

PLANNING COMMISSION STAFF REPORT

April 25, 2017 Meeting

Property Owner & Applicant:

Zack Petroc
5266 La Cañada Boulevard
La Cañada Flintridge, CA 91011

Case Type / Number:

Second-floor Review 16-24
Setback Modification 16-11

Project Site Address:

5266 La Cañada Boulevard

Case Planner:

Gary Yesayan - Assistant Planner

1. Request:

The request is for Second-floor Review and a Setback Modification to allow a 1,566 square-foot addition along the south side and rear of an existing single-story residence. The ground-level / *qualifying* second-floor addition would be integrated with the proposed daylighting basement, extending along a down-slope to the rear of the lot, resulting in an overall exterior wall height of 16'-7". As such, the proposed daylighting basement requires a first-floor side-yard setback of 7'-0" and the ground level addition requires a second-floor side-yard setback of 14'-0". The addition would provide a 4'-11" south side-yard setback at both levels, which is less than the minimum requirement; however, by keeping in line with the existing footprint of the structure, this encroachment will be consistent with the existing legal non-conforming structure on site. This is consistent with the findings contained within Section 11.45.010.B.2. of the Zoning Code.

2. Location:

The project site is located along the east side of La Cañada Boulevard, two lots north of El Vago Street, in the R-1-20,000 zone.

3. Recommendation:

Staff recommends that the request for Second-floor Review and a Setback Modification **BE APPROVED**, subject to the conditions attached to the resolution.

4. Project Size:

Lot Area:	16,100 S.F.
Existing House:	1,817 S.F.
Existing Garage:	400 S.F.
Zoning and Building Code Compliant Accessory Structure Approved and Pending Construction:	579 S.F.
Total Existing Floor-area:	2,796 S.F.
Proposed Addition (Ground Level/Qualifying 2 nd -floor)	654 S.F.
Proposed Daylighting Basement:	658 S.F.
Proposed Covered Porch:	255 S.F.
Total New Floor-area:	1,567 S.F.
Total Floor-area after Project:	4,363 S.F.
Maximum Permitted Floor-area:	4,500 S.F.

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 lot is presently developed with a single-story residence and an attached two-car garage. An approved detached 579 square-foot accessory structure is pending construction.

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA), under Section 15301(e) (Existing Facilities) and Section 15305(a) (Minor Alterations in Land Use Limitations) of the State CEQA Guidelines and Section 2.5(a)(4)(ii)(additions) and 2.5(e)(1)(minor setback variances) of the City's Local CEQA Guidelines.

7. Previous Action: November 18, 2016 – Approval of a code compliant 579 square foot detached accessory structure within the back yard.

8. Pending and Potential Action:

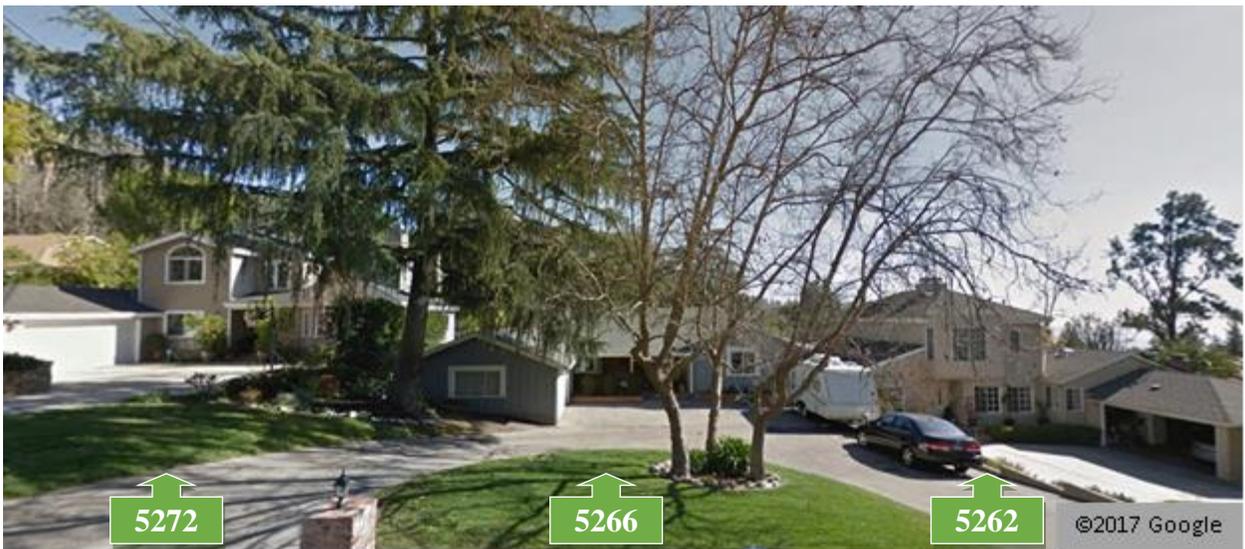
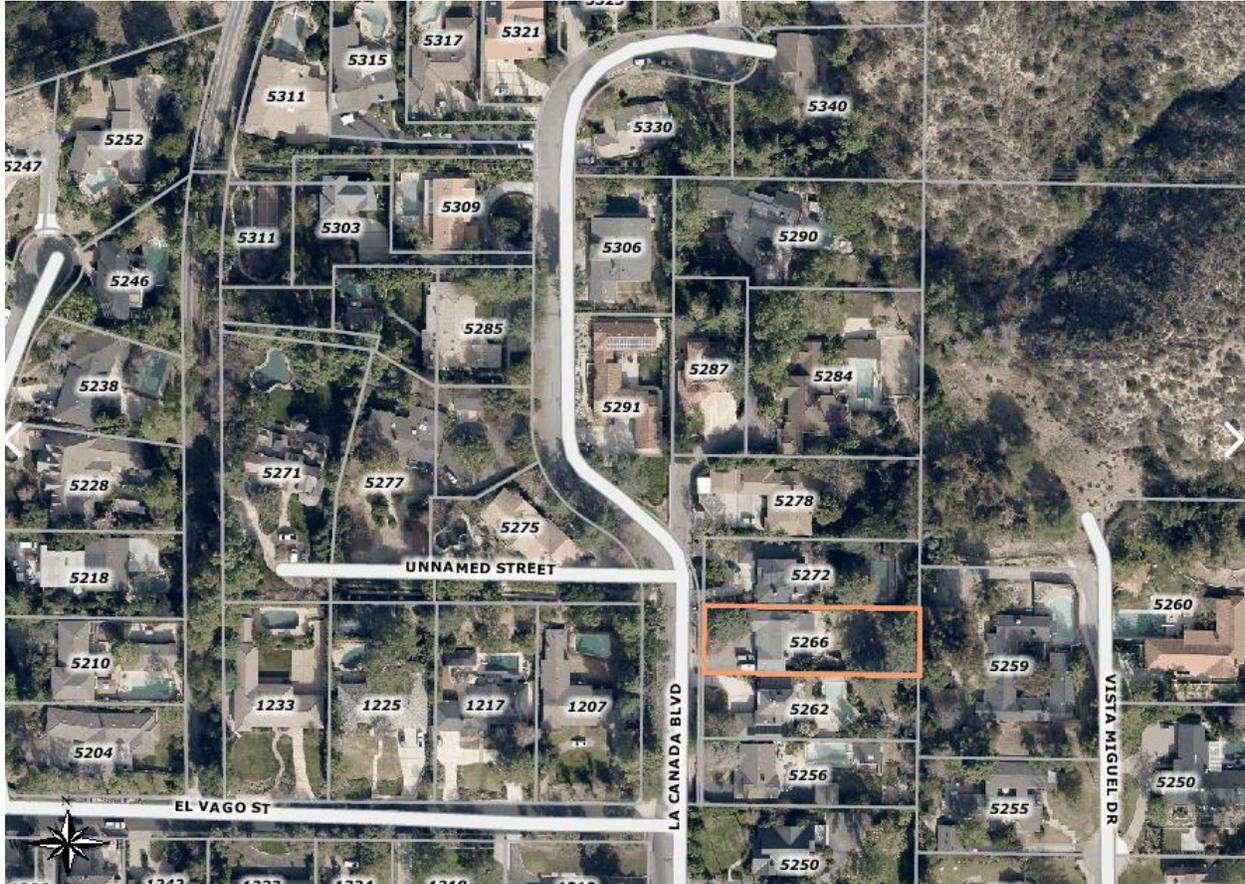
Plan Check, Los Angeles County Fire Department approval and issuance of building permits.

9. Staff Analysis:

A. Context:

La Cañada Boulevard gradually ascends north from Foothill Boulevard before terminating at its peak below the foothills. The neighborhood includes numerous single

family homes of generally similar proportions. The subject site is one of the four 16,100 square-foot parcels along the east side of La Cañada Boulevard, before its westerly curve. The single-story residence is situated between 2 two-story homes located to the north and south. The images below show the aerial map of the project site and the two-story homes on each side of the applicant's house.



Although the 16,100 square-foot lot gradually slopes down toward the rear, due to an average slope of 14.3 percent it remains below the threshold for “hillside” designation. The existing residence, the attached garage and the approved accessory structure comprise 2,796 square feet and the total floor area is within the 4,500 square foot of buildable floor-area limit for the site.

The subject home has side-yard encroachments to the north and south. Both adjacent properties also display similar side-yard encroachments. The existing house is beyond the minimum required front-yard setback distance, although this does not apply to the addition. The rear-yard 15-foot minimum setback is preserved as the new addition will be located over 104-feet from the rear property line.

B. Project Description:

The existing residence would be expanded by 1,567 square feet extending the house to the south and east. The expansion will include additional habitable area at the ground-floor level, a media room at the basement level, and a covered patio at the rear. Due to the descending grade of the lot from west to east, the expansion would increase the profile of the south façade, achieving an exterior wall height of 16’-7” and a ridge height of 21’-8”. As such, a 14’-0” second-floor side-yard setback is required for the ground-level (qualifying second-floor) addition. Since the existing structure has an established south-side setback of 4’-11”, the proposed addition would maintain this existing footprint, with approval of the Setback Modification, without encroaching any further into the south side yard setback. The addition will maintain the same roof height as the existing house and the increased overall height results from a new low datum point at the back created by the basement addition. The area above the 12-foot maximum wall height threshold is qualified as second-floor, therefore requiring Second-floor Review. The table below shows the development code standard and the project’s existing and proposed figures.

Project Data:

	Standard	Existing	Proposed
Floor Area:	4,500 S.F.	2,796 S.F.	New = 1,567 S.F. Total = 4,363 S.F.
Front Setback:	35’-0”	39’-0”	N/A
South-Side Setback			
1 st -Floor:	7’-0”	4’-11”	4’-11”
2 nd -Floor:	14’-0”	4’-11”	4’-11”
North-Side Setback			
1 st -Floor:	7’-0”	7’-0”	N/A
2 nd -Floor:	14’-0”	7’-0”	N/A
Rear Setback:	15’-0”	48’-3”	104’-10”
Overall Height:	32’-0”	20’-0”	21’-8”

C. Second-floor Review:

Discussion

A Second-floor review is required due to the introduction of additional floor area above the twelve-foot maximum wall height limit for single-story structures. Although non-hillside, the lot includes a gradual downslope elevation change from west to east. The addition as proposed would follow the existing footprint of the building along the south side, expanding the residence toward the east. While the residence is single-story when observed from the street level, at the rear, the highest portion of the addition will be regarded as a second-floor with a habitable basement beneath. The new addition will not obstruct neighboring views as the overall height will be continuous with the existing ridgeline. Additionally, the neighboring two-story house directly south of the addition is located at a much lower elevation than the project site. Moreover, the neighboring residence lacks windows at its second-floor level facing the new addition, further eliminating potential view and privacy impacts (see photo below). While the expansion will introduce additional bulk to the existing building along the south and east elevation, it would mainly be below the first-floor level and out of sight. Hence, any potential view impact on neighboring homes would be minimal. The photo below indicates the area of the expansion behind the residence and the neighboring residence south of the project site.



Findings:

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

The southern section of the structure is legal non-conforming as it relates to its south side setback. A Setback Modification is required to allow retention of an established building setback. The pre-existing 4'-11" south side setback has been adequately serving the property without any known issues. The area has existing mature and reasonably dense landscaping which will aide with the screening of the addition. Minimal modulation is incorporated along the south façade through a 12" exterior wall indentation. This breaks the wall line, as well as allows the addition to meet the building bulk requirement. Staff supports this finding.

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

The addition qualifies as two-story due to its placement above a daylighting basement. The single-story residence remains within its existing envelop without impacting the character nor the scale of the surrounding neighborhood. The expansion is toward the side and rear of the house and only minimally visible from the street. Staff supports this finding.

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

The second-floor addition extends the main level of the existing residence with creation of a habitable basement level below. The overall height of the roofline remains consistent with the existing structure. Therefore, public views, aesthetics and privacy will not be impacted. Staff supports this finding.

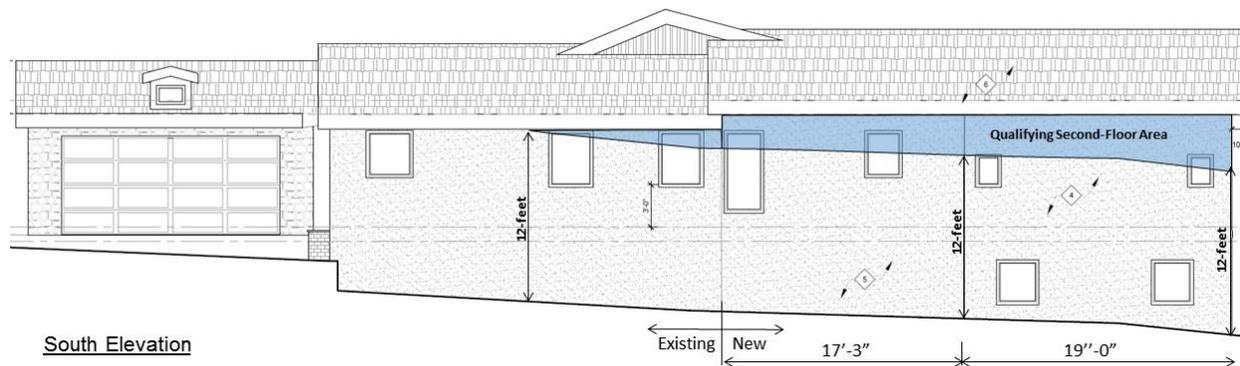
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council.

Additions to existing structures are encouraged to be uniform with the original architectural character and design of the residence. The scale and character of the proposed addition meets this requirement as discussed within the Residential Design Guidelines for neighborhood compatibility. Staff supports this finding.

D. Setback Modification:

Discussion

This single-story residence is positioned similarly with the immediate neighboring homes within its narrow and lengthy lot. While compliant front and rear yard setbacks are maintained, the existing residence includes both north and south side yard encroachments. This condition is also present among the adjacent neighboring properties and is not unique to the subject site. The addition is proposed at the southeast corner of the house where the grade is lower than any other area suitable for an attached addition. This low datum point would allow preservation of the current overall height of the roofline, preventing additional height being added to the existing house. The proposed location of the building expansion is the most reasonable; however, requiring a compliant first and second-floor setback would substantially reduce the size of the addition, forcing the bulk of the expansion toward the rear yard. Since the natural grade gradually slopes down toward the back yard, with a 15-foot overall grade difference between the front and rear, any new structure will have higher exterior walls and a taller underfloor area than the current proposal while minimizing the back-yard area. Therefore, continuing the existing building line within this location is reasonable. As proposed, the expansion will follow the existing 4'-11" side-yard setback along its south side for 17'-3", with an additional 19'-0" proposed with a slightly larger side yard setback of 5'-11". The proposed expansion complies with the angle-plane requirement.



Findings

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

The project would enhance the residential use and is within the floor area limitations for the site. The encroachment is the result of sloping topography to the rear, which increases the addition's exterior profile; however, the addition's scale and character remains compatible with the existing structure and surrounding homes. Staff supports this 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 existing single-family residential use would be preserved while increasing the habitable floor area. The encroachment is existing and not unique to the project site as the immediate adjacent neighboring lots also display a similar condition. The addition will extend the structural footprint without creating any new encroachments. 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 expansion integrates with the proposed daylighting basement and achieves an increased height as it extends along the slope to the rear. The proposed area is most suitable to prevent additional height added to the existing structure and to avoid additional building bulk. Requiring compliant 14'-0" second-floor setback would substantially reduce the area of the addition and relocate the bulk of the structure to the rear where an increased exterior profile and overall height would result. The addition remains within the site's maximum permitted floor area and maintains the existing legal nonconforming setback encroachment. 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.**

The expansion is reasonable in scale and location. The expansion is minimally visible from offsite without any apparent negative impacts. The proposed addition displays no evidence of potential negative impacts on public health, safety and general welfare. The addition does not include elements that will impact the enjoyment or infringe upon the privacy of the neighbors within the vicinity. 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.

The single-story residence would remain within its existing envelop without impacting the character nor the scale of the surrounding neighborhood. The expansion is toward the side and rear of the house and only minimally visible from the street. The existing side yard encroachment is preserved without the creation of any new encroachments to the south. The *qualifying* second-floor addition extends the main level of the existing residence while creating of a habitable basement level below. The overall height of the roofline remains consistent with the existing structure. Therefore, public views, aesthetics and privacy will not be impacted. Staff supports this finding.

E. Recommendation:

Based on this review, positive findings for 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.

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 17-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE APPROVING SECOND-FLOOR REVIEW 16-24 AND SETBACK MODIFICATION 16-11 FOR AN EXPANSION OF AN EXISTING SINGLE STORY RESIDENCE AT 5266 LA CAÑADA BOULEVARD AS REQUESTED BY ZACK PETROC

WHEREAS, a request by Zack Petroc, has been received for Second-floor Review and a Setback Modification to allow 1st and 2nd-floor additions to an existing residence with an encroachment into the south side-yard setback, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on April 25, 2017, after publication and posting of notice in the prescribed manner, held a public hearing on the Second-floor Review and Setback Modification requests; and

WHEREAS, the 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 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 report dated April 25, 2017 regarding the application for Second-floor Review and a Setback Modification at 5266 La Cañada Boulevard, 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 the following:

Section 1.

Second-floor Review:

1. The two-story design includes adequate setbacks, screening and modulation. Since the southern section of the structure is legal non-conforming as it relates to its south side setback. A Setback Modification is required to allow retention of an established building setback. The pre-existing 4'-11" south side setback has been adequately serving the property without any known issues. The area has existing mature and reasonably dense landscaping which will aide with the

screening of the addition. Minimal modulation is incorporated along the south façade through a 12” exterior wall indentation. This breaks the wall line, as well as allows the addition to meet the building bulk requirement.

2. The two-story design preserves the existing scale and character of the surrounding neighborhood. Since the addition qualifies as two-story due to its placement above a daylighting basement, the existing single-story residence remains within its existing envelop without impacting the character nor the scale of the surrounding neighborhood. The expansion is toward the side and rear of the house and only minimally visible from the street.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the addition maintains the overall height of the existing structure. The second-floor addition extends the main level of the existing residence with creation of a habitable basement level below. The addition remains outside of public views. Therefore, public views, aesthetics and privacy will not be impacted.
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council. Additions to existing structures are encouraged to be uniform with the original architectural character and design of the residence. The scale and character of the proposed addition meets this requirement as discussed within the Residential Design Guidelines for neighborhood 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 as the project would enhance the residential use and is within the floor area limitations for the site. The encroachment is the result of sloping topography to the rear, which increases the addition’s exterior profile; however, the addition’s scale and character remains compatible with the existing structure and surrounding homes.
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 existing single-family residential use would be preserved while increasing the habitable floor area. The encroachment is existing and not unique to the project site as the immediate adjacent neighboring lots also display a similar condition. The addition will extend the structural footprint without creating any new encroachments.
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 expansion integrates with the existing daylighting basement and achieves increased height as it extends along the slope to the rear. The proposed area is most suitable to prevent additional height added to

the existing structure and to avoid additional building bulk. Requiring compliant 14'-0" second-floor setback would substantially reduce the area of the addition and relocate the bulk of the structure to the rear where an increased exterior profile and overall height will result. The addition remains within the site's maximum permitted floor area and maintains the existing legal non-conforming setback encroachment.

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 the expansion is reasonable in scale and location. The expansion is minimally visible from offsite without any apparent negative impacts. The proposed addition displays no evidence of potential negative impacts on public health, safety and general welfare. The addition does not include elements that will impact the enjoyment or infringe upon the privacy of the neighbors within the vicinity.
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 the single-story residence would remain within its existing envelop without impacting the character nor the scale of the surrounding neighborhood. The expansion is toward the side and rear of the house and only minimally visible from the street. The existing side yard encroachment is preserved without the creation of any new encroachments to the south. The qualifying second-floor addition extends the main level of the existing residence while creating of a habitable basement level below. The overall height of the roofline remains consistent with the existing structure. Therefore, public views, aesthetics and privacy will not be impacted.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Second-floor Review and Setback Modification for the addition at 5266 La Cañada Boulevard, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 25th day of April, 2017.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"

CONDITIONS OF APPROVAL SECOND-FLOOR REVIEW 16-24 SETBACK MODIFICATION 16-11 5266 LA CAÑADA BOULEVARD

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 Second-floor Review 16-24 and Setback Modification 16-11.
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 Second-floor Review 16-24 and Setback Modification 16-11, except as otherwise stated in these conditions.
5. All buildings and structures shall be of the design as shown on the Elevation drawings labeled Second-floor Review 16-24 and Setback Modification 16-11, 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 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.
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. 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.
13. 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.

14. 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.

Public Works Conditions:

15. Prior to Building Permit issuance, Applicant shall submit onsite Drainage Study and identify method and path of drainage conveyed to public right of way.
16. Project shall comply with City's Low Impact Development Standards.
17. 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.

18. If project to improve driveway approach, it is subject to comply with 11.11.050 Section of Municipal Code for Circular Driveway.
19. Existing mailbox structure is within the public right-of-way. Unless permitted by City, and constructed as a break-away structure, mailbox shall be replaced per City's standard requirements. Mailbox structure shall be approved and permitted by the Public Works Department.
20. 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 permit(s) from the Public Works Department.

CONSTRUCTION & DEMOLITION (C&D) DEBRIS

21. Project shall comply with City's Construction and Demolition (C&D) Ordinance 313, per Chapter 9.14 of the City Municipal Code to satisfy the City's Debris Management requirement.

22. Prior to Demolition and/or Building Permit issuance, the Applicant shall submit a Performance Security, calculated as the lesser of three percent (3%) of the total project valuation or \$10,000. The Performance Security is refunded upon Applicant's submittal and approval of a Building Debris Management Report indicating that at least 50% of the total debris generated by the project was reused or recycled.
23. Prior to Final Building Inspection, Applicant shall submit a Building Debris Management Report and obtain Public Works approval. The Building & Safety Department will not complete Final Building Inspection until the Public Works Department makes a determination regarding refund or forfeiture of the Performance Security.
24. Applicant must use a City authorized and permitted waste hauler for all debris, including soil import/export, resulting from construction and demolition activities on the project. A list of authorized waste haulers will be provided to the Applicant.
25. Self-hauling of C&D debris must be authorized by the Department of Public Works prior to Building & Safety issuance of Demolition or Building permit(s). Applicant must submit a Debris Management Plan and a Haul Route Plan, execute a self-haul agreement, as well as fund a Haul Route Manager for monitoring of all self-hauling activities. Self-hauling approval must be acquired from the Public Works Department prior to issuance of any permit(s).

#