



CITY OF GLENDALE, CALIFORNIA REPORT TO THE CITY COUNCIL

AGENDA ITEM

Report: Public Hearing on Appeal of Design Review Board's Case No. PDR 2002198, located at 3035 Edgewick Road

1. Motion to sustain the Design Review Board's decision to approve the Design Review Board application with conditions, as presented in the revised plans.
2. Motion to continue, directing City Attorney to draft findings supporting denial of the Design Review Board application.
3. Motion to remand the case to the Design Review Board for further consideration.

COUNCIL ACTION

Item Type: Public Hearing

Approved for November 15, 2022 **Calendar**

EXECUTIVE SUMMARY

This hearing is an appeal of the decision made by the Design Review Board on July 22, 2021, to approve Design Review Board Case No. PDR 2002198 with conditions for the construction of a new 3,260 square-foot (SF) two-story single-family residence with an attached 432 SF garage on an undeveloped 8,581 SF up sloping lot located in the R1R-II (Restricted Residential, Floor Area Ratio District II) Zone.

The appellant is requesting that the City Council overturn the Design Review Board decision to approve Design Review Board Case No. PDR 2002198.

The appellant's arguments focus on the belief that 1) there was a violation of a specific provision of law citing the Glendale Municipal Code Title 30 (Zoning Code) and Comprehensive Design Guidelines Chapter 3, Hillside Design Guidelines, 2) that the Design Review Board exceeded their authority by virtue of any of the provisions of law associated with the maximum allowed height for a residential building, 3) that the Design Review Board refused to hear or consider certain facts before rendering its decision, and 4) that evidence before the Design Review Board was insufficient or inadequate to support their decision.

COUNCIL PRIORITIES

Not applicable.

RECOMMENDATION

Uphold the Design Review Board's decision to approve the Design Review Board application with conditions as presented in the revised plans, which address the Board's conditions. If the Council is inclined to reverse the Design Review Board's decision and deny the application, staff recommends that City Council continue the matter for two weeks to allow the City Attorney to draft findings to support a motion for denial or remand the case to the Design Review Board for further consideration.

BACKGROUND

This hearing is an appeal of a decision made by the Design Review Board on July 22, 2021, to approve Design Review Board Case No. PDR 2002198 with conditions for the construction of a 3,260 SF two-story single-family residence with an attached 664 SF garage on an undeveloped 8,581 SF up sloping lot. The subject site has an average current slope of 35.5%, and the average current slope of the building footprint is 29.3%. The project proposes to grade 895 cubic yards of cut, 122 cubic yards of fill, and export 773 cubic yards of earth in conjunction with the project with 3,320 SF or 38.7% of the hillside to remain ungraded open space. The new house will provide 1,730 SF of livable space on the first floor and 1,407 SF of livable space on the second floor. The garage and elevator access is proposed on the lower (street) level.

The project will also include the construction of retaining walls directly in front of the house, adjacent to the driveway, and along the side of the house including adjacent to the new staircase on the south side of the property.

Since the Design Review Board approval, in an effort to address DRB conditions related to the building's mass and to address argument's raised by the appellant in their appeal, the applicant has revised the design of the building. The revised project proposes 3,221 SF of floor area and a 580 SF garage. The changes to the project are further discussed Analysis section below.

General Information

Appellant: Wesley H. Avery
3030 Edgewick Road
Glendale, CA 91206

Applicant: John Deenihan
217 Alameda Avenue
Burbank, CA 91502

Property Owner: Anurj Properties LLC c/o Raymond Sohrabian
2544 ½ Montrose Avenue
Montrose, CA 91012

Requested Action:

The appellant is requesting that the City Council overturn the Design Review Board's decision of July 22, 2021 to approve Design Review Board Case No. PDR 2002198 with conditions.

Location/APN: 3035 Edgewick Road / APN: 5659-007-015

Legal Description: Portion of Lot 21, Block 3, Tract No. 9041

Zone: R1R-II: Restricted Residential Zone, FAR District II

Land Use Element: Low Density Residential

Existing Site Characteristics:

The 8,531 SF hillside lot is vacant. The irregularly-shaped lot is located on the north side of Edgewick Road and consists of a steep up sloping terrain immediately adjacent to the street. Access to the site is taken from Edgewick Road which is classified as a local street in the Circulation Element. The grade rises over 10 to 12 feet from the toe of the slope which is approximately seven feet from the front property line. However, at the top of the slope, the lot is less steep, gradually sloping uphill. The subject site has an average current slope (ACS) of 35.5%. The surrounding uses consist of single-family residential dwellings.

The existing mature eucalyptus tree at the front of the property is proposed to be removed in conjunction with the new development. Also, there are two protected oak trees on the property proposed for removal in conjunction with the new development. An Indigenous Tree Report (ITR) prepared by Mary Beth MacKenzie dated September 21, 2019, and addendum dated April 10, 2020, was provided to the City's Urban Forestry Division for review. The City's Arborist reviewed the Indigenous ITR and included conditions in a memo dated May 5, 2020. The Arborist indicated they support the request to remove the two existing oak trees on the property so long as the applicant complies with Urban Forestry conditions included in their memo, which includes planting of four new coast live oak trees on the property.

Surrounding Uses/Zoning:

| | Zoning | Existing Uses |
|--------------|--|---------------------------|
| North | R1R II – Restricted Residential Zone, Floor Area Ratio District II | Single-family residential |
| South | R1R II – Restricted Residential Zone, Floor Area Ratio District II | Single-family residential |
| East | R1R II – Restricted Residential Zone, Floor Area Ratio District II | Single-family residential |
| West | R1R II – Restricted Residential Zone, Floor Area Ratio District II | Single-family residential |
| Project Site | R1R II – Restricted Residential Zone, Floor Area Ratio District II | Vacant |

Utilities and Public Services: All municipal and private utilities are in place serving the neighborhood and other public services are currently provided in the vicinity.

Project History

Design Review Board Case No. PDR2002198

July 22, 2021 – The project was presented to the Design Review Board with the recommendation to approve with conditions; the Board unanimously approved the project (3-0) with eight conditions, with two board members absent.

August 5, 2021 – Wesley H. Avery, the owner of the property directly across the street at 3030 Edgewick Road submitted an appeal of the Design Review Board’s decision (Exhibit 6).

June 29, 2022 – Administrative Exception Permit Case No. PAE2209089 was approved with conditions by the Planning Hearing Officer to allow maximum 20 percent deviation from the required; 1) minimum 40 percent of ungraded open space, and 2) minimum 18-foot driveway depth. The project proposes 38.7 percent of the site to be ungraded open space (approximately four percent deviation) where a minimum of 40 percent is required, and proposes a 15-foot driveway depth (17 percent deviation) where 18 feet is required.

June 29, 2022 – Reasonable Accommodation Case No. PAEPRACCOM2209090 was approved by the Planning Hearing Officer to allow the construction of a new single-family house with an internal residential elevator providing reasonable access between the lower level garage and the residential floors above. The requested accommodation would connect the garage at the lower level to the main residential floors above, resulting in a three-story house.

ANALYSIS

SUMMARY OF DESIGN REVIEW BOARD'S DISCUSSION FROM JULY 22, 2021:

- Three members of the Design Review Board heard the case, with two members absent.
- The Board members believed that the Project could be approved with modifications to the building's mass, with clear, specific conditions.
- Board Member Simonian supported the project, indicating that the building's mass and architecture were appropriate since the neighborhood is comprised of a variety of styles and architecture. He indicated that the use, application and distribution of building materials were appropriate and properly executed, and he supported the design and style of the building. In regards to the mass and scale of the building, Board Member Simonian believed that building was appropriately articulated through the use of cladding and other techniques. Additionally, he supported the elevator location at the front facing the street, stating that it was an interesting feature that appropriately articulated and balanced the front façade. He did not agree with some of staff's suggested conditions, including condition No. 2, related to reducing the building's mass; he did not support relocating the elevator further into the building, increasing the driveway slope to further reduce the height of the garage, and lowering the living area by 30-inches. He also indicated that these types of design changes could conflict with the zoning code, substantially change the design, and would not benefit the project.
- Board Member Minas supported the project, agreeing with Board Member Simonian's comment to keep the elevator shaft at the front of the house as it helps articulate the building facing the street. Also, he suggested addressing staff's concern regarding the building mass by slightly increasing the driveway slope as noted in the staff report (condition No. 2). Further, Board Member Minas suggested that the applicant could consider an alternate design which addresses staff's concerns related to the building's mass. He believed the project was thoughtfully executed and supported the project.
- Chairman Welch expressed his support for the design of the project. However, he indicated that some aspects of the building did not properly address the site topography, so he suggested lowering the height of the building including the garage as recommended in the staff report. However, he did not want to unnecessarily impose conditions that would result in major design revisions for the project. So, as an alternative he requested lowering the floor levels above the garage as necessary in order to reduce the overall height of the building.

The Board voted to approve the project with conditions with Motion by Board Member Minas, second by Board Member Simonian (3-yes, 2-absent (Smith and Tchaghayan) to approve with eight conditions as follows:

Conditions:

1. Provide a step back with a depth of one window bay (approximately 10 feet) at the upper portion of the south façade of the double-height living room to reduce the height and mass of this area. Extend the eave/fascia of the entry across the south and east sides of the lowered volume.
2. Work with staff to lower the height of the house and specifically the floor to ceiling height of the garage by aligning the master suite and rear bedroom level. This can be accomplished by balancing and lowering of the first/second floor living areas and/or slightly raising the rear bedroom level (as seen on Sheet A-5.1 Section thru South Elevation) without causing conflict/impacting the height of retaining walls or stories/height compliance.
3. Eliminate the clerestory window above the garage door.
4. Eliminate gray tinted windows and use clear window glass.
5. Eliminate and/or reduce the retaining walls at the rear of the house and those located outside of the property line at the front of the property unless required to comply with Building Code requirements. Show all proposed perimeter walls/fences (and material) on the site plan for staff review.
6. On the right side of the driveway, use a low garden wall with planting area and subsequent retaining wall along the right side of the driveway.
7. At the driveway, use earth-toned pavers as a finish material.
8. Comply with the City's Urban Forestry comments/conditions included in their memo dated May 5, 2020.

STAFF'S ANALYSIS OF CONDITIONS FROM THE DRB MEETING July 22, 2021:

The following analysis examines the revision made to the proposal since the last DRB meeting. Refer to revised plans, which address the Board's conditions (Exhibit 3).

1. Provide a step back with a depth of one window bay (approximately 10 feet) at the upper portion of the south façade of the double-height living room to reduce the height and mass of this area. Extend the eave/fascia of the entry across the south and east sides of the lowered volume.

Response: As an alternative to stepping back the south wall of the house in the living room, the applicant redesigned the building in an attempt to reduce the overall mass and scale of the building as follows:

- The entire house has been set further back into the site by an additional eight feet compared to the previous design that was approved by the DRB. Now the leading

edge of the house at the living room corner (south elevation) is 36 feet, 6-inches from the property line, and 39 feet from the toe of the slope where it meets the street;

- The wall thickness was increased allowing for more deep-set windows which increase the visual pattern along the wall to diminish the continuous planar nature of the surface; and
 - The eave wraps the corner from the entry porch and extends a portion of the way along the wall, adding shade and shadow with its depth of extension from the structure.
2. Work with staff to lower the height of the house and specifically the floor to ceiling height of the garage by aligning the master suite and rear bedroom level. This can be accomplished by balancing and lowering the first/second floor living areas and/or slightly raising the rear bedroom level (as seen on Sheet A-5.1 Section thru South Elevation) without causing conflict/impacting the height of retaining walls or stories, height/compliance.

Response: The height of the house from where it meets the terrain has been reduced to 24 feet, 6-inches, the garage height was lowered to 11 feet facing the street, and the building's floor heights have been reduced 10 feet, 6-inches at each level (approximately six-inches lower compared to the original design approved by the DRB). The garage facing the street was reduced to include a structural slab which will allow for mature landscaping separating the garage from the house above. Retaining walls are proposed given the site's sloping uphill topography. However, an effort has been made to screen the walls with landscaping and reduce its visibility from the street.

3. Eliminate the clearstory window above the garage door.

Response: The garage height has been lowered and the clearstory above the garage door has been removed.

4. Eliminate gray tinted windows and use clear window glass.

Response: Gray tinted windows were eliminated, and replaced with clear glass.

5. Eliminate and/or reduce the retaining walls at the rear of the house and those located outside of the property line at the front of the property unless required to comply with Building Code requirements. Show all proposed perimeter walls/fences (and material) on the site plan for staff review.

Response: According to the applicant, the proposed retaining walls specified on the plans are required to comply with the Building Code. Aside from two minor extensions at the driveway, walls are not proposed beyond the property line.

6. On the right side of the driveway, use a low garden wall with planting area and subsequent retaining wall along the right side of the driveway.

Response: To the extent possible and considering the sloped nature of the site, low walls are being used to address the changes in grade and provide for viable planting areas.

7. At the driveway, use earth-toned pavers as a finish material.

Response: Earth-toned concrete in deep-scored 18-inch by 18-inch pattern with an acid wash to achieve a light exposed aggregate appearance (Bommanite Travertine Beige) is proposed.

8. Comply with the City's Urban Forestry comments/conditions included in their memo dated May 5, 2020 including, but not limited to the following:

- That four new coast live oak trees be planted on the site.
- That the landscape and irrigation plan must meet ordinance requirements for oak trees, including plant material and ground cover consistent with oak tree habitat and the Indigenous Tree Ordinance.
- That the applicant shall contact Forestry for an Indigenous Tree Permit during plan check. Landscape plans will be reviewed for compliance with the Indigenous Tree Ordinance.

Response: The applicant will comply with the City's Urban Forestry comments. If the project is approved, during the plan check process and prior to permit issuance, the Urban Forestry staff will review the project and verify their comments/conditions are met.

Summary of the Appellant Discussion and Staff Responses

The appellant contends that there was 1) a violation of the Zoning Code and Comprehensive Design Guidelines – Chapter 3, Hillside Design Guidelines, 2) the Design Review Board (DRB) exceeded their authority by virtue of any of the provisions of law associated with the maximum allowed height for a residential building, 3) the Design Review Board refused to hear or consider certain facts before rendering its decision, and 4) that evidence before the Design Review Board was insufficient or inadequate to support their decision.

The appellant alleges that the DRB did not enforce the City of Glendale Zoning Code and the compatibility ordinance of the Hillside Design Policy and Guidelines. In their appeal, the appellant argues that the, "DRB failed to consider that the proposed building height exceeds the maximum height limits of the Code, the compatibility ordinance was incorrectly applied," citing that the maximum allowed number of stories for a building in the R1R zone is two with a maximum overall height for of 32 feet (height being measured from the lowest point of the building exposed above the ground surface to the highest point of the roof). The appellant argues that that the building height and design approved by the DRB was significantly higher than adjacent and all existing buildings in the neighborhood, including those built prior to the Hillside Design Guidelines, and that the proposed development is not in character with the neighborhood.

The appellant contends that the project violates the Hillside Development Review Policy (GMC 30.11.040) and the Comprehensive Design Guidelines, Chapter 3, Hillside Design Guidelines. They argue that their historic property, dubbed the “Knudsen House” located directly across the street at 3030 Edgewick Road, will be compromised if the subject vacant lot at 3035 Edgewick Road is developed with a new single-family house. The appellant states that the proposed “glass home” would be obtrusive as it does not transition nor relate to their historic property across the street and the neighborhood pattern. The appellant alleges the proposed development is incompatible with the guidelines for hillside development including site planning, mass and scale and design.

Staff’s Response:

Height

According to the Zoning Code, “height” means the vertical dimension from the lowest point of the building, structure or wall exposed above the ground surface to the highest point of the roof, parapet wall or uppermost part. Chimneys, vents, utility service structures, or portions of a building located below the ground surface existing at the time of construction and exposed as a result of excavation to create door, window or ventilation openings shall not be included in the measurement of vertical dimensions.

In the original design approved by the DRB, the height of the building was 32 feet. Based on the above-referenced zoning code definition, a portion of the garage door opening was not included in the 32-foot height, which is the zoning standard the appellant does not agree with. While the appellant does not agree with the way the height standard is applied here, it is consistent with the way it has been applied in the past with other new hillside homes.

As proposed in the revised drawings, the overall height of the main house was lowered by approximately 7.5 feet, and the height of the front wall of the garage facing the street will be 11 feet high. However, as previously indicated, a portion of the garage, specifically the door opening is not included in the overall height dimension of the building because it is located below the ground surface and excavated for purposes of creating the garage door opening. The roof of the garage consists of a structural slab, designed to slope upwards and abut to the new internal retaining wall at the back of the garage. As proposed, the project complies with the overall height regulation per the zoning code.

In the original design reviewed and approved by the DRB, the building was designed in a vertical, stacked form with the garage at the lower level, directly underneath the residential floors. However, in an effort to address DRB conditions related to the building’s mass, reduce the height of the house, and to address argument’s raised by the appellant in their appeal, the applicant has revised the design of the building by separating the garage from the house. In the revised site plan, the building more appropriately addresses the topography of the hillside slope, by siting the house further back into the site by an additional eight feet. Originally, the house was setback approximately 15 feet from the street front property. In the revised design, the garage is the only part of the

project located 15 feet from the front property line in compliance with the Zoning Code. The first and second floors of the two story residence are pushed further back into the site, setback approximately 36 feet, 6-inches from the living room corner (south elevation) to the street front property line.

Site Planning

The appellant contends that the building does not follow the topography in a sensitive manner since it does not step back and terrace into the hillside stating, “the depth of the property site would allow the mass of the building to be stepped back up into the hillside (as per the Hillside Guidelines), as well as potentially proposing a detached garage, which would reduce the height and breakup the building mass.” Also, the appellant alleges there are discrepancies between some of the drawings associated with the location of the canopy and its relationship with the structure.

Retaining Walls

The appellant argues that the proposed retaining walls adjacent to the driveway are not accurately illustrated in cross sections, elevations and renderings, which the appellant alleges will have a “significant effect on the visual impact these walls create.” Further, the appellant argues that retaining walls have a visible impact on the proposed development, therefore, the DRB and staff need to consider their effect on the design. Additionally, the appellant contends that the proposed grading associated with the retaining walls, that will be or maybe required for the project, are not accurately depicted on the plans. The appellant alleges the project would need additional retaining walls that were not shown on the drawings approved by the DRB.

Garage and Driveway Location

The appellant contends that the proposed driveway and garage location are not safe and do not follow the recommendations of the Hillside Design Guidelines, to ensure new driveways have safe site lines and distances. The appellant argues the project is situated between blind curves, compromises visibility when backing-out of the driveway, causing traffic congestion on a narrow street, and poses a danger to vehicular traffic and pedestrians.

Landscaping

The appellant argues that the landscape plan approved by the DRB does not adhere to the recommendations outlined in the Hillside Design guidelines because the landscape plan does not complement the site and the building design, it does not have a natural look, it does not minimize visual impact and size of buildings, decks, etc., and it does not propose to retain existing trees when possible. Additionally, the appellant alleges the existing Cypress trees on the north (right) side of the property proposed to remain would be impacted as a result of the new retaining wall proposed to be constructed in this area, and that the palm trees shown on the landscape plan, “could not be planted on this 1:1+

slope.” Additionally, the appellant argues that the proposed palms along the street above the driveway retaining wall could potentially impede the view of on-coming cars, causing a safety hazard.

Staff's Response:

As previously mentioned, in an effort to address the arguments raised by the appellant in their appeal, the applicant has redesigned the site plan from the original submittal approved by the DRB. In the revised site plan, the building more appropriately reflects the topography of the hillside slope with the garage located at the lower street level, nestled into the hillside and the residential floors of the house pushed further up and into the property. The revised site plan results an overall improved design approach for the site and the neighborhood as it properly addresses existing site constraints including the extreme sloping topography at the front of the site. The revised design proposes the garage setback 15 feet from the street front property line and the first and second residential floors above are setback further up the hill - the front of the house (east façade) on the first residential floor facing the street is setback approximately 34 feet from the street front property line and the second residential floor is setback approximately 28 feet from the street front property line to the elevator shaft facing the street.

Regarding discrepancies in the drawings, the applicant has indicated to staff that the revised plans are consistent and correspond. If the project is approved, the project plans will be required to go through the plan check process and will be reviewed by other City Divisions, including but not limited to, Building and Safety, Zoning, Fire, Public Works Engineering, Water and Power, etc., and staff will verify the plans are Code compliant and the information included in the plans is accurate.

According to the applicant, the proposed retaining walls specified on the plans are required in order to comply with the Building Code. The retaining wall section drawings and partial site plan shown on sheet RW-1.0 of Exhibit 3, illustrates the location of the walls proposed at the front of the property and adjacent to the staircase on the south side. The walls are proposed to comply with the Zoning Code as it relates to height and decorative finish. The walls will be constructed with CMU, decorative material (Angeles block) to blend with natural hillside in compliance with the Zoning Code and the Guidelines. The retaining walls proposed at the front, north and south sides feature landscaping/vegetation adjacent to the walls to help soften the view of the walls from the street and the adjacent property to the south.

As proposed, the revised project is consistent with the Hillside Design Guidelines because it thoughtfully considers the topography. The garage is built into the hillside at the lower level and the residential floors above are terraced up the hillside, away from the garage and the street. As suggested by the Guidelines, the applicant has pushed back the house (by an additional eight feet compared to the previous design). In fact, building into the hillside to diminish visual impact of mass and scale is encouraged even if significant grading may be required. In this case, the project proposes to grade 895 cubic yards cut, 122 cubic yards fill, and export 773 cubic yards of earth in conjunction with the project,

which is not significant for a hillside property. In an effort to minimize the project's mass and push the house further up the hill, the project obtained approval of an Administrative Exception request for a minor deviation to reduce the required 40 percent ungraded open space by 113 SF (a 3.3 percent deviation) - project proposes 38.7 ungraded open space).

The new garage will be situated 15 feet from the street front property line in compliance with the Zoning Code and the driveway depth is 15 feet subject to the Administrative Exception approval. The Administrative Exception approval allows the driveway length to be 15 feet (17 percent deviation) where 18 feet is required per Code. To ensure the driveway and garage locations are adequately safe for the site, complies with all Code and regulations including safety, it will be required to be reviewed by other City Departments including, but not limited to Building and Safety, Zoning, Public Works Engineering and Traffic during the plan check process.

The proposed landscape plan is consistent with the Hillside Design Guidelines, as it provides native plants, provides a natural look, minimizing visual impact and size of the building into the natural hill. Similar to the original plans that were approved by the DRB, the landscape plan includes drought tolerant landscaping, which has been certified by the landscape architect to comply with the Model Water Efficient Landscape Ordinance (MWELO). The landscape design and plant selection complements the site and the building design, especially at the front facing the street. The red flowering California fuchsia plants above the garage help soften the view of the new building from the street. Additionally, there are various succulents proposed in the planters adjacent to the front stairs and shrubs are proposed throughout the property to help soften and screen the fences and walls. In an effort to address the appellant's concerns regarding traffic visibility, the palms have been relocated further the up in the planter adjacent to the house, away from the driveway. And the existing cypress trees along the north side of the property will remain. Overall, the proposed landscaping is appropriate to the site and complements the house and the neighborhood.

Mass and Scale

In their appeal, the appellant argues that the building was too tall and that its design including its flat roof line, canopies, windows, and the elevator emphasized the building's height, mass and scale, and was not appropriate nor compatible with the character of the adjacent structures. The appellant contends that the design of the building resembled a large vertical mass with large windows, "producing the appearance of a monumental edifice", and "less articulated than the adjacent homes and surrounding neighborhood."

Staff's Response:

The applicant explored several design options to appropriately address the DRB conditions of approval as well as concerns raised by the appellant regarding the building's mass and scale. In an effort to address the Board's conditions and concerns and the arguments regarding mass and scale raised in the subject appeal, the applicant has redesigned the overall mass and scale of the project. In the original design reviewed and approved by the DRB, the building was designed in a vertical, stacked form with the

garage at the lower level, directly underneath the residential floors. To address the Board's conditions related to reducing the building's mass and address concerns raised by the appellant in his appeal, the applicant has redesigned significant portions of the building to reduce its mass and scale as viewed from the street. In the revised drawings, the garage is proposed to be built at the lower (street) level, nestled into the hillside and the house will be constructed further up the hill, step backed from the garage and the street front property line, thereby, reducing the mass and scale of the building. The overall height of the main house is 24 feet, 6 inches, and the height of the front wall of the garage facing the street is 11 feet. The roof of the garage consists of a structural slab, designed to slope upwards and abuts to a new retaining wall inside the garage.

In the revised design, the garage at the lower street level is visually separated from the main residential floors further up the hill with landscaping proposed on the roof of the garage. While the garage and the residential floors are visually separated by landscaping on the garage roof area, the building would be internally connected by an elevator inside the garage, connecting the garage at the lower level to the main residential floors above approved under a Reasonable Accommodation (Case No. PRACCOM2209090). The internal elevator will enable the owner's disabled mother, who will be residing on the subject property, to circulate between the lower level garage and the residential floors above; the accommodation request connects the garage at the lower level to the main residential floors above, resulting in a three-story house. The elevator shaft still appropriately articulates the front façade as expressed by the DRB, and complements the building.

As proposed, the revised project is consistent with the Hillside Design Guidelines because the building considers and follows the site's uphill topography. The garage is built into the hillside and the residential floors terrace further up the hill, following the site's topography and by separating the garage from the house, the mass and scale of the house is significantly reduced. In fact, the Hillside Design Guidelines recommend building into the hillside to reduce the appearance of a monumental structure as evident in the revised plans. The project's mass appropriately fits the site, adjacent homes and the neighborhood in general. While the new 3,260 SF house is larger in floor area compared to the existing adjacent homes to the north and south, 2,040 SF and 2,537 SF respectively, the size of the new house is not significantly higher than the neighborhood average of 3,059 SF. Further, the appellant's house at approximately 4,834 SF is the second largest home in the neighborhood located directly across the street from the subject site. Based on the above, the proposed development is consistent with the Guidelines because the mass and scale of the new proposal is appropriate and transitions well into the existing neighborhood context.

Design Detailing

The appellant contends the new house is not compatible with the "character inherent within the adjacent and surrounding neighborhood" citing that the review authority is required to "avoid conflicting relationship between new development and adjacent buildings." In their appeal, the appellant argues that the "glass house" including windows

on the street front façade, resembles a commercial storefront and the proposed building's exterior materials and finishes are not appropriate nor compatible with the adjacent structures and the neighborhood. The appellant argues that the, "design fails to incorporate a variety of textures and colors to enhance the design."

In their appeal, the appellant includes the following statement: the "proposed spec home (it should be emphasized that this spec home is being built solely for profit by the developer LLC and is not the dream of a neighborhood resident who always wanted to modify his existing home)." But, the appellant but does not provide any material evidence with the appeal application to support their claim that the project is a "spec" home.

Staff Response:

The Design Review Board approved the project because they determined it was appropriate for the site and the neighborhood. In fact, the Board members expressed support for the style and design of the building indicating that the use, application and distribution of building materials were appropriate and thoughtfully executed. Ultimately, the Board made a motion to approve the project with conditions on the basis that the proposed site plan, mass and scale, and design and detailing were appropriate and complemented the site, the new house and the neighborhood. As previously mentioned, the applicant has made an effort to address the Board's conditions to reduce the building's mass and concerns raised by the appellant in his appeal. In doing so, the exterior design of the house changed. In the revised design, the garage is located at the lower, street level, visually separated from the main residential floors pushed further up the hill. Similar to the original design approved by the Design Review Board, the revised design incorporates floor to ceiling glass windows and doors. Also, the application of stone cladding for the elevator shaft facing the street as well as on the sides and rear of the building is appropriate, reinforcing the Contemporary style of the building as suggested by the Guidelines. The design and detailing proposed on the new building is consistent with the Guidelines in that it enhances the overall architectural idea and is consistent with the building. And while there is no preferred design style, new designs should consider the existing context. Also, the combination of colors and materials (stucco and stone cladding), bronze anodized windows, and cable railing provides visual interest, reinforces the overall building design with high quality design and detailing, which appropriately complements the site and the neighborhood. With the exception of the design, the building's contemporary architectural style and use of colors, materials and finishes are similar to the original materials and finishes approved by the Design Review Board.

STAKEHOLDERS/OUTREACH

Not applicable.

FISCAL IMPACT

There is no fiscal impact associated with this report.

ENVIRONMENTAL REVIEW (CEQA/NEPA)

The project is exempt from CEQA review as a Class 3 “New Construction or Conversion of Small Structures” exemption pursuant to Section 15303 of the State CEQA Guidelines because the project involves the development of one single-family residence.

CAMPAIGN DISCLOSURE

The names and business addresses of the members of the board of directors, the chairperson, CEO, COO, CFO, Subcontractors and any person or entity with more than 10% interest in the company proposed for contract in this Agenda Item Report are attached in Exhibit 7, in accordance with the City Campaign Finance Ordinance No. 5744.

ALTERNATIVES

Alternative 1. Approve the attached motion to sustain the Design Review Board’s decision to approve Case No. PDR2002198, and the revised drawings.

Alternative 2. Continue the case, directing City Attorney to draft findings supporting denial of the Design Review Board application.

Alternative 3. Make a motion to remand the case to the Design Review Board for further consideration.

Alternative 4: Consider any other alternatives to design review submission not proposed by staff.

ADMINISTRATIVE ACTION

Prepared by:

Milca Toledo, Senior Planner

Reviewed by:

Kristen Asp, Principal Planner

Erik Krause, Deputy Director of Community Development

Approved by:

Roubik R. Golanian, P.E., City Manager

EXHIBITS/ATTACHMENTS

- Exhibit 1: Location Map
- Exhibit 2: Original Project Site plans, Floor Plans, Elevations, Landscape Plans Reviewed and Approved by the DRB (July 22, 2021)
- Exhibit 3: Revised Project Site plan, Floor Plans, Elevations, Landscape Plans with DRB conditions addressed and incorporated into the design
- Exhibit 4: Staff Report (without attachments) and Record of Decision for Case No. PDR2002198 for DRB Meeting held on July 22, 2021
- Exhibit 5: Site and Neighborhood Photos
- Exhibit 6: Appeal Application of DRB's Decision to City Council filed August 5, 2021
- Exhibit 7: Campaign Disclosure Form