

**ATTACHMENT G  
DECISION OF PLANNING COMMISSION**





PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

September 16, 2014

Richard A. McDonald, Esq.  
Law Office of Richard A. McDonald  
Of Counsel, Carlson & Nicholas, LLP  
140 South Lake Avenue, Suite No. 251  
Pasadena, CA 91101-4724

**Subject: Conditional Use Permit #6072  
260-400 East Colorado Boulevard  
PLN2013-00235  
Council District #6**

Dear Mr. McDonald:

Your application for a Conditional Use Permit at 260-400 East Colorado Boulevard was considered by the Planning Commission on September 10, 2014.

Conditional Use Permit: 1) Construction of a non-residential project over 25,000 gross square feet in size; 2) Conditional Use Permit (#2) for the construction of a 'Lodging - Hotels, Motels' use; 3) Minor Conditional Use Permit (#1) for the construction of a non-residential project with over 15,000 square feet of gross floor area in the Transit-Oriented Development Area; 4) Minor Conditional Use Permit (#2) to allow shared parking; 5) Minor Conditional Use Permit (#3) to allow on-site valet parking; and 6) Minor Variance to allow the ground floor of the hotel building to be set back at least 50 feet from Green Street where the maximum allowable setback is five feet.

The proposed project involves (1) demolition of the 160,000 square foot former Macy's department store and adjacent street-front tenant spaces along Colorado Boulevard, located at the east end of the Paseo Colorado shopping center; (2) construction and operation of a six-story, 179-room Hyatt Place hotel on the south end of the site along East Green Street; and (3) construction of a six-story mixed-use building on the north end of the site, along East Colorado Boulevard, to include 25,000 square feet of ground-floor retail and restaurant tenant space and 71 for-sale residential units on the second through sixth floors. The existing subterranean parking would be used for hotel parking.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Planning Commission made the findings as shown on Attachment A to this letter. Based upon these findings, it was decided by the Planning Commission that **Conditional Use Permit #1, Conditional Use Permit #2, Minor Conditional Use Permit #1, Minor Conditional Use Permit #2, Minor Conditional Use Permit #3, and the Minor Variance** be approved with

the conditions in Attachment B and in accordance with submitted plans stamped September 10, 2014.

In addition, the Planning Commission also adopted a Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program (Attachment D) for the project. An Initial Environmental Study was prepared for this project in accordance with the requirements of the California Environmental Quality Act in order to identify and analyze the project's potential impacts on the environment. Of the topic areas that were analyzed, the only potentially significant impacts were found to be in the areas of Greenhouse Gas Emissions and Noise/Vibration, but through the incorporation of mitigation measures, these impacts would be reduced to less than significant levels.

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 three years of the effective date of the approval. This approval is eligible for two one-year extensions. Each one year extension is required to be reviewed and approved by the Planning Commission at a noticed public hearing. In order for a project to be eligible for a time extension, the applicant is required to submit the required fee and time extension application to the Permit Center prior to the expiration date of the land use entitlement. 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 pursued to completion 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 Planning Commission has the right to appeal this decision within **ten days (September 22, 2014)**. The effective date of this case will be **September 23, 2014**. Prior to such effective date, a member of the City Council may request that it be called for review to the City Council. However, if there is a request for a call for review, the appeal period will continue to run. 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 \$272.95. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$136.48.

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. A copy of this decision letter (including conditions of approval and mitigation monitoring program) shall be incorporated into the plans submitted for building permits.

For further information regarding this case please contact the case planner, **David Sinclair**, at (626) 744-6766 or [DSinclair@CityofPasadena.net](mailto:DSinclair@CityofPasadena.net).

Sincerely,



David Reyes  
Deputy Director of Planning  
& Community Development

Enclosures: Attachment A, Attachment B, Attachment C (site map), Attachment D (Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program)

xc: City Clerk, City Council, Building Division, Public Works, Power Division, Water Division, Design and Historic Preservation, Transportation, Police Department, Fire Department, Health Department, Code Enforcement-Jon Pollard, Case File, Decision Letter File, Planning Commission (9)

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6072**

1. Conditional Use Permit: To allow the construction of a non-residential project over 25,000 square feet in size ('Major Project').
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 Code.* The proposed hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit. Further, a project of this size that exceeds 25,000 square feet of gross floor area is permitted with a Conditional Use Permit. As such, the proposed project complies with applicable sections of the Zoning Code.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The proposed hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. The project will provide active uses along Colorado Boulevard, Los Robles Avenue and Green Street. Further, the uses will share common parking facilities such that the overall number of needed parking spaces will be less than would typically be required, thereby making the use of the parking facilities more efficient. Finally, the project will incorporate trip reduction methods and bicycle parking into its design and operation.
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.* The City's General Plan designates this site within the "Civic Center/Midtown" sub-district, which is intended to support civic, cultural, and public service institutions with a supportive mix of uses. The proposed hotel will meet these goals by providing accommodations to support the existing business district, the Pasadena Convention Center, and Pasadena's tourist industry.

In addition, the project is consistent with the goals of the General Plan by furthering the following Objectives and Policies: Targeted Development (1.1 and 10.1: Targeted Development Areas, 1.2: Specific Plans, 1.3 and 10.2: Transit-Oriented and Pedestrian-Oriented Development); Character and Scale of Pasadena (5.7: Enhanced Environment and 5.10 Spatial Attributes); Diverse Economy (10.3 Business Expansion and Growth, 10.9: Healthy Business Community, and 10.10: Regional Center); and Job Opportunities (11.2: Employment Diversity and 11.7: Increase Jobs).

The project also meets the following Planning Objectives of the Central District Specific Plan: 2 (Identify Growth Areas); 3 (Develop Urban Land Patterns); 5 (Build Housing Downtown); 6 (Reinforce District Character); 11 (Provide Economic Opportunity); 12 (Diversify Downtown Economy); 13 (Encourage Business Retention); 14 (Promote Job Growth); 15 (Maintain Fiscal Health); 22 (Reduce Auto Dependency); 25 (Promote Transit Usage); and 26 (Make Downtown Walkable).

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.* The proposed

project and land uses will be compatible with existing commercial and mixed-use development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental to the health, safety, or general welfare or local residences and commercial establishments in the neighborhood. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.

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 hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
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.* The project has been designed such that it does not require any Variances from the height, mass, or floor area development standards of the Central District section of the Zoning Code. [The only request deviation from the Zoning Code is to exceed the five-foot maximum setback as described earlier in the report]. The project site is located in the urban core of Pasadena. The visual character of the surrounding area includes a range of land uses, building styles, and heights similar to the proposed project. Views of the mountains to the north are currently blocked by the existing Macy's building as well as the existing surrounding buildings. Therefore, no new impacts to views of the mountains as a result of the construction of this project have been identified. Finally, the project is subject to Design Review and will be reviewed by the Design Commission to ensure the project is aesthetically compatible with the surrounding development.
2. Conditional Use Permit: To allow a 'Lodging - Hotels, Motels' use.
7. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposed use of a 'Lodging - Hotels, Motels' use is allowed with the approval of a Conditional Use Permit in the CD-2 (Central District Specific Plan, Civic Center/Midtown) Zoning District.
8. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject site is located in the CD-2 (Central District Specific Plan, Civic Center/Midtown) Zoning District which has a mix of uses intended to cater to those working in and visiting the area. The project will provide active uses along Colorado Boulevard, Los Robles Avenue and Green Street. Further, the uses will share common parking facilities such that the overall number of needed parking spaces will be less than would typically be required, thereby making the use of the parking facilities more efficient. Finally, the project will incorporate trip reduction methods and bicycle parking into its design and operation.

9. *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.* The City's General Plan designates this site within the "Civic Center/Midtown" sub-district, which is intended to support civic, cultural, and public service institutions with a supportive mix of uses. The proposed hotel will meet these goals by providing accommodations to support the existing business district, the Pasadena Convention Center, and Pasadena's tourist industry.

In addition, the project is consistent with the goals of the General Plan by furthering the following Objectives and Policies: Targeted Development (1.1 and 10.1: Targeted Development Areas, 1.2: Specific Plans, 1.3 and 10.2: Transit-Oriented and Pedestrian-Oriented Development); Character and Scale of Pasadena (5.7: Enhanced Environment and 5.10 Spatial Attributes); Diverse Economy (10.3 Business Expansion and Growth, 10.9: Healthy Business Community, and 10.10: Regional Center); and Job Opportunities (11.2: Employment Diversity and 11.7: Increase Jobs).

The project also meets the following Planning Objectives of the Central District Specific Plan: 2 (Identify Growth Areas); 3 (Develop Urban Land Patterns); 5 (Build Housing Downtown); 6 (Reinforce District Character); 11 (Provide Economic Opportunity); 12 (Diversify Downtown Economy); 13 (Encourage Business Retention); 14 (Promote Job Growth); 15 (Maintain Fiscal Health); 22 (Reduce Auto Dependency); 25 (Promote Transit Usage); and 26 (Make Downtown Walkable).

10. *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.* The proposed project and land uses will be compatible with existing commercial development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental to the health, safety, or general welfare or local residents and commercial establishments in the neighborhood. An Initial Environmental Study determined the potentially significant impacts to Greenhouse Gas Emissions and Noise can be reduced to less than significant levels through mitigation measures that are will be incorporated into the project.
11. *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 hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
12. *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.* The project has been designed such that it does not require any Variances from the height, mass, or floor area development standards of the Central District section of the Zoning Code. [The only request deviation from the Zoning Code is to exceed the five-foot maximum setback as described earlier in the report]. The project site is located in the urban core of Pasadena. The visual character of the surrounding area includes a range of land uses, building styles, and heights similar to the



proposed project. Views of the mountains to the north are currently blocked by the existing Macy's building as well as the existing surrounding buildings. Therefore, no new impacts to views of the mountains as a result of the construction of this project have been identified. Finally, the project is subject to Design Review and will be reviewed by the Design Commission to ensure the project is aesthetically compatible with the surrounding development.

3. Minor Conditional Use Permit: To allow the construction of a non-residential project over 15,000 square feet in size within the Transit-Oriented Development (TOD) Area.
  
13. *The proposed use is allowed with a Minor Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposed hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. Further, a project of this size that exceeds 15,000 square feet of gross floor area in a transit-oriented development zone is permitted with a Minor Conditional Use Permit. The development standards for Transit Oriented Development list certain uses that are not compatible with this district and the proposed uses are not on that list; the CD-2 Zoning District anticipates the proposed uses. As such, the proposed project complies with applicable sections of the Zoning Code.
  
14. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The proposed hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. The project will provide active uses along Colorado Boulevard, Los Robles Avenue and Green Street. Further, the uses will share common parking facilities such that the overall number of needed parking spaces will be less than would typically be required, thereby making the use of the parking facilities more efficient. Finally, the project will incorporate trip reduction methods and bicycle parking into its design and operation.
  
15. *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.* The City's General Plan designates this site within the "Civic Center/Midtown" sub-district, which is intended to support civic, cultural, and public service institutions with a supportive mix of uses. The proposed hotel will meet these goals by providing accommodations to support the existing business district, the Pasadena Convention Center, and Pasadena's tourist industry.

In addition, the project is consistent with the goals of the General Plan by furthering the following Objectives and Policies: Targeted Development (1.1 and 10.1: Targeted Development Areas, 1.2: Specific Plans, 1.3 and 10.2: Transit-Oriented and Pedestrian-Oriented Development); Character and Scale of Pasadena (5.7: Enhanced Environment and 5.10 Spatial Attributes); Diverse Economy (10.3 Business Expansion and Growth, 10.9: Healthy Business Community, and 10.10: Regional Center); and Job Opportunities (11.2: Employment Diversity and 11.7: Increase Jobs).

The project also meets the following Planning Objectives of the Central District Specific Plan: 2 (Identify Growth Areas); 3 (Develop Urban Land Patterns); 5 (Build Housing Downtown); 6 (Reinforce District Character); 11 (Provide Economic Opportunity); 12

(Diversify Downtown Economy); 13 (Encourage Business Retention); 14 (Promote Job Growth); 15 (Maintain Fiscal Health); 22 (Reduce Auto Dependency); 25 (Promote Transit Usage); and 26 (Make Downtown Walkable).

16. *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.* The proposed project and land uses will be compatible with existing commercial and mixed-use development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental to the health, safety, or general welfare or local residences and commercial establishments in the neighborhood. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
17. *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 hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
18. *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.* The project has been designed such that it does not require any Variances from the height, mass, or floor area development standards of the Central District section of the Zoning Code. [The only request deviation from the Zoning Code is to exceed the five-foot maximum setback as described earlier in the report]. The project site is located in the urban core of Pasadena. The visual character of the surrounding area includes a range of land uses, building styles, and heights similar to the proposed project. Views of the mountains to the north are currently blocked by the existing Macy's building as well as the existing surrounding buildings. Therefore, no new impacts to views of the mountains as a result of the construction of this project have been identified. Finally, the project is subject to Design Review and will be reviewed by the Design Commission to ensure the project is aesthetically compatible with the surrounding development.
19. *The project consists of a use, or mix of uses, that encourages transit use and is oriented toward the transit user.* None of the proposed hotel, residential, restaurant, and retail uses are noted on the list of uses that are not allowed in the Transit Oriented Development section of the Zoning Code. The project is located along Colorado Boulevard corridor, which has a number of local and regional transit options (ARTS buses, regional bus lines) in close proximity to the site. Finally, the 25,000 square feet of ground floor restaurant and retail uses along Colorado Boulevard and South Los Robles Avenue will provide for a variety of uses that can serve the non-auto traveler.

20. *The project is designed to enhance pedestrian access and/or other non-motor vehicle modes of transportation to public transit.* The project is located on Colorado Boulevard, a major transportation corridor. Bus stops (and the Gold Line Station at Memorial Park) are located in relatively close proximity to the project. The project is required to submit a Transportation Systems Management Plan and will meet the City's Trip Reduction Ordinance by providing carpooling, vanpooling, bike parking, and other methods. Finally, the pedestrian paseo will be extended east from its existing terminus on the west side of the existing Macy's to South Los Robles Avenue.
21. *The project encourages pedestrian activity and/or other non-motor vehicle modes of transportation and reduced dependency on motor vehicles.* In addition to the required parking reduction, the project's prominent location along Colorado Boulevard, a major transportation corridor, will allow for easy pedestrian access to not only this site, but also existing buildings and businesses in the vicinity. In addition, bus stops (and the Gold Line Station at Memorial Park) are located in relatively close proximity to the building. The building frontage along both Colorado Boulevard and South Los Roble Avenue is active and emphasizes pedestrian activity and safety. Pedestrian entry to the project will be from all street frontages and from the interior of the site. The mix of hotel, residential, restaurant, and retail will encourage a vibrant streetscape. The placement of outdoor dining along East Colorado Boulevard will create an ideal location for sidewalk-adjacent activity and to connect the uses in building to pedestrians on the sidewalk.
4. Minor Conditional Use Permit: To allow shared parking.
22. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposed sharing of parking between multiple land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, is allowed with a Minor Conditional Use Permit per Section 17.46.050 (Shared Parking) of the Zoning Code.
23. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The proposed sharing of parking between multiple land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district and Transit-Oriented District is allowed with a Minor Conditional Use Permit per Section 17.46.050 (Shared Parking) of the Zoning Code. The required conditions will ensure the project's compatibility in the vicinity and safety to surrounding businesses, residents, and public and semi-public uses.
24. *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.* The City's General Plan designates this site within the "Civic Center/Midtown" sub-district, which is intended to support civic, cultural, and public service institutions with a supportive mix of uses. The proposed sharing of parking between multiple land uses will meet these goals by providing a more efficient use of existing parking facilities as an alternative to constructing additional parking spaces for Paseo Colorado.

In addition, shared parking is consistent with the goals of the General Plan by furthering the following Objectives and Policies: Specific Plans (1.3 and 10.2: Transit-Oriented and Pedestrian-Oriented Development); and Character and Scale of Pasadena (5.7: Enhanced Environment and 5.10 Spatial Attributes).

The project also meets the following Planning Objectives of the Central District Specific Plan: 3 (Develop Urban Land Patterns); 22 (Reduce Auto Dependency); 25 (Promote Transit Usage); and 26 (Make Downtown Walkable).

25. *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.* The proposed sharing of parking between multiple land uses will be compatible with existing commercial and mixed-use development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental to the health, safety, or general welfare or local residences and commercial establishments in the neighborhood. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
26. *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 sharing of parking between multiple land uses will be compatible with existing commercial and mixed-use development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
27. *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.* The proposed sharing of parking between multiple land uses and the project are compatible with existing and future land uses, aesthetic values, character, scale, and view protection in the vicinity. The existing neighborhood is developed with a mix of commercial, residential, and public and semi-public land uses. The existing neighborhood includes buildings of different heights, construction types, vintages, and architectural character. The general design, site plan, pedestrian orientation to the streets and sidewalks, and the public-use features are in character with other development in the vicinity. The project site is located in the urban core of Pasadena. The visual character of the surrounding area includes a range of land uses, building styles, and heights similar to the proposed project. Views of the mountains to the north are currently blocked by the existing Macy's building as well as the existing surrounding buildings. Therefore, no new impacts to views of the mountains as a result of the construction of this project have been identified. Finally, the project is subject to Design Review and will be reviewed by the Design Commission to ensure the project is aesthetically compatible with the surrounding development.
28. *The spaces to be provided would be available as long as the uses requiring the spaces lawfully exist.* The project will provide parking spaces in the existing subterranean parking structure on the site as well as two above-ground parking structures on nearby properties to the south and west of the site.

29. *The quality and efficiency of the parking utilization would equal or exceed the level that is otherwise required.* The project's proposed provision of off-street parking for the entire Paseo Colorado center is consistent with the ULI-based analysis of the shared parking study (Raju & Associates, March 2014).
5. Minor Conditional Use Permit: To allow on-site valet parking.
30. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposed on-site valet parking for the hotel within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, is allowed with a Minor Conditional Use Permit per Section 17.46.020 (Valet Parking) of the Zoning Code.
31. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The proposed on-site valet parking for the hotel within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, is allowed with a Minor Conditional Use Permit per Section 17.46.020 (Valet Parking) of the Zoning Code. The required conditions will ensure the project's compatibility in the vicinity and safety to surrounding businesses, residents, and public and semi-public uses.
32. *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.* The City's General Plan designates this site within the "Civic Center/Midtown" sub-district, which is intended to support civic, cultural, and public service institutions with a supportive mix of uses. The proposed hotel valet operation will meet these goals by supporting the hotel, and by extension support the existing business district, the Pasadena Convention Center, and Pasadena's tourist industry.

In addition, the project is consistent with the goals of the General Plan by furthering the following Objectives and Policies: Targeted Development (1.1 and 10.1: Targeted Development Areas, 1.2: Specific Plans, 1.3 and 10.2: Transit-Oriented and Pedestrian-Oriented Development); Character and Scale of Pasadena (5.7: Enhanced Environment and 5.10 Spatial Attributes); Diverse Economy (10.3 Business Expansion and Growth, 10.9: Healthy Business Community, and 10.10: Regional Center); and Job Opportunities (11.2: Employment Diversity and 11.7: Increase Jobs).

The project also meets the following Planning Objectives of the Central District Specific Plan: 2 (Identify Growth Areas); 3 (Develop Urban Land Patterns); 5 (Build Housing Downtown); 6 (Reinforce District Character); 11 (Provide Economic Opportunity); 12 (Diversify Downtown Economy); 13 (Encourage Business Retention); 14 (Promote Job Growth); 15 (Maintain Fiscal Health); 22 (Reduce Auto Dependency); 25 (Promote Transit Usage); and 26 (Make Downtown Walkable).

33. *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.* The proposed project and land uses will be compatible with existing commercial development in the vicinity. With the approval of the requested entitlements and conditions of approval, the project will not be detrimental to the health, safety, or general welfare or local residents and

commercial establishments in the neighborhood. An Initial Environmental Study determined the potentially significant impacts to Greenhouse Gas Emissions and Noise can be reduced to less than significant levels through mitigation measures that are will be incorporated into the project.

34. *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 hotel, residential, restaurant, and retail uses are permitted land uses within the CD-2 (Central District Specific Plan, District 2: Civic Center/Midtown) zoning district, with the former allowed with a Conditional Use Permit as noted earlier. An Initial Environmental Study found that all potential significant environmental impacts (Greenhouse Gas Emissions and Noise) can be mitigated to a less than significant level through the incorporation of mitigation measures into the project.
35. *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.* The project has been designed such that it does not require any Variances from the height, mass, or floor area development standards of the Central District section of the Zoning Code. [The only request deviation from the Zoning Code is to exceed the five-foot maximum setback as described earlier in the report]. The project site is located in the urban core of Pasadena. The visual character of the surrounding area includes a range of land uses, building styles, and heights similar to the proposed project. Views of the mountains to the north are currently blocked by the existing Macy's building as well as the existing surrounding buildings. Therefore, no new impacts to views of the mountains as a result of the construction of this project have been identified. Finally, the project is subject to Design Review and will be reviewed by the Design Commission to ensure the project is aesthetically compatible with the surrounding development.
6. Minor Variance: To allow the ground floor of the hotel building to be set back at least 50 feet from Green Street where the maximum allowable setback is five feet.
36. *There are exceptional or extraordinary circumstances or conditions applicable to the project site that do not apply generally to sites in the same zoning district.* The proposed project is a redevelopment of an existing development and is therefore constrained by the existing development, namely the pedestrian walkway to the north. To locate the vehicular courtyard to the rear of the hotel would create the potential for pedestrian/vehicular conflict.
37. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.* To require that the hotel be located up at the Green Street frontage would effectively eliminate or hide the vehicular courtyard at the rear of the hotel, thereby reducing visibility to access the site, which could place the hotel at a competitive disadvantage compared to other hotels in the vicinity.
38. *Granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare.* The design of the vehicular courtyard at the front of the hotel has been designed such that there will be only one driveway access, rather than a 'circular' configuration where vehicles would enter in one driveway and exit out of another. By limiting the configuration to only one

driveway, there will be fewer ingress/egress points and therefore fewer points for conflict with traffic traveling on Green Street.

39. *Granting the application is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district.* The inclusion of the building wall along Green Street will be in conformance with the 'Streetwall Continuity' goals from Section 6 (The Public-Private Open Space) of the Central District Specific Plan and District-wide Map 23: Street Setback Concept. These two areas are intended to achieve improved visual interest at the pedestrian level to encourage pedestrian activity and safety.
40. *Cost to the applicant of strict compliance with the setback requirement is not the primary reason for the granting of the variance.* Cost to the applicant has not been considered a factor at any time throughout the review of this application.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6072**

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

1. The site plan, floor plans, parking level plans, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Received at Hearing, September 10, 2014", except as modified herein.
2. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
3. The final decision letter and conditions of approval shall be incorporated in the building plans submitted for building plan check.
4. The project shall adhere to the City regulations governing hours of construction, noise levels generated by construction and mechanical equipment, and the allowed level of ambient noise as specified in Chapter 9.36 of the Pasadena Municipal Code.
5. Pursuant to Chapter 17.78 of the Zoning Code, the Zoning Administrator can call for a review of the approved conditions at a duly noticed public hearing before the Planning Commission if it can be reasonably shown that there are grounds for revocation or modification of this Conditional Use Permit. These conditions may be modified or new conditions may be added to reduce any impacts of the use. The Planning Commission may revoke the Conditional Use Permit if sufficient cause is given.
6. Compliance with all mitigation measures contained within the approved Mitigation & Monitoring Plan shall be reviewed and approved through construction and prior to the issuance of a Certificate of Occupancy.
7. The proposed project, Activity Number **PLN2013-00235**, is subject to the City's Condition Monitoring Program and Mitigation Measures Monitoring Program. Condition Monitoring and Mitigation Measures Monitoring are required for your project. Contact Planning Case Manager David Sinclair at (626) 744-6766 to schedule an inspection appointment.

Planning Division

8. The project shall comply with all provisions of the Zoning Code.
9. Prior to the issuance of any construction, demolition, grading or any other development permits, the applicant or successor in interest shall provide evidence that the owner of the parking structure authorizes the modification of the parking structure as identified in the approved plans referenced in Condition of Approval #1.
10. Prior to the issuance of any construction, demolition, grading or any other development permits, the applicant or successor in interest shall provide evidence that the owner of the parking structure authorizes the ability to provide parking as identified in the shared parking study prepared by Raju & Associates dated March 2014.



11. The applicant or successor in interest shall work with City's Design Commission to design the southeast corner of the site, adjacent to the intersection of Green Street and Los Robles Avenue, to be visually interesting and inviting to pedestrians.
12. The applicant or successor in interest shall work with City's Design Commission to "green-up" the exterior of the Green/Los Robles parking structure with vine plantings, or similar methods, to be visually interesting.
13. The project is subject to review and approval by the Design Commission through the Design Review process. The Design Commission is the review authority for Height Averaging. If Height Averaging is not approved for this project, the project shall be redesigned to comply with the 75-foot maximum allowable height as shown on Figure 3-8 (Central District Maximum Height) in Section 17.30 (Central District) of the Zoning Code.
14. A landscape, hardscape, and irrigation plan shall be installed in accordance with a detailed plan to be submitted to and approved by the Zoning Administrator prior to issuance of any building permits. The plan shall include drought-resistant plant materials and/or low volume irrigation. The plan shall be prepared by a licensed landscape architect and shall meet the requirements of Chapter 17.44 of the Zoning Code.
15. An exterior lighting plan, including specifications of the proposed fixtures, shall be submitted to the Zoning Administrator prior to the issuance of any building permits. No light sources (e.g., bulb) shall be visible from any location off the site. The lighting shall comply with the standards of Section 17.40.080 (Outdoor Lighting) of the Zoning Code.
16. The protection, pruning, relocation, and/or removal of any public tree shall be reviewed and approved by the City's Parks and Natural Resources Division.
17. The sale of alcoholic beverages on the premises requires the approval of a separate Conditional Use Permit(s) for alcohol sales.
18. The Master Sign Plan currently in effect for the site shall be updated to include the project prior to the issuance of any permits for any new non-temporary signage.
19. All proposed business/tenant signage on the site shall conform to the regulations of the Master Sign Plan in effect at the time any such signage is proposed.
20. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
21. The project shall meet all requirements of the Public Art process.

22. The approved project is subject to AM, PM, and daily vehicular trip caps shown in table below for the entire Paseo Colorado:

Project	AM Peak Hours	PM Peak Hours	Daily
Vehicular Cap	878	2,416	29,909

Any proposed change to the approved project (e.g., tenant improvements) whether by means of Conditional Use Permit, Minor Conditional Use Permit, building permit, or otherwise will require the Department of Transportation Director to re-estimate vehicular trips for existing versus proposed conditions for the project site, using the latest edition of Institute of Transportation Engineers Trip Generation Manual or other industry acceptable sources, at the discretion of the Department of Transportation Director. If the re-estimate shows an increase from existing to proposed conditions in AM Peak hours, PM peak hours, or daily vehicular trips that will exceed the City’s then-existing traffic study thresholds, the City will require a traffic study. The applicant will be subject to the City’s then-existing traffic study guidelines, related review fees, and – if required by the findings of the traffic study – adopted impact fees.

23. 99 parking spaces in the subterranean parking garage shall be reserved for hotel operations. This may involve signage or the construction of limited-access fencing and vehicular gates.
24. Consistent with the existing conditions of the residential parking, all new residential parking shall be segregated from general public parking. This may involve signage or the construction of limited-access fencing and vehicular gates, which shall be reviewed by the Department of Transportation and the Planning & Community Development Department.
25. Prior to the implementation and use of any on-site (i.e. on private property) valet parking operations for the hotel, the applicant or successor in interest shall submit a valet parking plan (where to drop-off/pick-up, amount of queuing space, etc.) to the Zoning Administrator and Department of Transportation for review and approval.
26. Prior to the implementation and use of any off-site (i.e. curb-side) valet parking operations, the applicant or successor in interest shall submit an off-site valet parking plan to the Department of Transportation for its review and approval.

Fire Department

27. Plan shall comply with the requirements of 2010 California codes and Pasadena Municipal Code (PMC).
28. High-rise building: Occupancies having occupied floors more than 75 feet above the lowest level of Fire Department Vehicle Access shall comply with CBC section 403.2 through 403.6.2
29. Secondary Water Supply: A secondary on site water supply shall be provided for high- rise building CFC Section 903.3.5.2.
30. Emergency system: The detection, alarm and emergency voice/alarm communication system for high-rise building shall comply with CBC Section 403.4.1 through 403.4.8.

31. Smoke Control System: High-rise building shall be provided with a passive or active smoke control system or combination thereof in accordance with CFC Section 909.
32. Standby power: A standby power system shall be provided per requirement of CBC Section 403.4.7.2
33. Emergency Responder Radio Coverage: Building shall have approved radio coverage for emergency responders within the building based upon the existing coverage level of the public safety communication system per California Fire Code Section 510 and Appendix J.
34. Minimum Fire Flow/Fire Hydrants: All structures shall have the minimum fire flow (GPM) required by Appendix B Table B 105.1 and the quantity and spacing of fire hydrants as required by Appendix C Table C105.1 of Title 24, California Fire Code. Plans shall be submitted to the Pasadena Fire Department for review and approval prior the review and approval of the building plans. NOTE: A current fire flow report (not older than 6-months), performed by the Pasadena Water Department, shall be provided to the Fire Department when applying for building permits to construct or add to any structures.
35. Fire Dept. Access/Knox Box: Fire Department Access shall be provided to within 150-feet of all exterior portions of any structure. All access roads exceeding 150-feet shall be provided with an approved Fire Department Hammerhead or Turnaround. Fire department access shall be constructed of an all-weather surface to support a minimum of 75,000 pounds.. With a minimum of 20-feet wide and unobstructed height of 13'-6", with No Parking on Either Side. No roadway way shall exceed 10% slope.
36. Aerial Fire Apparatus Access Roads: Building exceeding 30 feet in height above the lowest level of Fire Department Vehicle Access shall comply with requirements of CFC Section D105.1 though D105.3. Building shall have approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. All access gates across roadways or entrances to facilities shall fail unlocked/open in the event of any loss of power. All access gates and main entrance doors shall have a Know Box or Knox Control Key Switch installed. Obtain Knox Box Applications from the Pasadena Fire Department Permit Desk.
37. Automatic Fire Sprinkler System or Standpipe: An automatic sprinkler system shall be provided throughout building per CBC Section 903.2.1 and PMC amended CFC section 903. Stand pipe system shall comply with the requirements of CBC Section 905.
38. Fire Department Fire Sprinkler Connections: Shall be comprised of:
  - a) FDC shall be located a minimum of 25-feet from the building or surface mounted to 2-hours rated wall with no opening within 10 feet and FDC shall be located within 150 feet of a fire hydrant.
  - b) (2) 2-1/2" clappered internal swivel outlet X 2-1/2" clappered internal swivel outlet X 4" FDC
  - c) 4" clappered internal swivel outlet X 4" FDC
  - d) Shall be clearly labeled to indicate FDC for Fire Sprinklers and Standpipes.
  - e) A clear dimension of 3-feet shall be maintained around the perimeter of each fire department appliance.

- f) All fire appliances except for fire hydrants shall be cleaned, primed, and painted fire engine red enamel or krylon.

- 39. Automatic Fire Alarm/Detection System: All structures 10,000 square feet or any structure required by Title 24, California Building or Fire Codes, shall be provided with a fully automatic and manual fire detection and notification system. Shop drawings to be submitted by contractor for review and approval prior to construction. PMC amended CFC Section 907.
- 40. Emergency Vehicle Traffic Signal Preemption Systems: Traffic signaling systems serving this complex are required to have emergency vehicle signal preemption controls installed. The specific signals requiring this system is to be determined by both Pasadena Fire Department and Pasadena Department of Transportation. The fees for these systems will be determined based on the quantities and types of traffic signals being used and/or being retrofitted for the emergency vehicle controls.

#### Housing and Career Services Department

- 41. This project is subject to the City's Inclusionary Housing Requirements (Zoning Code, Chapter 17.42). For rental housing, 15% of the units are required to be restricted at affordable rents, comprised of 10% for Low Income households and 5% for Moderate Income households. For for-sale housing, 15% of the units are required to be restricted at affordable sales prices for Moderate Income households. There are other options for meeting the Inclusionary Housing Requirements, including payment of an In-Lieu Fee and provision of "off-site" affordable units. The applicant or successor interest shall obtain all necessary clearances from the Housing and Career Services Department.

#### Department of Transportation

- 42. The project shall pay the corresponding Traffic Reduction and Transportation Improvement Fee (TR-TIF) for the project at the time of building permit issuance. Total payment would be based on the final scope at the time of project approval. The payment shall be made at Window #8 in the Permit Center located at 175 N Garfield Ave, Pasadena CA 91109.
- 43. To improve the quality of pedestrian environment on west side of Los Robles Avenue between Colorado Boulevard and Green Street, a uniform 15-foot wide sidewalk shall be provided along the project frontage. Encouraging walking in Pasadena is consistent with city's policies requiring a more comfortable convenient walk in existing or forecasted high activity pedestrian areas. It should be noted that street furniture and tree planter could take as high as 5 feet of sidewalk width. The minimum 10-foot sidewalk width suggested in the Central District Specific Plan is not adequate to further activate the pedestrian environment around the project site.
- 44. To improve the quality of bicycling around the project, the developer shall pay for the purchase and installation, of bicycle racks in the vicinity of the project at the time of building permit issuance.
- 45. All existing bus zones shall be maintained.
- 46. The City may require that the bus zone(s) be extended or reoriented

47. Tree wells, street lights, fire hydrants and other items may not be placed in the public right of way within bus zone(s) without prior approval from the Department of Transportation.
48. The project is subject to the City's Transportation Demand Management (TDM)/ Trip Reduction Ordinance (TRO) requirements. The purpose of the trip reduction requirement is to reduce the demand for automobile commute trips by ensuring that the design of major nonresidential developments projects accommodates facilities for alternative modes of transportation. A TDM plan shall be completed to address the project's programs to promote alternative modes of transportation prior to the issuance of the first permit for construction and shall meet the following requirements:
- a) Carpool and Vanpool Parking. A minimum of 10% of the employee parking spaces shall be reserved for and designated as preferential parking for carpool and vanpool vehicles. Such parking area shall be in a location more convenient to the place of employment than parking spaces for single occupant vehicles, and shall be located as close as practical to the employees' entrances.
  - b) Bicycle Parking. Bicycle parking shall be provided on-site in compliance with Section 17.46.320 (Bicycle Parking Standards). In addition, the bicycle parking shall be located near the employee entrance and shall be conveniently accessible from the external circulation system.
  - c) Transportation Demand Management Program Plan. A Transportation Demand Management Program ("TDM") Plan shall be submitted which complies with Chapter 10.64 of the Municipal Code (Transportation Management Program).

The owner/ developer shall place a \$2,000 deposit with the Department of Transportation prior to the issuance of the first permit for construction. This deposit is subject to a partial refund or additional billing in the event that the deposit amount is not sufficient to cover the cost of the review. The developer shall pay an annual Transportation Demand Management (TDM) status report review fee of \$430.00 in compliance with the requirements of the Trip Reduction Ordinance.

To minimize and prevent last minute building design changes, it is highly imperative that the applicant, prior to the commencement of building or parking layout design efforts, contact DOT for TRO/ TDM Plan requirements so that trip reduction considerations are designed and incorporated early into the building and parking layout plans to avoid any unnecessary time delays and potential costs associated with late design changes. Please contact Juliana Iturrizaga, Associate Engineer at (626) 744-7228 to arrange a pre-design meeting to finalize the TDM Plan requirements for the project.

49. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging & Traffic Management Plan to the Department of Public Works. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site.
50. Project construction, pursuant to Section 9.36.070 of the Pasadena Municipal Code, must occur between the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday; and between 8:00 a.m. to 5:00 p.m. on Saturday. However, hours for construction traffic (delivery trucks

or haul trucks) shall be restricted to the hours between 9:00 AM to 3:00 PM to limit peak hour traffic conflict along the local street network.

51. Construction staging shall not block any lanes of traffic along the project frontage.
52. To minimize on-street parking impacts, the City will not issue overnight parking permits to the future residents of this project. It is the responsibility of the property owner to notify future residents of the unavailability of on-street overnight parking permits.
53. Code required parking for the residential component of the project must be segregated. This might require amending the current parking agreements for the site.
54. Design of the ramp leading to the subterranean parking garage must be coordinated with Department of Transportation Parking Division.
55. All loading spaces shall be designed and maintained so that the maneuvering, loading, or unloading of vehicles does not interfere with the orderly movement of traffic and pedestrians on any street.
56. The Department of Transportation will consider the installation of a curbside commercial loading zone, in accordance with the Department's criteria for such zones, on the west side of Los Robles Avenue, between Colorado Boulevard and Green Street, from 1:00 a.m. to 5:00 a.m., subject to review and approval by Department of Transportation Traffic Operations Division.
57. The developer shall satisfy the requirements from the Planning & Community Development Department regarding the number of vehicle and bicycle parking spaces needed for the project.

#### Department of Public Works

58. The existing sidewalk width on Los Robles Avenue is 18 feet south of Colorado Boulevard and changing to 10 feet north of Green Street. The applicant shall dedicate to the City the land necessary to facilitate and construct a minimum 15-foot wide sidewalk, with the existing curb alignment, along the Los Robles Avenue frontage of the subject property. The easement document shall be submitted to this office for review prior to the issuance of any permits. The dedication will require the approval and acceptance from the City. The easement document shall be executed and recorded prior by the issuance of Certificate of Occupancy.
59. The existing property corner radii at Los Robles Avenue and Colorado Boulevard and at Los Robles Avenue and Green Street are both 15 feet. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall reconstruct a standard curb ramp at the southwest corner of Colorado Boulevard and Los Robles Avenue and at the northwest corner of Los Robles Avenue and Green Street per Standard Plan No. S-414. The curb ramp construction shall be completed prior to the issuance of Certificate of Occupancy. A separate permit from the Department of Public Works is required for all construction in the public right-of-way. Please contact 626-744-4195 for the general process.

The applicant shall submit to the City for review the proposed designs that will comply with the ADA requirements. The applicant is responsible for the design, preparation of plans and specifications, and construction of the new curb ramps. Plans for the curb return improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the Department of Public Works to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that the building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works - Engineering Division - at 175 North Garfield Avenue Window 6. The applicant shall submit the curb return improvement plans and the plan check deposit at least two months prior to the issuance of any building or demolition permits.

Upon review of the curb return improvement plans, the applicant may need to dedicate to the City for street purposes the land necessary at the property line corner to provide for the minimum clearance required by the ADA standards. If so, the applicant shall remove and reconstruct the sidewalk for the dedicated area, per Standard Plan No. S-421. The applicant shall be responsible for all the cost required to complete the dedication, if it is required. The dedication document and processing fee shall be submitted to this office prior to issuance of any permits. The dedication document shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

60. The sidewalk width on Green Street from Los Robles Avenue to Euclid Avenue shall remain a minimum of 10 feet.
61. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits and decorative sidewalk. Private improvements may only be placed in the public right-of-way by submitting a license agreement, which must be approved by the City. The license agreement application for any private improvement within the public right-of-way shall be submitted to the Department of Public Works for review and shall be approved by the City before any permits are granted. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

A license agreement for shoring requires that all steel rods in every tie-back unit be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located less than ten (10) feet below grade be removed from the public right-of-way.

62. The motor court shall be regarded as a private facility, and shall be maintained by the private property owner. Its access from Green Street shall be constructed as a standard drive approach.
63. All proposed new drive approaches shall be a minimum of 12 feet and a maximum of 26 feet in width. They shall be constructed in accordance with Standard Drawing No. S-403. The existing gutter shall be cut as near the flow line and the paving shall not be disturbed. A 5-foot minimum clearance shall be maintained between the edge of any proposed driveway and an existing tree.

64. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk, without cutting the asphalt pavement along the subject frontage prior to the issuance of a Certificate of Occupancy. Sawcutting shall be at scoreline or 2 inches off flowline, unless existing cold joint. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division.
65. In order to protect the existing street trees on Green Street, the proposed building, in the area adjacent to the tree, shall be set back 14 feet from the public right-of-way.
66. All City trees shall be protected in place during construction. Tree protection fencing shall be installed at the edge of the critical root zone or outside the edge of the tree well prior to commencement of any clearing, grading or other construction activity. The fence shall be minimum 5 feet tall constructed of orange construction fencing. Fence shall be free standing spaced no more than 10 feet apart. A sign that includes the words, "WARNING: This fence shall not be removed without the express permission of the City of Pasadena, Parks and Natural Resources" shall be securely attached to the fence in a visually in a noticeable location. All scaffolding details and any sidewalk occupation required for the construction of the proposed buildings must meet the approval of the Department of Public Works prior to installation of the scaffolding, building construction, and pruning of the street trees. Contact Darya Barar, Parks and Natural Resources Division, at (626) 744-3846 for details.
67. The applicant shall fill all street tree vacancies along the subject frontages with the officially designated street trees per the City approved master street tree plan.
68. The applicant shall plant and maintain, for a period of three years, a maximum of ten (10) officially designated street trees per the City approved master street tree plan (Ornamental pear, Pyrus calleryana, along Los Robles Ave. frontage, Indian Laurel fig, Ficus microcarpa, along Green St. frontage) on the subject frontages and install and maintain an irrigation system for the trees. Locations will be finalized in the field by the Department of Public Works. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to the Department for review and approval.
69. Trees must meet the City's tree stock standards, be inspected by the City, and be planted according to the details provided by the Parks and Natural Resources (PNR) Division. PNR can be reached at (626) 744-3846. The trees shall be approved by the Forestry Supervisor prior to the issuance of a Certificate of Occupancy. All new trees shall be maintained by either an existing or a new irrigation system constructed by the applicant.
70. The applicant shall also submit a tree establishment deposit to guarantee the new trees for a minimum of 90 calendar days. The maintenance within the establishment period shall consist of watering the new trees; the removal of weeds; the adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth. The applicant shall replace any trees which, for any reason, die or are damaged under its care. The 90-day tree establishment period shall commence on the day that the Certificate of Occupancy is issued. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.
71. There are existing curb inlet catch basins fronting the subject property at the northwest corner of Los Robles Avenue and Green Street. A closed circuit television (CCTV)



inspection of the connector pipes shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The inspection shall include footage from the catch basins to the main pipes, with no flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include soft, loose, cracked, delaminated, honeycombed, unsound concrete; exposed, oxidized or corroded reinforcing bars; or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include but not limited to partial or total replacement of the culvert and/or access structure, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing culvert, and if required, to correct the defects.

72. Excavations for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations.
73. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer "means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer." The section of house sewers within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.
74. If the existing street lighting system along the project frontage is in conflict with the proposed development/driveway, it is the responsibility of the applicant to relocate the affected street lights, including conduit(s), conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.
75. In order to improve pedestrian and traffic safety, the applicant shall modify and reconstruct the existing street lighting along Los Robles Avenue frontage to conform to the Pasadena Civic Center/Midtown District Specific Plan. The upgrade consists of installing a maximum of six (6) street lights on or near the frontage of the property on Los Robles Avenue. The type and hardware shall conform to current policies approved by City Council, and the locations shall be as approved by the Department of Public Works. The cost of the street lighting work is the applicant's responsibility.

The applicant is responsible for the design, preparation of plans and specifications, and the construction of all required street light(s). Plans for the improvements shall be prepared by a civil engineer, registered in the State of California. Upon submission of improvement plans to the Departments of Public Works for checking, 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. The amount of deposit will be determined when the plans are submitted. In addition, there is possibly considerable lead-time for the materials required for street light construction. In order to avoid delays in the development schedule, the applicant shall coordinate with this office at 626-744-4195 regarding this street light

condition at least five (5) months in advance of the anticipated issuance of Certificates of Occupancy or the final processing of the tract map, whichever happens earlier.

76. The applicant shall construct public improvements along the frontages of the subject property in accordance with Central District Specific Plan. The improvements include installing street furnishings, such as street lights, trash receptacles and tree grates, planting street trees, landscaping, and other necessary related work. For additional information on the specific plan requirements and design guidelines, please visit the Planning and Community Development Department's website at: [cityofpasadena.net/Planning/CommunityPlanning/Specific\\_Plans/](http://cityofpasadena.net/Planning/CommunityPlanning/Specific_Plans/).
77. If drainage patterns are altered, the applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Community Development Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
78. If the proposed improvement drains to the driveway, the applicant shall construct a non-sump grate drain in the driveway at the back of the sidewalk. This drain shall discharge to the street at an approved angle in a cast iron curb drain or an approved curb outlet. The construction of the grate drain shall be completed prior to the issuance of Certificate of Occupancy.
79. If water is pumped from any subterranean levels before discharging into the public right-of-way, the applicant shall install a drainage structure in private property to dissipate energy from the pumped water. Said construction shall be completed prior to the issuance of Certificate of Occupancy.
80. 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 for checking, 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. The amount of deposit will be determined when the plans are submitted and will be based upon the estimated cost to the department for the work. Civil engineering plans must be submitted to the Department of Public Works for approval of the public right-of-way improvements. Plans submitted to the Building Department do not satisfy this requirement.
81. 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 \$20,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or 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, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.

82. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: [cityofpasadena.net/PublicWorks/Engineering\\_Division/](http://cityofpasadena.net/PublicWorks/Engineering_Division/). A deposit, based on the General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction staging, material storage, or trailer in the public right-of-way.

In addition, prior to the start of construction or the issuance of any permits, the applicant shall conduct a field meeting with an inspector from Department of Public Works for review and approval of construction staging, parking, delivery and storage of materials, final sign-off procedure, and any of the specifics that will affect the public right-of-way. An appointment can be arranged by calling 626-744-4195.

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 effect at the time these conditions are met. A processing fee will be charged against all deposits.

83. In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

a) Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.

b) Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance

with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

- c) City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC  
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the approval of the Urban Forestry Advisory Committee.
  
- d) Stormwater Management and Discharge Control Ordinance - Chapter 8.70 of the PMC  
This project is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance which implements the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance. Information on the SUSMP requirements can be obtained from the Permit Center's webpage at [cityofpasadena.net/PermitCenter/Plans\\_Submittal\\_Checklists](http://cityofpasadena.net/PermitCenter/Plans_Submittal_Checklists).
  
- e) Residential Impact Fee Ordinance - Chapter 4.17 of the PMC  
The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: [cityofpasadena.net/PublicWorks/Engineering\\_Division](http://cityofpasadena.net/PublicWorks/Engineering_Division).

The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule ([cityofpasadena.net/Finance/Fees\\_and\\_Tax\\_Schedules](http://cityofpasadena.net/Finance/Fees_and_Tax_Schedules)) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule and the submitted information in the application (71 residential units), dated January 31, 2014, for this project is: \$1,454,213.65.

This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

- f) Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC  
The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at <http://cityofpasadena.net/PublicWorks/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:

- i. C & D Recycling & Waste Assessment Plan - Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
- ii. Summary Report with documentation must be submitted prior to final inspection.

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.

# ATTACHMENT C SITE PLAN



**ATTACHMENT D  
MITIGATED NEGATIVE DECLARATION AND  
MITIGATION AND MONITORING REPORTING PROGRAM**

**CITY OF PASADENA  
175 NORTH GARFIELD AVENUE  
PASADENA, CA 91109**

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**MITIGATED NEGATIVE DECLARATION**

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**PROJECT TITLE:** Paseo Colorado Redevelopment Project

**PROJECT APPLICANT:** Paseo Colorado Holdings LLC

**PROJECT CONTACT PERSON:** David Sinclair, Planner, (626) 744-6766  
City of Pasadena  
Planning & Community Development Department  
175 North Garfield Avenue  
Pasadena, CA 91109

**PROJECT LOCATION:** 260-400 East Colorado Boulevard (Paseo Colorado)  
Pasadena, Los Angeles County, CA 91105  
State of California

Paseo Colorado includes the area bounded by Colorado Boulevard to the north, Los Robles Avenue to the east, Green Street to the south, and Marengo Avenue to the west. The proposed project is limited to the easternmost portion of the Paseo, currently occupied by the vacant Macy's building along Los Robles Avenue.

**PROJECT DESCRIPTION:** The proposed project consists of the redevelopment of the Macy's portion of the Paseo Colorado shopping center (the "Paseo"), located on the south side of Colorado Boulevard between Marengo and Los Robles avenues in the Central District of Pasadena (the "project").

In particular, the project would demolish the existing 158,879-square-foot vacant Macy's building and adjacent street-front tenant spaces and, in their place, develop a Hyatt Place hotel and a new six-story mixed-use residential and commercial building. The Paseo's central pedestrian mall would also be extended to improve internal pedestrian circulation and create a new pedestrian entry from the east.

The proposed 179-room hotel would be located at the southern portion of the site at the northwest corner of Green Street and Los Robles Avenue. The proposed hotel would be six stories, and most of the building would reach approximately 70 feet in height, with limited areas reaching almost 80 feet. The hotel building would be L-shaped, creating a pool deck on the second floor facing to the southwest. The proposed hotel would also include limited amenities (including a lobby bar/food service area, meeting space, a business center, and a fitness room). Approximately 5,965 square feet of ground-floor retail space would also be included in the hotel building, fronting on the Paseo's central pedestrian mall and on Los Robles Avenue. Vehicular access to the proposed hotel would be along Green Street, which would access a proposed loading/drop-off roundabout and the existing underground parking garage.

The proposed six-story mixed-use building would be located on the northern portion of the existing Macy's footprint, oriented to the corner of Colorado Boulevard and Los Robles Avenue.



It would be approximately 125,000 square feet in size. Most of the building would reach approximately 75 feet in height, with a maximum height of 90 feet at the Colorado Boulevard/Los Robles Avenue corner. The ground floor would include approximately 3,550 square-feet of retail space and 20,500 square-feet of restaurant space. The second to sixth floors would consist of a maximum of 100 for-sale residential units<sup>1</sup> (one-, two-, and three-bedroom) with lounge spaces and a small fitness center.



The proposed project would result in a total net increase in building square footage of approximately 70,000 square feet (total new square footage of the proposed project less square footage of the Macy's building proposed for demolition).

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**FINDING:** On the basis of the initial study on file in the Current Planning Office:

- The proposed project COULD NOT have a significant effect on the environment.
- The proposed project COULD have a significant effect on the environment; however there will not be a significant effect in this case because the mitigation measures described in the Mitigation Monitoring Program on file in the Planning Division Office were adopted to reduce the potential impacts to a level of insignificance.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

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	<u>08/14/2014</u>		<u>09/10/2014</u>
Completed By	Date	Determination Approved	Date
<u>David Sinclair</u>	<u>Planner</u>	<u>David Sinclair</u>	<u>Planner</u>
Printed Name	Title	Printed Name	Title

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**PUBLIC REVIEW PERIOD:** August 20, 2014 to September 10, 2014

**COMMENTS RECEIVED ON DRAFT:**  Yes  No

**INITIAL STUDY REVISED:**  Yes  No

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<sup>1</sup> Current project plans (Appendix A) show a total of 71 residential units. To foster a conservative analysis and allow the developer flexibility in final design and unit count, 100-residential units were used for analysis in this Initial Study.

## PROPOSED MITIGATION MONITORING AND REPORTING PROGRAM MATRIX

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<b>Impact – Greenhouse Gases</b>				
<p><b>Mitigation Measure GHG-1</b> The project applicant shall be required to implement the following measures to reduce emissions of GHGs associated with the proposed project:</p> <ul style="list-style-type: none"> <li>a. All buildings constructed shall achieve Tier 1 of Title 24, Part 1 green building standards, to exceed minimum Title 24 energy efficiency standards by 15 percent.</li> <li>b. All buildings constructed shall include prewiring or conduit for solar photovoltaic (PV). The intent of prewiring for solar PV systems is to reduce barriers to later installation of on-site solar PVs. The proposed project may also satisfy the intent of this mitigation by installing on-site solar PV systems.</li> <li>c. Nonresidential land uses shall provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas. Composting of a limited amount of food waste that may be generated as a byproduct of on-site food preparation shall be completed by agreement with a waste hauler. Cooking oils shall be directed off-site for reuse.</li> <li>d. Indoor water conservation measures shall be incorporated, such as use of low-flow toilets, urinals, and faucets.</li> </ul>	Plan check, prior to issuance of construction permits, and prior to issuance of a certificate of occupancy.	Planning and Community Development Department		
<b>Impact – Noise</b>				
<p><b>Mitigation Measure NOISE-1</b> Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the following noise reduction measures shall be included in the construction plans or specifications:</p> <ul style="list-style-type: none"> <li>a. Noise-generating construction shall be limited to the hours of 7 a.m. to 7 p.m. on Monday through Friday and from 8 a.m. to 5 p.m. on Saturday and are prohibited on Sunday and holidays (as specified in Chapter 9.36 of the Pasadena Municipal Code).</li> <li>b. The construction contractors shall equip all construction equipment,</li> </ul>	Plan check, prior to approval of grading plans, prior to issuance of demolition, grading, and building	Planning and Community Development Department		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.</p> <p>c. The construction contractors shall place all stationary construction equipment so that the equipment is as far as feasible from noise-sensitive receptors and orient the equipment so emitted noise is directed away from noise-sensitive receptors.</p> <p>d. The construction contractors shall locate equipment staging in areas that will create the greatest distance between staging area noise sources and noise-sensitive receptors.</p> <p>e. The construction contractors shall use the quietest equipment and methods reasonably feasible when planning and executing demolition and grading within 50 feet of the windows in the Terraces at Paseo Colorado Apartments</p>	permits, and during construction.			
<p><b>Mitigation Measure NOISE-2</b> Prior to the issuance of the building permits for the hotel, the applicant shall present data to the Director of Planning and Community Development demonstrating that the construction plans include requirements to install temporary or permanent exterior wall sections opposite the Terraces at Paseo Colorado Building at the earliest feasible time.</p>	Plan check, prior to issuance of building permits for hotel component, and during construction.	Planning and Community Development Department		
<p><b>Mitigation Measure NOISE-3</b> Prior to the issuance of each building permit, the applicant shall provide data to the Director of Planning and Community Development demonstrating that the noise level from heating, ventilation, and air conditioning (HVAC) units, swimming pool equipment, and similar mechanical equipment would be less than 45 A-weighted decibels (dBA) when measured at the property line.</p>	Plan check, prior to issuance of building permits.	Planning and Community Development Department		
<p><b>Mitigation Measure NOISE-4</b> Prior to the issuance of the hotel occupancy permit, the applicant shall provide data to the Director of Planning and Community Development demonstrating that the hotel regulations include a prohibition on the use of radios, televisions, "boom boxes," and similar devices in the pool area and other outdoor common areas unless the devices are used with headphones, ear buds, or similar devices.</p>	Plan check, prior to issuance of occupancy permit for hotel component of project.	Planning and Community Development Department		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p><b>Mitigation Measure NOISE-5</b>  Prior to the issuance of the hotel occupancy permit, the applicant shall provide data to the Director of Planning and Community Development demonstrating that the building's Covenants, Conditions, and Restrictions (CC&amp;Rs) or equivalent regulations include a prohibition on the use of the pool area between 10:00 p.m. and 5:00 a.m. and that signs with pool hours are posted at the pool area.</p>	Plan check, prior to issuance of occupancy permit for hotel component of project.	Planning and Community Development Department		
<p><b>Mitigation Measure NOISE-6</b>  Prior to approval of grading plans and/or prior to issuance of demolition, grading and building permits, the construction hours limits stated in Pasadena Municipal Code Section 9.36.070, as stated below, shall be included in the construction plans or specifications:</p> <ul style="list-style-type: none"> <li>a. No person shall operate any pile driver, power shovel, pneumatic hammer, derrick power hoist, forklift, cement mixer or any other similar construction equipment at any time other than as listed below: <ul style="list-style-type: none"> <li>1. From 7:00 AM to 7:00 PM Monday through Friday;</li> <li>2. From 8:00 AM to 5:00 PM on Saturday; and;</li> <li>3. Operation of any of the listed construction equipment is prohibited on Sundays and holidays.</li> </ul> </li> <li>b. No person shall perform any construction or repair work on buildings, structures or projects in such a manner that a reasonable person of normal sensitiveness residing in the area is caused discomfort or annoyance at any time other than as listed below: <ul style="list-style-type: none"> <li>1. From 7:00 AM to 7:00 PM Monday through Friday;</li> <li>2. From 8:00 AM to 5:00 PM on Saturday; and</li> <li>3. Performance of construction or repair work is prohibited on Sundays and holidays.</li> </ul> </li> </ul> <p>Applicable holidays are New Year's Day, Martin Luther King Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, Day after Thanksgiving, and Christmas</p>	Prior to approval of grading plans, prior to issuance of demolition, grading, and building permit, and during construction.	Planning and Community Development Department		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p><b>Mitigation Measure NOISE-7</b> Prior to the issuance of the building permits for the mixed-use building and the hotel, the applicant shall present data to the Director of Planning and Community Development demonstrating that the interior noise levels in habitable rooms facing Colorado Boulevard or Los Robles Avenue will not exceed 45 decibels (dB) on the Community Noise Equivalent Level (CNEL).</p>	Plan check, prior to issuance of building permits.	Planning and Community Development Department		
<p><b>Mitigation Measure NOISE-8</b> Prior to the issuance of the occupancy permit for the mixed-use building, the applicant shall present information to the Director of Planning and Community Development demonstrating that appropriate sale or lease transfer documents for residential units include an advisory that the residence is located in the Central District Specific Plan area, an area where there is a potential for noise from commercial and nighttime activities. The following language is provided as an example: <i>All potential buyers and/or renters of residential property in the building at the southwest corner of Colorado Boulevard and Los Robles Avenue, which is in Pasadena's Central District Specific Plan area, are hereby notified that they may be subject to audible noise levels attributed to business and entertainment-related activities common to such areas, including amplified sound, music, delivery vehicles, pedestrian and vehicular traffic, and other urban noise</i></p>	Prior to issuance occupancy permit for the mixed-use building	Planning and Community Development Department		
<p><b>Mitigation Measure NOISE-9</b> Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permits, the applicant shall retain a Professional Structural Engineer with experience in structural vibration analysis and monitoring to perform the following tasks:</p> <ul style="list-style-type: none"> <li>• Review the project plans for demolition and construction.</li> <li>• Survey the project site and the Terraces at Paseo Colorado Apartments, including geological testing, if required.</li> <li>• Prepare and submit a report to the Director of Planning and Community Development to include but not be limited to the following: <ul style="list-style-type: none"> <li>○ Description of existing conditions at the Terraces at Paseo Colorado;</li> <li>○ Vibration level limits based on building conditions, soil conditions, and planned demolition and construction</li> </ul> </li> </ul>	Prior to approval of grading plans and/or prior to issuance of demolition, grading, and building permit	Planning and Community Development Department		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>methods to ensure vibration levels below the potential for damage to the Terraces at Paseo Colorado;</p> <ul style="list-style-type: none"> <li>○ Specific measures to be taken during construction to ensure the specified vibration level limits are not exceeded; and</li> <li>○ If considered appropriate, a monitoring plan to be implemented during demolition and construction that includes post-construction and post-demolition surveys of the Terraces at Paseo Colorado.</li> </ul> <ul style="list-style-type: none"> <li>• Examples of measures that may be specified for implementation during demolition or construction include, but are not limited to <ul style="list-style-type: none"> <li>○ Prohibition of certain types of impact equipment;</li> <li>○ Requirement for lighter tracked or wheeled equipment;</li> <li>○ The specification that demolition occur by non-impact methods, such as sawing concrete;</li> <li>○ The specification that phasing operations avoid simultaneous vibration sources; and</li> <li>○ Installation of vibration-measuring devices to guide decision making for subsequent activities.</li> </ul> </li> </ul>				