CORRESPONDENCE
RECEIVED FOR MEETING OF
SEPTEMBER 26, 2005

SCOTT H. BICE

787 SOUTH SAN RAFAEL AVENUE · PASADENA, CALIFORNIA 91105-2326
TELEPHONE 626 441-2432 FACSIMILE 626 441-2386

September 12, 2005

Pasadena City Council
City Clerk
117 East Colorado Boulevard
Pasadena, CA 91105

Re: Call for Review, Hillside Permit 4395
Tentative Parcel Map 061679, 720 S. San Rafael Avenue

Dear Members of the City Council:

I reside at 787 S. San Rafael Avenue. I object to the proposed lot split and residential construction authorized by the subject permit. The Council should reverse the Hearing Officer's action.

The proposed construction is inconsistent with the existing architecture and character of our neighborhood. It would destroy valuable vegetation and negatively impact the environmental quality of one of the City's most carefully balanced residential areas.

This is not the replacement of an existing structure. It is instead the creation of a new homesite, which will of course have a significant impact on the density of the immediate neighborhood. If the permit is denied, there will be no significant restriction on the property owners' enjoyment of their existing residential property. The owners seek to profit from destruction of environmental quality by creating an additional homesite on their property. They should not be permitted to degrade the quality of the neighborhood in pursuit of these development profits.

Sincerely,

Scott Bice

SHB:mam

pc: Mr. David Sinclair

RECEIVED September 15, 2005

'05 SEP 20 A8 :36

CITY CLERK
CITY OF PASADENA

Pasadena City Council
City Clerk
117 East Colorado Blvd.
Pasadena, CA 91105

Reference: Lot Split at 720 South San Rafael

We are opposed to the referenced project for the following reasons:

1. The three story structure hovering over Hillside Terrace will radically change the character of our residential area.

2. The removal of 2250 cubic yards of soil from the property will have a major impact on the natural drainage.

Our property at 625 Hillside Terrace, the second lot to the north of the subject lot, has a similar slope and native tree population. During the recent rainy season, four of our large, hundred year old Oak trees were uprooted due to the water soaked soil. Our driveway is wet from running water for weeks after a heavy rain. Water runs from under ground through the paving stones.

3. Hillside Terrace will be impassable for significant periods of time due to parked cars and heavy truck traffic during construction.

Sincerely,

Tom Larter
Norma Larter

Tom and Norma Larter
625 Hillside Terrace
Pasadena, CA 91105
626 441 1421
t.larter@worldnet.att.net

City Council

CITY CLERK
RECEIVED
2005 SEP 20 AM 10:54

September 19, 2005

RECEIVED
'05 SEP 20 P3:17
CITY CLERK
CITY OF PASADENA

Pasadena City Council
City Clerk
117 East Colorado Boulevard
Pasadena, California 91105

RE: Lot Split, Tree Removal And House Development
720 South San Rafael, Pasadena 91105

Dear Members of the City Council:

As you can imagine there has been a great deal of discussion in our neighborhood about the proposed lot split and development at 720 South San Rafael. Many residents from the three surrounding streets—San Rafael, Hillside Terrace, and Rockwood—are strongly opposed to the project.

The proposed lot split is a steep hillside, on a very narrow street. No level area on which to build currently exists. Thus, the proposal requires a vast excavation, gouging the hillside immediately above our house and the homes of our neighbors.

Worse, the applicants have failed to provide any data reflecting the condition of the hillside following this past year's record rainfall. Moreover, the data they do provide is flawed—it discusses a two-story structure rather than the three-story structure actually proposed.

We understand that the City Council has spent a lot of time working with community members to draft the Hillside Ordinance. It is clear that this proposed development violates the spirit of the Hillside Ordinance. In particular, the enormous amount of excavation required (up to 450 truckloads of dirt will be removed), the massive structure (measuring seventy feet along the street, towering thirty-six feet above the sidewalk level, and hulking a mere twenty-five feet back from the sidewalk), the view lines, and the sudden decrease in our privacy are very real issues to ourselves and our neighbors.

The Council drafted the Hillside Ordinance to maintain the character and uniqueness of hillside neighborhoods, permitting only responsible development that complies with the Ordinance's goals. The vast excavation and construction

contemplated by this proposal flies in the face of those goals. Once the applicants have removed the 450 truckloads of hillside they plan to obliterate, the hill will be changed forever. The lot split and development on this parcel should be denied.

We and our neighbors are deeply concerned about the applicants' own report in June of 2004 noting that each soil sample removed was "moist". Undoubtedly, those results are due to the "notorious" underground springs that lace this neighborhood, but were strangely omitted from the report. (You may already be aware that a pool slipped into a neighbor's home following rains a few years ago; that pool is almost exactly parallel across the hillside to this particular property.) With all of the recent attention to the homes that slipped in Laguna Beach—homes which had been stable for 30 years—we should ALL be concerned about the stability of the ground in our area.

The file contains a document with many calculations ostensibly supporting the applicants' proposal but which is based on a 2004 request to put a TWO-story home on the property. No study has been conducted since the applicants changed their proposal to a THREE-story structure. All of the calculations on file are therefore incorrect and inapplicable to this three-story development. This reason alone requires the denial of this proposal.

You are well aware of concerns in other residential areas about *three-story* structures. This concern is not unique to our neighborhood but rather reflects the vision of others in Pasadena as to how to maintain the architectural integrity and character of a neighborhood.

Given the steep slope of the property, the removal of the 450 truckloads of hillside, the very narrow street (Hillside Terrace), the hanging utility lines where large equipment could get snarled, the potential for heavy vehicles and equipment to damage an aging infrastructure in the street, and the ever-present danger of slippage caused by underground springs, this project is simply not appropriate for this lot. We urge the City Council to abide by the Hillside Ordinance provisions and to deny the lot split and the development of the proposed house on this steep slope.

Sincerely,

Bob & Shari Thorell

Bob and Shari Thorell
728 Hillside Terrace
Pasadena, CA 91105

LEONARD M. MARANGI*
WILLIAM S. JOHNSTONE, JR.*
GEORGE R. BAFFA*
DON MIKE ANTHONY*
WILLIAM K. HENLEY*
CLARK R. BYAM*
MARC R. ISAACSON*
RICHARD L. HALL*
SUSAN T. HOUSE*
DIANNE H. BUKATA
GENE E. GREGG, JR.*
R. SCOTT JENKINS*
CHARLES J. GREAVES*
DALE R. PELCH*
KARL I. SWAIDAN*
CHRISTIANNE F. KERNS*
LAURA V. FARBER*
CHRISTOPHER J. CURRER
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AUTHOR'S E-MAIL
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September 20, 2005

VIA MESSENGER

RECEIVED
05 SEP 20 P12:39
CITY CLERK
CITY OF PASADENA

Pasadena City Council
City Clerk
117 East Colorado Boulevard
Pasadena, CA 91105

Re: Call for Review
Hillside Permit 4395; Tentative Parcel Map 061676; Tree Removal Permit
720 So. San Rafael
Applicants: Christopher and Lois Madison

Dear Council Members:

Our office represents Charles and Carolyn Miller, the residents and owners of the property located at 655 Hillside Terrace. The Millers' property is adjacent to the development which is the subject of the Applications for Hillside Permit, Lot Split and Tree Removal Permit submitted by Christopher and Lois Madison regarding their property at 720 Hillside Terrace (the "Property").

Over the objections of our client and other neighboring property owners, on August 3, 2005 the City's Hearing Officer approved the subject Applications. Our clients filed an appeal. We understand that, subsequent to the filing of that appeal, City Council granted a request for a "Call Up for Review" the Hearing on which is scheduled for September 26, 2005. This letter (original and six copies) is submitted in opposition to the Applications and request is hereby made that City Council reverse the decision of the Hearing Officer and disapprove the Applications.

It is our view that the Hearing Officer failed to properly consider and evaluate risks, concerns and impacts of the proposed project described in the subject Applications.

The Property which is the subject of the Applications is steeply sloped and contains heavy vegetation. The soil conditions are questionable, at best. The geotechnical report submitted in support of the project is incomplete and inadequate and points out the precarious

status of the soils at the Property. It ignores the fact that there are active permanent and seasonal natural springs in the area, fails to comment upon the fact that each excavation area was marked as "moist" notwithstanding that the excavations occurred in June 2004, long before this past winter's rains. Moreover, it contemplates a 2 story structure while the Applicants have proposed a 3 story building.

The proposed project contrasts with existing and long-standing conditions. Among other things, the project calls for massive removal of trees and vegetation and excavation of a large cavern in the hillside into which Applicants intend to "shoehorn" a structure. In place of the vegetation and soil, a mammoth modern architectural structure with a face 70' long and 35 – 36' high will be erected a mere 25' from the Property line. While the project calls for removal of a significant amount of vegetation (in which many live trees appear to be designated as being "dead" so as to expand the number of trees to be removed), the proposal fails to provide for replacement vegetation to provide screening from the street and neighboring properties.

A significant number of risks render the Property inappropriate for subdivision and development and do not support the required findings for approval of a subdivision (including but not limited to findings 7 and 10 – 15), a hillside development permit (including but not limited to findings 4 - 8) and a private tree removal permit (finding 9).

1. The project proposes a massive 3-story structure looming over a narrow tree-lined street. The building will tower 35 – 36 feet above the existing sidewalk elevation, a mere 25 feet from the property line. Such a project does not promote the Hillside Ordinance's objectives of preserving and protecting views to and from the hillside area and maintaining the identity, image and environmental quality of the City and the surrounding neighborhood (Zoning Code §17.29.010.A).

2. The proposed new structure is not compatible with existing architecture and character of the neighborhood as required by Zoning Code section 17.29.060.C. The architectural style of the proposed structure, and its location and massing are simply not compatible with the existing architecture and character of the surrounding neighborhood or with the hillside environment. The excessive massing and bulkiness of the proposed 3 story structure does not conform with the Hillside Ordinance's requirement of minimizing the apparent size of exterior wall surfaces visible from offsite through use of single story elements, stepbacks, landscaping and other means of horizontal and vertical articulation to create a change in shadow lines and to break up massive forms (See §17.29.060.C.1). The light color proposed in the artist's renderings runs afoul of the color and materials requirements of Zoning Code section 17.29.060.C.4, which urges use of darker colors and tones.

3. Removal of trees and vegetation and excavation of 2,250 cubic yards of soil does not achieve the Hillside Ordinance's objective of maintaining environmental equilibrium, native vegetation, geology, slopes and drainage patters (See §17.29.010.B).

4. The geotechnical report submitted with the Application is incomplete and inadequate. It reveals that the bedrock is "Poorly Bedded," "Moderately Weathered." As noted above, each sample location lists the soils as moist, notwithstanding that the inspection was conducted in June 2004, before the rains of the past winter season. The report studies the effects of a 2-story structure although Applicants intend to construct a 3-story building. A geotechnical evaluation (see Review of Soils Report prepared by SASSAN Geosciences, Inc., dated August 23, 2005, attached hereto as Exhibit "A") of the Report submitted in support of the Applications reveals that the Report is incomplete and fails to meet the minimum requirements of and industry standards for such a report.

5. The proposed project will overburden the existing antiquated and dilapidated sewer and electrical services. The project only increases the risks to a fragile infrastructure and does not serve to meet the Hillside Ordinance's objective of minimizing the City's cost of having to install a new public infrastructure and costs to replace and maintain the existing public infrastructure (See §17.29.010.D).

6. Replacement trees only benefit the residents of Applicants' existing residence and the new residence on the proposed new lot. By far the most substantial number of new trees to be planted serve only to provide a screen between the existing and proposed new structure. Those trees do not provide appropriate vegetation screening of the proposed structure from neighbors' properties or the public street and sidewalk (See §17.29.050.C.2).

7. Excavating massive amounts of soil (2,250 cubic yards) from the hillside in an attempt to "shoehorn" a structure onto a lot that is simply not well suited for such development does not achieve the Hillside Ordinance's objective of avoiding residential densities that require extensive grading (See §17.29.010.I). Zoning Code section 17.29.050 requires that any proposed structure be located in a manner as to be the least visually prominent and the most geologically stable.

8. The neighborhood where the Property is located has few and very limited resources and little or no environmental carrying capacity for new development such as the one proposed. The Hillside Ordinance states that its purpose is to ensure that development be concentrated in areas with the greatest environmental carrying capacity and be limited in areas such as the neighborhood in which the Property is located (See §17.29.010.H).

9. Construction work will require between 280 and 450 round trips for standard size dump trucks to remove 2,250 cubic yards of soil. The heavy dump truck traffic is in addition to the heavy excavation and other equipment and machinery needed for the proposed project, workers' parking, and other construction related uses, all on a very narrow tree-lined residential street, which has room for parking only on one side (adjacent to neighbors' residences on the opposite side of the proposed project). While there will be no impact upon the Applicants' existing residence, the negative impact on neighbors' access to their homes and parking and the physical impact on road conditions will be substantial if not overwhelming.

10. A visual analysis establishing compliance, as required under Zoning Code section 17.29.080.C.5, was not provided by the Applicants. Under section 17.29.050.C.1, no part of a proposed structure shall appear silhouetted against the sky above the nearest ridgeline when viewed from a public street or park. The renderings by Applicants either do not show the ridgeline or confirm that, in fact, the massive east facing walls are significantly silhouetted high above the ridgeline. Using the Applicants' own measurements and scale, the structure, as proposed, would need to be approximately 50 feet from the Property line, increasing the excavation requirements exponentially. At that, the structure would effectively be buried in the cavern created by the necessary excavation. Existing vegetation that partially impacts the existing view of the ridgeline from the public street and sidewalk is being removed and replaced with a massive, bulky structure. Although Applicants assert that the skyline cannot be seen through the existing vegetation, they failed to recognize that substantial amounts of that vegetation are being removed and being replaced with the looming structure. Applicants' argument ignores the language and spirit of the Zoning Code.

11. Applicants' landscaping plan falls short of the requirement that existing vegetation be used for screening and new additional native plant material be installed to augment existing vegetation (See §17.29.050.C.2). In contrast, the proposed building will be allowed to stick out like the proverbial "sore thumb," while vegetation to screen the Applicants' existing home from the new structure will be extensive.

There is simply no support for a finding that the design location and size of the proposed structure are compatible with existing development on adjacent lots in terms of aesthetics, character scale and view protection (See §18.29.080.F.1). Given the cumulative effect of all of

the foregoing and the significant risks that the project poses, the Hearing Officer's approval of the Permit Applications should be reversed and approval denied.

Very truly yours,

Dale Robert Pelch
of HAHN & HAHN LLP

DRP:rac
Enclosure
cc: Mr. and Mrs. Charles Miller (w/encl.)
Mr. David Sinclair (w/encl. – via messenger)

MS. CAROLYN MILLER
655 HILLSIDE TERRACE
PASADENA, CALIFORNIA 91105

REVIEW OF SOILS REPORT
DATED 6/21/04
BY
ROBERT D. COUSINEAU

FOR

720 SOUTH SAN RAFAEL AVENUE
PASADENA

Prepared By

SASSAN Geosciences, Inc.
1290 North Lake Avenue, Suite 204
Pasadena, California 91104-2869

August 23, 2005

SAS Sassan Geosciences, Inc.

August 23, 2005

Ms. Carolyn Miller
655 Hillside Terrace
Pasadena, CA 91105

Subject: Review of Soils Report Dated 6/21/04 by Robert D. Cousineau
720 South San Rafael Avenue, Pasadena
SAS File Number: 5MIL193

Current Reference Report/Letter	Report/ Log No.	Document Date	Prepared by
Soils Report	-	06-21-04	Robert D. Cousineau

EXECUTIVE SUMMARY

The Geotechnical Report prepared by Robert D. Cousineau does not provide minimum requirements for a report that is prepared to furnish recommendations to support new construction at the property described therein. A geotechnical report necessary to support such development must contain a soils and geology reports prepared by a licensed geotechnical engineer as well as a licensed engineering geologist. Required slope stability analysis and pseudo static slope stability analysis (due to the fact that the property is located within a seismically induced landslide zone) cannot not be performed without a comprehensive report that would describe on-site earth materials and bedding planes.

The topographical map attached to the Geotechnical Report is not sufficiently clear and therefore cannot confirm that the slope gradient of the property does not exceed the level requiring a surficial slope stability analysis. The Geotechnical Report is also deficient in that it does not provide shoring design parameters for workers' safety. The conclusion of

the Geotechnical Report indicates that footings can be placed in the colluvium. Industry standards dictate that footings must not be placed in such material. The Geotechnical Report erroneously directs the reader to the "appropriate table" from the Uniform Building Code (UBC), while no such tables exist in the UBC. The Geotechnical Report fails to provide freeboard design recommendations and parameters, subdrain design recommendations, recommendations for fill placement, grading/compaction requirements, recommendations for concrete slab-on-grade and driveway, or site drainage design/management. Seismic design parameters necessary for the completion of structural engineering for any improvements have not been provided and other critical information is omitted. The Geotechnical Report also contains an inherent inconsistency by categorizing colluvium as "silty clay", yet providing direct shear test results with characteristics of silty sand.

In my opinion, the reviewed Geotechnical Report is incomplete and inadequate to support a conclusion that the site is appropriate for development.

REVIEW

Dear Ms. Miller:

Per your request SASSAN Geosciences, Inc. (SAS) has reviewed the referenced soils report for the subject property. This peer review is performed to address the items that have not been covered by said report. The comments are as follows:

1. The subject property is situated on a slope. The area is considered as a "Hillside" and an engineering geology report must be prepared as part of the geotechnical investigation. The geotechnical investigation that does not include an engineering geology report is incomplete.

2. A slope stability analysis is required for the subject property.

3. The subject property is situated in a seismically induced landslide zone. As such, a pseudo-static slope stability analysis must be performed for the subject property.

4. If the slope gradient of any portion of the property is in excess of 3:1 (H:V), a surficial slope stability analysis is required.

5. The cross-sections provided to this office along with the report show excavations deeper than five (5) feet. Shoring design parameters must be provided for the safety of the workers.

6. If the engineering geology report reveals out-of-slope bedding and/or along-the-slope bedding planes, along-bedding direct shear tests are required.

7. If the engineering geology report reveals out-of-slope bedding and/or along-the-slope bedding planes, slope stability analyses using block analysis is also required.

8. The report recommends a passive resistance of 200 pcf for footings founded in colluvium. Footings must not be founded into colluvium.

9. The report suggests the use of lateral loads on retaining wall(s) to be taken from the appropriate table in the Uniform Building Code (UBC). There are no such tables in the UBC.

10. The freeboard design recommendations and parameters are not provided. The minimum freeboard height and the lateral design pressure values must be provided for all retaining walls that support a slope.

11. The subdrain design recommendations are not provided.

12. Recommendations for fill placement, grading/compaction requirements such as minimum percent compaction, benching requirements, etc. are missing.

13. Recommendations for concrete slab-on-grade must be provided.

14. Recommendations for construction of the driveway must be furnished.

15. Site drainage design/management has not been addressed and must be provided.

16. The seismic design parameters for the design of the superstructure are not provided. The following values must be furnished by the consultants:

Seismic Zone
Soil Profile Type
Seismic Zone Factor, Z
Seismic Source Type
Closest Distance to Known Seismic Source
Near Source Factor, N_a
Near Source Factor, N_v
Seismic Coefficient, C_a
Seismic Coefficient, C_v

17. The recommendations do not provide the following:
    i. Minimum footing width,
    ii. Coefficient of friction,
    iii. Soil expansivity potential,
    iv. Minimum daylight distance for footings, and
    v. Minimum required reinforcement for footings.

18. The test pit logs categorize colluvium as "silty clay". The direct shear test results indicate that the tested sample was "silty sand". This issue must be addressed and clarified.

19. The topography map is not legible and the source is unknown. A comprehensive survey of the site by a licensed surveyor including a minimum of twenty-five (25) feet of the adjacent properties, as well as, spot elevations of the top and the bottom of the slope must be provided to be utilized in the analyses.

20. If SAS is retained to review the response to this review letter, additional comments may be raised.

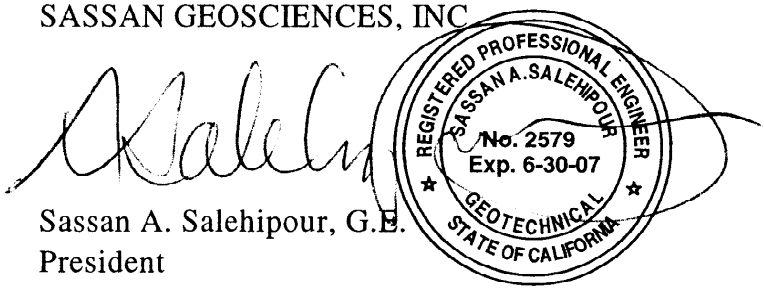
REVIEW LIMITATIONS

This review has not been prepared for use by parties or projects other than those named and described above. It may not contain sufficient information for other parties or other purposes. The outline of the review items presented in this report is based on professional opinions. These opinions have been derived in accordance with current standards of geotechnical engineering practice. No other warranty is expressed or implied.

We appreciate the opportunity to be of service to you. If you have any questions, please call our office.

Sincerely,

SASSAN GEOSCIENCES, INC.



Sassan A. Salehipour, G.E.
President

SAS:sas/5mil193a3.doc

September 21, 2005

To: Pasadena City Council
City Clerk
117 East Colorado Blvd.
Pasadena, CA 91105

From: Edmund and Aida Bedrosian
600 S. San Rafael Ave.
Pasadena, CA 91105

Subject: LOT SPLIT PROJECT ON HILLSIDE TERRACE

This letter is to document our **opposition to the property split** at 720 South San Rafael Ave. The proposed cutting into the hill **could cause catastrophic erosion** of the soil in the entire area. We know first hand from trying to solve soil problems on our property that there is a significant amount of water that runs about three feet below the soil in the winter. Excavating at the base of the hill would most probably create erosion problems for the subject parcel and for all the neighboring parcels. **We would hold the City responsible** if the City would allow such an ill-planned project to be approved despite the protest by most of the neighboring properties. You may recall a couple of years ago when a large portion of one of the properties on La Loma (just around the corner) slid down the hill and did significant damage to the property below (reported by major television coverage).

In addition, **the project**, with a small setback, is **damaging and out of character with the rest of the neighborhood**. Being three stories**, it will inhibit the views of neighboring residents.**

This is a very bad project and should be denied in total by the City.

Most Sincerely,

Edmund Bedrosian

Aida Bedrosian