

**MINUTES OF A MEETING OF THE PLANNING COMMISSION
OF THE
CITY OF LA CAÑADA FLINTRIDGE
HELD DECEMBER 13, 2005**

I. CALL TO ORDER

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

II. ROLL CALL

Present were Commissioners Cahill, Davitt and Engler, City Attorney Steres, Director of Community Development Stanley, Senior Planner Buss, Planner Gjolme, Assistant Planner Lang and Planning Aid Mikhail.

III. PLEDGE OF ALLEGIANCE

Commissioner Engler led the salute to the flag.

IV. COMMENTS FROM THE PUBLIC

Comments were not offered.

V. REORDERING OF THE AGENDA

Chairman Gelhaar announced that there would not be any changes.

VI. CONSENT CALENDAR

A. M/S/C Davitt/Engler to approve the Minutes of November 8th. 4 Ayes

B. M/S/C Cahill/Davitt to approve the minutes of November 22; 4 Ayes.

VII. PUBLIC HEARINGS:

A. Modification 05-28; Building Depth Review 05-17; Tree Removal 05-26; Collyer; 2107 Lyans Drive:

Assistant Planner Lang described the applicants' proposal to expand a single-story home located at the northwest corner of Lyans and Rosebank Drives. The 28,930-sf property qualifies as a *hairpin lot* i.e., the entirety of its 353-ft frontage is subject to a 35½-ft front setback. The applicants propose to maintain the single-story design and expand the house by 2,636-sf and add a 782-sf attached, 3-car garage. A 774-sf, detached and code compliant Accessory Living Quarters is also proposed at the northwest corner of the site, for a total of 5,774-sf of floor area. Ms. Lang noted that the plans include a 1,064-sf basement, mostly below the new garage, which is not included in floor area calculations.

A building depth of 62 ft triggers the 60-ft building depth review threshold, while the Modification request addresses a 5½-ft encroachment along Lyans Drive and a 19½-ft encroachment along Rosebank. Assistant Planner Lang

pointed out the existing front yard encroachments of 4½-ft and 17½-ft along Lyans and Rosebank respectively. The Tree Removal Request applies to removal of a double trunk oak in declining health. An arborist reports that the condition of two more prominent oaks flanking the subject oak, may improve by removing the subject oak. Staff recommended approval as conditioned.

Director Stanley commented on a Staff memo in the Commissioners' packets reporting that plans had not been timely submitted. Consequently, it was the Commissioners' prerogative whether to hear the request.

Chairman Gelhaar polled his colleagues and confirmed their willingness to hear the matter.

Applicant Lori Collyer, advised that after purchasing the subject property one year ago, she learned of restrictions regarding hairpin lots and protected trees. Since the City Council was rethinking whether to continue with the hairpin lot category, she and her husband decided to proceed with their plan. Ms. Collyer related that the oaks and the character of the neighborhood were attractive features that led to purchasing the home. They opted for a traditional design and kept it single-story, meandering through the trees.

Commissioner Mehranian arrived at this point.

Ms. Collyer advised of having shared the plans, including the encroachments and removal of the diseased oak with her neighbors and that they all seemed pleased. She submitted 6 letters of support and stated that the requested encroachments resulted from the *hairpin* definition and the need to protect the trees.

Commissioner Cahill asked Ms. Collyer to comment on the home's two-story appearance, given the steep roofline and the false dormers.

Ms. Collyer responded that the dormers break-up the 27-ft-high roofline.

Project architect Jay Johnson, related the design challenge he encountered to maintain the required setback of 3½-times the trunk diameter of protected trees. He stated that the new porch, which encroaches into the front setback on Rosebank, works well with the architectural delineation and breaks the flatness of the existing wall. He pointed out the ample room for more landscaping and new trees and that the large tree in the parkway on Rosebank would screen much of the addition. He added that there was no intention to make use of the attic space.

Chairman Gelhaar confirmed that the existing roof would be removed.

Responding to a question from Commissioner Cahill, Mr. Johnson advised that the highest point of the house would clear the most proximate oak canopy by approximately 5 ft.

Director Stanley asked if a major limb that extends over the front elevation was in jeopardy.

Mr. Johnson responded that the branch extends towards the street.

Director Stanley suggested moving the garage back and pivoting the corner to protect the major tree limb.

Chairman Gelhaar noted that the property is comprised of two levels and inquired if the basement under the garage was entirely below grade.

Mr. Johnson advised that retaining walls would be required around the back wall of the garage that will be backfilled. Half the garage will be on the upper level and the other half on the lower level.

Director Stanley commented that the retaining wall alluded to by Mr. Johnson is not shown on the site plan. He also confirmed that a light well was proposed at the rear of the basement.

Chairman Gelhaar asked if Staff was satisfied that the basement should not be included in floor area calculations.

Director Stanley responded that grading without retaining walls would not be a problem; however, he wanted to see the wall's details. Additionally, if grading "up", a setback of 3½ times the oak's trunk diameter must be provided. That is why he suggested either moving the garage back or turning it. Since the oak's trunk diameter is 48-inches, the Commission might want an arborist to review the issue.

Chairman Gelhaar opened the public hearing.

Michael Caley, 4742 Rosebank Drive, an architect, who served on the General Plan Advisory Committee, stated that he had significant issues with the design. He took exception to Staff's statement that the project does not present significant impacts. He noted that the requested encroachment is well over half of the required setback. He also believed that a 35-ft-wide driveway located within the front setback would significantly impact the neighborhood, where 10-ft-wide driveways are the norm; "it would need a gigantic curb cut". He also believed that the proposed garage/basement is much closer to the 48-inch-trunk-diameter oak than shown. Mr. Caley noted that Staff recommended

removing a double trunk oak while simultaneously justifying the encroachments because of the oaks – he termed that rationale “a lapse in logic”. Because removing a 45-inch-diameter oak “may improve the situation” coupled with the fact that there are other oaks on the property do not justify removal in his mind. Mr. Caley reported that the neighborhood is replete with oaks under stress from root fungus; since the house appeared to be successfully design around the trees, he did not support the Tree Removal Request. He stated that with 2/3 of an acre, the house could be rotated clockwise and the ALQ rotated 90° to preclude the encroachments.

Mr. Caley asked that the request be denied, but if the Commission found itself negotiating with the applicant, he asked that the garage be pushed back because of its width and proximity to an oak. He asked that the Commission suggest that the house be rotated – at the least rotate the design to the back of the property and accept Rosebank as a side yard and make the applicant respect the 20-ft setback. He advised that he took exception to the 27-ft-high roofline, which he stated was ‘significant’ and did not speak to him as a single-story home. He saw no reason for the 10:12 roof slope, which would double the height of the existing roofline. He asked that the applicant either demonstrate that the design would not touch the oaks or, lower the roofline and continue to provide dormers. He reiterated his request that the tree removal request be denied and advised that he had a similar problem with an oak; 20 years later, the tree has survived nicely.

Mr. Johnson rebutted to comments, stating that the property has nearly 370 ft of frontage and that the requested driveway width would not significantly impact the neighborhood. The oak slated for removed is not visible from any other home; the primary reason for its removal is that it is diseased, not simply stressed. His clients have concerns of safety and welfare. Pushing the garage back to 35 ft would equate to a 50-ft setback from Rosebank – which he stated was unnecessary. He advised that he “could live with a 25-ft setback and move the garage and the basement back approximately 5 ft. It would give him more maneuvering room and less driveway width. Mr. Johnson proposed that he work with Staff to see that the basement meets the requirements of a “basement” and he offered to lower the ridgeline by 2 ft and change the roof pitch to around 9:12 ---- “if I can get an approval tonight”.

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

Commissioner Engler referred to the arborist’s report which states that the oak “can” eventually die and if the surrounding area was cleared, the disease could be arrested. There is also the suggestion that the tree be monitored. Commissioner Engler supported granting a continuance for redesign of the garage and was less concerned with the proposed driveway width, though he

preferred it to be more narrow. He asked for an added condition to require an arborist's presence during tree trimming and monthly monitoring during construction.

Commissioner Davitt advised of having made a site visit over the weekend. He did not have concerns with the building depth, but was struggling with the requested encroachments ---the encroachment on Rosebank would not be a major concern if the garage was pushed back per Mr. Johnson's offer. He found the tree removal request acceptable but preferred a redesign to reduce the height of the home and wanted to discuss Commissioner Engler's comments regarding the garage.

Commissioner Mehranian understood the limitations presented by hairpin lots and appreciated preservation of the existing single-story design, though the design appears as two-story to some extent. She did not believe that tree protection was clearly addressed and she had an issue with the setback encroachments and the high roofline. Commissioner Mehranian preferred a continuance for clarification regarding treatment of the oaks and redesign.

Commissioner Cahill commented on the magnificent specimen oaks on the property and stated that more trees would have to be removed if the house was pushed back. He believed that house was sensitively designed around the trees and in exchange, the applicant was requesting minor encroachments to the front. He noted that the parkway provided more visual separation between the street and the house. With those facts, he supported the front and side yard encroachments. His main concern was protection of existing trees, particularly the oak proximate to the garage; suggestions to push the garage back to provide more clearance and a narrower driveway, lowering the roofline and Commissioner Engler's suggestion to require an arborist on site for any trimming were constructive. With added conditions addressing those issues, he could support the project.

Chairman Gelhaar confirmed that the setback from Rosebank was measured approximately 15 ft from the curb and felt that the Lyans Drive setback should be code compliant. The request to remove the oak in question was acceptable to him, given the arborist's report and the numerous large oaks on the property; its removal would not affect the property or neighboring views. The excess building depth was also supportable and he felt it was important to lower the home's ridgeline. The Modification would be acceptable if the garage were redesigned and the oaks protected as discussed. He believed that with carefully crafted conditions, there might be majority support of the request.

Commissioner Mehranian remarked that perhaps the Commission should see the redesign in light of all the modifications.

Commissioner Davitt agreed, as he was unsure if the applicant could accept the added conditions.

Mr. Johnson requested clarification regarding the Lyans Drive setback --- 15 ft of parkway, plus another 35 ft. That amounted to removing the porch, which is an integral part of the design. He preferred an affirmative vote with conditions if the Commission could be flexible with the Lyans setback.

Assistant Planner Lang advised that the Lyans' parkway is shown at 10 ft on Mr. Johnson's plans.

Responding to a question from Commissioner Mehranian, Mr. Johnson stated that lowering the ridgeline by 2 ft was not a significant redesign. A condition prohibiting any grading closer than 3½ times a tree trunk diameter to a structure would be acceptable.

Director Stanley cautioned the Commission that if the project requires removal of the roof, the "grandfathered" encroachment is gone, according to Department policy.

Assistant Planner Lang confirmed that a corner of the existing structure is setback 30 ft from Lyans Drive.

Regarding the structure: M/S/C Cahill/Gelhaar: approving Modification 05-28 and Building Depth Review 05-17 with the following added conditions: that the garage shall be setback an additional 5 ft; given the driveway's proximity to an oak, the width of the driveway leading to the garage shall be reduced at the Director's determination; the ridgeline for the main house be lowered 2 ft or to whatever height is necessary so that the exiting oaks clear the roof; any tree trimming or tree removal shall be done under the supervision of an arborist.

3 Ayes; Engler and Mehranian dissenting. Commissioner Mehranian explained that she preferred that the Commission have the opportunity to review the redesign prior to voting.

Tree Removal - Responding to a question from Commissioner Cahill, Ms. Collyer explained why she wanted to remove the subject oak. The first arborist reported that the tree posed a hazard, which was confirmed by a neighbor who related that a large branch had previously fallen on the home. She reported that the tree was treated and cabled last year. The second report indicated the presence of oak fungus half way up the trunk. Ms. Collyer added

that she hadn't planned on removing the oak until she consulted with arborists; it doesn't interfere with the landscaping, yard or the house. Her chief concern was the safety of her home and anyone who was in the yard.

M/S/C Davitt/Cahill to approve Tree Removal 05-26. Engler and Mehranian dissenting.

Director Stanley asked Mr. Johnson to include finish floor elevations on the floor plan.

B. Floor Area Review 05-17; Lee; 4427 Oakwood Avenue:

Assistant Planner Lang described the applicants' proposal to convert a garage into a playroom and construct a 494-sf, detached garage. The project presents total floor area of 6,662-sf, exceeding the 6,166-sf standard for the lot.

The 22,148-sf property is located on the west side of Oakwood, mid-block between Foothill and Georgian Road, in the R-1-20,000 zone.

The existing garage is accessed from the side of the property and is not visible from the street; whereas the new garage would be detached and visible from the street. It also exceeds the allowed eave height by 1'-3", but meets all other standards.

Introducing a visible addition that would further increase excess floor area was not supportable by Staff.

Commissioner Engler confirmed that the existing development is within the 4% allowed with public review.

Binny Um related that his clients purchased their home 1½ years ago. He described his clients' needs for more space and advised that there was no other alternative to site a new garage. He offered to raise an existing gate to help screen the project.

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

Commissioner Davitt supported Staff's finding that the new garage would introduce new massing and negatively affect the area.

Commissioners Cahill and Mehranian concurred.

Commissioner Engler remarked on the availability of 50 ft in the rear yard to move the garage further back.

Ms. Lang commented that Staff had made that recommendation; however, the applicant was unwilling to do so as it would interfere with the yard area.

Chairman Gelhaar asked the applicant if she would be interested in moving the garage further to the rear and confirmed that his colleagues were willing to consider that option.

Director Stanley informed the applicant that Code allows 5-ft rear and side setbacks for detached garages at the rear of properties.

Commissioner Mehranian confirmed that Staff would support that option.

M/S/C Engler/Davitt to approve Floor Area Review 05-17 with the garage redesigned so that the height is code compliant and pushed back to a maximum of 15 ft from the rear property line. Unanimous.

C. Conditional Use Permit 396; Rinetti Enterprises, LLC; 4542 Rinetti Lane:

Senior Planner Buss described the applicant's request to establish an escrow office in the Mixed Use 2 Zone replacing the former Tudor Cottage, a longstanding retail use.

The freestanding building is located at the northeast end of Rinetti Lane, a cul-de-sac, north of Foothill, in the Downtown Village Specific Plan area. The site is comprised of two lots; a 16-space parking lot is immediately North of the structure.

The applicant proposes to expand the building by 866-sf to the rear. The upgraded site would require 16 spaces - with some redesign, the parking lot can provide code compliant parking. The new area would be completely hidden by a rear walled yard and mature shrubs.

Following Planning Commission review, the Design Commission will review parking, remodeling and landscaping.

Staff supported the request as conditioned.

Responding to a question from Commissioner Mehranian, Senior Planner Buss advised that he had made numerous site visits and that the site is parked to approximately 75% capacity. The proposed use will generate less traffic than the Tudor Cottage.

Noreen Bunier, owner and manager of Escrows For You, advised that the addition would provide 6 private offices and allow clients to be served more professionally.

Chairman Gelhaar opened the public hearing. Since comments were not offered, the public hearing was closed.

Commissioners Mehranian and Cahill supported the request, noting the low traffic use and consistency with the Specific Plan.

Commissioner Engler suggested that the Commission waive the requirement for parking lot landscaping to assure 16 spaces, and wanted the landscape screening at the rear maintained in perpetuity.

Attorney Steres recommended requiring a recorded covenant, so that future property owners would be advised. Otherwise, draft condition 12 provided optional language.

Commissioner Davitt supported the request as well as Commissioner Engler's suggestion regarding the parking spaces.

Chairman Gelhaar concurred with Staff's recommendation but hesitated imposing a covenant on the property.

Commissioner Cahill was not in favor of a covenant.

M/S/C Cahill/Mehranian to approve Conditional Use Permit 396, modifying condition 12 to allow relief from the landscape requirement of providing planters for every 10 spaces. 4 Ayes; Engler dissenting.

A three-minute recess was taken at 7:40 p.m.

D. Tentative Parcel Map 063621; La Cañada LLC (Stoddard); 2026 Tondolea Lane:

Commissioner Cahill asked to be recused from this matter as he resides within 500 ft of the project.

Senior Planner Buss described the applicant's request to subdivide 21,659-sf of non-hillside property into two, single-family residential lots in the R-1-10,000 Zone.

The subject site is located on the southeast corner of Tondolea Lane and Lone Pine Lane (a cul-de-sac), and contains a single-family home, a garage and a septic leach field that accommodates an off site residence. The neighborhood is

built-out and all infrastructure is in place. Once Sanitation District 3A is completed and sewers installed, the leach field would be eliminated.

The applicant had to acquire a wedge of land that belonged to a parcel to the south in order to provide the required street frontage for the Lone Pine Lane lot. Consequently, the lots would be 10,146-sf and 11,513-sf in area. The southern lot is slightly lower in elevation than the one to its north and construction would be developed away from the oaks. Senior Planner Buss pointed out that the property would be divided in an east/west line to preserve the oaks.

Staff carefully reviewed the issues and findings associated with a lot split and determined that the request meets all the criteria of the Subdivision Ordinance. The Tentative Map conforms and retains the character of the surrounding neighborhood. Staff recommended approval as conditioned, with the exception of draft condition #25 regarding "existing" curb, gutter and sidewalk. There are no sidewalks along the frontage of the 2 proposed lots; adding sidewalks would be consistent with the Lone Pine area.

Commissioner Engler inquired if the Commission could require the driveway approach for the south lot be at its north end.

Senior Planner Buss noted the numerous trees in that location, which Staff would want to preserve.

Director Stanley commented that Commissioner Engler's request falls under the realm of Public Works; a draft condition requires the City Engineer's review.

Craig Stoddard, co-owner of the property pointed out that the request allows home of 3,000-sf, whereas if left as a single property, a 6,000-sf home is allowed.

Responding to Commissioner Engler's earlier comment, Mr. Stoddard advised that the driveway for Lot 1 (the north lot) would be on the east side; the south lot's driveway would be on the south side of Lone Pine, away from an oak grove. He felt it was preferable to improve the curb rather than continue the sidewalk around the corner.

Senior Planner Buss remarked that sidewalks would be more in keeping with the neighborhood.

Chairman Gelhaar opened the public hearing.

Charles Howard, 4509 Lone Pine Lane, who resides directly south of the proposed subdivision, provided a history of heavy rainfall and recent development in his neighborhood. He stated that approving the project would amount to a 300% increase in the number of homes in his neighborhood, though he did not oppose the request. He also related that the small sliver of land, which the applicant had to purchase, allowed him access to his property.

Linda Paul, 2039 Tondolea Lane, whose home faces the subject site, requested that the existing mature greenery be maintained. Her chief concern was the limited street parking on what she described as a heavily traveled cul-de-sac. She advised that it is now impossible for two cars to pass when cars are parked on both sides of the street; the situation will be aggravated with more residents in the area.

Craig Stoddard responded to comments. Regarding Mr. Howard's comment regarding access to his home, he was willing to add a condition that the access gate be maintained by future property owners. He added that he intended to provide parking for at least 4 vehicles on each lot.

Responding to a question from Mr. Howard, Director Stanley advised that development of the property will depend on final map recordation and the time it takes the applicant to meet the conditions of approval.

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

Commissioner Davitt advised of having made a site visit over the weekend and that he was familiar with the site. He mentioned the importance of understanding that only the proposed subdivision was under consideration – not development of the property. He observed that the proposed lots exceed the minimum standards for the zone and that there are more than 30 conditions that must be met. He supported the project as conditioned.

Commissioner Mehranian concurred and noted that some issues would be addressed by other commissions.

Commissioner Engler wanted to see sidewalks only on the west side of Lone Pine, ending around the edge.

Chairman Gelhaar preferred to leave the matter to the Public Works Commission. He supported Staff's findings and the draft conditions.

City Attorney Steres commented that another condition should indicate an easement right on the map allowing the neighbor to cross and access his property.

M/S/C Davitt/Mehranian to approve Tentative Parcel Map 063621 with conditions and as modified by Attorney Steres. 4 Ayes.

Commissioner Cahill re-entered the room.

E. Conditional Use Permit 395; Verbinski; 4345 Woodleigh Lane:

Senior Planner Buss described the applicants' request to allow a home over 10,000-sf of total floor/roof area in the R-1-20,000 Zone.

The project site is located on the west side of Woodleigh Lane, Just south of Georgian Road.

This project was evaluated for Building Depth Review in May '05; however, recalculation of floor area resulted in total floor area of 10,358-sf. Ordinance 163 requires a Conditional Use Permit for total floor area in excess of 10,000-sf, but is silent as to what to look for; however, the General Plan's Land Use Element specifically addresses "very large homes". The biggest issue is whether the house is too big for the lot. Senior Planner Buss pointed out that the 64,898-sf lot is two to three times larger than surrounding properties, and at 12.8% the requested FAR, is in line or smaller than that of nearby properties and well below what is allowed. Staff determined that the project does not represent mansionization and recommended that the project be allowed to proceed as proposed.

Project architect Craig Stoddard, related that when the project was initially submitted for Building Depth Review, measurements had not been taken for the interior work. It was later discovered that the project was approximately 300-sf over the threshold.

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

The Commissioners concurred with Staff's recommendations.

M/S/C Engler/Davitt to approve Conditional Use Permit 395. Unanimous.

F. Hillside Development Permit 04-36; Kim; 3901 Hampstead Road:

Commissioner Engler was recused from this hearing, since he resides within the notification area.

Planner Gjolme recalled that this matter was initially reviewed in July and continued with emphatic direction to reduce floor area and massing to mitigate

the home's profile from Hampstead. A current geotechnical report and coordinated plans were also required.

The applicant has complied; an updated geological report provides evidence that a slope failure along the northeast perimeter of the pad resulted from last winter's rains and poor drainage. The geologist confirms that the site can sustain the proposed development and would improve drainage throughout the property. A revised grading plan shows the pad lowered 3 feet, requiring removal of 26 trees (including two, 12-inch trunk diameter oaks) and exportation of approximately 1,500 cubic yards of dirt, equating to 150 truck trips. Massing along Hampstead was shifted back an additional 10 ft, increasing the front setback from 30 ft to 40 ft and increasing to as much as 65 ft as the house extends northward. The south face of the second floor is now recessed 5 ft from the first floor and was narrowed from 40 to 19 ft. Since the building depth was reduced from 75 ft to 60 ft, Building Depth Review is no longer a factor. Lastly, the basement area was reduced by 778-sf, decreasing the required amount of export.

The house was reduced 23% from 9,750-sf to 7,530-sf, with the greater proportionate reduction being on the second floor, where floor area was reduced by 35%. Staff believes that the revisions would ease the structure's appearance from Hampstead Road; however, a 900-sf ALQ is now proposed on a lower secondary pad, increasing the floor area to 8,430-sf, or a 13.5% reduction in floor area. Planner Gjolme pointed out that 672-sf of the reconfigured FAR consists of covered patios.

The wall design to the west remains unchanged and would be screened by the wooded slope; walls to the north were reconfigured or eliminated and a proposed pool and patio were shifted closer to the house.

Planner Gjolme commented that the 72,000-sf lot is mostly comprised of non-developable steep slopes, which make the 25,000-sf pad more prominent. Consequently, the correlation between the house design and the pad is especially significant since the remaining lot area is disassociated and provides no relief in absorbing the visibility of the house. He recognized the positive revisions; however, the scope of the project represents a dramatic departure from the character of the area and the site's topography only serves to intensify the project. Staff could not make Findings 1,5 and 8 and recommended a continuance for redesign.

Responding to a request from Chairman Gelhaar, a Powerpoint display showed the existing driveway extending beyond the south property line and within a 40-ft-wide section of the neighboring property. Planner Gjolme

advised that the driveway needs to be reconfigured and brought back on the subject property.

Project architect Jay Johnson, related that he met on several occasions with his clients to respond to the Commission's concerns. He cited the revisions: the need for Building Depth Review was eliminated; the floor area and bulk were significantly reduced; in response to the request to reduce the 2nd floor massing and perhaps shift that floor area to other areas, he reduced the second floor by approximately 1,300-sf --- 35% of the second-floor was eliminated. Additionally, the house was setback further from Hampstead Road to eliminate any towering effect; the house was moved closer to the front of the lot on the east side; the pool was relocated from the edge and moved forward to provide more room for landscape screening, so that there is now a 50-ft setback at the rear. Mr. Johnson recalled the suggestion to revisit the design and come up with a project to fit the pad. He stated that taking into consideration only the pad area, a house of 6,750-sf is allowed. His redesign shows the house at 6,400-sf; the remaining sq footage is represented by the single-story garage. He disagreed with Staff's determination that the project is intensified by the lot's topography. Mr. Johnson stated the fact that no house closer than 200 ft and that the property is over 1½ acres, twice the size of adjacent properties, cannot be disregarded. He then addressed Staff's findings and asked what could he do to assuage the concerns of scale and massing? He offered to reduce the home's height from 28 ft to 26 ft, since the ridge is approximately 2 ft higher than most of the roof and he took issue with Staff's finding that the landscaping is inadequate to screen the house. He advised that numerous new trees are proposed and the revisions provide an opportunity to install them even closer to the house. He asked how much more landscape screening was necessary in order for Staff to make a positive finding. Mr. Johnson noted that the square footage could be reduced by eliminating the covered terrace, but he questioned the purpose of doing so.

He summarized his new concessions for Commissioner Mehranian and added that he could also save "a big bush tree" on the pad edge, which screens the side of the house from Foothill.

Landscape architect Roy Leisure reiterated that the pool and house were pushed back in response to public comments. He noted that that many homes in the area, which are twice the size of the proposal, accommodate mature oaks and landscaping; most likely they were not initially that well screened. He felt that the subject site would be well screened over time. He then pointed out on Powerpoint, which trees were slated for removal.

Commissioner Mehranian remarked that a tree survey would be helpful, as she was having difficulty understanding which trees would be removed and which would remain.

Chairman Gelhaar suggested that relocating the house further to the south would allow removal of the top portion of the house and reconfiguration of the first floor.

Mr. Johnson stated that his clients like the look of a two-story home, but he offered to shift the house another 10 ft to the south.

Responding to a question from Commissioner Mehranian, he advised that doing so would not impact existing trees and would provide more landscaping opportunities to screen the project from the valley.

Chairman Gelhaar opened the public hearing.

John Learned, 3889 Hampstead, who resides across the street, stated he would be looking into the front door of the proposed house and that it in turn, would have views of his deck. He suggested larger plantings to provide immediate screening.

Margot Learned related that the project represents a major difference in the area. Her major concern was loss of privacy and she did not believe that any of the proposed trees would screen the project. She preferred a single-story design or pushing the house further back.

Charlotte Dewey, 3891 Hampstead Road, compared the house to “a large carbuncle looming from the site, rather than flowing with the lot”. She stated “the site deserves better treatment” and felt that the design continues to be incompatible with the area. She stressed the importance that the reconfigured driveway have a more gentle approach. Since the pad would be graded, she requested assurance that the adjacent lot would not be lowered, as it accommodates trees and she did not want it breaking away. She requested assurance that the tree roots would not be affected when the lot is graded.

Wayne Smith, 3957 Hampstead Road, resides west of the subject property, advised that a drainage channel from the subject property to his driveway is constantly clogged with debris and that vegetation and dry brush fall down the slope on a continual basis. Mr. Smith advised that his driveway wall is still damp from last winter’s rains and asked for assurance that the subject site would drain directly to Hampstead Road. Lastly, because the story poles for the proposed ALQ are visible from his property, he requested that appropriately sized trees be installed for screening purposes.

Mr. Johnson responded to comments and stated “it all comes down to what to do with the massing”; he asked for direction and suggested looking at more landscape opportunities, since he did not want to redesign the entire house.

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

Commissioner Mehranian asked Staff for specifics on what it would like to see.

Planner Gjolme responded that the problem continues to be the massing for the second floor. He noted that much of the eliminated second-floor area was transferred to the proposed, and visible, ALQ. Staff believed that the collective scope of the project overpowers the site i.e., grading the entire pad 3 ft, new retaining walls, a 1,000-sf guest house. He conceded that the guesthouse would not be too problematic if landscaped properly; the issue is that the site is very visible; accommodating a very large home through hillside review is difficult.

Director Stanley reiterated that though the site is large “in numbers”, much of it is very steep and unusable. Lowering the grade will help, but it would not eliminate the impacts.

Commissioner Mehranian stated that she appreciated the amount of revisions and that lowering the pad and reducing the floor area were helpful. She preferred more reduction of the second floor, keeping in mind that the property owner prefers a two-story home. She concurred with the Staff’s concerns of massing, but the 4-5 additional offers of reductions made by Mr. Johnson, represent a quantitative response to those concerns.

Commissioner Cahill stated that he appreciated the efforts to reduce the size of the home. While he supports two-story development, he concluded that a two-story home is not appropriate for this lot and stated that he found the story poles outlining the project to be shocking. His issue was not the square footage, but how is it portrayed; Commissioner Cahill stated that a larger single-story home would not be as visible and would not have a roofline protruding out of the hill. He advised that mostly likely, he would not support a two-story home for this parcel. The landscape plan was not clear whether any protected trees would be removed; if so, it would dramatically change the hillside. He suggested more significant plantings that would more quickly screen the project be installed, that the drainage be addressed and he felt the guesthouse was a good idea.

Commissioner Davitt commended the architect and applicant for the revisions. He stated that he was unsure what the answer was to the continued issue with

the mass of the second story; perhaps it is the combination of all his concessions. While he felt a two-story home was supportable, "the answer is multi-faceted; in a perfect world, a single-story home would work". He asked that the second-story mass be further reduced, that the landscaping be increased and he felt that the project needs to be better illustrated.

Chairman Gelhaar stated that he reviewed the minutes from the last meeting and that 3 of the 4 Commissioners commented that this property calls for a single-story home. He concurred with Commissioner Cahill's comments and felt it was logical to require a single-story home on this lot. He pointed out that much of the existing landscaping would be removed when the pad is cut. He then asked the applicant if they preferred a continuance for redesign or a vote by the Commission at this time.

Mr. Johnson requested a vote.

M/S/C Cahill/Mehranian to deny Hillside Development Permit 05-43.

Attorney Steres confirmed that the denial was based on the Commissioners' inability to make Findings 1, 5 and 8.

The motion passed with 4 Ayes.

Attorney Steres advised that a resolution of denial would be presented for adoption on January 10th, when the appeal period would begin.

Commissioner Engler returned to the table.

F. Hillside Development Permit 05-43; Hanna; 3958 Hampstead Road: Planner Gjolme described the applicant's request for a first-floor residential expansion and to construct a new second floor on his single-story residence.

The project site is a through lot between Hampstead and Stratford Drive with an average slope of approximately 32%, in the R-1-20,000 Zone. The lot has considerable frontage along both streets; it descends sharply from Hampstead to a fairly level pad that accommodates a 2,200-sf, single-story home. Beyond, the slope continues northward, dropping 30 ft to Stratford. Views of the lot's interior are limited due to wooded slopes on the north and south sides, while views from the site are generally short range.

The first-floor expansion would double the existing footprint, while a new, two-story wing would be centrally located above. Total floor area would be 4,374-sf, well below the adjusted slope factor limit for the property.

Staff analyzed the project and determined that it is well modulated; front and rear setbacks would remain compliant; the new second floor would be set back 42 ft on the east side, twice the requirement; and the west side setbacks greatly exceed Code. The northerly expansion would extend beyond an existing wall at the top of the slope, requiring an increase in the wall height, but within the 20-ft-downslope limit allowed with hillside review; the 32-ft overall height is allowed with stepped massing, which the design proposes. Planner Gjolme stated that though the upslope along Stratford is fairly remote and abundantly landscaped, the expanded profile warrants additional landscaping. Staff recommended that a revised landscape plan be submitted for review and approval by the Director of Community Development. Since the line of sight would be upslope, plants would be perceived as even taller since most neighboring views area away from the site and limited by the wooded topography. Staff did not identify concerns with regard to views and massing. Staff determined that the request was moderate and sensitively designed and recommended approval.

Chairman Gelhaar supported the project, but the 3 ft setback at the east corner was a concern, as it appeared to be a bottleneck.

Planner Gjolme observed that area is part of the existing structure and not directly affected by the request.

Mr. Hanna confirmed that the 3-ft setback is an existing situation.

Project architect Dick Sakamoto, summarized his client's project, including demolishing the garage and constructing a replacement at the south corner; the east corner alluded to by Chairman Gelhaar would not be touched. He added that at some point a new roof would be necessary.

Director Stanley advised that once the roof is removed, the grandfathered encroachment would be lifted. He suggested that the Commission might want to include a condition to that effect.

Chairman Gelhaar opened the public hearing.

Wayne Smith, 3957 Hampstead Road, resides across the street and stated that he wanted to emphasize the draft condition that requires construction vehicles to park on site.

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

Commissioner Engler stated that he did not have any issues with the house, but cautioned about past hillside slippage that he has witnessed. He asked that the City Engineer review that aspect.

Commissioner Davitt commented that the house was well designed and he noted the absence of concerns with massing.

Commissioners Mehranian and Cahill concurred.

M/S/C Engler/Cahill to approve Hillside Development Permit 05-43 with an added condition requiring that the City Engineer review the foundation plans. Unanimous.

VIII. OTHER BUSINESS

There were no reports.

IX. COMMENTS FROM THE COMMISSIONERS

Commissioner Engler requested a copy of the approval for Dover Road.

The Commissioners wished Staff happy holidays.

Attorney Steres introduced Penny Cobey, an attorney with the Brown, Winfield, Canzoneri firm, who will attend the Commission's January meeting. Ms. Cobey is former staff attorney with LAUSD and the Getty Foundation.

X. COMMENTS FROM THE DIRECTOR

Director Stanley introduced Leza Mikhail, who was recently hired full-time as a Planning Aide.

On another matter, Director Stanley informed the Commissioners that a recently approved project showed a basement, but not the required light wells, which would encroach approximately 3 ft into the front yard setback. Though the Fire Department required them, the light wells were not shown on the submitted plans. He confirmed that the Commission did not want to schedule this for discussion, since they do not take up any space.

"Perfectly Fit" located at the commercial center at Hill Street and Foothill, expanded into two adjacent spaces without notice to the City. Recently, a "boot camp" was established in the easterly tenant space. Staff determined that it would be allowed as a Health Club use with a CUP. Perfectly Fit has also been asked to amend its CUP to reflect any expansion.

Director Stanley reported that the City's Tree Fund has approximately \$30,800.

The Gazmarian project is nearing completion. The landscape architect is now requesting to remove two eucalyptus trees and replace them with one, 72-inch-box oak. He confirmed that the Commission found the request to be in substantial conformance with the approved plans.

Responding to a question from Director Stanley, the Commissioners unanimously preferred the Powerpoint presentations, which Staff recently initiated to be more consistent. They especially liked the aerial view of properties and the proposed expansion areas red-lined.

Director Stanley advised that the City Council awarded funding for the City to participate in an Imagery Acquisition Consortium with Los Angeles County. It is a collaborative effort to share the cost of acquiring and distributing high quality aerial imagery, including two-ft elevation contours for a five-mile buffer around the City. We will soon have the capability of calling up oblique views from which the height of buildings can be measured. Project participants include 23 cities, 3 outside agencies and 8 County departments.

XI. ADJOURNMENT

M/S/C Mehranian/Cahill to adjourn at 10:01 p.m. Unanimous.

Secretary to the Planning Commission