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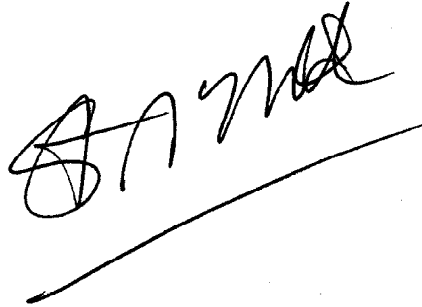
CITY CLERK
CITY OF PASADENA

March 15, 2004

TO: Jane Rodriquez, City Clerk
FROM: Councilmember Steve Madison
SUBJECT: Call Up for Review

I wish to call up for review the following:

Minor Conditional Use Permit 3990, 1374 Edgehill Place
Minor Conditional User Permit 3989, 1378 Edgehill Place

A handwritten signature in black ink, appearing to read "S. Madison", is written over a horizontal line. The signature is stylized and somewhat cursive.

03/22/2004
7.A.7.



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

March 5, 2004

Steve Jennings
2029 Verdugo Boulevard #1014
Montrose, CA 91020

**RE: Minor Conditional Use Permit #3989
1378 Edgehill Place
Council District #6**

Dear Mr. Jennings:

Your application for a **Minor Conditional Use Permit** at **1378 Edgehill Place**, was considered by the **Zoning Hearing Officer** on **March 3, 2004**.

MINOR CONDITIONAL USE PERMIT: To allow the construction of a new single-family dwelling over 4,000 square feet in the Hillside Overlay district.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Hearing Officer made the findings as shown on Attachment A to this letter.

Based upon these findings, it was decided by the Zoning Hearing Officer that the Minor Conditional Use Permit be **approved** in accordance with submitted plans stamped **March 3, 2004**. The conditions listed in Attachments B and C were made a part of the approval.

In accordance with Section 17.80.050 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Zoning Administrator can grant a one-year extension of your approval. Such a request and the appropriate fee must be received before the expiration date. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently pursued prior to the expiration of this approval. It should be noted that the time frame within

Minor Conditional Use Permit #3989

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which judicial review of the decision must be sought is governed by California Code of Civil Procedures, Section 1094.6

You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.104, any person affected or aggrieved by the decision of the Zoning Hearing Officer has the right to appeal this decision within **ten days (March 15, 2004)**. The effective date of this case will be **March 16, 2004**. Prior to such effective date, a member of the City Council or Planning Commission may stay the decision and request that it be called for review to the Board of Zoning Appeals. However, if the tenth day falls on a day when City offices are closed, the appeal deadline shall be extended through the next day when offices are open. The decision becomes effective on the eleventh day from the date of the decision. The regular Appeal fee is \$1,076.56. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$538.28.

Any permits necessary may be issued to you by the Building Division on or after the effective date stated above. A building permit application may be submitted before the appeal deadline has expired with the understanding that should an appeal be filed, your application may, at your expense, be required to be revised to comply with the decision on the appeal. **You should call the Current Planning office at 626-744-6777 to find out if any appeal or call for review has been filed before you submit your building permit application.** A copy of this letter must be attached to all plans submitted for building permits.

For further information regarding this case please contact **Michael Huntley at (626) 744 - 6709.**

Sincerely,



Dave Mercer
Zoning Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C

xc: City Clerk, City Council, Building Division, Public Works, Power Division, Water Division, Design and Historic Preservation, Hearing Officer, Code Enforcement-Ellen Clark, Case File, Decision Letter File, Planning Commission (9)

ATTACHMENT A
FINDINGS FOR MINOR CONDITIONAL USE PERMIT #3989

1. With the adoption of the recommended conditions, *the location of the minor conditional use is in accord with the special purposes of Title 17 of the Pasadena Municipal Code and the purposes of the RS-2-HD (Single-Family Residential, Hillside Overlay) district in which the proposed project is located.* Specifically, the proposal meets the minimum development standards as specified in Chapter 17.20 and 17.48 of the Zoning Code. The proposed residence will meet the development standards of the Hillside Overlay district including gross floor area, lot coverage, height, required yards, and parking. Furthermore, as conditioned, colors, materials, and landscaping will be designed to help the residence blend with its hillside location. The applicant has modified the proposal from the original design to limit site impacts such as grading and tree removal. Further, the Department of Fish and Game has evaluated the site and the proposal, and concludes there will be no significant environmental effects as a result of the project. This, in combination with the fact that the proposed project meets all applicable residential development standards of the HD district, will result in a project that is in accord with all applicable development provisions.

2. *The location of the conditional use and the conditions under which it would be operated or maintained will be consistent with the General Plan.* An objective of the General Plan Land Use Element is to assure that new development is consistent and compatible with the surrounding residential districts. The proposed two-story house will be located in a developed hillside neighborhood and the addition of a new dwelling will be compatible with the surrounding single-family residential properties. Furthermore, given the topography of the lot and the proposed setback, the home will not have a negative aesthetic impact on the surrounding neighborhood. Special consideration will be given to the finish of the home (colors, materials, and landscaping) to help the residence blend with its hillside location. The proposed home meets all applicable development standards and has been designed to minimize further site disturbance with limited grading and tree removal. The addition of a single-family home in a developed single-family neighborhood will be consistent with the General Plan designation of Low Density Residential.

3. *The conditional use will not be detrimental to the public health, safety, or welfare of persons residing, or working in or adjacent to the neighborhood of such use, or injurious to properties or improvements in the vicinity.* The proposed residence meets all development standards applicable to the RS-2-HD zoning district. The home will be under the maximum allowable lot coverage and gross floor area requirements for the site. Although the house as proposed is below the maximum gross floor area permitted for the site, the proposed square footage is larger than some of the properties in the immediate area. Specifically, the residential lots on the south side of Inverness Drive are smaller than the house proposed. However, the majority of the houses are smaller because the lots are smaller preventing larger homes from being built. On the other hand, the proposed house is by no means the largest house in the area in that the property to the east and abutting the subject property has a combined floor area of approximately 6,000 square feet. In addition, the proposed house will not be out of scale with the neighborhood since much of the site is not visible from the surrounding neighborhoods due to large stands of trees around a portion of the subject site, and the fact that the site is in a canyon, not on a ridgeline. As such, the proposed square footage is a reasonable request based on the existing building square footages in the surrounding neighborhood.

The proposed house will not impact views in and around the area. Specifically, the existing houses to the northeast and southwest of the subject property sit at higher

grade elevations allowing the existing homes to look out over the roof of the proposed house. There are no homes to the northwest since there is an L.A. County Flood Control Basin. No views to the south would be affected since the area is heavily wooded. Accordingly, no views would be significantly affected as a result of the proposed house. Furthermore, special consideration will be given to the colors, materials, and landscaping to help the residence blend with its hillside location and to limit any potential impacts to surrounding properties. As such, the granting of the Minor Conditional Use Permit will not be detrimental to the public health, safety or welfare.

4. *The minor conditional use will comply with the provisions of Title 17, including any specific conditions required for the district in which it would be located.* Noncompliance with any of the conditions of approval or any of the provisions of Title 17 would suspend issuance of permits to construct the proposed residence.

ATTACHMENT B
CONDITIONS FOR MINOR CONDITIONAL USE PERMIT #3989

The applicant or successor in interest shall meet the following conditions:

1. The site plan, floor plan, and building elevations, submitted for building permits shall substantially conform to the plans submitted with this application and stamped "Received at Hearing March 3, 2004", except as modified herein.
2. The applicant shall comply with all provisions of Chapter 17.20 and 17.48 of the Zoning Code, which relate to development in the RS-2 and Hillside Overlay district.
3. Prior to the issuance of building permits, the applicant shall submit color and material samples for the review and approval of the Zoning Administrator. The residence shall be composed of dark muted earth tone colors to better blend with the hillside location. No white shall be permitted except for window mullions and accents. No reflective materials are permitted. The proposed roof material shall also be submitted. The roof material shall consist of a dark, muted tone. The approved color and material palette shall be included in the final set of plans submitted for building permits.
4. Prior to the issuance of building permits, a Tree Protection Plan shall be submitted to the Zoning Administrator from a licensed landscape architect/arborist demonstrating that all protected trees on site will be protected during and after construction. The protected trees shall be incorporated into the grading plan and called out as protected. A copy of the Tree Protection Plan shall be attached to the grading plan. No grading shall occur until the protected trees are fenced as directed by a certified arborist. The City shall inspect to ensure that the fencing has been installed prior to commencing grading.
5. Prior to the issuance of building permits, a comprehensive landscape and irrigation plan, prepared by a licensed landscape architect, shall be reviewed and approved by the Zoning Administrator and Fire Chief in compliance with Section 17.48.057 of the Zoning Code. The landscape plan shall encompass the entire property (not just the building pad). The approved landscape and irrigation plan shall be included in the final set of plans submitted for building permits. In addition, a plan reduced to 11 inches by 17 inches shall be submitted for final zoning inspection.
6. No grading, excavating, or dumping shall occur below the top edge of the stream bed/gully on the south side of the site.
7. All areas in front of retaining walls shall be landscaped to minimize the visual effect of the wall.
8. The maximum gross floor area permitted pursuant to this Minor Conditional Use Permit is 5,529 square feet. Any future additions to the home shall require the review and approval of a new Minor Conditional Use Permit.
9. The proposed project, Case No. **PLN2001-00305** shall comply with all conditions of approval, subject to a Final Zoning Inspection. The Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy.
10. The "Final Conditions of Approval" shall be incorporated into the construction plans prior to the plans being submitted for Plan Check.

11. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
12. An exterior lighting plan shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits.
13. A fencing plan shall be submitted to and approved by the Zoning Administrator prior to the issuance of any permits.
14. Any on-site debris must be removed from the site prior to construction.

ATTACHMENT C

**MEMORANDUM - CITY OF PASADENA
DEPARTMENT OF PUBLIC WORKS**

DATE: August 13, 2003

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: City Engineer
Department of Public Works

RE: Minor Conditional Use Permit No. 3989
1378 Edgehill Place

The Department of Public Works has reviewed the application for Minor Conditional Use Permit No. 3989 at 1378 Edgehill Place. The applicant is proposing to construct a new 2-story single-family residence with an attached 3-car garage in the Hillside Overlay District. A minor conditional use permit is necessary because the total floor area of the residence exceeds 4,000 square feet. If this minor conditional use permit is approved, the following conditions are recommended:

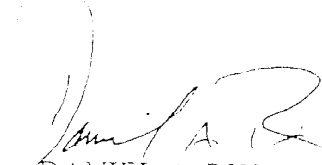
1. Edgehill Place, except for the cul-de-sac at the west end, will be resurfaced in August 2003. Excavation for utility connections must be made within the cul-de-sac. If the resurfaced portion of the street is excavated for utility connections after August 2003, extensive repaving of the street will be required. If the cul-de-sac portion of the street is excavated, the utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme applications.
2. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk, avoiding any damage to existing street trees and using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514), along the subject frontage prior to the issuance of a Certificate of Occupancy.
3. No permanent structures, including any portion of the proposed residence, shall be constructed on or over the public easements.
4. The applicant shall submit to the Department of Public Works a grading and drainage plan review and approval prior to the issuance of a building permit. The grading and drainage plan shall be prepared by an engineer registered in the

State of California. Grading and drainage shall comply with the approved conditions of Tentative Parcel Map No. 14814, and the Hydrology Report, dated December 9, 1985 and prepared by Liston & Associates. The existing storm drain system, including swales, pipes, ripraps, easements, and natural watercourse, shall be shown on the building plans. Any modification to the existing storm drain system and natural watercourse shall require the approval of the Los Angeles County Department of Public Works (LACDPW) and the California Department of Fish and Game.

5. This project is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance which implements the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance.
6. The proposed residence shall be connected to the public sewer by a method approved by the Department of Public Works. The sewer connection shall be 6-inch diameter vitrified clay or cast iron pipe with a minimum slope of 2 percent. Sewer connection shall comply with City of Pasadena Drawing No. 3879 and the conditions of Tentative Parcel Map No. 14814. All sewer, sewer easements, and sewer connections shall be shown on the building plans. Existing sewer manholes must be accessible for maintenance by the City.
7. The applicant shall submit the following plan and form which are obtainable from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval:
 - a. C & D Recycling & Waste Assessment Plan - Submit plan prior to issuance of the grading permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. Summary Report with documentation must be submitted prior to final inspection.
8. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or an additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make

permanent repairs to the abutting street improvements that are damaged, either directly or indirectly, by the construction on this site.

9. Prior to the start of construction or the issuance of any permits, the applicant shall meet with the Department of Public Works Permit Inspection Supervisor for review and approval of construction staging, parking, delivery and storage of materials, and any of the specifics that will affect the public right-of-way.
10. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met.



DANIEL A. RIX
City Engineer

DAR,je