

# CITY OF LA CAÑADA FLINTRIDGE

## PLANNING COMMISSION STAFF REPORT February 13, 2018 Meeting

### Property Owner:

Joyce and James Lee  
1501 Descanso Drive  
La Cañada Flintridge, CA 91011

**Case Type / Number:**  
Setback Modification 17-08

### Applicant:

Jay Johnson  
1125 Foothill Boulevard  
La Cañada Flintridge, CA 91011

### Site Address:

1501 Descanso Drive

### Case Planner:

Harriet Harris  
Assistant Planner



### 1. Request:

The request is for Setback Modification to add 1,394 square foot to an existing single-story residence, inclusive of 66 square foot to create a compliant 18' x 20' garage. The garage addition would maintain the existing 3'-0" south side-yard setback, which constitutes a 5'-8" encroachment and would create a new 16'-9" front-yard setback, which constitutes a 10'-9" encroachment. The new master bedroom addition would provide a 5'-4" north side-yard setback, which constitutes a 3'-4" encroachment.

### 2. Location:

The site is on the east side of Descanso Drive, between Fairlawn Drive and Verdugo Boulevard, in the R-1-10,000 zone.

### 3. Staff Recommendation:

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

**4. Project Size:**

Lot Area:	11,800 sq. ft.
Existing First Floor:	2,234 sq. ft.
First Floor Addition:	1,394 sq. ft.
<b>Total floor area:</b>	<b>3,628 sq. ft. (0.31 FAR)</b>

**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 presently developed with a single-story residence with an attached garage.

**6. Environmental Impact Review:**

Staff has determined that the proposed project is Categorically Exempt from provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(1) (existing facilities) and Section 15305 (minor alteration in land use limitations) of the State CEQA Guidelines.

**7. Previous Action:**

None.

**8. Pending and Potential Actions:**

Plan check approval and issuance of building permit.

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**9. Staff Analysis:**

A. Context:

The subject property is an irregularly shaped flat lot located on the east side of Descanso Drive between Fairlawn Drive and Verdugo Boulevard. The street rises as it turns north towards Verdugo Boulevard. The lot to the north of the subject property is slightly higher and the lot to the south is approximately four feet



lower. The neighborhood of Descanso Drive is characterized by parcels and houses of varying sizes and configurations. The site has a frontage of approximately 113-feet along Descanso Drive and a rear lot line width of 50-feet. The project site contains a one-story 1,885 square foot residence with a 349-square foot attached garage for a total of 2,234 square feet. The existing house was constructed in 1946 under Los Angeles County zoning regulations and has nonconforming side and front setbacks.

A summary of lot size, dwelling sizes, floor area ratios (FAR) and number of floors is provided as follows:

<b>Address</b>	<b>Lot Size</b>	<b>House Size</b>	<b>FAR</b>	<b>Stories</b>
1475 Descanso Drive	13,900 S.F.	2,732 S.F.	0.20	1
1500 Descanso Drive	12,280 S.F.	1,679 S.F.	0.14	1
1514 Descanso Drive	9,120 S.F.	2,471 S.F.	0.27	1
1515 Descanso Drive	10,558 S.F.	2,953 S.F.	0.28	1
1520 Descanso Drive	9,800 S.F.	2,245 S.F.	0.23	2
1521 Descanso Drive	9,096 S.F.	1,340 S.F.	0.15	1
1523 Descanso Drive	9,746 S.F.	1,969 S.F.	0.20	1
1530 Descanso Drive	9,800 S.F.	1,731 S.F.	0.18	1
1532 Descanso Drive	9,100 S.F.	1,918 S.F.	0.21	1
1533 Descanso Drive	9,746 S.F.	2,056 S.F.	0.21	1
1537 Descanso Drive	9,746 S.F.	3,140 S.F.	0.32	2
1538 Descanso Drive	9,100 S.F.	1,523 S.F.	0.17	1
1541 Descanso Drive	9,746 S.F.	2,046 S.F.	0.21	1
1542 Descanso Drive	9,730 S.F.	2,319 S.F.	0.24	1
1545 Descanso Drive	5,410 S.F.	1,070 S.F.	0.20	1
<b>AVERAGE</b>	<b>9,792 S.F.</b>	<b>2,079 S.F.</b>	<b>0.21</b>	<b>n/a</b>
<b>1501 Descanso Drive*</b>	<b>11,800 S.F.</b>	<b>3,213 S.F.</b>	<b>0.27</b>	<b>1</b>

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

The chart above indicates that the subject property's lot size is above the neighborhood average and the proposed residence and FAR is also above the neighborhood average. However, two homes have an FAR that is above the subject property and one that has the same FAR.

#### B. Project Description

The request involves additions to the first floor. The added area totals 1,394 square foot, inclusive of the 66-square foot added to create a compliant garage. Total floor area for the lot would be 3,628-square feet, below the 4,014-square feet allowable floor area for the lot.

The required side-yard setback 8'-8". Along the north property line, the existing side-yard setback is 3'-8" and the proposed side-yard setback for the new master bedroom suite would be 5'-4". This constitutes a 3'-4" encroachment into the required side-yard setback. Along

the south property line, the existing side-yard setback is 3'-0". Since the project would add bedrooms, the deficient garage would have to be brought into compliance with the current development standards requiring the provision of an 18' x 20' (interior dimensions) garage. To achieve this, the applicant is proposing to add to the front of the garage. The new garage will project 1'-3" forward of the old garage and will maintain the 3'-0" side-yard setback on the south side. This constitutes a 5'-8" encroachment into the 8'-8" required side-yard setback. Also, by increasing the depth of the existing garage, a new 16'-9" front yard setback is proposed. This constitutes a 10'-9" encroachment into the 27'-6" front-yard setback requirement. The current front setback at the garage is 18'-0". A new compliant entry is also proposed. The single-story project also satisfies height limits and angle plane requirements.

	<u>Standard</u>	<u>Proposed</u>
Floor Area:	4,014 sq. ft.	3,628 sq. ft.
Front Setback:	27'-6"	16'-9"
North Side SB		
1 <sup>st</sup> floor:	8'-8"	5'-4"
South Side SB		
1 <sup>st</sup> floor:	8'-8"	3'-0"
Rear SB:	15'-0"	51'-4"
Height:	32'-0"	16'-11"

C. Setback Modification:

*Discussion*

The 3'-4" north side encroachment request could be reviewed as a Director's Miscellaneous Review since it is no closer than the existing setback AND more than 5'-0" from the property line. The low profile of the master bedroom addition and limited windows on that side ensure negligible impacts to the north which is slightly elevated above the subject lot.

The 5'-8" south side encroachment is a product of extending the garage forward to provide a compliant garage depth and extends 1'-3" forward of the existing garage. It is most proximate to the back of the south side neighbor's garage which is sited approximately four feet below the subject lot. The garage addition would also project 10'-9" into the front-yard setback but only at the northwest corner of the garage. The south west side of the garage would be setback 18'-3" from the front property line which constitutes a 9'-3" encroachment into the 27'-6" front-yard setback requirement. The existing garage already encroaches into the required setback, as does the garage of 1475 Descanso Drive, which would have the most exposure to the garage addition.

*Findings*

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

The existing 3'-0" south side-yard setback for the garage is long-standing and would be minimally intensified (extend 1'-3" forward of the existing) to provide a compliant depth for the existing garage. The front-yard setback encroachment would also have a limited impact because of its limited scope and since the existing garage already encroaches into the front setback. The north side-yard setback encroachment would also have a limited scope, low profile and limited windows on that side. Other encroachments are evident on the neighboring parcels. Staff supports the finding for all the encroachments proposed.

**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 project maintains the existing single-family use of the property while comparable first-floor encroachments are presented by structures located on other properties in the immediate area. The north side encroachment could be reviewed and approved by the director since the setback proposed is greater than 5'-0". The parcel to the north has similar encroachments along that side. The south side and front-yard encroachments would have limited impact to the side and front yards since existing similar encroachments are evident, both on site and immediately to the south of the project site. The provision of a compliant garage is also beneficial to the property and the immediate vicinity. Staff supports the finding for all the encroachments 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.**

Increasing the first-floor side setback to the north would push the proposed master bedroom addition further into the usable back-yard area. To add onto the back of the garage to provide a compliant depth garage would require a complete reconfiguration to that side of the house and the garage would still have a deficient front and side-yard setback. The south side-yard encroachment faces the back of the neighbor's garage encroaching, which also encroaches into the required setback. The provision of a compliant depth garage is a desirable benefit of the project. Staff supports the finding for all the encroachments proposed.

**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.**

The existing first-floor front and south side-yard encroachments would be minimally intensified through the project, while the resulting external effect as proposed would not significantly impact the public health, safety or welfare. This also applies to the north side-yard encroachment given the existing encroachment on the property and on the neighboring property to the north. Staff supports the finding for all the encroachments proposed.

**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.**

Preservation of the existing south side-yard setback and respective encroachment would not yield a significant visual effect as seen from the street or impact public views since the non-conforming structure in question is longstanding, would be visually altered in a minimal manner through the project and is consistent with the character of the area, where other first-floor side-yard encroachments are evident. The front-yard encroachment would have a limited scope and have a limited impact as viewed from the street. The north side encroachment would not be visible from the street and would have a limited impact on the property to the north. Lastly, the proposed encroachments setback would preserve the scale and character of the surrounding neighborhood. Staff supports the finding for all the encroachments proposed.

D. Summary / Recommendation:

Based on the above discussions and related Setback Modification findings, staff recommends that the Setback Modification **BE APPROVED**, subject to the conditions listed in Exhibit "A", attached to the draft resolution.

Attachments:

1. Resolution

cc: Joyce and James Lee / 1501 Descanso Drive / La Cañada Flintridge, CA 91011  
Jay Johnson / 1125 Foothill Boulevard / La Cañada Flintridge, CA 91011

**Attachment 1**

# CITY OF LA CAÑADA FLINTRIDGE

## RESOLUTION NO. 18-xx

### A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE SETBACK MODIFICATION 17-08 FOR ADDITIONS TO THE FIRST FLOOR WITH NEW ENCROACHMENTS INTO THE FRONT NORTH AND SOUTH SIDE-YARD SETBACKS AT 1501 DESCANSO DRIVE AS REQUESTED BY JOYCE AND JAMES LEE

**WHEREAS**, a request by Joyce and James Lee has been received for a Setback Modification to allow additions to the first floor that encroach into the front, south and north side-yard setbacks, said request attached hereto and incorporated by reference; and

**WHEREAS**, after publication and posting of the request in the prescribed manner, the Planning Commission, on February 13, 2018, held a public hearing on the project 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 provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301(e)(1) (existing facilities) and Section 15305 (minor alterations in land use limitations) of the State CEQA Guidelines; and

**WHEREAS**, the Planning Commission has reviewed the facts contained in the staff report dated February 13, 2018, regarding the application for a Setback Modification, and heard and considered the testimony of the applicant and the public; and hereby determines the following:

#### Section 1.

##### *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 existing 3'-0" south side-yard setback for the garage is long-standing and would be minimally intensified (extend 1'-3" forward of the existing) to provide a compliant depth for the existing garage. The front-yard setback encroachment would also have a limited impact because of its limited scope and since the existing garage already encroaches into the front setback. The north side-yard setback encroachment would also have a limited scope, low profile and limited windows on that side. Other encroachments are evident on the neighboring parcels.



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 project maintains the existing single-family use of the property while comparable first-floor encroachments are presented by structures located on other properties in the immediate area. The north side encroachment could be reviewed and approved by the director since the setback proposed is greater than 5'-0". The parcel to the north has similar encroachments along that side. The south side and front-yard encroachments would have limited impact to the side and front yards since existing similar encroachments are evident, both on site and immediately to the south of the project site. The provision of a compliant garage is also beneficial to the property and the immediate vicinity.
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 increasing the first-floor side setback to the north would push the proposed master bedroom addition further into the usable back-yard area. To add onto the back of the garage to provide a compliant depth garage would require a complete reconfiguration to that side of the house and the garage would still have a deficient front and side-yard setback. The south side-yard encroachment faces the back of the neighbor's garage encroaching, which also encroaches into the required setback. The provision of a compliant depth garage is a desirable benefit of the project.
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 the existing first-floor front and south side-yard encroachments would be minimally intensified through the project, while the resulting external effect as proposed would not significantly impact the public health, safety or welfare. This also applies to the north side-yard encroachment given the existing encroachment on the property and on the neighboring property to the north.
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 preservation of the existing south side-yard setback and respective encroachment would not yield a significant visual effect as seen from the street or impact public views since the non-conforming structure in question is longstanding, would be visually altered in a minimal manner through the project and is consistent with the character of the area, where other first-floor side-yard encroachments are evident. The front-yard encroachment would have a limited scope and have a limited impact as viewed from the street. The north side encroachment would not be visible from the street and would have a limited impact on the property to the north. Lastly, the proposed encroachments setback would preserve the scale and character of the surrounding neighborhood.

Section 2.

Based on the above findings, the Planning Commission of the City of La Cañada Flintridge hereby approves the Setback Modification for additions to the first floor encroach into the front, south and north side-yard setbacks at 1501 Descanso Drive, subject to the conditions listed in Exhibit "A", attached to this resolution.

**PASSED, APPROVED AND ADOPTED** this 13<sup>th</sup> day of February, 2018.

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Chair of the Planning Commission

ATTEST:

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Secretary to the Planning Commission

**EXHIBIT "A"**  
**CONDITIONS OF APPROVAL**  
**SETBACK MODIFICATION 17-08**  
**1501 Descanso 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 Setback Modification 17-08.
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 Setback Modification 17-08, 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, 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 project. 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. No more than 30-percent of the roof of the existing house shall be demolished. If demolition is found to exceed this limitation, the Setback Modification shall be null and void, and further review by the Planning Commission shall be required for the project.
12. All construction/contractor parking shall be on-site only. At the time of approval, if it is deemed by the Director of Community Development that sufficient on-site parking may not be available, a Parking Management Plan shall be prepared by the applicant indicated where additional construction vehicles will be parked. Any additional construction vehicle or equipment parking may be required to occur off-site at a location approved by the Director of Community Development. The Parking Management Plan prepared by the applicant shall demonstrate that the alternate location 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.

13. 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.

Public Works Conditions:

14. Provide drainage plan. All onsite surface runoff shall be clarified prior to discharging to public storm drain Channel.
15. 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.
16. Replace existing damaged driveway approach per City Standard.
17. Existing mailbox structure is within the public right-of-way. Unless permitted by City, and constructed as a break-away structure, mailbox shall be replaced per City's standard requirements. Mailbox structure shall be approved and permitted by the Public Works Department.
18. 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 permit(s) from the Public Works Department.
19. No above ground structures are to be constructed within the public ROW.
20. The ROW behind the new curb shall have a 2% to 4% slope graded to drain towards the street.

CONSTRUCTION & DEMOLITION (C&D) DEBRIS

21. Project shall comply with City's Construction and Demolition (C&D) Ordinance 313, per Chapter 9.14 of the City Municipal Code to satisfy the City's Debris Management requirement.

22. Prior to Demolition and/or Building Permit issuance, the Applicant shall submit a Performance Security, calculated as the lesser of three percent (3%) of the total project valuation or \$10,000. The Performance Security is refunded upon Applicant's submittal and approval of a Building Debris Management Report indicating that at least 50% of the total debris generated by the project was reused or recycled.
23. Prior to Final Building Inspection, Applicant shall submit a Building Debris Management Report and obtain Public Works approval. The Building & Safety Department will not complete Final Building Inspection until the Public Works Department makes a determination regarding refund or forfeiture of the Performance Security.
24. Applicant must use a City authorized and permitted waste hauler for all debris, including soil import/export, resulting from construction and demolition activities on the project. A list of authorized waste haulers will be provided to the Applicant.
25. Self-hauling of C&D debris must be authorized by the Department of Public Works prior to Building & Safety issuance of Demolition or Building permit(s). Applicant must submit a Debris Management Plan and a Haul Route Plan, execute a self-haul agreement, as well as fund a Haul Route Manager for monitoring of all self-hauling activities. Self-hauling approval must be acquired from the Public Works Department prior to issuance of any permit(s).

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