

10/31/2005 15:55

STEVE_MADISON_FAX

001/001

Steve Madison - I wish to agendize

Page 1

From: Steve Madison
To: jrodriguez@cityofpasadena.net
Subject: I wish to agendize

permit #4458 regarding 1147 La Loma, for call-up by the city council. if any further information is needed, please advise. I am faxing you a signed hard copy of this email. Thanks.

CC: tsuzuki@cityofpasadena.net

SM
10/31/05

11/7/2005
7.B.4.



RECEIVED

'05 NOV -1 24:24

FILE COPY

PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

October 21, 2005

Leon Kirakosian
136 N. Glendale Ave., 2nd Floor
Glendale, CA 91206

RE: Hillside Development Permit #4458
1147 La Loma Road
Council District #6

Dear Mr. Kirakosian:

Your application for a **Hillside Development Permit** at **1147 La Loma Road**, was considered by the **Board of Zoning Appeals** on **October 19, 2005**.

HILLSIDE DEVELOPMENT PERMIT: To allow the demolition of a 2,300 square foot single-family house and the construction of a two-story, 5,667 square foot single-family house. Private Tree Removal applications for the removal of three Coast Live Oak (*Quercus agrifolia*) trees.

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

Based upon the findings, the Board of Zoning Appeals decided to **sustain** the decision of the Hearing Officer and **approve** the Private Tree Removal and the Hillside Development Permit with the modified findings and conditions of approval. The conditions listed in Attachment B, C and D were made part of the approval. The Board of Zoning Appeals modified the condition related to neighborhood compatibility by allowing the house to be 5,092 square feet, not counting the attached garage.

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 Zoning Administrator can grant a one-year extension of your approval. Such a request and the appropriate fee must be received before the expiration date. The right granted by this approval may be revoked if the

Appeal of Hillside Development Permit #4458
Page 2

entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

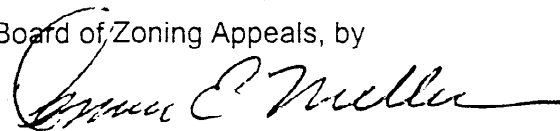
You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently pursued prior to the expiration of this approval. It should be noted that the time frame within which judicial review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

You are hereby notified that the decision of the Board of Zoning Appeals is not subject to further appeal. This decision becomes effective on the eleventh day from the date of the decision. The effective date for this case is **November 1, 2005**. However, prior to the effective date, a member of the City Council may stay the decision and request that it be called for review to the City Council.

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, Class 1 §15303, New Construction or Conversion of Small Structures. This class exemption addresses the construction of a single-family home if it is in an area that has all utilities and there are no significant environmental impacts.)

For further information regarding this case please contact **David Sinclair** at **(626) 744-6766**.

Board of Zoning Appeals, by



DENVER E. MILLER
Zoning Administrator

DEM:ds:ac

Enclosures: Attachment A, Attachment B, Attachment C; Attachment D

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

ATTACHMENT A
FINDINGS OF FACT FOR
HILLSIDE DEVELOPMENT PERMIT #4458

Hillside Development Permit – Construction of new single-family house.

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code. As conditioned the project will be compatible with the existing residential uses in the surrounding area. Although the proposed home is larger than the majority of homes in the surrounding area, the home is not proposed on a ridgeline or in an area where it would be prominently viewed from the public right-of-way. All aspects of the Hillside Ordinance are addressed by the proposal and the home will be compatible with the surrounding neighborhood.*
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 site will continue to be used for single-family residential purposes in an area which is designated for such use. Furthermore, the new house will not impact views to and from hillside area and will maintain the identity, image, and environmental quality of the City, which is the intent of the Zoning Code.*
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 site will continue to be used for single-family residential purposes in an area which is designated for such use. Also, Objective 7 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. Through conditions, the applicant's proposal will be consistent with the General Plan objectives and policies.*
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 proposed residence will be constructed in such a manner as to minimize impact to surrounding property owners. The proposed construction would be at the maximum allowable height limit for the zone and will cover approximately 11% of the lot area. There will be no views significantly blocked as a result of the construction.*
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 in that the proposed project will be constructed utilizing current building codes. Furthermore, the proposed house would be able to meet all of the applicable development standards.*
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 in that the proposed project has met the minimum development standards of the Zoning Code. As proposed, the project will be able to meet the minimum setback requirements, lot coverage, and height. The only standard in question is the allowable floor area as it relates to the neighborhood compatibility calculation.*

- 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 17.29.060D of this ordinance and in terms of aesthetics, character, scale, and view protection.* Of the 72 properties within 500 feet of the subject property only seven are larger with the largest at over 52,000 square feet. The applicant has taken advantage of this large property by situating the proposed house in almost the center of the property; over 130 feet from the front property line, more than 14 feet from the side property lines, and 110 feet from the rear property line. This, combined with the mature vegetation at the property lines and throughout the property will help ensure that the proposed house does not 'dominate' the neighborhood or be out of scale with the surrounding homes. The City's neighborhood compatibility ordinance includes a review of the size of the home when compared to the median home size within the surrounding neighborhood. The proposed construction exceeds 35% of the median size of these homes but because the placement of the proposed house is in the approximate location of the existing house, the lot is one of the larger lots in the area, and the property has average slope of less than 15% the proposed house will not lead to any significant impacts in the neighborhood. Further, the proposed house meets the remainder of the Hillside Ordinance requirements.
- 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 house would be constructed on the existing flat building pad and will require only 30 cubic yards of cut, 20 of which would be exported off-site. The steepest portions of the lot are in the rear and would not be affected by the new house.

Private Tree Removal – Removal of three Coast Live Oak (Quercus agrifolia) trees.

- 9. *The present condition of the tree (#14) is such that it is not reasonably likely to survive in that it has fallen over and experienced damage due to an adjacent tree having fallen on it. The tree shows significant signs of overall decline including reduced canopy and small leaf size, lateral branch decay, mildew, and insect infestation.*
- 10. *The present condition of the tree (#25) is such that it is not reasonably likely to survive in that the health of the tree is declining from significant infestation with fungus, insects, and shows sign of twig girdler. The vigor of the tree is poor and new growth is stunted and diseased. Some of the lateral branches show signs of decay and heartrot.*
- 11. *The present condition of the tree (#26) is such that it is not reasonably likely to survive in that the health of the tree is declining due to the tree being 'shaded out' by adjacent trees and due to the current landscaping and irrigation which have led to fungal infestation. The added stress of any future development on the site would undoubtedly affect the root system and lead to additional decline.*

ATTACHMENT B
CONDITIONS OF APPROVAL FOR
HILLSIDE DEVELOPMENT PERMIT #4458

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

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Received at Hearing, October 19, 2005", except as modified herein.
2. This approval permits the removal of three Coast Live Oak trees, identified as #'s 14, 25, and 26 on the tree inventory submitted with this application.
3. The applicant shall comply with all requirements of Chapter 17.22 and 17.29 that relate to residential development in the Hillside Overlay district.
4. Pruning of any trees protected by the City's Tree Protection Ordinance shall be supervised by a certified arborist in accordance with the most recent standards of the International Society of Arboriculture (ISA) prior to the issuance of any building or grading permits. Additionally, tree protection measures such as fencing at the drip line, shall be shown on the plans submitted for building and grading permits. Fencing and pruning shall be verified through Zoning Inspection.
5. The project shall comply with the Tree Protection Ordinance. A tree protection plan shall be submitted to the Zoning Administrator for approval prior to the approval of any building or grading permits. The approval of a Tree Removal Application shall be obtained prior to the issuance of building permits if any protected trees, other than those approved in this application, as specified in the Tree Ordinance, are removed.
6. A construction parking and staging plan shall be submitted to and approved by the Zoning Administrator and the Department of Public Works and Transportation prior to issuance of any permits. The construction parking and staging 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.
7. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
8. No mechanical equipment, with the exception of solar collectors, shall be permitted on any roof unless fully enclosed in an enclosure designed to be architecturally compatible with the existing house. Any above ground mechanical equipment shall be screened from the street and shall be more than 5 feet from all property lines.
9. All new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division.

10. All landscape and walkway lighting shall be directed downwards to minimize glare from the property.
11. 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 AM and after 3:00 PM. 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 AM and after 3:00 PM.
12. The proposed project, Activity Number **PLN2004-00473**, shall comply with all conditions and is subject to the **Condition/Mitigation Monitoring Program** by the City and is subject to **Final Zoning Inspection**. Condition Monitoring is required for your project. Under the Monitoring Program, your project will be inspected by Code Compliance staff to determine compliance with the conditions of approval. These inspections will occur during the term of the project. Required monitoring fees or deposit for setup and inspections shall be paid on or after the effective date of this permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee or deposit. All fees are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. The cashier will ask for the activity number provided above. Failure to pay the required monitoring fees prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.
13. Paving in the front yard shall be devoted to driveways and accessing covered parking. Therefore, the paving area on the north side of the property (measuring approximately 22'x34'), adjacent to the garage, shall be removed and replaced with landscaping.
14. The total size of the house shall not exceed 5,092 square feet, not counting the attached garage. This requirement will be reviewed and verified through the plan check process.

ATTACHMENT C

MEMORANDUM - CITY OF PASADENA
Department Of Public Works

DATE: March 23, 2005

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: City Engineer
Department of Public Works

RE: Hillside Development Permit No. 4458
1147 La Loma Road

The Department of Public Works has reviewed the application for Hillside Development Permit No. 4458 at 1147 La Loma Road. The applicant is proposing to demolish a one-story single-family house and construct a two-story 5,666 square-foot single family house. in the Hillside Overlay district. The approval of this hillside development permit should be based upon satisfying all of the following conditions:

1. La Loma Road will be resurfaced in September 2005. Any excavation in the street for utility connections must be completed prior to that date. If the street is excavated for utility connections after that date, the pavement shall be resurfaced over the full width of the street along the frontage of the subject property. Excavations in the street for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations.
2. The applicant shall repair any existing or newly damaged curb and gutter avoiding any damage to existing street trees and using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514), along the subject frontage prior to the issuance of a Certificate of Occupancy. Any vegetation that encroaches into the roadway shall be trimmed back as directed by the Department of Public Works.

3. The project shall comply with the Tree Protection Ordinance (TPO) that provides protection for specific types of trees on private property as well as all trees on public property.
4. 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 applicant shall correct any defects revealed by the inspection. Defects shall 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.
5. The applicant shall submit the following plan and form which can be obtained from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval prior to the request for a building permit:
 - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the grading permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. Summary Report with documentation must be submitted prior to final inspection.

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. This deposit is fully refundable upon compliance with Chapter 8.62 of the Pasadena Municipal Code. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

6. The applicant shall advertise the availability of salvage materials. A listing can be made at no charge in the CALMAX Quarterly Catalog at www.ciwmb.ca.gov/CALMAX or through LACOMAX at www.dpw.co.la.ca.us/epd/lacomax or through preservation groups or web or newspaper advertising.

7. The project shall be subject to the use of deconstruction techniques. A deconstruction manual is available free of charge by downloading it from www.ciwmb.ca.gov/publications or by requesting a copy from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works.
8. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. A processing fee will be charged against the deposit.
9. 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.



DANIEL A. RIX
City Engineer

ATTACHMENT D

MEMORANDUM - CITY OF PASADENA
Department Of Transportation

DATE: March 21, 2005

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: Transportation Administration
Department of Transportation

RE: Hillside Development Permit No. 4458
1147 La Loma Road

The Department of Transportation has reviewed the application for Hillside Development Permit No. 4458 at 1147 La Loma Road. The applicant is proposing to demolish an existing one-story, single family residence and construct a new two-story, 5,666 square feet single family residence. The approval of this hillside development permit should be based upon satisfying all of the following conditions:

1. During construction, all construction materials, including temporary bins, must be stored on the site. Should the applicant need to use the public right-of-way for staging and/or storage during construction, a permit must be obtained from the Department of Public Works,
2. 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 and Department of Transportation for review and approval. A deposit of \$600, subject to refund or additional billing, is required for plan review.

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 of Public Works 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 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 two departments for review and approval.


BAHMAN JANKA
Transportation Administrator

BOARD OF ZONING APPEALS
STAFF REPORT
October 19, 2005

RECEIVED

'05 NOV -1 21:21

SUBJECT: Hillside Development Permit #4458

LOCATION: 1147 La Loma Road

ZONING DESIGNATION: RS-4-HD (Single-Family Residential, Hillside Overlay district)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: David Sinclair

APPLICANT/APPELLANT: Leon and Silva Kirakosian

HEARING OFFICER AND ZONING ADMINISTRATOR'S RECOMMENDATION: Acknowledge the Environmental Determination and the Specific Findings in Attachment A to approve the application with the conditions in Attachments B, C, and D.

ENVIRONMENTAL DETERMINATION: 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, Class 1 §15303, New Construction or Conversion of Small Structures. This class exemption addresses the construction of a single-family home if it is in an area that has all utilities and there are no significant environmental impacts.)

STAFF ADDENDUM:

This Hillside Development Permit application was approved by the Hearing Officer on April 20, 2005 and appealed by the owners to the Board of Zoning Appeals. However, due to contradictory information presented at the Hearing Officer hearing concerning the status of several oak trees on the property, the Board of Zoning Appeals remanded this case to the Hearing Officer continued the appeal to allow staff the time to adequately assess the tree situation. As a result, the owners augmented their Hillside Development Permit application with three Private Tree Removal applications for the removal of three Coast Live Oak (*Quercus agrifolia*) trees. On September 7 the applications were presented to the Hearing Officer who approved the Hillside Development Permit and all three Private Tree Removal applications. The applicants have chosen to continue with their appeal.

The Hillside Development Permit application seeks to allow the demolition of a 2,300 square foot single-family house and the construction of a two-story, 5,667 square foot single-family house. The Hillside Development Permit is required for all new houses in the Hillside Overlay district.

At both the April 20 and September 7 public hearings, staff recommended that the Hearing Officer approval of the application, but with a condition of approval that the size of the house,

not including the attached garage, not exceed 3,699 square feet; as determined by the "neighborhood compatibility" calculation in the Hillside Ordinance. The Hearing Officer approved the application with this condition and as a result the applicants chose to appeal the decision.

The three Private Tree Removal applications sought the removal of three Coast Live Oak trees that are protected under the City's Tree Protection Ordinance. Based on the observations and evaluations of two consulting arborists, one hired by the applicants and the other the City's consultant, staff recommended the approval of all three applications due to the declining health of all three trees. The Hearing Officer approved all three removals.

It bears noting that staff is not conditioning that these trees, or their canopies, be replaced due to the number of large trees (65?) on the site that make new tree growth difficult at best. In fact, based on the arborist evaluations, it is partially due to the large amount of tree canopy on the site that two of the three trees are in declining health because of a lack of sun and proper soil.

No additional information has been presented to staff since the Hearing Officer hearing on September 7 that has caused a change to the recommendations. As such, staff continues to recommend approval of the Hillside Development Permit and Private Tree Removal applications with the conditions on Attachments B, C, and D.

HEARING OFFICER ADDENDUM:

A public hearing was conducted on September 7, 2005 on the Hillside Development Permit for 1147 La Loma Road. This matter had been previously appealed to the Board of Zoning Appeals which sent it back to the Hearing Officer so that the tree removal applications could be considered as part of the overall application. The applicant has since addressed drainage issues and provided substantial information regarding the existing condition of oak trees and trees to be removed for construction of the proposed residence. The drainage issues and tree removal have been adequately addressed to the satisfaction of the Hearing Officer.

Remaining, however, is the issue of neighborhood compatibility. The applicant's request is higher than the compatibility provisions allow. The method provided for by Ordinance does not provide the latitude to lean in favor of the larger lots to the north and east in assessing neighborhood compatibility, but essentially requires a circle to be drawn around a property and then averaging lot size that falls within the circle.

The Hearing Officer followed the recommendation of staff to approve the application with conditions that required the applicant to follow the neighborhood compatibility criteria.

Attachments:

Attachment A – Recommended Findings of Fact

Attachment B – Recommended Conditions of Approval

Attachment C – Department of Public Works Recommended Conditions of Approval

Attachment D – Department of Transportation Recommended Conditions of Approval

Attachment E – Staff Report, September 7, 2005

Attachment F – Appeal Application

ATTACHMENT A
FINDINGS OF FACT FOR
HILLSIDE DEVELOPMENT PERMIT #4458

Hillside Development Permit – Construction of new single-family house.

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code. As conditioned the project will be compatible with the existing residential uses in the surrounding area. Although the proposed home is larger than the majority of homes in the surrounding area, the home is not proposed on a ridgeline or in an area where it would be prominently viewed from the public right-of-way. All aspects of the Hillside Ordinance are addressed by the proposal and the home will be compatible with the surrounding neighborhood.*
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 site will continue to be used for single-family residential purposes in an area which is designated for such use. Furthermore, the new house will not impact views to and from hillside area and will maintain the identity, image, and environmental quality of the City, which is the intent of the Zoning Code.*
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 site will continue to be used for single-family residential purposes in an area which is designated for such use. Also, Objective 7 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. Through conditions, the applicant's proposal will be consistent with the General Plan objectives and policies.*
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 proposed residence will be constructed in such a manner as to minimize impact to surrounding property owners. The proposed construction would be at the maximum allowable height limit for the zone and will cover approximately 11% of the lot area. There will be no views significantly blocked as a result of the construction.*
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 in that the proposed project will be constructed utilizing current building codes. Furthermore, the proposed house would be able to meet all of the applicable development standards.*
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 in that the proposed project has met the minimum development standards of the Zoning Code. As proposed, the project will be able to meet the minimum setback requirements, lot coverage, and height. The only standard in question is the allowable floor area as it relates to the neighborhood compatibility calculation.*
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 17.29.060D of this ordinance and in terms of aesthetics, character, scale, and view protection.~~ Of the 72 properties within 500 feet of the subject property only seven are larger with the largest at over 52,000 square feet. The applicant has taken advantage of this large property by situating the proposed house in almost the center of the property; over 130 feet from the front property line, more than 14 feet from the side property lines, and 110 feet from the rear property line. This, combined with the mature vegetation at the property lines and throughout the property will help ensure that the proposed house does not 'dominate' the neighborhood or be out of scale with the surrounding homes. The City's neighborhood compatibility ordinance includes a review of the size of the home when compared to the median home size within the surrounding neighborhood. The proposed construction exceeds 35% of the median size of these homes. Staff has conditioned that the resulting home be modified to meet the neighborhood compatibility requirement. Despite this, the home would not be placed such that it would be highly visible from the surrounding neighborhood, will not lead to any environmental impacts to the lot, and meets the remainder of the Hillside Ordinance requirements.

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 house would be constructed on the existing flat building pad and will require only 30 cubic yards of cut, 20 of which would be exported off-site. The steepest portions of the lot are in the rear and would not be affected by the new house.

Private Tree Removal – Removal of three Coast Live Oak (Quercus agrifolia) trees.

9. *The present condition of the tree (#14) is such that it is not reasonably likely to survive in that it has fallen over and experienced damage due to an adjacent tree having fallen on it. The tree shows significant signs of overall decline including reduced canopy and small leaf size, lateral branch decay, mildew, and insect infestation.*
10. *The present condition of the tree (#25) is such that it is not reasonably likely to survive in that the health of the tree is declining from significant infestation with fungus, insects, and shows sign of twig girdler. The vigor of the tree is poor and new growth is stunted and diseased. Some of the lateral branches show signs of decay and heartrot.*
11. *The present condition of the tree (#26) is such that it is not reasonably likely to survive in that the health of the tree is declining due to the tree being 'shaded out' by adjacent trees and due to the current landscaping and irrigation which have led to fungal infestation. The added stress of any future development on the site would undoubtedly affect the root system and lead to additional decline.*

ATTACHMENT B
CONDITIONS OF APPROVAL FOR
HILLSIDE DEVELOPMENT PERMIT #4458

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

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Received at Hearing, October 19, 2005", except as modified herein.
2. This approval permits the removal of three Coast Live Oak trees, identified as #'s 14, 25, and 26 on the tree inventory submitted with this application.
3. The applicant shall comply with all requirements of Chapter 17.22 and 17.29 that relate to residential development in the Hillside Overlay district.
4. Pruning of any trees protected by the City's Tree Protection Ordinance shall be supervised by a certified arborist in accordance with the most recent standards of the International Society of Arboriculture (ISA) prior to the issuance of any building or grading permits. Additionally, tree protection measures such as fencing at the drip line, shall be shown on the plans submitted for building and grading permits. Fencing and pruning shall be verified through Zoning Inspection.
5. The project shall comply with the Tree Protection Ordinance. A tree protection plan shall be submitted to the Zoning Administrator for approval prior to the approval of any building or grading permits. The approval of a Tree Removal Application shall be obtained prior to the issuance of building permits if any protected trees, other than those approved in this application, as specified in the Tree Ordinance, are removed.
6. A construction parking and staging plan shall be submitted to and approved by the Zoning Administrator and the Department of Public Works and Transportation prior to issuance of any permits. The construction parking and staging 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.
7. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
8. No mechanical equipment, with the exception of solar collectors, shall be permitted on any roof unless fully enclosed in an enclosure designed to be architecturally compatible with the existing house. Any above ground mechanical equipment shall be screened from the street and shall be more than 5 feet from all property lines.
9. All new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division.
10. All landscape and walkway lighting shall be directed downwards to minimize glare from the property.

11. 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 AM and after 3:00 PM. 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 AM and after 3:00 PM.
12. The proposed project, **Case No. PLN2004-00473**, shall comply with all conditions of approval, subject to a Final Zoning Inspection. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee and to schedule an inspection appointment time. All fees are to be paid to the cashier at the permit center located at 175 N. Garfield Avenue. The cashier will ask for the case number provided above. Failure to pay the inspection fee prior to initiating the application may result in revocation proceedings of this entitlement.
13. Paving in the front yard shall be devoted to driveways and accessing covered parking. Therefore, the paving area on the north side of the property (measuring approximately 22'x34'), adjacent to the garage, shall be removed and replaced with landscaping.
14. The project shall meet the neighborhood compatibility requirements of the Zoning Code (Section 17.29.060(D)). As such the total permitted floor area of the main structure (not including garage or accessory structures) may not exceed 3,699 square feet. This requirement will be reviewed and verified through the plan check process.

ATTACHMENT C

MEMORANDUM - CITY OF PASADENA
Department Of Public Works

DATE: March 23, 2005

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: City Engineer
Department of Public Works

RE: Hillside Development Permit No. 4458
1147 La Loma Road

The Department of Public Works has reviewed the application for Hillside Development Permit No. 4458 at 1147 La Loma Road. The applicant is proposing to demolish a one-story single-family house and construct a two-story 5,666 square-foot single family house. in the Hillside Overlay district. The approval of this hillside development permit should be based upon satisfying all of the following conditions:

1. La Loma Road will be resurfaced in September 2005. Any excavation in the street for utility connections must be completed prior to that date. If the street is excavated for utility connections after that date, the pavement shall be resurfaced over the full width of the street along the frontage of the subject property. Excavations in the street for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations.
2. The applicant shall repair any existing or newly damaged curb and gutter avoiding any damage to existing street trees and using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514), along the subject frontage prior to the issuance of a Certificate of Occupancy. Any vegetation that encroaches into the roadway shall be trimmed back as directed by the Department of Public Works.

3. The project shall comply with the Tree Protection Ordinance (TPO) that provides protection for specific types of trees on private property as well as all trees on public property.
4. 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 applicant shall correct any defects revealed by the inspection. Defects shall 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.
5. The applicant shall submit the following plan and form which can be obtained from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval prior to the request for a building permit:
 - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the grading permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. Summary Report with documentation must be submitted prior to final inspection.

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. This deposit is fully refundable upon compliance with Chapter 8.62 of the Pasadena Municipal Code. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

6. The applicant shall advertise the availability of salvage materials. A listing can be made at no charge in the CALMAX Quarterly Catalog at www.ciwmb.ca.gov/CALMAX or through LACOMAX at www.dpw.co.la.ca.us/epd/lacomax or through preservation groups or web or newspaper advertising.

7. The project shall be subject to the use of deconstruction techniques. A deconstruction manual is available free of charge by downloading it from www.ciwmb.ca.gov/publications or by requesting a copy from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works.
8. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. A processing fee will be charged against the deposit.
9. 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.



DANIEL A. RIX
City Engineer

DAR:jo

ATTACHMENT D

MEMORANDUM - CITY OF PASADENA
Department Of Transportation

DATE: March 21, 2005

TO: Denver Miller, Zoning Administrator
Planning and Development Department


FROM: Transportation Administration
Department of Transportation

RE: Hillside Development Permit No. 4458
1147 La Loma Road

The Department of Transportation has reviewed the application for Hillside Development Permit No. 4458 at 1147 La Loma Road. The applicant is proposing to demolish an existing one-story, single family residence and construct a new two-story, 5,666 square feet single family residence. The approval of this hillside development permit should be based upon satisfying all of the following conditions:

1. During construction, all construction materials, including temporary bins, must be stored on the site. Should the applicant need to use the public right-of-way for staging and/or storage during construction, a permit must be obtained from the Department of Public Works,
2. 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 and Department of Transportation for review and approval. A deposit of \$600, subject to refund or additional billing, is required for plan review.

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 of Public Works 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 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 two departments for review and approval.


BAHMAN JANKA
Transportation Administrator

ATTACHMENT E

ZONING HEARING OFFICER
STAFF REPORT
September 7, 2005

SUBJECT: Hillside Development Permit #4458

LOCATION: 1147 La Loma Road

APPLICANT: Edward Hagobian

ZONING DESIGNATION: RS-4-HD (Single-Family Residential, Hillside Overlay district)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: David Sinclair

STAFF RECOMMENDATION: Acknowledge the Environmental Determination and the Specific Findings in Attachment A, **approve** the Hillside Development Permit application, and **approve** the Private Tree Removal application with the conditions in Attachments B, C, and D.

PROJECT PROPOSAL: Hillside Development Permit – Construction of new single-family house.
Private Tree Removal – Removal of three Coast Live Oak (*Quercus agrifolia*) trees.

ENVIRONMENTAL DETERMINATION: 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, Class 1 §15303, New Construction or Conversion of Small Structures. This class exemption addresses the construction of a single-family home if it is in an area that has all utilities and there are no significant environmental impacts.)

BACKGROUND:

- **Site characteristics:** The subject site is a rectangular-shaped property located on the north side of La Loma Road. The site is 36,856 square feet in size and slopes up from La Loma Road. The average slope is 12.6%.
- **Adjacent Uses:** North – Single-Family Residential
South – Single-Family Residential
East – Single-Family Residential
West – Single-Family Residential
- **Adjacent Zoning:** North – RS-2-HD (Single-Family Residential, Hillside Overlay district)

South — RS-4-HD (Single-Family Residential, Hillside Overlay district)
East — RS-4-HD (Single-Family Residential, Hillside Overlay district)
West — RS-4-HD (Single-Family Residential, Hillside Overlay district)

- **Previous Zoning Cases on this Property:** None.

PROJECT DESCRIPTION:

The applicant, Edward Hagopian, on behalf of the owners Levon and Silva Kirakosian, has filed a Hillside Development Permit application to allow the demolition of a 2,300 square foot single-family house and the construction of a two-story, 5,667 square foot single-family house. The Hillside Development Permit is required for all new houses in the Hillside Overlay district.

The existing lot size is approximately 36,856 square feet and has an average slope of 12.6%. The property slopes gently up from La Loma Road towards the north. The slope increases towards the rear of the property, behind the proposed house. The existing single-story house is located roughly in the middle of the property.

ANALYSIS:

Hillside Development Permit – Construction of new single-family house.

The intent of the Hillside District Ordinance is to minimize the impacts of residential construction within the Hillside District. In this case, the applicant is proposing to construct a new house totaling 5,667 square feet. The new house would be located in generally the same location as the existing house and would utilize the existing driveway. There are several mature trees and vegetation to remain between La Loma Road and the proposed house that will obscure visibility of the new house from the public right-of-way.

The maximum allowable gross floor area for this property is calculated by first removing all areas of the property that have an average slope of greater than 50% and then multiplying the remaining area by a floor area ratio of 25% and then adding 500 square feet. This results in the base floor area. If the remaining area has an average slope of greater than 15%, the average slope and the base floor area are inserted into a slope reduction formula that reduces the allowable floor area further.

In this instance there are no areas that exceed a 50% and the average slope for the entire property is 12.6%. Therefore, no slope reduction is required and the result of the 25% plus 500 square feet calculation is 9,714 square feet. The proposed project of 5,667 square feet is significantly less.

The Hillside District Ordinance sets two height limits. First, the maximum height of a primary residence can be no more than 28 feet at any one point on the property and the maximum height as measured from the lowest part of the house to the highest cannot exceed 35 feet. As proposed, the highest point of the house, as well as the overall height would be 27'-2"

The minimum setback requirements are 25 feet in the front and rear and 10 feet on the sides. As proposed, the house exceeds these requirements at the setbacks would be 130 feet in the front, 110 in the rear, and 14 on each side.

The Hillside Ordinance provides requirements for "neighborhood compatibility" that establish a review of home size, character and scale as compared with homes within 500 feet of the subject property. The Ordinance sets a review standard for floor area of 35% over the median size of the homes within the radius. The neighborhood compatibility requirements allow the Zoning Hearing Officer to approve a project exceeding 35% of the median home size following a review of site conditions and compliance with the remainder of the Hillside District standards. This entails a review of the proposal in light of the ridgeline protection regulations, view protection regulations, and additional development standards. In addition, the "neighborhood" can be re-defined based on the street network and built environment surrounding the subject property.

The median home size within the neighborhood established by staff (69 homes) is 2,740 square feet. Thirty-five percent above the median of these 69 homes is 3,699 square feet. The new house is proposed to be 5,092 square feet in size, not counting the attached garage. Thus, the home is 1,393 square feet above the median.

In this case the home does not occupy a ridge or prominent location. The slope is only 12.8% on site and the proposed development would occupy approximately 11% of the lot and will not convey an over-developed appearance. The proposed house will not block views from the surrounding properties given the large setbacks and that the homes to the east and north have a higher elevation than the subject site.

For these reasons, staff believes the home can be found to be compatible with the neighborhood. However, since the adoption of the Hillside Ordinance in May, 2004, staff does not have criteria with which to justify approval a project that exceeds the neighborhood compatibility figure. To this end, staff has added a condition of approval that the home be brought into compliance with the neighborhood compatibility requirement (condition #12) of 3,699 square feet, not including the garage. The Hillside Ordinance states, however, that the "reviewing authority may approve additional floor area following a review of site conditions and compliance with the remainder of the Hillside District standards". As such, if the review authority (Zoning Hearing Officer) determines that site conditions warrant, additional floor area may be approved. If this is the determination, condition of approval 14 must be removed or modified.

Private Tree Removal – Removal of three Coast Live Oak (Quercus agrifolia) trees.

The preliminary tree inventory report / tree protection plan submitted for this project by consulting arborist Jan Scow identified 70 trees on the property with a minimum diameter of 4 inches. The proposed project includes the removal of nine of these trees: four Coast Live Oak trees (#'s 14, 25, 26, and 30), one Carob tree (#27), one Olive tree (#31), and three Pink Melaleucas (#'s 63, 64, and 65).

Of the nine trees slated for removal, three of the Coast Live Oak trees (#'s 14, 25, and 26) are protected by the City's Tree Protection Ordinance. The remaining Coast Live Oak trees (#30) and the Olive tree, while on the list of protected tree species and larger than the minimum diameter protection size, are not located in a protection zone (established front yard, required side yard, or required rear yard). The Carob and Pink Melaleucas are not on the list of protected tree species.

The report by Mr. Scow also recommends several steps that should be taken in order to minimize the chance of significant damage to various trees due to construction activities. This report and the actions detailed in it will be used by city staff during construction to ensure that all

trees on-site are appropriately protected during construction. The report also recommends actions that should be taken in order to preserve or improve the health of other trees on site.

In addition to the report submitted by Mr. Scow, the City had an independent analysis performed by the firm Land Design Consultants (LDC). Staff from LDC visited the site on July 9 and evaluated the health of the three protected trees proposed for removal. The analysis and recommendations are summarized below.

- Coast Live Oak #14: Tree has been damaged due to an adjacent tree falling on it. The health of the tree is declining as evidenced by reduced canopy and small leaf size. Condition Rating: very poor. Recommendation: remove tree.
- Coast Live Oak #25: Tree health declining due to infestation with fungus and insects. Vigor is poor and new growth is stunted and diseased. Condition Rating: poor. Recommendation: remove tree.
- Coast Live Oak #26: Tree is declining in health under existing conditions. Current landscaping and irrigation conditions have lead to fungal infection of the branches. Condition Rating: poor. Recommendation: remove tree.

Based on the analyses performed by Mr. Scow and the LDC staff, staff has determined that the trees are not reasonably likely to survive as all three trees shows signs of decay and pest and/or fungal infestation. Therefore, staff is able to make the necessary findings to recommend approval of these three Coast Live Oak trees.

CONCLUSION:

The applicant is requesting approval of a Hillside Development Permit to allow the construction of a new two-story single-family house and the removal of three protected trees. The new house will not impact the views of the neighbors, has much mature vegetation to limit the visibility of the house from the street, and will not convey an 'overbuilt' appearance and the health of the three trees is already suspect. With the adoption of the recommended conditions, staff recommends the Zoning Hearing Officer approve both applications.

Appeal Application

HDP-4458

GENERAL INFORMATION: (Please print)

Date: April 22, 2005

Appellant: Edward Hagobian

Mailing Address: 220 S. Kenwood Street, Suite 210

City: Glendale

State: CA

Zip: 91205

Phone #: (day) 818-5020590 (evening) 818-240-9800

Fax #: 818-502-0853

Contact Person: Edward Hagobian

Phone #: 818-502-0590

Applicant (if different from appellant): Levon Kirakosian

APPEAL APPLICATION

Application # HDP 4458 Date of Decision 4-20-05 Appeal Deadline 5-2-05

Property PCN 2064-00473

Address:

1147 La Loma Road, Pasadena, CA 91105

I hereby appeal the decision of the:

- Zoning Hearing Officer
- Zoning Administrator
- Environmental Administrator

- Planning Director
- Film Liaison
- Subdivision

The decision maker failed to comply with the provisions of the zoning ordinance in the following manner:
 Applicant does not agree with the limitations of the square footage of the
 proposed construction based on the fact that all other conditions re set-back
 requirements for front, rear and side have been complied with and the size of
 the Lot would permit a structure up to 9,000 sq. ft. if not for the new Hillside
 Ordinance.

If necessary, please attach additional sheets

Applicant's Signature

April 22, 2005

Date of Application

SIX SETS OF PLANS AND LABELS MUST BE SUBMITTED WITH APPLICATION.

Activity #	_____	Appeal Hearing Date	_____
Application Fee \$	_____	Received by	_____
Date Received	_____		