

CITY OF **LACANA FLINTRIDGE**

**PLANNING COMMISSION MEMORANDUM**

February 24, 2015 Meeting

**To:** Planning Commission  
**From:** Chris Gjolme ~ Planner  
**Re:** **Amendment** to Hillside Development Permit 12-27/Second-floor Review 12-10/Setback Modification 13-02; Director's Misc. Review 15-08 (flat roof); 3841 Keswick Road; Hall.

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**REQUEST:**

The request is for an amendment to an approved Hillside Development Permit, Second-floor Review and Setback Modification to allow the project's approval to be extended an additional 12 months. The amendment would also allow revisions to the approved roof design, wherein a lower roof of reduced pitch is proposed, inclusive of a flat component that requires Director's Misc. Review (flat roof), also included as part of the request.

**DISCUSSION:**

*Approval Extension*

The approved project would allow 1<sup>st</sup> and 2<sup>nd</sup>-floor additions totaling 2,200 sq. ft. to an existing split-level residence on a hillside lot. The original project was approved by the Planning Commission at the March 12, 2013 meeting for a period of 12 months. On March 3, 2014, a 12-month approval extension was granted. At this time, permits have yet to be issued and construction has not commenced. Thus, required project 'vesting' will not occur before the project's final expiration date of March 12, 2015.

The original 12-month term has been exhausted and a one year extension already granted will expire on March 12, 2015. Thus, the only way to extend the project's approval again is to formally amend condition of approval #5, below, which the Planning Commission has authority to do per Zoning Code Sections 11.35.060 and 11.43.110., and said authority has been executed on several occasions.

5. *This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged.*

Since the parameters of the project have not significantly changed (beyond the roof revision addressed in the following section) and legitimate delays have been encountered, staff views the extension request as a reasonable safeguard against approval expiration and project re-review.

*Director's Misc. Review (flat roof)*

The approved project involved redesigning the existing roof to accommodate the additions. However, the contractor bids to re-frame the roof to match the design approved by the Planning Commission were much higher than anticipated. As such, a revised roof design is now proposed, one of lower profile and inclusive of an expanded flat roof component, consistent with the existing roof structure. Below are two comparisons; the approved and revised front elevations in context with the existing residence, and the existing (photo) and proposed (plan view) roofs.



Flat Roof Review was implemented to insure that modern designs, many of which employ flat roofs, do not clash with the prevailing architectural character of an area.

This is not the case with the project given the home's straightforward design and the flat roof component's lack of offsite prominence.

Recently, the City has seen several projects that seek to maximize 2<sup>nd</sup>-floor area through creation of a large flat roof, which in turn allows for steeper perimeter hips and greater interior clearance. This has been somewhat problematic for the Commission since the resultant overall profile of the building can be incongruous with the scale and character of the immediate neighborhood. Again, this is clearly not the case with the project, which falls well within height and angle-plane limits as seen from the front, while the reduced building profile fits well within Keswick Road's intimate setting.

Staff's only cautionary comment pertains to the exaggerated porch height that would result from the lower roof profile. Additional vertical separation should be provided between the porch and house ridge in staff's estimation; thus, closer alignment between the porch and lower garage ridge to the left is recommended.

Hillside Development Permit, Second-floor Review and Setback Modification findings remain supportable and are in the original staff report and new approval resolution (attached). Director's Misc. Review (flat roof) findings can also be substantiated and are included below:

- 1. The roof configuration accommodates an architectural objective, as dictated by style, scale, and/or architectural consistency with the subject structure.**

The use of an expanded flat roof allows for expansion as proposed and controls overall building height, consistent with the home's low-profile design. Staff supports the finding.

- 2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and is sensitive to private views and aesthetics and other property values in such neighborhoods in a manner compatible with development of the subject lot and with the residential design guidelines.**

The roof design is consistent with the home's style and profile. No scale, compatibility or privacy issues attributable to the project's roof design are apparent given the character of the immediate area. Staff supports the finding.

#### **RECOMMENDATION:**

Based on the above discussion, staff would recommend **APPROVAL** of the requested amendment and Director's Misc. Review (flat roof), per the original conditions of approval, listed in Exhibit "A" and attached to the revised resolution.

*Att: Staff Report & Minutes – March 12, 2013 PC meeting  
Project plans (reduced)*

*C: Stephen and Claudia Hall / 3841 Keswick Road / La Canada Flintridge, CA / 91011  
Neville Pereira / 1224 Inverness Drive / La Canada Flintridge, CA / 91011*

CITY OF **LA CAÑADA FLINTRIDGE**

**RESOLUTION NO. 15-xx**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
APPROVING AN AMENDMENT TO HILLSIDE DEVELOPMENT PERMIT 12-27  
SECOND-FLOOR REVIEW 12-10 AND SETBACK MODIFCATION 13-02  
TO EXTEND PROJECT APPROVAL FOR AN ADDITIONAL 12 MONTHS  
AND APPROVING DIRECTOR'S MISC. REVIEW 15-08 (FLAT ROOF)  
FOR AN EXPANDED FLAT ROOF COMPONENT  
IN CONJUNCTION WITH 1<sup>st</sup> AND 2<sup>nd</sup>-FLOOR ADDITIONS  
TO AN EXISTING 2-STORY RESIDENCE  
AT 3841 KESWICK ROAD  
AS REQUESTED BY  
STEPHEN AND CLAUDIA HALL**

WHEREAS, a request by Stephen and Claudia Hall has been received for a Hillside Development Permit, Second-floor Review and a Setback Modification to allow 1<sup>st</sup> and 2<sup>nd</sup>-floor additions to an existing residence, with a reduced front setback and an encroachment into the east side setback, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on March 12, 2013, after publication and posting of notice in the prescribed manner, held a public hearing on the Hillside Development Permit, Second-floor Review and Setback Modification requests and voted unanimously to approve the project; and

WHEREAS, on March 3, 2014, prior to project expiration, the City granted a one year extension of project approval; and

WHEREAS, on January 30, 2015, prior to expiration of said extension, the City received an amendment request to extend project approval for an additional 12 months and to modify the approved roof design to include an expanded flat roof component; and

WHEREAS, the Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorical Exempt from the California Environmental Quality Act, under Class 2.5(a)(4)(ii)(additions) & 2.5(e)(1)(minor setback variances) of the City of La Cañada Flintridge Guidelines for the implementation of CEQA; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff memo dated February 24, 2015 and the original staff report dated March 12, 2013 regarding the application for a Hillside Development Permit, Second-floor Review and

Setback Modification at 3841 Keswick Road, and heard and considered the testimony of the applicant and the public; and

WHEREAS, based on the evidence presented by the application materials, staff report, and public testimony, the Planning Commission finds the following:

Section 1.

*Hillside Development Permit:*

1. The project, through elements of architectural and landscape design, will enhance its setting because the increase in building massing is tasteful and appropriately scaled, and utilizes existing pad space through introduction of an efficient 2-story component that would not disturb the site's landscape inventory.
2. The project will maximize potential for sensitive use and effective preservation of open space because overall density figures are within standard floor area limits while a majority of the site's open space, including sloping yard area to the rear, would not be affected.
3. The project will not be detrimental to the public health, safety, or general welfare because the increase in development on the property is sensitive to the site and no aspects of the improvement would be detrimental to the public health, safety, or welfare.
4. The project will not adversely affect the orderly development of property within the City because the addition is consistent with the character of the property, within density standards and sensitive to the neighbor to the east.
5. The project will conform to the goals and policies set forth in the General Plan because the scope of the addition is reasonable, while the hillside setting would be substantially maintained, consistent with the direction of the City's General Plan.
6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service because the project enhances the existing residential use and, as designed, will not create any problems in the neighborhood.
7. There are special conditions or unique characteristics of the subject property and its location or surrounding which justify exceeding one or more of

the provisions set forth in this Chapter to permit project development because the existing house exhibits a non-conforming front setback which would be retained through the project, but not unduly intensified, and is validated through a net reduction in front yard hardscape that would occur. Floor area exceeding the modified standard would be largely unapparent from offsite, given the siting of the existing house and topography of the site.

8. Any potential for the project to present visibly excessive bulk from any vantage point, near or far, is mitigated by screening or siting characteristics because the additions are of reasonable scale, largely to the rear and downslope from the street and do not demonstrate excessive bulk from any offsite vantage point.
9. The project does not create an avoidable or unreasonable impairment of the view from any other property because the project site is somewhat isolated and primary view-sheds through the site are not apparent. The project would not significantly affect the existing vertical profile of the home in any event.

*Second-floor Review:*

1. The two-story design includes adequate setbacks, screening and modulation because spatially adequate setbacks commensurate to the topography of the lot and configuration/location of the residence and addition would be provided while the design and size of the addition precludes the need for substantial modulation and landscape screening beyond that already in place.
2. The two-story design preserves the existing scale and character of the surrounding neighborhood because the split-level style of the existing home would be continued through the additions, which, through sensible size and visual scale, would preserve the character of the existing neighborhood.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the appearance and character of the home as seen from the street would be largely preserved while the upper level addition would not have significant privacy or other use impacts on neighboring properties.
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because the scale and massing of the project relate well with the existing structure while the resulting overall scale and appearance of the expanded home would be consistent with the primary directives of the City's Residential Design Guidelines as related to neighborhood and streetscape compatibility.

*Setback Modification:*

1. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity because retention of the patio's longstanding east side setback adequately serves the new trellis and its reduced massing and, given a lack of impacts, is compatible with other development in the immediate area.
2. The modification authorized will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated because the property would remain a residential use, with the alteration of the patio roof consistent with the site's character and development pattern found in the immediate area.
3. Strict application of zoning regulations as they apply to such property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations and standards because requiring a conforming east side setback would preclude alteration of the patio roof, but not continuation of the residential amenity/accessory use that said roof has served for years, and is regarded as unnecessary since the scale of the affected structure would be lessened through introduction of the proposed trellis and a notable view, massing or privacy benefit would not result from imposition of the required setback.
4. The modification will not be materially detrimental to the public health, safety or general welfare, or to the use, enjoyment or valuation of property of other persons located in the vicinity because the east side yard encroachment would be visually negligible and would not have any material effect on its surroundings.
5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetic and other property values in such neighborhoods in a manner which is compatible with reasonable development of the subject lot because the encroachment would continue to have a limited effect on the scale of the home, with the massing of the structure in question reduced, and would not have a significant view or aesthetic effect on neighboring homes or the street setting.

*Director's Misc. Review (flat roof):*

1. The roof configuration accommodates an architectural objective, as dictated by style, scale, and/or architectural consistency with the subject structure because the use of an expanded flat roof allows for expansion as proposed and controls overall building height, consistent with the home's low-profile design.

2. The proposed project preserves the existing scale and character of the surrounding neighborhood, and protects public views, and is sensitive to private views and aesthetics and other property values in such neighborhoods in a manner compatible with development of the subject lot and with the residential design guidelines because the roof design is consistent with the home's style and profile. No scale, compatibility or privacy issues attributable to the project's roof design are apparent given the character of the immediate area.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the amended Hillside Development Permit, Second-floor Review and Setback Modification, and Director's Misc. Review (flat roof) for 1<sup>st</sup> and 2<sup>nd</sup>-floor additions at 3841 Keswick Road, subject to the conditions listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 24<sup>th</sup> day of February, 2015.

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Chair of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**HILLSIDE DEVELOPMENT PERMIT 12-27 (Amend.)**  
**SECOND-FLOOR REVIEW 12-10 (Amend.)**  
**SETBACK MODIFICATION 13-02 (Amend.)**  
**DIRECTOR'S MISC. REVIEW 15-08 (Flat Roof)**  
3841 Keswick Road

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Hillside Development Permit 12-27 (amend.), Second-floor Review 12-10 (amend.), Setback Modification 13-02 (amend.), Director's Misc. Review 15-08 (flat roof).
3. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
4. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the site plan labeled Hillside Development Permit 12-27 (amend.), Second-floor Review 12-10 (amend.), Setback Modification 13-02 (amend.), Director's Misc. Review 15-08 (flat roof), Sheet A102, except as otherwise stated in these conditions
5. All buildings and structures shall be of the design as shown on the elevation drawings labeled Hillside Development Permit 12-27 (amend.), Second-floor Review 12-10 (amend.), Setback Modification 13-02 (amend.), Director's Misc. Review 15-08 (flat roof), Sheets A107-A108, except as otherwise stated in these conditions.
6. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original project if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:

- a. All zoning and related approvals are effective; and
  - b. All required building and grading permits for the project have been issued; and
  - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Division of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.
7. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
  8. This approval is subject to the applicant paying all fees and assessments to the City of La Cañada Flintridge, as established by ordinance, resolution or policy of the City Council.
  9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
  10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Hillside Development Permit, Second-floor Review, Setback Modification, Director's Misc. Review (flat roof). The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
  11. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Division of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.

12. An Urban Storm Water Mitigation Plan (USWMP) is required. The approval of the USWMP by the Public Works Department and the recordation of a covenant and restriction by the property owner are required prior to the issuance of the grading and building permits. The USWMP shall address issues including, but not limited to, landscape and hardscape maintenance; fertilizer, herbicide, and pesticide applications; and sediment, oil, and grease discharges from the property.
13. All work shall comply with City Ordinance 313 (Chapter 9.14 of the Municipal Code). A Building Debris Management Report (BDMR) is required to provide documentation that verifies a minimum of fifty (50) percent of the debris or material generated was diverted from a landfill. A Construction and Demolition Recycling Tool Kit with the BDMR is available at the Public Works Department. A performance security is required prior to the issuance of the grading and building permits.
14. All construction/contractor parking shall be on-site only. At the time of approval, if it is deemed by the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.
15. All work in the public right-of-way shall conform to City standards, codes, and requirements.
16. Any damage to existing public improvements shall be removed and replaced to the satisfaction of the Director of Public Works.
17. An encroachment and/or excavation permit is required for all work with the public right-of-way.
18. No above ground structures shall be constructed in the public ROW.

19. The area between the right-of-way and curb shall have a 2% to 4% slope graded to drain towards the street.
20. The new driveway aprons shall conform to the provisions of Chapter 8.01 of the Municipal Code and the Standard Plans for Public Works Construction (SPPWC), latest edition.
21. Project plans should include all relevant Storm Water Pollution Control Measure notes. If project construction is going to extend into the rainy season, a wet weather Erosion Control Plan will be required.
22. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Commission for additional review and approval prior to permit issuance.

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