




City Council Agenda Report

ITEM NO. 14

DATE: October 2, 2019

FROM: Stephanie DeWolfe, City Manager 

PREPARED BY: Kanika Kith, Interim Senior Planner
Margaret Lin, Manager of Long Range Planning and Economic Development

SUBJECT: **Appeal of the Planning Commission Decision (Project No. 2221-Appeal) to Approve a New Triplex Development at 817 Orange Grove Place (APN: 5315-018-064)**

Recommendation

It is recommended that the City Council deny the Appeal (Project No. 2221-Appeal) to uphold the Planning Commission approval of a new triplex development located at 817 Orange Grove Place, subject to the Conditions of Approval with additional conditions from Public Works.

Commission Review and Recommendation

This matter was reviewed by the Planning Commission in January 2019, as an appeal of the Design Review Board's (DRB) decision on October 4, 2018 (Project No. 2180-Appeal) to deny the project on the basis of its failure to meet Finding 3: Neighborhood Analysis and Compatibility. On April 9, 2019, the Commission conditionally approved the triplex development (Project) after requested revisions were made by the applicant and the Commission determined that the Project was consistent with the General Plan and required Design Review Findings.

Executive Summary

The applicant submitted plans in 2014 for a Design Review of a 3-unit residential project, permitted by-right, which met all code requirements. On October 4, 2018, following four meetings since December 2014, the DRB denied the Project on the basis of its failure to meet Finding 3 (Neighborhood Analysis and Compatibility). The DRB could not find that the Project design was compatible with the neighborhood because of its proposed massing and architectural design. The applicant appealed the DRB decision in January of 2019 to the Planning Commission, and on April 9, 2019, after submitting revised plans, the Commission approved the project with a vote of 3-2. The proposed project would include the demolition of the existing structure and construct a new triplex comprised of approximately 4,326 square feet of living space. Following the approval in April, members of the neighborhood filed an appeal citing concerns with the proposed room count, potential traffic and parking impacts along the dead-end street and alleyway, and the overall scale of the project.

Project Description

The triplex project as approved by the Planning Commission consisted of two one-bedroom units at the front and rear, and one two-bedroom unit in the middle. Total living area will be 4,326 square feet with four covered parking spaces and two uncovered parking spaces for guests.

The project site is approximately 10,102 square feet, relatively flat lot, with access via Orange Grove Place and abutting alley (adjacent to the Metro Goldline right of way). The site is located in the Residential Medium Density (RM) General Plan Land Use category and Zoning District.

Site's Background

The site contains existing structures totaling 2,810 square feet of living space, 27% floor area ratio (FAR). The existing single-story front unit was constructed in 1922 and is 1,150 square feet in size. A recently demolished single-story rear second unit (located centrally on the site) was constructed in 1960 and was 1,660 square feet in size. 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. An existing detached 560 square foot two car garage was constructed in 1923 and is located at the rear of the lot (closest to the alley). The front unit and rear detached garage remain standing and occupied.

Discussion/ Analysis

Following the DRB's denial of the Project, the applicant submitted an appeal to the Planning Commission. A brief summary of the Commission's timeline and meeting are provided below. The Planning Commission ultimately approved the project on April 9, 2019 with a condition (below) added to address the concerns from the neighbors.

Condition added by the Planning Commission:

“Prior to the issuance of building permits for either building, the applicant shall provide a revised floor plan demonstrating compliance with the South Pasadena Municipal Code, the Los Angeles County Building Code, and the California Fire Code, by depicting one or two bedroom units, through the elimination of excess bathtubs, showers stalls, and bathrooms, removing full-height walls and doors, or other means, to the satisfaction of the Chair or their assigned delegate.”

Additional Conditions

Approval of the project at Planning Commission did not include specific conditions (see Attachment 1) relating to on-site and off-site improvements from Public Works department. Therefore, staff is requesting the City Council include the conditions of from Public Works, included as Attachment 2 to this report. These conditions specify the improvements needed for on-site as well as off-site requirements that are necessary for access to the project site.

Planning Commission Timeline:

<u>Date</u>	<u>Staff Recommendation</u>	<u>Commission Action</u>
January 20, 2019 (1st review of the appeal)	Deny appeal and uphold DRB decision.	Continued.
February 25, 2019	Continue to a date certain to permit the exploration of a potential resolution.	Continued to March.
March 25, 2019	Deny appeal and uphold DRB decision.	Continued to April
April 9, 2019	Review the revised project and grant the appeal with conditions of approval that the project be built consistent with the revised drawings.	Approved, subject to conditions of approval

*November 13, 2015 – City received a report that deemed the property ineligible as a Historic Resource; therefore, no CHC review is needed

January 20, 2019 Planning Commission Meeting

Concerns were raised by members of the public and the Commission regarding the design of the Project. The Commission addressed the rights of entitlement along with compatibility of the neighborhood - compatibly being central to the reasoning behind the DRB’s decision to deny the project. It was expressed by the Commission that the purpose of the continuation was intended to provide the applicant the time and opportunity to work with the neighborhood and address the issues raised at the hearing of the appeal.

March 25, 2019 Planning Commission Hearing (Continued from January 20, 2019)

The project was revised and presented to the Planning Commission to address the concerns about massing and neighborhood compatibility. The changes included the following:

- A reduction in square footage from 4,977 square feet to 4,508 square feet (a 469 square-foot reduction).
- A single-story front unit (Unit A) instead of the originally proposed two-story front unit.
- Change in architectural form to reduce the visual mass and bulk.
- A reduction in scale of Unit A (front unit) from 2,319 square feet to 880 square feet (38% reduction)
- An enlargement of Unit B (rear unit) to 1,814 square feet from the originally proposed 1,187 square feet (approx. 53% enlargement)
- An enlargement of Unit C (rear unit) to 1,814 square feet from the originally proposed 1,471 square feet. (approx. 23% enlargement)

The developer’s representatives presented the revised project and noted the changes that were made to the project including a reduction of gross square footage by approximately 500 square feet, and design techniques to reduce the scale of the project. Staff noted the project still needed to address required parking provisions including quantity and sizing.

The architectural style of the proposal remained 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.

Several members of the public spoke in opposition to the revised project, expressing concerns of the proposed room count, potential traffic and parking impacts along the dead-end street and dilapidated alleyway, and the overall scale of the project.

Members of the Commission noted that they appreciated the reduction in the massing of the front unit for scaled compatibility with the neighborhood, however they were concerned that shifting the square footage from the front unit to the rear units created visual bulk at the rear. The Commission requested, at the developer's consent, to continue the hearing to the next Planning Commission meeting on April 9th so that the developer could resolve the parking requirements and address the concerns about the massing on the rear units.

April 9, 2019 Planning Commission Meeting

The project was revised to reduce massing of the rear units to address the concerns from the Planning Commission in March, which included the following:

- Reduction in total F.A.R. from 44.5 percent to 42.8 percent (4,508 square feet to 4,326 square feet)
- Unit A, located at the front was reduced by 20 square feet from 880 square feet to 860 square feet.
- Unit B and Unit C, located at the rear, were reduced by 81 square feet each from 1,814 square feet to 1,733 square feet each.
- Incorporated Dutch-Gable roof design (gable and hip roof) to reduce the scale of the roof.
- Sufficient space to accommodate the two required guest parking at the rear of the property.
- Switched the location of the trash enclosure (previously located at rear guest parking area) and the private storage (previously located along the driveway) to more area for guest parking.

Additionally, the applicant is proposing a connecting trellis canopy for the four required parking spaces of the three residential units. Each two-car parking bay is separated by the development's required common open space, which will have an opening to the sky through the trellis frame work.

As shown in Table A below, the revised project complies with the development standards for the Residential Medium Density (RM) Zoning District.

Table A: Project Site Development Standards - Approved Proposal (April 2019)				
Lot Size: 10,102 square feet		Zone: RM		
Standards	Allowed	Existing	Proposed	
Lot Coverage	5,051 sf 50% (max)	3,370 sf 33%	3,694 sf 36%	
Floor Area Ratio	5,051 sf 50% (max)	2,810 sf 27%	4,326 sf 42.8%	
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" (meet setback)	
Side Yard Setback	4.7 feet (min)	8' (east); 5.5' (west)	5' (east); 14'0" (west) (meet setback)	
Max. Height	35 feet	single-story	2-story; 27 feet	
Required Unit Parking	4 covered	2 covered	4 covered (carport)	
Required Guest Parking	2 uncovered spaces	0	2 uncovered spaces	

The Planning Commission reviewed the revised project and debated the complexity of the matter pertaining to the owner's development rights, the project's proximity to the Gold Line Station, and the neighborhood concerns that were expressed. The Commission expressed general favorability of the project and its design revisions. The Commission discussed the issue pertaining to the project's proposal to add rooms to the units that were not identified as bedrooms, yet still reflected a bedroom-sized room, some even containing in-suite bathrooms.

Ultimately, the Commission found that the revised project met the required findings for Design Review and voted 3-2 to approve the project with one additional condition added (see below) to require the applicant to revise the interior floor plan of the units to reflect the following:

"Prior to the issuance of building permits for either building, the applicant shall provide a revised floor plan demonstrating compliance with the South Pasadena Municipal Code, the Los Angeles County Building Code, and the California Fire Code, by depicting one or two bedroom units, through the elimination of excess bathtubs, shower stalls, and bathrooms, removing full-height walls and doors, or other means, to the satisfaction of the Chair or their assigned delegate."

Planning Commission Chair Review:

On April 19, 2019, the developer's architect submitted a revised interior floor plan to staff for review and approval by the Chair of the Planning Commission. The revised floor plan reflected a revised layout on the rear-most unit that indicated an open floor plan concept with the original proposal's full-height partitions and excess bathrooms removed. The front and middle unit remained the same. Staff requested the architect to revise the front unit (one-bedroom unit) to eliminate the extra room that can be used as an additional bedroom to comply with the Condition of Approval.

On April 24, 2019, the developer's architect provided a revised floor plan for the front unit showing the removal of interior partitioning to provide an open floor plan with the exception of the one bedroom space and bathroom. Staff notified the architect that the revised plans appeared to be in

compliance with the Condition of Approval. On May 17, 2019, the developer's architect submitted the revised drawings reflecting the interior changes to the front and rear units. The drawings were routed to the Planning Commission Chair on May 20, 2019 for review. On June 2, 2019, the Chair of the Commission found the revised interior floor plans met the Condition of Approval, and approved the revised plans.

Appeal

On April 24, 2019, the approval of the project was appealed by Elizabeth Hollingsworth, Michael Hollingsworth, and Jane Schirmeister (Appellants) for the reason stated below:

We appeal to the City Council to overturn the Planning Commission's decision to conditionally approve a development at 817 Orange Grove Place. On April 9, in a 3-2 vote, the Planning Commission granted the developer's appeal with conditions of approval that the project be built consistent with the revised drawings for the proposed demolition and new triplex development, located at 817 Orange Grove Place, with the additional condition of CP5, that the Chair be delegated to review internal changes to the drawings. Prior to the issuance of building permit for either building, the applicant shall provide a revised floor plan demonstrating compliance with municipal code, building code, and fire code, all applicable codes, by depicting one or two bedroom units by eliminating excess shower stalls and bathtubs, removing full height walls and doors, or by other means to the satisfaction of the Chair or their delegate.

- 1. We object to the conditional approval with Chair Review. We believe that the changes requested by the Commission should be evaluated and discussed in public view at a public meeting. Please note that as of this filing date, the conditions of approval have not been met because the Chair Review has not occurred. Per the City Clerk, the Planning Department has no required deadlines for the developer to come to Chair Review. We met the required deadline for filing this appeal, but we are at a disadvantage because we do not know the outcome of the Chair Review.*
- 2. The development significantly and negatively impacts traffic and public safety on Mc Camment Alley as well as on Orange Grove Place and Orange Grove Avenue.*
- 3. Parking will be negatively impacted by this development because of the large increase in the number of its residents.*
- 4. We believe that the auxiliary rooms labeled as office or rec room will be used as bedroom, and should be counted as bedrooms for the purpose of determining the project's compliance, particularly with parking requirements.*

Staff's Response:

1. The proposed triplex development has undergone numerous public hearings before the DRB and several hearings before the Commission. Members of the public were duly noticed and were able to participate in the discussion and analysis of the project at each of those hearings. Though the Chair Review process is not conducted in a public hearing, the decision and all records pertaining to the project and final decision – including project plans, are available for public review with the Planning and Building Department. The

developer's architect submitted revised floor plans and Staff believes those plans are in conformance to the Condition of Approval, which pertains to modifications to the interior space only. The revised plans were routed to the Chair of the Commission, and the Chair found the revisions to satisfy the Condition of Approval, and approved the plans on June 2, 2019. While it is true that there is no hard deadline to submit for Chair Review, the developer is required to obtain Chair Review approval prior to their submittal for Building Permits, and that submittal must occur within 12 months of the effective decision date of the Commission's approval, otherwise the entirety of the project's Planning entitlements expire.

2. The project sits within a neighborhood that is located in the RM Zone, with a General Plan land use designation of Medium Density Residential. Additionally, the project site is located in close proximity to the Gold Line Station. The site has historically had two units, and currently has one standing unit with the demolition of the rear unit in the fall of 2018. The approximately 10,000-square foot project site is permitted by-right to have three dwelling units on the parcel per the allowable density as prescribed by the General Plan and Zoning Code. The development of the project site as a triplex development in the RM Zone is consistent with the density expected in the City's General Plan, and therefore it conforms to the City's guiding policy on development.

The condition of Mc Camment Alley is in a state of disrepair, and the encroachment in the alley is being addressed. The City Code Enforcement is addressing the issue relating to no access at the alley's eastern terminus from encroachments of three adjoining properties. At the western terminus, a row of cypress trees adjacent to 1050 Orange Grove Avenue encroaches the alley. The tree encroachment matters have been brought to the attention of the Public Works Department and the Fire Department for clearance and abatement. The Public Works Department determined that the three cypress trees encroaching on the alley are healthy. The Fire Department has determined that the trees do not impede their ability to provide public safety services. On the basis that the alley has adequate public safety and the trees are healthy, the trees will not be removed.

3. The proposed project includes the addition of one unit and provides all of the required parking as required by the Code.
4. The proposed triplex project consists of two one-bedroom units at the front and rear, and one two-bedroom unit in the middle. The multi-family parking requirements of the Code requires one-bedroom units to have one parking space, and two or more bedroom units to have two covered parking spaces. The Code also requires that uncovered guest parking be provided at a ratio of one space for every two units. Taken all together, the project as proposed requires four covered spaces for the three units, and two uncovered guest parking spaces. The project plans indicate compliance with these parking requirements. Additionally, the potential use of auxiliary rooms as bedrooms, were mitigated in the revised floor plans, which satisfied the Conditions of Approval and approved by the Chair of the Commission on June 2, 2019. Therefore, the project will consist of two one-bedroom units, and one two-bedroom unit as proposed, and is parked in compliance with the Code.

While the potential use of the auxiliary rooms was discussed at length by the Commission and the public on April 9th, the Commission granted approval of the project with a condition to modify the interior floor plans. The condition required revised floor plan reflect true one-bedroom units in conformance with Building Code requirements for bedrooms, and removal of excessive auxiliary rooms and in-suite bathrooms. The revised plans submitted to Staff indicate compliance with the Condition of Approval through the removal of full-height partition walls, interior doors, and in-suite bathrooms, and the plans indicate an open floor plan without compromising the approved exterior design of the proposed project. The revised interior floor plans were approved by the Chair of the Commission on June 2, 2019 as having satisfied the Condition of Approval. Therefore, the project is in full compliance with the Code, the General Plan, and the development standards for the project site. Therefore, staff recommends that the decision of the Commission be upheld and the appeal be denied.

Legal Review

The City Attorney has reviewed this Staff Report.

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 (i)(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 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. Planning Conditions of Approval
2. Public Works Conditions to be Added
3. Appeal Narrative
4. Letters of Support for Proposed Development Project
5. Letters Against Proposed Development Project
6. Mapping Exhibits and Photographs of Project Site
7. Legal Analysis from Developer's Legal Counsel; Dated: January 24, 2019
8. Legal Analysis from Developer's Legal Counsel; Dated: March 21, 2019
9. Legal Analysis from Developer's Legal Counsel; Dated: June 10, 2019
10. Chair Review Memo and Decision Sheet
11. Proposed Project Architectural Drawings, Conditionally Approved by Planning Commission and Chair per Condition of Approval

**EXHIBIT “A”
CONDITIONS OF APPROVAL
& DEVELOPMENT REQUIREMENTS**

**PROJECT NO. 2180-APPEAL
817 Orange Grove Place (APN: 5315-018-064)**

CONDITIONS OF APPROVAL

PLANNING DIVISION:

- C-P1. The entitlements granted for the land and land use as described in the application and any attachments thereto, as shown on the development plans submitted to and approved by the Planning Commission on April 9, 2019.
- C-P2. These granted entitlements and all rights hereunder shall terminate within twelve (12) months of the effective date of the decision unless otherwise conditioned and/or unless action is taken to secure Building Permits and maintain active Building Permits with the Building Division beginning with the submittal of the plans for Plan Check review.
- C-P3. The project shall be built consistent with the revised drawings as reviewed and approved by the Planning Commission on April 9, 2019, for the proposed demolition and new tri-plex development.
- C-P4. Electrical, telephone, and other data cables that will serve the property shall be routed underground and designed so as to conform to the provisions of the Building Code and any other applicable codes, as allowed by Southern California Edison.
- C-P5. The following Condition was added as a Condition of Approval at the April 9, 2019 Planning Commission Meeting:
 - Prior to the issuance of building permits for either building, the applicant shall provide a revised floor plan demonstrating compliance with the South Pasadena Municipal Code, the Los Angeles County Building Code, and the California Fire Code, by depicting one or two bedroom units, through the elimination of excess bathtubs, showers stalls, and bathrooms, removing full-height walls and doors, or other means, to the satisfaction of the Chair or their assigned delegate.

DEVELOPMENT REQUIREMENTS

PLANNING DIVISION:

- P1. Approval by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the South Pasadena Building Division must be obtained prior to construction, enlargement, relocation, conversion or demolition of any building or structure on any of the properties involved with the Design Review and Hillside Development Permit.
- P2. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P3. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining any occupancy inspection clearance and/or prior to obtaining any occupancy clearance.
- P4. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or City Planning Commission concerning this use.
- P5. The construction site and the surrounding area shall be kept free of all loose materials resembling trash and debris in excess of that material used for immediate construction purposes. Such excess may include, but is not limited to: the accumulation of debris, garbage, lumber, scrap metal, concrete, asphalt, piles of earth, salvage materials, abandoned or discarded furniture, appliances or other household fixtures.
- P6. During construction, the clearing, grading, earth moving, or excavation operations that cause excessive fugitive dust emissions shall be controlled by regular water or other dust preventive measures using the following procedures:
 - a. All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferable in the late morning and after work is done for the day;
 - b. All material transported on-site or off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
 - c. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust; and
 - d. Visible dust beyond the property line emanating from the project shall be prevented to the maximum extent feasible.

BUILDING AND SAFETY DIVISION:

Subject to Plan Check Review.

DEPARTMENT OF PUBLIC WORKS:

Subject to Plan Check Review.

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

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**

- 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 McCamment Alley fronting the property.
- 20)If trash pickup is proposed through McCamment 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.



APPEAL FORM

City of South Pasadena

1414 Mission Street | South Pasadena | California 91030
Telephone (626) 403-7230 | Fax (626) 403-7211

NOTE TO APPLICANT:

You must submit the following by the deadline:

1. This completed Appeal Form
2. Filing Fee in the amount of \$860.00 – cash, credit card (Amex, Visa, MasterCard), or check payable to “City of South Pasadena”
3. One copy of a map depicting all the properties within a **300' radius of the project site** and a **certified list of the names and addresses of all current owners and occupants of these depicted properties**, including all residential and non-residential properties (list of radius map services attached); same information in an Excel spreadsheet on a CD
4. One set of mailing labels for the City to mail information to property owners and occupants (The mailing labels must be accompanied by a notarized certification form – see attached)
5. Public Notice Fee in the amount of \$220.00 (cash, credit card, or check payable to “City of South Pasadena”)

APPELLANT INFORMATION:

(If more than one appellant, include a separate sheet replicating this section. Signatures are required from ALL appellants.)

Name: Elizabeth & Michael Hollingsworth and Jane Schirmeister

Mailing Address: _____

Home Phone: _____

Work Phone: _____

Cell Phone: _____

E-Mail Address: _____

Signature: _____

Date: April 23, 2019

TYPE OF APPEAL:

Appeal of Planning Commission Decision

Date of Decision: April 9, 2019

Appeal of Cultural Heritage Commission Decision

Date of Decision: _____

Appeal of Design Review Board Decision

Date of Decision: _____

Other, please specify: _____

Date of Decision: _____

PROJECT INFORMATION:

Property Address: 817 Orange Grove Place, South Pasadena, CA 91030

Project Name: Triplex development by PTC LLC.

Reason for this Appeal (please attach additional pages as necessary): _____

We appeal to the City Council to overturn the Planning Commission's decision to conditionally approve a development at 817 Orange Grove Place.

For Office Use only

- 1. Appeal Form
- 2. Filing Fee in the amount of \$860.00 (cash, credit card, or check payable to “City of South Pasadena”)
- 3. One copy of a 300' radius map; certified list
- 4. One set of envelope labels for the City to mail information to property owners and occupants & CD
- 5. Public Noticing Fee in the amount of \$220.00 (cash, credit card, or check payable to “City of South Pasadena”)

Received By: _____

Date: _____

**Attachment to the Appeal of Planning Commission’s Decision
regarding 817 Orange Grove Place (4/9/19)
Appellants Hollingsworth and Schirmeister
August 14, 2019**

We respectfully request that all of our Honorable City Council Members **visit** the project site, McCamment Alley, and Orange Grove Place prior to the August 21 City Council meeting.

Since our original appeal application, (4/23/19), we’ve made multiple efforts to understand the City’s position on the public safety issues created by the oversized development at 817 Orange Grove Place. We requested public records regarding the City’s actions on McCamment Alley. We’ve had several meetings with City Staff to try to resolve the issues listed in our original appeal, particularly that of the 817 project’s impact on public safety in McCamment Alley and on Orange Grove Place. We hoped that the City Staff would address the “high state of disrepair”¹ of McCamment Alley and make it usable for the increased use created by the 817 project. This did not occur.

We look forward to sharing specific information about all four of our objections listed in our original appeal, and to support our ongoing request: **Fix McCamment Alley; if the City cannot fix it, then do not allow the project at 817 Orange Grove Place to make it worse.**

¹ Staff Report for Planning Commission Meeting, 1/28/19 video at 1:10:22

**Attachment to the Appeal of Planning Commission decision on 4/9/19
Appellants Hollingsworth and Shirmeister
April 23, 2019**

We appeal to the City Council to overturn the Planning Commission's decision to conditionally approve a development at 817 Orange Grove Place.

On April 9, in a 3-2 vote, the Planning Commission granted the developer's appeal with conditions of approval that the project be built consistent with the revised drawings for the proposed demolition and new triplex development, located at 817 Orange Grove Place, with the additional condition of CP5, that the Chair be delegated to review internal changes to the drawings. Prior to the issuance of building permit for either building, the applicant shall provide a revised floor plan demonstrating compliance with municipal code, building code, and fire code, all applicable codes, by depicting one or two bedroom units by eliminating excess shower stalls and bathtubs, removing full height walls and doors, or by other means to the satisfaction of the Chair or their delegate.¹

1. We object to the conditional approval with Chair Review. We believe that the changes requested by the Commission should be evaluated and discussed in public view at a public meeting.
2. The development significantly and negatively impacts traffic and public safety on McCammet Alley as well as on Orange Grove Place and Orange Grove Avenue.
3. Parking will be negatively impacted by this development because of the large increase in the number of its residents.
4. We believe that the auxiliary rooms labeled as office or rec room will be used as bedrooms, and should be counted as bedrooms for the purpose of determining the project's compliance, particularly with parking requirements.

¹ Planning Commission Meeting, 04/09/19 video at 1:59:04

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.

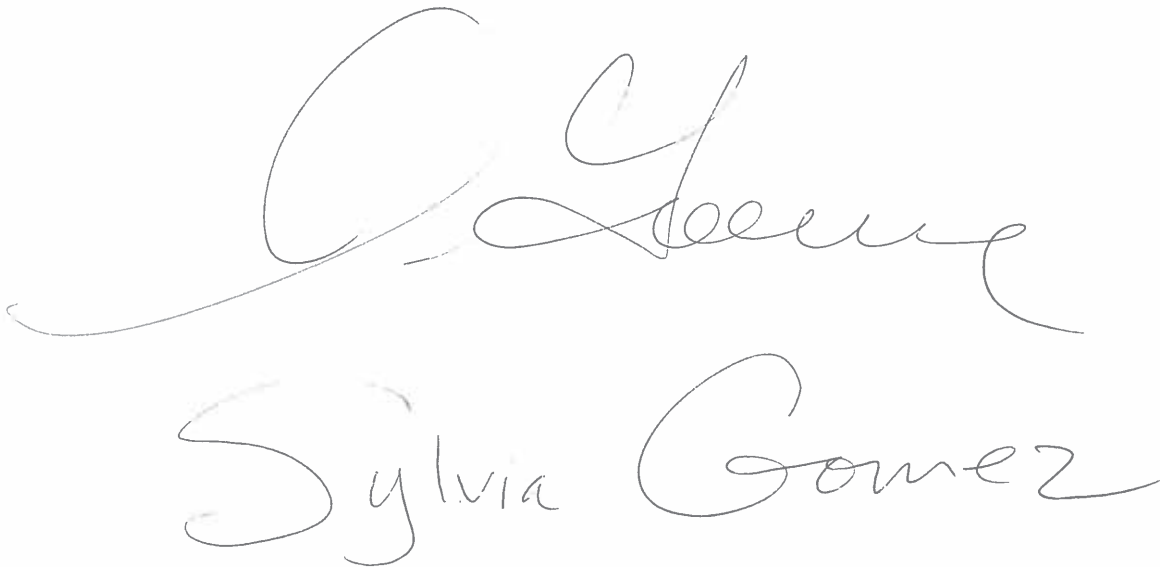
Ana Uehara.

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 815 Orange Grove place blocks parking space
821 " " " " " " " " too
make did not let his tenants park there and
I do not park there.

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: Judith Hoyt
Sent: Wednesday, February 20, 2019 4:34 PM
To: Edwar Sissi
Subject: Proposed Project 817 Orange Grove Place

Please uphold the decision of the Design Review Board To deny this project.

Sincerely,

Judith G. Hoyt
813 Orange Grove Place
South Pasadena, CA 91030

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

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.

- Joe

Josiah Patrow

RECEIVED

FEB 20 2019

**Jane Schirmeister
816 Orange Grove Place
South Pasadena, CA 91030-3110**

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

February 20, 2019

To: Planning Commission
Mr. Dahl, Mr. Lesak, Mr. Tom, Ms. Braun, Ms. Kaldus:

I continue to have concerns about Mr. DeMaria's plans for 817 Orange Grove Place. I'm fully aware that this project has taken many different forms over four years, however, your decision will be something this neighborhood has to live with for many years. There are several features that continue to have a negative impact on our street.

I realize that Mrs. Chan has the right to build to the maximum square footage that her lot allows. The houses on the street are one story. There is only one home 821 that is two stories. It is a single family home. The architecture of that house is outstanding but the structure is very tall for our small dead end street. Another large two-story structure next door, 817, will make a very large visual mass in the middle of a small street. The mass and density will be overwhelming. All the single story houses will be overwhelmed.

Parking continues to be a concern for our neighborhood. The block's curbs are filled with cars daily. We have many houses without garages so many permits are used. Adding another large project to our neighborhood would have a negative affect on the neighborhood.
Again, please consider the impact of your decision on this neighborhood.

Jane Schirmeister

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

--

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 McCammet 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: Mike Hollingsworth
Sent: Tuesday, March 26, 2019 2:35 PM
To: Edwar Sissi
Cc: David Bergman
Subject: 817 Orange Grove Place
Attachments: project.pdf; ATT00001.htm

Edwar,

We would like these suggestions relayed to the architect:

In order to alleviate the traffic in the alley, we propose that alley access be limited to the two spaces in the rear of the project.

This has historically been the number of cars using the alley and should not add to the problem.

We suggest a permanent barrier at the rear of the two larger units.

They could turn the area into lovely green space, a patio, or additional parking.

We will also be asking Public Works to wave the requirement for paving the alley as this would inhibit percolation and flood our garages.

Mike Hollingsworth

Jose Villegas

From: Elaine Serrano
Sent: Monday, April 1, 2019 4:54 PM
To: Jose Villegas
Subject: FW: 817 Orange Grove Place

On Wed, Mar 27, 2019 at 2:59 PM -0700, "Judith Hoyt" <_____> wrote:

Dear Mr. Bergman,

I attended the meeting of the Planning Commission on Monday, March 25 2019, at 8:00 p.m. I live at 813 Orange Grove Place. I have lived there for over 20 years. This is on the property owned by Liz and Mike Hollingsworth (815, 815 1/2, 813, 813 1/2). Liz and Mike are exemplary property owners and landlords. They take care our little homes and our yard extremely well. I started renting here when Dan and Betty Hudson owned both properties, 817 and 815/813 Orange Grove Place. They also kept both properties in excellent condition. When Dan Hudson died, Betty decided to sell both properties individually. This is when Patti Chan purchased 817. Another person purchased 815. She only had the property for a couple of years. 815 was then purchased by Liz and Mike Hollingsworth.

Ever since Patti Chan has owned 817, she has not spent one dime for the upkeep of the dwellings. Consequently, the dwellings (one of which was demolished) have deteriorated to slum conditions. The front unit does have a renter who has been there for approximately 18 years. That dwelling is falling apart. The roof line at one side looks to be dropping. It also has no working furnace which Patti Chan has not fixed. The renter has been without heat for over one year.

During the slide show presented by the architect, the dwellings of 813 and 813 1/2 were not represented in the slides. If the two story unit in the back of the property of 817 is allowed to be built, it would block the sunlight of these two dwellings (one of which is mine) and invade our privacy. This happened to the neighbors just east of the 2 story dwelling that was recently built. This is concerning to me.

Another concern I have is regarding the plans which denote "library", "rec room", "office", which would become bedrooms. This would enable pregnant Chinese women to stay in them until the "anchor" babies are born. This is a real possibility. We do not want South Pasadena to become another San Gabriel, Temple City or Arcadia. The parking issue is quite another concern which I will not go into here.

I urge you to deny the appeal and uphold the Design Review Board's decision. There is no need for continuance, in my opinion.

Thank you so much for considering these concerns.

Judith G. Hoyt

Elaine Serrano

From: Elaine Serrano
Sent: Monday, April 1, 2019 4:54 PM
To: Jose Villegas
Subject: FW: 817 Orange Grove Place

On Wed, Mar 27, 2019 at 2:59 PM -0700, "Judith Hoyt" ·

· wrote:

Dear Mr. Bergman,

I attended the meeting of the Planning Commission on Monday, March 25 2019, at 8:00 p.m. I live at 813 Orange Grove Place. I have lived there for over 20 years. This is on the property owned by Liz and Mike Hollingsworth (815, 815 1/2, 813, 813 1/2). Liz and Mike are exemplary property owners and landlords. They take care our little homes and our yard extremely well. I started renting here when Dan and Betty Hudson owned both properties, 817 and 815/813 Orange Grove Place. They also kept both properties in excellent condition. When Dan Hudson died, Betty decided to sell both properties individually. This is when Patti Chan purchased 817. Another person purchased 815. She only had the property for a couple of years. 815 was then purchased by Liz and Mike Hollingsworth.

Ever since Patti Chan has owned 817, she has not spent one dime for the upkeep of the dwellings. Consequently, the dwellings (one of which was demolished) have deteriorated to slum conditions. The front unit does have a renter who has been there for approximately 18 years. That dwelling is falling apart. The roof line at one side looks to be dropping. It also has no working furnace which Patti Chan has not fixed. The renter has been without heat for over one year.

During the slide show presented by the architect, the dwellings of 813 and 813 1/2 were not represented in the slides. If the two story unit in the back of the property of 817 is allowed to be built, it would block the sunlight of these two dwellings (one of which is mine) and invade our privacy. This happened to the neighbors just east of the 2 story dwelling that was recently built. This is concerning to me.

Another concern I have is regarding the plans which denote "library", "rec room", "office", which would become bedrooms. This would enable pregnant Chinese women to stay in them until the "anchor" babies are born. This is a real possibility. We do not want South Pasadena to become another San Gabriel, Temple City or Arcadia. The parking issue is quite another concern which I will not go into here.

I urge you to deny the appeal and uphold the Design Review Board's decision. There is no need for continuance, in my opinion.

Thank you so much for considering these concerns.

Judith G. Hoyt

RECEIVED

APR 03 2019

CITY OF SOUTH PASADENA

PLANNING AND ZONING DEPT.

Dear Planning Commission,

I attended the meeting of the Planning Commission on Monday, March 25 2019 to hear the deliberations about the proposed development at 817 Orange Grove Place.

I live next door at 813 Orange Grove Place. I have lived there for over 20 years. This is on the property owned by Liz and Mike Hollingsworth. Liz and Mike are exemplary property owners and landlords. They take care our little homes and our yard extremely well. I started renting here when Dan and Betty Hudson owned both my unit and the two at 817 Orange Grove Place. They also kept both properties in excellent condition.

During the slide show presented by the architect, the dwellings on our property were not represented in the slides. If the two story unit in the back of 817 is allowed to be built at the height proposed, it will tower over our yard and block the sunlight of our small dwellings and invade our privacy. This happened to the neighbors just east of the 2 story dwelling that was recently built at 821. This is very concerning to me.

Another concern I have is regarding the plans which denote "library", "rec room", "office", which are really bedrooms.

Our parking issue is quite another concern due to the many properties on the street that have no on-site parking. With the recent parking restriction placed on El Centro, commuter parking fills up our street during the day while resident parking fills it at night. There is just no more room.

I urge you to deny the appeal and uphold the Design Review Board's decision. There is no need for continuance, in my opinion.

Thank you so much for considering my concerns.

Judith G. Hoyt

Judith G. Hoyt
April 11, 2019
813 Orange Grove 14:30

Edwar Sissi

From: Sc Poh
Sent: Wednesday, April 3, 2019 10:47 AM
To: Edwar Sissi
Cc: Saik-Choon Poh
Subject: 817 Orange Grove Place

Dear Mr. Sissi:

My name is Saik-Choon Poh and I reside at 1038 Orange Grove Ave, South Pasadena, CA 91030.

I am unable to attend the April 9th Planning Commission meeting but I would like to comment on Project Number 2180-APPEAL. I would like to state for the record that I **do not support** the appeal of the DRB's decision.

Please forward the following comments and concerns why this appeal should be denied to the Planning Commission :

- Owner/ Developer has filed an appeal instead of addressing previous comments by DRB.
- Owner/ Developer is not showing good faith effort by changing the design and submitting the new design a couple days before March 25, 2019. This action does not provide sufficient time for the city staff nor the neighbors to comment.
- Comments from DRB and public/ neighbors have been ignored and never addressed by Owner / Developer numerous times during the course of the project.
- Most importantly, the proposed project creates a significant traffic impact to the existing neighborhood and raises safety concerns which has not been addressed to date.
- Strongly recommend a traffic study report to be conducted immediately before proceeding with this project.

We are requesting that the Planning Commission deny this appeal and uphold the October 4 decision from the DRB to deny this project.

Please feel free to contact me at [redacted] or [redacted] if you have any questions.

Respectfully,

Saik-Choon Poh, P.E.

Edwar Sissi

From: Michael Hollingsworth
Sent: Thursday, April 4, 2019 11:58 AM
To: Edwar Sissi
Cc: Elizabeth Hollingsworth
Subject: Our Letter for Planning Commission packet

Dear Edwar,

Please replace any correspondence from us with the following letter for next week's Planning Commission Packet:

Dear Planning Commissioners Braun, Dahl, Koldus, Lesak, and Tom,

We're writing in regards to the project proposed at 817 Orange Grove Place. Please see the website, preservesouthpas.com where you will find information critical to your analysis of the project.

We believe that the applicant has failed to understand the inherent limitations of their parcel, as evidenced by the numerous plans they've presented since 2014.

Of considerable significance to your analysis is for you to know about the encroachment on McCammet Alley. There are mistakes in the Staff Report regarding the encroachments resulting from CalTrans work and neighbors.

One of the biggest problems with the project is that it puts too many cars on the site and on the street, as well as adding a traffic burden that **McCammet Alley cannot handle.**

Another problem is the applicant's persistence in mis-identification of bedrooms; rooms are labeled home office spaces and rec rooms, We believe that these are bedrooms, and should be identified as such for the purposes of calculating parking requirements.

Sincerely,
Elizabeth and Mike Hollingsworth
813-815 Orange Grove Place

Edwar Sissi

From: Julie Rosenberg · >
Sent: Tuesday, April 9, 2019 10:36 PM
To: Edwar Sissi
Subject: Proposed building at 817 Orange Grove place

Dear Mr Edwar Sissi

I could not be at the meeting tonight because my mother went into the hospital last night. If I had been there I would have said the following:

PLEASE DON'T LET THEM RUIN OUR HISTORY OUR COMMUNITY AND OUR ARCHITECTURAL INTEGRITY!!!!

What makes South Pasadena so desirable? So sought after? It is NOT the new , " cover every square inch of soil so we can charge as much money as possible for our real estate" cookie cutter modern structures that are elbowing into neighborhoods all over the city! It's the quaint, diverse and historically significant buildings that litter every street in SP that makes people want to live here. I think we all have seen what happened to the flats of Beverly Hills...they raped the neighborhood and replaced charming homes with McMansions!

I am a native Los Angelino. I love the neighborhoods of LA and I especially love the historic picture the architecture paints of our city. I just moved to South Pasadena in 2017 and I fell in love with my 1923 Spanish bungalow the minute I saw it. I am a renter; the owner grew up in this house. He wants to preserve his house as it was built for years to come. In a world and a time when we can't seem to see what we may be destroying in the name of progress, I urge you to deny the plans and scope of this work. **YOU CANNOT UNDO THE POTENTIAL RUIN TO THIS NEIGHBORHOOD ONCE ITS BEEN DONE! PLEASE, PLEASE,PLEASE** consider the negative consequences of this building , I beg you!!!!

Thank you for your consideration,

Julie Rosenberg
1044 Orange Grove Ave

from my iPhone

April 9, 2019

SENT VIA EMAIL: esissi@southpasadenaca.gov

City of South Pasadena
Planning Commission
1424 Mission Street
South Pasadena, CA 91030

RE: Planning Commission Regular Meeting Agenda
Tuesday, April 9, 2019 at 6:30 p.m.

Dear Planning Commission:

I am writing this letter regarding Agenda Item 1. 817 Orange Grove Place (Appeal) for the above meeting. My husband and I have lived at 818 Orange Grove Place for 20 years and are against the proposed plans for the property at 817 Orange Grove Place. The architect may be a great architect and the design fantastic, but it does not belong on our street.

The rendering that I saw for the new design is not to scale. It makes the small one story houses look smaller than the proposed construction. While I do not personally know the owner of 817 Orange Grove Place --- I question the integrity of the property owner for a number of reasons:

- Started demolishing back house on property when they were supposed to be just replacing roof (4 ½ years ago).
- Chose a Sunday to have workers cut down and remove all of the Cypress trees growing on the back and side border of property.
- The partially demolished house was left in a state that was unacceptable and had many issues, including sewage gas leak.

I consider all of the above an example of avoiding permitting issues and costs which I might understand if the owner in question did not have the means, but that is not the case in this instance.

Our street is a dead end street with very little room to turn around. All homes on the street are single story except for home, it is only a single family living there. We have many concerns about the parking situation and congestion from having three – 3 bedroom homes added to the neighborhood. The plans submitted are misleading, they show what looks like a single story is actually a 2 story structure in the front. I do believe that the 1 bedroom structures will NOT remain that way. It will likely have closets added after approval and they will be rented as 3 bedrooms.

I would like to request that the planning commission deny this proposal and seek a smaller scale.

Sincerely,

Pam Steimer



SUBJECT SITE

1937 AERIAL

14-35





SUBJECT SITE

14-36





PROXIMITY AERIAL



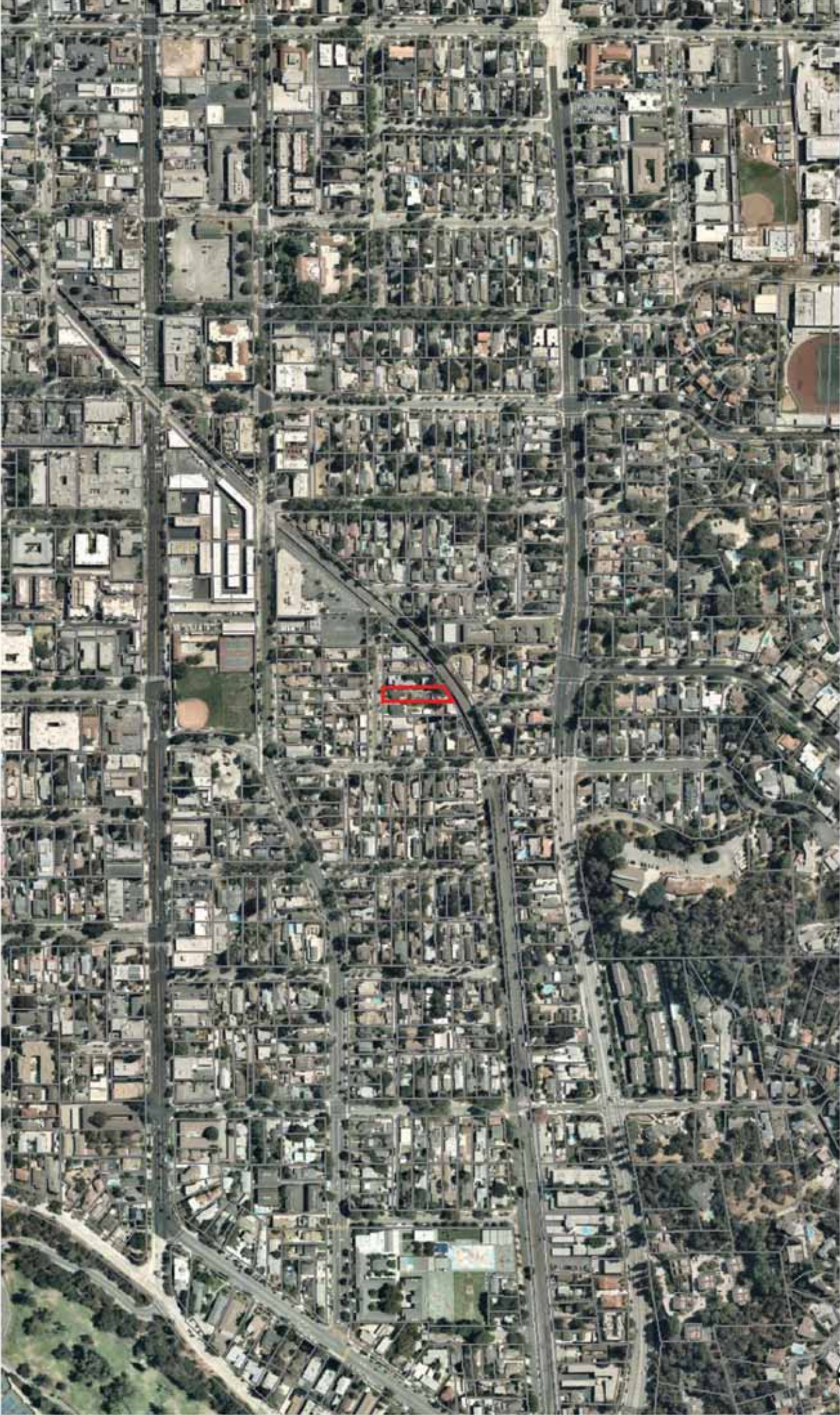
SUBJECT SITE



PARCELS

LEGEND

14-37



VICINITY AERIAL



SUBJECT SITE



PARCELS

LEGEND

BK. 5313

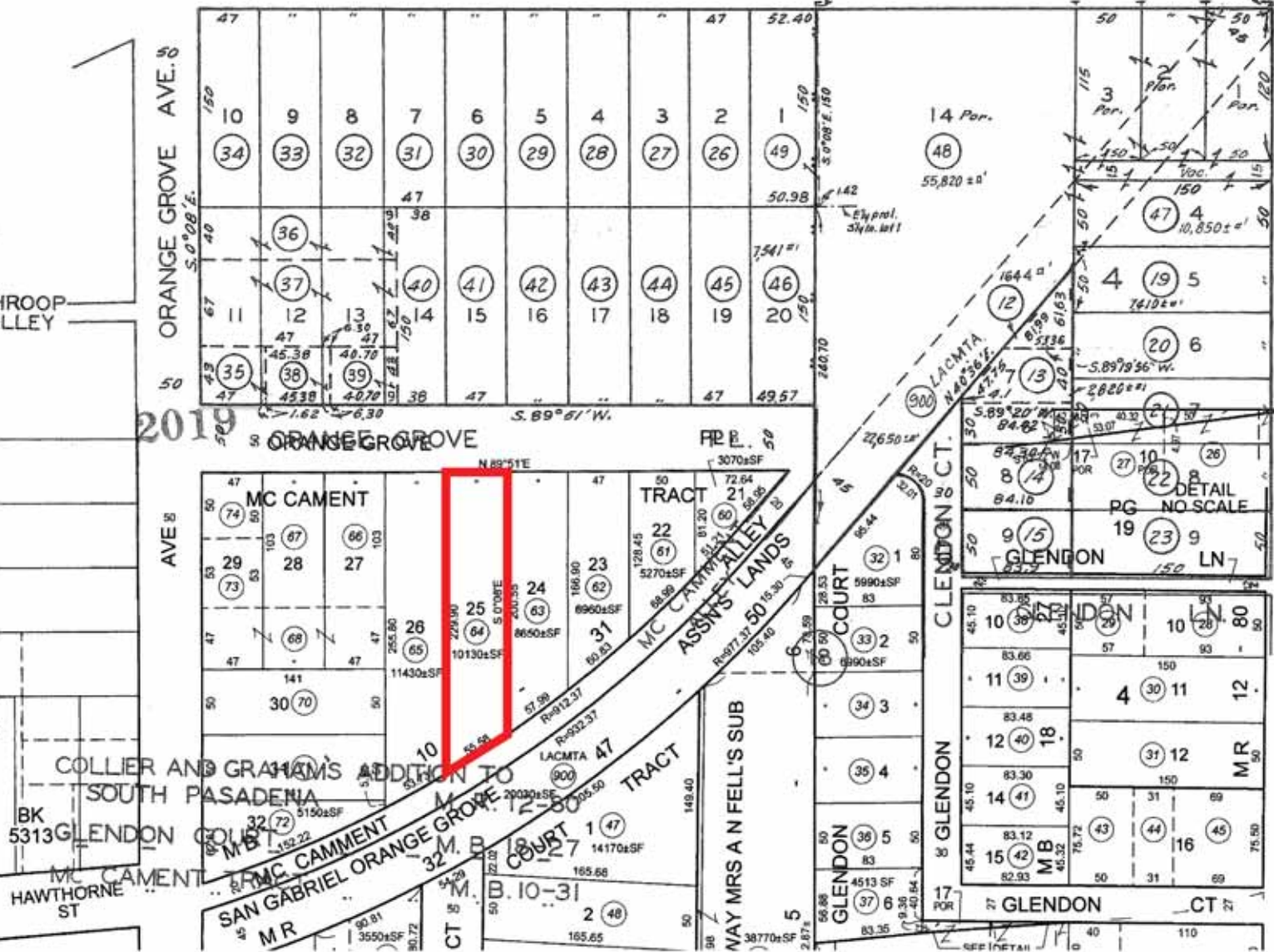
THROOP ALLEY

THROOP ALLEY

15



MAPPING AND GIS SERVICES SCALE 1" = 80'



ASSESSOR PARCEL MAP



SUBJECT SITE



PARCELS

LEGEND

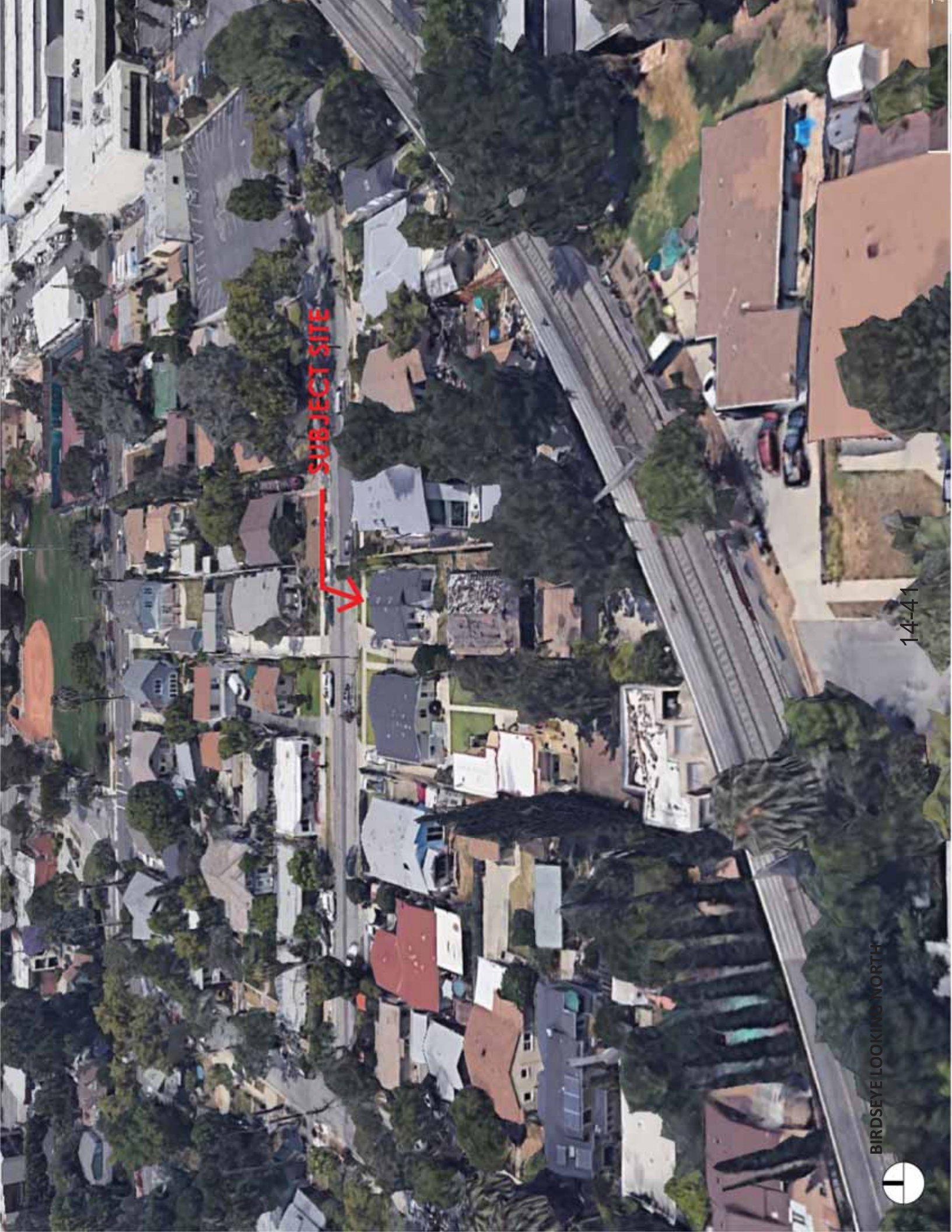


SUBJECT SITE

BIRDSEYE LOOKING EAST

14-40



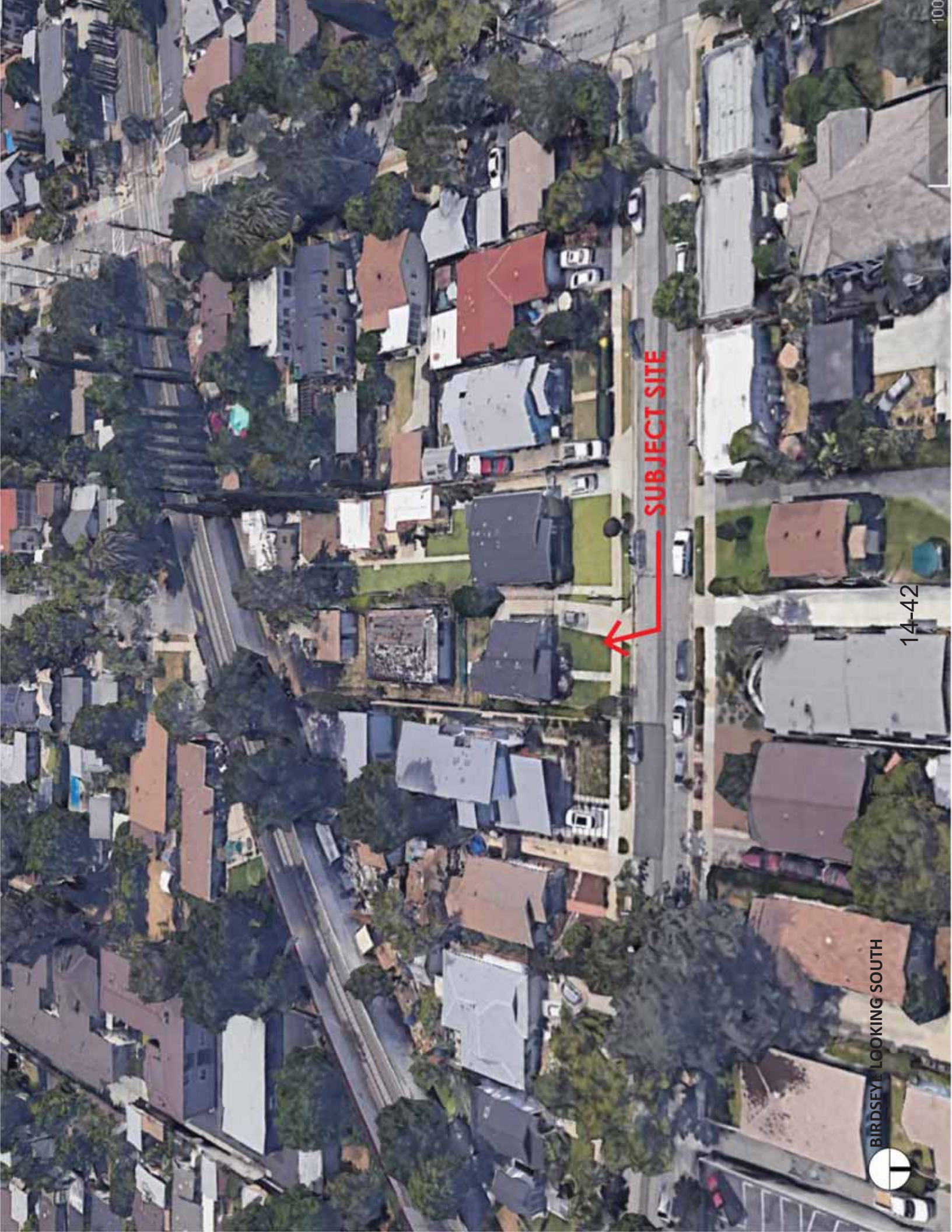


SUBJECT SITE

BIRDSEYE LOOKING NORTH



14-41

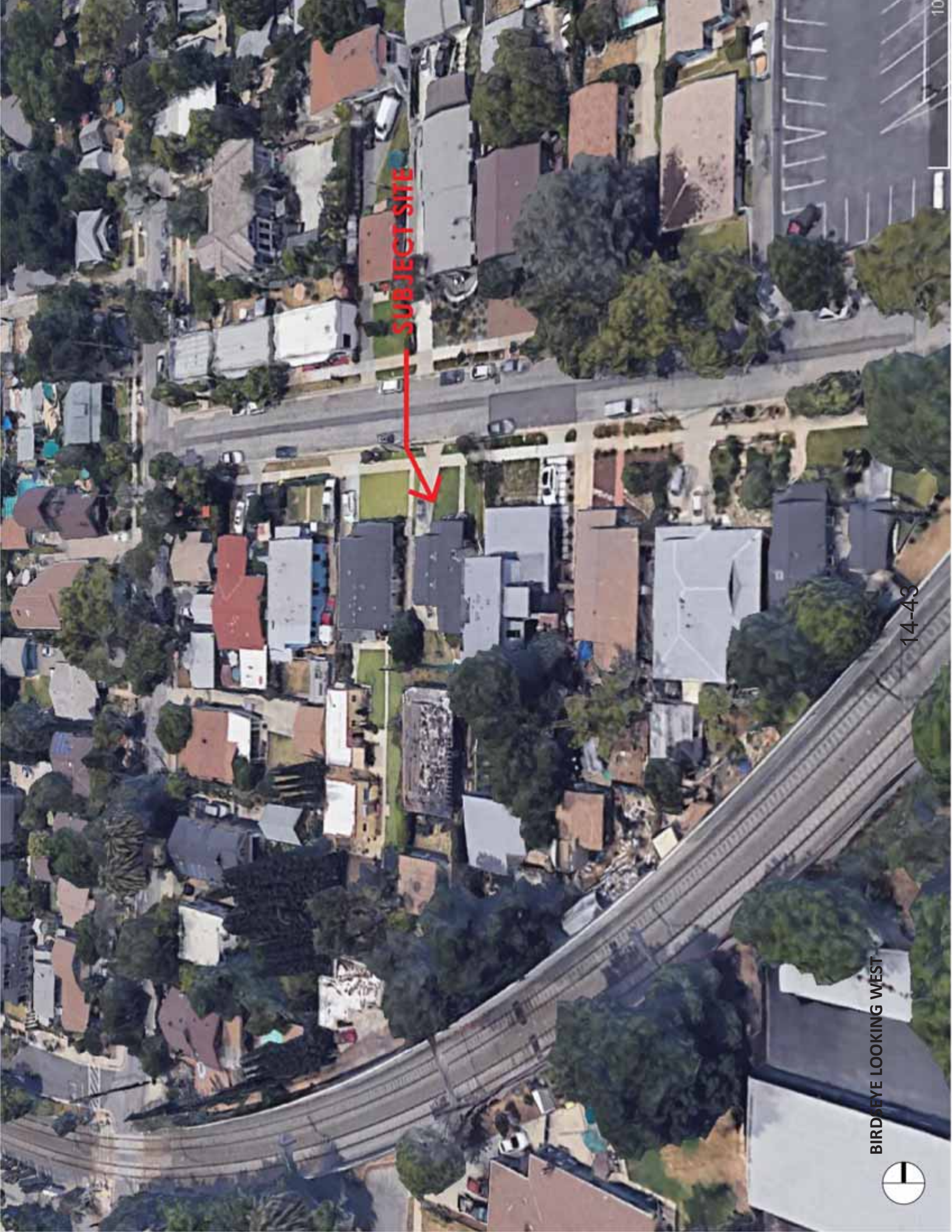


SUBJECT SITE

BIRDSEYE LOOKING SOUTH



14-42



SUBJECT SITE

BIRDS EYE LOOKING WEST



14-43

10



BUILDING FOOTPRINTS - PROXIMITY



LEGEND



SUBJECT SITE



BUILDING FOOTPRINT



PARCELS

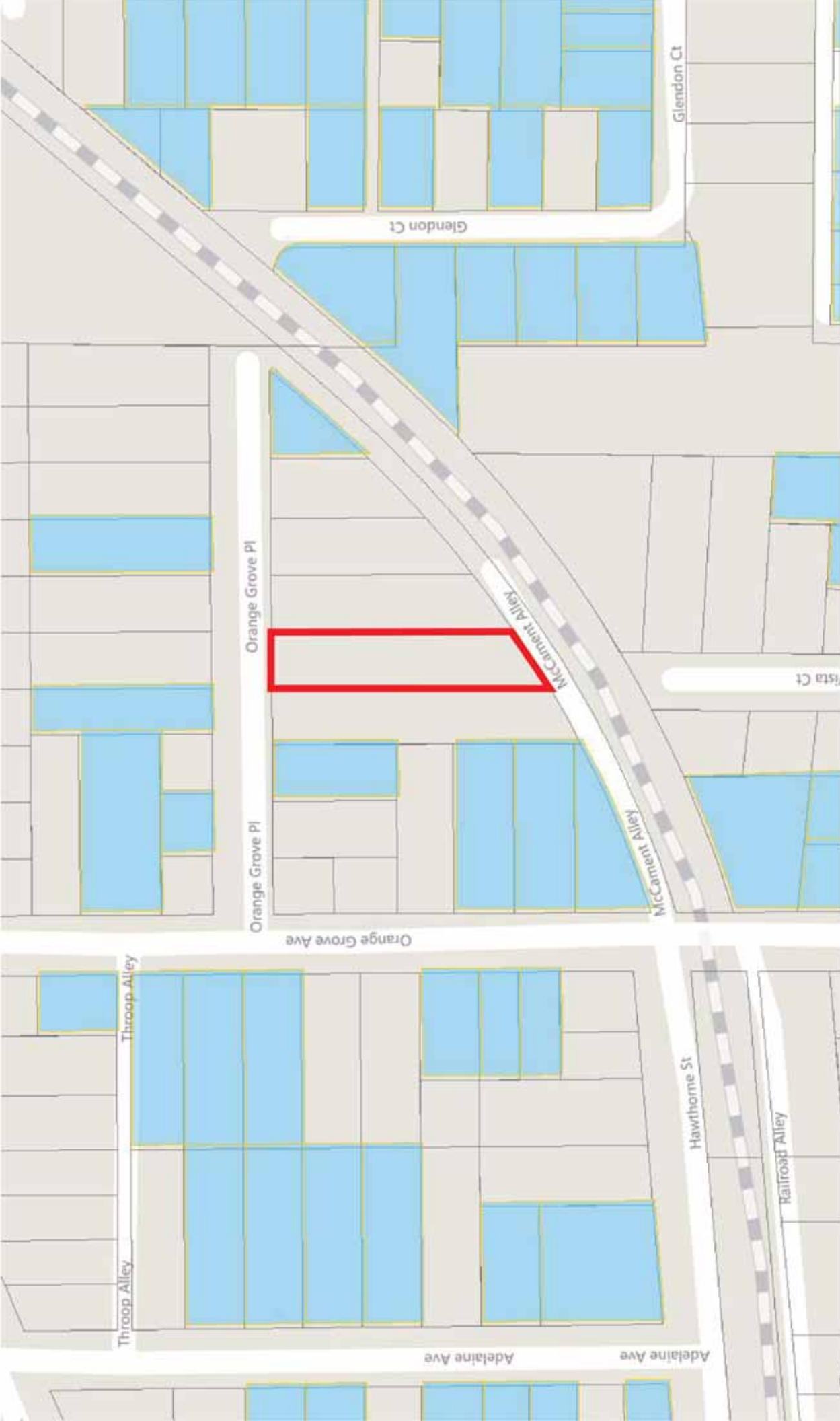


BUILDING FOOTPRINTS - VICINITY



LEGEND

-  SUBJECT SITE
-  PARCELS
-  BUILDING FOOTPRINT



LEGEND



SUBJECT SITE



HISTORIC INVENTORY PROPERTIES



PARCELS

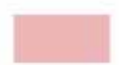
HISTORIC PROPERTIES



GENERAL PLAN LAND USE



SUBJECT SITE



MEDIUM DENSITY RESIDENTIAL



LOW DENSITY RESIDENTIAL



PARCELS



MISSION STREET SPECIFIC PLAN

LEGEND

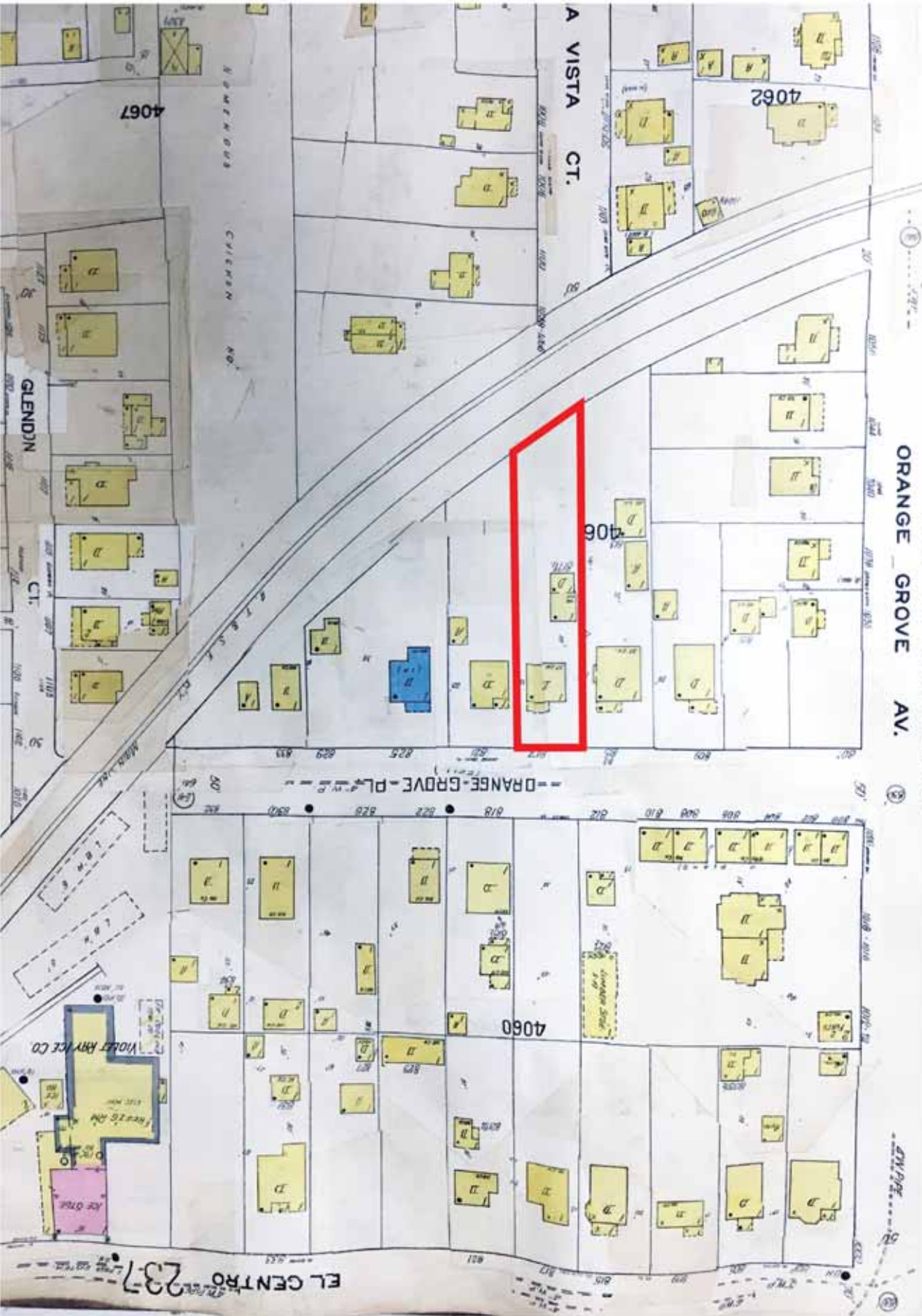


NEIGHBORHOOD ANALYSIS DIAGRAM

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 |

14-48



LEGEND



SUBJECT SITE

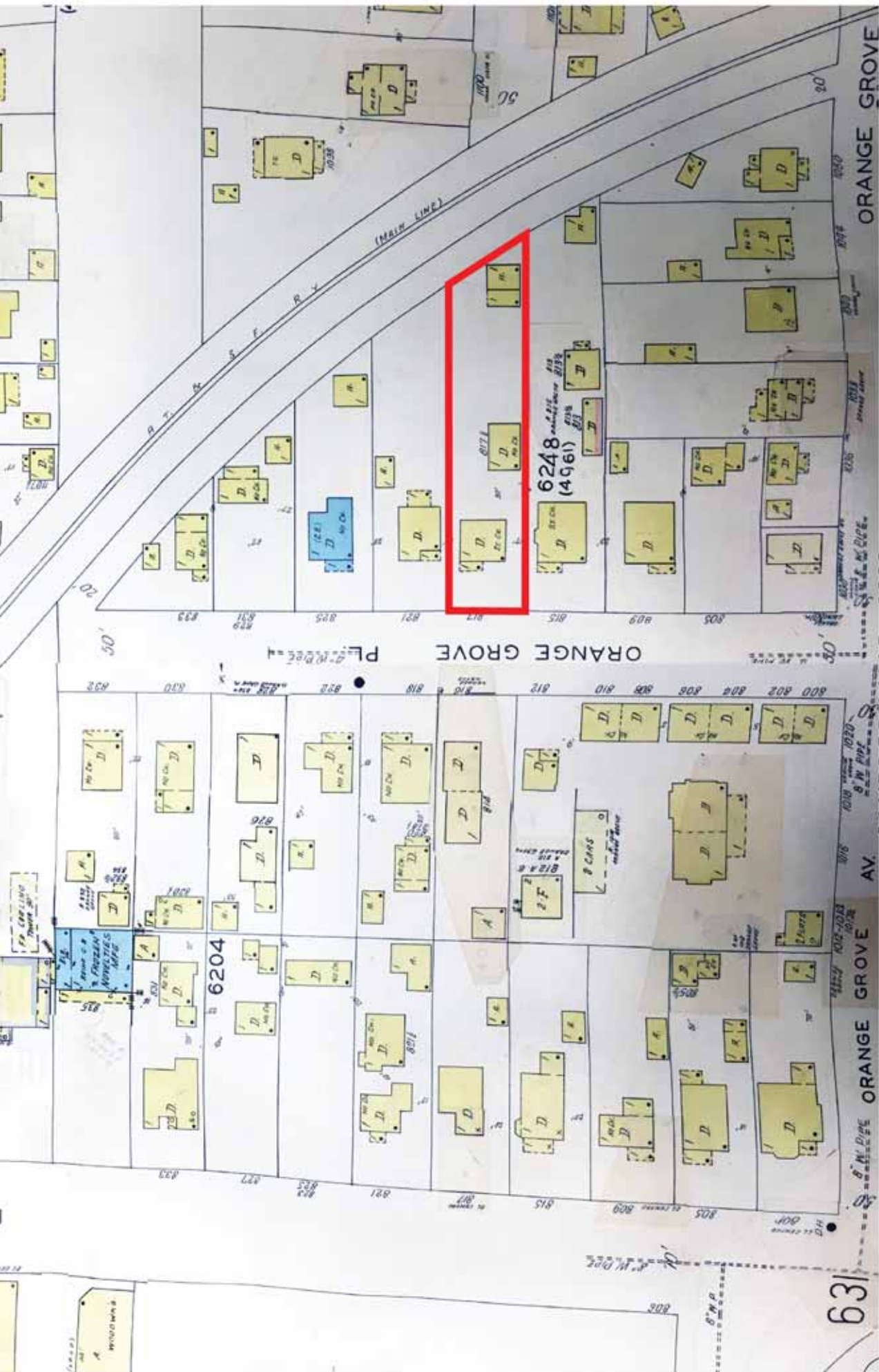


PARCELS



BUILDING FOOTPRINTS

SANBORN MAP - 1910



SANBORN MAP - 1930

BUILDING FOOTPRINTS



PARCELS



SUBJECT SITE



LEGEND



10 FOOT TOPOGRAPHIC MAP - PROXIMITY



LEGEND

-  SUBJECT SITE
-  TOPO LINE

-  PARCELS



2 FOOT TOPOGRAPHIC MAP - VICINITY



SUBJECT SITE

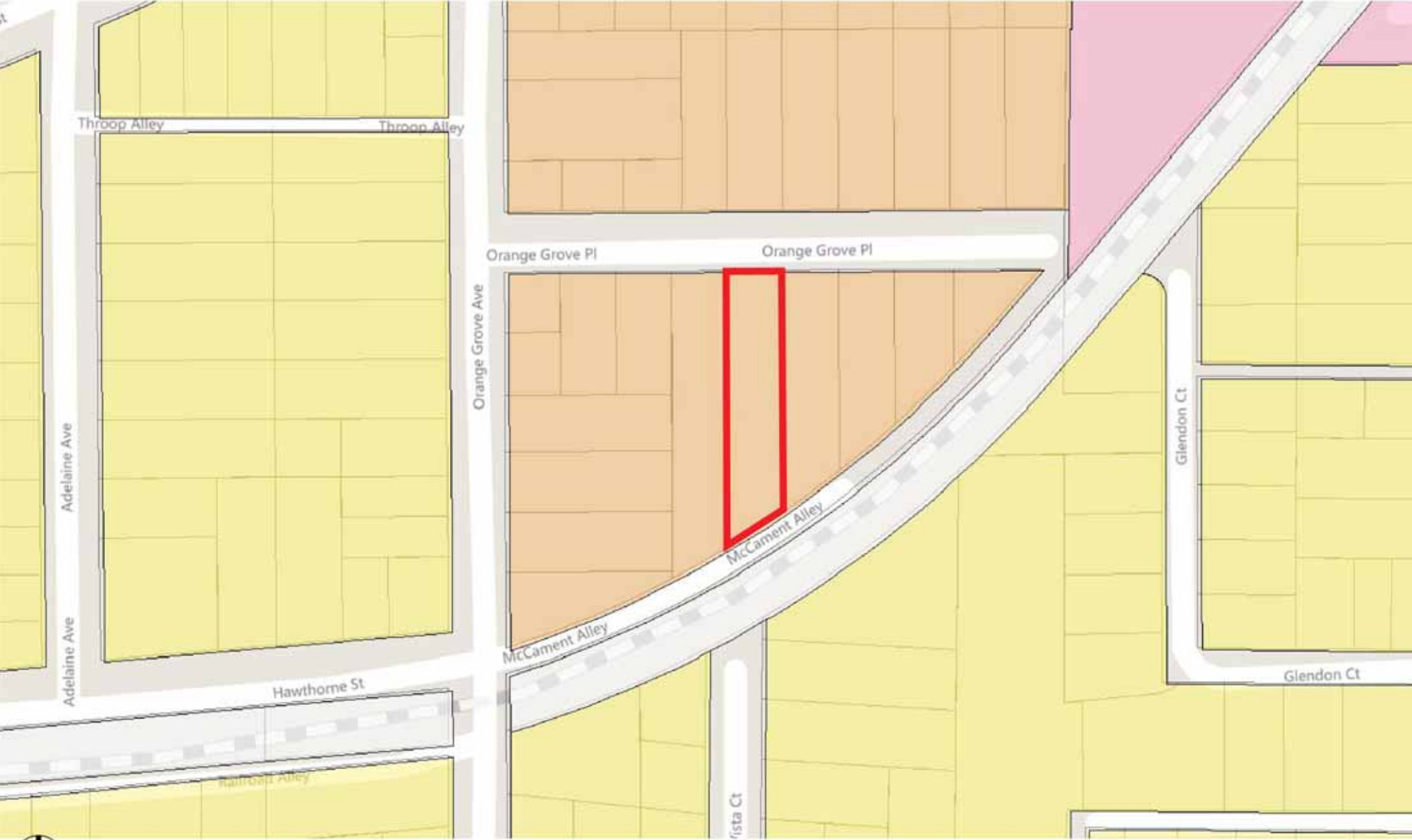


PARCELS



TOPO LINE





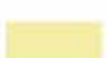
LEGEND



ZONING MAP



LEGEND

- | | | | |
|---|---------------------------------|---|------------------------------|
|  | SUBJECT SITE |  | PARCELS |
|  | RM - RESIDENTIAL MEDIUM DENSITY |  | MISSION STREET SPECIFIC PLAN |
|  | RS - RESIDENTIAL LOW DENSITY | | |



ORANGE GROVE PLACE



ORANGE GROVE PLACE



ORANGE GROVE AVENUE



ALLEYWAY



ALLEYWAY



ALLEYWAY

Allen Matkins

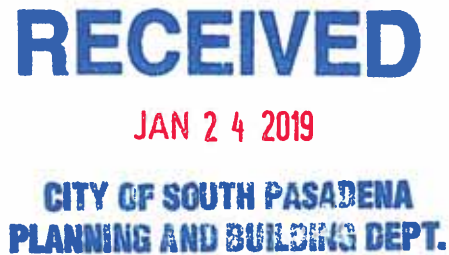
Allen Matkins Leck Gamble Mallory & Natsis LLP
Attorneys at Law
865 South Figueroa Street, Suite 2800 | Los Angeles, CA 90017-2543
Telephone: 213.622.5555 | Facsimile: 213.620.8816
www.allenmatkins.com

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



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

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

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,

















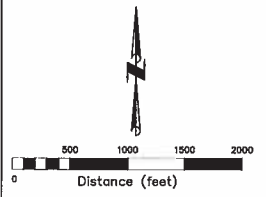
Patrick A. Perry

PAP
Enclosures

EXHIBIT A

City of South Pasadena Zoning Map

-  Residential Estate (RE)
-  Altos 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

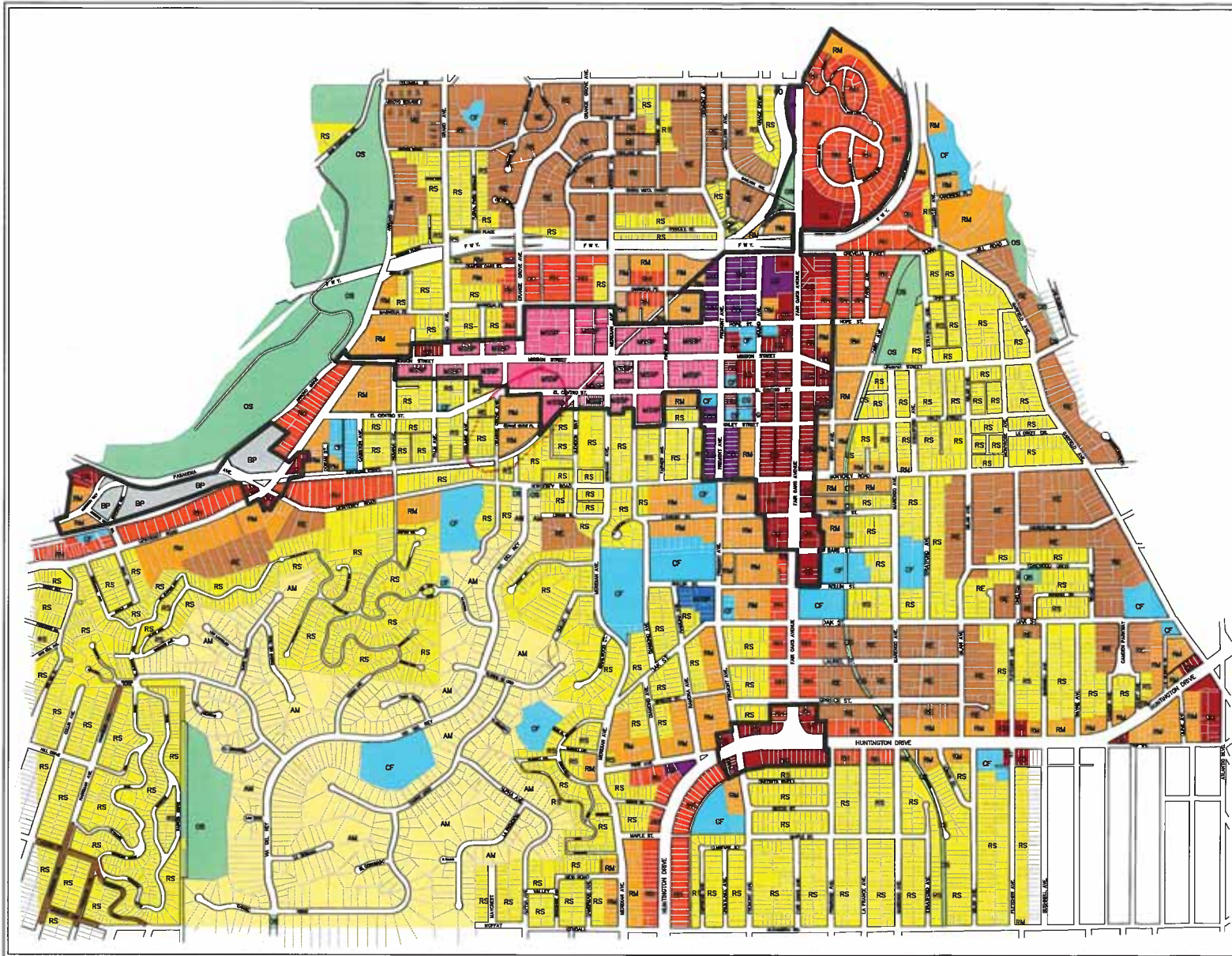


EXHIBIT B

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 and 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.

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

Page 11

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, appearing to read "Patrick Perry".

Patrick A. Perry

PAP

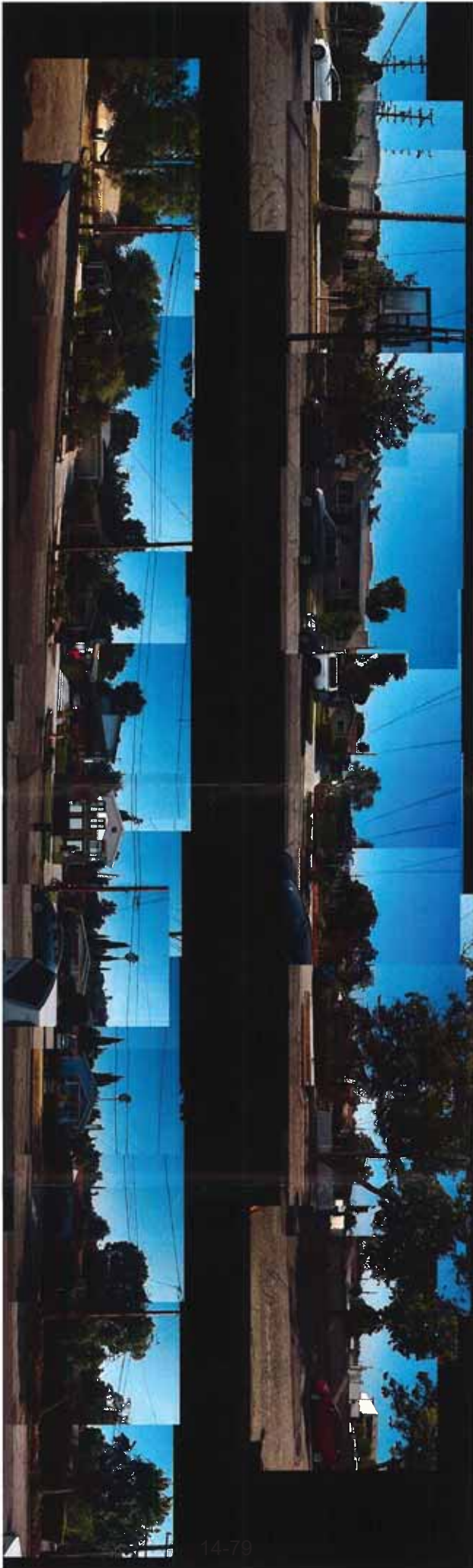


EXHIBIT C

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

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

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

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,

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

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.

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

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

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?

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

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

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIR CONRADO LOPEZ: Let's not do this.

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

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

JAMES FENSKE: Right. My bad. So --

MICHAEL LEJEUNNE: Thank you, Conrad.

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

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

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

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

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

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

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.

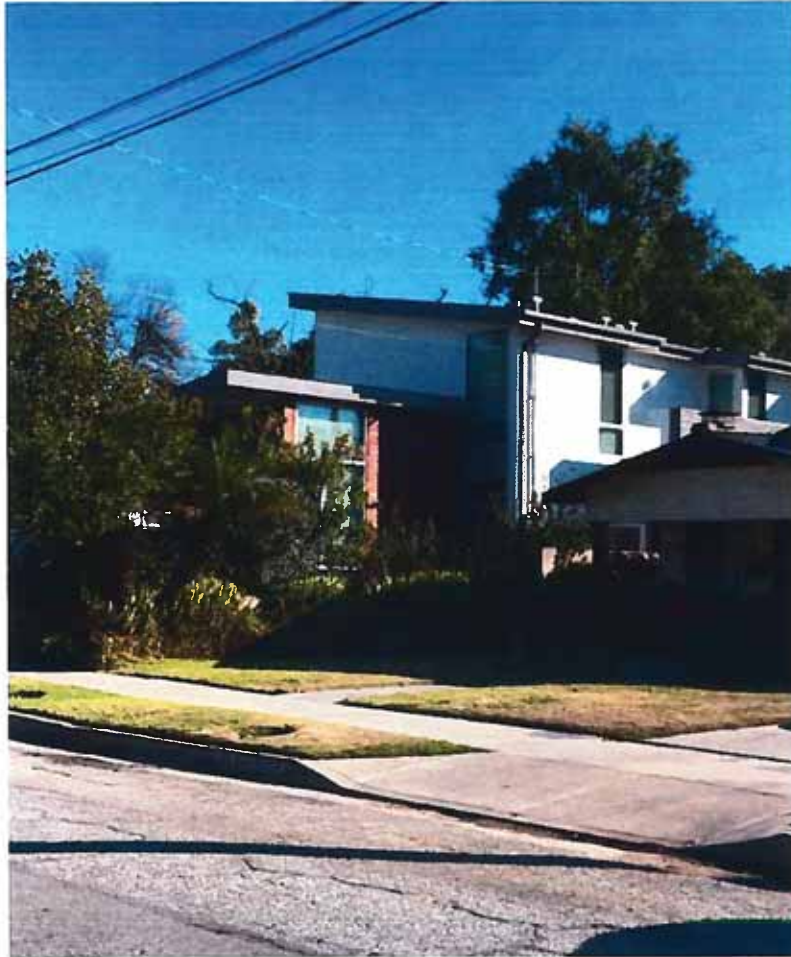
EXHIBIT D

817 ORANGE GROVE PLACE (THE "PROJECT")

2-STORY RESIDENTIAL STRUCTURES IN PROJECT'S VICINITY



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



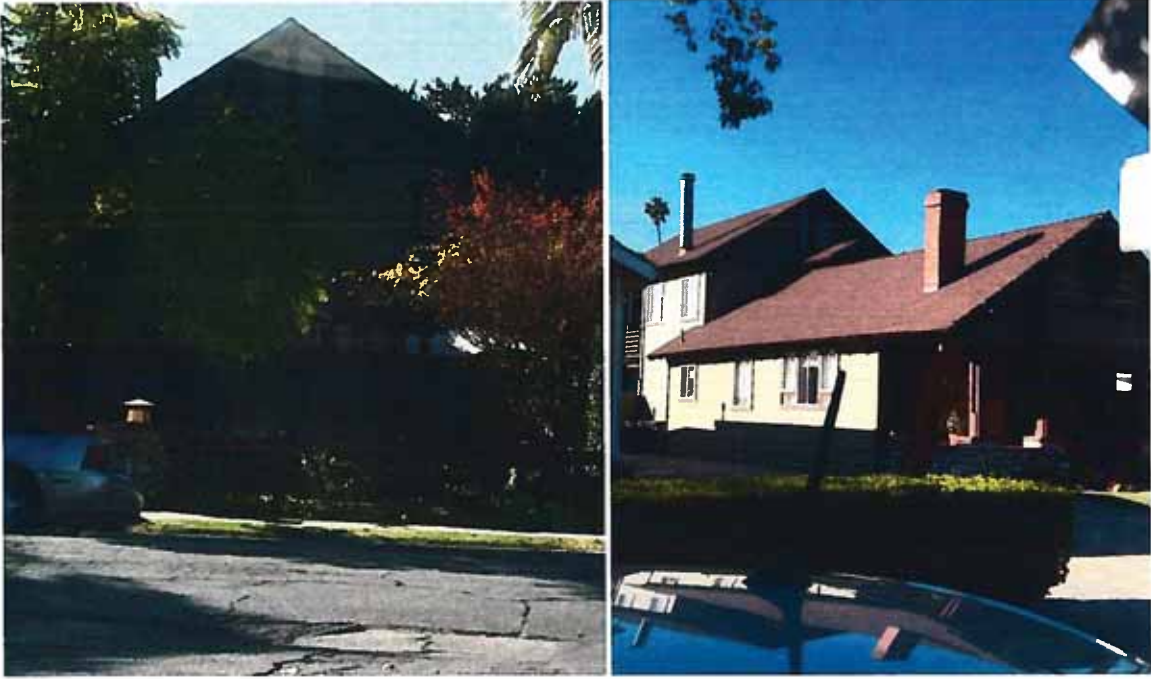
2. 1012 Orange Grove Avenue Multifamily Apartments



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



4. 1029 Orange Grove Avenue



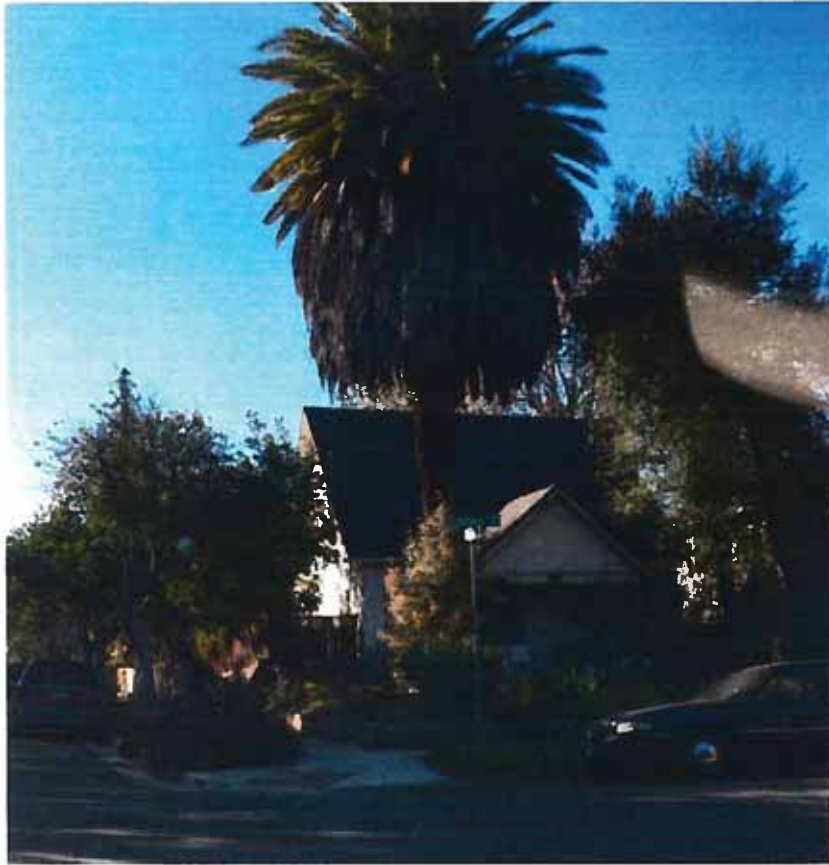
5. 1040 Orange Grove Avenue



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

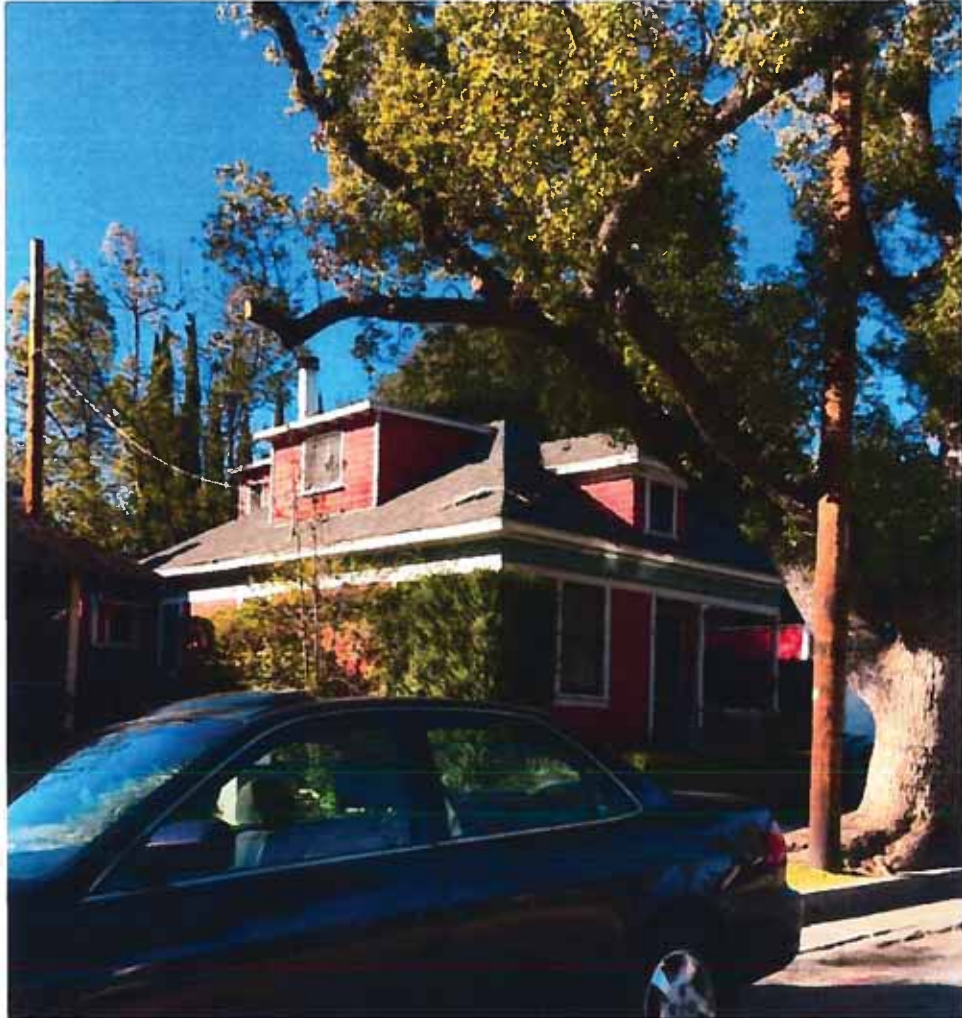


EXHIBIT E





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 McCamment Alley fronting the property.
- 20) If trash pickup is proposed through McCamment 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.

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.

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 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.

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.

- 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.

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

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/LA1165905.01

Via Electronic and First Class Mail

June 10, 2019

Mayor Marina Khubesian
Mayor Pro Tem Robert S. Joe
Councilmember Michael A. Cacciotti
Councilmember Diana Mahmud
Councilmember Richard D. Schneider
City of South Pasadena
1414 Mission Street
South Pasadena, California 91030

Re: 817 Orange Grove Place - Case No. 2180-Appeal

Dear Mayor Khubesian and Members of the City Council:

This firm represents Ms. Patty Chan, owner of the property located at 817 Orange Grove Place (the "Property"). On April 9, 2019, the City Planning Commission granted Ms. Chan's appeal of the Design Review Board's denial of her application for a proposed housing development project consisting of three residential units (the "Project") on the Property. The action by the Planning Commission has now been appealed to you for consideration at your meeting on June 19, 2019. For the reasons set forth below, you are respectfully requested to deny the appeal and uphold the decision of the Planning Commission approving the Project.

A. Background.

The Property has historically been developed with two residential units and a detached garage. According to 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 rear residential unit, which has since been demolished, 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 4,326 square feet as follows:

Unit A	One-story, one bedroom, one bathroom, 860 square feet.
Unit B	Two-story, three bedrooms, 2.5 bathrooms, 1,733 square feet.
Unit C	Two-story, one bedroom, 1.5 bathrooms, 1,733 square feet.

On July 19, 2018, the Cultural Heritage Commission approved the demolition of all structures on the Property subject to approval by the Design Review 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 residential development at higher densities than what is presently constructed on the Property.

B. The Project Fully Complies with All Applicable Zoning Requirements and the City's Design Guidelines for New Multi-Family Development.

According to the City's Zoning Map, the Property and the surrounding properties bordered by Orange Grove Avenue, El Centro Street, McCamment 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.

According to the Los Angeles County Assessor, the lot area of the Property is 10,104 square feet or approximately 0.23 acre. 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, and approved by the Planning Commission, the proposed lot coverage is approximately 36 percent, and the maximum height of the proposed structures on the Property is 27 feet. 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 requirements. Two hundred ten square feet of common open space is provided, and private open space ranging from 225 square feet to 380 square feet is provided for each unit. A total of four covered parking spaces and two guest parking spaces are provided.

Undisputed evidence was presented to the Design Review Board and to the Planning Commission demonstrating that the Project fully complies with all applicable City Design Guidelines for Multi-Family Residential Development (the "Design Guidelines"). The Planning Commission accordingly adopted Resolution No. 19-06 at its meeting on April 9 containing findings supported by substantial evidence that the Project complies with all applicable Design Guidelines.

C. The Design Review Board Decision.

Ms. Chan first submitted her application for Design Review approval in September 2014, almost five years ago. The original design consisted of three residential units containing a total of 5,028 square feet of floor area, which included a three bedroom detached single story front unit containing 1,672 square feet, and two attached rear units containing two bedrooms and 1,678 square feet each in a two story building. Over the course of several meetings, the Design Review Board requested multiple changes to the Project design. In 2016, the Project architect met with surrounding neighbors and prepared a revised design based on community input. The revised design consisted of three units containing a total of 3,717 square feet of floor area, which included a two bedroom detached single story front unit containing 1,031 square feet, a one bedroom ground floor rear unit containing 437 square feet, and a three bedroom second story rear unit containing 2,249 square feet.

The revised design was presented to the Design Review Board on November 3, 2016. Notwithstanding the consensus reached with members of the community in favor of the revised design, neighboring residents testified at the meeting in opposition to the Project, and the Design Review Board again continued consideration pending further revisions to the Project design. The Project design was further revised and presented to the Design Review Board on January 5, 2017. Neighboring residents again testified in opposition to the revised design, and the Design Review Board again continued consideration pending further revisions.

Due to the apparent unwillingness of neighboring residents to compromise regarding the proposed design, the Project was revised to increase the total floor area to 4,977 square feet, which included a two bedroom detached two story front unit containing 2,319 square feet, a one bedroom ground floor rear unit containing 1,187 square feet, and a one bedroom second story rear unit containing 1,471 square feet. The revised design was considered by the Design Review Board on October 4, 2018.

In a letter dated September 28, 2018, the Design Review Board was provided with detailed information demonstrating that the Project fully complied with the SPMC and the Design Guidelines. As set forth in the transcript of the Design Review Board hearing regarding the Project on October 4, 2018, members of the Design Review Board nevertheless dismissed the Design Guidelines as mere "guidelines" that have no binding effect, and stated that all decisions affecting

design are subjective. Indeed, none of the members of the Design Review Board 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 deny the Project.

The decision by the Design Review Board constituted a clear violation of Section 65589.5(j) of the California Government Code, which 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 application for the housing development project 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.

Otherwise known as "the Housing Accountability Act . . . and . . . referred to colloquially as the 'Anti-NIMBY Law,'" Government Code § 65589.5 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 Design Review Board were therefore prohibited from substituting their subjective judgment for objective standards and could not rely on such innocuous concepts as neighborhood "suitability" in considering housing development projects as they did in this case.

Ms. Chan accordingly appealed the decision of the Design Review Board to the Planning Commission.

D. The Planning Commission Decision.

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 a reduction in the overall square footage of the proposed residential units.

Without waiving any of the grounds for her appeal, Ms. Chan nevertheless made further revisions to the Project in response to the recommendations by members of the Planning Commission. The revisions included reducing the overall square footage of the Project from 4,977 square feet to 4,508 square feet, and reducing the front unit to one story. The revised design 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, and reorienting the roof lines to be parallel to the street in order to reduce the scale of the proposed structures as seen from the street.

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 Planning Commission for consideration. In a letter dated March 21, 2019, the Planning Commission was provided with detailed information demonstrating that the Project as revised fully complied with the SPMC and the Design Guidelines. The Planning Commission nevertheless recommended further revisions and continued consideration of the appeal until April 9, 2019. The Project was accordingly further revised as described in Sections A and B above.

In the Planning Commission Agenda Report dated April 9, 2019, Planning and Building Department staff recommended that the appeal be granted and the revised Project be approved. The Planning Commission discussed various issues, including the number of spaces identified on the revised drawings as bedrooms, and granted the appeal subject to Condition of Approval No. C-P5, which reads as follows:

Prior to issuance of building permits for either building, the applicant shall provide a revised floor plan demonstrating compliance with the South Pasadena Municipal Code, the Los Angeles County Building Code, and the California Fire Code, by depicting one or two bedroom units, through the elimination of excess bathtubs, shower stalls, and bathrooms, removing full height walls and doors, or other means, to the satisfaction of the Chair or their assigned delegate.

Revised floor plans were submitted on May 17, 2019 for the Chair's review. On June 2, 2019, the Chair of the Planning Commission approved the revised floor plans. Meanwhile, certain of the neighboring property owners filed an appeal of the Planning Commission's decision to the City Council.

E. The Neighbors' Appeal Is without Merit.

According to the Appeal Form filed on April 24, 2019, the appellants object to the requirement for Chair review regarding the designation of bedrooms and claim that the Project will result in traffic and parking impacts on Orange Grove Avenue, Orange Grove Place, and

McCammment Alley. As set forth below, each of these purported grounds for appeal is unfounded and should be denied.

1. The Chair of the Planning Commission Has Approved Revised Floor Plans in Compliance with Condition of Approval No. C-P5.

The appellants acknowledge that they have not had an opportunity to review the revised plans subsequently approved by the Chair of the Planning Commission pursuant to Condition of Approval No. C-P5. The Chair's approval confirms that the Project as approved complies with applicable requirements regarding the number of bedrooms in each unit. The appellants' concerns in this regard have therefore been fully addressed and should be disregarded.

2. The Project Will Not Negatively Impact Traffic or Parking.

As stated above, the Property has historically been developed with two residential units and a detached garage that has access from McCammment Alley. The Project will add only one residential unit which is fully consistent with the existing zoning designation. As described above, the Project will comply with all applicable zoning requirements, including on-site parking requirements. 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 McCammment 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 McCammment Alley. The Project will therefore not alter existing vehicular or pedestrian traffic patterns in the neighborhood.

The Project will incorporate a driveway through the entire length of the Property. Vehicular access will therefore be available from both Orange Grove Place and McCammment Alley, both of which are public right-of-way. Vehicles will be able to access the rear units from McCammment Alley and exit onto Orange Grove Place, thereby obviating the need for two-way traffic on McCammment Alley. Ms. Chan has agreed to Public Works Department requirements to improve the entire width of the portion of McCammment Alley abutting the Property with four inches of new asphalt paving and has agreed to improve half of the width of the portion of Orange Grove Place abutting the Property with two inches of new asphalt paving. Development of the Project will therefore improve access and enhance public safety relative to historical conditions.

During the demolition of the rear unit on the Property, the demolition contractor recorded traffic in McCammment Alley. Based on the observations of the demolition contractor, McCammment Alley is rarely used. Ana Uehara, who lives at 1050 Orange Grove Avenue immediately adjacent to the intersection of McCammment Alley and Orange Grove Avenue, also testified before the Design Review Board that McCammment Alley is seldom used. Ms. Uehara does not use McCammment Alley

Mayor Marina Khubesrian
June 10, 2019
Page 7

because access to her driveway is directly from Orange Grove Avenue. The owners of the property located at 821 Orange Grove Place immediately to the east of the Property submitted correspondence to the Planning Commission that they do not use McCammet Alley either, and the properties located farther east at 825, 833, and 835 Orange Grove Place have placed encroachments in McCammet Alley, thereby preventing use of McCammet Alley for access to their properties as well. Use of McCammet Alley is therefore currently limited to the property located at 813 Orange Grove Place immediately to the west of the Property, and the owner of that property testified before the Planning Commission that only a single tenant of 813 Orange Grove Place uses McCammet Alley for vehicular access. Any concerns regarding traffic and parking in the vicinity of the Property as a result of the Project are therefore overstated, and should be disregarded.

Even if there were a possibility that an increase in traffic and parking could occur, such concerns are not appropriate in the context of a Design Review proceeding. According to Section 36.410.040 of the SPMC, the Design Review process is intended "to focus on design issues and solutions that will have the greatest effect on community character and aesthetics, to encourage imaginative solutions and high-quality urban design." According to Section 36.600.050 of the SPMC, the Design Review Board may not "[d]etermine the location or appropriateness of a land use, if the use is in compliance with the [SPMC]." Where a proposed project is within the scope of applicable zoning requirements, the Design Review process may therefore not be utilized to consider issues of traffic and parking. This principle was upheld under similar circumstances in *McCorkle Eastside Neighborhood Group v. City of St. Helena* (2018) 31 Cal.App.5th 80, in which the court held that the City of St. Helena was not required to consider traffic, noise, or air and water quality where its discretion was limited to design review. Such is the case here, and appellants' concerns regarding traffic and parking, even if they were valid (which they are not), are not properly within the scope of the City Council's discretion in the context of a Design Review approval.

F. Conclusion.

For all of the foregoing reasons, you are respectfully requested to deny the appeal and uphold the decision of the Planning Commission. We are available to meet with you to discuss this matter in more detail at your convenience. In the meantime, please call with any questions or if I can provide additional information with respect to this issue.

Very truly yours,



Patrick A. Perry

PAP

cc: Mr. Edwar Sissi

CITY OF SOUTH PASADENA
PLANNING COMMISSION
CHAIR REVIEW DECISION

Project Address: 817 ORANGE GROVE PLACE

Chair Review Case #: 2180-APPEAL

Applicant: Peter DeMaria, Architect
Zoning: (RM) Res. Medium Density
APN: 5315-018-064

Owner: Patty Chan
General Plan: Medium Density Res.
Project Type: New Tri-Plex Development

Chair Review Submittal Date: May 17, 2019
Planning Commission Hearing Date: April 9, 2019
Original Planning Commission Case No.: 2180-APPEAL (P.C. Reso 19-06)

Project Description:

Reviewed the revised project on Appeal and granted the Appeal with Conditions of Approval that the project be built consistent with the revised drawings for the proposed demolition and new tri-plex development located at 817 Orange Grove Place. The original project on Appeal was for the Denial issued by the Design Review Board in October 2018 for the applicant's original proposal to construct a new approximately 5,000 square foot tri-plex development (Project No. 1750-NID-DRX). The revised project reviewed and approved by the Planning Commission consists of a proposed demolition of the existing remnant structures located at the project site, and the construction of a new tri-plex development consisting of a detached front unit, two attached rear units, all encompassing approximately 4,300 square feet of Floor Area. The project was approved with the following CONDITIONS FOR A CHAIR REVIEW:

C-P5. The following Condition was added as a Condition of Approval at the April 9, 2019 Planning Commission Meeting:

- The Prior to the issuance of building permits for either building, the applicant shall provide a revised floor plan demonstrating compliance with the South Pasadena Municipal Code, the Los Angeles County Building Code, and the California Fire Code, by depicting one or two bedroom units, through the elimination of excess bathtubs, showers stalls, and bathrooms, removing full-height walls and doors, or other means, to the satisfaction of the Chair or their assigned delegate.

CHAIR DECISION:

- Approved as submitted *per plans received 5/17/2019.*
- Approved with these conditions:

- Denied
Reasons for Denial:

Kelly M. Koldus

Kelly M. Koldus, Chair Planning Commission

6/2/2019

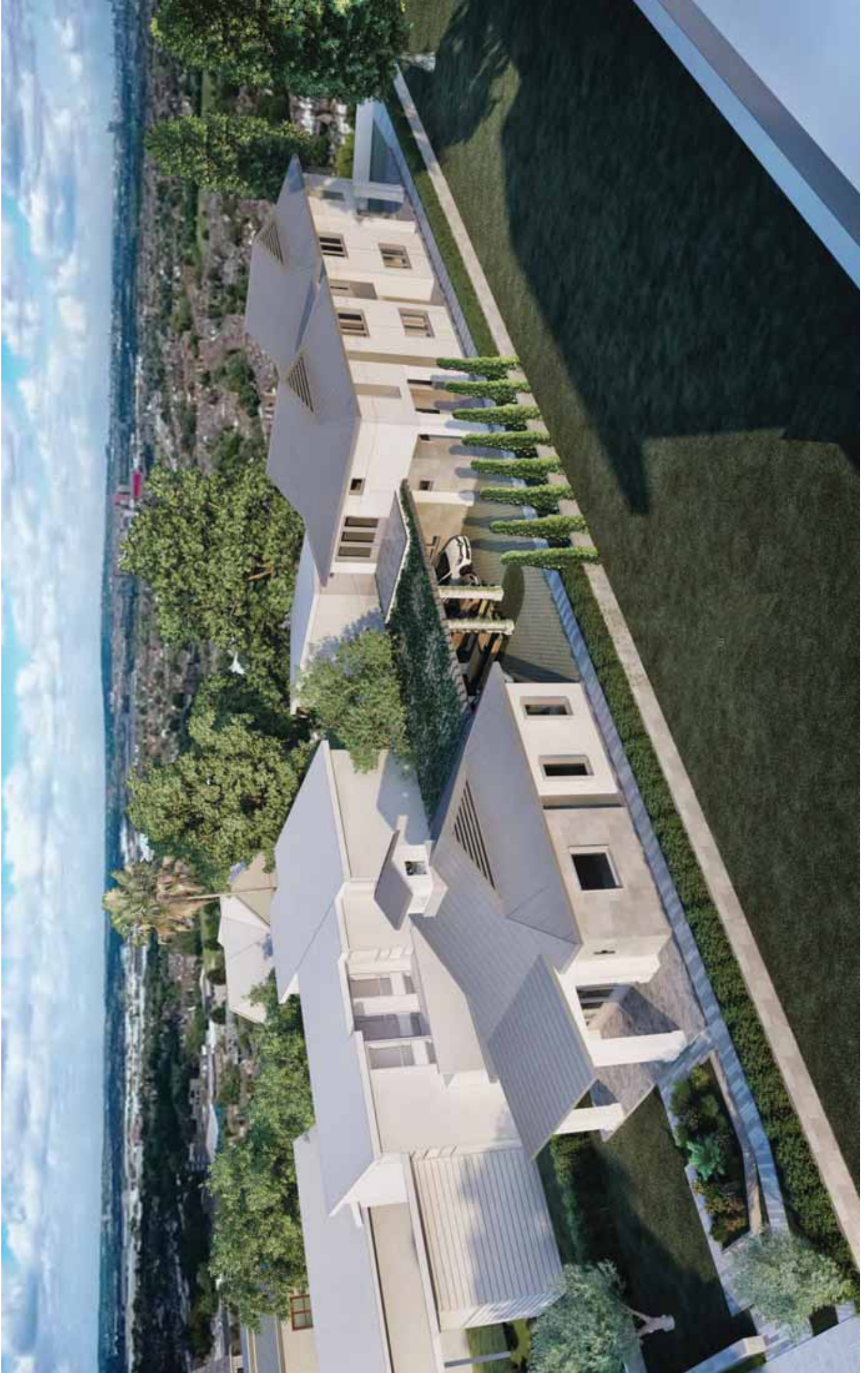
Date

























PROJECT INFORMATION

ADDRESS:
817 Orange Grove Place,
South Pasadena, CA 91030

OWNER: 817 Orange Grove Place,
South Pasadena, CA 91030

ARCHITECT: DeMaria Design LLC
3544 RR 620 South Studio 5201
Austin, TX 78738
Calif. Arch. Lic.# C-23127
Tel: 310 802 1270

PROPERTY INFORMATION

ASSESSOR'S PARCEL NUMBER: 5315-018-064
LOT SIZE: 10,106 SQ. FT.
EXISTING BUILDING AREA: 2,077 SQ. FT.
EXISTING FLOOR AREA RATIO F.A.R.: 2.077 / 10,106 = .205
PROPOSED LIVABLE AREA: 4326 SQ. FT.
PROPOSED FLOOR AREA RATIO F.A.R.: 4326 / 10,106 = .428
ALLOWABLE FLOOR AREA RATIO F.A.R.: .5

EXIST. FRONT UNIT: 819 SQ. FT.
EXIST. REAR UNIT (DEMOLISHED 2018): 1,258 SQ. FT.

PROPOSED FRONT UNIT: 860 SQ. FT.
PROPOSED REAR UNIT A: 1733 SQ. FT.
PROPOSED REAR UNIT B: 1733 SQ. FT.
TOTAL AREA OF PROJECT: 4,326 SQ. FT.

EXISTING LOT COVERAGE: 3369 SQ. FT. (33%)
PROPOSED LOT COVERAGE: 3694 SQ. FT. (36%)

CITY ZONING DESIGNATION: RM - RESID MEDIUM DENSITY
FIRE SPRINKLERS: NO
CONSTRUCTION TYPE: VB

PROJECT DESCRIPTION

SCOPE OF WORK:
Demolition of existing two detached residential units and garage. New construction of two building/three apartment living units/multi-family residential structure.

DRAWING INDEX

ARCHITECTURAL:

A1.00	PROJECT INFORMATION
A2.00	DEMOLITION PLANS
A2.01	SITE & FLOOR PLANS
A2.02	ROOF & LANDSCAPE LIGHTING PLAN
A5.00	BUILDING ELEVATIONS AND SECTION
A9.0	DOOR & WINDOW SCHEDULE DESIGN DETAILS

GENERAL NOTES

The current code is the 2013 Los Angeles County Building Code.

CITY REQUIREMENTS
1. Separate permit shall first be obtained from the City Public Works Department prior to placement of any construction materials or equipment in the public way.

STATE REQUIREMENTS
1. At time of permit issuance, contractor shall show their valid workers' compensation insurance certificate.

2. All work shall conform to all requirements of State of California Title 24 regardless of the information indicated on these plans. It is the responsibility of the individual supervising the construction to ensure that the work is done in accordance with Code requirements prior to requesting inspection.

3. Excess or waste concrete man not be washed into the public way or any other drainage system. Provisions shall be made to retain concrete wastes on site until they can be disposed of as solid waste.

4. South Coast Air Quality Management District (SCAQMD) shall be notified in accordance with California State Law prior to start of any demolition, addition, and/or remodel work. The South Coast Air Quality Management District Office is located at 21865 Copley Drive in Diamond Bar, Phone No. (909) 396-2000. Be advised, SCAQMD may require a 10 day wait period prior to start of work. For further information visit

Sediments and other materials may not be tracked from the site by vehicle traffic. The construction entrance roadways must be stabilized so as to inhibit sediments from being deposited into the public way. Accidental depositions must be swept up immediately and may not be washed down by rain or other means.

Stockpiles of earth and other construction related materials must be protected from being transported from the site by the forces of wind or water. Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination of rainwater and dispersal by wind.

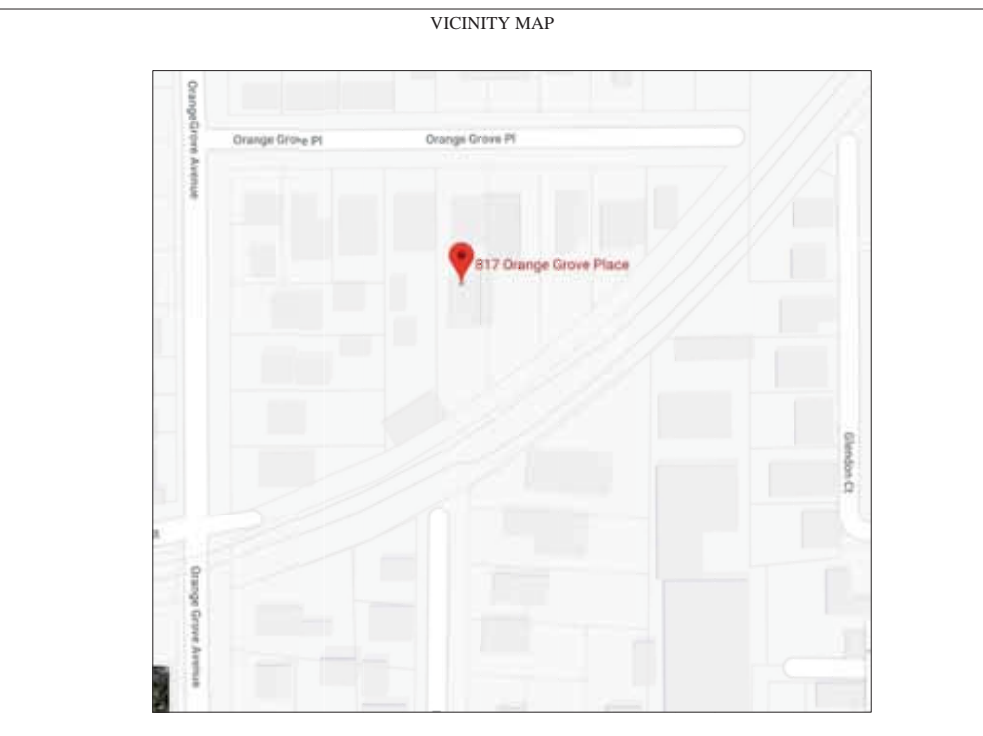
Fuels, oils, solvents and other toxic materials must be stored in accordance with their listing and are not to contaminate the soil and surface waters. All approved storage containers are to be protected from the weather. Spills must be cleaned up immediately and disposed of in a proper manner. Spills may not be washed into the drainage system.

ADMINISTRATIVE REQUIREMENTS
1. The issuance of a permit shall not prevent the building official from requiring the correction of errors on these plans or from preventing any violation of the Codes adopted by the City, relevant laws, ordinances, rules and/or regulations.

2. Pedestrian traffic shall be protected by a fence and canopy constructed in accordance with the Building Code. Pedestrian protection shall not be erected until a permit has first been obtained by the Public Works Department. Pedestrian protection shall be constructed in accordance with the Building Code Scaffolding and shall not be incorporated into the pedestrian protection unless it complies with all clear height and width requirements of California Title 24 Disabled Access Requirements, and the Americans with Disabilities Act (ADA). Contractor shall assume all responsibility for removal and replacement of non-complying pedestrian protection.

3. The project site shall be kept continuously fenced in accordance with the City Municipal Code until the project is finalized or approval to remove the fence has been obtained from the City Building Division. 24 hour security shall be provided any time the fence cannot be maintained intact.

VICINITY MAP



BY			
REVISION			
DATE			

DeMARIA DESIGN
A PROFESSIONAL CORPORATION

3544 RANCH ROAD 620
UNIT 502
AUSTIN, TX 78738

P: 310.802.1270
E: demaria@demariadesign.com
CALIFORNIA LIC. NO. C-23127
TEXAS LIC. NO. 34742

ARCHITECT STAMP

DOCUMENT
RELEASE # 0.1
MARCH 14, 2019
PROJECT NO.
2019.03.14

CHAN RESIDENCE
MULTI-FAMILY HOME

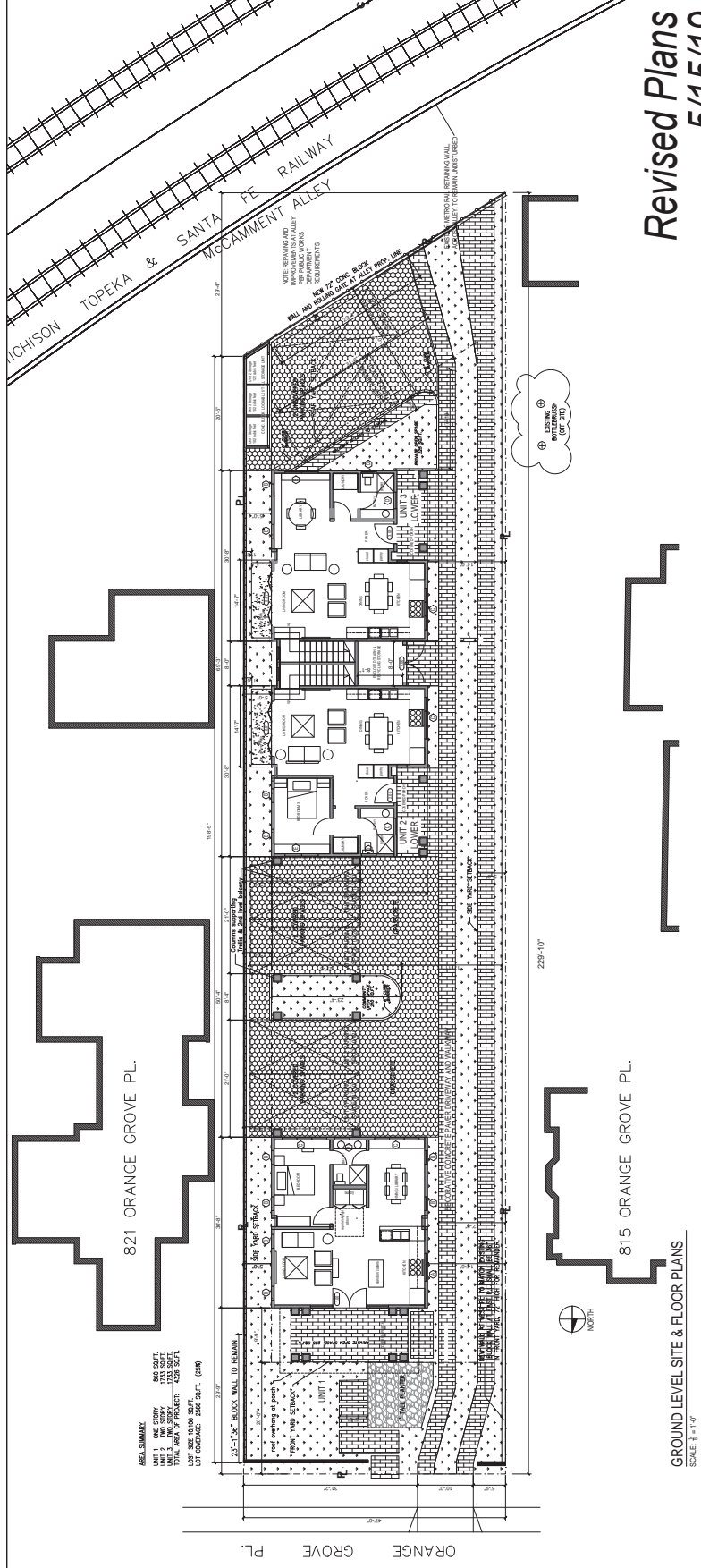
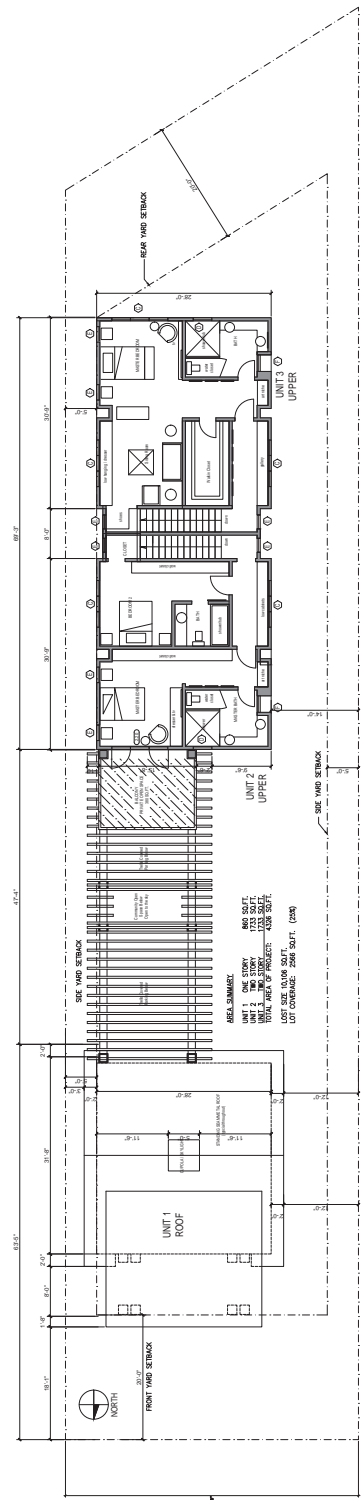
817 ORANGE GROVE PLACE
SOUTH PASADENA, CA 91030

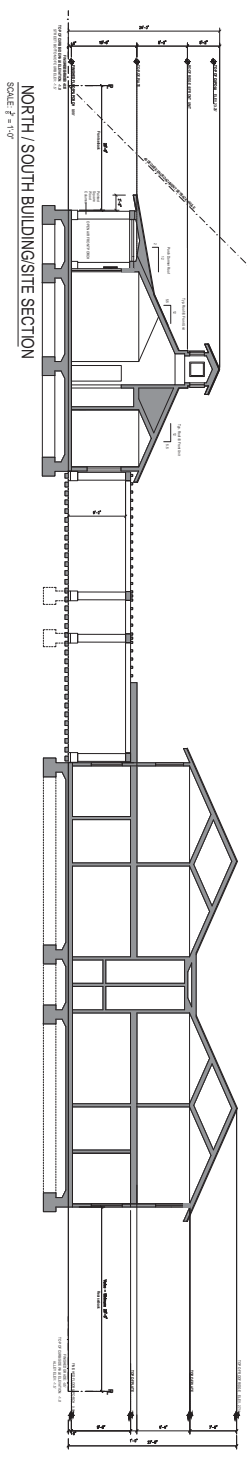
PROJECT INFORMATION

Notice: Chan Residence agreed in writing to De Maria Design LLC to be the sole owner of all proprietary data, including computer data and any trade secrets in the "final" delivered version. Any disclosure, reproduction or revision of this document or any portion thereof, in any medium, prohibited unless previously consented in writing by De Maria Design LLC.

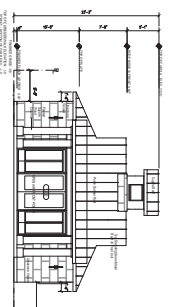
SHEET NUMBER
A1.00

Revised Plans
5/15/19

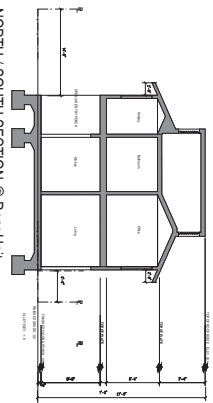




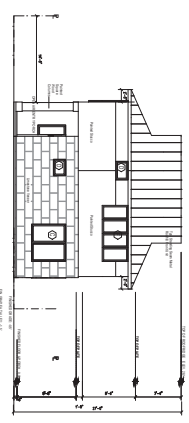
NORTH / SOUTH BUILDING SITE SECTION
SCALE: 1/8" = 1'-0"



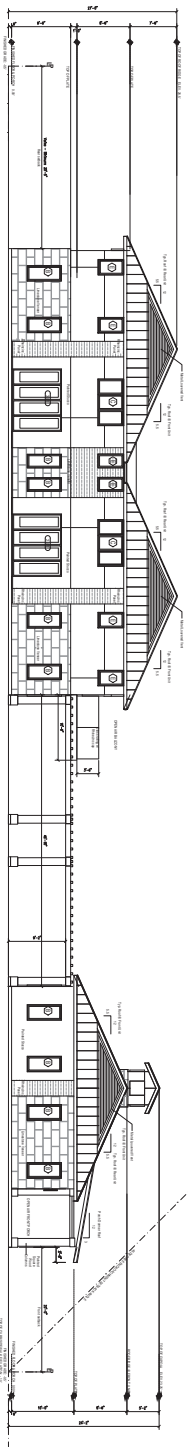
FRONT / NORTH ELEVATION AT ORANGE GROVE PL.
SCALE: 1/8" = 1'-0"



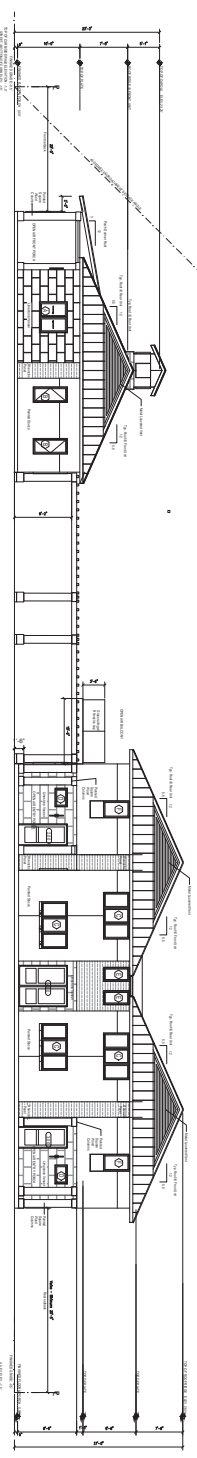
NORTH / SOUTH SECTION @ Rear Unit
SCALE: 1/8" = 1'-0"



REAR / SOUTH ELEVATION AT ALLEY
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"

DATE	REVISION	BY

DeMARIA DESIGN
A PROFESSIONAL CORPORATION
UNITS 102
435 N. 17TH ST.
SUNSHINE, MO 64086
E: demaria@demariadesign.com
P: (660) 426-5287
F: (660) 426-5288

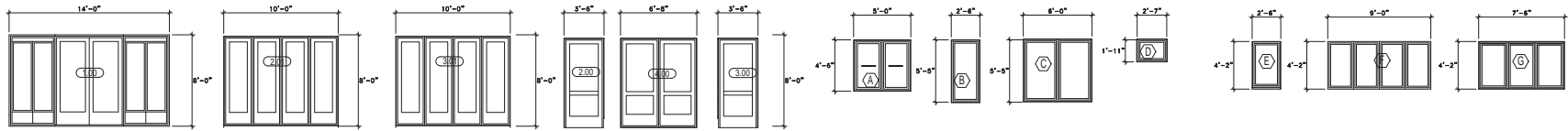
DOCUMENT
RELEASE # 0.1
MARCH 14, 2019
PROJECT NO.
2019.03.14

CHAN RESIDENCE
MULTI-FAMILY HOME
877 ORANGE GROVE PLACE
SUNSHINE, MO 64086

**EXTERIOR
ELEVATIONS
&
SECTION**

THIS SET OF ARCHITECTURAL DRAWINGS IS THE PROPERTY OF DeMARIA DESIGN. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. NO PART OF THESE DRAWINGS IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF DeMARIA DESIGN.

DATE PLOTTED: 2/28/2019 10:58 AM
DRAWN BY: J. DEBARTOLO
CHECKED BY: J. DEBARTOLO
SCALE: AS SHOWN



GENERAL NOTES

1. CONFIRM HARDWARE WITH ARCHITECT AND OWNER PRIOR TO ORDERING. CONFIRM SCHEDULE WITH ARCHITECT PRIOR TO ORDERING.
2. DOORS SHALL BE TEMPERED PER CODE IN ALL HAZARDOUS LOCATIONS.
3. ALL DOORS TO BE DUAL GLAZED, INSULATING AND LOW E VALUE.
4. CONTRACTOR SHALL COORDINATE ALL DOORS WITH ARCHITECT PRIOR TO ORDERING.
5. GLASS PANELS IN SLIDING OR SWINGING DOOR TO BE TEMPERED (HAZADOUS LOCATION (2406.4).
6. CONTRACTOR SHALL COORDINATE ROUGH OPENING SIZES OF ALL NEW & REPLACED DOORS W/ MANUFACTURER'S REQUIREMENTS.
7. CONTRACTOR SHALL BE SOLELY RESPONSIBLE AS REGARDS TO ORDERING, DELIVERY, STORAGE & INSTALLATION OF ALL DOORS SO AS TO MEET CONTRACTOR SCHEDULE.
8. ALL EXTERIOR DOORS SHALL HAVE A MINIMUM OF 36" LANDING IN THE DIRECTION OF TRAVEL, ON EACH SIDE OF DOOR.
9. ALL SCHEMATIC DOORS ARE NOT TO SCALE. REFER TO ELEVATIONS AND DETAILS ON THIS SHEET FOR DIMENSIONS.
10. ROUGH OPENING OF ALL DOORS SHALL BE: DOOR WIDTH + 3-1/2", DOOR HEIGHT + 3-1/2" ABOVE FLOOR FINISH.
11. ALL EXTERIOR THRESHOLDS SHALL BE METAL FINISH TO MATCH HARDWARE.
12. OWNER TO PROVIDE FINISH LATCH AND LOCK HARDWARE AND CONTRACTOR SHALL INSTALL. CONTRACTOR WILL SUPPLY AND INSTALL BALANCE OF DOOR HARDWARE IN FINISH TO MATCH OWNER SUPPLIED HARDWARE.
13. MAX 0.75" THRESHOLD AT ALL EXTERIOR SLIDING DOORS. MAX 0.5" THRESHOLD AT ALL OTHER EXTERIOR DOORS.
14. DOOR HANDLES, PULLS, LATCHES, LOCKS, AND OTHER OPERATING DEVICES SHALL BE A MIN. OF 34" TO A MAX. OF 48" ABOVE HEIGHT OF FLOOR.

EXTERIOR ALUMINUM CLAD WOOD DOORS

GENERAL NOTES

1. ALL WINDOWS SHALL BE ALUMINUM CLAD WOOD WITH STAINLESS STEEL HARDWARE. REFER TO ELEVATIONS (A3.01/A3.02) FOR LOCATION AND SWING DIRECTION.
2. SEE ARCHITECT FOR SPECIFICATION UNLESS NOTED DIFFERENTLY.
3. WINDOWS SHALL BE TEMPERED PER CODE IN ALL HAZARDOUS LOCATIONS
4. ALL WINDOWS TO BE DUAL GLAZED, LOW-E GLASS
5. CONTRACTOR SHALL COORDINATE AND SUBMIT SHOP DRAWINGS OF ALL WINDOWS FOR ARCHITECT'S APPROVAL PRIOR TO ORDERING
6. ALL OPERABLE WINDOWS SHALL INCLUDE SCREENS AT INTERIOR. GLASS PANELS IN SLIDING OR SWINGING DOORS TO BE TEMPERED (HAZADOUS LOCATION (2406.4). CONTRACTOR SHALL COORDINATE ROUGH OPENING REQUIREMENTS/SIZES WITH WINDOW MANUFACTURER
7. GLAZING IN HAZARDOUS LOCATIONS SHALL BE TEMPERED. (2406.4) Shall be safety glazing per code: CRC R308.4.3
 - a) PANELS IN SLIDING OR SWINGING DOORS
 - b) DOORS AND ENCLOSURE FOR HOT TUB, BATHTUB, SHOWERS (ALSO GLAZING IN WALL ENCLOSING TUB OR SHOWER COMPARTMENTS WITHIN 5' OF STANDING SURFACE OR DRAIN INLET).
 - c) IF WITHIN 2' ARC OF VERTICAL EDGE OF CLOSED DOOR AND WITHIN 5' OF STANDING SURFACE
 - d) IN WALL ENCLOSING STAIRWAY LANDING
7. SEE ELEVATIONS FOR SWING/SLIDING DIRECTIONS.

EXTERIOR ALUMINUM CLAD WINDOWS

BY	
REVISION	
DATE	

DeMARIA DESIGN
A PROFESSIONAL CORPORATION

3644 RANCH ROAD E20
UNIT 502
AUSTIN, TX 78738

P: 512.899.1620
E: demaria@demariadesign.com
CALIFORNIA LIC. NO. C-21127
TEXAS LIC. NO. 24742

ARCHITECT STAMP

DOCUMENT
RELEASE # 0.1
MARCH 14, 2019
PROJECT NO.
2019.03.14

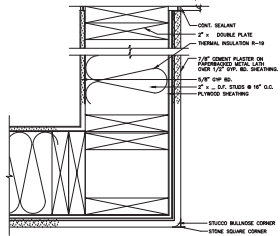
CHAN RESIDENCE
MULTI-FAMILY HOME

817 ORANGE GROVE PLACE
SOUTH PASADENA, CA 91109

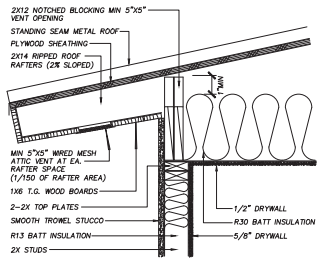
**DOOR & WINDOW
SCHEDULE &
DETAILS**

Notes: Unless otherwise agreed in writing, DE MARIA DESIGN, P.C. is the sole owner of all products, rights, designs, copyrights and all other assets in this contract. No part of this contract may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of DE MARIA DESIGN, P.C.

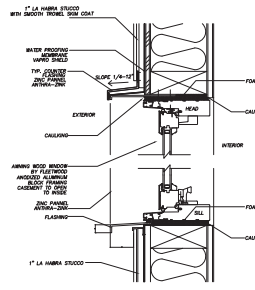
SHEET NUMBER
A9.00



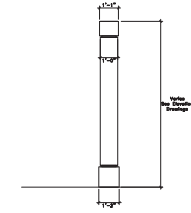
EXT. STUCCO & STONE VENEER CORNER
SCALE: NTS



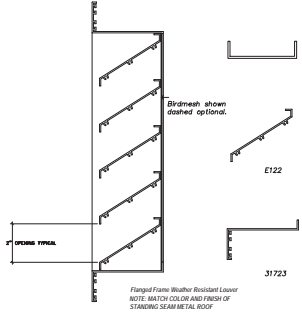
IPE / MANGARIS EAVE DETAIL
SCALE: NTS



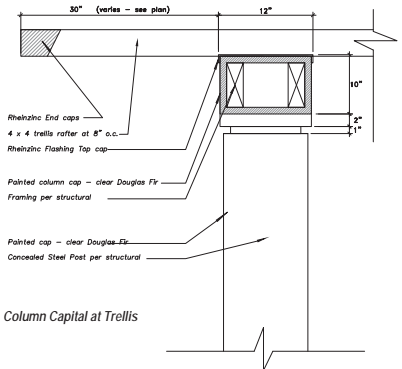
TYP. WINDOW & DOOR JAMB/HEAD
SCALE: NTS



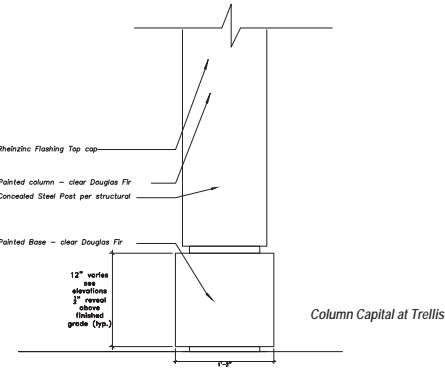
TYP. PORCH & TRELLIS COLUMN ELEVATION
SCALE: NTS



EXT. METAL GABLE VENT SECTION
SCALE: NTS



TYP. PORCH & TRELLIS COLUMN DETAILS
SCALE: NTS



TYP. PORCH & TRELLIS COLUMN DETAILS
SCALE: NTS

DEMARIA
D E S I G N

PROFESSIONAL CORPORATION



Chan Residence
817 Orange Grove Place
South Pasadena, CA

Exterior Material Booklet
April 4, 2019 rev.

LICENSED
ARCHITECT

TEXAS
LIC. NO. 24742

CALIFORNIA
LIC. NO. C-23127

WWW.DEMARIADesign.COM



Front Door



Living Room and Balcony Doors



Deep-set Window and Door Jamb

**ANDERSEN®
PRODUCT OVERVIEW**

With Andersen, there are product lines for every budget, every personal taste and every architectural style. No matter which you choose, all feature the beauty, energy efficiency and durability you and your customers have come to expect from Andersen.

ANDERSEN ADVANTAGES

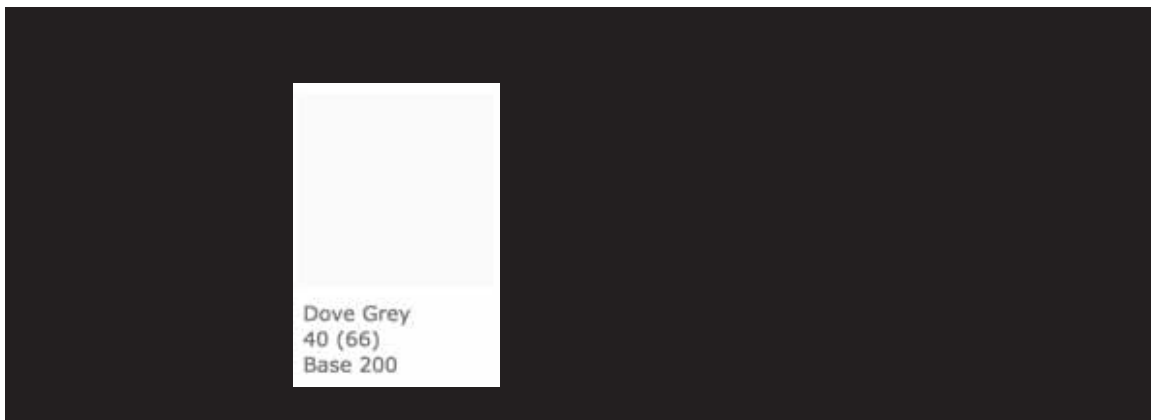
BIG DOORS
Our folding patio doors let the outside in. When closed, they provide a stately wall of light. When open, they fold virtually out of sight. Choose from a variety of configurations up to 48 feet wide. Handcrafted from the finest wood available, Andersen® Entrancesways add uncommon elegance to any home. Choose from rectangular or arched styles in a large variety of solid wood or glass panel options.

200 SERIES
This streamlined selection delivers Andersen quality at an uncommon value while still offering major choices. The Andersen 200 Series window and patio door product line encompasses our most popular sizes and options.

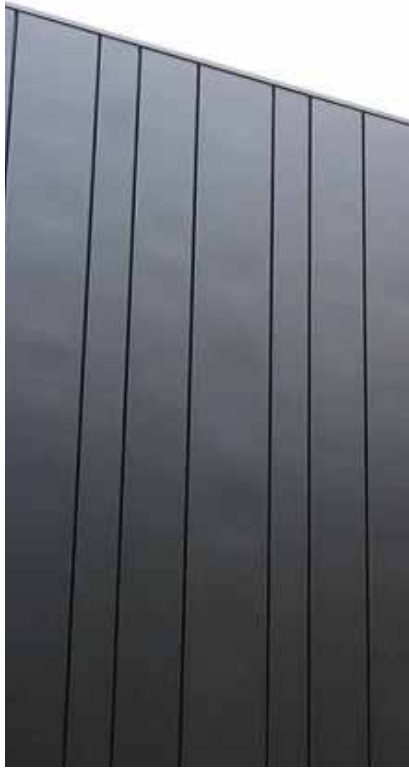


Chan Residence

EXTERIOR: SANTA BARBARA MISSION STYLE SMOOTH TROWEL STUCCO by LAHABRA







Rheinzinc Panels



Gable Vents to match Metal Roof



Bush Hammered Copper Planters





Standing Seam Metal Roof



Metal roof edge detail



LG 30K BTU – LGRED Condensing Unit 34" x 37" x 13" and Mini-Split 3 zone HVAC System



Linear Paver



Olive Tree



Grasscrete



Orange Honeysuckle Vine



Italian Cypress



Creeping Fig



UC Verde Buffalo Grass