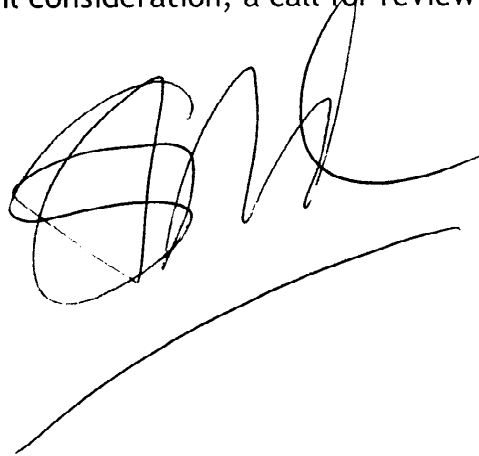


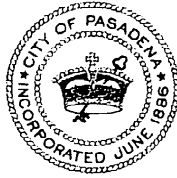
Jomsky, Mark

From: Madison, Steve
Sent: Thursday, February 24, 2011 7:00 PM
To: Mermell, Steve; Jomsky, Mark
Subject: REQUEST FOR A CALL FOR REVIEW FOR HDP 5518, 450 JUNIPER DRIVE
Attachments: hdp_5518_dl.pdf

Please agendize for Council consideration, a call for review of HDP 5518.

A handwritten signature in black ink, appearing to be 'MJ', with a long horizontal line underneath it.

03/14/2011
Item 12



PLANNING DEPARTMENT
PLANNING DIVISION

February 22, 2011

Kendall Hales
2852 Foothill Boulevard
La Crescenta, CA 91214

**Subject: Hillside Development Permit #5518
450 Juniper Drive
Council District #6**

PLN#2010-00336

Dear Mr. Hales:

Your application for a **Hillside Development Permit** at **450 Juniper Drive** was considered by the **Hearing Officer** on **February 16, 2011**.

HILLSIDE DEVELOPMENT PERMIT: To construct a new, two-story 1,384 square foot single-family residence with a 400 square foot attached garage for a total of 1,784 square feet. The new construction does not include any basement area. The grading for the project includes less than 25 yards of cut and less than 25 yards of fill. There will be no imported or exported soil. Two trees [*Quercus agrifolias* (Coast Live Oaks)] are proposed for removal as a result of the project. The project complies with all the applicable development standards of the Zoning Code including floor area, lot coverage, the Neighborhood Compatibility calculation, height, and setbacks.

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

Based upon these findings, it was decided by the Hearing Officer that the **Hillside Development Permit** be **approved** with conditions listed in Attachment B and in accordance with submitted plans stamped **February 16, 2011**.

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 Planning Director 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.

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 (February 28, 2011)**. The effective date of this case will be **March 1, 2011**. 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. The regular Appeal fee is \$3,644.76. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$1,822.38.

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. **You should call the Current Planning office at 626-744-6777 to find out if any appeal or call for review has been filed before you submit your building permit application.** 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.

An initial environmental study prepared for the project determined that there will be less than significant impacts on the environment because mitigation measures will be incorporated to the project. Therefore a Mitigated Negative Declaration has been prepared. Possible impacts identified in the Initial Study include Cultural Resources (archaeological resources). The Hearing Officer will take comment on the proposed Mitigated Negative Declaration and will consider adoption of the Mitigated Negative Declaration.

For further information regarding this case please contact **Leon White** at **(626) 744-7346**.

Sincerely,



Nancy Burke
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-Ellen Clark, Case File, Decision Letter File, Planning Commission (9)

ATTACHMENT A
FINDING FOR HILLSIDE DEVELOPMENT PERMIT #5518

Approval of Hillside Development Permit – To construct a new two-story, 1,384 square foot single-family residence with a 400 square foot attached garage 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 in that the new two-story single-family residence is a permitted use in the RS-6-HDSR (Single-Family Residential, Hillside Overlay District, San Rafael Hills) Zoning District. The project will be in compliance with all applicable development standards and is allowed with a Hillside Development Permit.*
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-6-HDSR (Single-Family Residential), and will continue to be used for single-family residential purposes. The uses in the neighborhood are single family residential and as conditioned, the project will meet all applicable development standards including setbacks, encroachment plane, view protection, height limits, off-street parking, lot coverage, and floor area. The project is consistent with the Neighborhood Compatibility calculation.*
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 has a General Plan designation of low density residential and the construction of the new single-family residence is consistent with this designation. The project is in compliance with the maximum floor area development standard and is consistent with the Neighborhood Compatibility calculation. Specifically, the project is consistent with Objective 7.0 of the General Plan 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. As conditioned, the project 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 project will be constructed in such a manner as to minimize impacts to surrounding property owners. The construction of the new single-family residence located in a zoning district that permits residential uses will not be detrimental to the public health, safety, or welfare of persons or properties within the single-family neighborhood. The single-family residence meets all development standards and has been designed as to not impact views from adjacent properties.*
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 home will be constructed utilizing current building and grading requirements. Furthermore, the City's Plan Check process will ensure that the proposed project will meet all of the applicable building and safety requirements and all conditions of approval. In addition, a construction traffic, staging, and management plan will be included along with the plans submitted for a building permit to ensure that the project will not be detrimental or injurious to neighboring homes in the surrounding area.*

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. As conditioned, the project meets the development standards of the Zoning Code. The new residence will be located near the top of the sloped site. The profile of residence steps down the slope of the site and therefore will have a minimal impact on the views from other residences in the vicinity. The two California Live Oak trees that will be removed are not in the "Specimen and Native tree protection area." However the project will be required to replace the removed trees with two 24-inch box "quercus agrifolia" (California Live Oak) replacement trees in accordance with the requirements of the Zoning Code.*

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 because existing views of surrounding properties will not be impacted. The subject site is located in a neighborhood that has a variety of architectural styles. The proposed project will be consistent with the architectural character of the surrounding neighborhood, and has been designed to minimize grading and follow the topography of the site. The new residence will comply with the height and setback standards for the area and will not substantially impact views from other residences in the vicinity.*

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 new residence will be located near the top of the sloped site. The residence has been designed to use conventional footings thus eliminating the need for large equipment to dig caissons. Grading for the project is limited to less than 25 yards of cut and fill. In addition, there will be no imported or exported soil to or from the site. The remainder of the site (bottom of the slope) of the site will remain landscaped with numerous small (less than 2 feet elevation difference) terraces of wood, broken concrete, manufacturer stone, and rock. Grading of the project site shall comply with the City's Grading and Building Codes. The project will meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division. The majority of existing landscaping will be retained as will mature trees on site. The two trees that will be removed as part of the project are not protected because they are not in the "Specimen & Native Tree Protection Area" This area does not include any natural hillside topography, native vegetation or natural features. The project is subject to a final landscape plan and tree protection plan that will reviewed in the plan check process prior to issuance of a building permit.*

ATTACHMENT B
CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #5518

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 submitted and stamped "Received at Hearing, February 16, 2011", except as modified herein.
2. The approval is for a new two-story 1,383 square foot single-family residence with a 400 square foot attached garage for a total of 1,783 total square feet.
3. The applicant shall comply with all requirements of Chapter 17.20 and 17.48 that relate to residential development in the Hillside Overlay district.
4. The applicant or successor in interest shall meet the applicable code requirements of all other 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 **PLN2010-00336**, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Leon White at 626-744-7346 to schedule an inspection appointment time.
7. Applicant agrees to defend, indemnify, and hold harmless the City and its officers, contractors, consultants, employees, and commission members (collectively, "City") from any and all liability, loss, suits, claims, damages, costs, judgments and expenses (including attorney's fees and costs of litigation), including any appeals thereto (collectively, "proceeding") brought against the City with regard to any approvals issued in connection with the application(s) by the City, including any action taken pursuant to the California Environmental Quality Act. If Applicant is required to defend the City in connection with such proceeding, the City shall have and retain the right to approve counsel to so defend the City; and all significant decisions concerning the manner in which the defense is conducted; and any and all settlements, which approval shall not be unreasonably withheld. The City shall also have and retain the right to not participate in the defense, except that the City agrees to reasonably cooperate with Applicant in the defense of the proceeding. If the City's Attorney's Office participates in the defense, all City Attorney fees and costs shall be paid by Applicant. Further, Applicant agrees to defend, indemnify and hold harmless the City from and for all costs and fees incurred in additional investigation or study of, or for supplementing, revising, or amending, any document if made necessary by said proceeding.

Planning Division

8. The applicant or successor in interest shall meet all of the mitigation measures of the Mitigated Negative Declaration.

9. Final building elevations, including material of construction, shall be submitted to and approved by the Zoning Administrator prior to issuance of any building permits.
10. 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 a minimum of 5 feet from all property lines.
11. The project shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements of the Building Division.
12. All landscape and walkway lighting shall be directed downward to minimize glare from the property.
13. The Final Landscape Plan and Tree Protection Plan shall be submitted with the building plans for plan check prior to the issuance of a building permit.
14. The Final Landscape Plan and Tree Protection Plan shall clearly illustrate the exact location of the two replacement (minimum 24-inch box) *Quercus Agrifolia* (California Live Oak) trees. The location of the replacement trees shall be reviewed and approved by the Zoning Administrator prior to issuance of the building permit for the project.
15. The Tree Protection Plan shall denote the location of all existing trees that will be within or near the path in which construction traffic and/or materials will be transported. The plan shall demonstrate how the existing trees on site will remain protected during construction. This plan shall be reviewed and approved by the Zoning Administrator prior to issuance of the building permit for the project.
16. A construction traffic, staging, and management plan shall be submitted to and approved by the Public Works Department and Transportation Department prior to issuance of any permits. The construction traffic, staging, and management 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 traffic, staging, and management plan shall be furnished to the Current Planning Section for inclusion into the case file for this project. The plan shall be available for public review.
17. For projects subject to a Building Permit, all construction vehicles or trucks including trailers with lengths over 30 feet or widths over 8 and a half feet 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 the 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.

Holidays are defined as the following: New Years Day (Day of the Rose Parade), Martin Luther King's Birthday (Third Monday in January), President's Day (Third Monday in February), Memorial Day (Last Monday in May), Independence Day (July 4), Labor Day

(First Monday in September), Veterans Day (November 11), Thanksgiving Day (Fourth Thursday in November), Christmas Day (December 25).

Building Division

18. This hillside district development project requires the clearance from the following departments before the building permit issuance:
 - a. Department of Fish and Game, Stream Mitigation Agreement Program, Contact Laura K. Crum (562) 493-6897.
 - b. California Regional Water Quality Control Board, Contact Valarie Carrillo (213)576-6759.
19. Grading and drainage plans are required (separate fees and separate project case number required). Grading plans' approval is required before reviewing the architectural re-submittal. Engineering survey and topographic plans required.
20. (SUSWP) Storm Water Plans required
21. Geotechnical investigation report including engineering geology report required.
22. Structural calculations, energy calculations and hydrology calculations required.
23. The design and construction of this project shall be in full compliance with the hillside grading requirements I Chapter 14.05 of the PMC and Chapters 14.05.170-14.05,180-14.05.250 for the following requirements:
 - a. Cut and fill requirements
 - b. Cut and fill slope requirements
 - c. Cut and fill slope for roads and driveways
 - d. Height requirements for retaining walls
24. If plans are submitted on the year of 2011, the design and construction of this project shall be in full compliance with CBC(2010), CEC(2010), CMC(2010), CPC(2010), California Green Building standard code (2010), California Energy Code, California Building Standards Code (2010) and all the applicable federal, state and county laws.

Department of Transportation

25. The City Council adopted the Traffic Reduction and Transportation Improvement Fee (Ordinance No. 7076) for all net new residential, retail, and office developments. The current fee for a residential project is \$2,556.88 per net new unit. More information can be found at:
<http://www.cityofpasadena.net/trans/pdf/COPTranspFeeFAQs.pdf>.
26. 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. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, parking space relocation agreements, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. Permitted hours for construction may be limited due to construction activities bordering the project site.

Fire Department

27. This project is located at high hazard zone and shall comply with requirements of CBC Chapter 7A and Urban Wild Land Interface Code. A fire sprinkler system shall be installed.

Public Works Department

28. The proposed drive approach shall be constructed in accordance with Standard Drawing No. S-403. The existing gutter shall be cut as near the flow line and the paving shall not be disturbed. The crest of the driveway shall be 5' from the edge of pavement and 8" higher than the pavement elevation.
29. If the proposed improvement drains to the driveway, the applicant shall construct a non-sump grate drain in the driveway at the back of the sidewalk. The drain shall discharge to the street in a curb outlet at an angle approved by the Department of Public Works.
30. The proposed development shall connect to the public sewer with new sewer laterals consisting of a six-inch diameter vitrified clay or cast iron pipe laid at a minimum slope of two percent. The sewer shall meet City Standards as determined by the Department of Public Works.
31. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
32. If drainage patterns are altered, the applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Development Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
33. If the existing street lighting system along the project frontages 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.
34. 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. The deposit may be used for any charges resulting from damage to street trees. A processing fee will be charged against the deposit.
35. 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://www.cityofpasadena.net/publicworks/Engineering/default.asp>. A deposit, based on the General Fee Schedule, is required for plan review and on-going construction monitoring. 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 WATCH Manual, 2009 Edition. If the public right-of-way occupation requires a diagram that is not a part of the WATCH Manual, 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.

36. 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.
37. The requirements of the following ordinances may apply to the proposed project:

New Residential Impact Fee Ordinance - Chapter 4.17 of the PMC

The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet can be obtained at the Permit Center's webpage at: <http://www.cityofpasadena.net/permitcenter/FEES/fees.asp>. The applicant shall make a payment based on the Residential Impact Fee Structure that was amended as of December 3, 2005. Payment of the fee to the City shall be made at the Permit Center at 175 North Garfield Avenue.

Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)

In accordance with Section 12.04.031, 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 sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.035, entitled "Inspection required for Permit Clearance" of the PMC.

City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC

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 approval of the Urban Forestry Advisory Committee.

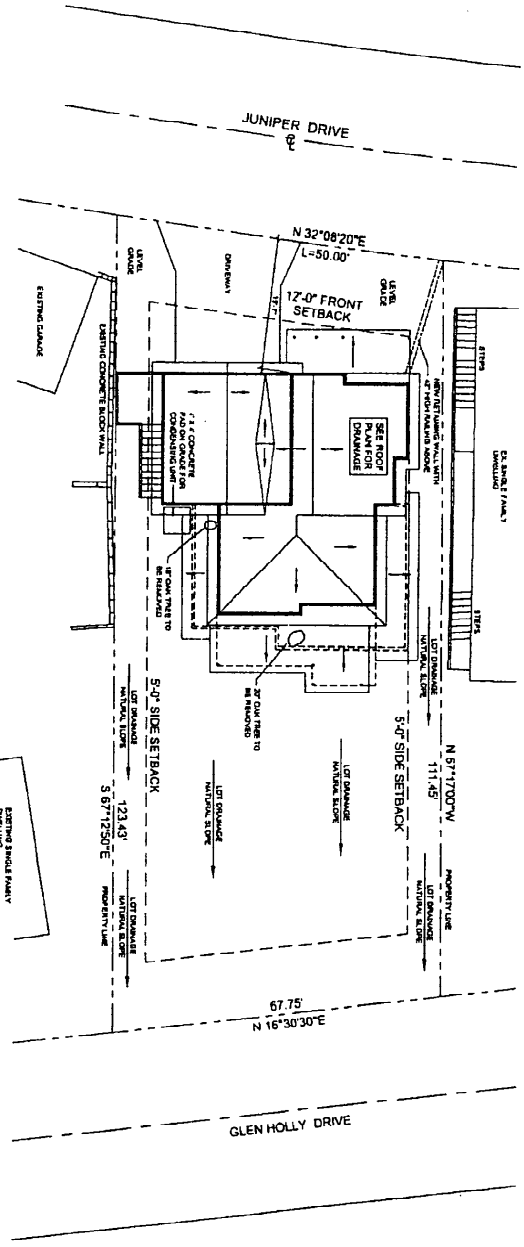
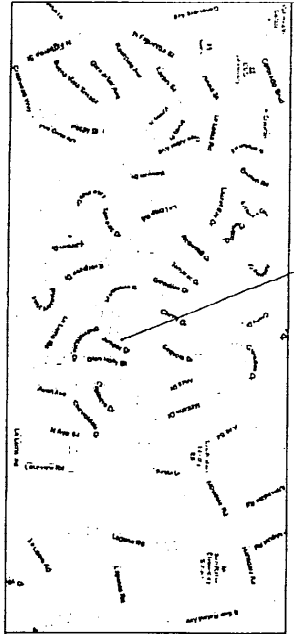
Stormwater Management and Discharge Control Ordinance – Chapter 8.70 of the PMC

This project is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance which implements the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance. Information on the SUSMP requirements can be obtained from the Permit Center's webpage at <http://www.cityofpasadena.net/permitcenter/plansubreq/susmp.asp>.

Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

38. The applicant shall submit the form which can be obtained from the Permit Center's webpage at <http://www.cityofpasadena.net/permitcenter/plansubreq/cndord.asp> to the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit. Monthly reports must be submitted throughout the duration of the project. A 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 PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

ATTACHMENT C SITE PLAN



SITE INFORMATION	
PROJECT ADDRESS	450 JUNIPER DRIVE, PASADENA, CA 91105
LOCAL JURISDICTION	LOS ANGELES COUNTY
APPLICANT	BRIAN KLAAS, INC.
DATE	08/18/10
SCALE	1/8" = 1'
LOT AREA	4,488 SQ. FT.
LOT DIMENSIONS	123.43' X 36.17'
LOT COVERED BY EXISTING BUILDING	1,234 SQ. FT. (27.7%)
PROPOSED BUILDING AREA	2,456 SQ. FT. (54.8%)

THE JUNIPER PROJECT
450 JUNIPER DRIVE,
PASADENA, CALIFORNIA 91105

SITE PLAN

C-2.0

DATE: 08/18/10
SCALE: 1/8" = 1'

BRIAN KLAAS, INC.
11811 Redford St.,
Pasadena, CA 91105
Tel: 626-797-1271
Fax: 626-797-1271
www.brianklaas.com

NO.	REVISION/DATE	BY

Drawn: [Blank]

Checked: [Blank]