

CORRESPONDENCE ON THE HILLSIDE STUDY

10 September 2005

City of Pasadena
Planning and Development Department
Attn: Jason Kruckeberg, Senior Planner
715 North Garfield Avenue
Pasadena, California 91101

Subject: Response to Initial Study, Hillside Re-Zoning Study

Dear Mr. Kruckeberg:

I understand that certain elements of Hillside Zoning are being reviewed. I would like to suggest that the manner in which FAR limits are applied to basements be modified to make the treatment of sloped lots in Hillside areas more consistent with that of flat lots in the same areas, without changing other aspects of Hillside Zoning.

The attached document, entitled *Modifications to Hillside Zoning; Applying FAR limits to basement floors on sloped lots*, contains the details of my suggestion.

Please consider my comments (here and in the attached document) in the current re-zoning effort. If this is not possible, then I request that these comments be considered now so they may be incorporated as quickly as possible in a subsequent effort.

Please do not hesitate to contact me if clarification or additional information is required.

Thank you for your time in this matter.

Sincerely,



Blaine Cavena
468 Glen Holly Drive
Pasadena, California 91105
becavena@us.ibm.com
818 539 3267

attachment

Modifications to Hillside Zoning

Applying FAR limits to basement floors on sloped lots

Page 1

Summary

The current Hillside zoning places significant FAR constraints on the small lots typical in the hills of the San Rafael neighborhood. A common result is that once covered parking for two cars is provided the available FAR remaining is well under 2500 square feet, and frequently under 2000 square feet. This proposal extends a FAR exception currently available to flat lots in a Hillside area to sloped lots, while retaining all Hillside rules and protections. The result is a modest increase in living space, making these lots more acceptable to families, and environmental and other benefits noted below.

Background

Current Hillside FAR calculations specify limits for maximum gross floor area.

(17.29.060.A) The floor area of basements is not considered in the FAR limits as long as no portion of the basement wall is exposed "six feet or more." In practice, this exception could allow the builder on a flat lot to nearly double the living space available.

While excavating a completely underground basement may be practical on flat or nearly flat lots, it is not practical to do so on sloped lots. (In some cases it may be possible to excavate a flat pad on a sloped lot, and then excavate a basement, but this approach is at odds with other aspects of the Hillside zoning.) A sloped lot may easily support a lower floor, or basement, that is partially subterranean or "set into" the slope, but it is very likely that a portion of the lower floor's exterior wall will be exposed "six feet or more" resulting in the entire floor being considered in FAR calculations.

Proposal

Modify the application of the existing basement exception to give a partial exception to FAR calculations on sloped lots, similar to that available on flat lots in Hillside areas, when a portion of the bottom floor or basement is subterranean or "set into" the natural or existing grade. Use the percentage of overall bottom floor or basement perimeter which is exposed less than six feet above the natural or existing grade to reduce the area of that floor which is considered in FAR calculations.

Benefits

1. The typical sloped lot will gain the potential for a modest increase in living space.
2. The potential for a modest increase in living space will make this area more attractive to families
3. No changes to Hillside rules regarding height limits, lot coverage, setbacks, exterior grading, FAR limits, view protection, etc.
4. Environmental benefits (e.g., additional thermal mass, energy and cooling efficiencies) from subterranean (full or partial) living space.
5. Treats flat and sloped lots in a Hillside area more equitably.
6. Additional slope and earth movement protection resulting from the placement of subterranean retaining walls.
7. Major excavation on sloped lots whose only purpose is to allow a basement to be buried will be much less likely.

Modifications to Hillside Zoning
Applying FAR limits to basement floors on sloped lots
Page 2

8. Taking advantage of this exception may reduce actual lot coverage, and can do so with no increase in structure height. (In addition, some scenarios will exhibit reduced structure height.)

Possible language

“On sloped lots where the bottom floor or basement of the primary structure is partially subterranean, the gross floor area of that floor to be used in FAR calculations will be the actual gross floor area of that floor multiplied by the percentage of the perimeter wall of that floor which is exposed six feet or more.”

Note that this proposal leaves all Hillside rules intact, including lot coverage, setbacks, height limits, etc. In effect, this proposal has little effect on what can be built above ground, changing only that which can be built below ground, and not affecting views, massing, height, etc.

Example

Assume a sloped lot otherwise entitled under the Hillside zoning to a FAR of 2562 square feet and that a two floor design is proposed using floors of equal size, with separate covered parking of 400 square feet.. If the bottom floor is “set into” the slope such that 60% of that floor’s perimeter wall is exposed more than six feet, then for the purposes of the FAR limit the total gross floor area of the dwelling (assuming no other structures) would be...

- Current rules: 2162 square feet (two floors of 1081 square feet)
- With this modification: 2702 square feet (two floors of 1351 square feet, with only 811 square feet (60%) of the bottom floor being considered in the FAR limit)

Additional Options

Note that as written this exception would apply only to the primary structure, and only to a single floor (the bottom floor). It may be desirable to further constrain this exception. For example, the exception may be limited to apply to only that portion of the bottom floor that is contained within the “footprint” of the floors above. It may also be desirable to reduce the exposure limit from six feet to four feet.

370 Glen Summer Rd.
Pasadena, Ca 91105
November 19, 2005

Jason Kruckeberg
Planning & Development Department
City of Pasadena

By e-mail jkruckeberg@ci.pasadena.ca.us

Further comments on Hillside District Rezone Study
Ref.: Public Hearing on Proposed Zoning Map adjustments scheduled for December 5th.

Having now digested the staff recommendations from the Hillside Overlay District (HOD) Re-Zoning Study presented on September 21, 2005, I have the following comments, observations, and suggestions:

The staff recommendation to expand the areas covered by the HOD is disappointing, although understandable. Areas subject to zoning regulations require visible boundaries.

It is in the interest of the City, of the Planning Commission, of the staff, and of homeowners to have such defined boundaries.

However, the staff acknowledgement in the recommendations that many lots within the HOD do not conform to the basic definition of a "hillside" highlights the burden placed on all parties by the current review processes required by the ordinance.

Suggestion #1:

Consider initiating a new Step #1 in any permit request subject to the HOD.

- The petitioner submits a certified survey of the lot in question.
- If the lot conforms to the definition of "hillside", all parties go forward with the full series of reviews currently required.
- If the lot is not in fact "hillside", revert to the standard non-HOC review and approval process.

The staff is in fact taking a significant step in this direction by recommending a change to the Floor Area Ratio Adjustment section of the regulation.

However the change as written does not address a second and related issue: the constraint on construction size resulting from the lack of a definition of "neighborhood" under which to consider the "scale and character" of a requested project. Just as it is important to have a visual boundary for the HOD it is equally important to define boundaries for "neighborhoods".

The current regulation administers the "scale and character" requirement by including all properties within 500' of any point of a property as being within the adjustment zone for calculating total permitted square footage on that property. In some cases this 500' radius encompasses homes of widely divergent scale and character on lots of significantly different size.

Current staff practice is to calculate the average home size on all lots within 500' of a proposed new structure; to apply the 35% variable to this average; and to accept or reject permit requests based on the resultant number, regardless of the lot size or of the size or nature of more adjacent properties.

One of the consequences of this restriction is pressure on homeowners to subdivide larger legacy lots (e.g. 407 Laguna) so that the rebuilding of worn-out housing stock can be undertaken within the reality of current land and construction costs. The Planning Commission should consider if this subdivision of lots and increase in density is in fact a desired outcome in HOD areas of the city.

Suggestion #2:

Consider a review step that incorporates original tract boundaries as parameters of "neighborhoods", and limit the 500' to be within the boundaries of a particular tract.

- Each tract was established and regulated by the city. The data is already available to all parties. It is included in all property records. Each tract was planned and developed with a particular scale and character, which should not be subject to modification or restriction by subsequent area development.

Sincerely,

Brian Clarke

370 Glen Summer Rd.
Pasadena, Ca 91105

June 12, 2005

Jason Kruckeberg
Planning & Development Department
City of Pasadena

By e-mail jkruckeberg@ci.pasadena.ca.us

Additional comments on Hillside District Rezone Study

Thank you for all of the additional information provided at the June 7th review meeting.

After further reflection:

1. We have no objection to taking all of Rosita Lane out of Hillside overlay.
2. If that happens, there does not appear to be any justification for any of Glen Summer to remaining in the Hillside Overlay.
3. In looking at the new parameters of the district, you should consider looking at the original tract maps of the area. From them you may see that the line of the Cheviotdale Tract can replace the Nithsdale line of demarcation.

Brian Clarke
626-396-9585

James and Karen Cutts
360 Rosita Lane
Pasadena, CA 91105

June 3, 2005

Mr. Jason Kruckeberg
Senior Planner
City of Pasadena

Dear Jason:

Thank you for your excellent presentation last night. We appreciate finding out about this study project, and having the opportunity to comment.

We believe that Rosita Lane is very much part of a Hillside environment and thus should retain its current status in the Hillside District Overlay Zone (HD-SR).

Rosita Lane is one of several streets that lie south of Nithsdale, all of which are currently included in the Hillside Overlay Zone.

While the original notes of city planners who drew these lines are not available, we believe that Rosita Lane is clearly part of the Hillside District and was viewed as such by those who made the original determination.

It would be ironic that Rosita Lane, the street closest to the steep hills across Avenue 64, would be excluded from the Hillside Overlay, while Glen Summer, to the east and further away from the hills, would be included in it. That simply makes no sense, and represents blatant gerrymandering.

Also to be considered in maintaining the present status of Rosita Lane as part of the Hillside Overlay are safety issues, as use of the San Rafael Library brings congestion to the street. The constricted nature of Rosita Lane is similar to the narrow hillside streets lying directly to the west.

We believe those who originally drew these lines included Rosita Lane in the Hillside Overlay District because they correctly viewed it as part of a neighborhood system that includes the hills which dominate Rosita Lane's western facing views.

We urge you to maintain the current Hillside Overlay District zoning requirements for Rosita Lane.

Sincerely,
Jim and Karen Cutts

Kruckeberg, Jason

From: Gardea, Antonio
Sent: Monday, November 28, 2005 8:54 AM
To: Kruckeberg, Jason
Cc: Woo, Lanny
Subject: FW: staff report for hillside development standards

Jason,
Here is a comment letter for the Hillside Rezone project, more to follow.

From: JOHN H QUINN [mailto:jandjquinn@sbcglobal.net]
Sent: Sunday, November 27, 2005 10:43 PM
To: Gardea, Antonio
Cc: Tyler, Sid; Tami McGovern; Mary Sikora
Subject: Re: staff report for hillside development standards

Dear Antonio,

Thank you for the information regarding the Hillside Overlay District revisions. I am planning on attending the hearing on December 5th, and would like to know exactly where and when the meeting will take place. The attachment raises questions for me that relate to the change in value of my property because of the new HOD requirements, as well as the obvious issues of the increase in "hassle" for building permits and the inapplicability, as I see it, of the purposes for the HOD to my street.

For example, if I were not in the HOD, it looks like my property would support a house up to 6,800 square feet in total size (assuming 1/2 acre x 30% + 500). If I am in the HOD, I could have only 2,800 square feet (estimated 10,500 of flat x 22% (worse case) +500). As I am sure you know, the size of a potential home very frequently determines the value of the property. In this case, using an average estimated value of \$300 per square foot, I am suffering a reduction in value on my property of \$1.2 million. I don't think you meant to say the reduction was "only" 5% to 7.5% when you quoted the reduction in square footage of 500 on a base of 3500, or more than 14%.

On top of the financial penalties, I have read but fail to understand fully the rationale for leaving Old Mill Road (or at least my block from the San Marino line to Oak Knoll Avenue) in the HOD. As pointed out in my email dated 6/23/04 to D. Sinclair and J. Kruckberg, a review of the purposes for the HOD and the situation on Old Mill Road results in a clear misapplication of the HOD to this street. (Views are not impacted, native vegetation does not exist, there are no unusual infrastructure needs, no natural topographical features remain unaltered, ingress and egress is not impeded, the scale and character of the neighborhood is well-protected by existing code, and we do not have more nor less natural resources than the flat areas of Pasadena).

Finally, I have learned that the cost and time and effort required to process a building permit through the HOD process is quite extensive as compared with the "normal" building permit process. If I am included only for the sake of ease of administration, then I find the cost to me far out of proportion to the benefit to you.

As you can see, I am still not satisfied that my block should be included in the HOD, even if only for the sake of consistency. I will be preparing comments for the hearing. Regards, John

"Gardea, Antonio" <agardea@cityofpasadena.net> wrote:

| John,
| Here is the staff report for the hillside rezone revisions.

Kruckeberg, Jason

From: Graeme Henderson [graeme@earthlink.net]
Sent: Monday, June 06, 2005 8:09 PM
To: Kruckeberg, Jason
Subject: Hillside Zoning Overlay on La Cresta Dr.

I am a resident at 1777 La Cresta Dr. and support the removal of the Hillside Overlay on our street. This is a mature neighborhood and does not reflect a location that invites mansionization. Our hills are steep and descend below houses on our perimeter. It is inconceivable that home modifications or upgrades would impinge on the slopes, the protection of which represents the foundation of special Hillside Zoning in the first place.

Woo, Lanny

From: Graeme Henderson [graeme@earthlink.net]
Sent: Wednesday, May 25, 2005 4:48 PM
To: Woo, Lanny
Subject: RE: Hillside Overlay Study Areas

Lanny:

Thanks for the info. I live on La Cresta and favor it being returned to flat land zoning. This street is fully developed. I can see neighbors doing heavy landscaping along the flat areas, but I can't envision any of them invading their slopes with home enlargements or other heavy construction. These slopes are much too steep to fool with.

Graeme

At 04:30 PM 5/23/2005 -0700, you wrote:

>Graeme,
>
>Attached please find a report that was presented to the Planning
>Commission on April 13, 2005. This report was an informational item to
>the Commission setting the scope of the hillside re-zoning study. No
>decisions were rendered at this meeting. The scheduled community
>meetings, Thursday, June 2 and Tuesday, June 7 are to receive comments
>and concerns that residents may have on the study. Comments and
>concerns from these meetings will be presented to the Planning
>Commission and City Council at a hearing when they take any action on
>the hillside district boundary changes.
>
>If you have any questions, please e-mail me.
>
>Thanks!
>Lanny
>lwoo@cityofpasadena.net
>

>-----Original Message-----
>From: Graeme Henderson [mailto:graeme@earthlink.net]
>Sent: Friday, May 20, 2005 12:43 PM
>To: Woo, Lanny
>Subject: Fwd: Hillside Overlay Study Areas
>

>
>>Date: Fri, 20 May 2005 12:41:31 -0700
>>To: lwoo@cityofpasadena.net
>>From: Graeme Henderson <graeme@earthlink.net>
>>Subject: Hillside Overlay Study Areas
>>
>>I should like to get a copy of whatever materials are available
>>relating
>>to the study prior to attending the scheduled community meetings.
>
>



HILLSIDE DISTRICT REZONE STUDY COMMENTS AND SUGGESTIONS

I attended the community meeting on June 2nd and was surprised to learn that the properties on the south side of Bradford St were included in the study area under review for rezoning.

There is no question that these properties should remain within the Hillside Overlay District. Although terraced, the East/West slope is steep and the runoff from winter storms and irrigation is considerable. The properties should maintain large areas of unbuilt land around structures to allow water to flow as freely as possible both on the surface and through the underground water table.

In addition, this is a mature neighborhood with old trees and mature landscaping. The charm and historic character of the Arroyo and surrounding streets is unique to Pasadena. Its aesthetic and economic value cannot be underestimated. I would therefore oppose any changes to the Hillside Overlay zone on Bradford St.

Christine Hessler
570 Bradford St
Pasadena 91105

Christine@hesslermail.net

P.S. The presentation and Q+A were excellent
Please keep me informed of your progress.

Staff Contact:

Jason Kruckeberg
Planning and Development Department
175 N. Garfield Avenue
Pasadena, CA 91109
626-744-6834 (phone)
626-396-7593 (fax)
jkruckeberg@cityofpasadena.net

4 August 2005

Re: Removal of property from Hillside Development
To RS Single Family Residential

Property: 660 Old Mill Road
Pasadena, CA 91108

Dear Jason,

As per our phone conversation last week, I am requesting that the planning committee do an on site review of our property in order to confirm that, according to our calculations, said property meets the requirements of RS Single Family Residential.

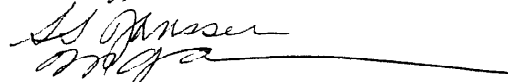
We are considering doing a minor addition to our property and would very much appreciate it if you could allow yourselves some time to re-evaluate this property designation. We believe that having the Hillside designation would have a detrimental impact on our plans.

Enclosed are the measurements that determine the average slope of the property. The property was measured from the rear, the highest point on the property to the front, which is the lowest point on the property. The fall is 12 ft. over a distance of 145 ft. Hence the average slope is the arcsine of $12/145$, or just under 5 degrees. The slope is certainly well under the 15 degree restriction.

Also, John Walker of JR Walker Design & Development of Altadena viewed the site and said that it did not have the attributes of a hillside property. John has worked on many properties in Pasadena for the last several years.

Thank you for your consideration to this matter.

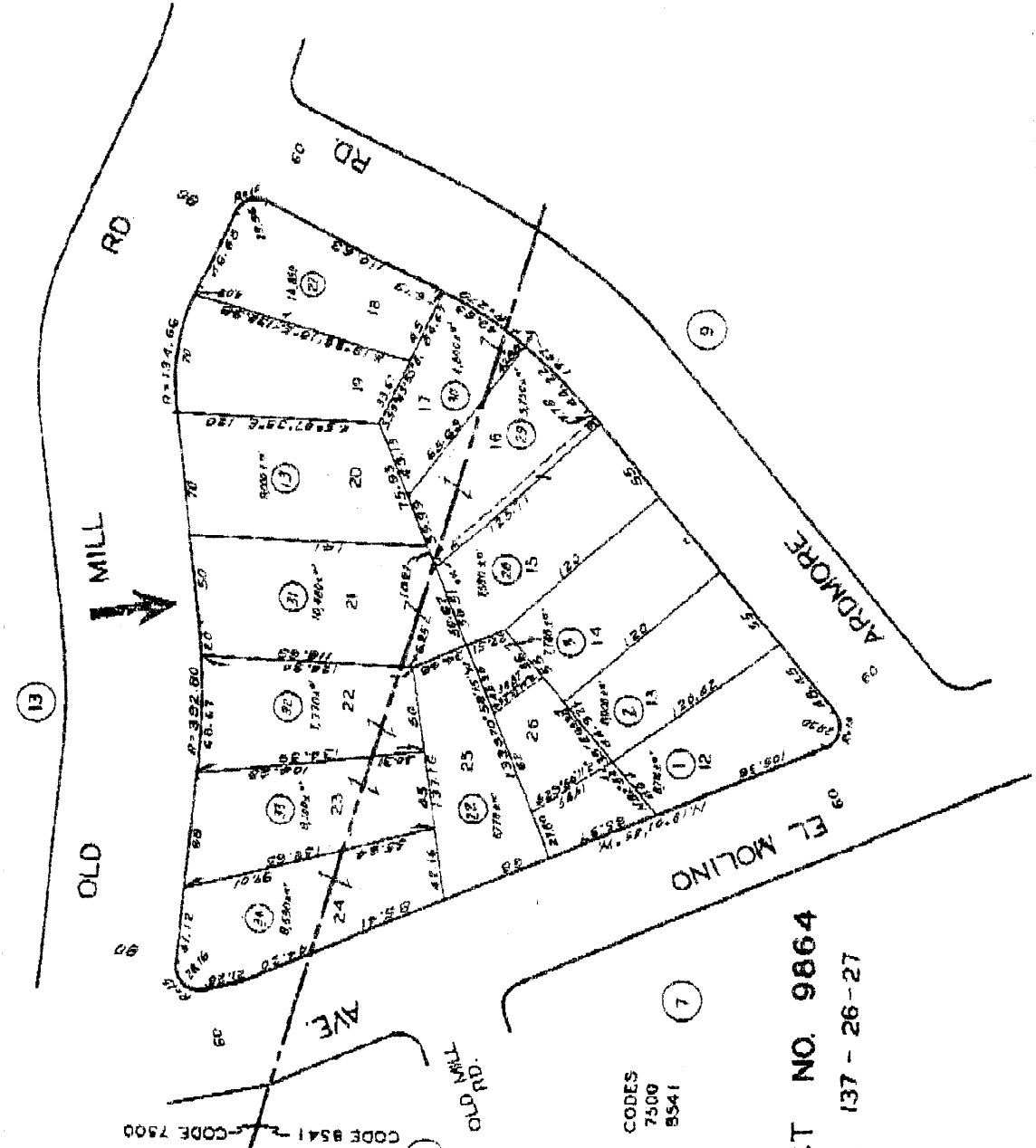
Sincerely,



Sandie and Michael Janssen
660 Old Mill Road
626 403 2503

REVISED
3-19-01
2-10-05
10-24-03
6-13-02
6-20-01
6-20-00
6-20-00
STATEMENT NO. 15

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.



5325 8
SCALE 1" = 60'

1993

TRACT NO. 9864
MB 137 - 26-27

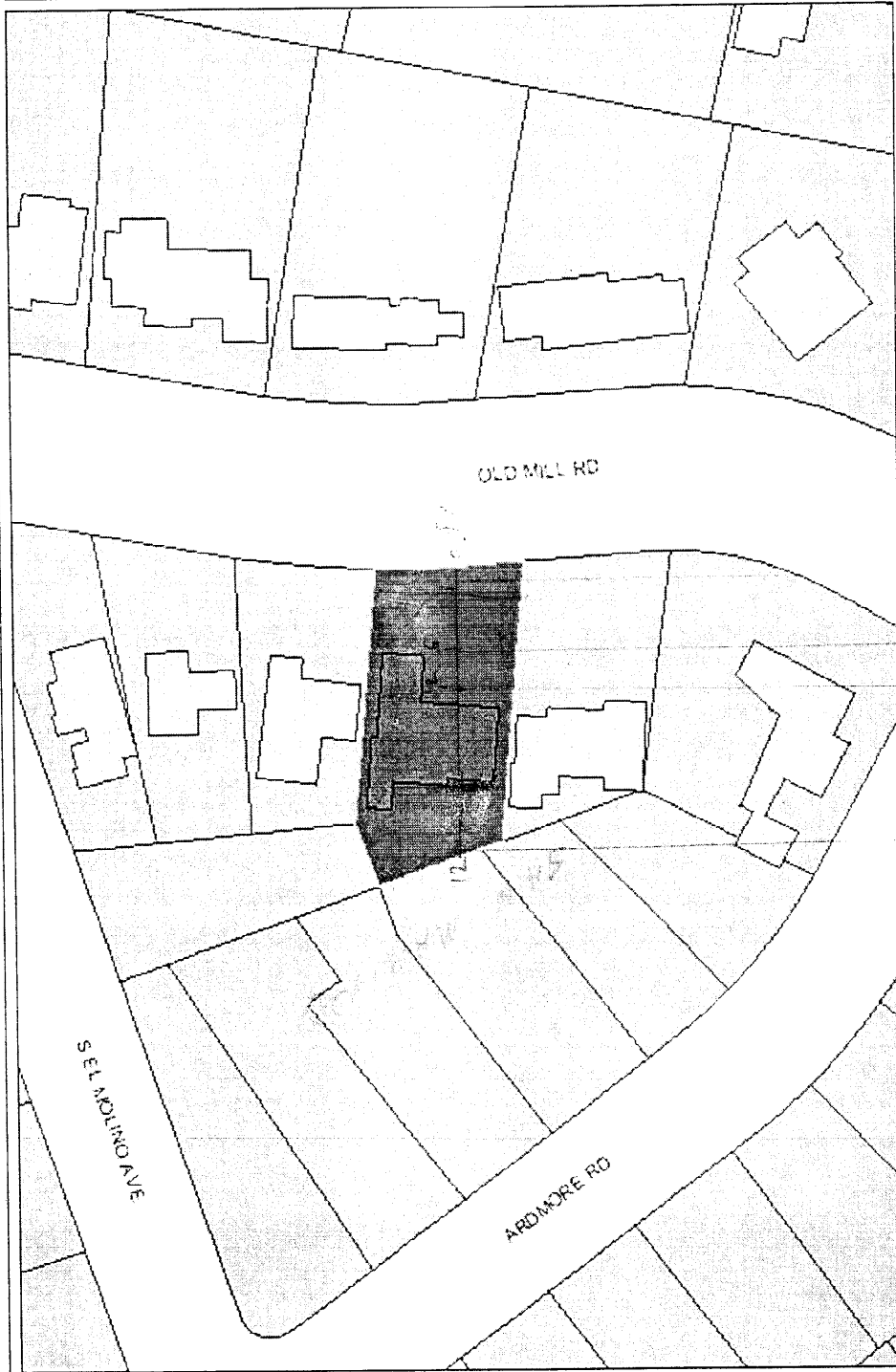
CODES
7500
8541

FOR PREV. ASSM'T SEE:
5325-8

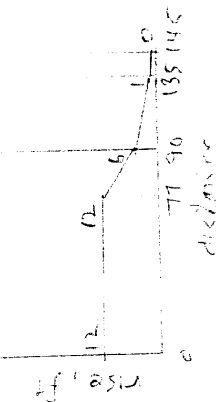


City of Pasadena
General Map
660 Old Mill Rd.

December 4, 2003



- Selected Assessor Parcel
- Building Footprint
- Assessor Parcel



Parcel ID	5325-008-031
Primary Address	660 OLD MILL RD
Owner	MIKANDIE
Acreage	0
Sq Ft	0
Lot Width	0
Lot Depth	0
Year Built	1935
Council Dist	7
Tract	4640
Book	2021
Zone 1	
Zone 2	
Land Use	0100
Redev Area	
NW Zone	N

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HILLSIDE DISTRICT REZONE STUDY COMMENTS AND SUGGESTIONS

We live at 660 Old Mill Rd, Our average slope is much less than 15%. We strongly support removal of our property from the hillside district.

Note: Our neighbors have lots on the same level as ours.

- Mike + Sandie Tansser

Staff Contact:

Jason Kruckeberg
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175 N. Garfield Avenue
Pasadena, CA 91109
626-744-6834 (phone)
626-396-7593 (fax)
jkruckeberg@cityofpasadena.net



HILLSIDE DISTRICT REZONE STUDY
COMMENTS AND SUGGESTIONS

6/8/05

Mr. Kruckeberg -

Thank you so much for the informative meeting last night. My husband and I own a house at 486 California Terrace and have wished for a long time that we had not been included in the Hillside Overlay District. We updated our house just after the 1994 regulations were put in place. As long ago as that, there was a lot of discussion about properties that had been swept up into the Hillside District that did not belong there.

We felt that it was unfair that our almost flat lot was held to the rigorous standards of real hillside properties. We hope that your ultimate decision on this matter excludes our property from the overlay district.

Thank you,

Claude & Mary Kent
442 Colyton St.
Los Angeles, CA 90013
(213) 650-0337

Staff Contact:

Jason Kruckeberg
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HILLSIDE DISTRICT REZONE STUDY COMMENTS AND SUGGESTIONS

The property 1339 Ontario Ave. & its immediate neighbors should not be classified as Hillside. This area does not have any hillside characteristics. This small area has been wrongly included in the hillside zoning. This zoning is unfair to the 24 property owners of this area. All around these 24 homes is nonhillside zoning.

The HD has the standard rate of 25% + 500 sq.ft. This is the maximum sq.ft. that any one in the HD area is able to build. This figure should not be reduced according to the neighborhood comparison. Neighborhood Comparison creates 2 problems.

1) Plans are drawn before the issue of compatibility is addressed. Plans are drawn based on the 25% figure and all the fees are paid. After that the neighborhood comparison is added there is the possibility of reduction of sq.ft. causing the plans to have to be redrawn. Therefore all the money & time spent on fees & plans is wasted.

2) In our property - the lot size is 10,200 sq.ft. on flatland. After the neighborhood comparison the allowed living space is 2366 sq.ft. which is roughly 23%. There is no consistency. No other city builds houses only 23% living space. Decreasing the sq.ft. hurts the property value significantly.

We began the process by going to zoning in March 2004. We were given setback numbers. June 2004 we submitted our plans. Based on the zoning quotation given us in March! Dec. 2004 we were notified our plans were over the sq.ft. allowed. All other areas on our plans were approved in Nov. 2004, only zoning was not approved. We followed the steps & guidelines given us by the city - every step turned wrong! After our hearing in ^{April 2005} the results were - approved with conditions reduce plans by 344 sq.ft. We were faced with 2 choices: 1. start over & redo the plans 2. wait for the HD zoning to be removed. The result of this zoning change & neighborhood comparison has been - our house vacant for over 1 yr. and a financial loss of almost \$200,000. Our conclusion & comment:

Remove the Hillside District zoning from this area. The zoning is unfair, unjustified and not necessary to this location. Our next door neighbor can not even add on one bath. We are asking for the council to be reasonable & to expediate the HD zoning removal.

Staff Contact:

Jason Kruckeberg
Planning and Development Department
175 N. Garfield Avenue
Pasadena, CA 91109
626-744-6834 (phone)
626-396-7593 (fax)
jkruckeberg@cityofpasadena.net

Thank you,
Weiming & Merry Koo

Woo, Lanny

From: Tom Leckrone [tlecron@attglobal.net]
Sent: Wednesday, June 08, 2005 10:36 AM
To: Woo, Lanny
Subject: Hillside Overlay Study Areas

I was unable to attend either of the meetings in the last week regarding the study of flat areas in the Hillside District and would like the city to know that as a homeowner of one of the effected lots I would like to see certain flat lots be removed from the Hillside District. The proposed plan makes sense in that it more accurately defines and focuses on hillside areas that are at risk.

Thank you for your consideration.

Tom Leckrone
1799 La Cresta Dr.
(626) 429-7363

6/8/2005