

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

October 14, 2014 Meeting

Applicant/Owner:

Todd Reynolds
5263 Palm Drive
La Cañada Flintridge, CA 91011

Case Type /Number:

Hillside Development Permit 14-20
Second-floor Review 14-20
Setback Modification 14-10

Site Address:

5263 Palm Drive

Case Planner:

Chris Gjolme ~ Planner

1. Request:

The request is for a Hillside Development Permit and Second-floor Review to allow a 536 sq. ft. 2nd-floor addition to existing 2,494 sq. ft. single-story residence. A Setback Modification is also requested since expansion of the home's roof profile would occur within the required side yard setbacks, while porch and dormer additions would encroach into the required front yard setback, albeit no closer than the existing residence.

2. Location:

The project site is located along the north side of Palm Drive, northeast of Fairmount Drive, in the R-1-10,000 zone.

3. Staff Recommendation:

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

4. Project Size:

Lot Area:	9,148 sq. ft.
Existing residence and garage:	2,494 sq. ft.
Proposed 1 st -floor addition:	35 sq. ft.
Proposed 2 nd floor:	536 sq. ft.
Total Size:	3,065 sq. ft. (0.34 FAR)

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-1-10,000 (Single Family Residential, 10,000 Square Foot Minimum Lot Size). The parcel is presently developed with a one-story residence and an attached garage.

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from provisions of the City of La Cañada Flintridge CEQA) Guidelines, under Section 2.5(a)(4)(i)(additions) and 2.5(e)(1)(minor yard and setback variances).

7. Previous Action:

- Hillside Development Permit 07-41; allowed a 3-foot retaining wall and 6-foot fence along the north side property line; approved July 20, 2007.
- Hillside Development Permit 08-18; allowed a 669 sq. ft. single-story addition to the existing residence; approved June 24, 2008.

8. Pending and Potential Actions:

Issuance of building permit for proposed addition.

9. Staff Analysis:

A. Context:

The immediate area retains an intimate, rural character, heightened by wooded properties along narrow streets with minimal traffic, typical of the upper Palm area. While many lots qualify as hillside sites, views in the area tend to be short-range, limited by the area's topography and physical arrangement of properties along a relatively straight street. A noticeable pattern of minimal front setbacks and tightly clustered homes is apparent as the subject lot is approached from the south.

A majority of the subject lot is relatively flat. To the rear, the lot falls 50-60 feet before the rear property line is eventually reached. The rear slope is severe and is part of a major drainage ravine common to most properties along the north side of the street. The ravine is largely unseen and its contribution to those lots that qualify as hillside sites is not apparent. Overall, the site is associated with an average **slope of 42%**. Currently, the site is developed with a low-profile single-story home that was expanded in 2008. The home exhibits a substandard west side setback and 20-foot front setback, which is not visually

prominent due to the development pattern within the area. Adjacent homes to the east and west are single-story, as are those directly across the street. However, 2-story development has become more predominant in recent years as the area experiences transition typical of many La Canada neighborhoods.



B. Project Description:

First and second-floor expansion of the existing one-story residence is proposed. Roof/floor area removal would not exceed 30% of the existing structure, thereby qualifying the project as an addition rather than 'new' construction. First-floor expansion would be minor and limited to the front, where a 1'-9" stairway bump-out and new covered porch are proposed. The staircase would be contained within the envelope of the covered porch, three support columns for which would align with the existing garage and maintain the home's existing 20-foot front setback, consistent with the area, but below the 25-foot minimum code standard. The porch would align with the west side of the home as well, where a minimal 1-foot setback would be provided. New 1st-floor area would be 30 sq. ft., increasing the size of the home's footprint to 2,534 sq. ft.

To the front, the home's roof would be raised and re-pitched to house a 536 sq. ft. 2nd-floor 'workout room' and bathroom. Functional dormers are proposed to the front, rear

and east side. Dormer projection to the front would remain behind the garage and new porch, but would reduce the front setback to approximately 22 feet. Second-floor setbacks - measured to the interior wall - would comply with the 11'-4" side yard requirement for the lot. Exterior wall heights around the perimeter of the building would remain well below the 12-foot 1st-floor limit.

The roof's heightened profile would achieve a 20-foot height at the 2nd-floor setback line, above the 15-foot limit for 2nd-floor exemptions and subject to the requested Setback Modification. Maximum building height at the west ridge would be 22 feet, well below the 28-foot hillside limit. Despite increased height and the 12:12 roof pitch, angle plane compliance would be achieved to the sides.

To the east, an existing inward-facing retaining wall would be extended to the front to create passage along the side of the garage. The retaining wall would terminate at an existing planter wall and would not exceed 42" in height within the 25-foot front setback.

As mentioned, the lot has an average slope of approximately 42%, which corresponds to a Slope Factor Guideline (SFG) of .60. The lot can support 3,293 sq. ft. of floor area, reduced to 1,976 sq. ft. through application of the SFG. As proposed, the total square footage of the house would be 3,100 sq. ft., almost 200 sq. ft. below the standard limit for the lot, but well above the modified SFG limit, as is the case with the existing residence in its current form. In all, the project compares with code standards as follows:

	<u>Standard:</u>	<u>w/SFG:</u>	<u>Existing:</u>	<u>Project:</u>
Floor Area:	3,293 sf	1,976 sf	2,494 sf	3,065 sf
Front Setback:	25 feet	n/a	20 feet	20 feet
West Side SB				
1 st floor:	5'-8"	n/a	1 foot	1 foot
2 nd floor:	11'-4"	n/a	n/a	11'-4"
East Side SB				
1 st floor:	5'-8"	n/a	5 feet	5 feet
2 nd floor:	11'-4"	n/a	n/a	11'-4"
Rear SB:	15 feet	n/a	60 feet	60 feet
Height:	28 feet	n/a	13 feet	21 feet

C. Hillside Development Permit and General Plan:

Issues

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 skyline 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.

The size of the 2nd-floor addition is modest while the overall scale of the house, though heightened through a roof form of increased pitch, would not be excessive and would be compatible with the traditional character of the area. Visibility of the 2nd floor would be primarily from the immediate street frontage while views of the expanded home from neighboring properties would not be problematic. The adjacent home to the east is slightly upslope, but more importantly positioned behind the location of the addition, which would preclude major view impacts. To the west, the lateral alignment of the subject home and neighboring home already preclude view opportunities beyond the expansion area. Significant street views beyond the site are not possible and excessive massing is not presented, thus the primary safeguards of hillside review are ensured.

Address	Lot Size	House Size*	FAR	# of Stories
5233 Palm Drive	22,562 sf	3,099 sf	0.14	2
5240 Palm Drive	10,635 sf	2,244 sf	0.21	2
5244 Palm Drive	7,406 sf	1,594 sf	0.22	1
5245 Palm Drive	14,264 sf	1,178 sf	0.08	1
5248 Palm Drive	7,008 sf	2,395 sf	0.34	2
5254 Palm Drive	8,020 sf	1,700 sf	0.21	1
5255 Palm Drive	9,267 sf	1,498 sf	0.16	1
5260 Palm Drive	6,765 sf	1,821 sf	0.27	1
5264 Palm Drive	7,148 sf	1,491 sf	0.21	1
5265 Palm Drive	9,908 sf	1,369 sf	0.14	1
5301 Palm Drive	9,875 sf	1,040 sf	0.11	1
5304 Palm Drive	7,386 sf	1,997 sf	0.27	1
5305 Palm Drive	9,914 sf	1,822 sf	0.18	1
5306 Palm Drive	6,674 sf	2,074 sf	0.31	2
5312 Palm Drive	6,542 sf	1,664 sf	0.25	2
5315 Palm Drive	10,140 sf	3,181 sf	0.31	2
Average:	9,594 sf	1,885 sf	0.20	n/a
5263 Palm Drive	9,148 sf	2,723 sf	0.30	2

** The above table does not include non-habitable area and is intended for general comparison only.*

As mentioned, project floor area would exceed the SFG by 1,124 sq. ft. However, the guideline was intended to safeguard lots with severe topography conducive to visibility/exposure of the residence, and downsize building area as needed. This is not the case with the subject lot; despite the average slope, the lot's topography does not contribute to undue exposure of the residence and problematic long-range visibility. A majority of the home's area would continue to be at the 1st-floor level, behind the section to be raised and unseen from the street, while expansion as proposed preserves the

entirety of the rear yard slope and maximizes separation from it. The slope itself is part of a major ravine that benefits the project through its ample separation of the subject lot from homes to the west, which are distant and only partially visible. Moreover, the hillside character of many properties is not readily apparent given their position on level pads proximate to the street while Palm Drive's course is relatively straight and its ascent to the north subtle.

Although project density exceeds the area average as shown in the above table and total floor area exceeds the SFG, this is compensated by a well thought-out design of limited scale and graceful massing. In summary, the project would expand the profile of the existing residence in a sensitive manner, without significantly disturbing the site, and would not introduce unreasonable bulk or 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 addition is of modest visual scale and tastefully modulated through use of a varied roof form, dormers and shingle siding, and is configured to preserve existing yard area. Staff supports the finding.

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

Overall density would be increased, but would remain within standard limits for the lot, while a majority of the site's open space, including the sloping rear yard area, would not be affected by the proposed addition. Staff supports the finding.

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

The project consists of a modest addition to a single-family residence and no aspects of the improvement would be detrimental to the public health, safety, or welfare. Staff supports the finding.

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

The addition is consistent with the character of the property, within density standards and sensitive to the 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 addition is reasonable while the single-family use of the property and hillside setting would be substantially 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 and, as 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, lot's topography and character of the streetscape validate project floor area in excess of the Slope Factor Guideline. All other hillside requisites are satisfied while 2nd-floor encroachments are accommodated through the Setback Modification process. 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 limited visual scale, with diversity in material and form adequate to 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 to the front, albeit over a span of minimal length, important considering the proximity of adjacent homes to the sides. Views from these homes 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.

10. Additionally, for any project on a lot or parcel with an average slope of forty (40) percent or greater:

- a. The height of the project, or any part of the project, does not present visibly excessive bulk from any vantage point, near or far, due to sensitive

and well-articulated massing and 21-foot overall height, which is well below the 28-foot hillside limit.

- b. The project will not create an undue fire, flood, mudslide, subsidence, seismic safety, or other environmental risk for any persons or their property since the request involves modest 2nd-floor expansion of an existing one-story house on an already graded and flat pad.
- c. The privacy of the residents of other properties will not be unreasonably compromised since the 2nd-floor includes only one bathroom window along the side, amply set back from the property line, and not of a size or in a location that could lend to potential privacy impacts.

D. Second-floor Review:

Issues

The upper Palm Drive neighborhood is fairly uniform in its scale and character, typified by rows of Traditional one-story homes. However, 2-story homes of varied sizes and styles are found in the area. The design employed conceals the 2nd floor within the expanded roof form and, in so doing, imparts the impression of a taller one-story home, which staff believes is effective in preserving the area's character and charm. At just over 20 feet, primary building height would be very modest, 8 feet below the 28-foot hillside limit, and regarded as adequate compensation for the roof's increased 12/12 slope.

The new 2nd floor would constitute 17% of the home's overall floor area, reasonable by any evaluative criteria. While views of the expanded structure from other homes in the area would be possible, the massing presented is not excessive and would be eased by a focal and sizeable front yard pine tree. Public view impacts would be similarly negligible considering the lack of significant view-sheds over and beyond the site that exist within the immediate area.

Recently, the City has seen several projects that seek to maximize 2nd-floor area through creation of a large flat roof, which in turn allows for steeper perimeter hips and greater interior clearance. This has been somewhat problematic for the Commission since the resultant overall profile of the building can be incongruous with the scale and character of the immediate neighborhood. In the case of the project, a flat roof component is not proposed or necessary, while the increased roof pitch would be eased by very modest overall height and accented by a gable component above the garage flanked by quaint dormers. In short, the home's expanded profile would be reasonably consistent with other 2-story development visible along Palm Drive, several of which exhibit front gables as shown below:



A final consideration is the home's proximity to the south property line and resulting angle-plane constraint, which limits design options. The design employed, with its sloped hip that parallels the inward-projection of the angle plane, is a logical way to expand at the 2nd-floor level while providing the required clearance.

Findings

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

Setbacks below code requirements are provided at the 2nd-floor level, but for limited sections of the addition, while massing is eased through use of an angled roof structure of modest height, adequately modulated by a front gable and trio of dormers. Staff supports the finding.

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

The expanded home would present a compact 2nd floor of modest height and scale, buffered in part by a large front yard tree, and demonstrative of the rustic charm that defines the upper Palm area. staff supports the finding.

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

The area is wooded and not conducive to long-range views, while neighboring homes are adequately separated and would not be significantly impacted by the proposed 2nd-floor considering its modest profile and lack of windows along the sides. 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 Traditional architectural style is suitable for the area, and accommodates expansion of the residence in sensitive fashion, which preserving the visual character of the immediate area. Staff recommends the finding.

E. Setback Modification:

Issues

In evaluating Setback Modification requests, the primary considerations are necessity and effect. Considering the home's location and configuration, creation of the front porch, interior stairway and dormer array is not possible with provision of a compliant front setback since the existing structure is already forward of the code minimum 25 feet. The important consideration is the project's retention of the existing 20-foot front setback, which is typically allowed with staff-level review since no portion of the addition(s) will extend further forward than existing structure.

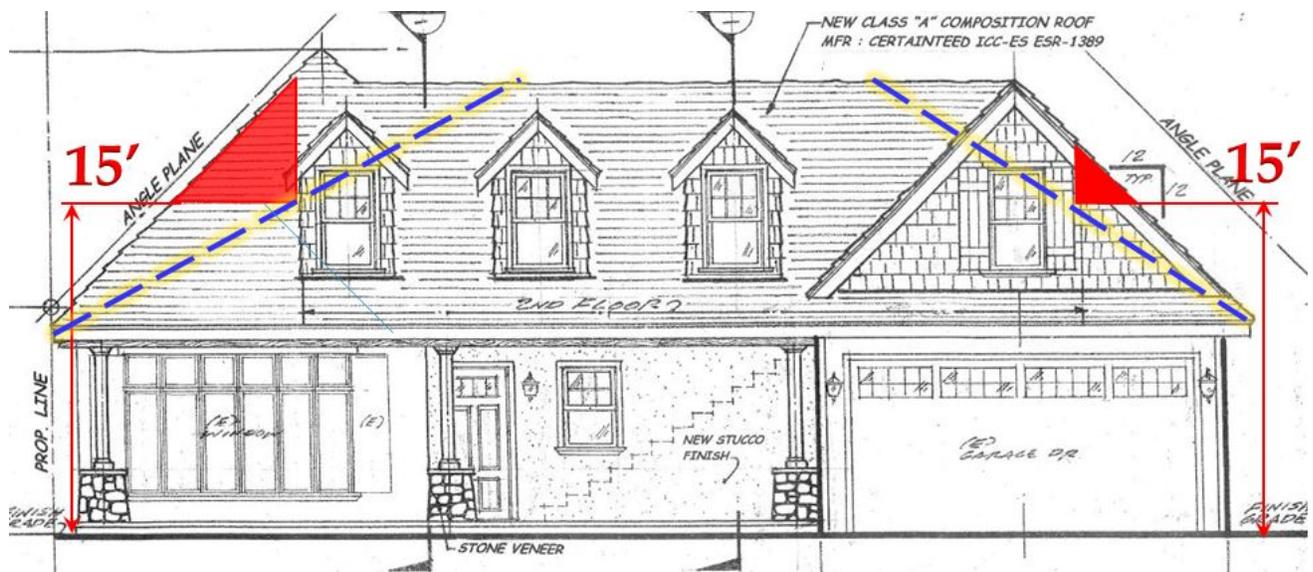
To the west, the new front porch would align with side of the house, where as mentioned, a minimal 1-foot setback is provided. While the porch could be recessed to provide a compliant 5'-4" side setback, roof proportion and symmetry in the arrangement of porch columns would be compromised without a legitimate benefit in staff's opinion.

Section 11.11.050.C.5.f.ii states that portions of the second floor with ceiling height below six feet are not subject to second floor side yard setbacks, provided that:

- (A) The portions are beneath a sloped roof; and
- (B) The eave height does not exceed twelve (12) feet; and
- (C) The roof height does not exceed fifteen (15) feet within the required second-floor setback.

The overall exterior height of the roof sections in question would reach approximately 20 feet to the west and 17 feet to the east, which exceeds the limit set forth in section (C) above. This again is directly attributable to the increased pitch, but also the minimal side setbacks, in particular to the west.

Encroaching roof area would achieve a maximum depth of 5 feet as measured outward from the 2nd-floor setback line to the west. The length of the encroachment would also be minimal, limited to less than half of the west elevation's overall span. This is not especially problematic in staff's estimation given the sloped profile of the hip in question and its gradual recession from the property line. The figure below highlights the encroaching area in the context of the overall roof form, which is minimal to the east, where the provision of a greater setback reduces the encroachment.



While the encroachment could be alleviated somewhat through reduction in the slope of the proposed plane, elimination would require a dramatic change to the roof's profile as indicated in the dashed blue lines. This would have an extreme narrowing effect on the new workout room, likely to a prohibitive extent, and is not regarded as a reasonable option. In all, staff is of the opinion that the roof design as proposed accommodates reasonable 2nd-floor expansion while the main encroachment to the west is a product of the home's existing siting and severe westerly bias, rather than arbitrary or insensitive design decisions. Staff recognizes the tight grouping of the subject home and adjacent residences and the inherent challenges with 2-story construction, but is of the opinion that an adverse crowding effect on the street would not occur, while impacts on adjacent homes would be less than significant.

Findings

1. The proposed project is compatible with existing development on the site, and

is consistent with other development in the immediate vicinity.

Second-floor expansion allows for a reasonable increase to the home's size while preserving the home's footprint, which cannot be altered given existing setback constraints. Containment of the addition within the roof limits the project's height and minimizes 2nd-floor mass, which is a legitimate objective given the low-profile character of the existing residence and other homes found in the immediate area. 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 existing single-family use of the property and expands the subject residence in logical and thoughtful fashion, while setback encroachments are presented by structures on other properties in the immediate area. 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.

Provision of compliant 2nd-floor setbacks would call for an asymmetrical and awkward revision to the roof design, which, as already suggested, achieves limited height and an overall aesthetic consistent with the area's character. The encroachments would be limited to minor sections of the roof which would not impose unduly on neighboring properties, and remedy is considered unnecessary since a significant view or massing benefit would not result nor would a substantial conflict with the general intent and purpose of the R-1 standards occur. 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 encroaching area would not impact the public health, safety or welfare nor unreasonably impair the typical residential use of nearby properties considering the location and scope of said encroachments. The finding can be supported.

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 2nd floor would be sensitively integrated into the existing structure through expansion of the roof, which would achieve limited height for the benefit of

immediately adjacent properties and offer tasteful modulation, consistent with the scale and character of the area. Staff can support the finding.

F. Recommendation:

Based on the above discussions, the project is reasonably designed and respects the character of the site and immediate area. Therefore, staff recommends that the requested Hillside Development Permit, Second-floor Review and a Setback Modification **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

C: *Todd Reynolds, 5263 Palm Drive, La Cañada Flintridge, CA 91011*

CITY OF **LACAÑADA FLINTRIDGE**

RESOLUTION NO. 14-xx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 14-20
SECOND-FLOOR REVIEW 14-20 AND SETBACK MODIFCATION 14-10
FOR 1ST AND 2ND-FLOOR ADDITIONS
TO AN EXISTING SINGLE STORY RESIDENCE
WITH FRONT AND SIDE SETBACK ENCROACHMENTS
AT 5263 PALM DRIVE
AS REQUESTED BY
TODD REYNOLDS**

WHEREAS, a request by Todd Reynolds has been received for a Hillside Development Permit, Second-floor Review and a Setback Modification to allow 1st and 2nd-floor expansion of an existing single-story residence with front and side yard setback encroachments, said request attached hereto and incorporated by reference; and

WHEREAS, after publication and posting of the request in the prescribed manner, the Planning Commission, on October 14, 2014, held a public hearing on the project and discussed the project; 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 Section 2.5(a)(4)(i)(additions) 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 staff report dated October 14, 2014, regarding the application for a Hillside Development Permit, Second-floor Review and Setback Modification, 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 addition is of modest visual scale and tastefully modulated through use of a varied roof form, dormers and shingle siding, and is configured to preserve existing yard area.
2. The project will maximize potential for sensitive use and effective preservation of open space because overall density would be increased, but would remain within standard limits for the lot, while a majority of the site's open space, including the sloping rear yard area, would not be affected by the proposed addition.
3. The project will not be detrimental to the public health, safety, or general welfare because the project consists of a modest addition to a single-family residence and no aspects of the improvement would be detrimental to the public health, safety, or welfare.
4. The project will not adversely affect the orderly development of property within the City because the addition is consistent with the character of the property, within density standards and sensitive to the 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 addition is reasonable while the single-family use of the property and hillside setting would be substantially maintained, consistent with the direction of the City's General Plan.
6. The project will not create a nuisance, hazard or enforcement problem within the neighborhood or the City or require the City to provide an unusual or disproportionate level of public service because the project enhances the existing residential use and, as designed, will not create any 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, lot's topography and character of the streetscape validate project floor area in excess of the Slope Factor Guideline. All other hillside requisites are satisfied while 2nd-floor encroachments are accommodated through the Setback Modification process.
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 limited visual scale, with diversity in material and form adequate to 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 to the front, albeit over a span of minimal length, important considering the proximity of adjacent homes to the sides. Views from these homes 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.
10. Additionally, for any project on a lot or parcel with an average slope of forty (40) percent or greater: The height of the project, or any part of the project, does not present visibly excessive bulk from any vantage point, near or far, due to sensitive and well-articulated massing and 21-foot overall height, which is well below the 28-foot hillside limit. The project will not create an undue fire, flood, mudslide, subsidence, seismic safety, or other environmental risk for any persons or their property since the request involves modest 2nd-floor expansion of an existing one-story house on an already graded and flat pad. The privacy of the residents of other properties will not be unreasonably compromised since the 2nd-floor includes only one bathroom window along the side, amply set back from the property line, and not of a size or in a location that could lend to potential privacy impacts.

Second-floor Review:

1. The two-story design includes adequate setbacks, screening and modulation because setbacks below code requirements are provided at the 2nd-floor level, but for limited sections of the addition, while massing is eased through use of an angled roof structure of modest height, adequately modulated by a front gable and trio of dormers and screened by a focal front yard tree.
2. The two-story design preserves the existing scale and character of the surrounding neighborhood because the expanded home would present a compact 2nd floor of modest height and scale, buffered in part by a large front yard tree, and demonstrative of the rustic charm that defines the upper Palm area, wherein other 2-story homes with varying roof designs are apparent.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the area is wooded and not conducive to long-range views, while neighboring homes, though proximate, would not be significantly impacted by the proposed 2nd-floor considering its modest profile and lack of windows along the sides.

4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because the Traditional architectural style is suitable for the area, and accommodates expansion of the residence in sensitive fashion, which preserving the visual character of the immediate area.

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 second-floor expansion allows for a reasonable increase to the home's size while preserving the home's footprint, which cannot be altered given existing setback constraints. Containment of the addition within the roof limits the project's height and minimizes 2nd-floor mass, which is a legitimate objective given the low-profile character of the existing residence and other homes found in the immediate area.
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 project maintains the existing single-family use of the property and expands the subject residence in logical and thoughtful fashion, while setback encroachments are presented by structures on other properties in the immediate area.
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 provision of compliant 2nd-floor setbacks would call for an asymmetrical and awkward revision to the roof design, which, as already suggested, achieves limited height and an overall aesthetic consistent with the area's character. The encroachments would be limited to minor sections of the roof which would not impose unduly on neighboring properties, and remedy is considered unnecessary since a significant view or massing benefit would not result nor would a substantial conflict with the general intent and purpose of the R-1 standards occur.
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 encroaching area would not impact the public health, safety or welfare nor unreasonably impair the typical residential use of nearby properties considering the location and scope of said encroachments.
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 2nd floor would be sensitively integrated into the existing structure through expansion of the roof, which would achieve limited height for the benefit of immediately adjacent properties and offer tasteful modulation, consistent with the scale and character of the area

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Hillside Development Permit, Second-floor Review and Setback Modification for 1st and 2nd-floor expansion of a single-story residence at 5263 Palm Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 14th day of October, 2014.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
Hillside Development Permit 14-20
Second-floor Review 14-20
Setback Modification 14-10
5263 Palm Drive

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 14-20, Second-floor Review 14-20 and Setback Modification 14-10.
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 Hillside Development Permit 14-20, Second-floor Review 14-20 and Setback Modification 14-10, Sheets A-1 thru A-3, except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. 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 and assessments to the City of La Cañada Flintridge, as established by Resolution of the City Council.
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 and Second-floor Review. 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. At the time of approval, if it is deemed by the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that

demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.

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 performance security is required prior to the issuance of the grading and building permits.
13. An encroachment and/or excavation permit is required for any work within the public right-of-way.
14. Retaining wall height within the required front yard setback shall be limited to 42" per code.
15. Where necessary to preclude vertical clearance above 6 feet and associated floor area, the attic roof shall be supported by trusses with the bottom chord less than 6 feet above the attic's finished floor level. The trusses shall be spaced no farther than 4 feet on center.
16. Side yard screening to the northeast shall be enhanced to the extent possible through introduction of new trees and/or shrubs to be indicated on a landscape plan subject to review and approval by the Director of Community Development.
17. 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.
18. 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.

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