

CITY OF **LACANADA FLINTRIDGE**

**PLANNING COMMISSION MEMORANDUM**

March 22, 2016 Meeting

**To:** Planning Commission  
**From:** Chris Gjolme ~ Planner  
**Re:** Hillside Development Permit 15-43 & Second-floor Review 15-43; 4235 Mesa Vista Drive; Baghgegian. *Previously Hillside Development Permit 15-05 (Adm.) & Second-floor Review 15-34 (Dir.), approval of which have been nullified since more than 30% of the previously existing residence has been demolished.*

---

**BACKGROUND / UPDATE:**

At the February 23, 2016 meeting, the Planning Commission reviewed the request for a Hillside Development Permit and Second-floor Review to allow construction of a new 5,055 sq. ft. 2-story residence and deck on a hillside lot. Side yard retaining walls up to 6 feet in height were also proposed to accommodate a new swimming pool.

The Commission will recall that the existing house has been partially demolished beyond the 30% roof/floor area removal threshold that qualifies a project as “new construction”. Compounding this, footing and foundation work for the new garage and front addition has commenced.

At the meeting, uncertainties about the overall height of the house and extent of grading required to accommodate a new swimming pool arose. The plan sets did not include a formal grading plan. Unbeknownst to staff, however, detailed pool plans that were included during the project’s review and approval last November were not included as part of the plans distributed to the Commission prior to the February 23<sup>rd</sup> meeting. Those plans, Sheets L.1 and L.2 are now included.

A formal grading plan was not prepared in time for this review. However, it remains uncertain whether a grading permit will be required given the amount of qualified material affected (less than 50 cu yds.). Independent of this, staff believes that the pool plans adequately detail the pool component of the project, which staff continues to regard as appropriate for the site and absent any significant hillside issues.

With regard to overall building height, elevations points along the underside of the deck have been confirmed by the surveyor. The drawing sets include copies of the stamped survey. In addition, the project engineer, who has also certified the plans, has created 3 sections using these points as low datum, as shown on Sheets A7.0 and A7.1. From this, a

maximum overall structure height of 28'-9" has been verified (elev.221.44-250.19 +/-), slightly over the 28-foot hillside limit. The 9" of excess height is marginal and could be allowed through a stepped massing determination since it has been established that no portion of the structure exceeds 28 feet in height as measured from vertically adjacent grade along the transverse course of the respective section and the slope of the roof corresponds with the downslope to the east (best shown in Section A-A). Staff believes that the excess height is visually negligible and that said determination is reasonable in this case. However, should the Commission disagree, a Director's-Miscellaneous Review (height modification), which can allow for up to 6 feet of additional building height, would be required. A condition to this effect can be added to the resolution if deemed necessary.

Lastly, in accord with condition #17, a tree report has been prepared by a City-approved arborist – albeit in advance of action taken on the project. Based on a cursory review, the report focuses on onsite trees and will have to be expanded to include offsite trees potentially affected by the movement of construction vehicles to and from the site. In addition, proximate neighbors at 4229 and 4240 Mesa Vista Drive will need to be consulted prior to finalizing the report.

#### **EVALUATION:**

As already mentioned, although the project now qualifies as a new 2-story hillside residence, the previous staff report and its assessment of the site, expanded residence and potential hillside and 2<sup>nd</sup> floor issues still applies, despite its prefacing the project as 'additions' rather than 'new' construction. Associated Hillside and Second-floor Review findings also largely apply, but have been revised below to reflect the expanded scope of the new project. These revised findings are also contained in the new resolution.

With additional pool plans/information provided and confirmation of overall building height, staff is hopeful that the Planning Commission will regard the project favorably, despite its expanded scope and the associated entitlements now required.

#### **FINDINGS:**

##### *Hillside Development Permit*

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

The project uses refined and unique massing and detailing to achieve its overall scope, while maintaining the tasteful effect of pre-existing architecture and benefit of major tree landscaping. Staff supports the finding.

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

The project expands the previous footprint to a reasonable extent without affecting the attractive and visible sloped open space, the side yard of which would be refined through modest retaining walls to create a small pool. Staff supports the finding.

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

With regard to safety, the project would provide ample and increased parking and maintain vehicular access; no public health or welfare issues are raised by the enhancement of a single-family residence on the site. Staff supports the finding.

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

The project would merely add a new 2-story home on a residential lot in a subdivided and largely developed area at less than its allowable density. Staff supports the finding.

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

The residence and retaining walls will respect the hillside terrain and protected trees, and introduce reasonable additional development in terms of density on the site. The compatibility of the house as analyzed in this report upholds the General Plan Land Use Element Goal 4 to "(m)aintain hillside areas for the purpose of preserving the visual quality of the City, protecting the public from safety hazards, and conserving natural resources", and the applicable Objective 4.1 which states "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." 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 services.**

The project, consisting of enhancement of a single-family residential use, will not result in a change of use or intensification of development beyond those allowed in the General Plan and zoning codes. 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.**

Preservation of the previous home's basic 2<sup>nd</sup>-floor profile and limited primary height through reconstruction as proposed and the highly secluded character of the site validate project floor area in excess of the Slope Factor Guideline and minimal excess overall height. All other hillside requisites are satisfied. 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 previous home's unique style and massing and relatively modest height would be preserved while its screened and secluded location and position well back from the street negate the potential for 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 project's vertical envelope would not be changed to a significant extent, so views would be largely unaffected. The house is not in a position to impact views from neighboring properties to an appreciable extent in any event. 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 preservation of the previous structure's modest 22-foot primary height, which is well below the 28-foot hillside limit, and the deck extension, which obscures the downslope subfloor and additional building height associated therewith. Further, the extensive screening and visual seclusion afforded to the site preclude most offsite views of the new residence.

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 construction on an already graded and flat pad and limited retaining wall use to create a small swimming pool.

c. The privacy of the residents of other properties will not be unreasonably compromised since the new house would be cited and oriented in a manner similar to the previous longstanding residence. The deck would be amply set back from the property line, and is not of a size or in a location that could lend to significant new view opportunities when considering the longstanding nature of the previous deck.

*Second-floor Review*

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

The new residence would continue to exhibit a unique architectural style, with articulation evident through use of angled roof and wall planes. Compliant and ample side setbacks are provided while the site's landscaping would be largely retained. Staff supports the finding.

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

The design would preserve the prior home's unique style and massing while its deep setback from a fairly isolated private street would ensure a limited effect on the character of the surrounding neighborhood. Staff supports the finding.

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

The new residence would not be prominently viewed in totality from any vantage point. Neighboring homes are adequately separated and screened and would not be adversely impacted by the project. Staff supports the finding.

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

The project would preserve the previous home's contemporary/modern design and general vertical profile. The new house would continue to be of limited offsite visibility, with virtually no effect on the street setting. As such, compatibility with the area would continue to be apparent while architectural consistency between the existing structure and additions, which the new project essentially achieves, satisfy mandates of the City's Residential Design Guidelines. Staff supports the finding.

**RECOMMENDATION:**

Despite the procedural issues with the project, required Hillside Development Permit and Second-floor Review findings remain supportable and staff would recommend **APPROVAL** of the project, per the conditions listed in Exhibit "A" and attached to the revised resolution.

*Att: Original staff report - 11/18/2015 Adm. Hearing  
PC Staff memo #1 - 2/23/2016  
Arborist Report dated 3/1/2016*

C: *Jay Johnson / 1125 Foothill Blvd. / LCF, CA / 91011*  
*Mehran Baghgegian / 188 N. Holliston #201 / Pasadena, CA / 91106*