

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT (updated)

January 10, 2017 Meeting

Applicant:

Tae Lee
4430 W. Pico Blvd.
Los Angeles, CA 90019

Case Type / Number:

Hillside Development Permit 16-14
Second-Floor Review 16-12
Setback Modification 16-04

Property Owner:

Young Ran Yi
4544 Daleridge Road
La Cañada Flintridge, CA 91011

Site Address:

4544 Daleridge Road

Case Planner:

Chris Gjolme ~ Planner

1. Request:

The request is for a Hillside Development Permit and Second-floor Review to allow 1st and 2nd-floor expansion of an existing single-story residence, including a new 917 sq. ft. second floor. A Setback Modification is also requested to retain the existing **garage's 5'-8" north side setback and residence's 5'-4" south side setback**, which is below the 6-foot requirement for the lot. Pursuant to the City of La Cañada Flintridge Zoning Ordinance, the removal of more than thirty (30) percent of the existing roofed-area to accommodate the **second-floor addition qualifies the existing structure as "new"**. **As such, any nonconformities on site must be brought into compliance with current code through removal or approval via the appropriate entitlement.**

2. Location:

The project site is located along the east side of Daleridge Road, between Foothill Blvd. and Baptiste Way, within the R-1-7,500 zone.

3. 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:	10,090 sq. ft.
Existing residence and garage:	1,706 sq. ft.
Proposed 1 st -floor addition:	954 sq. ft.
Proposed 2 nd -floor:	917 sq. ft.
Total:	3,577 sq. ft.
FAR:	0.35

5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Medium Density Residential – up to 8.7 Dwelling Units per Acre. **The property's zoning designation is R-1-7,500** (Single Family Residential, 7,500 Square Foot Minimum Lot Size). The lot is presently developed with a single-story residence, garage, swimming pool and spa.

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the State Guidelines and under Section 2.5(a)(4)(ii)(additions) and **2.5(e)(1)(minor variances) of the City's Local CEQA Guidelines.**

7. Previous Actions: No prior discretionary review or entitlements granted by the City. However, possible illegal garage conversion to habitable space and exterior washer and dryer installation have occurred. Both would be remedied by the project.

8. Pending and Potential Action: Structural Plan Check, Los Angeles County Fire Department approval and issuance of building permits.

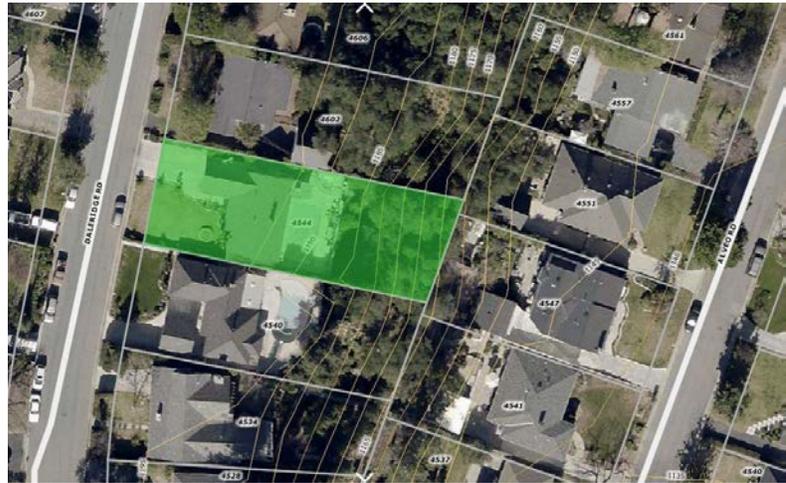
9. Staff Analysis:

A. Context:

The main section of Daleridge Road extends north from Foothill Blvd. along a subtle curvature before intersecting with Baptiste Way. Crown Avenue, perhaps the main street **through the City's "Rancho" district, is to the west. Alveo Road is to the east at a significantly lower elevation.** As a result, a number of properties along the east side of Daleridge exhibit slopes to the rear, with many qualifying as hillside lots, including the subject parcel.

The lot falls approximately 25-30 feet before terminating to the rear, where the property at 4547 Alveo Road is adjacent. Sloped area comprises the rear 1/3 of the lot and yields an overall average slope of 18%, above the 15% hillside threshold. The slope is wooded, as are rear slopes on most neighboring lots, and precludes major downward views into properties along Alveo Road.

The site is currently developed with a modest one-story home and a pool and spa to the rear. A 4-foot retaining wall beyond the pool delineates the main pad area. An attached garage (to be restored) extends toward the street and is met by a driveway along the north side of the lot.



As is the case with many homes in this area given their construction in the 1940s-1950s, the home provides 5-foot +/- side setbacks, below the **6-foot requirement based on the lot's 60-foot width**. A more significant non-conformity is to the south, where **the existing home's tall gable clips the angle-plane**. Although the **home's** side setbacks are sought for retention as part of the project, this section of the roof would be revised to provide angle-plane clearance. A similar tall gable to the north, where angle-plane clearance is likely provided, would also be removed.

Within the immediate area, some variation in parcel size and lot size is apparent, as is diversity in the design of existing residences. With just over 10,000 sq. ft. of area, the site is larger than properties along both sides of the street to the south. To the north, lot sizes increase, with several neighboring lots in excess of 11,000 sq. ft.

The immediately adjacent structures (4540 and 4602) are single story and of traditional design, as are most homes along the east side of the street. Staff would note that the existing house and detached garage at 4602 Daleridge employ steep gables taller than most one-story homes in the area. Across the street to the west, however, several larger 2-story homes and single-story residences that exhibit different architectural styles are visually proximate to the site. Although staff would not consider the area to be highly eclectic, it is also not regarded as uniform.

Properties and homes in the area vary in size and FAR as illustrated below:

Address	Lot Size	House Size*	FAR	# of Stories
4541 Alveo Road	7,800 sf	1,604 sf	0.21	1
4547 Alveo Road	7,800 sf	2,413 sf	0.31	2
4551 Alveo Road	7,800 sf	1,982 sf	0.25	1
4521 Daleridge Road	7,500 sf	1,649 sf	0.22	1
4524 Daleridge Road	7,775 sf	1,180 sf	0.15	1
4527 Daleridge Road	7,880 sf	1,992 sf	0.25	1
4528 Daleridge Road	7,270 sf	1,386 sf	0.19	1
4533 Daleridge Road	8,040 sf	1,714 sf	0.21	1
4534 Daleridge Road	7,860 sf	1,989 sf	0.25	1
4539 Daleridge Road	7,686 sf	2,035 sf	0.26	1
4540 Daleridge Road	9,550 sf	1,571 sf	0.16	1
4545 Daleridge Road	7,874 sf	1,322 sf	0.17	1
4602 Daleridge Road	10,630 sf	1,336 sf	0.13	1
4603 Daleridge Road	8,392 sf	2,312 sf	0.28	2
4606 Daleridge Road	11,171 sf	1,222 sf	0.11	1
4607 Daleridge Road	8,290 sf	3,935 sf	0.47	2
4612 Daleridge Road	11,712 sf	1,874 sf	0.16	1
4613 Daleridge Road	9,830 sf	2,552 sf	0.26	1
4616 Daleridge Road	11,020 sf	1,224 sf	0.11	1
4619 Daleridge Road	11,280 sf	3,689 sf	0.33	2
Average:	8,858 sf	1,949 sf	0.22	n/a
<i>*4544 Daleridge Road</i>	<i>10,090 sf</i>	<i>3,177 sf</i>	<i>0.31</i>	<i>2</i>

**Project site – floor area figures DO NOT include garages and other exterior covered area and are intended for general comparison only.*

B. Project Description:

The existing 1,706 square foot single-story residence would be expanded by just under 1,900 sq. ft. square feet, most notably through introduction of a new 917 sq. ft. 2nd floor. A Hillside Development Permit and Second-floor Review are accordingly required.

At the first-floor level, interior remodeling and expansion to the front and rear is proposed. The house would be extended forward to create a new bedroom and entry. These additions, however, would be recessed from the garage, which would provide compliant parking space and a 25-foot front setback. A majority of the 1st-floor expansion would be to the rear, where a new living room and dining room are proposed. Beyond, a new deck spanning the width of the rear elevation would be created. Expansion to the rear would necessitate removal of the existing pool and spa. The first-floor additions would

provide **compliant 9'-8"** and 6-foot side setbacks to the north and south and would increase the size of **the building's footprint to 2,660** sq. ft.

A new second-floor, totaling 917 sq. ft., is proposed and would include two bedrooms and bathrooms. Similar to the deck at the 1st-floor level, a large unroofed patio would flank the 2nd floor to the rear. The patio would be partially sunken into the 1st-floor roof and would include a small storage room at the south end. A code-compliant 12-foot side setback is proposed to the south. To the north, the 2nd-floor side setback would increase to 15 feet. As a result of the second-floor addition, the overall height of the building will **increase to 25'-7" as seen from the street. The lot's subtle slope to the east would yield a lower datum point to the rear, from which an overall maximum height of 27'-11"** would be reached, within the 28-foot hillside limit.

As already mentioned, more than 30% of the existing roof/floor area will be removed to accommodate the 2nd floor. Considerable demolition will also occur at the 1st-floor level **to facilitate proposed expansion. As such, the project clearly constitutes "new"** construction, an implication of which involves remediation of **the home's** encroachments into the north and south side setbacks. **Since the existing 5'-8" and 5'-4"** setbacks are sought for retention as part of the project, a Setback Modification is also requested.

The development would result in a total floor area of 3,577 sq. ft., within the 3,620 sq. ft. maximum allowed for the 10,090 sq. ft. lot. In all, the project compares with code standards as follows:

	STANDARD	EXISTING	PROPOSED
Floor Area:	3,620 sf	1,706 sf	3,577 sf
Front SB:	25 feet	25 feet	25 feet
North Side SB			
1 st floor:	6 feet	5'-8"	5'-8"
2 nd floor:	12 feet	n/a	15 feet
South Side SB			
1 st floor:	6 feet	5'-4"	5'-4"
2 nd floor:	12 feet	n/a	12 feet
Rear SB:	15 feet	75 feet	66 feet
Height:	28 feet	18 feet	27'-11"

C. Hillside Development Permit and General Plan:

Discussion

Goal 4 of the General Plan Land Use Element pertains to Hillside Areas:

Maintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources.

Supporting this goal are the following objectives and policies:

Objective 4.1: New development and/or remodeling of existing structures and property will be designed, constructed, and maintained to preserve important views, topographic and other natural features, and the semi-rural character of the City's hillsides.

Policy 4.1.1: Preserve ridgelines, natural slopes, knolls, canyons, and bluffs in their natural state to protect important views and topographic and other natural features.

Policy 4.1.3: Ensure that development preserves the City's natural environment, setting, and viewsheds, through design, siting, and construction that avoids obtrusive breaks in the natural skylines and minimizes the visual impact of grading, intrusion of highly visible cut and/or fill slopes, building and roof lines, and/or roadway surfaces.

Policy 4.1.5: Continue to implement the City's Hillside Development Chapter of the Zoning Ordinance, which establishes standards to minimize landform alteration, preserve significant environmental features, and control development densities.

Policy 4.1.6: Encourage residences developed in hillside areas to be designed, landscaped, and built of materials that blend with the existing environment; use of bright or reflective surfaces will be disallowed.

Objective 4.2: Ensure that hillside development will be designed, constructed, and maintained to minimize natural and human-made safety hazards to persons and property.

Policy 4.2.1: Require that development in hillside areas be designed and constructed in such a manner as to avoid flooding, mudslides, erosion, and subsidence to residents and structures on or near hillside areas as well as downstream of any project.

Policy 4.2.2: Ensure that the appropriate goals, objectives, policies, and implementation programs in the Safety and Conservation elements are applied to hillside development.

Policy 4.2.3: Discourage development in areas of known slope instability and/or high landslide risk.

This is further supported in the Hillside Development Ordinance, Section 11.35.020.a, which states:

Existing community character, as defined by such factors as visual appearance, density, road widths and vegetation shall be preserved and/or enhanced.

Although the project site and several lots along the east side of Daleridge Road qualify as hillside properties, the streetscape and immediate area does not present itself as a typical hillside neighborhood. This is largely because the slope down to properties along Alveo Road intervenes to the rear and has no significant contribution to the visual character of the street. The slope is actually viewed more prominently from properties along Alveo Road.

The size of the 2nd-floor addition is reasonable, as is the provision of two new bedrooms, while the overall scale of the house, though heightened through introduction of a new 2nd floor, would not be excessive. Visibility of the 2nd floor would be primarily from the immediate street frontage and immediately adjacent lots to the north and south. As seen from these properties, the 2nd floor would present a compact form of limited depth and compliant height with a lone window proposed on the north elevation. Significant street views beyond the site, beyond that of open sky, are not possible from any vantage point, and excessive massing is not presented, thus the primary safeguards of hillside review are ensured.

Section 11.35.046.C - Architectural Design Guidelines – of the Hillside Ordinance discourages overall symmetry. As seen from the front, the expanded home would appear fairly symmetrical; a product of gabled bays flanking a central entry at the 1st-floor level and a central bathroom bay atop at the 2nd-floor level. Variation in the depth **and height of the main bays is provided, including the north bay's obvious distinction as** a garage, so the appearance of symmetry may be negated somewhat upon actual construction. Moreover, staff regards stringent application of the guideline as unnecessary considering the disassociation between the private rear slope and public streetscape, and resulting lack of the unique nuances and features associated with hillside neighborhoods.

Another aspect of the project involves modulation of the south façade at the 1st-floor level. With retention of the **existing 5'-4" side setback, if approved as part of the** requested Setback Modification, two recesses would result since the additions at the front and rear would provide compliant 6-foot side setbacks. Although the depth of the **resulting recesses would be only 8", these two breaks along an otherwise lengthy south** façade are worthy features of the overall design.

In summary, the project would expand the existing residence in an appropriate manner, without significantly disturbing the site, and would not introduce unreasonable bulk or unduly impact the character of the area, thus achieving consistency with the Hillside Ordinance and upholding **the spirit of the City's General Plan. Positive Hillside findings** are recommended accordingly:

Findings

1. The project, through elements of architectural and landscape design, will enhance its setting.

The proposed additions are of modest size and visual scale and would be appropriately integrated into the existing structure while sloped wooded area to the rear and adequate landscaped area to the front would be preserved. Staff supports the finding.

2. The project will maximize potential for sensitive use and effective preservation of open space.

Overall density would be increased, in part through creation of a new 2nd floor, but would **remain within standard limits for the lot, while a majority of the site's open space**, including the sloped rear yard area and its inventory of oak trees, would not be affected by the proposed additions. Staff supports the finding.

3. The project will not be detrimental to the public health, safety, or general welfare.

The project will not be detrimental to the public health, safety, or general welfare because the project consists of modest additions to an existing single-family residence currently served by adequate public facilities and no aspects of the improvements would pose a public detriment. Staff supports the finding.

4. The project will not adversely affect the orderly development of property within the City.

The additions to the subject residence are consistent with the single-family residential character of the property, within density standards and compatible with the general character of the area. Staff supports the finding.

5. The project will conform to the goals and policies set forth in the General Plan.

The scope of the additions is reasonable while the single-family use of the property and character of the site and area would be maintained, consistent with the direction of the **City's General Plan. Staff supports the finding.**

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.

The project enhances the existing residential use through garage restoration and creation of an internal laundry room, and, as sited and designed, will not create any service or enforcement problems in the neighborhood. Staff supports the finding.

7. There are special conditions or unique characteristics of the subject property and its location or surroundings which justify exceeding one or more of the provisions set forth in this Chapter to permit project development.

A combination of the addition's understated design and modest size, and non-hillside character of the streetscape allow for a compact and fairly symmetrical design without adverse offsite impacts. Staff supports the finding.

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.

The project would expand the residence through creation of a 2nd floor of modest size and visual scale, which, along with removal of existing high gables presented to the north and south, would preclude the presentation of excessive bulk as seen from any vantage point. Staff supports the finding.

9. The project does not create an avoidable or unreasonable impairment of the view from any other property.

The addition would increase the height of the house as seen mainly from the front and sides. Views would not be unreasonably impacted considering the modest size and height of the addition and lack of significant view corridors over and beyond the subject lot. Staff supports the finding.

D. Second-Floor Review:

Discussion

While the area is composed primarily of single-story homes, 2-story homes are apparent along both sides of Daleridge Road. The request, despite the change to the longstanding character of the property, is suited to the site and is not significantly discordant with the character of the area largely due to **the home's understated style and modest size of the new 2nd floor.**

The existing residence and garage totals 1,706 square feet. Based on the size of the lot, a total of 3,620 square feet of total roofed area is permitted. With the additions as proposed, the total roofed area will be 3,577 square feet or 35.5 percent of the lot area. This is compliant with current codes and comparable to several other houses in the vicinity.

The overall building height and bulk will ultimately increase, as is the case with any new second floor. Since the neighboring properties are single story points of reference, the new second-floor addition will be noticeable. The second-floor will be set back 42 feet from the front property line, well beyond the forward-projecting garage, which will aid in reducing the visual bulk as seen from the street. Since the lot qualifies as a hillside lot, maximum building height is limited to 28-feet. This is lower than the standard 32-foot maximum for two-story homes on larger lots. The height of the residence will increase to **25'-7" as seen from the front and 27'-11" to the rear, compliant with current code.**



At the second-floor level, use of windows to the sides would be minimal in consideration of neighboring homes. A lone bathroom window is proposed along the north elevation, where a 15-foot 2nd-floor setback is proposed, 3 feet above the 12-foot requirement. The northerly neighbor has expressed privacy concerns, and, though specific to a single window, frosting is regarded as a reasonable safeguard. To the south, windows are not proposed at the 2nd-floor level. The resulting façade is somewhat stark in appearance and some thought should be given to introduction of a clerestory/transom window for relief. Textural detail is provided to the front and rear through use of stucco and wood siding, and a subtle color change may aid in emphasizing the transition.

The south half of the front yard would continue to be comprised of minimal landscaping. As such, there is an opportunity **to install a 24" or 36"-box tree** to ensure partial screening of the expanded house as seen from the street. The resolution includes this as a

recommendation at this point. Should the Commission regard the tree as necessary, it would be changed to a requirement.

As mentioned, a large patio is proposed along the rear elevation at the 2nd-floor level. Its partially sunken configuration would reduce exposure during use. To the north, the patio would relate mainly to the driveway and over-height detached garage serving the **home at 4602 Daleridge Road. The patio's interface to the south is more sensitive given** the proximity of rear yard pool and patio area at 4540 Daleridge Road. Accounting for this is a storage room projection that would form a structural barrier along the south end of the patio, thereby curbing views and potential privacy impacts. The patio is clearly oriented to the rear of the subject lot, where a combination of distance and wooded topography would adequately mitigate view and privacy impacts toward the east.

Findings:

1. The two-story design includes adequate setbacks, screening and modulation.

The second-story addition is setback over 40 feet from the front property line, 15 feet beyond the minimum 25-foot front yard setback requirement for the lot. More importantly, it would be recessed from the single-story garage and bedroom portions of the residence. The new second-floor provides the required 12-foot second-floor side yard setback to the south and a 15-foot setback to the north, in excess of the requirement for the lot. To the rear, a wooded slope would be preserved while landscape enhancements to the front and sides of the residence are possible. The additions exhibit minimal modulation, but are consistent with the existing residence in terms of massing and detail. Staff supports the finding.

2. The two-story design preserves the existing scale and character of the surrounding neighborhood.

Although positioned between single-story structures, the new two-story design is compatible with the existing neighborhood. This can be seen through the presence of three other two-story residences located on the west side of Daleridge Road. Due to the size and hillside qualification of the lot, the proposed height will **range between 25'-7"** and 28 feet, consistent with the maximum permitted height of 28-feet. In addition to average structure height below the limit for the site, the second-floor addition is recessed from the 1st floor to the front in order to reduce the impression of new mass and to preserve the character of the existing neighborhood. Staff supports the finding.

3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors.

The area is not conducive to significant public views above and beyond the site. While the overall height and the size of the existing structure will increase, the proposed 2nd-floor addition is reasonable in size and scale and compliant with regard to floor area, setbacks and height. The house to the south of the project site would potentially be the most impacted as it is single-story with rear yard pool and patio area near the common property line; however, the south elevation of the second-floor addition has been designed without windows to preserve the privacy of this neighbor. In addition, a 2nd-floor patio along the rear elevation would be partially sunken to limit exposure during use. It would also include a storage room along the south end, the effect of which is a structural barrier that would preclude direct views to the south. Similarly, only a single bathroom window is proposed along the north elevation. The patio would orient mainly to the rear of the lot, where a sloped, wooded bank would continue to buffer views to the east. Based on the limited number and placement of new windows and the siting/design of the patio, no significant impacts are anticipated because of the project. Staff supports the finding.

4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council.

The scale, massing and materials utilized for the additions will be consistent with the **existing structure. The City's Residential Design Guidelines were applied to the project** to achieve a design, which, through minimalist massing, compliant setbacks and overall height, would have negligible impacts as observed from neighboring properties and from the public right-of-way. Staff supports the finding.

E. Setback Modification:

Discussion

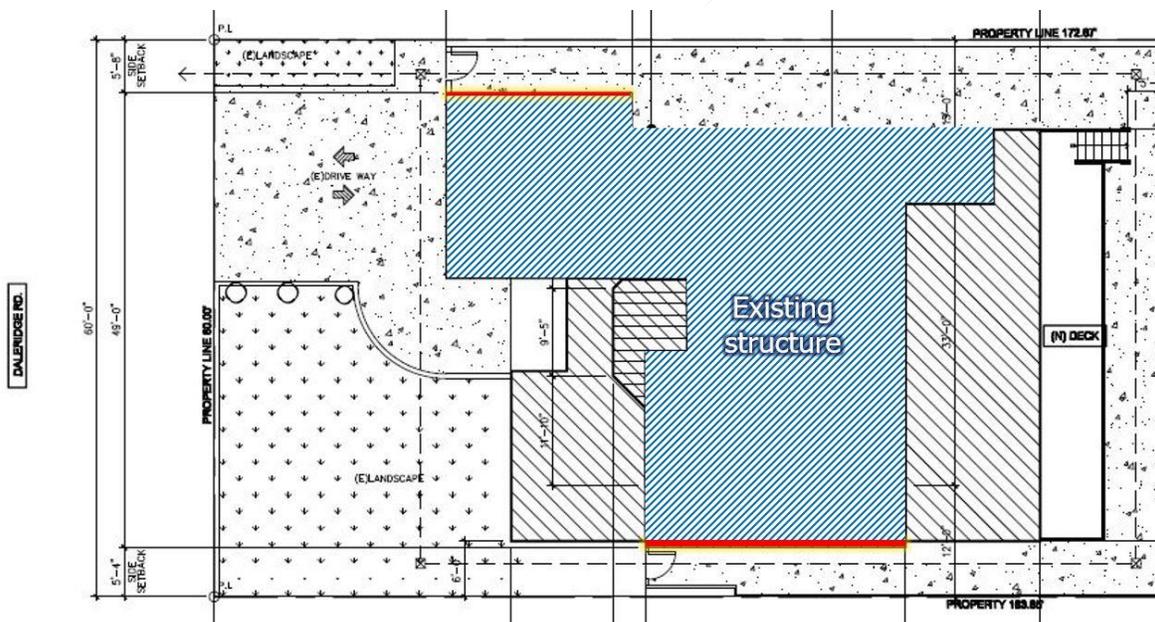
The existing structure exhibits two encroachments; **the garage is set back 5'-8"** from the north side **property line, 4"** below the 6-foot side setback requirement for the lot. **To the south, the residence provides a 5'-4" side setback, 8"** below the 6-foot requirement. Due to removal of more than 30 percent of the existing roofed-area to accommodate the **second floor, the entire project is considered "new". Based on this, the applicant is** required to bring the garage and residence into compliance with current code through provision of a 6-foot side setbacks.

In assessing the Setback Modification for the garage, staff has confirmed several comparable encroachments within the immediate area, including the detached garage adjacent to the north, which also appears to exhibit excess height and a possible angle-

plane encroachment. In addition, this property is served by a driveway along the south side which combines with a tall hedge to form an ample buffer.

The remainder and majority of the structure along the north side is recessed from the **garage and provides a 9'-8" side setback, almost 4 feet above the requirement for the lot.** Thus, a minimum average north side setback greater than 7 feet is provided, above the 6-foot requirement for the lot. The average setback would be slightly greater if weighted relative to the respective spans of the garage and house, since the house constitutes almost 2/3 of the north elevation. Expansion of floor area is not proposed in this area. Thus, while the **garage's non-conforming 5'-8" side setback** is sought for retention, so too is the **home's surplus 9'-8" side setback.**

To the south, expansion of the house is proposed to the front and rear. These new areas would provide compliant **6-foot side setbacks.** **Retention of the 5'-4" setback** along what would become the mid-section of the structure would yield a variable setback along a somewhat lengthy façade. Staff regards these two recesses as beneficial modulation that would contribute to the overall character of the remodeled home. Again, removal of the high gable that looms to the south is regarded as significant remedy with regard to **the structure's non-conforming status** since notable visual relief would result. Contrarily, provision of a 6-foot setback along the entirety of the south elevation would not have a significant benefit as seen from offsite, but would **diminish the home's articulation, albeit** to a limited extent.



Irrespective of the existing encroachments, both of which are less than 1 foot (*proportionately highlighted in the above diagram*), the house would still be brought into greater compliance with code through the project. In all, staff regards retention of the side setbacks as appropriate, consistent with the intent of the R-1 zone and associated standards, character of the area and void of adverse offsite impacts.

Findings:

1. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity.

The Setback Modification would allow retention of existing encroachments of less than one foot into the required north and south side setbacks. Retention of these setbacks is compatible with existing development on the site and with other development in the immediate vicinity, in particular the adjacent property to the north. The stepped nature **of the home's north side yields an average side setback in excess of the requirement for** the lot while varied setbacks to the south allow for needed articulation along the façade. The additions will comply with current codes with respect to setbacks and will not create any new encroachments. Staff supports the finding.

2. The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone.

The requested Setback Modification would allow retention of minor encroachments with respect to the garage and residence. Importantly, side setbacks in excess of 5 feet, the City minimum, are would continue to be maintained. No new structural encroachments are proposed as part of the project. This will not grant a special privilege since other properties in the immediate vicinity are developed with primary and accessory structures that present side yard encroachments. As such, the request is considered to be consistent with the development within the neighborhood. Staff supports the finding.

3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards.

The Setback Modification is being reviewed in conjunction with a proposal to expand the existing structure at the 1st and 2nd-floor levels. The existing side setbacks for the garage and residence will be preserved, while the first and second-floor additions will be code compliant with regard to setbacks, height, angle plane, total floor area and all other applicable zoning standards. Mandating conformance to the required setback for the garage would entail demolition of a very small portion of the side of the garage and its reconstruction toward the interior of the lot, where an expanded and remodeled entry is proposed, which represents an unnecessary hardship. The situation is similar to the **south, where elimination of the existing 8" encroachment in conjunction with compliant** expansion to the front and rear would create a monotonous 60-foot long façade at the 1st-floor level. Since the encroachments are longstanding and of minimal scope, largely **unapparent from offsite, and the project is considered "new" due to removal of more** than 30 percent of the existing roof/floor area, retention of the existing encroachments is considered reasonable. Staff supports the finding.

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 located in the vicinity.

There is no evidence to suggest any impacts to public health, safety or general welfare currently exist due to the existing encroachments. The Setback Modification is being requested to maintain a minor existing encroachments in conjunction with new construction; however, no new encroachments are proposed. The garage is located 5'-8" from the north property line and benefits from the adjacency of a side yard driveway and hedge, and the inherent buffer it provides, along the south side of the neighboring property to the north. **To the south, the 5'-4" setback is similarly regarded as void of adverse offsite impacts.** The **existing 5'-8" and 5'-4" setbacks are** consistent with the side setbacks of other structures in the area, and in many cases, greater. Therefore, retention of these setbacks will have no significant impact on the use or enjoyment of adjacent properties. Staff supports the finding.

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 the neighborhood.

Retention of the side yard encroachments will have no significant visual or use impact on the expanded residence or the surrounding neighborhood due to longstanding nature of the structure in question, minimal extent of the encroachments (less than one foot) and lack of offsite impact. New encroachments are not proposed as part of the 1st and 2nd-floor additions. **As such, given the Setback Modification's limited scope in relation to the overall project, the existing scale and character of the surrounding neighborhood will be preserved and there will be no impacts to public views or aesthetics.** Staff supports the finding.

F. Summary/Recommendation:

Based on the review and project evaluation, all findings for the Hillside Development Permit, Second-Floor Review and Setback Modification can be made. Staff therefore recommends that the request BE APPROVED, subject to the conditions of approval listed in **Exhibit "A", attached to the draft resolution.**

C: *Tae Lee / 4430 W. Pico Blvd. / Los Angeles, CA / 90019*
Young Ran Yi / 4544 Daleridge Road / La Cañada Flintridge, CA / 91011
irina.spacemasters@gmail.com

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 16-XX

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 16-14
SECOND-FLOOR REVIEW 16-12 AND SETBACK MODIFICATION 16-04
FOR A NEW 2-STORY RESIDENCE
AND RELATED SITE IMPROVEMENTS
AT 4544 DALERIDGE ROAD
AS REQUESTED BY TAE LEE
ON BEHALF OF
YOUNG RAN YI

WHEREAS, a request by Tae Lee, on behalf of Young Ran Yi, has been received for a Hillside Development Permit, Second-floor Review and Setback Modification to allow construction of a new 2-story residence on a hillside lot; and

WHEREAS, the Planning Commission, on December 13, 2016, after posting and publication in the prescribed manner, held a public hearing and continued the item to a date uncertain based on a request from the applicant; and

WHEREAS, the Planning Commission, on January 10, 2017, after posting and publication in the prescribed manner, held a public hearing and conducted a review of the request; and

WHEREAS, the Planning Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Section 2.5(c)(1)(new construction) and 2.5(e)(1)(minor yard and 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 updated staff report dated January 10, 2017, regarding the application for a Hillside Development Permit, Second-floor Review and Setback Modification at 4544 Daleridge 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 proposed additions are of modest size and visual scale and would be appropriately integrated into the existing structure while sloped wooded area to the rear and adequate landscaped area to the front would be preserved.
2. The project will maximize potential for sensitive use and effective preservation of open space because overall density would be increased, in part through creation of a new 2nd floor, but would remain within standard limits for the lot, while a **majority of the site's open space, including the sloped rear yard area and its inventory of oak trees**, would not be affected by the proposed additions.
3. The project will not be detrimental to the public health, safety, or general welfare because the project consists of modest additions to an existing single-family residence currently served by adequate public facilities and no aspects of the improvements would pose a public detriment.
4. The project will not adversely affect the orderly development of property within the City because the additions to the subject residence are consistent with the single-family residential character of the property, within density standards and compatible with the general character of the area.
5. The project will conform to the goals and policies set forth in the General Plan because the scope of the additions is reasonable while the single-family use of the property and character of the site and area would be 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 through garage restoration and creation of an internal laundry room and, as sited and designed, will not create any service or enforcement problems in the neighborhood.
7. There are special conditions or unique characteristics of the subject property and its location or surroundings which justify exceeding one or more of the provisions set forth in this Chapter to permit project development because a combination of **the addition's understated design and modest size, and non-hillside** character of the streetscape allow for a compact and fairly symmetrical design without adverse offsite impacts.
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 project would expand the residence through creation of a 2nd floor of modest size and visual scale, which, along with removal of existing high gables presented to

the north and south, would preclude the presentation of excessive bulk as seen from any vantage point.

9. The project does not create an avoidable or unreasonable impairment of the view from any other property because the addition would increase the height of the house as seen mainly from the front and sides. Views would not be unreasonably impacted considering the modest size and height of the addition and lack of significant view corridors over and beyond the subject lot.

Second-floor Review:

1. The two-story design includes adequate setbacks, screening and modulation because the second-story addition is setback over 40 feet from the front property line, 15 feet beyond the minimum 25-foot front yard setback requirement for the lot. More importantly, it would be recessed from the single-story garage and bedroom portions of the residence. The new second-floor provides the required 12-foot second-floor side yard setback to the south and a 15-foot setback to the north, in excess of the requirement for the lot. To the rear, a wooded slope would be preserved while landscape enhancements to the front and sides of the residence are possible. The additions exhibit minimal modulation, but are consistent with the existing residence in terms of massing and detail.
2. The two-story design preserves the existing scale and character of the surrounding neighborhood because although positioned between single-story structures, the new two-story design is compatible with the existing neighborhood. This can be seen through the presence of three other two-story residences located on the west side of Daleridge Road. Due to the size and hillside qualification of the lot, the **proposed height will range between 25'-7" and 28 feet, consistent with the maximum permitted height of 28-feet.** In addition to average structure height below the limit for the site, the second-floor addition is recessed from the 1st floor to the front in order to reduce the impression of new mass and to 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 area is not conducive to significant public views above and beyond the site. While the overall height and the size of the existing structure will increase, the proposed 2nd-floor addition is reasonable in size and scale and compliant with regard to floor area, setbacks and height. The house to the south of the project site would potentially be the most impacted as it is single-story with rear yard pool and patio area near the common property line; however, the south elevation of the second-floor addition has been designed without windows to preserve the privacy of this neighbor. In addition, a 2nd-floor patio along the rear elevation would be partially sunken to limit exposure during use. It would also include a storage room along the south end, the effect of which is a

structural barrier that would preclude direct views to the south. Similarly, only a single bathroom window is proposed along the north elevation. The patio would orient mainly to the rear of the lot, where a sloped, wooded bank would continue to buffer views to the east. Based on the limited number and placement of new windows and the siting/design of the patio, no significant impacts are anticipated because of the project.

4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because the scale, massing and materials utilized for the additions **will be consistent with the existing structure. The City's Residential Design Guidelines** were applied to the project to achieve a design, which, through minimalist massing, compliant setbacks and overall height, would have negligible impacts as observed from neighboring properties and from the public right-of-way.

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 the Setback Modification would allow retention of existing encroachments of less than one foot into the required north and south side setbacks. Retention of these setbacks is compatible with existing development on the site and with other development in the immediate vicinity, in particular the adjacent property to the north. **The stepped nature of the home's north side yields an average side setback in excess** of the requirement for the lot while varied setbacks to the south allow for needed articulation along the façade. The additions will comply with current codes with respect to setbacks and will not create any new encroachments.
2. The Modification would not be a grant of special privilege that is inconsistent with the limits placed on other properties in the area and in the R-1 zone because the requested Setback Modification would allow retention of minor encroachments with respect to the garage and residence. Importantly, side setbacks in excess of 5 feet, the City minimum, are would continue to be maintained. No new structural encroachments are proposed as part of the project. This will not grant a special privilege since other properties in the immediate vicinity are developed with primary and accessory structures that present side yard encroachments. As such, the request is considered to be consistent with the development within the neighborhood.
3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards because the Setback Modification is being reviewed in conjunction with a proposal to expand the existing structure at the 1st and 2nd-floor levels. The existing side setbacks for the garage and residence will be

preserved, while the first and second-floor additions will be code compliant with regard to setbacks, height, angle plane, total floor area and all other applicable zoning standards. Mandating conformance to the required setback for the garage would entail demolition of a very small portion of the side of the garage and its reconstruction toward the interior of the lot, where an expanded and remodeled entry is proposed, which represents an unnecessary hardship. The situation is similar to the south, where **elimination of the existing 8" encroachment in conjunction with compliant expansion to the front and rear would create a monotonous 60-foot long façade at the 1st-floor level.** Since the encroachments are longstanding and of minimal scope, largely unapparent from offsite, and the **project is considered "new" due to removal of more than 30 percent of the existing roof/floor area,** retention of the existing encroachments is considered reasonable.

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 located in the vicinity because there is no evidence to suggest any impacts to public health, safety or general welfare currently exist due to the existing encroachments. The Setback Modification is being requested to maintain a minor existing encroachments in conjunction with new construction; however, no new **encroachments are proposed. The garage is located 5'-8" from the north property line and benefits from the adjacency of a side yard driveway and hedge, and the inherent buffer it provides, along the south side of the neighboring property to the north. To the south, the 5'-4" setback is similarly regarded as void of adverse offsite impacts. The existing 5'-8" and 5'-4" setbacks are consistent with the side setbacks of other structures in the area, and in many cases, greater.** Therefore, retention of these setbacks will have no significant impact on the use or enjoyment of adjacent properties.
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 the neighborhood because retention of the side yard encroachments will have no significant visual or use impact on the expanded residence or the surrounding neighborhood due to longstanding nature of the structure in question, minimal extent of the encroachments (less than one foot) and lack of offsite impact. New encroachments are not proposed as part of the 1st and 2nd-floor additions. As **such, given the Setback Modification's limited scope in relation to the overall project,** the existing scale and character of the surrounding neighborhood will be preserved and there will be no impacts to public views or aesthetics.

Section 2:

NOW, THEREFORE, be it resolved that the Planning Commission approves the Hillside Development Permit, Second-floor Review and Setback Modification requests at 4544 Daleridge Road, subject to the conditions listed in Exhibit **"A", attached to this resolution.**

PASSED, APPROVED AND ADOPTED this 10th day of January, 2017.

Chairman of the Planning Commission

ATTEST:

Secretary to the Planning Commission

DRAFT

EXHIBIT "A"
CONDITIONS OF APPROVAL
HILLSIDE DEVELOPMENT PERMIT 16-14
SECOND-FLOOR REVIEW 16-12
SETBACK MODIFICATION 16-04
4544 Daleridge Road

Standard Conditions:

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 16-14, Second-floor Review 16-12 and Setback Modification 16-04.
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 project plans labeled Hillside Development Permit 16-14, Second-floor Review 16-12 and Setback Modification 16-04, Sheets T-1 thru L-1, except as otherwise stated in these conditions.
5. **This approval will expire unless "start of construction" is commenced within 24 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. 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.

6. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
7. 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. This includes payment for contracted staff services as invoiced to the City.
8. 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.
9. 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 and Setback Modification. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. 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.
11. All construction/contractor parking shall be on-site only. If it is deemed by the Director of Community Development 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.

12. 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 Department for additional review and approval prior to permit issuance.
13. Unless this approval is appealed to the City Council, story poles shall be removed promptly (within one week) after expiration of the 15-day appeal period. Verification of this shall be required prior to submittal of the project for plan check **OR prior to issuance of building permits for those projects where "at-risk" plan check is in process or has already been completed.**

Planning Conditions:

14. Primary roof, wall and accent colors for the new residence shall be reviewed and approved by the Director of Community Development or his/her designee prior to building permit issuance.
15. **Installation of a 24" or 36"**-box front yard tree for the purpose of partially buffering the expanded residence is recommended.
16. Installation of a transom/clerestory bedroom window on the south side elevation at the 2nd-floor level is recommended.
17. Provision of a functional 2-car garage of requisite size shall be demonstrated prior to final clearance and occupancy.
18. The shed roof extension along the north side of the existing residence and associated washed and dryer shall be removed prior to final clearance and occupancy.
19. The second-floor bathroom window on the north elevation shall be frosted or of comparable opaque composition.

Public Works Conditions:

20. Applicant shall submit drainage Study and identify all drainage areas that are tributary to the project site.
21. **Project shall comply with Los Angeles County's Low Impact Development Standards.**

22. This project disturbs less than one acre of land; the project is subject to the following minimum construction requirements:
- Sediments from areas disturbed by construction shall be retained on site, using structural drainage controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities, or adjacent properties via runoff, vehicle tracking, or wind.
 - Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
 - Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
23. Prior to any construction (including, but not limited to, drive approaches, sidewalks, curb and gutter, etc.), trenching or grading within public or private street right-of-way, the applicant shall submit a street improvement plan consistent with the approved Site Plan and conditions of approval and obtain encroachment permits from the Engineering Division.
24. Any proposed mailbox structure shall be approved and permitted by Public Works.
25. The applicant/owner shall provide covenants for the decorative driveway approach prior to final project clearance and occupancy.

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