

Steve Madison

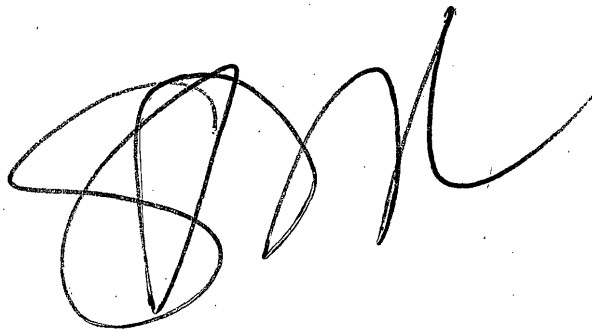
To: Jomsky, Mark
Cc: Suzuki, Takako; Vanessa Velez
Subject: Conditional Use Permit #6479

16 OCT 24 09:59PM

CITY CLERK

I wish to agendize for the Council's consideration whether BOZA should review the Hearing Officer's October 19 decision in the above-referenced case. I will bring a signed copy of this request to Council this evening. If any further information is needed, please advise. Thanks.

Steve Madison
Pasadena City Councilmember



CITY CLERK

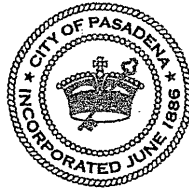
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CITY CLERK

11/07/2016

Item 8



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

October 26, 2016

Dana Marevich
Pasadena Showcase House of the Arts
1855 Rose Avenue
San Marino, CA 91108

Subject: Conditional Use Permit #6479
880 La Loma Road
Council District #6

PLN2016-00420

Dear Ms. Marevich:

Your application for a **Conditional Use Permit** at **880 La Loma Road** was considered by the **Hearing Officer** on **October 19, 2016**.

CONDITIONAL USE PERMIT: To allow the operation of a temporary Cultural Institution for the 2017 Pasadena Showcase House of the Arts in a RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District) zoning district. The Showcase House is proposed to be open to the public from April 23, 2017 through May 21, 2017. A Conditional Use Permit is required to establish a Cultural Institution land use in a residential zoning district. No permanent structures would be constructed as part of this temporary use and no protected trees are proposed to be removed.

After careful consideration of this application, and with full knowledge of the property and vicinity, the Hearing Officer made the findings as shown on Attachment A to this letter. Based upon these findings, it was decided by the Hearing Officer that the **Conditional Use Permit** be **approved** with the conditions in Attachment B and in accordance with submitted plans stamped **October 19, 2016**.

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

You are advised that an application for a building permit is not sufficient to vest the rights granted by this approval. The building permit must be issued and construction diligently 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 Hearing Officer has the right to appeal this decision within **ten days (Monday, October 31, 2016)**. The effective date of this case will be **Tuesday, November 1, 2016**. Prior to such effective date, a member of the City Council or Planning Commission may request that it be called for review to the Board of Zoning Appeals. 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 shall be incorporated into the plans submitted for building permits.

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act ((Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities). This exemption addresses minor alterations to existing structures, that involve negligible or no expansion of an existing use. The Showcase House of the Arts is a temporary event. After the event, the use on site would revert back to a single-family residential use.

For further information regarding this case please contact **Jason Killebrew** at **(626) 744-7096**.

Sincerely,



Undine Petruilis
Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C (Site Plan)

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

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6479

Conditional Use Permit - To allow a temporary Cultural Institution in a Residential Zoning District

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 temporary operation of the 2017 Pasadena Showcase House for the Arts will provide a cultural activity within a residential neighborhood while demonstrating sensitivity to the neighborhood. The conditions of approval will minimize any potential impacts during all three phases of the event. The 1.94-acre subject site will adequately accommodate the proposed temporary Cultural Institution land use. The proposed use is permitted in the RS-2-HD zoning district with approval of a Conditional Use Permit. The required conditions will ensure the temporary event does not impact the surrounding area.
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 temporary operation of the 2017 Pasadena Showcase House for the Arts is consistent with the purposes of the Zoning Code and the purposes of the RS-2-HD (Single-Family Residential, 0-2 dwelling units per acre, Hillside Development Overlay District) zoning district to protect residential neighborhoods from impacts related to development. No expansion to the existing structures on the site is proposed and the 2017 Pasadena Showcase House for the Arts is a temporary event; therefore, the existing residential use will continue on the site at the conclusion of the event. The subject site has an existing perimeter of mature landscaping, including 135 trees that will predominately screen the activities of the event from public view and most of the ancillary activities will occur at the rear of the site. Any temporary improvements associated with the Pasadena Showcase House for the Arts event will be in harmony with the surrounding residential uses.
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 intent of Policy 2.9 of the General Plan is the commitment to accommodate the development of educational, religious, cultural, and similar facilities that enrich the lives of Pasadena's residents. The Pasadena Showcase House for the Arts will provide a facility that will allow Pasadena as well as regional residents the opportunity to tour the designed residence and gardens. In addition, proceeds from the event will benefit local cultural programs available to Pasadena residents. Furthermore, Policy 9.7 of the General Plan is intended to encourage Pasadena's cultural institutions/organizations to provide and support cultural activities. Policy 14.1 encourages the growth of cultural assets and entertainment activities that attract visitors. The Pasadena Showcase House for the Arts for decades has provided a cultural and entertainment opportunity through cultural institutions such as the proposed project, every year.
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 2017 Pasadena Showcase House for the Arts will be monitored to ensure compliance with the requirements of the City's Municipal Code and the conditions of approval as attached to this

report. The event must also comply with the applicable regulations of all necessary City departments prior to the issuance of permits. No permanent structures or expansion of the existing buildings are proposed. The submitted shuttle route, and alternative route ensure that attendees to the event must park in a designated lot at the Rose Bowl with transport shuttles to the event. There is no public parking or access permitted at or around the subject site. Furthermore, conditions have been placed on this application to ensure the use will not be detrimental to the health, safety and general welfare of those in the immediate area.

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 2017 Pasadena Showcase House for the Arts is subject to conditions of approval that are intended to minimize impacts on the surrounding neighborhoods. The 2017 Showcase House for the Arts is a temporary use that will conclude on May 21, 2017, after which time the house will revert to a single-family residential use. No permanent structures or expansion of the existing buildings are proposed. The site is 1.94 acres and can accommodate all proposed operations without negative impacts to surrounding properties. All ancillary activities will be located to the rear of the primary residence, and all patrons are required to access the site from designated shuttles from the Rose Bowl parking lots. The submitted shuttle route, and alternative route ensure that the event will not impact the neighborhood. Therefore, through conditions of approval, the project would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

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.* Any improvements to the residential site for the operation of the 2017 Pasadena Showcase House for the Arts must comply with all applicable code standards. The site at 1.94 acres can accommodate the proposed use and all ancillary operations. The use will remain a single-family residence and the temporary operation of the event will be conditioned and monitored to ensure compatibility with the surrounding area.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6479

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Received at Hearing, October 19, 2017", except as modified herein.
2. The approval of this application authorizes a temporary Cultural Institution land use, the "2017 Pasadena Showcase House for the Arts" in a residential zoning district as follows:
 - a. Construction activities related to the Pasadena Showcase House for the Arts shall not commence prior to January 3, 2017. The hours permitted for construction for the Pasadena Showcase House for the Arts on this site must be consistent with the City's permitted hours of construction which are: 7:00 a.m. to 5:00 p.m. Monday through Friday and on Saturdays from 8:00 a.m. to 5:00 p.m. No construction is permitted on Sundays or specified holidays. During construction and operations, all vehicles shall use La Loma Road (utilizing the bridge from the east) to access the subject site. All construction related vehicles shall park on-site. No construction activity is permitted to occur outside of the subject site at any time.

(1) If the La Loma Bridge is not complete during this phase of the project, the applicant shall provide an Alternative Transportation Plan subject to the approval of the Department of Public Works, Department of Transportation and the Zoning Administrator for construction vehicles. No construction activity can begin until the alternative plan is approved.
 - b. The Pasadena Showcase House for the Arts may only be open to the public from April 23, 2017 through May 21, 2017, from 9:00 a.m. to 6:00 p.m. on Sundays and Tuesdays; and Wednesday through Saturday from 10:00 a.m. to 9:00 p.m. The event shall be closed for public tours on Mondays.
 - c. All Pasadena Showcase House for the Arts temporary structures shall be removed from the premises by 5:00 p.m. on June 30, 2017. An inspection will be conducted by Zoning staff to ensure compliance.
 - d. The applicant shall provide a minimum of one staff member on the premises throughout the duration of all phases of the project. The contact person, phone number and schedule of staff shall be provided to the Zoning Administrator prior to the start of Phase 1.
3. All alterations to the existing structures, paving and landscape (including fences and walls) on the site shall be required to comply with the development standards and land use regulations of the RS-2-HD zoning District, and all applicable permits and approvals must be obtained.

4. Any construction, exterior work, or related event activities performed on the accessory building shall be properly buffered from the adjacent property to the satisfaction of the Zoning Administrator.
5. The site shall be vacated by patrons a minimum of 30-minutes prior to closing each night. Showcase staff and security personnel are exempt from this requirement.
6. The height of the tents located in the front of the property shall not exceed the height of the mature landscaping along the perimeter of the site. Tents located within the front yard area of the property shall not be predominately visible from the public right-of-way. No tents shall be located within the required front yard setback.
7. The applicant shall not advertise the address of the Showcase House for the Arts event in the materials used to advertise to potential visitors/attendees.
8. No parking for visitors/attendees shall be permitted at the Showcase House for the Arts. All visitors/attendees shall park at the Lot "I" parking lot at the Rose Bowl and use the provided shuttle service.
9. The applicant shall provide all property owners and occupants within 500 feet of the site the name and phone number of the Neighborhood Chairman, the person who is responsible for handling all neighborhood problems and/or concerns associated with the event. That person, or his/her designee, shall be available at all times. The contact information for the Neighborhood Chairman shall also be made available to the Case Manager, Jason Killebrew, as well as the Code Compliance Manager and Building Official to ensure the event's compliance with the approved conditions of approval.
10. All activities associated with the event shall be contained to the project site. There shall be no loitering, personnel, or equipment permitted in the public right-of-way.
11. A minimum of two, 24-hour licensed security officers shall be present on site during the period when the Pasadena Showcase House for the Arts is open to the public (from April 23, 2017 through May 21, 2017).
12. The event shall comply with all provisions of the City's Noise Ordinance (PMC Chapter 9.36).
13. The applicant shall provide a minimum of one staff person to patrol the neighborhood (posted 500 foot radius) during the open to the public period (April 23, 2017 through May 21, 2017) to ensure that visitors/attendees, Showcase House staff, and contractors are not parked on public streets. The name and contact information of this staff person shall be provided to the Zoning Administrator for each shift.
14. No vehicles operated by Showcase staff or participants (contractors, designers, etc.) shall be parked upon any public street within the prohibited parking area. Showcase staff and participants shall park on the subject property or utilize the staff parking area at the Rose Bowl and shuttle to the subject site.
15. The applicant or successor in interest shall meet the applicable Code requirements of all other City Departments.

16. Any change to these conditions of approval or expansion of the use may require the modification of this Conditional Use Permit or a new Conditional Use Permit request.
17. The final decision letter and conditions of approval shall be incorporated as plan sheets in the plans submitted for plan check as part of the building plan check process.
18. A Zoning inspection shall occur prior to Phase 2 of the project to ensure the site plan conforms to this approval.
19. The proposed project, Activity Number **PLN2016-00420** is subject to Condition Monitoring Programs. Condition Monitoring is required for your project. Under the Monitoring Program, your project will be inspected by Code Compliance staff to determine compliance with the conditions of approval. The Condition Monitoring inspection will occur during the term of the project. Required monitoring fees for inspections shall be paid on or after the effective date of this permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee. All fees are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. The cashier will ask for the activity number provided above. Failure to pay the required monitoring fees prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.

Planning Division

20. A Traffic Control Plan shall be submitted to the Zoning Administrator and Transportation Department not less than 90 days before the opening of the event. The Traffic Control Plan shall also be approved by the City of Pasadena's Police and Public Works Departments. This Traffic Control Plan shall include the following:
 - a. A shuttle bus service map showing the route(s) to and from the Rose Bowl parking lot and the Pasadena Showcase House for the Arts. This map shall include the speed limits on the surrounding streets. The City reserves the right to reduce speed limits as needed. All delivery/service vehicles shall be required to utilize the approved shuttle route to access the site. No delivery/service vehicles shall operate during the same time the shuttle buses are transporting patrons to the site.
 - b. A copy of a signed parking agreement between the property owner and Pasadena Showcase House for the Arts for said off-site parking prior to issuance of any building permits.
 - c. A complete prohibition of parking within 500 feet of the subject site. In addition, the parking prohibition shall include Hillside Terrace from La Loma Road south to San Rafael Avenue and San Rafael Avenue from Lagunita Road south to Hillside Terrace. All parking prohibitions shall include the entire block from intersection to intersection. The final parking prohibition area exhibit shall be approved by the Zoning Administrator. The language of the No Parking signs and the placement of the signs shall be approved by the Planning Division and Transportation Department. The applicant is responsible for all costs associated with the signs including posting.
 - d. Provision of off-street parking for all vehicles during construction and removal phases of the project.

- e. In the event that the La Loma Bridge is closed to the public under any circumstance, the applicant shall submit an alternative Traffic Control Plan subject to the approval of the Zoning Administrator and the Transportation Department.
 - f. Location of parking and access for all delivery/service vehicles that will access the site for the duration of all three phases of the event.
21. The entire cost of enforcement of the traffic control plan shall be borne by the applicant.
 22. No trees shall be removed without written authorization from Zoning staff. If it is determined that a tree is protected, a Private Tree Removal application must be submitted and approved prior to removal of the tree. A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to January 3, 2017.
 23. All deliveries and maintenance activity (trash removal, porta potty service etc.) at the site shall be limited to 7:00 a.m. to 5:00 p.m. Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturdays. No deliveries or maintenance service is permitted on Sundays. Loading activities in the public right-of-way shall be prohibited and must comply with the location and operations outlined in the approved Traffic Control Plan.
 24. Any sale of alcoholic beverages shall be associated with food sales from the restaurant and shall be limited to on-site consumption only. All required licensing and permits for the sale of alcoholic beverages shall be obtained prior to the first day of the event.
 25. There shall be no smoking permitted on the premises while the event is open to the public. In addition, no smoking shall be allowed for the pedestrian path of travel from the shuttle stop to the event site.
 26. A litter clean-up plan shall be submitted to the Zoning Administrator prior to the issuance of any permits. The litter clean-up plan shall include a schedule of time and frequency of litter clean-up activities. Upon approval of the plan by the Zoning Administrator, the measures of the plan shall be implemented. This condition may require the operator of the use to post a bond to ensure litter compliance.
 27. To ensure that any potential rodent problems are managed appropriately, the services of a rodent exterminator shall be retained on a weekly basis during the open to the public period and one week after the conclusion of the event. The final location of the refuse area shall be approved by the Zoning Administrator.
 28. The site and surrounding area shall be maintained free of litter. A refuse storage area for the collection of trash and recycled goods shall be provided at the time the site is modified/prepared for the duration of the lease period.
 29. There shall be no amplified music or sound for the Pasadena Showcase House for the Arts event.
 30. No open flame shall be permitted anywhere on the premises unless a City of Pasadena firefighter is present.
 31. Lighting shall be energy-efficient, and shielded or recessed so that the light source and reflections are confined to the maximum extent feasible within the boundaries of the site,

and shall be directed downward and away from adjoining properties and public rights-of-way. No lighting on private property shall produce an illumination level greater than one footcandle on any property within a residential zoning district except on the site of the light source.

32. All landscape and walkway lighting shall be directed downwards to minimize glare from the property.
33. Any above ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
34. The applicant shall provide all Pasadena Showcase House for the Arts affiliated staff and personnel (designers, landscapers, caretakers, security, etc.) copies of the decision letter and the final tree protection plan.

Department of Public Works

35. A Traffic Control Plan shall be submitted to the Zoning Administrator and Transportation Department not less than 90 days before the opening of the event. The Traffic Control Plan shall also be reviewed by the City of Pasadena Police and Public Works Departments and approved by the Zoning Administrator.
36. A permit shall be obtained from the Department of Public Works for the occupation of any traffic lane, parking lane, parkway, or any improvements in the public right-of-way. Please contact 626-744-4195 for the process.
37. The applicant shall prepare an outreach program for the neighborhood that includes information related to each phase of the event, shuttle routes, hours of operation, contact information of the Neighborhood Chairman, etc. The materials shall also be provided to the District 6 Councilmember and the Councilmember's District Liaison.

