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949 Mesa Verde Rd.  
Pasadena, CA 91105

Alex Garcia, Hearing Officer  
HDP #6837, 801 S. San Rafael Avenue

Advance Correspondence regarding (to become part of the public record) HDP #6837 Public Hearing

I own a property adjacent to 801 S. San Rafael; my residence, 949 Mesa Verde, shares a property boundary of approximately 73 feet on the southeast side of the S. San Rafael property. I am submitting comments on the Hillside Development Permit application due to concerns about deficiencies in the Planning Department's Staff Report; notably, the Staff Report omitted my property in the assessment of adjacent neighbors. This error, since acknowledged by the Case Planner, will presumably be corrected. The crux of my concerns, though, relate to the project's potential burdens to me (and perhaps to other adjacent property owners) which are not satisfactorily addressed in the proposed project or the City's evaluation of the project.

The Hillside Development Application requires the analysis of the property and the project (i.e., view, tree protection, topography, hydrology, etc.). Several elements of this process, as described below, raise troubling issues for an adjacent homeowner would have little or no recourse to actions taken, or not taken, in such an extensive construction project.

**View:** The Hillside Overlay District's Building Design Standards (17.29.060) state that, "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." The project analysis, in ignoring the 949 Mesa Verde property, inaccurately concluded that "the project would not reasonably affect views from adjacent properties to the southwest (959 and 969 Mesa Verde Road). Though these properties are oriented towards the subject site, any views would be limited to existing foliage, the private yard, the existing structure, and the open sky." In fact, the proposed Accessory Structure #2 would rise 9 feet above the 6 foot wooden fence (the property boundary) which, as shown in the attached photographs, is clearly centered directly in the view from two rooms of my residence. The fence is approximately 62 feet from the bedroom window.

And, regrettably, the City did not require a visual analysis of the proposed construction, such as story poles or other visual depiction, to clearly understand the potential visual impacts of the project.

The proximity of the Accessory Structure (separated from the property boundary by a 10 foot setback) would create an eyesore; and yet, the project includes no privacy screening to eliminate the structures from my view. If this project were to be approved and implemented, an adjacent

property owner would be faced with the unwelcomed choice of accepting an eyesore or incurring the unwanted expense of installing and maintaining a sufficiently tall (that is, 15 feet), and dense, hedge of landscape plants (such as Texas Privet) to fully screen the accessory structure. to screen. The expense of a privacy hedge should not be thrust upon an adjacent property owner. Rather, if the accessory structure project is approved, the applicant should be required to immediately install and then maintain the landscape screen described above.

**Hydrology:** The slope in the vicinity of the proposed accessory structures runs generally north to south with elevation change of two feet across the relatively narrow lot. The lowest elevations are along my property line. The construction project, which will replaces an expanse of turf with hardscape and buildings, provides no specific drainage plan. The analysis states that the Building Division will review any grading and/or drainage plans “to ensure that the drainage conditions after construction comply with all applicable regulations”; however, compliance with unspecified regulations falls far short of an explicit requirement to install drainage sufficient to prevent water runoff from flooding onto my property. Again, an adjacent property owner should not be forced to accept runoff damage.

**Tree Protection:** The project’s tree protection and retention plan identifies a protected tree, a 75 foot Aleppo Pine, on my property adjacent to the proposed construction project. The plan “shall take into account trees . . . that might be impacted by the proposed construction” and “shall provide mitigation measures, if necessary and analyses (sic) potential damage”; and yes, monitoring to ensure that the project protects existing trees during construction. The City’s Tree Protection Ordinance states that, “No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree.” But, no such benefit is provided for an adjacent homeowner whose protected tree has been damaged or killed by a neighbor’s construction project.

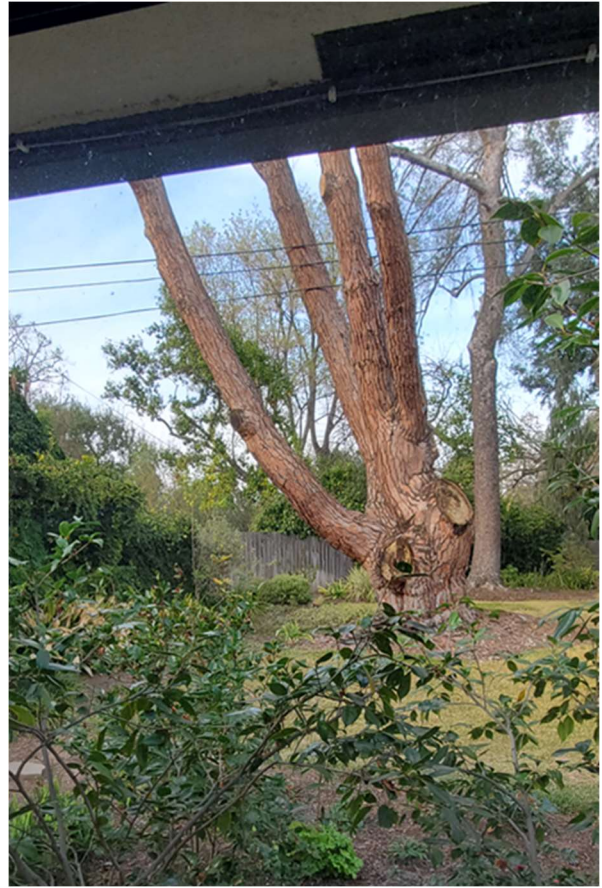
**Fire Risk:** And, of course, there’s the increased risk of fire. The plan specifies fire-resistant building materials for the accessory structures and yet the placement of these structures, at a considerable distance from the closest street or driveway constitutes a material fire danger for adjacent properties; the closest building is not the main residence; rather, the closest structures are the garage and residence at 959 Mesa Verde and my residence at 949 Mesa Verde.

For the reasons presented above, I vehemently oppose the project and hope that the City recognizes the concerns of adjacent neighbors in reviewing such construction projects.

Sincerely,

*Barbara A. Kelley*

The Accessory Structure #2 would be central in the views from the kitchen (left photo) and the bedroom window (right photo). The proposed Accessory Structure(s) would rise 9 feet above the height of the 6 foot wooden fence (the property line).



View of the north face of the residence at 949 Mesa Verde. The accompanying photographs show the views from the kitchen (the half octagon) on the left and from a bedroom window on the right; this window is approximately 62 feet from the region of the property boundary to which the Accessory Structure #2 is subject to the 10 foot setback.