

CORRESPONDENCE
RECEIVED FOR MEETING OF
SEPTEMBER 26, 2005

The home will meet all requirements of the Hillside Overlay Zoning District which regulate standards such as height, lot coverage, landscaping, and maximum gross floor area. The site is located in a developed hillside neighborhood which further limits the potential for adverse effects as a result of the project. Any potential impacts will be mitigated to a level of insignificance through compliance with the city's building and development regulations and will be enforced through the combined review of the Building Division, Public Works Department, Fire Department, and Zoning Department. As such, approval of the proposed project will not lead to any demonstrable negative environmental or aesthetic impact.

A

RICHARD N. FRANK

September 26, 2005

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

Re: Call for Review
Hillside Permit 4395
720 South San Rafael
Applicants: Christopher and Lois Madison

Dear City Council Members:

Being a sixty-five year resident of the San Rafael Avenue neighborhood and for the past seven years residing in a relatively new home just yards away from the Madison property, gives me a far better than average understanding of the circumstances surrounding the current controversy. That stated, I would like to provide my comments regarding the Madison application.

You will note that I refer to the "current" controversy for there have been a number of such over the years. One in particular came very close to home, for it involved Mrs. Frank's and my desire to construct our current home at 820 Hillside Terrace. We were amazed, even shocked, by the near hysterical outcry we received from two of the three neighbors whose homes were immediately adjacent to us. We were going to destroy their views, threaten the drainage and soil stability of their properties, intrude on their privacy and "mansionize" our site. Our neighbors hired attorneys to argue that our application should be denied and, but for the fairness, and I might say, wisdom of the authorities and the assistance of several of our other neighbors, they might have prevailed.

At the time and in the intervening years, we have received comments praising the effort we undertook during construction to ameliorate parking and traffic problems and complementing us on the beauty of our home and the addition that it makes to our neighborhood.

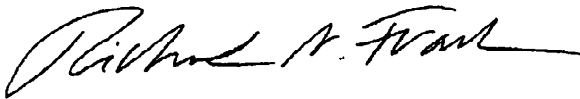
This naturally leads to my view regarding the Madison application which, as might be expected, is one that supports it. Yes, Mrs. Frank and I have known Chris and Lois Madison for many years and consider them to be gracious and reasonable individuals, but that alone would not be sufficient to elicit our support for the proposal.

Mr. Madison has shown me his proposed plans and I find no fault with their objectives. I can understand the preference of some of the neighbors for a more traditional approach, but I feel the essential quality should be that of a residence resulting from the collaboration between the owner and a good architectural firm and leading to a noteworthy addition to the existing distinguished and varied architecture of the area. I also understand that neither the time nor construction details are finalized.

It is my firm belief that the neighbors opposing the Madison proposal have greatly exaggerated potential problems. In my own situation, it was necessary to remove approximately eighty truckloads of excess soil and it was accomplished in one week's time and without harm to neighbors' property or to the street. Like the Madison proposal, as well as most of the immediate residences, our home has used a hillside location with imagination and sensitivity, for level sites just aren't available.

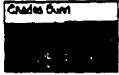
Unfortunately, Mrs. Frank and I will be unable to attend the City Council meeting on September 26, but trust the Council will continue to look favorably on the Madison application and deny the appeal.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard N. Frank".

Richard N Frank

RNF:gc



CHARLES DUNN COMPANY, INC.
800 West Sixth Street, Fifth Floor
Los Angeles, California 90017-2709
213 481-1800 • FAX 213 481-0758
www.charlesdunn.com

August 3, 2005

Paul Beard
Zoning Hearing Officer
City of Pasadena
175 North Garfield Avenue
Pasadena, California 91105

**RE: Tentative Parcel Map No. 061676
720 South San Rafael Avenue
725 South Hillside Terrace
Hillside Development Permit 4595**

Dear Mr. Beard:

My wife and I live at 999 Buckingham Place (NEC San Rafael and Buckingham Place), and we are very familiar with the Madison property and the proposed development. While much of the San Rafael area have seen "flag lots" cut out of large estates, this proposal to me make sense in that the property has two (2) street frontages and the lot in question has over a half acre.

The architect for the proposed development is Buff, Smith & Hensman who did our home, and has great hillside technique as well as scale and proportion on their homes. Hillside Terrace has very little traffic and the construction inconvenience will be minimum compared to the street waterline construction we have endured on Avenue 64, La Loma Road, and San Rafael.

As some of the homes of the 1920s and 1930s age, it is good to see a new stock of homes emerge to keep the neighborhood values stable. Both my wife and I heartily approve this parcel map and hillside development permit, as we feel it will improve the neighborhood.

Very truly yours,

A handwritten signature in cursive script that reads "Richard C. Dunn".

Richard C. Dunn

RCD:vof

cc: D. Sinclair (VIA Facsimile)
D. Smith (VIA Facsimile)

C

Recommendation of City Manager

1. Adopt the draft Initial Environmental Study and Negative Declaration that the proposed project will not create any significant adverse effects on the environment
2. Direct the City Clerk to file a Notice of Determination with the County Clear and
3. Affirm the decision of the Zoning Hearing Officer to approve Tentative Parcel Map No. 061676 to allow:
 - a. Tentative Parcel Map –
Subdivide one land lot into two land lots;
 - b. Hillside Development Permit –
Subdivision of land within the Hillside Overlay District;

- c. Hillside Development Permit –
Construction of single-family
house; and
- d. Private Tree Removal –
Removal of one Toyon
(heteromeles Arbutifolia) tree

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
TODD R. MOORE
CANDICE K. ROGERS
RITA M. DIAZ

HAHN & HAHN LLP
INCLUDING PROFESSIONAL CORPORATIONS
LAWYERS
NINTH FLOOR
301 EAST COLORADO BOULEVARD
PASADENA, CALIFORNIA 91101-1977

BENJAMIN W. HAHN 1869-1932
EDWIN F. HAHN 1872-1951
HERBERT L. HAHN 1893-1982

OF COUNSEL
DAVID K. ROBINSON
LOREN H. RUSSELL

TELEPHONE
(626) 796-9123

FACSIMILE
(626) 449-7357

AUTHOR'S E-MAIL
dpelch@hahnlawyers.com

September 20, 2005

* PROFESSIONAL CORPORATION

VIA MESSENGER

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

RECEIVED
05 SEP 20 PM 2:39
CITY CLERK
CITY OF PASADENA

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).

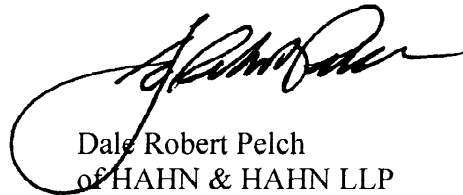
9. Construction work will require between 280 and 450 round trips for standard size dump trucks to remove 2,250 cubic yards of soil. The heavy dump truck traffic is in addition to the heavy excavation and other equipment and machinery needed for the proposed project, workers' parking, and other construction 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

Mr. Denver Miller
September 20, 2005
Page 5

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

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.

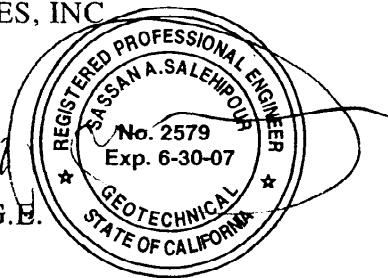
We appreciate the opportunity to be of service to you. If you have any questions, please call our office.

Sincerely,

SASSAN GEOSCIENCES, INC



Sassan A. Salehipour, G.E.
President



SAS:sas/5mil193a3.doc

BUFF, SMITH & HENSMAN
A PROFESSIONAL CORPORATION
ARCHITECTS & ASSOCIATES

September 20, 2005

City Council
City of Pasadena
117 E. Colorado Blvd.
Pasadena, CA 91105

Re: Tentative Parcel Map #061676
720 South San Rafael Avenue
Hillside Development Permit #4395
725 Hillside Terrace

RECEIVED
05 SEP 21 PA 22
CITY OF PASADENA

Dear Mayor Bogaard and City Council:

The following is a **rebuttal** to the specific points raised on the appeal application for the above mentioned project.

1. Our proposed new lot will have a 286 ft. frontage on Hillside Terrace and be over ½ acre in size. The neighboring house to the south at 777 Hillside Terrace is about the same height or taller than our proposed house. We will meet the current Building Code Sec. 220-S definition of a two-story house with a basement since more than 50% of the entry level walls are below grade. **To quote from the staff report "...the new house does not occupy a ridge or prominent location.** The proposed development would occupy approximately 9% of Parcel B and will not convey an overdeveloped appearance."

2. **The firm of Buff, Smith & Hensman Architects has been awarded over 30 design awards for residential projects** by the American Institute of Architects. Our most recent AIA award winner in 2002 was the Moseley Residence. Incidentally this house is on Richard Bruckner's (Pasadena Director of Planning and Development) list of the top eleven buildings built in Pasadena since 1960. The Star News newspaper article quotes him saying, "We (his department) based our selection on the quality of materials and craftsmanship, the scale and compatibility with the neighboring buildings, innovation and interesting design, and awards from local and regional chapters of the American Institute of Architects."

Our proposed residence on Hillside Terrace does comply with the Hillside Ordinance 17.48.061 C1. The building is primarily two-story due to the subterranean parking. There are one story retaining walls creating level terrace areas from each floor, windows and sliding glass doors on all elevations, a projecting balcony on the north and four articulated piers framing a solid wall and supporting a covered atrium/roof deck on the east.

3. The staff of the City of Pasadena Planning & Development Department has studied the detailed plans, sections, elevations, renderings, calculations, reports, studies and forms on this project for over a year. Their 15 specific findings for approval of the Tentative Parcel Map and the 9 specific findings for approval of the Hillside Development Permit speak for themselves and refute the allegations in this item. The hearing officer, after reading this report, plus letters for and against and visiting the site, held a public hearing and ruled to approve the project with 54 conditions to insure compliance with various city agencies and protect the neighborhood.

4. **The soil report was prepared by Robert Cousineau, Consulting Geotechnical Engineer and it will be reviewed by the appropriate city engineers during plan check.** The report was prepared after the excavation of four test pits on the site down to bedrock. Soil samples were tested for moisture, density, shear strength, and load consolidation. "Moderately hard to hard siltstone/sandstone bedrock was encountered beneath the topsoil in all of the test pits at depths ranging from 4 to 10 feet." The allegations that the soil report is inadequate and their assumption that the words "poorly bedded" and "moderately weathered" bedrock and "moist" soil imply dangerous conditions, simply show a lack of understanding of geological terminology. The attached addendum by Robert Cousineau defines these terms in the context of this report and confirms his original conclusions: "Since the proposed levels of the house lie considerably below the existing ground surface, all support of the structure is expected to be in bedrock, which should provide excellent support."

5. The statement that adding one new single family residence "...will overburden the existing antiquated and dilapidated sewer and electrical services" and the city will have to "...install a new public infrastructure" is ludicrous. The Pasadena Power Division reviewed the Tentative Tract Map for the project and can serve the project from a power vault directly in front of our driveway. The Department of Public Works also reviewed the project and can serve the project from an existing 8" sewer in Hillside Terrace. John Orolfo, engineer, from this department, stated specifically that the new single family residence will not overburden the sewer system. If any portion of the existing laterals are in need of upgrade, they must be replaced with a new lateral at the owner's expense.

6. The preliminary **landscape plan by Christopher Cox, landscape architect**, shows 52 existing trees on the Hillside Terrace site in 1993 when the original tree survey was done. Of these, 13 trees had died of natural causes by the time of resurvey on June 14, 2004, leaving 39 trees on site. 9 of these will be removed for construction but only 1, a Toyon, is a protected tree. Of the 30 remaining trees, only 2 are above the proposed new house. The remaining 28 mature trees will screen the new house from neighbors to north and south and the street to the east. 37 new trees will be planted including 9 oaks and 14 Toyon above the house. 14 new trees will be planted on the sides and front of the

new house including 4 Japanese Maples, 4 Ginkos and 6 Rosebud trees. This gives 42 trees total on the sides and front of the house for screening. In addition, the plan shows extensive additions of bushes, flowering plants and ground cover to the entire site. It is very clear that the proposed landscape plan provides a **“canopy coverage of greater significance than the tree canopy being removed” as stated in the staff report.**

7. **The soil report has indicated that the location of the proposed structure is geologically stable.** The Specific Findings Attachment B8 for this project states: “The proposed house would be constructed on an appropriate area on the property. To require that it be set back farther from the street would result in increased grading and excavation on the site. Similarly, to require that there be less grading and excavation would result in the house being situated higher on the site and would result in the house being more visible and prominent (from) the street and neighborhood.”

8. The concern is with “environmental carrying capacity” in this item. If this means public utilities, we have addressed this issue under item 5. If it means the natural environment, we agree with The Specific Findings Attachment A3: “The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat, in that the property is in an urbanized area that is fully developed with single-family dwellings. The wild life in the vicinity of the property have adapted to the urban environment. The creation of two parcels from one will not significantly change the surrounding area and will not lead to the degradation of the environment.”

9. As stated under item 7, the house is located at the best location on the site. The house and garages are partially below grade to reduce the height of the structure to two stories on three sides and relate the upper levels to terraces at grade on the north and south elevations. This obviously will require some excavation and export of soil. This phase of construction will be controlled by condition D4 which requires that a construction parking and staging plan be submitted and approved by Zoning, Public Works and Transportation. The plan will be available for review by surrounding property owners. When excavation and grading is complete there will be 4 on site parking spaces to supplement the street parking, plus some additional overflow parking above on the San Rafael property.

10. They say a visual analysis was not supplied regarding the Zoning Code requirements for placement of structures and ridgeline protection. If you stand on the only sidewalk on Hillside Terrace and look west uphill, all you will see is the existing 9 ft. high retaining wall and ivy covered fence. If you stand in the middle of the street and

Page 4
September 20, 2005

look uphill, you cannot see a ridge line. It is primarily obscured by the existing trees on the proposed Hillside Terrace parcel and the existing trees on 30 ft. of the existing San Rafael parcel. Beyond this you may see portions of the landscaped terrace walls for the existing house. **The site plan and sections as submitted clearly show that the top of the proposed roof parapet for the house on Hillside Terrace is 54.3 feet below the finish grade at the base of the existing landscaped terrace walls of the house above.** The 67 existing and new trees on the developed Hillside Terrace parcel plus the existing trees on the 30 ft. wide visible portion of the San Rafael parcel are adequate for screening the houses from the street, from neighbors and from each other. The ridgeline becomes irrelevant.

11. This item on landscape is redundant with item 6 and has been responded to previously.

The issues raised by these eleven items have previously been addressed by the City Planning & Development Department staff over a period of one year, a public hearing has been held with all evidence presented, and our application, with 54 conditions, was approved by an independent hearing officer. Our rebuttal to the eleven items indicates they are without merit and we feel this appeal should be denied.

Sincerely,



Dennis G. Smith, A.I.A.







SCOTT H. BICE

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

September 12, 2005

RECEIVED
05 SEP 19 09 52
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 061679, 720 S. San Rafael Avenue

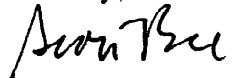
Dear Members of the City Council:

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,



SHB:mam

pc: Mr. David Sinclair

RECEIVED September 15, 2005

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

05 SEP 20 A8:36

CITY CLERK
CITY OF PASADENA

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.

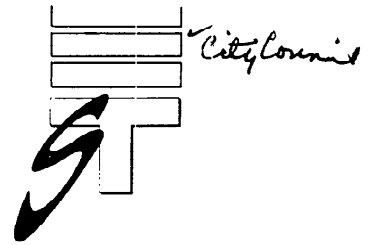
Sincerely,

Tom Larter
Norma Larter

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

CITY OF PASADENA

2005 SEP 20 AM 10: 54



September 19, 2005

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**

RECEIVED
05 SEP 20 P 3:17
CITY CLERK
CITY OF PASADENA

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 and Shari Thorell
728 Hillside Terrace
Pasadena, CA 91105

September 21, 2005

RECEIVED

05 SEP 21 P 5:04

CITY CLERK
CITY OF PASADENA

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