

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD December 11, 2007**

I. CALL TO ORDER:

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

II. ROLL CALL:

Present were Commissioners Davitt, Gelhaar and Hill, Deputy City Attorney Vargas, Director of Community Development Stanley and Planners Clarke and Gjolme. Commissioner Mehranian was absent.

III. PLEDGE OF ALLEGIANCE

Chairman Cahill led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

There was no request to do so.

VI. CONSENT CALENDAR

Minutes of November 13, 2007 were continued to January 8, 2008.

M/S/C Gelhaar/Davitt to approve the minutes of November 27, 2007, unanimous.

VII. CONTINUED PUBLIC HEARING:

A. Second Floor Review 07-48; Floor Are Review 07-12; Beland; 1032 Wiladonda Drive:

Planner Gjolme recalled that this project was last reviewed on October 22nd. While the design was favorably received, issues of the vertical profile and privacy to the property west of the subject site at 4730 Hayman Avenue were a concern. The matter was continued, with suggestions from the Commission to lower the proposed structure's profile.

Revisions - Though the proposed 4,600-sf and design of the structure did not change, the house was shifted 5 ft to the rear and the footprint is now further separated from a mature deodar in the front yard. The building pad was lowered by 1'-3", the roof pitch was lowered by 9", and the first-floor plate was lowered one foot, resulting in a total height reduction of 3 ft.

A Power Point presentation compared the original submittal with the revisions.

Staff continued to recommend positive findings and project approval.

Project architect Dave De Angelis, further explained the reductions: the 31-ft structure height was lowered from 28 ft to 26 ft and the rear elevation from 38 ft to 29 ft. The proposed structure would be 3 ft lower as viewed from 4730 Hayman Avenue.

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

Commissioner Hill reported that his prior concerns had been assuaged and he stated that the architect had done a fine job in addressing the expressed concerns. This house was now compatible with the neighborhood and he appreciated the efforts to make that happen.

The Commissioners concurred.

M/S/C Davitt/Hill to approve Second Floor Review 07-48 and Floor Area Review 07-12 as conditioned. Unanimous.

VIII. PUBLIC HEARINGS

A. Floor Area Review 06-08; Wyzrykowski; 1111 Atlee Drive:

Chairman Cahill noted the minor nature of the request and confirmed that his colleagues did not oppose dispensing with the Staff report. The public hearing was opened and since comments were not offered, the public hearing was closed.

M/S/C Gelhaar/Davitt to approve the request to amend condition #5 of a prior approval and allow extension of the project's approval for an additional twelve months. Unanimous.

B. Conditional Use Permit 425; Atlantic Richfield; 550 Foothill Blvd.:

Planner Gjolme described the applicant's proposal to install screened, temporary equipment in conjunction with a soil vapor extraction system. The process is anticipated to be completed in 14 months. The ARCO gas station would continue operation throughout the process.

The project site is located at the corner of Foothill and Woodleigh Lane and surrounded by institutional and commercial uses. It is located in the Mixed Use 2 zone of the Downtown Village Specific Plan. The La Cañada Thursday Club's parking lot is immediately adjacent to the south; the La Cañada Presbyterian Church parking lot is to the southwest and across Woodleigh to the west, is the Church of Christ. The nearest residential site is nearly 300 ft to the south.

A 6-ft-high chain link fence approximately 150-sf in perimeter, would enclose the equipment on the east side of the ARCO building. The project would be internalized and provide generous setbacks of 35 ft to the rear, and 70 ft from the east property line. There is commercial property to the west. A 13-ft-high (15 ft allowed) effluent stack would protrude above the fencing, but be below the ridgeline of the station.

The request is somewhat similar to the Unocal project, which was approved by the Commission in July; the exception is that this project would be screened by chain link fencing, whereas a sound attenuation wall surrounded Unocal's project.

Since a sound study was not submitted, Staff used the Unocal's project analysis for comparison purposes, which requires that noise at sensitive property lines meet the 55 dBA nighttime maximum. However Planner Gjolme added that the only way to ensure that noise is at an appropriate level is to construct a noise attenuation wall. He added that AQMD and the Water Regulation Control Board would also review this project.

The project does not raise any concerns with regard to zoning; it meets all code requirements and would not be readily visible. Staff recommended positive findings and project approval as conditioned, which includes replacing the chain link enclosure with a sound attenuation block wall as well as another review by the Commission should the remediation extend more than 24 months.

Gareth Roberts, with SECOR Engineering, agent for the applicant, was present to respond to any questions.

Chairman Cahill opened the public hearing.

Ruth Ann Roman representing the Thursday Club, advised that members meet twice a week and rent out the clubhouse. She was concerned with spillover noise.

Planner Gjolme informed the audience that 55 dBA would not be exceeded and that decibel is equivalent to a normal conversation 3-5 ft away.

Mr. Roberts described the oxidizer process, which burns vapor at a high degree and converts them into carbon dioxide. There will be monitoring wells at the property's perimeter and he stated an interest in putting some on the Thursday Club's parking lot.

Chairman Cahill confirmed with Mr. Roberts that there was not a problem with construction a sound attenuation wall.

Richard Harris, President and CEO of the CalTech Federal Credit Union, advised that the Credit Union owns the building immediately east as well as the Credit Union's site further east. While he supported the soil remediation, he asked that the record reflect their request that the project do no harm to their properties at 428 and 542 Foothill.

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

Commissioner Gelhaar advised of having visited the UNOCAL site, which is operational and he believed that the sound wall is effective. He supported the project and the draft condition requiring a sound attenuation wall subject to review and approval by the Director.

Commissioner Davitt commented that noise impacts are a valid concern and supported the project with the draft condition requiring a sound wall at a height subject to the Director's review and approval.

Commissioner Hill and Chairman Cahill concurred.

M/S/C Gelhaar/Davitt to approve Conditional Use Permit 425 as conditioned and modifying condition #12 so that the height of the sound wall be subject to the Director's review. Unanimous.

C. Second Floor Review 06-12; Shaheen; 2255 San Gorgonio Road:

Planner Clarke described the applicant's proposal to demolish a single-story home and replace it with a 4,604-sf, two-story home.

The 16,810-sf project site is located on the north side of San Gorgonio Road, east of Ocean View Boulevard, in the R-1-15,000 Zone. It is comprised of two separate parcels; Staff's recommendation was that the two parcels be merged.

A Power Point presentation showed the 100-ft wide front facade, with a variety of planes, and a 33-ft- wide second story. The project incorporates 3,963-sf of living space compared with the neighborhood average of 2,227-sf. Additionally, an FAR of 23.6% is proposed, compared with the neighborhood average of 14.8%. Planner Clarke pointed out that at 16,810-sf, the project site is larger than the neighborhood average of 15,043-sf. There is only one window on the second floor's west elevation, which faces a neighbor, and it is set back 61 1/2-ft from the side property line. There are two windows on the east elevation of the second floor. Maximum height is 32 ft.

Planner Clarke advised that his project had sustained several iterations; he showed the original submittal --- an elaborate Mediterranean design style with columns and a two-story entry.

Applicant Elia Shaheen reported of having purchased his property two years ago. Shortly thereafter, he submitted the Mediterranean design home that had been displayed on Power Point. At Staff's urging, he reduced the second-floor by more than 100%, thereby eliminating more than 500-sf in floor area. Mr. Shaheen pointed out that the Hillside Ordinance (which does not apply to this project), talks about view blockage from central and primary living areas of a home. Nevertheless, he offered to lower the plate height and clip the second floor with a hip roof for a reduction in height of approximately 3 ft.

Commissioner Gelhaar confirmed that Mr. Shaheen had not viewed the story poles from his neighbor's home to the north.

Commissioner Hill commented that was unfortunate, as he believed the impact was significant from neighboring properties. He inquired if Mr. Shaheen was willing to grade the pad in order to lower the structure's height.

Mr. Shaheen replied that he was concerned with loss of his views, which were important to him.

Chairman Cahill opened the public hearing.

Jay Clark, 5247 Castle Road, distributed exhibits and photos with overlays comparing the existing home with the project, and how it would affect views of the Verdugo Mountains and downtown Los Angeles from his property. He read a prepared statement. As an architect, he objected to the roofline of the second floor, which appeared to be a 12:12 pitch, which would be inappropriate and out of character with the rooflines of his neighborhood, that accommodates mostly ranch style homes.

Chairman Cahill confirmed that rather than opposing a two-story home, Mr. Clark opposes how the second-story is located. Mr. Clark believed that shifting the house towards the rear would preserve his distant views of Los Angeles' city lights.

Responding to a question from Commissioner Hill, Mr. Clark stated that his biggest concern is the steepness of the roof and that lowering the roofline by 3 ft as offered by Mr. Shaheen, would be meaningless. He reiterated his belief that while shifting the second floor roofline to the left would block his mountain views, it would allow him to retain views of downtown Los Angeles

Tom Ruzicua, 5255 Castle Road, who resides upslope from Mr. Clark, distributed photos of views from his dining room and his night views, which he stated would be obliterated by the project, as evidenced by the story poles. While he was not convinced that a two-story house is appropriate for the subject lot, he was "willing to talk". He advised that Mr. Clark's solution would

block his views of the mountains and that any second story would block his views of downtown Los Angeles.

Since further comments were not offered, the public hearing was closed.

Commissioner Davitt commented that he had different perspectives between reading the staff report and his site visit. While the minimal sq. footage of the second floor is commendable, the reason for requiring Second Floor Review is to assure a project's compatibility with the house and the neighborhood. He felt the negative impacts of this project on neighboring properties was obvious. Shifting the second floor to the north presents an opportunity, but he could not support the request in its current format. He added that the subject lot is large and the applicant has a right to his views, but not to the detriment of his neighbors' views.

Commissioner Hill concurred and stated there is opportunity for the neighbors to work together with a redesign and return with a project that was satisfactory to all.

Commissioner Gelhaar noted that the first floor plate height is 12 ft and the grade could be lowered; "there are tremendous opportunities for redesign", but he was unsure if this lot could support a two-story home.

Chairman Cahill remarked that the significant amount time spent on revisions to date is unfortunate, despite the progress. Having heard the neighbors' concerns and viewing the story poles from their properties as well as from the subject site, he concluded that there is opportunity for the applicant to work out something with his neighbors and still give him the sq. footage that he needs. He stated that the project is unnecessarily high and observed that the Commission has reviewed nicely designed homes with a lot less height and added that grading might be a partial solution. He explained the process to Mr. Shaheen and offered him the opportunity of a continuance or requesting a vote at this time, which, from the comments he heard, would not be in the Mr. Shaheen's favor.

Commissioner Gelhaar asked that the story poles be reconfigured to reflect any redesign.

M/S/C Gelhaar/Davitt to continue Second Floor Review 06-12 to February 12th. Unanimous.

Director Stanley informed the audience that further notices of the February 12th meeting would not be sent.

**D. Second Floor Review 07-45; Modification 07-56; Havanessian/
Gabrielian; 2245 San Gorgonio Road:**

Planner Clarke informed the Commissioners that this project was immediately adjacent to the prior case.

The request is to construct a second floor on a 1,356-sf, single story home. Since the entire roof would have to be removed, a Modification is required to allow retention of the non-conforming front yard setback.

The 12,808-sf project site is located on the north side of San Gorgonio Road, east of Ocean View Boulevard, in the R-1-15,000 zone.

The applicant proposes to expand the first floor by 1,195-sf, and to construct a 1,356-sf second floor, for a total floor/roofed area of 4,333-sf. A portion of the existing home encroaches 5 ft into the required 34-ft front setback, which the applicant seeks to maintain. Overall height is 29 ft and the second floor is stepped inward on both sides. The second floor's west elevation lacks windows, while the east elevation includes one window. Two balconies are proposed at the rear of the house and another at the front. The design style is Traditional that includes elements of a Ranch design.

The site is smaller than the average for the area, while the proposed 29.6% FAR is greater than the 14.8% for the neighborhood. This raised concerns with Staff, given that the neighborhood is predominantly comprised of single-story, ranch style homes. There is a two-story home to the west and a proposed two-story home immediately adjacent ---- the request just reviewed and continued for redesign by the Commission.

Planner Clarke advised that this project, similar to the previous request, went through several iterations, including a change of architects. The original submittal, which was shown on Power Point, was 570-sf larger, the second floor was flush with the first floor and there was significant ornamentation.

Project architect Richard Diridourian responded to a question from Commissioner Gelhaar regarding the necessity of an 11-ft, first-floor plate height. He stated that it provided architectural presence and his clients seem to prefer higher ceilings.

Chairman Cahill Opened the public hearing. Since comments were not offered, the public hearing was closed.

Commissioner Hill remarked that he had the same issues with this project as with the former request. Driving down the street, the project would appear imposing and its visual presence would be unlike any other home in neighborhood. He could not make the required findings to support this project.

Commissioner Gelhaar stated that he had similar feelings. He walked the site and the property above; the view issues are similar to the former project. He stated that there are many opportunities to lower the mass and height and lessen the impact on the neighborhood.

Commissioner Davitt commented that the requested floor area is double the size of other homes in the neighborhood and 6-7% larger than the proposal immediately adjacent, which the Commission continued for redesign. He agreed with his colleagues regarding the opportunity to reduce the massing. He would like to see a redesign and asked that staff revisit the proposed balconies, as they are generally not positive features in tight situations such as this.

Chairman Cahill remarked that he had a different perspective; the project did not appear overly imposing to him at 29'-10" in height. While he could support the project as submitted, he recognized the difficulty his colleagues were having with making the required findings.

Mr. Diridourian commented that he could reduce the roof pitch to 3:12 and would attempt to convince his client to lower the first floor plate height to 9 ft. Doing so would lower the structure by 3-4 ft.

Chairman Cahill polled the Commission and verified their preference to review any redesign and that the story poles reflect any changes.

Mr. Diridourian accepted a continuance.

M/S/C Gelhaar/Hill to continue Second Floor Review 07-45 and Modification 07-56 to January 29, 2008. Unanimous.

XIII. OTHER BUSINESS - Discussion items

A. Proposed amendments to the Zoning Code regarding batting cages in residential zones:

Planner Clarke recalled that the City Council had directed Staff to review potential regulation of batting cages in residential areas in response to appeals of Planning Commission decisions. Currently, there are no specific standards relating to batting cages; Staff has relied on the Tennis Court Ordinance for direction.

Staff researched the Zoning Codes of numerous cities and discovered that they regulate batting cages under a Sport Court Ordinance. Those regulations are similar to our City's Tennis Court Ordinance. Staff's report included 3 cases that included batting cages as part of other property improvements. Also included were questions regarding development standards, which Staff compiled, and a letter received from a resident.

Following the Commission's input and suggestions, Staff would return with a draft ordinance for review.

Commissioner Gelhaar inquired as to Staff's preference for a separate ordinance addressing batting cages, or modifying the existing Tennis Court Ordinance.

Director Stanley responded that the Tennis Court Ordinance could be renamed to a Sport Court Ordinance and categorize everything under that, including specific standards for batting cages.

Commissioner Gelhaar commented that from his perspective, noise and the visual aspect were the main issues.

Chairman Cahill concurred. He referred to the resident's letter in the packets and endorsed the idea to require a net or fence that absorbs noise. He also believed that batting cages should be located in the back yard and as distant as possible from neighboring properties.

Director Stanley recalled that the Commission had included a condition on one batting cage prohibiting aluminum bats and required a sound attenuation net.

Commissioner Hill suggested that a letter, or a questionnaire, be sent to property owners who reside adjacent to batting cages, asking them to relate their experiences. A survey would be helpful for the Commission before Staff returns with a draft ordinance.

Responding to a question from Commissioner Gelhaar, Director Stanley confirmed that as part of this research, Staff would clarify 11.34.040, Construction and operation standards "B", which deals with how *grade* for a tennis court on sloping terrain is established.

Commissioner Davitt supported renaming the Tennis Court Ordinance. He also felt that prohibiting lights on batting cages would resolve a majority of the issues.

Commissioner Hill commented that the noise from bats hitting balls is a serious issue for some residents.

Director Stanley proposed requiring a CUP to install lights, similar to the standards of the Tennis Court Ordinance, and asked if notification should be sent to neighbors if all standards were met. The Commissioners agreed to both.

Commissioner Davitt remarked that a separate issue is the number of children who use the cage for batting practice.

Director Stanley confirmed that the Commission preferred the perimeter fencing lower than 15 ft in height.

The Commission directed Staff to return with a draft ordinance following a survey of residents, that they could modify as they felt applied to this community.

Commissioner Davitt left the meeting at 8:05 p.m. and for the record, advised that he supported Staff's recommendation with regard to the Floor Area Review process.

B. Floor Area Process

Planner Gjolme commented that there had been discussion at the City Council level with regard to the application of FAR and its effectiveness, given the other processes in place, e.g., Second Floor Review, etc.

Currently, any single-family residential project greater than 4,500-sf must have 80 ft of street frontage --- which often fails to take into account the spatial dynamics of a property. Numerous properties in the City have street frontages that are grossly disproportionate to the size of their properties; many of which can easily accommodate 4,500-sf.

Staff's recommendation is to modify the FAR standard rather than eliminate it, by using the average lot width as the 80-ft trigger, rather than frontage. This would be a more effective gauge to evaluate a site's capacity to accommodate development, and would ensure that measurements are taken from a lot's interior, rather than along the perimeter, where development is not allowed, given the setback requirements. A graphic was included in the staff report to illustrate the application process.

Staff was looking to the Commission for direction, which will eventually be forwarded to the City Council for consideration.

Commissioner Gelhaar commented that Second Floor Review responds to concerns and he felt the FAR process should be eliminated.

Chairman Cahill stated that his only concern would be those few cases where a single-story home could be built.

Planner Gjolme recalled that during the last revisions to the R-1 Code, Staff suggested eliminating the FAR process, but the Council preferred to maintain it.

Commissioner Hill supported maintaining and modifying the process.

IX. COMMENTS FROM THE COMMISSIONERS

Commissioner Gelhaar stated that he was surprized that the two projects heard earlier in the evening did not fall under the Hillside Ordinance. He discovered that the pads were previously graded to reduce the average slope. He believed that a *hillside* designation should be constant.

Director Stanley responded that the two lots were created prior to enactment of our Hillside Ordinance. He added that when a pad is cut, the slope has to be steeper "somewhere", so that the slope factor guideline should not change.

X. COMMENTS FROM THE DIRECTOR

Director Stanley advised that a Resolution of Denial would be presented to the City Council on the Beresford project, where neighbors had appealed the Commission's approval.

XI. ADJOURNMENT

M/S/C Gelhaar/Hill to adjourn at 8:35 p.m. 3 Ayes.

Secretary to the Planning Commission