

CITY OF LA CAÑADA FLINTRIDGE

PLANNING COMMISSION STAFF REPORT

January 27, 2015 Meeting

Property Owner:

Seung Choon Lim
4365 Chevy Chase Drive
La Canada Flintridge, CA 91011

Applicant:

De Angeles Designs, Inc.
650 Foothill Boulevard, Suite E
La Canada Flintridge, CA 91011

Site Address:

4429 Bel Air Drive

Case Planner:

Harriet Harris ~ Assistant Planner

Case Type / Number:

Second Floor Review 14-33
Tree Removal 14-22



1. Request:

The request is for Second Floor Review to construct a new, compliant two-story residence and attached garage comprising 2,700 sq. ft. A new trellis in the back yard is also proposed. The existing single-story residence and detached garage would be demolished in conjunction with project approval. Also included as part of the request is the removal of 19" DBH (Diameter at Breast Height) oak tree along the north property line.

2. Location:

The site is located on the west side of Bel Air Drive, mid-block between Foothill Boulevard and Descanso Drive, the R-1-10,000 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 area:	7,500 sq. ft.
Proposed 1 st floor (incl. garage):	1,603 sq. ft.
Proposed 2 nd floor:	1,097 sq. ft.
Total:	2,700 sq. ft. (FAR: 0.36)

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 site is developed with a single-story residence and a detached garage.

6. Environmental Impact Review:

Staff has determined that the proposed Floor Area Review is 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 and issuance of building permit.

9. Staff Analysis:

A. Context:

The subject property is located on the west side of Bel Air Drive, eight properties south of Foothill Boulevard. Bel Air has a subtle descent from Foothill Boulevard as it extends south before terminating into Descanso Drive. The slope of the street results in a subtle change in grade for properties along the street's course. The immediate neighborhood can be



characterized as eclectic with many different style homes fronted by well-maintained yards gracing the tree-lined street. A mixture of two-story homes has been introduced over the

years, resulting in greater diversity in home scale and design. Most of these homes blend well with the area's character.

The flat parcel is regularly shaped and is developed with a single-story residence and detached garage. The detached garage is sited immediately next to the rear and south side property lines. A long driveway leads to the rear-yard garage which would be removed as part of the project. Adjacent lots are similarly sized and developed with modest one and two-story residences. The home immediately to the south is two-story and the home on the north side is single story. Two-story residences are found across the street to the east and further along Bel Air Drive to the north and south.

Parcel and house sizes vary greatly in the neighborhood as the following comparison chart reveals:

Address	Lot Size	House Size	FAR	Stories
4416 Bel Air Drive	9,263 S.F.	2,978 S.F.	.32	2
4419 Bel Air Drive	7,500 S.F.	810 S.F.	.11	1
4420 Bel Air Drive	9,162 S.F.	2,647 S.F.	.29	2
4421 Bel Air Drive	7,500 S.F.	2,766 S.F.	.37	2
4424 Bel Air Drive	9,061 S.F.	1,511 S.F.	.17	1
4427 Bel Air Drive	7,500 S.F.	2,232 S.F.	.30	2
4430 Bel Air Drive	8,960 S.F.	2,325 S.F.	.26	2
4432 Bel Air Drive	8,859 S.F.	1,570 S.F.	.18	1
4433 Bel Air Drive	7,500 S.F.	1,103 S.F.	.15	1
4436 Bel Air Drive	8,758 S.F.	1,585 S.F.	.18	1
4437 Bel Air Drive	7,500 S.F.	1,145 S.F.	.15	1
4441 Bel Air Drive	7,500 S.F.	2,059 S.F.	.27	2
4442 Bel Air Drive	8,657 S.F.	1,482 S.F.	.17	1
AVERAGE	8,286 S.F.	1,863 S.F.	.22	n/a
4429 Bel Air Drive*	7,500 S.F.	2,270 S.F.	.30	2

**Project site – above figures exclude garages and other non-habitable areas and are intended for general comparison only.*

The above chart indicates that the size of the subject property is below the neighborhood average. The proposed residence is, however, above the neighborhood average with four homes that are greater in floor area and comparable in FAR.

B. Project Description:

The existing home would be demolished and replaced with a new two-story residence and attached garage to the north. The proposed residence is compliant with regard to all standards, including floor area, setbacks and building height. Moreover, the project would remedy existing setback encroachments presented by the existing detached garage and to a lesser extent a chimney projection along the north side of the existing residence.

The first floor would have a living, family and dining area, as well as, a guest bedroom. Primary modulation of the first-floor footprint would occur at the forward-projecting garage and a trellised patio to the rear. Compliant setbacks of 32'-8" and 5'-0" would be provided to the front

and sides. Demolition of the detached garage would increase rear yard area, where a 61'-6" setback would be provided. Total first-floor area including the garage would be 1,603 sq. ft. According to the assessor the current floor area is 994 sq. ft.

A compact second floor central to the footprint would contain three bedrooms, including a master suite to the rear and a laundry room. The second floor would be recessed to the north and south to provide increased second-floor side setbacks of 10'0" as required for the 50-foot wide lot. To the front, the second floor would sit behind the forward-projecting garage thereby creating a recessed massing effect as seen from the street. Forward-facing gables would accent the second floor, which would comprise 1,097 sq. ft., increasing total project area to the 2,700 sq. ft. maximum for the site.

Maximum building height would be at the 28'-0" limit for the lot, and with the hip design of the roof, purposeful in achieving angle-plane compliance to the sides, a critical consideration for 2-story development on narrower lots.

In order to accommodate the new home, removal of a 19" DBH oak tree is also requested. Excavation for the new footings would encroach into the 5'-6" protection zone for the tree. The canopy would also be impacted by the new second floor. Oak tree replacement in a more suitable location would be required as mitigation for the tree removal.

In all, the request compares with code standards as follows:

	<u>Standard:</u>	<u>Project:</u>
Floor Area:	2,700 sq. ft.	2,700 sq. ft.
Front-Yard SB:	32'-6"	32'-8"
Side-Yard SB		
1 st floor:	5'-0"	5'-0"
2 nd floor:	10'-0"	10'-0"
Rear SB (to the trellis):	15'-0"	61'-6"
Height:	28'-0"	28'-0"

C. Second Floor Review:

Discussion

Given the development pattern apparent along Bel Air Drive and frequency of other two-story homes, the attractive Traditional design, with its well-proportioned massing and numerous accents (decorative siding, boxed columns, stucco chimney and window shutters) is compatible within the area. While the adjacent lot to the north is developed with smaller one-story home, the project to the south is comparable in square footage to the proposed project. The proposed second floor does incorporate windows along the sides but the new home would be sited forward of the second floor on the southerly lot. The window in the bedroom on the south façade is a clerestory window. Staff does have some concern about the placement of the bedroom window along the north façade where a full-sized bedroom window would be

located but is required for egress. A rear window in the Master Bedroom could also impact privacy somewhat but both could be mitigated through the placement of screening trees or shrubs. The other rear-facing window would be above the Master bathroom tub.

To the south, the siting of the neighboring home's second floor is behind the proposed subject second floor which aids in screening the back yard of the southerly home from the new second floor. On the north side, the neighbor would benefit from additional screening as conditioned. The 5'-0" side yards offer some opportunity for additional screening as does the expanded rear yard area.

In summary, staff has no major concerns with the scale, design and siting of the home, which respects the size and constraints of the lot and integrates well with the eclectic character of the immediate area. Positive Second-floor Review findings are accordingly recommended.

Findings

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

The project offers compliant setbacks at both floor levels and moderate second-floor recess to the front in order to afford visually adequate separation from neighboring homes and the street. Ample building modulation is apparent in the recession between floor levels, well-proportioned roof form, and façade details. Additional perimeter screening would help to screen the new second floor. Staff supports the finding.

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

The area is characterized by numerous two-story homes of comparable size and scale, while the home's position on the subject lot and associated visibility would not upset the prevailing street setting. Staff supports the finding.

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

The proposed scale is not excessive given the character of the area and public views would not be significantly compromised while the second-floor window arrangements are modest and not anticipated to have an adverse privacy impact. 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 siting, scale and design of the project, with its refined massing and detail, is appropriate for both the subject lot and area, and would be consistent with the primary directives of the City's Residential Design Guidelines as related to neighborhood and streetscape compatibility. Staff supports the finding.

D. Tree Removal:

Discussion

As part of the project, the applicant is proposing to remove a 19" DBH oak tree along the north property line. Over excavation for the new footings and the new second floor would encroach on the tree's roots and canopy. A tree removal permit may be granted only if any **one** of the following criteria is met:

1. Where the protected tree itself, its excess foliage, or any one or more of its limbs is, in the opinion of the director, unreasonably interfering with a structure or other improvement and there is no reasonably practical alternative to mitigate the interference.
2. Where, upon taking into account the size, shape, topography and existing protected trees upon the lot, the denial of the permit would create an unreasonable hardship or a significant undue impairment of the use and enjoyment of the property by the property owner.
3. Where the protected tree is so diseased or damaged that it is no longer viable or is a threat to cause damage to property or to other protected trees.
4. Where the removal of one or more protected trees is required by the fire department for reasons of public health, safety and/or welfare, including to provide an effective firebreak. This criterion shall only apply to existing structures and must be supported by written documentation from the fire department.
5. Where a property owner requests removal of a protected tree for other reasonable cause and the removal will not impact the character of the neighborhood from public view or adjacent properties or where such removal can be reasonably mitigated.

Staff has determined that the request tree removal would satisfy criteria #5. Over-excavation for the footings would impact the root system of the tree and the new second floor would impact the tree's canopy. The tree is located in the back yard but is visible from the street. It is, however, profiled against the existing oak tree located in the neighbor's back yard and its removal would not impact the neighborhood. As conditioned for replacement in a more suitable location, the new protected-species tree could also aid in screening the new second floor from adjacent properties.

E. Recommendation:

Based on the above discussion, staff has determined that the project is appropriate for the site and area. Thus, staff recommends that the Second Floor and Tree Removal requests **BE APPROVED**, subject to conditions listed in Exhibit "A", attached to the draft resolution.

cc: *Seung Choon Lim / 4365 Chevy Chase Drive / La Canada Flintridge, CA 91011*
De Angeles Designs, Inc. / 650 Foothill Boulevard, Suite E / La Canada Flintridge, CA 91011

RESOLUTION NO. 15-xx

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING SECOND-FLOOR REVIEW 14-33
AND TREE REMOVAL 14-22 TO ALLOW THE
CONSTRUCTION OF A NEW TWO-STORY
SINGLE-FAMILY RESIDENCE
AT 4429 BEL AIR DRIVE
AS REQUESTED BY
Seung Choon Lim**

WHEREAS, a request by Seung Choon Lim has been received for Second Floor Review and Tree Removal Permit to allow the construction of a new two-story residence and the removal of a 19" Diameter at Breast Height (DBH) oak tree, said request attached hereto and incorporated herein by reference; and

WHEREAS, the Planning Commission, on January 27, 2015, after public noticing in the prescribed manner, held a public hearing 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 Categorical Exempt from the California Environmental Quality Act, under Section 2.5(c)(1)(new construction) 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 January 27, 2015, regarding the application for Second-floor Review and Tree Removal Permit at 4429 Bel Air 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:

Second Floor Review:

1. The two-story design includes adequate setbacks, screening and modulation because the project offers compliant setbacks at both floor levels and moderate second-floor recess to the front in order to afford visually adequate separation from neighboring homes and the street. Ample building modulation is apparent in the recession between floor levels, well-proportioned roof form, and façade details. Additional perimeter screening would help to screen the new second floor.

2. The two-story design preserves the existing scale and character of the surrounding neighborhood because the area is characterized by numerous two-story homes of comparable size and scale, while the home's position on the subject lot and associated visibility would not upset the prevailing street setting.
3. The two-story design protects public views, aesthetics, privacy and property values of the neighbors because the proposed scale is not excessive given the character of the area and public views would not be significantly compromised while the second-floor window arrangements are modest and not anticipated to have an adverse privacy impact.
4. The two-story design is consistent with the Residential Design Guidelines as adopted by resolution of the City Council because the siting, scale and design of the project, with its refined massing and detail, is appropriate for both the subject lot and area, and would be consistent with the primary directives of the City's Residential Design Guidelines as related to neighborhood and streetscape compatibility.

Tree Removal:

5. Where a property owner requests removal of a protected tree for other reasonable cause and the removal will not impact the character of the neighborhood from public view or adjacent properties or where such removal can be reasonably mitigated.

Section 2:

NOW, THEREFORE, be it resolved that the Planning Commission approves the Second Floor Review and Tree Removal request at 4429 Bel Air Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

PASSED, APPROVED AND ADOPTED this 27th day of January, 2015.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
SECOND FLOOR REVIEW 14-33
TREE REMOVAL 14-22
4429 Bel Air Drive

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Second Floor Review 14-33 and Tree Removal 14-22.
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 Second Floor Review 14-33 and Tree Removal 14-22, Sheets 1-3, except as otherwise stated in these conditions.
5. This approval will expire unless "start of construction" is commenced within 12 months after approval is granted and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the 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, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. 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 Second-floor Review. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
10. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the 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. At the time of approval, if it is deemed by the Planning Commission that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.
12. 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.

13. An encroachment and/or excavation permit shall be required for any work within the public right-of-way.
14. Primary roof and wall colors shall be reviewed and approved by staff prior to issuance of building permits.
15. 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.
16. Additional landscape screening shall be provided along the north and south side property lines to screen the new second floor from off-site views. The species, number, plant size and spacing of said trees and/or shrubs shall be indicated on landscape plan subject to the review and approval by the Director of Community Development prior to issuance of any permits. No final clearance/occupancy shall be granted until the Director of Community Development or his designee confirms that the landscaping installation is complete and consistent with the approved plan.
17. In accordance with the Tree Ordinance, the applicant shall plant replacement tree(s) in an amount as required the by the tree replacement resolution. The species, location and box size shall be determined by the Director in accordance with the tree resolution. Said replacement tree shall be included on the landscape plan required by Condition No. 16.

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