

RECEIVED

2022 MAR 14 AM 9: 55

Linda Vista-Annandale Association
Pasadena, CA

CITY CLERK
CITY OF PASADENA

March 13, 2022

Pasadena City Council

Re: Appeal BZA Decision Re HDP #6838; 1820 Linda Vista Ave.; Council Hearing 3/14/2022;
Agenda Item 17

Mayor Gordo and Councilmembers,:

The Linda Vista-Annandale Association (LVAA) has reviewed the proposed project in the context of this latest Appeal to the Council and has the following comments.

Good Aspects of the Proposed Revised Project. The proposed Project, as revised, incorporates several good features that we have encouraged on other hillside sites, including: leaving the existing house in its original site location, thus preserving the existing Front Yard setback and rhythm of the block face; placing the bulk of new square footage in a manner that preserves the perception from Linda Vista Ave. that the residence remains a one-story house that "reads" as horizontal in design; and, and proposing new square footage in a manner to avoid adding on a typical second story which adds mass and bulk.

Good BZA Decision on Remand. On Remand, the BZA improved the revised proposed Project as follows: the request by the applicant to modify the Neighborhood Compatibility Analysis was denied and two additional conditions of approval were included. The first condition required the size of the addition be reduced by 37 square feet to 1,364 square-feet as the request to modify the Neighborhood Compatibility Analysis was not approved. The second condition required the height of the garage roofline to be lowered by 18 inches, apparently to improve the neighbors' Views

LVAA generally supports these actions by the BZA on Remand, as well as Staff recommended Condition 7 of Approval. However, as to recommended Condition 8 of Approval, lowering the garage roofline by 18 inches, please see the discussion below on protected View rights.

Continuing Concerns Regarding View Protection. As LVAA has stated before, View protection is of paramount importance to us. LVAA worked very hard to have the current View protection provisions included in the Hillside Overlay Ordinance after several terrible examples of loss of Views of the San Gabriel Mountains. These provisions must be administered and enforced in such a manner as to protect the View rights of adjacent neighbors. The applicable View protection provisions of the Hillside Overlay Ordinance are attached hereto and highlighted in yellow.

As to this case, it appears that the revised proposed Project continues to block protected Views. In this context, one issue remains unresolved: whether lowering the garage roofline by 18 inches resolves the View protection issue. At the BZA Remand Hearing, the 18 inch “solution” was proposed and then adopted by the BZA with practically no discussion or analysis. No evidence, substantial or otherwise, was presented, analyzed, or discussed as to what is accomplished by lowering the garage roof by 18 inches. Without fact-based evidence in the Record as to required View protection, it appears that there is no basis (again) to approve the requested Hillside Development Permit.

“Serial Permit” Issues and Whole of the Project; Slope and ADU Issues. LVAA appreciates the fact that the “whole” proposed revised Project “scope” apparently is before the Council, as the “whole” of the proposed revised Project “scope” was before the BZA on Remand, for comprehensive review. The scope of the revised project includes the HDP proposal, the ADU, and the Pool/Deck, and the “whole” of the proposed revised Project is in stark contrast to the current Planning practice of issuing “serial permits.”

So, what happened to the balance of the “excess” square footage for this proposed revised Project from the first BZA review? Apparently, it no longer “counts” for HDP purposes because it has been transferred into and included in an attached ADU. This seems quite “clever” but should not succeed because this “solution” to avoid full and adequate HDP review, which, apparently, staff is recommending to other developers, violates CEQA principals of environmental review of the “whole” of the project, and violates Pasadena Codes in that this manipulation undermines the purposes and intent of Hillside development review including correct and effective application and administration of the Hillside Overlay Ordinance.

In the CEQA context, the proposed revised Project’s entire scope must be considered as a “whole,” and the entire scope of the proposed revised Project must receive environmental analysis and review beginning with an Initial Study. We continue to be concerned about the potential significant impacts from this whole proposed revised Project with respect to Hillside topography and grading. Preservation of the natural topography in the Hillside and minimal grading in connection with Hillside projects are foundational principles of the Hillside development review. This whole proposed revised Project is in an “environmentally sensitive” area and, therefore, environmental review should be required, particularly since environmental equilibrium and preservation also are important Hillside development and Ordinance principles.

No ADUs in the Hillside. LVAA’s hillside typically include open canyons throughout our area, dry vegetation and other drought conditions, high wind events, and, significantly, narrow, often steep, winding hillside roads that impede ingress and egress. There is often only one way in and one way out for a significant portion of LVAA’s hillside neighborhood areas. As shown on the attached Wildfire Severity map provided to us by the Pasadena Fire Department, the LVAA area, including Linda Vista Ave., constitutes an overall Very High Wildfire Hazard Severity Zone.

Pasadena must immediately determine and implement best practices in limiting additional development density, population, and traffic in LVAA’s hillside to the maximum extent feasible under applicable State law, including prohibiting ADUs and SB 9 development.

Additional hillsides development density, population, traffic, and parking demand in LVAA's and Pasadena's hillsides all create significant public safety impacts which must be addressed and controlled as soon as possible. Considering the imminent danger of a significant Wildfire similar to the Oakland Hills Wildfire disaster, the ADU proposed for this Project should NOT be ministerially approved, and instead Findings should be adopted denying the proposed ADU on the basis of obvious and urgent public safety considerations.

Thank you for considering and responding to our comments and concerns.

Sincerely,

Nina Chomsky

Nina Chomsky, LVAA President

cc: LVAA Board of Directors

- b. Any alteration of the roofline resulting in an increase in height above the highest point of the existing roof.

F. **Neighborhood Compatibility.** New houses and additions subject to a Hillside Development Permit shall be designed with consideration of the character and scale of the existing development in the vicinity. Through the Hillside Development Permit process, compatibility will be determined following a review of existing site conditions, visibility of the site, and the size, scale, and character of existing development within 500 feet of the site. Dependent on existing conditions, the review authority may modify the 500-foot radius requirement to include a larger neighborhood when there are fewer than five developed lots within the 500-foot radius area, or when the character of the neighborhood is defined by existing features (e.g., canyon, street, etc.).

The 500-foot 'neighborhood' may be modified by the review authority, based on any or all of the following criteria:

- a. Properties within 500 feet are not in the City of Pasadena;
- b. Properties within 500 feet are not in Hillside Overlay district;
- c. Properties within 500 feet are not in RS district, or are in a different RS district; and
- d. Properties within 500 feet are separated by a significant manmade structure (e.g. freeway) or a significant natural feature (e.g. canyon, ridge, etc.) that, to the extent determinable by staff, is not the result of grading or other man-made alteration of the natural terrain.

In addition to the floor area ratio requirements of Section 17.29.060.A, the allowable floor area of the house shall not be greater than 35 percent above the median floor area of the existing houses within the established radius (excluding garages and other accessory structures). Floor area shall be determined using primary residence data from the Los Angeles County Assessor.

For lots larger than 20,000 square feet in size, the review authority may approve additional floor area if it does not exceed the average FAR of the neighborhood after first making the findings in Section 17.29.080.G following a review of site conditions and compliance with the remainder of the Hillside District standards.

G. **View protection.** A proposed structure shall be designed and located so that it avoids blocking views from surrounding properties to the maximum extent feasible, as determined by the review authority, and including, but not limited to, consideration of the following:

- 1. The feasibility of relocating the proposed structure to another part of the site;
- 2. The feasibility of modifying the massing of the proposed structure such that views from surrounding properties would not be impacted; and
- 3. The feasibility of minimizing architectural features that may intrude upon views from surrounding properties.

See Figure 2. For purposes of this Chapter, "surrounding" properties refers to all abutting properties as well as properties directly across a street from the subject property.

- 1. New structures and tall landscaping shall not be centered directly in the view of any room of a primary structure on a neighboring parcel. Views shall be considered from windows of any room in the primary structure. New structures shall avoid blocking the following from any room of a main dwelling on a neighboring property:
 - 1. Culturally significant structures such as the Rose Bowl, Colorado Street Bridge, City Hall, etc.;
 - 2. Downslope views of the valley floor;
 - 3. Prominent ridgelines; and/or
 - 4. The horizon line.

Views of open sky, existing foliage, private yards, and existing structures on surrounding properties shall not be taken into consideration by the review authority.

2. Mechanical equipment other than vents or solar panels shall be placed on a rooftop or below a deck only if the equipment is not visible from off the site. This equipment shall also comply with the height limits in Subsection B. above.

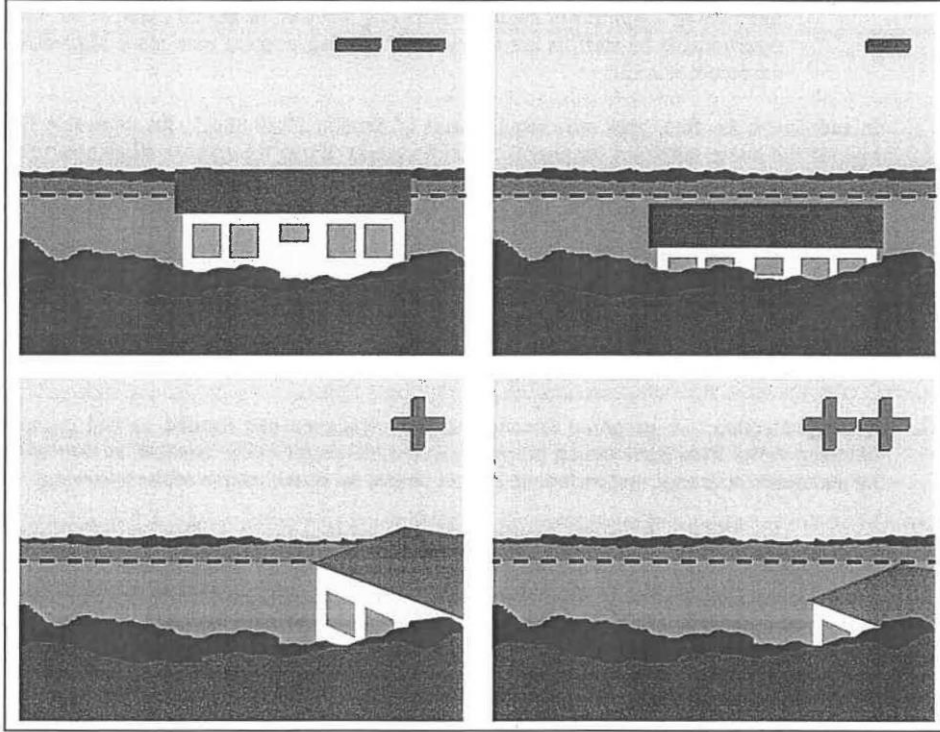


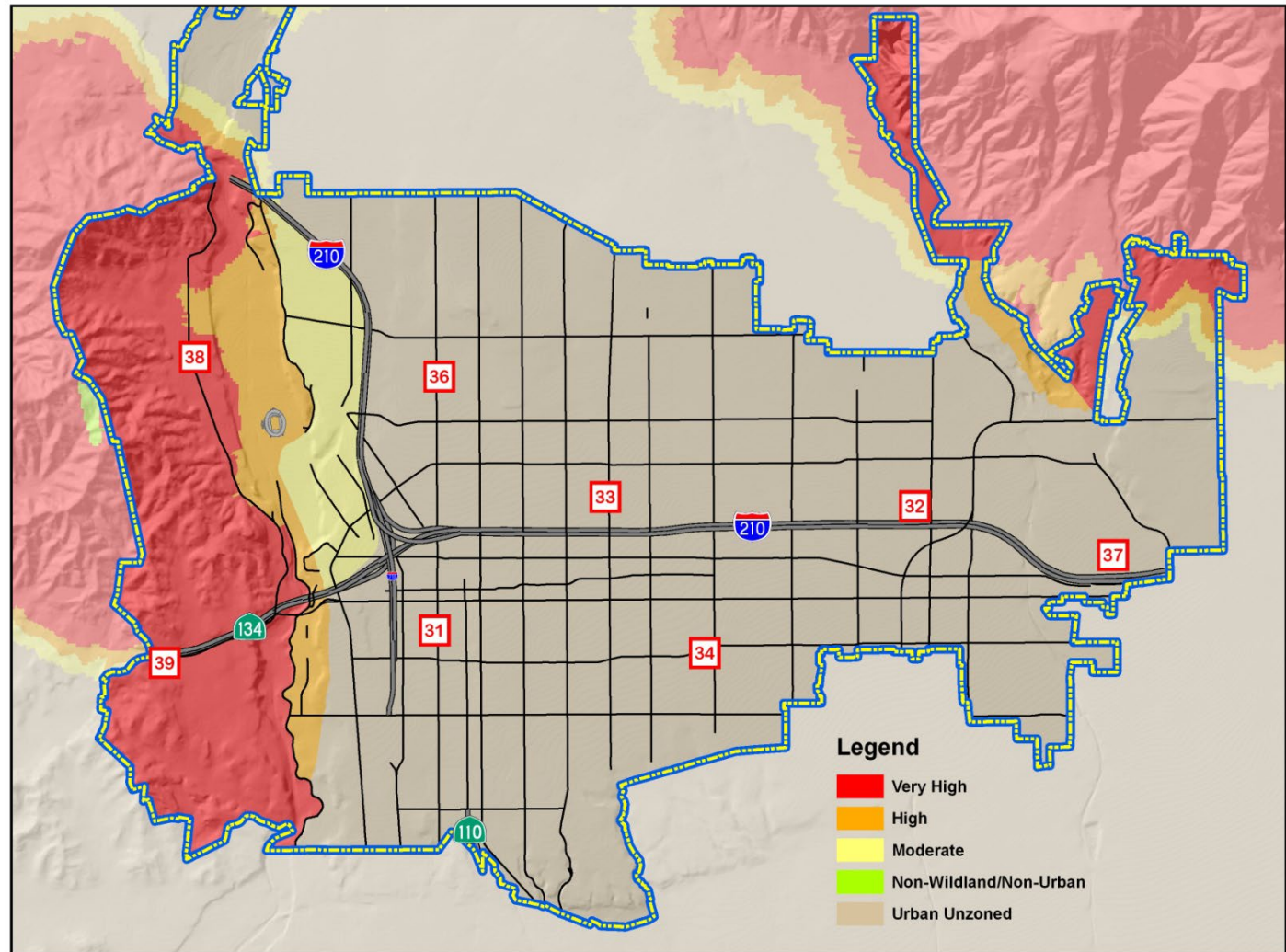
Figure 2-7—Example of Preferred Locations of a Structure to Preserve Views

(Ord. No. 7310, § 2 (Exh. 1), 9-25-2017)



Pasadena FHSZ Map

Fire Department



Jomsky, Mark

From: Anita Red < . . . >
Sent: Monday, March 14, 2022 11:07 AM
To: Jomsky, Mark
Subject: 1820 Linda Vista Avenue, 91103

CAUTION: This email was delivered from the Internet. Do not click links or open attachments unless you **know** the content is safe. Report phish using the Phish Alert Button. [Learn more...](#)

March 14, 2022

Re: 1820 Linda Vista Avenue, 91103

To Mr. Mark Jomsky and To Whom It May Concern:

As a Pasadena resident and medical practice business owner, I reside, along with my husband and family, in a neighborhood close to the proposed project at 1820 Linda Vista Ave.

The proposal is beautiful. It conforms with the neighborhood, and will bring value to the area.

I attended the appeal hearing in November 2021. It was interesting to hear of the overwhelming support of this project, and continue to encourage its approval as well.

Sincerely,
Anita Red, M.D.

--
Anita Red, M.D.
Child, Adolescent, and General Psychiatry

Pasadena, CA 91106

The information contained in this message is privileged and confidential and protected from disclosure. If you are not the intended recipient, or responsible for delivering this message to the intended recipient, any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this message and communication in error, please reply to this message and delete it from your computer.

03/14/2022
Item 17