

**ZHO Addendum  
Conditional Use Permit #7114  
55 South Grand Avenue**

July 27, 2024

On June 10, 2024, I issued a written determination approving Conditional Use Permit #7114. I have reviewed the two (2) separate appeals, both filed on June 13, 2024: the first appeal was filed by Anita Yagjian; and the second appeal was filed by Carl J. West, Anita Yagjian, and Michael Davis, in conjunction with the South Grand Residents and Grace Holbrook of the Mitchell M. Tsai Law Firm. This ZHO Addendum will address the claims in each appeal.

**Appeal filed by Anita Jagjian:**

This Addendum will separately consider each issue raised in the appeal.

- **Appeal: The proposed use is prohibited under the lease and plan of public use.**  
The lease (and its associated plan of use) is a contractual matter between the City of Pasadena (as the owner/landlord) and the Western Justice Center (WJC, as the tenant). This matter is not within the jurisdiction of the Hearing Officer.
- **Appeal: The proposed use conflicts with WJC's mission and purpose.**  
This is a matter more appropriately considered by the WJC's Board of Directors. This matter is not within the jurisdiction of the Hearing Officer.
- **Appeal: The proposed wedding event schedule negatively impacts residents.**  
The CUP includes conditions of approval which: limit the number of events to no more than 28 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden patio, outdoor small patio, and oak tree area (Conditions 18 and 19); establish parking requirements (Condition 20); require security for events where alcohol is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Conditions 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris (Condition 36). From my perspective, these and other conditions will ensure that the wedding event schedule does not negatively impact adjacent and nearby residents.
- **Appeal: The project constitutes a nuisance in violation of the Pasadena Municipal Code.**  
The appellant provides no evidence to substantiate the contention that the project is a nuisance.

- **Appeal: The applicant has failed to provide sufficient evidence to support the findings required by the Pasadena Municipal Code.**

The applicant provided significant written evidence in support of the findings.

Separately, City staff drafted findings which I found to be sufficient for me to approve the CUP.

- **Appeal: The project requires additional environmental review, and it is ineligible for a categorical exemption under the California Environmental Quality Act (CEQA).**

The appellant provides no evidence to substantiate the contention that the project requires additional environmental review, nor that the project is ineligible for a categorical exemption under CEQA.

- **Appeal: The zoning district in which the project is located prohibits the existing use of the Maxwell House and the WJC has not justified its right to alter this zoning district.**

The WJC is located on property that is within the PS-1 (Public and Semi-Public) zoning district. As noted on Page 4 of the staff report, “The proposed Clubs, Lodges, Private Meeting Hall use is classified as a public and semi-public use, which is consistent with the purposes [of] the PS-1 zoning district and in conformance with the goals, policies, and objectives of the General Plan.”

- **Appeal: The project will have a significant impact on neighbors.**

The CUP includes conditions of approval which: limit the number of events to no more than 28 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden patio, outdoor small patio, and oak tree area (Conditions 18 and 19) establish parking requirements (Condition 20); require security for events where alcohol is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Condition 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris. From my perspective, these and other conditions will ensure that the wedding event schedule does not negatively impact adjacent and nearby residents.

- **Appeal: The adjoining neighbor (appellant) will lose rental income.**

The appellant’s narrative claims a loss of rental income when comparing a prior tenant to the next tenant, and attributes this reduced rental income to impacts caused by WJC. Other than the narrative of the appeal, there is no evidence to support the claim. Further, the change in rental income could be caused by a variety of factors unrelated to the WJC.

- **Appeal: The value of the property owned by the adjoining neighbor (appellant) will be reduced.**

The appellant's narrative claims a loss in the sales value of her home, due to impacts caused by WJC. Other than the narrative of the appeal, there is no evidence to support the claim. Further, the theoretical change in the value of the home could be caused by a variety of factors unrelated to the WJC.

- **Appeal: The WJC lacks good faith and fair dealings in its communications with neighbors.**

This matter is not within the jurisdiction of the Hearing Officer.

- **Appeal: The adjoining neighbor (appellant) will lose the quiet enjoyment of her property.**

The CUP includes conditions of approval which: limit the number of events to no more than 28 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden patio, outdoor small patio, and oak tree area (Conditions 18 and 19) establish parking requirements (Condition 20); require security for events where also is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Condition 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris. From my perspective, these and other conditions will ensure that the neighbor (appellant) will not lose the quiet enjoyment of her property. Further, to the extent that that there are any impacts upon the appellant from events on the WJC property, these events are periodic, limited, and intermittent, and do not occur for most of the year.

- **Appeal: WJC is not complying with several laws.**

The appeal contends that "WJC has failed to comply with many legal requirements for a long time" without providing any supporting documentation or evidence to substantiate the claim.

- **Appeal: There are potential safety issues associated with fire alarms sounding during weddings on the WJC property.**

The activation of fire alarms on the WJC property does not, in and of itself, demonstrate an on-going safety issue.

- **Appeal: The conditions of approval are not adequate to reduce the significant impact on neighbors.**

The CUP includes conditions of approval which: limit the number of events to no more than 2028 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden

patio, outdoor small patio, and oak tree area (Conditions 18 and 19) establish parking requirements (Condition 20); require security for events where alcohol is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Condition 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris. From my perspective, these and other conditions will ensure that the wedding event schedule does not negatively impact adjacent and nearby residents.

- **Appeal: The CUP fails to provide a process in which WJC will notify the City and neighbors of the weekends that weddings will be scheduled.**

Condition 24 requires the applicant to “maintain a public website which includes a schedule of events.”

- **Appeal: The CUP approval lacks the mechanisms to enforce the conditions of approval.**

Condition 4 empowers the Zoning Administrator to call for a review of the approved conditions. This process involves the scheduling of a noticed public hearing, and the power to add or modify conditions of approval. If sufficient cause is demonstrated, the Zoning Administrator has the authority to revoke the CUP. Separately, Condition 8 subjects the project to Condition Monitoring.

- **Appeal: There are conflicts of interest issues because the City is WJC’s landlord.**

This matter is not within the jurisdiction of the Hearing Officer.

- **Appeal: The wedding business needs to be phased out over several years.**

The appeal addresses purported communications between WJC and neighbors. This matter is not within the jurisdiction of the Hearing Officer.

- **Appeal: WJC has not provided adequate documentation concerning its use of “local vendors.”**

Whether WJC uses local vendors (or “non local” vendors) is not relevant to the required findings necessary to approve the CUP. This matter is not within the jurisdiction of the Hearing Officer.

- **Appeal: WJC has not provided evidence to support its claims that funds provided by weddings are necessary to support the WJC Campus.**

Although the record includes claims about economic issues faced by WJC, these claims are not germane to my authority as the Hearing Officer. The decision to approve (or deny) a CUP is based entirely upon whether the findings can or cannot be made. The WJC’s claims about its funding issues did not in any way contribute to the basis for my approval of the CUP.

Given the foregoing, the appellant has not provided a basis upon which to grant the appeal. The appeal should, therefore, be denied, and my original decision (approval) should be sustained.

**Appeal filed by Carl J. West, Anita Yagjian, and Michael Davis  
in conjunction with the South Grand Residents and  
Grace Holbrook of the Mitchell M. Tsai Law Firm**

This Addendum will separately consider each issue raised in the appeal.

- **Appeal: The proposed use is prohibited under the lease and plan of public use.**  
The lease (and its associated plan of use) is a contractual matter between the City of Pasadena (as the owner/landlord) and the Western Justice Center (WJC, as the tenant). This matter is not within the jurisdiction of the Hearing Officer.
- **Appeal: WJC as a non-profit 501(c)(3) organization must operate the Maxwell House in line with its charter.**  
This matter is not within the jurisdiction of the Hearing Officer.
- **Appeal: The use of the Property for profit is detrimental to the health and general welfare of persons residing in the neighborhood.**  
The CUP includes conditions of approval which: limit the number of events to no more than 28 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden patio, outdoor small patio, and oak tree area (Conditions 18 and 19) establish parking requirements (Condition 20); require security for events where alcohol is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Condition 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris. From my perspective, these and other conditions will ensure that the wedding event schedule does not negatively impact adjacent and nearby residents.
- **Appeal: The Class 1 “Existing Facilities” Categorical Exemption (“Class 1 Exemption”) does not apply due to the mischaracterization of the Project “no expansion of use.”**  
From my perspective, staff has adequately addressed the Class 1 CEQA exemption issues (see the narrative on Pages 1 and 7 of the staff report.)
- **Appeal: Procedural Posture**  
This portion of the appeal is a narrative description of events leading up to the CUP application through the issuance of my decision. Because there is nothing therein which forms the basis of the appeal, no response is warranted.
- **Appeal: The “for-profit” use of the Property violates the PMC.**  
This matter is not within the jurisdiction of the Hearing Officer.

- **Appeal: WJC’s “stated commitment to . . . sensitive re-use” of the Maxwell House.**

The appeal provides no context nor explanation of the quotation. Even making reasonable assumptions, any such assertion by a WJC representative is not germane to my authority as the Hearing Officer. The decision to approve (or deny) a CUP is based entirely upon whether the findings can or cannot be made. To the extent a WJC representative made such a claim, it did not in any way contribute to the basis for my approval of the CUP.

- **Appeal: The project constitutes a nuisance in violation of the Pasadena Municipal Code.**

The appeal bases a nuisance determination solely upon noise impacts. There are several conditions which limit the use, hours of operation, number of events, scheduling of events, and significantly constrain the use of amplification. These conditions, in combination with restrictions and constraints found in other conditions of approval, will minimize the potential impacts to neighbors of events held on the WJC property. In this regard, the project does not constitute a nuisance as so defined in the Pasadena Municipal Code. Further, to the extent that there are any impacts upon the appellant from events on the WJC property, these events are periodic, limited, and intermittent, and do not occur for most of the year.

- **Appeal: Zoning District PS-1 prohibits the existing use of the Maxwell House.**

The WJC is located on property that is within the PS-1 (Public and Semi-Public) zoning district. As noted on Page 4 of the staff report, “The proposed Clubs, Lodges, Private Meeting Hall use is classified as a public and semi-public use, which is consistent with the purposes [of] the Ps-1 zoning district and in conformance with the goals, policies, and objectives of the General Plan.

- **Appeal: The conditions of approval do not mitigate the project’s impacts.**

The CUP includes conditions of approval which: limit the number of events to no more than 28 events per year in Calendar Year 2025 and thereafter (Condition 10); prohibit events on consecutive weekends (Condition 11); establish a schedule/parameters for the hosting of events (Condition 12); proscribe hours for events (Conditions 13) and set-up/removal (Condition 14); set requirements for the use of the outdoor garden patio, outdoor small patio, and oak tree area (Conditions 18 and 19) establish parking requirements (Condition 20); require security for events where alcohol is served or that exceed 125 people (Condition 25); require WJC staff to be on-site and monitoring events (Condition 26, 27, and 28); limit the hours of amplified music and microphones (Conditions 29, 30, and 31); and require the applicant to keep the site, street, sidewalk, and immediate vicinity to be clean of trash and debris. From my perspective, these and other conditions will ensure that the wedding event schedule does not negatively impact adjacent and nearby residents.

Given the foregoing, the appellant has not provided a basis upon which to grant the appeal. The appeal should, therefore, be denied, and my original decision (approval) should be sustained.