

CITY OF LAGUNA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF MEMORANDUM

HEARING DATE:

June 11, 2020

TO:

DESIGN REVIEW BOARD

CASE:

Design Review 19-5134

Variance 19-5135

Coastal Development Permit 19-5156

APPLICANT:

Jason Yaw, Designer

(949) 274-9693

jason@mydstudio.com

LOCATION:

Graziano Residence

1569 Tahiti Avenue APN 641-103-02

ENVIRONMENTAL

STATUS:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities). While the property is located in an environmentally sensitive area (landslide), the geotechnical investigation indicates that the proposed project will not have a significant impact on the environment. There is no evidence of other unusual circumstances resulting in a significant effect on the environment. Therefore, an exception to the

exemptions does not apply.

PREPARED BY:

Elaine Yang, Associate Planner

(949) 497-0748

The project was previously considered by the Design Review Board on January 23, 2020. The applicant requests design review and a coastal development permit for a 2,138 square-foot single-family dwelling in the R-1 (Residential Low Density) zone. Design review is required for the new structure (major remodel due to floor/roof demolition greater than 50%), including a 113 square-foot addition, two skylights, pool and spa, water feature, trash storage in front setback, fuel modification/landscape plan, and construction in an environmentally sensitive area (landslide). A variance is requested to maintain existing nonconforming encroachments into the front setback [LBMC 25.10.008(E)(2)] and the side setback [LBMC 25.10.008(E)(3)].

At the January 23rd hearing, the Board received testimony from the tenant and property owner of 1565 Tahiti Avenue with concerns regarding potential light/air and construction impacts. The Board expressed concerns regarding potential light/air, noise, and construction impacts, slope stability, massing, and style. The applicant has revised the project based upon the feedback received, and a summary of the project changes is provided below and on the following page.

DRB Requests	Applicant Response	Staff Comments
Light/Air: The Board requested the removal of the proposed trellis at the rear building elevation to reduce light/air impacts on the neighboring property at 1565 Tahiti Avenue.	As shown on Sheet A1.0 (Proposed Site/Roof Plan), the trellis was removed.	The applicant has complied with the request. It should be noted that, as shown on Sheet A2.2 (Floor Area Calculation), the applicant proposes to further enlarge the kitchen by 27 square feet, which increases the length of that portion of the building from 32'-3" to 34'-3 1/8".
Noise: The Board requested additional sound attenuation for the mechanical equipment room below the pool and to clarify on the plans as to how the infinity drip edge of the pool and pond will not create excessive noise.	Per the applicant's letter (Description of Changes, May 26, 2020), sound attenuating material will line the interior of the equipment room and as shown on Sheets A3.3 (South Elevation) and A4.0 (Section B), a wood door and siding have been added to the mechanical equipment room to further minimize potential noise impacts. No additional notes on the plans were added to clarify the potential design/noise impact of the infinity drip edge of the pool and pond.	The applicant has addressed noise concerns for the mechanical equipment, but <u>not</u> for the infinity drip edge. Staff recommends a reduction in the height difference between the infinity edge and the overflow trough, which would help minimize the potential water overflow noise.
Construction: The Board requested that measures, such as screening, would be implemented to mitigate potential dust and debris impacts on neighboring properties during construction.	The applicant has not yet responded to this request.	The request can be a condition of the project's approval.
Slope Stability and Massing: The Board requested that the applicant reduce the size of the proposed pool-pond-sunken seating area structure to minimize the number of required caissons to reduce its massing.	As shown on Sheet A1.0 (Proposed Site/Roof Plan), the applicant eliminated the sunken seating area, which reduces the project's required number of caissons. As shown on A3.3 (South Elevation), the applicant redesigned the south elevation of the pool and pond such that the exposed wall height is shortened.	The applicant has complied with the request. Staff recommends a reduction in the size of the infinity edge's overflow trough, which will decrease the weight of the structure and reduce its massing.
Style: The Board requested that design elements from the building's front and side elevations should be carried over to its south elevation in order to create a more interesting design.	As shown on Sheet A3.3 (South Elevation), the applicant added wood siding to the building's south elevation, as well as, at the mechanical equipment room.	The applicant has complied with the request.

Coastal Development Permit: Staff has no concerns with the criteria and findings required to approve the coastal development permit as noted in the prior DRB staff report of January 23, 2020 attached.

Conclusion: Staff has not received any new concerns as of the completion of this report on June 1, 2020. Should the DRB decide to approve the project, staff recommends the following:

- 1. Approve DR 19-5295 and CDP 19-5296 with the finding that the project is consistent with applicable design criteria, and coastal development permit criteria and findings, or as otherwise amended by the DRB;
- 2. Approve Variance 19-5135 to maintain existing nonconforming front and east side setbacks with the findings in the prior staff report;
- 3. Require that automatic nightshades be added to the proposed skylights and that screening be implemented to minimize dust and debris impacts during construction; and
- 2. Adopt Categorical Exemption Section 15301, Class 1 pursuant to the State CEQA Guidelines.

Attachments: Letter from Architect (May 26, 2020)

Minutes & Staff Report (January 23, 2020)

RECEIVED
MAY 27 2020

ZONING DIVISION

1569 Tahiti Ave - Description of changes

May 26, 2020

Design Review Board 505 Forest Ave Laguna Beach, CA 92651

Dear Board Members,

Thank you for your time in reviewing our revised plans for our project at 1569 Tahiti Ave. We have taken the Board's comments from our meeting on January 23rd, 2020, and made design revisions reflecting those comments. Here are our list of changes:

- The new exterior trellis at the southwest corner of the house in our previous design has been completely removed to help alleviate any solar blockage for the rental neighbors to the west.
- As a result of losing the exterior trellis, which would have provided usable, shaded outdoor space, we have instead increased our interior kitchen depth by 2 feet, gaining an additional 27 SF to the overall living square footage of the house.
- Per Board Member Louis Weil's suggestion, Western Red Cedar material from the front
 of the house has been brought to the rear of the house to create more material contrast
 and interest.
- To address the major comment about the pool/water feature at the rear of the house on the hillside being too wide/big and massive looking, we have remove the sunken seating area at the southwest corner of the house. Reducing the overall width of the pool/water feature from approximately 66 feet, 6 inches to 56 feet, 4 inches. The water features now starts 16 feet away from the west property line and runs about 56 feet towards the east. To further reduce the appearance of size, the rear wall of the pool/water feature on the hillside have been reduced by exposing the caissons of the structure. This allows the hillside to run underneath the pool/water feature and creates an appearance of pool 'floating' on the hillside.
- Lastly, the pool equipment room underneath the pool, closer to the east property line, will be lined with sound attenuating material and a cedar screen wall will cover the opening enclose the equipment from sight.

We feel we have addressed the major issues of the Board, and also the comments of our neighbors as best we can. We met with the owners of 1565 Tahiti Ave and their renters to resolve any issues we could. We believe the owners supported our design changes and we are hopeful of their support for the project.

We will be happy to answer any questions that may arise at the meeting on June 11, 2020.

Sincerely,

MYD studio + Homeowners

the country when this was done and when he viewed the roof from the street above; he was mortified. He has structural issues with this house with consultants trying to figure out how to deal with the house not cooling properly. The heat problem was structural, not with the unit. Before he left, he told the HVAC contractor to fix it and the contractor suggested putting ducting on the roof. Despite the monstrosity put on the roof with conversations with his gracious neighbors they have provided support and he hopes to get an approval.

Ms. Monahan verified with staff this roof is subject to Design Review. The property-owner-verified the roof is light tan.

Public Comment: None

MAY 27 2020

CONTING DIVISION

Total Legisland British

Board Questions: Ms. Monahan verified the modified duct work is not yet installed and what they propose installing is what is shown on the plan.

Board Comments: Ms. Liuzzi can support the project but believes the 'structural problem' with the house is from all the glazing which is why it was so hot. The ducting is an improvement. Ms. Neev and Ms. Thalman agree.

Ms. Liuzzi made a motion, seconded by Ms. Neev, to approve Design Review 19-4049 and Variance 19-4050 at 2492 Glenneyre Street with the condition the ductwork be reworked as per the plans submitted at this hearing. The new submittal meets all the Design Review Criteria. Justification for the Variance is as noted in the staff report. Motion carried unanimously 4-0.

Motion CL Second DN Action: Approved with conditions

Vote: Neev Y Thalman Y Weil Abstain Liuzzi Y Monahan Y

15. 1569 TAHITI AVENUE (GRAZIANO), APN 641-103-02 CONTINUED TO 4/9

DESIGN REVIEW 19-5134, VARIANCE 19-5135, COASTAL DEVELOPMENT PERMIT 19-5156, AND CATEGORICAL EXEMPTION [SECTION 15301, Class 1]

City Staff: Elaine Yang, Associate Planner (949) 497-0748 eyang@lagunabeachcity.net

Project Applicant: Jason Yaw, Designer (949) 274-9693 jason@mydstudio.com

The applicant requests design review and a coastal development permit for a 2,025 square-foot single-family dwelling in the R-1 (Residential Low Density) zone. Design review is required for the new structure (major remodel due to floor/roof demolition greater than 50%) including an 86 square-foot addition, two skylights, pool and spa, water feature, trash storage in front setback, fuel modification/landscape plan, and construction in an environmentally sensitive area (landslide) in the R-1 (Residential Low Density) zone. A variance is requested to encroach into the front setback [LBMC 25.10.008(E)(2)] and side setback [LBMC 25.10.008(E)(3)].

Disclosures: Ms. Liuzzi spoke with Bebe Landers, the tenant at 1565 Tahiti and the landlady (Dorta Pakpout) who lives on Jasmine. Ms. Neev spoke with Mr. Landers. Ms. Thalman spoke with Mr. Landers. Ms. Monahan met with Ms. Landers. Mr. Weil met with Bebe Landers and with Jason Yaw.

Project Representative: Project architect Lauren Moss said they plan to add within the existing roof overhang; adding a small powder room, extending the kitchen into part of the garage, a total of just over 2,100 square feet on 24,000 square-foot lot. The exterior enhances the streetscape and articulation. Renovation at the structure mostly consists of removing the existing hipped roof and replacing with a flat roof, reducing overall maximum building height by five inches. They are

adding a few linear feet of glazing and clerestory windows along the south while maintaining the architectural articulation at the rear. There will be two skylights at the master bath to which they are happy to add automatic nightshades. At the rear of the home a new pool, spa and koi pond are proposed. The edge of the pool is in line with the upper terrace railing of the neighbor. The pool wall is not a solid 11-foot wall but is two feet terraced back to create a waterfall effect. There is a lack of visibility of the home from neighboring homes and the street. The closest home with windows facing the project is 1,000 feet away. Glazing at the south elevation increased by a few linear feet but she feels it's appropriate in context with neighboring homes. She believes the proposal provides view equity. Timers and motion sensors will be used with reduced lighting where possible.

Public Comment: Bebe Landers, 1565 Tahiti Avenue, has written letters to explain her concerns with the whole construction. It impacts them considerably as they spend all their time in the house. She is worried about lighting impact, noise pollution, the extent of elevation and the pool in back as they do see it. It appears to be a solid 60 feet or so of concrete wall. It appears there will be windows overlooking her deck and they will have a great loss of privacy. They are filming there, and she fears being sued by the production company if that becomes impossible. It will impact her financially, both personally and business-wise.

Dorta Pakpout, owner of 1565 Tahiti Avenue which is rented to Ms. Landers, said she looked at the project, met with the architect and her concern is the construction impact on her tenant and on the greenbelt as this street is open to the greenbelt. She is worried about pool excavation on this hillside. She shares a caisson with the neighbors. They have a retaining wall which is about eight feet up with a glass wall above. Extending that living area will impact privacy on the patio and she would like to talk with the owner if their extension goes out toward patio area.

Rebuttal: Designer Jason Yaw said there is no extension of the kitchen. They added a corner, squaring off an angled window. The kitchen enlargement is interior – toward the garage. They are adding 15 square feet and the neighbor is to the west. As for the pool, they will go through GeoTech and know they will have significant caissons for stabilization. Several houses on this street have significant pools and theirs would be to code. The wall is about eight to 10 feet high and they hope to add dwarf Olive trees across the pool wall. But they must meet fuel modification rules with trees 10 feet apart which they think will soften the lower part of the pool.

Board Questions: Ms. Liuzzi is concerned about the wall extension and asked if they would be willing to go into the home at 1555 to see how that will affect the art studio. Ms. Thalman said from that studio you see the staking. Mr. Yaw said that's a trellis. Ms. Liuzzi asked if he would be willing to eliminate the trellis. Ms. Moss said it's an open trellis that will allow air and enhances the rear articulation. They haven't had a chance to view from that home and they are willing to do that. Ms. Liuzzi asked the number of caissons and Mr. Yaw said probably 10. Because they are mostly remodeling the interior, they will be coming through the center – not the side - of the house. Ms. Liuzzi verified the caissons will be on solid stone. She asked the pool length. Mr. Yaw said it's a koi pond, seating area and pool, the sunken seating area is 10 feet. They don't have much grading because of using caissons and where the pool extends to lines up with the neighbor. Ms. Liuzzi verified the spillway has a two-and-a-half-foot fall and asked if that could be eliminated for noise. Ms. Moss said it's a drip edge canted at an angle, water sticks to the wall with no pump to make a waterfall. Ms. Liuzzi mentioned considering the difficulty of keeping koi safe from wildlife.

Ms. Neev asked the depth of the 10 caissons as this is a slide area. Mr. Yaw said they currently assume those will be 50 or 60 feet deep. Ms. Neev is very concerned with the area stability and with having to pound that many caissons into the ground for a pool.

Ms. Thalman verified they are not yet at the construction staging point. She is concerned about the construction timing and verified they had a neighborhood meeting. Mr. Yaw said that concern was mentioned at the meeting. He estimates a year but can't say without the construction drawings.

Mr. Weil noticed the mechanical equipment is under the platform and asked what sound attenuation is proposed. Mr. Yaw said it will be concrete on three sides and the top – open on the side facing the hill. They are open to enclosing the front as well but must allow ventilation. Mr. Weil commented when vaulted, concrete can act as an amplifier and suggested maybe sound attenuation on the concrete with some lattice to let air in.

Board Comments: Ms. Monahan explained all these houses were rebuilt after the 1993 fire. Since then many different design guidelines have been adopted which is why existing houses don't meet current concerns such as glazing, etc. Comparing to neighboring homes to justify a lot of glazing doesn't work as the City has those new guidelines. She has concerns about extensive glazing and is very concerned about the extent of what they propose with the water features. She's not comfortable that it's compatible with the land, much less the neighborhood. She thinks they need to have one or the other and not this huge, massive structure which is about twice the size it needs to be. She encourages having pool decking close to the house with a pool/spa combination. She doesn't know if they thought about not having a huge concrete wall in front and having the structure open underneath where it could be landscaped. It could be made dark underneath and almost appear as floating - which might be a better solution than a huge concrete wall. She was concerned about a spillway and thinks what they explained at this hearing needs to be clearly called out on the plans. She is concerned about the trellis structure's impact on a neighbor. The neighbor was concerned about glazing high on the walls, but nobody will look out of it - so the clerestory at the top will probably work. The house is very modest, but she's concerned about the extent of these pools and structures, so she recommends one or other.

Ms. Liuzzi concurs with Ms. Monahan. Even a deck level with the pool would minimize the amount of need for caissons; put the caissons in for half the size of the pool with the decking in front. She is also concerned with the trellis, agreeing with everything Mr. Monahan said. She understands they have a great view with nowhere to sit outside but they need to get more creative or cut back program to make this more livable for the neighbors - it's now far too intrusive for the neighbors at 1565 and on the other side. If they could make a spillway, they could make it as little as possible and still have the effect that would be helpful, maybe a swim spa.

Mr. Weil felt the front of the house is well articulated, he likes the design and use of materials, but the back of the house is very monotone. Maybe drop the trellis back more modestly in one corner; he sees how that can also block some light and glare, especially looking up at the property. He thinks the site could fit a pool but the environmental context of having caissons, etc., is something to weigh. A lot of these houses have more terraces bringing down into the hillside – maybe that could help to soften the impact. He thinks a koi pond is a neat feature that he wouldn't restrict but keeping the fish alive could be a challenge. If the waterfall concept drips down the wall and is a

quiet feature, with mechanical minimized as much as possible. He'd like heavy screening – especially during demo - for dust and debris.

Ms. Thalman agrees with all her colleagues. She's concerned about the number of caissons and maybe the construction. The pool area needs to be scaled way back – she can't support it now. There needs to be some significant modification.

Ms. Csira requested a poll on the variance, and it showed neither Ms. Neev nor Ms. Liuzzi favor the side setback variance. Ms. Monahan suggested cleaning that one up. There was a discussion about the minor encroachment and Caren said she was fine with the variance.

Ms. Liuzzi made a motion, seconded by Ms. Monahan, to continue Design Review 19-5134, Variance 19-5135, and Coastal Development Permit 19-5156 at 1569 Tahiti Avenue, to April 9, 2020. Motion carried unanimously 5-0.

Motion CL Second MM Action: Continued to 4/9

Vote: Neev Y Thalman Y Weil Y Liuzzi Y Monahan Y

16. 1061-1065 GAVIOTA DRIVE (WILCOX), APN 644-076-12 CONTINUED TO 3/26

DESIGN REVIEW 18-2214, COASTAL DEVELOPMENT PERMIT 18-2215, VARIANCE 19-4781, AND MITIGATED NEGATIVE DECLARATION

City Staff: Melinda Dacey, Associate Planner (949) 497-0325 mdacey@lagunabeachcity.net Project Applicant: Marshall Ininns, Architect (949) 376-1794 marshall@midgarchitects.com

The applicant requests design review and a coastal development permit for conversion of a duplex to a single-family residence in the R-2 (Residential Medium Density) zone. Design review is required for additions (1,011 square feet) including upper level, additional lot coverage, elevated decks (396 square feet), grading, air conditioning, construction within an environmentally sensitive area (oceanfront), and to maintain nonconforming conditions (front, side and rear yards, and building height). A variance is requested to encroach into the blufftop setback [LBMC 25.50.004(b)(4)]. **Public Testimony:** None

Ms. Liuzzi made a motion, seconded by Ms. Neev, to continue Design Review 18-2214, Coastal Development Permit 18-2215, and Variance 19-4781 at 1061-1065 Gaviota Drive to March 26, 2020. Motion carried unanimously 5-0.

Motion CL Second DN Action: Final one-year extension approved

Vote: Neev Y Thalman Y Weil Y Liuzzi Y Monahan Y

MINUTES

Ms. Liuzzi made a motion, seconded by Ms. Neev, to approve the minutes of the Design Review/Board of Adjustment of December 12, 2019, and January 9, 2020.

STAFF AND BOARD COMMENTS

None

ADJOURNMENT



CITY OF LAGUNA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

HEARING DATE:

January 23, 2020

TO:

DESIGN REVIEW BOARD

CASE:

Design Review 19-5134

Variance 19-5135

Coastal Development Permit 19-5156

APPLICANT:

Jason Yaw, Designer

(949) 274-9693

jason@mydstudio.com

LOCATION:

Graziano Residence

1569 Tahiti Avenue APN 641-103-02

ENVIRONMENTAL

STATUS:

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities). While the property is located in an environmentally sensitive area (landslide), the geotechnical investigation indicates that the proposed project will not have a significant impact on the environment. There is no evidence of other unusual circumstances resulting in a significant effect on the environment. Therefore, an exception to the

exemptions does not apply.

PREPARED BY:

Elaine Yang, Associate Planner

(949) 497-0748

REQUESTED ACTION: The applicant requests design review and a coastal development permit for a 2,111 square-foot single-family dwelling in the R-1 (Residential Low Density) zone. Design review is required for the new structure (major remodel due to floor/roof demolition greater than 50%), including an 86 square-foot addition, two skylights, pool and spa, water feature, trash storage in front setback, fuel modification/landscape plan, and construction in an environmentally sensitive area (landslide). A variance is requested to maintain existing nonconforming encroachments into the front setback [LBMC 25.10.008(E)(2)] and the side setback [LBMC 25.10.008(E)(3)].

PROJECT SITE DESCRIPTION: The subject property consists of a 24,000 square-foot lot that is improved with a 2,025 square-foot single-family residence with a 431 square-foot attached garage. The site is located on the south side of Tahiti Avenue, between Coral Drive and Caribbean Way. The site has a General Plan land use designation of Village Low Density (VLD) and a zoning



designation of R-1 (Residential Low Density). The topography of the lot is flat near the front of the property where the existing dwelling is located and it descends steeply downhill from the back of the dwelling to the rear property line. The average lot slope of the property is 40.9 percent. The subject site is surrounded by the following properties:

Properties	Address or Assessor Parcel Number	Zone	General Plan	Existing Use
Subject Site	1569 Tahiti Av.	R-1	VLD	One-Story Single-Family Residence
North	1581 Caribbean Wy.	R-1	VLD	Two-Story Single -Family Residence
South	641-341-05	OSC (Open Space/ Conservation)	POS (Permanent Open Space)	Open Space
East	1575 Tahiti Av.	R-1	VLD	One-Story Single-Family Residence
West	1565 Tahiti Av.	R-1	VLD	One-Story Single-Family Residence

DESIGN REVIEW HISTORY: On April 14, 1994, the Director of Community Development approved the reconstruction of a fire-damaged single-family dwelling, which included alterations to the roofline, relocation of the chimney, and a 7.95 percent increase in gross floor area.

STAFF REVIEW BACKGROUND: Staff met with the designer on a few occasions to discuss concerns about the design articulation of the proposed pool and pond, glare from proposed at the rear (south) building elevation glazing, and the variances for existing nonconforming front and east side setbacks. The designer believed that the Board could make the required four findings for the variances and elected to keep the proposed project moving forward. Prior to the completion of this report, staff observed the project as represented by the current staking.

STAFF ANALYSIS: The applicant proposes total additions of 86 square feet, resulting in a total living area of 2,111 square feet. Seventeen square feet of the existing garage will be converted to living area for the kitchen, 26 square feet will be added to the front entry, 28 square feet will be added to create a half bath near the front entry, and 15 square feet will be added to the southwest corner of the great room. The entire existing pitched roof with asphalt shingles will be reconstructed with a flat roof design with parapets and two skylights. The existing exterior siding, stucco and board and batten, will be replaced with new stucco, wood siding, and limestone. Existing windows and doors will be relocated, replaced within existing openings, enlarged or infilled, and new windows and doors will be added. A four-foot wide metal overhang, a sevenfoot wide patio cover, and nine-foot wide metal trellis will span across the entire length of the rear elevation. A pool with a Baja ledge (6,725 gallons), spa (1,922 gallons), and pond (8,225 gallons) with sunken seating area is proposed at the rear of the home, which will require retaining walls greater than five feet in height, and will have an exposed southern wall height of approximately 11 feet. A 50 square-foot mechanical room is proposed to be constructed below the pool and will contain the proposed air conditioning condenser unit and pool, spa and pond equipment. Other proposed improvements include landscaping, freestanding walls, pool security fencing, hardscaping with exterior steps, and trash storage, which will be located in the front setback behind a fence and gate.



DR 19-5134 / V 19-5135 / CDP 19-5156 1569 Tahiti Avenue January 23, 2020 Page 3 of 10

<u>Property Development Standards and Zoning Code Consistency:</u> The proposed additions are in compliance with all setback and height requirements of the R-1 zone. However, the existing structure encroaches into the required 20-foot front (north) setback by eight inches and the required five-foot side (east) setback by four inches. The applicant is seeking variance approvals for these existing nonconforming conditions as discussed in detail below. Project summary tables are attached to this report. Property development standards are specific to each zone and shall apply to all land and structures within that zone. The Design Review Criteria are intended to protect the City's character and provide the City with maximum flexibility and discretion in the decision-making process to meet this intent.

Design Review Criteria: Physical improvements and site developments subject to design review should be designed and located in a manner which best satisfies the design review criteria specified in this section. Please refer to the *City's Design Guidelines - A Guide to Residential Development* on the City's website. The guidelines clarify the criteria that members of the community, the Design Review Board and design professionals use in the design review process. For the purposes of this staff report, only pertinent design review criteria relative to the subject site improvements will be discussed.

Design Articulation and Neighborhood Compatibility: Within the allowable building envelope, the appearance of building and retaining wall mass should be minimized. Articulation techniques including, but not limited to, separation, offsets, terracing and reducing the size of any one element in the structure may be used to reduce the appearance of mass. Development shall be compatible with the existing development in the neighborhood and respect neighborhood character. Neighborhood character is the sum of the qualities that distinguish areas within the city, including historical patterns of development (e.g., structural heights, mass, scale or size), village atmosphere, landscaping themes and architectural styles.

The proposed project will have a negligible effect on the design articulation of the home, as the additions are minimal (total: 86 square feet) and the maximum roof heights will be lowered by five inches each. However, the proposed pool, spa and pond at the rear of the home are designed with a south-facing exposed wall that is 67 feet long (measured west to east), and 11 feet high. The structure is proposed to extend further into the rear yard than the adjacent properties, whose rear yard projections are approximately 17 feet into the rear yard area. As previously noted, the massing of the wall should be reduced as it spans 67 feet of the 80-foot wide property. Neighboring out-of-grade developments range from 44 to 50 feet in length (measured west to east). Reducing the length of the overall pool, spa and pond will help to reduce the mass of the structure. The applicant has not proposed any means for reducing the appearance of the wall's mass. Therefore, staff believes that the design articulation and neighborhood compatibility criteria have not been met.

Environmental Context: Development should preserve and, where possible, enhance the city's scenic natural setting. Natural features, such as existing heritage trees, rock out-cropping, ridgelines and significant watercourses should be protected. Existing terrain should be utilized in the design and grading should be minimized.

The applicant proposes to construct an out-of-grade pool, pond, and deck surfacing area at the rear of the home, which will require 115 cubic yards of cut. According to the geotechnical report, the proposed scope of work is suitable for the site, so long as the anticipated caissons are embedded into competent bedrock. A significant watercourse is located onsite, approximately 108 feet away



from the southernmost edge of the proposed pool, spa and pond structure, and will not be impacted by the proposed development (refer to diagram on the following page). Thus, staff believes that this criterion has been met.



Source: City GIS

Historic Preservation: Destruction or alteration to properties with historic significance, as identified in the city's historic resources inventory or historic register, should be avoided whenever possible. Special preservation consideration should be given to any structures over forty-five years old.

The original structure was built in 1994 and is approximately 26 years old. It is not currently listed on the City's Historic Register. Therefore, this criterion is not applicable.

Landscaping: Landscaping shall be incorporated as an integrated part of the structure's design and relate harmoniously to neighborhood and community landscaping themes. View equity shall be an important consideration in the landscape design. The relevant landscaping guidelines contained in the city's "Landscape and Scenic Highways Resource Document" should be incorporated, as appropriate, in the design and planned maintenance of proposed landscaping.

Independent landscape review was completed on September 25, 2019 and did not note any concerns. According to the landscape reviewer, the proposed fuel modification plan is substantially consistent with the City's fuel modification guidelines. The subject property proposes one tree, a Meyer Lemon, which is not one of the suggested trees for its neighborhood, Mystic Hills (5b). Suggested medium trees for Mystic Hills include, Peppermint, Mimosa, Red Flowering Gum, Jacaranda, New Zealand Christmas, Olive, California Pepper and Tipu. Staff recommends that the Board evaluate the proposed landscape plan and determine if modifications are necessary to ensure compatibility with the landscaping criterion.

Lighting and Glare: Adequate lighting for individual and public safety shall be provided in a manner which does not significantly impact neighboring properties. Reflective materials and appurtenances that cause glare or a negative visual impact (e.g., skylights, white rock roofs, high-gloss ceramic tile roofs, reflective glass, etc.) should be avoided or mitigated to a level of insignificance in those locations where those surfaces are visible from neighboring properties.



The applicant proposes two skylights, but does not indicate whether automatic nightshades are included. The exterior building and landscape lighting as shown on plan sheets A1.2 and L1.3 and are noted below:

EXTERIOR LIGHTING SUMMARY					
Fixture Type	Quantity	Watt	Lumens		
Ви	ilding Lightir	ıg			
LED Wall-Mounted	1	4	300		
LED Recessed Downlight	7	4	300		
Total	8				
Lan	dscape Light.	ing			
LED Path Light	7	6.5	275		
LED Recessed Step Light	18	3.4	9		
Pool Light	9	26			
Total	34				

Staff believes that the proposed building lighting is adequate, but that the proposed landscape lighting is excessive and should be reduced. An additional opportunity to reduce some of the proposed landscape lighting may be achieved by requiring that they be motion activated lights or placed on a timer.

The criterion states that large expanses of glass should be avoided. Staff believes that the glazing on the rear (south) elevation is excessive and should be reduced. Staff does not believe that this criterion has been met.

Privacy: The placement of activity areas (e.g., decks, picture windows and ceremonial or entertainment rooms) in locations that would result in a substantial invasion of privacy of neighboring properties should be minimized.

To date, staff has not received any correspondence from adjacent property owners with regard to privacy. Therefore, staff believes that this criterion has been met.

Sustainability: New development should consider architecture and building practices which minimize environmental impacts and enhance energy efficiency by: (a) reducing energy needs of buildings by proper site and structural design; (b) increasing the building's ability to capture or generate energy; (c) using low-impact, sustainable and recycled building materials; (d) using the latest Best Management Practices regarding waste and water management; and (e) reducing site emissions.

New construction is required to meet Title 24 energy and Green Building Code requirements, which includes insulated windows, insulation, and energy efficient lighting in the kitchen and bathrooms. The Board may suggest additional sustainable options for the property. The applicant will be required to provide proof of compliance before building plan check and building final inspection. Therefore, staff believes that this criterion has been met.

Swimming Pools, Spas and Water Features: Swimming pools, spas and water features shall be located, designed and constructed where: (a) Geology conditions allow; (b) Noise produced by



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circulatory mechanical pumps and equipment is mitigated; and (c) Any associated fencing or other site improvements are compatible with neighboring properties.

The property has a seismic hazard landslide condition; however, the project's peer-reviewed geotechnical study determined that the geological conditions of the proposed location will be suitable for the proposed pool, spa, and pond so long as the project complies with the peer reviewer's conditions of approval. Pool, spa and pond equipment, and the proposed air conditioning condenser unit will be stored in the mechanical closet that will be located beneath the pool, and the air conditioning condenser unit will have an internal sound blanket. Glass security fencing and gate is proposed by the pool, spa and pond, whereas, steel security fencing and gates are proposed on both sides of the home. Therefore, staff believes that this criterion has been met.

View Equity: The development, including its landscaping, shall be designed to protect existing views from neighboring properties without denying the subject property the reasonable opportunity to develop as described and illustrated in the city's "Design Guidelines." The "Design Guidelines" are intended to balance preservation of views with the right to develop property.

To date, staff has not received any correspondence from adjacent property owners with regards to view equity. Therefore, staff believes that this criterion has been met.

General Plan Compliance: The development shall comply with all applicable policies of the general plan, including all of its elements, applicable specific plans, and the certified local coastal program.

The General Plan land use designation of Village Low Density limits development to one house per parcel. The project does not exceed one single-family residential unit as prescribed in the corresponding R-1 zone. Staff anticipates noise, safety and transportation levels will remain consistent with existing development. The project maintains the existing housing stock to comply with the other elements of the General Plan. Therefore, staff believes the proposed structure is consistent with the intent of the Village Low Density land use designation. Additionally, the General Plan Safety Element requires that new development located within wildland interface areas reduce the threat of wildfires through fuel modification, fire resistive construction and defensible space management consistent with the Fuel Modification Guidelines. The Fire Marshal and landscape reviewer have assessed and approved the proposed project for compliance with Fuel Modification Guidelines. Therefore, staff believes that this criterion has been met.

<u>Coastal Development Permit</u>: The proposed project constitutes development for which a Coastal Development Permit is required because the project involves more than 50 percent demolition of the roof and floors. The City's determination is not appealable to the California Coastal Commission. To ensure compliance with the certified local coastal program, the following criteria shall be incorporated into the review of all applications for coastal development permits:

(1) The proposed development will not encroach upon any existing physical accessway legally utilized by the public or any proposed public accessway identified in the adopted local coastal program land use plan.

The subject property is not adjacent to any existing or proposed beach accessways. Therefore, staff believes that this criterion has been met.



(2) The proposed development will not adversely affect marine resources, environmentally sensitive areas, or archaeological or paleontological resources.

No known marine, archaeological or paleontological resources are on the property. As discussed for the Design Review Criterion regarding environmental context, the watercourse that crosses the southern portion of the subject property will not be impacted by the proposed project. Therefore, staff believes that this criterion has been met.

(3) The proposed development will not adversely affect recreational or visitor-serving facilities or coastal scenic resources.

Based on the location and existing conditions of the subject site, the proposed project will not adversely affect existing recreational or visitor-serving facilities or coastal scenic resources as there are no recreational facilities, parks or public trails on or adjacent to the subject site. The property is not an oceanfront parcel, so coastal scenic resources will not be adversely affected by the proposed development. Therefore, staff believes that this criterion has been met.

(4) The proposed development will be sited and designed to prevent adverse impacts to environmentally sensitive habitats and scenic resources located in adjacent parks and recreation areas, and will provide adequate buffer areas to protect such resources.

The project site is not located within an area that is designated as having environmentally sensitive habitat or scenic resources. Moreover, the site is not mapped or near a location that has been identified as having any high or very high value habitat as identified within the Open Space/Conservation Element of the General Plan [pp.3-44]. Therefore, staff believes that this criterion has been met.

(5) The proposed development will minimize the alterations of natural landforms and will not result in undue risks from geological and erosional forces and/or flood and fire hazards.

Although minor alterations to the natural landform is proposed, the geotechnical report recommends mitigation measures to minimize concerns geological and erosional forces. Risk assessment for fire hazards has been assessed by the Fire Marshal who has determined that the proposed project will meet fire safety requirements. Therefore, staff believes that this criterion has been met.

(6) The proposed development will be visually compatible with the character of surrounding areas, and where feasible, will restore and enhance visual quality in visually degraded areas.

As discussed above for the design articulation and neighborhood compatibility design review criteria, the massing of the out-of-grade pool, spa and pond wall should be reduced, as it spans 67 feet of the 80-foot wide property. Neighboring out-of-grade developments range from 44 to 50 feet in length (measured west to east). Reducing the length of the overall pool, spa and pond will help to reduce the mass of the structure. Therefore, staff believes that this criterion has not been met.

(7) The proposed development will not have any adverse impacts on any known archaeological or paleontological resource.



There are no known archaeological or paleontological resources in the project area. Therefore, this criterion has been met.

(8) The proposed development will be provided with adequate utilities, access roads, drainage and other necessary facilities.

The property will maintain its existing access from Tahiti Avenue, which meets the minimum dimensions for two-way travel lanes and a reserve shoulder. The site will utilize the existing sewer connection and the property is required to underground utilities to the nearest pole or utility box. Therefore, this criterion has been met.

(9) Other public services, including but not limited to, solid waste and public roadway capacity have been considered and are adequate to serve the proposed development.

The project does not involve significant changes to existing public services. The existing public services are considered to be adequate for new development in a developed neighborhood. Therefore, this criterion has been met.

Pursuant to Municipal Code Section 25.07.012(G), a coastal development permit may be approved or conditionally approved only after the approving authority has reviewed the development project and made of the findings. The Design Review Board may consider the following findings for approval:

1. The project is in conformity with all the applicable provisions of the General Plan, including the Certified Local Coastal Program and any applicable specific plans in that:

The visual impacts of the proposed pool, spa and pond have not been minimized because the proposed improvements in the rear yard is larger than the neighboring properties and does not maintain compatibility with surrounding development. Although the project is in compliance with the General Plan, as discussed earlier in the report, the project does not meet certain design review criterion, nor coastal development permit criterion. Therefore, this finding cannot be made.

2. Any development located between the sea and the first public road paralleling the sea is in conformity with the Certified Local Coastal Program and with the public access and public recreation policies of Chapter 3 of the Coastal Act in that:

The project is not located between the sea and the first public road paralleling the sea. Therefore, this finding is not required.

3. The proposed development will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act in that:

The proposed project is in compliance with the applicable rules and regulations set forth in the Municipal Code and will not cause any significant adverse impacts on the environment as described below under CEQA Determination.

Requested Variances: The applicant requests variances to maintain existing nonconforming encroachments into the front setback [LBMC 25.10.008(E)(2)] and the side setback [LBMC

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25.10.008(E)(3)]. The Design Review Board must make all of the following findings in order to grant the variance:

Finding 1: There are special circumstances applicable to the property involved, including size, shape, topography, location or surroundings which cause the strict application of the zoning ordinance to deprive such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The existing residence, which was constructed in 1994, maintains nonconforming setbacks on the north and east sides of the lot. The applicant wishes to preserve the original building footprint configuration and to keep the existing structure intact. The additions are in compliance with the required 20-foot front and five-foot side setback. Due to the topography of the property, neighborhood pattern of development, and intent to preserve and minimize demolition to the existing structure, staff is supportive of maintaining the existing nonconforming building setbacks. A denial of the request would require the front and east building elevations to demolished and shifted 10 additional inches away from the front property line and four additional inches away from the east side property line. Therefore, staff believes this finding can be made.

Finding 2: Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the same vicinity and zone.

Staff believes the proposed encroachment is necessary for the preservation of existing structure, which would minimize the need to demolish a substantial portion of the existing structure. The proposed encroachment would also preserve the enjoyment of a substantial property right to encroach into side setbacks which is also enjoyed by the property owners at 1593 Tahiti Avenue, which is under like conditions in the same vicinity and zone. Staff believes this finding can be made.

Finding 3: The granting of the variance will not be detrimental to the public health, safety, convenience and welfare or injurious to property or improvements in the vicinity in which the property is located.

There does not appear to be any evidence that the proposed variances would cause adverse impacts. Therefore, staff believes this finding can be made.

Finding 4: The granting of such a variance will not be contrary to the objectives of the zoning ordinance or the general plan.

Staff considers the variance request not contrary to the objectives of the zoning ordinance, which sets forth provisions to allow deviations from the normal development standards where special circumstances exists. Staff believes that maintaining the existing nonconforming front and east side setback will not be contrary to the objectives of the zoning ordinance and general plan. Additionally, the proposed additions are in compliance with the required front and side setbacks. Therefore, staff believes this finding can be made.

COMMUNITY INTEREST: Staff has not received any correspondence related to the requested actions as of the completion date of this report on January 15, 2020.



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CEQA DETERMINATION: In accordance with the California Environmental Quality Act (CEQA) Guidelines, the project is categorically exempt pursuant to Section 15301, Class 1 (Existing Facilities), which allows additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area. The existing floor area is 2,025 square feet and the proposed addition is 86 square feet. Therefore, the proposed addition will result in a 4.2 percent floor area increase. Additionally, the property is located in an environmentally sensitive area (landslide); however, the geotechnical investigation indicates that the proposed project will not have a significant impact on the environment. There is no evidence of other unusual circumstances resulting in a significant effect on the environment. Therefore, an exception to the exemptions does not apply.

CONCLUSION: The applicant proposes to convert 17 square feet of existing garage space to living area, which will enlarge the kitchen. Other living area additions include squaring off the southwest corner of the existing great room (15 square feet), enlarging the front entry (26 square feet), and creating a half bath (28 square feet) that will be adjacent to the entry addition. The existing pitched roof with asphalt shingles will be removed and replaced with a flat roof with parapets and two skylights that lack automatic nightshades. The existing stucco and board and batten siding will be replaced with new stucco, wood siding, and limestone. Existing windows and doors will be relocated, replaced within existing openings, enlarged or infilled, and new windows and doors will be added. At the front of the existing home, metal security fencing and a gate, freestanding walls, hardscape improvements, and trash storage are proposed. At the rear of the existing dwelling, a new pool with Baja shelf, spa, pond with sunken seating area, retaining walls greater than five feet in height, hardscape improvements, glass security fencing and gate, and trellis are proposed. Below the pool, a mechanical room is proposed, which will house the new pool, spa and pond equipment, and the air conditioning condenser unit with an internal sound blanket. A landscape/fuel modification plan is also proposed.

Variances are requested to maintain existing nonconforming front and east side setbacks. With the exception of the existing nonconforming front and side setbacks, the Design Review Criteria regarding design articulation, neighborhood compatibility, lighting and glare, and landscaping, and the Coastal Development Permit criterion for visual compatibility (#6) and the finding for conformity with the Local Coastal Program (#1), the project is in compliance with all applicable development regulations. If the project is modified to be in compliance with those four Design Review Criteria, then the project would also comply with all required criteria and findings for the Coastal Development Permit. Staff is supportive of the scope of work and requested variances with the exception of the design articulation and neighborhood compatibility of the proposed pool, spa and pond structure, and the proposed amount of glazing at the building's rear elevation and quantity of landscaping lighting. Staff recommends that the Design Review Board provide the applicant with clear directions on how to proceed with any requested design changes.

ATTACHMENTS:

Project Summary Tables Aerial Map Site Photographs Colored Elevations Color and Materials Variance Application Geotechnical Investigation (7/6/2018) Independent Landscape Review (9/25/2019) AC Unit Specifications



1569 TAHITI AV DRB 1/23/2020 DR 19-5134, VAR 19-5135, and

1	CDP	10-	EIE/
-	LVI	1-1-	SIDK

	ZONING STAND			CONFORMS	
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	YES	
SE	SFR	0111	NO CHANGE	YES	
ONE	R1		NO CHANGE	YES	
OT AREA	6,000 S.F.	24,000 S.F.	NO CHANGE	YES	
OT WIDTH (AVG.)	70'	80'	NO CHANGE	YES	
OT DEPTH (AVG.)	80'	300'	NO CHANGE		
VG. LOT SLOPE (%)	N/A	+/- 40.9%	NO CHANGE	N/A	
IAX. HT. (ABV. FRT CURB) 14'-0" (213.80')		212.88' (13'-1")	YES	
IAX. HT. (ABV.LOWEST FLOOR/GRADE)	30'-0"	13'-0"	12'-7"	YES	
ETBACKS					
RONT YARD (SUBDIVISION MAP)	20'-0" HOUSE/10'-0" GAR.	19'-2" / 10'-1"	NO CHANGE	NO	
	20'-0"	244'-0"	NO CHANGE	YES	
REAR SIDE YARD (SUBDIVISION MAP)	5'-0" (EACH)	5'-0" / 4'-8"	NO CHANGE	NO	
OT COVERAGE (BSC)	35% (8,400 SF)	10.30% (2,472 SF)	10.50% (2,520 SF)	YES	
ANDSCAPE OPN SPACE	35% (8,400 SF)	64.20% (15,408 SF)	59.50% (14,280 SF)	YES	
	2 COVERED	2 COVERED	2 COVERED	YES	
PARKING	PROJECT		1		
PECCEIPTION	EXISTING	PROPOSED	REMODEL	TOTAL	
DESCRIPTION	2,025 S.F.	86 S.F.	2,025 S.F.	2,111 S.F.	
MAIN LEVEL	2,025 S.F.	86 S.F.	2,025 S.F.	2,111 S.F.	
TOTAL	431 S.F.	-17 S.F.	N/A	414 S.F.	
GARAGE	N/A	N/A	N/A	N/A	
ELEVATED DECK/TERR.	N/A	50 S.F.	N/A	50 S.F.	
MECHANICAL	EXISTING	REMOVED	REMAINING	DEMO T. %	
DEMOLITION OVER ENCLOSED	2,726 S.F.	2,726 S.F.	0 S.F.	100%	
ROOF AREA LIVING AREA)	2,720 3.1 .	-,,			
FLOOR AREA	2,039 S.F.	350 S.F.	1,689 S.F.	17%	
LOWER LEVEL	4,765 S.F.	3,076 S.F.	1,689 S.F.	64.6%	
TOTAL FLOOR+ROOF		930 S.F.	943 S.F.	49.7%	
TOTAL EXTERIOR WALL	1,073 3.F.	300 0.1 .			
	SITE WO	DRK			
		INSIDE BUILD'G FOOTPRINT	POOL / SPA	TOTAL	
GRADING (CU. YARD)	COTSIDE DOLLE TO THE	0	115	115	
CUT	0	0	0	0	
FILL	0	0	115	115	
NET EXPORT	0			LOT AREA	
IMPERVIOUS SURFACE	LOT ARI	PROPOSEI			
IIVIPERVIOUS SURI AUL		2,566 S.F.		10.7%	
STRUCTURE	2,460 S.F.			11.27%	
HARDSCAPE (INC. DRW	/Y) 1,841 S.F.	2,706 S.F.		21.97%	
4,301 S.F.		5,272 S.F.	11.5270	21.0770	
li company	EXTERIOR BUILD	DING LIGHTING			
EGRESS DOORS	6	V .			
FIXTURE COUNT	8		QUANTIT	Y COMMENTS	
FIXTURE TYPE	WATTS	LUMENS		COMMENT	
SHIELDED WALL DN LIC	SHT 4	300	7		
		300		1	

POOL / SPA	/ KOI POND / WA	TER FEATURE	DETAILS	
*	LENGTH	WIDTH	DEPTH	VOLUME/GAL
POOL	30'-0"	6'-8"	4'-0"	5,985 GAL.
POOL 'BAJA' LEDGE	20'-0"	7'-4"	8"	740 GAL.
SPA	10'-0"	7'-4"	3'-6"	1,922 GAL.
KOI POND	20'-2"	14'-0"	4'-0"	8,446 GAL.
TOTAL VOLUME				17,093 GAL.





1569 Tahiti Ave Laguna Beach, CA 92651



1569 Tahiti Ave property photos



1569 Tahiti Ave Street View (front)

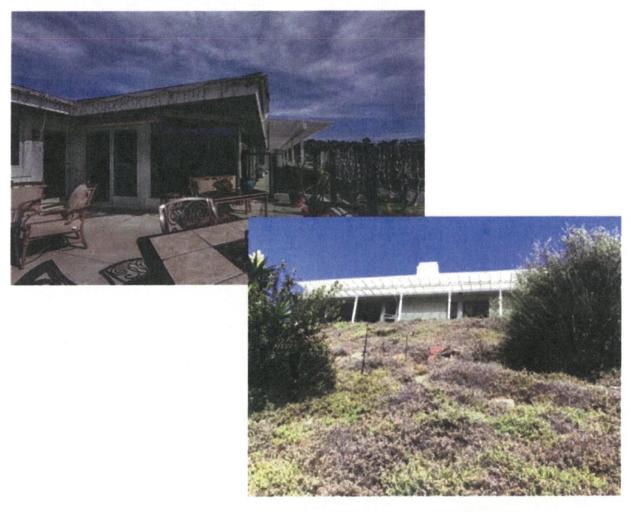


1569 Tahiti Ave Side Yard View (West side)





1569 Tahiti Ave Side yard View (East Side)



1569 Tahiti Ave Rear view (South side)



GEAZIANO RESIDENCE 35657

10.09.19
PROPOSED
ELEVATIONS

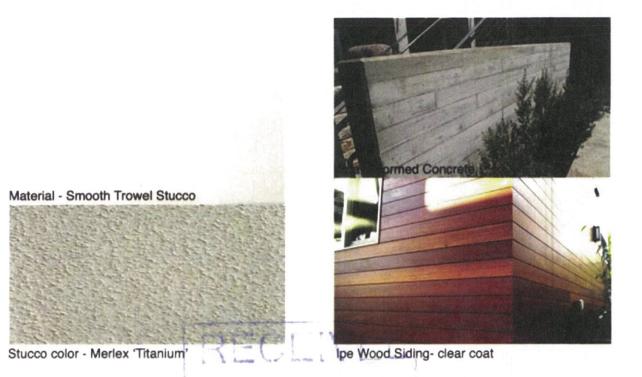
A3.2

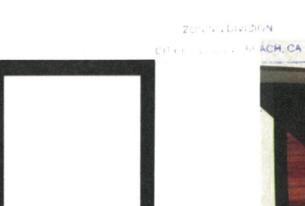


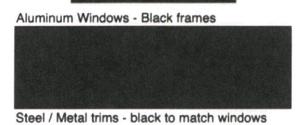






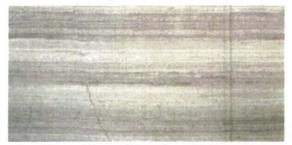








Garage door color - Clear coat lpe wood



Limestone - Athens Silver Cream

