

**Quasi-Judicial Action:
Appeal of Design Commission's Concept
Design Review Approval for a New
Multi-Family Residential Development at
511 South Oak Knoll Avenue**

City Council

March 23, 2026





Project Background

Planning & Community Development

- On August 24, 2024, the applicant filed an application for Concept Design Review (CDR) for a new four-story, 46-unit residential project, with one level of subterranean parking at 511 S. Oak Knoll Avenue.
- On October 28, 2025, the Design Commission (DC) reviewed and approved the application with conditions.
 - > The Commission voted 4-2 to approve the project
- On November 7, 2025, an appeal was filed by Brian Fulcher and Amanda Elioff.



Project Background

Planning & Community Development

- **Project Details**
 - > 38,350-square-foot lot.
 - > One building; Four-stories.
 - > One level of subterranean parking with 67 spaces.
 - > The base density is 32 units. The project includes 6 affordable units: 5 very low income and 1 moderate income (complies with the 20% inclusionary housing).
- **Project utilizes State Density Bonus Law**
 - > Eligible for 50% density bonus, proposes 42.5% (14 bonus units)
 - > Total units proposed: 46



Project Background

Planning & Community Development

- The Project is eligible for:
 - > Two concessions; and
 - > Unlimited waivers
- The Project includes the following requests
 - > A Concession: To allow a building height of 47 feet, 10 inches, where the maximum allowable height is 40 feet (or up to 45 feet with height averaging).
 - > A Waiver: To allow for planting of three 24-inch-box (or greater) specimen trees rather than three 24-inch-box native trees per the Tree Replacement Matrix.



Project Background

Planning & Community Development

- The project meets all applicable development standards of the Zoning Code and City of Gardens Requirements.
- The project is consistent with the design-related goals and policies in the Central District Specific Plan and the Neighborhood Commercial and Multi-Family Design Guidelines.
- The only entitlement required is Design Review.



Project Background

Planning & Community Development

- Design Review is a 3-phase process: Preliminary Consultation, Concept Design Review and Final Design Review. Each phase builds upon the other, as the applicant must respond to comments provided at each phase.
- Applicable Design Guidelines:
 - > Design-related Goals & Policies of the Land Use Element of the General Plan.
 - > Design-related Goals and Policies of the Central District Specific Plan.
 - > Design Guidelines for Neighborhood Commercial & Multi-Family Residential Districts



Council's Purview

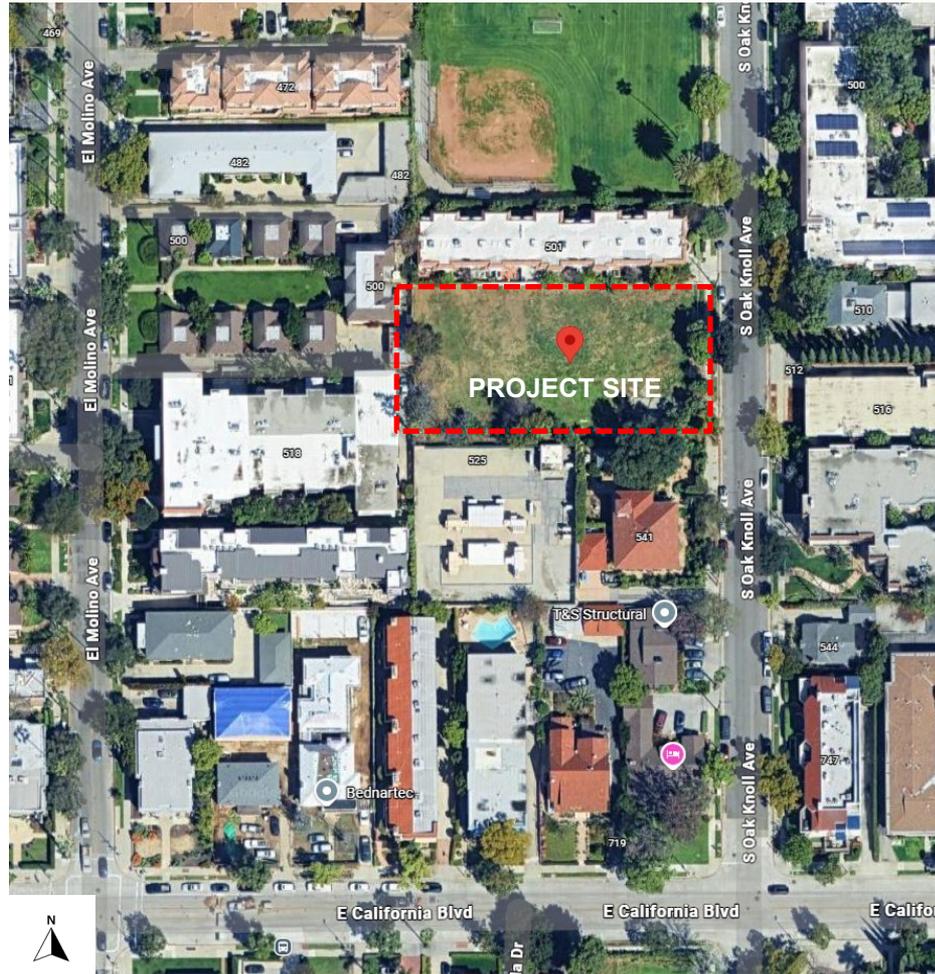
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- City Council's review is limited to the Environmental Review, Design Review (specifically, the project's consistency with applicable design guidelines), and Tree Removals:
 - > Cannot reduce size of the building beyond what the Zoning Code/State Law allows.



Project Background

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Aerial Photograph of Project Site

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Existing Condition & Adjacencies

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541 S. Oak Knoll Ave. (adjacent to south)



511 S. Oak Knoll Ave. (Project Site)



501 S. Oak Knoll Ave. (adjacent to north)

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Surrounding Context – Oak Knoll Ave.

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25 534 S OAK KNOLL AVENUE



24 544 S OAK KNOLL AVENUE



28 500 S OAK KNOLL AVENUE



32 420 S OAK KNOLL AVENUE



29 454 S OAK KNOLL AVENUE



31 432 S OAK KNOLL AVENUE

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Rendering

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East elevation
Looking west from S. Oak Knoll Avenue



Appeal Points

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- The appellant makes five points related to the approval:
 1. The design does not comply with the Design Guidelines for Neighborhood Commercial and Multi-Family Residential Districts (Design Guidelines).
 2. Environmental impacts/effects from noise, light, traffic, and parking, street lighting, trash collection and other previously noted concerns have not been adequately studied or addressed in the Conditions of Approval.
 3. Concern that the Department of Water and Power, which oversees the adjacent substation, has not reviewed or commented on the proposed project.



Appeal Points Continued

Planning & Community Development

4. Fire safety concerns have not been adequately addressed and requests a fire protection plan to demonstrate access to the new building and adjacent properties given the proposed setbacks from property lines, building height, and interior corridors.
5. The City's Tree Protection Ordinance is cited for the City's trees, however, protection of the tree "OS1" is not sufficiently addressed in the design or the Conditions of Approval. In addition, the Concept Design drawings do not accurately show the Canyon Live Oak Tree in its correct position relative to the property line and proposed building.



Appeal Point #1

Planning & Community Development

- *The design as accepted does not comply with the Design Guidelines for Neighborhood Commercial and Multi-Family Residential Districts (Design Guidelines) as stated in the City's Findings for Concept Design Approval.*



Staff Response to Appeal Point #1

Planning & Community Development

- Staff and the Design Commission assessed the project for consistency with the applicable design guidelines within allowances of State Density Bonus Law and found it to be consistent.
 - > The project was found to fit within the context of the neighborhood with regard to massing and modulation. It has a similar height to other buildings in the vicinity and the massing is broken down to ensure it doesn't overwhelm surrounding properties.
 - > The project has a high degree of integration with the pedestrian experience through its orientation with major windows facing the street and pedestrian access points to the ground-level, street-facing units and the central main garden.
 - > The proposed design incorporates high quality materials and a landscape design that softens the development with a variety of plantings along its edges.
 - > Subject to conditions of approval
 - Additional studies of materials, architectural features, and better integration of sloping and flat roof forms.



Staff Response to Appeal Point #1

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- The Commission voted 4-2 to approve the project. Dissenting concerns:
 - > Scale of the building near the street incompatible with the context
 - > Further study of repositioning units toward the rear of the garden space or placing gardens at the exterior of the building and redesigning the building from a U-shape to a rectangular shape with a double-loaded interior corridor.
- Subsequent to the filing of a Request for Appeal, staff coordinated a meeting between the applicant and appellant to discuss concerns raised in the appeal. Options for modifications were discussed and provided by staff.
- Applicant re-studied the design and a variety of alternatives based on the meeting and feedback, but determined the alternatives would result in:
 - > Loss of square footage
 - > Reduction in number of units
 - > Addition of a fifth floor
 - > Use of additional waivers
- Applicant determined they would not be pursuing modifications to the project.



Appeal Point #2

Planning & Community Development

- *Environmental impacts/effects from noise, light, traffic, and parking, street lighting, trash collection and other previously noted concerns have not been adequately studied or addressed in the Conditions of Approval. The reports also contain several errors that would likely contribute to incorrect conclusions and decisions.*



Staff Response to Appeal Point #2

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- The appellant argues that impacts from the light emitted from the enclosed corridors on the north and south sides of the new building have not been fully studied.
 - > All corridors are fully enclosed.
 - > Project will be required to comply with all Building Code requirements pertaining to interior and exterior lighting.
 - > Minimum standard for interior lighting is one foot-candle, a very low level of lighting.
 - > Interior lighting is not a topic for required study under the Class 32 exemption for CEQA.
 - > While not required, staff recommends a condition of approval requiring the applicant to engage with a lighting consultant. Compliance with this condition will be reviewed during Final Design Review and again during Plan Check Review.



Staff Response to Appeal Point #2

Planning & Community Development

- The appellant argues that impacts to nighttime noise from the proposed 46 air conditioning units at the roof of the project operating simultaneously have not been sufficiently studied and addressed. In addition, the appellant argues that additional noise will occur from the 4-story vertical walls reflecting existing noise coming off of the adjacent substation [located southwest of the project site]. The appellant also asserts that existing ambient noise measurements should have been taken in the evening hours when ambient noise is lower.
 - > EcoTierra conducted Noise Study under CEQA and assessed stationary noise sources, including the HVAC units. The study determined that, due to the location of the units and distance from surrounding residents, the noise generated would not exceed ambient noise levels.
 - > In addition, EcoTierra confirmed that nighttime noise is not expected to exceed established significance thresholds for noise.
 - > Regarding noise reflection from the sub-station, this is not a topic studied in a Noise Study. While not required, the applicant had a study prepared. EcoTierra reviewed the applicant's study and concurred with the results that there would not be a detectable change.



Staff Response to Appeal Point #2

Planning & Community Development

- > This is a common type of residential development in an urban context that is not considered an offensive noise-generating use.
- > The roof plan shows that the HVAC are grouped into a maximum of 4 units and spaced relatively equally around the roof of the building. EcoTierra calculated exterior noise generated from four HVAC units running simultaneously to be 47.6 dB at distance of 28-feet (the distance to the closest receptor).
- > Exterior to interior noise reduction is 10 dB with windows open and 20-35 dB with windows closed, resulting in interior noise levels of 12.6-37.6 dB.
- > For comparison, a refrigerator hum is approximately 40 dB.



Staff Response to Appeal Point #2

Planning & Community Development

- The appellant argues that there may be impacts to street parking due to the fact that overnight parking permits will not be issued to residents of the proposed project. The appellant questions how this will be enforced and how this may affect daytime parking permits.
 - > The project includes 67 parking spaces on site for future residents, complying with the Zoning Code. This includes meeting guest parking requirements.
 - > The Department of Transportation provided a condition of approval prohibiting the issuance of permanent on-street, overnight parking permits. DOT oversees the implementation and enforcement of this program.
 - > Daytime parking must comply with posted rules and is not part of the overnight parking program.



Staff Response to Appeal Point #2

Planning & Community Development

- The appellant argues that traffic studies prepared do not reflect the new population at the McKinley School.
 - > The project scope falls below the threshold for requiring CEQA-level traffic analysis, since it is less than 50 units.
 - > A Local Mobility Analysis was prepared, which studied both current and future traffic volumes. The LMA is not a CEQA study but is used to determine if improvements are needed to address traffic conditions associated with the project.
 - > The LMA concluded that the project will not have a negative impact on the existing active transportation system within a 0.25-mile radius.
 - > Although the LMA was conducted in December 2024, prior to the Eaton Fire and subsequent move of the Eliot School to McKinley Elementary, DOT staff confirmed that the additional temporary population will not change the findings of the LMA based on the intersection Level of Service studied.



Appeal Point #3

Planning & Community Development

- *The appellant is concerned that the Department of Water and Power, which oversees the adjacent substation, has not reviewed or commented on the proposed project.*
 - > Staff Response: The Department of Water and Power reviewed the project and provided standard conditions of approval that the project will be required to address during the Plan Check review process and/or during construction. The conditions provided do not affect the overall design of the proposed project.



Appeal Point #4

Planning & Community Development

- *The appellant argues that fire safety concerns have not been adequately addressed and requests a fire protection plan to demonstrate access to the new building and adjacent properties given the proposed setbacks from property lines, building height, and interior corridors.*
 - > Staff Response: The Fire Department has reviewed the project and provided standard conditions of approval to address fire safety, which do not require design changes to be made.



Appeal Point #5

Planning & Community Development

- *The City's Tree Protection Ordinance is cited for the City's trees, however, protection of the tree "OS1" is not sufficiently addressed in the design or the Conditions of Approval. In addition, the Concept Design drawings do not accurately show the Canyon Live Oak Tree in its correct position relative to the property line and proposed building.*



Staff Response to Appeal Point #5

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- The protected Canyon Live Oak at the appellant's property maintains a canopy and root structure that extends onto the project site. Measures have been implemented to ensure the protection of the tree.
- Three different arborists have evaluated the tree and the proposed construction. The applicant's arborist, appellant's arborist, and the City hired a consulting arborist.
- The City's consulting arborist recommended and determined:
 - > The level of pruning required would only be 10% to 20% of the canopy which is an acceptable level of pruning. Pruning would only need to occur at the north side of the tree, immediately adjacent to the proposed project.
 - > Relocation of one parking space in the subterranean garage to allow for excavation to be pushed out 17 feet from the trunk and avoid impacting major roots.
 - > Compliance with Tree Protection Guidelines.
- In addition, Staff has worked with the applicant to ensure drawings are correct and reflect exact locations and dimensions of the tree. The location is based on a professional survey conducted for the project, which provides the most accurate depiction of the tree and its canopy. The colored elevations are utilizing a general graphic for the tree and not the actual tree on site.



Design Review Finding

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- The project, upon implementation of the conditions of approval, will comply with the purposes of design review, the design-related goals and policies of the Land Use Element of the General Plan, design-related goals and policies of the Central District Specific Plan, and the Design Guidelines for Neighborhood Commercial and Multi-family Districts
 - > The project is consistent with the High-Density Residential land use designation of the site in the General Plan and many of the General Plan's guiding principles, goals and policies.
 - > The project is consistent with the Central District Specific Plan and CD-RM-48 zoning designation.
 - > Staff and the Design Commission reviewed the project for consistency with the design guidelines and policies in the Land Use Element of the General Plan, the design guidelines and policies in the Central District Specific Plan and the Design Guidelines for Neighborhood Commercial and Multi-Family Residential Districts.



Design Evolution

Planning & Community Development



- **Preliminary consultation comments:**
 - > Create meaningful but simple articulation of the massing that is compatible to the context.
 - > Ensure cohesive treatments at all facades to provide simplicity, depth, and a connection to the context.
 - > Consider the building's siting and main garden's relationship to the public right-of-way.
 - > Study the enclosed circulation corridors to maximize access to light and air and ensure façade treatments on the sides and rear related to the interior programming.

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Design Evolution

Planning & Community Development

- **Preliminary consultation comments (cont.):**
 - > Units at the ground floor that front S. Oak Knoll Ave. should be articulated as primary entries rather than secondary/patio access points.
 - > Ensure the communal spaces include amenities that will allow for use by the residents.
 - > Ensure that the project includes the required Pasadena Building Elements and Craftsmanship Element.
 - > Study the organization of the internal programming to ensure a strong interior-exterior relationship.



Design Evolution

Planning & Community Development

- Revised design presented to DC on October 28, 2025:

- > Eliminated raised walkways across front
- > Varied roof forms at front
- > Materials and features incorporated that reference surrounding historic context
- > Ground floor street facing units incorporate formal entries
- > Outdoor amenities incorporated into gardens
- > Craftsmanship Element and Building Elements incorporated
- > Equitable access to gardens provided throughout



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Staff Recommendation

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It is recommended that the City Council:

1. Find that the project is Categorical Exempt from CEQA under Class 32, infill development projects;
2. Find that the project will comply with the purposes of design review, the design-related goals and policies of the Land Use Element of the General Plan, the design-related goals and policies of the Central District Specific Plan and the Design Guidelines for Neighborhood Commercial & Multi-Family Residential Districts; and
3. Deny the appeal and approve the application for Concept Design Review subject to the conditions in Attachment B, which shall be further reviewed by the Design Commission during Final Design Review.

**Quasi-Judicial Action:
Appeal of Design Commission's Concept
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City Council

March 23, 2026





Applicable Design Guidelines

Planning & Community Development

Design-Related Policies in the Land Use Element of the General Plan:

- 4.10: Locate and design buildings to relate to and frame major public streets, open spaces, and cityscape. New development at intersections should consider any number of corner treatments, and should balance safety and accessibility concerns with the vision of the area and the need for buildings to engage the street and create a distinct urban edge.
- 4.11: Require that development demonstrates a contextual relationship with neighboring structures and sites addressing such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure, and aesthetics.
- 6.1: Require new development and changes to existing development to be located and designed to respect the defining elements of Pasadena's character and history such as its grid pattern, block scale, public realm, courtyards, paseos, alleys, neighborhoods and districts, building massing and heights, significant architecture, and relationship to the mountains and Arroyo Seco.
- 7.1: Design each building as a high-quality, long term addition to the City's urban fabric; exterior design and buildings material shall exhibit permanence and quality, minimize maintenance concerns, and extend the life of the building.
- 7.2: Allow for the development of a diversity of buildings styles. Support innovative and creative design solutions to issues related to context and environmental sustainability.
- 7.3: Require that new and adaptively re-used buildings are designed to respect and complement the defining built form, massing, scale, modulation, and architectural detailing of their contextual setting.



Applicable Design Guidelines

Planning & Community Development

Design-Related Policies in the Land Use Element of the General Plan:

- 10.7: Encourage sustainable practices for landscape materials, landscape design, and land development.
- 23.1: Design and modulate buildings to avoid the sense of “blocky” and undifferentiated building mass, incorporate well-defined entries, and use building materials, colors and architectural details complementing the neighborhood, while allowing flexibility for distinguished design solutions.
- 23.3: Provide appropriate setbacks, consistent with the surrounding neighborhood, along the street frontage and, where there are setbacks, ensure adequate landscaping is provided.
- 25.4: Require that new development protect community character by providing architecture, landscaping, and urban design of equal or greater quality than existing and by respecting the architectural character and scale of adjacent buildings.



Applicable Design Guidelines

Planning & Community Development

Central District Specific Plan

- 5.b.: Allow for a range of architectural styles and forms that provide visual interest and quality design through flexible massing and façade standards.
- 5.h: Use durable, high-quality materials that exhibit a sense of permanence on all sides of a building, but particularly at the street level and entrances.
- 6.a.: Incorporate private and common open space areas that correlate to a building's size and number of residents.
- 6.f.: Encourage ground level pedestrian passages and common spaces with a strong functional and visual connection to the street for safety; use integrated site planning to solidify links between interior and exterior.



Applicable Design Guidelines

Planning & Community Development

Design Guidelines for Neighborhood Commercial and Multi-family Residential Districts:

- 1.1 Relationship to Public Realm. Buildings should be oriented to positively define and frame adjacent public streets, and/or public or common spaces, while promoting the collective form of neighborhoods by:
 - Matching or complementing adjacent building setbacks;
 - Matching or complementing adjacent building heights and massing;
 - Completing the streetscape pattern of the street they front.
- 2.2 Activating the street. New multi-family and mixed-use buildings should be designed with frontages that activate the street by providing direct access to their ground floor dwellings and commercial spaces.
- 3.2 Lots adjacent to historic structures. Buildings on lots adjacent to historic structures or civic (public) buildings should be designed in a manner that safeguards the prominence and integrity of the historic or civic structure.
- 5.1 Front yard continuity. The front-yard landscape of new buildings should be continuous and coordinated with that of existing neighboring ones.
- 7.2 Side and rear elevations. The rear and/or side elevations of new buildings that are visible from the public realm should be designed with equal care and quality as the front or principal façade.
- 8.1 Entrances into buildings. New buildings should be entered directly and prominently from the street through a lobby, or indirectly through a covered or uncovered passage. Entrance ways and doorways should be clearly identifiable as prominent points of access into buildings and their form should dominate all other openings.
- 11.1: All buildings should incorporate: a full array of architectural elements associated with their chosen style; the compositional, structural, and constructional logic associated with that style; and the material logic associated with that style.



Applicable Design Guidelines

Planning & Community Development

Design Guidelines for Neighborhood Commercial and Multi-family Residential Districts:

12.1 Simplicity. Building masses should be organized as simple and well-scaled volumes. Excessive roof breaks and overly complicated hipped or gabled roofs should be avoided.

12.4 Proportion. Building masses and building facades should be designed with simple, harmonious proportions. Arbitrary proportions should be avoided. All architectural elements (porches, balconies, canopies, doors, windows, etc.) should relate stylistically and proportionally to one another.

13.2: Authentic materials are encouraged. Faux or fake materials are discouraged. New materials (such as architectural composite panels) should not imitate other materials, but should reflect their own identity.

13.4: The use of synthetic materials is discouraged unless they can be shown to display an ability to age in a manner similar to or superior to the natural material they replace.

13.5: Two or more wall materials may be combined on one façade, but should be located one above the other with lighter materials above more substantial materials.

16.2: Amenities. Courtyards and forecourts should provide design elements such as seating areas, fountains, and/or outdoor fireplaces to encourage their use as outdoor rooms or gathering places.

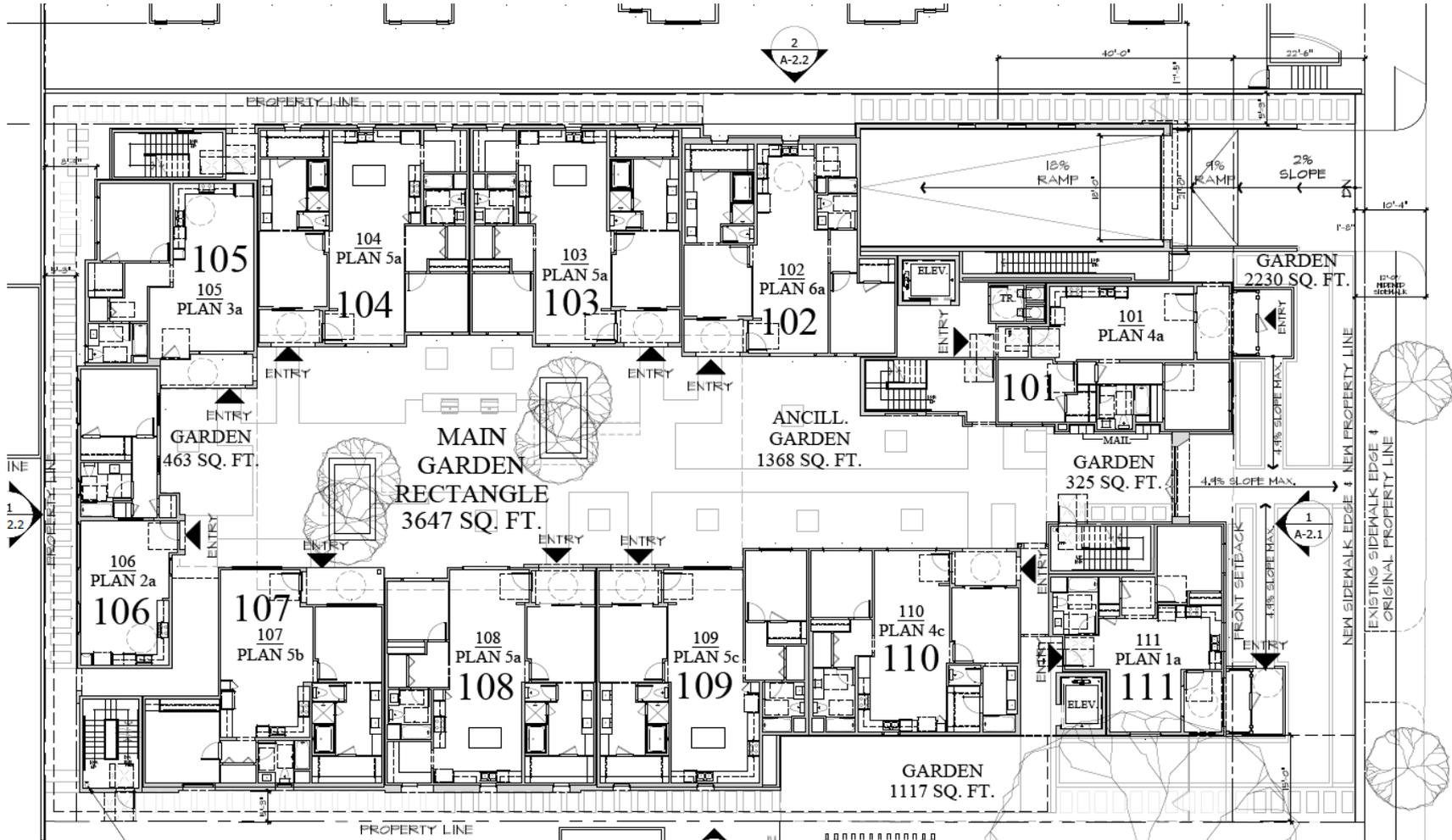
16.3 Courtyard and forecourt frontage. Ground floor uses – whether residential or commercial – should be accessed through appropriate frontage elements such as porches, arcades, shopfronts, etc.

16.6 Opening to street. Courtyards should be visible to people passing by on the street (even though the latter may not have access to the courtyard). The opening from the street to the courtyard may be either gated or completely open to the street but should be unobstructed by garden walls or other solid elements that impede the views into and out of the courtyard.



Site Plan/Ground Floor Plan

Planning & Community Development

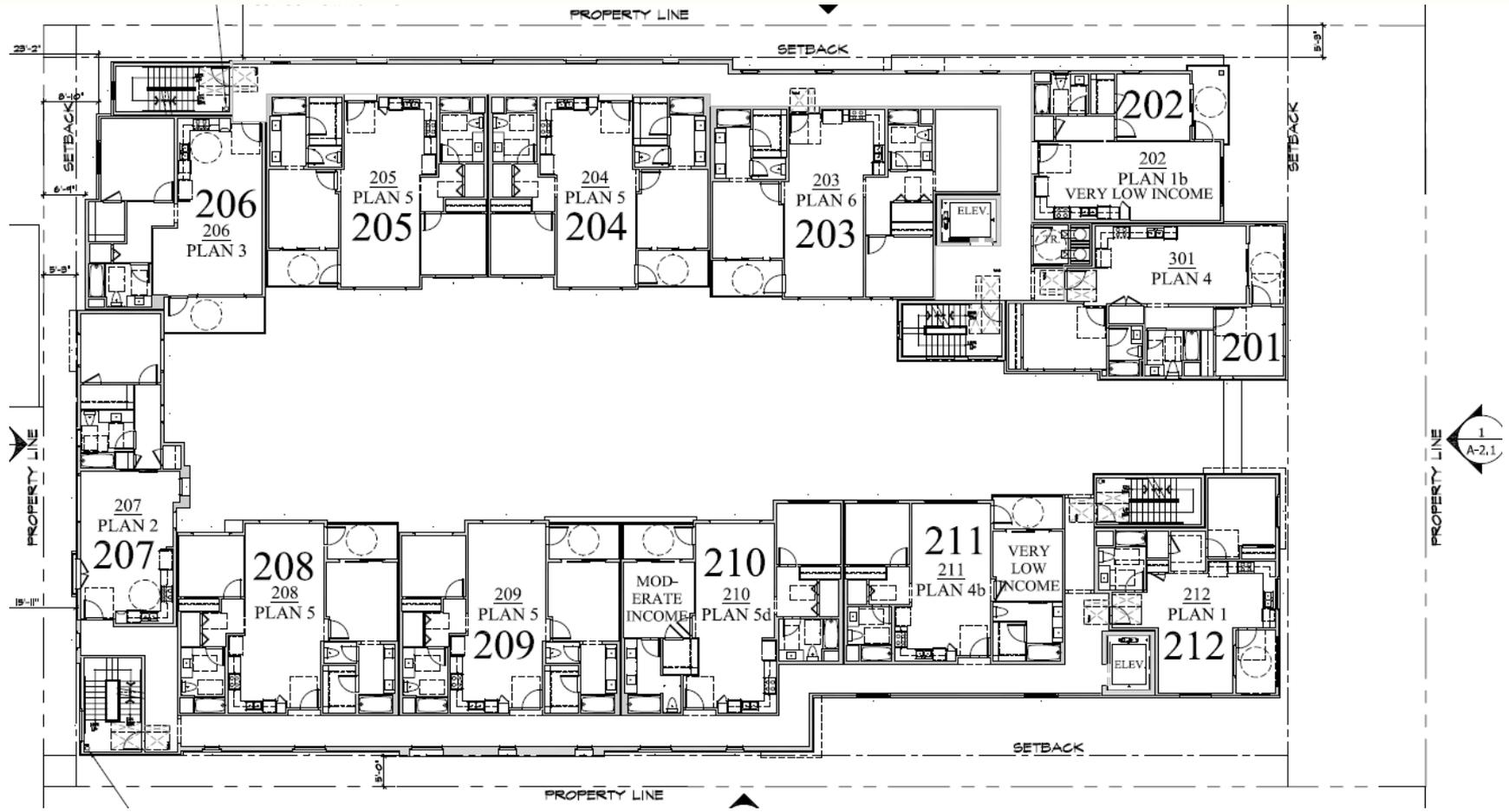


S. OAK KNOLL AVENUE



Second Floor Plan

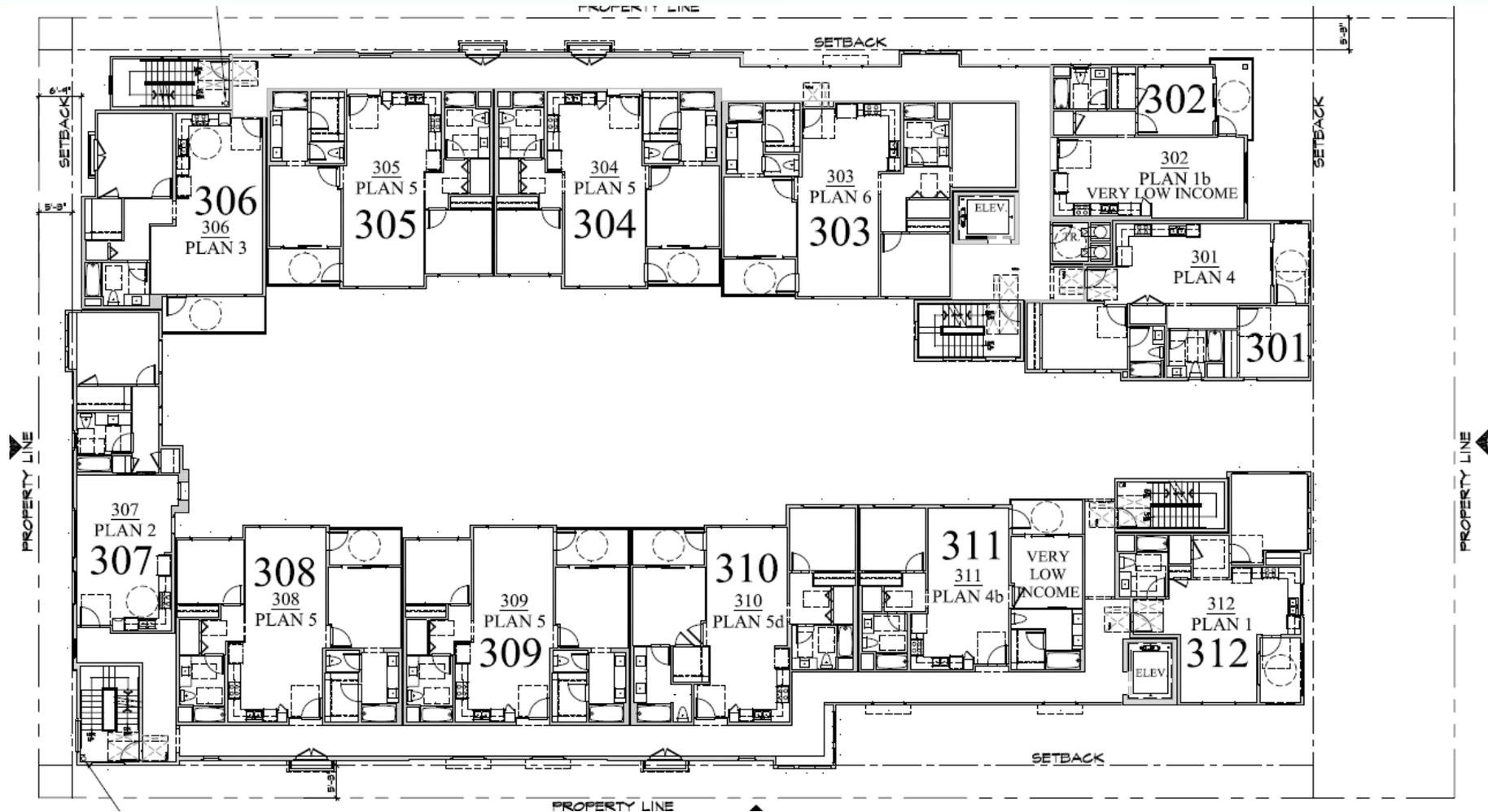
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Third Floor Plan

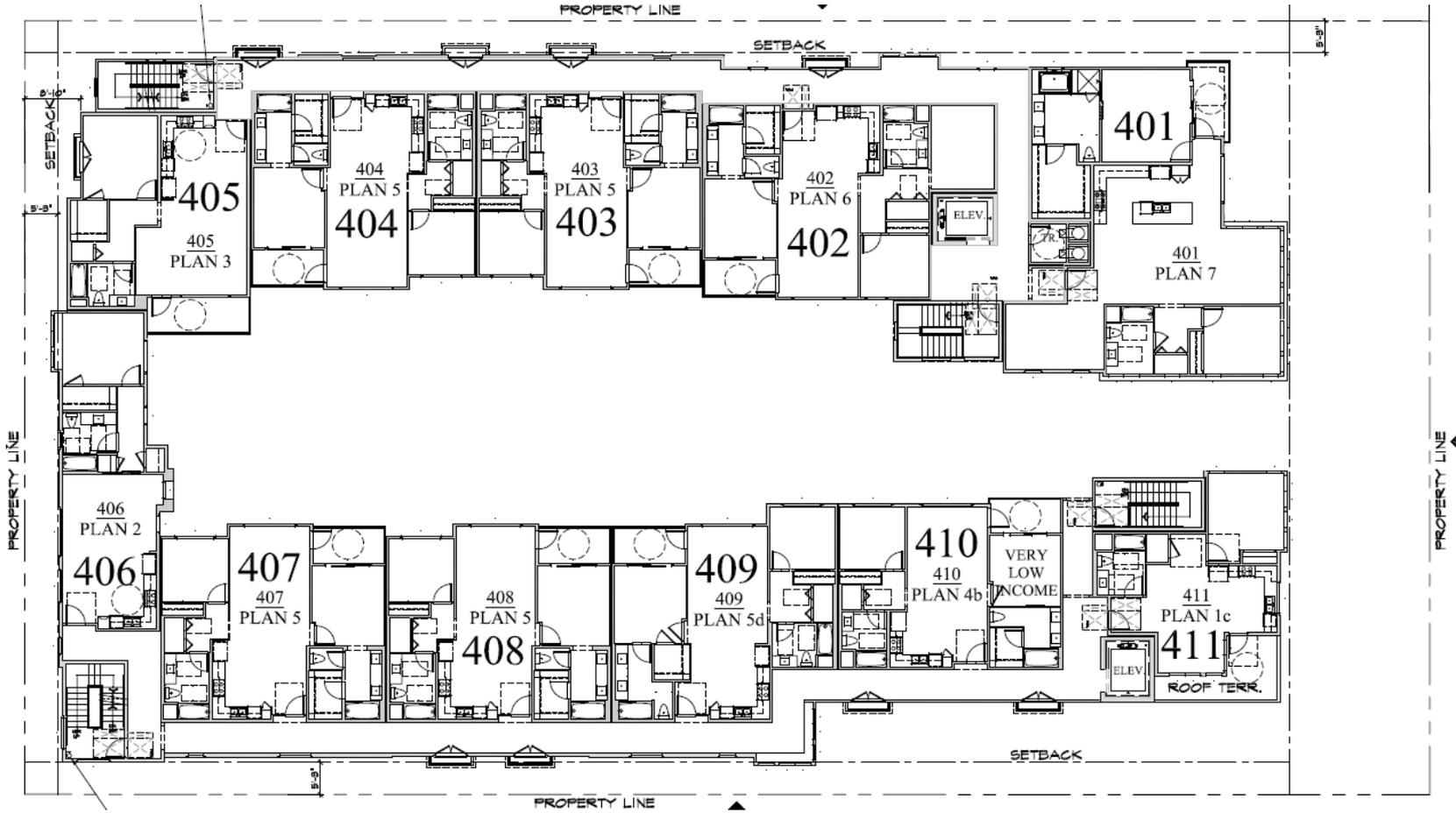
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Fourth Floor Plan

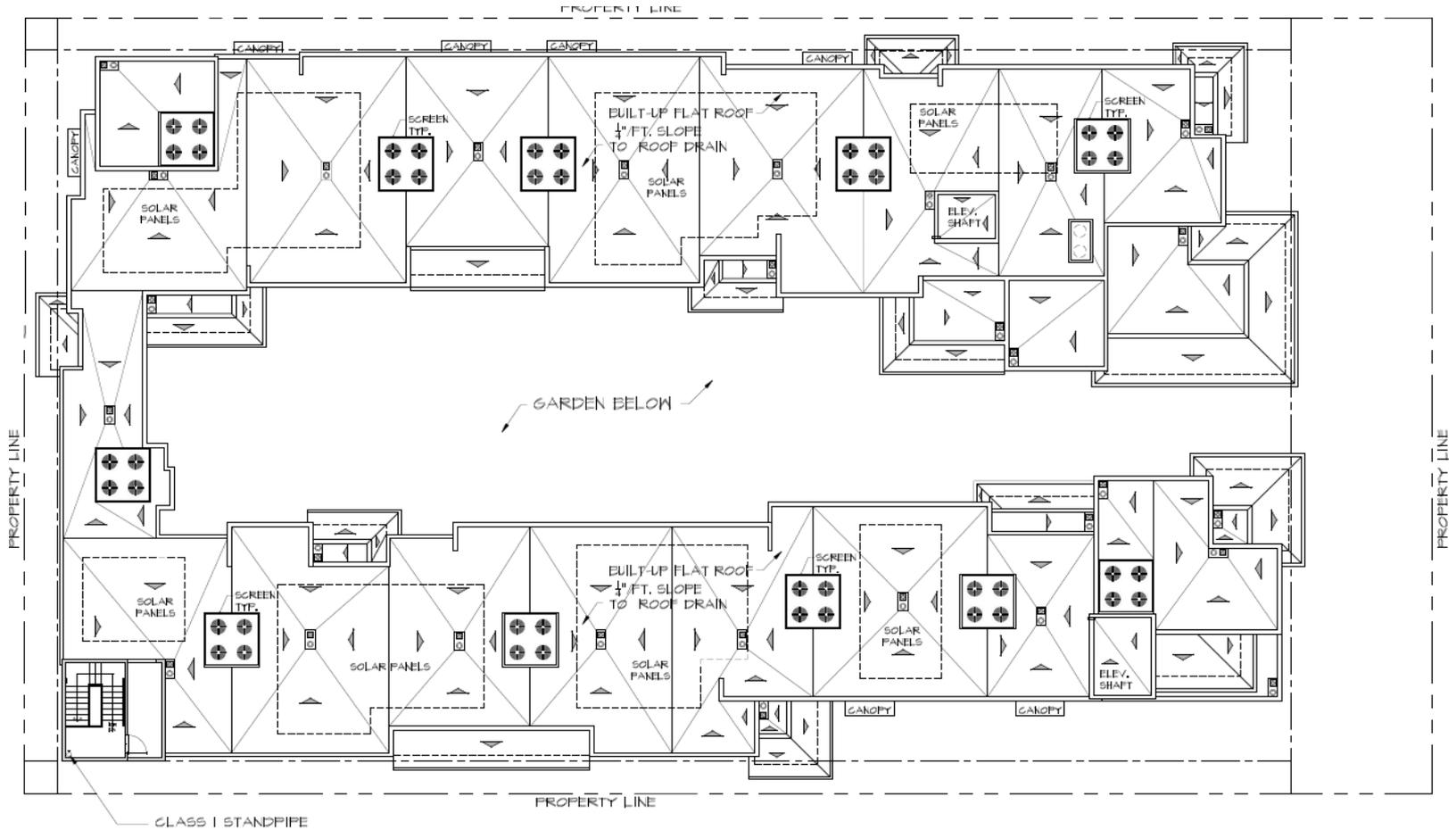
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Roof Plan

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Perimeter Corridors

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South and East Elevations

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9

1. EAST ELEVATION

14



2. SOUTH ELEVATION

9

10

12



North and West Elevations

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1. WEST ELEVATION



2. NORTH ELEVATION



East Elevation (Street Facing)

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East Elevation (Oak Knoll Avenue)



Existing Conditions

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Looking West from Street



Looking West from Site



Looking East from Site



Looking South from Site



Existing Conditions - Context

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14 541 S OAK KNOLL AVENUE



15 553 S OAK KNOLL AVENUE



16 723 E CALIFORNIA BLVD.



17 715 E CALIFORNIA BLVD.



18 703 E CALIFORNIA BLVD.



19 697 E CALIFORNIA BLVD.



20 685 E CALIFORNIA BLVD.



21 673 E CALIFORNIA



Existing Conditions - Context

Planning & Community Development



22 661 E CALIFORNIA BLVD.



23 747 E CALIFORNIA BLVD.



32 420 S OAK KNOLL AVENUE



33 410 S OAK KNOLL AVENUE



Existing Conditions - Context

Planning & Community Development



24 544 S OAK KNOLL AVENUE



25 534 S OAK KNOLL AVENUE



26 516 S OAK KNOLL AVENUE



27 510 S OAK KNOLL AVENUE



28 500 S OAK KNOLL AVENUE



29 454 S OAK KNOLL AVENUE



30 444 S OAK KNOLL AVENUE



31 432 S OAK KNOLL AVENUE



Council Options

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- Approve as proposed.
- Approve with modifications.
- Disapprove based on inconsistency with design guidelines.
- Remand any new information provided to the Design Commission for a report, prior to the Council's final decision on the appeal.



SDBL Definitions

Planning & Community Development

Concession: Means any of the following:

- (1) A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).
- (2) Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
- (3) Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).



SDBL Definitions

Planning & Community Development

Findings to Deny a Concession:

- An applicant for a density bonus pursuant to subdivision (b) may submit to a city, county, or city and county a proposal for the specific incentives or concessions that the applicant requests pursuant to this section, and may request a meeting with the city, county, or city and county. The city, county, or city and county shall grant the concession or incentive requested by the applicant unless the city, county, or city and county makes a written finding, based upon substantial evidence, of any of the following:
 - (A) The concession or incentive does not result in identifiable and actual cost reductions, consistent with subdivision (k), to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).
 - (B) The concession or incentive would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact without rendering the development unaffordable to low-income and moderate-income households.
 - (C) The concession or incentive would be contrary to state or federal law.



SDBL Definitions

Planning & Community Development

Waiver:

- In no case may a city, county, or city and county apply any development standard that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted by this section. Subject to paragraph (3), an applicant may submit to a city, county, or city and county a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development meeting the criteria of subdivision (b) at the densities or with the concessions or incentives permitted under this section, and may request a meeting with the city, county, or city and county.



SDBL Definitions

Planning & Community Development

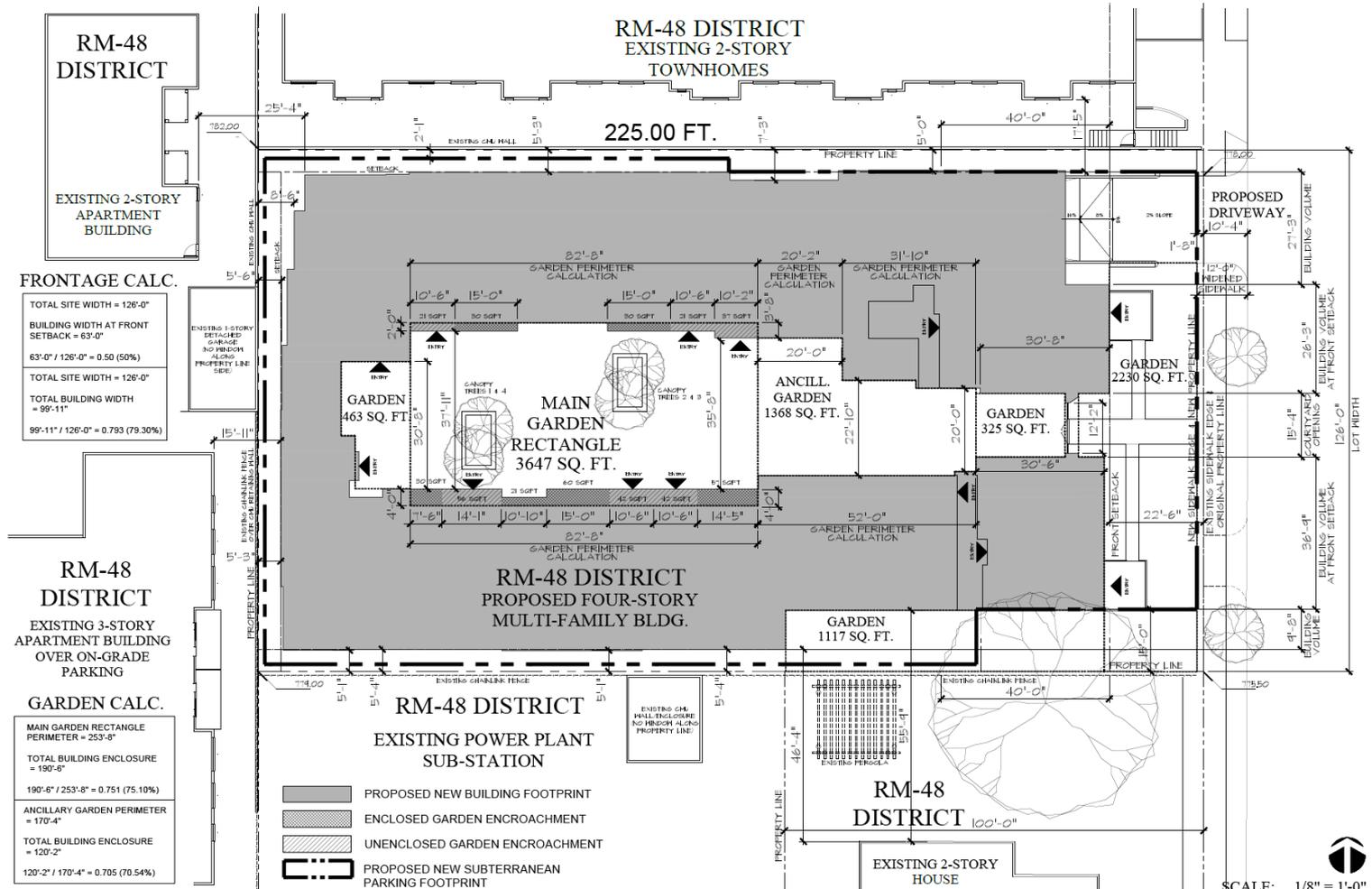
Findings to Deny a Waiver:

- The city would have to find that if the waiver would have a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
- 65589.5(d)(2): “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. The following shall not constitute a specific, adverse impact upon the public health or safety:
 - (A) Inconsistency with the zoning ordinance or general plan land use designation.
 - (B) The eligibility to claim a welfare exemption under subdivision (g) of Section 214 of the Revenue and Taxation Code.



Protected Tree Site Plan

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511 S. OAK KNOLL AVENUE
K27 Capital, LLC

February 14, 2021

SITE PLAN A-0.1

LCRA

NA



Tree Removals

Planning & Community Development

- 12 trees on site
- All proposed to be removed
 - > Three are protected Coast Live Oaks



Tree Replacement Matrix

Planning & Community Development

Replacement Matrices

Trunk of Removed Tree	Replacement Trees	
	Number	Size
8-12 inches	6	15 gallon, or
	3	24 inch box
13-18 inches	8	15 gallon, or
	4	24 inch box, or
	2	36 inch box
19-36 inches	8	24 inch box, or
	4	36 inch box
37+ inches	12	24 inch box, or
	8	36 inch box

Protected native trees must be replaced with native trees on the list of protected native and specimen trees.

Protected specimen trees must be replaced with specimen or native trees on the list of protected native and specimen trees.

Non-protected trees with a DBH of 19 inches or greater must be replaced at $\frac{1}{2}$ the corresponding ratio (the species is not restricted).



Class 32 Exemption

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Project determined to be exempt from environmental review pursuant to CEQA, § 15332, Class 32, In-Fill Development Projects. To qualify for this exemption, a project is required to meet the following criteria:

a. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

- > As described in detail in this report and supporting attachments, the project is consistent with the applicable general plan designation, all applicable general plan policies and the applicable zoning designation and regulations. The project does not require any variances and meets all applicable development standards including the multiple standards that are required for City of Gardens projects. The project is providing affordable units and is utilizing SDBL to achieve a density bonus, use a concession to increase the building height by 7'-10", and a waiver to provide specimen trees rather than native trees when replacing trees. These are permitted concessions and waivers under SDBL.

b. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

- > The project site is located within city limits, is less than one acre in size, and surrounded by urban uses including a school and multi-family residences.

c. The project site has no value as habitat for endangered, rare or threatened species.

- > The site is a vacant lot, surrounded by urban uses, with no value as habitat for any special status species.

d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

- > The technical studies in Attachment E demonstrate that the project will not result in any significant effects relating to noise or air quality. With respect to traffic impacts, the project is below the Department of Transportation's established threshold for requiring a CEQA-level traffic study and, therefore, is within a class of projects that have been determined to have less than significant impacts on traffic. The project will adhere to applicable regulations and permitting requirements by the Los Angeles Regional Water Quality Control Board and the City's Standard Urban Stormwater Mitigation Plan ordinance and will not have impacts to water quality.

e. The site can be adequately served by all required utilities and public services.

- > The project has been reviewed by all utility providers, which determined that they are able to serve the project.



Class 32 Exemption Exceptions

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In addition, to qualify for any CEQA exemption, the project must meet the following criteria per §15300.2 (Exceptions):

a. Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project qualifies for a Class 32 exemption and therefore this exception is not applicable.

b. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

There are no other proposed projects of the same type in the same place as the proposed project. There are no projects of the same type within the immediate area, and the closest multi-family residential project is located .33 miles east at 981 San Pasqual Street and is significantly lower in density (six units) than the proposed project.

c. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

There are no unusual circumstances associated with the proposed project. It is a land use that is authorized to be developed on the site by the Zoning Code and located on a standard flat, rectangular parcel in a developed urban area of the City of Pasadena. There are no other features that distinguish this from other in-fill projects in the exempt class.



Class 32 Exemption Exceptions cont.

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d. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

The only designated state scenic highway in the City of Pasadena is the Angeles Crest Highway (State Highway 2), which is located north of Arroyo Seco Canyon in the extreme northwest portion of the City. The project site is not within the viewshed of the Angeles Crest Highway. Therefore, the proposed project would have no impacts to designated state scenic highways.

e. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

The project site is not included on a list of hazardous waste sites compiled pursuant to Section 65962.5 of the Government Code.



Class 32 Exemption Exceptions cont.

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f. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The property is a vacant lot and does not contain any historical resources. Fire Station #34 at 541 S. Oak Knoll Avenue and Cornish Manor Court at 500 S. El Molino Avenue are adjacent to and south and west of the project site, respectively. The project would not result in a substantial adverse change to any of the adjacent historic buildings. CEQA defines "substantial adverse change" to a historical resource as follows: "...physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. The significance of an historical resource is materially impaired when a project:

A) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or

B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

C) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

The project would not demolish or alter any of the physical characteristics of the adjacent historic resources. It would be built on an adjacent site that is currently a vacant lot, which is not a characteristic of the adjacent historic resources that contributes to their historical significance. In addition, the setting of the historic resources has changed significantly over time including construction of several new structures in the immediate vicinity including several apartment buildings along Oak Knoll and El Molino Avenues constructed between 1966 and 1995. Therefore, construction at the project site will not cause a substantial adverse change in the significance of a historical resource.