

**MEMORANDUM - CITY OF PASADENA
DEPARTMENT OF PUBLIC WORKS**

DATE: April 6, 2007

TO: Denver Miller, Zoning Administrator
Planning and Development Department

FROM: City Engineer
Department of Public Works

RE: PAC2006-00018
3330 East Foothill Boulevard

The Department of Public Works has reviewed the application for a project consisting of a theater retrofit and new four-story, 212-unit residential podium building above two levels of subterranean parking at 3330 East Foothill Boulevard. The approval of this project should be based upon satisfying all of the following conditions:

1. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits 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 City Council. 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 Council before any permits are granted. 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.

2. The applicant shall dedicate to the City a 12-foot strip of land along the Sierra Madre Villa Avenue frontage of the subject property for street purposes. The dedication shall include a 25-foot radius property line corner rounding at the southeast corner of the intersection of Sierra Madre Villa Avenue and Foothill Boulevard. The dedication shall also include a 12-foot strip of land along the subject property's southerly property line and along the north side of the Metropolitan Transportation Authority (MTA) "Kiss-n-Ride" access driveway to the parking garage located south of the development.

3. The applicant shall provide \$1,000,000 to support the improvements to Walnut Street and Kinneloa Avenue and the City shall contribute \$1.64 million as per the Memorandum Of Understanding between the City of Pasadena and SMV Technology Partners LLC.
4. The applicant has paid an additional \$30,000 for his fair share of the costs of the construction of all necessary public improvements for a 12 feet wide sidewalk and a 5-foot curb setback along the east side of Sierra Madre Villa Avenue between Foothill Boulevard and the "Kiss-n-Ride" access driveway to the MTA facility located south of the development. The construction has been completed.
5. The applicant shall pay to construct all necessary public improvements for the installation of a second northbound to westbound left-turn lane on Sierra Madre Villa Avenue at the intersection of Sierra Madre Villa Avenue and Foothill Boulevard and provide any necessary adjustments and improvements to the receiving lanes on the west leg of the intersection. The improvements shall include the relocation/upgrade of traffic sensors, traffic signals, street lights, utilities, construction of median island, pavement, curb, gutter, sidewalk, and curb ramp, and revising and re-striping the traffic lanes and crosswalks.
6. The applicant shall pay his fair share of the costs, amount to be determined by the Department of Public Works, to construct the necessary public improvements for a curb setback to accommodate an additional and exclusive eastbound to southbound right-turn lane within the existing public right-of-way on Foothill Boulevard at the southwest corner of the intersection of Foothill Boulevard and Sierra Madre Villa Avenue. The improvements shall include the relocation/ upgrade of traffic sensors, traffic signals, street lights and utilities, construction of pavement, curb, gutter, sidewalk, curb ramp, and re-striping the traffic lanes and crosswalks.
7. The applicant shall install street furnishings, such as bus benches, pedestrian lighting and trash receptacles along the Foothill Boulevard and Sierra Madre Villa Avenue frontages of the subject property in accordance with the East Pasadena Specific Plan. The applicant was proactive in completing the pedestrian lighting on the Sierra Madre Villa Avenue frontage, in advance.
8. The applicant shall remove and replace any damaged curb and gutter along the subject frontages prior to the issuance of a Certificate of Occupancy.
9. The south half of Foothill Boulevard along the frontage of the subject property shall be cold milled 2" deep and resurfaced with rubberized asphalt paving.

10. Excavations in the streets for utility connections shall be as close as possible to each other and the pavement shall be restored contiguously between extreme excavations.
11. The applicant shall submit to the Department of Public Works a grading and drainage plan, including a hydrology study, for review and approval indicating the quantity of storm water runoff and how it will be handled prior to the issuance of a building permit. The grading and drainage plan, including the hydrology study, shall be prepared by a professional engineer registered in the State of California. The hydrology methodology shall meet both the Department of Transportation, State of California (Caltrans), and the Los Angeles County Department of Public Works (LACDPW) requirements.
12. No storm runoff from the development site shall drain to the MTA "Kiss-n-Ride" access driveway and parking garage site located south of the development.
13. The proposed development shall connect to the public sewer with a new house sewer consisting of one or more six-inch diameter vitrified clay or cast iron pipe laid at a minimum slope of two percent. The house sewer shall meet City Standards as determined by the Department of Public Works.
14. Plans must be submitted to the Department of Public Works for approval showing any structures, irrigation, footings, grading or plantings that impact City street trees. The plans must conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters and actual canopies as well as any trees to be planted with their canopy at mature size.
15. All trees shall be fenced, watered and protected for the duration of construction. A fee will be imposed if existing street trees are damaged by construction activities.
16. If drainage patterns are altered, the applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Development Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
17. If water is pumped from the subterranean parking garage before discharging into the public right-of-way, the applicant shall install a drainage structure in private property to dissipate energy from the pumped water.
18. If the proposed improvement drains to the driveway, the applicant shall construct a non-sump grate drain in the driveway at the back of the sidewalk, or by a method approved by the Department of Public Works.

19. In order to improve pedestrian and traffic safety, the applicant shall install a maximum of one street light on or near the frontage of the property on Foothill Boulevard. The type and hardware shall conform to current policies approved by the City Council, and the locations shall be as approved by the Department of Public Works. Pedestrian lights shall be installed in conformance with the East Pasadena Specific Plan. The cost of the street lights is the applicant's responsibility.
20. If the existing street lighting system along the project frontages is in conflict with the proposed development/driveway, it is the responsibility of the applicant to relocate the affected street lights, including conduits, conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.
21. The applicant shall plant and maintain, for a period of three years, a maximum of five officially designated street trees per the City approved master street tree plan on the Foothill Boulevard frontage of the subject property and install and permanently maintain an irrigation system for the trees. Locations will be finalized in the field by the Department of Public Works. Trees must meet the City's tree stock standards, inspected by the City, and be planted according to the details provided by the Parks and Natural Resources Division. The trees shall be approved by the Forestry Supervisor prior to the issuance of a Certificate of Occupancy. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to the Department for review and approval. Tree frames and grates shall be installed for the trees.
22. The applicant is responsible for 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 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 and will be based upon the estimated cost to the department for the work. Note that plans approved by the City Planning and Development (Building) Department do not include approvals for work in the public right-of-way. Independent plans shall be submitted to the Department of Public Works – Engineering Division. The applicant is encouraged to submit these plans as early as possible to avoid delays in the issuance of Certificates of Occupancy.

23. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at:
<http://www.cityofpasadena.net/publicworks/Engineering/default.asp>. A flat fee, based on the General Fee Schedule, is required for plan review. 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 WATCH Manual, 2006 Edition. If the public right-of-way occupation requires a diagram that is not a part of the WATCH Manual, 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.
24. 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.
25. 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.

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

- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)
In accordance with Section 12.04.031, 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 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 12.04.035, 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.
- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC
The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at <http://www.cityofpasadena.net/permitcenter/plansubreq/cndord.asp> 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 can be obtained from the Recycling Coordinator.
 - b. Monthly reports must be submitted throughout the duration of the project.
 - c. 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. 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.

Denver Miller, Zoning Administrator

April 6, 2007

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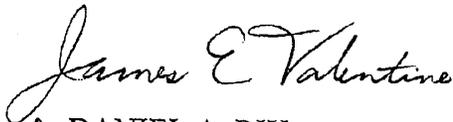
- o Stormwater Management and Discharge Control Ordinance – Chapter 8.70 of the PMC

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

- o New 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 can be obtained at the Permit Center's webpage at: <http://www.cityofpasadena.net/permitcenter/FEES/fees.asp>. The applicant shall make a payment based on the Residential Impact Fee Structure that was amended as of December 3, 2005. Payment of the fee to the City shall be made at the Permit Center at 175 North Garfield Avenue.

If you have questions regarding the above conditions and requirements of the ordinances, please contact Sean Singletary, of this office, at (626) 744-4273.



for DANIEL A. RIX
City Engineer

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