



## **CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL**

### **AGENDA ITEM**

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Report: Appeal of Design Review Board's denial of DRB Case No. PDR 1709694-C located at 910 Laird Drive

1. Motion to reverse the Design Review Board's decision and approve the project.
2. Motion to sustain the Design Review Board's decision to deny the project.

### **COUNCIL ACTION**

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**Item Type:** Public Hearing

**Approved for** March 30, 2021 **calendar**

### **ADMINISTRATIVE ACTION**

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**Submitted by:**

Philip S. Lanzafame, Director of Community Development

**Prepared by:**

Roger Kiesel, Senior Planner

**Reviewed by:**

Michele Flynn, Director of Finance

Michael J. Garcia, City Attorney

**Approved by:**

Roubik R. Golanian P.E., City Manager

## RECOMMENDATION

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Staff recommends that the City Council reverse the Design Review Board's denial of Case No. PDR 1709694-C, based on the rationale used in the staff report, specifically the lack of predictability with regard to the detailing of the residence and resolution of the illegal driveway grading and the Public Works Department's satisfaction with this resolution, the consistent reductions in the size and massing of the house, the consistent alterations to the locations of the house and garage and the project's overall conformance with the Comprehensive Design Guidelines.

## BACKGROUND/ANALYSIS

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This hearing is an appeal of a decision made by the Design Review Board on January 10, 2019, to deny Design Review Board Case No. PDR 1709694-C for the construction of a new, three-story, 3,275 square-foot single-family residence with an attached two-car garage on a vacant 81,296 square-foot lot located in the R1R (FAR District II) Zone. The lot has an average current slope of 54 percent and the project involves a total of 1,450 cubic yards of grading (including previous unpermitted grading).

A public hearing before the City Council regarding this project occurred on October 20, 2020. This hearing was continued pending additional information from the applicant regarding drainage issues.

### General Information

<b><i>Appellant:</i></b>	Raymond Munro
<b><i>Status of Appellant:</i></b>	Property Owner
<b><i>Applicant:</i></b>	Elizabeth Herron 935 W. Avenue 37 Los Angeles, CA 90065
<b><i>Owner:</i></b>	Raymond Munro 3169 Kirkham Drive Glendale, CA 91206

### ***Requested Action:***

The appellant is requesting that the City Council overturn the Design Review Board decision to deny Design Review Board Case No. PDR1709694-C (Exhibit 12).

***Legal Description:*** Portion of Lot C, Sicomoro Canon Tract

***APN:*** 5662-019-011

**Zone:** “R1R” Low Density Residential Zone, Floor Area District II.

**Land Use Element:** Low Density Residential.

**Lot Size and Frontage:** The project site is approximately 81,296 square feet in area and has a frontage of 26 linear feet along Laird Drive and approximately 104 linear feet along East Chevy Chase Drive.

**Existing Site Characteristics:** The project site is located in Chevy Chase Canyon and has frontage on East Chevy Chase Drive and at the terminus of Laird Drive. The existing property is a vacant, irregularly-shaped hillside lot with an average current slope of 54 percent. The topography of the lot slopes upward from Chevy Chase and Laird streets. There is an existing graded driveway with access from Laird Drive. The 1.87-acre lot does not contain a blue line stream or primary or secondary ridgelines. The property contains an oak-sycamore woodland with 25 protected indigenous trees on the property. Reviews of the project previously identified 24 protected indigenous trees; however, Tree #2 has grown and is now considered a protected tree. Chevy Chase Drive is an improved street with all public utilities in place. Laird Drive is improved up to the property line of the subject site.

**Circulation:** Laird Drive is classified as a local street and Chevy Chase Drive (Glenoaks Boulevard to the northeasterly city boundary) is classified as a community collector street in the Circulation Element of the General Plan. There is limited on-street parking on both sides of either street adjacent to the subject property.

**Surrounding Land Use/Zoning:** The surrounding properties along East Chevy Chase are zoned R1R (Restricted Residential), FAR District II, with the area behind these properties zoned SR (Special Recreation). The neighborhood is characterized by irregularly-shaped hillside lots. Surrounding properties, within 300 linear feet, have an average lot size of 8,523 square feet, significantly smaller than the subject site at approximately 81,296 square feet. The surrounding homes, within 300 linear feet, are a mix of 1, 2, and 3 stories, range in size from 1,072 to 3,729 square feet, vary in architectural style and street-front setbacks, and have attached garages at the front of the house. The proposed 3,275 square-foot house is larger than the average house size of 2,035 square feet. However, the average floor area ratio in the neighborhood is 0.26, while the subject site will have an FAR of 0.04.

**Environmental Determination:** An addendum was prepared for the Final Mitigated Negative Declaration that was adopted March 11, 2014 for Case No. PCUP1322910. Mitigation measures were added to the project to address potential impacts to protected trees during construction of the project.

## **PROJECT HISTORY**

The project was most recently rejected by the DRB on January 10, 2019, after three previous reviews by the Design Review Board. Most recently, the project was rejected because:

1. Overall site conditions and grading were not appropriately addressed;
2. Massing of the house would be improved at a lower elevation;
3. The size of the house needed further square footage reduction;
4. Design and detailing, particularly of the windows, were inconsistent;
5. The drawings did not contain enough information about the grading and landscape treatments of the previously-graded area northeast of the proposed garage

City Council initially held a public hearing regarding the appeal of this project on October 20, 2020. The project history, appellant's arguments and staff's analysis of those arguments are contained in the staff report and related attachments for this previous meeting and are attached to the current Council report for reference as Exhibit 2. City Council continued the October 20 appeal hearing on a 4 -1 vote (Brotman dissenting) pending drainage information from the appellant.

## **Council Comments**

The City Council discussed a number of issues related to the proposed project in their October 20, 2020, meeting. Generally speaking, a majority of the Council was satisfied with the design elements of the project; however, there was concern expressed about impacts of drainage.

Council member Devine concurred with the appellant's argument that the DRB process had not been predictable, in opposition to the intent of design review and that the applicant complied with and in some cases went beyond the Design Review Board's conditions of approval. She believed that the illegal driveway cuts had been properly addressed. Verification of the amount of on-site grading and privacy were lesser issues. Her most important concerns related to on-site drainage and minimizing grading to avoid water from the subject site entering adjacent sites. She stated that she would need plans and methods to show resolution of the drainage problems prior to being able to support the project.

Council Member Kassakhian echoed many of Council Member Devine's comments, stating that while the house was beautiful, drainage and grading issues need to be resolved.

Council Member Brotman stated that there was nothing wrong with the design review process in the present case and that while he had concerns about grading, the issue is addressed during the plan check process. He did not believe that the Design Review Board's denial of the project should be overridden.

Council Member Najarian questioned whether remanding or returning the project for redesign to the Design Review Board was proper in the present case given that the drainage and water flow concerns were raised by lay people rather than a professional hydrologist. Upon staff recommendation that a continuance of the appeal hearing to gather information regarding the drainage issue would be appropriate, Council Member Najarian suggested that a hydrologist opine or design a culvert or water flow plan that indicates that there would be no negatives impacts on the adjacent neighbor.

Mayor Agajanian agreed with Mr. Brotman that City staff will check to ensure drainage is suitable and believes that stopping the project for this issue would not be a good outcome.

In the end, it was the Council's desire to see how drainage would be handled before rendering a decision on the appeal. The City Council voted 4 – 1 to continue the public hearing regarding this project pending receipt of information from the applicant to resolve drainage concerns with the project.

The applicant has submitted an updated hydrology study for 910 Laird Drive. The study was performed by Advanced Engineering and Consulting and concludes that all the flow from the project will be conveyed to E. Chevy Chase Dr. and construction of the proposed driveway at 910 Laird Drive will have no impact on other properties as it flows to the street. The City's Public Works Department has reviewed and accepts the findings in the submitted hydrology study.

## **SUMMARY**

Based on the analysis of the appeal and the reasoning contained in the October 20, 2020, staff report and the amended hydrology study updated December 20, 2020, staff recommends that the City Council reverse the Design Review Board's denial decision.

The basis of the staff's recommendation includes the following:

**Site Planning:** The proposed site planning is appropriate, as modified by any conditions, to the site and its surroundings for the following reasons:

- The garage was relocated to the existing unpaved driveway (elevation 775.5'), which will prevent future vehicular use along the remainder of the unpaved driveway, addressing the Board's concern.

- All indigenous trees will remain and all potential impacts will be mitigated to the satisfaction of the Urban Forester.
- The grading for the current project involves 1,240 CY of cut and 137 CY of fill (including previously unpermitted grading) to allow the house to be constructed into the hillside thereby reducing the massing of the building and appropriately addressing the topography of the lot.
- About 91 percent of the hillside lot will be left ungraded. In addition, the previous unpermitted graded Chevy Chase driveway will be partially filled and landscaped with native vegetation.

**Mass and Scale:** The proposed mass and scale are appropriate, as modified by any conditions, to the site and its surroundings for the following reasons:

- The size of the house was reduced from 3,496 square feet to 3,275 square feet.
- The overall mass and scale of the residence were adjusted from the previous design to better address the Hillside Design Guidelines; the majority of the house is two-stories, with only a small portion over the garage being three-stories. Additionally, the garage relocation reduces the three-story appearance.
- The building volumes are broken with the front entry providing a focal point (relocated further down the hill) and the second story volume setback from the first story.
- The front balconies and various hipped roof forms create an interesting roofline that breaks up the overall massing.
- As evident in the submitted cross-section drawings (Sheet A8.0), the height and massing of the proposed residence appropriately fits within its hillside context and the goals of the Hillside Design Guidelines.

**Building Design and Detailing:** The proposed building design and detailing are appropriate, as modified by any conditions, to the site and its surroundings for the following reasons:

- The proposed Spanish-style residence is appropriate for the neighborhood context and is compatible with the various designs of the surrounding houses.
- The project features high quality materials, including smooth stucco (sand finish) walls, mission roof tiles, wood clad windows (in chocolate bronze), wood doors and garage door, wood corbels, metal railing, decorative driveway entry and split-face block retaining walls (Harvest color). The materials and colors are generally appropriate for the chosen style and are complementary to the neighborhood.
- The windows are recessed with wood trim and sills with an exterior divided light pattern at the top. Such design is appropriate to the style.

**Drainage:**

At the October 20, 2020, appeal hearing, Council expressed concern about the grading and drainage resulting from the project. Specifically, Council requested additional information to ensure that the project and its improvements would not adversely impact the adjacent neighbor and that water flows on the subject site would be properly directed to the street and not onto the adjacent property.

The applicant engaged Advanced Engineering and Consulting to provide an updated hydrology study (Exhibit 1) for the project. The study area encompassed an approximately 32 acre watershed south of Laird Drive, which includes the subject site. The Study used the Los Angeles County HydroCalc program to determine the Time of Concentration, the peak flow and the 24-hour runoff for the 50-year storm event for both clear flow and with a fire factor of 0.71 for the Los Angeles River Basin. The Study found that the watershed produces approximately 70.6 cfs at the outset for clear flow and 78.8 cfs with the fire factor. The Hydrologic Engineering Center's River Analysis System (HEC-RAS) was used to determine the water surface elevations and water surface limits for the 50-year design storm and found that the depth of flow where the Laird pavement starts is approximately 0.71 feet for clear flow and 0.40 feet for burned flow. The Study noted that the property at 2480 East Chevy Chase Drive channelized the flow, which had the effect of moving the overbank flow as it approaches Laird Drive to the west. It further noted that the proposed driveway is designed to match the existing grades for the first approximately 30 feet, which is the only area that the 50-year water surface impacts. The Study concluded that all the flow from the project will be conveyed to East Chevy Chase Drive and that the construction of the proposed driveway on the subject site will not have an impact on the flow to Laird Drive. The City's Public Works Department has reviewed and accepts the findings in the submitted hydrology study.

**PUBLIC NOTICE**

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The Code requires public notice when the Council considers approval of entitlements such as design review. Staff has mailed copies of the notice to all property owners and occupants within 500' of the project. Also, a public notice was posted on-site.

**FISCAL IMPACT**

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There will be no fiscal impact.

## **ALTERNATIVES**

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Alternative 1: The City Council may approve the attached motion to continue the matter, directing the City Attorney to draft findings overturning the Design Review Board's decision and approving the project.

Alternative 2: The City Council may approve the attached motion to sustain the Design Review Board's decision to deny Case No. PDR1709694-C with five findings for denial.

Alternative 3: The City Council may make a motion to remand the case to the Design Review Board for further consideration.

Alternative 4: The City Council may choose any other alternative not proposed by staff.

## **CAMPAIGN DISCLOSURE**

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In accordance with Council direction pursuant to the adopted City Campaign Finance Ordinance, the names and addresses of all owners and applicable parties involved in the project proposal in the Agenda Item Report is attached as Exhibit 3.

## **EXHIBITS**

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1. Updated hydrology study dated December 20, 2020.
2. October 20, 2020 City Council packet
3. Campaign Finance Disclosure