

ATTACHMENT A
SPECIFIC FINDINGS FOR TIME EXTENSION REQUEST FOR VARIANCE #11738

1. The findings and conditions of the original approval still apply. There have been no changes in circumstances or new information provided to warrant the original findings and conditions invalid. The Variance to allow the proposed multi-family structure to exceed the maximum permitted height of 60' was approved because it was found that the property contained an exceptional circumstance. Specifically, the property was previously graded 30 feet down to accommodate the MTA light rail tracks, and because the City's Zoning Code requires the maximum permitted height to be measured from the lowest grade adjacent to an exterior wall, the height of the proposed apartment building is 90' when measured from the grade at the light rail tracks and 60' when measured from the street level grade, thus exceeding the maximum permitted height. The property still contains this exceptional circumstance and therefore the findings for the original approval still apply.

The Minor Variances to exceed the maximum permitted setback of 10' from Marengo Avenue and 5' from Walnut Street were approved because of the subject property's unique circumstances. The property contains a 130' frontage along Marengo Avenue however this frontage is mainly occupied by a "tunnel" area belonging to MTA, which is open to 30' below street level, prohibiting the development of the proposed structure in compliance with the maximum permitted 10' setback. The property contains a 45' street frontage along East Walnut Street., however the light rail tracks runs entirely through this width, and the area is also open to the tracks 30' below the street level, also prohibiting the development of the proposed structure in compliance with the maximum permitted 5' setback. The property still contains these exceptional circumstances and therefore the findings for the original approvals still apply.

2. The proposed project meets the current height, setbacks, and floor area ratio requirements of the Zoning Code and is consistent with the General Plan, any applicable Specific Plan, and the Zoning Map. The development standards applicable to the approved project have not been modified, and therefore the proposed project still meets the requirements of the Zoning Code, including floor area ratio, density, open space and parking.

The proposed project is consistent with the purpose of CD-1 Old Pasadena "to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high density housing near light rail station". The proposed project will provide high density housing near Gold Line Memorial Park Station.

The project is also still consistent with the General Plan's Objective 1- Targeted Development, which is to "direct higher density development away from Pasadena's residential neighborhoods and into targeted areas, creating an exciting urban core with diverse economic, housing, cultural and entertainment opportunities." The proposed

project is located in an area identified to accommodate future residential growth in the Old Pasadena sub-district.

**ATTACHMENT B
APPEAL APPLICATION OF BOARD OF ZONING APPEALS DECISION
DATED DECEMBER 28, 2015**



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REQUEST FOR APPEAL

APPLICATION INFORMATION

Project Address: 167 East Walnut Street
Case Type (MCUP, TTM, etc.) and Number: Routine Time Extension for Variance #11738
Hearing Date December 16, 2015 Appeal Deadline: December 28, 2015

APPELLANT INFORMATION

APPELLANT: Veronique Trimble on behalf of John Warfel, Metropolitan Pacific Telephone: (310) 576-4882
Address: 201 Santa Monica Boulevard, Ste. 620 Fax: (310) 319-0144
City Santa Monica State CA Zip: 90401 Email jwarfel@metropolitanpacific.com
APPLICANT (IF DIFFERENT): _____

2015 DEC 28 PM 1:58
CITY OF PASADENA
PERMIT CENTER

I hereby appeal the decision of the:

- Hearing Officer
- Design Commission
- Historic Preservation
- Zoning Administrator
- Director of Planning and Development
- Film Liaison
- Board of Zoning Appeals

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):

The Hearing Officer approved the routine time extension. The Board of Zoning Appeals ("BZA") affirmed the routine time extension. In fact, both prior to and after its vote, the BZA, as well as everyone in attendance at the public hearing, was informed that the time extension was deemed affirmed by the BZA. To the extent that there is any after-the-fact modification or interpretation to the contrary, the applicant hereby appeals.

Veronique Trimble
Signature of Appellant

12/28/15
Date

* OFFICE USE ONLY

PLN # 2015-00721 CASE # V#11738 PRJ # _____

DESCRIPTION Appeal

DATE APPEAL RECEIVED 12-28-15 APPEAL FEES \$ 272.95 RECEIVED BY [Signature]