

City Council Agenda Topic 3/7/16

RE: Approved HDP #6315

577 Square Feet 2nd Story Addition

518 Glen Holly Drive, Pasadena CA



Dear Honorable Members of the City Council and Staff:

Hillside Development Permit #6315 should not be called up to the City Council based on the information below.

Following approval by City Planning Staff, Hearing Officer Paul Novak, and the Board of Zoning Appeals, we have been notified that our Hillside Development Permit (HDP) #6315 has been called up for review at the City Council meeting on Monday March 7th. No new evidence has been presented in this case; therefore my wife and I are request your support to deny any further hearing of this HDP.

HDP #6315 should not be called up because:

1) The extensive and exhaustive review process consisting of the City Planning Department, Hearing Officer, and the Board of Zoning Appeals worked.

- This process was put in place to review each application in detail, make sure due process occurs, and is designed to protect the City Council from hearing each and every case.
- Due diligence has occurred through the approval process. Staff review took 6 months, the public hearing with Mr. Novak took 1.5 hours, and the Board of Zoning appeal hearing a further 1.5 hrs. Following this extensive process, all three bodies approved HDP #6315. See Exhibits 1, 2, 3 & 4.

2) We have requested no variances for this project.

- The City Planning Department, Hearing Officer Novak, and Board of Zoning Appeals found HDP #6315 fully in compliance with the code, including the Hillside Overlay. See Exhibits 1,2,3, & 4.

3) This is a modest 1 bedroom and 1 bathroom addition totaling 557 square feet.

- 518 Glen Holly is currently a small 2 bedroom 1¼ bathroom home that will become a modest 3 bedroom and 2 bathroom home following this addition. The total square footage with the addition will be 2,124 square feet. This is compatible with the homes in the neighborhood.
- 24 homes in the neighborhood will be bigger than 518 Glen Holly Drive when completed.

4) This case is not unprecedented.

- There are many two-story homes in our neighborhood. See examples in Exhibit 5.
- On February 3, 2016, a 2nd Story addition was approved at 528 Avon Avenue (HDP 6315) on the street behind Glen Holly. There was no neighborhood opposition to this permit. See Exhibit 5.

5) We have listened to all concerns, worked with the City Planning Staff extensively, and have completely changed our design to protect our neighbor's privacy and view to the maximum extent feasible as required by the code.

- We changed the entire design, losing an office upstairs and square footage as a result.
- To protect our neighbor's view, we reduced the north wall facing our neighbor by 7ft. or 20%. See Exhibit 6 pg. 16/17.
- To protect our neighbors' privacy, we removed a balcony overlooking our back yard and changed all the windows on the north side facing our neighbors. The windows were reduced or eliminated so we cannot look onto 1460 Cheviotdale at eye level. See Exhibit 7.
- Our design avoids blocking views and is not directly in the view of any primary living areas. City of Pasadena Zoning Code View Protection states; "A proposed structure shall be designed and located so that it avoids blocking views from surrounding properties to the maximum extent feasible" & "structures shall not be placed directly in the view of primary living areas." See Exhibit 8.

6) Our final design is the best design to protect the original Spanish design of 518 Glen Holly and the neighbor's privacy and view

- We went to great lengths to ensure our final design maintains the character and key features of our existing 1931 Spanish home, including the vaulted ceiling living room, the pitched roof line, avoided massing in any one area, minimized the impact on neighbors, protected views from primary living areas to the maximum extent feasible, and is in keeping with homes in the neighborhood.
- We presented City Staff, Mr. Novak, and the BZA with a PowerPoint presentation explaining the design process & view protection. See Exhibit 6.

7) The majority of our neighbors support the addition.

- We have been neighborly from the start. We held an open house on May 29, 2015, and invited all our neighbors to view our plans and discuss any concerns with our architectural designer.
- Eight neighbors spoke at the BZA hearing on our behalf and 11 neighbors wrote letters of support. See Exhibit 9.

8) False and misleading information has repeatedly been provided by the Chilingirian's to gain support of their opposition.

- Photographs used by our neighbors at the Public Hearing, the BZA presentation, flyers handed out in our neighborhood and their lawyer's letter to the BZA, contained false & misleading information. Specifically, the Chilingirian's presented old photos of the original design to mislead others into opposing it. See Exhibit 10.
- The Chilingirian's used false & misleading photos of our original second story design to gain the support of the San Rafael Neighborhood Association (SRNA). The SRNA blindly voted against our addition without giving us any notice, invitation, or opportunity to provide information about our project and the changes we had made prior to SRNA voting against it.
- Before the BZA hearing, the Chilingirians never argued that their third bedroom was a "family room." This argument has only recently been made in order to "claim" view protection from this room, since family rooms, not bedrooms, are protected. This is false and misleading information being used in an attempt to gain view protection to which they are not entitled.

9) The Chilingirian's pergola, deck, and fence are all illegal unpermitted structures that are not entitled to view protection.

- The Chilingirian's signed a sworn affidavit in 2012 giving them notice of the illegal pergola, deck, and fence on their side yard that they agreed to tear down upon buying their home. It is now four years later and these illegal structures remain. However, the Chilingirian's continue to seek view protection and enforcement of the code, despite their own non-compliance. Simply put, the Chilingirian's are asking for something to which Staff, the Hearing Officer and BZA agree they are not entitled too. See Exhibit 11.

10) Denying our application would set a negative precedent.

- Doing so would suggest the 3-tiered process in place (City Planning approval, Hearing Officer, & Board of Zoning Appeals) does not work.
- Denying our HDP would set a precedent and provide a right to appeal for any addition that is denied where the appellant is not happy with the result. In addition, this would open the floodgates to having the City Council decide numerous future Hillside development permits.
- Residents spend a considerable amount of time and money to get to this stage, and the City may open themselves up to lawsuits if approved applications are denied. We have spent \$68,000 to date on this project.

11) Letter from our attorney Richard McDonald to the Board of Zoning Appeals with Exhibits attached.

- See Exhibit 11.

This case should not be called up to the City Council for review. The process worked, it was extensive, collaborative, and exhaustive. Due process has already occurred but will be thwarted if further action is taken by the City Council.

Kind regards,

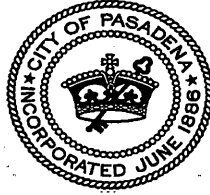
Paul Watson and Stacie Mayoras.

518 Glen Holly Drive
Pasadena
CA, 91105
Paul Cell: 626-200-6975
Stacie Cell: 310-666-8612

Table of Contents

- 1) Staff Report to Hearing Officer December 2, 2015.
Recommending approval with conditions.
- 2) Letter from Mr. Paul Novak Hearing Officer December 7, 2015.
Confirms approval with conditions.
- Note the ZHO addendum dated January 20, 2106 in response to the BZA Appeal.
- 3) Staff Report to Board of Zoning Appeals February 17, 2016.
Recommending uphold the Hearing Officers decision.
- 4) Letter from Mr. Kelvin Parker February 23rd, 2016. Confirms BZA approval.
- 5) Photographs of two-story homes less than a block from our home.
- Notice of a Public Hearing for 528 Avon Avenue.
- 6) Architectural Design Process Summary and View Protection Analysis.
- 7) Original and New Architectural Design Plans.
- 8) View Protection Code and letter to City on View Protection.
- 9) Letter to the BZA regarding Neighborhood support. Letters from neighbors and a map showing their location to our home.
- 10) Flyer from Greg Chilingirian handed out February 14, 2015.
- Neighbors Request for Appeal to the BZA December 14, 2015.
- Photographs presented to the BZA at the hearing.
- 11) Code Violation complaint filed on March 1, 2016.
- Letter to BZA February 12, 2016 regarding the code Violation.
- 12) Copy of arguments and supporting documents provided to the BZA February 16, 2015.





PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: December 2, 2015

TO: Hearing Officer

SUBJECT: Hillside Development Permit #6315

LOCATION: 518 Glen Holly Drive

APPLICANT: Stacie Mayoras and Paul Watson

ZONING DESIGNATION: RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Beilin Yu

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #6315 with the conditions in Attachment B.

PROJECT PROPOSAL: Hillside Development Permit: To allow the construction of a 577 square-foot two-story addition to an existing 1,547 square-foot, single-story, single-family residence with a 329 square-foot detached garage in the RS-6-HD-SR zoning district.

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, §15301, Class 1, Existing Facilities). Section 15301 exempts the construction of additions to existing single-family residences from environmental review. The use of the site would remain as a single-family residence.

BACKGROUND:

Site characteristics: The site is a 7,230 square-foot rectangular shaped lot, currently developed with a one-story 1,547 square-foot single-story residence, a detached 329 square-foot two-car garage, and a swimming pool. The site slopes upwards from Glen Holly Drive to a previously graded flat area where the existing residence, the garage, the rear yard and swimming pool are all located. A driveway located along the south portion of the lot provides access from the street to the detached garage located toward the rear of the property. The driveway slopes upwards from Glen Holly Drive to the rear of the property, and the flat portion of the property gently slopes up from south to north, yielding an average slope of 17.2% for the entire site.

Adjacent Uses: North – Single-Family Residential
South – Single-Family Residential
East – Single Family Residential
West – Single-Family Residential

Adjacent Zoning: North – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
South – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
East – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
West – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)

Previous zoning cases on this property: HDP #5021 – Hillside Development Permit to allow the construction of a new garage and storage. Withdrawn on July 21, 2008.

PROJECT DESCRIPTION:

The applicants, Stacie Mayoras and Paul Watson, have submitted a Hillside Development Permit application to allow the construction of a 577 square-foot second-story addition to an existing 1,547 square-foot single-story single-family residence. The addition is proposed above the middle portion of the existing residence, and would accommodate a new master bedroom and master bathroom. A second-story balcony is also proposed to the front of the addition facing the street. The addition would measure 26'-1" in height, when measured from the lowest adjacent existing grade to the proposed highest ridgeline of the addition.

No protected trees would be removed or impacted with the proposed addition. The addition will be located entirely above the footprint of the existing residence. A 50" DBH (diameter at breast height) *Quercus agrifolia* exists in the front yard of the subject site however the second-story addition is proposed above the middle portion of the existing residence and would not impact this existing tree.

ANALYSIS:

Gross Floor Area:

In the RS-6-HD-SR zoning district, the maximum allowable gross floor area, which includes all covered parking spaces, accessory structures and enclosed space, is 27.5 percent of the lot area plus 500 square feet. For a lot of 10,000 square feet or more in the Hillside Overlay District, any portions of the lot that exceed a 50 percent slope or any access easement on the lot must be deducted from the lot area for calculating the maximum allowable gross floor area. If the average slope of the lot area exceeds 15 percent, the maximum allowable gross floor area shall be further reduced in compliance with the slope reduction formula as described in Section 17.29.060.A.4 of the City's Zoning Code.

According to the information provided as part of the application package, the subject site is 7,230 square feet with an average slope of approximately 17.2 percent. Based on the floor area calculation as discussed above, the maximum allowable gross floor area for the site is 2,461 square feet. The total gross floor area, including the existing attached garage, would be 2,453 square feet within the allowable floor area for the site. As proposed, the project is in compliance with the maximum permitted gross floor area requirement.

Lot Coverage:

In addition to the maximum allowable gross floor area requirements discussed above, the site is also subject to a maximum lot coverage requirement. The maximum allowable lot coverage sets limits on the footprint of all covered structures (enclosed or unenclosed) of up to 35 percent of the lot area. The maximum allowable lot coverage for this 7,230 square-foot lot is 2,531 square feet. The proposed lot coverage for this site, including the 235 square-foot front covered porch, would be 2,111 square feet or approximately 29 percent of the lot area. As proposed, the project is in compliance with the lot coverage requirements of the Zoning Code.

Setbacks:

Within the San Rafael Area of the Hillside Overlay District, the front setbacks are governed by Table 2-9 of the City's Zoning Code. Pursuant to Table 2-9, the minimum front yard setback for the subject site is 25 feet. The existing residence is setback approximately 25'-8" from the front property line. The addition is proposed over the middle portion of the existing residence, approximately 25'-10" behind the front façade of the existing residence, therefore, in compliance with the minimum 25 feet front yard setback.

The minimum required interior side yard setback is 10 percent of the lot width, with a minimum of 5 feet, and a maximum of 10 feet. The lot width is approximately 55'-6" therefore the minimum side yard setback is 5'-6". The addition would be located along the northern portion of the property and set back 6'-4" from the north side property line and 17'-9" from the south side property line.

The minimum rear yard setback required is 25 feet. The existing residence is set back 37'-8" from the rear property line, the addition would be set back an additional 14'-6" from the rear property line for a total rear setback of 52'-2", therefore in compliance with the minimum rear yard setback. As demonstrated above, the addition would be in compliance with the setback requirements for the property.

Encroachment Plane:

Per Section 17.40.160.D.1 (Encroachment plane requirements) of the City's Zoning Code, structures are required to be located outside of the encroachment plane. The Code requires structures not to be located within a side setback encroachment plane sloping upward and inward to the site at a 30-degree angle measured from the vertical, commencing six feet above the existing grade along the interior side property line. As demonstrated in the elevation plan, the second-story addition is both located outside of the encroachment plane, in compliance with this requirement.

Height:

The maximum allowable height for properties in the Hillside Overlay District is 28 feet at any point with a maximum overall height of 35 feet, measured from the lowest point to the highest point of the structure. The property slopes upwards from Glen Holly Drive to the rear of the property. However, as described earlier, the property has been previously graded and the existing single-family residence is constructed on a building pad. The maximum overall height of the project is 26'-1" when measured from the lowest existing grade at an exterior wall of the structure to the highest proposed ridge. The highest at-any-point height of the new building is also 26'-1", therefore, as proposed, the project is in compliance with both height requirements.

Parking:

The Zoning Code requires two covered parking spaces for a single-family residence. The property is currently developed with a detached two car-garage, which would remain as part of the project. Because the property is located within the San Rafael Area of the Hillside Overlay District, the required uncovered off-street guest parking spaces as required per Section 17.29.050.G do not apply. As proposed, the project meets the parking requirements of the Zoning Code.

Neighborhood Compatibility:

The Hillside Overlay District requires that all projects subject to a Hillside Development Permit comply with the Neighborhood Compatibility guidelines. These guidelines are intended to ensure that the proposed development project is designed to be in-scale and compatible with existing single-family residential development within the vicinity. Generally, the "neighborhood" is defined as the area within a 500-foot radius of the project site. In addition to the floor area ratio requirements of the Zoning Code, the total livable area of the project shall not exceed the Neighborhood Compatibility threshold, which is established by calculating 35 percent above the median floor area of the existing houses within a 500-foot radius of the site. This square footage excludes garages and accessory structures.

There are 133 parcels within a 500-foot radius of the site, 129 of which are developed with single-family residences. According to records from the Los Angeles County Assessor, the median floor area of these residences is 1,622 square feet (excluding garages and other accessory structures). Thirty-five percent above this median is 2,190 square feet. The proposed livable area of the project is 2,124 square feet, and within the Neighborhood Compatibility threshold. The neighborhood compatibility analysis is incorporated in this report as Attachment C. The project complies with the Neighborhood Compatibility requirement.

Architecture, Setting and Views:

The existing residences in this neighborhood were built with varying architectural styles over different time periods, which resulted in no dominating architectural style for the neighborhood. The existing single-story residence on the site was built in 1931 and was designed in the Spanish style. The addition to the home would be designed to architecturally match the existing home. The existing colors of the residence include white stucco paint and red clay roof tiles. The applicant is proposing to match the colors and materials of the existing residence as such staff finds that the proposed addition is designed to be consistent with the Spanish style of the existing residence.

Glen Holly Drive slopes down from north to south, with the properties to the north developed at a higher elevation than the properties immediately to the south. The finished floor of the property located to the north of the subject site, 1460 Cheviotdale Drive, is approximately 6 feet higher than the subject site. The property at 1460 Cheviotdale Drive is a corner lot with frontages along Cheviotdale Drive and Glen Holly Drive, and the single-family residence located at 1460 Cheviotdale Drive was constructed with a large front and corner side yard setback, and small rear and interior yards. Along the south side yard, a patio area exists, which can be accessed from the inside of the residence. The proposed addition will be located adjacent to the interior south side yard and to this patio area. From the patio area, which is considered a primary living area, a view of the hillside to the south is afforded beyond the existing roof of the residence at the subject site.

Section 17.29.060.E (View protection) of the City's Zoning Code states that a proposed structure shall be designed and located so that it avoids blocking views from surrounding properties to the maximum extent feasible. Specifically, new structures shall not be placed directly in the view of the primary living areas on a neighboring parcel. "Primary" living area refers to living rooms, family rooms, patios, but not a kitchen, bedroom, or bathroom.

The proposed project has been redesigned from its original submittal to mitigate its view impact from the patio area at 1460 Cheviotdale Drive. In order to assist staff with the analysis of the proposed addition, the applicants constructed temporary silhouettes delineating the original design and the redesign of the proposed addition. Based on a site visit, staff found that the original design encroached into the view from the patio area at 1460 Cheviotdale Drive, and that the addition was placed directly in the view of the patio area. In order to address staff's original concern, the applicant redesigned the addition by reducing the length of the addition by 7'-0" and by removing a previously proposed balcony to the rear of the addition. The existing roofline of the northeast portion of the residence would remain unchanged.

Based on a site visit with a silhouette depicting the redesign, staff is of the opinion that the redesign of the proposed second-story addition has been designed to the maximum extent feasible to not obstruct the view of the hillside to the south when viewed from the patio area at 1460 Cheviotdale Drive. The rear of the addition encroaches less than one-foot into the patio area however the view of the hillside from the patio at 1460 Cheviotdale Drive remains mostly unobstructed.

In analyzing the aesthetics of the proposed second-story addition, staff finds that, as proposed, the apparent mass and bulk of the proposed second-story addition is compatible with surrounding area. When viewed from Glen Holly, the addition is proposed in the center of the existing residence's footprint and setback 25'-10" from the front façade of the existing residence.

The addition has been designed to be integrated into the existing residence by incorporating a second-story balcony on the front façade, and by providing articulation on the side elevations.

When viewed from the adjacent property to the north (1460 Cheviotdale Drive), the addition's north façade is 25'-9" in length, while the existing residence's north façade is approximately 66 feet in length. The current design's north façade is approximately 40% of the length of the existing residence's north façade. The original design's north façade was 39'-9" in length, or approximately 60% of the existing residence's north façade's length. Based on the review of aerial photographs, the length of the residence located at 1460 Cheviotdale Drive, when not including the garage, is slightly longer than the subject residence's. The second story addition will be set back 6'-4" from the north property line, and approximately 12'-0" from the residence at 1460 Cheviotdale Drive. The top plate of the existing residence is approximately 8'-0", and the height of the existing residence is 17'-6", when measured from the lowest adjacent existing grade to the top of the existing roof ridge. The height of the proposed second story addition's top plate is also approximately 8'-0", and the top of the addition's ridge would be approximately 8.37' higher than the residence's existing ridge.

When viewed from the adjacent property to the south (524 Glen Holly Drive), the second story addition's south façade would be 16'-8" wide with a 5'-6" wide deck located to the front of the addition. The addition would be set back 17'-9" from the south property line and approximately 24'-0" from the residence at 524 Glen Holly Drive, since the driveway for both properties are located between the two residences.

When viewed from the adjacent property to the rear (493 Avon Avenue), the addition has been designed to be integrated into the existing residence by providing step backs from the existing side walls are proposed and the addition is setback from the existing first story rear façade.

In regards to the addition's privacy impact on the surrounding properties, windows are proposed on all four elevations of the proposed second story addition. The original design incorporated two large windows on the north façade, and a balcony to the rear of the addition. In order to mitigate privacy concerns, the rear balcony has been eliminated and a front balcony facing the street has been incorporated. The windows on the north façade have also been modified to be above eye level only.

The current design incorporates four small windows located above eye level on the north elevation, therefore the addition would not result in a privacy impact to the property located to the north. On the south elevation, two windows are proposed, which face the side yard of 524 Glen Holly Drive, where a driveway is located. These two windows are located approximately 24'-0" from the residence located at 524 Glen Holly Drive, and therefore provide sufficient separation to the windows located along the north façade of 524 Glen Holly Drive. Three windows and one Juliet balcony are proposed on the eastern façade of the second-story addition facing the property to the rear. Two windows are above eye level, while one regular window is proposed. The second-story addition and the fenestration along the rear façade are located more than 50-feet from the rear property line, therefore not result in a significant privacy impact to the property to the rear.

Based on the characteristics of the proposed addition, it is staff's opinion that the addition has been designed to minimize its aesthetics, views, and privacy impacts on the adjacent properties. The proposed second-story addition has been designed to be integrated and compatible with the architecture of the existing residence, and therefore staff finds that the second-story addition

would also be compatible with the scale and setting of the existing development on the immediate surrounding neighborhood.

Preliminary Geotechnical Report:

A Geotechnical Engineering Report for the proposed addition was prepared by Vineyard Engineering Inc on May 29, 2015. The site was explored on May 18, 2015 when two test pits to the depths of three to ten feet were excavated. These samples were delivered to a laboratory for testing and analysis.

Based upon visual classification and continuous logging of substrata encountered in the test pits, laboratory testing of selected soil samples, assessment of geotechnical factors affecting the design of the proposed development, assessment of geologic and engineering seismology of the project area including liquefaction potential, it is found that the existing bedrock is suitable for support of the existing residence and the proposed second floor.

Tree Protection Ordinance:

Based on the submitted Tree Inventory, three trees exist on the subject property, two of which are protected under the City's Tree Protection Ordinance: a 50" DBH (diameter at breast height) *Quercus agrifolia* located in the front yard, and a 32" DBH *Pinus canariensis* located in the northeast corner of the rear yard. Neither protected tree will be impacted by the proposed second-story addition due to the large separation between the trees and the addition.

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence; therefore, the character of the single-family neighborhood would be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires additions to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed addition complies with all the development standards set forth in the City's Zoning Code, the habitable area of the proposed residence is compatible with the habitable area of the residences in the immediate neighborhood, and the project has been designed to match the architectural style of the existing residence. Additionally, the addition's scale and massing is in keeping with the scale and setting of the surrounding residences. Therefore staff finds that the project would be consistent with General Plan objectives and policies.

ENVIRONMENTAL REVIEW:

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, §15301, Class 1, Existing Facilities). Section 15301 exempts the construction of additions to existing single-family residences from environmental review. The use of the site would remain as a single-family residence.

REVIEW BY OTHER CITY DEPARTMENTS:

The project has been reviewed by the Fire Department, Department of Transportation, Department of Public Works, and Design and Historic Preservation Section. The Department of Transportation and Design and Historic Preservation Section had no comments at this time and

would review the plans through the building permit plan check process. The Department of Public Works and Fire Department provided comments and recommended conditions of approval, which have been incorporated to this report under Attachment B "Recommended Conditions of Approval."

CONCLUSION:

Staff concludes that the findings necessary for approving the Hillside Development Permit can be made (Attachment A). The proposed project meets all applicable development standards required by the Zoning Code, including the Neighborhood Compatibility guidelines of the Hillside Ordinance. No variances are required for the project. Conditions of approval would ensure that the project is compatible with the surrounding neighborhood. Therefore, staff recommends approval of the Hillside Development Permit, subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Hillside Development Permit Findings
Attachment B: Recommended Conditions of Approval
Attachment C: Neighborhood Compatibility Analysis

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PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

December 7, 2015

Stacie Mayoras and Paul Watson
518 Glen Holly Drive
Pasadena, CA 91105

RE: Hillside Development Permit #6315
518 Glen Holly Drive
Council District #6

PLN2015-00162

Dear Ms. Mayoras and Mr. Watson:

Your application for a Hillside Development Permit at 518 Glen Holly Drive was considered by the Hearing Officer on December 2, 2015.

Hillside Development Permit: To allow the construction of a 577 square-foot two-story addition to an existing 1,547 square-foot, single-story, single-family residence with a 329 square-foot detached garage in the RS-6-HD-SR zoning district. A Hillside Development Permit is required for a second-story addition exceeding 500 square feet in the Hillside Development Overlay District.

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 the conditions in Attachment B and in accordance with submitted plans stamped December 2, 2015.

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

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

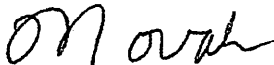
You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Hearing Officer has the right to appeal this decision within **ten days (December 14, 2015)**. The effective date of this case will be **December 15, 2015**. Prior 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 \$272.95. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$136.48.

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

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities). Section 15301 exempts the construction of additions to existing single-family residences from environmental review. The use of the site would remain as a single-family residence.

For further information regarding this case please contact **Beilin Yu** at **(626) 744-6726**.

Sincerely,



Paul Novak
Hearing Officer

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

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

ATTACHMENT A
SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #6315

Hillside Development Permit – Construction of a second-story addition in the Hillside Overlay District:

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code. A single-family residential use is allowed in the RS-6-HD-SR (Residential Single-Family, Hillside Overlay District, San Rafael Area) Zoning District. In addition, the proposed addition will be in compliance with all applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building height, and off-street parking requirements of the RS-6-HD-SR Zoning District.*
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-HD-SR, which is designated primarily for single-family residential purposes. The properties in the neighborhood are currently developed with single-family residences, and the project, as conditioned, will be consistent with existing development in the vicinity. As analyzed, the project will meet all applicable development standards of the Zoning Code and no variances are required in conjunction with the proposal.*
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan. The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires additions to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed addition complies with all the development standards set forth in the City's Zoning Code, the habitable area of the proposed residence is compatible with the habitable area of the residences in the immediate neighborhood, and the project has been designed to match the architectural style of the existing residence. Additionally, the addition's scale and massing is in keeping with the scale and setting of the surrounding residences. Therefore staff finds that the project would be consistent with 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 second-story addition has been designed to avoid blocking the views to the maximum extend feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The fenestration on the proposed addition has been designed to avoid impacting the privacy of the adjacent residences. Additionally, the proposed project meets all adopted Code requirements and will be subject to all current Code provisions. As proposed, the height of the new building will be below the maximum allowable height, and the floor area will be within the maximum floor area permitted for the site. The project meets all Code requirements and no variances are required. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood. The addition will also be compatible with the character and scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.*

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposed addition will be constructed in compliance with the current Building and Zoning Code. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by the Department of Public Works. A Soils Engineering Report has been submitted which reported that the site is considered feasible for construction of the proposed additions.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The project complies with all the development standards of the Zoning Code. The project is not located on the top of any prominent ridgelines, and has been designed to avoid blocking the views to the maximum extend feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The proposed project complies with the maximum allowable floor area requirements and is within the Neighborhood Compatibility guidelines; and will be compatible with the architectural character of the existing residence, as the addition will maintain the same Spanish architectural style as the existing residence. The addition will also be compatible with the character and scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.
7. *The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection.* The Neighborhood Compatibility guidelines are established to ensure that a project is compatible with the character and scale of existing development in the vicinity. The size of the proposed project (not including the proposed garage) is 2,124 square feet, and within the Neighborhood Compatibility threshold of 2,190 square feet. Furthermore, the addition has been designed to avoid blocking the views to the maximum extend feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. Thus, the project is in scale with the context and character of existing and future development in the neighborhood.
8. *The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The subject property has an average slope of 17.2 percent as it slopes upwards from Glen Holly Drive to a previously graded portion of the lot, which gradually slopes upwards from south to north, and the driveway slopes from Glen Holly Drive to the rear of the lot. The existing residence is located on the flat portion of the lot, and the proposed addition will be constructed entirely above the footprint of the existing residence, therefore avoid any sloping portion of the site. No grading is proposed as part of the project, and drainage plans for building permits will be based upon the hydrology study and recommended on-site improvements. The project shall meet all applicable Standard Urban Stormwater Mitigation Plan requirements of the Building Division.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #6315

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Received at Hearing, December 2, 2015," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. This approval allows for a 577 square-foot one-story addition to an existing single-story 1,547 square-foot, single-family residence, with a 329 square-foot detached two-car garage. The gross floor area of the residence shall not exceed 2,124 square feet.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **PLN2015-00162** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Beilin Yu, Current Planning Section, at (626) 744-6726 to schedule an inspection appointment time.

Planning Division

7. No more than fifty percent of the existing exterior walls shall be removed in conjunction with this project. In the instance fifty percent or more of the existing exterior walls are removed, the project must be considered a new single-family residence.
8. All rooms of the proposed single-family residence must be accessible from the interior of the dwelling unit, except for the attached garage.
9. The applicant shall comply with all requirements of Chapters 17.22 and 17.29 that relate to residential development in the Hillside Development Overlay District.
10. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.

11. In the event the paving in the front yard area is modified, no more than 30 percent of the front yard area shall be paved.
12. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
13. Any new construction shall meet all applicable SUSMP (Standard Urban Stormwater Mitigation Plan) requirements of the Building Division.
14. All landscape and walkway lighting shall be directed downward to minimize glare from the property.
15. For projects subject to a building permit, all construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.

Fire Department

16. All construction shall comply with California building Code (CBC) Chapter 7A, California Fire Code (CFC), and PMC.
17. Provide a Fire Flow Analysis (contact the Pasadena Water Department 626-744-7064). The available fire flow in the street shall not be less than 1000 GPM at 20 PSI, as required by CFC Appendix III-B, and shall be located within 600 feet of exterior wall of the building in compliance with CFC Section 507.5.1.
18. A complete automatic fire sprinkler system designed in compliance with NFPA 13D is required throughout all structures Per Pasadena Municipal Code Section 14.28 due to new addition is greater than 50% of existing square footage and new addition is greater than 1000 square feet.
19. Fuel Modification Landscape Plans: Provide separate fuel modification landscape plans complying with the Urban Wild land Interface Code for all structures located within the Fire Interface Zone (FIZ). Plans shall indicate all plant and tree species compliant with the FIZ in addition to planting distance, canopy sizes, irrigation systems, and landscape management within defensible spaces in proximity of all structures. Compliance is required prior to certificate of occupancy being issued
20. Smoke alarms shall be installed in each sleeping room, area(s) serving as a sleeping area, areas accessing all sleeping areas, and at the top of stairways. All smoke alarms are to be photoelectric or combination photoelectric/ionization. All smoke alarms throughout the dwelling unit shall be interconnected. All sounders are to produce a coded temporal pattern.

All smoke alarms shall be UL 217 and California State Fire Marshal (CSFM) Listed, manufactured by the same company, and listed by the manufacture as compatible with each other. Smoke alarms shall not be installed within 3-feet of return or supply air registers or 3-feet of bathroom openings. (CFC 907)

21. Provide approved spark arrestor(s) on all chimney(s).
22. Provide eave and projection details on drawings. All eaves and other projections are required to be "boxed" with one-hour fire resistive or noncombustible material, per CBC Section 707A.5
23. Exterior walls: the exterior wall covering or wall assembly shall comply with one of the following requirements:
 - a. Noncombustible material.
 - b. Ignition-resistant material
 - c. Heavy timber exterior wall assembly
 - d. Log wall construction assembly
24. No wood roof covering material shall be installed on any structure located in the fire zone. Per Pasadena Municipal Code. Section 1404
25. All new proposed gutters/downspouts shall be constructed of noncombustible material per UWIC Sec. 504.4.
26. Appendages and projections (ie: decks, balconies & etc.) shall be constructed with one of the following material:
 - a. Noncombustible material
 - b. Ignition-resistant material
 - c. Exterior fire retardant treated wood
27. All new exterior windows, skylights, etc. are required to be multi-layered glazing with a minimum of one tempered pane .CBC Section 708A.2.1
28. All new exterior doors are required to be 1¾" solid core per CBC Section 708A.3
29. Attic and foundation ventilation in vertical exterior walls and vents through roof shall not comply with requirements of CBC Section 706A.
30. The vents shall be covered with noncombustible corrosion resistant mesh not exceeding 1/16 " and shall not exceed 1/8" openings.
31. Attic ventilation openings shall NOT be located in soffits, eave overhangs, between rafters at eaves or in other overhang areas. Gable and dormer vents shall be located at least 10 feet from property lines.

Public Works Department

32. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
33. Past experience has indicated that projects such as this tend to damage the existing public and private street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$1,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the existing public and private street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
34. 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://cityofpasadena.net/PublicWorks/Engineering_Division/ A deposit, based on the General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction staging, material storage, or trailer in the public right-of-way.
35. 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.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

a) Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. 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.

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

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

c) 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 support of the Urban Forestry Advisory Committee.

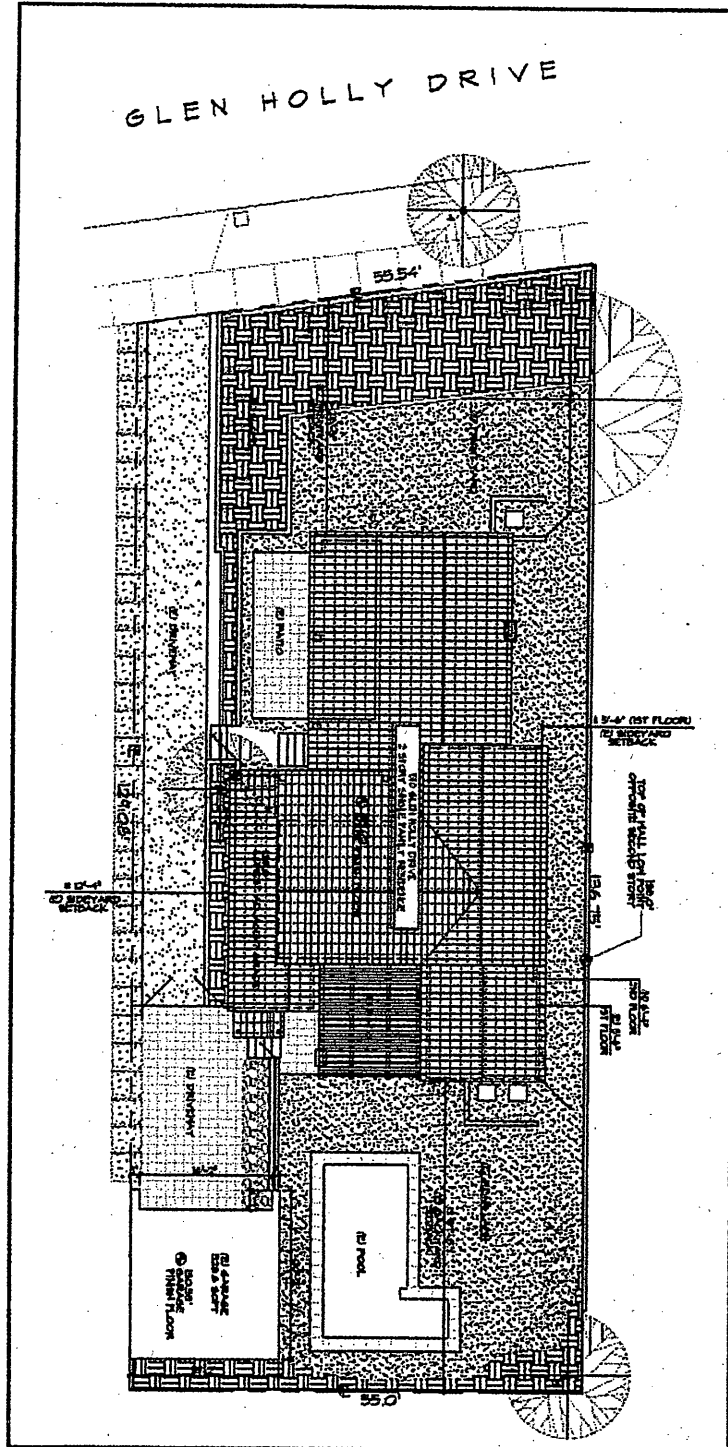
d) Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at http://cityofpasadena.net/PublicWorks/Engineering_Division/ and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
- b. Summary Report with documentation must be submitted prior to final inspection.

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

**SITE PLAN
HILLSIDE DEVELOPMENT PERMIT #6315**



**ATTACHMENT D
APPEAL APPLICATION (DECEMBER 14, 2015)**



REQUEST FOR APPEAL

APPLICATION INFORMATION

Project Address: 518 Glen Holly Dr. Pasadena 91105

Case Type (MCUP, TTM, etc.) and Number: HDP # 6315

Hearing Date: Dec 2nd, 2015

Appeal Deadline: Dec 14, 2015

APPELLANT INFORMATION

APPELLANT: Greg & Nora Chilingirian

Telephone: [626] 421-6879

Address: 1460 Cheviotdale Drive

Fax: []

City: Pasadena State: CA Zip: 91105

Email: gchilin@gmail.com

APPLICANT (IF DIFFERENT): _____

I hereby appeal the decision of the:

- Hearing Officer
- Design Commission
- Historic Preservation
- Zoning Administrator
- Director of Planning and Development
- Film Liaison

REASON FOR APPEAL

The decision maker failed to comply with the provisions of the Zoning Code, General Plan or other applicable plans in the following manner (use additional sheets if necessary):

1- The City zoning Code (Section E of Chapter 17.29.060) requires that views from adjacent properties be protected to the maximum extent feasible.

The applicant's plans do not accomplish this. On the contrary, views from living areas and the patio of our property will be very negatively impacted and also result in the loss of sun light during significantly portion of the year. I have shown in the public hearing that the project as proposed will have a huge impact on market value of our property. See next page.

Signature of Appellant

12-14-15

Date

* OFFICE USE ONLY			
PLN #	<u>2015-00695</u>	CASE #	<u>Appeal HDP # 6315</u>
DESCRIPTION	<u>Appeal of HDP # 6315</u>		PRJ # _____
DATE APPEAL RECEIVED:	<u>12-14-15</u>	APPEAL FEES: \$	<u>272.95</u>
		RECEIVED BY:	<u>FEK</u>

Reason for Appeal (Page 2)

Moving the 2nd story addition closer to the street will significantly reduce these negative impacts. Any additional cost to the applicant will be far less than the negative fiscal impact imposed on my property by reduced property value if the project proceeds as proposed.

2- The living area of applicant's property, per the Los Angeles County Assessor's Office, is 1606 sq. ft. and NOT 1547 sq. ft. This will allow only an addition of 518 sq. ft. and NOT 577 sq. ft.

3- The Hearing Officer made errors in his findings, found in Attachment A during Dec 2 , as follows :


Finding # 4: The Hearing Officer minimized the impact of the 2nd story addition on the health, safety and general welfare of neighbors located at 1460 Cheviotdale Drive. Officer ignored compelling testimony presented by family occupants.

Finding # 5: The Hearing Officer ignored testimony by the Real Estate professional that the value of the property at 1460 Cheviotdale Drive would decrease by over \$100,000 due to encroachment by proposed construction.

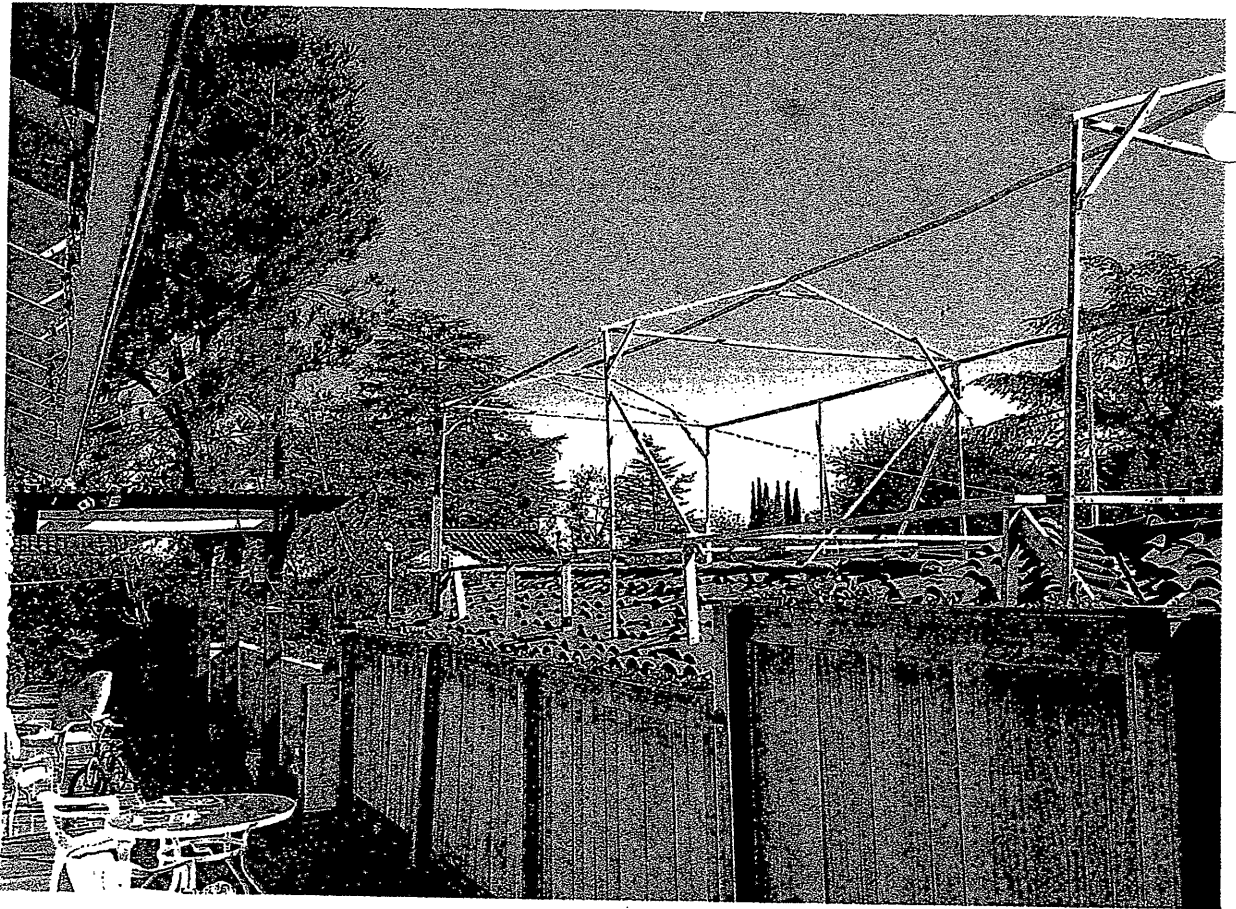
Finding # 6 & 7 are completely erroneous as to "view protection". Hearing Officer incorrectly observed that the property at 1460 Cheviotdale drive does not currently enjoy a view worth protecting. Occupants deserve a more accurate and less condescending professional assessment as to loss of skyline, sunlight and privacy protection. (Details at hearing)

Note: 1- Please come and see from our patio the effect of the proposed 2nd story addition on my property.

2- Attached 2 pictures

 12-14-15
Greg Chilingirian

(Page 2)



**ATTACHMENT E
HEARING OFFICER ADDENDUM**

**ZHO Addendum
HDP #6315 (518 Glen Holly Drive)**

January 20, 2016

I have reviewed the appeal of my determination granting HDP #6315 at 518 Glen Holly Drive.

The applicant did not seek approval of any variances relative to the proposed addition at 518 Glen Holly Drive. The proposed addition complies with all of the following development standards: gross floor area, lot coverage, setbacks (front, rear, and side), encroachment plane, height (from lowest existing grade), height (highest-at-any-point), parking, and neighborhood compatibility. In this regard, the applicant and designer made a sincere effort to comply with code requirements.

The sole reason the applicant required City approval is that a Hillside Development Permit is required new development in excess of 500 square feet in the Hillside Area. In that regard, had the applicant reduced the addition to less than 500 square feet, an HDP would not even be required.

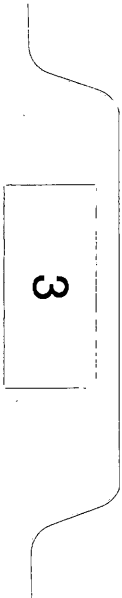
The appeal identifies three "reasons for appeal," which are addressed as follows:

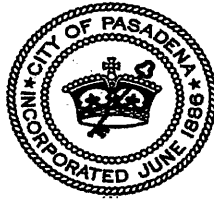
1. During the City's review process, the applicant removed a portion of the proposed second story, and the applicant also re-located the remaining second story, to lessen the viewshed impacts upon the appellant's property. These changes also minimized potentially adverse impacts upon the neighboring home behind the subject property. There are, additionally, several constraints upon the subject property, including the following: there is no room to expand in the rear, due to a very small rear yard and small pool; no room to expand to the south, due to the location of the driveway; and expansion in the front is infeasible (see No. 3, below). In short, the applicant made a good-faith effort to minimize viewshed impacts "to the maximum extent feasible," as required by the Code.
2. As the ZHO, I am unable to address the appellant's concern about the precise square footage of the existing home (this is a point more appropriately addressed by City staff).
3. Finding # 4: The appellant claims that I "ignored compelling testimony presented by family occupants" in making Finding # 4. On the contrary, I considered testimony from the appellant's family members and others, all of whom contended that this finding could not be made. I considered testimony, as well, from the applicant and others, all of whom contended that the finding could be made. This occurred within the context of a lengthy public hearing, and it was in addition to the staff recommendation in support of making the finding. After considering all of this input, I concluded that the finding could, in fact, be made, as stated in the determination. In short, I did consider testimony, on both sides, contrary to what is stated in the appeal. In the end, I sided with staff, as well as some of those who testified, when I concluded that the finding could be made.

Finding #5: Contrary to what is stated in the appeal, I did consider testimony from a real estate professional about property values; in fact, more than one person testified on this point. After weighing this testimony, as well as the staff recommendation, I concluded that the finding could be made.

Findings #6 & 7: The findings outlined in the decision letter present logical conclusions based upon supportable facts. The appeal's contention that these findings are "erroneous" is incorrect and not supported by any facts in the appeal or in the written record from the hearing.

The appeal should be denied, as there is no new information in the appeal that would warrant overturning the original granting of HDP #6315.





PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: FEBRUARY 17, 2015
TO: BOARD OF ZONING APPEALS
FROM: KELVIN PARKER, PRINCIPAL PLANNER/ZONING ADMINISTRATOR
SUBJECT: APPEAL OF HEARING OFFICER'S DECISION:
HILLSIDE DEVELOPMENT PERMIT #6315 - 518 GLEN HOLLY DRIVE

RECOMMENDATION:

It is recommended that the Board of Zoning Appeals:

1. Adopt the Environmental Determination that the proposed project is 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 §15301, Existing Facilities); and
2. Uphold the Hearing Officer's decision and approve Hillside Development Permit #6315.

EXECUTIVE SUMMARY:

On December 2, 2015, the Hearing Officer considered, at its regularly noticed hearing, Hillside Development Permit #6315. The request was to allow the construction of a 577 square-foot two-story addition to an existing 1,547 square-foot, single-story, single-family residence with a 329 square-foot detached garage in the RS-6-HD-SR zoning district.

Staff's recommendation to the Hearing Officer was to approve Hillside Development Permit #6315. Specifically staff found that the proposed project meets all applicable development standards required by the Zoning Code, including the Neighborhood Compatibility guidelines of the Hillside Ordinance, architectural features, and view protection. No variances are required for the project. At the conclusion of the meeting, and after hearing public testimony, the Hearing Officer approved Hillside Development Permit #6315 (Attachment C).

On December 14, 2015, Greg and Nora Chilingirian, property owners of 1460 Cheviotdale Drive, submitted an appeal application (Attachment D) to the Board of Zoning Appeals citing disagreements with the decision of the Hearing Officer. The hearing before the Board of Zoning Appeals is a *de novo* hearing where the Board has no obligation to honor the prior decision and has the authority to make an entirely different decision.

Staff recommends that the Board of Zoning Appeals uphold the Hearing Officer's December 14, 2015 decision and approve Hillside Development Permit #6315 (Attachment A).

SITE BACKGROUND:

Existing Site Characteristics:

The site is a 7,230 square-foot rectangular shaped lot, currently developed with a one-story 1,547 square-foot single-story residence, a detached 329 square-foot two-car garage, and a swimming pool. The site slopes upwards from Glen Holly Drive to a previously graded flat area where the existing residence, the garage, the rear yard and swimming pool are all located. A driveway located along the south portion of the lot provides access from the street to the detached garage located toward the rear of the property. The driveway slopes upwards from Glen Holly Drive to the rear of the property, and the flat portion of the property gently slopes up from south to north, yielding an average slope of 17.2% for the entire site.

Adjacent Uses:

North – Single-Family Residential
South – Single-Family Residential
East – Single Family Residential
West – Single-Family Residential

Adjacent Zoning:

North – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
South – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
East – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)
West – RS-6-HD-SR (Single-Family Residential, 0-6 lots per acre, Hillside Overlay District, San Rafael Area)

Project Description:

The applicants, Stacie Mayoras and Paul Watson, submitted a Hillside Development Permit application to allow the construction of a 577 square-foot second-story addition to an existing 1,547 square-foot single-story single-family residence. The addition is proposed above the middle portion of the existing residence, and would accommodate a new master bedroom and master bathroom. A second-story balcony is also proposed to the front of the addition facing the street. The addition would measure 26'-1" in height, when measured from the lowest adjacent existing grade to the proposed highest ridgeline of the addition.

No protected trees would be removed or impacted with the proposed addition. The addition will be located entirely above the footprint of the existing residence. A 50" DBH (diameter at breast height) Quercus agrifolia exists in the front yard of the subject site however the second-story addition is proposed above the middle portion of the existing residence and would not impact

this existing tree.

Public Hearing

The application was presented to the Hearing Officer at a public hearing on December 2, 2015. Staff's recommendation to the Hearing Officer was to approve Hillside Development Permit #6315 since the proposed addition would comply with all the Zoning Code development standards, and would be consistent with the architectural feature, neighborhood compatibility, and view protection section of the Hillside Overlay Ordinance.

At the hearing, two speakers spoke in support of the project, and ten speakers expressed concerns regarding the proposed second-story addition. The concerns raised at the public hearing were:

- Second story addition is inconsistent with the purposes of the Hillside Overlay District;
- Sunlight obstruction;
- Insufficient separation from the adjacent property;
- Incorrect information;
- Precedent setting; and
- View obstruction.

At the conclusion of public testimony, the Hearing Officer approved the Hillside Development Permit #6315. This decision was based on the findings and the conditions of approval in Attachment C (Decision Letter) to this report. Furthermore, the Hearing Officer has provided an addendum with justification for the approval of the Conditional Use Permit (Attachment E).

On December 14, 2015, Greg and Nora Chilingirian, owners of 1460 Cheviotdale Drive, submitted an appeal application (Attachment D) to the Board of Zoning Appeals citing disagreements with the decision of the Hearing Officer. The effect of an appeal is that the prior decision of the Hearing Officer is vacated. The hearing before the Board of Zoning Appeals is a *de novo* hearing where the Board has no obligation to honor the prior decision and has the authority to make an entirely different decision.

The appellant cited the following issues as the basis for his appeal:

- View obstruction;
- Incorrect square footage of the residence; and
- Disagreement with the findings.

In the appeal application, the applicant states that the City's Zoning Code requires that views from adjacent properties be protected to the maximum extent feasible, and the proposed project has not achieved this requirement as the addition would negatively impact the views from the living areas and the patio of the appellant's property as well as result in loss of sunlight.

Section 17.29.060.E (View protection) of the City's Zoning Code states that a proposed structure shall be designed and located so that it avoids blocking views from surrounding properties to the maximum extent feasible. Specifically, new structures shall not be placed directly in the view of the primary living areas on a neighboring parcel. "Primary" living area refers to living rooms, family rooms, patios, but not a kitchen, bedroom, or bathroom. Zoning Division determined that a patio area along the south side yard of the property located at 1460 Cheviotdale Drive is considered a primary viewing area. The remainder of the side yard or the

bedrooms located along the south portion of this residence are not considered primary living areas.

The proposed project has been redesigned from its original submittal to mitigate its view impact from the patio area at 1460 Cheviotdale Drive. In order to assist staff with the analysis of the proposed addition, the applicants constructed temporary silhouettes delineating the original design and the redesign of the proposed addition. Based on a site visit, staff found that the original design encroached into the view from the patio area at 1460 Cheviotdale Drive, and that the addition was placed directly in the view of the patio area. In order to address staff's original concern, the applicant redesigned the addition by reducing the length of the addition by 7'-0" and by removing a previously proposed balcony to the rear of the addition. The existing roofline of the northeast portion of the residence would remain unchanged.

Based on a site visit with a silhouette depicting the redesign, staff is of the opinion that the redesign of the proposed second-story addition has been designed to the maximum extent feasible to not obstruct the view of the hillside to the south when viewed from the patio area at 1460 Cheviotdale Drive. The rear of the addition encroaches less than one-foot into the patio area however the view of the hillside from the patio at 1460 Cheviotdale Drive remains mostly unobstructed.

In analyzing the aesthetics of the proposed second-story addition, staff finds that, as proposed, the apparent mass and bulk of the proposed second-story addition is compatible with surrounding area. When viewed from Glen Holly, the addition is proposed in the center of the existing residence's footprint and setback 25'-10" from the front façade of the existing residence. The addition has been designed to be integrated into the existing residence by incorporating a second-story balcony on the front façade, and by providing articulation on the side elevations.

When viewed from the adjacent property to the north (1460 Cheviotdale Drive), the addition's north façade is 25'-9' in length, while the existing residence's north façade is approximately 66 feet in length. The current design's north façade is approximately 40% of the length of the existing residence's north façade. The original design's north façade was 39'-9" in length, or approximately 60% of the existing residence's north façade's length. Based on the review of aerial photographs, the length of the residence located at 1460 Cheviotdale Drive, when not including the garage, is slightly longer than the subject residence's. The second story addition will be set back 6'-4" from the north property line, and approximately 12'-0" from the residence at 1460 Cheviotdale Drive. The top plate of the existing residence is approximately 8'-0", and the height of the existing residence is 17'-6", when measured from the lowest adjacent existing grade to the top of the existing roof ridge. The height of the proposed second story addition's top plate is also approximately 8'-0", and the top of the addition's ridge would be approximately 8.37' higher than the residence's existing ridge.

The appeal application indicates that the Los Angeles County Assessor's data indicates that the existing residence is larger than the information provided on the plans. The plans were prepared by a professional architect, who measured the existing structures at the property. Staff verified the plans and the floor area information provided with the application. A condition of approval is recommended that the proposed gross floor area on the subject site does not exceed 2,124 square feet, which is within the maximum floor area permitted for the property. If the project is approved and constructed, the Los Angeles County Assessor's data would be updated to reflect the maximum permitted floor area under this permit, which would be in compliance with the Zoning Code.

Lastly, the appeal application states that the findings were erroneously made. Specifically, the appellants contest that the Hearing Officer did not take their testimony, and the testimony of the other speakers in opposition of the project into consideration when rendering his decision. The Hearing Officer read all correspondences submitted prior to the hearing, visited the subject property and the property located at 1460 Cheviotdale Drive with staff, took public testimony at the hearing, and considered all testimonies prior to rendering his decision. The Hearing Officer has provided an addendum with justification for the approval of the Conditional Use Permit (Attachment E).

GENERAL PLAN CONSISTENCY:

The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site would remain a single-family residence; therefore, the character of the single-family neighborhood would be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires additions to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed addition complies with all the development standards set forth in the City's Zoning Code, the habitable area of the proposed residence is compatible with the habitable area of the residences in the immediate neighborhood, and the project has been designed to match the architectural style of the existing residence. Additionally, the addition's scale and massing is in keeping with the scale and setting of the surrounding residences. Therefore staff finds that the project would be consistent with General Plan objectives and policies.

ENVIRONMENTAL REVIEW:

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, §15301, Class 1, Existing Facilities). Section 15301 exempts the construction of additions to existing single-family residences from environmental review. The use of the site would remain as a single-family residence.

CONCLUSION:

It is staff's assessment that the findings necessary for approval of the Hillside Development Permit to allow the construction of a 577 square foot second story addition to an existing 1,547 square foot single story residence at 518 Glen Holly Drive. The proposed project meets all applicable development standards required by the Zoning Code, including the Neighborhood Compatibility guidelines of the Hillside Ordinance. No variances are required for the project. Based on the characteristics of the proposed addition, it is staff's opinion that the addition has been designed to minimize its aesthetics, views, and privacy impacts on the adjacent properties. The proposed second-story addition has been designed to be integrated and compatible with the architecture of the existing residence, and therefore staff finds that the second-story addition would also be compatible with the scale and setting of the existing development on the immediate surrounding neighborhood. Therefore, staff recommends that the Board of zoning Appeals uphold the Hearing Officer's decision and approve the application with the findings in Attachment A and the Conditions of Approval in Attachment B.

RECOMMENDATION:

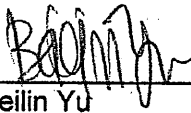
It is recommended that the Board of Zoning Appeals:

1. Adopt the Environmental Determination, that the proposed project is 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 §15301, Existing Facilities); and
2. Uphold the Hearing Officer's decision and approve Hillside Development Permit #6315.

Respectfully Submitted,

Prepared By:

Kelvin Parker
Principal Planner/Zoning Administrator



Beilin Yu
Planner

Attachments:

- Attachment A – Zoning Administrator Recommended Specific Findings
- Attachment B – Recommended Conditions of Approval
- Attachment C – Hearing Officer Decision Letter (December 7, 2015)
- Attachment D – Appeal Application (December 14, 2015)
- Attachment E – Hearing Officer Addendum

ATTACHMENT A
ZONING ADMINISTRATOR RECOMMENDED
FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #6315

Hillside Development Permit – Construction of a second-story addition in the Hillside Overlay District:

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code. A single-family residential use is allowed in the RS-6-HD-SR (Residential Single-Family, Hillside Overlay District, San Rafael Area) Zoning District. In addition, the proposed addition will be in compliance with all applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building height, and off-street parking requirements of the RS-6-HD-SR Zoning District.*
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-HD-SR, which is designated primarily for single-family residential purposes. The properties in the neighborhood are currently developed with single-family residences, and the project, as conditioned, will be consistent with existing development in the vicinity. As analyzed, the project will meet all applicable development standards of the Zoning Code and no variances are required in conjunction with the proposal.*
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan. The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires additions to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed addition complies with all the development standards set forth in the City's Zoning Code, the habitable area of the proposed residence is compatible with the habitable area of the residences in the immediate neighborhood, and the project has been designed to match the architectural style of the existing residence. Additionally, the addition's scale and massing is in keeping with the scale and setting of the surrounding residences. Therefore staff finds that the project would be consistent with 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 second-story addition has been designed to avoid blocking the views to the maximum extent feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The fenestration on the proposed addition has been designed to avoid impacting the privacy of the adjacent residences. Additionally, the proposed project meets all adopted Code requirements and will be subject to all current Code provisions. As proposed, the height of the new building will be below the maximum allowable height, and the floor area will be within the maximum floor area permitted for the site. The project meets all Code requirements and no variances are required. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood. The addition will also be compatible with the character and*

scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposed addition will be constructed in compliance with the current Building and Zoning Code. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by the Department of Public Works. A Soils Engineering Report has been submitted which reported that the site is considered feasible for construction of the proposed additions.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The project complies with all the development standards of the Zoning Code. The project is not located on the top of any prominent ridgelines, and has been designed to avoid blocking the views to the maximum extent feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The proposed project complies with the maximum allowable floor area requirements and is within the Neighborhood Compatibility guidelines; and will be compatible with the architectural character of the existing residence, as the addition will maintain the same Spanish architectural style as the existing residence. The addition will also be compatible with the character and scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.
7. *The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection.* The Neighborhood Compatibility guidelines are established to ensure that a project is compatible with the character and scale of existing development in the vicinity. The size of the proposed project (not including the proposed garage) is 2,124 square feet, and within the Neighborhood Compatibility threshold of 2,190 square feet. Furthermore, the addition has been designed to avoid blocking the views to the maximum extent feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. Thus, the project is in scale with the context and character of existing and future development in the neighborhood.
8. *The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The subject property has an average slope of 17.2 percent as it slopes upwards from Glen Holly Drive to a previously graded portion of the lot, which gradually slopes upwards from south to north, and the driveway slopes from Glen Holly Drive to the rear of the lot. The existing residence is located on the flat portion of the lot, and the proposed addition will be constructed entirely above the footprint of the existing residence, therefore avoid any sloping portion of the site. No grading is proposed as part of the project, and drainage plans for building permits will be based upon the hydrology study and recommended on-site improvements. The project shall meet all applicable Standard Urban Stormwater Mitigation Plan requirements of the Building Division.

**ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL FOR
HILLSIDE DEVELOPMENT PERMIT #6315**

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Received at Hearing, December 2, 2015," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. This approval allows for a 577 square-foot one-story addition to an existing single-story 1,547 square-foot single-family residence, with a 329 square-foot detached two-car garage. The gross floor area of the residence shall not exceed 2,124 square feet.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **PLN2015-00162** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Beilin Yu, Current Planning Section, at (626) 744-6726 to schedule an inspection appointment time.

Planning Division

7. No more than fifty percent of the existing exterior walls shall be removed in conjunction with this project. In the instance fifty percent or more of the existing exterior walls are removed, the project must be considered a new single-family residence.
8. All rooms of the proposed single-family residence must be accessible from the interior of the dwelling unit, except for the attached garage.
9. The applicant shall comply with all requirements of Chapters 17.22 and 17.29 that relate to residential development in the Hillside Development Overlay District.
10. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.

11. In the event the paving in the front yard area is modified, no more than 30 percent of the front yard area shall be paved.
12. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
13. Any new construction shall meet all applicable SUSMP (Standard Urban Stormwater Mitigation Plan) requirements of the Building Division.
14. All landscape and walkway lighting shall be directed downward to minimize glare from the property.
15. For projects subject to a building permit, all construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.

Fire Department

16. All construction shall comply with California building Code (CBC) Chapter 7A, California Fire Code (CFC), and PMC.
17. Provide a Fire Flow Analysis (contact the Pasadena Water Department 626-744-7064). The available fire flow in the street shall not be less than 1000 GPM at 20 PSI, as required by CFC Appendix III-B, and shall be located within 600 feet of exterior wall of the building in compliance with CFC Section 507.5.1.
18. A complete automatic fire sprinkler system designed in compliance with NFPA 13D is required throughout all structures Per Pasadena Municipal Code Section 14.28 due to new addition is greater than 50% of existing square footage and new addition is greater than 1000 square feet.
19. Fuel Modification Landscape Plans: Provide separate fuel modification landscape plans complying with the Urban Wild land Interface Code for all structures located within the Fire Interface Zone (FIZ). Plans shall indicate all plant and tree species compliant with the FIZ in addition to planting distance, canopy sizes, irrigation systems, and landscape management within defensible spaces in proximity of all structures. Compliance is required prior to certificate of occupancy being issued
20. Smoke alarms shall be installed in each sleeping room, area(s) serving as a sleeping area, areas accessing all sleeping areas, and at the top of stairways. All smoke alarms are to be photoelectric or combination photoelectric/ionization. All smoke alarms throughout the dwelling unit shall be interconnected. All sounders are to produce a coded temporal pattern.

All smoke alarms shall be UL 217 and California State Fire Marshal (CSFM) Listed, manufactured by the same company, and listed by the manufacture as compatible with each other. Smoke alarms shall not be installed within 3-feet of return or supply air registers or 3-feet of bathroom openings. (CFC 907)

21. Provide approved spark arrestor(s) on all chimney(s).
22. Provide eave and projection details on drawings. All eaves and other projections are required to be "boxed" with one-hour fire resistive or noncombustible material, per CBC Section 707A.5
23. Exterior walls: the exterior wall covering or wall assembly shall comply with one of the following requirements:
 - a. Noncombustible material.
 - b. Ignition-resistant material
 - c. Heavy timber exterior wall assembly
 - d. Log wall construction assembly
24. No wood roof covering material shall be installed on any structure located in the fire zone. Per Pasadena Municipal Code. Section 1404
25. All new proposed gutters/downspouts shall be constructed of noncombustible material per UWIC Sec. 504.4.
26. Appendages and projections (ie: decks, balconies & etc.) shall be constructed with one of the following material:
 - a. Noncombustible material
 - b. Ignition-resistant material
 - c. Exterior fire retardant treated wood
27. All new exterior windows, skylights, etc. are required to be multi-layered glazing with a minimum of one tempered pane .CBC Section 708A.2.1
28. All new exterior doors are required to be 1¾" solid core per CBC Section 708A.3
29. Attic and foundation ventilation in vertical exterior walls and vents through roof shall not comply with requirements of CBC Section 706A.
30. The vents shall be covered with noncombustible corrosion resistant mesh not exceeding 1/16 " and shall not exceed 1/8" openings.
31. Attic ventilation openings shall NOT be located in soffits, eave overhangs, between rafters at eaves or in other overhang areas. Gable and dormer vents shall be located at least 10 feet from property lines.

Public Works Department

32. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
33. Past experience has indicated that projects such as this tend to damage the existing public and private street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$1,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the existing public and private street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
34. 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://cityofpasadena.net/PublicWorks/Engineering_Division/ A deposit, based on the General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction staging, material storage, or trailer in the public right-of-way.
35. 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.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

a) Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. 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.

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

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

c) 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 support of the Urban Forestry Advisory Committee.

d) Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at http://cityofpasadena.net/PublicWorks/Engineering_Division/ and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
- b. Summary Report with documentation must be submitted prior to final inspection.

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

**ATTACHMENT C
HEARING OFFICER DECISION LETTER**

4



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

February 23, 2016

Stacie Mayoras and Paul Watson
518 Glen Holly Drive
Pasadena, CA 91105

**RE: Hillside Development Permit #6315
518 Glen Holly Drive
Council District #6**

PLN2015-00162

Dear Ms. Mayoras and Mr. Watson:

Your application for a **Hillside Development Permit** at 518 Glen Holly Drive was considered by the **Board of Zoning Appeals** on **February 17, 2016**.

Hillside Development Permit: To allow the construction of a 577 square-foot two-story addition to an existing 1,547 square-foot, single-story, single-family residence with a 329 square-foot detached garage in the RS-6-HD-SR zoning district. A Hillside Development Permit is required for a second-story addition exceeding 500 square feet in the Hillside Development Overlay District.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Board of Zoning Appeals made the findings in Attachment A to this letter. Based upon these findings, the Board of Zoning Appeals upheld the Hearing Officer's decision to **approve the Hillside Development Permit**, subject to the conditions in Attachment B and in accordance with submitted plans stamped **February 17, 2016**.

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 the decision made by the Board of Zoning Appeals is final and is not subject to further appeal. If you have reason to believe the Environmental Determination is incorrect, this determination is appealable to the City Council. If the Environmental Determination is appealed, the Council will hold a new hearing on the entire application. In addition, a member of the City Council may stay the decision and request that it be called for review to the City Council. An appeal or a request for a call for review of this decision shall be within ten days, the last day to file an appeal or a request for a call for review is **Monday, February 29, 2016**. Appeal applications must cite a reason for objecting to a decision and should be filed with the City Clerk. Without any call-up or appeal, the effective date will be **Tuesday, March 1, 2016**. The regular Appeal fee is \$272.95. The Appeal fee for Non-profit Community-based organizations pre-registered with Neighborhood Connections is \$136.48.

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 call up deadline has expired with the understanding that should this decision be called up an appeal be filed, your application may, at your expense, be required to be revised to comply with the decision on the appeal. A copy of this decision letter (including conditions of approval) shall be incorporated into the plans submitted for building permits.

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities). Section 15301 exempts the construction of additions to existing single-family residences from environmental review. The use of the site would remain as a single-family residence.

For further information regarding this case please contact **Beilin Yu** at **(626) 744-6726**.

Sincerely,



Kelvin Parker
Zoning Administrator

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

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

ATTACHMENT A
SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #6315

Hillside Development Permit – Construction of a second-story addition in the Hillside Overlay District:

1. *The proposed use is allowed with a Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* A single-family residential use is allowed in the RS-6-HD-SR (Residential Single-Family, Hillside Overlay District, San Rafael Area) Zoning District. In addition, the proposed addition will be in compliance with all applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building height, and off-street parking requirements of the RS-6-HD-SR Zoning District.
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-HD-SR, which is designated primarily for single-family residential purposes. The properties in the neighborhood are currently developed with single-family residences, and the project, as conditioned, will be consistent with existing development in the vicinity. As analyzed, the project will meet all applicable development standards of the Zoning Code and no variances are required in conjunction with the proposal.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The subject site is designated as Low Density Residential in the General Plan Land Use Element. The use of the site will remain a single-family residence; therefore, the character of the single-family neighborhood will be maintained. General Plan Land Use Policy 21.9 (Hillside Housing) requires additions to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed addition complies with all the development standards set forth in the City's Zoning Code, the habitable area of the proposed residence is compatible with the habitable area of the residences in the immediate neighborhood, and the project has been designed to match the architectural style of the existing residence. Additionally, the addition's scale and massing is in keeping with the scale and setting of the surrounding residences. Therefore staff finds that the project would be consistent with 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 second-story addition has been designed to avoid blocking the views to the maximum extend feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The fenestration on the proposed addition has been designed to avoid impacting the privacy of the adjacent residences. Additionally, the proposed project meets all adopted Code requirements and will be subject to all current Code provisions. As proposed, the height of the new building will be below the maximum allowable height, and the floor area will be within the maximum floor area permitted for the site. The project meets all Code requirements and no variances are required. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding neighborhood. The addition will also be compatible with the character and scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposed addition will be constructed in compliance with the current Building and Zoning Code. Furthermore, the City's plan check process will ensure that the proposed project will meet all of the applicable building and safety and fire requirements. The project must also comply with the conditions of approval required by the Department of Public Works. A Soils Engineering Report has been submitted which reported that the site is considered feasible for construction of the proposed additions.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The project complies with all the development standards of the Zoning Code. The project is not located on the top of any prominent ridgelines, and has been designed to avoid blocking the views to the maximum extent feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. The proposed project complies with the maximum allowable floor area requirements and is within the Neighborhood Compatibility guidelines; and will be compatible with the architectural character of the existing residence, as the addition will maintain the same Spanish architectural style as the existing residence. The addition will also be compatible with the character and scale of the existing development on the adjacent properties. Thus, the project is consistent with development in the neighborhood.
7. *The design, location, and size of the proposed structures and/or additions or alterations to existing structures will be compatible with existing and anticipated future development on adjacent lots as described in Section 17.29.060.D of this ordinance and in terms of aesthetics, character, scale, and view protection.* The Neighborhood Compatibility guidelines are established to ensure that a project is compatible with the character and scale of existing development in the vicinity. The size of the proposed project (not including the proposed garage) is 2,124 square feet, and within the Neighborhood Compatibility threshold of 2,190 square feet. Furthermore, the addition has been designed to avoid blocking the views to the maximum extent feasible as it has not been placed directly in the view from the patio at 1460 Cheviotdale Drive. Thus, the project is in scale with the context and character of existing and future development in the neighborhood.
8. *The placement of the proposed additions avoids the most steeply sloping portions of the site to the maximum extent feasible and minimizes alteration of hillside topography, drainage patterns, and vegetation.* The subject property has an average slope of 17.2 percent as it slopes upwards from Glen Holly Drive to a previously graded portion of the lot, which gradually slopes upwards from south to north, and the driveway slopes from Glen Holly Drive to the rear of the lot. The existing residence is located on the flat portion of the lot, and the proposed addition will be constructed entirely above the footprint of the existing residence, therefore avoid any sloping portion of the site. No grading is proposed as part of the project, and drainage plans for building permits will be based upon the hydrology study and recommended on-site improvements. The project shall meet all applicable Standard Urban Stormwater Mitigation Plan requirements of the Building Division.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #6315

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Received at Hearing, December 2, 2015," except as modified herein.
2. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. This approval allows for a 577 square-foot one-story addition to an existing single-story 1,547 square-foot single-family residence, with a 329 square-foot detached two-car garage. The gross floor area of the residence shall not exceed 2,124 square feet.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **PLN2015-00162** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Beilin Yu, Current Planning Section, at (626) 744-6726 to schedule an inspection appointment time.

Planning Division

7. No more than fifty percent of the existing exterior walls shall be removed in conjunction with this project. In the instance fifty percent or more of the existing exterior walls are removed, the project must be considered a new single-family residence.
8. All rooms of the proposed single-family residence must be accessible from the interior of the dwelling unit, except for the attached garage.
9. The applicant shall comply with all requirements of Chapters 17.22 and 17.29 that relate to residential development in the Hillside Development Overlay District.
10. A construction staging and traffic management plan shall be submitted to and approved by the Zoning Administrator, Department of Public Works, and Department of Transportation prior to issuance of any permits. The plan shall include information on the removal of demolished materials as well as the on-site storage of new construction materials. A copy of the approved construction parking and staging plan shall be furnished to the Current Planning Division for inclusion into the case file on this project. The plan shall be available for review by surrounding property owners.
11. In the event the paving in the front yard area is modified, no more than 30 percent of the front yard area shall be paved.

12. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
13. Any new construction shall meet all applicable SUSMP (Standard Urban Stormwater Mitigation Plan) requirements of the Building Division.
14. All landscape and walkway lighting shall be directed downward to minimize glare from the property.
15. For projects subject to a building permit, all construction vehicles or trucks including trailers with length over 30 feet or widths over 102 inches shall require a lead pilot vehicle and flag person to enter the streets within the Hillside District. The flag person will stop opposing traffic as necessary when trucks are negotiating tight curves. Operation of construction vehicles or trucks with lengths over 35 feet shall require approval from the Department of Transportation and Department of Public Works, subject to demonstration that such vehicles can maneuver around specific tight curves in the Hillside District. Operation of construction trucks with lengths over 30 feet shall be prohibited before 9:00 a.m. and after 3:00 p.m., Monday through Friday and all day during weekends and holidays. On refuse collection days, the operation of construction trucks with lengths over 30 feet shall be prohibited before 10:00 a.m. and after 3:00 p.m.

Fire Department

16. All construction shall comply with California building Code (CBC) Chapter 7A, California Fire Code (CFC), and PMC.
17. Provide a Fire Flow Analysis (contact the Pasadena Water Department 626-744-7064). The available fire flow in the street shall not be less than 1000 GPM at 20 PSI, as required by CFC Appendix III-B, and shall be located within 600 feet of exterior wall of the building in compliance with CFC Section 507.5.1.
18. A complete automatic fire sprinkler system designed in compliance with NFPA 13D is required throughout all structures Per Pasadena Municipal Code Section 14.28 due to new addition is greater than 50% of existing square footage and new addition is greater than 1000 square feet.
19. Fuel Modification Landscape Plans: Provide separate fuel modification landscape plans complying with the Urban Wild land Interface Code for all structures located within the Fire Interface Zone (FIZ). Plans shall indicate all plant and tree species compliant with the FIZ in addition to planting distance, canopy sizes, irrigation systems, and landscape management within defensible spaces in proximity of all structures. Compliance is required prior to certificate of occupancy being issued
20. Smoke alarms shall be installed in each sleeping room, area(s) serving as a sleeping area, areas accessing all sleeping areas, and at the top of stairways. All smoke alarms are to be photoelectric or combination photoelectric/ionization. All smoke alarms throughout the dwelling unit shall be interconnected. All sounders are to produce a coded temporal pattern. All smoke alarms shall be UL 217 and California State Fire Marshal (CSFM) Listed, manufactured by the same company, and listed by the manufacture as compatible with each

other. Smoke alarms shall not be installed within 3-feet of return or supply air registers or 3-feet of bathroom openings. (CFC 907)

21. Provide approved spark arrestor(s) on all chimney(s).
22. Provide eave and projection details on drawings. All eaves and other projections are required to be "boxed" with one-hour fire resistive or noncombustible material, per CBC Section 707A.5
23. Exterior walls: the exterior wall covering or wall assembly shall comply with one of the following requirements:
 - a. Noncombustible material.
 - b. Ignition-resistant material
 - c. Heavy timber exterior wall assembly
 - d. Log wall construction assembly
24. No wood roof covering material shall be installed on any structure located in the fire zone. Per Pasadena Municipal Code. Section 1404
25. All new proposed gutters/downspouts shall be constructed of noncombustible material per UWIC Sec. 504.4.
26. Appendages and projections (ie: decks, balconies & etc.) shall be constructed with one of the following material:
 - a. Noncombustible material
 - b. Ignition-resistant material
 - c. Exterior fire retardant treated wood
27. All new exterior windows, skylights, etc. are required to be multi-layered glazing with a minimum of one tempered pane .CBC Section 708A.2.1
28. All new exterior doors are required to be 1¾" solid core per CBC Section 708A.3
29. Attic and foundation ventilation in vertical exterior walls and vents through roof shall not comply with requirements of CBC Section 706A.
30. The vents shall be covered with noncombustible corrosion resistant mesh not exceeding 1/16 " and shall not exceed 1/8" openings.
31. Attic ventilation openings shall NOT be located in soffits, eave overhangs, between rafters at eaves or in other overhang areas. Gable and dormer vents shall be located at least 10 feet from property lines.

Public Works Department

32. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
33. Past experience has indicated that projects such as this tend to damage the existing public and private street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$1,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the existing public and private street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
34. 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://cityofpasadena.net/PublicWorks/Engineering_Division/ A deposit, based on the General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction staging, material storage, or trailer in the public right-of-way.
35. 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.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

- Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. 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.

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

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

- 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 support of the Urban Forestry Advisory Committee.

- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at http://cityofpasadena.net/PublicWorks/Engineering_Division/ and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
- b. Summary Report with documentation must be submitted prior to final inspection.

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

ATTACHMENT C
SITE PLAN

