

**LAND USE COMMITTEE
OF THE ALTADENA TOWN COUNCIL**

MINUTES OF REGULAR MEETING

February 6, 2007 7:00 P.M.

Altadena Community Center, 730 E Altadena Dr, Altadena, CA

A regular meeting of the Land Use Committee of the Altadena Town Council was held at the abovementioned date and time in the Community Room of the Altadena Community Center, 730 East Altadena Drive, Altadena CA.

The meeting was called to order at 7:06 P.M. by Chairman Gino Sund.

OPENING BUSINESS

1. Roll Call

The following Members, constituting a quorum, were present: Dennis Bridwell, Ron Carter, Anthony Cheng, Susan Goldman, Mark Goldschmidt, Steve Haussler, Steve Lamb, George Lewis, Walter Olszewski, Tecumseh Shackelford, Gino Sund, Bobby Thompson, and Cynthia Tilleman.

The following Committee members were absent: C Jake and Sandra Thomas.

2. Agenda Approval

Motion to approve the agenda as posted was made by Member Lamb, seconded by Member Goldschmidt, and approved unanimously.

3. Minutes Approval

Motion to approve the December 5, 2006 minutes was made by Member Lamb, seconded by Member Bridwell, and approved unanimously.

4. Public Comment

A. Camille Dudley. Raised issue that many recent projects being proposed in Altadena are by outside developers and owners who do not understand the needs of the community. Would like to have more locals bring projects to fruition.

PUBLIC HEARINGS & ACTION ITEMS

5. Hillside Working Subcommittee

Presenter: Patricia Mulligan, Chair

Approval of proposed development standards to be incorporated into the Altadena CSD.

Ms. Mulligan introduced the Hillside Ordinance Committee and began a brief presentation of the Subcommittee effort. She also distributed a handout to the Committee. Subcommittee member Nancy Steele continued the presentation and described the new proposed standards. The following is a brief summary of the proposed ordinance:

1. Requires single family residences to obtain a CUP that would otherwise not be required in LA County (area with a natural slope of 25% or greater).
2. Requires CUP for grading that exceeds 2,500 cubic yards of cut or fill instead of the current standard of 100,000 cubic yards.
3. All grading during the rainy season (October 15-April 15) requires County approved mitigation measures to prevent runoff and erosion.
4. Defines significant ridgelines and requires a variance for building within 50 feet vertically and horizontally of significant ridgelines.
5. Remodeling in significant ridgeline areas must comply with the above requirements, but otherwise there is no change in hillside areas from the existing ordinance.
6. In significant ridgeline areas, one can repair or replace an existing structure if built in substantially the same location and square footage without going through the CUP process.
7. Encourages the use of design features that maximize preservation of visual quality and community character.

ATC Member Zack explained that the impetus for this effort was a development on Devonwood Rd where the builder circumvented the intent of the existing hillside ordinance and was able to build an aesthetically unattractive project.

Member Haussler asked if there are additional significant ridgelines east of Rubio Canyon. Ms. Steele explained that everything eastward is national forest land but that the ordinance is still a proposal so can be expanded to include future land sold off by the national government. Member Lewis stated there are existing residents in that area (it is not exclusively federal land) so it is important to identify those ridgelines now.

Member Olszewski asked how this affects the properties you can see at the top of Lake Ave now. Ms. Steele explained that this only affects new construction – not homes in existence or remodel projects.

Member Lamb raised the issue that the language appears as though it would affect “any building” including remodeling. Ms. Steele stated that the ordinance will not affect remodels at all given the reference to the existing hillside ordinance.

Member Lamb also inquired regarding the 1,000 cubic yards minimum. Ms. Mulligan stated this was directly modeled after the Santa Monica Mountains ordinance. Member

Lamb also asked what happens to remodel projects on properties in the steep grade area immediately to the right of the ridge on the handout diagram. Subcommittee member Thomas Stahl explained that construction is indeed allowed but one must get a variance to do so in those areas within 50' of a significant ridgeline.

Member Lamb asked further how the 50' limit was chosen – why not use the 35' limit like Pasadena? Ms. Mulligan explained this was modeled after other areas in the county.

Member Goldschmidt asked if new construction could be done 50' within the ridgeline. Ms. Mulligan explained that a variance is required to do so and that is the only area as such. The rest of the areas only require a CUP, not a variance.

Chairman Sund stated he sought the opinion of an experienced planner, and was told that it would be difficult to use the 2,500 cubic yards of cut or fill threshold, and that the proposed ordinance seems too harsh for owners of SFRs.

Ms. Mulligan explained that the 2,500 cubic yards language was modeled after the Santa Monica mountains ordinance and based on extensive research on other hillside communities. Also, Ms. Mulligan stated that the Subcommittee feels very strongly that this must apply to SFRs since those are most of the properties within ridgelines.

Member Olszewski inquired whether an expensive CUP would be triggered if a homeowner wants to erect a chicken coop or horse shelter. Ms. Mulligan stated that the current code already provides that accessory structures would be exempt.

Public Comment:

- A. Tom Nuccio. 3555 Chaney Trail. Stated he does not have a problem with the ridgeline concept. He would like to see, however, concentrating homes in areas of the hillside (“clustering”) rather than spreading them out everywhere. The Subcommittee stated that clustering is encouraged in the ordinance.
- B. Sameer Etman. He is a significant landowner near a ridgeline. He is in support of the project and has also volunteered on the Subcommittee. He added that he hopes that the ordinance proposal can be modified so that any development that proposes to change or move a trail would also trigger a CUP. Ms. Steele responded that the Subcommittee did contemplate including trails in the ordinance proposal, but in order to reach consensus, that was removed.
- C. Virginia Haas. A homeowner that would be affected. Stated that she designed her home in this area and that if the front setback could be decreased from 20' to 10', then dirt removal and excavation could be reduced. Mr. Stahl explained that any home in this zone could do so with a CUP, and during that process the applicant could negotiate a reduction in setback. Ms. Mulligan followed up stating that the

Subcommittee did look into setback modifications but did not reach adequate consensus so did not include them in the proposal.

Given the above, and on motion duly made by Member Haussler, seconded by Member Bridwell, and approved 11-0-2, it was

RESOLVED that the Committee recommend that the Altadena Town Council issue a letter to the County Regional Planning Department recommending ADOPTION of the proposed hillside development standards and their incorporation into the Altadena CSD.

During discussion it was raised:

Member Lamb would like more discussion and certain key points addressed.

Member Tilleman would like to see Mr. Etman's trail suggestion incorporated.

Member Haussler said the ordinance is very succinct and the Subcommittee should be commended on a job well done.

Following the resolution, Member Olszewski stated that this project raises a good point in the Committee and ATC process for reviewing information made available by applicants, which is if materials are posted online or disseminated to members and adequate time is provided to review such materials, it is the responsibility of the members to do so. This was not done when the education issue came up at the ATC, so he hopes that the Committee sets an example for the ATC.

6. 20 E Mariposa St (CT4611) – Goldschmidt/Tilleman

Applicant: Glenn Session

R2006-02805 filed 09/25/2006 - C3YY – Jim Bell

Residential facility in commercial zone.

Member Goldschmidt gave a brief summary of the project.

Mr. Session said this property has been operating for 20 years as a rooming house facility. He was surprised at the number of neighbors in attendance at the Committee meeting. He explained this property is zoned C-3 which allows many kinds of uses, and is currently a residence for independent people. It is not a halfway house or a group home. There are many seniors residing there ("seniors" defined as those 50 years old and up). The business has already been operating for a long time, but he and his business partners learned they actually need a CUP to be compliant. He acknowledged that there were unsavory residents before but those have been evicted. This is now a nice community that offers affordable housing for the community.

He explained that all utilities are paid for, restrooms have soap and towels, and rooms come furnished. The only thing the residents bring for themselves is food. There are 5 restrooms total: 1 for men, 1 for women, and 3 co-ed. The co-ed and women's restrooms are lockable with further access only by key. There are 8 parking spaces.

He stated he visited neighbors on McNally Ave. He spoke to 12 neighbors, out of which 2 people would not sign a petition of support, 6 signed in support, and 3 wanted more information. When Mr. Sessions walked the neighborhood, he did not get any opposition.

There are 24 rooms total: 17 singles and 6 are shared rooms (1 vacant). The facility is primarily for adults although there is 1 resident with a child. There are 32 residents total.

Mr. Session's associate stated that the building was in disrepair before, and after they purchased the building, they have improved the property quite a bit.

Member Carter stated that he had a meeting in that area, and heard complaints about unsavory tenants and people hanging out there. He stated that of the residents who are in attendance at the meeting of the Committee appear decent and respectable. He asked whether the facility is housing people from the local community or attracting outsiders due to cheap rents. Mr. Session stated that probably 2/3 is from Altadena or Pasadena.

Member Carter also stated that even though the applicant has improved the property and gotten rid of bad tenants, they still have an image problem that needs to be addressed with their neighbors.

Member Lewis asked about on-site staffing. The applicant stated there are resident managers. There is a full-time maintenance woman. The owners live nearby. Member Lewis asked whether the Sheriff's Dept has been called in the last 6 months. The applicant stated that in the last 6 months, the Sheriffs were called once for an ambulance emergency. Prior to that the applicants did call the Sheriff's themselves since a few of the residents they inherited from the previous owner were problem tenants, but they have since been evicted. The applicant stated he keeps Deputy Lee Carter on speed dial and has offered a key to the building to help monitor things. The Sheriffs already patrol the alley behind McNally 6 times a day because of drug activity. The applicant also stated they regularly provide the Sheriffs an updated resident list to aid in patrolling.

Member Bridwell asked about rent levels. Mr Session stated the range is \$220 to 900 depending on the type of room.

Mr. Session is applying for a CUP that allows them to continue operating as a residential renting facility without a permanent zone change to residential.

Public Comment:

- A. Leigh Clay. 2704 N Fair Oaks. Teacher at school next door. Stated a resident on drugs climbed out of a third story window trying to get into her unit after being locked out but fell into the schoolyard resulting in a bloody accident. The Sheriffs told her the resident was on meth. She said the school does not need that next door.
- B. Cate Heneghan. 2675 McNally Ave. Thinks Mr Session oversold the signatures he got. She signed the petition but is not in support of the project. Does not need a residential community next door in a commercially zoned building that will have drug problems. Wants it cleaned up and does not want a borderline facility there.
- C. Adam Bell III. 2690 Highview. Represents a neighborhood association around Highview. He said in his 6 years in the community, there have definitely been unsavory individuals. Does not think rezoning is a good idea for this area. This could recreate problems as on Washington.
- D. Ericka Irwin. 2121 Valderas Dr. Also a teacher at the school next door. A resident at the facility before would often yell loudly outside to another resident inside to open the door, which would scare the kids. This happened routinely. Another incident, a TV was thrown out a window while she was walking with her daughter 4 months ago.
- E. Bill Kilpatrick. 200 N Maryland. Went to Farnsworth for school. Grew up in the area. His daughters also attend school in the area. He stated that the rental facility makes an incredible amount of rent given the prices stated but the owners do not maintain a safe atmosphere. He also stated that the building is not designed as an apartment complex – there are only 8 parking spaces for 32 people. It is not zoned for this use and should not be allowed here.
- F. Sara Lee. 5153 Angeles Crest Hwy. Parent of a child at school next door. She no longer parks around the corner to let her child walk the short distance into the school. Instead, she illegally stops in the red zone so her child can have closer, safer access to the school. She feels the facility is unsafe there.
- G. Wellington Mutize. 183 E Loma Alta Dr. Drops off his child everyday at 8am. He says the residents at the facility next door loiter in front of the building in a very unsavory way. He does not feel safe outside the school. He even has someone pick her up and take her to Glendale at times rather than leave her at school. His daughter has witnessed strange things happen outside the school near that facility. Those residents set bad examples for his daughter and the other children.
- H. Ron Pereira. 11271 Ventura Blvd. Has a daughter at the school. Worries about his daughter there.
- I. Letty Smith. 234 W Las Flores Dr. Has been a teacher at the school for 18 years. The last few years, things have worsened. The woman falling out of the 3rd floor window, the TV thrown out the window. Loitering residents in front of the building, walking back and forth every thirty minutes. It is not safe.

- J. Hubert Voyles. 2544 N El Molino Ave. Was a prior resident there. His roommate was the one who threw the TV out the window. The prior management was horrible, doing drugs with the residents. He did not feel safe until he moved.
- K. Jane Warner. 129 E Altadena Dr. Teaches at the school. Witnesses lots of shouting and obscenities coming out of the windows. The school play yard is immediately below the residents windows. Things are thrown out the windows making it unsafe for the children. She says things have not gotten better with the current owners. She said the owner has even put up tenants illegally in the basement without ventilation. There are people on psychiatric meds that are referred there who should not be next to a school. In opposition to the project.
- L. Robert Warner. 129 E. Altadena Dr. Things have not improved at the property. He first spoke to Mr Session in late 2005. He said even yesterday, a man across the street was yelling loud obscenities across the yard to residents in the building.
- M. Cartney Wearn. 2340 Sylvan Ln. Stated there is no parking lot as claimed by the applicant which is another reason it should not be an apartment building – there is only street parking. He also stated that any manager that needs to have the sheriffs on speed dial shows that the facility has problems. He has seen many residents there obviously intoxicated or on drugs.
- N. Walter Westbrooks. 2691 McNally Ave. Works as a Deputy Probation Officer. Lived in the area since 1988. He has seen 2 group homes there in the past. He has seen a terrible situation there. He said that the improvement has mainly been over the past 2 months. The residents loiter in the neighborhood. They use drugs and urinate in public. He does not waste time calling the Sheriffs because it doesn't help. The building has no common recreation space – only a front area on the street, an alley in the back, and a driveway. The residents have no choice but to use those public spaces and take their behavior into those areas. Those on psychiatric medications or from correctional facilities have no other outlet but those spaces.
- O. Mike Wilson. 20 E Mariposa. He is a resident there. He is a priest with no criminal record and he does not do drugs. He is a computer programmer by training. He does not know who the school people are complaining about.
- P. Mary Ann Kordic. 20 E Mariposa. She was the woman who fell out of the window. She has not done drugs. She does not do meth. She explained she had locked herself out of the apartment. She had been able to get into her apartment through the window before so tried again but fell. It was not drug related – it was an accident. She said that most of the residents there do not use drugs, and they get along well. She does not have a good recollection of the day she fell. She says things are very quiet there. There is another halfway house across the street – there are many gentlemen living there coming out of recovery.
- Q. Donald Jackson. 20 E Mariposa. A resident there. Works for Sparkletts. He is required to be physically fit and drug free in order to work there. He does not do

drugs and does not know anyone in the building who does. Stated that the trouble residents from before are no longer there.

Mr Session responded that the current residents are all good and there are no problems now. He invited the public to come visit the facility. He stated that all applicants have background checks done and there are no sex offenders residing there.

Member Lamb stated that the full CUP application needs to be circulated to the Committee for review before formal action should be taken.

Given the above, and on motion duly made by Member Lamb, seconded by Member Lewis, and approved 13-0-0, it was

RESOLVED that the Committee continue this matter to the next regular meeting for formal action so that the CUP application can be circulated and reviewed.

7. 1563 Meadowbrook Rd (CT4612) – Cheng/Lewis

Applicant: John G MacDonald

R2006-00654 filed 06/27/2006 R1-7500

8ft addition to existing SFR continuing existing side yard setback.

The applicant was not present. No information was previously circulated.

Given the above, and on motion duly made by Member Haussler, seconded by Member Lamb, and approved 13-0-0, it was

RESOLVED that the Committee continue this matter to the next regularly scheduled meeting so that the applicant can appear before the Committee and/or information including a site plan can be circulated.

8. 2387 Lincoln Ave (CT4610) – Shackelford/Thompson

Applicant: Juan Carlos Ciuffo

RPP2005-01582 Carmen Sainz

Two variances sought for fit out of new chicken restaurant.

Member Shackelford gave a brief summary of the events leading up to the project.

The designer for the applicant appeared before the Committee and explained the minor variance being sought is for keeping the existing 8'9" setback versus modifying the building to meet a 10' requirement. This 10' requirement is usually for new construction

but this project is utilizing an existing building. The designer also presented the colors proposed for the building.

Member Shackelford explained this building near the corner at Stonehurst was a garage before and stayed empty for a long time. Afterwards, it was used as a flower shop. Now the applicant would like to change it to a chicken restaurant. He also stated that Carmen Sainz at the County did not send him the full application as requested despite waiting a month. Also, Ms Sainz had mentioned two variances by phone to Member Shackelford but the designer presented only one variance.

Several members of the Committee stated that the Committee does need to receive a full package before taking formal action.

Given the above, and on motion duly made by Member Lewis, seconded by Member Haussler, and approved 13-0-0, it was

RESOLVED that the Committee continue this to the next meeting and that the applicant facilitate getting a copy of the entire application from the County to the Committee for review prior to the next meeting.

9. 3311 Canyon Crest Rd (CT4603.01) – Bridwell

Applicant: Krikorian, Sevag

R2006-00792 Filed 03/15/2006 R1-10000 Maria Masis

Child care center for 30 children.

Mr Dakjian appeared before the Committee as the architect for the applicant. There is an existing SFR on the corner of Lincoln and Canyon Crest. His client already has another child care center for 14 kids in Altadena on private property utilizing a SFR.

The applicant circulated a copy of the CUP application and aerial photos of the location.

The applicant is not asking for any variance or exception since they are in compliance with all local and state regulations. The square footage of the structure and open space under state regulations allows for 30 children. Any time a child care center has over 14 kids, a CUP is required. If a facility does 2 shifts, up to 28 kids can be accommodated. So, he is seeking a CUP to operate a child care center for over 14 kids.

The applicant is planning to have 1 shift of up to 30 kids. The age range of the children is from infant to preschool. There will be 3 teachers and 3 assistant teachers. The parking proposed includes tandem parking and meets the requirements of a non-residential use in a residential zone.

Member Carter asked whether the neighbors have been polled regarding the project. Mr. Dakjian stated he has not since he has been waiting for the County to first send out the neighborhood mailing.

Member Lamb asked when a traffic study is going to be done. Mr. Dakjian stated a traffic study is not required by the County, and there is rarely a moment when more than two kids are being dropped off.

Public Comment:

- A. Michael Hickman. 3617 Canyon Crest Rd. He lives on that street. This is an unsafe corner where there is a bottleneck that 600+ cars travel through per day. All of the residents in the Meadows and La Vina drive through here. There is already inadequate parking, and the child care center will worsen the situation.
- B. Dr. Eric MacCallo. Corresponding Secretary for the West Altadena Residents Association. He stated that most of the residents in the area are not aware of this project proposal. There is a trend of taking out SFR in Altadena and converting them into either dense multi-family projects, institutional projects or commercial uses. He is opposed to the project.

Chairman Sund stated there was a letter of opposition received by the Committee.

Member Bridwell examined assessor records and stated there is only about 10,000 usable sf of space. The house was built in the 1920s so there are probably lead-based paint issues, but the big problems are traffic and parking. He recommended denial.

Member Olszewski supported his recommendation. He explained that even walking across the street to the park is unsafe due to the fast speeds of the cars coming down from La Vina. It is a 2-lane street utilized by police and fire as emergency access.

Given the above, and on motion duly made by Member Bridwell, seconded by Member Lamb, and approved 12-0-1, it was

RESOLVED that the Committee recommend that the Altadena Town Council issue a letter to the County Regional Planning Department to recommend DENIAL of CUP R2006-00792 for the operation of a child care center for 30 children at 3311 Canyon Crest Rd.

INFORMATION ITEMS

10. Reports

11. Organizational Matters. Member Olszewski reiterated his point about members should be responsible for reviewing materials made available to them with adequate time for perusal before meetings so that issues can be properly discussed.

12. Regional Planning Syllabus. Chairman Sund announced that Regional Planning will begin to attend Committee meetings in the spring for better communication and to provide more information about their process to us.

13. Town Council Ethical Standards. Chairman Sund distributed agreements for execution by those members of the Committee binding them to the Town Council Code of Ethical Standards.

No further business being brought before the Committee, the meeting was adjourned to the scheduled regular meeting on Tuesday, March 6, 2007 at 7:00 P.M. in the Community Room of the Altadena Community Center.

Respectfully submitted,
Member Anthony Cheng
Communications & Recording Secretary