

Agenda Report

March 23, 2026

TO: Honorable Mayor and City Council

FROM: Planning and Community Development Department

SUBJECT: QUASI-JUDICIAL ACTION: APPEAL OF THE DESIGN COMMISSION'S DECISION TO APPROVE AN APPLICATION FOR CONCEPT DESIGN REVIEW (DHP2024-00261) FOR A NEW FOUR-STORY, 56,019 SQUARE-FOOT 46-UNIT MULTI-FAMILY RESIDENTIAL PROJECT WITH ONE LEVEL OF SUBTERRANEAN PARKING AT 511 S. OAK KNOLL AVENUE

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action is categorically exempt from environmental review pursuant to State California Environmental Quality Act (CEQA) Guidelines Section 15332 (Class 32, In-Fill Development Projects), and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances;
2. Adopt the findings in Attachment A 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, and the Design Guidelines in the Central District Specific Plan and that the removal of two protected trees meets finding #6 of Pasadena Municipal Code (PMC) Section 8.52.075.A (Tree Protection Ordinance); and,
3. Deny the appeal and approve the applications for Concept Design Review and Private Tree Removal subject to the conditions in Attachment B, which shall be further reviewed by the Design Commission during Final Design Review.

BACKGROUND:

On August 20, 2024, the applicant, K27 Capital LLC – Kevin Kao, submitted an application for Concept Design Review for a new four-story, 56,019 square-foot, 46-unit residential project with one level of subterranean parking on a 38,350 square foot property located at 511 S. Oak Knoll Avenue. The Design Commission reviewed and approved the application and environmental determination on October 28, 2025 at a noticed public hearing; the staff report for that meeting is in Attachment C.

On November 7, 2025, the appellants, Brian Fulcher and Amanda Elioff, filed an appeal application citing disagreements with the findings for Concept Design Approval, the environmental determination, and the findings for compliance with the City's Tree Protection Ordinance. The appellants live immediately south of the project site at 541 S. Oak Knoll Avenue. The full appeal documentation and appellant's arguments are in Attachment D.

REQUIRED APPROVALS:

The project is located in the Central District, Multi-Family Residential, City of Gardens (CD-RM-48) zoning district. The proposed multi-family project is allowed by-right on the project site. In the CD-RM-48 zoning district, the allowed density is up to 48 dwelling units per acre (du/ac), or 32 units for this site. The project provides the base density of 32 units. Under State Density Bonus Law (SDBL), projects that provide on-site affordable units are also permitted bonus units. The project meets the City's 20% Inclusionary Housing requirement by providing six affordable units (five very low income and one moderate income) and is eligible for a 50% density bonus (16 additional units). The project proposes a 42.5% density bonus, or 14 additional units, for a total of 46 units. Under SDBL, the project is also eligible for two concessions and unlimited waivers to the development standards of the Zoning Code. The applicant requested one concession and one waiver as follows:

- 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) pursuant to PMC Section 17.30.060.C.2.
- 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.

The proposed project meets all other development standards of the Zoning Code, including those related to the City of Gardens requirements, parking and open space.

The only entitlement required for the project is Design Review, where the Design Commission reviews the project for consistency with adopted design guidelines and the purposes of the Design Review. Modifications to the buildings can be required related to articulation, modulation, or other design-related standards. However, the square footage, maximum height, density and other development standards in the Zoning Code cannot be reduced beyond what the Zoning Code and SDBL allow. As this is an appeal of a Design Review application, the City Council's review is also limited to the project's consistency with applicable design guidelines and the environmental determination, as well as the concurrent tree removal application.

Design Review is a three-phase process starting with Preliminary Consultation, followed by Concept Design Review and then Final Design Review. Each phase builds upon the other as the applicant must respond to comments provided during the previous phase of review. Preliminary Consultation is informational only; Concept Design Review requires

a public hearing, a CEQA determination, and if approved, grants the entitlement. Final Design Review focuses on items such as colors, materials, and final details. The purpose of Design Review is to “implement urban design goals and policies and the Citywide design principles in the General Plan and to apply the City's adopted design guidelines to Design Review.” As part of the Design Review conducted, staff and the Design Commission reviewed the project as it relates to a number of design guidelines/policies that are contained in the Land Use Element of the General Plan, the Central District Specific Plan and the Design Guidelines for Neighborhood Commercial and Multi-family Residential Districts. Consistency with these guidelines is the basis for the findings for approval in Attachment A. The full analysis of this work is contained in the staff report for the Concept Design Review Hearing on October 28, 2025 (Attachment C). The CEQA exemption was also approved based on air quality and noise technical reports that were prepared (Attachment E). In addition, where a property owner wishes to remove a tree as part of a plan for which discretionary approval is required under Title 17, the application for the discretionary approval shall also be deemed an application for a tree removal permit.

The Design Commission reviewed and approved the application and CEQA determination (4-2 with three members absent) on October 28, 2025 (Attachment F). The majority of the Commissioners found that the project was consistent with the applicable design guidelines as outlined in Attachment A; dissenting voters expressed concerns about the scale of the building near the street being incompatible with the neighborhood and recommended 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. For additional information, the project plans are provided in Attachment G and links to the applicable design guidelines can be found in Attachment H. Further, the list of Design Guidelines staff determined applicable to the project during Preliminary Consultation is provided in Attachment I.

STAFF RESPONSE TO APPEAL:

The appellant argues that the proposed project is not consistent with the applicable design guidelines or the City's Tree Protection Ordinance and requires additional environmental review. The appellant's arguments are enumerated, expanded upon, and evaluated below:

Appeal Point 1 – Design Guidelines: 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: The appellant asserts that the proposed design, as approved, is out of character with the context of the neighborhood and maintains an inappropriate massing that should be re-designed to be more sensitive to the neighborhood to allow for a reduction of the scale and increased privacy and natural light to adjacent properties. The appellant has requested that the applicant restudy the project with regard to massing, setbacks, materiality, roof forms, landscaping, and arrangement of the interior main garden and exterior enclosed hallways to provide for a design that responds to the

neighborhood in a more compatible manner and at a smaller scale with more green space while providing for the programming proposed at the site. In addition, the appellant argues that the use of SDBL, which the project is taking advantage of, creates discrepancies with the City of Gardens requirements and guidelines.

Staff and the Design Commission assessed the project for consistency with the applicable design guidelines, within the constraints of the SDBL allowances. The project provides affordable units on-site and makes use of SDBL to achieve a density bonus and requests one concession to increase the allowable building height. Staff and the Design Commission determined that the project is consistent with the applicable design guidelines and standards subject to Conditions of Approval in Attachment B, which will be addressed during the Final Design Review phase. The Findings in Attachment A and the Design Commission staff report from the October 28, 2025 meeting in Attachment C provide analysis of the project's consistency with the applicable design guidelines.

Upon approval of the Concept Design Review application, and in conjunction with the adopted conditions of approval, the Design Commission found that the project was consistent with the purposes of design review and with the applicable design guidelines. The project was determined to provide a strong integration with the pedestrian experience along the street, provide a high level of compatibility with the surrounding context in a creative manner, and provide for additional housing with a mix of market-rate and onsite inclusionary affordable units.

Subsequent to the filing of a Request for Appeal, Staff coordinated a meeting on December 18, 2025 between the applicant and the appellant to discuss concerns raised in the appeal application and determine if design modifications could be pursued to help alleviate some of these concerns. Staff provided options to potentially allow a redesign to address the appellant's concerns and potentially avoid an appeal. The applicant has indicated to staff that they studied a variety of alternatives based on comments and conversations at the December meeting, which included increasing the side setbacks at the north and south, placing an ancillary garden at the southwest side rather than at the center, and narrowing of the main garden courtyard at the center to allow the building to be set back further. The applicant found that these alternatives would deviate from the Zoning Code and require the use of additional waivers, adversely impact the project design, including introduction of a fifth floor to accommodate the lost square footage and units that would result from the redesigns, and were therefore determined to be infeasible or otherwise incompatible with the neighborhood. Subsequently the applicant informed staff that they would not be pursuing modifications to the project and requested to proceed with the appeal of the project as approved by the Design Commission.

Appeal Point 2 – Environmental Impacts: 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:

- *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.*

Indoor lighting is not a topic for required study under the Class 32 exemption for CEQA. The lights of concern are interior lights, located inside the enclosed hallways along the perimeter of the building. The project will be required to comply with all Building Code requirements pertaining to interior and exterior lighting. Per the Building Code, minimum lighting for emergency requirements is one foot-candle, which is a very low level of light; however, there is no maximum lighting level, except as it relates to energy efficiency. There are measures that can be taken to avoid light spillover from the interior corridors, including providing fixture shields and directing light inward. These measures pursued will ensure the project is consistent with the purposes of Design Review, specifically Section 17.61.030.A.4.b, “enhancing the surrounding environment” by limiting or avoiding light spillover onto adjacent properties. To further ensure consistency with this goal, staff recommends a condition of approval requiring the applicant to engage a lighting consultant to demonstrate that the lighting levels within the interior corridors along the north, south and west walls of the building will not result in substantial light spillage onto adjacent properties and to implement the consultant’s recommendations as part of the project’s lighting design, for review during Final Design Review and Building Plan Check. A lighting impact assessment (e.g., photometric plan) or other equivalent standards may be used to address light concerns.

- *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.*

The Noise Study prepared by EcoTierra (Attachment E) assessed stationary noise sources, which include HVAC units. The study determined that, due to the location of the units with respect to building height and distance from surrounding residents, the noise generated from HVAC units would not exceed ambient noise levels. EcoTierra advised that there are not requirements to take noise readings at night for residential projects for CEQA noise analysis. The only uses or scenarios that would require noise analysis at night or over the course of 24-hours would be excessively noisy land uses that would be operational during nighttime hours, such as warehouse uses, manufacturing uses, or vehicle dispatch centers. Residential uses would not generate operational noise at day or night that would have the potential to exceed the established significance thresholds and would therefore not have a significant impact. Standard mechanical equipment for a residential project is not an unusual occurrence that results in an impact.

According to their analysis, EcoTierra indicated that each HVAC unit would operate at 44.5 dBA (individually), which is substantially less than the existing noise levels in the project vicinity; the existing noise levels currently exceed 60 dBA during daytime, which is established as 6 AM to 11PM. For comparison, a refrigerator condenser emits noise at 40 dBA. The threshold for a significant noise impact is 5 dB over ambient noise at the property line per the City's Noise Ordinance.

Given that there are multiple HVAC units that are grouped into a maximum of four units and spaced relatively equally around the roof of the building, the units would be at varying distances from the receptors, depending on which ones are operational and which receptor is the receiver; however, the closest receptor is 20 feet from the nearest grouping of HVAC units when excluding the additional distance created by the height of the HVAC units. The distance of 20 feet is conservative because it does not reflect the additional distance due to the elevated position of the HVAC units on the roof of the proposed building. If four HVAC units were running together at a distance of 20 feet, the noise level would be 50.52 dBA, which is still below the existing noise levels measured by EcoTierra. However, considering the distance created by the elevated position of the HVAC units is considered (as the roof of the building is 49 feet with the parapet), the distance would be approximately 28 feet to the second floor of the neighboring building to the south (the closest receptor boundary line). At this more-accurate distance, the noise level from four HVAC units running simultaneously would be 47.6 dBA, which would also not exceed the significance threshold of 5 dB over ambient noise at the property line. Based on this information, EcoTierra has advised that noise at this level would be less than existing ambient nighttime noise and would be less than significant.

With regard to potential noise generated from the existing substation reflecting off of the proposed new building, this is not a topic studied in a Noise Study as there are no metrics for measuring this. In addition, due to the urban nature of the context, it is presumed that there can and will be noise that reflects off of buildings, however this is not a CEQA topic that is studied and there is not insufficient evidence to support a finding of a significant impact with respect to this project. In addition, it is not a unique condition to have an electrical substation in close proximity to residential uses; examples include the Wilson Substation at McDonald Park within the Bungalow Heaven Landmark District, the Goodrich Substation within Eaton Wash and near residences on Eaton Drive north of Maple Street, and the Villa Substation behind residences on Summit and Marengo Avenues south of Villa Street.

- *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.*

Parking, including street parking, is not a topic that is required to be studied under CEQA. Based on the number of units and bedroom mix, the project is required to provide 67 on-site parking spaces. The project provides 67 parking spaces and complies with the Zoning Code. The Department of Transportation provided a condition of approval that prohibits the issuance of permanent on-street, overnight

parking permits for the residents of this project. This Department will oversee the implementation and enforcement of this condition upon project completion, as is typical for most new housing projects in the Central District.

- *The appellant argues that traffic studies prepared do not reflect the new population at the McKinley School.*

The project scope is below the adopted threshold for requiring a CEQA-level traffic analysis. Projects greater than or equal to 50 units require CEQA-level traffic analysis. A Local Mobility Analysis (LMA, see Attachment J) was prepared for the proposed project, which studied both current and future baseline conditions for traffic volumes. LMA is not a study conducted pursuant to CEQA and is used to determine if local improvements are needed and available to address localized traffic conditions associated with the project. The LMA concluded that the proposed project will not have a negative impact on the existing active transportation system within a 0.25-mile radius, per the City's guidelines, upon implementation of a recommended condition of approval requiring the applicant to fund a traffic signal improvement at the intersection of Lake Avenue and Del Mar Boulevard. While the LMA used traffic counts collected in December 2024, which was prior to the Eaton Fire and subsequent move of the Eliot School to McKinley Elementary, staff of the Department of Transportation confirmed that the additional population is not anticipated to change the findings of the LMA based on the intersection Level of Service studied. The temporary addition of Eliot School students to the McKinley School site will not result in a substantial deficiency that would require additional permanent roadway improvements.

Appeal Point 3 – Adjacent Substation: 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 during Concept Design Review 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 are included in Attachment B and do not affect the overall design of the proposed project.

Appeal Point 4 – Fire Safety: 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 project will be reviewed for Fire Code requirements during the Plan Check process. Since the Design Commission review of the project, the Fire Department has reviewed the project and has provided standard conditions of approval. The conditions are included in Attachment B and do not require design changes to be made to address fire safety code requirements.

Appeal Point 5 – Tree Protection: 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: The appellant’s property contains a protected Canyon Live Oak tree, the canopy and root structure of which extend onto the project site. During the Design Commission review of the project, measures were implemented to ensure protection of the tree; however, the appellant argues that additional measures are necessary to ensure the protection of the tree during and after construction. In addition, the appellant argues that a proper assessment of the replacement value of the Canyon Live Oak needs to be made and verified and that an additional five-feet or more will be needed for the placement of shoring and scaffolding for construction, in order to further protect the roots, canopy, and drip line of the tree (for a minimum of 22 feet from the trunk of the tree).

The tree and its relationship to the proposed project were evaluated by three consulting arborists – one hired by the applicant, one hired by the appellant, and one hired by the City. All three arborists visited the project site on two separate occasions prior to the DC meeting. The original application, supported by the applicant’s arborist, proposed trenching eight to nine feet from the trunk of the tree. Concerns were raised early in the process that this may be too close to the tree’s root system. In response, the City’s consulting arborist evaluated the project and inspected the tree’s root system to understand how the project may or may not impact it. Based on assessment and recommendations by the City’s consulting arborist, the applicant modified the parking plan and relocated parking space no. 48 so that trenching can be extended another eight to nine feet to the west and occur approximately 17 feet from the trunk of the tree. The City’s consulting arborist determined that this distance would be sufficient to address all construction requirements, including shoring and scaffolding. The other two arborists did not provide updated reports to dispute or contradict the recommendations from the City’s arborist. However, the appellant’s arborist spoke at the Design Commission hearing and expressed concern with the potential for additional excavation beyond the proposed foundation wall and its proximity to the tree root structure. The City’s arborist finds that the excavation as proposed will not harm the tree.

In addition, the City’s consulting arborist reviewed the level of canopy pruning that would be required to accommodate the project (including construction equipment and scaffolding) and determined that it would require 10% to 20% of the canopy to be pruned, and noted that this is an acceptable level of pruning, if conducted during an appropriate time of year. The pruning would only need to occur at the north side of the tree, immediately adjacent to the proposed project. Additional pruning at the other side(s) of the tree would not be required and there would not be concern about the longevity or health of the tree based on this minimal pruning. The tree protection requirements by the City are also required to be met to ensure preservation and protection of the tree and were included as conditions of approval as recommended by the City’s consulting arborist, in addition to a condition requiring pruning work for

construction equipment and scaffolding to only occur from October to February to reduce the stress placed on the tree.

Staff has worked with the applicant to ensure drawings are correct and reflect exact locations, dimensions, etc. The location is based on a professional survey conducted for the project (see page 2 of Attachment G) and the colored elevations depicting the tree location are utilizing a general graphic element for the tree and not the actual tree on site. The most accurate depiction of the tree and its canopy is reflected in the survey, which is the basis for the site and floor plans that were developed for the project. During Final Design Review, Staff will continue to work with the applicant to ensure the drawings are correct and accurate. Also, a tree protection plan is required and is a condition of approval that will be reviewed and approved prior to construction with monitoring during construction.

COUNCIL POLICY CONSIDERATION:

The project site has a General Plan designation of High Density Residential (0-48 du/acre). The proposed project will develop a new 46-unit multi-family project that is consistent with the Land Use Element of the General Plan, specifically Guiding Principle 1: "Growth will be targeted to serve community needs and enhance the quality of life. Higher density development will be directed away from residential neighborhoods and into the Central District, Transit Villages, and Neighborhood Villages. These areas will have a diverse housing stock, job opportunities, exciting districts with commercial and recreational uses, and transit opportunities. New development will build upon Pasadena's tradition of strong sense of place, great neighborhoods, gardens, plazas, parks, and trees." In addition, the project has been determined to be consistent with the adopted design-related goals and policies in the Land Use Element of the General Plan.

The proposed project complies with all of the City of Gardens development standards, which includes main garden and ancillary garden locations and sizes, unit entry locations, building modulations, and fenestration locations and sizes. The project design features 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 along South Oak Knoll Avenue. The architectural detailing of the building expresses a contemporary development that maintains a high quality of materials and features including flat roofs and integrated mansard forms, and a combination of sand finish stucco, brick veneer, and cement board siding. The proposed design incorporates high quality materials and a landscape design that softens the development with a variety of plantings along its edges. The recommended conditions of approval for the project will further ensure compatibility by requiring additional studies of materials, architectural features, and better integration of sloping and flat roof forms in an effort to enhance the overall compatibility of the proposal within the larger neighborhood context. See Attachment A for further analysis of the project's consistency with these and other applicable design guidelines.

ENVIRONMENTAL ANALYSIS:

Following a detailed environmental analysis conducted by EcoTierra Consulting, included in Attachment E, staff recommends that the project should be 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.

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.

- 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.

- 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.

Based on this analysis, staff recommends that the Council determine that the project is Categorically Exempt from CEQA under class 32, "infill development projects."

CONCLUSION:

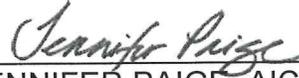
Staff recommends that the City Council uphold the decision of the Design Commission to determine the project to be exempt from CEQA under Class 32 as an infill development project and that the City Council deny the appeal and uphold the Design Commission decision to approve the Concept Design Review application subject to the findings in Attachment A and the recommended conditions of approval in Attachment B. Staff and the Design Commission conducted a thorough analysis of the project through Preliminary Consultation and Concept Design Review. If the project is approved, the next step is Final Design Review.

At the Final Design Review stage, emphasis and focus is placed on construction details, finishes, materials, landscaping, and consistency of the project with the design approved during Concept Design Review and compliance with adopted conditions of approval.

FISCAL IMPACT:

There is no fiscal impact as a result of this action.

Respectfully submitted,



JENNIFER PAIGE, AICP
Director
Planning & Community Development
Department

Reviewed by:

Prepared by:



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Approved by:



MIGUEL MARQUEZ
City Manager

Attachments: (10)

- A. Findings of Consistency with Design Review & Private Tree Removal
- B. Recommended Conditions of Approval
- C. Concept Design Review Staff Report, dated October 28, 2025 (without attachments)
- D. Request for Appeal Application (with Attachments)
- E. Environmental Documentation
- F. Concept Design Review Decision Letter (with Attachments)
- G. Development Plans
- H. Weblinks to the Central District Specific Plan and Design Guidelines for Neighborhood Commercial & Multi-Family Residential Districts
- I. Design Guidelines Applicable to the Project
- J. Local Mobility Analysis