

ATTACHMENT I:

Appeal Application to City Council



PASADENA PERMIT CENTER
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CITY OF PASADENA
PERMIT CENTER

2015 NOV 30 PM 12:10

REQUEST FOR APPEAL

APPLICATION INFORMATION

Project Address: 180 South Euclid Avenue

Case Type (MCUP, TTM, etc.) and Number: PLN2015-00545

Hearing Date: November 24, 2015

Appeal Deadline: December 4, 2015

APPELLANT INFORMATION

APPELLANT: Balian Investments, LLC

Telephone: [626] 584-0460, x 104

Address: 127 N. Madison Avenue, Ste. No. 200

Fax: [626] 564-2633

City: Pasadena State: CA Zip: 91101

Email: mbalian@msbconstructors.c

APPLICANT (IF DIFFERENT): _____

I hereby appeal the decision of the:

Hearing Officer

Zoning Administrator

Design Commission

Director of Planning and Development

Historic Preservation

Film Liaison

11 NOV 28 02:14 PM

REASON FOR APPEAL

The decision maker failed to comply with the provisions of the Zoning Code, General Plan or other applicable plans in the following manner (use additional sheets if necessary):

On November 24, 2015, the Design Review Commission ("DRC") failed to comply with Chapter 17.62 of the City's Zoning Code in determining whether the dilapidated office building on the subject property constitutes a "historic resource." The DRC also failed to make the legally required findings based upon substantial evidence; failed to apply the criteria under National Register Bulletin 15 for such designations; ignored direct evidence conclusively establishing that the building fails to comply with Bulletin 15 and/or the Zoning Code; improperly considered options and alternatives that were not based upon the evidence presented; and, inappropriately relied on certain Commissioners' subjective personal opinions and preferences for their decision.

CITY CLERK

Signature of Appellant

Date

* OFFICE USE ONLY

PLN # 2015-00545

CASE # _____

PRJ # _____

DESCRIPTION Appeal of Design Commission Decision to the City Council

DATE APPEAL RECEIVED: 11/30/15

APPEAL FEES: \$ 272.95

RECEIVED BY: [Signature]

APP-RFA Rev: 1/18/07

PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING SECTION

175 NORTH GARFIELD AVENUE
PASADENA, CA 91101

T 626-744-4009
F 626-744-4785



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

November 25, 2015

Ballan Investments, LLC
ATTN: Mike Ballan
127 N. Madison Avenue, Suite 200
Pasadena, CA 91101

NOTICE OF DECISION
Application for Consolidated Design Review
180 S. Euclid Avenue

PLN2015-00545
Council District 6

Dear Mr. Ballan:

On November 24, 2015, at a public hearing at Pasadena City Hall, the Design Commission, acting under the provisions of §17.61.030 of the Pasadena Municipal Code, reviewed your application for Consolidated Design Review for the demolition of a potentially historic house at the above-referenced address. The guidelines applied to this review were the Citywide Design Principles in the Central District Specific Plan and the criteria for designation of a landmark in §17.62.040 of the Pasadena Municipal Code. In its decision, the Commission:

Environmental Determination

1. Found that CEQA does not apply to the project, because it was disapproved.

Findings for Compliance with the Tree Protection Ordinance

1. Acknowledged that no protected trees are proposed to be removed in conjunction with this application.

Findings for Consolidated Design Review

1. Found that the project is inconsistent with the purposes of design review and the Design Guidelines in the Central District Specific Plan;
2. Found that the project will cause a significant adverse effect as defined in the State CEQA guidelines; and
3. Based on these findings, disapproved the application for consolidated design review to demolish the house at 180 South Euclid Avenue.

Mike Balian
180 South Euclid Avenue (PLN 2015-00545)
Page 2 of 2

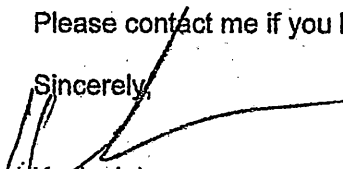
Effective Date ♦ Call for Review ♦ Appeal

This decision becomes effective on **Friday, December 4, 2015**. Before the effective date, the City Council may call for a review of your application. If the Council calls for a review of your application, this decision becomes void, and the application will be considered as a new item. In addition, you or any person affected by this decision may appeal it to the City Council before the effective date by filing an appeal in writing with the City Clerk (Room S228, 100 N. Garfield Avenue) along with an appeal fee of \$272.95. **The last day to file an appeal is Thursday, December 3, 2015.** Appeals must cite a reason for objecting to a decision. Please note that appeals and calls for review are conducted as de novo hearings, meaning that the lower decision is vacated and the entire decision is review anew. In addition, it should be noted that the original approval period for the original decision remains unchanged by the approval of this modification.

This approval expires three years from the effective date. The approval may be extended by filing a written request with the Planning Director before the expiration of the effective date (along with the fee for renewal of an approval). Any changes to the approved design for the project should be submitted to City staff for review and approval. Minor changes that are consistent with the intent of the approved final design may be approved by City staff. Major changes involving substantial deviations in the project's approved design or conditions of approval require a separate application for changes to an approved project. As many as two applications for changes to an approved project may be filed during a calendar year. Major changes may be approved only if there are findings of changed circumstances that justify revisions.

Please contact me if you have any questions about this letter.

Sincerely,

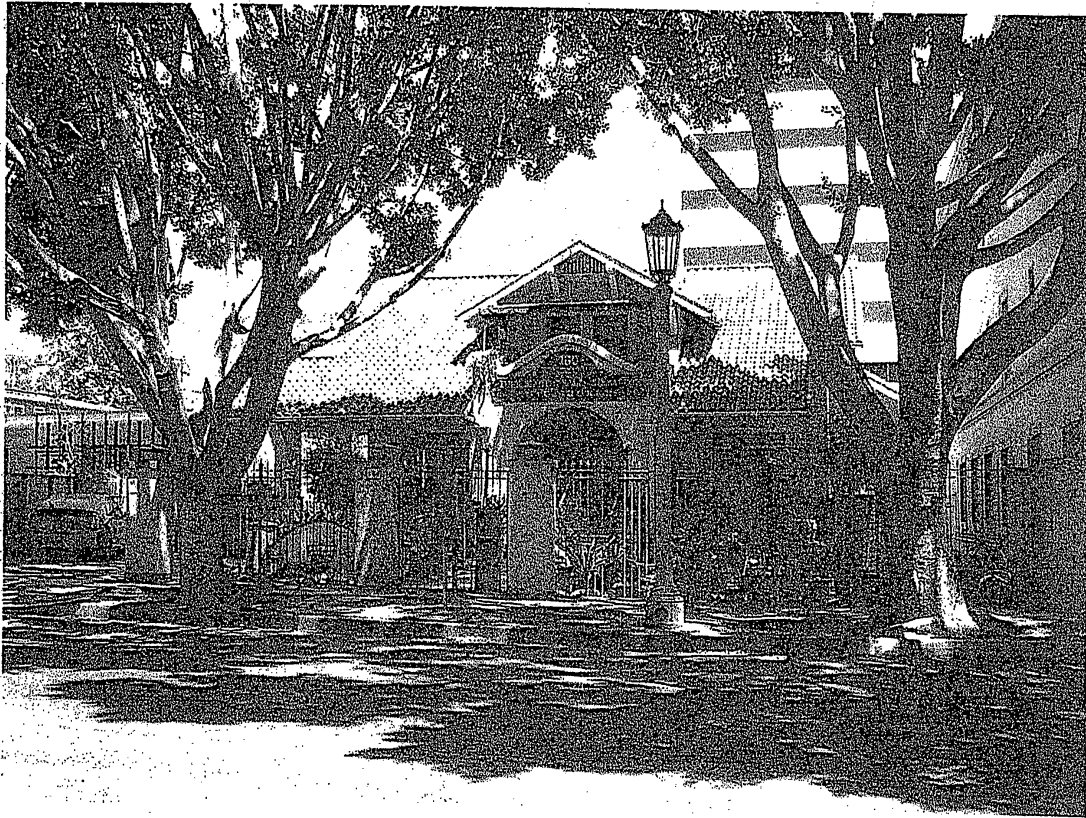


Kevin Johnson
Senior Planner
Design & Historic Preservation Section
Tel 626-744-7806; fax 626-396-7259
Email: kevinjohnson@cityofpasadena.net

Attachment: Photograph

cc: Address file; Tidemark; City Clerk; City Council; Council Rep. District 6

180 S. Euclid Avenue Street View



CITY OF PASADENA

Mike Balian
GENERAL RECEIPT

RECEIVED FROM Balian Investments DATE 11/30/15
ADDRESS _____ CITY _____ PHONE # _____

- MUNICIPAL SERVICES - ACCOUNT # _____
- LICENSE _____
- PARAMEDIC - INV. # _____ INV. AMT. \$ _____
PAID THIS DATE \$ _____
BALANCE DUE \$ _____
- PARKING CITATIONS \$ _____
- OTHER Appeal of Design Commission INV. AMT. \$ 272.95
PLN 2015-00545 PAID THIS DATE \$ ~~272.95~~
BALANCE DUE \$ 0

AMT. PAID \$272.95

CODE: _____

CASH

CHECK # 1226

MONEY ORDER # _____

[Signature]
RECEIVED BY

NOTE: NOT A VALID RECEIPT UNLESS ENDORSED ABOVE BY REGISTER OR SIGNATURE

CASHIER—WHITE CUSTOMER COPY—CANARY OFFICE COPY—PINK

ATTACHMENT J:

**Additional Information Submitted After Filing of
Appeal**

Statement of Previous Property Owner

STATEMENT OF WAYNE LUSVARDI

Re: 180 South Euclid Avenue, Pasadena, CA 91101


This is to provide a statement of the history of the above-referenced property for a public hearing regarding its pre-designation as a locally important historical property.

I am the former owner of the property, having taken full title in 2003. The building was my family home from 1950 to June 2015.

My father, William Lusvardi, removed the original roof on the building in 1963 due to water damage from rainfall. My father was a prop maker for the motion picture studios and could replicate any building or setting in a stage set. He replaced the roof with tin tiles, which he fabricated by hand to exactly match the original roof. The original tiles were stored in the basement of the building but I was unable to find them because I now live 100 miles away. I understand that Mike Balian discovered clay tiles in the crawl space under the structure after I suggested where to look.

There was a fire in the building in 1963 on the second floor of the structure, which damaged some of the roof tiles.

I certify that the above is true and correct to the best of my knowledge and belief.



Wayne Lusvardi

71991 Vista Del Rio
Rancho Mirage, CA 92270
(626-399-8073)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Riverside)

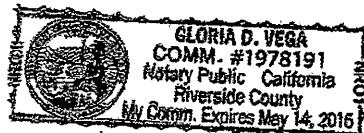
On February 1st, 2016 before me, Gloria D. Vega, Notary Public
(insert name and title of the officer)

personally appeared Wayne Lusvardi,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Gloria D. Vega (Seal)

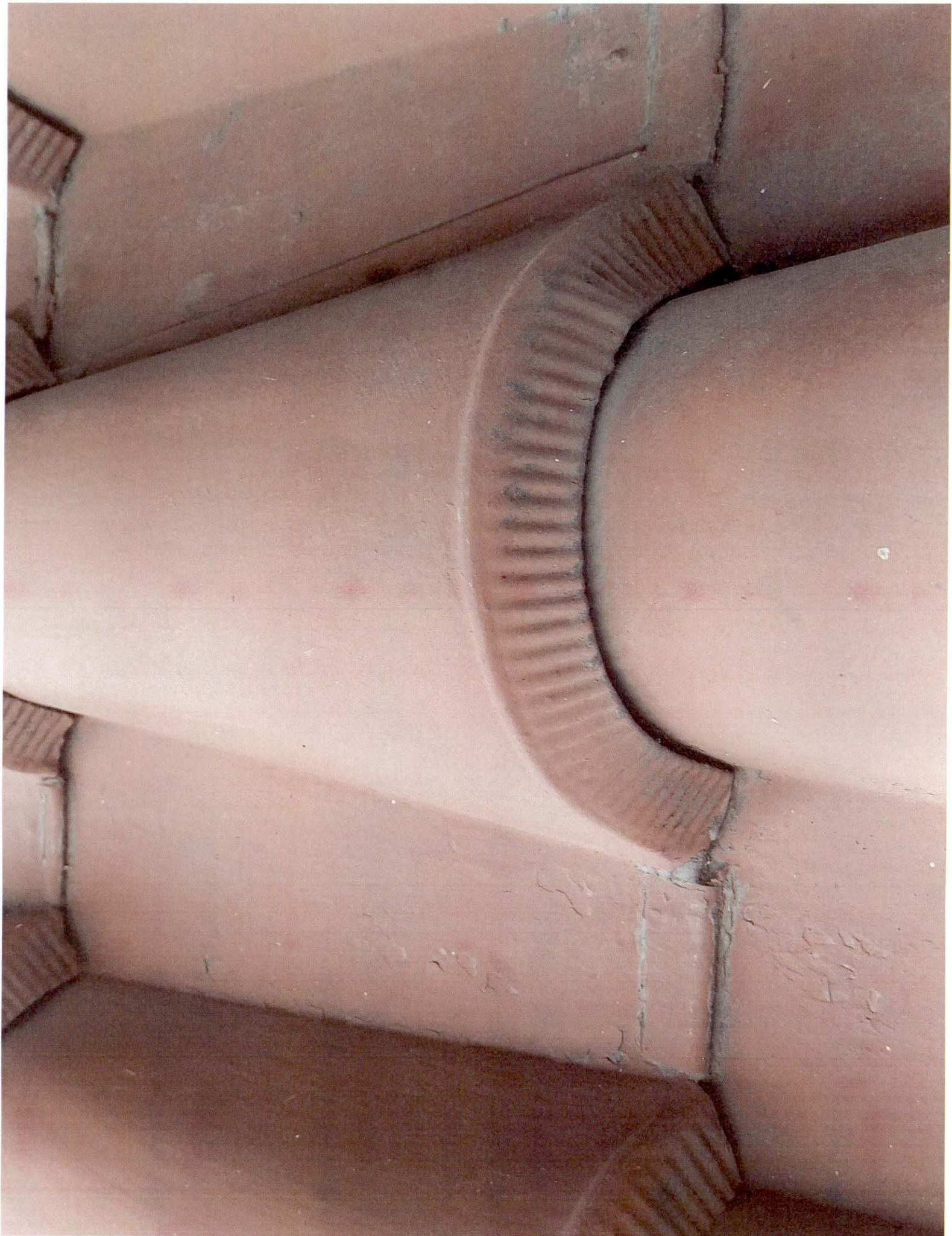


Clay Tile Photographs





Current Metal Tile Photographs

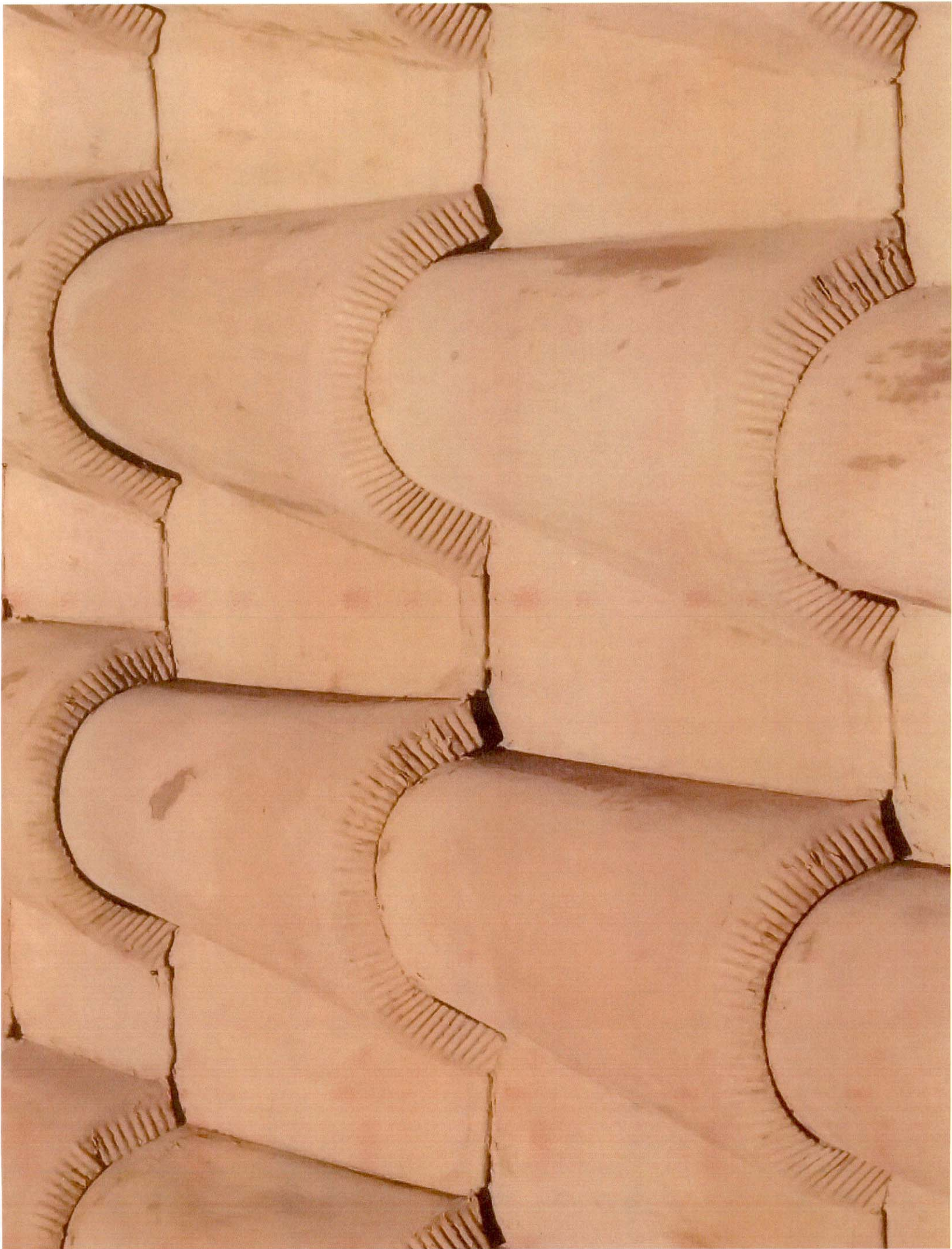


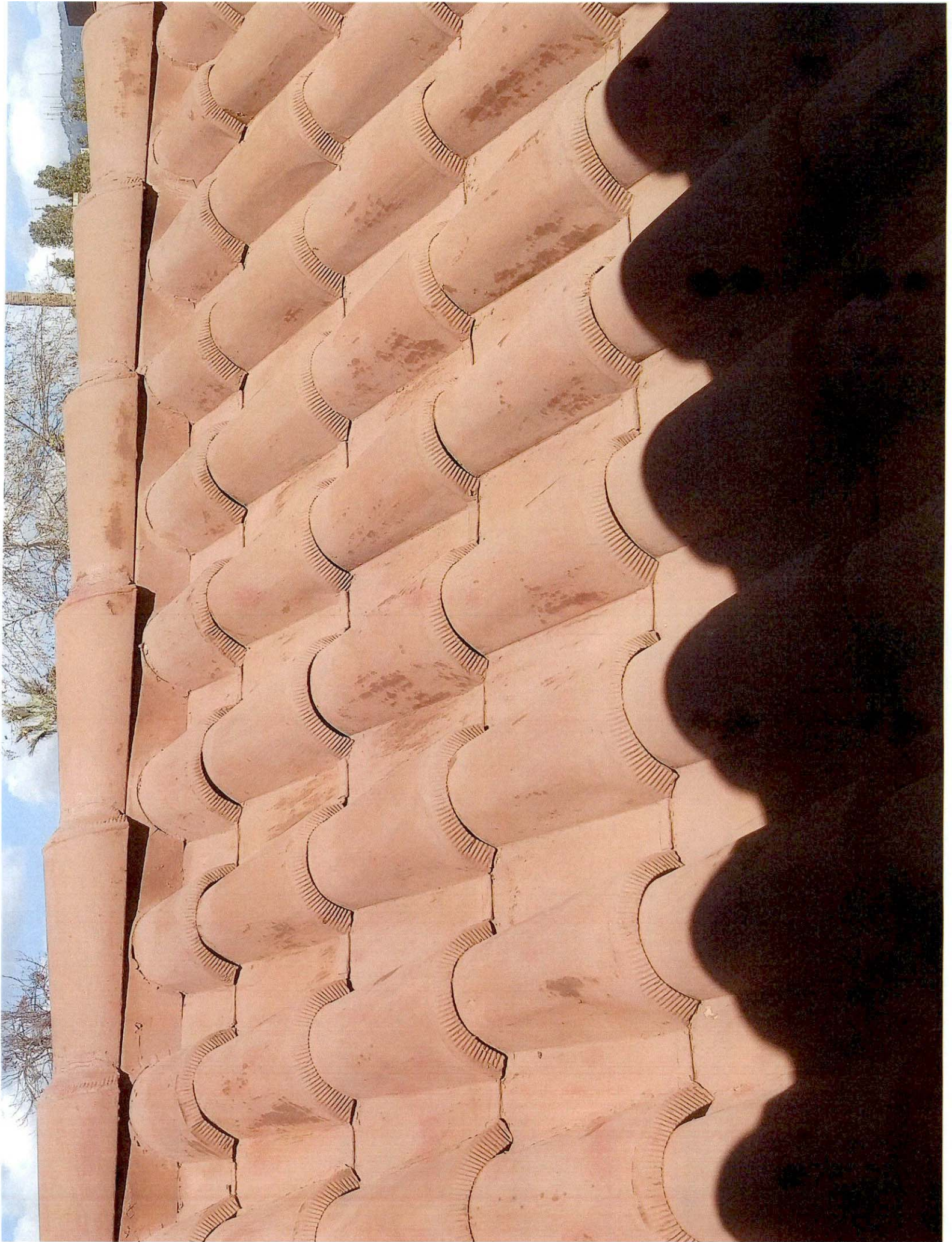


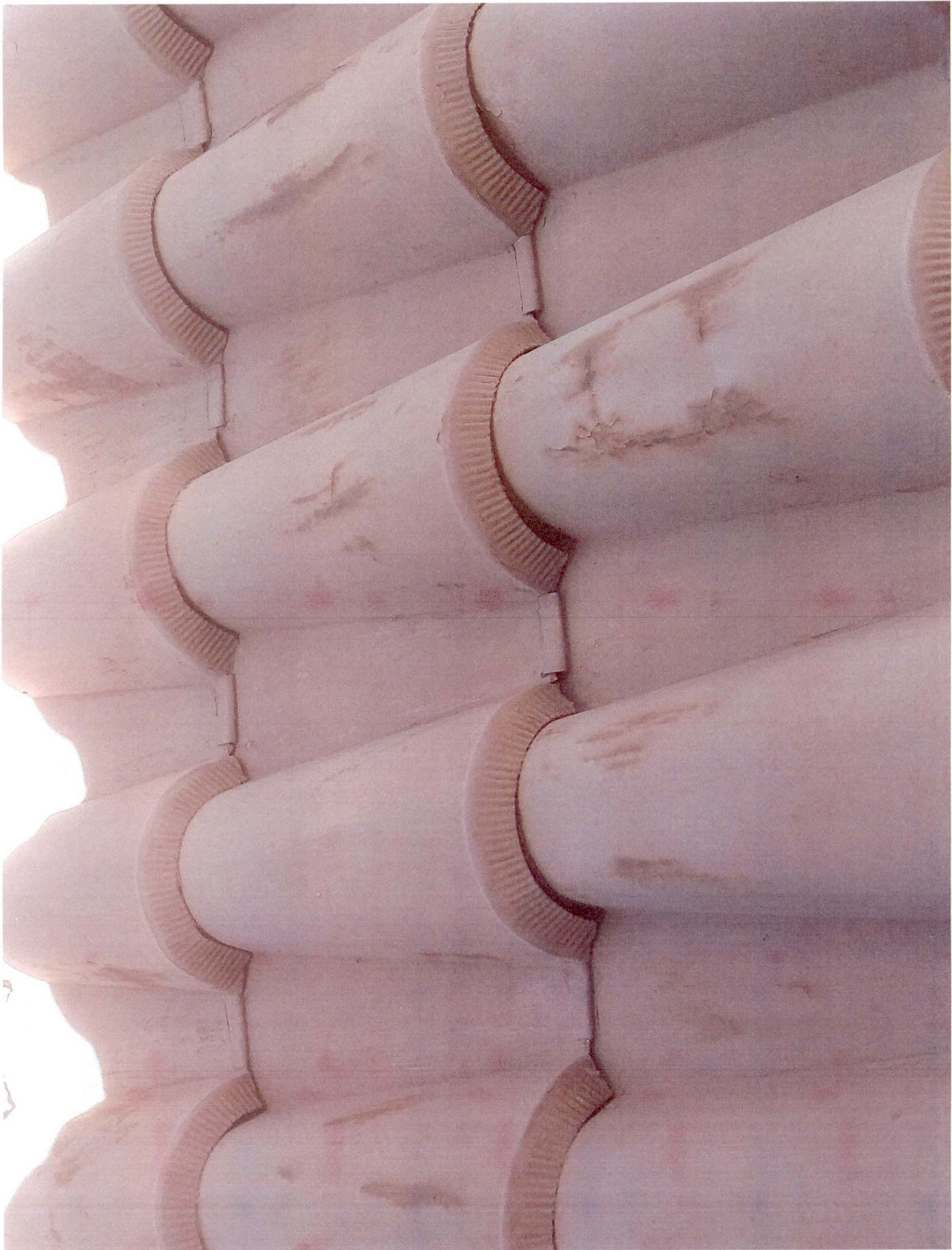






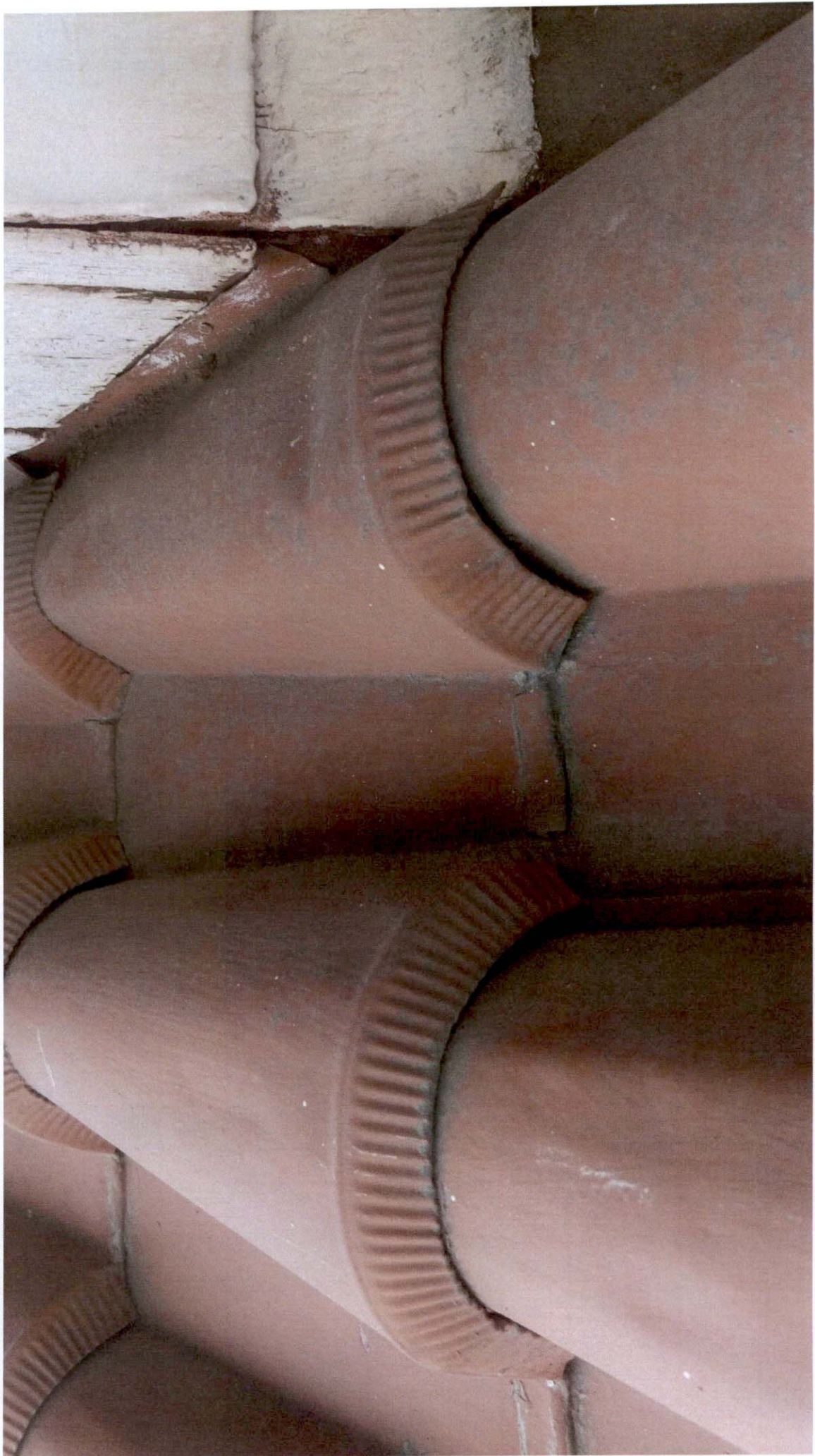












1950's-Era Photograph of Rear of House



STATEMENT OF SEAN CHRISTOPHER

February 22, 2016

RE: History of Roof and Building Facade – 180 South Euclid Avenue, Pasadena, CA 91101

To Whom It May Concern:

My name is Sean Christopher, formerly Willard Lusvardi, and I was a member of the Lusvardi Family when they owned the above property.

Around 1963 my father, William Lusvardi, stripped the old clay tile roof off of the building because it was leaking badly and replaced it with a replica tin roof from hand made tin tiles. My father was a prop maker for the motion picture studios and worked on many movie sets including the "King and I" with actor Yulé Brynner.

The clay tiles that were on the roof were of different types (barrel tiles, S-shaped Mission tiles, U-shaped Mission tiles,) because different persons had repaired different portions of the roof over many years.

There were a couple of fires on the second floor of the building in 1953 and 1963 if I recall correctly. The fires' damaged the roof tiles and underlying cross beams.

My father also removed the old, non-operational double hung windows from the front of the house and replaced them with solid pane windows with some ornamental Craftsman features.

My father also covered the white caps on the second floor balcony and side rolling gables with sheet metal due to weather damage.

A distinctive crest with the street number "180" on it had to be removed and plastered over due to deterioration.

All of the front yard pilasters, craftsmen light fixtures, office sign, and other Mission style features were added by my brother Wayne Lusvardi around 1994, when the building went through a gut rehabilitation involving tearing most of the interior walls out to replace the old knob and tube wiring with modern copper wiring in conduit.

Also the front door is not the original door but was bought as salvage from another house that was demolished in Pasadena because it was made of similar oak wood.

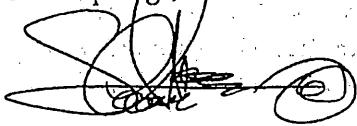
There was a screened in sleeping porch that was removed by my father when he bought the property around 1949-1950. The movable screens used to be stored in

the basement but are long gone. He also removed a dilapidated pergola that was on the south side of the front porch for safety reasons.

I hope this helps in understanding the history of the building and its many changes.

I certify that the above statement is true and correct to the best of my knowledge and belief.

Sean Christopher
751 Los Felices Circle, M-112
Palm Springs, CA 92262



SEE ATTACHED
CERTIFICATE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

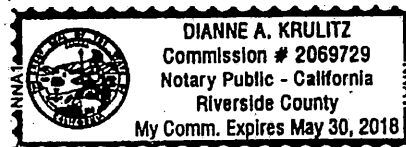
County of Riverside

On February 22, 2016, before me, Dianne A. Krulitz, NOTARY PUBLIC, personally appeared Sean Christopher

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Dianne A. Krulitz
(Signature of Notary Public)

PLACE NOTARY SEAL ABOVE

Document Title: (Optional) Statement Re: History of Roof & Building Facade