

Jomsky, Mark

From: Hampton, Tyron
Sent: Tuesday, February 20, 2018 11:22 AM
To: Jomsky, Mark
Subject: Call for review

Hi Mark
I would like to Pull for review

COUNCIL DISTRICT #1
Modification to Conditional Use Permit #753 – 225 Grandview Avenue

Thanks
Tyron

Sent from my iPhone

02/26/2018

Item 27



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

February 14, 2018

Lindy Carl
Grandview Foundation, Inc.
1230 N. Marengo Ave
Pasadena, CA 91103

Re: **Modification to Conditional Use Permit #753**
255 Grandview Street
Council District #1

PLN2017-00413

Dear Ms. Carl,

Your application for a **Modification to Conditional Use Permit #753** at **225 Grandview Street** was considered by the **Hearing Officer** on **February 7, 2108**.

MODIFICATION TO CONDITIONAL USE PERMIT#753: To legalize five detached 120 square-foot structures in the rear yard of the existing General Residential Care Facility (Grandview Foundation). The number of residents (maximum of 20) and staff is not increasing with this request. The expansion of an existing General Residential Care Facility requires the review and approval of a Modification to the Conditional Use Permit.

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 **Modification to Conditional Use Permit #753** be **approved** with the conditions in Attachment B and in accordance with submitted plans stamped **February 7, 2018**.

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 Hearing Officer 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 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 (February 20, 2018)**. The effective date of this case will be **February 21, 2018**. 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

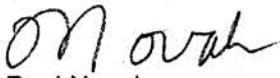
for review, the appeal period will continue to run. If the tenth day falls on a day when City offices are closed, the appeal deadline shall be extended through the next day when offices are open. The decision becomes effective on the eleventh day from the date of the decision. The regular Appeal fee is \$1,708.23. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$854.12.

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 any mitigation monitoring program) 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) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 applies to the operation and permitting of uses in existing structures where there is negligible or no expansion of the use. The Grandview Foundation has existed on the subject site since the 1970's, and the structures in the rear yard would not expand the operation of the facility since the number of patients are not increasing with this request.

For further information regarding this case please contact **Beilin Yu** at **(626) 744-6726**.

Sincerely,



Paul Novak
Hearing Officer

Enclosures: Attachment A, Attachment B, Attachment C (site map)

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

ATTACHMENT A
SPECIFIC FINDINGS FOR MODIFICATION TO CONDITIONAL USE PERMIT #753

Modification of Conditional Use Permit #753– To allow a total of 600 square feet expansion to an existing General Residential Care Facility

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 existing General Residential Care Facility was established on the subject site with the approval of Conditional Use Permit #753 in September 1973. The requested expansion of 600 square feet in the form of five 120 square-foot structures in the rear yard requires the approval of a Modification to the previously approved Conditional Use Permit #753. The structures are subject to the residential accessory development standards in Section 17.50.250 of the City's Zoning Code. As designed and conditioned, the structures comply with all the applicable developments standards.
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 subject site is located in the RM-16 (Multi-Family Residential, 0-16 units/acre) Zoning District. One of the general purposes of the RM-16 Zoning District is to provide appropriate sites for public and semi-public land uses requiring a residential environment. The existing General Residential Care Facility provides residential treatment services, which requires a residential environment. The facility has been operating at the subject site since the 1970's, and the structures in the rear yard are being proposed in order to comply with the current therapeutic standards required by Drug Medi-Cal, the new funding source.
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.* General Plan Land Use Element Policy 40.2 (Institutional Uses Overconcentration), prohibits new development but allows for improvements of: Single Room Occupancy, General Adult Day Care, Medical Service – Extended Care, Detention Facilities, Hospitals, Maintenance and Service Facilities, General Residential Care, or a use classification that includes a use listed here with another use in the Northwest Area of the City. The existing General Residential Care facility has occupied the site and the operated from the structure since the 1970's therefore this application is not a request to establish a new facility. The application is a request to improve the existing facility in order to meet the new therapeutic standards by the current funding source, therefore consistent with Policy 40.2 of the City's General Plan.
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 modification approval will not increase the number of patients being treated at the facility, nor the number of residents currently residing at the site. The facility is staffed 24 hours per day, seven day a week. The treatment program hours will also not be modified. The consultation treatments proposed to occur within the structures have been provided at the facility, however they previously occurred in the open space areas. Therefore the modification will not modify nor intensify the use, which has operated at the site since the 1970's and has not been detrimental to the surrounding neighborhood.
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

modification approval will not increase the number of patients being treated at the facility, nor the number of residents currently residing on-site. The structures in the rear yard would provide a confidential setting for consultation between staff and patient. The consultations are currently part of the treatment program at the facility, however they had previously occurred in the open spaces inside the facility or on the outdoor grounds. Due to new therapeutic standards these consultation are required to occur in private settings. Therefore, the approval of these private offices would not alter the use of the facility, which has not been detrimental to properties and improvements in the neighborhood.

6. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection in that the proposal does not convey an overdeveloped appearance in this area.* The modification approval will not increase the number of patients being treated at the facility, nor the number of staff currently employed. The structures in the rear yard have been designed to comply with all the development standards for residential accessory structures set forth in the Zoning Code, and therefore are compatible with the character and scale of other residential accessory structures in the area.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MODIFICATION OF CONDITIONAL USE PERMIT #753

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

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Received at Hearing "February 7, 2018", except as modified herein.
2. These conditions of approval supersede all previous conditions of approval for Conditional Use Permit #753.
3. The approval of this application authorizes five detached 120 square-foot structures to be located in the rear yard of the existing addiction recovery facility.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The proposed project, Activity Number PLN2016-00409, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. In addition, the project requires Condition Mitigation Monitoring. Contact the Planning Case Manager, Beilin Yu at (626) 744-6726 to schedule an inspection appointment time.

Planning Division

8. The structures shall not be used for sleeping quarters or converted to a residential use. The structures shall be used as meeting space for staff and patients.
9. The facility shall have a maximum of 20 residents. The applicant shall submit a copy of the license issued by the State of California, Department of Health Care Services, stating that the total capacity for the facility is 20 residents.
10. The facility shall operate in compliance with applicable local and state regulations at all times including the Pasadena Municipal Code and Zoning Code.
11. The total square footage of the structures in the rear shall not exceed 600 square feet.
12. All structures shall maintain a minimum of 6'-0" separation from another structure, and the separation shall be clear of any obstructions.
13. The applicant shall obtain the appropriate permits (building, electrical, etc) for the structures.

14. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
15. The facility shall comply with the standards of the City's Noise Ordinance (P.M.C. Chapter 9.36).

Building and Safety Division

16. Governing Codes: Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review. The current edition is the 2016 series effective January 1, 2017 until December 31, 2019.
17. Soils Report: Soils report is required for the project.

Complete plans to include architectural, structural, T-24, PME
18. Grading: If greater than 50 cubic yards (excluding excavation for building foundation), grading/drainage plans shall be prepared by a registered engineer. Grading shall conform to the provisions of Chapter 14.05 of the City's Municipal Code.
19. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Group(s), Type of Construction, and Height & Area Increases.
20. Means of Egress (Exiting): Provide Occupant Load Calculations for all areas, and provide an "Exit Plan". Identify exit separation and travel distance.
21. California Disabled Access Requirements: Project shall be accessible to the disabled in accordance with Chapter 11B of the CBC.
22. Permit(s): Separate permits are required for demolition, new building structure, fire sprinkler (if required), mechanical, electrical, and plumbing.

Public Works Department

23. 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.
24. 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 curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in

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

25. 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 support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to [http://www.cityofpasadena.net/PublicWorks/Pasadena Tree Protection Ordinance/](http://www.cityofpasadena.net/PublicWorks/Pasadena_Tree_Protection_Ordinance/) <[http://www.cityofpasadena.net/PublicWorks/Pasadena Tree Protection Ordinance/](http://www.cityofpasadena.net/PublicWorks/Pasadena_Tree_Protection_Ordinance/)> for guidelines and requirements for tree protection.

