

ATTACHMENT I
HEARING OFFICER ADDENDUM
Dated March 20, 2021

**ZHO Addendum for
Hillside Development Permit #6838
1820 Linda Vista Avenue**

March 20, 2021

On January 11, 2021, I issued a written determination approving Hillside Development Permit #6838 (1820 Linda Vista Boulevard).

I have reviewed the appeal, filed on January 19, 2021, by the Jin Ser Park, the owner of the property located 1812 Linda Vista Avenue, immediately EASTWESTSOUTH of the subject property.

The appeal (Pages 1-2) raises five primary issues, and my response, are:

1. Out of Scale Development:

Response:

The appellant's home is immediately adjacent to, and directly southerly of, the subject property. The existing home owned by the appellant (1912 Linda Vista Boulevard) is 5,055 square feet. The proposed home, after expansion, on the subject property at 1820 Linda Vista Avenue, will be 4,660 square feet. There is no merit to the argument that a smaller home being proposed on an immediately adjacent lot is "out of scale."

2. Failure to Consider View Rights

Response:

The staff report provided a comprehensive analysis of the potential viewshed impacts, including: compliance with encroachment plane provision in the code (Page 5, first paragraph); compliance with the View Protection provision of the Hillside District Ordinance (Page 6, third full paragraph); compliance with the Ridgeline Protection provision of the Hillside District Ordinance (Page 6, third full paragraph); a discussion of the scale and massing of the additions to the existing home; (Page 7, second full paragraph); a thorough discussion of viewshed impacts upon neighboring properties, including the appellant's property (Page 8, first two full paragraphs).

3. Unusual Circumstances:

Response:

Two of the "unusual circumstances" cited by the applicant—one, the steepness of the lot; and two, that the subject property is adjacent to Open Space in a large liquefaction zone, which includes a historic watershed—apply to many of the properties on the East side of Linda Vista Avenue, including both the subject property (1820 Linda Vista Avenue) and the appellant's property (1812 Linda Vista Avenue).

The appeal identifies a liquefaction zone to the north of the subject property as an “unusual circumstance.” This liquefaction zone is adjacent to the subject property, as well as several other properties to the north of the subject property, as shown in the photograph provided (Page 9 of the appeal). The appeal provides no evidence to document how the existence of the liquefaction zone is, in any way, unique or unusual.

The appeal suggests that the house currently on the property has existed since 1948 in its present form is an “unusual circumstance,” but provides no documentation to support the claim.

The appellant identifies eight (8) “unusual circumstances” (subsections “a” through “h” on Pages 6-7 of the Appeal) which exist, to varying degrees, for many of the existing properties/homes on the east side of Linda Vista Avenue. None of the unusual circumstances is unusual, unique, or specific to the subject property at 1820 Linda Vista Avenue. Most, if not all of these “unusual circumstances” apply, as well, to the appellant’s existing home at 1812 Linda Vista Avenue.

4. Cumulative Impacts:

Response:

The appeal claims that “developing properties on the east side of Linda Vista Avenue” will create “soil displacement” and “put stress on the hillside and the surrounding liquefaction zones” as a cumulative impact. While the merits of the claim are questionable, it is indisputable that several homes have been safely built, and safely expanded, on the east side of Linda Vista Avenue, going back several decades. Further, the City enforces several municipal codes that ensure the safety of new development; as verified through the City’s grading permit, demolition permit, and building permit plan-check review process; and through a series of on-site inspections by city staff during site grading, demolition, and construction.

5. Threat to Historic/Natural Resource:

Response:

The decision letter for Hillside Development Permit #6838 includes forty-five (45) conditions of approval. There are several conditions which address the safety concerns raised by the appellant, including, but not limited to:

- Condition 4 (Page 15) requires compliance with the “applicable code requirements of all City Departments and the Pasadena Municipal Code.”
- Condition 9 (Page 15) prevents the issuance of grading permit and/or a demolition permit “until the building permit for the project is ready to be issued.”

- Condition 20 (Page 17) requires compliance with the “California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes.”
- Condition 21 (Page 17) requires that “Grading/Drainage Plans shall be prepared by a registered engineer.”
- Condition 23 (Page 17) imposes a setback requirement relative to existing slopes that are 3:1 or steeper.

The appellant’s narrative also includes a request to exclude the two largest homes (one of which is immediately adjacent to the subject property), and to exclude vacant lots, from the Neighborhood Compatibility provisions in the Code (Page 4 of the Appeal). The city’s codes, policies, and procedures do not allow individuals to be selective about which lots are included in Neighborhood Compatibility calculations.

The request to invalidate the Categorical Exemption, and to require the preparation of an Environmental Impact Report (Appeal, Pages 6-7), is not supported by the facts in evidence found in the appeal.

Given the foregoing, the appellant has not provided a sufficient basis upon which to overturn my approval of Hillside Development Permit #6838, nor to reject my adoption of a Categorical Exemption and require an Environmental Impact Report. The appeal should, therefore, be denied.