

**Rodriguez, Jane**

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**From:** Kurtz, Cynthia  
**Sent:** Monday, July 23, 2001 5:43 PM  
**To:** Madison, Steve; Rodriguez, Jane  
**Cc:** Bogaard, Bill; Little, Paul; Bagneris, Michele; Suzuki, Takako  
**Subject:** RE: Sav-On

BOZA approved the project and the sale of alcohol but declined the drive through. Do you still want to call it up?

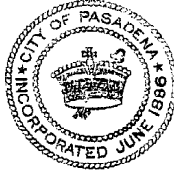
Cynthia

*YES. THANKS, SAM*

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

**From:** Madison, Steve  
**Sent:** Monday, July 23, 2001 5:26 PM  
**To:** Rodriguez, Jane  
**Cc:** Bogaard, Bill; Little, Paul; Kurtz, Cynthia; Bagneris, Michele; Suzuki, Takako  
**Subject:** Sav-On

I understand that the Sav-On project on South Arroyo Parkway was denied by the BOZA on July 17, 2001. I wish to call up the for review by the City Council.



**FILE COPY**

**PLANNING AND PERMITTING DEPARTMENT**  
PLANNING DIVISION

July 18, 2001

Realty Bankcorp Equities  
21800 Burbank Boulevard #100  
Woodland Hills, CA 91367

**RE: Conditional Use Permit #3655**  
**727 South Arroyo Parkway**  
**Council District # 6**

Dear Mr. Palazzola:

Your appeal application for a **Conditional Use Permit** at **727 South Arroyo Parkway**, was considered by the **Board of Zoning Appeals** on **July 18, 2001**.

**Conditional Use Permit:** To allow for off-site sale of alcohol and a 24-hour drive-thru for Sav-on Drugs.

**Sign Exception:** To allow for the maximum number of signs to exceed two on a building frontage.

The Board of Zoning Appeals made the findings as shown on Attachment A to this letter. Based upon the findings, it was decided to **approve** the Conditional Use Permit for off-site sale of alcohol, **deny** the Sign Exception for a maximum number of signs to exceed two on a building frontage, and **deny** the Conditional Use Permit for the 24-hour drive-thru pharmacy. The conditions listed in Attachment B were made a part of the approval. The Public Works conditions attached were also made a part of the approval.

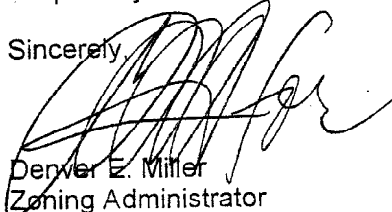
The decision of the Board of Zoning Appeals is not subject to appeal, and will become effective on the eleventh day from the date of the decision. The effective date of this case will be **July 31, 2001**. However, prior to the effective date, a member of the City Council may stay the decision and request that it be called for review to the City Council.

The applicant is advised that application for a building permit is not sufficient to vest the rights granted herein. The building permit must be issued before the expiration of this application.

Any permits, which are necessary, may be issued to you by the Building Division on or after the effective date, which is the next working day following the call for review deadline. **You should call the Current Planning Office 626-744-6777 to find out if a call for review has been filed before you come to get your building permits.** A copy of this letter must be attached to all plans submitted for building permits.

An Initial Environmental study recommending a Negative Declaration for the project was adopted by the Board of Zoning Appeals on July 18, 2001.

Sincerely,



Denver E. Miller  
Zoning Administrator

DEM:lw:ac

Enclosures: Attachment A, Attachment B

xc: Planning Commission (9), City Council, City Clerk, Building Division, Public Works, County Assessor, Power Division, Water Division, Design & Historic Preservation, Hearing Officer, Code Enforcement, File, Decision Letter Binder.

## ATTACHMENT A

### ZONING ADMINISTRATOR RECOMMENDED FINDINGS OF FACT FOR CONDITIONAL USE PERMIT #3655

Conditional Use Permit to Establish a Drive-thru Pharmacy in the IG HL-56 Zoning District

1. *Granting of the drive-thru conditional use application is not consistent with the general plan and the purpose of this title and will constitute a grant of privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district.* While the proposed retail use is consistent with the General Plan land use designation for this area, a component of the project, the drive-thru is in conflict with the goals and objectives of the Mobility Element of the General Plan. According to the General Plan Mobility Element, development near light rail station is to be transit-oriented. Allowing the proposed drive-thru would be granting a special privilege that is inconsistent with the intent of the General Plan Mobility Element, in that, uses near light rail station is to be transit-oriented. The project is not supportive of the urban design of the Mobility Element, in that, parking is in front of the building rather than in the rear, thus creating a barrier to access from the street.

Conditional Use Permit to Establish Off-site Sale of Alcohol in IG HL-56 Zoning District

2. *The proposed location of the conditional use permit will not adversely affect the general welfare of the surrounding property owners. The request is a conditional use permit for the off-sale of alcohol.* The proposed new retail drugstore, with off-site sale of alcohol is consistent with the commercial activity of the surrounding development and the goals inherent in fostering an environment with a diverse mix of land uses in the central district and to support new businesses in harmony with their surroundings. The proposed use will be conducted in accordance with the City's laws and ordinances, ensuring compatible coexistence of this use with other uses and protecting other uses in the area from adverse impacts.

3. *The proposed location of the conditional use permit will not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine in the area.* The site had previously been occupied with food sales that offered the off-site sale of alcoholic beverages and have since been vacant. The proposed new retail drugstore with off-site sale of alcohol would not add to the number of establishment or lead to an over concentration. The subject site is not within the immediate proximity of religious assembly uses, private or public schools, or parks and recreation facilities. Also, the subject site is outside of any alcohol density overlay district and the Police Department has reviewed the proposal and raises no opposition.

4. The proposed location of the conditional use will not detrimentally affect the nearby surrounding area after giving consideration to the proximity and nature of the proposed use with respect to the following: i. Residential uses and residential districts; ii. Religious assembly uses, public or private school, hospitals, park and recreation facilities, places establishments offering alcoholic beverages (including beer and wine) for sale for consumption on-site and off-site. Multi-family residential uses are located approximately 150 feet east of the project site. South of the site, Bow-Tie Wine and Spirits is an existing retail liquor store that sells alcoholic beverages.

There are a number of establishments within 1,000 feet that presently offer alcohol service, however, the Police Department has indicated that there are not any significant problems associated with those establishments and that use would not detrimentally affect the nearby surrounding area.

5. *The proposed location of the conditional use will not aggravate existing problems created by the sale of alcohol, such as loitering, public intoxication, sales to minors and littering.* It has been determined that the development of a new retail drugstore with off-site sale of alcohol would not contribute to an aggravation of existing problems in and around the project site based on the affirmation of the Police Department without the need to increase service or resources.

#### Sign Exception Findings

6. *The proposed signs are not architecturally compatible and not aesthetically compatible with the adjacent premises and are not compatible with the character of the established industrial district and general environment.* The proposed deviation is not compatible with other signage established in this district, since the amount of proposed signs, four, does exceed the maximum number of signs per building frontage. Moreover, due to the amount of signs requested, the signs for this proposal will outnumber several commercial businesses in the area that have only one or two signs on the building frontage.

7. *Granting the sign exception application is not consistent with the general plan and the purposes of this title and will constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and in the same zoning district.* The proposal is not compatible with other signage established in this district and area, since the proposed signs (wall signs) exceed the maximum sign area allowed by the Zoning Code for building frontage. Although, the current zoning regulations permit general industrial, commercial, and retail uses, the General Plan, for this area, "Arroyo Parkway, extending from the Central District to the southern City boundary, is envisioned as a gateway corridor, and the existing industrial zoning designation is no longer appropriate. The amount of wall signs requested, four, on the building frontage of Arroyo Parkway will not help in controlling sign proliferation in this area and will increase the amount of signs. Specifically, the City's General plan encourages good quality urban design that is consistent with the district in which the project is located. The purpose of the Sign Ordinance is to maintain and enhance the quality of signs in the City.

8. *Granting the application will be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.* Allowing the number of proposed signs on the building frontage along Arroyo Parkway will be detrimental to the improvements in the vicinity of the development site and the area, in that, the Arroyo Parkway, the southern City boundary is envisioned as a gateway corridor into the City. By allowing the additional wall signs for this proposal, the amount of wall signs would increase in this area, which could allow other businesses to apply for an increase of signs on their building frontage. The proposed amount of signs, four, are not compatible with the signs of the surrounding businesses in that they will outnumber the amount of signs that surrounding businesses have on their building frontage.

## ATTACHMENT B

### ZONING ADMINISTRATOR RECOMMENDED CONDITIONS OF APPROVAL

1. The site plan, dated April 18, 2001 submitted for building permits shall substantially conform to the site plan submitted with this application except as modified herein if applicable.
2. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly notice public hearing. These conditions may be modified or new conditions added.
3. The approval application authorizes the off-site sale of full alcohol sales during the hours of 9:00 a.m. to 9:00 p.m. Any change from the approved use would require a new conditional use permit.
4. The sign for the proposed 24-hour drive-thru pharmacy shall be removed from the plans submitted for building permits.
5. All deliveries to the business shall be conducted between the hours of 7:00 a.m. and 10:00 p.m.
6. The applicant shall ensure that the front of the retail drugstore and immediate adjacent areas, including the public right-of-way shall be maintained free of trash and debris and loiterers at all times.
7. Signs advertising brands of alcoholic beverages or the availability of alcohol for sale at the subject site shall not be visible from the exterior of the subject building.
8. No alcoholic beverages shall be consumed on the premises or any property adjacent to the subject site.
9. A sign stating "No Loitering or Public Drinking" shall be posted in the parking lot. Said sign shall be approved by the Zoning Administrator and Public Works and Transportation Department.
10. The following are voluntary conditions from the applicant and are made a part of the conditions for this project:
  - a. The sale of beverages containing alcohol for off-site consumption is conducted as an incidental use to operation of a full service pharmacy.
  - b. The area set aside for the display and refrigeration of beverages containing alcohol shall be in the extreme rear of the store and shall not be visible from outside the store.

- c. There shall be no exterior signs advertising of any kind or type promoting or indicating the availability of alcoholic beverages.
  - d. There shall be no exterior signs advertising of any kind or type promoting or indicating the availability of alcoholic beverages.
  - e. Beer in containers under one quart shall not be sold in less than six-pack quantities.
  - f. Malt liquors or based products with alcoholic content greater than five percent by volume shall not be sold from the premises.
  - g. Wine, with the exception of wine coolers, shall not be sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities.
  - h. Wine shall not be sold with an alcoholic content of greater than fifteen percent by volume, except corked, finished products aged two years or more.
  - i. Disposable cups or similar containers may be sold but only in packaged quantities of twenty or more.
  - j. Ice shall be sold only in bags of three pounds or greater.
  - k. A sign shall be posted on the site stating that parking is reserved for customers only.
  - l. A sign shall be posted on the site within a clear view of any interested person containing a telephone number and the name of a person to be contacted in the event that the operation of the involved store is causing concerns or problems in the adjacent neighborhood resulting from the subject use.
  - m. All pay telephones on the subject property shall not be equipped to receive incoming calls. Calls for patrons of the store shall not be received at any telephone on the subject site to prevent loitering
  - n. No beer or wine shall be displayed within five feet of the cash register.
  - o. No display or sale of beer or wine shall be made from an ice tub.
11. Any graffiti, which may appear on the exterior of the premises, shall be removed within 24-hours of the time identified thereof.
12. The proposal shall meet all of the zoning code requirements and any other requirements as established in the Pasadena Municipal Code
13. Parking lot landscaping shall comply with Chapter 17.68 of the Pasadena Municipal Code.

14. The parking lot and loading zone shall comply with the requirements of Chapter 17.68 of the Pasadena Municipal Code except as modified herein.

15. Refuse storage area shall comply with the requirements of Chapter 17.64 of the Pasadena Municipal Code except as modified herein.

16. Pursuant to Chapter 17.68, Off-street Parking Regulations, off-street parking shall be provided at a ratio of 2.5 parking spaces per 1,000 square feet of gross building area

17. Hours of operation may be 24 hours, Monday through Sunday.

18. The project shall comply with the requirements of Title 17 except as modified herein.

19. The project shall comply with all other City department requirements.

20. Prior to the demolition of the four existing buildings, which includes two buildings currently used for auto repair, and two food service stores, the applicant should contact their pest control agency to conduct a thorough inspection of these buildings, and if necessary, exterminate any pests. This preventive measure will reduce the likelihood of the new establishment housing any new pests. A complete and final inspection report should accompany the CUP application prior to construction work.

21. The proposed project, Case Number 99Z-0295, was approved with conditions and is subject to the Condition Monitoring by the City. Condition Monitoring is required for your project. Under the Monitoring Program, your project will be inspected by Code Compliance staff to determine compliance with the condition of approval. Required monitoring fees or deposit for setup and inspections shall be paid on or after the effective date of this permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee or deposit. All fees or deposit are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. The cashier will ask for the case number provided above. Failure to pay the required monitoring fees or deposit prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.

**PLEASE SEE PUBLIC WORKS AND TRANSPORTATION DEPARTMENT  
CONDITIONS ATTACHED.**



**MEMORANDUM - CITY OF PASADENA**  
**PUBLIC WORKS AND TRANSPORTATION DEPARTMENT**

**DATE:** April 3, 2001

**TO:** Denver Miller, Zoning Administrator  
Department of Planning and Permitting

**FROM:** City Engineer  
Public Works and Transportation

**RE:** Conditional Use Permit No. 3655  
727 South Arroyo Parkway

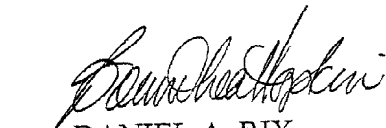
The Public Works and Transportation Department has reviewed the application for Conditional Use Permit No. 3655 at 727 South Arroyo Parkway. The applicant is proposing to demolish four (4) existing buildings and construct a new 14,884 square-foot retail store, Sav-on Drug Store, with a 24-hour drive thru window for full service pharmacy. The proposed project is located at the northwest corner of Arroyo Parkway and Fillmore Street. If this conditional use permit is approved, the following conditions are recommended:

1. The applicant shall close any unused drive approaches with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontages prior to the issuance of a Certificate of Occupancy. The proposed driveway closures may require the modification/relocation of the existing catch basins on Fillmore Street and Arroyo Parkway.
2. All new driveways shall be constructed in accordance to the City of Pasadena Standard Drawing No. S-403.
3. The applicant shall place a deposit for the City to plant a maximum of two (2) street trees along the Fillmore Street frontage and four (4) street trees along the Arroyo Parkway frontage.

4. If the proposed project removes or damages any existing street trees, the applicant shall replace and maintain for a maximum of one year a new 24-inch box street tree for each tree affected. The applicant shall also pay fair market value for the replacement cost for all existing trees removed based on the standard ISA (International Society of Arboriculturists) tree evaluation guide. The type and location of the new trees shall be approved by the Public Works and Transportation Department.
5. The applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Permitting Department and the Public Works and Transportation Department prior to issuance of a grading or building permit for this site.
6. If the proposed development drains to the driveway, the applicant shall construct a grate drain in the driveway at the back of the sidewalk. The grate drain shall be a "non-sump" type inlet and shall outlet into a catch basin.
7. The existing street lighting system on Fillmore Street consists of utilitarian lights (mounted on wood power poles) and therefore, does not meet present design standards. In order to improve pedestrian and traffic safety, the applicant shall install a maximum of one (1) new street light on or near the frontage of the property, including conduits, conductors, electrical service (if necessary), pull boxes, and miscellaneous appurtenant work. The type and hardware shall conform to current policies approved by the City Council, and the location shall be as approved by the Public Works and Transportation Department.
8. It is the responsibility of the applicant to relocate street light(s) and/or pull boxes if these facilities are in conflict with the proposed driveway locations.
9. Unless otherwise arranged, the applicant is responsible for design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by an engineer registered in the State of California. Upon submission of improvement plans to the Public Works and Transportation Department, the applicant will be required to place a deposit with the Department to cover the cost of plan checking and construction inspection of the improvements.

10. The proposed development shall connect to a public sewer on Arroyo Parkway by a method approved by the Public Works and Transportation Department.
11. The initial traffic impact analysis for the proposed development prepared by Kaku Associates in December of 2000, was reviewed and approved by this department. However, due to the changes in the initially approved traffic circulation, driveway locations and the parking configuration, a revised traffic impact analysis shall be submitted for review and approval by the Public Works and Transportation Department prior to the issuance of a building permit.
12. The parking, trash enclosure, and loading areas shall conform to the requirements of the Zoning Ordinance and a plan showing all pertinent dimensions for these areas shall be submitted to the Public Works and Transportation Department for review and approval prior to the issuance of a building permit. All plans to be submitted for review shall be a scaled drawing of 1" = 20' or 1" = 40'.
13. If entrance gates are proposed for the parking lot, the gates shall be setback at least 20 feet from the property line so vehicles will not block the sidewalk.
14. The owner/developer shall conform with the requirements of the City's Trip Reduction Ordinance (Ordinance No. 6573), including the provision of preferential carpool/vanpool spaces equivalent to the 10% of employee parking, bicycle parking facilities and space for transportation information display. These shall be shown on plans submitted prior to building permit issuance.
15. The applicant shall dedicate to the City the property necessary to provide a 15-foot radius corner rounding at the northwest corner of Arroyo Parkway and Fillmore Street.
16. In order to provide for better traffic movement, the developer shall construct improvements consisting of concrete curb, gutter, sidewalk, wheelchair ramp and other related work to construct a standard 25-foot radius curb return at the northwest corner of Arroyo Parkway and Fillmore Street. Improvements shall include any relocation and/or upgrading of affected street lights, signals and other utilities.

17. Prior to any construction work or occupation of the public right-of-way on Arroyo Parkway, the developer shall obtain the necessary encroachment permit from the California Department of Transportation (CALTRANS).
18. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Public Works and Transportation Department prior to the issuance of a building or grading permit. This deposit is subject to refund or an additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, either directly or indirectly, by the construction on this site.
19. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging Plan to the Public Works and Transportation Department for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including any street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site.
20. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in affect at the time these conditions are met.

  
DANIEL A. RIX  
City Engineer

DAR:RQ:bs