

Rodriguez, Jane

From: Tyler, Sid
Sent: Wednesday, October 17, 2007 9:58 AM
To: Rodriguez, Jane
Cc: Bruckner, Richard
Subject: Call-up Request: Tree Removal at 94 S. Allen Ave. (PLN2005-00156)

Jane:

I would like the above Notice of Decision agendized at the Council for consideration of a Call for Review by the appropriate City body. Thanks.

Sid Tyler

10/17/2007

10/22/2007
7.B.1.



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

October 8, 2007

Mr. Allen Higgins
1310 N Westlyn Place
Pasadena, CA 91104

NOTICE OF DECISION

**Application for Consolidated Design Review for Three new Apartments
94 S. Allen Ave. (RM-16 Zoning District)**

PLN2005-00156

Council District 7

Dear Mr. Higgins:

Acting under the provisions of the Pasadena Municipal Code (§17.61.030), the staff of the Planning Division has reviewed your application for consolidated design review to demolish two single-family houses and construct three new apartment units. The site plan and elevations and sample materials submitted for this review are the revised materials submitted on May 23, 2007 and revised, in part, on August 28, 2007, which are on file with the application. The controlling design guidelines used for this review are the City-wide Design Principles in the *Land Use Element of the General Plan*; the City of Gardens development standards, and the Guidelines for Windows in Multi-Unit Residential Projects.

In accordance with Section 17.61.030 of the Pasadena Municipal Code, the staff:

Environmental Determination

1. Finds that neither of the **buildings on the property** meet the criteria for designation as landmarks, historic monuments, or for listing in the California or National Registers. The existing house at the front of the property, built in 1915, is a Craftsman bungalow that has been altered and has deteriorated. It does not have sufficient architectural or historic significance to be eligible as a landmark and is not contributing to a potential district because the intact houses in this block do not have citywide significance as a grouping.
2. Finds that the project is **categorically exempt** from the California Environmental Quality Act under §15303, (Class 3) "New construction of small structures."

Taxpayer Protection Amendment

Acknowledges the parties of interest in this project listed on the taxpayer protection amendment form.

Findings under Tree Protection Ordinance (Ch. 8.52 P.M.C.)

Acknowledge that one protected specimen tree (camphor with a 27" diameter (dbh)) will be removed and approve the removal of this tree based on finding 6 in the Tree Protection Ordinance: **the replacement trees to be planted with this project will have a canopy coverage that exceeds** the existing camphor coverage within a reasonable time, according to the arborist's report submitted with the application and verified by the Land Design arborist under contract to the department.

Findings of Consolidated Design Approval

1. **Finds** that the design of the project, with the implementation of the conditions of approval, complies with the City-wide Design Principles in the Land-use Element of the General Plan, the City of Gardens Development Standards, and the Design Guidelines for Windows in Multi-unit Residential Projects and includes:
 - a. at least two "Pasadena" building elements with local references (trellis on front elevation and Polynesian/Tiki gable-on-hipped roof reminiscent of 1950's ranch styles) (*City of Gardens section S.2*).
 - b. at least one Craftsmanship element (wrought iron gate)
 - c. places amenable to outdoor activity and use including amenities for comfortable social interaction. (Courtyard is accessible to all residents and includes seating areas). (*Citywide Design Criteria, residential lot design*)
2. Based on these findings and the staff evaluation attached to this letter, **approves** the application with the following **conditions** that shall be submitted to the staff for final review and approval before issuance of a building permit:

Conditions:

- 1 The sliding door on the side of Unit 1 that is visible from the street shall have true (through-the-glass) **muntins**, exterior-applied dimensional muntins, or none at all. (*Design Guidelines for Windows in Multi-unit Residential Projects*)
- 2 The narrow sliding window under the porch roof on the **front elevation** of Unit 1 shall be redesigned in size and/or operation to be better proportioned to this elevation. Alternatively, the window could be deleted. The sliding sashes are too narrow and tall for a window on a front elevation adjacent to windows with other proportions. (*Citywide Design Principles: Attractive street elevations*)
- 3 Provide a garage window or two, or other architectural elements on the rear of the Unit 1 garage, in order to break up the **blank wall** on the south elevation of Building A. (*Citywide Design Principles: "buildings that are inviting and sustain interest."*)
- 4 Revise the design of the **wrought iron gate** leading to the main garden so that its design is more contemporary and in keeping with the overall architectural design. (*Citywide Design Principles: integrated site planning*)

Mr. Allen Higgins
Consolidated Design Review
94 S. Allen Ave.
PLN2005-00156
p. 3 of 5

- 5 Provide the following **additional details** for further design review prior to issuance of a building permit: architectural screeds and reveals; gutters and downspouts; planter walls; and paving materials.

Effective Date ❖ Call for Review ❖ Appeal

This decision becomes effective on **Friday, October 19, 2007**. Before the effective date, the City Council or Design Commission may call for a review of this decision. If the Council or Commission calls for a review of this decision, it becomes void, and the application will be considered as a new item. In addition, you or any person affected by this decision may appeal it to the Design Commission before the effective date by filing an application for an appeal in the Permit Center (window #4, 175 N. Garfield Avenue) along with an appeal fee of \$1404.92. Appeals must cite a reason for objecting to a decision. Please note that appeals and calls for review are conducted as de novo hearings, meaning that the lower decision is vacated and the entire decision is review anew. **The last day to file an appeal is Thursday, October 18, 2007.**

This approval expires two years from the effective date. The approval may be renewed for one additional year by filing a written request with the Planning Director prior to the expiration date (along with the fee for renewal of an approval). Any **changes to the approved design** for the project should be submitted to City staff for review and approval. Minor changes, that are consistent with the intent of the approved final design, may be approved by City staff. Major changes, involving substantial deviations in the project's approved design or conditions of approval, require a separate application for changes to an approved project. As many as two applications for changes to an approved project may be filed during a calendar year. Major changes may be approved only if there are findings of changed circumstances that justify revisions.

Please contact Darrell Cozen, Senior Planner if you have any questions or concerns about this decision. Tel 626-744-6753; fax 626-396-7518; Email: dcozen@cityofpasadena.net

Sincerely,



Richard V. Bruckner
Director of Planning and Development

Attachments: A. Staff Evaluation
B. Site plan and elevations of front unit

cc: City Clerk; City Council; City Manager; Council Rep. District 7; Design Commission;
Address file; chronological file; Tidemark; TPA Coordinator

ATTACHMENT A—Staff Evaluation

Project Description and Siting

The project includes the construction of three at-grade apartments in two buildings with attached garages. The main garden is located at the center of the site, between the two buildings, and can be viewed down the driveway from the street. One unit has its entry facing the street, and the other two have entries facing the main garden.

Historic Review

Two residences and a garage are proposed to be demolished. The front unit is estimated as being built in 1915 and the rear as 1950 (no permits on file for either; the City annexed the area in 1920). The units are built at grade with one short step up to the floor level. Both units are severely deteriorated on the exterior. None of the structures are deemed to have architectural or historic significance on their own to make them eligible for any historic designation. There are insufficient intact houses from this era on this block to qualify for a local landmark district.

Finish Materials

Composition shingles

Stucco siding with sand finish and smooth finish for accents

Milgard white sliding vinyl windows

Solid wood four-panel front doors

Grouped four-by-four porch posts

Wood trellises

Architectural screeds in recessed planes around windows

Architectural Style and Details

The architectural style is a modern version of the 1950's ranch style. The stucco walls, hipped Polynesian Roof, and sliding windows represent the ranch style. Trellises and small porches represent earlier Craftsman and Traditional Minimal antecedents in Pasadena. The groupings of narrow posts supporting the porch roofs can be found in 1930's to 1950's architecture in Pasadena and Southern California. The two-story portion of the front façade has a creative method of providing recessed windows in a wide recessed band that wraps both side elevations like a pair of glasses.

The low-pitched gabled roof of the one-story element at the front of the property has a slope to match the upper roof and its front-facing gable gives the building more presence on the street.

Compatibility

The stucco wall cladding reflects the neighboring house to the north and several others in this block, although a slight majority of structures on the block have wood siding. The Craftsman bungalow style is predominant; but eleven lots on the block have other styles, including numerous apartments. The proposed contemporary style is consistent with four apartment buildings on the odd side of this block of S. Allen Avenue.

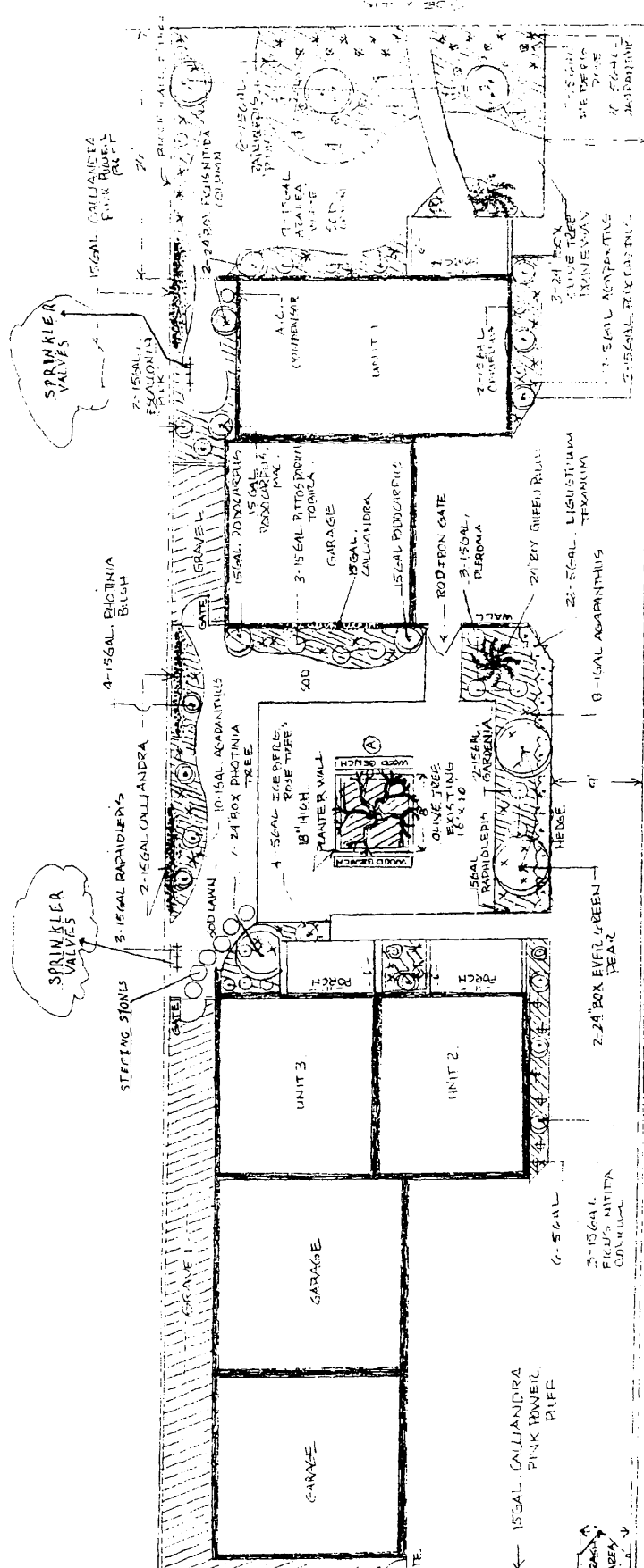
Mr. Allen Higgins
Consolidated Design Review
94 S. Allen Ave.
PLN2005-00156
p. 5 of 5

Landscaping

The camphor tree that is protected by City ordinance is currently uprooting the neighbor's driveway and is likely to cause concern to the neighbor's foundation without significant root trimming. Root and canopy trimming to leave the tree in place with the new project is not recommended by Land Design who analyzed the tree for the staff.

Large trees are provided to replace the lost canopy of the existing camphor and olive trees. Two podocarpus and one eucalyptus trees highlight the front yard and grow to 60 feet tall with a dense canopy. Agapanthus, raphiolepis, and roses surround these trees, and azalias are proposed in front of the front unit. Azalias, escallonias, and agapanthus are prominently displayed in the main garden around another eucalyptus tree.

A limestone fountain graces the courtyard with carved gargoyles spouting water.



SPRINKLER SYSTEM

AUTOMATIC TO COVER ALL PLANTED AREAS

SPRINKLER VALVES

GARDEN & OPEN PLANTING AREA	
Side yard	126 sq. ft.
Garden	1579 sq. ft.
Front yard	988 sq. ft.
Front set back	456 sq. ft.
Total	3149 sq. ft.

GARDEN AREA PER CENTAGES	
Lawn area	20%
Planting area	30%
Concrete hard surface	36%
Front porches area	6%
Planter area w/benches	8%
Total	100%

GROUND COVER

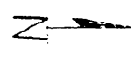
200. STAINLESS STEEL 127.6

34 GRAVEL WITH SOIL 0.40TH UNDERNEATH

FRONT YARD SET BACK	
Lawn area	20%
Planting area	30%
Concrete hard surface	36%
Front porch	6%
Total	100%

SOD LAWN

BOULDER/PAVEMENT PERMIT BY DRAINAGE/OD BARAS



3 (UNIT) 24 SOUTH ALEX 70-DEDEMA CH. LUE

2400-2400 E 115th St N

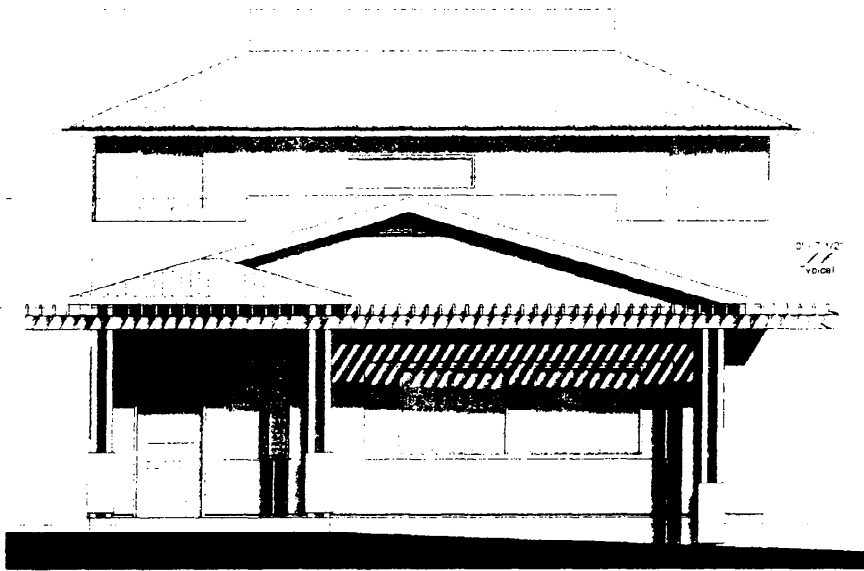
U. BEITEL'S LANDSCAPE 737577 627

Roof
23'-8"

Second Floor TOP
18'-0"

Second Floor
10'-0"

First Floor
0'-0"



0'-0"
10'-0"
18'-0"
23'-8"

Typical: 2x8 @ 9'-0"
Typical: 4x8 @ posts

1 West Elevation Building A
1/4" = 1'-0"

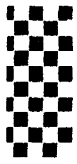


2 North Elevation
1/4" = 1'-0"



3 South Elevation Building A
1/4" = 1'-0"





FAX COVER SHEET

DATE: <u>10-19-07</u>	NUMBER OF PAGES <u>3</u> INCLUDING COVER SHEET
TO: Mayor & City counsel	FROM:
NAME: _____	NAME: <u>Allen Higgins</u>
COMPANY: <u>City of Pasadena</u>	COMPANY: <u>A & L Construction</u>
TELEPHONE <u>626-744-4124</u>	TELEPHONE: <u>626-797-0432</u>
FAX: <u>626-744-3921</u>	FAX: <u>626-797-3611</u>

Comments

Attn: City Counsel

Project 94 South Allen Pasadena, Ca.

For counsel meeting 10-27-07

From The Desk Of:

Allen J. Higgins

A & L Construction 1310 N. Westlyn Place Pasadena, Ca. 91104 Ph 626-797-0432 Fax 626-797-3611

LIC. #B1285250

**OWNER OF PROPERTY
94 SOUTH ALLEN, PASADENA**

**CONCERNING:
94 SOUTH ALLEN PROJECT
CINNAMIN CAMPHOR TREE and LOCATION ISSUE**

THERE ARE TWO ARBORIST REPORTS FOR LARGE CAMPHOR TREE NEXT TO PROPERTY LINE ON 94 SO. ALLEN PROPERTY

ARBORIST REPORT WAS REQUIRED BY PLANNING DEPARTMENT. MILLER TREE SERVICE (AN ARBORIST) ACQUIRED BY ALLEN HIGGINS, OWNER OF THE PROPERTY WAS FIRST REPORT.

THE PLANNING DEPARTMENT BROUGHT IN A SECOND ARBORIST REPORT SHOWING SIMILAR REPORT.

REASONS FOR TREE REMOVAL:

1. CAMPHOR TREE IS TOO CLOSE TO NEIGHBORS HOUSE AND THE ROOT SYSTEM COULD CAUSE EXISTING HOUSE FUTURE DAMAGE.
2. TREE ROOTS ARE NOW BREAKING UP NEIGHBORS ASPHALT PARKING SPACE.
3. TREE BRANCHES GO OVER TOP OF NEIGHBORS HOUSE.
4. LIABILITY OF WIND STORMS BREAKING THE TREE, AND CAUSING DAMAGE.
5. HALF OF THE LARGE BRANCHES ARE OVER THE NEIGHBORS SIDE.
6. TREE BEING NEXT TO PROPERTY LINE MAKES IT IMPOSSIBLE TO TRIM, AND TO CARE FOR THE TREE ON THE NEIGHBORS SIDE. ALSO, ANY DEVELOPMENT ON PROPERTY WOULD BE DIFFICULT FOR THE CARE OF THE TREE.
7. POSSIBILITY OF NEIGHBOR CUTTING ROOTS AND LIMBS BACK TO PROTECT HIS PROPERTY, AND THEREFORE CAUSING THE TREE TO BE OUT OF BALANCE AND VULNERABLE TO FALLING OVER.
8. NEIGHBOR WANTS THE TREE TO BE TAKEN DOWN TO PROTECT HIS PROPERTY.

NOTE: I, ALLEN HIGGINS, NEED TO EXERCISE THE OPTION OF TREE REPLACEMENT THAT THE PLANNING DEPARTMENT PROVIDES. BOTH ARBORISTS AGREE THIS CAN BE DONE AS SHOWN ON PROPOSED LANDSCAPE PLAN.

1. LANDSCAPE PLAN SHOWS TREE REPLACEMENTS LOCATED IN POSITIONS THAT THEY CAN BE CARED FOR WITHOUT LIABILITY OF THE NEIGHBORS PROPERTY.
2. IF THIS PLAN IS TURNED DOWN AND DENIED, IT WOULD BE A VERY UNJUST DECISION. I HAVE THE RIGHT TO COMPLY WITH THE OPTIONS YOU GIVE ME.

TO DEVELOP PROPERTY WITH THE TREE TO REMAIN AS IS:

1. THE FRONT UNIT WOULD HAVE TO BE A ONE STORY BACHELOR UNIT WITH NO GARAGE OR BEDROOM BECAUSE OF THE TREE, PLUS STAYING AWAY FROM DAMAGING THE ROOT SYSTEM. THE PLANNING DEPARTMENT REQUIRED ME TO GO 15' BACK FOR 2ND STORY FROM THE REGULAR FIRST STORY SET BACK MAKING IT IMPOSSIBLE FOR SECOND STORY UNIT.

NOTE: PLANNING DEPARTMENT HAS BEEN VERY UNREASONABLE IN THIS DECISION FOR THE SET BACK.

- A. ACROSS THE STREET MOST OF THE CONDO'S AND APARTMENTS ARE TWO-STORY WITH A REGULAR SET BACK.
- B. MY PROPERTY IS ONE LOT AWAY FROM THE INTERSECTION OF ALLEN AND KEYSTONE, AND ACROSS THE SOUTH WEST CORNER OF INTERSECTION IS A TWO STROY APARTMENT BUILDING WITH A REGULAR SET BACK.
- C. IF I CHANGE THE GARDEN AREA AT THE LOCATION OF THE CAMPHOR TREE, I WOULD HAVE TO PUT THE GARAGE FOR THE FRONT BACHELOR UNIT AT THE BACK OF THE LOT, MAKING IT (ALMOST) 100 FT. AWAY.

NOTE: I CANNOT PUT THE BACHELOR UNIT GARAGE BETWEEN THE UNITS BECAUSE OF THE RULE THAT THE TWO BACK UNITS MUST FACE THE GARDEN AREA.

THIS WOULD BE MAKING MY PROJECT WRONG AND UNDESIRABLE FOR RENTING AND FOR SALE PURPOSES. IT WOULD ALSO DECREASE MY RENTAL INCOME AT LEAST \$20,000.00 PER YEAR.

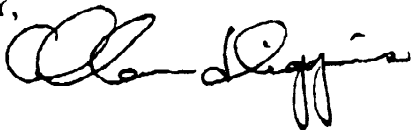
TO DEVELOP PROPERTY BY REMOVAL OF THE TREE:

1. THE PROPOSED PLAN WOULD BE VERY ATTRACTIVE AND DESIRABLE UNITS, AND IMPROVEMENT FOR THE NEIGHBORHOOD.
2. WITH THE GARDEN AREA, THE TREE REPLACEMENTS, AND ALSO ARCHITECTUAL DESIGN, IT WOULD BE THAT WHICH THE CITY OF PASADENA COULD BE PROUD.

NOTE: I, A GENERAL BUILDING CONTRACTOR, HAVE LIVED IN THIS CITY FOR OVER 50 YEARS, AND HAVE BUILT HOUSES, ADDITIONS, AND REMODELING HERE IN PASADENA. MY WIFE IS A NATIVE OF PASADENA SINCE 1928, AND HER PARENTS STARTED A POLISH BUSINESS THAT IS SOLD WORLD WIDE. THE MEGUIAR FAMILY HAS BEEN ACTIVE IN THE TOURNAMENT OF ROSES, THE KIWANIS CLUB, AND ALSO MADE FINANCIAL CONTRIBUTIONS TO PASADENA SCHOOL STUDENTS FOR COLLEGE SCHOLARSHIPS. YES, I DO HAVE A GREAT INTEREST IN OUR CITY.

PLEASE GIVE ME THE RIGHT TO EXERCISE THE OPTION OF TREE REPLACEMENT THAT THE PLANNING DEPARTMENT PROVIDES.

SINCERELY,



ALLEN HIGGINS