

Victor M. Gordo

1/30/06

Jane:

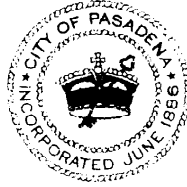
I would like to agendaize
Conditional Use Permit #4601 for
call up consideration.

Received
Jan. 30 2006
8:24 p.m.

Victor M. Gordo

100 N. Garfield Avenue • Pasadena • California • 91109 • (626) 744-4741

City Clerk



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

January 20, 2006

Khanh T. Vu
11770 Forest Grove Avenue
El Monte, CA 91732

**RE: Conditional Use Permit #4601
1379 North Lake Avenue
Council District #5**

Dear Mr. Vu:

Your application for a **Conditional Use Permit** at **1379 North Lake Avenue** was considered by the **Hearing Officer** on **January 18, 2006**.

CONDITIONAL USE PERMIT: To operate an existing Laundromat facility 24 hours a day, seven days a week.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Hearing Officer made the findings as shown on Attachment A to this letter.

Based upon these findings, it was decided by the Hearing Officer that the Conditional Use Permit be approved with conditions listed in Attachment B and in accordance with submitted plans stamped **January 18, 2006**.

In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Zoning Administrator can grant a one-year extension of your approval. Such a request and the appropriate fee must be received before the expiration date. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently

Conditional Use Permit #4601

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pursued prior to the expiration of this approval. It should be noted that the time frame within which judicial review of the decision must be sought is governed by California Code of Civil Procedures, Section 1094.6.


You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Hearing Officer has the right to appeal this decision within **ten days (January 30, 2006)**. The effective date of this case will be **January 31, 2006**. Prior to such effective date, a member of the City Council or Planning Commission may stay the decision and request that it be called for review to the Board of Zoning Appeals. However, if the tenth day falls on a day when City offices are closed, the appeal deadline shall be extended through the next day when offices are open. The decision becomes effective on the eleventh day from the date of the decision. The regular Appeal fee is \$1,393.90. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$696.95.

Any permits necessary may be issued to you by the Building Division on or after the effective date stated above. A building permit application may be submitted before the appeal deadline has expired with the understanding that should an appeal be filed, your application may, at your expense, be required to be revised to comply with the decision on the appeal. **You should call the Current Planning office at 626-744-6777 to find out if any appeal or call for review has been filed before you submit your building permit application.** A copy of this letter must be attached to all plans submitted for building permits.

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities).

For further information regarding this case please contact **Jacqueline Ellis at (626) 744-6709.**

Sincerely,


Dave Mercer
Hearing Officer

Enclosures: Attachment A, Attachment B

xc: City Clerk, City Council, Building Division, Public Works, Power Division, Water Division, Design and Historic Preservation, Hearing Officer, Code Enforcement-Ellen Clark, Case File, Decision Letter File, Planning Commission (9)

ATTACHMENT A
FINDINGS FOR CONDITIONAL USE PERMIT #4601

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning in that the laundromat is located on a major street would not draw laundromat users through residential districts. Additionally an attendant would be on site during all business hours. The Police Department does not object to the proposed hours of operation. Lastly, conditions of approval have been included that will further limit the potential for negative impacts, such as removal of arcade/video games, the use of surveillance cameras in the site and the fact that the attendants do not carry or have access to cash.*
2. *The location of the proposed use complies with the special purposes of this Zoning Code and purposes of the applicable zoning district in that in that the project is located in the CL zone. The main entry to the site is North Lake Avenue; the building on the site is oriented to this street. To enter the laundromat on foot, one must access the site from North Lake Avenue where the facilities doors are located. There are no windows on the west elevation of the laundromat space which would disturb the inhabitants in the adjacent residential zone. Primary vehicular access to the laundromat would be from North Lake Avenue as well. Prime Court would not act as an important path of travel for users of the facility, based on access to Prime Court and well as it being a one-way alley.*
3. *The proposed use is in conformance with the goals, polices and objectives of the General Plan and the purpose and intent of any applicable zoning district in that the proposed 24 hour a day operation of the laundromat is consistent with the North Lake Specific Plan as the residentially zoned area is buffered from the use. The laundromat is oriented toward North Lake Avenue and the use and the residential properties to the rear of the use are separated by a 20-foot public right away (Prime Court). There are no windows on the west elevation of the laundromat space which would disturb the inhabitants in the adjacent residential zone. Primary vehicular access to the laundromat would be from North Lake Avenue as well. Prime Court would not act as an important path of travel for users of the facility, based on access to Prime Court and well as it being a short, one-way street.*
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use in that the proposed 24-hour a day of operation will provide extended services to the community from a laundromat. The new hours of operation will extend to surrounding properties a location in which they may launder items safely. There will be an attendant will be on site during all hours of operation. Attendants do not carry, or have access to cash at the laundromat. As conditioned, bathroom access will be monitored by the attendant who will be in charge of allowing customers access. The laundromat currently uses surveillance cameras (nine) and intends to install two more cameras to monitor activities within the facility. Because the east facing façade is primarily glass, activities within the laundromat are easily viewed from the parking lot which increases safety of the environment. Lastly, the removal of the arcade machines will help ensure that those present in the facility are not loitering and are only present to use laundry services.*
5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City the proposed 24-hour a day of operation will improve service to the community from a laundromat. There will be an attendant on site during all hours of operation. As conditioned, bathroom access be monitored by the attendant who will be in charge of allowing customers access. The laundromat currently uses surveillance cameras (nine) and*

intends to install two more cameras to monitor activities within the facility. Additionally a condition to remove the arcade machines will help ensure that those present in the facility are not loitering. As conditioned, the project's hours of operation will be compatible with the surrounding area.

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection in that the expansion of the hours of operation will not impact the appearance of the facility in any way. Condition of Approval will ensure the safety and security of the facility and will require loitering attractions to be removed from the site. Conditions Monitoring is required to ensure proper operation over time*

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #4601

The applicant or successor in interest shall meet the following conditions:

1. The site plan/floor plan submitted for building permits shall substantially conform to the site plan/floor plans submitted with this application and dated January 18, 2006 except as modified herein.
2. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing before the hearing office. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if such cause is given.
3. This Conditional Use Permit applies to the operation of a laundromat. Any expansion of the use shall be subject to approval of a separate Conditional Use Permit or a modification of this Conditional Use Permit.
4. There shall be no coin operated games or arcade/video machines maintained upon the premises at any time.
5. The laundromat shall be required to maintain surveillance cameras on site and shall not reduce the number without obtaining approval of the Zoning Administrator.
6. The operating hours for the laundromat shall be from 6:00 a.m. to 12:00 midnight.
7. An attendant shall be on site during all hours of the laundromat operation.
8. Coin operated bathrooms shall not be allowed.
9. The applicant or successor in interest shall meet the applicable code requirements of Zoning and of all other City Departments.
10. The proposed project, Activity Number PLN2005-00481, shall meet the conditions of approval and is subject to the City's Condition Monitoring Program and is also subject to Final Zoning inspection. 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 conditions of approval. The Condition Monitoring inspections will occur during the term of the project. The final Zoning Inspection will occur at the completion of the project. Required monitoring fees for inspections shall be paid on or after the effective date of the permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee. All fees are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. The cashier will ask for the activity number provided above. Failure to pay the required monitoring fees prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.

**HEARING OFFICER
STAFF REPORT
January 18, 2006**

SUBJECT: Conditional Use Permit #4601

LOCATION: 1379 North Lake Avenue

APPLICANT: Khan T. Vu

ZONING DESIGNATION: CL (Commercial Limited)

**GENERAL PLAN
DESIGNATION:** North Lake Specific Plan

PREPARED BY: Jacqueline Y. Ellis

STAFF RECOMMENDATION: Acknowledge the Environmental Determination and the Specific Findings in Attachment A to **approve** the application for a Conditional Use Permit to operate an existing laundromat 24 hours a day; with the conditions in Attachment B.

PROJECT PROPOSAL: Conditional Use Permit – To allow an existing laundromat to operate 24 hours a day.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1, §15301, Existing Facilities.

BACKGROUND:

Site Characteristics: The subject site is located on North Lake Avenue between East Washington Boulevard and Rio Grande Street. The subject site is approximately 32,091 square feet in size and contains commercial and retail uses.

Adjacent Uses:

- North – Commercial
- South – Commercial
- East – Multi-Family Residential
- West – Commercial

Adjacent Zoning:

- North – CL (Commercial Limited)
- South - CL (Commercial Limited)
- East – RM-32 (Multi-Family Residential)
- West – CL (Commercial Limited)

Previous zoning cases on this property: UP#1868-Conditional Use Permit to sell beer and wine for off-site consumption as part of a convenience store. Approved March 15, 1989.
CUP#1941-Conditional Use Permit to operate a

convenience store 24 hours a day. Approved with conditions November 15, 1989.

ANALYSIS:

The applicant, Khan T. Vu, has requested a Conditional Use Permit to operate an existing laundromat 24 hours a day in an existing tenant space. The proposed site is located in a shopping center on North Lake Avenue between East Washington Boulevard and Rio Grande Street. All parcels located at the intersection of East Washington and North Lake contain commercial uses, including a shopping center, a fueling station, restaurants and retail uses. Primary access to the subject site is from North Lake Avenue. Vehicular traffic cannot access the site from East Washington Boulevard. Additional access to the site can be obtained from Prime Court; however, Prime Court is a short, one way travel lane much like an alley and is bounded from Rio Grande to East Washington Boulevard. Prime Court does not appear to act as a major thoroughfare for traffic in the area.

The project site was constructed in 1988 with a new building of approximately 11,533 square feet. The proposed use classifications for the site were "Personal Services" (which required 4 spaces per 1,000 square feet) and "General Retail" (which required 2.5 spaces per 1,000 square feet). Approximately 8,708 square feet on this site was designated as "Personal Services", which required 35 parking spaces and 2,825 square feet was designated as "General Retail" which required 7 parking spaces. Forty-two parking spaces were required for the uses on the site and the applicant provided 43 parking spaces. Current parking standards for "Personal Service" use are 3 per 1,000 square feet, which is also the requirement for Retail Sales. Therefore, no additional parking is required for the proposed use as the use is consistent with required parking and no addition is proposed.

Existing uses on site include a salon, an office, money advance service and a convenience store. Most of the existing businesses in the shopping center are open Monday through Saturday between the hours of 7:30 a.m. and 8:00 p.m. However not all hours of operation are posted for the existing uses. The convenience store has a Conditional Use Permit on file to operate 24 hours a day, seven days a week. The existing laundromat is currently open from 7 a.m. to 9 p.m. daily.

The residential zoning district behind the site is insulated from the laundromat use. To enter the laundromat on foot, one must access the site from North Lake Avenue where the facility doors are located. There are no windows on the west elevation of the laundromat space which would disturb the inhabitants in the adjacent residential zone. Primary vehicular access to the laundromat would be from North Lake Avenue as well. Prime Court would not act as an important path of travel for users of the facility, based on access to Prime Court and the fact it is a one-way alley.

The facility has nine surveillance cameras to monitor activities in the laundromat and is proposing to add two more cameras. A minimum of one attendant will be on site during all hours of operation. Attendants do not carry or have access to cash. The laundromat facility has 5 wall-installed dollar bill to coin change making machines located adjacent to the office area. One customer restroom is located on site which is accessed by coins. Staff recommends the restroom be accessed by obtaining a key from the on site attendant. To reduce the possibility of loitering, vandalism and panhandling the applicant will be required to remove the existing video/arcade games from the laundromat facilities. Additionally, because the building façade facing North Lake Avenue is predominantly glass it is possible to monitor activities within the laundromat from the parking lot.

The laundromat use is permitted to operate at this location by right. However, the Pasadena Municipal Code 17.40.070 limits the hours of operation for businesses within 150-feet of a residential zone between 7:00 a.m. and 10:00 p.m. A Conditional Use Permit is required to operate outside of these hours when located within 150-feet of a residential zoning district. The City's review of a Conditional Use Permit for operation of a business during the hours of 10 p.m. to 7 a.m. includes an analysis of whether the proposed operation would affect the general welfare of the surrounding business and property owners, and whether the proposed 24 hour a day operation would further aggravate existing problems in the surrounding commercial district. The Police Department has not expressed any concerns about the proposed unlimited hours of operation. With the addition of the recommended condition the extended hours of operation will not impact the surrounding neighborhood.

The City of Pasadena Building and Safety Division, Public Works Department, and Transportation Department reviewed the case and recommended no conditions for the proposal. Based on previous and current operations by the business, it appears that the applicant fulfills the required conditions of approval for this application.

CONCLUSION:

Therefore, staff recommends **approval** of the Conditional Use Permit to allow the existing laundromat to operate 24 hours a day with the findings in Attachment A and the conditions of approval in Attachment B.

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #4601

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning in that the laundromat is located on a major street would not draw laundromat users through residential districts. Additionally an attendant would be on site during all business hours. The Police Department does not object to the proposed hours of operation. Lastly, conditions of approval have been included that will further limit the potential for negative impacts, such as removal of arcade/video games, the use of surveillance cameras in the site and the fact that the attendants do not carry or have access to cash.*
2. *The location of the proposed use complies with the special purposes of this Zoning Code and purposes of the applicable zoning district in that in that the project is located in the CL zone. The main entry to the site is North Lake Avenue; the building on the site is oriented to this street. To enter the laundromat on foot, one must access the site from North Lake Avenue where the facilities doors are located. There are no windows on the west elevation of the laundromat space which would disturb the inhabitants in the adjacent residential zone. Primary vehicular access to the laundromat would be from North Lake Avenue as well. Prime Court would not act as an important path of travel for users of the facility, based on access to Prime Court and well as it being a one-way alley.*
3. *The proposed use is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of any applicable zoning district in that the proposed 24 hour a day operation of the laundromat is consistent with the North Lake Specific Plan as the residentially zoned area is buffered from the use. The laundromat is oriented toward North Lake Avenue and the use and the residential properties to the rear of the use are separated by a 20-foot public right away (Prime Court). There are no windows on the west elevation of the laundromat space which would disturb the inhabitants in the adjacent residential zone. Primary vehicular access to the laundromat would be from North Lake Avenue as well. Prime Court would not act as an important path of travel for users of the facility, based on access to Prime Court and well as it being a short, one-way street.*
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use in that the proposed 24-hour a day of operation will provide extended services to the community from a laundromat. The new hours of operation will extend to surrounding properties a location in which they may launder items safely. There will be an attendant will be on site during all hours of operation. Attendants do not carry, or have access to cash at the laundromat. As conditioned, bathroom access will be monitored by the attendant who will be in charge of allowing customers access. The laundromat currently uses surveillance cameras (nine) and intends to install two more cameras to monitor activities within the facility. Because the east facing façade is primarily glass, activities within the laundromat are easily viewed from the parking lot which increases safety of the environment. Lastly, the removal of the arcade machines will help ensure that those present in the facility are not loitering and are only present to use laundry services.*
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proposed 24-hour a day of operation will improve service to the community from a laundromat. There will be an attendant on site during all hours of operation. As conditioned, bathroom access be monitored by the attendant who will be in charge of allowing customers access. The laundromat currently uses surveillance cameras (nine) and intends to install two more cameras to monitor activities within the facility. Additionally a condition to remove the arcade machines will help ensure that those present in the facility are not loitering. As conditioned, the project's hours of operation will be compatible with the surrounding area.

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection in that the expansion of the hours of operation will not impact the appearance of the facility in any way. Condition of Approval will ensure the safety and security of the facility and will require loitering attractions to be removed from the site. Conditions Monitoring is required to ensure proper operation over time*

ATTACHMENT B
CONDITIONS FOR CONDITIONAL USE PERMIT #4601

The applicant or successor in interest shall meet the following conditions:

1. The site plan/floor plan submitted for building permits shall substantially conform to the site plan/floor plans submitted with this application and dated January 18, 2006 except as modified herein.
2. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing before the hearing office. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if such cause is given.
3. This Conditional Use Permit applies to the operation of a laundromat. Any expansion of the use shall be subject to approval of a separate Conditional Use Permit or a modification of this Conditional Use Permit.
4. There shall be no coin operated games or arcade/video machines maintained upon the premises at any time.
5. The laundromat shall be required to maintain surveillance cameras on site and shall not reduce the number without obtaining approval of the Zoning Administrator.
6. The operating hours for the laundromat shall be 24 hours a day.
7. An attendant shall be on site during all hours of the laundromat operation.
8. Coin operated bathrooms shall not be allowed.
9. The applicant or successor in interest shall meet the applicable code requirements of Zoning and of all other City Departments.
10. The proposed project, Activity Number **PLN2005-00481**, shall meet the conditions of approval and is subject to the City's Condition Monitoring Program and is also subject to Final Zoning inspection. 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 conditions of approval. The Condition Monitoring inspections will occur during the term of the project. The final Zoning Inspection will occur at the completion of the project. Required monitoring fees for inspections shall be paid on or after the effective date of the permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee. All fees are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. The cashier will ask for the activity number provided above. Failure to pay the required monitoring fees prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.