

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION AGENDA REPORT

September 27, 2016 Hearing

Property Owner:

R53 Design LLC
5738 Denny Ave
North Hollywood, CA 91601

Case Types/Numbers:

Second Floor Review 16-09
Setback Modification 16-10

Applicant:

Rosana Campos

Site Address:

5310 Angeles Crest Highway

Project Planner:

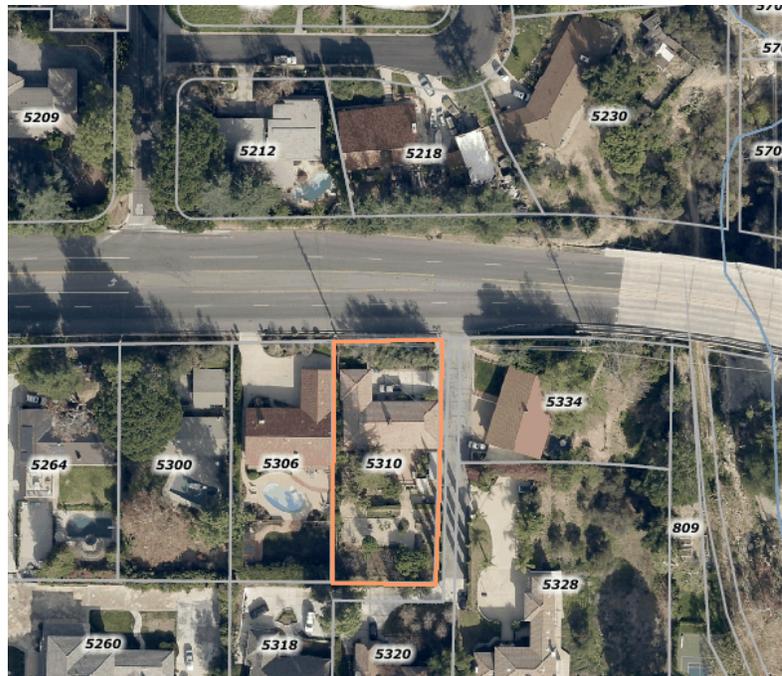
Susan Koleda
Deputy Director of Community Development

1. Request:

The request is for a Second-Floor Review to demolish an existing 2,255 square foot single-family residence and to allow the construction of a 4,308 square foot two-story home. The existing attached garage would be retained, but would become a detached two-car garage. The Setback Modification is requested to retain the existing garage front yard setback of 23'-4", resulting in a 1'-8" encroachment, and side yard setback of 4'-4", resulting in a four-foot encroachment.

2. Location:

The property is located on the south side of Angeles Crest Highway, between Harter Lane and Arroyo Summit Drive, and is located within the R-1-20,000 zone.



3. Staff Recommendation:

Staff recommends that the request be approved, subject to the conditions of approval listed in Exhibit “A”, attached to the draft resolution.

4. Project Size:

Lot area:	15,680 sf
Proposed first floor:	2,441 sf
Proposed second floor:	1,713 sf
Volume space:	154 sf
<u>Existing garage:</u>	<u>429 sf</u>
Total:	4,737
FAR	0.30

5. General Plan/Zoning/Land Use:

The General Plan Land Use Map designates the site Very Low Density Residential (up to 2 dwelling units per acre). The site is zoned R-1-20,000 (Single Family Residential - 20,000 square foot minimum lot size). The site is presently developed with a two-story residence with attached garage.

6. CEQA Review:

Based on the review of the Initial Study Questionnaire and related materials, staff has determined that no significant environmental impacts would result from the project. The demolition of the existing single-family residence is exempt from the requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines pursuant to Section 15301 Existing Facilities (Local CEQA Guidelines Section 2.5(a)(9)), which permits the demolition and removal of individual small structures, including one single-family residence. The construction of the new structure is exempt pursuant to CEQA Guidelines Section 15303 New Construction or Conversion of Small Structures (Local CEQA Guidelines Section 2.5(c)(1)), which permits the construction of a new single-family residence, not in conjunction with the building or conversion of four or more such units.

7. Previous Activities:

None.

8. Pending and Potential Actions:

County of Los Angeles Fire Department review and approval, issuance of grading and building permits.

9. Staff Analysis:

1. Context:

The project site is a rectangular-shaped with 83 feet of frontage along the south side of Angeles Crest Highway, between Harter Lane and Arroyo Summit Drive. At this location, Angeles Crest Highway (State Route 2) consists of 100-foot wide (total right-of-way) primary road with two lanes in each direction and a painted median. The site currently contains a 2,255 square foot single family residence, a 429 square foot attached garage located toward the front of the lot. The property does not have direct access to Angeles Crest Highway; rather a 12'-6" access easement is located to the east of the subject lot, which also serves as the access for 5318, 5320 5328 and 5334 Angeles Crest Highway.

An existing two-foot high, inward facing retaining wall is located parallel to and approximately 23 feet from the front property line. An existing five-foot high wooden facing is located along Angeles Crest Highway.

Considerable tree and shrub screening exists along Angeles Crest Highway, obscuring the property from comprehensive views. Several flag lots exist to the east and south (5318, 5320, 5328 and 5334 Angeles Crest Highway). The rear yard of the subject site is visible from four properties to the south (5318 and 5320 Angeles Crest Highway), southwest (5328 Angeles Crest Highway and west (5334 Angeles Crest Highway). Four Italian cypress, located within the access easement but immediately adjacent to the southern portion of the east property line.

As viewed from the Angeles Crest Highway, the existing residence is located between five and eight feet below street level. The natural grade drops at a moderate rate from the front to rear of the lot, with an approximate 22-foot reduction in grade over the approximately 189-foot lot depth.

A survey of the surrounding area shows that the neighborhood is composed of mainly two-story homes. Although the zoning within this area is R-1-20,000, lot sizes vary widely. The following table shows lot sizes, house sizes, floor area ratios and number of stories for neighboring properties.

Adjacent Properties Table

Address	Lot Size	House Size*	FAR	Stories
5260 Angeles Crest Hwy	35,888 sf	4,320 sf	0.12	2
5264 Angeles Crest Hwy	20,666 sf	2,882 sf	0.14	2
5300 Angeles Crest Hwy	17,155 sf	1,600 sf	0.09	2
5306 Angeles Crest Hwy	15,626 sf	4,236 sf	0.27	2
5318 Angeles Crest Hwy	17,392 sf	2,711 sf	0.16	2
5320 Angeles Crest Hwy	17,931 sf	2,187 sf	0.12	1
5328 Angeles Crest Hwy	48,011 sf	5,110 sf	0.11	2
5334 Angeles Crest Hwy	16,972 sf	3,229 sf	0.19	2

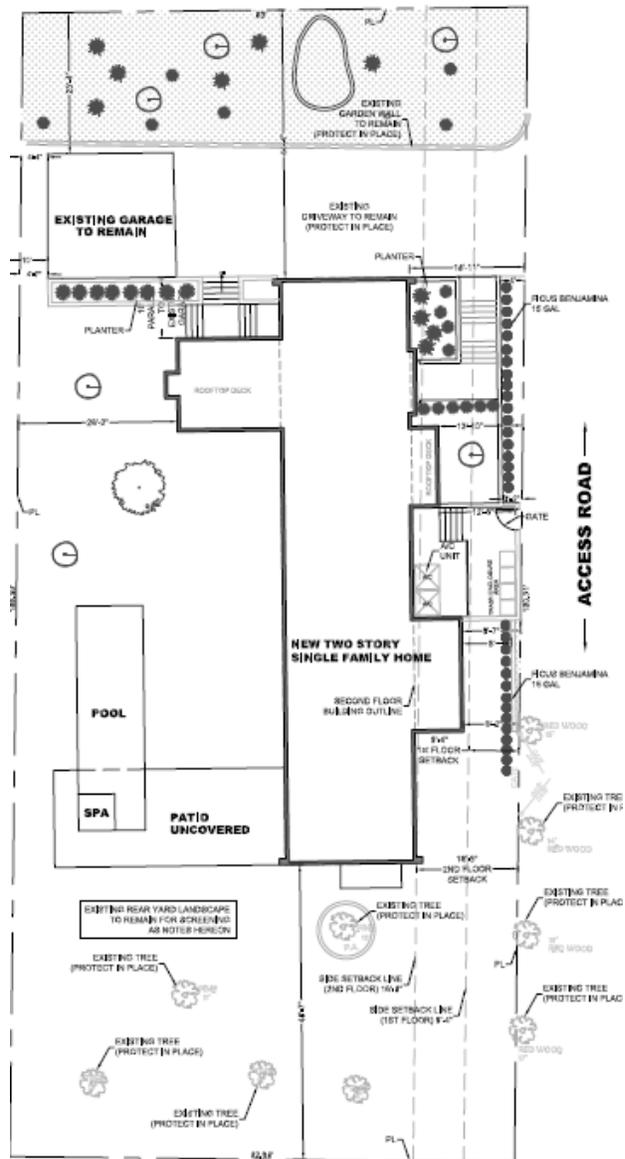
5209 Harter Lane	18,915 sf	2,833 sf	0.15	2
5212 Pizzo Ranch Dr	14,467 sf	3,830 sf	0.08	2
5218 Pizzo Ranch Dr	14,347 sf	3,462 sf	0.24	2
5230 Pizzo Ranch Dr	29,646 sf	2,784 sf	0.09	1
Average:	24,919 sf	3,265 sf	0.13	---
5310 Angeles Crest Hwy	15,680 sf	4,154 sf	0.26	2

* Figures do not include garages, volume spaces, patios and other non-habitable areas and are intended for general comparison only.

2. Project Description:

The proposed project is an application for Second-floor Review to demolish an existing 2,255 square foot two-story residence and construct a new 4,308 square foot, two-story single family residence. The existing attached garage, located at the northwest corner of the lot, would be retained and converted to a detached garage. The requested Setback Modification would allow for the retention of the existing front yard setback of 23'-4", resulting in a 1'-8" encroachment into the required 25-foot setback, and side yard setback of 4'-4", resulting in a four-foot encroachment into the required 8'-4" setback.

The proposed residence would consist of a two-story mass. The principal mass of the house is approximately 106 feet in length and 20'-7" in width, with two rooms to the east and one to the west that reach beyond this envelope. The very linear house takes advantage of the lot depth of approximately 189 feet, presenting limited frontage to Angeles Crest Highway. This allows for a more private rear and side yard to the west of the residence given the entire length of the east and south property lines are immediately adjacent to the access easement. The two-car garage would be retained and faces to the east, with the existing paving providing access directly onto the access easement to the east of the lot. No direct access will be provided to Angeles Crest Highway.



The first floor would include an entry, kitchen, dining room, living room, powder room, family room, studio, bedroom and bathroom, laundry and a second bathroom only accessed from the exterior, in proximity to the proposed pool. Total first floor area would be approximately 2,241 square feet. The kitchen, dining room, and family room would open onto patio and pool located to the west.

The second floor would be central to the footprint and would total 1,713 square feet. It includes the master bedroom and bathroom, and two additional bedrooms, each with its own bathroom. One of the bedrooms and the second-floor entry/stair would open onto uncovered balconies.

The 15,680 square foot site permits a floor area maximum of 4,886 square feet; a total of 4,737 square feet of floor area is proposed. The lot is not subject to the Hillside Development requirements of Chapter 11.35 of the Zoning Code.

3. Project Setbacks/Height:

The front setback for the proposed project is 25 feet, as the setbacks for both 5300 and 5306 Angeles Crest Highway are 21 and 20 feet respectively, less than the required minimum. The existing garage has a front setback of 23'-4" and a Setback Modification has been requested, as discussed later in this report. The residence is proposed with a 44'-4" front setback.

The proposed residence is compliant with required side yard setbacks for both the first and second floor and with regard to the rear yard setback. The garage does present an existing side yard setback of 4'-4", encroaching four foot into the required setback. The requested Setback Modification would allow for the retention of the existing encroachment.

As designed, the proposed resident complies with the 32'-0" maximum height from finished grade. The residence will be split level, with the northern portion of the residence having a height of 29'-6" and the lower principal portion of the residence being 31'-6". As viewed from the east, from the access easement, the residence would have a height of 29 feet.

The project compares with Zoning Code standards as follows:

	Standard	Project
Total Floor Area	4,887 sf	4,737 sf
Front Setback	25'	23'-4"
East Side Setback 1 st Floor	8'-4"	9'-2"
East Side Setback 2 nd Floor	16'-8"	16'-8"
West Side Setback 1 st Floor	8'-4"	4'-4"
West Side Setback 2 nd Floor	16'-8"	42'
Rear	15'	48'-7"
Height	32'	32'

4. Second Floor Review Analysis:

Discussion

The purpose of Second Floor Review is to ensure that two-story development is appropriate, in terms of scale and design, for both the subject property and immediate area. Architectural styles in the immediate vicinity of the project site vary. To the east is the Arroyo Summit neighborhood, which is separated from the subject site by an area of open space utilized for a riding/hiking trail and drainage purposes. Other residences within the immediate vicinity were generally constructed between the 1950's and 1970's without a clearly defined architectural style and are largely screened from off-site views by mature landscaping. A review of the Adjacent Properties Chart above indicates the neighborhood is composed of mainly two-story homes. While the floor area ratio of the proposed project (0.26) is higher than the average (0.13), there are other residences with a similar FAR and the project has not exceeded the total floor area permitted by code.



The proposed architectural style is modern interpretation of a French Chateau. This architectural style is evidenced by the pronounced pitched roof, evenly spaced dormer windows, exterior shutters, iron railing balconies and French doors that open to a courtyard. The modern update emphasizes smooth unadorned surfaces, minimal details and muted colors, in keeping with other homes in the vicinity. The scale of the residences is two-story, in proportion to adjacent residences. The new residence would be built in proportion to the lot and would not impose on the street setting. With the five to eight-foot drop between the road elevation and the pad, the overall height of the proposed residence would be in keeping with the overall characteristics of the neighborhood.

When viewed from the north, from Angeles Crest Highway, the overall height is not as significant as suggested given the drop in pad elevation. The location of existing landscaping within the front setbacks and the proposed 44 foot front setback for the residence would alleviate any potential massing impacts on the street. The residence will



be located closest to the east property line, and has the most potential to impact the property directly to the east, 5334 Angeles Crest Highway. This house fronts onto the access easement and is located, at its closest point, approximately 15 feet from the edge of pavement and 38 feet from the subject site property line. The proposed residence was oriented as proposed due to the lack of privacy afforded the subject lot due to the entire length of the east and south property lines being immediately adjacent to the access easement. The proposed residence will provide some relief to the neighbor as, based on the survey submitted, the existing residence extends over the property line and is located significantly closer than the proposed residence. The proposed project includes a side yard setback of 8'-4" for the first floor and 16"-8" for the second floor. Additionally, the 44'-4" front setback for the residence results in the principal portion of the residence, specifically the living areas, being located south of the alignment of the residence at 5334 Angeles Crest Highway. The applicant is proposing a hedge of 15 gallon ficus benjamina to mitigate privacy concerns to the east.

To the south, views from 5318, 5320 and to a lesser extent 5328 Angeles Crest Highway are screened by a combination of on- and off-site landscaping. Some of this landscaping is located on the flag portion of 5318 Angeles Crest Highway. The applicant is intending to retain the majority of the mature trees located within the rear yard. Given the 48-foot setback from the rear property line and the proposed retention of the landscaping, staff does not anticipate any privacy concerns.

To the west is located 5306 Angeles Crest Highway. Much of the rear yard of the project site is currently obscured by a large redwood tree. This is proposed to be removed for the development. The second floor of the new residence will be located approximately 45 feet from the west property line. However, a condition of approval will require planting along the west property line to ensure the privacy of the neighbor. Between future planting and the distance of the second floor mass to the property line, staff does not believe the proposed second floor is incompatible with existing development.

The City's Residential Design Guidelines address four primary considerations, which are italicized in bold font. Staff's analysis of each consideration follows in parenthesis:

- ***Neighborhood Compatibility:*** The proposed size of the residence is proportionate to the subject lot and comparable to other two-story homes in the immediate area. A number of two-story homes currently exist within the neighborhood, and the overall 31'-6" height of the proposed residence is mitigated by the drop in elevation between the roadway and the building pad.
- ***Site Development:*** The proposed residence complies with all required first and second floor setbacks, angle plane and building height requirements. Based on the Zoning Code's floor area standards and analysis provided above, the subject lot is able to support the size and configuration of the proposed residence.
- ***Physical Design Components:*** The home's mass, modulation and ornamentation is consistent with a modern interpretation of a French Chateau, as

evidenced by the pronounced pitched roof, evenly spaced dormer windows, iron railing balconies and French doors that open to a courtyard. The modern update emphasizes smooth unadorned surfaces, minimal details and muted colors, in keeping with other homes in the vicinity.

- **Landscaping:** Five existing mature trees located between the proposed residence and Angeles Crest Highway will be retained, along with five mature trees within the rear yard. These trees provide significant screening of the residence from the street and the neighbors to the south. Additional planting along the east and west property lines will buffer the house, and requiring 50 percent of the front yard be landscaped will accent the front entrance and the overall site.

Findings for Second Floor Review:

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

The proposed residence complies with required front, rear and side yard setbacks, including both first and second floor side yard setbacks and angle plane requirements. While the modern take on a French Chateau results in minimal embellishments, sufficient detail is provided through the regular arrangement of the dormers, iron railing balconies and wall trellises to provide architectural interest to the residence. Existing trees would be retained to the front and rear, while new landscaping is proposed to the east and will be required to the west. Staff supports the finding.

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

A diverse mix of house sizes and styles are found in the neighborhood, which consists mainly of two-story homes. While the proposed house would alter the character of the subject property by introducing a two-story structure, it would blend in with the neighborhood. The design of the residence is tasteful and built in proportion to the parcel, and adequate setbacks would be provided at both floors. The overall height of the residence is mitigated by the five to eight-foot drop in elevation from Angeles Crest Highway to the building pad. The closest portion of the house to the street is in excess of 44 feet from the front property line. Staff supports the finding.

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

The proposed project meets all required setbacks with regard to the second-floor, as well as angle plane requirements. The difference in the proposed building pad elevation and that of the street and surrounding neighbors will minimize the impacts of the proposed residence on the neighborhood. The second-floor window array is not excessive and would not compromise the privacy of neighboring properties to the east, west and south. The number and location of existing mature trees, as well as the proposed landscape

plantings, provide a buffer and screening of the home and the adjacent properties. 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 massing, materials and detailing utilized by the project are consistent with a modern interpretation of a French Chateau. The depressed elevation of the pad in relationship with Angeles Crest Highway would reduce the house from prominent exposure and minimize offsite impacts that can result from the sizeable construction that is proposed. Thus, the primary directives of the City's Residential Design Guidelines as related to neighborhood and streetscape preservation and compatibility are upheld by the project. Staff supports the finding.

5. Setback Modification:

Discussion

Land Use Element Policy 1.5.4 of the City's General Plan states:

Encourage non-conforming uses and buildings to be brought into compliance with City codes.

As noted above, the project proposes to retain the existing two car garage, which is currently attached to the residence, as a detached accessory structure. The garage would retain a substandard front setback of 23'-4", an encroachment of 1'-8" into the required 25-foot front setback. Additionally, the existing side yard setback of 4'-4" encroaches four foot into the required 8'-4" side yard setback.

While the existing garage is located 4'-4" from the west property line, the existing residence is currently between 7'-6" and 8'-6" from the property line and extends for 44 feet south of the existing garage. With the current project, the extent of the existing encroachment (20 feet of garage plus 44 feet of the existing residence) will be reduced to the length of the existing garage, as the closest portion of the proposed residence is 26'-2" from the west property line, exceeding the first floor side yard setback by 17'-10".

Although the location of the encroachment is toward the front of the lot, it is largely unseen from offsite due to the lower elevation of the pad in comparison to Angeles Crest Highway, the single story nature of the garage, an existing five-foot high solid fence and dense landscaping along the front property line. As access to the garage is provided to the east and no access is proposed directly to Angeles Crest Highway, the reduced setback will have no potential to impact the existing roadway network. Additionally, the adjacent neighboring to the east exhibits a similar front and side yard. Given these circumstances, staff do not believe requiring adjustments to the proposed setbacks is necessary considering the single-story profile and long-standing nature of the structure in question, and the siting/encroachment of the adjacent residence to the west.

Findings for Setback Modification

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

The existing setbacks for the garage are longstanding, visually sufficient and consistent with development in the area. This is demonstrated by similar front and side yard setbacks at 5300 and 5306 Angeles Crest Highway, the two properties immediately west of the project site. The pad elevation of the existing garage is approximately five-feet lower than Angeles Crest Highway and the structure is sufficiently screened by the existing five-foot high solid fence and dense landscaping within the front yard setback. 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 project maintains the single-family use of the property and would retain encroachments by existing legal non-conforming structures, as opposed to the creation of new encroachments. Comparable encroachments are presented by structures on other properties in the immediate area, including adjacent homes to the west at 5300 and 5306 Angeles Crest Highway. 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.**

Requiring compliance with current first floor setbacks to the north and/or west would require partial demolition of existing garage and is overly restrictive since the project would not add to or intensify non-conforming area. Relocating the garage to meet current setbacks would not provide view or massing benefit as the building pad is approximately five feet lower than Angeles Crest Highway and the structure is largely screened from off-site due to an existing five-foot high solid fence along the north property line and dense landscaping within the front yard setback. 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.**

Existing encroachments would not be intensified through approval of the project. As the existing access to the property is provided via a private access easement to the east of the project site, and no direct access to Angeles Crest Highway is proposed, the existing setbacks of the garage will not result in impacts to public health, safety or welfare. 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.

Preservation of the existing front and side yard setbacks of the existing garage would not yield a significant visual effect as seen from the street or impact public views. The pad elevation of the non-conforming garage is located approximately five feet lower than Angeles Crest Highway, the longstanding is visually screened by an existing five-foot high solid fence along the front property line and existing dense landscaping within the front yard setback. The setback of the existing garage is consistent with the character of the area, as demonstrated by the existing setbacks of garages located at 5300 and 5306 Angeles Crest Highway, located immediately west of the subject site. Staff supports the finding.

10. Recommendation

The house consists primarily of a 32' two-story mass set back on a pad that is below the street level. The project site and immediate neighborhood is largely screened from Angeles Crest Highway by mature landscaping that limits public views of largely two-story homes with varied architectural styles. The project would maximize the lot's development potential while redefining the residential character of the site. However, based on the above discussions with regard to the Second-Floor Review and Setback Modification findings, staff has concluded that the proposal is reasonably designed in relation to the site, sensitive to proximate neighbors and would not adversely impact the quality of the immediate neighborhood. For that reason, staff recommends that the project be approved, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

Attachments:

1. Resolution and Draft Conditions of Approval

cc: Rosana Campos / 5738 Denny Ave/ North Hollywood, CA / 91601

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 16-xx

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE APPROVING SECOND-FLOOR REVIEW 16-09 AND SETBACK MODIFICATION 16-10 FOR CONSTRUCTION OF A NEW TWO-STORY RESIDENCE AT 5310 ANGELES CREST HIGHWAY

WHEREAS, a request by Ms. Rosana Campos has been received for Second-Floor Review 16-09 and Setback Modification 16-10, said request attached hereto and incorporated herein by reference; and

WHEREAS, the request applies to a single parcel within the R-1-20,000 (Single Family Residential) zone district, referred to on the County Assessor's roles as APN 5816-012-016, and is located at 5310 Angeles Crest Highway; and

WHEREAS, the application is a request is to demolish an existing 2,255 square foot single family residence and construct a new two-story, 4,3737 square foot single-family residence with detached garage. The Setback Modification would allow for the retention of the existing garage with a 23'-4" front setback, encroaching 1'-8" into the required 25-foot front setback, and a 4'-4" side yard setback, encroaching four foot into the required 8'-4" side yard setback; and

WHEREAS, after publication and posting of the request in the prescribed manner, the Planning Commission the Planning Commission, on September 27, 2016, held a public hearing and concluded said hearing on that date; and

WHEREAS, the Commission reviewed the project and determined that no significant environmental impacts would result from the project. The demolition of the existing single-family residence is exempt from the requirements of the California Environmental Quality Act (CEQA) and CEQA Guidelines pursuant to Section 15301 Existing Facilities (Local CEQA Guidelines Section 2.5(a)(9)), which permits the demolition and removal of individual small structures, including one single-family residence. The construction of the new structure is exempt pursuant to CEQA Guidelines Section 15303 New Construction or Conversion of Small Structures (Local CEQA Guidelines Section 2.5(c)(1), which permits the construction of a new single-family residence, not in conjunction with the building or conversion of four or more such units.

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated September 27, 2016, regarding the application for Second Floor

Review and Setback Modification at 5310 Angeles Crest Highway, and heard and considered the testimony of the applicant and the public; and

NOW, THEREFORE, 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. With respect to Second-Floor Review 16-09:

- A. The two-story design includes adequate setbacks, screening and modulation because the proposed residence complies with required front, rear and side yard setbacks, including both first and second floor side yard setbacks and angle plane requirements. While the modern take on a French Chateau results in minimal embellishments, sufficient detail is provided through the regular arrangement of the dormers, iron railing balconies and wall trellises to provide architectural interest to the residence. Existing trees would be retained to the front and rear, while new landscaping is proposed to the east and will be required to the west.
- B. The two-story design preserves the existing scale and character of the surrounding neighborhood because a diverse mix of house sizes and styles are found in the neighborhood, which consists mainly of two-story homes. While the proposed house would alter the character of the subject property by introducing a two-story structure, it would blend in with the neighborhood. The design of the residence is tasteful and built in proportion to the parcel, and adequate setbacks would be provided at both floors. The overall height of the residence is mitigated by the five to eight-foot drop in elevation from Angeles Crest Highway to the building pad. The closest portion of the house to the street is in excess of 44 feet from the front property line.
- C. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the project meets all required setbacks with regard to the second-floor, as well as angle plane requirements. The difference in the proposed building pad elevation and that of the street and surrounding neighbors will minimize the impacts of the proposed residence on the neighborhood. The second-floor window array is not excessive and would not compromise the privacy of neighboring properties to the east, west and south. The number and location of existing mature trees, as well as the proposed landscape plantings, provide a buffer and screening of the home and the adjacent properties.
- D. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because massing, materials and detailing utilized by the project are consistent with a modern interpretation of a French Chateau. The depressed elevation of the pad in relationship with Angeles Crest Highway would reduce the house from prominent exposure and

minimize offsite impacts that can result from the sizeable construction that is proposed. Thus, the primary directives of the City's Residential Design Guidelines as related to neighborhood and streetscape preservation and compatibility are upheld by the project.

Section 2. With respect to Setback Modification 16-10:

- A. The proposed project is compatible with existing development on the site, and is consistent with other development in the immediate vicinity because the existing setbacks for the garage are longstanding, visually sufficient and consistent with development in the area. This is demonstrated by similar front and side yard setbacks at 5300 and 5306 Angeles Crest Highway, the two properties immediately west of the project site. The pad elevation of the existing garage is approximately five-feet lower than Angeles Crest Highway and the structure is sufficiently screened by the existing five-foot high solid fence and dense landscaping within the front yard setback.
- B. 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 project maintains the single-family use of the property and would retain encroachments by existing legal non-conforming structures, as opposed to the creation of new encroachments. Comparable encroachments are presented by structures on other properties in the immediate area, including adjacent homes to the west at 5300 and 5306 Angeles Crest Highway.
- C. 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 requiring compliance with current first floor setbacks to the north and/or west would require partial demolition of existing garage and is overly restrictive since the project would not add to or intensify non-conforming area. Relocating the garage to meet current setbacks would not provide view or massing benefit as the building pad is approximately five feet lower than Angeles Crest Highway and the structure is largely screened from off-site due to an existing five-foot high solid fence along the north property line and dense landscaping within the front yard setback.
- D. 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 existing encroachments would not be intensified through approval of the project. As the existing access to the property is provided via a private access easement to the east of the project site, and no direct access to Angeles Crest Highway is proposed, the existing setbacks of the garage will not result in impacts to public health, safety or welfare.
- E. 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. Preservation of the existing front and side yard setbacks of the existing garage would not yield a significant visual effect as seen from the street or impact public views. The pad elevation of the non-conforming garage is located approximately five feet lower than Angeles Crest Highway, the longstanding is visually screened by an existing five-foot high solid fence along the front property line and existing dense landscaping within the front yard setback. The setback of the existing garage is consistent with the character of the area, as demonstrated by the existing setbacks of garages located at 5300 and 5306 Angeles Crest Highway, located immediately west of the subject site.

Section 3. Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves Second Floor Review 16-09 and Setback Modification 16-10, located at 5310 Angeles Crest Highway, subject to the conditions listed in Exhibit "A", and attached to this Resolution.

PASSED, APPROVED AND ADOPTED this 27th day of September, 2016.

Chair of the Planning

Commission
ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
SECOND FLOOR REVIEW 16-09 AND
SETBACK MODIFICATION 16-10
5310 ANGELES CREST HIGHWAY

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 Second Floor Review 16-09 and Setback Modification 16-10.
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 plans labeled Second Floor Review 16-09 and Setback Modification 16-10, 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 Department 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, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. 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 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 Department 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 Commission for additional review and approval prior to permit issuance.

Planning Conditions:

13. A minimum of 50 percent of the front yard shall be maintained with landscaping.
14. A landscape and irrigation plan shall be submitted to the Planning Department and approved by the Director of Community Development or his designee prior to building permit issuance. Landscape screening shall be provided along the west property line to screen the new second floor from off-site views. The landscape and irrigation plan shall comply with the City's Water Efficient Landscaping Ordinance (Municipal Code Section 4.23). The proposed landscaping shall be installed on site and certified by a landscape architect prior to Building Permit final.
15. No occupancy shall be granted until the Director of Community Development or his designee confirms that the landscaping installation is complete and consistent with the approved plan.
16. 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.

Public Works Conditions:

17. Applicant shall submit a Preliminary Grading and Drainage Plan, indicating elevation contours, and low-impact development BMPs for review and approval.
18. Project shall comply with City's Low Impact Development Standards.
19. This project disturbs less than one acre of land, and is subject to the following minimum construction requirements:
 - a. 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.

- b. 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.
 - c. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
20. Any proposed mailbox structure shall be approved and permitted by Public Works.