

# CITY OF LA CAÑADA FLINTRIDGE

## PLANNING COMMISSION STAFF REPORT

February 13, 2018 Meeting

### Applicant:

EIS Studio / Eva Sobesky  
216 Main Street, Suite B  
Venice, CA 90291

### Case Type / Number:

Variance 17-08

### Property Owner:

Sok Nam  
4201 Mesa Vista Drive  
La Canada Flintridge CA 91011

### Site Address:

4201 Mesa Vista Drive

### Case Planner:

Chris Gjolme - Planner

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### 1. Request:

The project involves construction of a front yard driveway gate. A Variance is required since the gate would have less than 20 feet of stacking distance (setback) as measured from the edge of the roadway pavement along Mesa Vista Drive.

### 2. Location:

The site is one property east of the remote terminus of Mesa Vista Drive, which extends south from Descanso Drive, in the R-1-20,000 zone.

### 3. Staff Recommendation:

Staff recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

### 4. Project Size:

Lot area: 75,794 sq. ft.

Existing residence, garage, patios, etc.: 7,394 sq. ft.\*

*\*No change in floor/roofed area proposed as part of the project.*

## 5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Very Low Density Residential – Up to 2 Dwelling Units per Acre. The property is designated R-1-20,000 (Single Family Residential – 20,000 Square Foot Minimum Lot Size). The site is developed with a single-story residence and attached garage.

## 6. Environmental Impact Review:

Staff has determined that the proposed Variance is Categorically Exempt from the California Environmental Quality Act, under Sections 15303(e)(accessory structures) and 15305(a)(minor setback variances) of the Guidelines for the Implementation of CEQA.

## 7. Previous Action:

- Hillside Development Permit 14-03 (Adm.); allowed a 1,036-sq. ft. 1<sup>st</sup>-floor addition to the existing residence; approved on 3/20/2014.

## 8. Pending and Potential Actions:

Plan check and issuance of building permit.

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## 9. Staff Analysis:

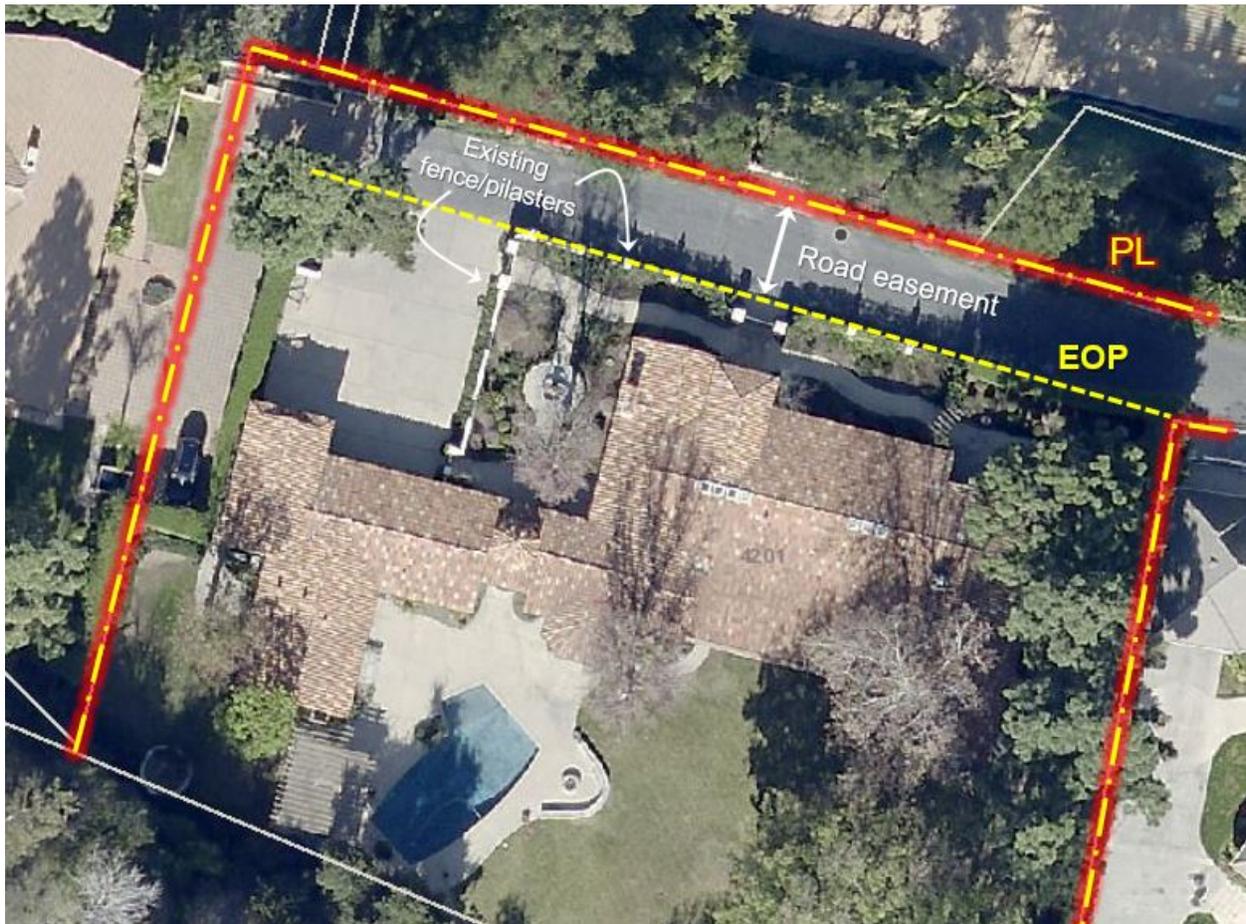
### A. Context:

The project site is located near the terminus (one property to the east) of Mesa Vista Drive, a winding and wooded private street that rises to the south as it extends from Descanso Drive.



The neighborhood is characterized by a variety of hillside lots developed with an eclectic mixture of primarily one-story homes. The property under review is a 75,794-sq. ft. hillside property with an average slope of approximately 22%, largely a product of slope to the rear of the lot. As seen from the street, the site appears reasonably flat and is developed with a rambling Mediterranean-style villa. The west end of the home is distinguished by a 4-car garage and sizable auto court. The lot's frontage along the street is considerable at over 200 feet. An attractive 6-foot wrought-iron fence and stucco pilasters spans a majority of the lot's frontage, terminating at the driveway.

Of significance is the lot's position along a private, rather than public, street. This section of the street is actually an easement over the subject lot, with the front property line along the north side of the street, not the south as it appears. As is customary, code interprets the net lot area as that contiguous portion exclusive of area within the easement. Further, the front property line defaults to the edge of pavement (EOP). The following exhibit is purposeful in understanding the configuration of the subject lot.



#### B. Project Description:

The scope of the project is limited a new sliding driveway gate near the west end of the property. It would be set back approximately 3'-5" from the existing edge of pavement to align with an existing pilaster serving a pedestrian entry at the northeast corner of the driveway. With a setback of less than 20 feet from the roadway's edge of pavement (there is no curb/gutter), Variance approval is required.

The driveway gate would achieve a width of 23 feet, wider than usual, but commensurate to the lot's large auto-court that serves a 4-car garage. However, with a proposed width more than 20 feet, the 3-foot excess also falls within the scope of the Variance review. Gate composition would be straightforward wrought iron, achieving a height of 6 feet as allowed

by code.

A 23-foot span of new fencing to the west is also proposed to accommodate the gate. It would match the composition (low wall, pilaster and wrought iron) of existing fencing that defines a majority of the lot's frontage to the east. This aspect of the project is exempt from the Variance. It would, however, require Fence Review and staff approval at a later date, should the Variance be approved (absent the driveway gate, this section of fencing becomes unnecessary and would not likely be pursued.)



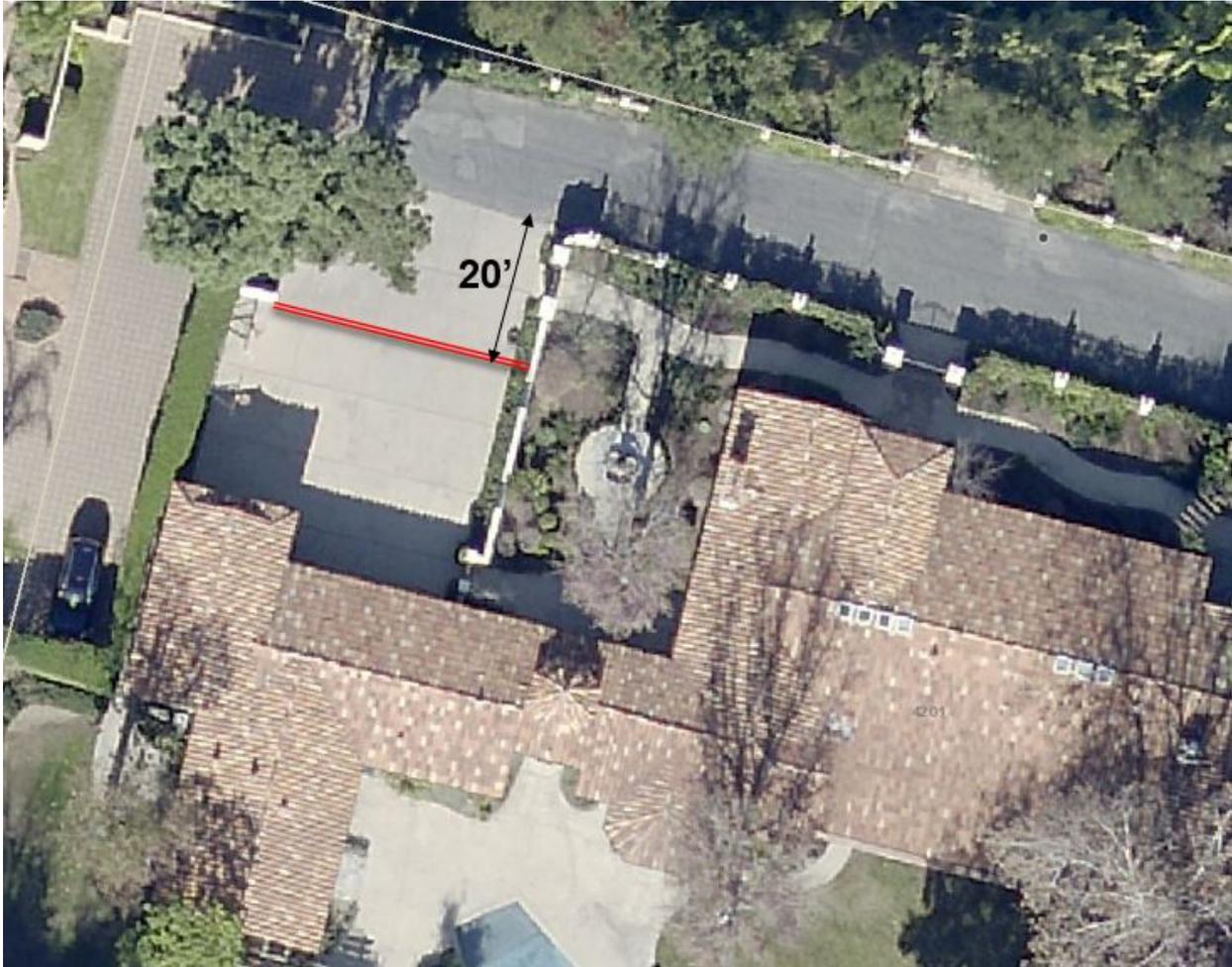
C. Variance:

*Driveway gate location*

As noted in the context section, the property's location is somewhat unique; located near the end of a private street that is contained within a greater easement that crosses over the subject lot. As a result, the front property line runs along the far edge of the easement – across the street – as opposed to along the inside edge of the street or roadway as is customary. Generally, the parkway of a public street (distance between the curb and front property line) will contribute to the required driveway stacking distance, which is typically measured to the curb. In the case of the subject lot, there is no parkway, and the burden of the 20-foot stacking distance is entirely upon the subject private property.

The house's siting and configuration is also worthy of note; the garage's deep recess from the primary residence has afforded creation of a large auto-court that extends to the street as opposed to a smaller and narrower driveway typical of most residential properties.

Imposition of the stacking setback for the new driveway gate seems severe considering it would create an obstruction that awkwardly bisects the mid-section of the auto-court (photo below), visually emphasized from longstanding existing fencing along the edge of pavement that would be retained to the east and extended to the west through the Fence Review process.



Perhaps most importantly, the vehicle stacking setback was created to ensure that at least one car could be positioned off the street while waiting for driveway gate(s) to open, an obvious safeguard for residential traffic found along most streets within the City. Clearly, Mesa Vista Drive is not a typical street nor are its daily traffic volumes. This aspect is more persuasive in the case of the request given the much lesser volumes at the end of the street. With this said, 'functional' turn-around space should continue to be provided after installation of the gate. With its 3'-5" recess from the south edge of the roadway and alignment with an interior pilaster, approximately 22 feet between the face of the gate and north edge of the roadway would result. Typically, 24 feet is sought for adequate turn-around space, and staff believes the project should be held to the minimum, achievable through minor repositioning of the gate and/or removal of landscaping along the north edge of the roadway. With this, staff does not anticipate an

adverse traffic impact that would result from driveway gate siting as proposed.

Staff acknowledges that the hardship presented is somewhat marginal, but it is weighted against very negligible offsite effects given the unique character of the street and location of the subject home – adjacent homes to the east at 4202 and 4204 Mesa Vista Drive have front yard driveway gates that do not provide the requisite stacking distance (below), and in both instances, an oppressive effect on the street setting is not apparent.



#### *Driveway gate width*

Although several unique characteristics relative to the street, site and residence validate the location of the new driveway gate, comparable justification for the excess gate width is not apparent in staff's estimation. In short, there does not appear to be an appreciable benefit, in terms of function or aesthetics, from 3 feet of additional gate width proposed as part of the request. As such, staff would recommend limiting the new gate to 20 feet in width per code. The resolution has been fashioned taking this into account and acknowledges only a reduction to required stacking distance.

#### *Findings*

- 1. This request shall not constitute a grant of special privilege of development or use which is inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated.**

The project will remain a single-family use, with driveway function and appearance comparable to that found on other properties in the area. Thus, the requested deviation from code is reasonable given the unique character of the site and area. Staff supports the finding.

- 2. Due to special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the subject property is**

**deprived of the privileges enjoyed by other properties in the vicinity and under identical zone classifications.**

The subject property's location near the end of private street ensures minimal traffic and reduces the need to provide compliant stacking distance for vehicles entering the property. The setting along a private street also eliminates the public parkway area that typically contributes to the stacking requirement. Primary exposure of the driveway gate would be to the north, where there are no proximate homes across the street. The nearest home is positioned well below street level and takes access from a different section of Mesa Vista Drive, thereby negating potential traffic conflicts. Lastly, the garage's deep setback has allowed creation of a large auto-court that extends to the edge of pavement, which application of a 20-foot setback for a new driveway gate would awkwardly bisect and unduly constrain. Along the course of the subject street, other gates and entry structures are found that do not provide compliant stacking distance; thus, absent relief, the project would be deprived of privileges afforded to other properties in the area. Staff supports the finding.

**3. The granting of such Variance will not be contrary to the objectives of any part of the adopted General Plan.**

The scope of the project is limited to the location of a new driveway gate on an existing R-1 property along a private street characterized by very low traffic volumes and level of service "A", which would not be affected by the request. Absent significant traffic or safety concerns, the project is consistent with the objectives of the Land Use Element and Circulation Element of the City's General Plan. Staff supports the finding.

**4. The granting of such Variance will not be materially detrimental to the public welfare or injurious to other properties or improvements in the vicinity and zone in which the subject property is located.**

Reduced stacking distance between the driveway gate and private roadway would have no significant adverse impact in terms of traffic or circulation considering the remote location of the subject lot near the end of a seldom-traveled private street. Staff supports the finding.

**5. The project preserves the existing scale and character of the surrounding neighborhood and protects public views and aesthetic values and other property values in the neighborhood.**

The driveway gate would extend from a longstanding front yard fence that spans a majority of the site's frontage, with little off-sight visual effect given its low height and wrought-iron composition. It is not of the size or scale to impact the character of the surrounding neighborhood and would have no impact on views or other aesthetic considerations. Staff supports the finding.

D. Recommendation:

Based on the above discussion, staff believes that the request is appropriate for the site and area, and recommends that the Variance **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

*C: EIS Studio-Eva Sobesky / 216 Main Street, Suite B / Venice, CA 90291  
Sok Nam / 4201 Mesa Vista Drive / La Canada Flintridge CA 91011  
Martin Burton / 2026 Hilldale Drive / La Canada Flintridge, CA / 91011*

# CITY OF LA CAÑADA FLINTRIDGE

## RESOLUTION NO. 18-xx

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF LA CAÑADA FLINTRIDGE  
APPROVING VARIANCE 17-08  
TO ALLOW A NEW DRIVEWAY GATE  
WITH LESS THAN 20 FEET OF VEHICLE STACKING DISTANCE  
AS MEASURED TO THE EDGE OF A PRIVATE ROADWAY  
AT 4201 MESA VISTA DRIVE  
AS REQUESTED BY  
EIS STUDIO / EVA SOBESKY  
ON BEHALF OF  
DR. SOK NAM**

**WHEREAS**, a request by EIS Studio/Eva Sobesky on behalf of Dr. Sok Nam has been received for a Variance to allow a new driveway gate with less than 20 feet of vehicle stacking distance as measured to the edge of a private roadway, said request attached hereto and incorporated herein by reference; and

**WHEREAS**, the Planning Commission, on February 13, 2018, after posting and publication in the prescribed manner, held a public hearing and conducted a review of the request; and

**WHEREAS**, in compliance with the California Environmental Quality Act (CEQA), the Planning Commission has reviewed the Initial Study Questionnaire and related materials and hereby determines that the project is Categorically Exempt from the California Environmental Quality Act under Sections 15303(e)(accessory structures) and 15305(a)(minor setback variances) of the Guidelines for the Implementation of CEQA.

**WHEREAS**, the Planning Commission has reviewed the facts contained in the staff report dated February 13, 2018, regarding the application for a Variance at 4201 Mesa Vista Drive, 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 hereby finds and determines as follows:

### Section 1:

#### *Notice of Exemption*

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's Local CEQA Guidelines, the City staff prepared a Notice of Exemption for the project.

City staff determined that there was no substantial evidence that the project would have a significant effect on the environment. Based on that determination, a Notice of Exemption was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Notice of Exemption.

2. The Planning Commission has reviewed the Notice of Exemption and all comments received regarding the Notice of Exemption and, based on the whole record before it, finds: (i) that the Notice of Exemption was prepared in compliance with CEQA; and (ii) that there is no substantial evidence that the project will have a significant effect on the environment. The Planning Commission further finds that the Notice of Exemption reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Notice of Exemption.
3. The custodian of records for the Notice of Exemption and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Director of Community Development of the City of La Cañada Flintridge. Those documents are available for public review in the Planning Department of the City of La Cañada Flintridge located at 1327 Foothill Boulevard, La Cañada Flintridge, California, 91011, telephone (818) 790-8881.

## Section 2:

### *Variance*

1. This request shall not constitute a grant of special privilege of development or use which is inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is situated because the project will remain a single-family use, with driveway function and appearance comparable to that found on other properties in the area. Thus, the requested deviation from code is reasonable given the unique character of the site and area.
2. Due to special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the subject property is deprived of the privileges enjoyed by other properties in the vicinity and under identical zone classifications because the subject property's location near the end of private street ensures minimal traffic and reduces the need to provide compliant stacking distance for vehicles entering the property. The setting along a private street also eliminates the public parkway area that typically contributes to the stacking requirement. Primary exposure of the driveway gate would be to the north, where there are no proximate homes across the street. The nearest home is positioned well below street level and takes access from a different section of Mesa Vista Drive, thereby negating potential traffic conflicts. Lastly, the garage's deep

setback has allowed creation of a large auto-court that extends to the edge of pavement, which application of a 20-foot setback for a new driveway gate would awkwardly bisect and unduly constrain. Along the course of the subject street, other gates and entry structures are found that do not provide compliant stacking distance; thus, absent relief, the project would be deprived of privileges afforded to other properties in the area.

3. The granting of such Variance will not be contrary to the objectives of any part of the adopted General Plan because the scope of the project is limited to the location of a new driveway gate on an existing R-1 property along a private street characterized by *very* low traffic volumes and level of service "A", which would not be affected by the request. Absent significant traffic or safety concerns, the project is consistent with the objectives of the Land Use Element and Circulation Element of the City's General Plan.
4. The granting of such Variance will not be materially detrimental to the public welfare or injurious to other properties or improvements in the vicinity and zone in which the subject property is located because reduced stacking distance between the driveway gate and private roadway would have no significant adverse impact in terms of traffic or circulation considering the remote location of the subject lot near the end of a seldom-traveled private street.
5. The project preserves the existing scale and character of the surrounding neighborhood and protects public views and aesthetic values and other property values in the neighborhood because the driveway gate would extend from a longstanding front yard fence that spans a majority of the site's frontage, with little off-sight visual effect given its low height and wrought-iron composition. It is not of the size or scale to impact the character of the surrounding neighborhood and would have no impact on views or other aesthetic considerations.

Section 3:

NOW, THEREFORE, be it resolved that the Planning Commission approves Variance 17-08 at 4201 Mesa Vista Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 13<sup>th</sup> day of February, 2018.

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Chair of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**VARIANCE 17-08**  
4201 Mesa Vista Drive

*Standard Conditions:*

1. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the plot plan submitted, labeled Lot Line Variance 17-08.
2. Within 30 days hereof, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgement of the conditions stated herein on forms provided by the Planning Department.
3. 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.
4. Unless recordation is achieved not later than 12 months after this approval is granted and is diligently pursued thereafter, this approval will automatically become null and void. However, if the zoning ordinance and land use provisions are unchanged as they affect this project, 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.
5. All applicable requirements of any law, ordinance, or regulation of the State of California, City of La Cañada Flintridge, and any other governmental entity shall be complied with.
6. This approval is subject to the applicant paying all fees and assessments to the City of La Cañada Flintridge, as required by Ordinance.
7. 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 shall be required 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.
8. 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 Variance. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.

9. 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.

*Planning Conditions:*

10. Fence Review approval shall be required prior to issuance of building permits for the fence and/or driveway gate.
11. Driveway gate width shall not exceed 20 feet per code.
12. A minimum of 24 feet of turn-around space shall be provided between the face of the driveway gate and north edge of the roadway, clearly demonstrated on a revised plan to be reviewed and approved by the Director of Community Development prior to plan check submittal.
13. Fire Department review and approval of the project shall be verified prior to plan check submittal.

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