

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

October 11, 2016 Meeting

Applicant

De Angelis Designs Inc.
650 Foothill Blvd. Suite E
La Canada Flintridge, CA 91011

Case Type / Number:

Hillside Development Permit 16-17
Second-floor Review 16-13
Setback Modification 16-07

Property Owner:

Vacheh and Stephanie Avanesian
4140 Chevy Chase Drive
La Canada Flintridge, CA 91011

Site Address:

5462 La Forest Drive

Case Planner:

Chris Gjolme ~ Planner

1. Request:

The request is for a Hillside Development Permit and Second-floor Review to construct a new two-story house and attached garage comprising 5,258 sq. ft. on a 24,627 sq. ft. hillside lot with an average slope of 17%. A Setback Modification is also requested to allow a 25-foot front setback for the residence, which is less than the 45-foot requirement for the lot, and fencing above 42" in height within the required front setback.

2. Location:

The site is near the end of La Forest Drive, which extends north from Los Amigos Street, in the R-1-15,000 zone.

3. Staff Recommendation:

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

4. Project Size:

Lot Size:	24,267 sq. ft.
Proposed 1 st floor (inc. garage):	3,341 sq. ft.
Proposed 2 nd floor:	1,917 sq. ft.
Total:	5,258 sq. ft. (0.22 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 zoned R-1-15,000 (Single Family Residential, 15,000 Square Foot Minimum Lot Size). The site is currently developed with a single-story residence and garage that would be demolished in conjunction with project approval.

6. Environmental Impact Review:

Staff has determined that the proposed Hillside Development Permit and Second-floor Review are Categorically Exempt from the California Environmental Quality Act, under Class 2.5(c)(1)(new construction) of the City of La Cañada Flintridge Guidelines for the Implementation of CEQA.

7. Previous Action:

None.

8. Pending and Potential Actions:

Plan check, Health Dept. & Fire Dept. approval, issuance of building permits.

9. Staff Analysis:

A. Context:

La Forest Drive north of Los Amigos consists of a single block, initially a straight north-south segment, then the short east-west remainder. The subject property begins at the top of the north-south segment and fronts the entire south side of the east-west segment. As a result, La Forest's curved frontage spans 330 feet and constitutes the front of the lot. This orientation yields side property lines to the south and east, and a relatively limited lot depth of 100 feet.



The context is divided along the same lines as the street. The straight segment has a marked slope and is lined with houses of subtle character and modest massing within a wooded setting. The east-west segment is relatively flat, with large parcels markedly upslope or downslope. One-story and split-level homes are common to the street, with larger two-story homes across the street and upslope to the north.

The site exhibits gentle yet consistent slope to the southwest to the extent that the lot's overall slope reaches 17% and qualifies as a hillside lot. The slope positions the pad and existing one-story residence several feet below street level as seen from the north, but well above the adjacent home to the south. While several large trees lace the site, the lot has been 'de-shrubbed' recently, revealing the interior as one approaches from the south and continues along the curved frontage.

Despite exposure, the existing residence is relatively isolated from its neighbors. One of the upslope parcels directly across the street remains undeveloped. West of this parcel and the site are the properties at 5471 and 5465 La Forest Drive, where 2-story projects have received recent Commission approval. Driveway and grading improvements for the project at 5471 La Forest Drive are underway. To the south is the most proximate residence at 5454 La Forest Drive, a split-level home of Traditional design. Distant to the northeast is the home at 5495 La Forest Drive, which is partially screened to the front and elevated well above street level.

The mix of houses is reflected in the following table, with two-story houses concentrated at the upper end of the street:

Address	Lot Size	House Size	FAR	Number of Stories
5440 La Forest Drive	33,220 sf	1,852 sf	0.06	1
5448 La Forest Drive	28,780 sf	1,658 sf	0.06	1
5447 La Forest Drive	20,610 sf	3,208 sf	0.16	1
5457 La Forest Drive	17,860 sf	3,007 sf	0.17	1
5465 La Forest Drive (approved)	23,289 sf	4,527 sf	0.19	2
5471 La Forest Drive (approved)	60,984 sf	5,708 sf	0.09	2
5467 La Forest Drive	47,916 sf	3,916 sf	0.08	2
5495 La Forest Drive	50,030 sf	7,288 sf	0.15	2
Average (Mean):	35,336 sf	3,895 sf	0.12	---

5462 La Forest Drive 24,267 sf 4,261 sf 0.18 2

(floor area figures DO NOT include garages & other exterior covered area & are intended for general comparison only)

B. Project Description:

The project involves construction of a two-story residence with an attached 2-car garage. Pool and patio improvements are also proposed to the rear and east side of the residence. Several new retaining walls would be employed to expand the building pad.

The footprint's length would be 101 feet, contrasted with a much lesser depth of 42 feet, yielding a modulated rectangular footprint consistent with the basic configuration of the lot. Inclusive of the garage and a covered patio, the 1st floor would comprise 3,341 sq. ft. Living space would be thoughtfully organized and spatially ample, though not excessive.

A minimum 25-foot front setback would be provided at the entry, increasing to almost 28 feet along the remainder of the front elevation. The front setback would gradually increase to the west as the street extends away from the residence and curves to the south, ultimately reaching 92'-6". South and east side yard setbacks would be in excess of code requirements; a 56-foot setback would be provided to the east, while a 31'-3" setback for the residence is proposed to the south, both well above the maximum 20-foot requirement for the lot. A trellis structure would project from the rear elevation, reducing the qualified south side setback at the 1st-floor level to 16'-5".

The 2nd floor would be consolidated atop the central portion of the footprint, allowing for considerable recess from the garage and patio to the sides. It would include five bedrooms surrounding a central landing and hallway, and would comprise 1,917 sq. ft. A small faux terrace is proposed along the north side of bedroom #5.

The 1st-floor entry and bedroom #5 would align to the front, where a minimum 25-foot front setback would be provided at both levels. Bedroom #4 would be recessed several feet, while the master bedroom would cantilever slightly forward of the footprint, the combined effect of which would be subtle, yet effective modulation along the front elevation. Similar to the 1st floor, 2nd-floor side setbacks would exceed code requirements, in particular to the east, where the 56-foot 1st-floor setback would increase to 77 feet at the 2nd-floor level.

Total project area would be 5,258 sq. ft. The lot's 24,267 sq. ft. allows floor area up to a maximum of 6,603 sq. ft. Thus, the project would be 1,345 sq. ft. below the standard for the lot. With an average slope of 17%, the lot is not associated with a Slope Factor Guideline (SFG) or a modified floor area allowance.

Structure height would be 27 feet at the highest ridge, below the 28-foot hillside limit. The lot exhibits subtle yet consistent slope to the southwest and limited grading is proposed to expand level pad area. The creation of a fill pad along the west side of the home would add approximately 5 feet toward project height, resulting in a maximum overall height of 32'-4" (shown best on the south elevation). However, the generous horizontal relief between the one-story garage and two-story section of the house ensures that no single portion of the structure would exceed 28 feet in height from directly adjacent grade while the basic plane created by the home's 1st and 2nd-floor hips is consistent with the prevailing slope and allows for a height up to 35 feet through the stepped massing provision in the Hillside Ordinance.

Two retaining walls would be employed to create the expanded building pad. One of the walls would parallel the home's rear elevation. It would achieve a maximum height of 5 feet and be located outside of the required 12-foot south side setback. The other wall would be between the garage and an oak tree, and would lower in height as it curves to the west. A portion of this wall would extend minimally beyond the front of the residence. A third retaining wall is proposed to the east. This wall would be inward-facing and would delineate the pool/patio area. In general, the location and height of the proposed retaining walls is appropriate and raises no major code issues.

The last component of the project is a new 6-foot solid wood fence that would enclose the pool area. The fence is shown as extending to the north from the front of the residence, continuing to the east along the front property line, and returning to the south along the east side property line. The fence’s partial location within the front setback includes it as a component of the Setback Modification since the property’s R-1-15,000 zoning designation precludes fencing above 42” in height within the required front yard.

In all, the project compares with applicable code standards as follows:

	STANDARD	PROPOSED
Floor Area:	6,603 sf	5,258 sf
Front SB:	45 feet	25’ min.
South Side SB		
1st floor:	12 feet	16’-5” (trellis)
2nd floor:	20 feet	31’-3”
East Side SB		
1st floor:	12 feet	56 feet
2nd floor:	20 feet	77 feet
Height		
Primary:	28 feet	27 feet
Overall:	35 feet	32’-4”

C. General Plan & Hillside Development Permit:

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.

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.

Staff regards the project as well-suited to the site. The footprint corresponds well to the size and configuration of the property and the pad would not be altered/expanded to an unreasonable extent. Floor area well under the limit for the lot and significant setback surpluses to the south, east and west also reinforce the project's suitability for the site.

The ascending and curved course of La Forest Drive, secluded location of the site and general topography of the area limits the number of visually relevant homes. As such, staff does not consider the area's character as uniform, and regards the home's understated style and massing as appropriate for the somewhat isolated and rural character of the area

View and massing issues are also not anticipated to be an issue with the project. As already mentioned, of the three lots across the street to the north, one remains undeveloped, one is currently being developed with a larger two-story home positioned on a pad well above the subject pad, and the third maintains an elevated and easterly bias that removes it from any potential impacts. Homes across the street to the west would continue to be adequately screened and separated, and even if exposed to these properties, only the narrow west façade and its ample 92-foot setback, would be apparent.

The most proximate and potentially impacted home is to the south at 5454 La Forest Drive. The home's westerly bias and north/south orientation works well with the subject home's central siting and east/west orientation. In other words, major portions of the two structures would not be directly aligned. With a primary south side yard setback of 31 feet, well above the 12 and 20-foot requirements, staff believes that adequate separation is provided. *(staff would note the project's somewhat unique lot/house orientation, wherein the rear elevation faces the side property line. The side yard determination favors the neighbor by imposing a 20-foot setback at the 2nd-floor level, as opposed to a 15-foot setback as would be required of a rear yard. Again, the proposed setback generously exceeds either requirement and is well-regarded by staff.)*

However, the project would introduce a large 2-story residence, positioned above the neighboring lot. This is a somewhat unavoidable consequence of the area's overall topography and terracing of lots, remediable only by major grading, well beyond that proposed, which is not regarded as a realistic option. Existing tree and shrub screening on both lots would provide some relief. The landscape plan includes a 6-foot tall pittosporum hedge along the rear patio and two new trees flanking the meditation garden; a Palo Verde to the west and crape myrtle to the east. From the neighboring property, the additional plantings would be viewed at an upward angle, which would give the impression of increased height. Though largely sufficient, an opportunity to augment the plantings and further buffer the neighbor is apparent and warranted in staff's estimation. Thus, introduction of two additional trees within this general area is recommended.

All hillside standards and guidelines would be satisfied by the project, with exception of Section 11.35.046.D / Architectural design guidelines / Wall Modulation, which recommends a vertical break in the wall surface every 40 feet at the 1st-floor level. Along the rear elevation, a continuous wall 45'-5" in length defines the family room, kitchen and breakfast room. The excess is negligible in staff's estimation, given its isolated location and visual relief afforded by the projecting trellis.

Staff has concluded that this project would uphold the spirit of neighborhood compatibility policies as laid out in the General Plan. It would also comply with the spirit as well as the letter of the Hillside Development Ordinance. It would respect the constraints of the lot, minimally alter prevailing topography and preserve the area's unique character, all intended to be ensured through hillside review.

Findings

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

The project uses logical and efficient site planning, refined massing and detailing to achieve its overall scope, while maintaining tree landscaping and adding landscape accents. Staff supports the finding.

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

The project would employ limited grading to expand the footprint and an efficient 2nd floor to achieve desired floor area while preserving significant yard area on all sides, in particular to the west. 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 4 on-site parking spaces and maintain vehicular access to the street, which is characterized by very low traffic volumes; no public health or welfare issues are raised by the provision of a new 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 introduce a new two-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 project will respect the moderate hillside terrain and protected trees, and introduce reasonable development in terms of density on the site and the character of the immediate area. 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.**

Minimally deficient 1st-floor wall modulation at the southeast corner of the structure is aesthetically compensated by the proposed trellis structure while the proposed 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 lot is somewhat remote, partially screened and views of the residence would be primarily from short range. From these resultant vantage points, the home would be seen as a refined and detailed mass of reasonable height for a two-story structure. Staff supports the finding.

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

The new house is not in a position to impact views from neighboring properties to an appreciable extent given the location, elevation and orientation of proximate homes and general topography of the area. Staff supports the finding.

D. Second Floor Review:

The purpose of Second-floor Review is to ensure that 2-story homes are appropriately sited and designed, and not significantly discordant with the general character of a residential neighborhood. Said review was not implemented to mandate specific architectural styles or curb 2-story development.

The immediate area contains a mixture of one and two-story homes that employ mainly traditional designs, the notable exception being several homes across the street to the north. Although the scale and character of the area is fairly consistent, introduction of a new 2-story Spanish Revival design, with its minimalist massing, would blend well within the area given the site's somewhat isolated location at the end of the street.



*3D-modeling of the area shows the site's somewhat isolated surroundings.
Some landscaping has been removed since this image was created.*

The structure is well-articulated and detailed, as evidenced by horizontal and vertical recesses along the building's perimeter, stepped roof form, wood corbels and rafters, and iron accents. The new residence would be built in proportion to the lot's size and strategically sited to respect most of the lot's unique constraints. It would not impose on the street setting, which as mentioned, is somewhat isolated while primary view corridors from adjacent properties would not be significantly impacted.

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

- ***Neighborhood Compatibility*** (the size of the home is well below the standard floor area allowance for the site and comparable to several in the area while the overall visual scale of the home would be accommodated by the site and eased by the area's topography, ensuring that massing, view and privacy impacts on neighbors would be less than significant.)
- ***Site Development*** (the home's siting and linear form corresponds well to the difficult configuration of the lot and achieves provision of ample setbacks to the south, east and west and a reasonable front setback to the north.)
- ***Physical Design Components*** (The 1st-floor garage and covered patio projections provide strong visual distinction between the 1st and 2nd-floors, while

exposed wood, iron accents and a subdued color palette highlight the Spanish-Revival design.)

- **Landscaping** (The landscape plan consists mainly of accent shrubs, but includes additional trees which would be augmented for the benefit of the most proximate home to the south.)

Findings

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

The proposed residence consists of distinct single and two-story components articulated in a fashion consistent with the Spanish architectural style. Compliant and ample side setbacks are provided at both floor levels while the front setback is adequate considering the configuration and available depth of the lot. The partially wooded site is visually buffered with only close-range views possible. Landscaping would be enhanced through implementation of the project's landscape plan and a condition requiring additional trees to the south. Staff supports the finding.

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

The proposed home is larger than others in the immediate area but would not convey an excessive visual scale considering the tasteful design, remote character of the site, and lack of a uniform streetscape. Other two-story homes of varied design are found throughout the area, within which the project would be appropriately integrated. Staff supports the finding.

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

The site is semi-wooded with an interior pad below street level to the front, while neighboring homes are typically screened, at different elevations or at adequate distances and would not be significantly impacted by the introduction of a new 2-story residence. Landscape screening to the south is proposed and would be augmented to buffer the most proximate neighboring home. 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 employs detailed and thoughtful massing consistent with Spanish Revival design, relates well spatially with the site and is reasonably consistent with the character of the immediate area. Thus, the primary directives of the City's Residential Design Guidelines as related to neighborhood preservation and compatibility are upheld by the project. Staff supports the finding.

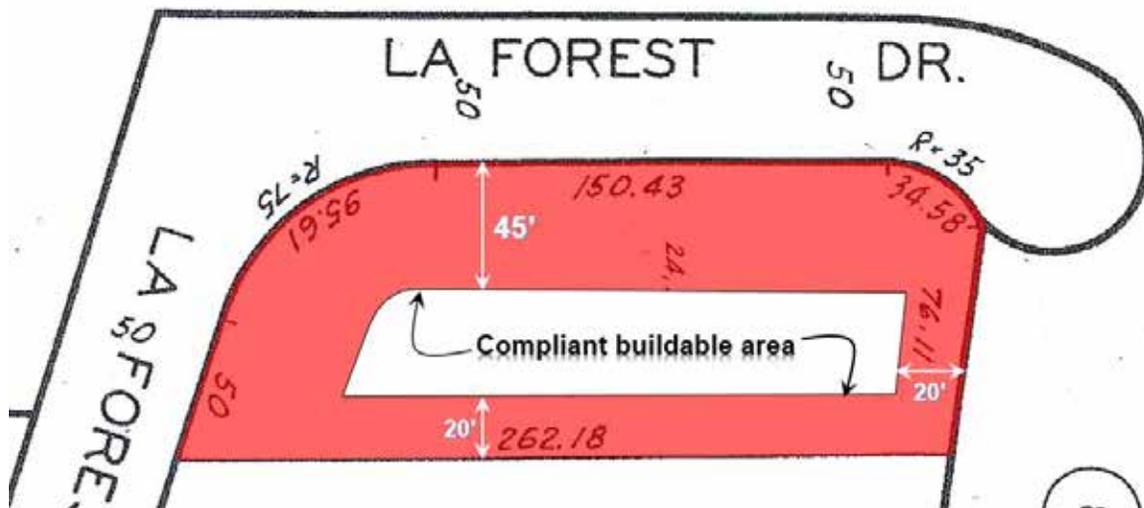
E. Setback Modification:

Issues

Under normal circumstances, a 20-foot encroachment into the front setback would be difficult to support. However, several factors lend credence to the request.

First, it is important to consider how the requirement for the lot was determined. The two lots to the south are of typical configuration and far greater depth as measured front to rear; this enables deeper siting of the respective homes (40' and 50' front setbacks) from which the 45-foot requirement was derived.

Equally important is the atypical and irregular configuration of the subject lot, and the disparity that results from imposition of a setback requirement derived from lots of standard shape. The La Forest Drive frontage comprises ½ of the lot's total perimeter, alone a unique characteristic since a majority of most lots are comprised by side and/or rear property lines. Its singular qualification as the front of the lot and corresponding 45-foot setback requirement, however, results in obvious inequity when compared to other lots in the area. Combined with the 20-foot second-floor setback required along the south and east sides, a vast majority of the lot is devoted to setbacks (red area) and is unavailable for compliant development as the following figure demonstrates:



The spatial inequity shown above is severe in staff's estimation, and illustrates the need for Setback Modification relief.

The proposal would offer a front setback equivalent to 25% of the lot's available depth, reasonable in staff's estimation. Staff would note that the front setback would increase dramatically as the frontage curves away from the house to the west, where a maximum 92-foot front setback would ultimately be provided, very important since this

is the section of the street that the neighboring homes to the south front upon and relate to. The Commission will also recall the context section of the report, which details the pad's sunken position and lack of development across the street to the north. As such, an adverse crowding effect on the street or neighboring homes would not result. A corresponding benefit of the front yard deficiency would be the provision of surplus setback to the south, where the 31-foot setback proposed exceeds the 20-foot requirement and is favorably regarded given the downslope location of the neighboring home.

Lastly, the existing residence provides a 23-foot front setback, also well below the 45-foot requirement for the lot, while the new home's increased 25-foot front setback would, importantly, satisfy the City's 'minimum' requirement.

Due to the lot's R-1-15,000 underlying zoning, front yard fencing is limited to 42" in height. Thus, the Setback Modification would also address 6-foot wood fencing within the front yard setback at the east end of the property. However, two aspects lend credence to the fencing as proposed and its inclusion as part of the Setback Modification: 1) despite the zoning, the lot's size is well above 20,000 sq. while a majority of its lengthy frontage would remain open, in contrast to most front yard fences that span the entire width of the property, and; 2) a 5-foot safety fence will be required for the swimming pool. Thus, the request is partially validated by a building code requirement. Although an open-work wrought-iron fence could satisfy the pool fencing requirement, it too would fall within the scope of the Setback Modification if similarly located. While the solid wood composition is not essential, staff regards it favorably given the lot's unique configuration and its remote location. In this instance, an oppressive effect on the street setting, for which the City's fencing standards were created to mitigate, is not anticipated.

Findings

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

Provision of a compliant front setback is unreasonable given the standard configuration and greater depth of neighboring lots, and placement of structures on those lots. Comparable siting is precluded by the irregular and severe configuration of the subject lot. The front setback as proposed would be augmented by the pad's screened and sunken setting as seen from the street. Over-height fencing satisfies a pool safety requirement and would be limited to a portion of the lot's frontage along a remote cul-de-sac, with a limited visual effect on 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 existing single-family use of the property would be maintained, while the configuration of the lot and front yard setback requirement would severely limit developable area, and deprive the lot of privileges enjoyed by other properties in the area, which are typically of more standard configuration. The project provides a front setback proportionate to available lot depth and consistent with the longstanding structure on site. The lot's size, unique configuration and location also affords fencing as proposed. Staff supports the finding.

3. Strict application of the R-1 zoning standards results in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards.

The substandard front setback results from considerable disproportion between the irregular-shaped subject lot and deeper neighboring lots of standard shape from which the setback requirement is derived. The lot's considerable frontage and its classification as front yard presents a compelling hardship since application of required setbacks would render a majority of the lot unavailable for compliant development, which is unduly restrictive and contrary to the spirit and intent of the R-1 regulations, since the residence as designed is appropriately sited and scaled. Reduction in proposed fence height would not achieve a substantive visual benefit but would preclude provision of the swimming pool, unless shifted well to the interior of the lot, which staff regards as unnecessary. Staff recommends 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.

Despite introduction of a new two-story residence with a deficient front setback, the project is sensitively designed and sited, and consistent with the scale of the immediate neighborhood, while massing, view and privacy effects would be less than significant. Primary exposure to the north would be compensated by the home's position below street level and a lack of houses at comparable elevation directly across the street. The front fencing would span a limited section of the frontage well to the east, with the 10-foot setback from the curb adequate to abate any potential line-of-sight issues. 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.

Other 2-story homes of varied design are found in the area and introduction of a new two-story residence would not upset the area's general character. The front setback would be proportionate to the depth and general configuration of the lot, while a well-modulated and detailed front façade sited below street level and partially buffered by existing screening would ensure a less than significant effect on the street setting. Fencing as proposed would be secluded at the far east end of the lot, with a majority of

the site's frontage remaining open, ensuring a negligible effect on the scale and character of the area. Staff supports the finding.

F. Recommendation:

Based on the above discussion, staff believes that the project is appropriate for the site and area and would recommend that the Hillside Development Permit, Second-Floor Review and Setback Modification requests **BE APPROVED**, subject to conditions listed in Exhibit "A", attached to the draft resolution.

C: *De Angelis Designs Inc.*
650 Foothill Blvd. Suite E
La Canada Flintridge, CA 91011

Vacheh and Stephanie Avanesian
4140 Chevy Chase Drive
La Canada Flintridge, CA 91011

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 16-xx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING HILLSIDE DEVELOPMENT PERMIT 16-17
SECOND-FLOOR REVIEW 16-13 AND SETBACK MODIFICATION 16-07
FOR A NEW 2-STORY RESIDENCE,
RETAINING WALL, POOL AND RELATED SITE IMPROVEMENTS
AT 5462 LA FOREST DRIVE
AS REQUESTED BY
DE ANGELIS DESIGNS INC.
ON BEHALF OF
VACHEH AND STEPHANIE AVANESSIAN**

WHEREAS, a request by De Angelis Designs Inc., on behalf of Vacheh and Stephanie Avanesian, has been received for a Hillside Development Permit, Second-floor Review and Setback Modification to allow construction of a new 2-story residence, retaining wall and pool improvements on a hillside lot; and

WHEREAS, the Planning Commission, on October 11, 2016, after posting and publication in the prescribed manner, held a public hearing and conducted a review of the request; and

WHEREAS, the Planning 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(c)(1)(new construction) 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 11, 2016, regarding the application for a Hillside Development Permit, Second-floor Review and Setback Modification at 5462 La Forest 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 project uses logical and efficient site planning, refined

massing and detailing to achieve its overall scope, while maintaining tree landscaping and adding landscape accents.

2. The project will maximize potential for sensitive use and effective preservation of open space because the project would employ limited grading to expand the footprint and an efficient 2nd floor to achieve desired floor area while preserving significant yard area on all sides, in particular to the west.
3. The project will not be detrimental to the public health, safety, or general welfare because with regard to safety, the project would provide 4 on-site parking spaces and maintain vehicular access to the street, which is characterized by very low traffic volumes; no public health or welfare issues are raised by the provision of a new single-family residence on the site.
4. The project will not adversely affect the orderly development of property within the City because the project would introduce a new two-story home on a residential lot in a subdivided and largely developed area at less than its allowable density.
5. The project will conform to the goals and policies set forth in the General Plan because the project will respect the moderate hillside terrain and protected trees, and introduce reasonable development in terms of density on the site and the character of the immediate area. 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."
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, 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.
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 minimally deficient 1st-floor wall modulation at the southeast corner of the structure is aesthetically compensated by the proposed trellis structure while the proposed 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 lot is somewhat remote, partially screened and views of the residence would be primarily from short range. From these resultant vantage points, the home would be seen as a refined and detailed mass of reasonable height for a two-story structure.
9. The project does not create an avoidable or unreasonable impairment of the view from any other property because the new house is not in a position to impact views from neighboring properties to an appreciable extent given the location, elevation and orientation of proximate homes and general topography of the area.

Second-floor Review:

1. The two-story design includes adequate setbacks, screening and modulation because the proposed residence consists of distinct single and two-story components articulated in a fashion consistent with the Spanish architectural style. Compliant and ample side setbacks are provided at both floor levels while the front setback is adequate considering the configuration and available depth of the lot. The partially wooded site is visually buffered with only close-range views possible. Landscaping would be enhanced through implementation of the project's landscape plan and a condition requiring additional trees to the south.
2. The two-story design preserves the existing scale and character of the surrounding neighborhood because although the proposed home is larger than others in the immediate area it would not convey an excessive visual scale considering the tasteful design, remote character of the site, and lack of a uniform streetscape. Other two-story homes of varied design are found throughout the area, within which the project would be appropriately integrated.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the site is semi-wooded with an interior pad below street level to the front, while neighboring homes are typically screened, at different elevations or at adequate distances and would not be significantly impacted by the introduction of a new 2-story residence. Landscape screening to the south is proposed and would be augmented to buffer the most proximate neighboring home.
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because the project employs detailed and thoughtful massing consistent with Spanish Revival design, relates well spatially with the site and is reasonably consistent with the character of the

immediate area. Thus, the primary directives of the City's Residential Design Guidelines as related to neighborhood preservation and compatibility are upheld by the project.

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 provision of a compliant front setback is unreasonable given the standard configuration and greater depth of neighboring lots, and placement of structures on those lots. Comparable siting is precluded by the irregular and severe configuration of the subject lot. The front setback as proposed would be augmented by the pad's screened and sunken setting as seen from the street. Over-height fencing satisfies a pool safety requirement and would be limited to a portion of the lot's frontage along a remote cul-de-sac, with a limited visual effect on 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 existing single-family use of the property would be maintained, while the configuration of the lot and front yard setback requirement would severely limit developable area, and deprive the lot of privileges enjoyed by other properties in the area, which are typically of more standard configuration. The project provides a front setback proportionate to available lot depth and consistent with the longstanding structure on site. The lot's size, unique configuration and location also affords fencing as proposed.
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 the substandard front setback results from considerable disproportion between the irregular-shaped subject lot and deeper neighboring lots of standard shape from which the setback requirement is derived. The lot's considerable frontage and its classification as front yard presents a compelling hardship since application of required setbacks would render a majority of the lot unavailable for compliant development, which is unduly restrictive and contrary to the spirit and intent of the R-1 regulations, since the residence as designed is appropriately sited and scaled. Reduction in proposed fence height would not achieve a substantive visual benefit but would preclude provision of the swimming pool, unless shifted well to the interior of the lot, which staff regards as unnecessary.
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 despite introduction of a new two-story residence with a

deficient front setback, the project is sensitively designed and sited, and consistent with the scale of the immediate neighborhood, while massing, view and privacy effects would be less than significant. Primary exposure to the north would be compensated by the home's position below street level and a lack of houses at comparable elevation directly across the street. The front fencing would span a limited section of the frontage well to the east, with the 10-foot setback from the curb adequate to abate any potential line-of-sight issues.

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 other 2-story homes of varied design are found in the area and introduction of a new two-story residence would not upset the area's general character. The front setback would be proportionate to the depth and general configuration of the lot, while a well-modulated and detailed front façade sited below street level and partially buffered by existing screening would ensure a less than significant effect on the street setting. Fencing as proposed would be secluded at the far east end of the lot, with a majority of the site's frontage remaining open, ensuring a negligible effect on the scale and character of the area.

Section 2:

NOW, THEREFORE, be it resolved that the Planning Commission approves the Hillside Development Permit, Second-floor Review and Setback Modification requests at 5462 La Forest Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 11th day of October, 2016.

Chairman of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
HILLSIDE DEVELOPMENT PERMIT 16-17
SECOND-FLOOR REVIEW 16-13
SETBACK MODIFICATION 16-07

5462 La Forest 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 16-17, Second-floor Review 16-13 and Setback Modification 16-07.
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 project plans labeled Hillside Development Permit 16-17, Second-floor Review 16-13 and Setback Modification 16-07, Sheets 1-6, L.1-L.4, C-3, 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 Division of Building and Safety; i.e.,

all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.

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 ordinance, resolution or policy of the City Council. 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 Hillside Development Permit, 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 Division 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 Department for additional review and approval prior to permit issuance.
13. 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.

Planning Conditions:

14. Applicable tree protection guidelines shall be strictly adhered to during all phases of construction, including installation of chain link protection barriers, where necessary, prior to the issuance of grading and building permits.
15. The landscape plan shall be revised to include additional trees along the south side property line. The planting size, number and precise location of said trees shall be specified on the plan and shall be subject to review and approval by the Director of Community Development or his/her designee prior to issuance of building permits.
16. The landscape and associated irrigation plan shall comply with the City's Water Efficient Landscaping Ordinance (Municipal Code Section 4.23). All landscaping shall be installed on site and certified prior to Building Permit final.
17. Primary roof, wall and accent colors for the new residence shall be reviewed and approved by the Director of Community Development or his/her designee prior to building permit issuance.

Public Works Conditions:

18. Applicant shall submit a preliminary grading plan, indicating elevation contours, on-site drainage flow and BMPs.
19. Project shall comply with Los Angeles County's Low Impact Development Standards.

20. 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.
21. 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.
22. Any proposed mailbox structure shall be approved and permitted by Public Works.

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