

Jomsky, Mark

From: Wilson, Andy
Sent: Friday, February 16, 2018 10:30 AM
To: Reyes, David
Cc: Mermell, Steve; Thyret, Pam; Fuentes, Theresa; Jomsky, Mark; Tornek, Terry; Bagneris, Michele
Subject: Re: Decision Letters - February 7, 2018 - Hearing Officer: 747 East Green Street

Hi David — As you know I (& others) am generally concerned about these development concessions related to density bonuses and their potential negative impacts wrt what our community is expect for density (FAR, height, etc). I know there are state mandates at work here too. I think calling this for review is the best way to fully understand this issue . . . looking at the specifics to better understand the general and what can be done to mitigate community impacts. So I'd like to call this for review. Adding Mark so he can add to CC agenda. Andy

Andy Wilson
Councilmember
City of Pasadena
District 7
awilson@cityofpasadena.net

02/26/2018

Item 28



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

February 14, 2018

Burke Farrar
Odyssey Development Services
711 East Walnut Street, Suite 306
Pasadena, CA 91101

Subject: Affordable Housing Concession Permit #11860
747 East Green Street
Council District #7

PLN2016-00599

Dear Mr. Farrar:

Your application for an **Affordable Housing Concession Permit** at 747 East Green Street was considered by the Hearing Officer on February 7, 2018.

Affordable Housing Concession Permit: A request for two affordable housing concessions to facilitate construction of a new 83,801 square-foot, four- to seven-story, mixed-used building containing 72 residential units (including six "very low income" units), 5,345 square-feet of commercial space, and 173 parking spaces in a subterranean garage. An existing 22,736 square-foot, 4-story, office building located on the subject site at the northeast corner of Green Street and Oak Knoll Avenue would remain. The requested Affordable Housing Concessions are as follows:

- 1) *To allow the proposed building to exceed the maximum allowed floor area ratio.* Pursuant to Section 17.30.040 (Figure 3-9) of the City of Pasadena Zoning Code, the maximum allowed floor area ratio is 3.0 for the northern 6,319 square-feet of the site and 2.0 for the remainder of the site. The applicant is requesting to increase the floor area ratio to 3.0 across the entire site; and
- 2) *To allow the proposed building to exceed the maximum allowed height.* Pursuant to Section 17.30.040 (Figure 3-8) of the City of Pasadena Zoning Code, the maximum building height allowed for the site is as follows: 75-feet for the northern 6,319 square-feet of the site (90 foot maximum building height could be achieved utilizing height averaging); 50-feet for the middle 16,647 square-feet of the site (65 foot maximum building height could be achieved utilizing height averaging); and 35-feet for the southern 12,576 square-feet of the site. The applicant is requesting a maximum building height of 87-feet and 9-inches in the northern portion of the site, 77-feet and 8-inches in the middle portion of the site, and 65-feet and 8-inches in the southern portion of the site.

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 **Affordable Housing Concession Permit** be approved

with the project 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 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.

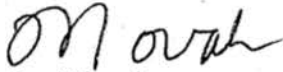
You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Hearing Officer has the right to appeal this decision within **ten days (February 20, 2018)**. The effective date of this case will be **February 21, 2018**. Prior 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 \$1,877.69. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$938.85.

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 (CEQA) Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects, and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15332 specifically exempts from environmental review in-fill development where: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services.

For further information regarding this case please contact **Talyn Mirzakhania** at (626) 744-7101.

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
FINDINGS FOR AFFORDABLE HOUSING CONCESSION PERMIT #11860

Affordable Housing Concession Permit: To increase the maximum permitted FAR and building height

1. *The concession or incentive does result in identifiable and actual cost reductions to provide for affordable housing costs.*

Keyser Marston Associates (KMA) prepared a financial evaluation of the development proposal, reviewing and analyzing two development scenarios, the Base Case scenario and the Proposed Project scenario. KMA determined that the cost associated with providing six very-low income units is estimated at \$3,104,000. The value of the requested density bonus and concessions is \$2,959,000, which is \$145,000 less than the net cost associated with providing six very-low income units. In their analysis, KMA concludes that the Developer's proposal meets the requirements imposed by the City's Density Bonus Ordinance as well as the California Government Code, Section 65915 (Density Bonus) to qualify for the concessions in order to facilitate the construction of six very-low income residential units. Therefore, the concessions do result in identifiable and actual cost reductions to provide for affordable housing costs, and the proposal meets this finding.

2. *The concession or incentive would not have a specific adverse impact on public health, public safety, or the physical environment, and would not have an adverse impact on a property that is listed in the California Register of Historical Resources, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, or adverse impact, without rendering the development unaffordable to low- and moderate-income households. A specific adverse impact is a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.*

The Department of Transportation (DOT) conducted a Traffic Impact Analysis, which evaluated the effect the project would have on existing neighborhood traffic volumes along access and neighborhood collector street segments and intersections within the vicinity of the project, and evaluated the existing Pedestrian Environmental Quality Index (PEQI) and Bicycle Environmental Quality Index (BEQI) along key corridors within the vicinity of the project. In addition, because the project proposes more than 50 residential units, DOT also conducted a separate analysis (referred to as the CEQA Evaluation) of the City's four vehicular and multimodal performance measures that assess accessibility of different modes of travel when evaluating a project's impact, and the project's transportation impact to its community using adopted transportation performance measures that relate to vehicle miles traveled (VMT), vehicle trips (VT), proximity and quality of the bicycle and transit network, and pedestrian accessibility.

The analyses determined that the ratio of project-related trip volumes over existing traffic exceed adopted caps along two of the four street segments studied; therefore, the project is required to implement measures (included as conditions of approval) to discourage neighborhood intrusion by project-related traffic. However, project-related vehicular trips would not exceed established Citywide Level of Service caps; therefore, no additional measures are required to reduce project-related vehicular trips. Furthermore, the pedestrian environment received an indicator score of "high" and the bicycle environment received an indicator score of "average". No conditions of approval are required when the score is

"average" or higher. The analyses determined that that the project's incremental VMT per capita change does not exceed the adopted threshold of significance under the VMT per capita of 22.6. Therefore, the project does not cause any significant impacts as it relates to VMT.

Additionally, the project's incremental VT per capita change does not exceed the adopted threshold of significance under the VT per capita of 2.8. Thus, the project does not cause any significant impacts as it relates to VT. It was also determined that the project increases the service population access to transit and bike facilities. Therefore, the project does not cause a significant impact on the existing bicycle network or access to transit facilities. complies with the requirements needed to make the findings to be granted a concession.

A Noise Analysis for the project site was prepared to study project-related noise impacts, as they relate to the proposed construction activities (short term impacts) and the operational characteristics (long term impacts) of the use. The study determined that no adverse short term or long term noise impacts will occur from the project and that said noise will not exceed the City's Noise Ordinance thresholds. As such, as it relates to noise, there will be no adverse impact on public health, public safety, or the physical environment, and the proposal complies with the requirements needed to make the findings to be granted a concession.

An Air Quality and Greenhouse Gas Emissions Analysis was prepared for the project site. The analysis determined that the project will not conflict with an applicable air quality plan, violate an air quality standard or threshold, result in a cumulatively net increase of criteria pollutant emissions, expose sensitive receptors to substantial pollutant concentrations, create objectionable odors affecting a substantial number of people, generate greenhouse gas emissions that may have a significant impact on the environment, or conflict with an applicable plan adopted for the purpose of reducing emissions of greenhouse gases. As such, as it relates to air quality and greenhouse gas emissions, there will be no adverse impact on public health, public safety, or the physical environment and the proposal complies with the requirements needed to make the findings to be granted a concession.

The proposed project was reviewed by the City's Design and Historic Preservation Section of the Planning Division. There are no known or identified historic resources on the subject site, and no existing buildings are proposed to be demolished or altered. Therefore, as it relates to historic resources, there would be no adverse impact on a property listed on the California Register of Historic Places and the proposal complies with the requirements needed to make the findings to be granted a concession.

For the reasons provided herein, there will be no adverse impact on public health, public safety, or the physical environment as a result of the project, and the project would not have an adverse impact on a property that is listed in the California Register of Historical Resources. Therefore, the proposed project meets this finding.

3. *The concession or incentive would not be contrary to state or federal law.*

The requested concession will be granted consistent with the procedures and requirements established by California Government Code Sections 65915 (Density Bonuses and Other Incentives) and would not be contrary to any federal laws.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR AFFORDABLE HOUSING CONCESSION PERMIT
#11860

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 stamped "Received at Hearing, February 7, 2018," except as modified herein.
2. Because the grant of the Affordable Housing Concession Permit is based on assumptions relating to project cost and construction type, all changes to this project, either during design or construction, shall be submitted to the Zoning Administrator for review and approval. The Zoning Administrator retains the right to require preparation and submittal of a revised project financial analysis reflecting the proposed change(s) and comparing it to the Base Case (i.e., project without the granted concession) as well as payment for such analyses. The Zoning Administrator also has the right to reject a proposed change if it is determined that such a change would modify the project costs such that the granted concession was no longer necessary for the provision of affordable housing. The determination by the Zoning Administrator is appealable pursuant to Section 17.72 of the Zoning Code. Because review of proposed changes may require time to assess, the applicant is advised to submit any proposed changes in a timely manner and shall bear the burden of any delay caused by the review process.
3. The applicant shall comply with all standards of the Zoning Code applicable to the CD-4 zoning district, with the exception of the following approved concessions:
 - i. To allow the proposed building to exceed the maximum allowed floor area ratio. Pursuant to Section 17.30.040 (Figure 3-9) of the City of Pasadena Zoning Code, the maximum allowed floor area ratio is 3.0 for the northern 6,319 square-feet of the site and 2.0 for the remainder of the site. The applicant is requesting to increase the floor area ratio to 3.0 across the entire site; and
 - ii. To allow the proposed building to exceed the maximum allowed height. Pursuant to Section 17.30.040 (Figure 3-8) of the City of Pasadena Zoning Code, the maximum building height allowed for the site is as follows: 75-feet for the northern 6,319 square-feet of the site (90 foot maximum building height could be achieved utilizing height averaging); 50-feet for the middle 16,647 square-feet of the site (65 foot maximum building height could be achieved utilizing height averaging); and 35-feet for the southern 12,576 square-feet of the site. The applicant is requesting a maximum building height of 87-feet and 9-inches in the northern portion of the site, 77-feet and 8-inches in the middle portion of the site, and 65-feet and 8-inches in the southern portion of the site.
4. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040 C of the Zoning Code

5. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
6. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
7. The proposed project, Activity Number **PLN2016-00599**, is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Talyn Mirzakhanian, Current Planning Section, at 626-744-7101 to schedule an inspection appointment time.

Planning Division

8. The applicant, or the successor in interest, shall enter an agreement with the Housing Division for the provision of six designated very low income units.
9. A final landscape and irrigation plan, in compliance with Chapter 17.44 (Landscaping) of the Zoning Code, identifying all remaining and proposed vegetation and trees shall be submitted along with plans for building permit. The plan shall include a mix of plant size and materials. Plant materials shall emphasize drought-tolerant and/or native species.

Design and Historic Preservation

10. This project requires Design Review by the Design Commission.

Housing and Career Services Department

11. The applicant shall submit an Inclusionary Housing Plan for City approval to the Housing and Career Services Department. The applicant is advised to contact the Housing Department regarding the preparation of the Inclusionary Housing Plan. An Inclusionary Housing Agreement is required to be executed by the applicant and the City, and recorded against the project.

Building & Safety Division

12. 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.
13. Grading and Low Impact Development (LID) Plan: Your project requires grading plans, precise grading plans, LID, and SWPPP. Grading shall be under separate submittal. Same for the retaining walls where occurs. Shoring shall be under separate submittal. LID/ SUSMP shall be under separate submittal (LID/ SUSMP will require an additional two copies of the following; soils report, hydrology study, grading plans, precise grading plans, and the LID/ SUSMP design). LID requires a notarized covenant at time of submittal, eventually to be recorded with the County of Los Angeles recorder's office prior to releasing the final approved plans. SWPPP plans to be submitted with the LID/ SUSMP plans for review.
14. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Groups, Type of Construction, and Height & Area Increases.

15. Means of Egress (Exiting): Provide Occupant Load Calculations, and provide an "Exit Plan". Identify exit separation and travel distance.
16. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11A & 11B of the CBC.
17. Permits(s): Separate permits are required for separate building, grading (if applicable), fire sprinkler, mechanical, electrical and plumbing.

Department of Transportation

18. The project shall pay the Traffic Reduction and Transportation Improvement Fee (TR-TIF) for the project at the time of building permit issuance. The TR-TIF is subject to change based on the current General Fee Schedule. Total payment would be based on the final scope at the time of project approval.
19. 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 and the Department of Transportation for review and approval. 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.
20. Construction-related 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.
21. The City will not issue overnight parking permits to the future residents of this project. Future tenants shall be advised of the unavailability of on-street overnight parking permits by the property management.
22. The project is subject to the City's Transportation Demand Management (TDM)/ Trip Reduction Ordinance (TRO) requirements. 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 **\$443.12*** 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 call (626) 744-7228 to arrange a pre-design meeting to finalize the TDM Plan requirements for the project.

* Based on the Current General Fee Schedule. Fees are subject to change.

23. A minimum 20-foot flat area beyond the property line at the proposed driveways shall be included to allow exiting vehicles to be properly aligned to allow the driver to see pedestrians and bicyclists crossing the driveway prior to exiting the property.
24. A circulation plan for the parking garage must be reviewed and approved by the Department of Transportation prior to the issuance of the first permit for construction (i.e. demolition, foundation, grading, or building). The plan shall be drawn to a 1"=20' or 1"=40' scale.
25. The interior ramp may have grade breaks at 9%–18%–9% as an exception to the City's Zoning Code requirement of 8%–16%–8% for ramps less than 65' with the following conditions:
 - a. Maintain a grade break maximum of 10% to avoid bottoming of low profile vehicles. For example the slope prior to or after the 9% grade should not exceed -1% grade to yield a NET grade break maximum of 10%.

This approval does not relieve your project to any other requirements under Accessibility Guidelines and the California Building Code Chapter 11b that covers accessibility, in compliance with the requirements of Americans with Disability Act (ADA).

26. Existing on-street parking conditions fronting this project shall be maintained during and after construction except by permit.
27. Project's loading/unloading for both residential and commercial components shall be on-site. DOT will not install a loading zone for project use on public right-of-way.
28. The project is expected to exceed the ADT Cap of ten percent along Oak Knoll Avenue between Union Street and Green Street. Therefore, the applicant is required to develop and implement a targeted Complete Streets plan with input from the affected residents, council districts and DOT to encourage use of non-vehicular modes by the project's patrons, and implement measures to discourage use of residential streets to-and-from the project site.

Public Works Department

29. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits, backflow preventers, transformers, fire

sprinkler valve, 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. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any building or demolition permits. 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. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

30. The existing curb return radius at the northeast corner of Oak Knoll Avenue and Green Street is approximately twenty five (25) feet. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall reconstruct a standard curb ramp at the said corner 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 may submit to the City for review any 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 ramp. 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 ramp improvement plans, the applicant may need to dedicate to the City for street purposes the land necessary at the property line corner rounding (up to 25 feet radius) to provide for the minimum clearance required by the Americans with Disabilities Act 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.

31. Excavations in the streets for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations. Restoration of asphalt concrete pavement shall be per Standard Plan S-416 and to the satisfaction of the City Engineer.

32. The pavement in Green Street contains asbestos. Any excavation in Green Street shall comply with hazardous materials (Hazmat) removal conditions and requirements of the Department of Public Works. An environmental certified contractor will be required for any pavement removal in the street.
33. 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 done per the requirements of Public Works inspector. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514).
34. The proposed drive approach shall be constructed in accordance with Standard Drawing No. S-403. The existing gutter shall be cut per the requirements of Public Works inspector and the paving shall not be disturbed. All drive approaches shall be at least seven (7) feet clear of existing trees. If the proposed drive approach is in conflict with an existing City tree, the City tree removals are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
35. 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.
36. The applicant shall restore and re-paint all existing metal street light poles, traffic signal poles and traffic signal controller cabinet(s), along the Green Street and Oak Knoll Avenue frontages of the subject property in a manner acceptable to the Department of Public Works. In addition, the painting specification shall be per the Playhouse District Specific plan and specifications. The cost of the street light pole and traffic signal pole/equipment restoration and painting is the applicant's responsibility.
37. The applicant shall plant and maintain the officially designated street trees per the City approved master street tree plan, a maximum of four (4) *Tabebuia avellandae* (Lavender bloom) on Oak Knoll Avenue frontage and a maximum of two (2) *Ficus microcarpa* (Indian laurel) on Green Street frontage and install and maintain an irrigation system for the trees. The 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 of Public Works for review and approval.

The applicant shall plant the officially designated street tree per the City's approved Master Street Tree Plan along the boundary of the subject property. The Department of Public Works will confirm eligible planting sites, and will provide the applicant the location, quantity and tree species to be planted as a result of the applicant's project.

Trees planted by the applicant 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. Planting shall include the installation of the following per tree: no less than two tree stakes; one arbor guard; and the use of slow-release fertilizer tablets. The applicant shall contact PNR (626-744-3880) for tree planting approval, a minimum of two (2) months, prior to the issuance of a Certificate of Occupancy.

Trees planted by the applicant must be irrigated by either an existing or a new irrigation system constructed by the applicant. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to PNR for review and approval. Irrigation facilities (main line, valve, pull box, timer, etc.) must be constructed within private property with the exception of the laterals and bubblers. The lateral shall be a minimum of 18" deep, and no above-ground structures are allowed.

The applicant shall submit a tree establishment deposit to guarantee that newly planted trees are maintained by the applicant for a minimum of one calendar year per the International Society of Arboriculture (ISA) standards. Tree maintenance during this period shall include the following: watering no less than once a week; weed removal; reconstruction of tree wells as needed; re-staking as needed; adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth.

The applicant shall replace any newly planted trees which, for any reason, die or whose health is compromised, within the applicant's one-year establishment period. The one-year tree establishment period shall commence on the day that the Certificate of Occupancy is issued. PNR shall inspect all trees planted by the applicant at the end of the one-year establishment period, and if the trees are found to be in good health, the applicant's deposit will be released. If the trees are found to be in poor health, the establishment period may be extended by PNR and the applicant's deposit shall be held accordingly. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.

The applicant shall, upon completion of the tree establishment period, continue to provide irrigation only to trees planted as a result of their project for two calendar years. The applicant shall replace any newly planted trees that die or whose health is compromised due to a lack of irrigation during this two-year period.

38. All drive approaches shall be at least seven (7) feet clear of existing street trees. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.

All construction-related activities shall maintain a minimum 4' clearance from the canopy of any City tree.

Prior to issuance of any permit, a Preliminary Tree Protection Plan shall be submitted to the Department of Public Works, PNR, for review and approval. The Plan shall show any structures, footings, and grading that may impact City trees. The Plan must conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters and canopies, as well as any trees to be planted with their canopy at mature size. A sundry deposit may be required for staff time to review the preliminary plans.

Prior to construction, impacted City trees must be protected with temporary fencing. The fencing material may be chain-link, or flexible polypropylene (or similar) material. Polypropylene fencing must be a high-visibility orange color. Fencing shall not exceed 4' in height. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Parks and Natural Resources Division to report any problems (626) 744-3880'. If protective fencing is required, it must be installed and inspected by PNR prior to the commencement of any construction.

Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public trees along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. No City trees shall be damaged by the proposed construction. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and as a result of the applicant's willful and/or negligent behavior, the health of a City tree was critically compromised forcing the City to remove the tree, the applicant shall be liable for the following costs: assessed value of tree determined by a PNR Arborist using a current ISA assessment methodology; the replacement cost for a 36" box tree determined by the current General Fee Schedule; the removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.

Prior to issuance of any permit, a bond in the amount of the applicant's total liabilities based on the aforementioned approved report by PNR, shall be submitted to the City. The bond is fully refundable, less administrative fee, upon the satisfaction of the PNR inspection prior to the issuance of a Certificate of Occupancy.

39. 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.
40. All of the on-site drainages, such as roof drain, area drain and subterranean garage discharge, shall be gravity-flowed out to the public right of way. If a sump pump is used, the drain shall be directed into an energy dissipater box prior to gravity-flowed out to the street. All drains shall discharge at an acceptable angle in a cast iron curb drain or an approved curb outlet. The construction of the drain shall be completed prior to the issuance of Certificate of Occupancy.
41. 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. A processing fee will be charged against the deposit.
42. 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:

http://www.ci.pasadena.ca.us/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 issuance of any permits, the applicant shall conduct a field meeting with an inspector from the 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.

43. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy.

In general, all public streets, sidewalks and parkways shall be free and clear of excavations and other construction related activities during the period of November through January of the following year. Specific dates will vary on an annual basis. Accordingly, contractors will be required to shut down construction operations which would impede traffic and pedestrian movements during these periods unless otherwise authorized by the City Engineer. Any existing excavations shall be backfilled, compacted and temporarily repaved before the beginning of the moratorium period.

The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link: http://cityofpasadena.net/PublicWorks/Engineering_Division/.

44. 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. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu at 626-744-3762.
45. In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

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.

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.

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.

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 http://cityofpasadena.net/PermitCenter/Plans_Submittal_Checklists/

The resolution of the City Council of the City of Pasadena approving the amended stormwater and urban runoff pollution control regulations and repealing resolution No. 8151, can be found at the following link: http://ww2.cityofpasadena.net/councilagendas/2015%20Agendas/Aug_17_15/AR%2019%20RESOLUTION%20APPROVING%20AMENDED%20STORMWATER%20&%20URBAN%20RUNOFF%20POLLUTION.pdf

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: http://www.ci.pasadena.ca.us/PublicWorks/Engineering_Division/.

The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (http://www.ci.pasadena.ca.us/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, dated November 22, 2016, for this project is: \$931,011.66 (subject to Housing Department evaluation). This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

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:

- a. 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.
- b. 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.

Water & Power Division

46. PWP Underground Power Distribution Facility is available and can provide power service either on Oak Knoll Avenue or Green Street. Note that the preliminary drawing does not indicate the proposed location of the Transformer Vault. Placement of proposed Transformer Vault must be coordinated with PWP Electrical Planning Section or PWP or Power Engineering prior to Power application approval.
47. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There is an 8-inch cast iron water main in Oak Knoll Avenue that was installed under Work Order 149 in 1913, and cement-lined under Work Order 6294 in 1980. It is located approximately 18 feet east of the west property line of Oak Knoll Avenue.
48. Moratorium: Verify with Public Works Department regarding any street construction moratorium affecting this project.
49. Water Pressure: The approximate water pressure in the area is 50-60 psi.
50. Water Service: PWP records reflect a 2-inch water service (44905) and a ¾ -inch water service (37634) serving 747 East Green Street. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at total cost to customer.

51. The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.

There is one fire hydrant in close proximity to the project. Fire hydrant number 617-13 is located on the southeast corner of Green Street and Oak Knoll Avenue.

If you would like to request for a fire flow test, please contact Marco Sustaita at (626) 744-4498.

**SITE PLAN
FOR AFFORDABLE HOUSING CONCESSION PERMIT #11860**

