

March 11, 2014

Paul Firestone
14630 Dickens Street, #308
Sherman Oaks, CA 91403

RE: 2512 EAST CHEVY CHASE DRIVE
CASE NO. PCUP 1322910

Dear Mr. Firestone:

On January 22, 2014, the Planning Hearing Officer conducted and closed a public hearing, pursuant to the provisions of the Glendale Municipal Code, Title 30, Chapter 30.42, on your application for a conditional use permit to allow the construction of a new 4,143 square foot, 2-story single family residence with an attached three garage on a vacant lot having an average current slope of 56 percent in the "R1R"- Restricted Residential Zone, located at **2512 East Chevy Chase Drive**, described as Portion of Lot C, Sicomoro Canon Tract, in the City of Glendale, County of Los Angeles.

APPLICANT'S PROPOSAL

Conditional Use Permit

- 1) To construct a new dwelling unit on a lot having an average current slope of 56 percent and 1,500 cubic yards of grading

CODE REQUIRES

Conditional Use Permit

- 1) New dwelling unit construction on a lot having an average current slope that exceeds 50% and grading more than 1,500 cubic yards requires the approval of a conditional use permit.

ENVIRONMENTAL RECOMMENDATION: The Community Development Department, after having conducted an Initial Study, has prepared a mitigated negative declaration for the project. The proposed mitigated negative declaration 20-day comment period began on January 3, 2014 and ended on January 22, 2014. No comments were received.

REQUIRED/MANDATED FINDINGS

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report by the Community Development Department staff thereon, and the statements made at the public hearing with respect to this application, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following:

- A. **The proposed use will be consistent with the various elements and objectives of the general plan.**

The subject site has a designation of Low Density Residential in the Land Use Element with a corresponding R1R zoning classification. The land use designation and zoning

classification are intended to preserve and protect low density residential neighborhoods and to promote the public health, safety and welfare of the community. Within this zone, the preservation of open space and physical features are also emphasized. The residence will be located near the center of the 1.86 acre property and will be approximately 130 feet from the street frontages. The residence will be located on the lower portion of the site, built into the natural slope. The site will preserve 70 percent of the lot as ungraded open space. The Circulation Element classifies Chevy Chase Drive as a Community Collector and Laird Drive as a local street. The primary function of local streets is to provide access to adjacent properties. They usually serve the residential needs of the immediate community with low volumes of traffic to and from collector and arterial streets. The primary function of community collectors is to provide access to adjacent properties and to connect local streets to arterials. Developing the site with a single family house is consistent with the Circulation Element. The Open Space and Conservation Element do not identify this site for park or open space use. All but one of the protected trees on and within 20 feet of the site will be maintained. The loss of one coast live oak will be fully mitigated; therefore the project is consistent with this Element. The Safety Element identifies portions of the site as being in a landslide or a landslide hazard zone area. Soils and geotechnical reports were prepared for the project and found that development was feasible as long as the project adhered to the recommendations of the reports and the design, construction, and grading are adequately and properly executed. The Safety Element identifies this site as located in a fire hazard area and the project will be required to comply with the Glendale Fire Department (GFD) brush clearance requirements and require that the landscape plans be approved by GFD.

B. The use and its associated structures and facilities will not be detrimental to the public health or safety, the general welfare, or the environment.

Construction of the proposed residence would involve approximately 1,500 cubic yards of grading, relatively minimal given the size of the site. The vast majority of the site will remain untouched. Approval of the conditional use permit would not impact surrounding uses or the character of the neighborhood due to the house being built upslope from those homes fronting Chevy Chase Drive. The proposed residence will be built into the natural slope of the lot to address the site's topography. The soils and engineering geologic investigation submitted by AllStar Engineering Group (dated March 2, 2013) and a geotechnical report prepared by Coast Geotechnical, Incorporated (dated February 11, 2013) for the project found that the proposed building site will not be subject to any hazards due to mud or debris flow, provided their recommendations are followed and integrated into the building, grading and drainage plans.

C. The use and facilities will not adversely affect or conflict with adjacent uses or impede the normal development of surrounding property

The site and surrounding area are zoned for very low density single-family housing and are developed as such. The neighborhood is almost fully developed and, therefore, the project will not impact the normal development of the surrounding property. The proposed single-family house is consistent with the surrounding uses and will not impede any redevelopment of nearby homes.

Among the testimony provided at the public hearing were statements from various parties regarding a mud and debris flow that occurred within the cul-de-sac of Laird Drive several years ago. This mud and debris flow passed through the subject property but originated from a property above the subject lot. The soils and engineering geologic investigation submitted by AllStar Engineering Group, Inc. for the project found that the proposed building site will not be subject to any hazards due to mud or debris flow, provided their recommendations are followed and integrated into the building, grading and drainage plans. The Public Works Engineering department will review in detail the proposed grading and drainage plan and soils report to ensure compliance with the City's regulations.

D. Adequate public and private facilities such as utilities, landscaping, parking spaces and traffic circulation measures are provided for the proposed use.

The area is an established community and has been developed for many years. Public and private utilities have been in place and will be available for the proposed residence. Glendale Water and Power did not cite concerns regarding the proposed single-family home. Chevy Chase Drive is a community collector designed to carry residentially-generated traffic. It is not expected that the demand for utilities and impact on traffic circulation in the area will be elevated to any significant degree from the existing conditions. The area immediately surrounding the residence will be landscaped with hillside appropriate and drought-tolerant plant material. The remainder of the site will be maintained with existing native plants. Approximately 80 percent of the site is landscaped, above the minimum required 40 percent. Approximately 70 percent of the site is ungraded, in compliance with the minimum required 40 percent in the R1R zone. A three-car garage is proposed for the 4,143 square-foot house, which complies with the parking requirement for a home of this size.

Additionally, a discretionary application, such as the requested conditional use permit, must also take into consideration the hillside development review consistent with Chapter 30.11.040 (A), which is as follows:

- a. Development shall be in keeping with design objectives in the Glendale Municipal Code, the Hillside Design Guidelines and the Landscape Guidelines for Hillside Development as now adopted and as may be amended from time to time by City Council. The Comprehensive Design Guidelines recommend minimizing grading to preserve the natural hillside appearance, open space and groves of native trees. The residence will be located near the center of the 1.86 acre property and will be approximately 130 feet from the street frontages. The residence will be located on the lower portion of the site and built into the natural slope. While grading is proposed for the sites of the house and guest house, and some work to improve the existing roadbed that crosses the lot, the majority of the site will remain untouched. All but one protected tree located on and within 20 feet of the site will be preserved. The loss of that tree will be fully mitigated with implementation of the mitigation measures prepared by the arborist and the City's urban forester. The tree canopy located closest to the adjacent residences will be preserved. Some pruning may be necessary to remove low hanging branches over the proposed driveway.

The Guidelines stipulate that retaining walls should not be a dominant visual feature. The proposal includes two retaining walls behind the house and one behind the guest house to create a rear yard for the residence and to meet Building Code requirements. The maximum height of these retaining walls is proposed to be 5 feet. The lower retaining wall behind the house, and most of the retaining wall behind the guest house, are screened

from view behind the residences. Additionally, due to the topography of the site and the existence of the oak trees that will remain on the property, the retaining walls will have limited visibility.

According to the Guidelines, new homes should follow the topography of the site and be built into the upslope to minimize landform alterations. The house complies with the Guidelines in terms of being built into a flatter portion of the hillside. The garage and the lower levels of the house are dug into the hillside. The angled floor plan follows the existing topography of the site. Additionally, the house is proposed to include two stories, minimizing the amount of grading. The building footprint, design layout and features address the topography of the site, are consistent with the Guidelines and reinforce that the residence will be built into the natural slope of the lot.

Both the Comprehensive Design Guidelines and Landscape Guidelines for Hillside Development encourage the use of drought tolerant, fire resistant and native landscaping on hillside properties. The proposed landscape plan includes Toyon and Coast Live Oak trees and a variety of shrubs and groundcover that generally comply with these characteristics. In addition, the majority of the site will be left in its natural state.

- b. The house is approximately 35 feet in height. The proposed Spanish style of the house with a tile roof is common in the area. The existing homes located on the north and south side of Chevy Chase Drive tend to be located in the front portion of the lot. The neighborhood contains both one- and two- story houses. The visual impacts of the proposed single-family house on surrounding property will be relatively minor. Residents living in the homes immediately below the site on Chevy Chase Drive will see the front façade of the proposed residence, which is typical in single-family neighborhoods. People driving up and down Chevy Chase Drive may not see much of the house given its elevated location above the street and the existing oak trees that will screen the house. Across the canyon to the north, the house will be more visible from Cascadia Drive because the oak trees on the subject site will not block the view of the house. The proposed 35 foot height of the house is the maximum allowed by the zoning ordinance and is not out of character for the area. The house is not located on a ridgeline or especially prominent portion of the lot and is not anticipated to cause adverse visual impacts.
- c. Site plans shall show preservation of prominent natural features, native vegetation and open space in a manner compatible with the surrounding neighborhood, minimizing alteration of terrain necessary for development. The majority of residences on Chevy Chase Drive were developed with graded building pads for single-family house construction. Behind these houses, many of the backyards have been terraced, although some remain in their natural state. The proposed project requires landform alteration (approximately 1,500 cubic yards of grading-cut and fill) since the residence is built into the hillside, has a confined footprint and is located relatively close to an existing graded roadbed. The house is set into the hillside on a flatter portion of the site and is angled to follow the topography of the site. The house is two stories tall with the garage at a lower level. Nearly 80 percent of the lot will remain untouched. There are no protected scenic vistas, blue line streams or primary or secondary ridgelines on the site. Only one of the protected trees on and within 20 feet of the site will be removed, with over 20 trees remaining. The tree canopy located closest to the subject residence will be preserved

though some low hanging branches may be pruned. The Tree Preservation Report was reviewed and indigenous tree mitigation measures were issued by the arborist and the City's urban forester. Aside from the area of development, the rest of the site will remain in its natural state.

SUMMARY OF PLANNING HEARING OFFICER'S DECISION

The Planning Hearing Officer was able to make all four required findings in favor of the application and considered the hillside design criteria in Title 30.12. 040 A. The proposal is for a new single family house in an area developed with single family houses. The proposed house complies with the hillside design criteria as the house will be built into the hill. In addition, the proposed house complies with all the zoning code requirements such as floor area ratio, lot coverage, landscaping, building height, ungraded open space and parking. The house is required to be reviewed and approved by the Design Review Board in order to ensure the house is architecturally consistent and that its mass and scale are compatible with the surrounding neighbors. Impacts caused by construction are considered temporary and will only be present during the construction process. The conditions attached to this approval will control the use in a manner necessary to allow the use to properly fit into the specific location as well as address any potential grading concerns.

CONDITIONS OF APPROVAL

APPROVAL of this Conditional Use Permit shall be subject to the following:

1. The development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein. Further, Design Review Board approval regarding aspects including, but not limited to, massing, scale, style and location shall be obtained prior to the issuance of a building permit. Any change to design or site planning, massing, scale, style or location as approved by the Design Review Board may require a new Conditional Use Permit application, as determined by the Planning Hearing Officer, with concurrence from the Director of Community Development.
2. All necessary permits (i.e. building, fire, engineering, etc.) shall be obtained from the Building and Safety section and Public Works Department and all construction shall be in compliance with the Glendale Building Code UBC (Universal Building Code) and all other applicable regulations.
3. The premises shall be made available and accessible to any authorized City personnel (Building, Fire, Public Works Engineering, etc.) for inspection to ascertain that all conditions of the conditional use permit have been met.
4. Additional or other building code requirements, or specific code requirements (i.e. CA Green Building Code, etc.), may be required upon submittal of plans for building plan check and permit.
5. Design Review Board approval shall be obtained prior to the issuance of a building permit.

6. If any buildings, sidewalks, curb or gutter, fencing or landscape areas, etc., adjacent to the site are damaged during the course of construction on public or private property, the damage shall be repaired to the satisfaction of the Planning Hearing Officer for private property and the Director of Public Works for public property.
7. A complete automatic fire sprinkler system and notification devices shall be installed in all structures in accordance with the recommendations of the National Fire Protection Association, Standard No. 13D, and the requirements of the Glendale Fire Department. A fire flow of 2,000 gallons per minute shall be provided. The fire sprinkler plans shall be submitted to the Glendale Fire Engineering Bureau within 30 days following issuance of any building permits.
8. A fire department connection shall be installed on the street frontage at the driveway entrance. This shall be connected to two dry standpipes located along the driveway, with final locations to be determined during consultation with the Fire Department during plan check.
9. Any proposed exterior lighting shall be directed onto the driveways, walkways and parking areas within the development and away from adjacent properties and the public right-of-way to the satisfaction of the Planning Hearing Officer.
10. Water conserving plant materials shall be installed as represented on the plan displayed at the public hearing and in accordance with the approved landscape plan. This landscaping plan shall include a complete irrigation plan with water conserving devices, shall be prepared by a person licensed to prepare such plans and shall be approved by the Design Review Board prior to the issuance of a building permit.
11. Landscaped areas shall be maintained in good condition with live plants and free of weeds and trash. Public sidewalks shall be kept clear of landscaping and dirt from the site.
12. The applicant shall comply with all requirements of the Water Engineering and Electric Engineering Sections of Glendale Water and Power, as specified in their memo dated October 7, 2013, to the satisfaction of the Director of Glendale Water and Power.
13. The applicant shall comply with all requirements of the City Engineer, as specified in the memo dated September 27, 2013, to the satisfaction of the City Engineer, which includes evaluating the drainage and determination whether the rear drain is required to be reworked.
14. The applicant shall comply with all recommendations contained in the Soils Investigation Report, prepared by AllStar Engineering Group (dated March 2, 2013) and the geotechnical report prepared by Coast Geotechnical, Incorporated (dated February 11, 2013).
15. The project shall be capable of storing three 100-gallon refuse containers on-site. The containers shall be wheeled to the curb, in a location satisfactory to the Director of Public Works, one day per week.
16. The applicant shall comply with all mitigation measures included in the Mitigated Negative Declaration for this project.

APPEAL PERIOD (effective date), TIME LIMIT, LAPSE OF PRIVILEGES, TIME EXTENSION

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **MARCH 26, 2014** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 am to 12:00 pm, or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 pm to 5 pm.

APPEAL FORMS available on-line:
<http://www.ci.glendale.ca.us/planning/SubmittingAProject.asp>

To save you time and a trip - please note that some of our FORMS are available on line and may be downloaded. AGENDAS and other NOTICES are also posted on our website.

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation.

Violations of conditions required by this determination may be grounds for a revocation.

Section 30.16.610 of the Glendale Municipal Code, 1995, provides for the Community Planning Director to have continuing jurisdiction over any Conditional Use Permit which is or has been granted and may revoke any Conditional Use Permit in whole or in part at any time for failure to comply with any condition or requirement imposed at the time of approval.

GMC CHAPTER 30.41 PROVIDES FOR

Termination: Every right or privilege authorized by a conditional use permit shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

Extension: An extension of the conditional use permit may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the conditional use permit.

NOTICE – subsequent contacts with this office

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the case planner who acted on this case. This would include clarification and verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **by appointment only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Sincerely,



Bradley M. Collin
Planning Hearing Officer

BC:sm

CC: City Clerk (K.Cruz); Police Dept. (Tim Feeley/Z.Avila); City Attorney's Dept. (G. van Muyden/Y.Neukian); Fire Prevention Engineering Section-(D.Nickles); City Engineer and Traffic & Transportation Section (Roubik Golanian/G.Tom); Director of Public Works and General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (R.Takidin); Glendale Water & Power--Electric Section (M.Kelley/M.Jackson); Parks, Recreation and Community Services Dept. (E.Tatevosian); Neighborhood Services Division (A.Jimenez); Integrated Waste Management Admin. (D.Hartwell); Maintenance Services Section Admin. (D.Hardgrove); Street and Field Services Admin.; Environmental Management (M.Oillataguerra); Raymond Munro-representing the applicant; B.Duran; V.Moreno; D.Rohan; A. Simonian; M.Strunin; and case planner-Jeff Hamilton.