

Reese, Latasha

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CITY CLERK

From: McAustin, Margaret
Sent: Friday, August 09, 2019 12:44 PM
To: Reese, Latasha; Jomsky, Mark
Cc: Reyes, David; Paige, Jennifer; Mermell, Steve; Morales, Margo
Subject: Request for call up from Hearing officer to BOZA

Latasha/Mark,
I would like to call up CUP #6649.
Thanks,
Margaret



Councilmember Margaret McAustin
City of Pasadena, District 2
mmcaustin@cityofpasadena.net

8/19/2019
Item 13



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

August 9, 2019

Ben Steckler
Fielder Group
299 N. Euclid Avenue, Suite 550
Pasadena, CA 91101

Subject: Conditional Use Permit #6649
1813 E. Colorado Boulevard
Council District #2

PLN2018-00304

Dear Mr. Steckler:

Your application for a **Conditional Use Permit at 1813 E. Colorado Boulevard** to facilitate the construction of a new Vehicle Services – Minimum Service Station within the ECSP-CG-4 (East Colorado Specific Plan, Commercial General, Route 66 subdistrict) zoning district, was considered by the **Hearing Officer on August 7, 2019.**

CONDITIONAL USE PERMIT: To allow for the construction of a new Vehicle Services – Minimum Service Station (Minimum Service Station) with eight fuel pumps, a 2,170 square-foot convenience store and a self-service auto wash;

CONDITIONAL USE PERMIT: To allow the off-site sale of limited alcohol (beer and wine) within the convenience store;

CONDITIONAL USE PERMIT: To allow a 24-hour a day, seven days a week operation of the Vehicle Service Station;

MINOR VARIANCE: To allow a 28' front yard setback on Colorado Boulevard for the fuel canopy, where the Zoning Code requires 5'; and,

MINOR VARIANCE: To allow a 29' corner side yard setback on Allen Avenue for the fuel canopy, where the Zoning Code requires 5'.

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 approved plans stamped **August 7, 2019.**

In accordance with Section 17.64.040 (Time Limits and Extensions) 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 (August 19, 2019)**. The effective date of this case will be **August 20, 2019**. 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 \$3,111.78. The Appeal fee for non-profit community-based organizations is \$1,555.89.

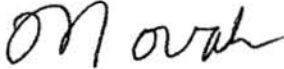
Any permits necessary may be issued to you by the Building Division on or after the effective date stated above. A building permit application may be submitted before the appeal deadline has expired with the understanding that should an appeal be filed, your application may, at your expense, be required 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, §15301, Class 1, Existing Facilities), Section §15302, Class 2 (Replacement or Reconstruction), Section §15303, Class 3 (New Construction or Conversion of Small Structures), and Section §15332, Class 32 (In-Fill Development Projects) and there are no features that distinguish this project from others in the exempt classes; therefore, there are no unusual circumstances. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will have substantially the same purpose and capacity as the structure replaced. Section 15303 exempts the construction and location of limited numbers of new, small facilities, or structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary services and facilities are available and the surrounding area is not environmentally sensitive. 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. In

addition, the project would not cause a substantial adverse change in the significance of a historical resource.

Further information regarding this case please contact **Jennifer Driver** at (626) 744-6756 or jdriver@cityofpasadena.net.

Sincerely,



Paul Novak
Hearing Officer

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

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

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6649

Conditional Use Permit: To allow the establishment of a Vehicle Services - Minimum Service Station land use

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 subject property is located in the Route 66 area of the East Colorado Specific Plan (ECSP-CG-4). Table 3-3 of Zoning Code Section 17.31.040 (ECSP District Land Uses and Permit Requirements), permits the Minimum Service Station with an ancillary automated carwash and convenience store land use subject to the approval of a Conditional Use Permit. With the exception of the increase in the front and corner side yard setbacks, the proposed operation will comply with all applicable provisions of the Zoning Code.

2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the ECSP-CG-4 zoning district is to implement the East Colorado Specific Plan by balancing and optimizing economic development, historic preservation, and the maintenance of local community culture. Specifically, it aims to identify areas of East Colorado Boulevard where auto-centric commercial development should be concentrated. The proposed Minimum Service Station is a commercial use that will be replacing an existing Full Service Station fronting East Colorado Boulevard in an area that is generally concentrated with commercial development. Therefore, the proposed use is consistent with the intent and purpose of the ECSP-CG-4 zoning district. As a result, with strict adherence to the conditions of approval, the proposed use will be in conformance with the purposes of the zoning district.

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 proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by

maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

The proposed project will allow for the operation of a Minimum Service Station, a use that is conditionally permitted within the ECSP-CG-4 zoning district. As the subject site has been developed and operated as a service station for nearly 50 years, and is surrounded by predominately commercial development, it is anticipated that there will be no detrimental effects to the public health, safety and welfare at large. While the site is adjacent to a residential use to the east and north, the residential uses are buffered by the parking lot, an eight-foot masonry wall, and a dense landscape buffer with trees and tall shrubbery, which are intended to mitigate any potential impacts that the proposed use could have to persons residing in the neighborhood. Therefore, as conditioned, the operation of a Minimum Service Stations use will not detrimentally affect the surrounding 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 proposed Minimum Service Station use will be developed with a 2,170 square-foot convenience store, a 900 square-foot self-service auto wash and eight fuel stations on four pump islands under one canopy. The project meets, with exception to the front and corner side yard setbacks, the development standards including but not limited to building height, floor area and rear setback requirements of the ECSP-CG-4 zoning district. The project complies with the off-street parking requirements of the Zoning Code, providing 20 off-street parking spaces for the service station. The project complies with the landscaping requirements for parking lots by providing the required 10-foot landscape perimeter on all property lines and by landscaping at least five percent of the parking lot. The project will be conditioned to comply with the Noise Ordinance regulations of Chapter 9.36 of Pasadena Municipal Code. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use. As such, the proposed use as described and conditionally approved would not be injurious to property and improvements in the area.

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The project involves the demolition of an existing Full Service Station, with a convenience store and auto repair facility, and the construction of a new Minimum Service Station, with a convenience store and a self-service auto wash. The building is sited in roughly the same location as the existing building and would maintain a substantial buffer from adjacent

residential uses to the north and east. The new building is in scale with the buildings along this segment of Colorado Boulevard and meets all the development standards of the ECSP-CG-4 zoning district, except for the front and corner side yard setbacks (see Findings below). The project will be required to obtain all necessary approvals from other City Departments prior to construction and as conditioned, will be in harmony with the surrounding uses.

Conditional Use Permit: To allow the Off-Site Sale of Limited Alcohol (Beer & Wine)

7. *The proposed location of the site for the Conditional Use Permit would not adversely affect the general welfare of the surrounding property owners.*

The ancillary off-site sale of beer and wine in conjunction with the operation of the proposed Minimum Service Station use is consistent with the commercial activity of the surrounding uses. The Police Department did not object to the off-site sale of limited alcohol in conjunction with the operation of the Minimum Service Station and convenience store use at this location. The use will operate in accordance with the City's laws, ordinances, and conditions of approval that will ensure the use will co-exist in harmony with the surrounding properties.

8. *The proposed location of the site for the Conditional Use Permit would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including wine, in the area.*

The project site is located within census tract 4627. This census tract extends from North Hill Avenue on the west to North Oak Avenue on the East and from East Orange Grove Boulevard on the North to the East Colorado Boulevard on the South. According to the ABC, a maximum of three off-site sales licenses are allowed in the census tract as a function of the population in the census tract. Currently there are four existing off-site sales licenses within the census tract, including the existing vehicle service station on the subject site, which will be transferred to the new station. As no new license is proposed, there is no change in the concentration of off-sale licenses within the census tract and as such, there is not an undesirable concentration of premises for the sale of alcoholic beverages as a result of the request.

9. *The proposed location of the site for the Conditional Use Permit would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to the following: a. Residential uses and residential districts; b. Hospitals, park and recreation facilities, places of public assembly, public or private schools, and religious assembly uses that attract minors and other similar uses; and c. Other establishments offering alcoholic beverages (including wine) for sale for consumption both on- and off-site.*

The adjacent residential and sensitive uses would not be significantly impacted by the off-site sale of limited alcohol because the purchase of alcoholic beverages in sealed containers would be for off-site consumption only and the onsite consumption of alcoholic beverage would be strictly prohibited at all times. In addition, the display of alcoholic beverages shall be limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage. The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area will be limited to 20 square feet. The off-site sale of alcoholic beverages will be a small component of the products sold at the convenience store in order to reduce any potential impact to the adjacent residential and sensitive uses in the neighborhood. The Police Department did not object to the off-site sale of limited alcohol in conjunction with the operation

of the Minimum Service Station. Additionally, conditions of approval have been included that will limit the potential for negative impacts associated with off-site sale of beer and wine.

10. *The proposed location of the site for the Conditional Use Permit would not aggravate proposed problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, and sales to minors).*

As conditioned, the off-site sale of alcoholic beverages will be a small component of the products sold at the convenience store in order to reduce any potential impact to the adjacent residential and sensitive uses in the neighborhood. The display of alcoholic beverages is limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage. The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area will be limited to 20 square feet. The off-site sale of limited alcohol (beer and wine) will be limited to 6:00 a.m. to 2:00 a.m., seven days a week. The cooler housing the alcoholic beverages will be required to be locked between the hours of 2:00 a.m. and 6:00 a.m., seven days a week and alcoholic beverages will not be available for purchase during this time. Noncompliance with any of the conditions of approval or any of the provisions of the Zoning Code may result in the revocation of the Conditional Use Permit. The implementation of these conditions of approval will reduce any potential issues associated with problems associated with alcohol sales.

11. *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 proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly,

Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

Conditional Use Permit: To Allow Extended Hours of Operation

12. *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.*

A Conditional Use Permit is required to permit the requested hours of operation, which include a 24-hour a day, seven days a week operation of the Minimum Service Station (fuel pumps and convenience store). Staff determined that while the convenience store and fuel sales could operate 24 hours a day, seven days a week with no detriment to the surrounding area, the operation of the self-service auto wash shall be limited to the hours of 7:00 a.m. and 9:00 p.m. in order to lessen the impact of the business on the adjacent residential properties. The proposal has been designed in compliance with all of the applicable Zoning Code standards, except for the front and corner side setbacks permitted (See Findings below). Conditions of approval have been included that will further limit the potential for negative impacts. The Police Department does not object to the proposed conditioned hours of operation.

13. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the ECSP-CG-4 zoning district is to promote a commercial character and allow for a variety of commercial uses to encourage development that contributes to the pedestrian character. The hours of operation will give the nearby patrons a local walking option for shopping and a close location for fuel sales instead of having to drive to other parts of the City. Further, the location of the proposed Minimum Service Station has operated as a Full Service Station for nearly 50 years, and has been operating with extended hours of operation, with no opposition from the Police Department. The proposed project complies with all aspects of the Zoning Code, except for the maintenance of a five-foot front and corner side yard setback (see Findings below). As conditioned, the project's hours of operation will be compatible with the surrounding area and the use will continue to be operated in a manner that will allow for harmonious relationships among land uses.

14. *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 recommended hours of operation for the proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Vehicle Services – Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to

adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

15. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

The proposed Minimum Service Station use will be developed with a 2,170 square-foot convenience store, a 900 square-foot self-service auto wash and eight fuel stations in four pump islands under one canopy. The project meets, with exception to the front and corner side yard setbacks, the development standards including but not limited to building height, floor area and rear setback requirements of the ECSP-CG-4 zoning district. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use, including limiting the operation of the self-service auto wash to 7:00 a.m. to 9:00 p.m. In addition, signs shall be posted in the parking lot advising the patrons of the residences nearby. Lastly, the site has operated as a Full Service Station for nearly 50 years, and as such, the proposed use as described and conditionally approved would continue to not be injurious to property and improvements in the area.

16. *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.*

A vehicle service station has been in existence on the subject property for nearly 50 years and has operated with extended hours of service for the convenience store, fuel sales, and alcohol sales. As conditioned, the extended hours of operation for the convenience store and fuel sales will provide the nearby residents a convenience for "one-stop" shopping on an existing commercially developed site. In addition, by limiting the hours of operation for the self-service auto wash to 7:00 a.m. to 9:00 p.m., the general welfare of the surrounding residents will be protected.

17. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The subject property is located in East Colorado Route 66 subdistrict, an area of auto-centric development within the City. The surrounding area is fully developed commercial uses to the west and south. Residential uses are located to the north and east of the site. The project

size is consistent with the floor area limitations found in the Specific Plan and the project scale is consistent with the character of the surrounding uses. Further, the proposed increased setbacks on Colorado Boulevard and Allen Avenue will maintain the auto-centric design of the Route 66 subdistrict. Lastly, the project does not impede existing views along Colorado Boulevard.

Minor Variance: To deviate from the five-foot front setback on Colorado Boulevard

18. *There are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district*

The setback requirements in the Specific Plan are required to promote pedestrian uses and activities at the sidewalk. However, the Route 66 subdistrict, which begins at the subject site, and continues eastward, is an auto-centric area and specifically aims to promote the historical car culture of Route 66. It supports vehicle-oriented convenience development, such as a vehicle service station, and allows for buildings to be set back away from the street and for the focus of the site to be the automobile. This area is characterized by having parking lots adjacent to the street edge.

The existing station is laid out in the historic auto-oriented format for service stations, with the fuel canopy in the front adjacent to Route 66 and the convenience store structure behind the fueling canopy. The proposed service station would continue the auto-oriented site layout, with the fuel canopy in front of the convenience store and self-service auto wash, maintaining the site as a vehicle-oriented convenience development. In addition, as a Vehicle Service Station, fuel trucks need to have access to the site and the underground fuel storage tanks. A hardship exists due to the truck access requirements of the proposed, conditionally permitted use. Applying the strict development standards of the Zoning Code, and relocating the canopy at the five-foot setback requirement, would prohibit the access of the trucks to the site and thus prevent the site to be used as a Vehicle Service Station, which is a substantial property right. As such, a deviation from this Code requirement is warranted.

19. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardship.*

Strict application of the five-foot setback requirement along Colorado Boulevard would prevent the circulation of the fuel trucks into and out of the site, which are instrumental to the operation of a Minimum Service Station, and would prevent the site to be used as a Vehicle Service Station, which is a substantial property right. Lastly, requiring the five-foot setback would hinder the auto-centric goals of the Specific Plan by limiting the functionality of the service station.

20. *Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare*

The purpose of requiring a five-foot setback along Colorado Boulevard is to encourage buildings along the street frontage in order to engage pedestrian activity on the sidewalk. The site of the proposed service station is located within the Route 66 subdistrict of the East Colorado Specific Plan, which is an area of the Specific Plan that promotes auto-oriented development with parking lots in front of buildings. The Specific Plan states, "residential development is not encouraged in this area. However, service commercial uses, restaurants, historic motels, and other uses that capture the desired Route 66 character are preferred and

single story 1950's architecture is desirable. Due to the nature of the area, parking lots occur adjacent to the street edge. Such lots should be screened and robust landscaping should be planted at the street edge." In keeping with this aim for the subarea, as well as Zoning Code requirements for parking lot landscaping, there will be a 10-foot landscaped buffer along Colorado Boulevard to provide screening at the street edge. Further, due to the inherit design of Vehicle Service Stations, the increase in the front setback will increase the usability of the site as a vehicle service station.

21. *Granting the application is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district*

Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan.

22. *Cost to the applicant of strict compliance with the regulation should not be the primary reason for granting the Minor Variance*

The cost to the applicant has not been considered as the primary factor at any time throughout the review of this application.

Minor Variance: To deviate from the five-foot corner side setback on Allen Avenue

23. *There are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district*

The setback requirements in the Specific Plan are required to promote pedestrian uses and activities at the sidewalk. However, the Route 66 subdistrict, which begins at the subject site, and continues eastward, is an auto-centric area and specifically aims to promote the historical car culture of Route 66. It supports vehicle-oriented convenience development, such as a Vehicle Service Station, and allows for buildings to be set back away from the street and for the focus of the site to be the automobile. This area is characterized by having parking lots adjacent to the street edge.

The existing station is laid out in the historic auto-oriented format for service stations, with the fuel canopy in the front adjacent to Route 66 and the convenience store structure behind the fueling canopy. The proposed service station would continue the auto-oriented site layout, with the fuel canopy in front of the convenience store and self-service auto wash, maintaining the site as a vehicle-oriented convenience development. In addition, as a Vehicle Service Station, fuel trucks need to have access to the site and the underground fuel storage tanks. A hardship exists due to the truck access requirements of the proposed, conditionally permitted use. Applying the strict development standards of the Zoning Code, and relocating the canopy at the five-foot setback requirement, would prohibit the access of the trucks to the site and thus prevent the site to be used as a Vehicle Service Station, which is a substantial property right. As such, a deviation from this Code requirement is warranted.

24. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardship.*

Strict application of the five-foot setback requirement along Allen Avenue would prevent the circulation of the fuel trucks into and out of the site, which are instrumental to the operation of a Minimum Service Station, and would prevent the site to be used as a Full Service Station, which is a substantial property right. Lastly, requiring the five-foot setback would hinder the auto-centric goals of the Specific Plan by limiting the functionality of the service station.

25. *Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare*

The purpose of requiring a five-foot setback along Allen Avenue is to encourage buildings along the street frontage in order to engage pedestrian activity on the sidewalk. The site of the proposed service station is located within the Route 66 subdistrict of the East Colorado Specific Plan, which is an area of the Specific Plan that promotes auto-oriented development with parking lots in front of buildings. The Specific Plan states, "residential development is not encouraged in this area. However, service commercial uses, restaurants, historic motels, and other uses that capture the desired Route 66 character are preferred and single story 1950's architecture is desirable. Due to the nature of the area, parking lots occur adjacent to the street edge. Such lots should be screened and robust landscaping should be planted at the street edge." In keeping with this aim for the subarea, as well as Zoning Code requirements for parking lot landscaping, there will be a 10-foot landscaped buffer along Allen Avenue to provide screening at the street edge. Further, due to the inherent design of Vehicle Service Stations, the increase in the front setback will increase the usability of the site as a vehicle service station.

26. *Granting the application is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district*

Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan.

27. *Cost to the applicant of strict compliance with the regulation should not be the primary reason for granting the Minor Variance*

The cost to the applicant has not been considered as the primary factor at any time throughout the review of this application.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6649

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

1. The proposed Vehicle Services – Minimum Service Station shall substantially conform to the site plan, floor plan, elevations and landscape plan submitted with this application and stamped "**Approved at Hearing August 7, 2019**", except as modified herein.
2. This approval authorizes the construction of a new Vehicle Services – Minimum Service Station land use that is comprised of a 2,170 square-foot convenience store, eight fuel pumps under one canopy and a self-service auto wash.
3. The approval of this application authorizes the sale of pre-packaged beer and wine for off-site consumption only.
4. The approval of this application grants a deviation from the required five-foot front and corner side setback for the fuel canopy.
5. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, except where an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
6. 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.
7. Any change to these conditions of approval or expansion and/or modification of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
8. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
9. The proposal shall meet all of the Zoning Code requirements and any other requirements as established in the Pasadena Municipal Code
10. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
11. The proposed project, Activity Number **PLN2018-00304** is subject to the City's Condition Monitoring Program and Final Zoning inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy or its equivalent. Contact the Planning Case Manager, Jennifer Driver at (626) 744-6756 to schedule an inspection appointment time and set up monitoring fees.

Planning Division

12. The hours of operation onsite shall be:
 - a. 24 hours, seven days a week, for the fuel sales;
 - b. 24 hours, seven days a week, for the convenience store;
 - c. 6:00 a.m. to 2:00 a.m., seven days a week, for sales of beer and wine in the convenience store; and,
 - d. 7:00 a.m. to 9:00 p.m., seven days a week, for the operation of the self-service auto wash.
13. The fuel canopy shall have:
 - a. A front yard setback of no more than 28 feet along Colorado Boulevard; and,
 - b. A corner side setback of no more than 29 feet along Allen Avenue.
14. All employees selling alcohol shall be required to participate in an alcohol management-training program prior to selling alcohol.
15. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.
16. The display of alcoholic beverages shall be interior only (no outdoor display) at all times.
17. No alcoholic beverages shall be consumed on the premises or any property adjacent to the subject site.
18. The display of alcoholic beverages shall be limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage.
19. The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area shall be limited to 20 square feet.
20. The area set aside for the display and refrigeration of beverages containing alcohol shall be in the extreme rear of the store.
21. A sign stating "No Loitering or Public Drinking" shall be posted in the parking lot. Said sign shall be approved by the Zoning Administrator and Public Works and Transportation Department.
22. The sale of beverages containing alcohol for off-site consumption is conducted as an incidental use to operation of a Minimum Service Station.
23. 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 for review and approval by the Zoning Administrator.

The plan shall include a mix of plant size and materials. Plant materials shall emphasize drought-tolerant and/or native species. The plan shall include at least the following:

- a. Where proposing more than 2,500 square feet of new landscaping, the project shall meet the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.
 - b. A 10-foot landscaped buffer along all property lines, except for required vehicular access and when a building abuts the property line.
 - c. Bushes, hedges or trees in the north and east landscaped buffer to create a noise and visual buffer for the self-service auto wash and to screen the view of automobiles from the adjacent site.
 - d. Low-level bushes in the southern and western landscaped area between the project and the public right-of-way in order to screen the gas fueling area.
24. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval for the existing palm tree prior to the issuance of any building or grading permits. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.
25. Security. Prior to the utilization of this grant, a camera surveillance system shall be maintained, which covers all common areas, including entrances, exits and vacuum areas of the car wash.
26. Within 60 days of the effective date of this permit, a litter cleanup plan shall be submitted for review and approval by the Zoning Administrator. The plan's objective is to maintain an attractive site, free of litter and discarded material. The litter cleanup plan shall:
- a. Cover the entire site including, but not limited to, the parking lot area, queuing lanes, landscaping area, walkways, exterior windows, doors, lights and signage.
 - b. Identify when the cleanup would occur, with a minimum of four times a day.
 - c. Identify the location of exterior trash receptacles.
 - d. The applicant shall ensure that site and immediate adjacent areas, including the public right-of-way, shall be maintained free of trash and debris and loiterers at all times.
27. Any graffiti that should appear on the site shall be removed within 48 hours.

28. The operations of Vehicle Services – Minimum Service Station land use shall comply with the requirements outlined in Section 17.50.290 of the Zoning Code.
29. The site shall comply with all applicable standards related to on-site signage stipulated in Section 17.48 of the Zoning Code. In particular, the following types of signs are prohibited:
 - a. Balloons, lighter-than-air devices, inflatable signs and objects, except as may be allowed through a Temporary Sign Permit.
 - b. Banners, pennants, ribbons, spinners, streamers, or other similar devices, except as specifically allowed through a Temporary Sign Permit.
 - c. Portable, folding, or similar signs, except as allowed in Title 12 of the Municipal Code.
 - d. Signs mounted on the roof of a building, including mansard roofs, and similar architectural roof-like elements.
 - e. Signs that are displayed on the exterior of a building and are made of materials that are impermanent and will not stand exposure to the weather.
 - f. Advertisings, banners, bills, cards, notices, placards, posters, signs, stickers, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street, street furniture, right-of-way, public sidewalk, crosswalk, curb, lamppost, fencing, hydrant, tree, alley, telephone pole, public telephone, lighting system, or other public alarm or communication system.
30. Compliance with Pasadena Municipal Code Chapter 8.78 (Tobacco Use Prevention Ordinance) shall be adhered to at all times.
31. A sign shall be posted on the site within a clear view of any interested person containing a telephone number and the name of a person to be contacted in the event that the operation of the involved store is causing concerns or problems in the adjacent neighborhood resulting from the subject use.
32. All pay telephones on the subject property shall not be equipped to receive incoming calls. Calls for patrons of the store shall not be received at any telephone on the subject site to prevent loitering
33. All deliveries, truck loading, and trash pick-up is allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturday.
34. Prior to the issuance of a building permit, a lighting (photometric) plan shall be submitted for review and approval by the Zoning Administrator. The plan shall demonstrate that the maximum average illumination of the uncovered parking lot is below the maximum three (3) foot-candles permitted per Section 17.46.220 of the Zoning Code. In addition, the remainder of the site, including the fuel canopy and convenience store, shall comply with Section 17.40.080 of the Zoning Code. The lighting plan shall include a site plan showing locations of ground-mounted light fixtures, and shielding to orient light away from adjacent properties.
35. Overnight parking of vehicles or trucks shall not be permitted on the premises except for employees of the business or customers while conducting business in the retail establishment.

36. No outdoor sales shall be conducted on the premises.
37. No video games shall be permitted.
38. The installation of an outdoor seating area shall not be permitted for this use.
39. The parking lot shall comply with the requirements of Chapter 17.46 of the Pasadena Municipal Code except as modified herein.
40. No mechanical equipment shall be permitted on any roof unless properly screened, or in an enclosure designed to be architecturally compatible with the building. All screening must be reviewed and approved by the Zoning Administrator.
41. A refuse storage area for the collection of trash and recycled goods shall be provided prior to issuance of a Certificate of Occupancy. Refuse storage shall comply with Zoning Code Section 17.40.120 (Refuse Storage Facilities) at all times.
42. The use shall comply with Municipal Code Chapter 9.36 (Noise Restrictions).
43. These conditions of approval must be posted in a conspicuous location for public viewing within the Vehicle Services – Minimum Service Station on a continuous basis for the life of this Conditional Use Permit, beginning on the date the occupancy commences.

Design and Historic Preservation Division

44. Submit to the *Design* and Historic Preservation Division for Consolidated Design Review.

Building and Safety Division

45. Governing Codes: Comply with the Current Edition of the 2016 California Residential Code, 2016 California Building Code, 2016 California Electrical Code, 2016 California Plumbing Code, 2016 California Mechanical Code, 2016 California Energy Code, California Green Building Standard Code and the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.
46. Survey: A surveying plan is required for new construction to officially determine the location of the property lines.
47. Soils Report: Soils report is required for the project.
48. Grading: If greater than 50 cubic yards (excluding excavation for building foundation), Grading/Drainage Plans shall be prepared by a registered engineer.
49. Low Impact Development (LID) Plan: This project appears to require the preparation of a LID Plan to demonstrate stormwater management post-construction. See Form PC for determination. LID Plan shall be prepared by a registered engineer.
50. Building Code Analysis: Document on the plans the Allowable Height and Area, Occupancy groups, Type of Construction and Height and Area increases.
51. Special Provisions: Motor fuel-dispensing facilities shall comply with Section 406.7 of the CBC.

52. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11B of the CBC.
53. Required Plans and Permit(s):
 - a. Separate permits are required for the following: Demolition, grading (if applicable), fire sprinkler, mechanical, electrical and plumbing.

Public Works Department

54. The proposed drive approaches along Colorado Boulevard and Allen Avenue frontages shall be per the Department of Transportation (DOT) and the Department of Public Works approvals, in reference to DOT's memorandum, dated February 23, 2018.
55. On-site drainage, such as roof drain and area drain shall be contained on-site per LA County Regional Water Quality Control Board's current permit.
56. The existing storm drain system on Allen Avenue is owned and operated by the Los Angeles County Department of Public Works. Approval from The City and Los Angeles County is required for any modification/connection to the storm drain structure/catch basin.
57. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall verify, and reconstruct directional curb ramps, if possible, at all of the intersection corners of Colorado Boulevard and Allen Avenue per Caltrans Standard A88A or City of Pasadena Standard No. S-414. Additional striping, signal work, and/or poles/utility relocations might be necessary. The curb ramps 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 (2) months prior to the issuance of any 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 15 feet radius per the Standard Plan S-423) 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/deposit shall be submitted to this office, at least three to four (3-4) months, prior to issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

58. The existing street lighting along the subject project frontages are substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate one (1) existing street lighting along the Colorado Boulevard frontage and one (1) existing street lighting along the Allen Avenue frontage per the City requirements and current standards. The renovation shall include but not limited to new LED lights, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and miscellaneous related parts.

In the event where the existing street light pole determined, by the City, to be deteriorated and/or damaged, the applicant shall replace the existing street light pole with a new street light pole in kind. The replacement shall include but not limited to new pole, new footing, new LED lights, conduit, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and other miscellaneous related parts. The applicant shall schedule a street lighting pre-inspection with the Public Works inspector to determine the details/scope of the replacement/renovation of the existing street lighting. Please contact 626-744-4195 or via email: pw-permits@cityofpasadena.net to schedule a street lighting pre-inspection, prior to the issuance of any permits.

59. The proposed development shall connect to the public sewer main line with a new six-inch diameter sewer lateral laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer (lateral) "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 sewer 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.
60. The applicant is responsible for the design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above 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 to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that 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 public improvements plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits.
61. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree.
62. The applicant is prohibited from the following within a designated TPZ: construction vehicle access, construction vehicle operation, staging of materials, and trenching without the consent of the Department of Public Works.
63. The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

64. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance.
65. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 4' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. 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 Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
66. Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public tree(s) along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and the health of the tree(s) was critically compromised requiring its removal, 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 removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.
67. Prior to issuance of any permit, a sundry deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
68. Past experience has indicated that projects such as this tend to damage the (existing public and private street) 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 \$5,000 deposit with the Department of Public Works prior to the issuance of any 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, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.

69. 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: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>. A non-refundable flat fee, based on the current 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 (and the private street) 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 truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

70. 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: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>

71. 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.

72. Sewer Facility Charge - Chapter 4.53 of the PMC.

a. 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.

73. Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)
- a. 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.
74. City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC
- a. 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 <https://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
75. Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC
- a. The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at http://cityofpasadena.net/PublicWorks/Engineering_Division/ and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
 - i. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
 - ii. Summary Report with documentation must be submitted prior to final inspection.

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

Department of Transportation

76. One of the two driveways on Allen Avenue closest to the intersection shall be closed.
77. The applicant claims that relocation of underground fuel tanks necessitates maintaining both driveways on Colorado Boulevard. The applicant has been advised to present its supporting document at the project entitlement hearing. DOT will accept the findings of the hearing.

78. Any project loading/unloading spaces shall be on-site. DOT will not install a loading zone for project use along the project frontage.

Fire Department

79. Plan shall comply with the requirements of California code of regulations Title 24 and Pasadena Municipal Code (PMC).
80. Automatic Fire Sprinkler System: The structure shall be provided with a fully automatic fire sprinkler system engineered and installed per NFPA 13. Shop drawings are to be submitted by licensed contractor for review and approval prior to construction. PMC, CFC Chapter 9.
81. Fire Department Fire Sprinkler Connections (per system) shall be comprised of:
- a. FDC shall be located a minimum of 25-feet from the building and within 150-feet of a public fire hydrant.
 - b. (2) 2-1/2" CLAPPERED internal swivel inlet X 4" FDC
 - c. Shall be clearly labeled to indicate FDC for Fire Sprinklers and Standpipes.
 - d. A clear dimension of 3-feet shall be maintained around the perimeter of each fire department appliance.
 - e. Approved protective vehicle bollards are to be installed when fire appliances are subjected to physical damage.
 - f. All fire appliances except for fire hydrants shall be cleaned, primed, and painted fire engine red enamel or Krylon.
82. Knox Box: All access gates across roadways or entrances to facilities shall fail unlocked/open in the event of any loss of power. All access gates and main entrance doors shall have a Knox Box or Knox Control Key Switch installed. Obtain Knox Box Applications from the Pasadena Fire Department Permit Desk.

Pasadena Water and Power – Power Division

83. If an electrical upgrade is required, existing two feeds shall be consolidated into one electrical service.
84. Any service above 200 amps may require a private property transformer. If applicable, contact PWP electric service planning to coordinate electrical service.

87. Water Pressure: The approximate water pressure in the area is 70 – 80 psi.
88. Water Service: PWP records reflect one 1-inch domestic service (32098) serving this project. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.
89. Water Division Requirements:
- a. Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
 - b. The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
 - c. All services not in use must be abandoned at the distribution main at the applicable rate.
 - d. For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
 - e. Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use, replacement and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.
90. Cross Connection Requirements for Domestic Services
- a. The fire service requires a detector meter and back-flow prevention assembly.
 - b. The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
 - c. All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
 - d. Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the

University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approve list of assemblies.

- e. All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
 - f. If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
 - g. Choose from one of the below listed options and incorporate into the fire sprinkler plans:
 - i. Option 1: Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.
 - 1) The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.
 - 2) The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.
 - ii. Option 2: Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.
 - 1) The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
 - 2) The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.
91. All Other Cross Connection Requirements: The owner/developer is also responsible for additional cross connection requirements for irrigation system, swimming pool and/or spa, boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.
92. Fire Flow and Fire Hydrants: 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 are two fire hydrants in close proximity to the project site. Fire hydrant 917-1 is located on the south side curb of Colorado Boulevard 106 feet east of the east property line of Allen Avenue. Fire hydrant 817-20 is located on the northwest corner of Colorado Boulevard and Allen Avenue. There is no current fire flow test information available for these fire hydrants.

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

93. Fire Hydrants Details:

