

Attachment 5



PLANNING DEPARTMENT

TO: PLANNING COMMISSION

**FROM: NATHAN HAMBURGER, ASSISTANT CITY MANAGER
DOUG HOOPER, PLANNING DIRECTOR**

**SUBJECT: CASE NO. AMND-01521-2018 – AN AMENDMENT TO CONDITIONAL
USE PERMIT NO. CUP-01080-2015 AND TO VARIANCE NO. VAR-01081-
2015 - 28254 LAURA LA PLANTE DRIVE (POUYA PAYAN, APPLICANT)**

DATE: FEBRUARY 7, 2019

On December 13, 2018, the Planning Commission held a public hearing to consider the proposed amendment (Case No. AMND-01521-2018) to the previously approved Conditional Use Permit (Case No. CUP-01080-2015) and Variance (Case No. 01081-2015) to: 1) increase the heights of retaining walls; and 2) modify certain architectural elements for a single-family residence in construction. The applicant is Pouya Payan of Labyrinth Studio Design, Inc., and the site address is 28254 Laura La Plante Drive.

Upon opening the public hearing and receiving oral and written testimony, the Planning Commission continued the public hearing to the January 3, 2019 Planning Commission meeting. The Commission requested that the applicant work with his geotechnical consultant and neighbors to come up with options regarding the height of the wall in the rear yard, and to work with staff to bring back a status update and/or resolution for consideration. The Commission also sought geotechnical information regarding an appropriate height of the wall that safely retains the hillside while minimizing visual impacts.

At the January 3, 2019 Planning Commission meeting, staff provided a status update of the project. To allow the applicant additional time to provide revised plans and technical studies for staff and City consultants to review and consider prior to presenting them to the Planning Commission, the Planning Commission approved staff's request to continue the public hearing to the February 7, 2019 Planning Commission meeting. No public testimony was provided at the January 3, 2018 hearing.

Attached is a request from the applicant to again continue the public hearing for this project to the February 21, 2019 Planning Commission meeting, as the applicant will not be able to attend the February 7, 2019 Planning Commission meeting. Please note that no public testimony is expected to be taken at the February 7, 2019 Planning Commission meeting because no new material evidence will be introduced at that time.

RECOMMENDATION

Staff recommends that the Planning Commission continue the open public hearing to the February 21, 2019 Planning Commission meeting for Case No. AMND-01521-1028, a request to amend Conditional Use Permit No. CUP-01080-2015 and Variance No. VAR-01081-2015.

Attachment: Applicant's request to continue the public hearing