

**ATTACHMENT D
BOARD OF ZONING APPEALS' DECISION LETTER
DATED MAY 9, 2018**



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

May 9, 2018

REVISED

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

**Subject: Affordable Housing Concession Permit #11866
233 North Hudson Avenue
Council District #3**

PLN2017-00071

Dear Mr. Farrar:

Your application for an **Affordable Housing Concession Permit** at **233 North Hudson Avenue** was considered by the **Board of Zoning Appeals** on **May 2, 2018**.

Affordable Housing Concession Permit: A request for one affordable housing concession to facilitate the construction of a new 47,670 square-foot, 5-story, mixed-use building containing 42 residential units (three very low-income units), 5,835 square feet of commercial space, and 76 parking spaces within three levels of subterranean parking. The requested Affordable Housing Concession is to increase the maximum allowable floor area ratio (FAR) from 2.25 to 2.92.

At the conclusion of the public hearing, the Board of Zoning Appeals decided to adopt the environmental determination that the proposed project is exempt from environmental review. A motion was made to uphold the Hearing Officer's decision and approve **Affordable Housing Concession Permit #11866** subject to the conditions of approval in Attachment B that resulted in a 3-0 vote by the three members present. As a result, action was taken to approve Affordable Housing Concession Permit #11866 along with the findings in Attachment A and the conditions in Attachment B and in accordance with submitted plans stamped '**Approved**'.

In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval. This approval is eligible for two one-year extensions. Each one year extension is required to be reviewed and approved by the Hearing Officer at a noticed public hearing. In order for a project to be eligible for a time extension, the applicant is required to submit the required fee and time extension application to the Permit Center prior to the expiration date of the land use entitlement. The right granted by this approval may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

You are hereby notified that, pursuant to Pasadena Municipal Code Chapter 17.72, any person affected or aggrieved by the decision of the Board of Zoning Appeals has the right to appeal this decision. In addition, a member of the City Council may stay the decision and request that it be

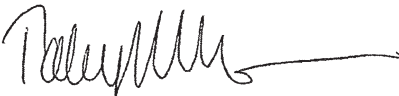
called for review to the City Council. An appeal or a request for a call for review of this decision shall be within ten days, the last day to file an appeal or a request for a call for review is **Monday, May 14, 2018**. Appeal applications must cite a reason for objecting to a decision and should be filed with the City Clerk. Without any call for review or appeal, the effective date will be **Tuesday, May 15, 2018**. The regular Appeal fee is \$1,877.69. The Appeal fee for Non-profit Community-based Organizations pre-registered with Neighborhood Connections is \$938.85.

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

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

Sincerely,



Talyn Mirzakhani
Senior Planner/Acting Zoning Administrator

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

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

ATTACHMENT A
SPECIFIC FINDINGS FOR AFFORDABLE HOUSING CONCESSION PERMIT #11866

Affordable Housing Concession Permit: To increase the FAR from 2.25 to 2.92

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

Keyser Marston Associates (KMA) performed a financial analysis which reviewed and compared and analyzed two scenarios: Base Zoning Alternative, a development in compliance with all current zoning requirements; and the Proposed Project Scenario, which is a development with a 27.3% density bonus, plus the concession to increase the FAR to 2.92. Based on their review, KMA found the net cost associated with providing three very low-income rental units is estimated at approximately \$1.54 million. Comparatively, the value of the proposed density bonus and concessions is estimated at \$1.18 million. Thus, the value of the density bonus and two requested concessions is estimated to be \$360,000 less than the net cost associated with providing three very low-income units. Thus, based on the results of the financial analysis, KMA concludes that the Developer's proposal meets the requirements imposed by the City's Density Bonus Ordinance as well as the California Government Code, Section 65915 (Density Bonus) to qualify for the concessions in order to facilitate the construction of three very-low income residential units.

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

The Department of Transportation (DOT) determined that a Traffic Impact Analysis was required for this project. The study evaluated the effect the project would have on existing neighborhood traffic volumes along access and neighborhood collector street segments and intersections within the vicinity of the project, and evaluated the existing Pedestrian Environmental Quality Index (PEQI) and Bicycle Environmental Quality Index (BEQI) along key corridors within the vicinity of the project.

The analyses determined that as it relates to vehicular traffic and with the incorporation of the recommended conditions of approval, there will be no adverse impact on public health, public safety, or the physical environment and the proposal complies with the requirements needed to make the findings to be granted a concession.

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

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

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

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

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

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

**ATTACHMENT B
CONDITIONS OF APPROVAL FOR
AFFORDABLE HOUSING CONCESSION PERMIT #11866**

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

General

1. The site plan, roof plan, and elevations submitted for building permits shall substantially conform to plans submitted with this application stamped "Received at Hearing, February 21, 2018 except as modified herein.
2. This approval allows for the construction of a new five-story, 47,670 square foot, mixed-use structure containing 5,835 square feet of commercial space, 42-units and 76 parking spaces.
3. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040 C of the Zoning Code.
4. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
5. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
6. The proposed project, Activity Number **PLN2017-00071**, is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Beilin Yu, Current Planning Section, at 626-744-6726 to schedule an inspection appointment time.

Planning Division

7. The maximum permitted floor area ratio on the subject site shall not exceed 2.92 or a maximum gross floor area of 47,670 square feet.
8. The proposed building shall comply with the height averaging provisions set forth in Section 17.30.050.B of the City's Zoning Code, and is subject to the review and approval by the City's Design Commission. The structure shall not exceed a maximum height of 75'-0", as measured from the adjacent lowest existing grade to the top of the highest parapet.
9. A minimum of three units within the development project shall be dedicated for very low-income household families.
10. Parking for the project shall comply with Sections 17.43.090 (Alternative Parking Standards) and Chapter 17.46 (Parking and Loading) of the City's Zoning Code.
11. There shall be a minimum of 11 bicycle parking spaces, ten of the bicycle parking spaces shall be Class 1, and one shall be Class 2.

12. Balconies shall be located no closer than six feet from an interior side or rear property line, and may project four feet into a front or corner side setback. Balconies designed to project over the public right-of-way shall have prior approval from the Department of Public Works.
13. A minimum of 6,300 square feet of community space shall be provided as part of the project.
14. City permits for overnight parking on City streets shall not be issued for the residents and visitors of this project. The residential lease agreement shall include a clause advising the residents of the unavailability of on-street overnight parking permits. The applicant or its successor in interest shall maintain the signature of the residents confirming the receipt and understanding of this information
15. The residential lease agreement shall also include a clause notifying the residents that they are living in an urban area and that the noise level may be higher than in a typical residential area. The applicant or its successor in interest shall maintain the signature of the residents confirming the receipt and understanding of this information.
16. The loading and unloading of furniture and household good for the residential units on the street shall be limited to the hours of 9:00 a.m. to 2:00 p.m. and 7:00 p.m. and 10:00 p.m. on the weekdays, and 9:00 a.m. to 10:00 p.m. on the weekends.
17. The project is subject to Design Review with the Design Commission.

Building and Safety Division

18. Governing Codes: Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review. The current edition is the 2016 series starting January 1, 2017 through December 31, 2019
19. Grading: If greater than 50 cubic yards (excluding excavation for building foundation), grading/drainage plans shall be prepared by a registered engineer.
20. Soils Report: Soils report is required for the project.
21. Low Impact Development (LID) Plan. This project requires the preparation of a LID Plan to demonstrate stormwater management post-construction. LID Plan shall be prepared by a registered engineer.
22. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Groups, Type of Construction, and Height & Area Increases.
23. Fire Protection: Provide wall & opening protection for exterior walls & openings near property lines.
24. Means of Egress (Exiting): Provide Occupant Load Calculations, and provide an "Exit Plan". Identify exit separation and travel distance
25. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11A of the CBC.

26. Permit(s): Separate permits are required for demolition, grading, fire sprinkler, mechanical, electrical, and plumbing.

Public Works Department

27. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits, backflow preventers, transformers, fire sprinkler valve, and decorative sidewalk. Private improvements may only be placed in the public right-of-way by submitting a license agreement, which must be approved by the City. The license agreement application for any private improvement within the public right-of-way shall be submitted to the Department of Public Works for review and shall be approved by the City before any permits are granted. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any building or demolition permits. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

A license agreement for shoring requires that all steel rods in every tie-back unit be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located less than ten (10) feet below grade be removed from the public right-of-way. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

28. Per the adopted Street Design Guide by the City Council on March 20, 2017 and per the Department of Transportation's condition of approval, the applicant shall reconstruct the northwest corner of Walnut Street at Hudson Avenue with a 15 feet curb radius and two (2) American with Disability Act (ADA) compliant directional ramps per Caltrans Standard A88A. Additional striping, signal work, and/or poles/utility relocations might be necessary.

The applicant shall submit to the City for review any proposed designs that will comply with the ADA requirements. The applicant is responsible for the design, preparation of plans and specifications, and construction of the new curb ramp. Plans for the curb return improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the Department of Public Works to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that the building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue Window 6. The applicant shall submit the curb return improvement plans and the plan check deposit at least two months prior to the issuance of any building or demolition permits.

Upon review of the curb ramp improvement plans, the applicant may need to dedicate to the City for street purposes the land necessary at the property line corner rounding to provide for the minimum clearance required by the Americans with Disabilities Act standards. If so, the applicant shall remove and reconstruct the sidewalk for the dedicated area, per Standard Plan No. S-421. The applicant shall be responsible for all the cost required to complete the dedication, if it is required. The dedication document and processing fee shall be submitted to this office prior to issuance of any permits. The dedication document shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

29. The applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk, without cutting the asphalt pavement along the subject frontage prior to the issuance of a Certificate of Occupancy. Sawcutting shall be done per the requirements of Public Works inspector. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514).
30. Per the adopted Street Design Guide by the City Council on March 20, 2017 and per the Department of Transportation's condition of approval, the applicant shall construct a driveway approach, as directed by the Department of Public Works and the Department of Transportation, for the proposed project's access on Hudson Avenue.
31. The Department of Transportation recommends a 26' wide driveway along the entire length of the ramp to accommodate 2-way traffic on the ramp. The driveway apron width shall match the ramp width. To improve the safety of pedestrians crossing the driveway, the design plans shall indicate a slope of 2 percent or less from the property line to 20' into the property to improve vehicular sight distance, unless otherwise reviewed and approved by the Department of Transportation.
32. If proposed, any parking entry gate shall be setback a minimum 20' from the property line. The gate must be included on the site plan and approved by the Department of Transportation prior to the issuance of the first permit for construction (demolition, grading, or building).
33. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.
34. Electrical vault within the boundaries of the drive approach shall be relocated outside the limit of the drive approach area prior to, or in conjunction with, drive approach construction. The applicant is responsible for coordinating with the Pasadena Water and Power Department.
35. In order to improve pedestrian and traffic safety, the applicant shall install one (1) new street light and relocate one (1) existing street light on or near the frontage of the property on Walnut Street and install a maximum of one (1) new street light on or near the frontage of the property on Hudson Avenue. In addition, the type, hardware, and location of the new street lights shall be approved by the Department of Public Works and shall conform to the Playhouse District Specific Plans and specifications. The cost of the street light is the applicant's responsibility

The applicant is responsible for the design, preparation of plans and specifications, and the construction of all required street lights. Plans for the improvements shall be prepared by a civil engineer, registered in the State of California. Upon submission of improvement plans to the Departments of Public Works for checking, the applicant will be required to place a deposit with the department to cover the cost of plan checking and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted. In addition, there is possibly considerable lead-time for the materials required for street light construction. In order to avoid delays in the development schedule, the applicant shall coordinate with this office at 626-744-4195 regarding this street light condition at least five (5) months in advance of the anticipated issuance of Certificates of Occupancy.

36. The applicant shall plant a maximum of two (2) Crepe Myrtle (*Lagerstroemia indica*) on Walnut Street frontage and a maximum of two (2) Southern Live Oak (*Quercus virginiana*) on Hudson Avenue frontage per the City's approved Master Street Tree Plan

Trees planted by the applicant must meet the City's tree stock standards, be inspected by the City, and be planted according to the details provided by the Parks and Natural Resources (PNR) Division. Planting shall include the installation of the following per tree: no less than two tree stakes; one arbor guard; and the use of slow-release fertilizer tablets. The applicant shall contact PNR (626-744-3880) for tree planting approval, a minimum of two (2) months, prior to the issuance of a Certificate of Occupancy.

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

37. Prior to issuance of the Certificate of Occupancy, the applicant shall submit a Tree Guarantee Deposit equal to the cost of all new trees planted to guarantee that newly planted trees are maintained by the applicant for a minimum of three calendar years. Tree maintenance during this period shall include the following: watering no less than once a week; weed removal; reconstruction of tree wells as needed; re-staking as needed, adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth. The applicant shall replace any newly planted trees which, for any reason, die or whose health is compromised, within the applicant's three-year establishment period. The three-year tree establishment period shall commence on the day that the Certificate of Occupancy is issued. PNR shall inspect all trees planted by the applicant at the end of the three-year establishment period, and if the trees are found to be in good health, the applicant's deposit will be released. If the trees are found to be in poor health, the establishment period may be extended by PNR and the applicant's deposit shall be held accordingly. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.

38. 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.

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.

The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

39. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan, 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 sundry deposit may be required for staff time to review the preliminary plans.

40. 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 inspected and approved by Public Works prior to the commencement of any construction.
41. 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.
42. Prior to issuance of any permit, a bond in the amount of the applicant's total liabilities based on the aforementioned approved report shall be submitted to the City. The bond is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
43. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24 010, house sewer "means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer." The section of house sewers within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.
44. The applicant shall demolish existing and construct all new public improvements along the subject development frontages of Walnut Street and Hudson Avenue, including concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.
45. Walnut Street and Hudson restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of 1.5 inches depth asphalt concrete roadway. Restoration of asphalt concrete pavement shall be per Standard Plan S-416 and to

the satisfaction of the City Engineer. Traffic channelization shall be restored per the Department of Transportation requirements and approval.

46. The applicant shall provide storm water drainage plans and obtain approval from the Planning Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
47. The applicant shall construct two new catch basins with connector pipes, one each along the Hudson Avenue and Walnut frontages of the subject property, at the northwest corner of Hudson Avenue and Walnut Street. The catch basins shall be connected to the existing storm drain systems in Hudson Avenue and Walnut Street. The storm drain improvements shall include removing the cross-gutter across Hudson Avenue north of Walnut Street, replacing it with asphalt pavement, and other necessary related work.
48. 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 and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted and will be based upon the estimated cost to the department for the work. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Independent plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue. The applicant is encouraged to submit these plans as early as possible to avoid delays in the issuance of Certificates of Occupancy.
49. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$20,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees. A processing fee will be charged against the deposit.
50. 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 deposit, based on the General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform

Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction staging, material storage, or trailer in the public right-of-way.

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

51. 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/>.

- 52 All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu at 626-744-3762.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

- Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.

- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

- City Trees and Tree Protection Ordinance - Chapter 8 52 of the PMC

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

- Stormwater Management and Discharge Control Ordinance – Chapter 8.70 of the PMC

This project is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance which implements the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance. Information on the SUSMP requirements can be obtained from the Permit Center's webpage at: <https://ww5.cityofpasadena.net/planning/permit-center/apply-for-permit/>.

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

- Residential Impact Fee Ordinance - Chapter 4.17 of the PMC

The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: http://www.ci.pasadena.ca.us/PublicWorks/Engineering_Division/

The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (http://www.ci.pasadena.ca.us/Finance/Fees_and_Tax_Schedules/) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule and the submitted information, dated February 16, 2017, for this project is: \$534,173.97 (subject to Housing Department evaluation). This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at: <https://ww5.cityofpasadena.net/public-works/street-maintenance-waste-management/recycling-resources/construction-and-demolition-debris-recyclers/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit

a C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.

b. Summary Report with documentation must be submitted prior to final inspection.

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

Department of Transportation

53. The project shall pay the Traffic Reduction and Transportation Improvement Fee (TR-TIF) for the project at the time of building permit issuance. The TR-TIF is subject to change based on the current General Fee Schedule. Total payment would be based on the final scope at the time of project approval.

54. The project is expected to exceed the established ADT Cap along Hudson Avenue between Locust Street and Walnut Street. Therefore, to reduce project vehicular trips, the applicant shall.

- Provide 42 Metro transit passes and offer them to its residents at 50% discount for five consecutive years from the issuance of Certificate of Occupancy.

55. Reconstruct the northwest corner of Walnut Street at Hudson Avenue with a 15' curb radius ADA compliant directional ramps per Public Works standards. Additional striping, signal work, and/or poles/utility relocations might be necessary.

56. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging & Traffic Management Plan to the Department of Public Works and the Department of Transportation for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site.

57. Construction-related traffic (delivery trucks or haul trucks) shall be restricted to the hours between 9:00 AM to 3:00 PM to limit peak hour traffic conflict along the local street network.

58. DOT recommends a 26' wide driveway with a 20' flat area beyond the property line. This flat area allows exiting vehicles to be properly aligned for the driver to see pedestrians and bicyclists crossing the driveway prior to exiting the property. The driveway apron width shall match the ramp width.

59. Views adjoining both sides of the driveway at the property line shall not be obstructed with landscaping, block wall, or non-porous fencing greater than 2 5 feet in height from property line to 15 feet beyond the property line.
60. If proposed, any parking entry gate shall be setback a minimum 20' from the property line. The gate must be included on the site plan and approved by the Department of Transportation prior to the issuance of the first permit for construction (demolition, grading, or building).
61. A circulation plan for the parking garage must be reviewed and approved by the Department of Transportation prior to the issuance of the first permit for construction (i.e. demolition, foundation, grading, or building). The plan shall be drawn to a 1"=20' or 1"=40' scale.
62. Existing on-street parking conditions fronting this project shall be maintained during and after construction except by permit.
63. The City will not issue permanent, on-street overnight parking permits to the future residents of this project. Future tenants shall be advised of the unavailability of permanent, on-street overnight parking permits by the property management.
64. Any loading/unloading for both residential and commercial components of this project shall be on-site. Department of Transportation will not install an on-street loading zone for the project.

Housing Department

65. A finalized Inclusionary Housing Agreement shall be approved by the City Manager prior to the issuance of a building/grading permit.

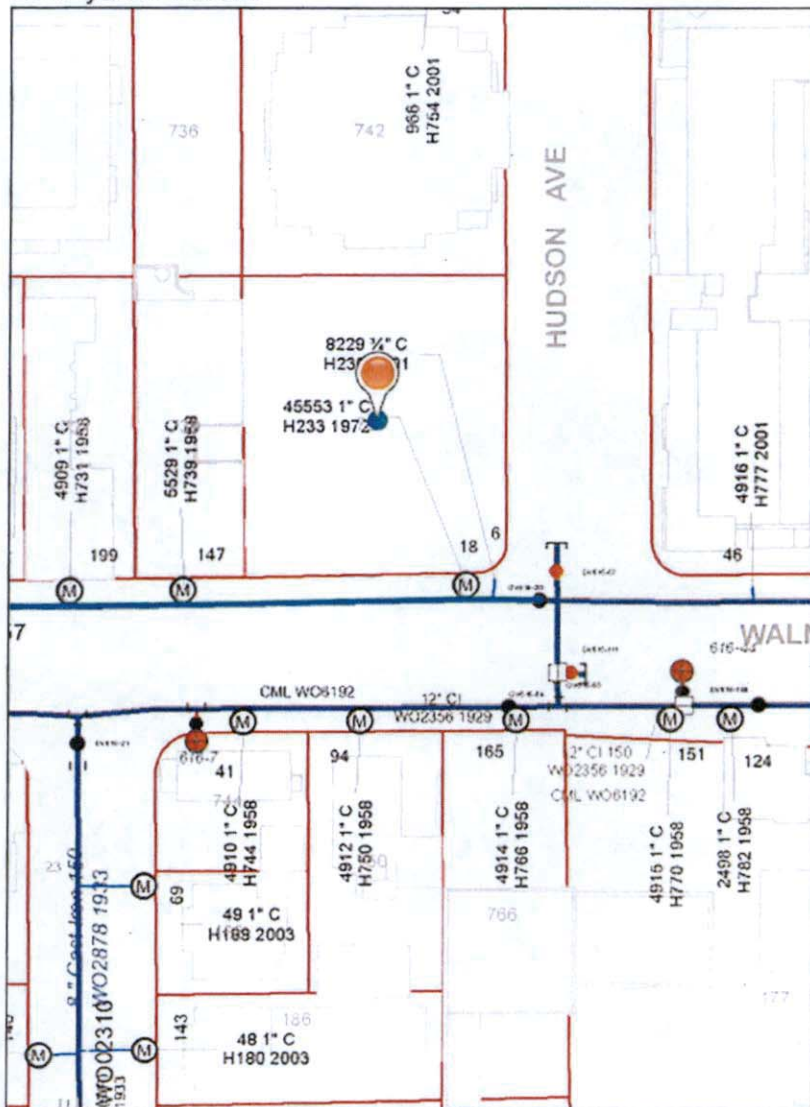
Water and Power Department – Water Division

66. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There is a 4-inch cast iron water main in Walnut Street that was installed under Work Order 2357 in 1929. It is located approximately 12 feet south of the north property line of Walnut Street.
67. Moratorium: Verify with Public Works Department regarding any street construction moratorium affecting this project.
68. Water Pressure: The approximate water pressure in the area is 80-90 psi.
69. Water Service: PWP records reflect a 1-inch water service (45553) serving the property. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at total cost to customer.
70. 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. Fire hydrant number 617-7 is located on the southeast corner of Walnut Street and Oak Knoll Avenue. Fire hydrant number

617-44 is located on the south curb of Walnut Street across from the intersection with Hudson Avenue. There are no recent fire flow test results for these hydrants.

Fire Hydrant Details:



Water and Power Department – Power Division

- 71. The Pasadena Water and Power Department 17kv underground distribution facility is available in Hudson Ave and Walnut St. Placement of private property vault must be coordinated with PWP Engineering or Electric Service Planning.
- 72. Pasadena Water and Power has a 7' easement between 742 Locust St and proposed 233 N Hudson Ave.

ATTACHMENT C
SITE PLAN

