
BOARD OF ZONING APPEALS

SPECIAL MEETING

TRANSCRIPTION OF PROCEEDINGS

THURSDAY, JUNE 17, 2021

PASADENA, CALIFORNIA

REPORTER: MARTHA VENTIMIGLIA, CSR No. 8992



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BOARD OF ZONING APPEALS
PASADENA, CALIFORNIA
JUNE 17, 2021

1 Transcription of Proceedings, transcribed by
2 MARTHA L. VENTIMIGLIA, Certified Shorthand Reporter
3 Number 8992, for the State of California, with
4 principal office in the County of Los Angeles,
5 commencing at 6:30 p.m., June 17, 2021, in Pasadena,
6 California.

7 * * *

8
9 APPEARANCES OF PARTICIPANTS:

10 Members:

11 JASON LYON, VICE CHAIR, DISTRICT 7

12 JULIANNA DELGADO, REPRESENTATIVE, DISTRICT 2

13 MIC HANSEN, REPRESENTATIVE, MAYOR

14 DONALD C. NANNEY, REPRESENTATIVE, DISTRICT 4

15
16 Staff:

17 LUIS ROCHA, ZONING ADMINISTRATOR

18 BEILIN YU, SENIOR PLANNER

19 JOHN NAM, ASSISTANT CITY ATTORNEY

20 TESS VARSH, RECORDING SECRETARY

1 This agenda item before you this evening is an
2 appeal of a determination by the zoning administrator
3 that an affordable housing concession or incentive
4 cannot be granted for modifications of use
5 restrictions.

6 Next slide, please.

7 (Inaudible). On June 15th, the appellant
8 submitted a letter which has been forwarded to the
9 Board of Zoning Appeals stating that the appeal being
10 considered tonight consists of two issues: The zoning
11 administrator's determination and the City's affordable
12 housing concession permit process.

13 Staff would like to clarify that what is being
14 considered tonight is an appeal of the zoning
15 administrator's letter dated September 26th, 2019.

16 In the letter, the zoning administrator does
17 not make any determinations regarding the affordable
18 housing concession permit process; therefore, the
19 appeal under review tonight is regarding the ability to
20 request a concession from Section 17.30.030.C.2 only.

21 Next slide, please.

22 I'll go over some background of the project
23 right now.

24 In pre-development plan review, also known as
25 a PPR for an (inaudible) project at 141 South Lake

1 uses.

2 Next slide, please.

3 The applicant has filed an appeal of the
4 letter determining that a concession cannot be
5 processed to allow housing (inaudible) more than 50
6 percent of the building (inaudible) floor area.

7 In the request for appeal -- for the appeal
8 application, the applicant states only that the zoning
9 administrator's determination was in error and violates
10 this State density bonus law.

11 If the appeal is granted, Affordable Housing
12 Concession 101907 would be allowed to be processed.
13 Specifically, the applicant will be able to press a
14 concession to include 52,118 square feet of residences
15 in the eastern portion of the site or the maximum,
16 allow residential units 30,559 square feet.

17 As proposed, the concession award result in
18 additional housing units. This would be analyzed for
19 the affordable housing concession per their application
20 with the preparation of proforma and financial analysis
21 to determine the additional units result in cost
22 reduction to provide for affordable housing.

23 Next slide, please.

24 The zoning administrator has considered the
25 appeal and has determined that the determination was

1 correctly made, that affordable housing concession
2 permit cannot be processed because the application is
3 requesting a concession from a use restriction and not
4 a development standard; therefore, staff recommends
5 that the Board of Zoning Appeals upholds the zone
6 administrator's determination that an affordable
7 housing concession or incentive cannot be granted for
8 modification of use restriction.

9 That concludes staff's presentation, and I'm
10 available to answer any questions at this time.

11 Also present tonight is Theresa Fuentes as is
12 the city attorney and deputy director, Jennifer Paige.
13 Thank you.

14 THE CHAIR: Are there any questions?

15 Commissioner Delgado.

16 COMMISSIONER DELGADO: I just have one
17 question.

18 Is the zoning administrator who issued the
19 first determination present?

20 MALE SPEAKER: No.

21 MS. YU: No.

22 (Speaking simultaneously.)

23 MR. ROCHA: Commissioner Delgado, I'm the
24 current zoning administrator. That matter was issued
25 by former zoning administrator, Talyn Mirzakhianian.

1 COMMISSIONER NANNEY: Okay. Let's look at the
2 section that I think you are referring to. It's quoted
3 on Slide 12, if we can go back to that.

4 MR. ROCHA: Yes.

5 COMMISSIONER NANNEY: Okay. Yeah. That's the
6 one where there seemed to be two very clear statements
7 in that. One is ground floor housing is prohibited and
8 the other is housing is allowed on upper floors.

9 What does the 50 percent apply to? Would it
10 apply to say if there is a mezzanine level between the
11 ground floor and the upper floors?

12 MR. ROCHA: Yes, that would apply to any floor
13 above the first, so from second floor up.

14 COMMISSIONER NANNEY: But it's not written to
15 define the last sentence, the housing is allowed on
16 upper floors. I think that this is a pretty
17 unintelligible code section, and it's pretty difficult,
18 in my mind, to understand what the 50 percent is
19 talking about. And if it is talking about some portion
20 of the floor area, that would be a development standard
21 just like a height restriction. And it's also use, it
22 seems. Because a height restriction would exclude use
23 above it. And the 50 percent in a floor area would
24 exclude the other 50 percent. So it's both -- seems to
25 me both use and development. So I'm having a hard time

1 MR. McDONALD: Perfect. Thank you so much for
2 your patience.

3 Thank you, as well, for the meeting tonight,
4 taking time out of your schedules to deal with what is
5 frankly a very important set of issues.

6 We put forward in the letter that we delivered
7 on June 15th that our appeal, and I quoted our appeal,
8 is of two issues. The first is whether or not we are
9 entitled to the concession under state law. And the
10 second is how that concession permit will be processed.

11 The -- in presentation tonight, Beilin I
12 understand was not the staff person at the time and
13 inherited this like Luis, so my condolences to them,
14 but they did present to you what they have told us and
15 that we contend violates state law.

16 They did cite you to the municipal code
17 tables. They did cite you to the densities under the
18 Central District's Specific Plan, not the General Plan.
19 They did cite you to a variety of development standards
20 under the Specific Plan.

21 In fact, part of the problem right now is that
22 the bulk of that presentation and interpretation is
23 under the municipal code as if the municipal code
24 somehow rather preempts the State density bonus law.
25 And, in fact, it's the other way around.

1 To go to a point that Commissioner Nanney made
2 about the clarity of the relevant municipal code
3 section, there are two things that are clear: You
4 cannot have housing on the ground floor but you can
5 have housing on the upper floors.

6 But to a certain extent, this is a distinction
7 without a difference because the State density bonus
8 law as we point out in our letter specifically states
9 that a concession or incentive includes, quote, "square
10 footage requirements."

11 It's very straightforward under 65915, K-1:

12 "Concession or incentive means any
13 of the following: A reduction in site
14 development standards or a modification
15 of zoning code requirements or" --

16 And this is where, by the way, the former ZA's
17 letter and the slide tonight misquote this
18 section.

19 It's "Or a modification of
20 zoning code requirements or architectural
21 design requirements that exceed the
22 minimum building standard provided under
23 the California Building Standards
24 Commission of Division 13 of the Health
25 and Safety Code, including but not limited

1 to a reduction in setback or square
2 footage requirements, the ratio of vehicle
3 parking spaces that would otherwise
4 result" --

5 And it goes on from there to talk about
6 identifiable natural cost reductions.

7 So the fact that you have not only floor area
8 ratio as staff concedes, but also express language in
9 the State statute that covers square footage
10 requirements. That's exactly what this development
11 standard is. It is saying you can only add so much
12 square footage of housing in relationship a ratio to
13 square footage of commercial.

14 To get to where the staff wants you to get,
15 the zoning administrator, I should say, wants you to
16 get, you have to ignore the words quote, "along Lake
17 Avenue from Green Street south to California
18 Boulevard." You have to ignore the definition of
19 building frontage in the zoning code. You have to
20 ignore the words that housing is allowed on the upper
21 floors. You have to ignore the mixed-use code sections
22 that limit commercial uses to 50 feet. That's under
23 Section 17.50.160.

24 You have to ignore the legislative intent in
25 the Central District's Specific Plan that the

1 COMMISSIONER DELGADO: I know. I'm sorry. I
2 just wanted to, after you asked further questions, I
3 wanted to make some comments. I'm sorry.

4 THE CHAIR: Okay. I think we will go to
5 public if -- your comments are toward the merits here?
6 Okay. Let's -- do we have any public comment?

7 MR. ROCHA: No public comments were received
8 for this item and no comments were received by the
9 portal, either.

10 THE CHAIR: Okay. In that case, I think,
11 unless there are any objections, we will close the
12 public hearing and proceed. I'm seeing none, so we
13 will close the public hearing and move to a discussion
14 and deliberation among the commissioners.

15 Commissioner Delgado.

16 COMMISSIONER DELGADO: Thank you, Vice
17 Chair Lyons.

18 So I'm going to present my comments and my
19 analysis, and I am going to be referring to my notes
20 because I want to be as clear as I can for the public
21 record and express my reasoning. So I beg your
22 indulgence. This is going to take a few moments.

23 Okay. Pasadena Municipal Code Section
24 17.30.30.C.2.B is the section upon which the zoning
25 administrator based the determination. It is vague and

1 is open to interpretation. The section of the Central
2 District Specific Plan which implements it is equally
3 vague.

4 Furthermore, there are two possible ways the
5 code section may be interpreted, broadly and narrowly.
6 And these are in addition to what Mr. -- Counselor
7 McDonald presented to you. So under either way, under
8 either reading, I cannot up- (inaudible) the
9 administrator's determination which I believe to be in
10 error given the law and its intent and the applicable
11 facts.

12 So the zoning code states as a development
13 limitation the housing shall not occupy more than 50
14 percent of total building floor area along Lake Avenue
15 from Green Street south to California Boulevard.

16 The question is does this limitation on
17 housing development apply cumulatively to the entire
18 area or does it apply to any given parcel. Is it the
19 intent of the Central District Specific Plan referenced
20 in the code to establish a cap on housing within the
21 Lake Avenue subdistrict or is it intended to limit
22 housing on a single site. The distinction is
23 abundantly unclear.

24 So going on to my analysis. The first of two
25 possible interpretations is in the broadest sense. The

1 code does not state no parcel fronting Lake Avenue
2 located between Green Street on the north to California
3 Boulevard on the south shall be permitted to dedicate
4 more than 50 percent of any total building floor area
5 constructed on that parcel to any form of residential
6 use. It does not provide (inaudible).

7 Instead, the code's restriction in its
8 vagueness could be read as cumulative and applicable to
9 Area 3 as a whole. In stating its purpose, the code
10 says, it is in quotes, "To maintain the commercial
11 retail service character of the South Lake shopping
12 area," with the emphasis on "area."

13 So absent a clear statement that the
14 development restriction applies to each parcel
15 individually, if this code section is meant to signal a
16 cap on residential square footage, it also implies that
17 some parcels may be permitted to have a greater
18 percentage of square footage to housing and others less
19 as long as the cumulative percentage along Lake from
20 Green to California is not exceeded and no housing is
21 constructed on the ground floor.

22 Some parcels may thus have no housing at all.
23 For others, the percentage may be greater than 50
24 percent as long as the cumulative amount in Area 3
25 again is not exceeded. The percentage may thus be read

1 as a development cap to ensure holistically that Area 3
2 is not solely developed with residential uses that
3 comprise street-level activity.

4 If this is the correct section, then it begs
5 further questions. Has the study been conducted to
6 determine the maximum allowable square footage for
7 residential uses in Area 3 or what is the current
8 amount of existing housing in terms of square footage
9 as a percentage of the total built floor area. And
10 finally and more importantly, how close are we to
11 reaching the cap.

12 So I conducted a site visit of the area and
13 went parcel by parcel on Google Maps street view, and
14 the parcels with frontage on Lake Avenue from Green to
15 California did not include anywhere near 50 (inaudible)
16 of building square footage for housing.

17 In fact, I could be wrong but there seems to
18 be little housing on properties fronting Lake. Only
19 two mixed-use developments, the Prado on the corner of
20 Lake and Green with a hundred and three residents and
21 the Pasadena Collection at Lake and Cordova with 40
22 live-work spaces, period.

23 Thus, based on a broad cumulative
24 interpretation of the code and the equally vague
25 language of the Specific Plan upon which it rests and

1 implements, the zoning administrator's determination is
2 an error because the application as proposed will not
3 result in exceeding the limitation on Area 3.

4 Okay. So that's the first possible
5 interpretation. Now going on to the second possible
6 interpretation. All right.

7 So conversely, it is possible to read the
8 section of the zoning code in the narrowest, strictest
9 sense that it is applicable in a strict per-parcel
10 basis. If so, then the zoning administrator's
11 determination based on this narrowest reading that a
12 land-use variance is required to exceed square footage
13 is again in error because it is misapplied. It does
14 not meet the intent of the City's or State's density
15 bonus regulations. So I concur with Mr. McDonald on
16 this.

17 The 50 percent of building square footage is
18 not a land use which refers to a category of human
19 activity. It refers to a development standards which
20 is the physical modification of the environment in
21 terms of size and location. It is the development
22 standard used to determine the amount of housing, the
23 capacity, or intensity. It is the percentage of built
24 space, a requirement much like the percentage of open
25 space or required parking that may be modified other

1 development standards as an incentive to produce more
2 affordable housing.

3 So no change in the type of allowable land use
4 is being requested here, hence no variance from a
5 housing use is required.

6 A density bonus concession serves as a type of
7 variance and development standards by right as a
8 performance incentive to encourage more housing.

9 The applicant is not proposing to change the
10 use to say industrial but only to exceed the capacity,
11 the intensity of the allowed residential use which is
12 within the parameters of density bonus law.

13 State law says a concession may be
14 modifications, zoning code requirements related to
15 building standards and building standards are physical.
16 Housing density or capacity which is the intensity of
17 the allowed underlying residential land use is
18 dependent on two variables, two measurements that are
19 both development standards: The number of units
20 allowed per acre of raw land and its physical
21 correlate; the amount of space or building area needed
22 to produce those housing units which may be expressed
23 as a percentage of the total building square footage.

24 The density bonus section of the zoning code,
25 Section 17.43.040, density bonus allowance, provides a

1 concession allowing exceeding the number of units
2 permitted per acre without discretionary approval or a
3 variance provided a specified percentage is designated
4 as affordable.

5 It stands to reason then that an increase in
6 the physical correlate, the square footage needed for
7 those units would also be permitted as an incentive.
8 Thus if the code section is read in the strictest most
9 narrowest sense, then the determine (inaudible) also in
10 error and does not comply with State housing density
11 bonus law because the zoning administrator is not
12 allowing a concession based on intensity of development
13 in modification to building standards and the applicant
14 is not proposing to change the allowed land use.

15 The zoning code and State's housing density
16 bonus law were designed to encourage and allow
17 increases in development standards in light of the
18 statewide need to produce more housing for all income
19 levels. Whether there is an error in judgment by the
20 zoning administrator, a flaw in the zoning code for
21 noncompliance with State law or vagueness back to its
22 applicability, state law and how it has been
23 interpreted by the courts supersedes local regulations
24 and determinations.

25 Okay. So that was the second possible

1 interpretation.

2 To me, the operative restriction to ensure the
3 intended character of Area 3 speaks to prohibiting
4 housing on the ground floor. The street level is the
5 critical environmental component of the
6 pedestrian-oriented, retail shopping portion of the
7 public realm specified in the Lake Avenue subdistrict
8 of the Central District Specific Plan which the zoning
9 had been adopted to implement.

10 The applicant is not requesting any housing
11 units on the ground floor thus meets the spirit of the
12 mixed-use retail shopping street intended in the plan
13 and complies with the General Plan by reference.

14 The issue that led to tonight's case and
15 possibly dual interpretations of the code could be
16 remedied by updating the Specific Plan either to
17 clearly propose a cap in housing units, in square
18 footage, or simply change the zoning for the area to
19 mixed use 48 and prohibit housing on the ground floor.

20 In conclusion, based on a broad or narrow
21 reading of the zoning code, because of the zoning
22 administrator's failure to recognize the code's
23 vagueness and errors in reasoning, for failing to
24 distinguish between the definition of a land-use
25 category and a development standard, I cannot support

1 the zoning administrator's determination that
2 increasing the square footage dedicated to housing
3 beyond 50 percent is not an admissible concession.

4 I thus support what is being asked, what is
5 before us this evening, that the applicant may, indeed,
6 apply for an affording housing concession permit to
7 seek the requested concession. And I thank you for
8 (inaudible) and for listening to me.

9 THE CHAIR: Thank you, Commissioner Delgado.
10 Both the lawyers were in awe here of your oral
11 argument. It was persuasive.

12 Is there -- would anyone else like to be
13 heard?

14 COMMISSIONER NANNEY: I would just like to
15 concur. Well said, Commissioner Delgado.

16 COMMISSIONER DELGADO: Thank you. I'm not a
17 lawyer. I'm a planner.

18 THE CHAIR: Thank you. As I said, the lawyers
19 were in awe of your (inaudible).

20 Commissioner Hansen.

21 COMMISSIONER HANSEN: I respectfully have a
22 different opinion in that, to me, it's explicit that
23 there was an intent in the Specific Plan and there were
24 limitations because it is, as I mentioned earlier, Lake
25 is one of the two premier commercial streets in the

1 city. And these were very specifically, in my opinion,
2 stated there is a 50 percent limitation and that
3 Specific Plan was put there for a purpose.

4 Specific plans are created with community
5 input to delineate the character and the uses of a
6 certain area. And I respectfully am going to pay
7 attention to the Specific Plan and think that that has
8 merit. Thank you.

9 COMMISSIONER NANNEY: Vice chair, may I add
10 one thing?

11 THE CHAIR: Please.

12 COMMISSIONER NANNEY: I think what may be
13 going on here, I don't want to get into speculation too
14 much, but I -- you know, that -- the problem is the
15 State exerts control over a local land use. And, you
16 know, that's something that we are all chaffing at. I
17 don't like it any more than anybody else. And this may
18 be one case where the City has decided to try to draw a
19 line and sort of fight back on that point.

20 But that code section, the municipal code
21 section, is just too vague. Hopefully, there will be a
22 better situation to try to fight that battle with the
23 State. I don't think this is it. That's where I am.

24 THE CHAIR: Okay. It sounds like maybe I need
25 not say a lot, but I -- I will weigh in a little bit.

1 Yeah, I think that Commissioner Hansen
2 correctly stated at the beginning that this really --
3 it's really simple as the matter before us. It's
4 whether the -- the 50 percent limitation is a use
5 restriction or it's, what's the other term that we are
6 using here, a development standard; right? It's one or
7 the other.

8 And the City's argument as near as I can tell
9 and I really worked to give it the benefit of the doubt
10 and read it carefully and listened to it carefully
11 today is that the 50 percent restriction falls under a
12 section of the code that's headed usage. But our code
13 has a specific provision at the beginning that says
14 that headed and titles may not be used to interpret the
15 content in any way. Don't tell us anything about
16 what's underneath.

17 So it's possible that all -- that we could
18 look at all the things underneath together and decide
19 that those together tell us something about what a use
20 is, but we can't just look at the heading and say that
21 that is definitive or even relevant.

22 So then I look through the code and a use is
23 defined as the purpose for which a site or structure is
24 arranged, designed, intended, constructed, erected,
25 moved, altered, or enlarged all for which (inaudible)

1 structure is or may be occupied or maintained.

2 So that says, to me, the use here is both
3 commercial and residential. But they are proposing
4 something different about the same residential use. It
5 still sounds like it's a use.

6 And then I look to the definition of a
7 development standard. And a development standard
8 includes a site or construction condition that applies
9 to a residential development pursuant to any ordinance,
10 General Plan element, Specific Plan, charter amendment,
11 or other local condition, law, policy, resolution, or
12 regulation.

13 So I think this is a site condition or a
14 construction condition pursuant to a Specific Plan
15 which by the City's definition is a development
16 standard. And so I don't -- I don't see any way in
17 which -- in which they are not entitled to pursue an
18 affordable housing concession permit.

19 Whether they are eligible for it, I will -- I
20 see there, Commissioner Hansen -- whether they are
21 eligible for it is a whole other question.

22 And to the applicant, respectfully, I don't
23 think this is either the forum or the right means for
24 determining whether the appeals -- the concession
25 permit process is appropriate. That's really a policy

1 decision that would go before the planning commission.
2 But I -- I -- the question before us is whether that 50
3 percent is a development standard. And it seems to me
4 that it is and they ought to be if they can show that
5 it reduced costs, they are eligible to pursue the
6 permit. That's what I'm seeing.

7 And none of this goes to how I feel about it
8 personally. None of it goes to whether it's a good
9 idea or a bad idea. But I will say in a time where we
10 are looking to build housing and we are trying to
11 figure out how to address affordable housing, I do --
12 I'm not sure I really understand the wisdom of this
13 particular restriction on housing.

14 If we are going to allow housing, then err to
15 kind -- it seems a bit arbitrary to insist that it's
16 less than that. And there may have been a logic that I
17 didn't know at the time, but I -- and that's neither
18 here nor there, my opinion about the ordinance.
19 Doesn't matter. I think it's a development.

20 Commissioner Hansen.

21 COMMISSIONER HANSEN: Well, I'm wondering if
22 BZA has the purview to decide what law trumps what law,
23 so don't we need to ask for an attorney ruling. I
24 mean, it's a narrow question; and we can't go all over
25 the place, so --

1 THE CHAIR: Certainly could -- would it --

2 COMMISSIONER HANSEN: I think we have a
3 limited jurisdiction on what we need to do tonight.

4 THE CHAIR: Right. And what we need to do
5 tonight, as you said earlier, is determine whether that
6 50 percent, that restriction to less than 50 percent of
7 the space, is dedicated to residential is a use
8 restriction or a development standard.

9 COMMISSIONER HANSEN: Yes.

10 THE CHAIR: And I think it's not -- it is a
11 little bit of a question of statutory interpretation.
12 It's not purely a -- a legal question but certainly
13 counsel can weigh in, if counsel has -- I mean, you
14 know ...

15 COMMISSIONER HANSEN: Yeah, I would ask how
16 does the counsel interpret this.

17 MR. NAM: I guess whoever tried to answer that
18 wants to go. I don't want to interject myself into the
19 process and put myself in the shoes of the commission
20 or, rather, the board. So I think that the
21 conversation has been adequate in terms of that
22 determination.

23 I think the question that you initially raised
24 kind of falls outside of what Commissioner Lyon was --
25 was speaking to regarding the (inaudible) of whether

1 it's a use -- sorry, I want to get the terminology
2 right -- the use versus a development standard.

3 You know, again, I also agree that I don't
4 know if it's necessarily a legal analysis. It seems
5 like there is a number of other factors in place.

6 So I hope that answers the question without
7 overstepping my boundaries.

8 COMMISSIONER NANNEY: If I could jump in and
9 sort of, you know, repeat a little bit on that very
10 point.

11 I don't see any principled way to try the
12 distinction between a vertical, you know, height
13 restriction that seems to be admittedly a development
14 standard and a lateral percent of area restriction. I
15 see no difference between the two. And if one is a
16 development standard, the other has to be, as well.

17 THE CHAIR: Commissioner Delgado.

18 COMMISSIONER DELGADO: And I agree, and I
19 wrote that as a paragraph, but I took it out for length
20 because, you know, being trained as an architect, as
21 well, it's hard to divorce the two. It's part of the
22 building envelope, the height, and the square footage.
23 It's a construction --

24 THE CHAIR: Would anyone like to offer a
25 motion?

1 COMMISSIONER DELGADO: I will.

2 THE CHAIR: Commissioner Delgado.

3 COMMISSIONER DELGADO: So I move to -- let's
4 see, we are being -- to support -- I move to overturn
5 the zoning administrator's determination and to allow
6 the applicant to apply for the requested concession
7 permit.

8 COMMISSIONER NANNEY: I second that.

9 THE CHAIR: Moved by Commissioner Delgado and
10 seconded by Commissioner Nanney.

11 Motion is to deny -- to overturn the zoning
12 administrator's determination.

13 Roll call.

14 MR. ROCHA: Yes, I'll take the roll call.

15 Commissioner Delgado.

16 THE CHAIR: We missed you.

17 COMMISSIONER DELGADO: Yes.

18 MR. ROCHA: Yes.

19 Commissioner Hansen.

20 COMMISSIONER HANSEN: No.

21 MR. ROCHA: Commissioner Nanney.

22 COMMISSIONER NANNEY: Yes.

23 MR. ROCHA: Vice Chair Lyon.

24 THE CHAIR: Yes.

25 MR. ROCHA: Motion passes, three-four, one

1 against.

2 THE CHAIR: Okay. And with that, we are at
3 the end of our agenda for the evening, so we will
4 adjourn unless there are any objections.

5 COMMISSIONER NANNEY: No objections.

6 MR. ROCHA: Just one announcement.

7 Any decision made this evening by the Board of
8 Zoning Appeals is appealable to the city council. The
9 last date to file an appeal regarding this decision
10 this evening is Monday, June 28; otherwise, the
11 decision would be effective June 29th, Tuesday. Thank
12 you.

13 THE CHAIR: Thank you.

14 COMMISSIONER NANNEY: Thank you.

15 MALE SPEAKER: Good night, everybody.

16 COMMISSIONER NANNEY: Good night.

17 THE CHAIR: See you.

18 (End of recording.)

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