

ATTACHMENT 4 – SPECIFIC FINDINGS FOR CONDITIONAL USE
PERMIT 4923

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SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #4923

Conditional Use Permit: To establish a restaurant/retail business in the SS Specialty Shop Overlay District at 801 S. Pasadena Avenue.

1) *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of the Zoning in that the proposed project is an adaptive reuse of one of the historic houses that is owned by Caltrans located in the Route 710 right-of-way. The house is currently vacant and neglected. The house was identified as a “key” designation not only because it is a focal point in the district, but because the house appears to be individually eligible for inclusion in the National Register of Historic Places. The proposed use will occupy the house, and minor tenant improvements to the interior and parking in the rear of the site will be provided. In addition, new landscaping in the front will also be provided. The improvements and use of the house will prevent further deterioration of a significant historical house.*

2) *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district in that a Tea Room and limited retail sales is a permitted use in the Specialty Shop Overlay District. The minor tenant improvements that will be undertaken to accommodate this change of use will only slightly change the residential character of the site. The intent is to preserve this historic building and residential setting, while providing space for a small restaurant/retail business.*

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 specific plan in that the proposed project is consistent with the Land Use Element Policy 6.3 – Adaptive Reuse: Encourage and promote the adaptive reuse of Pasadena’s historic resources. The proposed project is an adaptive reuse of one of the houses that is owned by Caltrans located in the Route 710 right-of-way. The house is currently vacant and neglected. The house was identified as a “key” designation not only because it is a focal point in the district, but because the house appears to be individually eligible for inclusion in the National Register of Historic Places. The proposed use will occupy the house and minor tenant improvements to the interior and parking in the rear of the site will be provided. In addition, new landscaping will be provided. The improvements and use of the house will prevent further deterioration of a significant historical house.*

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 use in that is a small scale restaurant (Tea Room) and specialty retail sales (imported food and goods from Britain) catering to a limited clientele. The hours of operation are from 10:00 a.m. to 6:00 p.m. and tea is served at 1:00, 2:30 and 4:00. The proposed use would be located at the northwest corner of Bellefontaine and S. Pasadena Avenue. On the east side of Pasadena Avenue is Huntington Hospital; on the south side of Bellefontaine and on the southwest corner of Bellefontaine and Pasadena Avenue are two vacant Caltrans lots. There is a single family residence on the west of the proposed use as well as a single family north of the property. The two Ronald McDonald houses are located north of that parcel. Therefore, there will be minimal impact on single family residences*

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; in that currently the house is neglected and with the proposed use with minor interior improvements, i.e. painting, and improvements to the landscaping, the appearance of the house would be improved and be more compatible with the residences to the north of the site.*

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 proposed project would adaptively reuse one existing historical single-family residence, and no additional square footage is proposed to establish this use. The operation and establishment of the retail/restaurant (Tea Room) will not alter, modify or change the appearance or character of the subject property.*

ATTACHMENT 5
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #4923

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

1. The site plan and floor plan submitted with the application shall substantially conform to the plans submitted and stamped "Received at Hearing August 8, 2007", except as modified herein.
2. The second floor of the house shall be roped off and remain unoccupied and shall not be used in any form by the subject business or any other business.
3. Modification to the approved plans or significant changes to the building will require the review and approval of a new or modified Conditional Use Permit.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing before the Hearing Officer. These conditions may be modified or new conditions added to reduce any impacts. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. The hours of operation shall be from 10:00 a.m. to 6:00 p.m. Tuesday through Sunday.
6. Parking shall meet the requirements of Chapter 17.46. – Parking and Loading. Ten parking spaces will be required for the retail/restaurant use. Up to 75 percent of the total off-street parking spaces may incorporate tandem parking.
7. Parking shall not be allowed in the front setback or corner side yard setback.
8. There shall be no evening events. Live entertainment, dancing or amplified music shall be prohibited (indoor or outdoor) at all times.
9. On-premise signs shall be designed and installed consistent with Section 17.49.090 (A) of the Zoning Code. Signs Allowed in the RS, RM, OS and PS Zoning District, except as modified herein. Signage shall not exceed eight square feet in size. The sign may be free standing or located on a wall and shall not exceed a height of four feet measured from the existing grade. The design and materials of any sign shall be compatible with the existing structure.
10. No lighting on private property shall produce an illumination level greater than one footcandle on any property within a residential zoning district except on the site of the light source.
11. All lighting fixtures shall be appropriate in scale, intensity, and height of the use they are serving.
12. The site and surrounding area shall be maintained free of litter and graffiti. Any graffiti that should appear on the site shall be removed within 48 hours.

13. Construction noise shall be limited to Monday through Friday from 7:00 a.m. to 7:00 p.m. and Saturday from 8:00 a.m. to 5:00 p.m. There shall be no construction noise on Sundays or holidays.
14. The applicant shall submit a final landscape plan for review by the Zoning Administrator.
15. The applicant shall comply with all applicable code requirements of the Zoning Code and all other City Departments.
16. The final decision letter and conditions of approval shall be incorporated in any plans for the site.
17. The proposed project, Activity Number **PLN2007-00308**, shall comply with all conditions the conditions of approval, subject to a **Final Zoning inspection**. 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 inspection fee prior to initiating the application may result in revocation proceedings of this entitlement.

ATTACHMENT 6 – LETTER FROM THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION TO CYNTHIA KURTZ
DATED DECEMBER 29, 2006

DEPARTMENT OF TRANSPORTATION

SOUTHERN RIGHT OF WAY REGION
LOS ANGELES FIELD OFFICE, MS-6
100 South Main Street
LOS ANGELES, CA 90012

RECEIVED
DEC 29 2006

December 29, 2006

City of Pasadena
Cynthia Kurtz, City Manager
100 N. Garfield Avenue, Room 237
Pasadena, CA 91109

Dear Ms. Kurtz,

This letter is to confirm that the California Department of Transportation (Department) is currently in negotiations with Edmund and Mary Fry, owners of the Rose Tree Cottage regarding the leasing of the Department owned property located at 801 So. Pasadena Avenue, in the City of Pasadena.

Although a lease agreement has not been executed, the Department has received verbal authorization from the State Historic Preservation Office (SHPO), for a change in use from residential to a tea room. The property at 801 So. Pasadena Avenue has been designated as historic and therefore SHPO must be involved in any "change of use" being considered.

It is the Department's understanding that in order for the tea room business to be allowed, the city is requiring that the overlay, which was established for the Ronald McDonald House be extended. The Department will not object to the overlay being extended.

If you have any questions, please contact Chuck Crosby at (213) 897-1885 or Mary Scott at (213) 897-4606.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda L. Wilford".

Linda L. Wilford
Regional Property Services Manager
Southern Right of Way Region