

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

September 22, 2015 Meeting

Applicant/Property Owner:

Tanya Nielson
5329 Palm Drive
La Canada Flintridge, CA 91011

Case Type / Number:

Hillside Development Permit 15-15

Site Address:

5329 Palm Drive

Case Planner:

Chris Gjolme ~ Planner

1. Request:

The request is for a Hillside Development Permit to allow construction of a 2,058 sq. ft. one-story addition on a lot with an average slope of 17%, above the 15% threshold for hillside review. The addition would replace an existing structure to the front and join with a legal non-conforming 2-story building to the rear, resulting in total floor and roofed area of 3,785 sq. ft., as allowed for the 10,809 sq. ft. site. Relocation of an existing swimming pool and creation of a new spa is also proposed.

2. Location:

The project site is located on the west side of Palm Drive, south of its intersection with Del Oro Drive, in the R-1-10,000 zone.

3. Staff Recommendation:

Staff recommends that the request **BE APPROVED**, subject to the attached conditions.

4. Project Size:

Lot Area:	10,809 sq. ft.
Existing 2-story structure to be retained:	1,727 sq. ft.
Proposed 1 st -floor addition:	2,058 sq. ft.
Total:	3,785 sq. ft. (0.35 FAR)

5. General Plan / Zoning / Existing Land Use:

The Land Use Map identifies the site as Low Density Residential – up to 4 Dwelling Units per Acre. The property is designated R-1-10,000 (Single Family Residential, 10,000 Square Foot Minimum Lot Size). The lot is presently developed with a single-story residence and two-story bedroom wing.

6. Environmental Impact Review:

Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA), under Section 2.5(a)(4)(ii)(additions) of the State Guidelines.

7. Previous Action:

None

8. Pending and Potential Actions:

Plan check, Fire Department approval and issuance of building permit.

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. A noticeable pattern of minimal front setbacks is apparent as the subject lot is approached from the south.

A majority of the subject lot is relatively flat, although well to the rear, the lot falls 30 feet to the rear property line. The rear slope is fairly severe and is part of a major drainage ravine common to most properties along the west side of the street. Overall, the site is associated with an average slope of 17%.

Currently, the site is developed with a 2-story home composed of two wings attached by a small enclosed hallway (highlighted in the aerial photo on the next page). The one-story section to the front was built in 1947. In 1976, a detached guest house was added and expanded into a 2-story bedroom wing in the 1980s. At some point since, the wings were attached by an enclosed hallway, permits for which could not be found. Thus, the property is considered to be currently developed with two separate structures. As such,

removal and reconstruction of the single-story portion to the front has no zoning implications for the 2-story rear building, which would be retained as part of the project.



The front 'home' is set back 20 feet from the front property line, while an adjacent carport along the north side provides an approximate 2-foot setback, resulting in 5-foot and 4-foot encroachments, respectively. These encroachments, however, are not visually prominent due to the tightly-clustered development pattern found along upper Palm Drive. Fronting the house is a large 30" deodar cedar that would be retained as part of the project.

While numerous single-story homes are found along Palm Drive to the south, the site is part of a notable cluster of two-story development that includes neighboring lots to the north, and two properties across the street to the east.

B. Project Description:

As mentioned, the front ½ of the residence (considered a separate structure despite attachment to the rear building) would be demolished and replaced with a new compliant single-story structure. Revamped and improved attachment to the rear building is also proposed to unify the structures. The existing swimming pool to the south would be relocated to the west, toward the interior of the lot, to accommodate expansion.

The new plan is fairly straightforward and consists of three main components; an angled 2-car garage along the north side of the site, master bedroom suite to the south and living

room/kitchen to the rear. Access to the rear building would be provided at the southwest corner of the living room, where a staircase would ascend to an elevated landing. Other elements of the new floor plan include a central porch, entry foyer, office and powder room. Demolished area and new area would be almost identical. Though the addition would comprise 2,058 sq. ft., the net floor area added would be zero. Inclusion of the rear structure would increase total floor area to 3,785 sq. ft., the maximum allowance for the site. With a slope of less than 20%, a Slope Factor Guideline (SFG) is not associated with the request. As a single-story addition, the project would retain the scale and profile of the existing residence by achieving a limited height of 13'-4".

Several code deficiencies would be remedied by the proposal. The non-conforming carport would be removed and replaced by a compliant garage, both in terms of interior parking capacity and increased north side setback. To the front, the home's setback would be increased by 5 feet, from 20 feet to 25 feet, to satisfy the requirement for the lot. Site access would remain to the north, where a gently curved driveway would extend around the deodar cedar and access the angled garage.

Given the scope of the project and shrouded character of the area, new landscaping is not regarded as a critical component but a concept plan outlining accent shrub clusters to the front has been provided and is adequate in staff's estimation. In all, the request compares with code standards as follows:

	STANDARD	EXISTING	PROPOSED
Floor Area:	3,785 sf	3,785 sf	3,785 sf
Front SB:	25 feet	20 feet	25 feet
North Side SB			
1 st floor:	6 feet	2 feet (carport)	6'-1"
2 nd floor:	12 feet	6'-6"	n/a
South Side SB			
1 st floor:	6 feet	25 feet	6'-1"
2 nd floor:	12 feet	35 feet	n/a
Rear SB:	15 feet	43 feet	43 feet
Height:	28 feet	13 feet	26'-6" (overall)

C. Hillside Development Permit and General Plan:

Discussion

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

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

Supporting this goal are the following objectives and policies:

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

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

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

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

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

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.

A review of the upper Palm Drive area reveals diversity in lot size and house size as the following table indicates:

Address	Lot Size	House Size	FAR	# of Stories
5315 Palm Drive	10,140 sf	3,181 sf	0.31	2
5316 Palm Drive	6,720 sf	1,622 sf	0.24	1
5319 Palm Drive	10,290 sf	1,864 sf	0.18	1
5320 Palm Drive	6,760 sf	1,235 sf	0.18	1
5323 Palm Drive	10,440 sf	1,451 sf	0.14	1
5326 Palm Drive	7,290 sf	1,272 sf	0.17	1
5330 Palm Drive	7,680 sf	1,080 sf	0.14	1
5354 Palm Drive	9,660 sf	2,748 sf	0.28	2
5401 Palm Drive	17,340 sf	4,690 sf	0.27	2
5410 Palm Drive	8,320 sf	1,064 sf	0.13	1

5414 Palm Drive	11,780 sf	2,263 sf	0.19	1
5415 Palm Drive	14,980 sf	3,197 sf	0.21	2
5424 Palm Drive	14,910 sf	4,550 sf	0.30	2
Average:	10,048 sf	2,179 sf	0.22	n/a
<i>5329 Palm Drive*</i>	<i>10,809 sf</i>	<i>3,300 sf</i>	<i>0.31</i>	<i>2</i>

* *Project Site* – figures exclude garages and other exterior covered areas and are intended for general comparison only.

The size and visual scale of the remodeled home would be comparable to that of the existing structure, with exception of the new garage, which alters the overall massing of the structure, albeit to a negligible extent. However, the improved floor plan and refined exterior, inclusive of a central entry alcove, minimalist facades and contemporary standing-seam metal roof, are worthy upgrades that would significantly enhance the site and the home’s street presence. Visibility of the residence would continue to be primarily from the immediate street frontage while views of the addition from neighboring properties to the sides would not be problematic given the provision of compliant setbacks and single-story expansion scheme. Pool relocation and creation of a new spa, as stand-alone project components are typically processed at staff level, and, in the case of the request, raise no hillside issues.



Continued utilization of the north driveway and creation of a street-facing garage, though undesirable in some instances, would be consistent

*Existing residence – above left;
Proposal – below right.*

with numerous homes in the immediate area, including the adjacent neighbor to the north and south. Driveways, though composed of impervious structure, lack the footing depth associated with buildings and are not necessarily cause for alarm



when proximate to protected trees, as is the case with the request. Numerous driveways along Fairmount Avenue and Palm Drive are tightly flanked by protected trees of considerable size; most, if not all, flourishing with no adverse impacts from

proximate paving. With this said, new paving would be introduced within the tree's 5-foot protection zone and arborist review of the expanded driveway will be required.

In summary, the project would remove and reintroduce a single-story component that would be integrated with an existing 2-story structure. As a note, color and material upgrades for the rear structure are proposed at a later date to ensure visual cohesion throughout the entire residence. The overall size and mass of the project would be comparable to the longstanding existing structure and several other homes in the immediate area and well below the neighboring home immediately to the north; thus, issues related to bulk and view impacts are not relevant in this case. The project would not disturb the street setting or upset the character of the area, thus achieving consistency with the Hillside Ordinance and upholding the spirit of the City's General Plan.

Findings

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

The addition is tasteful, efficient and appropriately scaled, and utilizes existing pad area while preserving yard and open space to the rear. Staff supports the finding.

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

Overall density figures for the site would not be altered given the net floor area added, while sloping yard area to the rear would not be affected since the project utilizes level pad area toward the front of the lot. Staff supports the finding.

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

The proposed development is appropriate for the site and area since it involves enhancement of an existing residential use and onsite parking capacity through provision of a new garage with direct street access. Given the project's limited scope, no aspects of the improvement would be detrimental to the public health, safety, or welfare. Staff recommends 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 and residential scale of the immediate area, and within density standards for the subject lot. Staff recommends the finding.

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

The overall scope of the project is reasonable and includes remedy to several code issues, while the 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 would continue to be served by adequate infrastructure and public services. As such, it will not create any problems in the neighborhood. The finding can be made.

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

No hillside code standards or guidelines are exceeded by the project. As such, this finding is not required.

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 single-story profile and modest height combine with increased setbacks to preclude the presentation of excessive bulk as viewed from any vantage point near or far. Staff supports the finding.

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

The project site is visually isolated while neighboring view-sheds are typically short-range, oriented away from the site and would not be significantly impacted by introduction of a single-story replacement structure. Staff recommends the finding.

D. Recommendation:

Based on the above discussion, staff has concluded that the findings can be made for approval of the Hillside Development Permit, and recommends that the request **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

C: *Tanya Nielson / 5329 Palm Drive / La Canada Flintridge, CA / 91011*

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 10-xx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 15-15
FOR A SINGLE-STORY ADDITION
TO BE INTEREGRATED INTO AN EXISTING 2-STORY STRUCTURE
AT 5329 PALM DRIVE
AS REQUESTED BY
TANYA NIELSEN**

WHEREAS a request by Tanya Nielsen has been received for a Hillside Development Permit to allow construction of a single-story addition to be incorporated into an existing 2-story structure, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on September 22, 2015, held a public meeting and conducted a review of the request; and

WHEREAS, the Commission reviewed the project and determined that no significant environmental impacts would result from the project, which is Categorically Exempt from the California Environmental Quality Act, under Class 2.5(a)(4)(ii)(additions) 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 September 22, 2015 regarding the application for a Hillside Development Permit at 5329 Palm Drive, 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 addition is tasteful, efficient and appropriately scaled, and utilizes existing pad area while preserving yard and open space to the rear.
2. The project will maximize potential for sensitive use and effective preservation of open space because overall density figures for the site would not

be altered given the net floor area added, while sloping yard area to the rear would not be affected since the project utilizes level pad area toward the front of the lot.

3. The project will not be detrimental to the public health, safety, or general welfare because the proposed development is appropriate for the site and area since it involves enhancement of an existing residential use and onsite parking capacity through provision of a new garage with direct street access. Given the project's limited scope, 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 and residential scale of the immediate area, and within density standards for the subject lot.
5. The project will conform to the goals and policies set forth in the General Plan because the overall scope of the project is reasonable and includes remedy to several code issues, while the 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 would continue to be served by adequate infrastructure and public services. As such, it will not create any problems in the neighborhood.
7. 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 single-story profile and modest height combine with increased setbacks to preclude the presentation of excessive bulk as viewed from any vantage point near or far.
8. The project does not create an avoidable or unreasonable impairment of the view from any other property because the project site is visually isolated while neighboring view-sheds are typically short-range, oriented away from the site and would not be significantly impacted by introduction of a single-story replacement structure.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Hillside Development Permit for a single-story addition to be integrated into a 2-story structure at 5329 Palm Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 22nd day of September, 2015.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
HILLSIDE DEVELOPMENT PERMIT 15-15
5329 Palm Drive

Standard Conditions:

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Hillside Development Permit 15-15.
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 15-15, Sheets A101-A402, 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. 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. Applicable tree protection guidelines shall be strictly adhered to during all phases of construction.
14. Chain-link protection barriers of the requisite size shall be installed around the front yard deodar cedar to be retained as part of the project. Said fencing shall be installed and inspected by the City prior to issuance of any grading or building permits, and shall remain in place during all phases of construction.
15. Prior to issuance of building permits, arborist review of the proposed driveway shall be required. Recommendations from said review shall be complied with to the maximum extent possible.
16. All new mechanical equipment shall provide compliant 6-foot side setbacks as required by code, unless approved through the Director's Miscellaneous Review process (pool equipment) or through receipt of affected neighbor endorsement (HVAC).

Public Works Conditions:

17. The project shall comply with Los Angeles County's Low Impact Development Standard.
18. This project **disturbs less than one acre of land**, the project is subject to the following minimum construction requirements:
 - Sediments from areas disturbed by construction shall be retained on site, using structural drainage controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities, or adjacent properties via runoff, vehicle tracking, or wind.
 - Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
 - Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
19. Site plan shall indicate existing/proposed sewer mainline on Palm Drive, and existing/proposed point of connection (lateral) serving the project.

20. Prior to any construction (including, but not limited to, drive approaches, sidewalks, curb and gutter, etc.), trenching or grading within public or private street right-of-way, the applicant shall submit a street improvement plan consistent with the approved Site Plan and conditions of approval and obtain encroachment permits from the Engineering Division.
21. Any proposed mailbox structure shall be approved and permitted by Public Works.

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