

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION

December 11, 2013

Ed Hale  
Project Manager  
2153 Oak Hill Drive  
Escondido, CA 92027

**Re: Minor Conditional Use Permit #6084  
1700 East Colorado Boulevard  
(PLN2013-00337)**

Dear Mr. Hale,

In preparation for review of your **Minor Conditional Use Permit** request, the Current Planning staff has prepared the recommendation included in this letter. The proposed project, involving: 1) expansion of an existing 3,094-square foot restaurant building to 4,598 square feet (net new 1,504 square feet); 2) reconfiguration of the existing drive-through lane into two lanes; 3) retaining one non-conforming freestanding pole sign; 4) installing four new business identification wall signs; and 5) removal of two protected trees along with a new landscaping plan for the site. The project is required to obtain the following land use entitlements:

1. Minor Conditional Use Permit: To allow expansion of an existing 3,094 square-foot fast food restaurant with drive-through service ('Burger King') to a 4,598 square-foot fast food restaurant ('Chick-Fil-A') with drive-through service, where the drive-through service component of the restaurant is no longer permitted in the ECSP-CG-2 zoning district, and is therefore, a non-conforming use. Approval of a Minor Conditional Use Permit is required to allow expansion of a non-conforming use (Drive-Through Business, Restaurant); and
2. Private Tree Removal: To allow the removal of one Chinese Elm (*Ulmus parviflora*) and one Southern Magnolia (*Magnolia grandiflora*) due to the proposed expansion project.

In accordance with Section 17.71.080.E of the Zoning Code, a Minor Conditional Use Permit is required for an alteration or enlargement of a legally established, but currently non-conforming use (Drive-Through Service). This same section also requires that the use (Drive-Through Businesses, Restaurants) shall comply with the performance standards and applicable development standards for the subject zoning district, and that there shall be no expansion of the non-conforming use to an additional lot.

### Minor Conditional Use Permit: Non-conforming Drive-Through Service

The property is located within the East Colorado Specific Plan, General Commercial, Sub-district 2 (ECSP-CG-2, The College District sub-area) zoning district. The East Colorado Specific Plan zoning district and its land use regulations were established by Ordinance #6958 in November 2003. A Formula Fast Food Restaurant use is currently permitted by right in this zoning district; however, Drive-Through Business, Restaurant use is no longer permitted. The existing Drive-Through Business, Restaurant ('Burger King') was established at this location in 1976, prior to the current restriction on Drive-Through Businesses and is therefore now a non-conforming use.

A Formula Fast Food Restaurant use is defined in the Zoning Code as a fast-food restaurant which is required by contractual or other arrangements to offer standardized employee uniforms, exterior design, food preparation, ingredients, interior decor, menus, or signs; or adopts an appearance, food presentation format, or name which causes it to be substantially identical to another restaurant regardless of ownership or location. A Drive-Through Business is defined in the Zoning Code as an establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services.

Analysis for the proposed continuation of the Drive-Through Business component of the restaurant involves meeting the specific findings for Drive-through Businesses, pursuant to Section 17.50.090 (Drive-Through Businesses), in addition to the Findings for Minor Conditional Use Permit review prescribed in Section 17.61.050.H (Conditional Use Permits, Review and Decision).

### Queuing Study

A Formula Fast Food Restaurant, Drive-Through Business is required to provide a queuing study to determine if the queue lanes required for drive-up service would potentially interfere with the traffic circulation within the parking lot, or to the surrounding streets. A 'Drive-Through Queue Analysis' was conducted for the project by TJW Engineering, Inc. in September 2013. The study analyzed a similarly-sized 'Chick-Fil-A' restaurant in Costa Mesa, California. This site was chosen because it is similarly situated on a major street (Harbor Boulevard) and has a comparable sales volume to the projected sales volume in the proposed Pasadena site. In the absence of any other Chick-Fil-A location in Pasadena, the Queuing Study relies on observations on an established Chick-Fil-A operation in another city with characteristics similar to the project site in terms of location (busy streets), size (floor area) and volume of transactions (sales volume).

Data were collected at three different peak hours: Weekday lunch (11:00 AM to 2:00 PM), Weekday dinner (4:00 PM to 7:00 PM), and weekend lunch (10:30 AM to 2:30 PM). The longest total queue (in number of cars) ranged from a low of eight queued vehicles observed during the weekend dinner period to a high of 13 queued vehicles observed during the weekend lunch period. This facility has one queue lane.

Using these data, it was determined that the proposed side-by-side drive-through lanes, approximately 225 feet in length will provide 135 feet of queuing space between the pick-up window and the order boxes, and the two entry lanes will each provide 88 and 85 feet of queuing space, respectively. Based on the Costa Mesa observations, each vehicle requires approximately 20 to 21 feet of queuing space. The proposed configuration allows the drive-through queuing lanes to split into two lanes with each lane having its own menu board and

ordering system. This will result in a more streamlined ordering process, which is an improvement to the current conditions. The study concludes that as designed, the drive-through lanes will provide queuing for 14 vehicles, which is sufficient queuing space to accommodate the anticipated drive-through vehicles during the peak period without over flowing into the parking lot drive aisles.

#### Litter Clean-up Plan

A Litter Clean-up Plan was prepared for the proposed project by the applicant. The plan identifies four strategically located trash bins close by to the outdoor seating area. The plan's objective is to maintain an attractive site, free of litter and discarded material. The Plan covers the entire site: parking lot area, drive-through lanes, landscaping area, walkways, outdoor tables and seating area, exterior windows, doors, lights, canopies, signage, and that monitoring the premises occurs three times daily (early morning, mid-day and evening).

The plan consists of scheduled maintenance procedures to control litter and preventive practices for pest control, food contamination, and discouraging littering by guests and customers. The Clean-up Plan further provides guidelines for personnel to perform the clean-up tasks in a safe manner as to prevent injury and accidents.

#### Hours of Operation

The current hours of operation for Burger King are 6:00 a.m. to 11:00 p.m., Monday to Friday, and 6:00 a.m. to 1:00 a.m., Saturday and Sunday. The new restaurant will retain these hours of operation; however will be closed on Sunday.

In this district, the Zoning Code currently allows all business to operate by right from 7:00 a.m. to 10:00 p.m. daily when the use is within 150 feet from a residentially zoned district. A Conditional Use Permit is required when hours of operation occur outside of these hours. In this case, the site on which the restaurant is located adjacent to a residential zoning district to the south and southeast. Even though this is less than the current 150-foot requirement, the established hours of operation for this site are legal, non-conforming and may be continued and not be subject to review and approval of a Conditional Use Permit.

#### Location requirements for restaurants with drive-through service

The Zoning Code requires fast food or formula fast food restaurants with drive-through service to maintain a minimum separation of 500 feet from the following uses: park and recreation facility, public or private school, or another fast food or formula fast food restaurant with drive-through service. There are no parks, recreation facility or other fast food restaurant with drive-through service within 500-foot radius of the project site. However, the Pasadena City College campus is approximately 100 feet west of the project site (across Bonnie Avenue). Although the distance from a school is less than the minimum 500 feet separation, the restaurant's distance from PCC is a legal, non-conforming standard and may be continued without a specific separate entitlement.

The proposed project consists of continuing the existing Formula Fast Food Restaurant with Drive-Through Service. The existing Burger King with drive-through service has operated at this site since 1976. There has been no record of adverse impacts of the existing use that would be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding area. Furthermore, the project will not result in a change or intensification in use.

As such, it is staff's determination that the proposed location of the new Restaurant Formula Fast Food Use with Drive-Through Services will not result in a situation that will adversely impact the neighboring uses.

#### Off-Street Parking and Loading

The off-street parking requirement for a Restaurant Formula Fast Food Use is ten spaces per 1,000 square feet of gross floor area. Based on the new 4,598 square-foot building, a total of 46 parking spaces are required. The applicant is proposing to provide a total of 49 parking spaces onsite.

In addition to parking, the project is required to provide one 12-foot by 30-foot loading space on site. An existing loading space will be relocated to another location behind the enlarged restaurant building, with dimensions of 16 feet by 30 feet. On-site loading, unloading, and trash pick-up will be allowed only between the hours of 7:00 a.m. and 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. Loading, unloading, and/or trash pick-up is not allowed on Sundays. This shall include maintenance/service vehicles, delivery trucks, and trash trucks. As proposed, the project is in compliance with off-street parking and loading requirements.

#### Traffic Study

A Traffic Study was conducted by Overland Traffic Consultants, Inc. in November 2013. Based on the intersection level of service analysis, it was determined that: there would not be any significant impacts at any of the six studied intersections or three studied street segments resulting from the project. While the threshold for a significant impact for a street segment is an increase in the number of traffic trips of five percent or more, the traffic study concluded that the project-related trips have a daily traffic growth along the study segments between 0.95% and 2.28%. The study determined that the following three street segments would experience traffic volume growth up to 2.4% which would be subject to staff review and conditions:

1. Colorado Boulevard between Sierra Bonita Avenue and Bonnie Avenue
2. Colorado Boulevard between Bonnie Avenue and Meridith Avenue, and
3. Bonnie Avenue between Colorado Boulevard and Del Mar Boulevard

An analysis of the Pedestrian Environment Quality Index (PEQI) found an average quality along Colorado Boulevard between Bonnie Avenue and Meridith Avenue, and Bicycle Quality Index (BEQI) score of 39, considered low quality. These findings lead to a recommendation that the project contribute funds to the Neighborhood Traffic Management Capital Improvement fund for traffic management measures to protect the local neighborhood, improve pedestrian, bicycle and transit amenities.

#### Trees

The project site contains a total of 16 trees; three are protected specimen trees and thirteen do not qualify for protection. A landscaping plan for the entire site proposes removal of 14 trees, two of which are protected trees, and are therefore subject to the review concurrent with the Minor Conditional Use Permit. The proposed new landscaping plan includes introduction of six new protected specimen trees and 15 non-protected species, for a total of 21 new trees. The tree replacement matrix relating to the Tree Protection Ordinance requires that each of the trees proposed for removal be replaced with either 22 new trees in 24-inch box size, or 12 new trees

in 36-inch box size. The landscaping plan proposes to introduce two 15-gallon size Marina Arbutus, thirteen 24-inch box size Marina Arbutus and six 36-inch box size Purple Trumpet, a protected specimen. Staff finds that the proposed combination of these sizes of new trees meets the required minimum replacement matrix. One finding is necessary to grant a tree removal request (see Attachment A). Therefore, staff is recommending approval of the tree removal application.

#### Environmental Review

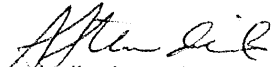
This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Title 14, Chapter 3, Class 1, Section 15301, Existing Facilities). Class 1 exempts projects that involve negligible or no expansion of an existing use. The project consists of enlarging 3,094 square-foot fast food restaurant with drive-through service ('Burger King') to 4,598 square-foot fast food restaurant ('Chick-Fil-A') with drive-through service. The existing use is a Formula Fast Food Restaurant, Drive-Through Business, Restaurant Service and will remain as such. The project will not result in a change in use or significant expansion of the existing use.

#### Public Hearing

A decision is scheduled to be made by the Hearing Officer on **Wednesday, December 18, 2013**. Planning staff's recommendation to the Hearing Officer on the project is for **approval** of your application. The recommended findings and conditions of approval are included as Attachments A and B to this letter.

In order to provide you an opportunity to comment on the staff recommendation before the Hearing Officer makes a decision on your application, the recommended findings and conditions of approval have been enclosed with this letter for your review. Comments on the recommendation must be received by our office on or before **Tuesday, December 17, 2013 and no later than 5:00 p.m.** in order for the Hearing Officer to review your comments with the staff recommendation. Additionally, you may as the applicant request a hearing for your case. Such request must be filed with Current Planning staff no later than one day before the scheduled hearing date. Should you have any questions or concerns, please feel free to contact me at (626) 744-6707 or [aatendido@cityofpasadena.net](mailto:aatendido@cityofpasadena.net).

Sincerely,

  
Annabella Atendido  
Planner

Enclosures: Attachment A, Attachment B

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #6084**  
**& PRIVATE TREE REMOVALS**

Minor Conditional Use Permit: Expansion of a non-conforming use (Formula Fast Food Restaurant, Drive-Through Business, Restaurant)

1. *The proposed use is allowed with a Minor Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of the Zoning Code in that the proposed expansion of an existing an existing 3,094-square foot restaurant building to 4,598 square feet (net new = 1,504 square feet), and retaining the drive-through service. The property is located within the East Colorado Specific Plan, General Commercial, Sub-district 2 (ECSP-CG-2, The College District sub-area) zoning district. A Formula Fast Food Restaurant use is currently permitted by right in this zoning district; however, Drive-Through Businesses, Restaurant use is no longer permitted; therefore, it is now a non-conforming use. Any alteration or enlargement of non-conforming use is subject to review and approval of a Minor Conditional Use Permit, pursuant to Zoning Code Section 17.71.080.E. The proposed project meets all applicable development standards, including setbacks, height limit, parking, loading, queuing, and litter control.*
2. *The location of the proposed use complies with the special purposes of this Zoning Code and purposes of the applicable zoning district in that the proposed expansion of an existing Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Burger King') to be operated by another company ('Chick-Fil-A') will not change the existing land use. The new restaurant operator shall meet all applicable development standards and operational requirements of the Zoning Code and the use is compatible with other established neighborhood commercial uses in the vicinity. The use complies with the 500-foot distance separation requirement from a park and recreation facility, or another fast food or formula fast food restaurant with drive-through service. The project site, however, is less than 100 feet of a public school, Pasadena City College. Although the distance from a school is less than the minimum 500 feet separation, the restaurant's distance from PCC is a legal, non-conforming standard and may be continued without a specific separate entitlement.*
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 in that the proposed use is consistent with Objective 10, Diverse Economy, of the Land Use Element of the General Plan. Allowing the use in the project site will promote a diverse economy base and long-term economic contribution to the City. The existing Formula Fast Food Restaurant, Drive-Through Business, Restaurant has been in operation since 1976 and has provided numerous jobs to local residents and has contributed to the local economy and to the City with no major negative impacts to the adjacent uses in the past 37 years.*
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 in that the proposed expansion of the existing Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Burger King') and proposed to be operated by another company ('Chick-Fil-A') has been operating from the site since 1976. The project does not involve the change in use. The new restaurant building will be larger in size than the existing building, however, it*

will be subject to the current applicable requirements of the Building Code, Fire Code, Zoning Code, Public Works, Health Code.

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 in that the Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Burger King'), to be operated by another company ('Chick-Fil-A') has been operating from the site since 1976 and for 37 years, the use was not detrimental or injurious to the surrounding uses including the single-family and multi-family residential uses to the south of the site. The use is compatible with the adjacent commercial, public school (Pasadena City College) and residential uses in the neighborhood and will not detrimentally affect the surrounding 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 existing Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Burger King') was established in 1976. The proposed expansion and operation by another company ('Chick-Fil-A') will be slightly larger in size than the existing building. The primary use will remain unchanged. The project site provides sufficient lighting to ensure a safe and well-lit area for dine-in and drive-through customers. The primary operating characteristics of the site will remain unchanged as a Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Burger King'). The project will not result in any negative aesthetic impacts to the neighborhood. The existing building is 37 years old and is in need of an aesthetic facelift, which will improve the aesthetic values and character of the neighborhood.*
7. *The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses in that a queuing analysis was conducted for the project by TJW Engineering, Inc. in September 2013. The study determined that the side-by-side drive-through lanes will result in a more streamlined ordering process, which is an improvement to the current conditions. The study concludes that as designed, the drive-through lanes will provide sufficient queuing space to accommodate the anticipated drive-through vehicles during the peak period without spilling back into the parking lot aisles. The project is in compliance with drive-through queuing requirement. The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles.*
8. *The proposed location of the drive-through business will not result in adverse impacts upon the vicinity after giving consideration to a litter clean-up plan, the hours of operation, and the site plan in that the proposed expansion of the existing restaurant to be operated by another Formula Fast Food Restaurant, Drive-Through Business, Restaurant ('Chick-Fil-A') proposes to maintain the same operating hours as the current Burger King, which are 6:00 a.m. to 11:00 p.m. Monday to Friday, and 6:00 a.m. to 1:00 a.m. Saturday, and will be closed on Sunday. As conditioned in this report will not result in any adverse impact on the adjacent uses. A Litter Clean-up Plan indicates that four trash bins are strategically located throughout the property to ensure that trash is properly disposed of, and that the entire site shall be maintained in a clean and orderly manner.*

Private Tree Removal: For the removal of one Chinese Elm (*Ulmus parviflora*), tree #2 in tree inventory, with 23 inches diameter measured at 4.5 feet above natural grade, approximately 45 feet in height and 40 feet in spread.

9. *There is substantial hardship to the property owner in the enjoyment and use of the real property if the removal of the tree is not permitted.* The tree is located along the south property line, between a parking space and a block wall. There is evidence that the tree has been pushing the block wall and previously damaged the pavement and curb surrounding it.
10. *The project includes a landscape design that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix.* The proposed project includes a landscaping plan that shows that two smaller arbutus trees, which are more suitable for this location. The proposed landscaping plan will introduce a total of 21 new trees of various sizes, such that the combined total meets the minimum replacement matrix. Location and species of the new trees will be reviewed and approved in the Final Design Review of the project.

Private Tree Removal: For the removal of one Southern Magnolia (*Magnolia grandiflora*), tree #11 in tree inventory, with 21 inches diameter measured at 4.5 feet above natural grade, approximately 45 feet in height and 34 feet in spread.

11. *There is substantial hardship to the property owner in the enjoyment and use of the real property if the removal of the tree is not permitted.* The tree is located in the landscaped strip between the parking lot and the existing drive-through lane. A new curb will be located approximately where the tree is located in conjunction with the proposed re-configuration of the drive-through lanes, therefore, is in the way of the proposed two-lane drive-through. The additional drive-through lane is designed to improve the vehicle queuing and maneuvering.
12. *The project includes a landscape design that emphasizes a tree canopy that is sustainable over the long term by adhering to the adopted replacement matrix.* The proposed project includes a landscaping plan that the introduction of four arbutus trees in the planting strip where the subject tree is located. The proposed landscaping plan will introduce a total of 21 new trees of various sizes, such that the combined total meets the minimum replacement matrix. Location and species of the new trees will be reviewed and approved in the Final Design Review of the project.



**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #6084**  
**& PRIVATE TREE REMOVALS**

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

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Received at Hearing, December 18, 2013," except as modified herein.
2. 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 Minor Conditional Use Permit if sufficient cause is given.
3. The Minor Conditional Use Permit is to allow expansion of an existing 3,094 square-foot fast food restaurant with drive-through service (currently 'Burger King') to 4,598 square-foot fast food restaurant ('Chick-Fil-A') with drive-through service, where the drive-through service component of the restaurant is no longer permitted in the ECSP-CG-2 zoning district, and is therefore a non-conforming use. Approval of a Minor Conditional Use Permit is required to allow expansion of a non-conforming use (Drive-Through Business, Restaurant).
4. The Private Tree Removal is to allow the removal of one Chinese Elm (*Ulmus parviflora*) and one Southern Magnolia (*Magnolia grandiflora*) due to the proposed expansion project. A minimum of 21 new trees shall be planted in the project site, in accordance with the preliminary landscaping plan submitted with this Minor Conditional Permit application. The applicant shall submit a final landscaping plan that indicates the species of trees and plants, hardscape, and irrigation plan for review and approval of the Zoning Administrator prior to issuance of any building permits. The plan shall include drought-resistant plant materials and low-volume irrigation where practicable. The plan shall be prepared by a licensed landscape architect and shall meet the requirements of PMC Chapter 17.44 Landscaping.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Minor Conditional Use Permit or a new Minor Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
8. The proposed project, Activity Number **PLN2013-00337** is subject to Conditions Monitoring and Final Zoning inspection prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact the Planning Case Manager, Annabella Atendido at 626-744-6707 to schedule an inspection time.

### Planning Division

9. The hours of operation shall be limited from 6:00 a.m. to 11:00 p.m., Monday to Friday, and 6:00 a.m. to 1:00 a.m., Saturday for dine-in business as well as the drive-through service, and closed on Sunday. If Sunday operation is re-introduced, Sunday hours shall be from 7:00 a.m. to 10:00 p.m. Hours outside of these hours shall require an application for modification to this Minor Conditional Use Permit, or for a new Conditional Use Permit.
10. Onsite loading, unloading, 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 Saturdays. Loading, unloading, and/or trash pick-up is not allowed on Sundays. This shall include maintenance/service vehicles, delivery trucks, and trash trucks.
11. The existing 49 off-street parking spaces shall be provided on site. Each off-site parking stall shall be double striped in compliance with Figure 4-12 of the Zoning Code.
12. The on-site and off-site sale and/or consumption of alcohol is strictly prohibited at all times, without the approval of a new Conditional Use Permit.
13. The site plan shall be designed to ensure maximum security for employees and patrons.
14. Lighting shall be energy-efficient, and shielded or recessed so that direct glare and reflections are confined to the maximum extent feasible within the boundaries of the site, and shall be directed downward and away from adjoining properties and public rights-of-way. No lighting on private property shall produce an illumination level greater than one foot-candle on any property within a residential zoning district except on the site of the light source.
15. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.
16. All lighting fixtures shall be appropriate in scale, intensity, and height to the use they are serving.
17. The site and surrounding area shall be maintained in a litter and graffiti free manner, consistent with the maintenance measures and schedule contained in the Litter Clean-up Plan submitted with this Minor Conditional Use Permit application. Any graffiti that should appear on the site shall be removed within 48 hours.

### Building and Safety

18. Standard Urban Stormwater Mitigation Plan (SUSMP) is required if the addition, modification or alteration of 5,000 square feet or more of impervious surface.

### Design and Historic Preservation

19. The project is subject to review and approval by the Design and Historic Preservation Section.

Fire Department

20. Automatic Fire sprinkler system shall be installed throughout the building per PMC.
21. Fire alarm system shall be provided.

Public Works Department

22. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
23. In order to provide for intersection improvements, the applicant shall dedicate to the City the land necessary to provide a 15-foot radius property line corner rounding at the southeast corner of Bonnie Avenue and Colorado Boulevard. The applicant shall be responsible for all the costs required to complete the dedication. The dedication document and processing fee shall be submitted to this office prior to the issuance of any permits. The dedication document shall be executed and recorded prior to the issuance of the Certificates of Occupancy.
24. All proposed new drive approaches shall be a minimum of 12 feet and a maximum of 26 feet in width. They shall be constructed in accordance with Standard Drawing No. S-403. The existing gutter shall be cut as near the flow line and the paving shall not be disturbed. A 5-foot minimum clearance shall be maintained between the edge of any proposed driveway and an existing tree.
25. The applicant shall remove the surface-mounted detectable warning tile and install embedded detectable warning tile on the existing curb ramp at the southeast corner of Bonnie Avenue and Colorado Boulevard. The construction and specifications shall be per Standard Drawing No. S-414.
26. 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 \$5,000 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. 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.

27. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: [cityofpasadena.net/PublicWorks/Engineering\\_Division/](http://cityofpasadena.net/PublicWorks/Engineering_Division/)

A deposit, based on the General Fee Schedule, is required for plan review and on –going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval.

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

28. 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.
29. In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project:
- a. Sewer Facility Charge - Chapter 4.53 of the PMC  
The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
  - b. Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and

sidewalk. In addition, the applicant shall repair any existing or newly damaged sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

c. City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC

The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the approval of the Urban Forestry Advisory Committee.

Department of Transportation

30. The project shall pay the corresponding Traffic Reduction and Transportation Improvement Fee (TR-TIF) for the project at the time of building permit issuance. The fee for a new retail use per square foot is \$9.49. 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. The payment shall be made at Window #8 in the Permit Center located at 175 N Garfield Ave, Pasadena CA 91109.

31. It is recommended that the project contribute funds to the Neighborhood Traffic Management Capital Improvement Program Fund Number 75903. The funds will be used to implement traffic management measures to protect neighborhoods potentially influenced by the project's traffic on the roadway segments listed above. This recommendation is in line with the objectives of the street segment thresholds to protect residential neighborhoods from intrusion of traffic intended to and from commercial projects. **Amount: \$5,000\*\***

*\*\* The applicant shall make this payment payable to the City of Pasadena and delivered to the Department of Transportation office, attention: Conrad Viana at 221 E. Walnut Street, Suite 210, Pasadena, CA 91101.*

32. To improve the quality and safety of the bicycling around this project, the developer shall pay for the purchase and installation of bicycle racks at the following location at the time of building permit issuance:

- Colorado Boulevard between Bonnie & Meridith Avenue                      Initial Deposit: \$2,000\*

\*The estimated cost is subject to partial refund or additional billing. Payment should be made at DOT offices located at 221 East Walnut Street, Suite 210 Pasadena, CA 91101.

33. Given the existing northbound traffic lanes striping on Bonnie Avenue at Colorado Boulevard, it is this Department's recommendation that the northernmost driveway along Bonnie Avenue be restricted to a right-in/right-out driveway with southbound left turns prohibited onto the site due to its proximity to the intersection. Appropriate signage should be installed prohibiting vehicles from making left-turns onto or out of the site.

34. The existing Colorado Blvd driveway shall have a maximum of 14' width and operate as a one-lane right-turn only driveway with appropriate signage and curb details to warn pedestrians of oncoming right-turning vehicles.

35. Existing on-street parking conditions fronting this project shall be maintained.

36. Project's loading/unloading shall be on-site. DOT shall not install a loading zone for project use along the project frontage.