



**CITY OF SOUTH PASADENA
PLANNING COMMISSION SPECIAL MEETING AGENDA**

**Amedee O. "Dick" Richards, Jr. Council Chamber
1424 Mission Street, South Pasadena, CA 91030**

Monday, March 25, 2019, at 8:00 p.m.

*In order to address the Planning Commission, please complete a Public Comment Card.
Time allotted per speaker is three minutes.*

- CALL TO ORDER:** Chair Kelly M. Koldus
- ROLL CALL:** Steven Dahl, Commissioner, John Lesak, Commissioner, Richard Tom, Secretary, Janet Braun, Vice-Chair, and Kelly M. Koldus, Chair
- COUNCIL LIAISON:** Dr. Richard D. Schneider, Council Liaison
- STAFF PRESENT:** David Bergman, Interim Director of Planning and Building
Holly O. Whatley, Assistant City Attorney
Darby Whipple, Senior Planner
Edwar Sissi, Associate Planner
- PLEDGE OF ALLEGIANCE:** Chair Kelly M. Koldus

PUBLIC COMMENTS AND SUGGESTIONS

(Time limit is three minutes per person)

Time reserved for those in the audience who wish to address the Planning Commission on items not on the agenda and within the subject-matter jurisdiction of the Planning Commission. The audience should be aware that the Planning Commission may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on a future agenda.

Note: Public input will also be taken during all agenda items. Time allotted per speaker: 5 minutes.

CONTINUED HEARING

1. 817 Orange Grove Place (Appeal)

On October 4, 2018, the DRB denied a request made by Peter De Maria, Architect, to demolish an existing duplex with detached garage, and the construction of a new tri-plex comprising of approximately 5,000 square feet of living area on an approximate 10,000 square foot lot. Unit A, the front unit, was to consist of two stories and 2,319 square feet; Unit B was to be at ground level at the rear and be 1,187 square feet, and Unit C, was to be located above Unit B and be 1,471 square feet in size. The exterior materials of the modern style architecture were proposed to consist of stucco, metal standing seam roofing, frameless glass railing, and aluminum windows and patio doors. The existing structures were reviewed by the Cultural Heritage Commission (CHC), and they were cleared of any eligibility as a Historic Resource allowing the proposed demolition to continue through the regular entitlement process with the Design Review Board.

Recommendation:

Deny the Appeal and uphold the Design Review Board's decision.

PUBLIC HEARINGS

2. 1337 Oak Hill Place (Hillside Development Permit)

The Planning Commission will consider an application for a Hillside Development Permit, Design Review, and the adoption of a Negative Declaration for a new three-story single-family residence located in an established single-family residential neighborhood.

Recommendation:

Approve

3. 191 Monterey Road (Tentative Tract Map)

The Planning Commission will consider a request for Tentative Tract Map No. 71738 originally approved in 2012 in connection with an approved 9-unit condominium complex located at 191 Monterey Road. The proposed project is a request for Tentative Tract Map No. 71738 for subdivision of nine (9) condominium units; thereby, allowing the individual units to be sold separately. The 9-unit Mediterranean style architecture condominium complex is currently under construction at the base of a north-facing slope located at 191 Monterey Road.

Recommendation:

Approve

4. Bank Street – Street Vacation

The Planning Commission will consider a proposed project consisting of vacating Bank Street between Diamond Avenue and Fremont Avenue. The completion of the vacation will revert the public right of way back to the adjacent parcels, currently housing the South Pasadena High School campus, and owned by the South Pasadena School District. The additional vacated right-of-way will remove certain public restrictions, consequently enabling the South Pasadena School District to construct a proposed classroom building.

Recommendation:

Approve

ADMINISTRATION

- 5. **Comments from City Council Liaison**
- 6. **Comments from Planning Commissioners**
- 7. **Comments from Staff**

ADJOURNMENT

8. Adjourn to the regular Planning Commission meeting scheduled for April 22, 2019

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ACCOMMODATIONS



The City of South Pasadena wishes to make all of its public meetings accessible to the public. Meeting facilities are accessible to persons with disabilities. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Hearing assistive devices are available in the Council Chamber. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City's website as required by law.

Date

3/21/19


Elaine Serrano,
Administrative Secretary




Planning Commission Agenda Report

ITEM NO. 

DATE: March 25, 2019

FROM: David Bergman, AICP, Interim Director of Planning and Building 

VIA: Edwar Sissi, Associate Planner 

SUBJECT: Appeal of Design Review Board Decision (1750-NID-DRX)
Project No. 2180-APPEAL
817 Orange Grove Place (APN: 5315-018-064)

AGENDA ITEM BRIEFING

APPELLANT: PRT CHAN, LLC

REQUESTED ACTION: APPELLANT REQUESTS THE COMMISSION OVERTURN THE DESIGN REVIEW BOARD DECISION THAT DENIED THE DEMOLITION OF A NON-HISTORIC TWO-UNIT DEVELOPMENT AND THE CONSTRUCTION OF A NEW APPROXIMATELY 5,000 SQUARE FOOT TWO-STORY TRI-PLEX MULTI-FAMILY DEVELOPMENT IN A MODERN DESIGN LOCATED AT 817 ORANGE GROVE PLACE.

RECOMMENDATION: DENY THE APPEAL AND UPHOLD THE DESIGN REVIEW BOARD'S DECISION TO DENY THE PROPOSED DEMOLITION AND NEW TRI-PLEX DEVELOPMENT LOCATED AT 817 ORANGE GROVE PLACE.

REFERENCES

GENERAL PLAN: MEDIUM DENSITY RESIDENTIAL

ZONING: RESIDENTIAL MEDIUM DENSITY (RM)

CODE SECTIONS: 36.220.040; 36.410.040(I); 36.610

CEQA: CATEGORICALLY EXEMPT

Recommendation

It is recommended that the Commission deny the appeal and uphold the Design Review Board's decision to deny the proposed demolition and new tri-plex development located at 817 Orange Grove Place.

Discussion – Description of Project Site and the Project

1. Project Site:

The subject site is a rectangular shaped lot with approximately 47 feet of frontage along Orange Grove Place and 50 feet of frontage along a rear alleyway to which the project site directly abuts. The total square footage of the relatively flat project site is 10,102 square feet. The site contains existing structures totaling 2,810 square feet of living space, or 27% F.A.R. The single-story front unit was constructed in 1922 and is 1,150 square feet in size. The single-story rear second unit - located centrally on the site - was constructed in 1960 and was 1,660 square feet in size. The detached 560 square foot two car garage was constructed in 1923 and is located at the rear of the lot. The rear second unit was demolished in the fall of 2018 with City approval given its dilapidated and uninhabitable condition due to unpermitted demolition that began in 2014. The front unit and rear detached garage remain standing and occupied. The site is located adjacent to the Metro Goldline right of way (with the rear alleyway separating the property and Goldline), and is located in the Residential Medium Density (RM) Zoning District.

2. The Project:

Denied Proposal:

The proposed project that was denied by the Design Review Board in October 2018 consists of a two-story triplex complex with a proposed gross square footage of 4,997 square feet. The front Unit A will be two stories and 2,319 square feet with 3 bedrooms and 2.5 baths. Unit B will be one-story and consist of 1,187 square feet with one bedroom, and 1.5 baths. Unit C will be located above Unit B and consist of 1,471 square feet with one bedroom and 1.5 baths. The proposed total F.A.R. will be 49% with a maximum allowable of 50% or 5,051 square feet. The architectural design was modern with post-modern elements including a gabled roofing plane, classical columns and a front porch at the front unit facing Orange Grove Place and a material palette of standing seam metal roofing, smooth stucco, horizontal wood siding elements, glass and cable guard railing, and aluminum windows and doors. A total of four covered parking spaces and two uncovered guest parking spaces were proposed with a driveway that extends through the site from the primary frontage street to the rear alleyway.

Revised Proposal:

On February 19, 2019, the appellant's representatives presented a revised design consisting of a reduced-in-scale tri-plex development. The new proposal reflected a front unit that had been reduced in size from two-stories to one. On March 14, 2019, the appellant's representatives formally submitted drawings reflecting the revised design of the project. The front unit along Orange Grove Place will now consist of a single-story detached structure, and 880 square feet with one called-out bedroom. The rear two-story two units, townhome in style with a shared party wall, will be 1,814 square feet in size for each, and the middle unit will be two-bedroom, while the rear unit notes one called-out bedroom. The overall square

footage is proposed to be 4,508 square feet, or 44% F.A.R. The architectural style of the proposal remains consistent with the contemporary aesthetic of the original proposal with smooth stucco, simple geometries, standing seam metal roofing, and wood siding. The revised proposal also includes limestone cladding, box-framed aluminum windows, and metal rheinzinc paneling.

3. Trees:

According to the building permit application, no trees are slated for removal.

4. Notice of Intent to Demolish:

In accordance with the City's Historic Preservation Ordinance, Section 2.65(E)(3) for the proposed demolition of structures over 45 years of age, the City of South Pasadena Cultural Heritage Commission (CHC) reviewed the proposal to demolish the existing duplex development with the front unit constructed in 1922, the back detached unit constructed in 1960, and the rear detached garage constructed in 1923. The applicant hired an Architectural Historian to conduct a historic analysis of the property. The report concluded that the property is not eligible as a Historic Resource. The report and proposed project were reviewed by the CHC at their July 19, 2018 meeting. In concurrence with an Architectural Historian's Report, the CHC has determined that, upon review of the filing materials and testimony, that the subject property is not eligible at the federal, state, or local level, and the proposed project involving demolition shall proceed through the City's application process without any further restrictions pertaining to the Historic Preservation Chapter of the South Pasadena Municipal Code. Additionally, the CHC made a recommendation that the applicant retain the design characteristics of the front unit and incorporate it into the new proposed development. Upon request of the City, the CHC gave immediate approval of demolition for the rear second unit due to its state of dilapidation and uninhabitability; the structure was an open code enforcement violation and a perceived threat to public health and safety. The applicant obtained demolition permits and demolished the structure in the fall of 2018. The demolition is pending final inspection by the Building and Safety division.

5. Follow Up from the First Hearing on January 28, 2019:

The Planning Commission heard testimony by the appellant's representatives, along with members of the community regarding the appeal of the DRB's decision to deny the tri-plex development on October 4, 2019. At the appeal's first hearing, the Commission decided to continue the Item to February 25th to provide additional time for the applicant to address the concerns raised by both members of the Commission and members of the public regarding the proposed design of the denied tri-plex development. The Commission addressed the rights of entitlement along with compatibility of the neighborhood - compatibility being central to the reasoning behind the DRB's decision to deny the project. It was expressed by the Commission that the continuation of the Item should provide the applicant the time and opportunity to work with the neighborhood and address the issues raised at the hearing of the appeal.

On February 19, 2019, members of the neighborhood met with Staff to discuss the project and its history including possible outcomes of tonight's Commission meeting.

On February 19, 2019, the appellant's representatives met with Staff to discuss the January 28th hearing along with possible outcomes of tonight's Commission meeting. Additionally, the appellant's representatives showed Staff a proposed redesign of the project that began to address the concerns raised at the January 28th hearing. The proposed project, as described in the legal brief provided by the appellant's legal counsel (Attachment 17) notes the following of the proposed redesign:

- A reduction in the gross square footage to 4,508 from 4,977 square feet.
- A single-story front unit (Unit A) from the original proposed 2-story front unit.
- An interplay of spatial programming and architectural form to reduce the visual mass and bulk.
- Unit A (front unit) has been reduced in scale from 2,319 square feet to 880 square feet. (38% reduction)
- Unit B (rear unit) has been enlarged to 1,814 square feet from the originally proposed 1,187 square feet. (approx. 53% enlargement)
- Unit C (rear unit) has been enlarged to 1,814 square feet from the originally proposed 1,471 square feet. (approx. 23% enlargement)

The applicant's architect has also provided a summary of the redesigned proposal attached herein (Attachment 18).

On March 14, 2019, the appellant's representatives formally submitted drawings reflecting the revised design of the project. The front unit will now consist of a single-story detached structure, and 880 square feet with one called-out bedroom. The rear two-story two units, townhome in style with a shared party wall, will be 1,814 square feet in size for each, and the middle unit will be two-bedroom, while the rear unit notes one called-out bedroom. The overall square footage is proposed to be 4,508 square feet, or 44% F.A.R. The architectural style of the proposal remains consistent with the contemporary aesthetic of the original proposal with smooth stucco, simple geometries, standing seam metal roofing, and wood siding. The revised proposal also includes limestone cladding, box-framed aluminum windows, and metal rheinzinc paneling.

It is important to note that the analysis of the project outlined in this report is reflective of the original design proposal, not the proposed redesign that was presented to Staff on February 19, 2019 and later formally submitted on March 14, 2019.

Additionally, the matter at hand before the Commission is the appeal of the project as presented and denied by the DRB on October 4th 2018. The Commission may grant the applicant the courtesy to present their redesign at tonight's meeting to illustrate their commitment to addressing the concerns raised by the Commission and the neighborhood at the January 28, 2019 meeting.

Analysis – Specific Grounds for the Appeal

In accordance with SPMC Section 36.610.050(E)(1), when reviewing an appeal, the Planning Commission may consider any issues associated with the decision being appealed, in addition to

the specific grounds for the appeal. The Planning Commission shall also consider any environmental determination applicable to the zoning approval or decision being appealed.

1. Residential Development Standards:

The appellant states that the project fully complies with the requirements of the South Pasadena Municipal Code (SPMC), and the City’s Design Guidelines for New Multi-Family Development and is consistent with the existing neighborhood character. An analysis of the project in relation to the development standards is listed below (Table-1A). An analysis of the proposed redesign of the project, submitted on March 14, 2019 is listed below in Table-1B.

Table 1A: Development Standards for Project Site					
Lot Size: 10,102 square feet			Zone: RM		
Standards	Allowed		Existing		Proposed
Lot Coverage	5,051 sf	50% (max)	3,370 sf	33%	4,040 sf 40%
Floor Area Ratio	5,051 sf	50% (max)	2,810 sf	27%	4,997 sf 49%
Front Yard Setback	20’-0” (min)		21 feet		20 feet
Allowed Density	3 units		2 units (1 demolished)		3 units (rental)
Rear Yard Setback	20’-0” (min)		24 feet		20 feet
Side Yard Setback	4.7 feet (min)		8’ (east); 5.5’ (west)		5’ (east); 13’-10” (west)
Max. Height (through site)	35 feet		single-story		2-story; 23 feet
Required Covered Parking	1/1bd rm unit; 2/2+bd rm unit		2 covered		4 covered (attached)
Required Guest Parking	1 space / 2 units		0		2 uncovered spaces
Table 1B: Development Standards for Project Site					
Lot Size: 10,102 square feet			Zone: RM		
Standards	Allowed		Existing		Proposed
Lot Coverage	5,051 sf	50% (max)	3,370 sf	33%	2,830 sf 28%
Floor Area Ratio	5,051 sf	50% (max)	2,810 sf	27%	4,508 sf 44%
Front Yard Setback	20’-0” (min)		21 feet		20 feet
Allowed Density	3 units		2 units (1 demolished)		3 units (rental)
Rear Yard Setback	20’-0” (min)		24 feet		20’-5”
Side Yard Setback	4.7 feet (min)		8’ (east); 5.5’ (west)		5’ (east); 14’-0” (west)
Max. Height (through site)	35 feet		single-story		2-story; 23 feet
Required Covered Parking	1/1bd rm unit; 2/2+bd rm unit		2 covered		4 covered (attached)
Required Guest Parking	1 space / 2 units		0		2 uncovered spaces

The proposed project, along with the proposed redesign, meets the above development standards as required by the SPMC, but in terms of the original denied project as discussed below, it fails to satisfy the requirements of Design Review Finding Number 3 (SPMC Section 36.401.040(I)(3)); the proposed is out of character with the existing development pattern of the neighborhood and fails to make all reasonable design efforts to maintain attractive, harmonious and orderly development. ¹

¹ The revised design of the proposed tri-plex, formally submitted on March 14, 2019, has not been reviewed by a discretionary body and therefore is not part of the Appeal analysis outlined in this report.

2. Neighborhood Analysis and Compatibility – Design Review Finding Number 3:
 SPMC Section 36.410.040(I) states that the Review Authority (DRB) shall first find that the design and layout of the proposed development complies with the four Required Findings. Required Finding Number 3 states the following:

Is compatible with the existing character of the surrounding neighborhood and that all reasonable design efforts have been made to maintain the attractive, harmonious, and orderly development contemplated by this Section and the General Plan.

At the Design Review Board meeting held on October 4, 2018, the DRB found that they could not make the Required Finding Number 3 and denied the proposed project by a vote of 4 to 1. An analysis of the existing neighborhood development context is provided in Table-2 with a neighborhood analysis map for reference shown below (Figure-1).

Figure – 1: Neighborhood Analysis Diagram

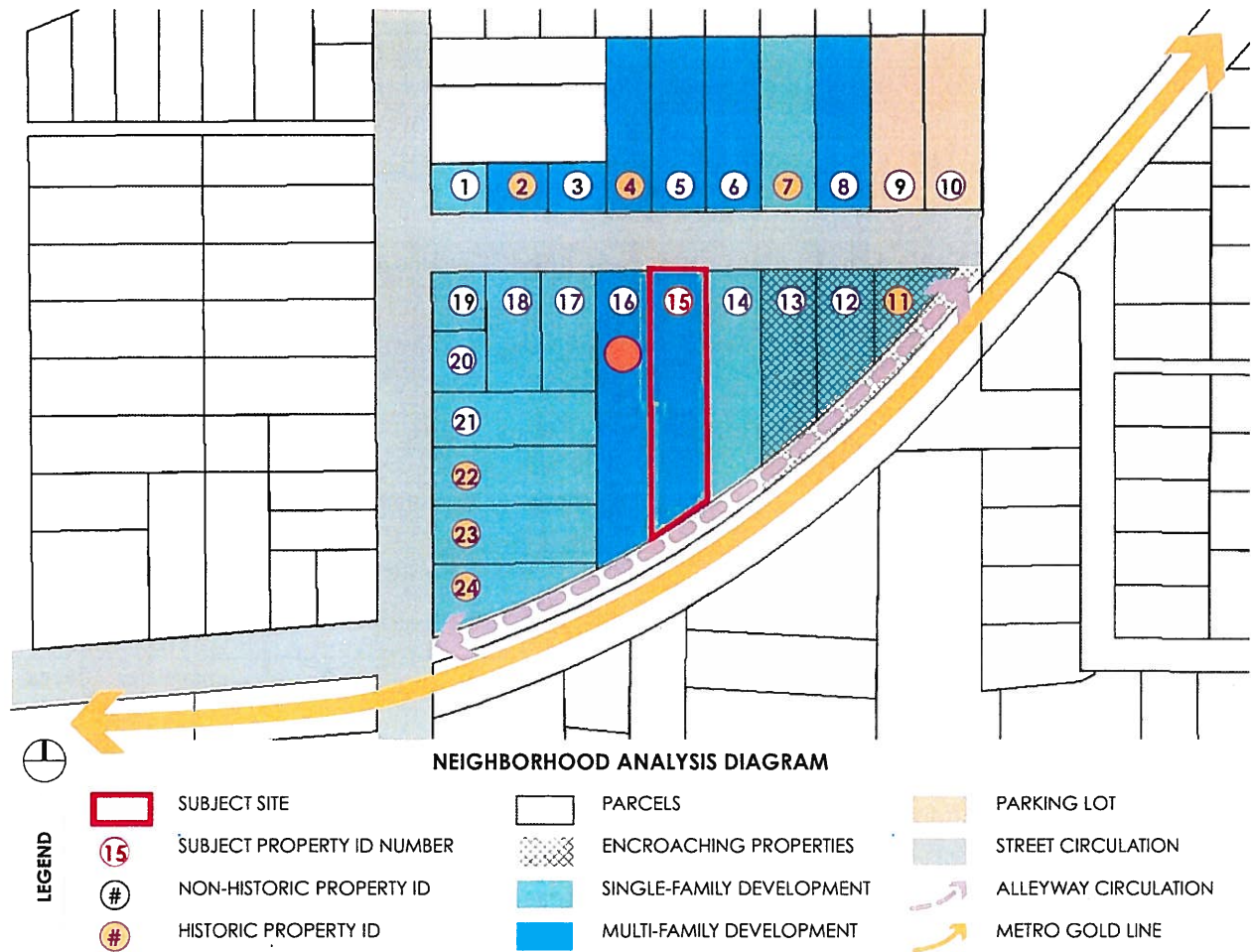


TABLE – 2: NEIGHBORHOOD DEVELOPMENT ANALYSIS

SITE ID #	ADDRESS	SITE S.F.	DENSITY	FAR	BEDROOMS BATHS	YEAR BUILT	ARCH. STYLE	NOTES
1	1020 Orange Grove Ave	2,103*	1 unit max 1 unit (e)	1,051 max 792 (e) 37% (e) 1 story	2 beds 1 bath	1923	Spanish Colonial Revival	
2	804 Orange Grove Place	2,226*	1 unit max 2 units (e)	1,113 max 1,012 (e) 45% (e) 1 story	2 beds 2 baths	1912	Spanish Colonial Revival (Historic)	Exceeds current allowed unit density
3	808 Orange Grove Place	2,139*	1 unit max 2 units (e)	1,052 max 1,012 (e) 47%(e) 1 story	2 beds 2 baths	1924	Spanish Colonial Revival	Exceeds current allowed unit density
4	812 Orange Grove Place	5,714*	1 unit max 2 units (e)	2,857 max 1,026 (e) 17% (e) 2 story @ back	2 beds 2 baths	1920	Minimal Traditional/ Residential Vernacular	Exceeds current allowed unit density
5	814 Orange Grove Place	7,074*	2 units max 2 units (e)	3,537 max 1,526 (e) 21% (e) 1 story	4 beds 2 baths	1953	Minimal Traditional/ Residential Vernacular	
6	818 Orange Grove Place	7,056*	2 units max 2 units (e)	3,528 max 1,740 (e) 25% (e) 1 story	5 beds 2 baths	1922	Craftsman	
7	822 Orange Grove Place	7,074*	2 units max 1 unit (e)	3,537 max 1,154 (e) 16% (e) 1 story	3 beds 2 baths	1924	Craftsman (Historic)	
8	826 Orange Grove Place	7,134*	2 units max 2 units (e)	3,567 max 1,858 (e) 26% (e) 1 story	5 beds 2 baths	1922	Minimal Traditional/ Residential Vernacular	
9	830 Orange Grove Place	7,059*	2 units max 0 units (e)	3,529 max 0 (e) 0% (e)	0 beds 0 baths	n/a	n/a	Currently surface parking for office building along El Centro Street
10	832 Orange Grove Place	7,594*	2 units max 0 units (e)	3,797 max 0 (e) 0% (e)	0 beds 0 baths	n/a	n/a	Currently surface parking for office building along El Centro Street
11	833 Orange Grove Place	2,984*	1 unit max 1 unit (e)	1,492 max 612 (e) 20% (e) 1 story	1 bed 1 bath	1922	Craftsman (Historic)	

SITE ID #	ADDRESS	SITE S.F.	DENSITY	FAR	BEDROOMS BATHS	YEAR BUILT	ARCH. STYLE	NOTES
12	831 Orange Grove Place	5,258*	1 unit max 1 unit (e)	2,629 max 1,324 (e) 25% (e) 1 story	3 beds 2 baths	1966	Ranch Style	
13	825 Orange Grove Place	6,965*	2 units max 1 unit (e)	3,482 max 1,161 (e) 16% (e) 1 story	2 beds 2 baths	1925	Craftsman	
14	821 Orange Grove Place	8,716*	2 units max 1 unit (e)	4,358 max 2,997 (e) 34% (e) 2 story/ 1 story @ street	3 beds 3 baths	2016	Modern	
15	817 Orange Grove Place	10,102	3 units max 2 units (e) 3 units (n)	5,051 max 2,810 (e) 27% (e) 4,997 (n) 49% (n) 2 story @ street (n)	5 beds (e) 3 baths (e) 5 beds (n) 5.5 baths (n)	1922 1960	Residential Vernacular Modern (n)	Subject Site (n) = proposed
16	813 Orange Grove Place	11,443	3 units max 4 units (e)	5,721 max 2,162 (e) 18% (e) 1 story	5 beds 4 baths	1925	Craftsman (Historic)	Exceeds current allowed unit density
17	809 Orange Grove Place	4,842*	1 unit max 1 unit (e)	2,421 max 1,184 (e) 24% (e) 1 story	3 beds 2 baths	1923	Craftsman	
18	805 Orange Grove Place	4,835*	1 unit max 1 unit (e)	2,417 max 1,147 (e) 23% (e) 1 story	3 beds 2 baths	1963	Residential Vernacular	
19	1030 Orange Grove Ave	2,355*	1 unit max 1 unit (e)	1,177 max 578 (e) 25% (e) 1 story	1 bed 1 bath	1947	Minimal Traditional	
20	1036 Orange Grove Ave	2,502*	1 unit max 1 unit (e)	1,251 max 432 (e) 17% (e) 1 story	1 bed 1 bath	1924	Craftsman	
21	1038 Orange Grove Ave	6,625*	2 units max 1 unit (e)	3,312 max 1,472 (e) 22% (e) 1 story	2 beds 2 baths	1957	Minimal Traditional	
22	1040 Orange Grove Ave	7,050*	2 units max 1 unit (e)	3,525 max 2,401 (e) 34% (e) 1 story	4 beds 3 baths	1910	Craftsman (Historic)	

SITE ID #	ADDRESS	SITE S.F.	DENSITY	FAR	BEDROOMS BATHS	YEAR BUILT	ARCH. STYLE	NOTES
23	1044 Orange Grove Ave	7,047*	2 units max 1 unit (e)	3,523 max 821 (e) 11% (e) 1 story	2 beds 1 bath	1923	Spanish Revival (Historic)	
24	1050 Orange Grove Ave	5,171	1 unit max 1 unit (e)	2,585 max 1,568 (e) 30% (e) 1 story	3 beds 2 baths	1901	Craftsman	
Mean F.A.R. = 1,330 s.f. or 23%					(*) = substandard lot less than required 10,000 s.f. 87.5% Mean substandard parcels			

As indicated in Table-2 above, the existing development (with the second rear unit calculated) has a current F.A.R. of 27 percent which is close to the mean average of the neighborhood block analysis of 23 percent. The proposed development would impose a nearly 50 percent increase to the habitable square footage of the subject site in a densely developed neighborhood consisting predominately of non-conforming, substandard lot sizes less than the required 10,000 square feet. Additionally, the circulation for the neighborhood is less than ideal given the relatively narrow Orange Grove Place, and its dead-end street condition as it meets the Metro Rail right of way. The alleyway at the rear of the property is in a high state of disrepair, and it no longer can accommodate through traffic due to encroachment of abutting properties along the alley's eastern terminus.

The issue of parking and traffic circulation was a recurring concern among neighbors speaking in opposition to the project, taking into consideration the conditions of the existing street and alleyway, including limited street parking throughout the day due to the neighborhood's proximity to the Gold Line station.

Additionally, it was repeatedly recommended by the DRB that the applicant reduce the scale of the proposed project and its overall square footage so that it is compatible with the predominate single-story small-scaled residential development pattern of the neighborhood. Of the 24 properties surveyed, only 2, including the project subject site, meet the current required minimum lot size of 10,000 square feet, putting the Mean average of substandard lot sizes for the surveyed properties at 87.5 percent. The lot size has a direct correlation to development potential for total F.A.R. and unit density. At 4,997 square feet, the proposed development would be the largest in the neighborhood consisting of a Mean average of 1,330 square feet. This project proposes an intensification of development that is out of character for an established neighborhood consisting of properties with more limited potential for development intensification.

Alternatives to Consider

1. Uphold, uphold in part, or reverse the decision that is subject to this appeal.
2. Adopt additional conditions of approval deemed reasonable and necessary.
3. If new or different evidence, related only to the subject of the appeal, is presented during the appeal hearing, the Commission may refer the matter back to the DRB for a report on the new or different evidence before a final decision on the appeal.

Next Steps

The Commission shall take into consideration Staff's recommendation, the alternatives listed above, and any new evidence and/or testimony presented at tonight's Planning Commission meeting.

Background

- September 2014 The property owner, Patty Chan, was issued a correction notice for the unpermitted demolition of the second, rear, unit located at the duplex property of 817 Orange Grove Place.
- September 24, 2014 Gary Sewel, contractor, submitted a Design Review application to the Planning and Building Department for the proposed demolition of the existing duplex project and the construction of a new triplex development located at 817 Orange Grove Place. The new development will be a gross 3,350 square feet with the front unit at 1,672 square feet and single story with three bedrooms and two baths. The new second and third units will be located at the rear in a two-story design and consist of 1,678 square feet each, each with two bedrooms and two baths. Parking will be provided in a new 744 square foot detached three vehicle garage and a new attached 636 square foot three car carport. The design was a mix of Craftsman and Colonial Revival with materials that will consist of vinyl windows, wood siding, and composition asphalt shingles.
- October 15, 2014 The application was deemed incomplete.
- October 29, 2014 The applicant submitted revised drawings to reflect the requested corrections.
- December 2, 2014 The project was deemed complete.
- December 16, 2014 The project was reviewed by the Design Review Board (DRB) and continued out of concerns with the proposed mix of architectural styles, the massing, lack of architectural articulation, and requested additional information to illustrate the design proposal such as a digital model and architectural details.
- January 29, 2015 The project was reviewed by the DRB as a conceptual review item, in which no decision was made, only feedback was provided.
- March 17, 2015 The applicant resubmitted architectural drawings to reflect requested corrections.
- May 5, 2015 The project was reviewed by the DRB as a conceptual review item in which no decision was made. The DRB expressed concerns with the lack of alley access, the large roof plan of the rear units,

- the location of the required guest parking spaces, the mass and scale of the rear building, and the number of bedrooms in relation to the neighborhood.
- July 7, 2015 The project was re-reviewed as a conceptual review item by the DRB. Chair Lopez noted the project was incomplete as submitted and therefore the project could not be discussed. Several neighbors expressed opposition to the project.
- July 20, 2015 A meeting was held at City Hall between the applicant and staff to discuss the project.
- November 13, 2015 An Architectural Historian report was provided at the request of the City to determine the eligibility of the existing structures proposed for demolition as potential Historic Resources. The Historian's report deemed the property ineligible as a Historic Resource.
- Fall, 2015 The applicant submitted revised drawings and received additional corrections.
- January 7, 2016 The application was reviewed by the Design Review Board and continued out of concern with the overall height of the structure, lack of architectural articulation and other site design issues including landscaping. Several neighbors expressed opposition to the project and its compatibility with the neighborhood.
- January 12, 2016 Code enforcement citation issued regarding dilapidated site conditions.
- January 15, 2016 Code enforcement case is resolved.
- February 1, 2016 Architect Peter DeMaria is brought on the project as designer.
- Spring through Fall 2016 New design submittals and corrections issued between Peter DeMaria and City.
- October 6, 2016 Revised triplex project consisting of a gross 3,717 square feet with Unit A at 1,031 square feet in a single-story, a 437 square foot Unit B at one story, and a 2,249 square foot Unit C located above Unit B. The project design is modern with contemporary finishes of glass railing, standing seam metal roofing, aluminum windows and doors, and smooth stucco. The project was continued out of expressed neighbor concerns, a request to provide architectural details, and concerns with the proposed upper deck and privacy.

- November 3, 2016 Project was reviewed by the DRB with requested corrections addressed from October 2016. The project was continued out of concern with the architectural compatibility of the project with the neighborhood context, the massing of the proposed design, and continued neighbor concerns that were expressed.
- January 5, 2017 Project was reviewed by the DRB and continued out of concern with the design and compatibility with the neighborhood. The Board expressed concerns with the massing, scale, the proposed 10-foot plate height, and the project's verticality. Numerous neighbors expressed opposition to the project.
- 2017 Staff and applicant hold continued correspondence regarding design revisions and DRB concerns.
- Spring 2018 Applicant submits preliminary redesign indicating an expansion in scope to enlarge the project and development potential.
- July 19, 2018 Proposed demolition is reviewed by the Cultural Heritage Commission (CHC) for the demolition of non-historic structures over 45 years of age. The CHC clears the project of eligibility as a Historic Resource, in concurrence with the provided Architectural Historian's report, with the recommendation that the applicant retain the existing front unit and incorporate it into the new development. Due to the dilapidated state of the partially demolished rear second unit, the CHC approved of the immediate demolition of the rear unit as recommended by Staff, with the demolition of the front unit and rear detached garage subject to the approval of the overall development by the DRB.
- October 2, 2018 The property owner received demolition permits from the Building and Safety Division for the demolition of the dilapidated second rear unit. The demolition is complete with a final inspection pending by the Building Inspector.
- October 4, 2018 Revised project is reviewed by the DRB for a proposed triplex consisting of a gross 4,977 square feet. The front Unit A will be two stories and 2,319 square feet, Unit B will be one-story and consist of 1,187 square feet, and Unit C will be located above Unit B and consist of 1,471 square feet. The DRB expressed repeated concerns with the project and dismay at the proposed development that ignored the previous recommendations of the DRB hearings. Numerous neighbors expressed opposition to the project. The DRB denied the Design Review because required Finding number 3 could not be made. The denial decision was made by a margin of 4-1.

October 17, 2018	The DRB denial was appealed by appellant, PRT Chan, LLC.
January 11, 2019	The public hearing date was noticed in the South Pasadena Review regarding the appeal before the Planning Commission.
January 18, 2019	Individual public noticing advertising the January 28, 2019 project appeal before the Planning Commission were mailed out to individual properties within a 300 foot radius of the project site.
January 23, 2019	Staff received two letters of support regarding the proposed development.
January 24, 2019	At printing time of this Staff Report, Staff received no additional comments.
January 28, 2019	The Planning Commission continued the public hearing for the item to their February 25, 2019 meeting to allow the appellant an opportunity to mediate with the neighborhood and develop solutions to address the concerns expressed by members of the neighborhood and by members of the Planning Commission with regards to the project that was denied by the DRB.
Early February 2019	The City Fire Inspector toured the Orange Grove Place neighborhood to inspect the alleyway encroachments and reach out to the property owners regarding their encroachment and blockage of the alley right-of-way.
February 19, 2019	Members of the neighborhood met with staff to discuss the denied project and the appeal.
February 19, 2019	The appellant's legal representative and architect met with staff to discuss the appeal, and the public discussion at the January 28 th Planning Commission. They also made a provided a preview of a revised project design for the site that began to address the concerns expressed by members of the Planning Commission.
February 20, 2019	Staff received an additional letter of support to uphold the appeal from a neighborhood resident.
Late February, 2019	Staff received letters supporting the denial of the appeal and the upholding of the DRB decision to deny the proposed tri-plex development.
February 25, 2019	In concurrence with the appellant, and at Staff's recommendation, the Planning Commission continued the item to allow the appellant

additional time to formally submit revised drawings for the project and allow Staff time for review.

March 14, 2019

The appellant's architect formally submitted the revised project drawings that were previewed on February 19, 2019. The square footage calculations were revised from February, but the overall redesign of March 2019 indicated consistency with what was previewed in February 2019.

March 15-18, 2019

Members of the neighborhood reviewed the revised design changes at the Planning and Building counter and reiterated their concerns with the project and its compatibility with the neighborhood.

March 18, 2019

Corrections were submitted to the appellant's architect. Requested corrections included additional drawings, annotations, visual clarity on the elevations, architectural details, additional project calculations, and a formalized landscape plan.

March 21, 2019

The applicant submitted corrected drawings to Planning and Building.

March 21, 2019

At printing time of this staff report no additional comments were provided verbally or in writing.

Legal Review

The Assistant City Attorney has reviewed this Staff Report.

Fiscal Impact

Not applicable to this Agenda Item.

Environmental Analysis

The project is categorically exempt from review under the California Environmental Quality Act (CEQA) under the provisions of Sections:

- 15301, Class 1, Existing Facilities, Subsection (L)(2), Demolition of a duplex or similar multifamily residential structure.
- 15303, Class 3, New Construction, Subsection (b), A duplex or similar multi-family residential structure totaling no more than four dwelling units.

Public Notification of Agenda Item

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website and the Item's original notice in the South Pasadena Review and mailings to properties within a 300 foot radius of the subject property.

Attachments:

1. Draft P.C. Resolution No. 19-__
2. Appeal Application Narrative
3. Design Review Board Minutes; Dated: December 16, 2014
4. Design Review Board Minutes; Dated: May 5, 2015
5. Design Review Board Minutes; Dated: July 7, 2015
6. Design Review Board Minutes; Dated: January 7, 2016
7. Design Review Board Minutes; Dated: October 6, 2016
8. Design Review Board Minutes; Dated: November 3, 2016
9. Design Review Board Minutes; Dated: January 5, 2017
10. Draft Design Review Board Minutes; Dated: October 4, 2018
11. Architectural Historian's Report, Nelson White
12. CHC Decision Letter Regarding Proposed Demolition
13. Code Enforcement Citations
14. Letters of Support for Appeal and Proposed Development Project
15. Letters of Support for Denial of Appeal and Upholding of DRB Decision
16. Mapping Exhibits and Photographs of Project Site
17. Legal Analysis from Owner's Legal Counsel, Patrick Perry; Dated: January 24, 2019
18. Legal Analysis from Owner's Legal Counsel, Patrick Perry; Dated March 21, 2019
19. Revision to Design of Proposed Project, Architectural Drawings, Material Booklet, and Architectural Renderings: March 2019

ATTACHMENT 1
Draft P.C. Resolution No. 19-XX

P.C. RESOLUTION NO. 19-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DENYING AN APPEAL AND UPHOLDING THE DESIGN REVIEW BOARD'S DECISION TO DENY THE DEMOLITION OF A NON-HISTORIC TWO-UNIT DEVELOPMENT AND THE CONSTRUCTION OF A NEW APPROXIMATELY 5,000 SQUARE FOOT TWO-STORY TRIPLEX MULTI-FAMILY DEVELOPMENT IN A MODERN DESIGN LOCATED AT 817 ORANGE GROVE PLACE IN THE CITY OF SOUTH PASADENA (APN: 5315-018-064).

WHEREAS, in September 2014 The property owner, Patty Chan, was issued a correction notice for the unpermitted demolition of the second, rear, unit located at the duplex property of 817 Orange Grove Place; and

WHEREAS, on September 24, 2014, Gary Sewel, contractor, submitted a Design Review application to the Planning and Building Department for the proposed demolition of the existing duplex project and the construction of a new triplex development located at 817 Orange Grove Place (the "project"). The new development will be a gross 3,350 square feet with the front unit at 1,672 square feet and single story with three bedrooms and two baths. The new second and third units will be located at the rear in a two-story design and consist of 1,678 square feet each, each with two bedrooms and two baths. Parking will be provided in a new 744 square foot detached three vehicle garage and a new attached 636 square foot three car carport. The design was a mix of Craftsman and Colonial Revival with materials that will consist of vinyl windows, wood siding, and composition asphalt shingles ; and

WHEREAS, on October 15, 2014, The application was deemed incomplete; and

WHEREAS, on October 29, 2014, The applicant submitted revised drawings to reflect the requested corrections; and

WHEREAS, on December 2, 2014, The project was deemed complete; and

WHEREAS, on December 16, 2014, The project was reviewed by the Design Review Board (DRB) and continued out of concerns with the proposed mix of architectural styles, the massing, lack of architectural articulation, and requested additional information to illustrate the design proposal such as a digital model and architectural details; and

WHEREAS, on January 29, 2015, The project was reviewed by the DRB as a conceptual review item, in which no decision was made, only feedback was provided; and

WHEREAS, on March 17, 2015, The applicant resubmitted architectural drawings to reflect requested corrections; and

WHEREAS, on May 5, 2015, The project was reviewed by the DRB as a conceptual review item in which no decision was made. The DRB expressed concerns with the lack of alley access, the large roof plan of the rear units, the location of the required

guest parking spaces, the mass and scale of the rear building, and the number of bedrooms in relation to the neighborhood; and

WHEREAS, on July 7, 2015, The project was re-reviewed as a conceptual review item by the DRB. Chair Lopez noted the project was incomplete as submitted and therefore the project could not be discussed. Several neighbors expressed opposition to the project; and

WHEREAS, on July 20, 2015, A meeting was held at City Hall between the applicant and staff to discuss the project; and

WHEREAS, on November 13, 2015, An Architectural Historian report was provided at the request of the City to determine the eligibility of the existing structures proposed for demolition as potential Historic Resources. The Historian's report deemed the property ineligible as a Historic Resource; and

WHEREAS, during the Fall of 2015, The applicant submitted revised drawings and received additional corrections; and

WHEREAS, on January 7, 2016, The application was reviewed by the Design Review Board and continued out of concern with the overall height of the structure, lack of architectural articulation and other site design issues including landscaping. Several neighbors expressed opposition to the project and its compatibility with the neighborhood; and

WHEREAS, on January 12, 2016, Code enforcement citation issued regarding dilapidated site conditions; and

WHEREAS, on January 15, 2016, Code enforcement case is resolved; and

WHEREAS, on February 1, 2016, Architect Peter DeMaria is brought on the project as designer; and

WHEREAS, on Spring through Fall of 2016, New design submittals and corrections issued between Peter DeMaria and City; and

WHEREAS, on October 6, 2016, Revised triplex project consisting of a gross 3,717 square feet with Unit A at 1,031 square feet in a single-story, a 437 square foot Unit B at one story, and a 2,249 square foot Unit C located above Unit B. The project design is modern with contemporary finishes of glass railing, standing seam metal roofing, aluminum windows and doors, and smooth stucco. The project was continued out of expressed neighbor concerns, a request to provide architectural details, and concerns with the proposed upper deck and privacy; and

WHEREAS, on November 3, 2016, Project was reviewed by the DRB with requested corrections addressed from October 2016. The project was continued out of concern with the architectural compatibility of the project with the neighborhood context,

the massing of the proposed design, and continued neighbor concerns that were expressed; and

WHEREAS, on January 5, 2017, Project was reviewed by the DRB and continued out of concern with the design and compatibility with the neighborhood. The Board expressed concerns with the massing, scale, the proposed 10-foot plate height, and the project's verticality. Numerous neighbors expressed opposition to the project; and

WHEREAS, throughout 2017, Staff and applicant hold continued correspondence regarding design revisions and DRB concerns; and

WHEREAS, during the Spring of 2018, Applicant submits preliminary redesign indicating an expansion in scope to enlarge the project and development potential; and

WHEREAS, on July 19, 2018, Proposed demolition is reviewed by the Cultural Heritage Commission (CHC) for the demolition of non-historic structures over 45 years of age. The CHC clears the project of eligibility as a Historic Resource, in concurrence with the provided Architectural Historian's report, with the recommendation that the applicant retain the existing front unit and incorporate it into the new development. Due to the dilapidated state of the partially demolished rear second unit, the CHC approved of the immediate demolition of the rear unit as recommended by Staff, with the demolition of the front unit and rear detached garage subject to the approval of the overall development by the DRB; and

WHEREAS, on October 2, 2018, The property owner received demolition permits from the Building and Safety Division for the demolition of the dilapidated second rear unit. The demolition is complete with a final inspection pending by the Building Inspector; and

WHEREAS, on October 4, 2018, Revised project is reviewed by the DRB for a proposed triplex consisting of a gross 4,977 square feet. The front Unit A will be two stories and 2,319 square feet, Unit B will be one-story and consist of 1,187 square feet, and Unit C will be located above Unit B and consist of 1,471 square feet. The DRB expressed repeated concerns with the project and dismay at the proposed development that ignored the previous recommendations of the DRB hearings. Numerous neighbors expressed opposition to the project. The DRB denied the Design Review because required Finding number 3 could not be made. The denial decision was made by a margin of 4-1; and

WHEREAS, on October 17, 2018, The DRB decision to deny the project was appealed by appellant, PRT Chan, LLC; and

WHEREAS, after notices issued pursuant to the requirements of South Pasadena Zoning Code, the Planning Commission held a duly noticed public hearing on January 28, 2019 at which all interested parties were given the opportunity to be heard and present evidence; and

WHEREAS, on January 28, 2019, the Planning Commission continued the public hearing for the item to their February 25, 2019 meeting to allow the appellant an

opportunity to mediate with the neighborhood and develop solutions to address the concerns expressed by members of the neighborhood and by members of the Planning Commission with regards to the project that was denied by the DRB; and

WHEREAS, in early February 2019, the City Fire Inspector toured the Orange Grove Place neighborhood to inspect the alleyway encroachments and reach out to the property owners regarding their encroachment and blockage of the alley right-of-way; and

WHEREAS, on February 19, 2019, members of the neighborhood met with staff to discuss the denied project and the appeal; and

WHEREAS, on February 19, 2019, the appellant's legal representative and architect met with staff to discuss the appeal, and the public discussion at the January 28th Planning Commission. They also made a provided a preview of a revised project design for the site that began to address the concerns expressed by members of the Planning Commission; and

WHEREAS, in Late February 2019, Staff received letters supporting the denial of the appeal and the upholding of the DRB decision to deny the proposed tri-plex development. Additionally, Staff received a letter of support to uphold the appeal; and

WHEREAS, on February 25, 2019, the Planning Commission held a duly noticed public hearing at which point, the Commission, in concurrence with the appellant and Staff's recommendation, continued the appeal to March 25, 2019, to allow the appellant additional time to formally submit revised drawings for the project and allow Staff time for review.

WHEREAS, on March 14, 2019, the appellant's architect formally submitted the revised project drawings that were previewed on February 19, 2019. The square footage calculations were revised from February, but the overall redesign of March 2019 indicated consistency with what was previewed in February 2019; and

WHEREAS, during March 15-18, 2019, members of the neighborhood reviewed the revised design changes at the Planning and Building counter and reiterated their concerns with the project and its compatibility with the neighborhood; and

WHEREAS, on March 18, 2019, corrections were submitted to the appellant's architect. Requested corrections included additional drawings, annotations, visual clarity on the elevations, architectural details, additional project calculations, and a formalized landscape plan; and

WHEREAS, on March 21, 2019, the applicant submitted corrected drawings to Planning and Building; and

WHEREAS, on March 25, 2019, the Planning Commission held a duly noticed public hearing in which all interested parties were allowed given the opportunity to be heard and present evidence.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: Pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et. seq. (“CEQA”), and the State’s CEQA Guidelines, the Planning Commission finds that the herein project is categorically exempt pursuant to guideline Section 15301, Class 1, Existing Facilities, Subsection (L)(2), Demolition of a duplex or similar multifamily residential structure; and Section 15301, Class 3, New Construction, Subsection (b), A duplex or similar multi-family residential structure totaling no more than four dwelling units.

SECTION 2: For the foregoing reasons and based on the information included in the Staff Report, Minutes and other record of proceeding, the Planning Commission hereby denies the Appeal and upholds the DRB’s October 4, 2018 decision to deny the Project proposing to construct a new approximately 5,000 square foot two-story tri-plex multi-family development in a modern design located at 817 Orange Grove Place.

SECTION 3: Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena Municipal Code, any such appeal must be filed with the City, in writing, and with the appropriate appeal fee, no later than fifteen (15) days, following the date of the Planning Commission’s final action.

SECTION 4: The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 28th day of January, 2019.

- SIGNATURES TO FOLLOW ON NEXT PAGE-

PASSED, APPROVED, AND ADOPTED this 25th day of March 2019, by the following vote:

AYES: NONE

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Kelly M. Koldus, Chair

ATTEST:

Richard Tom, Secretary

ATTACHMENT 2
Appeal Application Narrative

Reason for Appeal
817 Orange Grove Place – Project No. 1750-NID-DRX

On October 4, 2018, the South Pasadena Design Review Board denied the Design Review application submitted by Ms. Patty Chan for the development of three residential units (the "Project") on the property located at 817 Orange Grove Place (the "Property"). The Property is zoned RM, Residential Medium Density. As presently designed, the Project fully complies with the requirements of the South Pasadena Municipal Code ("SPMC") and the City's Design Guidelines for New Multi-Family Development (the "Design Guidelines") and is consistent with the neighborhood character. In denying approval for the Project, the members of Design Review Board nevertheless exceeded their authority by ignoring the requirements of the SPMC and substituting their own subjective judgment for the objective standards of the SPMC and the Design Guidelines.

According to Section 36.220.040 of the SPMC, properties in the RM zone may be developed with up to 14 dwelling units per acre. The maximum allowable floor area ratio is 0.50, and the maximum allowable lot coverage is 50 percent. The maximum allowable height is 35 feet. Front and rear yard setbacks must be a minimum of 20 feet, and side yard setbacks must be 10 percent of the lot width but no less than four feet. According to Section 36.350.190 of the SPMC, 200 square feet of common open space is required for every multi-family residential development containing three to four units, and an additional 200 square feet of open space is required for each unit. According to Section 36.310.040 of the SPMC, one parking space is required for a one bedroom multi-family residential unit; two covered parking spaces are required for multi-family residential units with two or more bedrooms, and one guest parking space is required for every two units.

The Project consists of three residential units as follows:

Unit A	Two-story, three bedrooms, 2.5 bathrooms, 2,319 square feet.
Unit B	Ground floor, one bedroom, 1.5 bathrooms, 1,187 square feet.
Unit C	Second floor, one bedroom, 1.5 bathrooms, 1,471 square feet.

The lot area of the Property is 10,104 square feet or approximately 0.23 acre, and the lot width is 47 feet. Up to three dwelling units and 5,052 square feet of floor area may therefore be developed on the Property. According to the drawings for the Project prepared by De Maria Design, LLC, the proposed lot coverage is approximately 40 percent, and the maximum height of the proposed structures on the Property is 23 feet. The proposed structures have front and rear yard setbacks of 20 feet. A side yard setback of 13 feet 10 inches is provided on the west, and a side yard setback of five feet is provided on the east, both of which exceed the minimum requirements. Two hundred forty square feet of common open space is provided, and private open space ranging from 205 square feet to 260 square feet is provided for each unit. A total of four covered parking spaces and two guest parking spaces are provided. The Project therefore complies with all applicable requirements of the SPMC.

The Design Review Board was provided with detailed information demonstrating that the Project fully complies with the Design Guidelines. Members of the Design Review Board nevertheless

claimed that the Design Guidelines are merely "guidelines" and have no binding effect, and that all decisions affecting design are subjective. This position provides for no objective standards to inform residents of what criteria apply and cannot be enforced as an exercise of unfettered discretion.

The Design Review Board further alleged that the Project is not consistent with neighborhood character but ignored the character of the surrounding multi-family neighborhood as well as the immediately adjacent property. Other properties in the surrounding neighborhood are developed with multiple residential units which consist of an eclectic mix of different architectural styles with variations in massing and scale. The proposed design of the Project accordingly blends with the neighboring properties in terms of style and residential scale. The proposed height of the units is consistent with the residential dwelling immediately to the east, and the architectural style is compatible with other properties located along both sides of Orange Grove Place and the surrounding RM zone. The proposed design of the Project accordingly blends with the neighboring properties in terms of style and residential scale, and the statements by members of the Design Review Board to the contrary are clearly mistaken.

Section 65589.5(j) of the California Government Code provides that when a proposed housing development project complies with applicable, **objective** general plan, zoning and subdivision standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, a local agency may not disapprove the project or require the project to be developed at a lower density unless the local agency makes written findings supported by the preponderance of the evidence that (1) the housing development project would have a specific adverse impact upon the public health and safety, and (2) there is no feasible method to satisfactorily mitigate or avoid the identified adverse impact. Section 65589.5(h)(2)(A) of the Government Code defines "housing development project" as a use consisting of residential units only.

The courts have interpreted Section 65589.5 of the Government Code as an effort to take away "an agency's ability to use what might be called 'subjective' development 'policy' (for example, "suitability") to exempt a proposed housing development project from the reach of [Government Code 65589.5(j)]." (*Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1076). The phrase "design review standards" has similarly been interpreted to mean "design review standards that are part of 'applicable, objective general plan and zoning standards and criteria.'" (*Id.* at 1077.)

The decision of the Design Review Board to rely on subjective standards rather than the City's objective general plan and zoning standards and criteria is therefore contrary to California law. Even if the Design Review Board had relied on objective general plan and zoning standards and criteria, which it did not, there is no evidence, much less a preponderance of evidence, that the Project would have a specific adverse impact upon the public health and safety that could not be satisfactorily mitigated, and even if there were such an impact, which there is not, the Design Review Board did not make the requisite written findings in connection with its denial of the Project. The decision by the Design Review Board to deny the Project was therefore in error and should be reversed by the Planning Commission.

ATTACHMENT 3
DRB Minutes
December 16, 2014

MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 16TH DAY OF DECEMBER, 2014
MAYOR'S CONFERENCE ROOM
1424 MISSION STREET

ROLL CALL		<p>The meeting convened at: 7:05 PM</p> <p>Board Members Present: Conrado Lopez (Chair) Susan Masterman (Vice-Chair), Fi Cambell, Jim Fenske, and, Amy Nettleton</p> <p>Staff Liaison: John Mayer , Senior Planner</p>
NON-AGENDA ITEMS	1.	None.
CONTINUED ITEMS	2.	<p>Address: 1630 Lyndon Avenue Project Number: 1729-DRX Applicant: Wole Adefso</p> <p>Project Description: A request for Design Review approval for a 492 sq. ft. single story addition to an existing 1,996 sq. ft. duplex on an 8,160 sq. ft. lot. A 437 sq. ft. two vehicle garage with an attached 200 sq. ft. storage area and a 396 sq. ft. carport are proposed on the rear of the property. The proposed single story addition is located on the rear elevation and will consist of two bedrooms and a new bathroom. The entire house will be stucco. The new windows will be vinyl. And the roof materials will be asphalt roof shingles to match the existing. The new garage will consist of stucco, and asphalt roof shingles.</p> <p>Presentation: Wole Adefso (project architect) presented his project with corrections that addressed the board's previous concerns. Mr. Adefso responded to questions about the proximity of the oak tree to the parking structure. He also responded to questions about the window glazing and screens, the garage door materials, and the siding details.</p> <p>Public Comment: None</p> <p>Board Discussion/Decision: Board member Nettleton said that the City should ensure that the oak tree near the parking structure is adequately protected as a result of this project. She asked that staff work with the Public Works Department to ensure that oak tree is protected.</p>

	<p>Guidelines of the City of South Pasadena and the required findings contained in South Pasadena Municipal Code Section 10.040 to approve the design review application.</p> <p>The motion carried 5-0.</p>
	<p>4. Address: 817 Orange Grove Place Project Number: 1750-DRX Applicant: Patty Chan</p> <p>Project Description: A request to demolish an existing duplex for the construction of a new triplex on a 10,091 square foot lot. The front unit would be a one-story, unit (1,672 sq. ft.) with three bedroom and two bathrooms. The second and third units would be in a two-story structure. Each unit would be 1,678 sq. ft. with two bedrooms and two bathrooms. Covered parking would be provided in a new detached, three-car garage (744 sq. ft.) and a three-car carport (636 sq. ft.) would be attached to it. The covered parking would be located in the back yard with vehicular access from the alley. The exterior materials for all the structures include: asphalt composition roof shingles, wood siding, and vinyl windows for the triplex units.</p> <p>Project Presentation: Gary Sewel (project architect) presented his project and provided illustration boards including: a color rendering, and samples of the proposed wood siding. Mr. Sewel responded to questions about chimney materials, arrangement of the parking spaces, and communication with neighbors about the project. He also spoke about the details of the columns and capitals.</p> <p>Public Comment: Mike Hollingsworth (property owner of 813 Orange Grove Place) said that the proposed project would create a higher demand for parking. Although the applicant is providing parking on site, Mr. Hollingsworth said that access to the on-site parking would be challenging due to the poor condition of the alley. The narrow width of the alley creates a safety hazard because cars will not be able to exit if it is blocked in an emergency. Mr. Hollingsworth said that the project's design is pretty, but it is "over building".</p> <p>Liz Hollingsworth said that the project rendering does not show the density of the street. She asked questions about trash hauling and the number of bedrooms for each unit.</p> <p>Kit Mui who is a tenant at 813 Orange Grove Place raised concerns about the safety issues with the narrow alley and its unpaved condition.</p>

		<p>Anna Vehara who resides at 1050 Orange Grove Avenue said that she lived there for 25 years and that there were no traffic problems in the alley.</p> <p>Gary Sewel said in rebuttal, that his client has a right to use the alley to access on-site parking as the property owners currently enjoy.</p> <p>Board Discussion/Decision: Board members had concerns about the project's design and massing.</p> <p>The applicant proposed a mix of design styles including Craftsman and Colonial Revival style which results in an awkward appearance. The proportions of trims around the windows, and the lacking bottom trim piece, is odd. The Board recommended that the architect adhere to the elements of one architectural style. The architect may submit a description and example photos describing the style that inspired the proposed project.</p> <p>The proposed project has a massive, box-like appearance that would need a lot more articulation. The proportions of building volumes are awkward as indicated with a 10 foot tall home in the front and a 25 foot tall building behind it. The floor to plate height dimension is exaggerated. The project does not include enough open space for residents. More breathing room between buildings is needed.</p> <p>Motion/Second (Lopez/Fenske) to CONTINUE the project so that the applicant can address the issues regarding the design and massing, and return to the Board with the following items:</p> <ul style="list-style-type: none"> • Illustrations and documentation that describes the architect's proposed "Colonial Revival Bungalow" style. • A 3-D model (built out or digital) showing the project in the neighborhood's context. • Landscape Plan • Section detail drawings including: trim details, columns, brick, and light fixtures. <p>The motion carried 5-0.</p>
DISCUSSION ITEMS	5.	None.

ATTACHMENT 4

DRB Minutes

May 5, 2015

**MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 5TH DAY MAY, 2015
MAYOR'S CONFERENCE ROOM
1424 MISSION STREET**

ROLL CALL	<p>The meeting convened at: 7:05 PM</p> <p>Board Members Present: Conrado Lopez (Chair) Susan Masterman (Vice-Chair), and Amy Nettleton</p> <p>Board Members Absent: Fi Cambell and Jim Fenske</p> <p>Staff Liaison: John Mayer, Senior Planner</p>
NON-AGENDA ITEMS	1. None.
CONTINUED ITEMS	<p>2. Address: 4946 Collis Avenue Project Number: 1794-DRX Applicant: Eric Lin, Designer</p> <p>Project Description: A request for Design Review Board approval for the demolition of the existing 1,118 sq. ft. single story house with the proposal for a new 2,629 sq. ft. two story house with a 540 basement, on a 7,512 sq. ft. lot. The exterior materials for the house and the garage will consist of: smooth stucco siding, clay roof tile, and vinyl windows with vinyl French doors. The project also includes a 260 sq. ft. second story deck located on the front elevation and a 111 sq. ft. second story, roof covered deck, located on the rear elevation.</p> <p>Presentation: Eric Lin presented this project using a slide show and discussed how he addressed the DRB's concerns about the building height, windows, and landscaping issues. He responded to a question clarifying the height change.</p> <p>Public Comment: None.</p> <p>Board Discussion/Decision: The Board had concerns about the height of the front bedroom and its gable. There were concerns about the hedges along the south side. There was discussion about the plate height of each level.</p> <p>Motion/Second (Masterman/Lopez) to APPROVE the project with the following CONDITIONS: 1) First floor ceiling height shall be no greater</p>

DISCUSSION ITEMS	4.	<p>817 Orange Grove Place – Conceptual Review</p> <p>Prospective Project: A request for a Design Review Board conceptual review for the demolition of the existing duplex (the first unit is 1,672 sq. ft. and the second unit is 1,678 sq. ft.) and a proposal to build a triplex on a 10,091 sq. lot. The front unit will be a three story, 1,659 sq. ft. unit with three bedroom, two bathrooms, and a semi-subterranean two vehicle garage. The second unit will be a three story, 1,589 sq. ft. unit with two bedrooms, two bathrooms and a two vehicle semi-subterranean garage. The third unit will be a three story, 1,795 sq. ft. three bedroom with two bathrooms, and a two vehicle semi-subterranean garage. The exterior materials for all the structures will consist of; asphalt composition roof shingles, wood siding, and vinyl windows for the triplex units only.</p> <p>Presentation: Gary Sewell (Designer) solicited comments from the Board. He explained the challenges of designing a 5,000 square foot project and addressing the Board’s concerns about neighborhood compatibility.</p> <p>Board Member Comments The Board discussed the following concerns:</p> <ul style="list-style-type: none"> • The lack of access to the alley and development pattern of the neighborhood; • The large roof plan on the rear units; • Size and species of the proposed large tree planned for the middle of the lot; • Guest spaces blocking access to residential covered parking spaces; • Mass and scale of the rear building; • Number of bedrooms compared to the neighborhood <p>The Design Review Board only provided comments for this Conceptual Review. The Board took no action on this item as this was for discussion purposes only.</p>
BOARD COMMENTS	5.	None.

ATTACHMENT 5
DRB Minutes
July 7, 2015

**MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 7TH DAY OF JULY, 2015
MAYOR'S CONFERENCE ROOM
1424 MISSION STREET**

ROLL CALL		<p>The meeting convened at: 7:00 PM</p> <p>Board Members Present: Conrado Lopez (Chair), Fi Cambell and Jim Fenske and Amy Nettleton</p> <p>Board Members Absent: Susan Masterman (Vice-Chair),</p> <p>Staff Liaison: Knarik Vizcarra, Assistant Planner</p>
NON-AGENDA ITEMS	1.	None.
CONTINUED ITEMS	2.	<p>1211 Lyndon Street Project Number: 1783-DRX Applicant: John Wu, Architect</p> <p>Project Information: A request for Design Review Board approval for proposed 1,861 square foot two-story addition to an existing two-story duplex. The 1,120 square foot first floor addition and 741 square foot second floor addition would occur in the front of the home, and would affect one unit. The project involves bringing parking into compliance with a new guest parking space, tandem one-car carport, and one-car garage. The exterior materials will consist of the following: metal shingle roofing, aluminum windows, and plaster siding.</p> <p>Presentation: John Wu (project architect) presented his project and responded to questions about tree removal permit status and window details.</p> <p>Public Comment: No Public Comment</p> <p>Board Discussion/Decision: Board members thanked the applicant for addressing most of the issues brought up at the previous meeting but noted that there were still some that had not been fully addressed. They noted that the design was asymmetrical, and the windows lack sill details.</p> <p>Motion/Second (Fenske/Lopez) to CONTINUE the project with the following items to be addressed for the August 2015 hearing: 1) Re-organize the facades to address the lack of symmetry with windows and doors; 2) add sill detailing to the windows.</p>

		<p>To APPROVE the garage and pool house as submitted.</p> <p>This motion was made on the finding that the project complies with Design Guidelines of the City of South Pasadena and the required findings contained in South Pasadena Municipal Code Section 36.410.040 to approve the design review application. And;</p> <p>To CONTINUE the part of the project regarding the unpermitted patio cover and carport with the following items to be addressed for the August 2015 hearing: 1) provide additional photographs from further back on the property in order to show the patio cover and carport within the context of the entire back of the house.</p> <p>The motion carried 4-0 (Masterman Absent).</p>
DISCUSSION ITEMS	8.	<p>817 Orange Grove Place (Conceptual Review)</p> <p>A request for a Design Review Board conceptual review for the demolition of the existing duplex and a proposal to build a triplex on a 10,091 sq. lot. No decision was made on this project as it was a conceptual review.</p> <p>A representative, Daniel Longmire, was present instead of the applicant who was unable to make the meeting. The gentleman solicited comments on the design changes from the Board.</p> <p>Chair Lopez noted that the plans were incomplete so the Board was unable to provide comment on the project. He noted that the Board would need to see what the project would look like in the context of the neighborhood.</p> <p>Public Comment: Jane Schirmeister (814-816 Orange Grove Place) said the change from the existing single story to three story buildings was inappropriate both for the site and the street. She said she would rather see three smaller homes on the lot.</p> <p>Michael Hollingsworth (813 Orange Grove Place) expressed his displeasure with the proposal and lack of sensitivity to the neighborhood. He noted that this would appear overcrowded. And lastly, he discussed the access issue noting that if the applicant is interested in building three units he should have to improve the alley in order to provide access to at least one of the units through the alley.</p> <p>Tara Kawakami (825 Orange Grove Place) was shocked that the semi-subterranean parking was still part of the proposal. She also expressed displeasure with the project in general.</p>

		Elizabeth Hollingsworth (813 Orange Grove Place) said that the Board should also ask for image of the north side of the street to further show that the proposed project would be out of place on the subject street.
BOARD COMMENTS	9.	None.
STAFF COMMENTS	10.	None.
APPROVAL OF MINUTES	11.	Minutes The Minutes were not reviewed.
ADJOURNMENT	12.	The meeting adjourned at 9:40 P.M. to the next regularly scheduled meeting on August 4, 2015 at 7 P.M.

Approved,

 Conrado Lopez, Chair

 Date

ATTACHMENT 6

DRB Minutes

January 7, 2016

**MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 7TH DAY OF JANUARY, 2016
AMEDEE O. "DICK" RICHARDS, JR. CITY COUNCIL CHAMBERS
1424 MISSION STREET**

ROLL CALL		<p>The meeting convened at: 7:26 PM</p> <p>Board Members Present: Conrado Lopez (Chair), Jim Fenske (Vice - Chair), Susan Masterman and Fi Campbell</p> <p>Board Members Absent: None</p> <p>Staff Liaison: Knarik Vizcarra, Assistant Planner</p>
NON-AGENDA ITEMS	1.	None.
NEW ITEMS	2.	<p>817 Orange Grove Place Project Number: 1750 – DRX Applicant: Gary Sewell Project Information:</p> <p>A request for Design Review Board approval to demolish the existing duplex and a proposal to build a new triplex on a 10,091 sq. lot. Unit A will be a two story, 2,321 sq. ft. detached structure. Unit A will consist of: two bedrooms with two bathrooms, a family room, a master bedroom with a master closet and a master bathroom. A 210 sq. ft. second story deck is proposed on the rear elevation. A 47 sq. ft. second story deck is proposed in the front elevation. A two vehicle carport is proposed in the rear. A second structure is proposed with two units. Unit B is a 1,977 sq. ft., two story structure with two bedrooms and two bathrooms, a master bedroom with a master closet, and a master bathroom. A 233 sq. ft. deck is proposed on the front elevation. Unit C is located on the second floor, above the four vehicle carport. It will consist of a bedroom with a bathroom, a kitchen and a family room. A 223 sq. ft. deck is proposed in the rear elevation. The exterior materials for the two structures will consist of: Ipe Rainscreen siding cladding, metal roofing (Galvalume roofing), frameless glass clamp railing, Pella Iron Ore windows and sliding doors, stucco siding, and cantilevered wood awning.</p> <p>Presentation: Gary Sewell, owner’s representative, presented the proposed project.</p> <p>Questions from the Board: Mr. Sewell responded to questions regarding the change in number of bedrooms and structures on-site between the existing and proposed project.</p> <p>Public Comment:</p>

	<p>Michal Hollingsworth (815 Orange Grove Pl) said the applicant's directive has been to maximize the building on the property which has resulted in a boxy proposal that is incompatible with the neighborhood. He said parking is still an issue and there is insufficient open space for multi-family.</p> <p>Jane Schirmeister (816 Orange Grove Pl) said that the historical significance of the building has been compromised due to neglect, noting that the fireplace is still significant. She said the proposed was incompatible with the building. She also felt it was difficult to understand how the front structure is considered culturally insignificant.</p> <p>Tara Kawakami (823 Orange Grove Place) said the current structures are compatible and consistent with the neighborhood while the proposed is boxy and unbalanced. The height seems uncertain and too tall, and there doesn't seem to be enough open space.</p> <p>Brenda Marchain (918 Magnolia) noted that just because one can build three units, it does not mean it is appropriate for the site. In this case, she felt it was not appropriate. He noted that the design is boxy and the Board should consider neighborhood impacts in terms of re-sale value.</p> <p>Gary Tsai (821 Orange Grove Pl) noted that he was disappointed that there was not more creativity employed in the design as it seemed similar their home.</p> <p>Melissa Tsai (821 Orange Grove Pl) said the findings required would be difficult to make. She noted that there was a 60 foot unarticulated wall along the east and the second floor seemed maxed out.</p> <p>1038 Orange Grove Ave – The owner noted that the proposal takes the current 2-car garage to 7 stating that paving the alley along would not address the affects of the project on the area. He felt a traffic study would be needed.</p> <p>George Ramos (805 Orange Grove Pl) agreed with the neighbors' comments and simply stated that the project was not good for the street.</p> <p>Board Discussion/Decision: Ms. Masterman noted that while there were some similarities to the massing of the property at 821 Orange Grove Ave, she felt uncomfortable with the scale, size and density of the proposed project relative to the street. She noted that the site seemed maxed out and over-paved. 3-dimensional views would be needed to properly review the project that also show adjacent properties. The two-story entrance proposed is also one that is discouraged by the Design Guidelines. She noted that the third and</p>
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	<p>fourth required finding could not be made for the project as presented. Mr. Lopez agreed that the two-story balcony element in the front needs to be addressed along with the second-floor stair volume. The alley does not seem like a feasible access for the project. Mr. Lopez said that the overall project seemed to be overwhelming for the site, and the project seemed to be further away from approval than previously.</p> <p>After discussion, the Board voted 4-0 (Masterman/Lopez) to CONTINUE the project and asked the applicant to work on the following:</p> <ol style="list-style-type: none"> 1. Provide a 3-D 1/8" scale physical model with neighboring properties, and, 2. Address massing, scale, out of character, overcrowding concerns brought forth at the meeting.
	<p>3. 1426 Bank Street Project Number: 1837-DRX Applicant: Tom Nott, Architect Project Information:</p> <p>A request for Design Review Board approval to demolish the existing duplex and a proposal to build a new three unit condominium with semi subterranean parking on a 9,780 sq. lot. Unit A will be a 1,596 sq. ft. three story structure. Unit A will consist of: three bedrooms with two bathrooms, a master bedroom with a master closet and a master bathroom. A 573 sq. ft. three vehicle garage is also being provided on the lower level. A second structure is proposed with two condominium units. Unit B is a 1,596 sq. ft., three story structure, with three bedrooms with two bathrooms, a master bedroom with a master closet and a master bathroom. A 573 sq. ft. three vehicle garage is also being proposed on the lower level. Unit C is a 1,596 sq. ft., three story structure with three bedrooms and two bathrooms, a master bedroom with a master closet and a master bathroom. A 573 sq. ft. three vehicle garage is also being proposed on the lower level. The exterior materials will consist of: wood shingle siding, lap siding, composition roof shingles and wood windows.</p> <p>Presentation: Architect Tom Nott presented the project.</p> <p>Questions from the Board: Mr. Nott responded to questions from the board related to finishes and surrounding neighborhood. He noted that the finish for the vase would be stucco and that there were other similar apartments in the area in terms of layout and use of subterranean parking.</p> <p>Public Comment: None.</p> <p>Board Discussion/Decision: Mr. Lopez commended the applicant for the details provided. Ms. Masterman expressed two main concerns about the proposal: 1) massing –</p>

ATTACHMENT 7
DRB Minutes
October 10, 2016

**MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 6TH DAY OF OCTOBER, 2016
AMEDEE O. "DICK" RICHARDS, JR. CITY COUNCIL CHAMBERS
1424 MISSION STREET**

ROLL CALL		<p>The meeting convened at: 7:00 PM</p> <p>Board Members Present: Conrado Lopez (Chair), Jim Fenske (Vice - Chair), Susan Masterman, and Mark Smeaton</p> <p>Board Members Absent: None</p> <p>Staff Liaison: Knarik Vizcarra, Assistant Planner</p>
NON-AGENDA ITEMS	1.	None.
CONTINUED ITEMS	2.	No New Continued Items
NEW ITEMS	3.	<p>1129 Diamond Avenue Project Number: 1926-DRX Applicant: John Corey, Architect Project Information:</p> <p>A request for Design Review approval for demolition of an existing single-story home and construction of a 1,934 square foot two-story (1,066 square foot first floor and 868 square foot second floor), Spanish Colonial Revival style house with a 420 square foot attached garage located at the rear of the property. Proposed exterior material for the project consist of clay mission tile roofing, wooden eiter tails, wrought iron railings, aluminum clad windows and adobe texture stucco.</p> <p>Presentation: Mr. Corey presented the project and explained that the current house proposed to be demolished has been identified as non-historic through a historical report. The new house will have a farther setback (30') than the average of the neighborhood houses (20').</p> <p>Questions from the Board: Board members asked about the details around the windows and doors. Mr Corey mentioned that the finish around the openings would be hand troweld return to inset the windows 2 inches with an 1-1/2 inch bullnose. There is no trim proposed around the windows with the exception of the quatrefoil window that will have a stone surround. Board members asked for a wrought iron balcony detail. Mr. Corey responded they are using a standard iron fabrication and that the balcony is intended as a flower pot balcony. Board members asked about the base and any special</p>

	<p>1. 1829 Hill Drive Project Number: 1911-DRX Applicant: Tom Nott, Architect Project Information:</p> <p>A request for a DRB approval to change the façade of the house from the August 4, 2016 DRB approval. The proposed changes will consist of revising the entry canopy and the windows on the entry area.</p> <p>Presentation: Mr. Nott presented the continuance of the item discussing the stucco finish and the recess of the windows.</p> <p>Questions from the Board: Board members asked about the chamfer and if it to be found at all windows.</p> <p>Public Comment: No Comments</p> <p>Applicant Response: Windows will be flush at the sill, but beveled at the jam.</p> <p>Board Discussion/Decision: The Board will not approve nail on fin windows for an extensive remodel. They would like to see an alternative window system.</p> <p>Board voted to APPROVE (5-0) with the condition that the applicant provide a window sample for the Chair to approve.</p>
<p>NEW ITEMS</p>	<p>2. 817 Orange Grove Place Project Number: 1750-DRX Applicant: Peter DeMaria, Architect Project Information:</p> <p>A request for DRB approval to demolish the existing non-historic duplex and a proposal to build a new triplex on a 10,091 square foot lot. Unit A will consist of a single story, 1,031 sf unit. Unit B will consist of a 437sf single story unit, located below unit C. Unit C will consist of a 2,249 sf unit and it is located on the second floor.</p> <p>Presentation: DeMaria presented the project and noted that he accepted the project on the condition that the owner be respectful to the architectural culture of the City, the neighbors and the people of the community. DeMaria spoke about the alleyway and its unsafe conditions and other issues of property access and circulation. The architect developed a scheme that utilized both</p>

the alleyway and Orange Grove Place to minimize the traffic impact. The livable square footage is less than 4,000 square feet which was reduced from the original scheme of 4,500 square feet. The allowable square footage is over 5,000 square feet, but the preferred square footage was reduced to respect the scale of the developments on the street. The double gable design allows for height, but reduces the overall height of what a single gable would have. The front unit is a single-story to respect the building pattern of the street, while the double-height unit is located at the rear. The building design is appropriated from the existing neighborhood vocabulary and abstracted into the architecture.

Questions from the Board:

The board asked if the parking requirements were met through carports (yes) and what the lot coverage was (35%). The Board also asked what was currently on the lot (3 structures) and how many dwelling units (2 units). The board inquired about the density and density allowances, Staff replied that density is established by the General Plan and the General Plan is not for the Board's or Staff's discretion. The Board asked about the structural rigidity and subframe detailing of the Ipe wood siding.

Public Comment:

816 Orange Grove Place: Resident noted DeMaria's community outreach. Has concerns with the overall square footage and mass of the building on the lot. Also has concerns with the driveway acting as a throughway and is fearful of non-residents utilizing the driveway as a thoroughfare.

Mike & Elizabeth Hollingsworth, 815 Orange Grove Place: Objections were raised to the number of bedrooms being proposed and would like to see the development limited to two units. Objections were raised about the roof form and material including the privacy intrusion of the elevated deck and it is no substitute for an actual yard. Concerns are raised about the massing and the through driveway.

1038 Orange Grove Ave: Issues were raised with current street traffic patterns and the increase that the development will have on the neighborhood. A traffic study is requested before project approval.

Board Discussion/Decision:

The Board suggested that a gate be installed to reduce the thoroughfare effect. The materials of the house should follow the traditional pallet of the neighborhood, but a modern pallet is acceptable. The rigid planes of the roof massing is found not to be compatible with the neighborhood. There is concern with the overall massing of the project and its effect on the neighborhood. There is concern with lot coverage, too much building for the size of the lot and not enough green space. There is concern about the privacy issue with the upper deck, but that can be resolved through

		<p>screening. The front round columns should be readdressed in design to be compatible with the contemporary design of the house. The lpe siding should be utilized more to break up the massing of the side elevations. The continuity of the architecture from front building to rear buildings and carports in between make the building massing incompatible with the design guidelines. The layout and site plan should be readdressed including the raised deck over the carport to break up the connectivity, continuity and massing of the project to avoid a continuous wall of building footprint. The repetition of the roof planes, and the continuous wall on the west elevation is too monotonous, and the western walls need to be articulated with materials and massing volumes.</p> <p>After the discussion, the Board voted 4-0 to CONTINUE the project with expected revisions addressing the following: Provide a 3D model view of the project as it is seen driving down the street. Provide details of the windows, lpe rainscreen, columns, and glass railings. Address the privacy issues with a redesigned upper deck. Provide better detailing along the side elevations with materials and volumetric articulations.</p>
DISCUSSION ITEMS	3.	<p>1746 & 1750 Hanscom Drive Applicant: Irene Acosta Project Information:</p> <p>1746: A request for a Design Review Board approval for the demolition of a non-historic 316 square foot house for the construction of a new 2,332 square foot two-story house with an attached carport. The proposed home would be designed in a modern architectural design with flat roof line, metal framed windows, and exterior walls made of concrete, wood, and metal siding. The home is sited on a 6,663 square foot parcel in the RS zone.</p> <p>1750: A request for a Design Review Board approval for the demolition of a non-historic 760 square foot house and street-side detached garage for the construction of a new 2,278 square foot two-story house with an attached carport. The proposed home would be designed in a modern architectural design with flat roof line, metal framed windows, and exterior walls made of concrete, wood, and metal siding. The home is sited on an 6,511 square foot parcel in the RS zone.</p> <p>Presentation: Acosta presented the project, its materials, size, and overall design. The house at 1750 was kept at a single-story so that sunlight is not blocked for the northern address at 1746 Hanscom.</p> <p>Questions from the Board: There were questions regarding the abundance of trees on the property and that a species and a tree plan be provided. The poured-in-place (PIP) concrete walls will hopefully remain and not be value-engineered out of the construction. Also, the PIP would look great as a front feature.</p>

ATTACHMENT 8

DRB Minutes

November 3, 2016

**MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 3RD DAY OF NOVEMBER, 2016
AMEDEE O. "DICK" RICHARDS, JR. CITY COUNCIL CHAMBERS
1424 MISSION STREET**

ROLL CALL		<p>The meeting convened at: 7:00 PM</p> <p>Board Members Present: Conrado Lopez (Chair), Jim Fenske (Vice - Chair), Susan Masterman, and Mark Smeaton</p> <p>Board Members Absent: None</p> <p>Staff Liaison: Edwar Sissi, Planning Intern</p>
NON-AGENDA ITEMS	1.	None.
CONTINUED ITEMS	2.	<p>817 Orange Grove Place Project Number: 1750-DRX Applicant: Peter DeMaria, Architect Project Information:</p> <p>A request for DRB approval to demolish the existing non-historic duplex and a proposal to build a new triplex on a 10,091 square foot lot. Unit A will consist of a single story, 1,031 sf unit. Unit B will consist of a 437sf single story unit, located below unit C. Unit C will consist of a 2,249 sf unit and it is located on the second floor.</p> <p>Presentation: Mr. DeMaria presented the project that addressed some of the concerns from the October DRB meeting. DeMaria mentioned that the site plan was revised with some minor shifts in the building placement, but still adhering to the prescribed setbacks. Additionally, the architecture was revised to incorporate some façade undulations on the side elevations, deeper eaves, square columns in the front, and a driveway gate to prevent a "drive-thru" scenario. The finish of the stucco surfaces will be a smooth trowel finish with deeper recess inlays of the windows and doors. The massing of the two separate structures will be connected by an upper floor deck with clear railing to break up the mass. The upper floor deck located above the at-grade carport parking area is now recessed back from the elevation edge of the buildings to reduce the horizontal plane. The new cupolas at the front unit act as a skylight and help to break up the mass and scale of the building.</p> <p>Questions from the Board: Masterman: have the height of the structures changed. The height has not been changed. Lopez asked what the materials of the cupolas are. They</p>

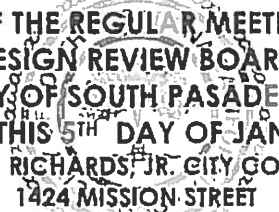
	<p>are the same materials of the house with stucco and ipe wood rainscreen. Smitten suggested that the cupolas have a sustainability function crafted into them such as passive heating/cooling design.</p> <p>Public Comment: Mike Hollingsworth, 815 Orange Grove Place: Presented a slide show of all the homes on the block. Hollingsworth stated his concern for the project and its incompatibility with the neighborhood through scale, massing, and overall impact of large structures. Hollingsworth handed out a photographic rendering of the then-proposed housing project at 821 Orange Grove Place. Beneath the rendering was a photograph taken by Hollingsworth to show the actual impact of the now-built house at 821 Orange Grove Place.</p> <p>Terra Towakami, 825 Orange Grove Place: Expressed concern of the “apartment style” of the design with parking on the bottom and living quarters above, the cupolas, and the driveway and alley access and the height.</p> <p>Jane Shirmeister, 814-816 Orange Grove Place: Expressed concerns with the apartment complex and its impact on the neighborhood particularly the height and parking issues and abundance of cars already on the street.</p> <p>Applicant Response: DeMaria stated that his intention is not to recreate a single-family home, but to address the challenges of respecting the single-family nature of the neighborhood while allowing for the construction of multiple units as is allowed per the zoning. The architectural style has been appropriated from what is existing in the neighborhood. The architect and the owner want to work with the neighbors and do what is best for the neighborhood.</p> <p>Board Discussion/Decision: Masterman: Mentioned pages 62 and 96 in the Design Guidelines regarding techniques that should be utilized for new multi-family projects in the context of a single-family neighborhood. Masterman could not justify the long mass of the project as it does not follow the Design Guidelines. The front building is slab on grade, which does not break up the vertical mass of the project. The back building is 2.5 times the length of the building and feels like a single monolith apartment block.</p> <p>Lopez: Liked the difference in volumes with the front unit as a lower massing and the back units as higher units. He also appreciated the roof massing and the double gable as it reduces the visual impact of one large roof. The elongated roofing planes however are not helping with the massing of the project. The purity of the form, in this articulation, is too alien to the City in general.</p>
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	<p>Smeaton: Addressed concern with the elongated pure form of the double gable on both structures.</p> <p>Fenske: Was concerned with the foreign nature of the design. Suggested that the front unit have a different roofing orientation and perhaps even a whole new design.</p> <p>The Board also suggested that the massing of the projects be unaligned from each other instead of being in one long plane. This would follow the historic development pattern of the City in which you see a garage down the driveway behind the front unit.</p> <p>Conrado made a motion to CONTINUE the project with Masterman seconding the motion and all Board Members voting to continue.</p>
<p>NEW ITEMS</p>	<p>3. 1325 Oak Hill Place Project Number: 1959-DRX Applicant: Duncan McIntosh, Designer Project Information:</p> <p>A request for Design Review approval to change the facade of the house. The proposed changes will consist of: Hardiplank siding on the front elevation with stucco siding on the side and rear elevations. All the existing windows will be replaced with wood aluminum casement windows and awning windows.</p> <p>Presentation: Mr. McIntosh presented the project and explained that the project restoration was underway but had been halted prior to the new owners. The current owners are proposing exterior enhancements to the facade including new windows and siding with no expansion to the square footage. The board and batten on the front is non-salvageable. The applicant would like to propose an exaggerated eave extension to provide a quasi front porch and had hardiplank siding to the front.</p> <p>Questions from the Board: Fenske asked if the corners were going to mitered or detailed with a corner board. Applicant responded that they will miter the corners and leave the remaining stucco on the sides and rear as it currently exists.</p> <p>Smeaton asked what type of wood will be used on the trellis, and the concrete finish for all the concrete work proposed. The applicant will use a painted fir and use a city sand mix for the concrete. Smeaton also asked if the roofing was in good shape and if new roofing was going to be installed. The applicant replied that the roofing will be replaced with new asphalt composition shingles.</p>

ATTACHMENT 9

DRB Minutes

January 5, 2017



MINUTES OF THE REGULAR MEETING OF THE
DESIGN REVIEW BOARD
CITY OF SOUTH PASADENA
CONVENED THIS 5TH DAY OF JANUARY, 2017
AMEDEE O. "DICK" RICHARDS, JR. CITY COUNCIL CHAMBERS
1424 MISSION STREET

ROLL CALL		<p>The meeting convened at: 7:00 PM</p> <p>Board Members Present: Conrado Lopez (Chair), Jim Fenske (Vice - Chair), Susan Masterman, Mark Smeaton</p> <p>Board Members Absent: None</p> <p>Staff Liaison: Edwar Sissi, Planning Intern</p>
NON-AGENDA ITEMS	1.	Masterman: Mentioned the January 11 public forum for the proposed mixed-use project on Mission and Fairview and would like the public to be informed.
CONTINUED ITEMS	2.	None
<p>NEW ITEMS</p> <p><i>Note: 817 Orange Grove Place was placed as a new item due to modification in design, expiration of continuation on previous Agenda, and re-mailing of public notifications.</i></p>	3.	<p>817 Orange Grove Place Project Number: 1750-DRX Applicant: Peter DeMaria, Architect</p> <p>Project Information: A request for Design Review Board approval to demolish the existing duplex and a proposal to build a new triplex on a 10,091 square foot lot. Unit A will consist of a single story 1,031 square foot unit. Unit B will consist of a 437 square foot single story unit, located below unit C. Unit C will consist of a 2,249 square foot unit and it s located on the second floor. Unit A will consist of: a living room, a dining room, a master bedroom, a bedroom and two bathrooms. Unit B will consist of: one bedroom, one bathroom, and kitchen/living area. Unit C will consist of: three bedrooms, three bathrooms, a laundry room, a family/living room, a dining room and a kitchen. An 835 square foot carport is proposed and will be attaching Unit A to Unit B and C. An 835 square foot deck is proposed above the carport. 609 square feet will be allocated to the common open space area and 226 square feet will be allocated to the private area for unit C. The exterior materials for structures will consist of: smooth stucco siding, wood siding, metal standing seam roofing, frameless glass railing, aluminum windows and sliding doors.</p> <p>Presentation: Peter DeMaria: Mentioned he went back to the Design Guidelines to ensure compliance. DeMaria presented the Board with an itemized list of design points in which 1 – the project was the result of outreach between DeMaria and the neighborhood in which he met with members of the neighborhood at least two times and that they seemed relatively pleased with the design proposal, only to be surprised that they did not see the project favorably during the public hearings. 2 – the project design had evolved with input from the neighbors and the opinions of the Board to create a more "cottage-like" front unit, and breaking up the elongated roof lines with cross gables. The design has evolved to push most of the square footage of the development towards the rear of the property, thus fulfilling the desires of the Design Guidelines. The square footage has been</p>

reduced to be about 72% of the square footage allowed. 4 – The front unit has been maintained as a single story unit in keeping with the streetscape of existing single story homes. 5 – The selection of materials are to include ipe wood siding, smooth stucco finish, and standing seam metal roofing. These materials are a limited palette, but not a modernist palette. 6 – The double gable roofing breaks down the massing and the cross gable proposal breaks down the monotony. DeMaria mentioned how he met certain Design Guideline criteria as described on page two of the handout that was presented to the Board Members including: Building Massing and Plan Development; Roofs, Materials, Form, and Shape. The style has not been reinvented, but is not striving to recreate a false sense of history. The style has been abstracted and in comparison to the house south of the property, the proposed design looks very conservative. DeMaria then showed a sketch to soften the look of the finished building, including what the front façade would look like with mature vegetation. DeMaria reiterated that the eastern modern house is at least six feet taller than the proposed design. The rear two story building will hardly be seen from the front behind the front single floor unit. DeMaria also showed images of each building along Orange Grove Place and pointed out the varied roofing design of the varied architecture throughout the street. He did note however, that of the varied styles, the gable roof stands out as a prominent style explaining the reason behind his proposed roofing design.

Board Questions:

Masterman asked Sissi: What the landscape requirements are for new development. Sissi responded that a landscaping plan is required for new development and that the landscaping must comply with the City's water efficiency ordinance. Masterman then asked what the requirements are for trees and if trees are required for new development. Sissi responded that Planning does not require tree plantings for new development, but there are provisions in the Code for the protection of existing trees.

Masterman then asked DeMaria what the relationship for the front setback for the existing building and the proposed building. DeMaria responded that the new proposal will be the average between both parcels to the east and west. The existing setback is 20 feet. Masterman also asked the applicant what the top plate height is; the front door is an 8 foot double door, and the top plate height is 10 feet.

Masterman: Inquired what the required setback was from the rear alleyway, and if the applicant feels they have pushed the building back as far as possible. DeMaria responded the location of the building at the rear is located due to an open space requirement located at the edge of the alleyway.

Masterman: Asked if the square footage changed from the previous presentation. DeMaria responded no.

Masterman to Sissi: does a covered deck meet the definition of a "courtyard" if it is on a second story. Sissi responded that the definition would need to be verified.

Lopez: Inquired if the intention of differentiating the cross gables at the front unit from the cross gables of the rear unit is intentional. DeMaria responded yes for scale reasons. Asked why the east elevation does not have ipe wood siding on the front unit. DeMaria stated that ipe wood is to

be on both east and west elevations.

Smeaton: Asked if there were any tree specimens that were proposed for the project. DeMaria mentioned that trees would be a great addition and that not putting them would be detrimental to the project. Smeaton was concerned that trees were not included in the plans.

Lopez: Wanted to confirm that a landscape plan was not submitted with the application; no landscape plan was included with the project.

Public Comments:

Elizabeth Hollingsworth (815 Orange Grove Place): Urged the Board to deny the project before them. Expressed her frustrations with the owner for not understanding the needs of the neighborhood and the Design Guidelines for compatibility in spite of the numerous changes to the design and presentations before the Board. The project has been on the DRB Agenda 15 times, 3 for Conceptual Review, and 12 for Action. Reiterated the concerns of the Board and neighbors from previous meetings and how tonight's proposal presents insignificant changes and continues to not meet the concerns of the neighbors. The project is still too massive. Urges denial of the project.

Michael Hollingsworth (815 Orange Grove Place): Urges the Board to deny the project as it has changed little since the last hearing.

Jane Schurmeister (814 & 816 Orange Grove Place): Passed around a signed petition by the neighborhood urging the Board to deny the project. There are a total of 16 signatures, and many of them are tired of raising their concerns with the project. The project is being proposed by a developer, not a neighborhood resident and remains out of scale with the neighborhood.

Resident (804 Orange Grove Place): This is a quality of life issue, and it is like putting a size 11 foot in a size five shoe. The scale of the project will cause more people and more cars on a dead in street and will overwhelm the street. This overdevelopment is what she escaped from in North Hollywood and does not want to see that happen here.

Terra Kawakami (825 Orange Grove Place): Little has been done to reduce the visual impact. Though the project has been densified towards the rear, it still remains too massive. The rear units are going to be visible from any standpoint on the small street. The cupolas on the front unit give it the look of a church or a caboose. The carport parking gives the project the feeling of an apartment. She also alleged the property owner pulled out trees and does not practice good landlord services.

Eric Chu (809 Orange Grove Place): Recently purchased the property and is new to the area, but is overwhelmed by the scale and scope of the project. He remains concerned about the parking and has yet to find street parking in front of his own home.

Annette Marshain (918 Magnolia): A realtor that represented Mr. Chu in his recent purchase. Mentioned what when she had open houses, people would mention that the street was really nice, but were inquiring why there was an apartment on the street, when in actuality they were referring to the modern house at 821 Orange Grove Place. She mentioned that the

street does not need another large complex on the street.

Gary and Mellissa Tsai (821 Orange Grove Place), Presented in an email to Planner Jose Villegas and read aloud by Board Member Masterman: Would like to note the differences between the 821 and the proposed project at 817: 1- We live on the property, where as the owner of 817 does not live there. 2 - 817 will be a triplex rental property, and we at 821 are a single family residence of a family of five and plan to stay there a very long time. 3 - We are not making money off our home, unlike the developer at 817 whom is trying to maximize their bottom line. 4 - While we understand the right of the developer, we remain concerned with the density, the turnover of tenants, and the traffic flow. 5 - In terms of materiality, just to say they are using the same materials, does not mean it is compatible with the neighborhood or the street.

Applicant Response:

DeMaria mentioned that they did not use the house as a precedent and believes that the proposed project looks nothing like it. DeMaria inquired how many people on the signed petition actually looked at the drawings. He also mentioned that the parcel is zoned multi-family and that they did not try to fit a size 11 foot in a size 5 shoe. The square footage does not come close to the maximum allowable on the property. The applicant expressed the reality that it must be expected that properties in a multi-family zone will most likely see multi-family projects within that zone be developed. He also brought up the issues of why someone would be able to purchase a property in a multi-family zone, but not be allowed to develop it as a multi-family zone. He explained that he and his client are trying to work within the parameters of what is allowed. They have worked in good faith, and believes they have been quite sensitive to all the issues. The key to the massing issue is the single floor front building and becoming a part of the streetscape.

Board Discussion/Decision:

Masterman: Explained the parti of the project as a single floor volume at the front, and a two story volume at the rear. The front building seems to be keeping with the scale and general neighborhood fabric. The back building, which is really big, and it is partly related to the parking requirements. The parking requirements are based on the number of units, so it is self-imposed issue. Determines that the building cannot meet the findings on the issue of scale.

Lopez: Expressed his understanding of the complexity and permitted allowances of development for the property, but at the same time, realizes that the majority of the houses on that street are so small. So it is the Board's responsibility to weigh all the issues and look at it from everyone. He appreciates all the design changes the applicant has made, but the issues pertain to the size of the units, and maybe the number of units. He believes the zoning and the numbers are incompatible with the neighborhood. Though the applicant has done his best to articulate the architecture, but still sees the second floor unit as too massive including the required parking. Believes another reduction is required whether it be in bedrooms, or number of units. The target is not necessarily the number of the units, but the size of the units and their required parking. The parti of the volumes with single story at front and two story at the rear is encouraged, but for this property, the issue remains with the scale attributed to the rear units that is even larger because of the

	<p>parking.</p> <p>Masterman: The scale is not right for this neighborhood, and the parking requirements are self-imposed. Asked Sissi what the parking requirements were for multi-family projects. Sissi explained the requirements pertain to the number of units, the number of bedrooms and then the required guest parking spaces. Masterman believes that the 10 foot plate height is too tall along with the 8 foot entry doors on the front unit as being out of scale with the neighborhood. Believes that the vertically of the front unit can still be reduced, but the back massing and scale is just too large.</p> <p>Lopez: Does not have an issue with the architectural styling, but the back building needs to be reduced in size.</p> <p>Smeaton: Agrees with the comments made by Lopez and Masterman. Believes this project would be easily approved in other locations where the houses are larger. The Board is struggling with addressing how this project is compatible with this neighborhood.</p> <p>Fenske: Struggles with this because this will set a precedent for other development to take place with similar scale and massing on what is a predominately small-scaled street. The issues are the numbers of the cars and the character of the small neighborhood. The Board needs to follow through on the General Plan which is to preserve the overall character of the neighborhood. Fenske is personally ok with the project and design, but has to take into consideration the concerns of the neighbors and the dilapidated alleyway at the rear. Believes everything works, especially the front unit, but the density is too much at the rear.</p> <p>Lopez made a motion to CONTINUE the project with Smeaton seconding the motion. The project was CONTINUED 4-0.</p>
<p>Discussion Items</p>	<p>4. 2032 Stratford Ave. Applicant: Jim Fenske, Architect (CONCEPTUAL REVIEW)</p> <p>Project Information: A request for a conceptual review regarding the proposal to add 115 square feet at the rear of the first floor. A second floor addition of 797 square feet is also proposed of which 65 square feet is an existing unpermitted converted attic space. The unpermitted second floor work occurred within the existing attic space of the high-framed roof. All work, including the existing unpermitted work, will be required to comply with current building codes and permitting procedures including a field inspection. The existing 1,398 square foot house is located on a 6,622.5 square foot parcel and is located in the Residential Single Family (RS) zoning district. The house was built in 1924, but is not identified in City records as a historic property.</p> <p>NOTE: APPLICANT AND DRB BOARD MEMBER JIM FENSKE IS THE ARCHITECT OF RECORD FOR THIS PROJECT. HE RECUSED HIMSELF FROM THE REVIEW AND EXITED THE COUNCIL CHAMBERS WHILE HIS WIFE PRESENTED THE PROJECT ON HIS BEHALF.</p> <p>Presentation: Laurie Dieckman was late to the review, so the Board members reviewed the project amongst themselves (absent of Jim Fenske). When Laurie</p>

ATTACHMENT 10
DRAFT DRB Minutes
October 4, 2018

PRESENT: all
ABSENT: none
COMMENCE TIME: 7:01 pm

NON-AGENDA ITEMS

1. PUBLIC COMMENT
No public comment

CONTINUED ITEMS:

2. 131 MARENGO AVE (2144-DRX)

PRESENTATION:

Li sy: noted that she took the Board's comments into consideration and is keeping a fire place, but pushing it in to accommodate her car and driveway clearance. The fireplace will extrude 8 inches from the wall.

QUESTIONS FROM BOARD:

Smeaton: noted the owner is installing a new gate, but that the strike alignment is where the existing fire place is and the gate will impede the driveway clearance.

Li: noted that the gate is located and designed so that the driveway clearance will be maintained.

Lopez: inquired if the existing chimney will be demolished, and a new one constructed as proposed.

Li: yes

Lejuene: inquired about measurements of the proposed new chimney.

PUBLIC COMMENT:

No public comment.

BOARD DISCUSSION:

Smeaton: noted that the proposed design solution address the concerns of the Board and that he is satisfied with their solution that they have proposed.

Lopez: noted his appreciation of the owner's response to address the Board's concerns and requests.

DECISION:

Lopez made a motion to approve the oproject as submitted.

Lejuene: seconded the motion

Ayes: (5-0)

NEW ITEMS

3. 817 ORANGE GROVE PLACE (1750-NID-DRX)

PRESENTATION:

Lopez: inquired with staff why the project was listed as new business on the Agenda.

Sissi: noted that the project is continued, but due to a time lapse since the last review, the project needed to be renounced and placed under new business.

Peter DeMaria, architect: noted that he has been before the Board several times, and that each time was not successful, which explains why they are back here tonight. He noted that he

has conducted neighbor outreach out of neighborliness. He presented several different design options, to the neighbors at the subject site, and the last neighborhood meeting was well received, however moods had changed at the time of the review before the DRB. He noted that he researched the City for similar street scales that is similar to orange grove place. He noted a house on 1035 Adelaine is a quaint two-story house with good massing, scale and plate height. This served as partial inspiration of the proposed design at the subject site. He noted that it was decided to demolish the existing structures at the subject site due to their condition. He presented a slide show and noted his contemporary designs in other cities such as Pasadena juxtaposed to traditional historic fabric. He presented the selection of the materials and architectural features such as siding, and doors. He noted that the client is not interested in developing a low-budget project but wants a high-quality high-design project. There will be copper planters, standing seam metal roof, frosted glass railings, pavers and landscaping that will break down the scale. He noted the height limits will not be reached, exceeded or come close to it. He noted that all the required open space will be at ground level to eliminate excessive structure at the upper floors. He also presented a street elevation montage with the proposed project to indicate the contextual scale of the project. He noted that the front shows no garage doors, and all the parking is hidden, which is contextual for the neighborhood. The materials are selected for their quality and longevity.

QUESTIONS FROM BOARD:

Lopez: inquired how many times the applicant has come before the Board and the different designs that have been presented each time.

DeMaria: noted that he has been at least two times before the Board and that the designs have evolved each time due to Board concerns and too many concerns of the neighbors.

Smeaton: noted that the meeting minutes from October 2016 in which the Board made comments to reduce the square footage from a maximum of 5000 to 4000 which he complied with. But now he is back at the 5000 max FAR.

Lejeune: Thanked DeMaria for his streetscape photo montage. He inquired if the house to the east is a single or multi-family project.

DeMaria: It is a single family.

Fenske: noted that he recalled the applicant reduced the scale and replaced the front unit with a small scaled unit that is reflective of the neighborhood building pattern and why he changed it back to maximize the development potential this time.

De Maria: noted that after unsuccessful reviews before the Board, he reviewed the zoning code to see what is allowed by right. That is why the project has changed to maximize the development possibility of the site.

Lejuene: inquired if the development has evolved to include more units, or if it has always been three units.

DeMaria: noted that the design has always included three units.

PUBLIC COMMENT:

Elizabeth Hollingsworth (815 orange grove place): expressed her concern with the larger project and less parking. She objects to the project for its scale, size, density and incompatibility of the neighborhood. She expressed puzzlement over the applicant's design that have consistently

ignored the design recommendations of the DRB. She notes that several design criteria were not addressed with this design proposal. The size, scale, density of the project are not compatible and will create adverse traffic hazards along the alley way and orange grove place. She noted that Public Works has stated that the alleyway improvement cannot be funded solely by the City, and that the PW commission expressed concern with the traffic along Orange Grove Place. She noted that the street is one block long, and there is no cul-de-sac at the dead end where a car can turn around. The project is too big for this neighborhood. She urged the Board vote to deny the project.

Jane Schumeister (816 Orange Grove Place and 814 Orange Grove Place): She noted that she lives across the street from the project site. She is concerned with the compatibility of the project with the neighborhood. She is concerned with the density of the neighborhood and that the neighborhood is already over populated. She urged the DRB to vote denial of the project.

Tara Kowakami (825 Orange Grove Place): She alleged that the owner, Ms. Chan, is utilizing intimidation and spite by hiring a lawyer to do what she wants. The owner has had numerous opportunities to revise her plans, and she has consistently rejected the requests of the Board and the neighborhood. She asked the Board to vote for denial.

Anna Uehara (1050 Orange Grove Avenue): she noted that she lives along the alleyway and that there is sufficient space to park cars and maneuver along the alleyway and orange grove place. She expressed that the owner should be able to construct her project and that her current property is in disrepair and a problem for the neighborhood. She expressed her support of the project:

Lydia Morton (828/826 Orange Grove Place): noted that she lives with her mother on the property whom has lived in the neighborhood for 26 years. She noted that the neighborhood is already packed with cars, and that Goldline users utilize the neighborhood as overflow parking. She noted that her property is at the end of the road, and that her driveway is used by many people to turn their cars around. She does not feel the project is not right for this neighborhood and urged the Board to take the impacts of this project into consideration. She hoped the Board does not approve the project.

Botum Chay (813 1/2 Orange Grove Place): noted that she just moved to south pasadena in June of this year from Sacramento and that she Truly loves the city. She looks forward to the demolition of the project sites existing building, but she is not thrilled about what is proposed. She expressed that the project appears to be out of place with the neighborhood, and it does not blend in, and it is rather large. She believes a better solution can be achieved. She noted the oddity of the parking as not being sufficient. She wants to preserve the neighborhood charm, but she is not opposed to a new development at the property, but feels this design solution presented tonight is not right for the neighborhood.

Paul Zimmer (818 Orange Grove Place): noted that he grew up in the neighborhood. He expressed concern with the compatibility of the neighborhood and traffic with its size and proportion. He opposes the project and urges the Board to deny its approval.

Michael Childs (1043 Orange Grove Ave): noted that the concerns of the neighborhood are legitimate. The alleyway is not adequate and can only accommodate one-way traffic. He urged the owner to create a project that pleased the neighborhood and was more compatible with it.

Michael Hollingsworth (815 orange grove place): presented a county assessor map indicating the square footage of assessed living area in the neighborhood. He expressed his frustration at having to see the proposed project presented again tonight that rejects all the recommendations of the Board and the neighborhood. He noted that this latest iteration is a revenge tactic, and that the project site cannot fit another square foot due to its proposed size. He noted the generous additional non-bedrooms in the project and the overall size of the units. And urged the Board to deny the project.

Patrick Perry (property owner's legal counsel and architect): noted that there are two set criteria. The first criteria is the zoning requirements. This project complies with those requirements from density, height limits, lot coverage, parking, and FAR. He noted that the public works has provided a condition of approval that the alleyway be improved along with the street with new asphalt in front of the property. He noted that the project will make improvements to the surrounding infrastructure. The second criteria is subject to the design guidelines, and as expressed in his letter presented to the Board, the project complies with all of the design guidelines. He noted that the architect has taken measures to articulate the facade, and break up the massing including recessed windows, and differentiation of materials. He noted that the neighborhood is eclectic in architectural style, and that peter de Maria looked at the neighborhood for architectural appropriation to tie the proposed project into the neighborhood. He noted that design issues can be subjective, but that the Board has a set list of objective criteria to decide upon and to follow through on that.

BOARD DISCUSSION:

Fenske: noted that the project should be under code enforcement due to its dilapidation.

Sissi: noted that the applicant has received approval for the demolition of the rear unit, and they are obtaining permits for that. The graffiti of the garage has been painted over.

Fenske: noted that he understands the struggle of projects that are new construction next to existing old buildings such as is taking place in this neighborhood. He noted that the architect, though skilled, needs to take into consideration the concerns of the neighborhood. He liked the project when it was reduced in scale, and the front unit was brought down to one story as the front.

Lopez: noted that he and fenske have seen all the iterations of the project through the years as it has come before the Board. He expressed his disappointment at the current project. He noted the numerous hours spent reviewing the project regarding the scale, massing and compatibility of the project, and now the project has gone completely backwards. He noted that design is subjective, and opinions are subjective. Just because zoning says you can do it, doesnt mean you can. That is why the Board exists to ensure that projects are compatible with the City and the neighborhood.

Lejeune: noted that though the Board has specific review powers, these meetings are where the public can express their voice, and it is the Board's responsibility to ensure the neighbor's concerns are heard. We have to look at the project within the lens of the community, not just the pretty picture. He noted that the project is not heading in the right direction and that the overwhelming representation of the neighborhood in rejection of the project is an indicator the project as proposed is not right for the neighborhood.

Smeaton: noted that he wants to commend the architect for all his efforts. He understands why the project has evolved into what it is today due to client/owner requests. The project tonight is a backwards approach to addressing the concerns of the neighborhood and the Board. The

massing at the rear unit is too vertical. He understands the difficulty of the neighborhood and compatibility with the zoning and that the neighborhood is probably incompatible for multi-family.

Lir: she expressed concern with the design because there is not green space, it is built out, and it does not fit into the neighborhood. She noted the design can be beautiful in another location, but not here.

DECISION:

Lopez: made a motion to **DENY** the project because it does not meet Finding number 3 due to its massing, its architectural articulation and the numerous attempts the Board has expressed their recommendations only to have them ignored.

Smeaton: seconded the motion

(4 Ayes, 1 Nay-Fenske)

92 PINECREST DRIVE (2024-NID-DRX)

PRESENTATION:

Architect: noted that he has addressed the recommendations of the DRB and reduced the height, and took out the dormer and created a better foyer entry.

QUESTIONS FROM THE BOARD:

Smeaton: inquired about the windows and their specifications.

Architect: noted that the windows will be wood, but the specifications are still be worked out.

Fenske: noted that the window schedule lists Millard vinyl.

Architect: noted that wood windows can be installed with no problem.

PUBLIC COMMENT:

Gary (84 pincrest drive): noted that he is a seismic and design engineer. he has serious concerns with the project. He noted that the hills and mountains, indicate close proximity to faults. And he is concerned with the two-story project being located close to fault lines. The houses to the east and west are one story. One-story buildings need to be designed differently to handle the stress of the seismic faults, and the location of this two-story building in a seismic location is not safe. He noted the building does not fit in context and proportion to the east and west neighboring properties. He expressed concern with the construction and traffic impacts on the street. He was also concerned with the demolition and the asbestos and lead and it being airborne which can be a safety hazard to his children.

Amanda knight (98 pincrest drive): noted that she is a neighbor to the immediate east and she has lived there 20 years. She noted that she was overall supportive of the project. Her house sits higher than the existing house at the subject site, and none of her windows are frosted including her bathroom windows. She noted that since the project proposes a two-story house, her views, privacy, and light will be compromised. She expressed concern with the noise of the existing pool pump and would like the applicant to consider the relocation of the pool pump and location of the new ac unit to be under the proposed rear yard deck. She was supportive of the overall design, but it appears to be a little too large for the site. She also did not want the applicant to install spot lighting along the sides, and that if the overhead wires can be relocated along the side.

Steve Laub, the applicant/contractor: noted that he can make a request to have the overhead wires moved. he noted that he can build a wall to obscure the noise of mechanical

ATTACHMENT 11
Architectural Historian's Report
Nelson White

RECEIVED

NOV 13 2015

Memorandum

CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPT.

To: Patty Chan, property owner
2447 Ridgeway Drive
San Marino, CA 91148

Re: Preliminary Historical Assessment: 817 Orange Grove Place (AIN 5315-018-064)

Date: November 12, 2015

Introduction

At your request, Nelson White Preservation has prepared an historic assessment of the subject property located at 817 Orange Grove Place. The legal description of the property is McCament Tract, Lot 25. The property features two one-story dwellings and a detached one-story, two-car garage. The oldest, built in 1922, is the front dwelling. In order to document the property's history the author conducted a site visit, reviewed archival records, and performed historical research. The author, who meets the *Secretary of the Interior's Professional Qualifications Standards* in architectural history, conducted all documentation. The "City of South Pasadena Inventory of Historic Resources" (the Inventory) identifies neither the original dwelling nor the additional buildings. Due to a loss of physical integrity and no apparent architectural or cultural significance, the subject property is ineligible to be a historic resource.

Property Description

McCament Tract was subdivided in 1906 by John O. McCament (1857-1940) and is comprised of one and two story residences, the majority of which were built in the 1920s. Of the thirty-five parcels within the tract (originally thirty-two), forty-five percent (fifteen) are listed on the Inventory.

The subject property is situated on a long narrow parcel with an area of approximately 10,225 square feet. It is bordered on the north by Orange Grove

Place, on the south by McCammet Alley, on the west by Lot 26 and on the east by Lot 24 (vacant). Situated on the property are three one-story buildings dating from 1922 and 1960. A concrete block wall lines most of the eastern boundary while a metal fence runs along the western and southern boundaries. There is little mature landscaping. Hardscaping consists of two driveways, a front walk, and rear patio behind the front dwelling. A concrete walk remains along the western side of the rear dwelling. Other hardscaping has been demolished.

The front one-story dwelling, dating to 1922, faces Orange Grove Place. Originally a bungalow that has been heavily altered, the dwelling is presently clad in stucco. The home's north façade features a low-pitched front-facing gable with porch. The projecting porch spans the eastern half of the façade and features a front-facing gable roof partially integrated into the primary roof. Two wood Tuscan columns provide support. A single entry door is centered within the porch, while a metal-framed sliding window is situated to the east. West of the porch a wider metal-framed sliding window occupies the remainder of the façade. An original tapered stone chimney lies on the east elevation.

The rear dwelling, dating to 1960, consists of a similar one story stucco-clad residence with a low-pitched, hipped roof with a gable rising from the center. A pair of metal framed sliding windows occupies the western half of the north façade. The entrance is situated on the west façade. Both the east and south walls of the building have been demolished.

A two-car garage with metal overhead door is located at the southern end of the property. The building is clad in stucco and features a flat roof.

Evaluation of Significance

Building Chronology – Front Dwelling

The front dwelling facing Orange Grove Place was built in 1922. The City of South Pasadena issued dentist Russell H. Kibby (1893-1963) building permit #3043 on February 4, 1922 for a "four room cottage." Construction cost was estimated at \$1,500. Kibby was listed as the contractor. The first known occupant was city employee Ed Ripley.

A second permit was issued on September 4, 1923 to Ed Ripley for a garage. The building would measure 20 feet by 16 feet and cost an estimated \$100. Mr. Ripley would serve as the contractor. A year later a third permit was



nelsonwhite | architectural history + preservation

nwhite3@mac.com | 312.303.0127

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issued to Mr. Ripley on December 12, 1924 for a garage to measure 16 feet by 18 feet. The estimated value was \$150.

Building Chronology – Rear Dwelling and Garage

According to the permit history and Sanborn Fire Insurance Maps from 1930-1951, two additional buildings (a second dwelling and detached garage) existed as early as 1930. Additional records indicate these are not the same buildings present today.

Documentation within the permit file of the subject property and records of the Los Angeles County Assessor reveal the existing rear dwelling and garage date from 1960. The present building appears consistent with this later date. While no permits survive a note dated February 18, 1959 survives in the Building Department's permit file. It states that a building at the rear of the subject property was in the process of being completely rebuilt with neither a permit nor code compliance. A registered letter also exists (dated February 25, 1959) from the City of South Pasadena Building Department to property owner Arthur Urness. The letter declares that an investigation of the subject property revealed a single family dwelling to the rear of 817 Orange Grove Place exhibited unpermitted work in progress and was about 50% demolished. The letter ordered the dwelling be completely demolished. Hand written notes on the City's copy of the letter suggest demolition was completed on March 4, 1960. Permit #41247, since lost, is referenced without further details.

On January 21, 1997 an owner identified simply as Hudson was issued building permit #19370 to construct a block wall. The permit valuation was \$4,000. The Elwin Co. Inc. was listed as the contractor.

Integrity

Though it is the oldest building on the property, the front dwelling displays very little integrity from its original 1922 appearance. The only architectural detail discernably original is the tapered Craftsman style stone chimney. The neighboring Craftsman bungalow at 815 Orange Grove Place exhibits a partial, though otherwise identical, chimney. That property is listed on the Inventory. The stucco siding of the front dwelling most likely covered or replaced original siding. Additionally, all original wood-frame windows have been replaced with metal-framed sliding windows.



Both the rear dwelling and the garage are of later construction than the front dwelling. As previously discussed, the permit history and Assessors' records indicate these two buildings were built in 1960. The rear dwelling is presently in a state of partial demolition with two exterior walls missing and interior partitions demolished to the studs.

Conclusion

After evaluation of the subject property and its earliest owners/occupants, neither reveals evidence supporting the property has the physical integrity or cultural significance to qualify for inclusion on the "Inventory of Historic Resources." The 1922 dwelling is heavily altered from its historical appearance as a bungalow. Specifically, due to the loss of original siding and windows, including resizing of the openings, the property has lost integrity of design, materials, workmanship, historic feeling, and association with its architectural context. Therefore, it is ineligible for inclusion on the Inventory.



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US Federal Census 1900 – 1940
World War I Draft Registration Cards, 1917-1918
World War II Draft Registration Cards, 1942

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Attachments

1. Building Permit History
2. Current Photographs
3. Current Tax Assessor Map
4. Sanborn Fire Insurance Map (1930-1951)
5. McCament Tract Map



Attachment 1: Building Permit History

Permit #	Date	Description	Architect/Engineer	Builder/Contractor	Owner
3043	2/4/1922	Construction: 4 room residence. \$1,500.		R. H. Kibby	R. H. Kibby
3996	9/4/1923	Construction: garage. 20x16. \$100.		Ed Ripley	Ed Ripley
4822	12/12/1924	Construction: garage. 16x18. \$150.		Ed Ripley	Ed Ripley
	1959-1960	Reconstruction: Rear dwelling			Arthur Urness
6515	1/17/1973	Construction: driveway with sidewalk.		Caple Bros.	Allen Sullivan
19370	1/21/1997	Construction: block wall. \$4,000.		The Elwin Co. Inc.	Hudson



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Made in Duplicate.

No. 3043

City of South Pasadena

Department of Buildings

This permit becomes null and void if work is not commenced within 60 days from date of issue.

SOUTH PASADENA, CALIF. 1992

Permission is hereby granted to R. H. Kibbey Owner

Owner's Address: _____

City and State _____ Phones _____

Contractor's Name _____

Contractor's Address: See

City and State _____ Phones _____

To Small 4 Room Cottage

On Lot 25 Block Orange Grove

Tract M. E. ...

Street and Number 817 Teller St

In accordance with Application No. _____ on file in this office, and subject to the provisions of the Building Ordinances of the City of South Pasadena.

Estimated value, \$ 15,000.00

Fee, \$ 90

R. J. Anderson
Building Inspector.

(Owner must post Inspection Card on job)

7-Plumbing fixtures are in. 8-Electric fixtures are in. 9-Final completion.
4-Frame is up. 5-Rough plumbing is in. 6-Electric wires are in.
Foundation is in. Joists are laid.



Made in Duplicate.

No. 3996

City of South Pasadena

Department of Buildings

This permit becomes null and void if work is not commenced within 90 days from date of issue.

South Pasadena, Calif. Sept 4 1929

Permission is hereby ED Ripley Owner granted to.....

Owner's Address: 817 Hill

City and State..... Phones.....

Contractor's Name Same

Contractor's Address:.....

City and State..... Phones.....

To Garage 20x16

On Lot 25 Block.....

Tract M^a Cameril

Street and Number 817 Hill Orange Grove Place

In accordance with Application No..... on file in this office, and subject to the provisions of the Building Ordinances of the City of South Pasadena.

Estimated value, \$ 100.00

Fee, \$ 50.00

R.V. Collier

Building Inspector.

(Owner must post Inspection Card on job)

WHEN
NOTIFY FOR INSPECTION
1-Trench is dug.
2-Foundation is in.
3-Joists are laid.
4-Frame is up.
5-Rough plumbing is in.
6-Electric wires are in.
7-Plumbing fixtures are in.
8-Electric fixtures are in.
9-Final completion.



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Made in Duplicate

No. 4822

City of South Pasadena

Department of Buildings

This permit becomes null and void
if work is not commenced within
90 days from date of issue.

South Pasadena, Calif. 12-12-1924

Permission is hereby granted to D. Ripley, Owner

Owner's Address: Orange Grove Place 817

City and State _____ Phones _____

Contractor's Name Same

Contractor's Address: _____

City and State _____ Phones _____

To Garage 16 X 18

On Lot 25 Block _____

Tract M. J. Tammil

Street and Number 817 Orange Grove Place

In accordance with Application No. _____ on file in this office, and
subject to the provisions of the Building Ordinances of the City of South
Pasadena.

Estimated Value, \$ 150.00

Fee, \$ 6.00

R. V. Carlson
Building Inspector.

By D. Ripley
(Owner must post Inspection Card on job)

NOTIFY FOR INSPECTION

7-Plumbing fixtures are in.
8-Electric fixtures are in.
9-Final completion.

4-Frame is up.
5-Rough plumbing is in.
6-Electric wires are in.

1-Trench is dug.
2-Foundation is in.
3-Joists are laid.

WHEN



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Violations

February 25, 1959

*permit
41247*

REGISTERED MAIL
Return Receipt Requested

*Demolition Completed
3-4-60 J. H. Ferguson*

*Permit is in.
Completed*

Mr. Arthur Orness
1248 Blair Avenue
South Pasadena, California

Subject: 817 Orange Grove Place
Demolition of rear unit

Dear Mr. Orness:

On this date investigation of the single family dwelling standing to the rear of 817 Orange Grove Place disclosed the following:

1. Work in progress without a permit.
2. Building about 50% demolished.
3. Existing foundation at grade as opposed to six inch above grade.
4. Clearance between floor joists at zero to three inches as opposed to eighteen inches.
5. Ceiling joists, both existing and replaced, were 24 inches on center as opposed to ~~eighteen~~ ^{eighteen} inches.
6. Walls have a single top plate as opposed to a double top plate.
7. New header supporting entire ceiling is a 4 x 6 spanned twelve feet as opposed to a required 4 x 12.
8. New headers for windows were all over spanned.
9. Cripples were not set under window headers.
10. Studs are set 24 inches on center as opposed to sixteen inches on center.
11. Exterior sheathing is 3/8 inch thick as opposed to 3/4 inch.
12. Building paper is not placed under the wall sheathing.



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13. All electrical wiring is insufficient.

The new work at fair market value will cost about \$3,000.00. The present value of the building, as it now stands, is at best \$300.00. Section 104 (B) of the Uniform Building Code states:

"When additions, alterations, or repairs within any 12 month period exceed 30 per cent of the value of an existing building or structure, such building or structure shall be made to conform to the requirements for new buildings or structures."

Therefore, please be advised that this building must be demolished because it cannot stand in its present condition and it cannot be repaired without bringing the entire building up to code.

May we have your demolition permit application no later than March 11, 1989.

Yours truly,

CITY OF SOUTH PASADENA
BUILDING DEPARTMENT

PAUL D. MORTON
Chief Building Inspector

PDM:ms

cc: Allen Sullivan
817 Orange Grove Place
City Engineer

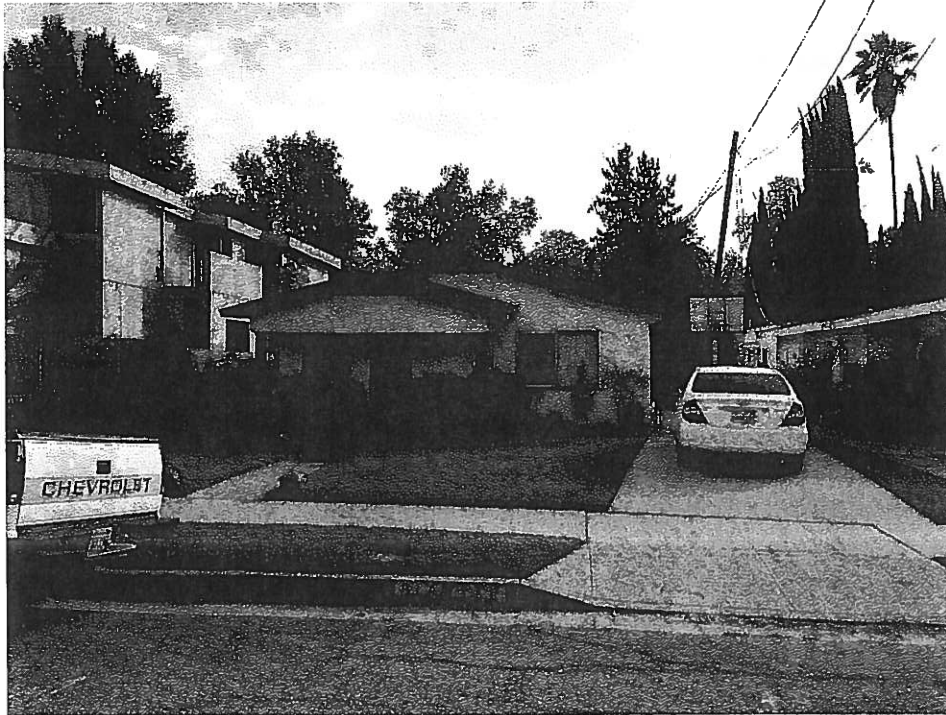


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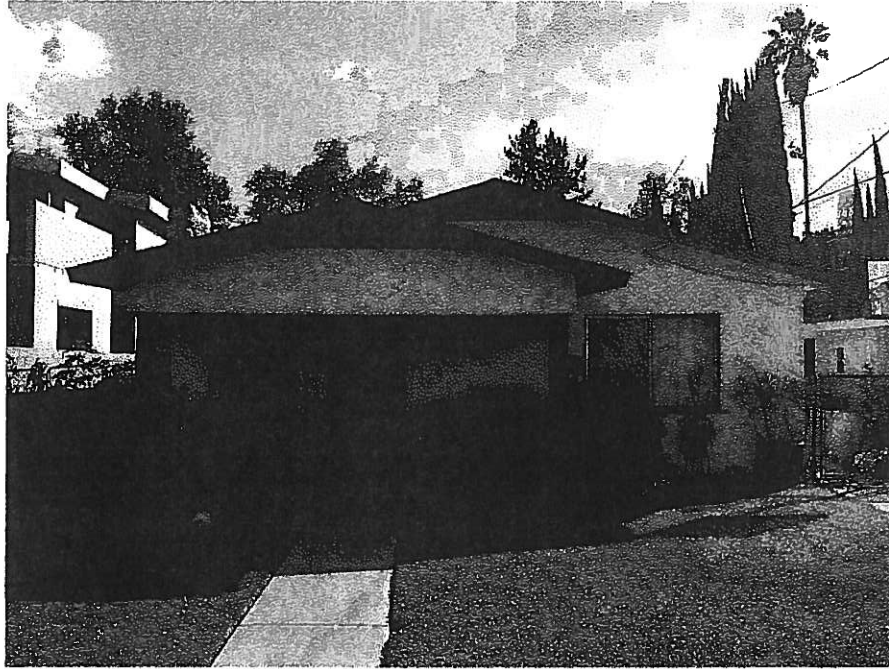
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Attachment 2: Current Photographs

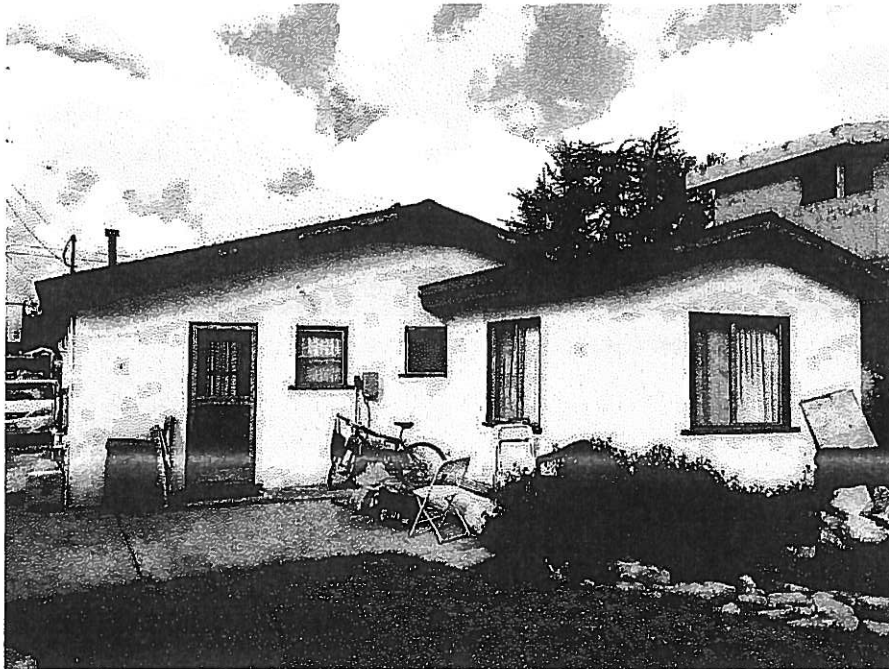


Building 1. Front (North) façade, view south (author 2015)



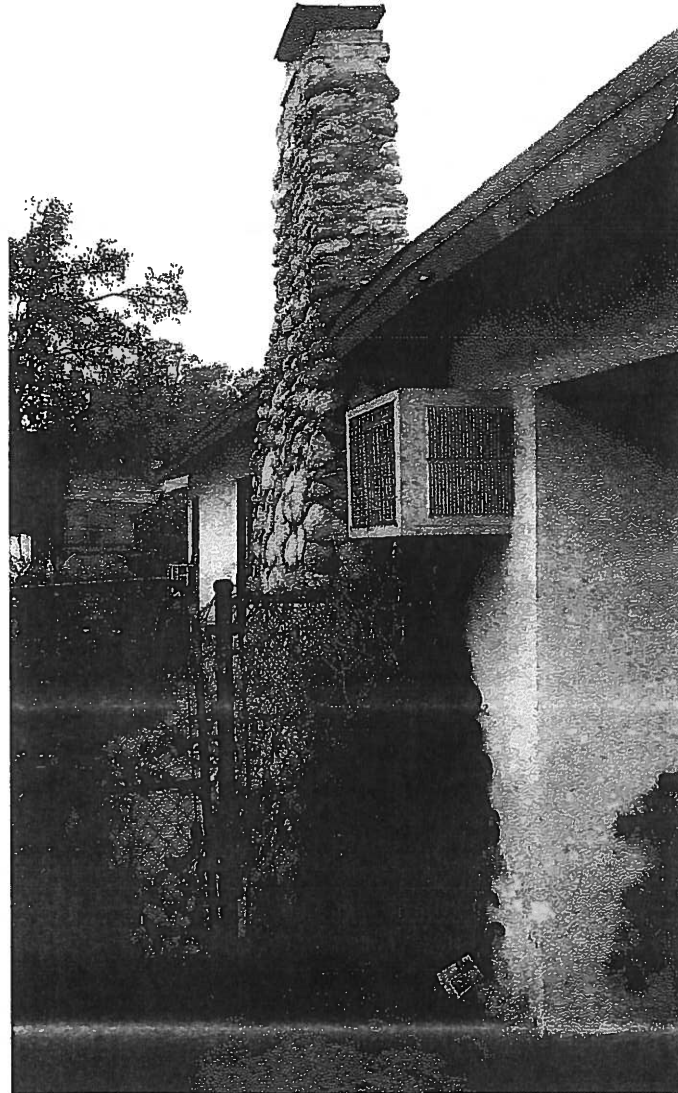


Building 1. Front (north) façade, looking south (author 2015)



Building 1. Back (south) façade, looking north (author 2015)





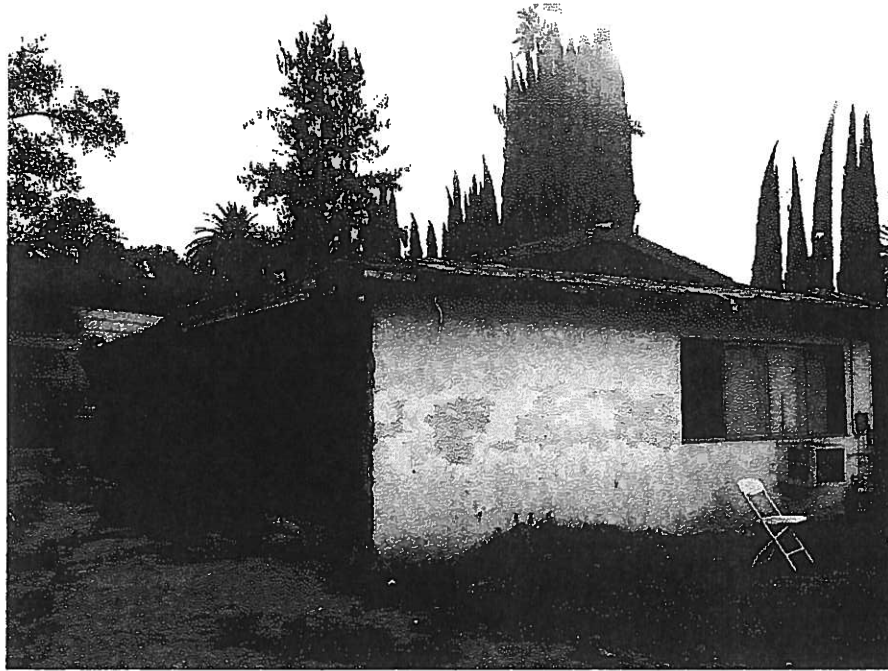
Detail: chimney at northeast corner of building 1,
east façade, looking south (author 2015)



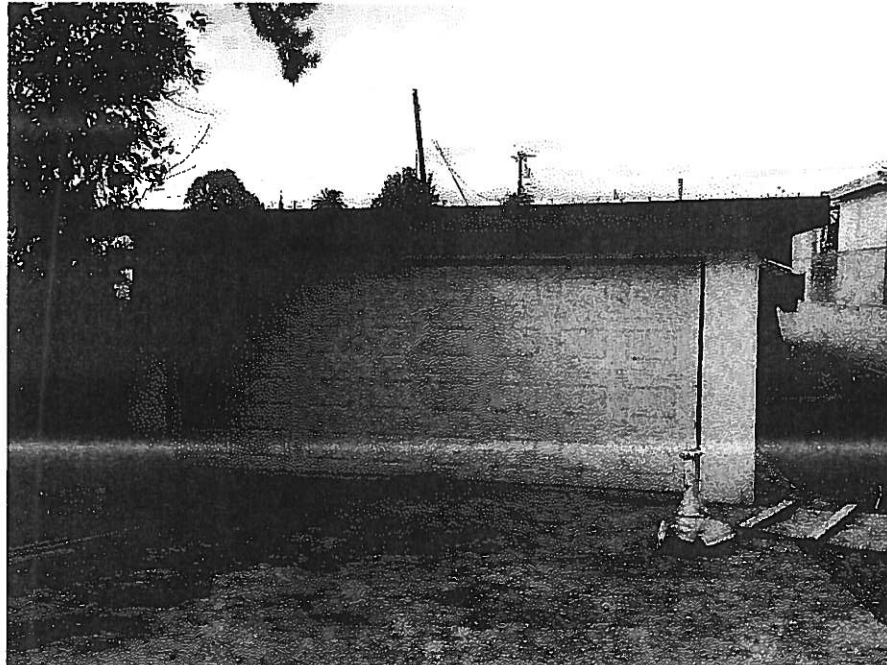
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Building 2. Front (north) façade and demolished east façade ,
looking southwest (author 2015)



Building 3. Front (south) façade, looking north (author 2015)

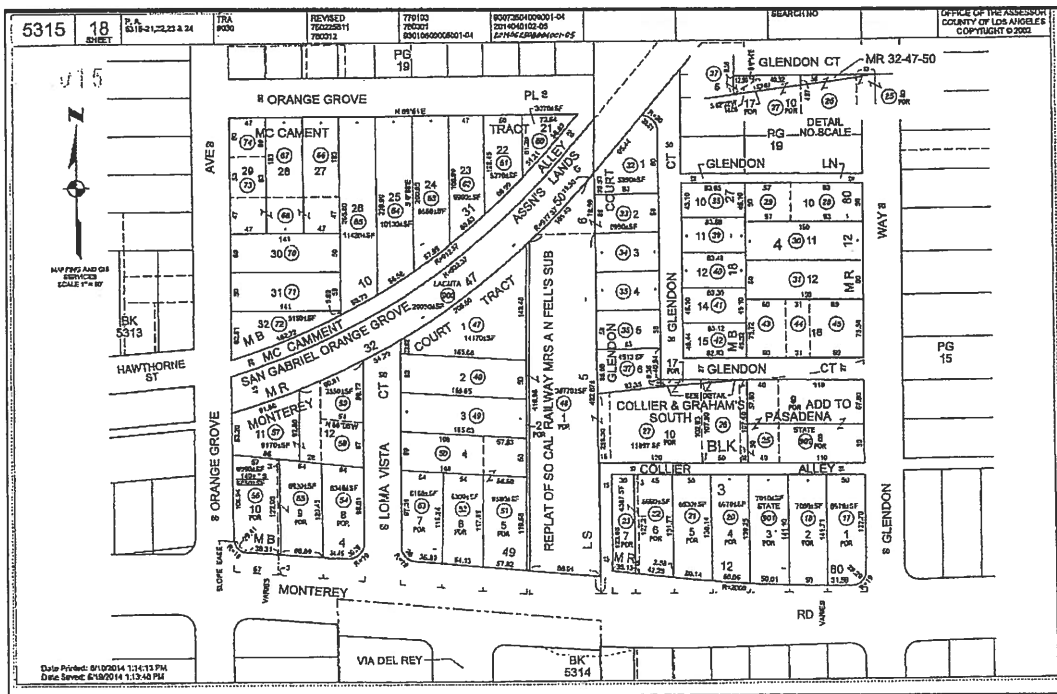


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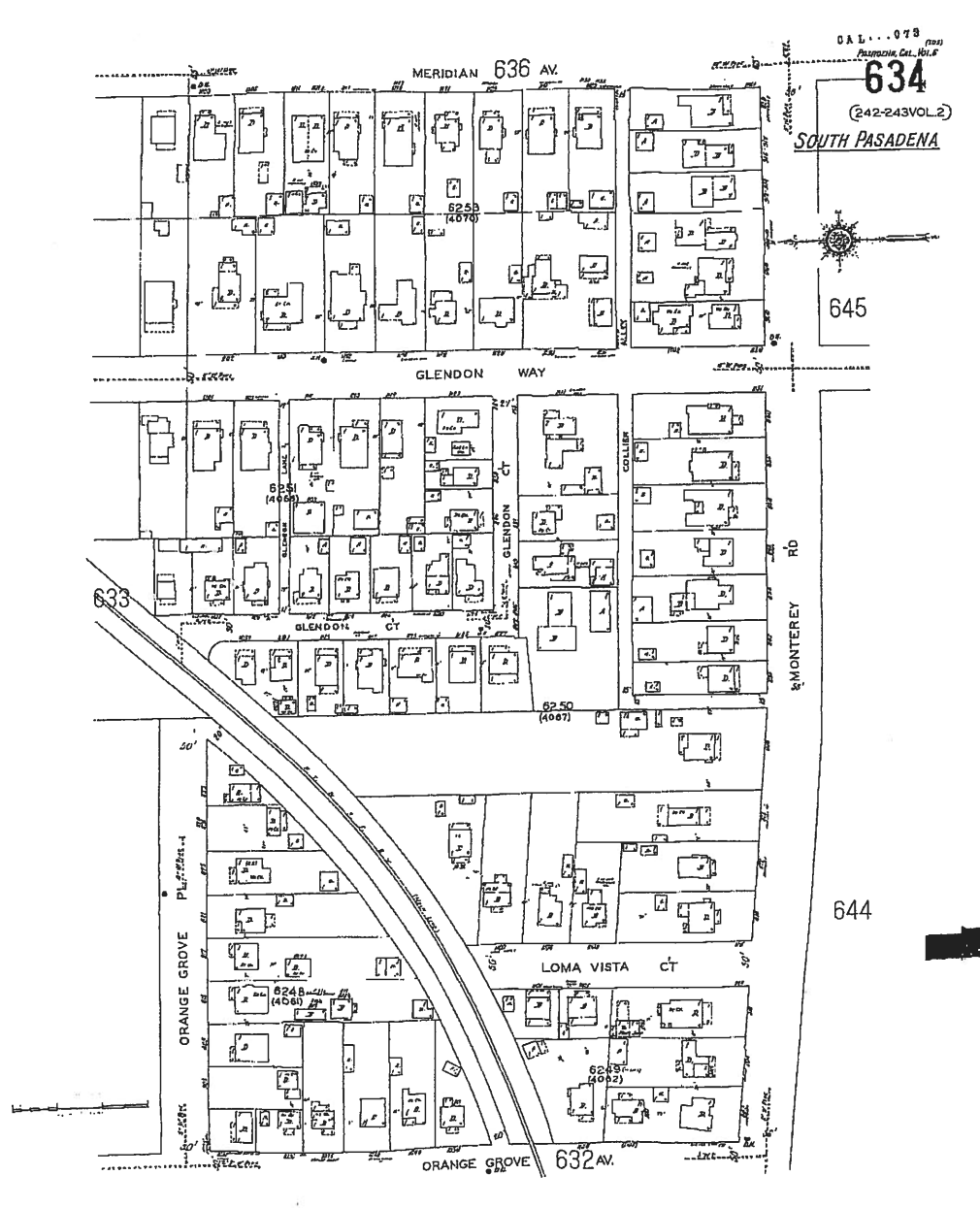
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Attachment 3: Current Tax Assessor Map



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Attachment 4: Sanborn Fire Insurance Map

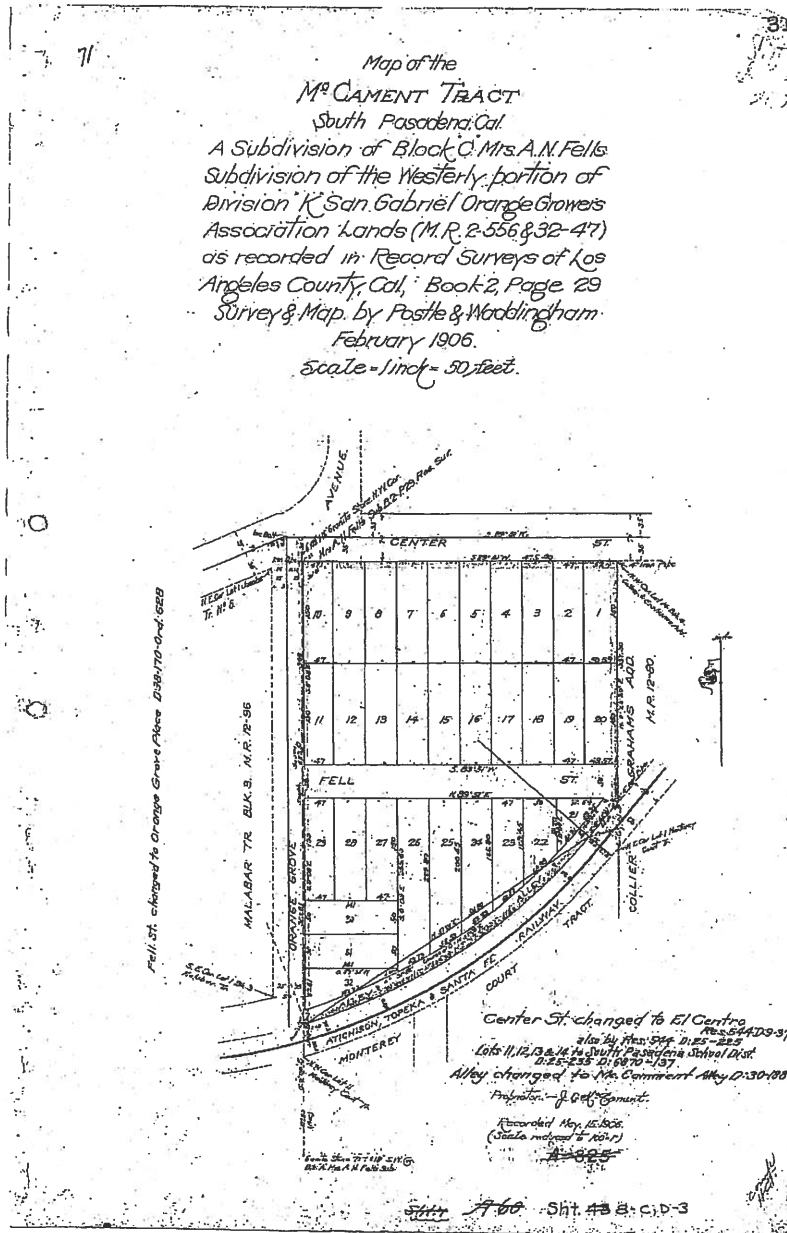


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Attachment 5: McCament Tract Map



ATTACHMENT 12
CHC Decision Letter
Re: Proposed Demolition



CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPARTMENT
 1414 MISSION, SOUTH PASADENA, CA 91030
 TEL: 626.403.7210 • FAX: 626.403-7211
WWW.SOUTHPASADENACA.GOV

NOTICE OF DECISION
INTENT TO DEMOLISH

August 13, 2018

APPLICANT:

Peter DeMaria, AIA
 DeMaria Design, LLC
 642 Moulton Avenue, Studio W4
 Los Angeles, CA 90031-3715

OWNER:

Patty Chan
 2477 Rideway Road
 San Marino, CA 91108

PROJECT #: 1750-NID-HDP **PUBLIC HEARING DATE:** July 19, 2018
PROJECT LOCATION: 817 Orange Grove Place, South Pasadena, CA 91030
 (APN: 5315-018-064)
HISTORIC DISTRICT: N/A **YEAR BUILT:** 1922 / 1960
ZONING: RM-Residential Medium Density **GENERAL PLAN:** Medium Density Residential

Dear Mr. DeMaria:

NOTICE IS HEREBY GIVEN THAT on July 19, 2018 in accordance with the City's Historic Preservation Ordinance, Section 2.65(E)(3) for the proposed demolition of structures over 45 years of age, the City of South Pasadena Cultural Heritage Commission ("CHC") reviewed your proposal as a Consent Calendar item. The CHC has determined that, upon review of the filing materials and testimony, that the subject property is not eligible at the federal, state, or local level, and the proposed project involving demolition as described below shall proceed through the City's application process without any further restrictions pertaining to the Historic Preservation Chapter of the South Pasadena Municipal Code.

Project Description:

The Cultural Heritage Commission will consider a request for a CHC consent approval for a proposal to demolish an existing single story duplex with a detached, two vehicle garage. The existing structures consists of: the 1,150 sq. ft. front unit, the 1,660 sq. ft. rear unit, and the 560 sq. ft. garage. The structures where constructed in 1922 and 1960 and they sit on a 10,102 sq. ft. lot. An Architectural Historian has provided a Historic Evaluation Report and has determined that the structure is not eligible as a designated Historic

Resource. The Commission will review and validate the findings of the report for the purposes of the proposed demolition, as required for all structures proposed for demolition that are at least 45 years old, and not currently on the City's Historic Inventory. If the CHC approves of the demolition, the project will proceed to the Design Review Board for the proposed construction of a two-story 4,977 sq. ft. triplex.

DETERMINATION:

The CHC determined that the proposed demolition of a structure over 45 years of age is not eligible at the federal, state, or local level as a Cultural Resource, with the following RECOMMENDATIONS:

Recommendations:

1. The CHC recommends the existing front unit along Orange Grove Place to be adaptively reused and incorporated into the proposed new development project to retain the project site's neighborhood compatibility and Historic context.

Special Conditions:

1. The CHC cleared the Historic review and approved of the immediate demolition of the rear unit, currently in a state of disrepair and a Code Violation. The demolition of the remaining structures shall be subject to the approval of the proposed replacement project by the Design Review Board.

General Conditions:

1. The determination made by the CHC is effective only for the project scope of work that was presented to the Cultural Heritage Commission on July 19, 2018.
2. The proposed demolition and replacement project described in the project description shall be subject to the approval of the Design Review Board or the Planning Commission at a public hearing. No construction or demolition shall begin until the City's Building Division issues a building permit for the project identified in the above description (unless the Director of Planning and Building determines there is a public health and safety reason).

PROJECT APPEAL:

Please note that any interested person may appeal this decision to the City Council (15) calendar days from the date of this decision by requesting an appeal application from the City Clerk's office along with submitting the \$951.00 appeal fee.

- Cultural Heritage Commission Hearing Date: July 19, 2018
- The end of the appeal period is: August 3, 2018
- The Effective Date of Determination is at the end of the 15 day appeal period: **August 4, 2018**
- The Expiration Date of Determination is 18 months from the effective date: **February 1, 2020**

If you have any questions regarding this Notice, please contact the Planning Division at (626) 403-7220.
Sincerely,



Mark Gallatin (Chair)
Cultural Heritage Commission

8-23-19
Date

ATTACHMENT 13
Code Enforcement Citations
2015-2018



CITY OF SOUTH PASADENA

PLANNING AND BUILDING DEPARTMENT
COMMUNITY IMPROVEMENT COORDINATOR
1414 MISSION STREET, SOUTH PASADENA, CA 91030
TEL: 626.403.7225 • FAX: 626.403.7221
WWW.SOUTHPASADENACA.GOV

October 8, 2015

PRT Chan LLC
2477 Ridgeway Rd.
San Marino, CA 91108

Re: 817 Orange Grove Place, Property Maintenance Violations

Dear Property Owner,

This letter is to inform you of code violations on your property located at 817 Orange Grove Place, South Pasadena. The dwelling unit in the rear of the property is in a dilapidated state, covered in plastic, and most of the roof covering is deteriorated. This condition violates South Pasadena Municipal Code sections 24.02.C.7B, 24.02.C.13B, and 24.02C.23. A property maintained in this type of condition has a detrimental impact on the surrounding neighborhood.

We ask that you contact us within 10 days of this notice to schedule an on-site inspection of the premises. Please call me at (626)403-7225 to schedule an inspection. Your cooperation in resolving this matter is highly appreciated.

If you have any questions or concerns, please call me at (626)403-7225 or email me at mramirez@southpasadenaca.gov. Thank you in advance for your cooperation.

Sincerely,

Marlon Ramirez
Community Improvement Coordinator



CITY OF SOUTH PASADENA

PLANNING AND BUILDING DEPARTMENT
COMMUNITY IMPROVEMENT COORDINATOR
1414 MISSION STREET, SOUTH PASADENA, CA 91030
TEL: 626.403.7225 • FAX: 626.403.7221
WWW.SOUTHPASADENACA.GOV

May 8, 2018

PRT Chan LLC
2477 Ridgeway Road
San Marino, CA 91108

Re: 817-819 Orange Grove Avenue

Dear Ms. Chan,

This letter serves as a follow-up to Mr. Jose Villegas' email and phone call on May 7, 2018 concerning the condition of your property (enclosed). The City has received concerns about your property located at 817-819 Orange Grove Place. Although you've submitted plans and Planning applications for a new development on the site, to date you have not received approval and the code violations involving the partially demolished rear unit has not been resolved. This condition has existed since 2015 when contractor began demolishing the structure without approvals. The plastic covering on the structure is worn and has come off the roof, and there is graffiti sprayed in several locations on the property (enclosed). These conditions violate the South Pasadena Municipal Code (Ch. 9 Sections 9.74, 9.78, and 107.1).

In order to bring this violation into compliance with the South Pasadena Municipal Code, the following must be completed:

- 1. Remove all graffiti from the property – removal shall be done in a workmanlike manner.**
- 2. Obtain a demolition permit, demolish the rear (partially demolished) structure, and call for an inspection within 30 days of this notice, by no later than June 9, 2018; Or**
- 3. Obtain permits to restore the rear unit to its original permitted condition – submit required plans, obtaining Planning and Building approval, obtain permits by no later than June 9, 2018.**

Failure to bring this condition into compliance will result in further enforcement action by the City including administrative citations starting at \$100 and up to \$750 for every calendar day of non-compliance. Your cooperation in resolving this matter is highly appreciated.

If you have any Planning questions, please contact a Planner at (626)403-7220. If you have any Building questions, please contact the Plan Checker at (626)403-7224 on Monday, Tuesday, Wednesday, and Fridays between 1:30 PM to 3:00 PM. If you have any questions related to Code Enforcement, please call me at (626)403-7225 or via email at mramirez@southpasadenaca.gov. Thank you in advance for your cooperation in resolving this matter.

Sincerely,


Marlon Ramirez

Community Improvement Coordinator

Enclosures



CITY OF SOUTH PASADENA

PLANNING AND BUILDING DEPARTMENT
COMMUNITY IMPROVEMENT COORDINATOR
1414 MISSION STREET, SOUTH PASADENA, CA 91030
TEL: 626.403.7225 • FAX: 626.403.7221
WWW.SOUTHPASADENACA.GOV



PASADENA
1

City of South Pasadena Citation No. 786
ADMINISTRATIVE CITATION

DATE 06/14/2018 TIME DAY OF WEEK Thurs -

NAME (FIRST, MIDDLE, LAST) PRT Chan LLC

VIOLATION LOCATION 817-819 Orange Grove Pl. CITY South STATE ZIP Pasadena.

MAILING ADDRESS 2477 Ridgewood San Marino, CA 91108 SAME AS ABOVE

PHONE NUMBER

DRIVER LICENSE NO. STATE CLASS BIRTH DATE

MUNICIPAL CODE SECTION VIOLATED VIOLATION DESCRIPTION FINE

1 9.74, 9.76 (9.76) CHAOTIC CONSTRUCTION OF REPAIR

2

3

4

5

Total Fine \$ 100.00

CORRECTIONS REQUIRED

Remove all graffiti, property unsecured (9.76, Attractive Nuisance), obtain permits to return the structure back to its original permitted condition of demolish, repair fence and gate at alley (rear), remove debris.

CORRECT VIOLATIONS WITHIN 30 DAYS. By July 16, 2018
CONTINUED VIOLATIONS OF THE CITED CODE(S) MADE WITHIN THIRTY-SIX (36) MONTHS AFTER THE DATE OF THE CITATION SHALL RESULT IN ADDITIONAL FINES.

SIGNATURE OF ISSUER *Mz Marlon Ramirez*

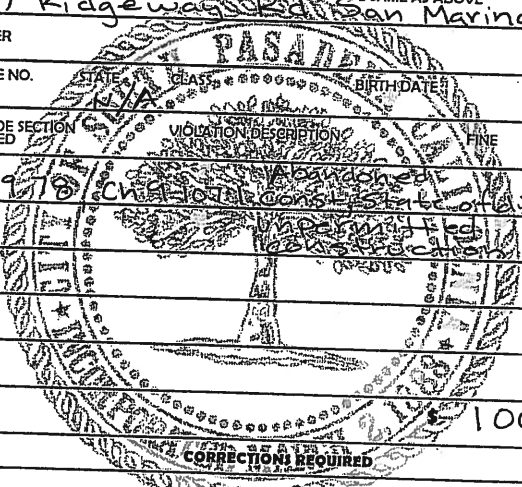
DEPARTMENT Planning & Building PHONE NUMBER (626) 403-7225

SIGNATURE OF PERSON CITED *N/A*

Signing of the Citation is not an admission of guilt, it only acknowledges receipt. Citation is valid without signature.

PAYMENT MUST BE MADE NO LATER THAN 30 DAYS FROM THE DATE OF THIS CITATION. A REQUEST FOR HEARING MUST BE MADE NO LATER THAN 30 DAYS FROM THE DATE OF THIS CITATION. HOWEVER, THE FINE MUST BE PAID IN ADVANCE IN ORDER TO SCHEDULE A HEARING, OR HAVE REQUESTED FOR AN ADVANCE DEPOSIT HARDSHIP WAIVER.

White- Cited Person Yellow- File Pink- Finance



ATTACHMENT 14
Letters of Support for
Appeal and Proposed Development Project

My name is Ana Uehara, I have lived at 1050 Orange Grove Avenue for over 30 years. I love this area and all my kids grew up here. They are much older now, but at the same time I would like to see a new design in this community. I am loving the design of the three unit house from Patty Chan and I hope the units can be finished soon - I'm excited to see how they will turn out. I'm sure the completion of these three units will raise the value of the neighborhood.

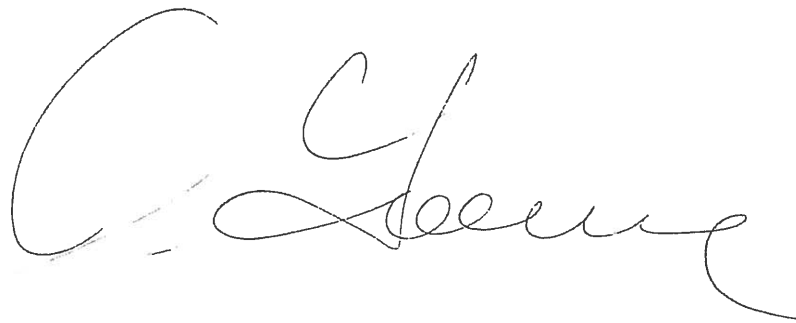
Ana Uehara.

RECEIVED

JAN 23 2019

CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPT.

My name is Sylvia Gomez. I have lived at 817 Orange Grove Place for over 15 years since my son was 11 months old, and I love this community and school district. I saw the design from Patty Chan - it looks so beautiful and modern. I even asked Patty if I could move back into this unit once it is finished. I'm confident that once the three units are finished, the value of the property will surely go up. I am very happy to see the house get approval from the Planning Commission. If Patty can rent the house to me, I would be absolutely overjoyed.



Sylvia Gomez

RECEIVED

JAN 23 2019

**CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPT.**

RECEIVED

FEB 20 2019

**CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPT.**

February 20, 2019

Dear Members of the Planning Commission,

My name is Ana Uehara, I have lived at 1050 Orange Grove Avenue for more than 30 years. I have looked at the new design for the project at Patty Chan's property at 817 Orange Grove Place and like it very much. Three units will fit on the property, and the design fits in very well with the rest of the neighborhood.

My house is at the corner of Orange Grove Avenue and the alley that goes behind the houses on Orange Grove Place. I do not use the alley because my driveway is located on Orange Grove Avenue. The only people who use the alley are the people at 813 Orange Grove Place, so there is very little traffic in the alley, and if the people at 817 Orange Grove Place use the alley sometimes, it will not be a safety problem. Please approve the new design for the property.

There is available parking in the alley since no one
parks there 825 Orange Grove place blocks parking space
821 " " " " " " " " too
make did not let his tenants park there and
I do not park there .

ATTACHMENT 15
Letters of Support for
Denial of Appeal and Upholding of DRB Decision

Jose Villegas

From: Elizabeth Hollingsworth
Sent: Thursday, March 21, 2019 10:21 AM
To: Jose Villegas
Subject: Fwd: New Plans for 817 Orange Grove Place

Begin forwarded message:

From: Elizabeth Hollingsworth
Subject: New Plans for 817 Orange Grove Place
Date: March 21, 2019 at 10:03:26 AM PDT
To: Edwar Sissi <esissi@southpasadenaca.gov>, David Bergman <dbergman@southpasadenaca.gov>
Cc: Marc Donohue <mndonohue@southpasadenaca.gov>, Michael Hollingsworth

Dear Mr. Sissi, Mr. Bergman, and Planning Commissioners Braun, Dahl, Koldus, Lesak, and Tom,

On March 18, I reviewed the newly submitted plan for the project proposed at 817 Orange Grove Place. The newly submitted plan is a completely new plan for the property, and were submitted to the City on March 15, 2019.

It is not a revision to the previous plan.

The former plan being appealed to Planning Commission included Unit A, a 2-story front unit, Unit B, ground level unit, and Unit C, a second story unit. The newly submitted plan is very different, with Unit A, a 1 story front unit, Unit B a 2-story townhome, and Unit C also a 2-story townhome. Parking, open-space configuration, and use of McCamment Alley are also newly designed.

I urge you to return these plans for a De Novo review, treating these plans as a new project that must be evaluated by the city from the beginning of the process. It is very important to honor the public's right to review and comment on the new plan with a new, formal Public Hearing, fully noticed to all in the legal neighborhood.

Respectfully,

Elizabeth Hollingsworth

813 Orange Grove Place

Edwar Sissi

From: | gary.s.tsai |
Sent: Thursday, February 21, 2019 12:10 AM
To: Edwar Sissi
Cc: melissa hon tsai
Subject: In Response to Appeal at 817 Orange Grove Place

Edwar,

I trust this finds you well.

Please forward/include the email below to the Planning Commission as Public Comments for the meeting this coming Monday, February 25th. Thanks in advance!

To the Planning Commission,

We are the owners and residents at 821 Orange Grove Place (a single family residence), the property directly East of the proposed development at 817 Orange Grove Place. As this proposal has been ongoing for the past 4 plus years, we will not detail the extensive issues brought up from the DRB and Neighborhood as there is sufficient documentation.

Instead, we would like to emphasize a few other points as it directly affects us. Please also keep in mind that our residence was an in-fill project and not a teardown rebuild development.

One of our biggest concerns is that the development will be rental properties. As such, there will inevitably be turnover in tenants. Given her current tenants, we do not feel she is best suited as a landlord as there have been multiple incidents involving law enforcement at the property (drug use, trespassing, etc). With young children in our home, we have some safety concerns. Couple that with the fact that she tried to demolish the unit in the back without a permit reveals her standards.

While we were required to build a detached garage with access from the alley, the garage is not and cannot be used as such since the City and Public Works have deemed the alley to be essentially abandoned as it is not legally wide enough for vehicular traffic (hence why the last 3 properties have encroached on the alley). We know the proposal includes a thoroughfare but with the current condition of the alley, this will surely push/increase traffic to Orange Grove Place.

We want to be fair to the Owner as we recognize it is her property and right but they still cannot simply ignore the comments from the DRB or Community. Yes, they may be following all guidelines and within all the zoning and building codes, but if it were that simple, South Pasadena would not be the South Pasadena it is today as anyone could then build anything as long as it met the "guidelines". There is a reason the DRB exists and allows the Community to openly discuss projects like these.

There should be consideration to the number of bedrooms, as this then would alleviate some of the concerns of massing, scale, traffic, tenants, etc.

(We are curious where the Owner has been the last 4 years. If she is really wanting to contribute to the Neighborhood, being present would be a natural step. Since the last Planning Commission meeting in January,

we have not heard from the Owner, Architect or anyone representing the development regarding the redesign of the development considering we are directly adjacent to the property.)

We respectfully encourage and request the Planning Commission to uphold the DRB's decision.
Thank you for your consideration.

Regards,
Gary + Melissa Tsai

--

Edwar Sissi

From: Elizabeth Hollingsworth
Sent: Wednesday, February 20, 2019 12:06 PM
To: Edwar Sissi
Subject: Planning Com Mtg 2/25/19

Follow Up Flag: Follow up
Flag Status: Flagged

Edwar, thank you for your help in answering my many questions. Would you please share the letter below with the Planning Commissioners before their meeting next Monday, Feb. 25, 2019?

Thank you!

Dear Planning Commissioners,

I appreciated that Mr. Bergman was willing to meet with me to clarify the next steps of your consideration of the appeal brought by the owner of 817 Orange Grove Place.

Mr. Bergman emphasized that there is only one question before the Planning Commission; Did the Design Review Board make the correct findings when it denied the 817 Orange Grove Place project as presented on October 4, 2018?

The Design Review Board considered many iterations of this project during a four-year period, and they made many suggestions to decrease scope, scale, and massing which are well documented. Yet, on October 4, the developer presented another redesign, which actually increased the scope, enlarging the project and development potential. The Design Review Board made the correct decision and denied the project.

Please consider only the one question before you, as to whether the DRB made the correct findings. If the applicant has made any changes, big or small, the project should be considered a new proposal, and therefore returned to the Design Review Board for their consideration.

I urge you to uphold the to uphold the Design Review Board's decision and deny the proposed development at 817 Orange Grove Place.

Thank you for your consideration.

Sincerely,

Elizabeth Hollingsworth

(Owner 813-815 Orange Grove Place)

Edwar Sissi

From: JJ Patrow
Sent: Wednesday, February 20, 2019 5:42 PM
To: Edwar Sissi
Subject: Project at 817 Orange Grove Place

Dear Planning Commissioners,

I am a resident of South Pasadena and live at 815 1/2 Orange Grove Place, which is alongside the 817 lot that may soon be under construction if the owner is allowed to proceed with her plans.

My feelings about this project echo that of my landlords as presented in their recent letter to you. In their words:

"I urge you to uphold the to uphold the Design Review Board's decision and deny the proposed development at 817 Orange Grove Place."

Please know that I'm certainly not against development in South Pasadena, but I do harbor concerns about this owner's ability to maintain such a sizable property if it's approved for construction. The previous, smaller structure on the lot had to be torn down due to disrepair and the current tenant who lives in the front house -- which is also in disrepair -- has complained about not having access to a very basic necessity: heat. No heat in this weather? I explained that this was against renter's rights, which she did not know existed.

Thank you for your time.

- Jive

Josiah Patrow

818.480.1937

Edwar Sissi

From: Eric Joo
Sent: Wednesday, February 20, 2019 7:46 PM
To: Edwar Sissi
Cc: Jee-Eun Oh
Subject: Fwd: 817 Orange Grove Place Project

Dear Planning Commission,

My name is Eric Joo and I am the owner of 809 Orange Grove Pl, South Pasadena. We recently remodeled our house and had a requirement to work with the South Pasadena design board for our project even though we did very little work to alter the facade of our home. This requirement, while it had a bit of cost and required us to take the time to get additional approvals, is something we appreciate about South Pasadena. This allows us to maintain the unique charm and character of South Pasadena as a place of unique historical value as well as the feeling of a small, close knit community. I understand that the 817 Orange Grove Place project is being considered without design approval and would strongly urge the Planning Commission require Design Board approval to help maintain the integrity and character of our community.

Thanks and Regards,

Eric Joo

ATTACHMENT 16
Mapping Exhibits and Photographs of Project Site

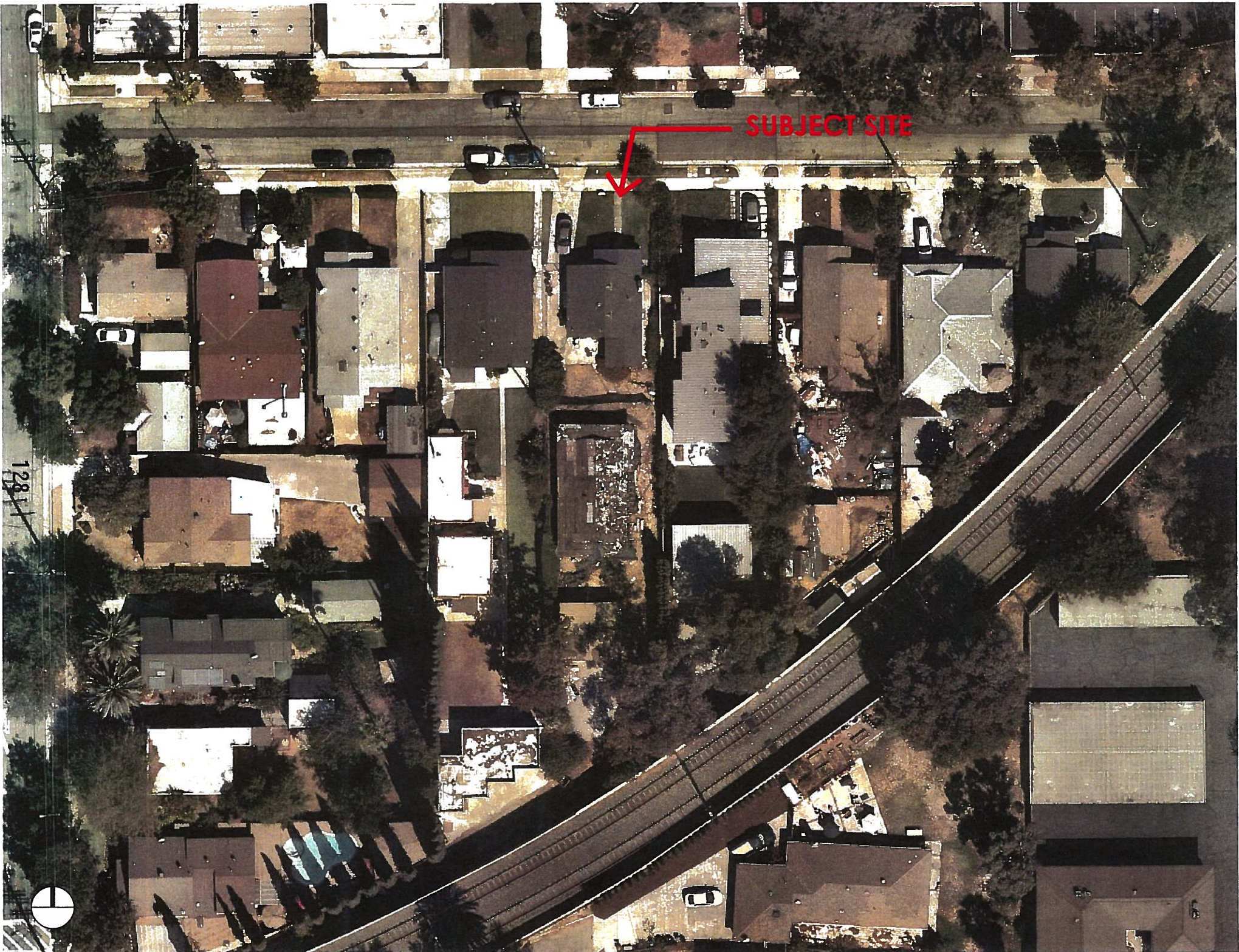


SUBJECT SITE

127

1937 AERIAL





SUBJECT SITE

1281





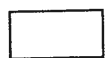
PROXIMITY AERIAL



LEGEND



SUBJECT SITE



PARCELS



SUBJECT SITE

127

1937 AERIAL





SUBJECT SITE

1281



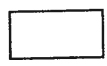
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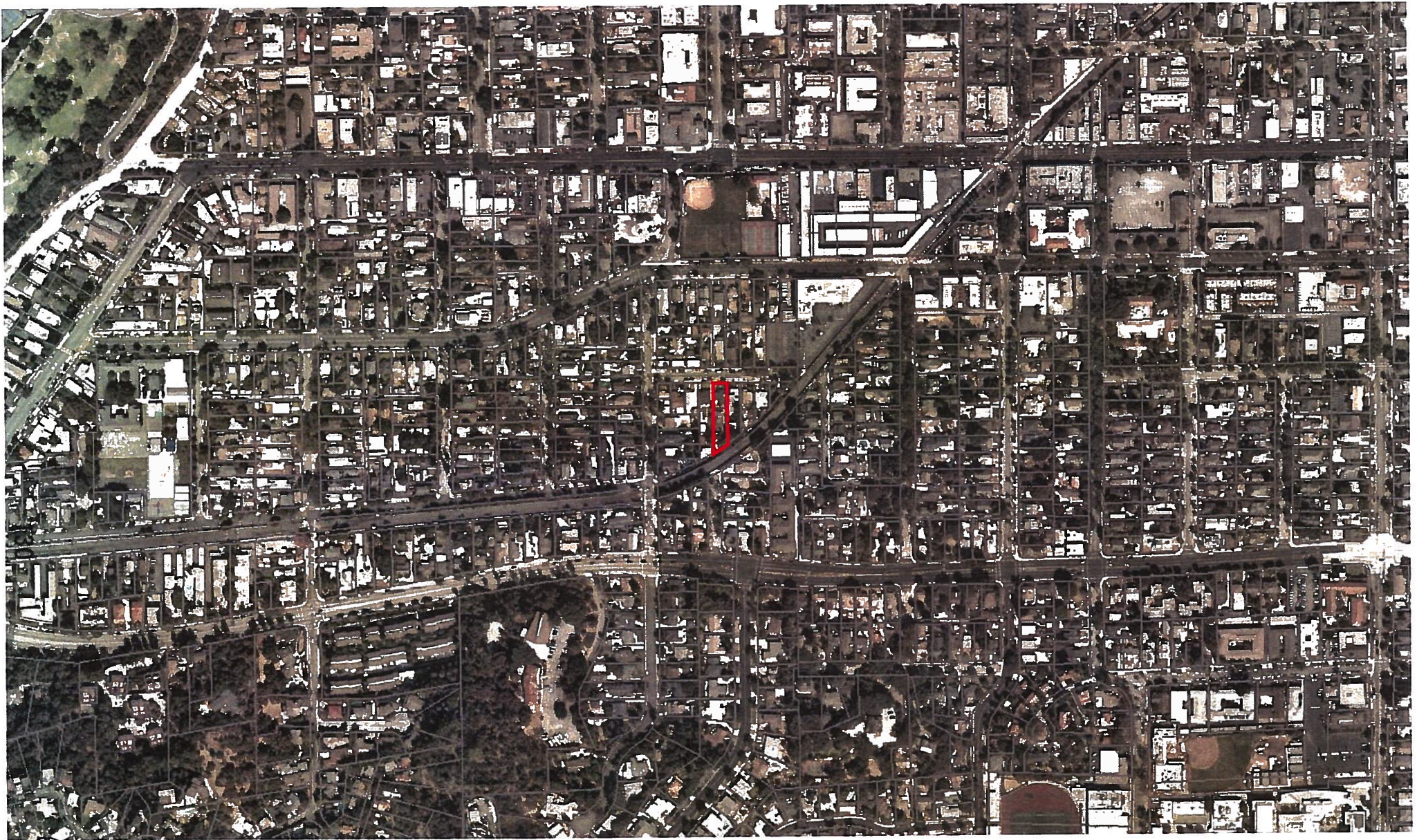
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SUBJECT SITE



PARCELS



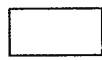
VICINITY AERIAL



LEGEND



SUBJECT SITE



PARCELS

EL CENTRO

ST. 68

ORANGE GROVE AVE. S

AVE 8

HAWTHORNE ST

WAY. 50

GLENDON

WAY 8

THROOP ALLEY

15

PG 15

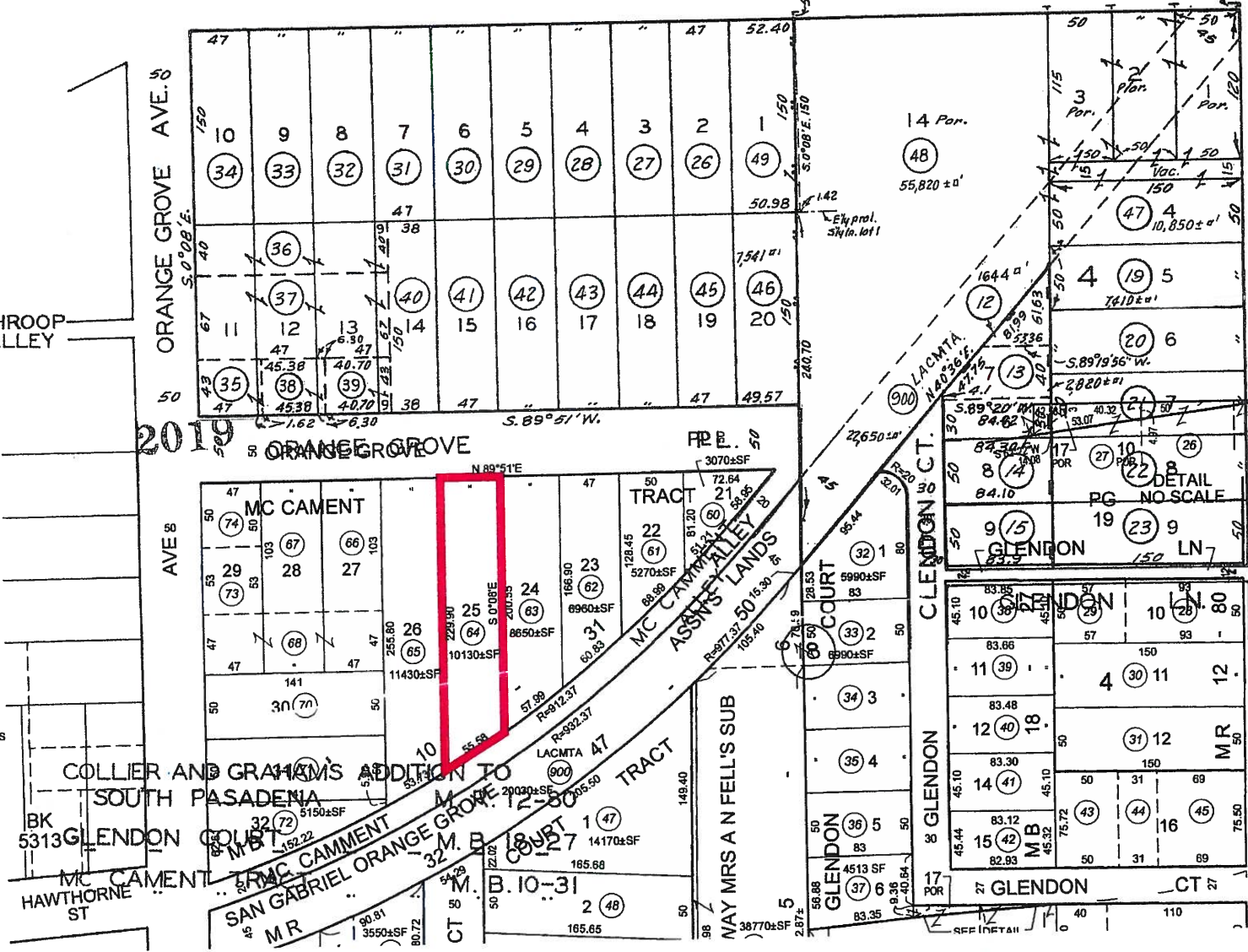
BK. 5313

THROOP ALLEY

131



MAPPING AND GIS SERVICES SCALE 1" = 80'



ASSESSOR PARCEL MAP



SUBJECT SITE



PARCELS



LEGEND



SUBJECT SITE

127

1937 AERIAL





SUBJECT SITE

1281



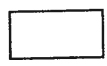
PROXIMITY AERIAL



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SUBJECT SITE



PARCELS



SUBJECT SITE

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1937 AERIAL





SUBJECT SITE

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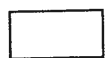
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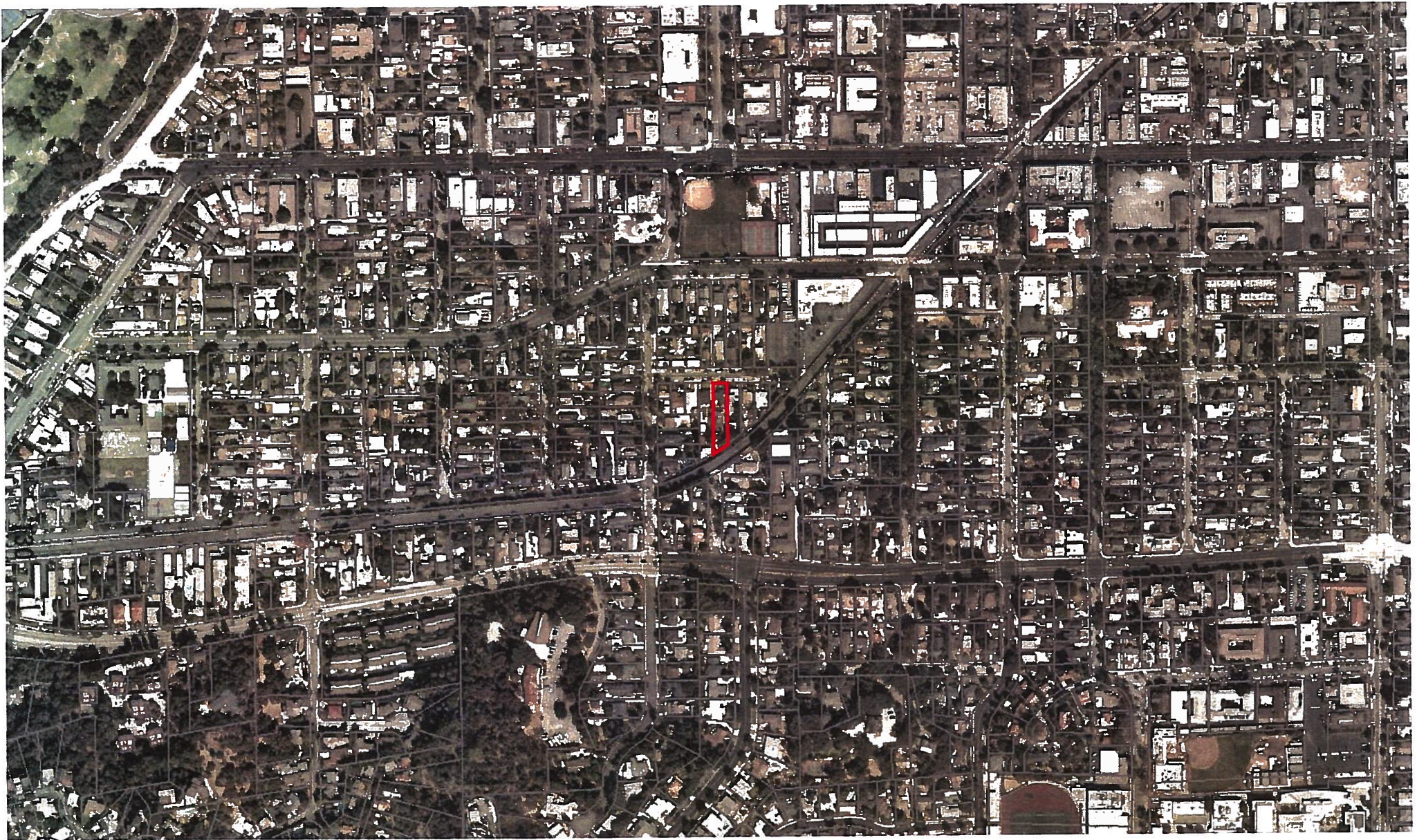
LEGEND



SUBJECT SITE



PARCELS



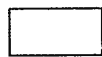
VICINITY AERIAL



LEGEND



SUBJECT SITE



PARCELS

EL CENTRO

ST. 68

ORANGE GROVE AVE. S

AVE 8

HAWTHORNE ST

WAY. 50

GLENDON

WAY 50

WAY 50

THROOP ALLEY

PG 15

BK. 5313

THROOP ALLEY

2019

ORANGE GROVE

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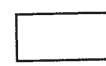


MAPPING AND GIS SERVICES SCALE 1" = 80'

ASSESSOR PARCEL MAP



SUBJECT SITE



PARCELS

LEGEND



SUBJECT SITE

BIRDSEYE LOOKING EAST





SUBJECT SITE

BIRDSEYE LOOKING EAST





SUBJECT SITE

BIRDSEYE LOOKING NORTH





SUBJECT SITE

 **BIRDSEYE LOOKING SOUTH**



SUBJECT SITE

BIRD EYE LOOKING WEST





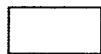
BUILDING FOOTPRINTS - PROXIMITY



LEGEND



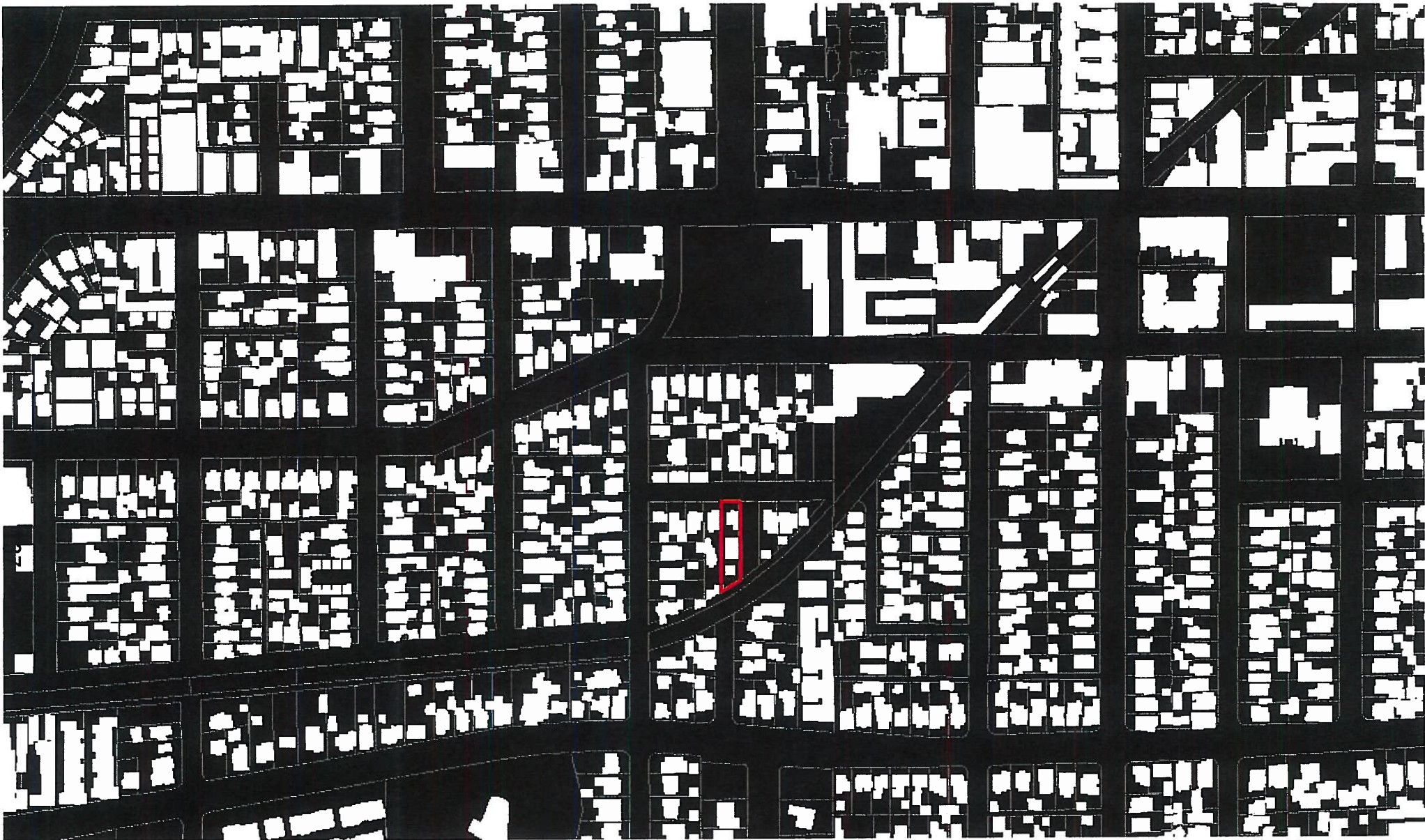
SUBJECT SITE



PARCELS



BUILDING FOOTPRINT



BUILDING FOOTPRINTS - VICINITY



LEGEND



SUBJECT SITE



BUILDING FOOTPRINT



PARCELS



HISTORIC PROPERTIES



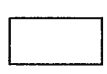
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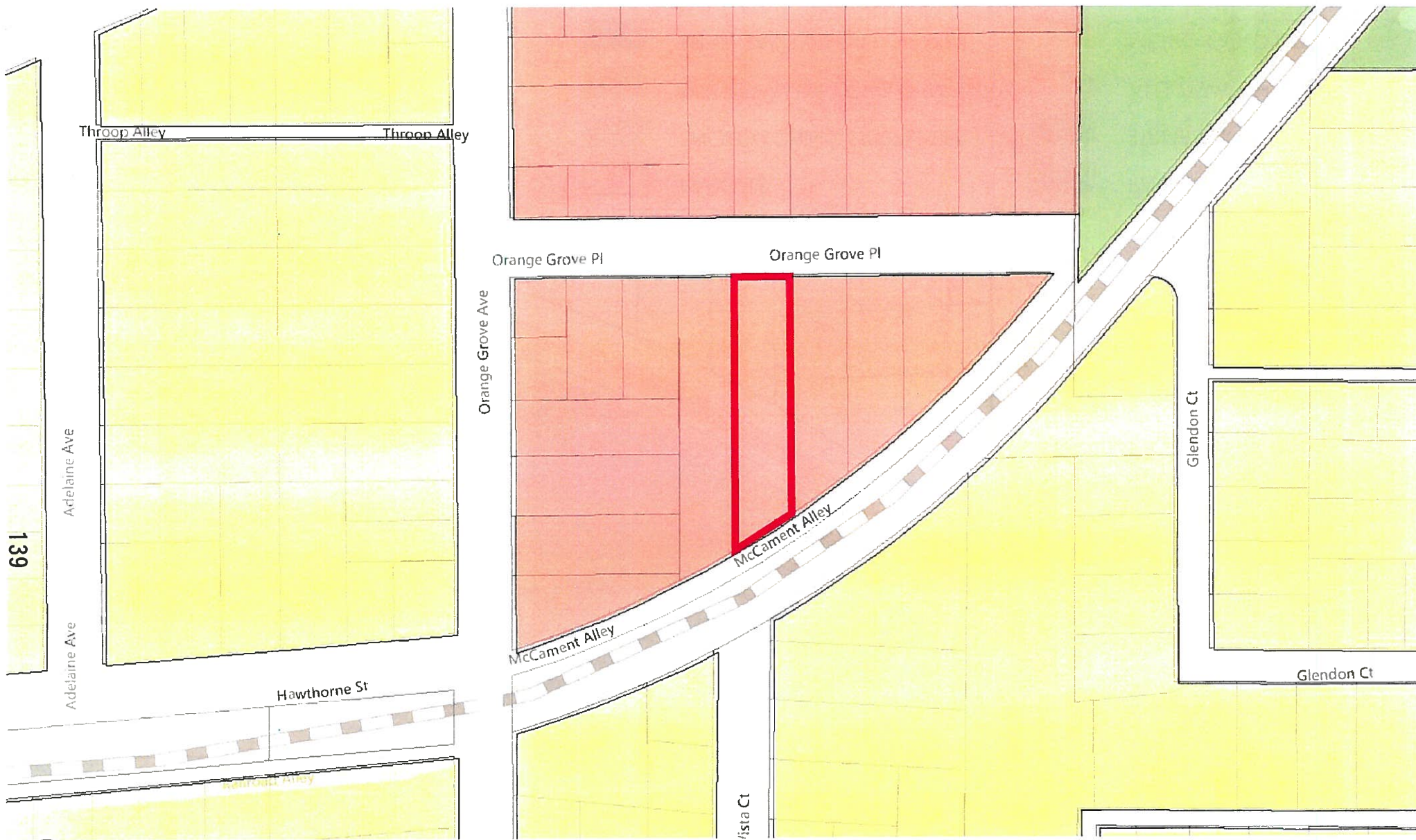
SUBJECT SITE



HISTORIC INVENTORY PROPERTIES



PARCELS



GENERAL PLAN LAND USE



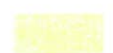
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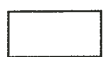
SUBJECT SITE



MEDIUM DENSITY RESIDENTIAL



LOW DENSITY RESIDENTIAL



PARCELS



MISSION STREET SPECIFIC PLAN



140

NEIGHBORHOOD ANALYSIS DIAGRAM



LEGEND

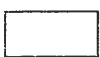
- | | | | | | |
|---|----------------------------|---|---------------------------|---|----------------------|
|  | SUBJECT SITE |  | PARCELS |  | PARKING LOT |
|  | SUBJECT PROPERTY ID NUMBER |  | ENCROACHING PROPERTIES |  | STREET CIRCULATION |
|  | NON-HISTORIC PROPERTY ID |  | SINGLE-FAMILY DEVELOPMENT |  | ALLEYWAY CIRCULATION |
|  | HISTORIC PROPERTY ID |  | MULTI-FAMILY DEVELOPMENT |  | METRO GOLD LINE |



LEGEND



SUBJECT SITE

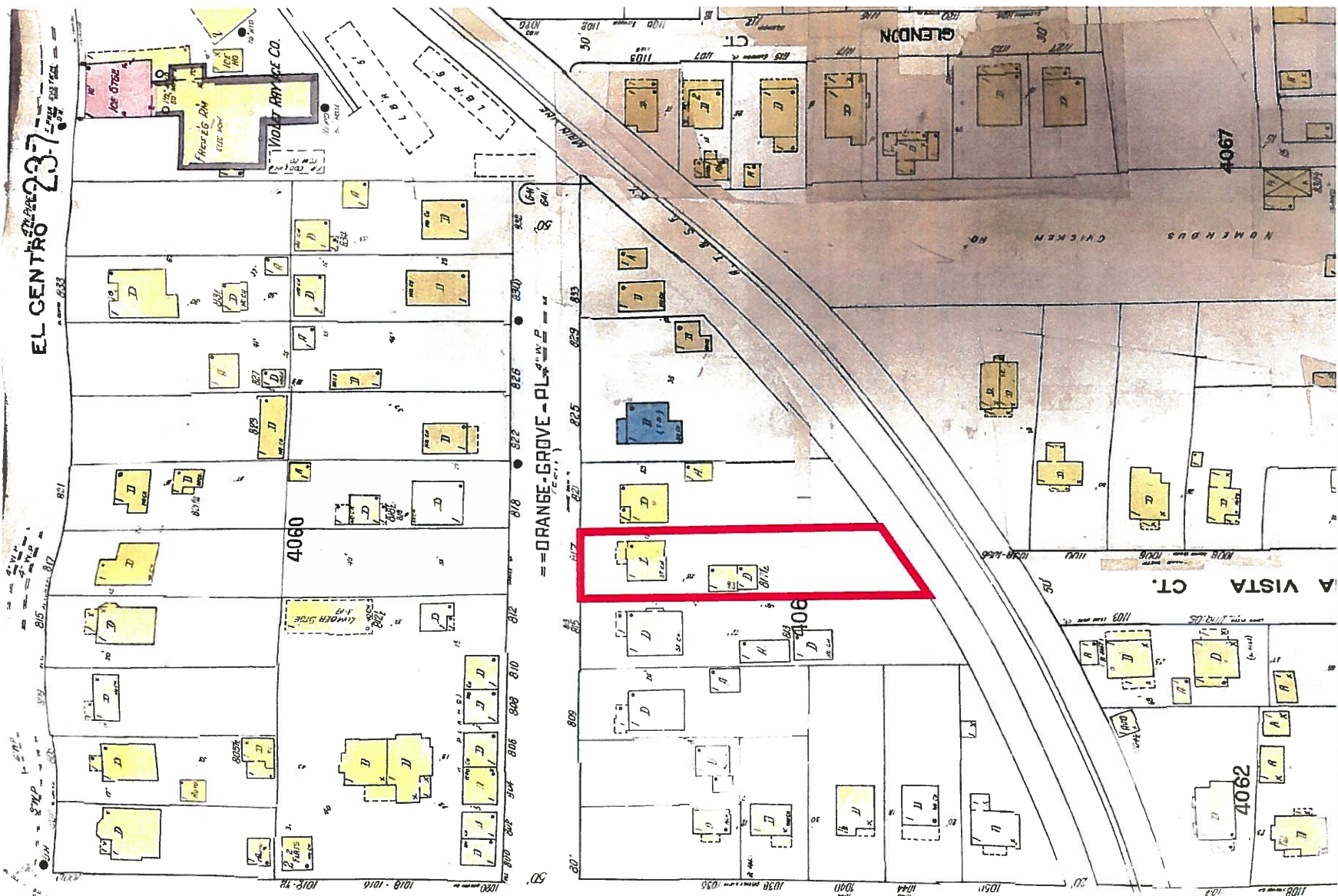


PARCELS

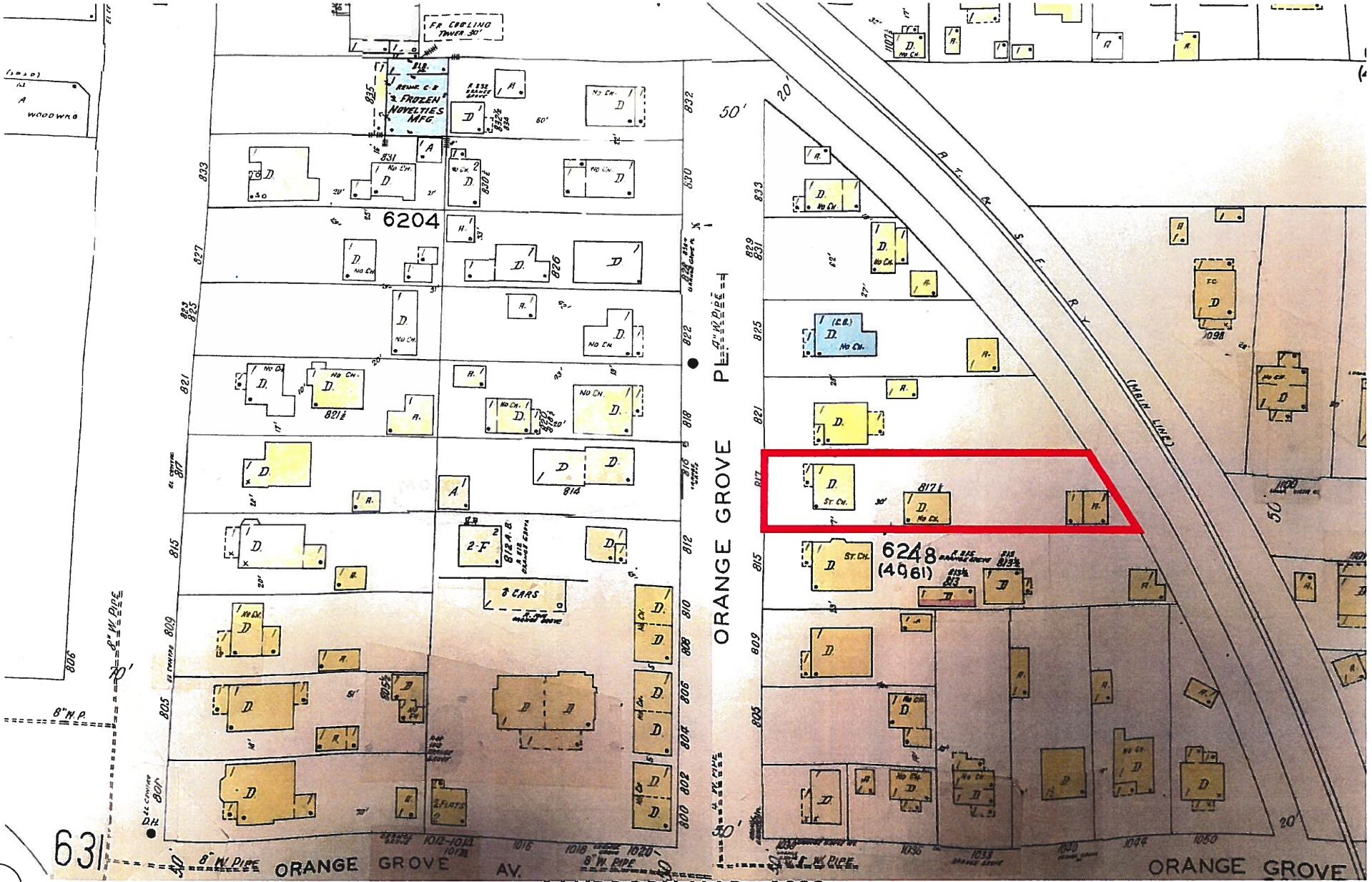


BUILDING FOOTPRINTS

SANDBORN MAP - 1910
ORANGE GROVE AV.



EL CENTRO 237



SANDBORN MAP - 1930

LEGEND



SUBJECT SITE



PARCELS



BUILDING FOOTPRINTS



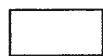
10 FOOT TOPOGRAPHIC MAP - PROXIMITY



LEGEND



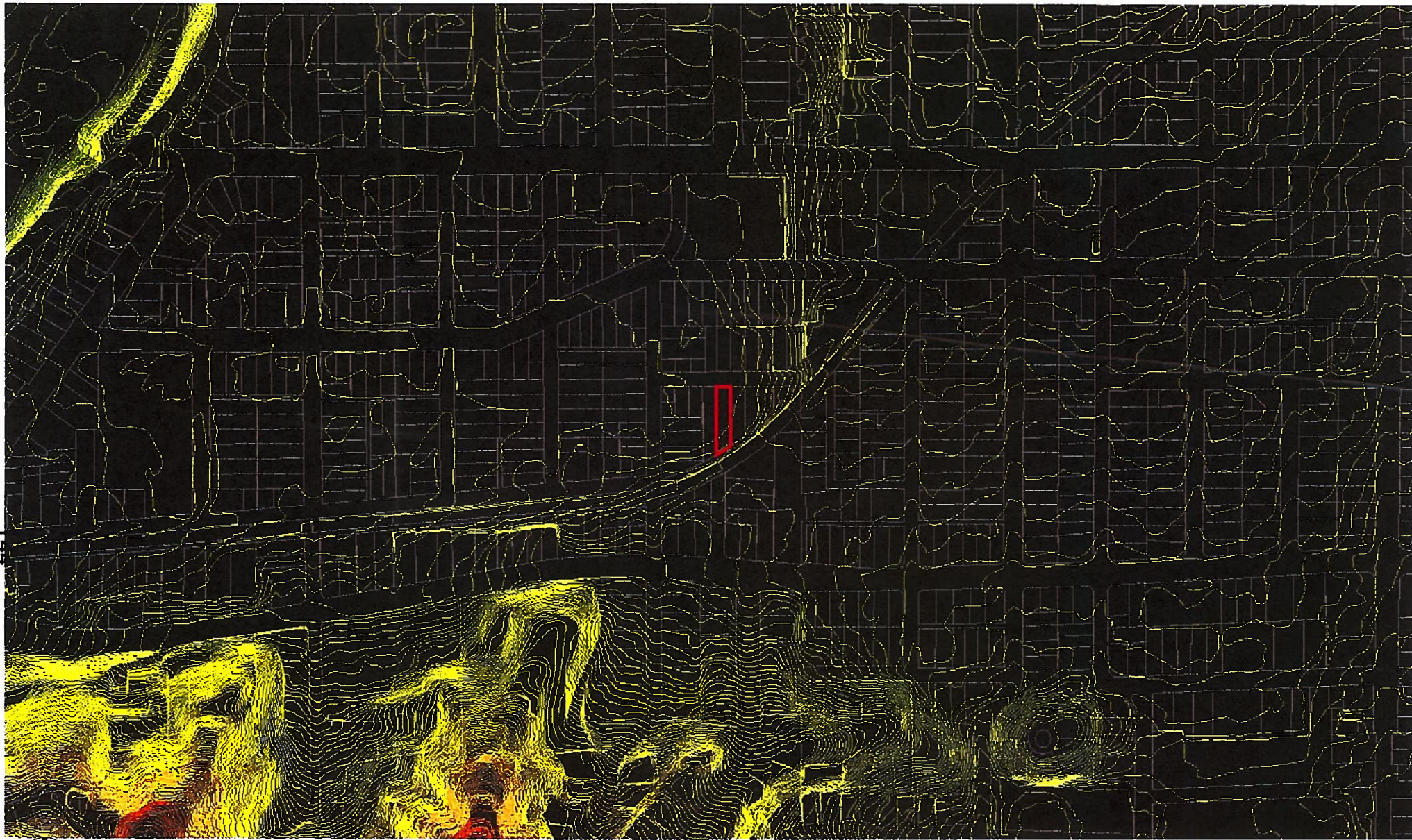
SUBJECT SITE



PARCELS



TOPO LINE



2 FOOT TOPOGRAPHIC MAP - VICINITY



LEGEND



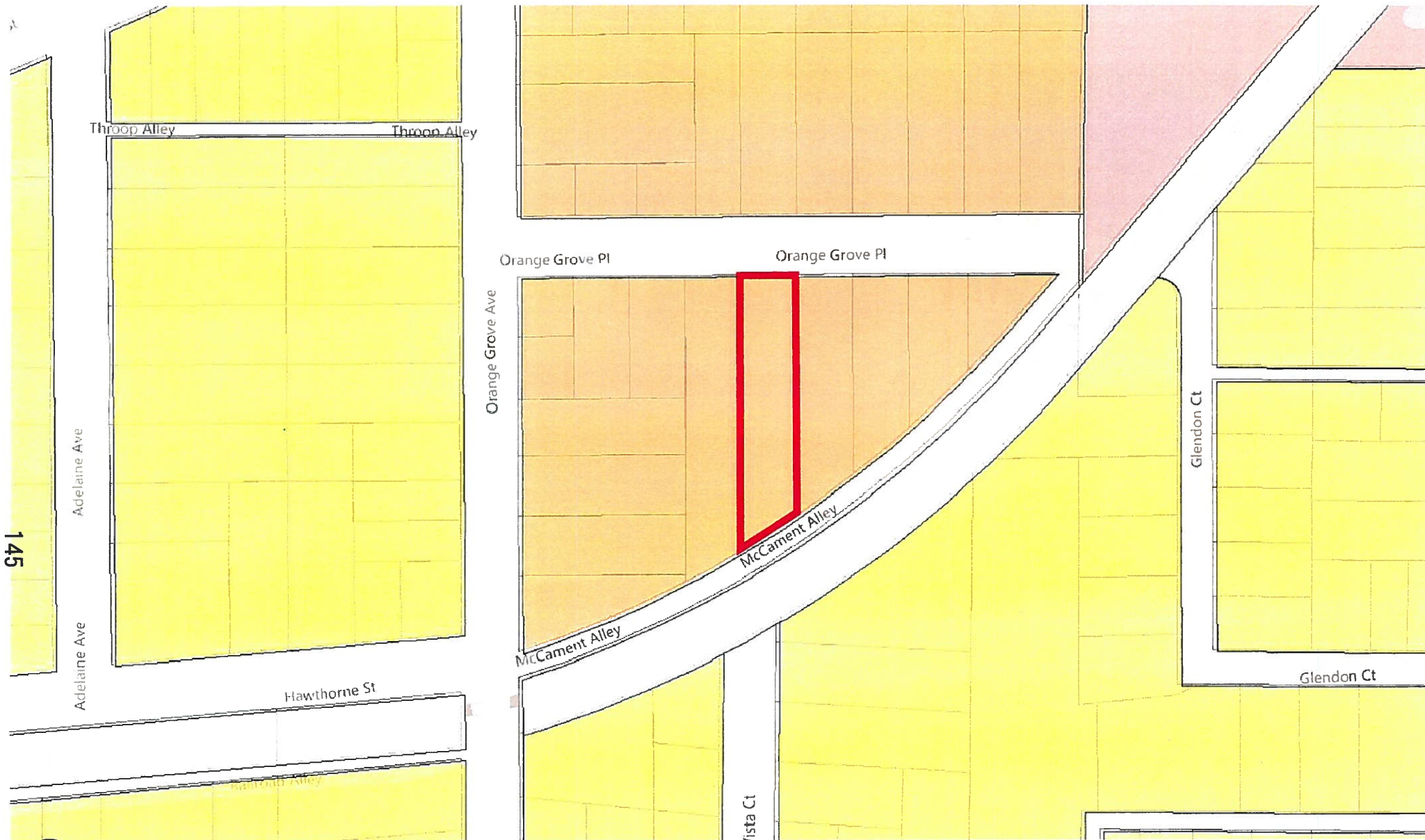
SUBJECT SITE



PARCELS



TOPO LINE

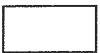


ZONING MAP

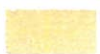
LEGEND



SUBJECT SITE



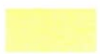
PARCELS



RM - RESIDENTIAL MEDIUM DENSITY

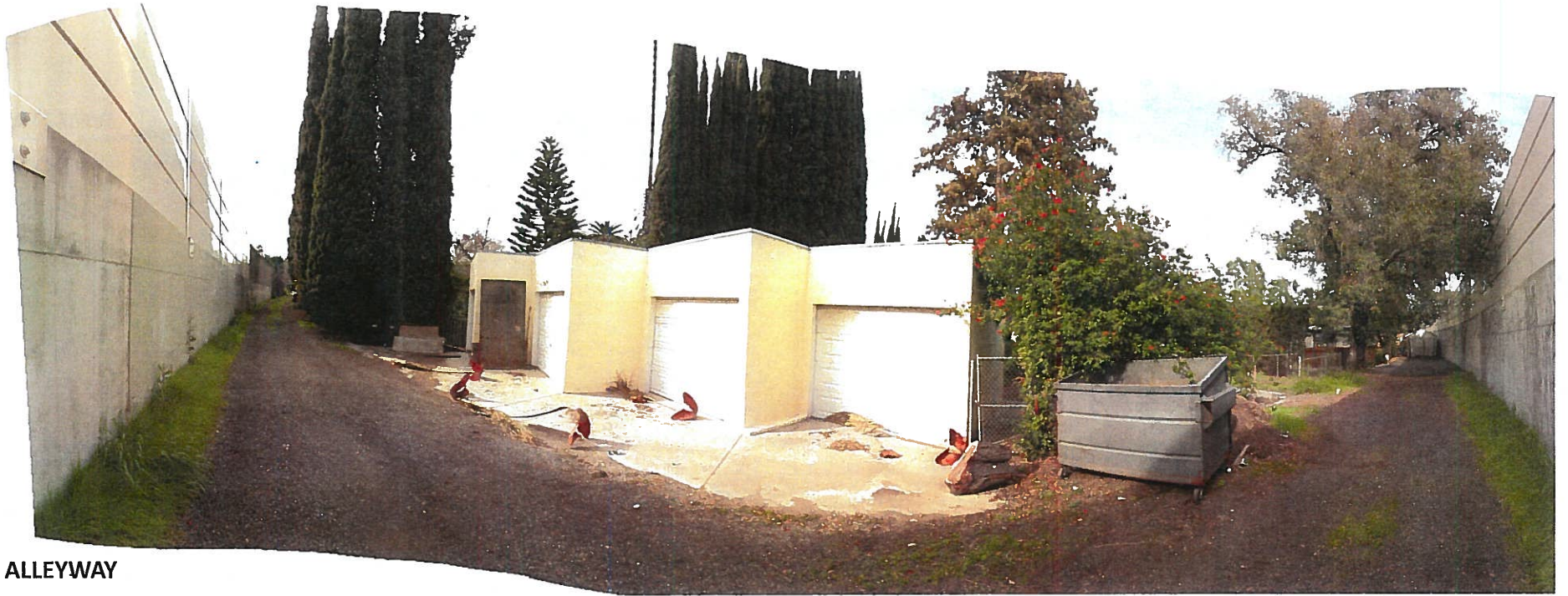


MISSION STREET SPECIFIC PLAN



RS - RESIDENTIAL LOW DENSITY





ALLEYWAY

147



ALLEYWAY

148

ALLEYWAY



ATTACHMENT 17

Legal Analysis from Owner's Legal Counsel, Patrick Perry

Dated: January 24, 2019

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Patrick A. Perry
E-mail: pperry@allenmatkins.com
Direct Dial: 213.955.5504 File Number: 377127-00002/LA1148550.01

Via Hand Delivery

January 24, 2019

Chair Kelly Koldus
Vice-Chair Janet Braun
Secretary Richard Tom
Commissioner Steven Dahl
Commissioner John Lesak
City of South Pasadena Planning Commission
1414 Mission Street
South Pasadena, California 91030

RECEIVED

JAN 24 2019

**CITY OF SOUTH PASADENA
PLANNING AND BUILDING DEPT.**

Re: 817 Orange Grove Place

Dear Chair Koldus and Members of the Planning Commission:

This firm represents Ms. Patty Chan in connection with her appeal of the Design Review Board's denial of her design for a housing development project consisting of three residential units (the "Project") on the property located at 817 Orange Grove Place (the "Property"). The Property is zoned RM, Residential Medium Density. As presently designed, the Project fully complies with the requirements of the South Pasadena Municipal Code ("SPMC") and the City's Design Guidelines for New Multi-Family Development (the "Design Guidelines") and is consistent with the character of the surrounding community. According to Section 36.600.050 of the SPMC, the Design Review Board ("DRB") may not determine the location or appropriateness of a land use, if the use is in compliance with the SPMC, or restrict development beyond the development standards identified in the SPMC except as specifically provided in the SPMC. In denying the Project, the members of DRB erred and abused their discretion by ignoring the requirements of the SPMC and substituting their own subjective judgment for the objective standards of the SPMC and the Design Guidelines. For the reasons set forth below, you are accordingly respectfully requested to reverse the decision of the DRB and grant the present appeal, thereby permitting the Project to be developed on the Property.

1. Background.

The Property has historically been developed with two residential units and a detached garage. According to records maintained by the Los Angeles County Assessor, the front residential unit was constructed in 1922 and contains two bedrooms and one bathroom in 819 square feet. The

Chair Kelly Koldus

January 24, 2019

Page 2

rear residential unit, which has recently been demolished, was constructed in 1960 and contained three bedrooms and two bathrooms in 1,258 square feet. Ms. Chan proposes to remove the front unit and detached garage and develop one detached and two attached residential units on the Property that will contain a total of 4,977 square feet as follows:

Unit A	Two-story, three bedrooms, 2.5 bathrooms, 2,319 square feet.
Unit B	Ground floor, one bedroom, 1.5 bathrooms, 1,187 square feet.
Unit C	Second floor, one bedroom, 1.5 bathrooms, 1,471 square feet.

On July 19, 2018, the Cultural Heritage Commission approved the demolition of all structures on the Property subject to approval by the DRB of the proposed development of the Property prior to demolition of the existing front unit and existing detached garage. The Property is currently occupied with the least amount of development within the surrounding neighborhood, and the City has zoned the Property and the surrounding area for multi-family development at higher densities than what is presently constructed.

2. The Proposed Design Fully Complies with All Applicable Zoning Requirements.

According to the City's Zoning Map, a copy of which is enclosed as Attachment A, the Property and the surrounding properties bordered by Orange Grove Avenue, El Centro Street, McCammet Alley, and the property located at 899 El Centro Street are zoned RM, Residential Medium Density. According to Section 36.220.040 of the SPMC, properties in the RM zone may be developed with up to 14 dwelling units per acre. The maximum allowable floor area ratio is 0.50, and the maximum allowable lot coverage is 50 percent. The maximum allowable height is 35 feet. Front and rear yard setbacks must be a minimum of 20 feet, and side yard setbacks must be 10 percent of the lot width but no less than four feet. According to Section 36.350.190 of the SPMC, 200 square feet of common open space is required for every multi-family residential development containing three to four units, and an additional 200 square feet of private open space is required for each unit. According to Section 36.310.040 of the SPMC, one parking space is required for a one bedroom multi-family residential unit; two covered parking spaces are required for multi-family residential units with two or more bedrooms, and one guest parking space is required for every two units.

The lot area of the Property is 10,104 square feet or approximately 0.23 acre, and the lot width is 47 feet. Up to three dwelling units and 5,052 square feet of floor area may therefore be developed on the Property. According to the drawings prepared by DeMaria Design, LLC, the proposed lot coverage is approximately 40 percent, and the maximum height of the proposed structures on the Property is 23 feet. The proposed structures have front and rear yard setbacks of 20 feet. A side yard setback of 13 feet 10 inches is provided on the west, and a side yard setback of five feet is provided on the east, both of which exceed the minimum setback requirements. Two hundred forty square feet of common open space is provided, and private open space ranging from

205 square feet to 260 square feet is provided for each unit. A total of four covered parking spaces and two guest parking spaces are provided.

3. The DRB Failed to Comply with its Duty to Apply the SPMC and Design Guidelines in Connection with Its Consideration of the Project.

Section 65589.5(j) of the California Government Code provides that when a proposed housing development project complies with applicable, **objective** general plan, zoning and subdivision standards and criteria--including design review standards—that are in effect at the time that the housing development project's application is determined to be complete, a local agency may not disapprove the project or require the project to be developed at a lower density unless the local agency makes written findings supported by the preponderance of the evidence that (1) the housing development project would have a specific adverse impact upon the public health and safety, and (2) there is no feasible method to satisfactorily mitigate or avoid the identified adverse impact. Section 65589.5(h)(2)(A) of the Government Code defines "housing development project" as a use consisting of residential units only.

Section 65589.5 of the Government Code, otherwise known as "the Housing Accountability Act . . . and . . . referred to colloquially as the 'Anti-NIMBY Law,'" has been interpreted by the courts as an effort to restrict "an agency's ability to use what might be called 'subjective' development 'policy' (for example, "suitability") to exempt a proposed housing development project from the reach of [Government Code § 65589.5(j)]." (*Honchariw v. County of Stanislaus* (2011) 200 Cal.App.4th 1066, 1069, 1076). The phrase "design review standards" has similarly been interpreted to mean "design review standards that are part of 'applicable, objective general plan and zoning standards and criteria.'" (*Id.* at 1077.) Members of the DRB may therefore not substitute their subjective judgment for objective standards and may not rely on such innocuous concepts as neighborhood "suitability" in considering housing development projects. Contrary to the clear requirements of State law, that is exactly what the DRB did in this case.

In a letter dated September 28, 2018, a copy of which is enclosed as Attachment B, the DRB was provided with detailed information demonstrating that the Project fully complies with the SPMC and the Design Guidelines. Members of the DRB nevertheless dismissed the Design Guidelines as mere "guidelines" that have no binding effect, and that all decisions affecting design are subjective. As set forth in the transcript of the DRB hearing regarding the Project on October 4, 2018, a copy of which is enclosed as Attachment C, DRB Chair Conrado Lopez stated as follows:

Guidelines are what it's called. They're guidelines, so they're not rules that you have to follow or rules that we have to approve. They're guidelines, right? So design is subjective. Opinions are subjective. Design is subjective. So I'm not going to argue with you guys saying that you followed the guidelines and this is a design that f[ol]lows the

guidelines. It might very well be. I'm not going to go guideline by guideline arguing this or that or the other. (Transcript, p. 55, ll. 5-15).

Mr. Lopez further stated that "just because zoning says you can do it doesn't mean you can," and "this may be a perfect example of how the guidelines are interpreted, but that doesn't mean that it's good architecture that fits in the site and in the neighborhood." (Transcript, p. 55, ll. 18-24).

DRB Member Michael Lejeunne was similarly dismissive of the Design Guidelines in the following statements:

I had a couple of thoughts, and none of them have to do with the particular architecture of the project because though this body has specific guidelines and sort of rules, if you will, for how we proceed, what we can ask for, what we can't ask for . . . this is the place where community comes to express themselves about particular projects. (Transcript, p. 56, ll. 13-22).

We have plenty of very detailed representation as to heights, footprints, materials, but there are other considerations for the Design Review Board at play. (Transcript, p. 58, l. 23-p. 59, l. 2).

According to Board Member Lejeunne, such other considerations consist primarily of comments made by neighboring residents. (*See*, Transcript, pp. 56-57).

DRB Member Yael Lir voiced objections to the Project on the grounds that it did not provide sufficient open space and that three units is too many for the Property. (*See*, Transcript, p. 61, l. 23-p. 62, l. 16; p. 66, ll. 15-16). Board Member Lir clearly ignored the fact that the amount of open space and number of units fully comply with the applicable requirements of the SPMC for the RM zone. Pursuant to Section 36.600.050 of the SPMC, the DRB may not restrict development beyond the development standards identified in the SPMC except as specifically provided in the SPMC. Nothing in the SPMC gives the DRB authority to impose more restrictive density or open space requirements in connection with its approval of a proposed design. Section 65589.5(j) of the Government Code similarly prohibits the DRB from requiring a project to be developed at a lower density absent specific findings that the DRB failed to make in this instance. Objections to the Project on such grounds was accordingly not permissible.

Indeed, none of the members of the DRB made any effort to consider compliance with the SPMC or the Design Guidelines in connection with their review of the Project, but instead relied exclusively on subjective criteria and statements from neighboring property owners to inform their decision. This constitutes a clear violation of Government Code § 65589.5(j). Because the Project fully complies with the requirements of the SPMC and the Design Guidelines, the members of the

DRB could not substitute their subjective judgment for the objective standards of the SPMC and Design Guidelines, and the Project must be approved.

4. The DRB Ignored Clear Evidence Demonstrating that the Project Is Fully Compatible with the Character of the Surrounding Neighborhood.

Even if the DRB were allowed to rely on such factors as suitability and compatibility with neighborhood character in connection with their consideration of a housing development project, the DRB chose to disregard detailed information regarding neighborhood context. As part of the presentation of the Project, the members of the DRB were provided with photographic simulations of the proposed Project within the existing streetscape. Members of the DRB were also informed regarding the mixture of one and two story residential structures throughout the surrounding community. Peter DeMaria, the Project architect, also described his efforts to address the concerns of neighboring property owners through outreach efforts which resulted in a consensus which the very same neighbors later inexplicably and unexpectedly opposed. As a result, Mr. DeMaria used his professional judgment to examine the surrounding context and develop a design that is consistent with the character of the existing neighborhood and complies with applicable City regulations. (*See*, Transcript, p. 2, l. 18-p. 15, l. 17).

As illustrated by the photographs enclosed as Attachment D, there are 13 existing two story homes either on the same block as the Property or within the two blocks immediately adjacent to the north and the west. In fact, as shown in the photo simulations enclosed as Attachment E, the property located at 821 Orange Grove Place, immediately next door to the Property, is developed with a two story house that was constructed in 2016. Referring to the house that they had approved at 821 Orange Grove Place, members of the DRB simply took the position that it was a mistake and refused to recognize it as an element of the community character.

Board Member Fenske: "You know, that other one that we had that was right next door that you're using as a reference I think was a mistake. It's unfortunate, but it was so different that it was okay." (Transcript, p. 53, ll. 16-20).

Chair Lopez: "And again, I'm not going to talk about that because that's approved and it's done. What we can work on is what's coming next." (Transcript, p. 56, ll. 8-19).

Board Member Lejeune: "the project that got away and exists on the street now, that doesn't mean that the mission here is to let more of this get away." (Transcript, pp. 57, l. 24-p. 58, l. 2).

It is not permissible for the DRB to simply characterize its approval of the structure located on the adjacent property as a mistake and use that as an excuse to exclude consideration of that

Chair Kelly Koldus

January 24, 2019

Page 6

project from its concept of neighborhood character. The DRB cannot apply one set of criteria to one property and then refuse to apply the same criteria to the property located immediately next door. Such a position is not only arbitrary and capricious but is not in the manner required by Section 65589.5(j) of the Government Code. The DRB's denial of the Project is accordingly invalid on these grounds and should be reversed.

5. The Project Will Not Have an Adverse Impact on Public Health or Safety.

According to Section 65589.5(j) of the Government Code, the City can only deny the Project if it can make written findings on the basis of the preponderance of the evidence that the Project would have a specific adverse impact upon the public health and safety. The DRB made no such findings, nor could the DRB have made such findings because there is no evidence that the Project will have an adverse impact upon public health or safety.

The Property has historically been developed with two residential units. The proposed Project will add only one residential unit. As described above, the Project will comply with all applicable zoning requirements, including on-site parking requirements. As set forth in the City Department of Public Works Conditions of Approval enclosed as Attachment F, the Project will be required to upgrade the physical infrastructure located on and adjacent to the Property. Among other things, Condition No. 19 requires the removal and replacement of a minimum of four inches of the existing asphalt pavement of the portion of McCammet Alley adjacent to the Property, and Condition No. 18 requires the removal and replacement of a minimum of two inches of the existing asphalt surface to the centerline of the portion of Orange Grove Place adjacent to the Property.

Because all required parking is provided on-site, the Project will not add to or displace existing parking on Orange Grove Place. The Project will also not result in an appreciable amount of additional traffic on Orange Grove Place or McCammet Alley over existing levels because the Project will only add one unit more than what has historically existed on the Property. Historical access to the front unit on the Property has been from Orange Grove Place, and historical access to the former rear unit and existing garage on the Property was from McCammet Alley. The Project will therefore not alter existing vehicular or pedestrian traffic patterns in the neighborhood.

During the demolition of the rear unit on the Property, the demolition contractor recorded traffic in McCammet Alley. Based on the observations of the demolition contractor, McCammet Alley is rarely used. Ana Uehara, who lives at 1050 Orange Grove Avenue immediately adjacent to the intersection of McCammet Alley and Orange Grove Avenue, also testified before the DRB that McCammet Alley is seldom used. (*See*, Transcript, p. 30, ll. 8-25). Any concerns regarding traffic and parking in the vicinity of the Property as a result of the Project are therefore overstated, and no other concerns have been raised regarding possible impacts that the Project may have on public health or safety.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

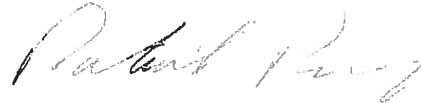
Chair Kelly Koldus
January 24, 2019
Page 7

6. Conclusion.

As set forth above, the DRB exceeded its authority by refusing to adhere to the requirements of the SPMC and Design Guidelines in connection with its denial of the Project. The DRB also ignored clear evidence regarding neighborhood character and the absence of any impacts of the Project on public health or safety. The decision of the DRB was accordingly contrary to the requirements of state law and the SPMC. On behalf of Ms. Chan, you are therefore respectfully requested to grant the present appeal and approve the Project as designed.

Your careful attention to this matter is greatly appreciated. We are available to meet with you at your convenience to discuss these issues in greater detail. In the meantime, please do not hesitate to contact me with any questions or if I can provide any additional information.

Very truly yours,



Patrick A. Perry

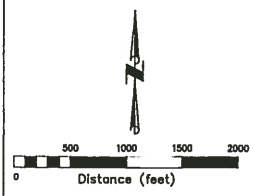
PAP
Enclosures

EXHIBIT A

City of South Pasadena

Zoning Map

- Residential Estate (RE)
- Allos De Monterey Residential (AM)
- Residential Low Density (RS)
- Residential Medium Density (RM)
- Residential High Density (RH)
- Commercial Office (CO)
- Commercial General (CG)
- Business Park (BP)
- Community Facilities (CF)
- Open Space (OS)
- Holy Family Specific Plan (HFSP)
- Mission Street Specific Plan (MSSP)
- Focus Area Overlay (see the General Plan for the location of specific focus areas within the overall Focus Area Overlay)
- Unimproved Public Street



November 2001

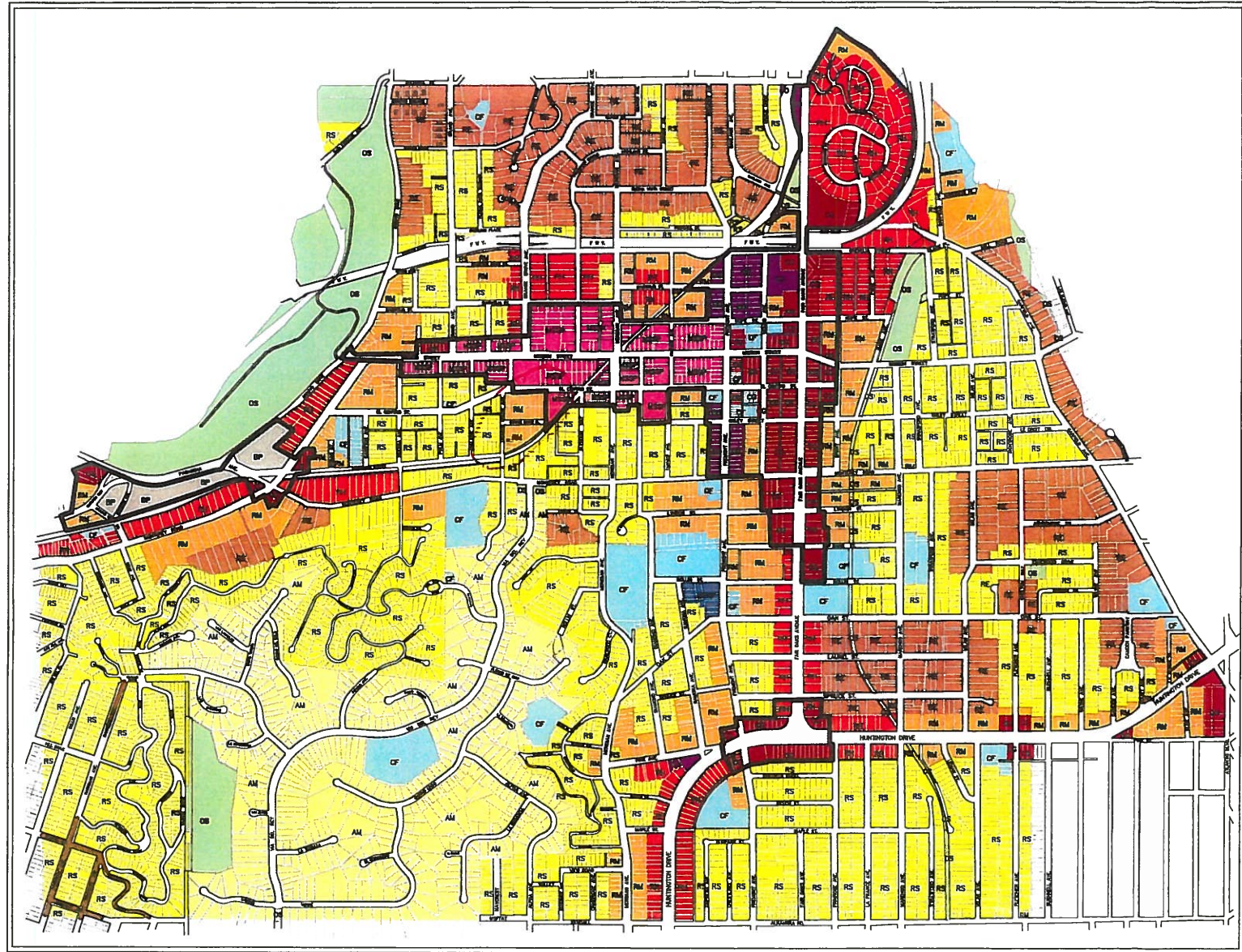


EXHIBIT B

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Patrick A. Perry
E-mail: pperry@allenmatkins.com
Direct Dial: 213.955.5504 File Number: 110045-00136/LA1132585.01

Via Electronic and First Class Mail

September 28, 2018

Chair Conrado Lopez
Vice-Chair James Fenske
Board Member Michael Lejeunne
Board Member Yael Lir
Board Member Mark Smeaton
City of South Pasadena
Design Review Board
1424 Mission Street
South Pasadena, California 91030

Re: 817 Orange Grove Place

Dear Chair Lopez and Members of the Design Review Board:

This firm represents Ms. Patty Chan, owner of the property located at 817 Orange Grove Place (the "Property"). Ms. Chan has previously submitted designs for the proposed development of the Property to the Design Review Board (the "Board") and has incorporated comments received from the Board into a revised design which is scheduled to be considered on October 4, 2018. As set forth below, the present design fully complies with all City zoning requirements and is consistent with the City's Design Guidelines. Ms. Chan accordingly requests the Board to approve the proposed design for the development of the Property.

1. Background.

According to the Los Angeles County Assessor, the lot area of the Property is 10,104 square feet. The Property has historically been developed with two residential units and a detached garage. According to the Assessor, the front residential unit was constructed in 1922 and contains two bedrooms and one bathroom in 819 square feet. The rear residential unit, which is approved for demolition, was constructed in 1960 and contained three bedrooms and two baths in 1,258 square feet. Ms. Chan proposes to remove the front unit and detached garage and develop one detached and two attached residential units on the Property that will contain a total of 4,977 square feet as follows:

Chair Conrado Lopez
September 28, 2018

Page 2

Unit A	Two-story, three bedrooms, 2.5 bathrooms, 2,319 square feet.
Unit B	Ground floor, one bedroom, 1.5 bathrooms, 1,187 square feet.
Unit C	Second floor, one bedroom, 1.5 bathrooms, 1,471 square feet.

On July 19, 2018, the Cultural Heritage Commission approved the demolition of all structures on the Property subject to approval by the Board of the proposed development of the Property prior to demolition of the existing front unit and existing detached garage. The Property is currently occupied with the least amount of development within the surrounding neighborhood, and the City has zoned the Property and the surrounding area for multi-family development at higher densities than what is presently constructed.

2. The Proposed Design Fully Complies with All Applicable Zoning Requirements.

According to the City's Zoning Map, the Property and the surrounding properties bordered by Orange Grove Avenue, El Centro Street, McCammet Alley, and the property located at 899 El Centro Street are zoned RM, Residential Medium Density. According to Section 36.220.040 of the South Pasadena Municipal Code ("SPMC"), properties in the RM zone may be developed with up to 14 dwelling units per acre. The maximum allowable floor area ratio is 0.50, and the maximum allowable lot coverage is 50 percent. The maximum allowable height is 35 feet. Front and rear yard setbacks must be a minimum of 20 feet, and side yard setbacks must be 10 percent of the lot width but no less than four feet. According to Section 36.350.190 of the SPMC, 200 square feet of common open space is required for every multi-family residential development containing three to four units, and an additional 200 square feet of open space is required for each unit. According to Section 36.310.040 of the SPMC, one parking space is required for a one bedroom multi-family residential unit; two covered parking spaces are required for multi-family residential units with two or more bedrooms, and one guest parking space is required for every two units.

The lot area of the Property is 10,104 square feet or approximately 0.23 acre, and the lot width is 47 feet. Up to three dwelling units and 5,052 square feet of floor area may therefore be developed on the Property. According to the drawings prepared by De Maria Design, LLC, the proposed lot coverage is approximately 40 percent, and the maximum height of the proposed structures on the Property is 23 feet. The proposed structures have front and rear yard setbacks of 20 feet. A side yard setback of 13 feet 10 inches is provided on the west, and a side yard setback of five feet is provided on the east, both of which exceed the minimum requirements. Two hundred forty square feet of common open space is provided, and private open space ranging from 205 square feet to 260 square feet is provided for each unit. A total of four covered parking spaces and two guest parking spaces are provided.

3. The Proposed Design Is Fully Consistent with the City's Design Guidelines.

As set forth below, the proposed design is consistent with the City's Design Guidelines for new multi-family development.

Building Massing and Plan Development.

- Minimize the visual impact of large monolithic structures by creating a cluster of smaller buildings or the appearance of a series of smaller buildings.
 - The proposed design includes three units located in two separate structures. Exterior walls are modulated, and roof heights are varied to avoid the appearance of single large monolithic structures. The western façade of the rear structure is interrupted by a 260 square-foot deck on the upper level, providing a further reduction of the mass of the rear building.
- Courtyard or garden style clusters of multi-family housing are highly encouraged.
 - The two structures are located at the opposite ends of the Property, leaving more than 200 square feet of landscaped common open space between. Landscaped open space is also provided adjacent to the front and rear setback areas.
- Interior courtyards should be used to provide sheltered private common space.
 - Common open space is located in the center of the Property between the two structures.
- Massing on multi-family buildings should articulate individual units or clusters of units. Building massing should include variation in wall planes and height as well as roof forms to reduce the perceived scale of the building.
 - Wall planes and roof heights are varied on both the front and rear structures to reduce the perceived scale of both buildings.
- Multi-family development adjacent to single-family neighborhoods should provide a buffer of single story and/or detached units along adjoining property lines.
 - The proposed design consists of a detached unit in the front and two attached units at the rear.
- Combinations of one, one and-one-half, and two-story units are encouraged to create variation in mass and building height.
 - The proposed design consists of two, two-story structures with varied roof lines to create variation in height and mass. The overall height of both structures is 23 feet, which is consistent with the height of the existing two-story structure located to the east and is lower than the permitted height of 35 feet.

- Garage openings should not be located at primary facades.
 - All parking is located at the interior and rear areas of the Property and is not visible from the street.
- Garage doors should be inconspicuous and should generally reflect single family residential scale.
 - There are no garage doors. All parking is located at the interior and rear areas of the Property and is not visible from the street.

Roofs - Materials, Form and Shape.

- Roofs should reflect a residential appearance through pitch and use of materials. Multi-form roof combinations are encouraged to create varying roof forms and break-up the massing of the building.
 - The proposed design consists of residential scale gable roofs throughout at a pitch of 3:12. Roof lines are varied in height to break up the massing of both structures.
- Rooflines should be designed to screen roof mounted mechanical equipment. All screening should be constructed with the materials consistent with the lower stories of the building and should be designed as a continuous component.
 - There is no roof mounted equipment in the proposed design.
- Roof forms typical of residential buildings, such as gable, hip or shed roof combinations, are strongly encouraged. If a parapet roof is used, the roof should include detailing typical of residential character and design.
 - The proposed design consists of residential scale gable roofs throughout at a pitch of 3:12.
- Gutters and downspouts should be decorative and designed to integrate with the building façade.
 - Gutters will be placed at the eaves, and downspouts will be located at appropriate intervals to integrate with the building design.

Porches, Balconies and Exterior Stairways.

- Porches and balconies should be encouraged as they provide individual outdoor spaces.

- The front unit has a front porch facing the street and a balcony on the second level at the rear of the west façade. The lower unit in the rear structure has a small porch adjacent to the south entrance, and the upper unit in the rear structure has a 260 square-foot deck centrally located in the west façade.
- Porches and balconies should be detailed with features compatible with the architectural style of the building.
 - The design of the porches and balconies utilizes the same materials and is compatible with the design of the proposed buildings.
- Long, monotonous balconies and corridors that provide access to multiple units should be avoided.
 - Each of the units will have its own separate entrance. There are no balconies or corridors that provide access to multiple units.
- Architectural elements that add visual interest, scale, and character, such as recessed or projecting balconies, trellises, verandas, and porches, are encouraged.
 - The front unit has a front porch facing the street and a balcony on the second level at the rear of the west façade. The lower unit in the rear structure has a small porch adjacent to the south entrance, and the upper unit in the rear structure has a 260 square-foot deck centrally located in the west façade. Window box planters are also proposed at the second level of the north and west facades of the front unit.
- Stairways should be designed as an integral part of the overall architecture of the building, complementing the building's mass and form.
 - Only one exterior stair is proposed at the rear of the rear unit.

Windows, Doors and Entry.

- Design entry features to reflect the overall architectural identity and character of the project.
 - The entries to all three units are integrated into the design of each unit.
- The main building entrance should be clearly identifiable and distinguished from the rest of the building. All entrances should be emphasized using lighting, landscaping, and architecture.

- The entrance to the front unit is clearly distinguished by attached columns on either side and is clearly visible from the street through a break in the low wall surrounding the porch.
- Window and door type, material, shape, and proportion should complement the architectural style of the building.
 - Windows are primarily casement and awning type which are proportioned to the scale of the buildings. Exterior doors are residential in scale constructed of wood with glass panels.
- Where appropriate to the architectural style, windows should be generously inset from building walls to create shade and shadow detail.
 - All windows are inset, providing shadow details as appropriate to the architectural style of the buildings.
- Windows should be articulated with sills and trim, and shutters, or awnings authentic to the architectural style of the building.
 - All windows are surrounded by sills and trim that contrast with the color of the surrounding walls to enhance articulation of the building façade.

Façade Treatments, Materials and Architectural Details.

- There should be a variation in wall plane on all facades visible from a public street or public view.
 - Wall planes and roof heights are varied on all facades, including those that are visible from the public street and public view.
- It is expected that the highest level of articulation will occur on the front façade and facades visible from public streets and public views; however, similar and complementary massing, materials, and details should be incorporated into all elevations.
 - The architectural treatment of all facades is consistent throughout the proposed design. Those facades visible from the public street have the highest degree of articulation, but all other facades receive similar treatment.

- Architectural elements, such as overhangs, trellises, projections, awnings, insets, materials, and textures, should be used to create shadow patterns that contribute to a building's character and to achieve a pedestrian scale.
 - Porches, balconies, and window boxes are provided to create shadow patterns and contribute to the character of the proposed design. Horizontal projections punctuate offsets in the roofline and provide additional articulation on the buildings' facades.
- Employ materials that relate to the established architectural vocabulary of the neighboring buildings and districts.
 - The proposed design incorporates wood and stucco exterior finishes and a low pitched gable roof, which is consistent with the style and materials of neighboring buildings.

Streetscape and Site Design.

- Development should be designed to avoid large parking areas, bulky structures, decreased private open space, rows of carports adjacent to public streets, and high walls at the street edge in order to enhance the aesthetic value of South Pasadena.
 - Parking spaces are dispersed within three separate areas in the interior of the Property and are separated by landscaping and open space and are not visible from the street.
- New multi-family structures should avoid large or over-scaled entries into subterranean parking areas. Avoid creating a "concrete canyon" entry to parking underground parking.
 - All parking is above grade.
- Intensified landscaping, increased setbacks adjacent to other uses, and appropriate building orientation should be used to buffer or transition residential uses from adjacent uses, such as commercial.
 - The Property is not located adjacent to commercial uses. The proposed buildings are set back 13 feet 10 inches from the property to the west and five feet from the property to the east, which exceeds applicable setback requirements.
- Fences and walls should be constructed as low as possible while still providing screening, noise reduction, and security functions.

- A new concrete block wall will be constructed along the western Property line. The portion located in the front setback area will be 36 inches high to match the existing block wall along the eastern Property line. The remainder of the new block wall along the western Property line will be 72 inches high. The existing block wall along the eastern Property line will remain.
- Fences placed adjacent to a street should be screened with a landscape buffer.
 - A 36 inch high wooden slat fence is proposed adjacent to the street. The front porch of the front unit will be screened by low planter walls with landscaping in front.
- Courtyard, walkway, entry and parking lighting should be architecturally compatible with the building design.
 - All exterior lighting fixtures will be compatible with the building design.
- The lighting of building elements and trees is an effective and attractive lighting technique that is encouraged.
 - Outdoor lighting will be provided to enhance security and highlight architectural features as appropriate.
- Low-voltage/high efficiency and/or solar powered lighting should be used in the landscape whenever possible.
 - All exterior lighting will be low voltage or solar powered and will be controlled by light sensors and motion detectors as appropriate.
- Tile or masonry fountains are encouraged in public spaces.
 - N/A.

Parking, Garages, Carports and Ancillary Structures.

- Site plans should limit new curb cuts and driveway entrances to the extent possible.
 - The proposed design will utilize the curb cut for the existing driveway.
- New multi-family structures should avoid large or over-scaled entries into subterranean parking areas. Avoid creating a "concrete canyon" entry to parking underground parking.

- All parking is located above grade.
- Carports, detached garages, and other ancillary structures should be designed as an integral part of the development.
 - Covered parking for two spaces is located in a one-story carport attached to and integrated with the front unit. Covered parking for two additional spaces is provided below the second story unit in the rear building.
- Garage doors should appear to be set into the walls rather than flush with the exterior wall.
 - Garage doors are not provided.
- Flat roofs on garages, carports, and ancillary structures are discouraged.
 - The carport attached to the rear of the front unit has a low pitched roof in order to minimize its visibility from surrounding properties.
- Trash enclosures should be unobtrusive and conveniently located for trash disposal by tenants and for collection by service vehicles. They should never be placed near a primary entry nor should they be visible from the public right of way.
 - The proposed trash enclosure is located at the southeast corner of the property away from the primary entry and not visible from the street. Trash receptacles can be transported to the street for collection along the eastern Property line.

4. The Proposed Design Complies with All Required Findings for Approval.

The design and layout of the proposed development is fully consistent with the following required findings of Section 34.410.040.I of the SPMC.

1. The proposed design is consistent with the General Plan, any adopted design guidelines and any applicable design criteria for specialized areas (e.g., designated historic or other special districts, plan developments, or specific plans).
 - As set forth above, the proposed design is fully complies with all development standards and is consistent with the Design Guidelines for new multi-family development. The Property is not subject to a specific plan or other specialized area, and the Cultural Heritage Commission has determined that the existing structures on the Property are not designated historic.

Chair Conrado Lopez

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2. The proposed design will adequately accommodate the functions and activities proposed for the site, will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments, and will not create adverse pedestrian or traffic hazards.
 - o The proposed design fully accommodates all proposed uses on the Property in an orderly configuration. It will not interfere with the use and enjoyment of neighboring developments because it is set back from the property lines of adjacent properties and does not intrude on existing views. Existing pedestrian and vehicular access to the Property will be maintained and therefore not result in any adverse pedestrian or traffic hazards.
3. The proposed design is compatible with the existing character of the surrounding neighborhood and that all reasonable design efforts have been made to maintain the attractive, harmonious, and orderly development contemplated by this Section, and the General Plan.
 - o As shown in the attached streetscape photograph, the neighborhood consists of an eclectic mix of different architectural styles. The proposed design blends with the neighboring properties in terms of style and residential scale. The proposed height of the units is consistent with the residential dwelling immediately to the east, and the architectural style is compatible with other properties located along both sides of Orange Grove Place.
4. The proposed design would provide a desirable environment for its occupants and neighbors, and is aesthetically of good composition, materials, and texture that would remain aesthetically appealing with a reasonable level of maintenance and upkeep.
 - o As set forth above, the proposed design consists of a mix of tastefully designed and durable materials along with attractive landscaping that will enhance the existing streetscape and thereby contribute to a desirable environment for both occupants of the Property and surrounding residents.

5. Conclusion.

As described above, the proposed design complies with applicable zoning requirements and with applicable Design Guidelines. As shown on the attached streetscape simulation, the proposed design is also consistent in scale and mass with other residences in the surrounding area and is therefore consistent with the required findings for approval. Ms. Chan accordingly requests that the Board approve the proposed design and permit her to develop the allowable potential of the Property.

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law

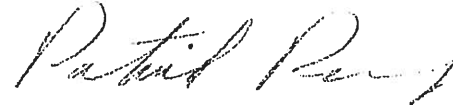
Chair Conrado Lopez

September 28, 2018

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Your careful attention to this request is greatly appreciated. Please contact me with any questions or if I can provide additional information with regard to this matter.

Very truly yours,

A handwritten signature in cursive script that reads "Patrick A. Perry".

Patrick A. Perry

PAP



EXHIBIT C

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South Pasadena Design Review Board Meeting

Page 1

1 CHAIR CONRADO LOPEZ: Moving right
2 along, number 3, 817 Orange Grove Place. Now,
3 Edward, this is under new business, but it's
4 considered a continued project.

5 EDWARD SISSI: It's considered a
6 continued project, but what we had to renew it,
7 so it goes under new business.

8 CHAIR CONRADO LOPEZ: Very good. Thank
9 you. Please.

10 YAEL LIR: What's the fuss about this
11 project?

12 MAN 1: What's that?

13 YAEL LIR: What's the fuss about this
14 project? What's the fuss about it?

15 MAN 1: It's being (indiscernible).

16 YAEL LIR: (Indiscernible) Oh, really?
17 Oh. Okay.

18 PETER DEMARIA: Hi, board members.
19 I'm Peter DeMaria. I'm the architect on the
20 project, and I'm going to make a quick little
21 presentation here. I'm not going to go over the
22 entire project and the floor plan and all that.
23 I'm assuming you have all that backup and support
24 information.

25 Also with me is Mr. Patrick Perry who

Page 2

1 is an attorney who represents the owner of the
2 property. He is not only an attorney; he's an
3 architect. And to go one step further, he and I
4 went to graduate school about 700 years ago at
5 the University of Texas back in the '80s, so I've
6 known Patrick for quite some time. And he brings
7 a really wonderful perspective to the table when
8 he's looking at it from a lawful standpoint and
9 also looking at it from a design standpoint.

10 So hopefully we've been able to cover
11 what I hope are some really important issues on
12 the project, and he gave an extensive, I think,
13 review of the criteria that's used to evaluate
14 these projects, and I think that's included in
15 your packet. It's not a glitzy drawing. It's
16 8.5 by 11 kind of observations and talks about
17 how we've addressed some of the things that can
18 sometimes be kind of subjective on a design
19 review board. And I know that always gets us
20 into trouble, but I want to talk a little bit
21 about that.

22 We did a couple things, and we start to
23 look at the criteria for this project. We've
24 been here maybe two or three times, and I know
25 there was an architect on board before us. And

Page 3

1 we've done some interesting things. We've
2 received feedback from the commission and from
3 the board, integrated that into our past
4 projects. We did not have success with those,
5 but that's why we're back here today.

6 Part of this review is we understand
7 and I understand can be subjective, but that gets
8 a bit frustrating. But I said, you know what?
9 That's the way of the world, Peter. It's going
10 to be that way.

11 So when I first started working on this
12 project, there was a conscious effort on my part
13 to do some outreach to the neighbors and to meet
14 with all of them. Now, I don't believe there's
15 anything in your codebook that says you have to
16 meet with those neighbors. There's nothing up in
17 Sacramento that tells me as an architect you need
18 to meet with neighbors and get input from
19 everybody. And I don't think there's anything in
20 the code book that says you should do that.

21 But I think it's decency. I think it's
22 courtesy. I think it's the neighborly thing to
23 do, and that's what I did.

24 We went about designing a few different
25 options. The first one did not succeed, but the

Page 4

1 second one we actually went back to the site.
2 And what I would do is set up a table on the
3 property, right on the sidewalk, and invite the
4 neighbors to come over. We put up a little
5 message and anybody could come over and talk
6 about it.

7 And after that second one, I don't
8 think we reached a 100 percent consensus that
9 this was great for everybody and everybody was in
10 support of it, but many people said this is good.
11 You've done a really nice job, and we're really
12 happy that you reached out to us. It was a great
13 thing because that had not happened in the past.

14 So we walked into that last meeting
15 some time ago, and when it came time for the
16 public discussion, I kind of got blindsided
17 because the folks who were in support of it were
18 no longer in support of it.

19 So at that point -- and I understand
20 that's the way the world is as well, you know,
21 but -- and I'm not going to cry over spilled milk
22 or anything like that, but at that point, I
23 realized that maybe my outreach was too much.
24 And at that point, I said let's look at the
25 rules, and let's take your design sensibility,

Page 5

1 Peter, that you've developed over the years --
2 scale, proportion, texture, all those things that
3 will enable what you're proposing to assimilate
4 and fit into this neighborhood.

5 So at that point, I started to really
6 look at how can we design something that's going
7 to be a contributing structure to this
8 neighborhood? And I did look at the neighboring
9 streets. Now, there's Fremont Street and there's
10 these larger stresses there, but they're not
11 quite the scale as Orange Grove Place. But you
12 go out into Orange Grove Avenue, and it gets a
13 little bit closer. If you go down to Adelaine,
14 it's a little bit closer in scale. And I could
15 not find one street that didn't have one-story
16 and two-story buddings on there. And it wasn't
17 until they had two-story buildings they kind of
18 echeloned back and got larger as they went back.
19 We have those in town. They're wonderful. But
20 there were many where it just went straight up
21 two stories. And the key was not that it was a
22 two-story façade but the scale of it.

23 There's a house on Adelaine at 1035
24 Adelaine that's two story, and it is the cutest
25 two-story you're ever going to see. It's all

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1 about the scale, and you're going to find that
2 the plate heights and everything that we have on
3 this project, they're not these McMansions that
4 you're going to find all over Los Angeles, kind
5 of destroy the fabric of what South Pasadena has
6 tried to preserve so nicely.

7 So we think we created a solution that
8 is compatible. I think that the reality of being
9 in South Pasadena is you're going to have one-
10 story and two-story structures. Yes, right at
11 the sidewalk. Not on the sidewalk but at the
12 front of the yard, not just in the back of the
13 yard.

14 The building that's there, always my
15 first option is try to preserve what's there, but
16 the building that's there, I think it had mold in
17 it. One portion of the foundation was sinking,
18 so I don't know that it's a safe or habitable
19 structure in any way. It had no redeeming
20 quality when it came to historic value, so it was
21 easy for me to say, you know what, let's let that
22 one go away. There's a house right next door.
23 It's beautiful. It would be a sin if that house
24 were taken down. It has such historic value. So
25 I acknowledge those things.

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1 Now, the reason I have this image up
2 here -- this is not our project, okay? But this
3 is a project we did in Pasadena. Okay. In the
4 background there is the oldest brick building in
5 Pasadena, and it's on the historic register. And
6 we also did an addition in the renovation for the
7 Friends paper building, which is now a sofa
8 company on Green Street. And we actually
9 received awards for historic preservation in the
10 city of Pasadena.

11 Now, if you go on my website, it's the
12 furthest thing from historic preservation.
13 Right? You say, wow, this is a modernist
14 architect. He wants to put up a modernist box.
15 It's just not the case. I mean, I really love
16 the details that are here. I love those historic
17 buildings. And we're sensitive to it. But we're
18 not interested in creating what the state calls a
19 false sense of history. The last thing we want
20 is South Pasadena to be like Disneyland. There's
21 a certain authentic architecture here that you
22 can -- I mean, you can sink your teeth into this.
23 This is really beautiful.

24 And there are streets where we're
25 seeing more contemporary type buildings, but

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1 they're compatible in color, and texture, and
2 things like that. So I know that marriage can
3 take place successfully. So I've showed this
4 only because I do have a sensitivity to the
5 historic approach to things.

6 Then the other thing I want to show --
7 and I know you all have this package as well.
8 The client is not interested in doing something
9 that is inexpensive, low-budget type of project.
10 It's always been about quality, okay, and the
11 details in the project are all about quality.
12 Even the sensitivity to looking up to the
13 underside of an eave where you'll have wood --
14 okay, in this case it's redwood. The stucco is a
15 warm color. It's not a white, stark-white box.
16 What I'm finding is that we're taking many of the
17 materials that already exist in South Pasadena
18 and reapplying them in a little bit more of a
19 contemporary pallet.

20 The two packages that I gave you are
21 two different alternatives, one that leans a bit
22 more towards Mediterranean stucco style, and the
23 other one has a vertical siding on it that breaks
24 the scale down even more if the folks are worried
25 that, hey, you're going to have two stories of

1 stucco, and that may not be compatible with
2 scale. So we're trying to be compatible and
3 really to work with the board.

4 Copper planters, railings of glass but
5 frosted glass to preserve a view. No one can
6 look down on you because there's a frosted rail,
7 and you can't see up, so it gives you some
8 privacy.

9 Standing seam metal roof is on there
10 really for longevity. We're not interested in
11 putting up a building that's going to need to be
12 torn down in 30 years because the quality is not
13 there. This roof will last 70 years in Southern
14 California.

15 Pavers and how we're breaking down the
16 scale of things instead of large swaths of
17 concrete.

18 And then how we're going to use the
19 landscape to break down the scale of the building
20 even more so.

21 Now, I know when we submit these
22 drawings we're supposed to show you the building,
23 and you get the building on steroids basically.
24 When you go to the sidewalk or if there's a
25 street and you see the building, there are all

1 these trees. All those things naturally break
2 the scale down.

3 I'm not proposing to put up a building
4 that's 35 feet in height, even though that's
5 what's allowed. I think we're at 23 or 24 feet.
6 We're well below the height. That combined with
7 the landscape, we think we're going to be able to
8 break the scale down on this building to fit
9 comfortably into that neighborhood.

10 Then after that, these are all the
11 renderings that you've seen. I'm not going to
12 spend a lot of time on these, but this is the
13 two-story more Mediterranean type approach. You
14 can see the buildings in the foreground. That's
15 the one story that's next door. We've broken
16 down the scale even with the color. We've broken
17 down the roof massing. Planting -- all these
18 different ways to break down the scale of the
19 building.

20 But we understood that, you know what,
21 maybe that's a bit much. So on the second one,
22 you'll see that we've broken down the façade in
23 (indiscernible) and materials. Okay. Both of
24 these solutions, okay, have all open space, open
25 area requirements satisfied at ground level. At

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1 one point, one of our earlier proposals had the
2 ground -- all the open area up on the second
3 floor and contributed even more to the massing of
4 the project. Neighbors were concerned, and I
5 think rightfully so, that this deck would be
6 looking down into their backyard. That doesn't
7 happen anymore.

8 And then the last thing we did is we
9 did a little streetscape photograph of what's
10 going on there on Orange Grove Place. And you
11 can see everything. And on the bottom image,
12 you'll see our building right smack in the
13 middle, adjacent to another building that I don't
14 think we -- I think we're almost as tall, maybe a
15 foot taller than that building. Okay, but that
16 building is a one-story building, and ours is two
17 stories. I believe it's two story at the rear.

18 But in any event, we're not proposing
19 to out scale everything. And if I zoom in a
20 little closer, I place that building there, and
21 you can see it, I think, in a little bit more of
22 its context with the trees and how we break it
23 down and scale.

24 There are no garage doors.
25 Yael LIR: (Indiscernible).

1 PETER DEMARIA: All the parking is
2 hidden, and that's by choice. We're trying to
3 keep it in character with that neighborhood.
4 Most of the post-World War II homes and
5 craftsman-style homes don't have a garage door
6 that's facing the street. It's off the alley or
7 it's around back, or the garage is, you know, at
8 the end of a long driveway.

9 So we're respecting many of those
10 things that I think are already part of the
11 neighborhood. And then the materials that I've
12 chosen for the project are all about quality. We
13 don't see this neighborhood of South Pasadena
14 taking a turn for the worse. It's just going to
15 get more valuable. The homes that are not on the
16 historic register, if they have redeeming
17 qualities, we're going to keep them, I'm sure.
18 But if they don't, they're going to disappear,
19 and something's going to have to go in their
20 place. So we're proposing a quality solution
21 that I think is in scale with what's taking
22 place.

23 Thank you.

24 VICE CHAIR MARK SMEATON: Would you
25 mind going back one slide?

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1 PETER DEMARIA: Sure. I think that
2 should be part of the packet that we gave you.
3 If you don't have it, I can -- I have a copy.

4 CHAIR CONRADO LOPEZ: Questions from
5 the Board?

6 Can you give us a little background on
7 how many -- well, I know there was an architect
8 before you but how many times you have come to us
9 and the size of the proposal each time you came?

10 PETER DEMARIA: Mh hmm. I think we've
11 been here at least twice. Okay, different
12 proposals. And we've done everything from had
13 one story solutions. I thought we had some
14 excellent solutions in the past, and I think a
15 lot of that was rooted in what I mentioned
16 earlier where speaking with the neighbors and
17 what they would like to see.

18 But I found that that approach just
19 wasn't working. So I said I can't keep trying to
20 hit the goal if they keep moving the goalposts.
21 So at that point, I seem like I can't do that.
22 And I think at some point, even the commission
23 was coming back to us with recommendations that
24 were kind of scattered. They were kind of a
25 little of this, a little of that because there

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1 was no clear direction on what was -- what we
2 wanted to eliminate, what we wanted to get rid
3 of. And I think some of that was part of the
4 frustration that was born out of trying to
5 satisfy maybe too many folks at one time. And,
6 you know, too many chefs in the kitchen -- or
7 designed by committee sometimes leads to
8 frustration.

9 So at this point, that's why I said we
10 went back in. Said let's look at the letter of
11 the law. I get him, and he keeps me tempered and
12 says, listen, this is the law. This is what
13 you're going to have to do. He kept me
14 restrained. And after that, I said, okay, let's
15 talk about the details, and the beauty, and how
16 we can be something that contributes to the
17 neighborhood.

18 VICE CHAIR MARK SMEATON: So in the
19 past, you've -- oh, I'm sorry. Jim?

20 JAMES FENSKE: No.

21 VICE CHAIR MARK SMEATON: Oh. In the -
22 - I looked at a -- I wasn't involved in two to
23 three years ago, as this has been granted for
24 quite a long time, but I read through some of the
25 meeting minutes. And in the meeting minutes from

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1 reasonable in the back. I could go over
2 everything, like I said, that we've discussed.
3 All of the issues with scale, massing, size,
4 compatibility, traffic flow, all of that, it
5 still remains. So I ask that you deny this
6 project based on that.

7 Thank you.

8 ANA UEHARA: My name is Ana Uehara. I
9 live at 1050 Orange Grove Avenue. So I have to
10 deal with the alley in the back of this house.
11 1050 Orange Grove Avenue, the alley in the back
12 part of it. I don't see why Ms. Chan cannot
13 build the three units because one of them is
14 going to park on Orange Grove Place, and the
15 other two are going to park in the back. So it's
16 not traffic over there at all because the three
17 parking places that this -- these people over
18 here got, they got exclusive cars that they never
19 take out or they never -- they take it maybe once
20 or twice a year. And the last one in the back of
21 us is the building, the house that is two
22 stories, they park in Orange Place. They don't
23 park in the back.

24 So I don't see no reason why Mrs. Chan
25 cannot build the two units in the back. To me

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1 CHAIR CONRADO LOPEZ: Let's not do
2 this.

3 JAMES FENSKE: All right. No back and
4 forth. Sorry.

5 CHAIR CONRADO LOPEZ: Yeah. Let's not
6 do this because then we're going to keep going
7 for an hour.

8 JAMES FENSKE: Right. My bad. So --

9 MICHAEL LEJEUNNE: Thank you, Conrad.

10 JAMES FENSKE: So the idea is to make
11 it compatible. Massing wise, not so much because
12 it's a multi-family, but at least, you know, a
13 nod to the neighborhood with that one story in
14 front. So scale and massing and the design
15 style.

16 You know, that other one that we had
17 that was right next door that you're using as
18 reference I think was a mistake. It's
19 unfortunate, but it was so different that it was
20 okay. You know what I'm saying? We had that
21 idea that there's all these little bungalows in a
22 neighborhood. All craftsman, cute little
23 bungalows, and then there was this edgy something
24 else. And it seemed to go okay in our minds.

25 But in this case, there's a lot of it

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1 spent by members of this board, staff, talking
2 about the size, the massing of this project. And
3 I thought we were making progress, and it just
4 went completely backwards in this last proposal.

5 Guidelines are what it's called.
6 They're guidelines, so they're not rules that you
7 have to follow or rules that we have to approve.
8 They're guidelines, right? So design is
9 subjective. Opinions are subjective. Design is
10 subjective. So I'm not going to argue with you
11 guys saying that you followed the guidelines and
12 this is a design that flows the guidelines. It
13 might very well be. I'm not going to go
14 guideline by guideline arguing this or that or
15 the other.

16 The truth is that we spent, like I
17 said, many hours talking about the size and
18 massing of this project, and just because zoning
19 says you can do it doesn't mean you can. And
20 that's why we, the board, exists, is because,
21 like you said, this might be a perfect example of
22 how the guidelines are interpreted, but that
23 doesn't mean that it's good architecture that
24 fits in the site and in the neighborhood.

25 And we -- again, I don't want to

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1 revisit all the numerous comments that we've
2 made. Having a two-story structure in the front,
3 we said -- one of the guidelines I think it says
4 it would be nice to articulate that and have a
5 smaller, porch-style one-story volume in the
6 front besides the fact. The house to the side
7 has it.

8 And again, I'm not going to talk about
9 that because that's approved and it's done. What
10 we can work on is what's coming next, and it's
11 very disappointing, and I just -- I can't see
12 myself approving this project in this form.

13 MICHAEL LEJEUNNE: Let's see. I had a
14 couple thoughts, and none of them have to do with
15 the particular architecture of the project
16 because though this body has specific guidelines
17 and sort of rules, if you will, for how we
18 proceed, what we can ask for, what we can't ask
19 for -- and I've learned a number of those over
20 the years -- this is the place where community
21 comes to express themselves about particular
22 projects. And so I think that whether or not it
23 finds its way into a particular motion wording or
24 vote, this is our responsibility to kind of
25 synthesize and monitor what happens in this room

1 in situations such as this.

2 I think you are a good architect. I
3 see some very nice touches for this particular
4 project were it not in Year 4 with every neighbor
5 lined up to say no. I don't know how that can be
6 considered good architecture for this particular
7 situation.

8 And I'm seeing it for the first time in
9 the last week and a half since my packet was
10 delivered. We just can't look at it through
11 drawings and flats, and even your nice computer
12 drawings. We have to look at it within the lens
13 of what's going on in this room. It's four
14 years. I just went through four years of notes,
15 and back and back and back and back. And every
16 time there's clearly -- maybe even some of the
17 neighbor players have changed, but there is
18 continued protest.

19 Part of me wants to say why would you
20 want to set -- whoever's going to live here is
21 sect to this. I don't know whether these units
22 are sellable or whether they're only for lease.
23 Either way, when we consider the alley, the
24 traffic, the lack of turnaround, the project that
25 got away and exists on the street now, that

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1 doesn't mean that the mission here is to let more
2 of this get away. There are plenty of streets in
3 South Pas where you drive down the streets and
4 you think, wow, that really got away from
5 somebody at some point, usually in the '70s, you
6 know? But we fix that through the McMansion
7 guidelines.

8 As far as the very detailed response
9 from the attorney in this situation, to me that
10 feels like prelude to a lawsuit, not any kind of,
11 you know, effort to respond as a community. It
12 just feels like that's going to be taken from a
13 letter submitted to the Design Review Board right
14 into a lawsuit against the city.

15 All I can say being the newbie here is
16 we're not headed in the right direction, are we,
17 with this project. Conrad said it in another
18 way, but this is community, 55 years this year
19 that I've lived here. So I have a lot of pent-up
20 history, and I'm still going to be as impartial
21 as I can be, but I think maybe that's part of my
22 purpose here.

23 I'm not an architect on this board. We
24 have plenty of very detailed representation as to
25 heights, footprints, materials, but there are

1 other considerations for the Design Review Board
2 at play.

3 Any time there's this kind of unanimous
4 -- I'm not hearing anybody in support of the
5 project. There was a sort of halfway support for
6 trying to rid the current project of its trash
7 and drug use, but I'm not hearing -- there's no
8 support for the project. And we haven't heard
9 from the owner. It's just a lot of indicators.

10 And I think it's a lot of mass, and I
11 can certainly understand the parking issues and
12 the street issues. That is a spot for Gold Line
13 parking. There isn't a turnaround. It's
14 probably true that the city can't afford to
15 improve that alley, and this is on that side of
16 the alley. I would hate for there to be
17 fisticuffs in the back alley over who's going to
18 back up because, you know, that would be
19 unfortunate and not beyond the pale in a town
20 with this much passion and people believing in
21 where they live.

22 VICE CHAIR MARK SMEATON: I won't
23 repeat what our other -- my other fellow board
24 members have done other than just maybe a couple
25 points. It is always nice if somebody -- if

1 issue of how the massing breaks apart in the
2 back. I don't really mind that, but it's kind of
3 in your face, and it's not really scaled well at
4 the street level, and that's what everybody --
5 that's what you feel. That's disregarding the
6 whole parking problems that you have on this
7 street. That's obviously another issue.

8 And I think as Jim pointed out and as
9 we all have pointed out, it's unfortunate that
10 this area is zoned for what it is because it's
11 just not set up for that. And unfortunately,
12 more and more of these things are going to happen
13 as people turn over their homes.

14 And maybe a way to deal with it is talk
15 to the city about rezoning. That's the real deal
16 because otherwise you're going to be fighting
17 this a lot. And not every block needs to be
18 multifamily for density. Density can occur on
19 main streets. When it gets too far off field, it
20 does create problems.

21 So unfortunately, I think we know where
22 me opinion is at this point.

23 YAEL LIR: Just a few words that were
24 not said before. If I would be a person coming
25 to live in this house, I don't think I would like

1 to because there's no green space. It's just
2 basically a place to live, but it's not quality
3 of life. In units like this, it's too congested.
4 There's no space to put a pin.

5 MAN 3: Can you put your microphone
6 down, please?

7 YAEL LIR: I said there's no space to
8 put a pin. There's no green space. You cannot
9 go out and breathe. It just doesn't fit the
10 neighborhood. South Pasadena is not about
11 filling it up with buildings and have people be
12 able to send their kids to South Pasadena
13 schools. It's more than that.

14 I have nothing to -- this design can be
15 beautiful in another location, but not this one.
16 So that's what I have to say.

17 CHAIR CONRADO LOPEZ: All right. Well,
18 I would like to make a motion to deny the project
19 based on -- and looking at the list of findings,
20 that it doesn't follow Finding Number 3: is
21 compatible with the existing character and the
22 surrounding neighborhood. More than the
23 architecture necessarily because we understand
24 that, you know, going to a multifamily is
25 different. We're not talking about two stories

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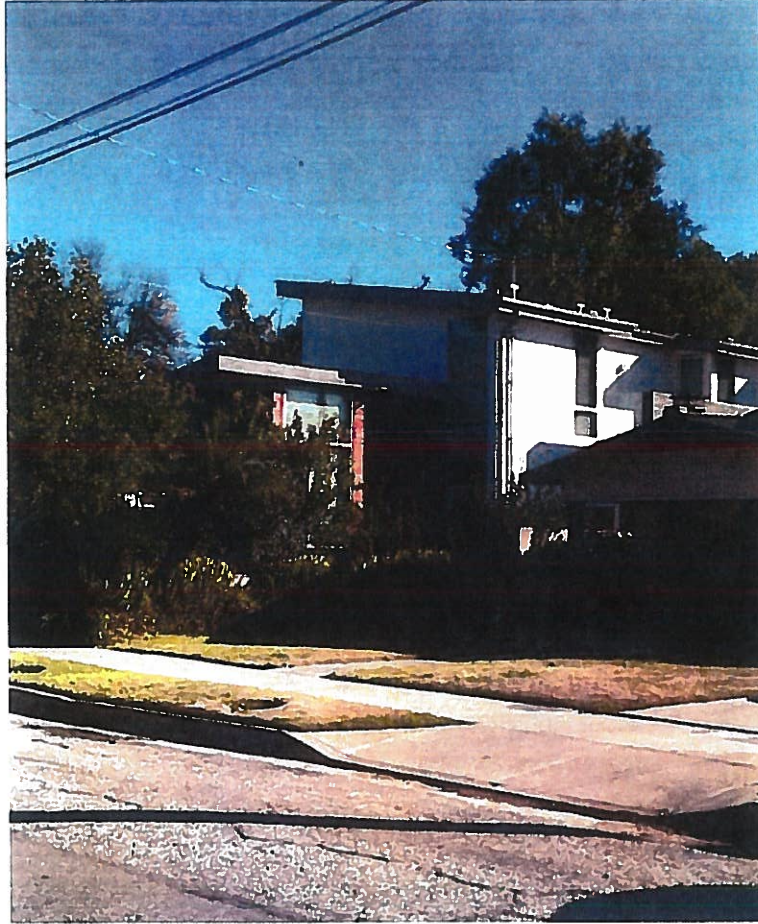
1 CHAIR CONRADO LOPEZ: All those in
2 favor?
3 MICHAEL LEJEUNNE: Aye.
4 VICE CHAIR MARK SMEATON: I.
5 YAEL LIR: I would like to say that,
6 you know, I don't think --
7 CHAIR CONRADO LOPEZ: All those
8 opposed? Let me vote. Let's finish the vote,
9 and then we can talk.
10 YAEL LIR: Okay.
11 CHAIR CONRADO LOPEZ: So you guys are
12 opposed?
13 JAMES FENSKE: Nay.
14 CHAIR CONRADO LOPEZ: Nay?
15 YAEL LIR: I'm with you. I just think
16 three units for this lot is too much.
17 CHAIR CONRADO LOPEZ: No, agreed.
18 YAEL LIR: So maybe --
19 CHAIR CONRADO LOPEZ: Which one is your
20 vote?
21 YAEL LIR: Vote is to deny it, but you
22 say there can be appeal.
23 CHAIR CONRADO LOPEZ: All right. So
24 she's a yes. You are with the --
25 YAEL LIR: Right.

817 ORANGE GROVE PLACE (THE "PROJECT")

2-STORY RESIDENTIAL STRUCTURES IN PROJECT'S VICINITY



1. 821 Orange Grove Place (immediately adjacent to Project)



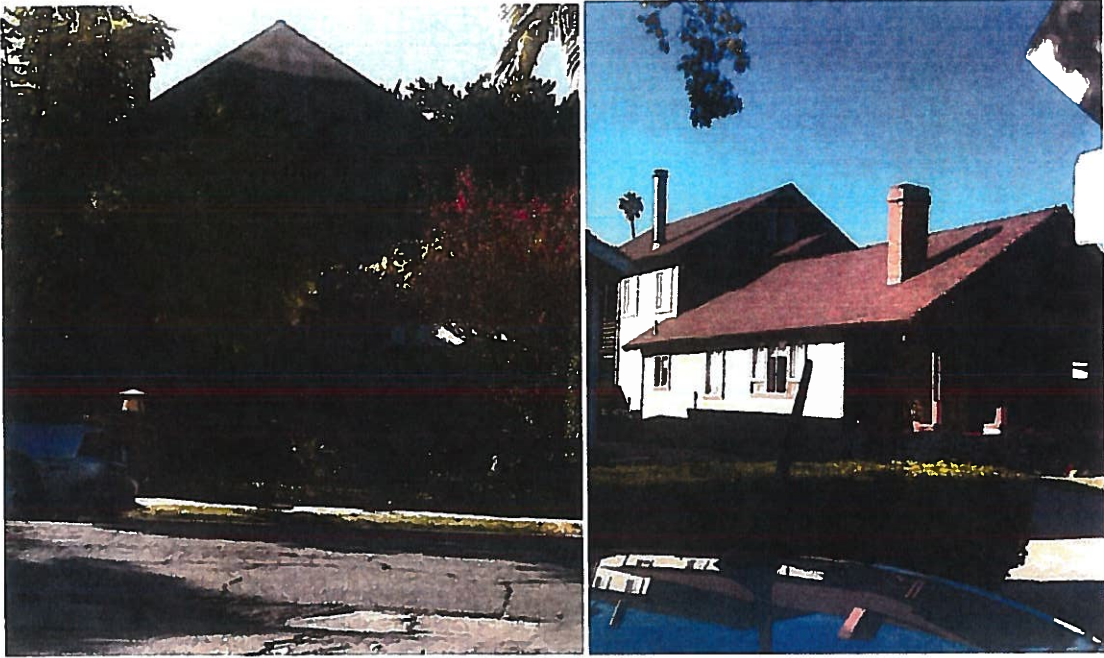
2. 1012 Orange Grove Avenue Multifamily Apartments



3. 1016 Orange Grove Avenue (front view, and rear view as seen from Orange Grove Place)



4. 1029 Orange Grove Avenue



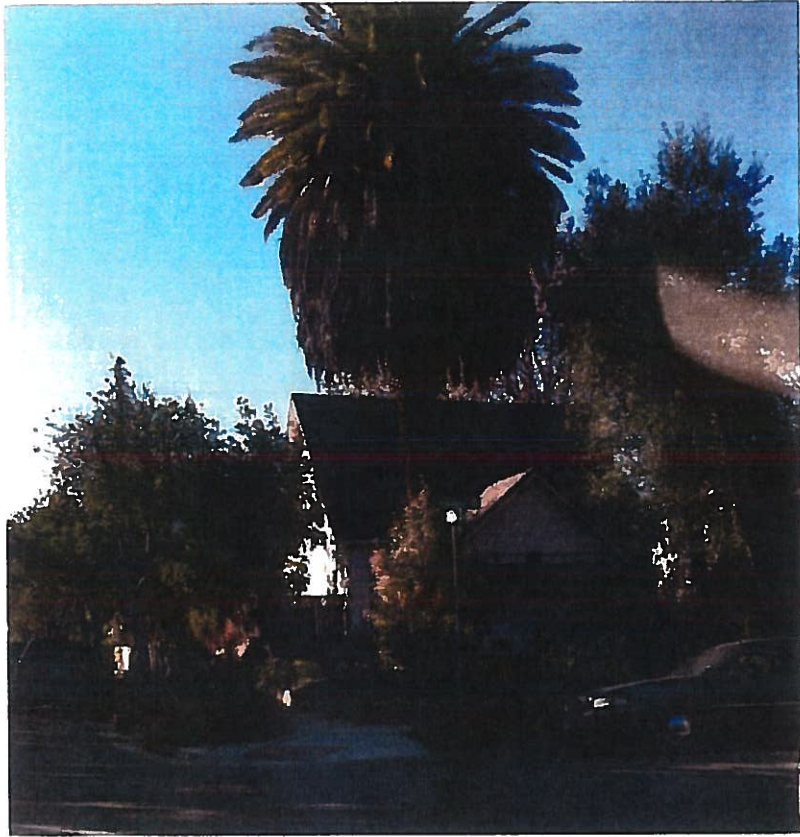
5. 1040 Orange Grove Avenue



6. 817 El Centro (front view, and rear view as seen from Orange Grove Place)



7. 1043 Adelaine Ave



8. 1039 Adelaine Ave



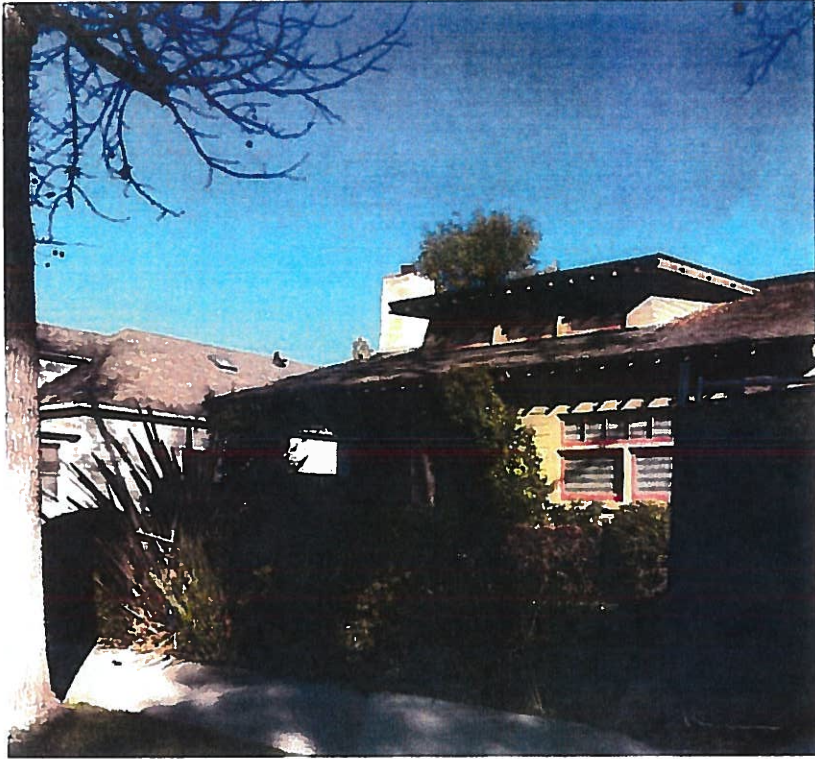
9. 1035 Adelaine Ave



10. 1036 Adelaine Ave (under construction)



11. 1030 Adelaine Ave



12. 1020 Adelaine Ave



13. 1015 Adelaine Ave

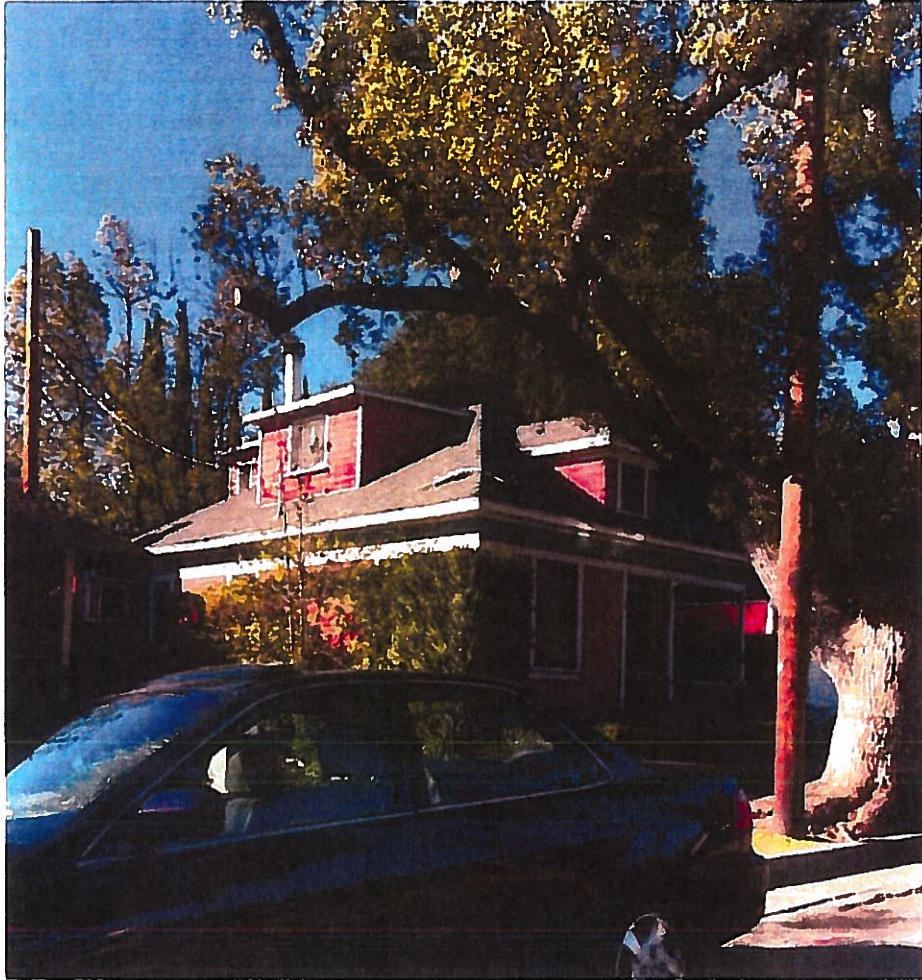
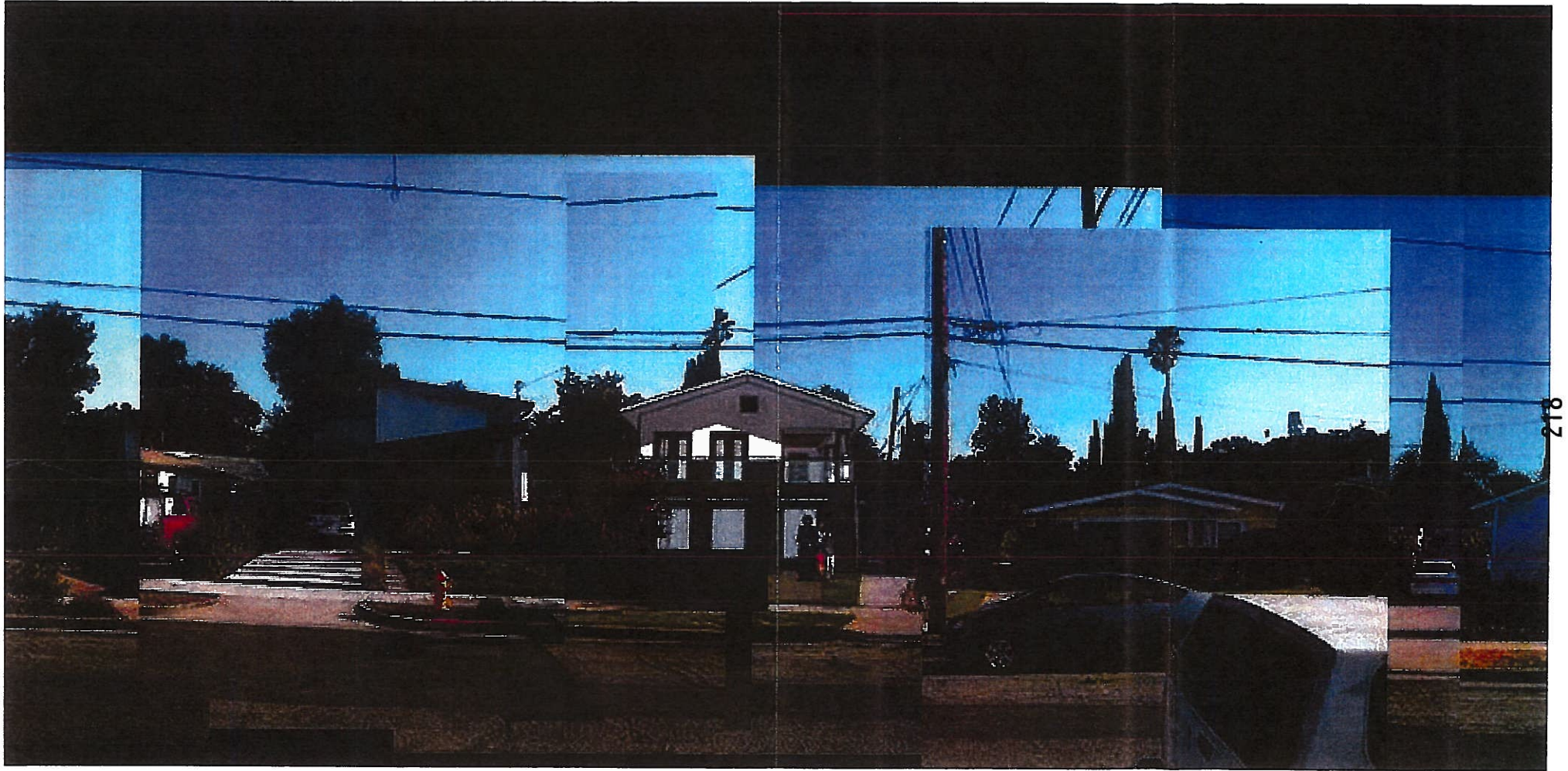


EXHIBIT E



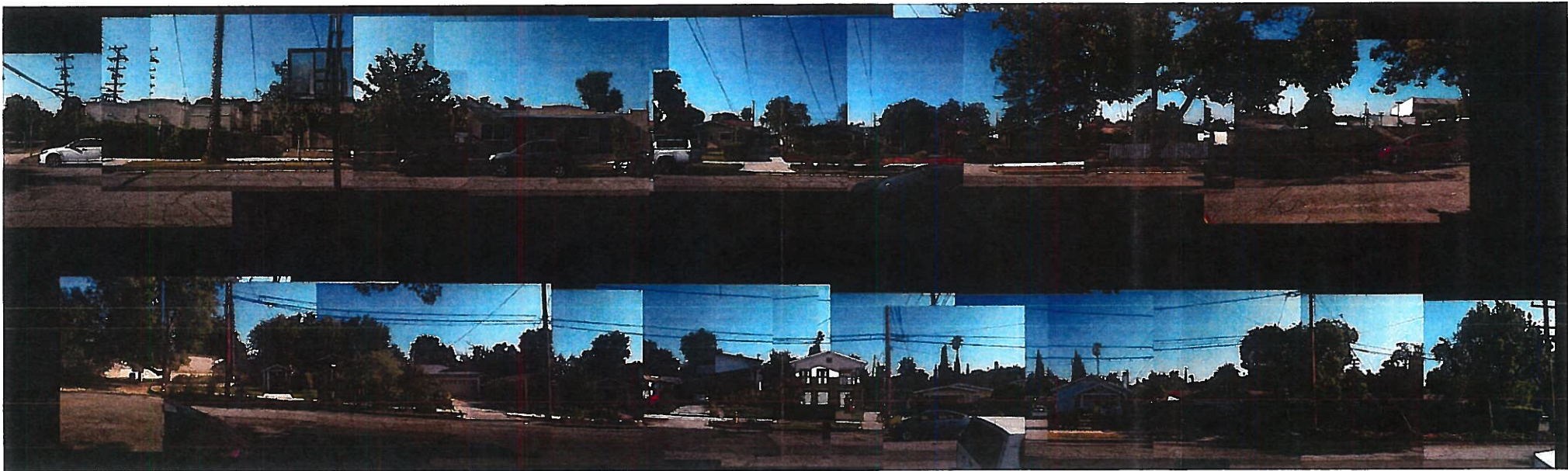


EXHIBIT F

**CONDITIONS OF APPROVAL
FOR
817 Orange Grove Place**

July 11, 2018

Public Works Department Conditions:

- 1) The applicant shall pay for all applicable city fees including PW plan review and permit fees.
- 2) The applicant shall submit a tract map package for review and approval prior to building occupancy.
- 3) The applicant shall provide copies of Title reports.
- 4) The applicant shall provide a copy of the CC&R'S for Public Works Department review and approval prior tract map approval.
- 5) The applicant shall pay City water and sewer connection charges per Resolution 7360.
- 6) The applicant shall contact the City Water Division to coordinate size, location, and associated fee for a new water meter connection as applicable.
- 7) Provide Los Angeles County Sanitation District letter of approval/fee receipt for sewer connection fee.
- 8) Video inspect the existing sewer lateral for obstructions and remove any obstructions observed. Provide copy of the inspection video of the cleared lateral.
- 9) Show the location of all existing utilities on public right-of-way, as well as utility point of connection (POC) and size of all existing or proposed services serving the property.
- 10) Replace all broken, damaged, or out-of-grade sidewalk, driveways, curb and gutter, painted curb markings, signs, asphalt/concrete fronting the property to the satisfaction of the City Engineer. The applicant shall repaint house numbers on curb.
- 11) The applicant shall remove existing driveway and replace with commercial driveway.
- 12) The applicant shall provide street plans show all existing condition within public right-of-ways, curb/gutter, driveway, existing features, trees, dimensions, and proposed improvements.

**CONDITIONS OF APPROVAL
FOR
817 Orange Grove Place**

July 11, 2018

- 13) The applicant shall be responsible implement necessary BMP measures Per City Municipal Code, Section 23.14. Provide a copy of approved BMP plan from Building & Safety Department.
- 14) The applicant shall comply with all requirements of California Drainage Law and/or the City of South Pasadena Low Impact Development Ordinance No. 2283. Provide copy of approved plan from Building & Safety Department.
- 15) Show all existing and proposed trees, including size and species, and indicate their disposition. The applicant shall provide methods of protecting existing trees during construction.
- 16) Show all existing and proposed trees, including size and species, and indicate their disposition. If any trees are to be removed, per City Ordinance No. 2126 amending Section 34.4 of the City Municipal Code, file for a tree removal permit application. See Municipal Code Section 34.5 for the required information and process for the trees that are proposed to be removed and/or impacted during construction.
- 17) Building structure shall not be constructed within critical root zone area. For native and protected species the use of the tree's DBH (X5) is the minimum critical root mass. For non-native and protected species use of the tree's DBH (X3) is the minimum critical root mass.
- 18) The applicant shall remove and replace a minimum 2" of existing asphalt to the centerline of Orange Grove Place, from property line to property line.
- 19) The applicant shall remove a minimum of 4" existing alley surface and replace with minimum of 4" asphalt pavement entire width of McCammet Alley fronting the property.
- 20) If trash pickup is proposed through McCammet Alley, the applicant shall provide Athens approval for the trash pickup services.
- 21) Show location of existing SCE power pole in front of the property and provide methods of protection during the construction.
- 22) The applicant shall apply for a change of address permit for the new homes prior to final occupancy.

ATTACHMENT 18

Legal Analysis from Owner's Legal Counsel, Patrick Perry

Dated: March 21, 2019

Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

Patrick A. Perry
E-mail: pperry@allenmatkins.com
Direct Dial: 213.955.5504 | File Number: 377127-00002/LA1157082.01

Via Electronic Mail

March 21, 2019

Chair Kelly Koldus
Vice-Chair Janet Braun
Secretary Richard Tom
Commissioner Steven Dahl
Commissioner John Lesak
City of South Pasadena Planning Commission
1414 Mission Street
South Pasadena, California 91030

Re: 817 Orange Grove Place

Dear Chair Koldus and Members of the Planning Commission:

As you know, this firm represents Ms. Patty Chan in connection with her appeal of the Design Review Board's denial of her design for a housing development project consisting of three residential units (the "Project") on the property located at 817 Orange Grove Place (the "Property"). On October 4, 2018 the City's Design Review Board ("DRB") denied Ms. Chan's application for the proposed Project, and Ms. Chan timely appealed the DRB's decision to the Planning Commission. The Planning Commission considered the appeal at its meeting on January 28, 2019 and continued its consideration until February 25, 2019 to provide an opportunity for the various interested parties to meet in an effort to resolve their differences regarding the Project. Members of the Planning Commission also made recommendations regarding proposed modifications to the Project, including a reduction of the front unit from two stories to one story and reducing the overall square footage of the proposed residential units.

Without waiving any of the grounds for the present appeal, Ms. Chan made revisions to the Project in response to the recommendations by members of the Planning Commission during the meeting on January 28. According to the current design, the square footage of the Project has been reduced from 4,977 square feet to 4,508 square feet, and the front unit has been reduced to one story. The revised design has also reduced the mass and scale of the proposed buildings by eliminating the outside stair to the rear unit, thereby allowing the rear structure to be placed farther back on the Property. The roof lines have also been reoriented to be parallel to the street in order to reduce the scale of the proposed structures as seen from the street.

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The revised Project was presented to Planning and Building Department staff for consideration by the Planning Commission at its meeting on February 25. Staff then requested, and Ms. Chan agreed, to continue consideration of the appeal until the Planning Commission meeting on March 25, 2019, in order to allow staff time to review the revisions to the Project prior to presentation to the Commission for consideration. As set forth below, the revised Project is consistent with the Planning Commission's recommendations and fully complies with applicable requirements of the South Pasadena Municipal Code ("SPMC") and the City's Design Guidelines for New Multi-Family Development (the "Design Guidelines"). We therefore urge you grant the appeal with instructions to modify the Project design as currently proposed.

1. The Proposed Design Fully Complies with All Applicable Zoning Requirements.

The revised Project consists of three residential units containing a total of 4,508 square feet as follows:

Unit A	One-story, one bedroom, one bathroom, 880 square feet.
Unit B	Two-story, two bedroom, 2.5 bathrooms, 1,814 square feet.
Unit C	Two-story, one bedroom, two bathrooms, 1,814 square feet.

According to the City's Zoning Map, the Property is zoned RM, Residential Medium Density. According to Section 36.220.040 of the SPMC, properties in the RM zone may be developed with up to 14 dwelling units per acre. The maximum allowable floor area ratio ("FAR") is 0.50, and the maximum allowable lot coverage is 50 percent. The maximum allowable height is 35 feet. Front and rear yard setbacks must be a minimum of 20 feet, and side yard setbacks must be 10 percent of the lot width but no less than four feet. According to Section 36.350.190 of the SPMC, 200 square feet of common open space is required for every multi-family residential development containing three to four units, and an additional 200 square feet of private open space is required for each unit. According to Section 36.310.040 of the SPMC, one parking space is required for a one bedroom multi-family residential unit; two covered parking spaces are required for multi-family residential units with two or more bedrooms, and one guest parking space is required for every two units.

The lot area of the Property is 10,104 square feet or approximately 0.23 acre, and the lot width is 47 feet. Up to three dwelling units and 5,052 square feet of floor area may therefore be developed on the Property. According to the drawings prepared by DeMaria Design, the proposed FAR is 0.445; the proposed lot coverage is approximately 28 percent, and the maximum height of the proposed structures on the Property is 28 feet, one inch. The proposed structures have front and rear yard setbacks of 20 feet. A side yard setback of 14 feet is provided on the west, and a side yard setback of five feet is provided on the east, both of which exceed the minimum setback requirements. Two hundred square feet of common open space is provided, and private open space

at least 200 square feet is provided for each unit. A total of four parking spaces and two guest parking spaces are provided.

Both the prior design and the current design therefore conform to all applicable requirements of the SPMC. As set forth in the Planning Commission Staff Report for the Project dated January 28, 2019, no other property in the neighborhood is fully conforming with the requirements of the SPMC. All but one of the properties are less than the minimum lot area of 10,000 square feet, and the only other property that exceeds 10,000 square feet is developed with four dwelling units, which is one more than what is permitted pursuant to the applicable development standards. Disapproval of the Project on the grounds that it does not conform to the nonconforming characteristics of surrounding properties is not an appropriate exercise of the City's discretion.

2. The Proposed Design Is Fully Consistent with the City's Design Guidelines.

As set forth below, the proposed design is consistent with the City's Design Guidelines for new multi-family development.

Building Massing and Plan Development.

- Minimize the visual impact of large monolithic structures by creating a cluster of smaller buildings or the appearance of a series of smaller buildings.
 - The proposed design includes three units located in two separate structures. Exterior walls are modulated, and roof heights are varied to avoid the appearance of single large monolithic structures. The front unit is one story. The rear units are designed as two separate attached two story units which are divided by inset central stairwells serving each unit. The roof lines have been oriented to be parallel to the street in order to deemphasize the scale and mass of the structures as viewed from the street. The mass of the proposed buildings has been modulated through the use of covered porches, overhangs, and inset building elements to avoid the appearance of flat, undifferentiated wall planes.
- Courtyard or garden style clusters of multi-family housing are highly encouraged.
 - The two structures are located at the opposite ends of the Property, with 200 square feet of landscaped common open space between. Landscaped open space is also provided adjacent to the front and rear setback areas.
- Interior courtyards should be used to provide sheltered private common space.
 - Common open space is located in the center of the Property between the two structures.

- Massing on multi-family buildings should articulate individual units or clusters of units. Building massing should include variation in wall planes and height as well as and roof forms to reduce the perceived scale of the building.
 - The front and rear units are all clearly articulated as individual units. Wall planes and roof heights are varied on both the front and rear structures to reduce the perceived scale of both buildings.
- Multi-family development adjacent to single-family neighborhoods should provide a buffer of single story and/or detached units along adjoining property lines.
 - The Property is not adjacent to a single family neighborhood. The proposed design nevertheless consists of a detached unit in the front and two attached units at the rear.
- Combinations of one, one and-one-half, and two-story units are encouraged to create variation in mass and building height.
 - The proposed design consists of one, one-story detached unit adjacent to the street, and two, two-story attached units in the rear with varied roof lines to create variation in height and mass. The height of the front unit is 18 feet, two inches to the main ridge and 23 feet, three inches to the top of the central cupola. The maximum height of the rear units is 28 feet, one inch, which is consistent with the height of the existing two-story structure located to the east and is lower than the permitted height of 35 feet.
- Garage openings should not be located at primary facades.
 - All parking is located at the interior and rear areas of the Property and is not visible from the street.
- Garage doors should be inconspicuous and should generally reflect single family residential scale.
 - There are no garage doors. All parking is located at the interior and rear areas of the Property and is not visible from the street.

Roofs - Materials, Form and Shape.

- Roofs should reflect a residential appearance through pitch and use of materials. Multi-form roof combinations are encouraged to create varying roof forms and break-up the massing of the building.

- The proposed design consists of residential scale gable roofs throughout at a pitch of 5.5:12. Roof lines are varied in height to break up the massing of both structures. Roof lines are also oriented parallel to the street to reduce the scale and mass as perceived from the street.
- Rooflines should be designed to screen roof mounted mechanical equipment. All screening should be constructed with the materials consistent with the lower stories of the building and should be designed as a continuous component.
 - There is no roof mounted equipment in the proposed design.
- Roof forms typical of residential buildings, such as gable, hip or shed roof combinations, are strongly encouraged. If a parapet roof is used, the roof should include detailing typical of residential character and design.
 - The proposed design consists of residential scale gable roofs throughout at a pitch of 5.5:12.
- Gutters and downspouts should be decorative and designed to integrate with the building façade.
 - Gutters will be placed at the eaves, and downspouts will be located at appropriate intervals to integrate with the building design.

Porches, Balconies and Exterior Stairways.

- Porches and balconies should be encouraged as they provide individual outdoor spaces.
 - The front unit has a front porch facing the street. The rear units have a small porch adjacent to each entrance, and the front unit in the rear structure has a cantilevered deck centrally located in the north façade.
- Porches and balconies should be detailed with features compatible with the architectural style of the building.
 - The design of the porches and deck utilizes the same materials and is compatible with the design of the proposed buildings.
- Long, monotonous balconies and corridors that provide access to multiple units should be avoided.

- Each of the units will have its own separate entrance. There are no balconies or corridors that provide access to multiple units.
- Architectural elements that add visual interest, scale, and character, such as recessed or projecting balconies, trellises, verandas, and porches, are encouraged.
 - The front unit has a front porch facing the street. The rear units each have a recessed porch adjacent to each entrance, and the front unit in the rear structure has a cantilevered deck centrally located in the north façade.
- Stairways should be designed as an integral part of the overall architecture of the building, complementing the building's mass and form.
 - No exterior stairs are proposed.

Windows, Doors and Entry.

- Design entry features to reflect the overall architectural identity and character of the project.
 - The entries to all three units are integrated into the design of each unit and are sheltered by a covered porch.
- The main building entrance should be clearly identifiable and distinguished from the rest of the building. All entrances should be emphasized using lighting, landscaping, and architecture.
 - The entrance to the front unit is centrally located in the covered porch attached to the front facade and is clearly visible from the street. The entrances to the rear units are also recessed under covered porches. All entrances will be emphasized with appropriate lighting and landscaping.
- Window and door type, material, shape, and proportion should complement the architectural style of the building.
 - Windows are primarily casement and awning type which are proportioned to the scale of the buildings. Exterior doors are residential in scale constructed of wood with glass panels.
- Where appropriate to the architectural style, windows should be generously inset from building walls to create shade and shadow detail.

- All windows are inset, providing shadow details as appropriate to the architectural style of the buildings.
- Windows should be articulated with sills and trim, and shutters, or awnings authentic to the architectural style of the building.
 - All windows are surrounded by sills and trim that contrast with the color of the surrounding walls to enhance articulation of the building façade.

Façade Treatments, Materials and Architectural Details.

- There should be a variation in wall plane on all facades visible from a public street or public view.
 - Wall planes and roof heights are varied on all facades, including those that are visible from the public street and public view.
- It is expected that the highest level of articulation will occur on the front façade and facades visible from public streets and public views; however, similar and complementary massing, materials, and details should be incorporated into all elevations.
 - The architectural treatment of all facades is consistent throughout the proposed design. Those facades visible from the public street have the highest degree of articulation, but all facades receive similar treatment.
- Architectural elements, such as overhangs, trellises, projections, awnings, insets, materials, and textures, should be used to create shadow patterns that contribute to a building's character and to achieve a pedestrian scale.
 - Porches, decks, and articulations in the wall surfaces are provided to create shadow patterns and contribute to the character of the proposed design. Horizontal projections punctuate offsets in the roofline and provide additional articulation on the buildings' facades.
- Employ materials that relate to the established architectural vocabulary of the neighboring buildings and districts.
 - The proposed design incorporates plaster and stone exterior finishes and residential scale gable roofs, which is consistent with the style and materials of neighboring buildings.

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Streetscape and Site Design.

- Development should be designed to avoid large parking areas, bulky structures, decreased private open space, rows of carports adjacent to public streets, and high walls at the street edge in order to enhance the aesthetic value of South Pasadena.
 - Parking spaces are dispersed within three separate areas in the interior of the Property and are separated by landscaping and open space and are not visible from the street.
- New multi-family structures should avoid large or over-scaled entries into subterranean parking areas. Avoid creating a “concrete canyon” entry to parking underground parking.
 - All parking is above grade.
- Intensified landscaping, increased setbacks adjacent to other uses, and appropriate building orientation should be used to buffer or transition residential uses from adjacent uses, such as commercial.
 - The Property is not located adjacent to commercial uses. The proposed buildings are set back 14 feet from the property to the west and five feet from the property to the east, which exceeds applicable setback requirements.
- Fences and walls should be constructed as low as possible while still providing screening, noise reduction, and security functions.
 - A new concrete block wall will be constructed along the western Property line. The portion located in the front setback area will be 36 inches high to match the existing block wall along the eastern Property line. The remainder of the new block wall along the western Property line will be 72 inches high. The existing block wall along the eastern Property line will remain.
- Fences placed adjacent to a street should be screened with a landscape buffer.
 - A 36 inch high wall is proposed adjacent to the front sidewalk with landscaping in front. A walkway will provide access from the sidewalk to the front unit.
- Courtyard, walkway, entry and parking lighting should be architecturally compatible with the building design.
 - All exterior lighting fixtures will be compatible with the building design.

- The lighting of building elements and trees is an effective and attractive lighting technique that is encouraged.
 - Outdoor lighting will be provided to enhance security and highlight architectural features as appropriate.
- Low-voltage/high efficiency and/or solar powered lighting should be used in the landscape whenever possible.
 - All exterior lighting will be low voltage or solar powered and will be controlled by light sensors and motion detectors as appropriate.
- Tile or masonry fountains are encouraged in public spaces.
 - N/A.

Parking, Garages, Carports and Ancillary Structures.

- Site plans should limit new curb cuts and driveway entrances to the extent possible.
 - The proposed design will utilize the curb cut for the existing driveway.
- New multi-family structures should avoid large or over-scaled entries into subterranean parking areas. Avoid creating a "concrete canyon" entry to underground parking.
 - All parking is located above grade.
- Carports, detached garages, and other ancillary structures should be designed as an integral part of the development.
 - All covered parking is integrated into the design of the Project.
- Garage doors should appear to be set into the walls rather than flush with the exterior wall.
 - Garage doors are not provided.
- Flat roofs on garages, carports, and ancillary structures are discouraged.
 - Flat roofs are not provided over covered parking.

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- Trash enclosures should be unobtrusive and conveniently located for trash disposal by tenants and for collection by service vehicles. They should never be placed near a primary entry nor should they be visible from the public right of way.
 - The proposed trash enclosure is located at the southeast corner of the property away from the primary entry and not visible from the street. Trash receptacles can be transported to the street for collection along the western Property line.

3. The Proposed Design Complies with All Required Findings for Approval.

The design and layout of the proposed Project is fully consistent with the following required findings of Section 34.410.040.I of the SPMC.

1. The proposed design is consistent with the General Plan, any adopted design guidelines and any applicable design criteria for specialized areas (e.g., designated historic or other special districts, plan developments, or specific plans).
 - As set forth above, the proposed design fully complies with all development standards and is consistent with the Design Guidelines. The Property is not subject to a specific plan or other specialized area, and the Cultural Heritage Commission has determined that the existing structures on the Property are not designated historic.
2. The proposed design will adequately accommodate the functions and activities proposed for the site, will not unreasonably interfere with the use and enjoyment of neighboring, existing, or future developments, and will not create adverse pedestrian or traffic hazards.
 - The proposed design fully accommodates all proposed uses on the Property in an orderly configuration. It will not interfere with the use and enjoyment of neighboring developments because it is set back from the property lines of adjacent properties and does not intrude on existing views. Existing pedestrian and vehicular access to the Property will be maintained and therefore not result in any adverse pedestrian or traffic hazards. The Project will incorporate a driveway through the entire length of the Property. Vehicular access to all units will therefore be available from both Orange Grove Place and McCammet Alley, both of which are public right-of-way. The entire width of the portion of McCammet Alley abutting the Property will be improved with four inches of new asphalt paving. Development of the Project will therefore enhance public safety, and failure of the City to maintain its own right-of-way should not constitute grounds to disapprove the Project.

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3. The proposed design is compatible with the existing character of the surrounding neighborhood, and all reasonable design efforts have been made to maintain the attractive, harmonious, and orderly development contemplated by this Section, and the General Plan.
 - o The neighborhood consists of an eclectic mix of different architectural styles. The proposed design blends with the neighboring properties in terms of style and residential scale. The front unit is one story, which is consistent with the development of surrounding properties and is lower in height than the existing house on the adjacent property to the east, and the proposed height of the rear units is consistent with the height of the existing house to the east. Both the front and rear units have traditional gable roofs with roof lines parallel to the street to deemphasize the scale and mass of the structures as viewed from the street, and the architectural style is compatible with other properties located along both sides of Orange Grove Place.
4. The proposed design would provide a desirable environment for its occupants and neighbors, and is aesthetically of good composition, materials, and texture that would remain aesthetically appealing with a reasonable level of maintenance and upkeep.
 - o As set forth above, the proposed design consists of a mix of tastefully designed and durable materials along with attractive landscaping that will enhance the existing streetscape and thereby contribute to a desirable environment for both occupants of the Property and surrounding residents.

4. Conclusion.

As set forth above, the Project has been revised to be sensitive to the concerns of neighboring residents and responsive to the recommendations of the Planning Commission. You are accordingly respectfully requested to grant the appeal of the DRB's decision and approve the Project as currently designed.

Your careful attention to this matter is greatly appreciated. We are available to meet with you at your convenience to discuss these issues in greater detail. In the meantime, please do not hesitate to contact me with any questions or if I can provide any additional information.

Very truly yours,



Patrick A. Perry

PAP

ATTACHMENT 19

Revision to Design of Proposed Project,
Architectural Drawings, Material Booklet,
And Architectural Renderings,
March 2019

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PLANNING AND BUILDING DEPT.**



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Chan Residence
817 Orange Grove Place
South Pasadena, CA

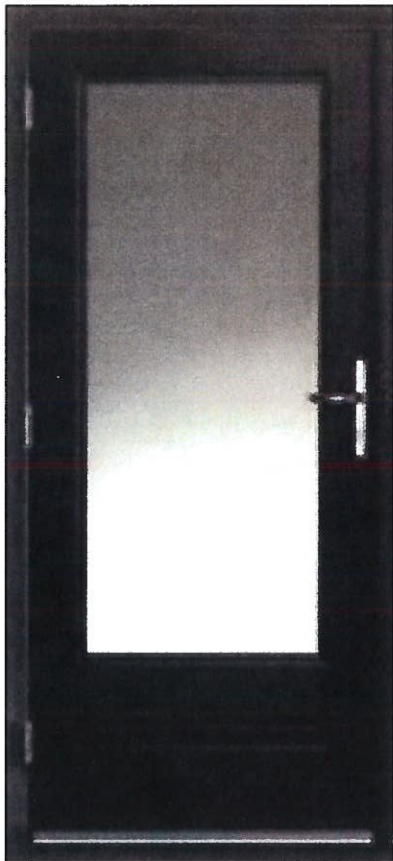
Exterior Material Booklet
March 14, 2019

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Front Door



Living Room and Balcony Doors



Deep-set Window and Door Jamb

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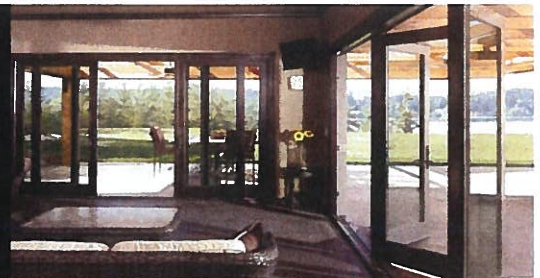
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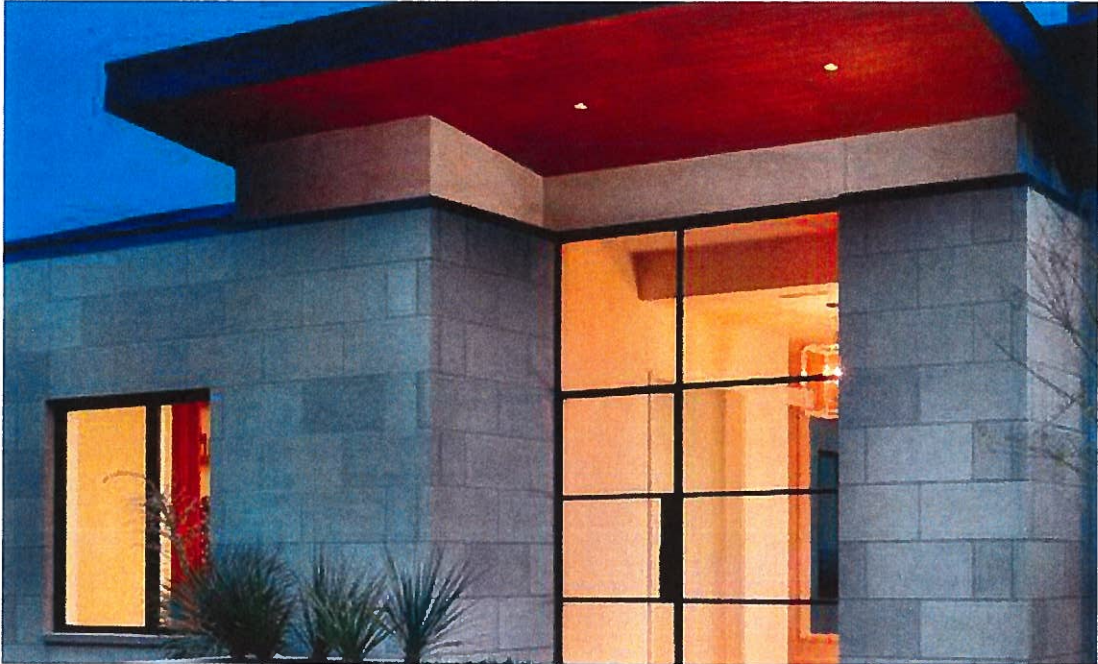


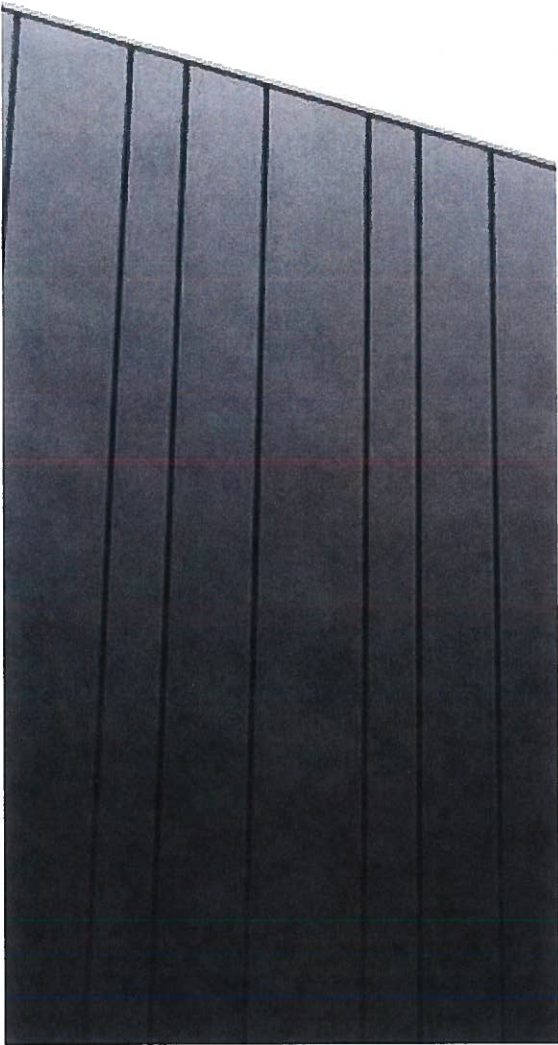
Chan Residence

EXTERIOR: SANTA BARBARA MISSION STYLE SMOOTH TROWEL STUCCO by LAHABRA



Dove Grey
40 (66)
Base 200





Chan Residence

BALCONY RAILINGS TEMPERED GLASS WITH BRASS RAIL CAP by VICEGLASS

CLEAR TEMPERED GLASS OR ALTERNATIVE OBSCURED by CR LAURENCE

