poles showing the house outline and edges of the retaining walls. He also had a concern with exceeding the Slope Factor Guideline and apparently, the neighborhood norm.

Commissioner Mehranian stated that she had concerns with the proposed size, bulk, attempts to meet the setbacks and the cut and fill. She questioned if the applicant would consider a redesign with stepped massing.

Commissioner Engler was concerned that the walls be appropriately screened and asked to review an irrigation plan. He noted that the vertical walls are not stepped and stated that the wall height along the driveway was a significant concern for him. He encouraged the applicant to restudy the plan and return with one more in keeping with the Guidelines.

Commissioner Gelhaar commented that the uncovered boring holes some of which are 10-15-ft-deep were a safety concern. He asked that story poles be erected per recently adopted policy and that the model accurately define the retaining wall elevations and the neighbor's house. He stated that he could support a house that "fits", and preferred earth tone colors versus white.

Chairman Levine stated that he could not support walls of the proposed height "they're unbecoming of the area". Addressing the proposed house size, he commented that it depends how it "fits", but with more landscaping and less concrete it might appear differently. Chairman Levine advised the applicant that if he called for a vote, the project would likely be denied. He offered the applicant the option of continuing for redesign.

Mr. Sturgill opted for a continuance to a date uncertain.

Director Stanley advised that an additional Notification Fee would be required.

M/S/C Gelhaar/Engler to continue Hillside Development Permit 00-08 and Modification 00-62 to a date uncertain. Unanimous.

PUBLIC HEARINGS:

CONDITIONAL USE PERMIT 358; UDI DEVELOPMENT & INVESTMENT; 707 FOOTHILL BLVD:

Planner Cantrell requested that the two associated requests be heard simultaneously. Conditional Use Permits are requested to allow an office use and a tutoring service on the second floor of a commercial building in the Mixed Use 1 Zone.

and

CONDITIONAL USE PERMIT 357; THE LEARNING LADDER; 707 FOOTHILL BLVD.:

The Commission was reminded that in January 2002, the ground floor of the former Cen Fed bank was approved for retail use. This required a variance, since retail parking requires 5 spaces per 1,000-sf -- more stringent than the former bank/office use. Adoption of the Down Specific Plan resulted in the instant requests being considered as "new uses" and requiring CUPs.

Other tenants within the Center (Ichiban, Coldwell Banker Realty and Sweatz) were allowed, based on peak hour parking compatibility.

The Learning Ladder's tenant space of 1,452 sf equates to a 6 parking space requirement, using the 4:1000 office ratio. An employee count of ten is indicated during the 12 hours of operation Monday through Saturday. Planner Cantrell stated that hypothetically, if 5 teachers on two, 6-hour shifts, drove separate cars, there would be an extra parking space available. Because tutoring services peak in the late afternoon and evenings, parking for Ichiban, which is most popular at noon, would not be affected by the proposed use. He noted that the Oakwood entrance, where parking is not allowed, faces an elevator and offers a suitable pickup and drop off area. The applicant is willing to accept a condition requiring that employees park on the Oakwood overpass.

Staff believes that the tutoring and office uses are unlikely to present problems, either offsite or for other

tenants. Planner Cantrell pointed out that because the site is centrally located, it would benefit from any future parking district; therefore, the draft conditions require an in-lieu fee for deficit parking, subject to confirmation following 6 months of operation.

Responding to a comment from Commissioner Mehranian regarding difficulties that she has experienced with available parking, Planner Cantrell recognized that the site could be reaching its limitation. His experience was that parking is tight during the peak hour between noon and one o'clock.

Director Stanley responded to a question from Commissioner Gelhaar regarding in lieu fees. They are approximately \$4,800 to \$5,900 per parking space.

Commissioner Engler recalled that parking for this structure was considered when the Commission reviewed the building's renovation.

Chairman Levine confirmed that only the Learning Ladder offered to have their employees park off site.

Commissioner Brown confirmed that these two requests represent full occupancy of the building.

Don Hernandez, attorney for the applicant and city-resident, reported that much of the traffic and parking shortage in the lot results from customers of Georgee's Pizza, across the street. He stated that approval would allow conversion of the upper floor to its historical use; the sole difference is that there would be two tenants, rather than one.

Lisa Anderson, representing the Learning Ladder, related that she is a frequent visitor to the Center and has never encountered parking problems. Their services offer one-on-one tutoring and parents do not remain during the tutoring sessions. She felt that many students would use the LCF shuttle rather than depend on parents to drop them off. Ms. Anderson stated that the facility would be safe and secure and is a good answer for many families. Children can be safely

dropped off on Oakwood and enter the building through an elevator.

Laurie Jemma, co-director and partner, advised they would serve children with learning disabilities, a unique service to the City, and she re-emphasized that client use of the LCF Shuttle would mitigate concerns of parking.

Chairman Levine confirmed that she would accept a condition requiring employees to park off site.

Applicant, Raffi Khachatourian, provided a brief overview of the building's use. He reported no parking problems during the 6-month building refurbishment. He suggested that Commissioner Mehranian's parking difficulties could stem from extraordinary holiday traffic.

Chairman Levine opened the public hearing. Comments were not offered and the public hearing was closed.

Commissioner Mehranian suggested installing a mechanism to control parking usage.

Commissioner Engler expressed appreciation for the building improvements, stating that it is now an asset to the City.

Commissioner Gelhaar stressed the importance of imposing in lieu fees. He could support the requests if the conditions were modified on both resolutions to include "in lieu fees shall be paid to the degree of the parking deficit". Language allowing a 6-month waiting period for the Learning Ladder should be deleted.

Commissioner Brown echoed Commissioner Engler's comments --- he was very pleased that the new businesses are so successful that there might be a parking problem. He asked that off-site parking for employees be added to both CUPs.

Commissioner Mehranian made a motion to approve CUP 357, with two added conditions: that the applicant erect signs with language to prevent cross-over parking from other businesses and 2) delete language allowing a 6-month waiting period and require immediate imposition of in lieu fees.

Commissioners Brown and Engler questioned how and who would enforce the parking-specific spaces. The motion died for lack of a second.

Commissioner Brown offered an alternate motion to approve Conditional Use Permit 357 with a conditions requiring full-time employees to park offsite and establishing in lieu fees. Second: Engler. The motion passed unanimously.

Director Stanley recalled that originally, there was discussion of office uses for the second floor. Therefore, he did not believe in lieu fees were appropriate in this case.

Planner Cantrell advised that the office use had always been included in the parking calculations.

Attorney Steres advised that parking standards require a CUP for office on the second floor; operational impacts, etc. are considered. There is no deficit for office space.

M/S/C Brown/Mehranian to approve Conditional Use Permit 358 as requested. Unanimous. Unanimous.

**CONDITIONAL USE
PERMIT 351 (amdmnt);
THE VONS CO.; 631-33
FOOTHILL BLVD.**

Planner Cantrell briefly reviewed the Commission's previous approval for an expansion and remodel of the La Cañada Plaza. The approval included a condition requiring public access from the rear portion of TJMaxx or the adjacent tenant space with the idea of encouraging use of the rear parking lot. Additionally, employees of the Center were required to park in the rear and side parking lots. Subsequently, Vons learned that both TJMaxx and Diane's Hallmark oppose rear

entry from their stores based on concerns of security, safety and operational and fiscal impact to their businesses.

Greg Peters, Vons representative, pointed out that the lease agreements do not include providing rear access. He felt that upon expansion of the market, a breezeway between the landscaping component and Rite Aide would provide access to the 101 spaces at the rear.

Chairman Levine commented that if the Commission did not grant relief as requested, there would be a consequence that Vons would have to deal with Calvary Chapel.

Mr. Peters displayed an overhead matrix showing tenant and employee parking a.m. and p.m. The estimated parking demand for the two pad buildings is 10 spaces. There are approximately 105 employees on site during the day and approximately 75 at night. He offered to require that employees park in the rear parking lot.

Commissioner Engler felt the applicant should implement a ride sharing or van pool program for its tenants and stated that he had a huge concern with that many employees parking on site.

Lloyd Welch, 4822 Indianola Way, stated that requiring a rear access from TJMaxx was burdensome and would require security posts at the back of the store. Former tenants, Buffums and Ivers department stores, had cash registers scattered between floors.

A nearby resident advised that when Calvary Chapel holds meetings, the rear parking lot is filled to capacity as is street parking.

No additional comments were offered and the public hearing was closed.

Commissioners Engler and Mehranian sated they would like to see alternatives.

Commissioner Brown commented that Condition 19 originated from the Design Commission "it's a fine idea, but not critical". He added that he had no desire to force a rear entrance for TJ Maxx; it's a security problem and can't be done under the lease. He felt the Commission could force parking to the rear by requiring that employees park there.

Commissioner Gelhaar stated that condition #20 (requiring that employees park in the rear and side lots, away from the newly-created passageway), accomplished what he wanted and that he was willing to grant the request.

Chairman Levine suggested relocating the breezeway between a couple of the shops and closer to Oakwood, where it would be more centered and provide improved access to the rear lot. He acknowledged that it might require moving a few walls, but it would allow tenants to remain in their current location.

Mr. Peters stated that he would explore the idea during design review, but felt the elevation difference is at the lowest point as proposed. The elevation changes dramatically to the west and he noted that the breezeway must meet ADA guidelines.

Planner Cantrell stated that visibility of the breezeway is very important in encouraging people to park in the rear lot. And the proposed breezeway location is optimal.

Commissioner Engler added that if the applicant would implement federal and state carpooling guidelines, it would go a long way to alleviate the situation.

Director Stanley advised that the Downtown Village Specific Plan requires a Mitigation Monitoring Plan for "large" employers. He believed that AQMD applies to employers of 100 or more.

M/S/C Gelhaar/brown to eliminate condition #19 of Conditional Use Permit 351, 3 Ayes. No: Engler.
Abstain: Levine

**HILLSIDE
DEVELOPMENT
PERMIT 02-50;
BUILDING DEPTH
REVIEW 02-08;
GREGORIAN; 5385
VISTA LEJANA LANE:**

Director Stanley reported that the applicant had requested a continuance to explore potential design alternatives and to meet with neighboring property owners.

M/S/C Brown/Levine to continue the matter to a date uncertain. Unanimous.

PUBLIC MEETINGS:

**FLOOR AREA REVIEW
02-22; NELSON; 5272 LA
CAÑADA BLVD.:**

Assistant Planner Gjolme described the applicants' request to allow a first-floor residential expansion and a new second floor. The project site is located on the east side of La Cañada Boulevard, just north of its intersection with El Vago, in the R-1-20,000 zone. The site is currently developed with a 2,600-sf, single-story home and a 827-sf pool house, which is located well to the rear of the site.

Floor Area Review is required when the 4,500-sf threshold for properties with less than 80 ft of frontage is exceeded. The subject lot has 70 ft of frontage and the project represents a total floor area of 4,847-sf. Despite those conditions, the total project area complies with the 4,970-sf maximum allowed for the lot.

The first-floor component represents a net increase of 172-sf and would enclose the southeast corner of the house. The proposed 1,248-sf-second-floor would maintain the character of the site and area. Generous setbacks are provided; 62-ft at the front and the north setback of 22 ft exceeds Code requirement. The south setback ranges from 32 ft to 14 ft . Overall depth is 51 ft and building height would increase to approximately 28 ft. The Tax Assessor's information reveals that the average home in the neighborhood varies from 3800-3900-sf, excluding garages, patios, porches, etc. The project represents 3,600-sf. There are no viewing or crowding issues.

Staff recommended positive findings and project approval as conditioned, including screening along the south side where the lot slopes eastward. Additionally,

the applicant is to provide an elevation showing compliance with the angle plane requirement.

Franco Noravian, project architect, advised of having explored three, single-story alternatives – each was either unacceptable or unattractive. He pointed out that 247-sf of the 827-sf pool house represents covered porch area, which the City includes as floor area.

Jack Dawson, 5178 La Cañada Blvd., resides immediately north of the project side at an approximate 10-ft higher elevation. He did not have concerns with the project and did not believe that the neighbor north of his home would not have a view of the project.

Further comments were not offered.

Chairman Levine acknowledged receiving a letter from Jim Short regarding the number of floor area reviews that come before the Commission.

The Commissioners concurred with Staff's recommendations.

M/S/C Gelhaar/Levine to approve Floor Area review 02-22 and requiring evidence of angle plane compliance and parking of construction vehicles on site.
Unanimous.

**SETBACK
MODIFICATION 02-41
(reconsideration);
BEDROSSIAN;
2244 SAN GORGONIO
ROAD:**

Planning Aide Shimazu provided a brief overview of the Commission's denial to allow four, existing over-height pilasters, and a wooden fence to remain within the front yard setback. The pilasters, including lighting fixtures, range in height from 48" to 7' 1". The fence varies in height from 4'9" to 6'. Since the property is located in the R-1-15,000 Zone, the height limitation for such structures is 42 inches. The applicant requested and was granted reconsideration, based on her offer to make further accommodations. The applicant now proposes to remove two of the pilasters and maintain the remaining two (at 6'-4" and 7'-1" in height) as configured. The applicant believes that this would result in a less cluttered appearance.

Staff was unable to make the finding of hardship and continued to recommend removal of 2 pilasters and that the remaining 2 be lowered to 6 ft in height as measured from adjacent grade.

Applicant, Seta Bedrossian, stated that she was unaware of the 6-ft maximum, given similar situations in her neighborhood. She advised of having expended \$3,000 to install the pilasters and that the extensive surrounding landscaping is in abeyance, pending this issue.

Commissioner Brown inquired if she was willing to remove the wooden fence on the sideyard if her request were allowed.

Ms. Bedrossian responded that the fence represented a mutual effort between neighbors.

Chairman Levine asked if any consideration was given to installing lower light fixtures.

Ms. Bedrossian stated that as they existing, they are no different than others in her area.

Mr. Bedrossian advised that he constructed the wooden side yard fence and stated that if pillars #1 and #3 were removed and #3 and #4 lowered, "it wouldn't be worth it to remove the fence".

Carol Kirkaby, 2258 San Gorgonio Road, read a letter written by Nina Dixon, who lives across the street from the project site. Ms. Dixon opposed the wooden fence, though its appearance is approved since it was lowered to 42" in height, and asked that the pilasters meet Code.

Athleen Novak, 2252 San Gorgonio, who resides adjacent to the project, supported allowing all the pilasters to remain at their current height.

Further public comments were not offered.

Commissioner Brown stated he would consider the other option of allowing two pilasters if the wooden fence were removed. He felt the Commission should do

whatever possible to see that the remainder of the property complies with Code.

Commissioner Mehranian concurred with Staff's recommendation.

Commissioner Gelhaar supported removing pilaster Nos. 1 and 3 and would be comfortable with the remaining lowered to 42" in height with light fixtures atop.

Chairman Levine commented that had the applicant installed low dome light fixtures, he probably wouldn't be as concerned. He confirmed that Staff had mailed letters to neighborhood property owners with over-height fixtures in the setback area.

M/S Mehranian/Engler to remove fixtures #1 and 3 per Staff's recommendation and replace the lights with ground fixtures. Dissenting: Brown and Levine.

M/S Gelhaar/Brown requiring the project to meet Code. Dissenting: Engler and Mehranian; Abstain: Levine.

Following discussion the identical motion was restated to deny the project. M/S/C Gelhaar/Brown. Dissenting: Mehranian. The motion passed 3-2.

Chairman Levine provided the applicant with options of either meeting Code or filing an appeal to the City Council.

**APPEAL OF
DETERMINATION BY
THE DIRECTOR OF
TREE REMOVAL
PERMIT 02-41;
LUNDGREN;
5074 WALMAR AVE.:**

Planning Aide Shimazu described the applicant's appeal of the Director's determination, which allowed removal of a Chinese elm from his property. A condition of approval required a replacement tree of at least 48" box size. The property owner advises that the tree shades and litters the pool. Mr. Shimazu advised that the alternative of a cash contribution to the City's Tree Fund was offered to the applicant as an option.

Property owner, Paul Lundgren, pointed out that the front slope on his property makes it very difficult to bring in a large tree. He advised that a 48-inch

replacement tree would require thousands of dollars and a crane. He offered to install a smaller tree.

Commissioner Engler commented that a cash contribution would solve the problem

Mr. Lundgren commented that his wife felt it was too expensive.

M/S/C Gelhaar/Engler to deny the appeal.
Unanimous.

**COMMENTS FROM
THE COMMISSIONERS:**

Commissioner Brown asked staff to look into bamboo matting placed on a side yard fence across from the YMCA.

Commissioner Engler requested an update on the over-height pilasters on Chevy Chase. Planning Aide Shimazu advised that an application is pending.

Commissioner Engler confirmed that Staff is aware of the lack of property maintenance on the Sport Chalet rental properties. Mr. Shimazu advised that he has spoken with the property manager and sent letters to the tenants.

Commissioner Engler asked that Staff include material and color information on Floor Area and Building Depth Review cases.

**COMMENTS FROM
THE DIRECTOR:**

Director Stanley provided an update on the property maintenance reports from the Commissioners at the previous meeting.

ADJOURNMENT:

M/S/C Mehranian/Engler to adjourn at 9:00 p. m.
Unanimous.