

CITY OF LA CAÑADA FLINTRIDGE

RESOLUTION NO. 19-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE DENYING SETBACK MODIFICATION 18-10 FOR OVER-HEIGHT RETAINING WALLS IN THE FRONT YARD SETBACK AT 920 REGENT PARK DRIVE

WHEREAS, an application for A Setback Modification was filed by Jay Johnson (hereinafter the “Applicant”) with the City of La Cañada Flintridge; and

WHEREAS, the project also includes a request for a Hillside Development Permit (17-43), Second-floor Review (18-31) and Director’s Miscellaneous Review - Flat Roof (18-30); and

WHEREAS, Setback Modification 18-10 is a request to allow construction of over-height retaining walls in the required front yard setback at 920 Regent Park Drive (hereinafter referred to as “Application”), said request attached hereto and incorporated herein by reference; and

WHEREAS, the subject site has a General Plan Land Use designation of Very Low Density Residential (up to two dwelling units per acre) and is located within the R-1-20,000 Zone designation; and

WHEREAS, the subject site is a 27,223-square-foot parcel that contains an existing single-family residence and garage that would be demolished to accommodate the project; and

WHEREAS, it has been determined that the project is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction) for construction of the retaining walls; and

WHEREAS, on April 11, 2019, a duly noticed public hearing on the Application was held before the City of La Cañada Flintridge Planning Commission at the City Hall Council Chambers, One Civic Center Drive, La Cañada Flintridge; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff report dated April 11, 2019 regarding the Application for a Setback Modification and heard and considered the testimony of the Applicant and the public; including any written correspondence received, with all testimony received being made a part of the public record; and

WHEREAS, on April 11, 2019, the Planning Commission voted to approve the Hillside Development Permit, Second-floor Review and Director’s Miscellaneous Review (Flat Roof) for the new residence, deny the Setback Modification for over-height front yard

retaining walls, and remand the Hillside Development Permit required for the proposed storm drain on the adjacent vacant parcel to staff for further review and action; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, the Planning Commission of the City of La Cañada Flintridge does resolve as follows:

Section 1. Findings for a 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 the location and course of the driveway would not be significantly altered but widening would require retaining walls of increased height within the front setback, where longstanding retaining walls currently exist. Other properties in the area employ retaining walls of varied configuration and height, as is often the case with hillside lots. In these instances, and in the case of the project, wall height relates to the lot's existing topography, is of reasonable scope and would have no adverse offsite impact.

2. The Modification would 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 expanded and enhanced driveway access to the property can be provided with a combination of site grading and compliant front yard walls.

3. Strict application of the R-1 zoning standards do not result in practical difficulties or unnecessary hardships inconsistent with the general purpose of the R-1 zone regulations and standards because compliance with the 42-inch individual wall height limit would still allow for driveway expansion as required by the Fire Department, which in turn would enhance the public safety and welfare as outlined in both the Zoning Code and General Plan.

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 excess retaining wall height to the front would not be visually excessive and would have minimal offsite effect. The retaining walls would allow provision of improved driveway access to the site, which relates directly to enhanced public safety and welfare.

5. The proposed project preserves the existing scale and character of the surrounding neighborhood and protects public views, and aesthetics and other property values in such neighborhoods in a manner which is consistent with the residential design guidelines as adopted by resolution of the city council and compatible with development of the subject lot because the proposed front yard walls are of reasonable visual scale and limited visibility despite the excess height presented, and would not have a significant effect on the neighborhood's existing character.

Section 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT. Based upon the foregoing facts and based upon substantial evidence, the Planning Commission hereby finds as follows:

A. The project is exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15303 (New Construction) and 15305 (Minor Alteration in Land Use Limitations) for construction of over-height front yard retaining walls.

Section 3. Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby denies Setback Modification 18-10 for the project at 920 Regent Park Drive, subject to the conditions of approval listed in Exhibit “A”, attached to this resolution.

PASSED, APPROVED AND ADOPTED this 25th day of April, 2019.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission