



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** October 18, 2023

**TO:** Hearing Officer

**SUBJECT:** Hillside Development Permit #7079

**LOCATION:** 1385 El Mirador Drive

**APPLICANT:** Space International, Inc

**ZONING DESIGNATION:** RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District)

**GENERAL PLAN DESIGNATION:** Low Density Residential

**CASE PLANNER:** Ivan Galeazzi

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Hillside Development Permit #7079 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Hillside Development Permit: To allow a 65 square-foot upper-level addition to an existing 2,664 square-foot, split-level single-family dwelling with an attached and detached carport in the Hillside Overlay 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) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Section 15301 exempts additions to existing structures, provided the additions would not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development

permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The proposed 65 square-foot addition does not exceed the threshold. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project location is not environmentally sensitive.

Pursuant to Section 15300.2.f of the California Environmental Quality Act (CEQA) Guidelines, a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. A substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired. The CEQA Guidelines also further provide that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

The property is individually listed in the National Register as an outstanding example of the Mid-Century Modern architectural style utilizing innovative materials and as an example of the work of notable architectural firm Buff, Straub & Hensman. The most innovative component of the construction of the house was the various compositions and ages of plastics incorporated into the roof, skylights, and interior and exterior wall panels. As proposed, the project will not change the building's use or alter the character-defining features of the building such that the project would cause a substantial adverse change to the designated historic resource. Therefore, the proposal is exempt from environmental review.

## **BACKGROUND:**

### **Site characteristics:**

The subject property is an irregularly shaped flag lot totaling 49,375 square feet with sole access from El Mirador Drive. The flag portion of the lot totals 44,755 square feet and the pole portion totals 4,620 square feet. The property is located on the north side of El Mirador Drive with Wellington Avenue to the east and Rutherford Avenue to the west. The property is improved with a 2,664 square-foot, single-family residence with a detached and attached carport and a 150 square-foot lower level mechanical room. The topography slopes upwards from El Mirador Drive to the building pad and with the steepest portions located towards the rear property line. The average slope across the site is 23.6 percent. There are no areas of the site that slope 50 percent or greater.

### **Adjacent Uses:**

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

**Adjacent Zoning:** North – RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District)  
South – PD-9 (El Mirador Planned Development and RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District)  
East – RS-4 HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Development Overlay District)  
West – RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District)

**Previous Zoning Cases on this Property:** CUP #4131 – To Permit a 1,016 square foot square foot accessory structure (pool house) with three Variances in lieu of the front yard setback, a top plate height, and maximum height requirements. A Tree Removal Permit was also a part of the application. Approved February 5, 2003. Approval granted but was never constructed.

**PROJECT DESCRIPTION:**

The applicant, Michael Ferguson with Space International, Inc., on behalf of the property owner, has submitted a Hillside Development Permit application to allow a 65 square-foot upper-level addition to an existing 2,664 square-foot, split-level single-family dwelling with an attached and detached carport. The property is located within the RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District) zoning district. A Hillside Development Permit is required for any new square footage above the first story in the Hillside Overlay District. There are no protected trees proposed for removal as part of this project.

The existing dwelling consists of three bedrooms and three bathrooms. The project proposes to legalize and retain an enclosed balcony located at the rear of the dwelling, which will include repairing and reinstalling the existing windows. The space was formerly an unenclosed balcony. With the addition, the resulting gross floor area of the dwelling, which includes a 150 square-foot lower-level mechanical room, an attached 480 square-foot carport and a 400 square-foot detached carport, would be 3,759 square feet. The existing driveway and vehicular access from El Mirador Drive would remain unchanged.

**ANALYSIS:**

Hillside Development Permit

Properties located in the Hillside Development Overlay are required to comply with additional standards beyond those applicable to the base single-family residential zoning district (RS). These additional standards are intended in part, to preserve and protect views to and from hillside areas, maintain an environmental equilibrium by preserving and protecting existing natural resources, prohibit features that would create or increase fire, flood, landslide or other safety hazards to public health and safety, and preserve significant natural topographic features.

The Hearing Officer may approve a Hillside Development Permit only after making eight findings pursuant to Zoning Code Section 17.61.050 (Conditional Use Permits and Master Plans) and 17.29.080 (Hillside Development Permit). The general purpose of the Hillside Development Permit is to ensure that the proposed project minimizes its visual and environmental impact and to evaluate whether the proposed changes to the roofline are consistent with the requirements for the Hillside Development Overlay district in terms of color, material, scale, and character.

Findings are necessary for the purpose of evaluating compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses.

Development within the RS-2 HD zoning district shall comply with applicable development standards of the RS-2 district, Zoning Code 17.22.040 (RS and RM-12 Residential Districts General Development Standards) and Chapter 17.29 (Hillside Overlay Districts). In addition to the following discussion, a summary is provided in Table A.

#### *Floor Area*

In the RS-2 HD zoning district, the maximum allowable gross floor area is equal to 22.5 percent of the lot size plus 500 square feet. In cases, where the average slope of the lot exceeds 15 percent, the maximum allowable gross floor area is further reduced using the formula specified in Zoning Code Section 17.29.060.A.4 (Building Design Standards – Maximum Floor Area). Gross floor area includes all covered parking, habitable attic space, and accessory structures, among other enclosed space. For lots 10,000 square feet or more in the Hillside Overlay District, any portion equal to or greater than 50 percent slope, or any access easement on the lot must be deducted from the lot area prior to calculating the maximum allowable gross floor area.

The plans provided by the applicant identify a lot area of 49,375 square feet with the flag portion totaling 44,755 square feet and the pole portion totaling 4,620 square feet. For flag lots, the maximum gross floor area shall be based upon the area of the flag portion of the lot. Based on the slope analysis submitted, there is no area which has a slope equal to or greater than 50 percent. The slope analysis provided indicates an average slope is 24 percent. Using the calculations specified, the maximum allowed floor area is 10,115 square feet. The applicant's proposal consists of 3,759 square feet, which complies.

#### *Lot Coverage*

The maximum allowed lot coverage is equal to 35 percent of the lot area. Lot coverage is the percentage of the site covered by roofs, soffits or overhangs extending more than three feet from a wall, and by decks more than four feet in height. This standard generally evaluates the percentage of land area covered by development. In this case, 35 percent of the 49,375 square-foot lot is 17,281 square feet. The proposed lot coverage is approximately 12 percent, or 5,668 square feet, which complies. This calculation includes the existing building footprint, the existing attached and detached carports, existing decks, and the proposed expansion to the building footprint.

#### *Setbacks*

The minimum front setback for the main structure in the Hillside Development Overlay is 25 feet. The existing split-level single-family dwelling maintains a front setback of approximately 54'-4" feet from the front property line. The proposed addition is located further to the rear of the dwelling and complies with this requirement.

The minimum side setback is equal to 10 percent of the lot width, with a minimum requirement of five feet and a maximum requirement of 10 feet. Lot width is measured across the lot at the required 25-foot front setback. The lot is approximately 200 feet wide at the required front setback, resulting in a minimum required side setback of 10 feet. From the west property line,

The addition would maintain a minimum side setback of approximately 90'-10" from the west side property line, and approximately 138'3" from the east side property line. Therefore, the addition complies with this requirement.

The minimum rear setback is 25 feet. The proposed addition would maintain a rear setback of approximately 81'-2" and complies with this requirement.

#### *Encroachment Plane*

Main structures may not be located within an encroachment plane that slopes upward and inward at a 30-degree angle, commencing at a point six feet above existing grade along the side property lines. The intent of the encroachment plane standard is to moderate the mass and scale of structures and maintain desired neighborhood character. Plans provided by the applicant depict the encroachment plane and demonstrate the proposed additions comply with the requirement.

#### *Height*

Primary residences in the Hillside Development Overlay are required to comply with two separate standards for building height. First, a residence may not exceed a height of 28 feet at any point on the site, measured from existing grade. In addition, a residence may not exceed an overall height of 35 feet, measured from the lowest elevation on the site where the structure touches the grade, to the highest point of the roof (ridge or parapet).

According to the plan, the height of the upper-level addition is 16'-11" which complies with the 28-foot requirement. Since the existing dwelling is sited in a relatively flat area, the proposed addition also complies with the maximum 35-foot from lowest grade requirement.

#### *Parking*

Single-family dwellings are required to provide two covered parking spaces and a minimum of two guest parking spaces where parking is allowed on the street. The property has an existing attached two-car carport. There is an existing driveway that is more than 300 linear feet that leads into the carport which provides at least two guest parking spaces. This satisfies the guest parking requirement because parking is allowed on El Mirador Drive.

#### *Neighborhood Compatibility*

Projects subject to a Hillside Development Permit are to consider the character and scale of existing development in the neighborhood. The neighborhood is generally comprised of lots located within a 500-foot radius of the site. The Zoning Code specifies that the allowable floor area of a proposed dwelling (excluding garages, accessory structures, basements, etc.) may not exceed the median floor area of existing dwellings within the 500-foot radius by more than 35 percent. Floor area for this calculation relies on data from the Los Angeles County Assessor.

A radius of 500 feet from the subject property encompasses 74 parcels within the City limit, 68 of which are developed with single-family residences. The median house size is 3,038 square feet and 35 percent above the median value is 4,101 square feet. The proposed addition would provide for a 2,879 square-foot dwelling (including lower level mechanical and excluding the carports) and therefore complies with the Neighborhood Compatibility analysis. Data obtained for the median calculation is included in Attachment C.

Table A: RS-2 and Hillside Overlay Development Standards

Development Feature	Required	Proposed	Analysis
<b>RS-2 HD – Single Family Residential and Hillside Overlay Development Standards</b>			
<b>Maximum Floor Area</b>	10,115 square feet	3,759 square feet	Complies
<b>Maximum Site Coverage</b>	35% of lot size (17,281 square feet)	12% (5,668 square feet)	Complies
<b>Setbacks</b>			
Front (South)	25'	54'-4"	Complies
Side (West)	10'	90'-10"	Complies
Side (East)	10'	138'-3"	Complies
Rear (North)	25'	81'-2"	Complies
<b>Encroachment Plane</b>	30 degrees at 6' high	30 degrees at 6' high	Complies
<b>Maximum Allowable Height</b>	28' and 35'	16'-11"	Complies
<b>Minimum parking</b>	2 covered spaces	2-car attached carport	Complies
<b>Guest Parking</b>	2 on-site	2 on-site	Complies
<b>Neighborhood Compatibility</b>	4,101 sf	2,879 sf	Complies

*Architecture and Setting*

The existing split-level single-family residence is located on the north side of El Mirador Drive. The neighborhood generally includes properties along El Mirador Drive, Rutherford Drive, and Wellington Avenue. Within this neighborhood, the existing dwellings consist of one and two-story structures, and feature architectural styles consisting of California Ranch, modern-contemporary, Mediterranean, Tudor, and Colonial Revival. These residences share similar elements, profile and materials that include stucco and wood façade materials as well as varied, light hued natural colorings.

The property at 1385 El Mirador Drive was constructed in 1964 and is an example of the Mid-Century Modern architectural style. The dwelling uses innovative materials and is an example of the work of notable architectural firm Buff, Straub & Hensman. The most innovative component of the construction of the house was the various compositions and ages of plastics incorporated into the roof, skylights, and interior and exterior wall panels. The residence is characterized by its T-shaped footprint, post-and-beam construction, flat roof with integrated skylights, strong, bold horizontal lines, experimental materials, floor-to-ceiling glazed openings, and the use of Gill-produced plastic panels within the roof system. Other materials found throughout the residence include brick, exposed wood beams, and wood joists and rafters. consists of the Modern style. As with most Buff, Straub, & Hensman designs, the house both feels embedded in nature while taking advantage of sweeping views of the mountains, using glass for view walls and translucent or opaque walls elsewhere.

The upper-level addition of 65 square feet to an existing single-family residence would enclose an existing balcony and expand an existing glassed sunroom which would not be visible from

the public right-of-way. The proposed enclosure would match the existing glass windows that are floor to ceiling in height. All windows would have dark trim frames and would be consistent with the windows proposed at the existing residence. The design elements, intended to match the existing condition, are in keeping with architectural elements in the neighborhood, and would not alter the existing character. The roof or other architectural elements would not be altered as part of this request. Therefore, the design, location, operating characteristics, and size of the dwelling would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.

#### *View Protection, Story Poles, Notice of Application Requirements*

The Zoning Code requires applicants to design and locate improvements in order to avoid blocking views from surrounding properties. Specifically, new structures 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 standard specifies that improvements are to avoid blocking culturally significant structures such as the Rose Bowl, Colorado Street Bridge, City Hall, downslope views of the valley floor, prominent ridgelines, and/or the horizon line. Views of the open sky, existing foliage, private yards, and existing structures on surrounding properties shall not be taken into consideration by the review authority.

The subject site is a flag lot that is surrounded by existing single-family residential lots and dense vegetation. The site is improved with a relatively flat building pad, with minor steeping slopes ascending from El Mirador Drive, and larger slopes to the rear of the dwelling. The dwelling was designed to have a continuous roof extend over the balcony and therefore the proposed enclosure would not increase the height of the first story and would not obstruct any views from abutting structures at a height of 16'-11". In addition, it is not directly in line with any views from neighboring properties that the City would otherwise protect.

In summary, the enclosing of an existing balcony underneath and existing roof line, while potentially visible from adjacent properties, will not increase the existing height. Therefore, the proposed addition would not impede protected views from any of the adjacent properties nor be centered directly in the view of any room of a primary structure on a neighboring parcel.

In July 2023, a temporary silhouette (i.e., 'story poles') was installed on the subject property. Staff conducted a visual inspection, photographing the project site in relation to abutting properties. A Notice of Application, providing a minimum 14-day notification period, was also mailed in accordance with the requirements of the Zoning Code. Based on the site visit, it is the staff's position that the proposed improvements would not impact any protected views from adjacent properties. Although portions of the silhouette may be visible to the surrounding properties, there is no protected view obstruction. Therefore, staff has determined the project minimizes view impacts and is consistent with the view protection standards of the Zoning Code.

#### *Ridgeline Protection*

The proposed addition complies with the ridgeline protection standards of the Zoning Code. There are no ridgelines near the subject property. Therefore, no part of the proposal would appear silhouetted against the sky above a ridge when viewed from a public street or park.

### *Arroyo Seco Slope Bank*

No structure shall extend over or below the top edge of the Arroyo Seco slope bank on a lot identified on the *Arroyo Seco Slope Bank Map*, dated May 11, 2004. The top edge is considered the highest existing grade elevation at the point where the natural gradient inclines downward at a slope greater than 50 percent. The property is not located within the designated area of the Arroyo Seco slope bank and therefore, is not subject to this requirement.

### *Preliminary Geotechnical Report*

GeoSystems, Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The report includes a description of site conditions based on visual evaluation and review of the available regional geologic maps. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the exploration was to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the property with respect to the proposed addition. The report identified that there are no known active faults crossing the property, the property is not in mapped potential liquefaction area, and no ground water was encountered during the investigation. GeoSystems Inc. concludes that the proposed construction is feasible from a geotechnical standpoint. Therefore, the proposed development would not have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

### Design and Historic Preservation Analysis

The staff of the Design and Historic Preservation Section conducted a Historic Resource Evaluation of the property. Staff evaluated the architectural significance of the property and verified that the property is an individually listed historic resource in the National Register as a significant example of the Modern style and as the work of the architectural firm Buff, Straub & Hensman.

Originally built for Merwyn C. Gill, a pioneer in the manufacturing of reinforced plastics and composites for the Aerospace industry, the residence was a collaboration between the firm and Gill, who incorporated many of his plastic products into the construction of the house. Post-1964 construction, the residence underwent numerous alterations that were a collaboration between the property owner and the architects (Buff, Straub & Hensman), including Dennis Smith who later became principal of the firm. Alterations included the enclosure and renovation of a secondary landscaped area that was part of the master bath (1990s), replacement of the screens on the porch off of the dining room with solid glass in the same openings to provide an enclosed interior space (date unknown), and numerous other alterations that replaced original materials with newer materials such as replacing the original translucent panels in the original path to the house with custom blue patterned glass and replacing opaque ceilings with the skylight "sandwich" units to gain more light. A detached carport, designed by Buff Straub & Hensman under the direction of Dennis Smith, was constructed at the northwest side of the property in 1995. All of these alterations were in place when the property was listed in the National Register in 2009.

### *Findings of Consistency with the Secretary of Interior's Standards:*

Pursuant to PMC Section 17.62.090(D)(2), if a major or minor project, as defined in Section 17.62.030.U and V, is proposed in conjunction with a land use permit, an advisory review by



Design & Historic Preservation staff is required prior to action being taken on the land use approval, and the staff shall provide comments to the land use approval review authority on compliance of the project with the Secretary of the Interior's Standards, including any recommended conditions of approval that would be necessary to ensure compliance with the Standards.

The proposed project, which involves retaining an enclosed balcony and retaining and repairing windows that were in place when the property was listed in the National Register, does not meet the definition of either a major or minor project in Section 17.62.030.U and V; therefore, a finding of consistency with the Secretary's Standards is not required for this project.

### Tree Protection Ordinance

The applicant provided a tree inventory identifying 16 trees within the vicinity of the addition. Of these trees, 12 are protected and are required to comply with the tree protection standards during construction. The applicant is proposing to retain all trees.

### **GENERAL PLAN CONSISTENCY:**

The subject site is designated as Low Density Residential in the General Plan Land Use Element. General Plan Land Use Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design and landscaped setbacks. The proposed project addition would be architecturally compatible with the existing character of the structure and neighborhood, particularly in regard to building form and massing. 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 residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed first story addition to the existing residence comply with applicable development standards in the Zoning Code. The proposed colors and materials comply with the requirements of the Hillside Development Overlay. Additionally, the scale and massing of the proposed addition would be consistent 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) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Section 15301 exempts additions to existing structures, provided the additions would not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The

proposed 65 square-foot addition does not exceed the threshold. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project location is not environmentally sensitive.

Pursuant to Section 15300.2.f of the California Environmental Quality Act (CEQA) Guidelines, a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. A substantial adverse change includes demolition, destruction, relocation, or alteration such that the significance of an historical resource would be impaired. The CEQA Guidelines also further provide that a project that demolishes or alters those physical characteristics of an historical resource that convey its historical significance (i.e., its character-defining features) can be considered to materially impair the resource's significance.

The property is individually listed in the National Register as an outstanding example of the Mid-Century Modern architectural style utilizing innovative materials and as an example of the work of notable architectural firm Buff, Straub & Hensman. The most innovative component of the construction of the house was the various compositions and ages of plastics incorporated into the roof, skylights, and interior and exterior wall panels. As proposed, the project will not change the building's use or alter the character-defining features of the building such that the project would cause a substantial adverse change to the designated historic resource. Therefore, the proposal is exempt from environmental review.

#### **REVIEW BY OTHER CITY DEPARTMENTS:**

The proposed project was reviewed by the Design and Historic Preservation Section, Building and Safety Division, Public Works Department, and Fire Department. The Design and Historic Preservation Section, Building and Safety, and Public Works Department had no comments. The Fire Department has provided conditions of approval which are included in Attachment B. In addition to recommend conditions of approval, all departments would review the project for compliance during the building permit plan review process.

#### **CONCLUSION:**

It is staff's assessment that the findings necessary for approving the Hillside Development Permit to allow a 65 square-foot upper-level addition to an existing single-family dwelling with an attached and detached carport can be made (Attachment A). The proposed project meets applicable development standards required by the Zoning Code for the RS-2 HD zoning district, including the Neighborhood Compatibility guidelines. The proposed upper-level addition to the existing dwelling would not create a view impact and would maintain the existing character of the neighborhood. In addition, the project would be required to comply with all Building and Fire Code requirements, and therefore, would not be detrimental or injurious to surrounding properties or improvements. 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: Specific Findings for Hillside Development Permit  
Attachment B: Recommended Conditions of Approval for Hillside Development Permit  
Attachment C: Neighborhood Compatibility Analysis – Properties within 500 feet

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR HILLSIDE DEVELOPMENT PERMIT #7079**

Hillside Development Permit

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.* The subject property is located in the RS-2 HD (Single-Family Residential, 0-2 dwelling units per acre of site area, Hillside Development Overlay District) zoning district, which permits single-family residential uses by-right. The proposed upper-level addition is allowed with a Hillside Development Permit and will comply with applicable development standards, including maximum allowable floor area, lot coverage, setbacks, building heights, and off-street parking requirements.
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 purpose of the RS-2 HD district is to provide areas for single-family residential neighborhoods that are consistent with and implement the Single-Family Residential land use designation of the General Plan, and that are consistent with the standards of public health and safety established by this Zoning Code. The Hillside Development Overlay is intended to preserve and maintain hillside areas. The existing single-family residential use of the property is located in a neighborhood that is developed with single-family residential uses. The location of the proposed upper-level addition will preserve and protect views, preserve existing topographic features and existing natural resources, consistent with the purpose of the Zoning Code and applicable zoning district. The addition will be located in geologically stable portions of the site. The improvements will be located in areas that will have minimal impact to drainage patterns.
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. General Plan Land Use Policy 21.5 (Housing Character and Design) encourages the renovation of existing housing stock in single and multi-family neighborhoods. When additions or replacement housing is proposed, these should reflect the unique neighborhood character and qualities, including lot sizes, building form, scale, massing, and relationship to street frontages, architectural design and landscaped setbacks. The proposed addition will be architecturally compatible with the existing character of the structure and neighborhood, particularly in regard to building form and massing. The enclosing of the existing covered balcony will not increase the height of the roof and will appear as if it was originally intended to be enclosed. 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 residences to maintain appropriate scale, massing and access to residential structures located in hillside areas. The proposed first-story addition to the existing residence complies with applicable development standards in the Zoning Code. The addition to enclose an existing and covered balcony will not increase the height of the residence. In addition, the proposed enclosure would consist of floor to ceiling windows with dark colored window trim. The residence proposes colors and materials that comply with the requirements of the Hillside Development Overlay. Additionally, the scale and massing of the proposed addition will be consistent with the scale and setting of the surrounding residences. Therefore, staff finds that the project will 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 proposed addition will not change the existing single-family residential use of the property that has functioned adequately on-site. The addition will be located in a geologically stable portion of the site, and the increase in height is consistent with the applicable base zoning district requirements, will continue to maintain safe means of ingress and egress, and remain low profile in scale, consistent with the general site standards of the Hillside Development Overlay. The proposed addition will be located on the flat portion of the lot in the center of the property, and at substantial distances from neighboring properties, thereby limiting effects. Therefore, the proposed project will not be detrimental to the public health, safety, or welfare of persons or properties within the surrounding 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 proposal will not change the existing single-family residential use of the property. GeoSystems, Inc. conducted a preliminary geotechnical investigation of the site and prepared a report. The geotechnical investigation is required for projects subject to a Hillside Development Permit. The purpose of the geotechnical report is to evaluate the nature, distribution, engineering properties, and geologic structure of the earth materials underlying the property with respect to the proposed addition. GeoSystems, Inc. concludes that the proposed construction is feasible from a geotechnical standpoint. Therefore, the proposed development will not have an adverse effect on the geologic stability of the property outside the building site provided that the Building Code and the geotechnical engineer's recommendations are followed during construction.

The applicant is required to design all improvements in compliance with current Building and Fire codes and standards established in the Zoning Code. Through the plan check process, the City will review plans for substantial conformance with this Hillside Development Permit, all applicable standards, and compliance with required conditions of approval.

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 proposed addition will not be visible from the public right-of-way. The addition will not increase the height of the existing single-family residence. The proposed windows are floor to ceiling in height to match the existing windows and will have dark window trims. The design elements, intended to match the existing condition, are in keeping with architectural elements in the neighborhood, and would not alter the existing character. Therefore, the proposed addition will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.
7. *The design, location, and size of 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, and in terms of aesthetics, character, scale, and view protection.* The purpose of the Neighborhood Compatibility guidelines is to emphasize designs that consider the character and scale of existing development in the vicinity. Within a 500-foot radius, there are 74 parcels within the City of Pasadena jurisdiction. Six of these parcels are undeveloped. The median calculation is 3,038 square feet where 35 percent above equates to 4,101 square feet. The proposal includes a 2,879

square-foot dwelling (including lower level mechanical and excluding the carports) and complies with Neighborhood Compatibility.

The existing single-family residence is located on the north side of El Mirador Drive. The neighborhood generally includes properties along El Mirador Drive, Rutherford Drive, and Wellington Avenue. Within this neighborhood, the existing dwellings consist of one to two-story structures, and feature architectural styles consisting of California Ranch, modern-contemporary or Mediterranean, Tudor, and Colonial Revival. These residences share similar elements, profile and materials that include stucco and wood façade materials as well as varied, light hued natural coloring.

The visual impact of the proposal is minimized due to existing conditions of the subject site being a flag lot which is surrounded by existing single-family residential lots and dense vegetation. The site is improved with a relatively flat building pad, with minor steeping slopes ascending from El Mirador Drive, and larger slopes to the rear of the dwelling. The 65 square-foot upper-level addition consists of enclosing an existing balcony at the rear of the dwelling. The dwelling was designed to have a continuous roof extend over the balcony and therefore would not increase the height of the first story and would not obstruct any views from abutting structures at a height of 16'-11". In addition, it is not directly in line with any views from neighboring properties that the City would otherwise protect. As a result, it is anticipated that the proposal will maintain compatibility with both existing structures and future development in terms of aesthetic values, character, scale, and view protection. Further, existing landscaping, which includes many mature trees will limit visibility. Therefore, the proposed addition will not impede protected views from any of the adjacent properties nor be centered directly in the view of any room of a primary structure on a neighboring parcel. The design, location, operating characteristics, and size of the dwelling will be compatible with the existing and anticipated future developments on adjacent lots.

8. *The placement of proposed structures 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 building pad is flat where the existing single-family dwelling is sited. The proposed upper-level addition involves the enclosure of existing covered balcony. From the east property line, the addition would maintain a minimum side setback of approximately 81'-2". From the north side property line, the addition would maintain a minimum side setback of 90'-10". From the south side property line, the addition would maintain a minimum side setback of 138'-3". Therefore, the proposed addition will not require substantial changes to grading, drainage, and landscaping and avoids the most steeply sloping portions of the site.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR HILLSIDE DEVELOPMENT PERMIT #7079**

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 "Approved at Hearing, October 18, 2023," 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 Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
3. This approval allows 65 square-foot upper-level addition to an existing single-family dwelling with an attached and detached carport.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments and the Pasadena Municipal Code.
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 **ZENT2022-00162** 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 Ivan Galeazzi, Current Planning Section, at (626) 744-7124 or [igaleazzi@cityofpasadena.net](mailto:igaleazzi@cityofpasadena.net) to schedule an inspection appointment time.

Planning Division

7. The applicant shall comply with all requirements of Zoning Code Chapters 17.22 (Residential Zoning Districts) and 17.29 (Hillside Overlay District) that relate to residential development in the Hillside Development Overlay District.
8. The applicant or successor in interest shall comply with all requirements of Municipal Code Chapter 9.36 (Noise Restrictions). Specifically, all construction activities shall adhere to Municipal Code Section 9.36.070 (Construction Projects) and Section 9.36.080 (Construction Equipment).
9. No demolition or grading permit shall be issued until the building permit for the residential project is ready to be issued.
10. The applicant or successor in interest shall use darker tones, including earth tones, for the exterior walls and roofs on the house that blend with the natural terrain. Color and material samples shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.

11. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.
12. 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.
13. 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. Mechanical equipment shall be placed on a rooftop only if the equipment is not visible from off the site.
14. Any new construction shall meet all applicable SUSMP (Standard Urban Water Mitigation Plan) requirements as determined by the Building and Safety Division.
15. 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.
16. At no time shall construction activities, including, but not limited to, construction materials, vehicles and equipment, obstruct access to vehicular driveways of adjacent properties.

#### Fire Department

#### 17. GOVERNING CODES:

- a. Comply with the current edition of the California Residential Code, California Fire Code and referenced NFPA standards and the Pasadena Municipal Code

#### 18. FIRE PROTECTION SYSTEMS:

- a. A Fire sprinkler system is required for existing occupancies where one of the following conditions exists as per Pasadena Municipal Code Section 14.28.210:
  - i. Whenever additions result in an additional level above or below grade, or a total increase of more than 1000 square feet (92.9 m<sup>2</sup>) or an increase of more than fifty percent (50%) in the total floor area including mezzanines and additional stories, whichever is less, regardless of ownership. Additions shall be cumulative with each application for a building permit from January 1, 2008. R-3 occupancies shall not be

required to comply with this condition solely due to the addition of an additional level, unless one of the criteria for an increase of total floor area is also exceeded.

- ii. Whenever the value of alterations exceeds fifty percent (50%) of the replacement value of the structure, excluding the value of property and contents, as determined by the Building Official. Alteration values shall be cumulative with each application for a building permit from January 1, 2008. Expenditures for maintenance and repairs such as interior and exterior painting, carpeting, interior window coverings, drapes, movable partitions, surface re-roofing or plumbing, mechanical and electrical repairs shall not be considered when calculating the percentage of alterations.
- iii. Whenever there is a change of occupancy to a more hazardous use, as determined by the fire code official.
- iv. Whenever any existing Group R Division 1 occupancy is subdivided to a condominium or any nonresidential occupancy is converted, in part or whole, to a residential occupancy.

19. FIRE ACCESS and OCCUPANT EGRESS

- a. Provide emergency escape and rescue openings in accordance with the California Residential Code.

20. FIRE HAZARD AREA: This project is in a Very High Fire Hazard Area; therefore, the following is required:

- a. Compliance with California Residential Code and California Fire Code fire resistive construction requirements.
- b. As per Pasadena Municipal Code Section 14.28.320, Additions or alterations shall be permitted to be made to any building or structure without requiring the existing building or structure to comply with the requirements of Section 4905.2, provided that the addition or alteration conforms to that required for a new building or structure as per Section 4905.2, including the following:
  - i. California Building Code, Chapter 7A,
  - ii. California Residential Code, Section R337
  - iii. California Referenced Standards Code, Chapter 12-7A

Exception: Reasonably equivalent alternatives as approved by the fire code official and building official when dealing with qualified historical buildings and districts, in accordance with the California Historical Building Code.



**ATTACHMENT C  
NEIGHBORHOOD COMPATIBILITY – PROPERTIES WITHIN 500 FEET**

<b>No.</b>	<b>APN</b>	<b>Address</b>	<b>Zone</b>	<b>Hillside Overlay</b>	<b>Lot Size (sf)</b>	<b>House Size (sf)</b>
1	5705-015-008	1132 WELLINGTON AVE	RS-4	HD	12030	1040
2	5705-015-020	1155 LINDA VISTA AVE	RS-4	HD	24125	1402
3	5705-015-019	1145 LINDA VISTA AVE	RS-4	HD	23206	1538
4	5705-015-017	1135 LINDA VISTA AVE	RS-4	HD	12062	1720
5	5705-015-011	1150 WELLINGTON AVE	RS-4	HD	18015	1747
6	5705-010-011	1331 EL MIRADOR DR	RS-4	HD	9366	1752
7	5705-010-012	1301 EL MIRADOR DR	RS-4	HD	10533	1758
8	5705-016-002	1290 EL MIRADOR DR	RS-4	HD	9126	1773
9	5705-016-004	1270 EL MIRADOR DR	RS-4	HD	9133	1788
10	5705-016-005	1260 EL MIRADOR DR	RS-4	HD	9071	1887
11	5705-016-001	1300 EL MIRADOR DR	RS-4	HD	9060	2015
12	5705-016-012	1255 WABASH ST	RS-4	HD	9429	2051
13	5705-015-004	1265 EL MIRADOR DR	RS-4	HD	9123	2081
14	5705-015-023	1241 EL MIRADOR DR	RS-4	HD	9112	2117
15	5705-015-013	1180 WELLINGTON AVE	RS-4	HD	11749	2148
16	5705-015-018	1137 LINDA VISTA AVE	RS-4	HD	12077	2178
17	5705-010-003	1465 EL MIRADOR DR	RS-2	HD	21212	2314
18	5705-015-005	1275 EL MIRADOR DR	RS-4	HD	7623	2320
19	5705-017-001	1280 WABASH ST	RS-4	HD	13622	2393
20	5705-010-009	1385 EL MIRADOR DR	RS-2	HD	49704	2400
21	5705-015-024	1251 EL MIRADOR DR	RS-4	HD	9180	2406
22	5705-016-006	1250 EL MIRADOR DR	RS-4	HD	9136	2556
23	5705-010-004	1449 EL MIRADOR DR	RS-2	HD	23436	2602
24	5705-016-003	1280 EL MIRADOR DR	RS-4	HD	9082	2616
25	5705-015-009	1136 WELLINGTON AVE	RS-4	HD	12009	2620
26	5705-010-015	1125 WELLINGTON AVE	RS-4	HD	12723	2699
27	5705-010-007	1405 EL MIRADOR DR	RS-2	HD	17394	2732
28	5705-009-025	1455 AFTON ST	RS-2	HD	33482	2754
29	5705-010-008	1395 EL MIRADOR DR	RS-2	HD	16901	2834
30	5705-016-011	1245 WABASH ST	RS-4	HD	9127	2835
31	5705-025-001	1450 EL MIRADOR DR	RS-2	HD	13625	2928
32	5705-026-002	1396 EL MIRADOR DR	PD-9		15039	2928
33	5705-026-003	1382 EL MIRADOR DR	PD-9		16389	2964
34	5705-026-014	1386 EL MIRADOR DR	PD-9		17589	2972
35	5705-015-014	1105 LINDA VISTA AVE	RS-4	HD	16863	3104
36	5705-025-028	1401 RUTHERFORD DR	PD-9		15033	3171
37	5705-010-019	1111 WELLINGTON AVE	RS-4	HD	20855	3182
38	5705-010-005	1425 EL MIRADOR DR	RS-2	HD	29468	3188
39	5705-015-007	1118 WELLINGTON AVE	RS-4	HD	24005	3213

40	5705-025-026	1409 RUTHERFORD DR	PD-9		14483	3226
41	5705-009-003	1435 AFTON ST	RS-2	HD	30774	3236
42	5705-001-028	1320 EL MIRADOR DR	PD-9		100468	3242
43	5705-015-015	1115 LINDA VISTA AVE	RS-4	HD	14461	3246
44	5705-026-001	1402 RUTHERFORD DR	PD-9		16145	3263
45	5705-010-014	1135 WELLINGTON AVE	RS-4	HD	14614	3282
46	5705-026-006	1390 EL MIRADOR DR	PD-9		40816	3288
47	5705-009-002	1415 AFTON ST	RS-2	HD	30121	3411
48	5705-015-006	1112 WELLINGTON AVE	RS-4	HD	23975	3473
49	5705-026-009	1408 RUTHERFORD DR	PD-9		14175	3516
50	5705-001-027	1340 EL MIRADOR DR	RS-2	HD	24828	3536
51	5705-015-016	1121 LINDA VISTA AVE	RS-4	HD	16853	3549
52	5705-025-002	1470 EL MIRADOR DR	RS-2	HD	18682	3586
53	5705-016-014	1275 WABASH ST	RS-4	HD	16667	3639
54	5705-001-026	1380 EL MIRADOR DR	RS-2	HD	23232	3647
55	5705-010-020	1415 EL MIRADOR DR	RS-2	HD	38697	3761
56	5705-015-012	1164 WELLINGTON AVE	RS-4	HD	11534	3840
57	5705-025-025	1413 RUTHERFORD DR	PD-9		14483	3875
58	5705-025-027	1428 EL MIRADOR DR	PD-9		16119	3902
59	5705-015-010	1146 WELLINGTON AVE	RS-4	HD	15604	3941
60	5705-010-010	1373 EL MIRADOR DR	RS-2	HD	24522	4023
61	5705-026-015	1388 EL MIRADOR DR	PD-9		37781	4088
62	5705-010-017	1153 WELLINGTON AVE	RS-2	HD	22101	4560
63	5705-026-008	1404 RUTHERFORD DR	PD-9		16245	4708
64	5705-026-007	1394 EL MIRADOR DR	PD-9		20066	4813
65	5705-010-018	1145 WELLINGTON AVE	RS-2	HD	19477	4823
66	5705-009-001	1405 AFTON ST	RS-2	HD	29303	5150
67	5705-026-011	1484 RUTHERFORD DR	PD-9		28000	5713
68	5705-009-017	1211 WELLINGTON AVE	RS-2	HD	230115	8407
69	5705-001-031	1470 RUTHERFORD DR	PD-9		2605187	Vacant
70	5705-009-016	1410 WICKS RD	RS-2	HD	26475	
71	5705-016-013	1265 WABASH ST	RS-4	HD	4569	
72	5705-001-029	1400 EL MIRADOR DR	PD-9		50046	
73	5705-009-901	1465 AFTON ST	RS-2	HD	80287	
74	5705-010-021	1409 EL MIRADOR DR	RS-2	HD	19726	
					<b>Median</b>	<b>3,038</b>
					<b>35%</b>	<b>1,063</b>
					<b>Total</b>	<b>4,101</b>