

**ATTACHMENT E**  
**APPEAL APPLICATION OF HEARING OFFICER DECISION**  
**DATED SEPTEMBER 19, 2016**



**REQUEST FOR APPEAL**

**APPLICATION INFORMATION**

Project Address: 490 East Union Street, Pasadena, CA 91101  
Case Type (MCUP, TTM, etc.) and Number: Mod-EUP  
Hearing Date: Sept 7, 2016 Appeal Deadline: Sept 19, 2016

**APPELLANT INFORMATION**

APPELLANT: Maryland HOA, Stefan Fauble, James Phillippi Telephone: REDACTED  
Address: 80 N. Euclid Ave Fax: [ ]  
City: Pasadena State: CA Zip: 91101 Email: REDACTED  
APPLICANT (IF DIFFERENT): Robert Olman

I hereby appeal the decision of the:

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

**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):

See Attached sheets

Stefan Fauble, for all applicants  
Signature of Appellant

9/19/2016  
Date

* OFFICE USE ONLY		
PLN # _____	CASE # _____	PRJ # _____
DESCRIPTION _____		
DATE APPEAL RECEIVED: _____	APPEAL FEES: \$ _____	RECEIVED BY: _____



Board of Zoning Appeals  
Current Planning Section  
175 North Garfield Avenue  
Pasadena, CA 91101

September 19, 2016

Re: Appeal of Hearing Officer's Decision Modifying EUP #3537.

Honorable Board:

The Maryland Homeowners Association (the "Maryland"), and James Phillippi and Strefan Fauble in their individual capacities and as members and representatives of the Maryland's Board of Directors, timely appeal the decision of the Hearing Officer's modification of Expressive Use Permit #3537 (the "EUP") for the building at 490 East Union Street ("building"), which houses the Pasadena Museum of California Art ("PMCA"). The hearing was held on September 7, 2016. The day before the hearing, the Maryland submitted to the Hearing Officer a letter of protest dated September 6, 2016. That letter is attached as Exhibit A and incorporated hereto in support for this Request for Appeal. The Hearing Officer's decision ("Decision") was issued on September 14, 2016. The deadline to appeal the Hearing Officer's Decision is September 19, 2016.

The Hearing Officer's decision violated California Environmental Quality Act (CEQA) by finding the EUP modification (the "Project") exempt as involving "negligible or no expansion of use," despite the fact that the Project will increase the permitted annual number of after-hours events (by nearly 600%) and attendance at those events (by nearly 1,800%). The Decision thus also fails to comply with the City's Environmental Policy Guidelines which parallel CEQA. The Decision also fails to comply with the City's Environmental Administrative Procedures and the Revised Noise Element of the General Plan: Existing and Future Conditions ("Revised Noise Element").

**The Hearing Officer Erred in Finding the Increased Use Ancillary to the PMCA.**

Before addressing the violations of CEQA and City plans, it is worth noting a significant factual error in the Hearing Officer's findings. The Hearing Officer found (Decision p. 3) that the increased permitted events would be "ancillary" to the museum-use. In fact, as the Decision later indicates (p. 6), only 5 of the permitted events will be associated with PMCA. The other 50 events will be rental events unaffiliated to the museum's activities—weddings, birthdays, and the like—on the third floor, including the approximately 4,000 square foot terrace, of the building.

(See, for example, Exhibit B, attached.) As such, the permit modification, if granted, will transform the building's third floor into a commercial party venue. While events in a museum may be typical (Decision p. 3), turning approximately one third of museum—or, more accurately, the top a building whose two lower floors are leased to a museum—into a commercial venue is not typical. Doing so will fundamentally change the use of much of the building and will not be “ancillary” to the museum.

It is also unclear to what extent the 50 rental events unassociated with the museum will benefit PMCA. At the hearing, the applicant, Robert Oltman, said the building is owned by the PMCA Building Trust. The Hearing Officer then asked the applicant two questions seeking to clarify the Hearing Officer's assumption that whatever benefits this trust also benefits PMCA itself. The applicant's answer to both questions was “more or less.” The “less” part raises questions. See Exhibit C (PMCA's 2014 IRS Form 990 p. 1 and accompanying Schedule L p. 1 listing the applicant as an interested person in the lease of museum and office space to PMCA at an annual cost of \$152,400). But for the appearance that the party rentals wholly benefit PMCA, one wonders whether 50 rental events would be permitted within earshot of two multi-family structures (the Maryland and the Barcelona), Fuller seminarian housing, across a parking lot from the Pacific Asia Museum, and across the street Fuller's library and prayer garden. (See the map of Fuller Theological Seminary, attached as Exhibit D.)

**The Hearing Officer Erred in Finding the Project Exempt from CEQA and City's Environmental Policy Guidelines.**

The Hearing Officer determined (Decision p. 2) that the Project is exempt from CEQA review pursuant to 14 C.C.R. § 15301 because the permit modification would involve “negligible or no expansion of use.” That determination is patently incorrect and without any foundation in fact. The Project is for the same reasons non-exempt under the City's Environmental Policy Guidelines (p. 20-1) which parallel CEQA. PMCA's value as a cultural institution and its needs for funds does not change the fact that the expanded use of the building is significant.

As modified, PMCA's permit would allow the annual number of special (after-hours) events on PMCA's open, third-floor terrace to increase from 8 to 55. A nearly 600% increase is not a “negligible” expansion of use.

As modified, PMCA's permit would allow the annual number of attendees at special events to increase from 320 people to 6,010 people. A nearly 1,800% increase is not “negligible.” Even if one treated the Project's baseline as total annual attendance to the building, not just those at special events, an increase of 5,690 people would likely be a significant percentage increase. (PCMA's total annual attendance is not public; the Hearing Officer should have asked for the number as the Maryland's September 6 letter requested. The only information available is Mr. Oltman's statement at the hearing that PMCA has had over 100,000 visitors in 14 years, amounting to an average of at least 7,000 per year. Although we do not know exact attendance figures, it is evident that the potential attendance at special events is far from negligible in comparison with existing museum attendance.)

As modified, PMCA's permit would allow the annual number of hours of special events to increase from approximately 40 hours to approximately 275 hours, nearly a 600% increase. Even if one included the 1,456 regular (non-special event) hours that the museum is open per year as part of the baseline, the total hours the building will be open will increase by 15.7%. That is still more than a "negligible" expansion of use.

The Maryland's September 6 letter raised all of these issues and challenged the improper CEQA exemption. At the hearing, representatives of the Maryland and Barcelona reiterated that the staff's recommended modification would massively increase activity in the building. The Hearing Officer never addressed these issues.

**The Hearing Officer's Opinions Regarding Noise Were Wholly Speculative; A Noise Study as Part of an Initial Study under CEQA and City Plans is Required.**

As far as appellants are aware, the only direct evidence before the Hearing Officer regarding noise was that submitted by the Maryland in its September 6 letter and orally by residents of the Maryland and the Barcelona at the hearing. That testimony indicates that prior rental events in the building have been unreasonably noisy. One Maryland resident whose residence faces the building described the noise, even with all his windows closed, as being as loud as playing his stereo inside his apartment at medium volume. Such noise is presumably much louder at the closest property neighboring the building, namely Fuller, whose library is directly across the street from the building and at the same height as the building's party-terrace. (Fuller's library and prayer garden likely qualify as "Noise-Sensitive Locations" under the City's Revised Noise Element 3.1.8.)

Many of the building's prior rental events have thus almost certainly violated the City's noise ordinance (9.36.050(B)) which provides that it is unlawful to make any loud noise that "disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitivity residing in the area." This direct evidence and logical inferences from that evidence—that increasing the number of events by nearly 600% and the number of attendees by nearly 1,800% will significantly exacerbate past noise problem—creates more than a fair argument that the Project will significantly increase noise for the Maryland and other nearby residences and properties.

Rather than providing any evidence of the noise that might be generated under the Staff's contemplated restrictions in the Project, the Hearing Officer simply balanced the purely speculative claims of the appellant against the testimonial evidence of the Maryland the Barcelona. Thus the Hearing Officer, following the Staff's recommendation, required that only amplified speeches and acoustic (non-amplified) music be allowed on the terrace. But amplified voices and acoustic bands can be as loud as amplified music. And the voices of 140 party-goers—up from the currently permitted maximum of 40 attendees— will most certainly generate a huge amount of noise without any amplification. The Hearing Officer's Decision regarding noise thus rested on nothing but speculation that certain mitigation measures would avoid past problems. In assessing the Hearing Officer's implicit finding of negligible



impact, Board members might imagine an outdoor banquet hall about a block from their bedroom windows with 140 patrons listening to amplified speeches and live music on virtually all weekends.

The Hearing Officer thus did an end-run around the state's and City's environmental regulations. CEQA, and the City's Environmental Policy Guidelines require an Initial Study, including a noise-study, precisely to avoid such speculation. An Initial Study must be conducted to determine the acoustic effects of rental parties in the building on the Maryland, the Barcelona, Fuller, and the Pacific Asia Museum, and appropriate measures, if any, to mitigate those effects.

**A Noise Study is Required Under the City's Environmental Administrative Procedures and Revised Noise Element.**

The following sections of the City's Environmental Administrative Procedures-Thresholds for Study (p. 2-47) require a noise investigation be conducted to determine the significance of the Project because the Project will:

*Section 1. "Expose people to noise levels that exceed established standards."* The Project will do this. The area around the building, including the Maryland, is in Noise District III. (See Environmental Administrative Procedures p. 3-86; April 7, 2008 City Council Agenda Report p. 3, defining Noise District III.) The day-maximum decibel level in Noise District III is 60 dB. (See also Revised Noise Plan fig. 8 "Existing Noise Contours," noting that the existing dB level around the building and the Maryland, indicated in light yellow, is 60 dBA.) The City's noise ordinance makes it unlawful to make any noise which exceeds the ambient noise level at the property line of the nearest recipient property (in this case Fuller) by more than 5 dB. (See Environmental Administrative Procedures 3-86 citing Ord. 9.36.050(A).) Five decibels is only slightly above threshold of normal hearing. (See Revised Noise Element fig. 2; <http://hyperphysics.phy-astr.gsu.edu/hbase/sound/earcrv.html>.) Past rental events resulted in noise at the Maryland clearly in excess of 5 dB. Amplified speech, the speaking and shouting of 140 attendees, and acoustical music all clearly could increase ambient noise by more than 5 dB.

*Section 3. "Substantially increase ambient noise above existing levels without the project, particularly if it results in a noise exposure injurious to health."* Based on prior rental events, ambient noise will substantially increase.

The City's Environmental Administrative Procedures (pp. 2-47 to 2-49) provide factors to determine if the Project would expose people to noise levels exceeding established standards. Several of these factors apply to the Project:

- "Would the project place a land use within a noise level, as shown on Figures 2 and 3 of the City of Pasadena 2002 Revised Noise Element (Noise Element), that is "normally acceptable", "conditionally acceptable" or "normally unacceptable" for that land use as identified on Figure 1 of the Noise Element?" – Yes. The "Normally Acceptable" noise level begins at 60 dB for multi-family and mixed commercial/residential use such as the Maryland and Barcelona, and

for schools, libraries, and churches such as Fuller. As discussed *supra*, 5 dB is only slightly above the existing ambient sound level of 60 dB and will easily be exceeded by rental events at the building. Thus, "additional investigation is normally required" (p. 2-47).

- "Does the project have the potential to increase the ambient noise level in the project vicinity by more than five (5) decibels, as prohibited by the City's Noise Restrictions Ordinance (Section 9.36.[050])?" – Yes, for the reasons stated above. "If so, additional investigation is normally required" (p. 2-48).
- "Does the project have the potential to increase the ambient noise level in the project vicinity to a level that is considered "normally unacceptable" for the receiving land use as identified on Figure 1 of the Noise Element?" – Yes, for the reasons discussed above. Further investigation is appropriate. (P. 2-48.)
- "Would the project periodically generate acute noises that would be audible to surrounding sensitive land uses, such as ...crowd noise..?" – Yes, 140 party-goers on the terrace will generate crowd noise. (P. 2-48.)

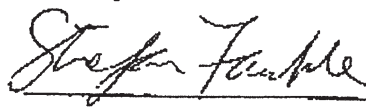
The City's Environmental Administrative Procedures (pp. 2-49 to 2-50) provide two factors to determine if the Project would substantially increase ambient noise above existing levels without the Project. One of the factors applies to the Project:

- "Does the project have the potential to increase the ambient noise level in the project vicinity by more than five (5) decibels, as prohibited by the City's Noise Restrictions Ordinance (Section 9.36.[050])?" – Yes, for the reasons stated above. The section continues: "If so, additional investigation is normally required. In such a case, further investigation should quantify the noise levels that will be experienced by surrounding land uses and, if necessary, identify attenuation methods to achieve acceptable noise levels." (P. 2-49.)

**Unsafe Traffic and Parking Problems and Need for Police Services Will Significantly Increase.**

Traffic, parking, and increased need for police services under the Project were addressed in the Maryland's September 6 letter and have been incorporated by reference.

Sincerely,



Stefan Fauble



James Phillippi

Individually and for the Maryland Homeowners Association

# Exhibit A





Hearing Officer  
Current Planning Section, City of Pasadena  
175 North Garfield Avenue  
Pasadena, CA 91101

September 6, 2016

Re: Proposed Modification to Expressive Use Permit #3537  
Hearing Date: September 7, 2016

Hearing Officer:

The Maryland Homeowners Association objects to the proposed modifications—both those sought by the applicant, and those recommended by Staff—to Expressive Use Permit #3537, issued in February 1999.

The contemplated modifications, including the more limited ones recommended by Staff, would effectively transform the third floor of the building housing the Pasadena Museum of California Art (“PMCA”) into a commercial party venue. A commercial party venue is inappropriate immediately across the street from Fuller’s library and, as the Staff’s report indicates, within earshot of two multi-family structures (the Maryland and the Barcelona) and the Pacific Asia Museum.

The Maryland submitted a letter opposing the applicant’s proposed modifications when it was scheduled to come before you on March 2, 2016. A copy of that letter is attached. This letter addresses the Staff’s proposed modification to the expressive use permit as stated in Attachment B (Conditions of Approval) to the Staff-report.

Before addressing the proposed modifications, it should be noted that the Staff-report incorrectly describes PMCA as privately owned and as not operated by a non-profit organization (p. 4). The building that houses PMCA may be privately owned, but PMCA itself is currently organized as a 501(c)(3) public non-profit foundation. The applicant, Bob Oltman, is listed on PMCA’s website as a member of its Board of Directors and, as disclosed on PMCA’s most recently available IRS Form 990 (from 2014), is compensated for leasing museum and office space to PMCA. Given the relationship between the applicant and PMCA, it is unclear to what extent monetizing the third floor of the PMCA building will benefit PMCA itself.

**The Proposed Project is Not Exempt from CEQA.**

The Staff’s report determined that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) under 14 C.C.R. § 15301 because the permit modification would involve “negligible or no expansion of

use" beyond the currently existing baseline. That determination is incorrect, for the reasons presented below.

*The Number of Special Events Will Significantly Increase.*

If modified per Staff's recommendation, the permit would allow the annual number of special (after-hours) events on the open, third-floor terrace to increase from 8 to 55. A nearly 600 % increase is not a "negligible" expansion of use.

It is also worth noting an apparent inconsistency in the Staff-report on the break-down of these recommended 55 annual events. On page 5, the report suggests that 26 of the "small" events (though almost twice the size of the currently permitted events) as well as 5 of the large events will be related to the museum. But Condition 2 on page 12 does not require the 26 events to be museum-related.

*The Number of Attendees Will Significantly Increase.*

If modified per Staff's recommendation, the permit would allow the annual number of attendees at special events to increase from 320 people (8 events x 40 people per event) to 6,010 people (29 events x 140 people per event, plus 26 events x 75 people per event). A nearly 1,800 % increase is not "negligible." Even if one treated the baseline as the total annual attendees to the museum (not just those at special events), an increase of 5,690 people would likely be a significant percentage increase. (PCMA's total annual attendance is not public information, but Staff can and should ask for the number.)

*Operational Hours Will Significantly Increase.*

If modified per Staff's recommendation, the permit would allow the annual number of hours of special events to increase from approximately 40 hours to approximately 275 hours. (This assumes that both the current 8 events and the proposed 55 events occur on Fridays or Saturdays when the venue may be used from 6 to 11 p.m.) That is almost a 600 % increase. Even if one included the 1,456 regular (non-special event) hours that the museum is open per year as part of the baseline, the total hours PMCA will be open will increase by 15.7 %. That is still more than a "negligible" expansion of use.

*Noises Will Significantly Increase.*

Increasing by nearly 7-fold the number of events on PMCA's third floor terrace-venue will logically significantly exacerbate the noise-problems experienced by the Maryland and other nearby residents and building-occupants during PMCA's prior public events.

PMCA's prior public, large events have been an acoustical nuisance for Maryland residents. The Maryland is a condominium project located at 80 North Euclid Avenue, about a block and a half west of PMCA. Loud music and other noises funnel down Union Street from parties on PMCA's outdoor terrace into the Maryland's east-facing apartments. Sounds from these events have sometimes been loud enough that even some west-facing apartments have heard them. (PMCA has

rented out its third floor venue for weddings, birthday celebrations, and other parties. The City has received complaints about noise from PMCA's events.) One east-facing resident described the noise, even with all his windows closed, as being as loud as playing his stereo inside his apartment at medium volume.

The Maryland is not the only residence or property that would be acoustically significantly negatively impacted by Staff's proposed permit modification. The Pacific Asia Museum is located at 46 North Los Robles Avenue, about 75 feet from PMCA. Noise coming from parties renting PMCA's space will predictably severely impact the Pacific Asia Museum whose atrium may become unusably loud. The library of Fuller Theological Seminary is directly across the street from PMCA. Given the noise the Maryland has experienced, one can only imagine trying to study in Fuller's library during PMCA's public parties. Finally, residents of the Barcelona, a condominium building located at 85 North Madison Avenue, about one block from PMCA, have also reported being affected by the noise generated by PMCA's prior large events and will be significantly adversely affected if the permit is modified.

The Staff-report notes that urban areas have higher noise levels than other areas (which is true and is something the Maryland accepts) and recommends limiting noises on the terrace to amplified speeches and acoustic (non-amplified) music. But amplified voices and acoustic bands are not part of the normal ambient noise of an urban area, and both can be as loud as amplified music.

Testimonial evidence and logical inferences from that evidence create more than a fair argument that modifying the permit as the Staff recommends will significantly increase noise for the Maryland and other nearby residences and properties. The City should require the applicant to conduct a sound-study as part of an Initial Study under CEQA to determine the acoustic effects of PMCA's parties on the Maryland, the Barcelona, Fuller, and the Pacific Asia Museum, and appropriate measures, if any, to mitigate those effects.

*Unsafe Traffic and Parking Problems Will Significantly Increase.*

Traffic has significantly increased during PMCA's prior large events. East Union Street is already very crowded, and cars tend to change lanes erratically as they position themselves to turn onto side streets or into garage entrances. Drivers, presumably especially those unfamiliar with the area, frequently drive the wrong way down Union, which is one-way. East Union Street is curvy on either side of PMCA and narrows as it passes City Hall and then again as it crosses North Arroyo Parkway. Traffic problems will logically significantly increase in frequency and intensity, and vehicular and pedestrian safety significantly decrease, if PMCA's public events increase from 8 to 55 per year.

Even if, as the permit modification proposes, PMCA shares off-site parking with a nearby garage and surface lot, already inadequate street parking will predictably diminish when 100-plus cars arrive for PMCA's larger events. Staff recommends (p. 13) that attendees be instructed not to park on surrounding streets.

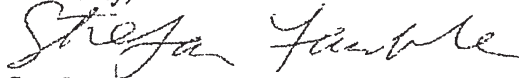
Since the attendees are human, a significant number of them will not follow this instruction, just as they drive the wrong way on Union despite the one-way signs.

**Increased Need for Police Service**

Finally, in granting Expressive Use Permit #3537, the City stated in its Finding of Fact number 5 that PMCA's proposed operation "is not anticipated to result in an increase of police service to the vicinity." How can that plausibly remain the case if PMCA increases its annual public events from 8 to 55, with 29 of them having up to 150 attendees—especially if these events serve alcohol, as they presumably will?

For the reasons stated above, the Maryland requests that the honorable Hearing Officer deny both the applicant's proposed and the Staff-recommended modifications to Expressive Permit #3735, at least until the applicant and Staff have completed an Initial Study, including a sound-study of the effects that modifying the permit would have on the Maryland and other neighboring residences and buildings.

Sincerely,



Stefan Fauble, President of the Maryland Homeowners Association,  
for the Board of Directors of the Maryland Homeowners Association



# Attachment



Hearing Officer  
Current Planning Section, City of Pasadena  
175 North Garfield Avenue  
Pasadena, CA 91109

February 27, 2016

Re: Proposed Modification to Expressive Use Permit #3537.  
Hearing Date: March 2, 2016.

Honorable Hearing Officer:

The Maryland Homeowners Association objects to the proposed modification to Expressive Use Permit #3537, issued to the Pasadena Museum of California Art ("PMCA") in February 1999. Contrary to the Notice of Public Hearing, the proposed permit modification is not exempt from CEQA review under 14 CCR § 15301, which exempts permitting "involving negligible or no expansion of use" only. If modified, PMCA's permit would allow the number of events on PMCA's open, third-floor terrace to increase *by more than 12-fold*, and would allow the size of most of the events to increase by nearly 4-fold. The proposed modification would effectively transform the third floor of the museum into a commercial party venue, disturbing nearby residences and other neighboring properties. Unacceptably loud noise generated by PMCA's current events logically will be exacerbated if PMCA's proposed permit modification is granted.

PMCA's public events are already a nuisance for Maryland residents. Built in 1926 as part of the Hotel Maryland, and of recognized historic and architectural importance by the City, state, and federal governments, The Maryland is a condominium project located at 80 North Euclid Avenue, about a block and a half west of PMCA. Loud music and other noise travel down Union Street from parties on PMCA's outdoor terrace into The Maryland's east-facing apartments. (The sound is loud enough that even our west-facing apartments can also clearly hear it.) One resident in an east-facing apartment says the noise, even with all his windows closed, is as loud as playing his stereo inside his apartment at medium volume.

PMCA seeks to increase enormously the number and size of its public events. Currently, PMCA may hold 8 public events per year with a maximum of 40 attendees per event. (PMCA has rented out its space for weddings, birthday celebrations, and other parties—one of which was called "Rock Me on the Terrace." The City has

80 N. Euclid Avenue, Pasadena, California 91101



received complaints about the noise from PMCA's events.) The proposed permit modification would expand this to 98 events per year, with 72 being large events with a maximum of 150 attendees and 26 being small events with a maximum of 75 attendees. If the modification is granted, PMCA could host a terrace party between, on average, every third and fourth day of the year—and plausibly will seek to do so to maximize revenue. Since events on PMCA's terrace would probably be more frequent during the dry, warmer months—when The Maryland residents' windows are often open—our residents could be subjected to noise continuously throughout the summer.

The Maryland is not the only building that would be significantly negatively impacted. The Barcelona, a condominium building built in 1932, is located at 85 North Madison Avenue, about one block from PMCA. The library of Fuller Theological Seminary is directly across the street from PMCA. Given the noise The Maryland experiences, one can only imagine trying to study in Fuller's library during PMCA's parties.

A few final points: First, traffic significantly increases during PMCA's events. East Union Street is already very crowded, and cars tend to change lanes erratically as they position themselves to turn onto side streets or into garage entrances. Drivers, presumably especially those unfamiliar with the area, frequently drive the wrong way down Union, which is one-way. East Union Street is curvy on either side of PMCA and narrows as it passes City Hall and then again as it crosses North Arroyo Parkway. Traffic problems will logically significantly increase in frequency and intensity, and vehicular and pedestrian safety decrease, if PMCA's permit is modified. Second, even if, as the permit modification proposes, PMCA shares off-site parking with a nearby garage and surface lot, street parking, which is already inadequate, will predictably diminish when 100-plus cars arrive for PMCA's larger events. Finally, in granting Expressive Use Permit #3537, the City stated in its Finding of Fact number 5 that PMCA's proposed operation "is not anticipated to result in an increase of police service to the vicinity." That will likely not be the case if PMCA holds 98 events, with 72 of them having up to 150 attendees.

If PMCA's permit modification is granted, ambient noise, traffic, inadequate parking, and other disturbances and problems logically will be exacerbated, negatively affecting The Maryland's and others neighbors' quality of life and quiet enjoyment of their residences.

The sheets attached to this letter contain the names and signatures of owners and residents of The Maryland opposing the proposed modification to PMCA's permit.

Sincerely,  
Board of Directors, The Maryland Homeowners Association

*80 N. Euclid Avenue, Pasadena, California 91101*

The undersigned owners and residents of The Maryland oppose the proposed modification to Expressive Use Permit #3537 to increase the frequency and size of public events at the Pasadena Museum of California Art.

[Signature]                      Shirley Smith                      2/27/16  
Signature                      Print name                      Date

[Signature]                      [Signature]                      2/27/16  
Signature                      Print name                      Date

[Signature]                      Shiho Kawa                      2/27/16  
Signature                      Print name                      Date

[Signature]                      [Signature]                      2/27/16  
Signature                      Print name                      Date

[Signature]                      SUZANNE [Signature]                      2-27-16  
Signature                      Print name                      Date

[Signature]                      [Signature]                      2/27/16  
Signature                      Print name                      Date

[Signature]                      Robert [Signature]                      2-27-16  
Signature                      Print name                      Date

[Signature]                      Christina [Signature]                      2/27/16  
Signature                      Print name                      Date

[Signature]                      Alexander Williams                      2/27/16  
Signature                      Print name                      Date

[Signature]                      Perer Flueckiger                      2/27/16  
Signature                      Print name                      Date

*W. Stewart*

Signature

*Michael T. Witt*

Print name

*2/27/16*

Date

*James Phillips*

Signature

*JAMES PHILLIPS*

Print name

*02/29/2016*

Date

*Le-Ann Gagnott*

Signature

*LE-ANN GAGNOTT*

Print name

*3.1.16*

Date

*Tim Cahill*

Signature

*TIM CAHILL*

Print name

*3-1-16*

Date

*[Signature]*

Signature

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Print name

Date

# Exhibit B



Wedding  
 Venues  
 (310) 882-5039  
 (562) 547-3255

Wedding Venues: Southern California Wedding Officiant – Wedding Ceremonies & California Marriage License



## Pasadena Museum of California Art

Posted in Ballrooms, Banquet Halls, Indoor Wedding Venues, Outdoor Wedding Venues, Pasadena Wedding Venues, San Gabriel Valley Wedding Venues, Unique Wedding Locations, Wedding Receptions, and Weddings with a View

I have been a wedding officiant in Los Angeles for many years and I have performed many civil wedding ceremonies and religious wedding ceremonies in many Pasadena wedding locations. Some have been at Pasadena Museum of California Art.






90 East Union Street,  
Pasadena, CA 91101  
626-568-3665



Would you like to have your wedding ceremony at a museum? The Pasadena Museum of California Art boasts a rooftop terrace with panoramic views of Old Town Pasadena, historic City Hall and the San Gabriel Mountains. Your guests will be welcomed by a breathtaking, open-air foyer crowned with an inflated sculpture by Carlos Mollura. It is very different, cultural and art-filled and you'll have a unique wedding.



Your reception can be in on the wonderful patio as well. If you are worried about the weather or if your wedding and reception will be in the evening you may wish to have your reception in the banquet room right next to the terrace patio. The walls of the banquet room are hung with California art or photography.

 1279514 large

Pasadena Museum of California Art

Wedding Officiant Pasadena

If you are thinking of having your wedding ceremony or reception at Pasadena Museum of California Art or anywhere in Los Angeles County or Orange County California then consider having the this **wedding minister**, the Officiant Guy, be your wedding officiant.

« Next Wedding Venue

Previous Wedding Venue »

# Exhibit C



Form **990**  
 Department of the Treasury  
 Internal Revenue Service

**Return of Organization Exempt From Income Tax**

OMB No 1545-0047

**2014**

**Open to Public Inspection**

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form as it may be made public  
 ▶ Information about Form 990 and its instructions is at [www.irs.gov/form990](http://www.irs.gov/form990)

**A** For the 2014 calendar year, or tax year beginning 01-01-2014, and ending 12-31-2014

**B** Check if applicable:  
 Address change  
 Name change  
 Initial return  
 Final return/terminated  
 Amended return  
 Application pending

**C** Name of organization: PASADENA MUSEUM OF CALIFORNIA ART  
 Doing business as: \_\_\_\_\_  
 Number and street (or P O box if mail is not delivered to street address) Room/suite: 490 EAST UNION STREET  
 City or town, state or province, country, and ZIP or foreign postal code: PASADENA, CA 91101

**D** Employer identification number: 95-4680853  
**E** Telephone number: (626) 568-5665  
**G** Gross receipts \$ 1,258,951

**F** Name and address of principal officer:  
 JENKINS SHANNON  
 490 EAST UNION STREET  
 PASADENA, CA 91101

**H(a)** Is this a group return for subordinates?  Yes  No  
**H(b)** Are all subordinates included?  Yes  No  
 If "No," attach a list (see instructions)  
**H(c)** Group exemption number ▶ \_\_\_\_\_

**I** Tax-exempt status:  501(c)(3)  501(c) ( ) ◀ (insert no)  4947(a)(1) or  527

**J** Website: ▶ PMCAONLINE.ORG

**K** Form of organization:  Corporation  Trust  Association  Other ▶  
**L** Year of formation: 1997 **M** State of legal domicile: CA

**Part I Summary**

<b>Activities &amp; Governance</b>	<b>1</b> Briefly describe the organization's mission or most significant activities TO PRESENT THE BREADTH OF CALIFORNIA ART AND DESIGN THROUGH EXHIBITIONS THAT EXPLORE THE CULTURAL DYNAMICS AND INFLUENCE THAT ARE UNIQUE TO CALIFORNIA		
	<b>2</b> Check this box <input type="checkbox"/> if the organization discontinued its operations or disposed of more than 25% of its net assets		
	<b>3</b> Number of voting members of the governing body (Part VI, line 1a)	3	14
	<b>4</b> Number of independent voting members of the governing body (Part VI, line 1b)	4	14
	<b>5</b> Total number of individuals employed in calendar year 2014 (Part V, line 2a)	5	14
	<b>6</b> Total number of volunteers (estimate if necessary)	6	24
	<b>7a</b> Total unrelated business revenue from Part VIII, column (C), line 12	7a	0
<b>b</b> Net unrelated business taxable income from Form 990-T, line 34	7b	0	
<b>Revenue</b>	<b>8</b> Contributions and grants (Part VIII, line 1h)	Prior Year 789,950	Current Year 1,032,263
	<b>9</b> Program service revenue (Part VIII, line 2g)	113,187	101,235
	<b>10</b> Investment income (Part VIII, column (A), lines 3, 4, and 7d)	0	0
	<b>11</b> Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)	48,166	45,009
	<b>12</b> Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	951,303	1,178,507
<b>Expenses</b>	<b>13</b> Grants and similar amounts paid (Part IX, column (A), lines 1-3)	0	0
	<b>14</b> Benefits paid to or for members (Part IX, column (A), line 4)	0	0
	<b>15</b> Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10)	371,886	417,877
	<b>16a</b> Professional fundraising fees (Part IX, column (A), line 11e)	0	0
	<b>b</b> Total fundraising expenses (Part IX, column (D), line 25) ▶ 168,448		
<b>17</b> Other expenses (Part IX, column (A), lines 11a-11d, 11f-24e)	591,888	645,441	
<b>18</b> Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25)	963,774	1,063,318	
<b>19</b> Revenue less expenses Subtract line 18 from line 12	-12,471	115,189	
<b>Net Assets or Fund Balances</b>	<b>20</b> Total assets (Part X, line 16)	Beginning of Current Year 517,952	End of Year 631,734
	<b>21</b> Total liabilities (Part X, line 26)	92,545	94,649
	<b>22</b> Net assets or fund balances Subtract line 21 from line 20	425,407	537,085

**Part II Signature Block**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

**Sign Here**

Signature of officer: \_\_\_\_\_ Date: 2015-11-16  
 JENKINS SHANNON EXECUTIVE DIRECTOR  
 Type or print name and title

**Paid Preparer Use Only**

Print/Type preparer's name: MICHAEL TAO Preparer's signature: MICHAEL TAO Date: \_\_\_\_\_  
 Check  if self-employed PTIN: P00967606  
 Firm's name: MARTIN WERBELOW LLP Firm's EIN: 95-1720829  
 Firm's address: 300 N LAKE AVE SUITE 930 Phone no: (626) 577-1440  
 PASADENA, CA 911014106

**Part IV Business Transactions Involving Interested Persons.**

Complete if the organization answered "Yes" on Form 990, Part IV, line 28a, 28b, or 28c.

(a) Name of interested person	(b) Relationship between interested person and the organization	(c) Amount of transaction	(d) Description of transaction	(e) Sharing of organization's revenues?	
				Yes	No
(1) ROBERT AND ARLENE OLTMAN	DIRECTORS OF THE ORGANIZATION	152,400	LEASE MUSEUM AND OFFICE SPACE TO PMCA		No

**Part V Supplemental Information**

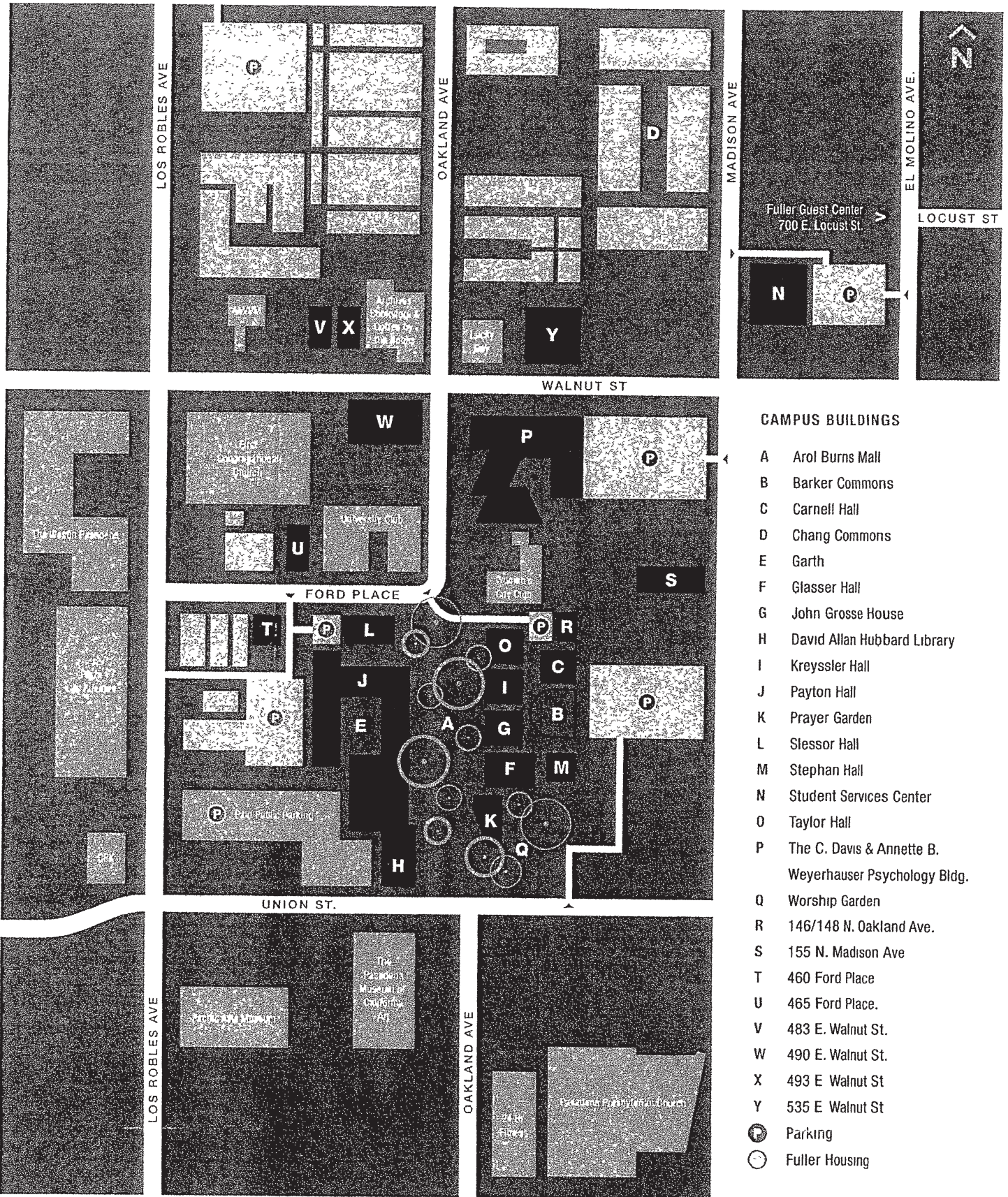
Provide additional information for responses to questions on Schedule L (see instructions)

Return Reference	Explanation
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# Exhibit D





**CAMPUS BUILDINGS**

- A Arol Burns Mall
- B Barker Commons
- C Carnell Hall
- D Chang Commons
- E Garth
- F Glasser Hall
- G John Grosse House
- H David Allan Hubbard Library
- I Keyssler Hall
- J Payton Hall
- K Prayer Garden
- L Slessor Hall
- M Stephan Hall
- N Student Services Center
- O Taylor Hall
- P The C. Davis & Annette B. Weyerhauser Psychology Bldg.
- Q Worship Garden
- R 146/148 N. Oakland Ave.
- S 155 N. Madison Ave
- T 460 Ford Place
- U 465 Ford Place.
- V 483 E. Walnut St.
- W 490 E. Walnut St.
- X 493 E. Walnut St
- Y 535 E. Walnut St
- Parking
- Fuller Housing