Jomsky, Mark		L,*1 (**1) **2)	
			1
From:	Madison, Steve	(50) (29)	~
Sent:	Tuesday, September 02, 2014 5:22 PM		
Го:	Jomsky, Mark	C.0 	
Subject:	Call for Review: Hillside Development Permit # 6190 for 8		

Please agendize for Council consideration a call for review of the HDP6190.

ŧ.



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT PLANNING DIVISION

August 22, 2014

Deborah Rachlin Ross 835 Linda Vista Ave Pasadena, CA 91103

## Subject: Hillside Development Permit #6190 835 Linda Vista Avenue Council District #6

PLN2014-00204

Dear Ms. Ross:

Your application for a Hillside Development Permit at 835 Linda Vista Avenue was considered by the Hearing Officer on August 20, 2014.

HILLSIDE DEVELOPMENT PERMIT: To allow the construction of a new 3,620 square foot one-story, single-family residence with an attached 568 square foot garage in the RS-4-HD zoning district. The existing 2,426 square foot one-story, single-family residence on the site will be converted into an accessory structure. A Hillside Development Permit is required for the construction of a new single-family residence in the Hillside Overlay District.

Based upon these findings, it was decided by the Hearing Officer to take the **Hillside Development Permit** under advisement. On **August 22, 2014**, the Hearing Officer after careful consideration of this application, and with full knowledge of the property and vicinity, made the findings as shown on Attachment A to this letter and **approved** the project with the conditions in Attachment B and in accordance with submitted plans stamped **August 20, 2014**.

In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Hearing Officer can grant a one-year extension of your approval. Such a request and the appropriate fee must be received before the expiration date. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently pursued to completion prior to the expiration of this approval. It should be noted that the time frame within which judicial review of the decision must be sought is governed by California Code of Civil Procedures, Section 1094.6.

175 North Garfield Avenue • Pasadena, CA 91101-1704 (626) 744-4009 www.cityofpasadena.net You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Hearing Officer has the right to appeal this decision within **ten days (September 2, 2014).** The effective date of this case will be **September 3, 2014.** Prior to such effective date, a member of the City Council or Planning Commission may request that it be called for review to the Board of Zoning Appeals. However, if there is a request for a call for review, the appeal period will continue to run. If the tenth day falls on a day when City offices are closed, the appeal deadline shall be extended through the next day when offices are open. The decision becomes effective on the eleventh day from the date of the decision. <u>The regular Appeal fee is \$272.95. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$136.48</u>.

Any permits necessary may be issued to you by the Building Division on or after the effective date stated above. A building permit application may be submitted before the appeal deadline has expired with the understanding that should an appeal be filed, your application may, at your expense, be required to be revised to comply with the decision on the appeal. A copy of this decision letter (including conditions of approval and any mitigation monitoring program) shall be incorporated into the plans submitted for building permits.

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15303, Class 3, New Construction or Conversion of Small Structures). This class exempts from environmental review the construction of limited numbers of new, small facilities or structures. Section 15303(a) specifically exempts the construction of one single-family residence in a residential zone. The proposed project involves the construction of one single-family residence in the RS-4-HD zone, a residential zone. The use of the site will remain as a single-family dwelling.

For further information regarding this case please contact Luis Rocha at (626) 744-6747.

Sincerely,

shoghig Gepremian

Shoghig Yepremian Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C (site map)

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

# ATTACHMENT A SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #6190

Hillside Development Permit – Construction of a new one-story single-family residence with an attached garage and conversion of the existing one-story single-family residence into an accessory structure in the Hillside Overlay District:

- 1. The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code. A single-family residential use and an accessory structure are allowed in the RS-4-HD (Residential Single-Family, Hillside Overlay District) Zoning District. In addition, the proposed construction of a new single-family residence will be in compliance with all applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building height, and off-street parking requirements of the RS-4-HD Zoning District. Furthermore, the conversion of the existing residence into an accessory structure will be in be in compliance with all applicable development standards, including height.
- 2. The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district. The subject property is zoned RS-4-HD, which is designated primarily for single-family residential purposes. The properties in the neighborhood are currently developed with single-family residences, and the project will be consistent with existing development in the vicinity. As analyzed, the project will meet all applicable development standards of the Zoning Code and no variances are required in conjunction with the proposal.
- 3. The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan. The subject site is designated as Low Density Residential in the Land Use Element of the General Plan. The use of the site will remain a single-family residence; therefore, the character of the singlefamily neighborhood will be maintained. Objective 7.0 of the General Plan is to "preserve the character and scale of Pasadena's established residential neighborhoods." Policy 7.1 discourages "mansionization" and Policy 7.6 protects the special character of hillsides throughout the City limits. The proposed livable area of the project is 3,620 square feet and within the Neighborhood Compatibility threshold. As designed, the new residence will not block any views, and is in compliance with the ridgeline protection standard. Furthermore, as designed, the proposed project will be compatible with the surrounding neighborhood from an architectural perspective. The project is consistent with all the requirements of the Zoning Code, no variances are require and none of the existing trees are proposed for removal. The project is compatible with the surrounding neighborhood which is developed with single-family residences and is consistent with the requirements of the Zoning Code and the General Plan.
- 4. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use. The project will be constructed in such a manner as to minimize impacts to surrounding property owners. The proposed project meets all adopted code requirements and will be subject to all current code provisions that are not specifically discussed herein. As proposed, the height of the new building, along with the converted accessory structure will be below the maximum allowable height, as well as comply with the maximum floor area allowed for the site. The project meets all code requirements and no variances are required. Furthermore, a covenant shall

Hillside Development Permit #6190 835 Linda Vista Avenue be required for the proposed accessory structure stating that the structure is an accessory structure and shall be maintained as an accessory structure and not be used for sleeping quarters or be converted to a residential use. The purpose of this covenant is to ensure that subsequent owners of the property are aware of the restrictions on the property. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood.

- 5. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The proposed project will be constructed in compliance with the current Building Code and Zoning standards. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by the Department of Public Works. In addition, a Final Tree Protection Plan will be submitted for review during the building permit plan check process in order to ensure all protected trees are not harmed due to the construction. Last, a Geologic and Soils Engineering Exploration report has been submitted which concluded that the site is considered feasible for construction of the project.
- 6. The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection. The project complies with all the development standards of the Zoning Code. The project is not located on the top of any prominent ridgelines and will not block views from neighboring properties. The proposed project will be below the maximum allowable floor area requirements and is below the maximum Neighborhood Compatibility requirement. The proposed single-family residence is designed in a modern architectural style. The exterior of the building would be treated mainly with a combination of wood siding and concrete. The proposed colors are earth-tone, neutral colors (brown, walnut, and grey). The proposed design, materials, and color palette are consistent with the applicable design criteria (architectural features) for the Hillside Overlay district. Furthermore, as designed, the proposed project will be compatible with the surrounding neighborhood from an architectural perspective. The existing residences in the neighborhood were built in a variety of architectural styles with no dominating architectural style for the neighborhood. Thus, the project is consistent with development in the neighborhood.
- 7. The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection. The Neighborhood Compatibility guidelines are established to ensure that a project is compatible with the character and scale of existing development in the vicinity. The size of the proposed project (not including the attached garage) is 3,620 square feet, which is below the maximum allowable Neighborhood Compatibility floor area of 3,629 square feet. The architectural style of the project is compatible with other residences in the neighborhood. Thus, the project is in scale with the context and character of existing and future development in the neighborhood.
- 8. The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation. The proposed residence and attached garage will be located on a relatively level portion of the site that is relatively flat. Grading activities shall comply with the City's Grading and Building Codes, based upon the Preliminary Geotechnical Report

study and its recommended on-site improvements. The project will meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division and is required to follow a Tree Protection Plan prepared by a certified arborist for the maintenance of protected trees on the property.

## ATTACHMENT B CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #6190

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

## **General**

- 1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Received at Hearing, August 20, 2014," except as modified herein.
- 2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
- 3. This approval allows the conversion of an existing single-family residence into an accessory structure at 1,796 square feet and construction of a new 3,620 square foot, one-story single-family residence with a 568 square foot attached garage. The total gross floor area on the subject site shall not exceed 5,984 square feet and the gross floor area of the livable area of the residence for the purposes of the Neighborhood Compatibility requirement shall not exceed 3,620 square feet.
- 4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
- 5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
- 6. The proposed project, Activity Number **PLN2014-00204** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Luis Rocha, Current Planning Section, at (626) 744-6747 to schedule an inspection appointment time.

## Planning Division

- 7. The applicant shall comply with all requirements of Chapters 17.22 and 17.29 that relate to residential development in the Hillside Overlay district.
- 8. No grading permit shall be issued until the building permit for the residential project is ready to be issued.
- 9. The applicant or successor in interest shall use darker tones, including earth tones, for the exterior walls and roofs on the house to blend in with the natural terrain. Color and material samples shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.
- 10. The project shall comply with the Tree Protection Ordinance (Chapter 8.52 of the Pasadena Municipal Code). A final tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits.
- 11. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation

6

prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.

- 12. A covenant shall be required for the proposed accessory structure (currently a single-family residence) stating that the structure is an accessory structure and shall be maintained as an accessory structure and not be used for sleeping quarters or be converted to a residential use. Said covenant shall be recorded and submitted to the Zoning Administrator prior to the issuance of a building permit for the proposed conversion.
- 13. A Final Occupancy Permit shall not be issued to the new single-family residence until building permits have been finalized for the conversion of the existing single-family residence into an accessory structure as depicted in the plans stamped "Received at Hearing, August 20, 2014," and subject to a Final Zoning Inspection. Contact Luis Rocha, Current Planning Section, at (626) 744-6747 to schedule an inspection appointment time.
- 14. Any new parking areas, circulation aisles, and access ways shall be paved with Portland cement concrete. Other paving materials, including brick, asphalt, decomposed granite, or gravel may be substituted with the approval of the Zoning Administrator, and in compliance with the City's adopted standards for privately owned and maintained parking areas.
- 15. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
- 16. Any new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division.
- 17. All landscape and walkway lighting shall be directed downward to minimize glare from the property.
- 18. For projects subject to a building permit, all construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.
- 19. Any home occupation business operated from the subject property shall be subject to the applicable operational standards and permitting requirements contained in Section 14.50.110 of the Zoning Code.

### **Fire Department**

- 20. All construction shall comply with requirements of California Building Code (CBC Chapter 7A, California Fire Code (CFC), and Pasadena Municipal Code (PMC).
- 21. Provide a Fire Flow Report (Contact the Water Division at 626-744-7064). The required fire flow shall not be less than 1,000 GPM at 20 PSI, as required by CFC Appendix III-B. Public fire hydrant shall be located the referenced fire flow within 600 feet of the property, as measured from the fire hydrant by an approved route around the exterior of the building compliance with CFC Section 507.5.1.
- 22. A complete automatic fire sprinkler system designed in compliance with NFPA 13D is required throughout all structures as stated in CFC Section 903.3.1.3. Plans shall be submitted to the Permit Center for Fire Department review after the issuance of the building permit.
- 23. Provide separate fuel modification landscape plans in compliance with the Urban Wild Land Interface Code for all structures located within the Fire Interface Zone. Plans shall indicate all plant and tree species compliant with the Fire Interface Zone requirements in addition to planting distance, canopy sizes, irrigation systems, and landscape management within defensible spaces in proximity of all structures. Compliance is required prior to the issuance of a Certificate of Occupancy.
- 24. Smoke alarms shall be installed in each sleeping room, area(s) serving as a sleeping area, areas accessing all sleeping areas, and at the top of stairways. All smoke alarms shall be photoelectric or combination photoelectric/ionization. All smoke alarms throughout the dwelling unit shall be interconnected. All sounders shall produce a coded temporal pattern. All smoke alarms shall be UL 217 and California State Fire Marshal (CSFM) listed, manufactured by the same company, and listed by manufacturer as compatible with each other. Smoke alarms shall not be installed within three feet of return or supply air registers or three feet of bathroom openings (CFC 907).
- 25. Approved spark arrestors shall be provided on all chimneys.
- 26. Eaves and projection details shall be provided on the plans. All eaves and other projections are required to be boxed with one-hour fire resistive or noncombustible material, per CBC Section 707 A.5.
- 27. The exterior wall covering or wall assembly shall comply with one of the following requirements: 1) Noncombustible material; 2) Ignition-resistant material; 3) Heavy timber exterior wall assembly, or 4) Log wall construction assembly.
- 28. No wood roofs or wood roof assemblies shall be allowed per PMC.
- 29. All new proposed gutters/downspouts shall be constructed of noncombustible material per UWIC Section 504.4.
- 30. Appendages and projections, such as decks, balconies, etc., shall be constructed with noncombustible material, ignition-resistant material, or exterior fire retardant treated wood.
- 31. All new exterior windows, skylights, etc., shall be multi-layered glazing with a minimum of one tempered pane per CBC Section 708 A.2.1.

8

- 32. All new exterior doors shall be 1 <sup>3</sup>/<sub>4</sub>" solid core per CBC Section 708 A.3.
- 33. Attic and foundation ventilation in vertical exterior walls and vents through roof shall comply with requirements of CBC Section 706 A. The vents shall be covered with noncombustible corrosion resistant mesh not exceeding 1/16" and shall not exceed 1/8" openings. Attic ventilation openings shall not be located in soffits, eave overhangs, between rafters at eaves, or in other overhang areas. Gable and dormer vents shall be located at least 10 feet from property lines.

### **Building Division**

- 34. The project shall comply with the Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review.
- 35. A soils report is required for the project.
- 36. If greater than 50 cubic yard, Grading/Drainage Plans shall be prepared by a registered engineer. Grading shall conform to the provisions of Chapter 14.05 of City's Municipal Code.
- 37. For 3:1 or steeper slopes and when the addition is within 40-ft of the slope, the new addition must be located to comply with the slope setback requirements per Section R403.1.7 of the CA Residential Code.
- 38. This project will require the preparation of a Standard Urban Storm Water Mitigation Plan (SUSMP) by a Civil Engineer. The first <sup>3</sup>⁄<sub>4</sub> of site drainage must be retained on site, effective January 1, 2014.
- 39. The project is located in a Very High Fire Hazard Severity Zone, so the new construction must conform to the requirements per Section R327 of the CA Residential Code.
- 40. Separate permits are required for demolition, grading, pool/spa, site retaining walls, site freestanding block walls greater than 4 feet in height, fire sprinkler, mechanical, electrical, and plumbing.

#### Public Works Department

41. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.

- 42. All drive approaches shall be at least five feet clear of existing trees.
- 43. If the existing street lighting system along the project frontage is in conflict with the proposed development/driveway, it is the responsibility of the applicant to relocate the affected street lights, including conduit(s), conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.
- 44. Past experience has indicated that projects such as this tend to damage the existing public and private street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the existing public and private street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
- 45. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: http://citvofpasadena.net/PublicWorks/Engineering Division/A deposit, based on the General Fee Schedule, is required for plan review and on --going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval.
- 46. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits.
- 47. In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:
  - <u>Sidewalk Ordinance Chapter 12.04 of the Pasadena Municipal Code (PMC)</u> In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of

Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

- <u>City Trees and Tree Protection Ordinance Chapter 8.52 of the PMC</u> The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee.
- <u>Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC</u> The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at <u>http://cityofpasadena.net/PublicWorks/</u> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
  - a. C & D Recycling & Waste Assessment Plan Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
  - b. Summary Report with documentation must be submitted prior to final inspection.

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

#### Hearing Officer Added Condition

48. The removed exterior walls and opened roofed areas of the accessory structure, as depicted in the plans stamped "Received at Hearing, August 20, 2014," shall not be modified or enclosed unless the necessary permits are obtained.

