

Pasadena-Foothills Association of Realtors® RECEIVED

Pasadena, California 91106

2021 MAY -3 AM 8: 33

April 30, 2021

CITY CLERK
CITY OF PASADENA

Mayor and City Councilmembers
City of Pasadena
Via Email

RE: Agenda Item 8

Dear Mayor and Members of the City Council:

We write in opposition to the most recent Zoning Appeals Board item HDP #6837. The Pasadena-Foothills Association of REALTORS® has represented real estate professionals for over 100 years in the San Gabriel Valley. We value the Pasadena community and its extensive architectural history. However, we would like to voice our concern regarding an inconsistent application of policies relating to real estate matters. We are concerned that this inconsistency could have a troubling impact on our market and negatively impact homeowners.

A cornerstone of homeownership is private property rights and the ability, within reason, to make needed renovations to a property. Beginning last year, the property owners at 801 S. San Rafael applied to make renovations. These applications were both reviewed and approved by the Pasadena Planning Department. Additional renovations were planned and submitted for the property which were subsequently reviewed and approved. During its most recent meeting, the Zoning Appeals Board walked back the decisions of the Hearing Officer and Planning Department and granted an appeal to disapprove the most recent project request. We are dismayed that the Appeals Board would go against its own staff recommendation to force further study of a plan that had already been thoroughly vetted and approved.

The Hearing Officer and Design and Historic Preservation staff twice made recommendations on the landmark status of this property. A reversal of staff recommendations like this will create uncertainty in the housing market. Realtors and homeowners alike need to know that there is finality in the decisions of the Planning Commission. As REALTORS®, we represent both buyers and sellers. We uphold our values with full disclosure of the history of a property. We do not have a crystal ball; and failure to disclose a future landmarked home which has yet to meet current landmark overlay status creates not only a policy issue, but also may trigger litigation for both the City and real estate professionals.

The City of Pasadena has clear policies that they should apply consistently. Not applying consistent rulings to landmark issues, as set forth by policies the Council approved and amended in March, will only dilute the process with inconsistent rulings. This will cause a ripple effect of uncertainty within the landmark overlay market across the city of Pasadena. We urge you to apply your standards in a clear and consistent way.

We appreciate and respect the input and knowledge of Pasadena Heritage. However, we are concerned with their assessment of properties eligible for landmark status—especially when

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they depart from the standards that they helped create for the City. John Van De Kamp, the prior owner of the property, was a well-regarded Pasadenaian. Nonetheless, his legacy as the primary reason for landmark status is questioned. This request should have been submitted at a much earlier date, such as upon Mr. Van De Kamp's death, prior to the sale of the home or even at the announced renaming of the La Loma Bridge. Each one of these instances would have been an acceptable and appropriate time for submission. By delaying its request for landmarking this property, we can only surmise that this is a frivolous attempt to prevent renovations. This sets a dangerous precedent of canonizing any famous resident who may have lived within the City bounds. Landmark status is a powerful tool which should be used for its intended purpose. It should be used to ensure the preservation of unique architectural and significant historical properties for future generations. We must wield that power with deliberate caution. By repeatedly submitting appeals and applications for landmark status without the current homeowner's consent, Pasadena Heritage has in effect forced its will upon a private property owner and seeks to infringe upon their property rights.

Finally, we applaud the Hearing Officer and the Design and Historic Preservation staff of the Planning Division as they even-handedly applied the criteria for landmark designation. Even with the most recent amendments to the Historic Preservation Ordinance, this property should not qualify for landmarking status as it does not meet the defined criteria of the Pasadena Municipal Code. We urge the Council to err on the side of consistent, articulable and predictable standards. We ask the Council to uphold the recommendations of your planning staff and not designate 801 S. San Rafael as a landmark property.

Sincerely yours,
Barry Storch
President
Board of Directors

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2021 MAY -3 AM 8: 33

CITY CLERK
CITY OF PASADENA

May 1, 2021

City Council, City of Pasadena
By Electronic Mail

Re: 801 South San Rafael Avenue

Dear Council Members:

We have lived at 787 South San Rafael Avenue since October, 1980, next door to the west from 801. We offer the following comments:

After the Van de Kamp residence at 801 was sold, the new owner approached us with plans to remodel and expand the property. She showed us plans before any construction had started. When we saw that the plans called for construction of a three-car garage in the rose garden in front of the house, we expressed surprise that the City would allow such a structure. We were told that the plans had already been approved and that no notice or hearing was required.

The plans also showed a single structure at the back of the property, but the owner said this was only tentative and was not part of the approved project.

After construction began, we learned that a new permit was being sought for the addition of two, not one, additional buildings at the back of the property. I do not recall any discussion with the developer about the details of the new permit.

When we learned that two additional structures were to be constructed, we expressed concern about our privacy to the developer. While there is some planting between our properties on the rear of our lots, it is grossly inadequate to screen us from looking directly at the new structures. We asked the developer specifically if she had a landscaping plan so that we could assess the resulting impact on our privacy. She replied that she understood that we have a mutual interest in screening for privacy but said she had no landscaping plan.

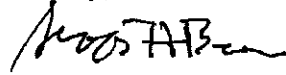
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We have subsequently requested landscaping plans on at least three occasions. We have received no reply from the developer. Having lost all confidence in the developer's sensitivity to the impacts of the new structures on us, we have installed a screening hedge on our property at a cost of \$30,000.

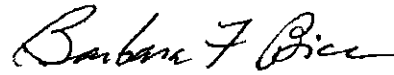
We find the developers' statement that they acted "like any good neighbor" would about the impacts of their additional construction simply wrong. The developer is not a "neighbor" and has, as far as they have told us, no intention to reside at 801 on a permanent basis when the construction is completed.

We are troubled by the "piecemeal" approval process the developer has followed, avoiding notice to or hearing from the neighbors on the construction of the three-car garage in the front rose garden and then adding additional square footage in a subsequent permit application. If this whole project had been proposed and noticed initially, we believe there would have been significant concern expressed about the compatibility of such a large multiple-building project with the neighborhood.

Sincerely,



Scott H. Bice



Barbara F. Bice

Martinez, Ruben

From: barbara zimmermann · m>
Sent: Sunday, May 02, 2021 7:55 AM
To: PublicComment-AutoResponse; Jomsky, Mark
Subject: 801 S San Rafael

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I am writing to support the project as proposed for 801 S San Rafael. The project is in full compliance with City Codes and in particular the Hillside Development provisions. The proposed structures are in the rear of this large property and are not visible from the street nor are they impacting the views of neighbors. Citizens of Pasadena need certainty when moving ahead with projects and should be granted their permits if in compliance with the City rules.

City Council should support the Staff's recommendations and allow the permits to be issued.

Thank you for your consideration.
Barbara Zimmermann

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Martinez, Ruben

From: Michael Glick <
Sent: Sunday, May 02, 2021 10:29 AM
To: Jomsky, Mark; PublicComment-AutoResponse
Cc: Rachlin Deborah; Ross Rodney
Subject: 801 S. San Rafael Ave.

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Dear Mayor and Members of the City Council

RE: 801 S San Rafael Ave
HDP# 6837 in support of Staff
Recommendations

I am the current owner of 870 S San Rafael Ave. I met Deborah and Rodney just over 2 years ago when I moved into the neighborhood. We have had several occasions to meet and discuss the improvements they are making to there property.

We have also had the opportunity to discuss the challenges they have been faced with by various individuals and local associations. I am both encouraged by the City and Staff and there continued support of this matter as it appears to be a very simple and straightforward Hillside Development Permit for structures in the rear yard but also disappointed that they are at this point in what appears to be a situation where the rules and guidelines are not being fully recognized thus leaving the outcome of this permit in limbo for months.

This makes me question if my purchase in Pasadena was the right choice, and I would like more certainty from my City Government.

I strongly encourage the members of the Council to support the decisions of their staff and the HO and grant this HDP as so approved in January 2021.

Thank you,
Michael Glick

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Martinez, Ruben

From: Elizabeth Walker
Sent: Sunday, May 02, 2021 11:41 AM
To: Jomsky, Mark; PublicComment-AutoResponse; Suzuki, Takako; Madison, Steve
Subject: HDP #6837/801 South San Rafael Avenue

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Dear Mayor Gordo, Vice-Mayor Wilson and Honorable Members of the City Council,

I am writing with respect to HDP#6837 at 801 South San Rafael Avenue. My husband, Paul Walker, and I have lived at 612 South San Rafael Avenue for the past 18 years, and in the San Rafael area since 1990. When we purchased our home on South San Rafael, we did so based on the privacy it afforded, as well as the beauty of the homes on the street.

One of the homes that was a favorite of ours was the Monterey Colonial at 801 South San Rafael, previously owned and enjoyed by the Van de Kamps. Since Andrea Van de Kamp sold her home, we have watched as the new developer (among other things) obliterated the front yard rose garden so dear to John Van de Kamp and in its stead plopped a 600 square foot concrete cube. This was more than disturbing.

To make matters worse, we are informed that the developer is now seeking permission to build three more accessory structures in the backyard. Based on the development of the front yard (which appears not to have been posted with the requisite notice for that which was actually built), we are very concerned with the City's process for approving the proposed additional accessory structures.

Separate and apart from the permitting process, this particular developer is creating structures which do not, and will not, enhance the neighborhood in a manner consistent and compatible with existing structures. The developer is destroying the Monterey Colonial architectural style of the home owned by Andrea and John. No other owner or developer on this street has taken such brazen steps to undermine the character and beauty of the street or the San Rafael area.

We expended a great deal of effort in refurbishing our home to ensure that our Roland Coate designed house would be brought back to its original integrity and beauty. And, we complied with what were then very strict requirements ensuring that the home was not turned into a “west side” horror.

In the interest of full disclosure, John was a former law partner of ours. Andrea has been a good friend for decades.

We understand that a new owner/developer is not bound by the constraints of the prior owner. But, what this particular developer has done, and proposes to do, is simply not beneficial to the neighborhood and is a blight on it.

We urge the City Council to deny the appeal, re-examine the past and future phases for the entire project, and require the developer to fully disclose all plans for all phases of the project. Something is vastly wrong here.

Regards,

Liz and Paul Walker

Martinez, Ruben

From: Paris Papiro <A>
Sent: Sunday, May 02, 2021 12:58 PM
To: PublicComment-AutoResponse
Subject: City Council May 3rd - 801 S San Rafael Ave

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I am writing in support of the project at 801 San Rafael I have watched for the last several months the construction and am thrilled with the improvement to this home which sat neglected for so many years.

I am saddened by what I hear in the neighborhood and in the papers about how what seems to be a normal request for accessory structures in ones own back yard is under scrutiny and has been stalled out for so many months due to what seems to be such frivolous un merited complaints

I look forward to the City Council to support this project

Paris Papiro

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SAN FRANCISCO
111 Maiden Lane, 4th Floor
San Francisco, CA 94108

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CITY CLERK
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RE: Council Mtg May 3rd - 801 San Rafael

TO WHOM IT MAY CONCERN:

As a business owner and design professional serving clients in Pasadena and the greater Los Angeles area, I must say that I am incredibly disturbed by the unfair challenges and hurdles that have riddled the project at 801 S San Rafael.

In my experience, in order to work in harmony with City and Governmental Agencies it is paramount to know the rules - what is allowed and not allowed. The uncertainty that surrounds the specifics of this project, having approvals in place that are now being questioned, are unnerving and, frankly, the outcome will have a huge impact on how I approach work within the City and ultimately for residents of the City.

An unfavorable outcome will shine a bright light on the fact that neighbors and associations can unfairly meddle in lawfully proposed and approved projects at their whim, that the City Government does not support their staff and that the Codes and Guidelines that the staff and the residents look to for day to day comfort while living, working and residing in Pasadena, ultimately mean nothing. It is frankly a dangerous precedent to set.

I truly hope that this is not the case, and that this project will be allowed to move ahead, unencumbered.

Very Truly Yours,

David Galullo
CEO
Rapt Studio

Martinez, Ruben

From: Todd Hays <n>
Sent: Monday, May 03, 2021 8:09 AM
To: PublicComment-AutoResponse
Subject: Public Comment - May 3rd Agenda, item #8

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Dear City Council,

For decades, I have dedicated my personal and professional life to protect and preserve valuable cultural and historic resources. I understand their value from the physical, monetary, and emotional to those directly and indirectly connected to them. I applaud the City of Pasadena's new Historic Preservation Ordinance as it reflects a democratic understanding of both tangible and intangible items and the importance that historic resources play in bringing value to our city. Moreover, it reflects the requirements of the United States Department of the Interior Standards which sets the historic preservation requirements practiced in most cities. The thoughtful process undertaken to rewrite the ordinance is an example for all to follow. The Ordinance is inclusive of all areas of the city and, more importantly, reflects the diversity of Pasadena, including race, socioeconomic status, history, culture, and architecture. In contrast, the efforts of Pasadena Heritage with respect to 801 South San Rafael, is more of an example of protecting privilege than preserving historic and cultural resources within the city. For more than forty years, Pasadena Heritage has arbitrated what it feels is worth protecting. Where was this concern when the house went on the market? Where was this concern when demolition permits were applied for and granted? Why did this concern even come about in the first place, given Pasadena Heritage has never made an effort to landmark the South San Rafael neighborhood district? Fair and thoughtful discourse is an important part of preservation, but when the privileged only fight for the entitled, it sullies the value of all such efforts.

Sincerely,
Todd Hays

TODD Hays, GRI
Top 10 Producer / Realtor of the Year
Past Board Member, Pasadena Heritage
Past President, Pasadena-Foothills Association of Realtors
Past Vice-Chair, Palm Springs Historic Site Preservation Board

Deasy Penner Podley

Pasadena, CA 91101

Thank you for your referrals!

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Martinez, Ruben

Subject: FW: HDP#6837 - 801 S San Rafael - City Council CALL FOR REVIEW May 3rd

From: Jarred Walker

Sent: Monday, May 3, 2021 6:18 AM

To: Jomsky, Mark <mjomsky@cityofpasadena.net>; Driver, Jennifer <jdriver@cityofpasadena.net>

Cc: deborah.rachlin.ross@cityofpasadena.net

Subject: HDP#6837 - 801 S San Rafael - City Council CALL FOR REVIEW May 3rd

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Dear All – I am writing in reference to 801 S San Rafael. I have met several times with the owners and know much about the project – It is really a wonderfully designed project, and one that the neighborhood should be very proud of.

Please know that my family & I strongly support the proposed project. We further understand that on January 6th, The City of Pasadena Hearing officer approved a hillside permit for accessory structures in the Rear Yard; the design of which not only meets the Zoning Codes but also adds great value to the neighborhood.

We consider the Ross's a great asset to Pasadena and the neighborhood, ~~who~~ they are investing a great deal of time & passion into improving an existing house & lot in the neighborhood, and clearly are partnering with the City to meet code, and are also ensuring harmony and compatibility with the surrounding area. It would seem that any homeowner in the City should be met with certainty if they are abiding by all regulations, and not faced with this hurdle of confusion in obtaining a simple permit for accessory structures in the rear of their property

Please allow this project to move forward and to honor the Hearing Officer's approval from January 6th. We support the project & the improvements as they will add great value. Thank you.

Jarred Walker

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Martinez, Ruben

Subject: FW: City Council May 3rd - 801 S San Rafael Ave

-----Original Message-----

From: Paris Papiro < >
Sent: Sunday, May 2, 2021 12:59 PM
To: Jomsky, Mark <mjomsky@cityofpasadena.net>
Subject: City Council May 3rd - 801 S San Rafael Ave

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I am writing in support of the project at 801 San Rafael I have watched for the last several months the construction and am thrilled with the improvement to this home which sat neglected for so many years.

I am saddened by what I hear in the neighborhood and in the papers about how what seems to be a normal request for accessory structures in ones own back yard is under scrutiny and has been stalled out for so many months due to what seems to be such frivolous un merited complaints

I look forward to the City Council to support this project

Paris Papiro

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EASTWEST BANK

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2021 MAY -3 AM 9:44

CITY CLERK
CITY OF PASADENA

May 3, 2021

RE: 801 S. San Rafael Ave
HDP#6837 in support of Staff
Recommendations

Dear Mayor and Members of the City Council

I have had the pleasure to meet Mr. and Ms. Ross and discuss with them various potential financing options for their home.

We pride ourselves on serving the local community.

It is an unfortunate set of circumstances that are NOT allowing the Ross's to secure a permit. The pending challenges associated with the property, none of which appear to have been brought on by the Ross's is quite perplexing and appears incongruent with City Policy.

I look forward to the City granting the permits that the Ross's have long been waiting on so we at East West Bank can continue our conversations with Deborah & Rodney.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Flora Ling'.

Flora Ling
Senior Vice President

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2021 MAY -3 AM 11: 23

CITY CLERK
CITY OF PASADENA

April 30, 2021

Mayor Victor Gordo
The Pasadena City Council

RACHLIN
P A R T N E R S

RE: 801 S. SAN RAFAEL AVENUE, PASADENA

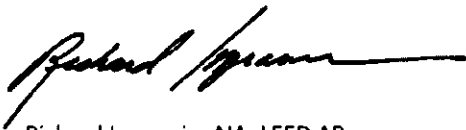
Dear Esteemed Mayor and Members of the Pasadena City Council;

I am reaching out to you regarding the residence at 801 South San Rafael Avenue. I have known Deborah and Rodney for over 30 years.

Over the last several months Deborah and Rodney have made me aware that a small minority of neighbors have raised concerns about the historic nature of the primary residence and the impact the proposed rear structures may have on the historic significance of the residence. As a licensed Architect and home owner in the largest HPOZ in Los Angeles and one of the largest historically preserved neighborhoods in the nation, the opposition to the proposed project lacks any merit. Having recently obtained approval from my local HPOZ for an expansion project of my own residence, I am very familiar with the objectives, roles and responsibilities of historical preservation. The determining factor that secured the approval of my project was that fact that the proposed modifications were not visible from the street. The proposed rear structures at Deborah and Rodney's residence do not over develop the site, have no bearing on the historical fabric of both the structure and neighborhood and are clearly not visible from the street.

Based on the facts, I respectfully request and urge you, as elected officials of the great City of Pasadena, to put an end to this witch hunt of manufactured ideas and approve the application for the rear structures without exception at 801 S. San Rafael Avenue.

Respectfully,



Richard Ingrassia, AIA, LEED AP
Partner

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CARLSON & NICHOLAS, LLP
Attorneys at Law

2021 MAY -3 AM 11:23

Scott W. Carlson, Partner
Francisco J. Nicholas, Partner
Richard A. McDonald, Of Counsel

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CITY CLERK

CITY OF PASADENA

Scott@carlsonnicholas.com
Frank@carlsonnicholas.com
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May 3, 2021

Mayor Victor Gordo
Vice-Mayor Andy Wilson &
Honorable Members of the City Council Tyron Hampton, John J. Kennedy,
Steve Madison, Gene Masuda, Jessica Rivas, and Felicia Williams
Pasadena City Hall
100 North Garfield Avenue
Pasadena, CA 91101

Re: 801 S. San Rafael Avenue Appeal (Hillside Development Permit #6837)

Dear Mayor, Vice-Mayor, and Honorable Members of the City Council:

We represent the applicants/appellants in the appeal of the Board of Zoning Appeals' March 18, 2021 decision to overturn the Hearing Officer's decision and disapprove Hillside Development Permit #6837, which is on your May 3, 2021 Agenda. Our April 30 letter and expert reports sets-forth the basis for our appeal and request that you overturn the BZA decision.

This letter is submitted to rebut the factually and legally incorrect statements in the April 29 letter submitted by the neighbor's attorney Steven Lamb.

First, Mr. and Mrs. Ross are the homeowners and residents of their property, not "developers" of it as Mr. Lamb states in Footnote 1 of his letter. As stated in our April 30 letter, they are a longstanding interracial family with deep roots in Pasadena who bought the home located at 801 S. San Rafael Avenue (the "Property") with the desire to fix it up and to enjoy living there in peace and quiet. This was their first purchase in one of the oldest estate districts in Pasadena, and it is frankly insulting to call them "developers" simply because they took title in an LLC rather than in a "Bypass Trust" like Ms. De-Witt.

Second, everything Mr. Lamb says about the scope of this appeal and/or what the BZA did on pages 2 and 3, and the footnotes therein, is legally wrong and irrelevant. Section 17.72.040.E.2 specifically states that, "Recognizing that it is difficult to separate the decision on

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City of Pasadena
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the environmental document from the project itself, the appeal to the Council shall include the entire decision. For example, if, after CEQA document certification or approval, the Board of Zoning Appeals approves a land use permit, the appeal shall include both the CEQA document certification or approval and the accompanying land use permit. Such an appeal shall be reviewed in a *de novo* hearing.” That means you consider the entire case anew.

Third, Ms. DeWitt has submitted nothing on the requisite HDP Findings because, like the BZA discovered, there is simply no evidence, let alone any substantial evidence, that disprove them. To the contrary, Table “A” in your Staff Report shows that the proposed accessory structures fully comply with every applicable development standard under the Hillside Ordinance.

Fourth, the Declaration of Andrea Van de Kamp attached to Mr. Lamb’s letter does not say the house is historic, nor connected to any significant events, nor can it. To the contrary, on April 18, 2019, Ms. Van de Kamp signed the Seller’s Disclosures required under Civil Code 1102, et. seq., and expressly represented to Mr. and Mrs. Ross that the house was not historic. *See*, Exhibit A, p. 1. She also has said that John Van de Kamp made “LA his headquarters office”, not his home office. *See*, Exhibit A, p. 2. Ms. DeWitt and her attorney, therefore, should be very careful in claiming that Ms. Van de Kamp believes it is historic after she represented just the opposite when she sold the house.¹

Fifth, the statements in the letter and Declaration about a “guest house”, “playroom” and prior work contradict the City’s records. *See* Exhibit B (“5. Permit files show that the existing garage located at the rear of the residence was converted in to a play room in 1953.”). The covered storage had no permits on file and the City required a new garage along with the removal of the unpermitted carport. *Id.*

Sixth, the permit timeline on page 10 of Mr. Lamb’s letter is as misleading as is the conclusion he asserts about piecemealing is wrong. As the Building Official could easily explain, a building permit covers the work being done, but a plumbing permit is needed for plumbing work, a mechanical permit for mechanical work, etc. The fact that one ministerial project has multiple permits, therefore, does not mean there is any piecemealing under CEQA.

To the contrary, as the Staff Report and our April 30 letter and expert memorandum explain, over the counter permits for ministerial work are not subject to CEQA because they do not involve any substantial adverse environmental impacts and thus are not considered projects

1. Again, we have to ask why is the question of landmarking the Property coming up only now, after the Ross Family moved in? As we explained in our April 30 letter, John Van de Kamp purchased the Property in 1987, and lived there for only a short time while he served as Attorney General of California. After his time as Attorney General ended in 1991, he retired from politics. That was 30 years ago. Not once in that time was there any suggestion the Property was a landmark. Further, nothing was mentioned after he passed away four years ago or when the City named the La Loma Bridge in his honor. Not while he was alive, not after he retired, and not when he died. Why now all of sudden?

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as statutorily defined. Sometimes, when there is a project to which CEQA applies because there is a substantial adverse environmental impact that requires mitigation, some applicants break – up the project into multiple smaller projects to avoid the cost of the mitigation measures.

Not here. Mr. and Mrs. Ross have agreed to every condition of approval, including ones suggested by Ms. DeWitt to the HO and BZA.

As such, other than “damage to a historical resource”, which is easily disproven by Ms. Van de Kamp’s Seller’s Disclosures forms attached as Exhibit A, our expert report by Sapphos, and the City’s 2020 Decision that was not appealed by Pasadena Heritage, Mr. Lamb and his client have repeatedly failed to explain what “substantial adverse environmental impact” they are talking about.

In other words, even if Mr. and Mrs. Ross pulled several permits over the counter to fix up their house, what “substantial adverse environmental impact” is there? Ms. DeWitt and her attorney offer none. They simply assert the unfounded need for more study to delay, interfere, and harass the Ross Family.²

California law is clear that CEQA does not regulate environmental changes that do not affect the public at large: “the question is whether a project [would] affect the environment of persons in general, not whether a project [would] affect particular persons.” See, *Mira Mar Mobile Community v. City of Oceanside* (2004) 119 Cal.App.4th 477, 492; and *Martin v. City and County of San Francisco* (2005) 135 Cal.App.4th 392, 404.

For example, in *Topanga Beach Renters Assn. v. Department of General Services* (1976) 58 Cal.App.3d 188, the plaintiff argued that the demolition of living structures on a beach would adversely affect humans, and thus constitute a significant effect on the environment requiring an EIR, because “the planned demolition [would] evict people from their homes (with consequent adverse effect on those people)” *Id.* at pp. 191, 194. The court held that the “[a]dverse effect on persons evicted from Topanga Beach cannot alone invoke the requirements of CEQA, for all government activity has some direct or indirect adverse effect on some persons.” *Id.* at p. 195. “The issue [was] not whether demolition of structures [would] adversely affect particular persons but whether demolition of structures [would] adversely affect the environment of persons in general.” *Id.* In short, the court concluded that there was no significant effect on the environment because the identified impact affected only a particular group of people.

The same is true in this case. There is no substantial adverse environmental impact from the residential work being done here. ***It thus strains credulity to say that a fully Code complaint***

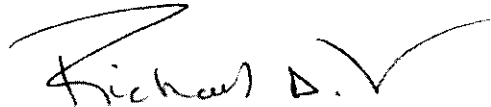
2. That is why this case reminds me so much of Hillside Development Permit (“HDP”) No. 6196, which the City Council heard in 2016. There, a young Asian-American family moved into 920 Hillcrest in the old estate neighborhood across from the Langham. Like the Ross Family, they were subjected to constant harassment, appeals, and legal challenge in court by one neighbor who asserted baseless legal and factual arguments. Thankfully, that neighbor lost every step of the way, including in court, but sadly never accepted them into the neighborhood.

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project presents "unusual circumstances" precluding the use of the categorical exemption for single family residences set-forth in Section 15303.

We, therefore, repeat our request that you reverse the BZA's decision, approve the HDP and CEQA Exemptions, and bring this very sad chapter in Pasadena's history to a close. The Ross Family has the same property rights as everyone else. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Richard A. McDonald, Esq." with a stylized flourish at the end.

Richard A. McDonald, Esq.

EXHIBIT A

Property Address: **801 S San Rafael Ave, Pasadena, CA 91105-2326**

Date: **April 18, 2019**

freeways, buses, schools, parks, refuse storage or landfill processing, agricultural operations, business, odor, recreational facilities, restaurants, entertainment complexes or facilities, parades, sporting events, fairs, neighborhood parties, litter, construction, air conditioning equipment, air compressors, generators, pool equipment or appliances, underground gas pipelines, cell phone towers, high voltage transmission lines, or wildlife

Explanation: Yes No

L. GOVERNMENTAL:

ARE YOU (SELLER) AWARE OF...

- 1. Ongoing or contemplated eminent domain, condemnation, annexation or change in zoning or general plan that applies to or could affect the Property Yes No
- 2. Existence or pendency of any rent control, occupancy restrictions, improvement restrictions or retrofit requirements that apply to or could affect the Property Yes No
- 3. Existing or contemplated building or use moratoria that apply to or could affect the Property Yes No
- 4. Current or proposed bonds, assessments, or fees that do not appear on the Property tax bill that apply to or could affect the Property Yes No
- 5. Proposed construction, reconfiguration, or closure of nearby Government facilities or amenities such as schools, parks, roadways and traffic signals Yes No
- 6. Existing or proposed Government requirements affecting the Property (i) that tall grass, brush or other vegetation be cleared; (ii) that restrict tree (or other landscaping) planting, removal or cutting or (iii) that flammable materials be removed Yes No
- 7. Any protected habitat for plants, trees, animals or insects that apply to or could affect the Property Yes No
- 8. Whether the Property is historically designated or falls within an existing or proposed Historic District Yes No
- 9. Any water surcharges or penalties being imposed by a public or private water supplier, agency or utility; or restrictions or prohibitions on wells or other ground water supplies Yes No

Explanation:

M. OTHER:

ARE YOU (SELLER) AWARE OF...

- 1. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property whether oral or in writing and whether or not provided to the Seller. Yes No
(If yes, provide any such documents in your possession to Buyer.)
- 2. Any occupant of the Property smoking on or in the Property Yes No
- 3. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer Yes No

Explanation:

VI. (IF CHECKED) ADDITIONAL COMMENTS: The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation.

Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.

Seller Andrea Van de Kamp **Andrea Van de Kamp, Trustee** Date 4-18-19

By signing below, Buyer acknowledges that Buyer has read, understands and has received a copy of this Seller Property Questionnaire form.

Buyer Rodney Ross Date 5/17/2019

Buyer Deborah Kathleen Ross Date 5/17/2019

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SPQ REVISED 6/18 (PAGE 4 OF 4)

SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 4 OF 4)

Attachment:

Clarification as to where John Van de Kamp lived while in public office.

Submitted by Andrea Van de Kamp

I understand there is some confusion about where John and I lived when John was in public office. Well, I am proud to say John loved Pasadena, and he loved our 801 S San Rafael home. He kept a small studio apartment in Sacramento where he stayed 3-4 nights a month. The family for years kept a small studio apartment in San Francisco where he also stayed maybe 3 nights a month. When AG, he made LA his headquarters office. For example, when Pat Brown was AG he made SF his main office. The AG - he or she - can choose SF, Sacramento, or LA whatever is best for the person. John did not want to leave Pasadena. I hope this helps clear up any confusion.

Andrea L. Van de Kamp

Sent from my iPhone

EXHIBIT B

Zoning Corrections

Zoning Plan Check
801 South San Rafael Ave
RS-4-HD

BLD2019-01654
01/09/2020

Applicant comments 15 January 2020

The Pasadena Current Planning Section has finished reviewing the above reference plan check. The following Zoning corrections and/or comment shall be addressed by the applicant prior to Final Plan Check approval. The corrections, attachments, and marked up plans are available for pickup at Window 8 at the Permit Center, 175 N. Garfield Avenue, Pasadena, CA.

Provide response letter indicating how or where each comment below addressed. Be advised, recheck may be delayed without redlined set. Resubmit all previously reviewed plans and documents (calculations, soil report, etc.) along with new plans. Incomplete re-submittal may cause delay in plan check review and approval.

1. Pursuant to Code Section 17.46.020.J, Small residential additions (with a maximum aggregate total of 150 square feet) may be made to existing residences without requiring the two-car covered parking requirement of Section 17.46.040 (Number of Off-Street Parking and Loading Spaces Required). However, any addition to an existing residence, including the construction of an accessory structure (e.g., a pool house or workshop) of over 150 square feet shall require the construction of a two-car covered parking structure. Your addition will require the construction of a two-car covered parking structure such as a garage or carport.
New Garage see new sheet A401 for Garage Plan and Elevations, also see A101 for location of Garage and 30% Maximum Paving Calculation

2. The proposed addition shows that an existing breeze way will be removed in order to accommodate the rear addition. However, the minimum required distance between the detached accessory structure and the main home is six feet measured from the edge of the eaves of the structures. The plans show the closest distance at approximately 4.5 feet from the eaves of both structures. Please adjust the parameters of the addition in order to comply with the setback between structures. As an alternative, if the existing breezeway that attaches the main residence to the converted garage remains, both structures will be considered as one therefore would be compliant with the proposed 4.5 foot setback.

Existing Breeze Way and Playroom to remain, existing Cooktop to be removed - see Sheet A301

3. The survey provided on Sheet C101 does not show the existing breezeway between the main structure and the accessory garage. Please show the location of the breezeway in relation to the residence's footprint.

See Sheet C101 for Breezeway location

4. The covered storage on the side of the house shown on sheet C101 has no permits of file and does not meet the required 10-foot side yard setback. Therefore, the unpermitted structure attached to the existing residence and accessory structure will need to be removed.

See Sheet A101 awning and frame to be removed

5. Permit files show that the existing garage located at the rear of the residence was converted in to a play room in 1953. Please provide the details for the floor plan and elevation of the existing structure.

See Sheet A301 for existing plan to remain and Sheets A202 & A302 for existing elevations to remain

6. On Plan Sheet A301 the proposed floor plan shows the addition wall is extending the structure wall 3 feet and 2 inches on the western facade and the same on the eastern facade. This is not correct. According to the other sheets on the plan, the eastern facade addition wall should extend an additional 5.5 feet. Please show the new exterior wall in bold as the entire length that is proposed. Adjust the east elevation accordingly as well to show the accurate addition parameters.

See Sheet A301 for wall type update on plan and Sheet A302 for Elevation Area of Upgrade

7. Off-street parking shall be provided in compliance with Chapter 17.46 (Parking and Loading), except that each dwelling shall provide off-street guest parking as follows. Show compliance with the following standards.

* A minimum of four guest parking spaces shall be provided on a site fronting on a street where parking is prohibited on both sides of the street at the site. Your street does not allow parking on the street. Therefore, you will be required to provide four guest parking spaces as noted.

See Sheet A 101 for 4 onsite guest parking locations

* A maximum of three guest parking