



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: September 4, 2019

TO: Hearing Officer

SUBJECT: Conditional Use Permit #6709

LOCATION: 1336 E. Colorado Boulevard

APPLICANT: Jason Chen

ZONING DESIGNATION: PD-35 (Colorado Hill Planned Development)

GENERAL PLAN DESIGNATION: Medium Mixed Use (0.0-2.25 FAR)

CASE PLANNER: Jason Van Patten

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Conditional Use Permit #6709 with the conditions in Attachment B

PROJECT PROPOSAL: Conditional Use Permit: To establish a Lodging – Hotels, Motels land use (hotel) with associated retail sales and services uses.

ENVIRONMENTAL DETERMINATION: The City Council adopted a resolution certifying an Environmental Impact Report (EIR) (SCH #2013101060), adopted a Mitigation Monitoring and Reporting Program (MMRP), and adopted a Water Supply Assessment pursuant to the California Environmental Quality Act (CEQA) on September 12, 2016. This environmental determination was in conjunction with the creation of a Planned Development Plan, and amendments to the zoning map and zoning code that affected properties located at 1347-1355 East Colorado Boulevard, 39 North Hill Avenue (north parcel), and 1336 East Colorado Boulevard (south parcel). The environmental analysis considered the development of two hotels (one on each of the north and south parcels), comprising up to 525 guest rooms and 26,400 square feet of commercial space. Specific to the south parcel, the analysis considered the construction and operation of an approximate 90,000 square-foot hotel and commercial use building. The ground floor would encompass approximately 10,000 square feet devoted to,

but not limited to, retail, restaurant, and other non-residential uses consistent with the adopted uses allowed within the applicable area of the East Colorado Specific Plan. The remaining approximate 80,000 square feet would be devoted to a hotel with up to 150 rooms.

The EIR analyzed environmental impacts to the following study areas: Air Quality, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning; Noise and Vibration; Public Services, Transportation and Traffic, and Utilities and Service Systems. The EIR identified potentially significant effects related to the following topics: Air Quality, Cultural Resources, Hazards and Hazardous Materials, Noise and Vibration; and Traffic and Transportation. With the incorporation of mitigation measures in the MMRP, the EIR determined that all potentially significant effects would be reduced to a less than significant level. On August 22, 2018, the Planning Commission approved revisions to the PD Plan to modify the adopted development standards related to setbacks and height for the south parcel. The Planning Commission determined that substantial changes had not occurred with respect to circumstances under which the original project was undertaken. They also determined that the proposed changes were minor in nature and would not require major revisions of the previously certified EIR because there were no new significant environmental effects or a substantial increase in the severity of previously identified significant effects mitigated to less than significant levels. This application for a Conditional Use Permit does not involve any changed circumstances or new information that would require further environmental review.

BACKGROUND:

Site characteristics: The project site is located on the south side of Colorado Boulevard between Hill Avenue and Holliston Avenue and consists of four parcels. The approximate 30,895 square-foot site is currently improved with two, single-story structures and a surface parking lot. The site has been periodically used for temporary vehicle storage and the sale of pre-owned vehicles. Existing vehicular access is available from Colorado Boulevard, Holliston Avenue, and Giddings alley to the rear.

Adjacent Uses: North: Mixed-use
South: Surface parking lot
East: Gas station
West: Fast food restaurant

Adjacent Zoning: North: ECSP-CG-2 (East Colorado Specific Plan, The College District Area) and PD-35 (Colorado Hill Planned Development)
South: CG (Commercial General)
East: ECSP-CG-2 (East Colorado Specific Plan, The College District Area)

West: ECSP-CG-1 (East Colorado Specific Plan, The Mid-City Area)

Previous Cases: Renewal of Planned Development #35: Request to renew the PD Plan for PD-35, originally approved by the City Council on September 12, 2016. The PD Plan became effective on March 29, 2017, per Ordinance No. 7296. Pursuant to Section 17.26.020.C.3.e of the City's Zoning Code, a PD Plan shall expire two years (March 29, 2019) from the effective date of the ordinance. The request is to renew the PD Plan for two additional years from the expiration date (March 29, 2021). Approved April 10, 2019.

Revision to Planned Development #35: Request to modify the adopted development standards related to setbacks and height for the south parcel. Approved August 22, 2018.

Planned Development: To create a new Planned Development including a PD Plan (PD 35 – Colorado Hill Planned Development). Included an amendment to the Zoning Code to add PD-35 and its development standards, and a zone change to change the zoning designation of the project site from ECSP-CG-2 (East Colorado Specific Plan, Commercial General, The College) and RM-48-PK (Multi-Family Residential, 48 dwelling units per acre, Parking Overlay) to Planned Development (PD). Approved September 12, 2016.

Variance #20645: To erect a building 20' by 30' by 11' on a lot at the rear of an oil station to be used as a garage workshop. Approved February 24, 1926.

Variance #16369: To establish a sanitarium. Approved June 7, 1922.

PROJECT DESCRIPTION:

The applicant, Jason Chen, has submitted a Conditional Use Permit (CUP) application to establish a 150-room hotel (Lodging – Hotels, Motels land use) with ground floor commercial uses. The proposal would occupy five-stories and up to 89,595 square feet of floor area. A minimum of 10,000 square feet is required to be devoted to retail sales and services uses and other non-residential uses (consistent with the adopted uses allowed within the ECSP-CG-2 zoning district and shall be pedestrian oriented), with the remaining allocated to the hotel use. Restaurant, retail sales, and personal services uses are proposed as part of the project. A CUP is required to establish a Lodging – Hotels, Motels use within the applicable PD-35 zoning district.

PLANNED DEVELOPMENT BACKGROUND:

In 2013, J&K Plus Investments LLC, submitted a Planned Development application to develop the properties generally located at 1347-1355 East Colorado Boulevard and 39 North Hill Avenue (north parcel) and 1336 East Colorado Boulevard (south parcel) with two hotels. As proposed by the applicant, the north parcel would be developed with a 375-room hotel and ground-floor commercial uses totaling approximately 350,000 square feet. The south parcel

would be developed with a 150-room hotel and ground-floor commercial uses totaling approximately 90,000 square feet.

The Planning Commission conducted public hearings on April 21, 2016, and June 8, 2016, to discuss the proposed project and potential alternatives, leading up to formal action on July 27, 2016.

On July 27, 2016, the Planning Commission recommended that the City Council approve the staff-recommended alternative of the project, with additional recommended conditions of approval. Staff's recommendation was to develop the north parcel with a hotel and ground floor commercial uses (as proposed by the applicant, which includes preservation of the automobile showrooms) and develop the south parcel consistent with Alternative Three – single-room occupancy housing for students with ground-floor commercial or Alternative Four – mixed-use residential with ground-floor commercial. In a separate motion, the Planning Commission recommended that the PD Plan be revised to add hotel as an allowed use on the south parcel.

On September 12, 2016, the City Council approved a new Planned Development (PD) including a PD Plan (PD 35 – Colorado Hill Planned Development) with conditions. The approval included an amendment to the Zoning Code to add PD-35 and its development standards, and a zone change to change the zoning designation of the project site from ECSP-CG-2 (East Colorado Specific Plan, Commercial General, The College) and RM-48-PK (Multi-Family Residential, 48 dwelling units per acre, Parking Overlay) to Planned Development. The approved PD Plan identifies allowed and conditionally allowed uses, established special development standards (eg. land use requirements, setbacks, floor area ratio, lot coverage, height, etc.) intended to facilitate specific development, and included conditions of approval related to the project.

The north parcel was approved for development of up to 375 hotel rooms and a maximum of 349,090 square feet of commercial floor area. Of this, a maximum of 332,690 square feet was allocated to the hotel use with a minimum of 16,400 square feet set aside for retail sales and services uses.

The south parcel was approved for the development of 89,595 square feet, with a minimum of 10,000 square feet set aside for retail sales and service uses. The remaining floor area, up to 79,595 square feet, could be used for the development of a Single-Room Occupancy use or a mixed-use project by right. A Lodging – Hotels, Motels use was allowed with the approval of a Conditional Use Permit. In approving the PD Plan, the City Council authorized the maximum allowed buildout on the north and south parcels, allowed a hotel use on the north parcel, and provided flexibility in the uses that could occupy the south parcel, leaving open the potential for a hotel through approval of a CUP.

On August 22, 2018, the Planning Commission considered a request by the applicant for a revision to PD-35 that modified approved development standards. The revision was limited to modifications to setback and height development standards applicable to the south parcel. The applicant was no longer pursuing any modifications of uses or standards applicable to the north parcel. At the conclusion of the public hearing, the Planning Commission approved the revision to the PD-35 Plan authorizing modifications to development standards related to setbacks and height for the south parcel. The front, corner, and side setback requirements were revised to reflect a zero-foot minimum to ten-foot maximum. The required rear setback was revised to reflect a zero-foot minimum to five-foot maximum. The maximum building height was set at 58 feet. No changes were made to standards applicable to the north parcel.

On April 10, 2019, the Planning Commission renewed the PD-35 Plan, originally approved September 12, 2016, for two additional years, establishing an expiration date of March 29, 2021.

ANALYSIS:

Zoning

The subject property is located in the PD-35 zoning district and identified as the south parcel within the PD Plan. Pursuant to the adopted PD Plan, the establishment of a Lodging – Hotels, Motels land use is allowed subject to the approval of a Conditional Use Permit. This use is defined as a commercial establishment offering overnight visitor accommodations, but not providing room rentals on an hourly basis. These uses include facilities available to the general public, including without limitation meeting and dining facilities, provided these are an integral part of the hotel or motel operations. The applicant's request to establish a hotel use through a CUP is consistent with the provisions of the applicable zoning district.

Conditional Use Permit

The Hearing Officer may approve a Conditional Use Permit to establish a hotel use only after making six findings identified in the Zoning Code. The general purpose is to evaluate compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses. The Conditional Use Permit process allows the City to specify development standards and may result in recommended conditions or requirements associated with the operation of the use.

The applicant's request for a CUP to establish a hotel use represents a sequential, but required step in the planned development of the south parcel. The proposed hotel was previously analyzed as part of the application that resulted in the creation of the PD-35 zoning district. The proposed use would include 150 guest rooms spread across five floors. Retail sales and service uses including areas for dining are proposed on the ground floor. A centrally located exterior courtyard and pool are also included. The establishment would offer overnight accommodations. No rooms would be offered on an hourly basis and up to a maximum of 60 percent of the guest rooms may contain kitchens, in compliance with Zoning Code Section 17.50.150.C (Lodging – Hotels and Motels – Maximum number of kitchens allowed). A discussion of the project's compliance with PD-35 development standards follows for reference. The applicant intends to comply with all development standards and is not proposing any deviations. Final verification would occur during the Building Permit plan check process to ensure any refinements remain consistent with the PD-35 requirements.

Commercial Development and Floor Area Ratio (FAR)

Pursuant to the PD-35 Plan, should the applicant/developer proceed with a project meeting the land use classification of Lodging – Hotels, Motels, there shall be a maximum of 89,595 square feet of new commercial floor area, where a maximum 79,595 square feet is dedicated to a hotel use and 10,000 square feet meets the land use classification of Retail Sales or Service Uses (subject to the requirements of the ECSP-CG-2 zoning district in Table 3-3 of Pasadena Municipal Code Section 17.31.040). The proposed retail sales and services uses are also required to be pedestrian oriented, as defined in Zoning Code Section 17.80.020 (Definitions). Examples of qualifying pedestrian-oriented uses include restaurants, retail sales (e.g. sales of

merchandise), and personal services (e.g. barber/beauty shop, day/health spa, nail salons, etc.).

According to the plan, the proposed hotel use would occupy a building consisting of 87,649 square feet, which complies with the maximum floor area allowed. Specific to the first-floor plan, the applicant proposes to devote 2,902 square feet to a retail sales use, 1,913 square feet to a restaurant use, 590 square feet to a personal service use, and 2,384 square feet to a common lobby. The aggregate of these pedestrian-oriented uses is 7,789 square feet. Since the plan does not yet provide the 10,000 square feet of retail sales and services uses required by the PD, a condition of approval is recommended that reinforces compliance with the specified floor area requirement of the PD. Staff has also recommended a condition that clarifies hotel-serving hallways, restrooms, entrances, and hotel reception/check-in areas do not qualify towards the retail sales and services requirement. The PD Plan provides the applicant with flexibility in determining the types of retail sales and services. Staff would verify compliance with the minimum retail sales and services requirement during the Building Permit plan check process and prior to issuance of any Building Permit.

The FAR on the south parcel caps at 2.90 pursuant to the PD Plan. However, any FAR in excess of 2.25 would require the Design Commission to find that the architectural design is contextual and of a high-quality. The applicant's proposal results in a FAR of approximately 2.8, which complies with the maximum. The architectural design will be reviewed to ensure it remains contextual and of a high-quality through the Design Review process.

Lot Coverage

The PD Plan establishes a maximum lot coverage of 75 percent. According to plan, the proposed use would occupy a building with a lot coverage of 74 percent. Therefore, the building complies with lot coverage.

Setbacks

The proposed use would occupy a building designed to comply with setback requirements of the PD Plan as described in Table 1:

Table 1: Setbacks

	Requirement	Proposed
Front (Colorado Blvd.)	0' to 10' maximum	0' to 7'3"
Corner (Holliston Ave.)	0' to 10' maximum	0' to 8'10"
Side	0' to 10' maximum	0' to 10'
Rear	0' to 5' maximum	0' to 3'6"

The proposed setbacks are consistent with those reviewed by the Planning Commission as part of the August 22, 2018, approved revision to the PD Plan.

Height

The PD Plan establishes a maximum height of 58 feet. Appurtenances (e.g. a tower, spire, cupola, chimney, penthouse, etc.) covering not more than 25 percent of the roof area may exceed the height limit by a maximum of 15 feet. The proposed use would occupy a building that reaches a height of 58 feet. A tower element located towards the northwest corner of the

building and occupying less than 25 percent of the roof area would extend an additional nine feet in height. Therefore, the building complies with the height limit. The proposed height remains consistent with the height reviewed by the Planning Commission as part of the August 22, 2018, approved revision to the PD Plan.

Parking and Traffic

Pursuant to Table 4-6 (Off-Street Parking Space Requirements), of Zoning Code Chapter 17.46 (Parking and Loading) hotel uses require one space per guest room, plus 10 spaces per 1,000 square feet of banquet, assembly, meeting or restaurant seating area or one space per eight fixed seats. Accessory uses greater than 5,000 square feet require 2.5 spaces per 1,000 square feet. According to the plan, the proposed hotel use consists of 150 guest rooms, 1,913 square feet of restaurant seating area, and 5,876 square feet of retail and service uses. The resulting requirement is 184 spaces. Considering the applicant has not yet provided the minimum 10,000 square feet of retail sales and services uses required by the PD, the actual parking requirement remains undetermined. With that said, the applicant has proposed 127 spaces on-site within two subterranean parking levels. Vehicle access to the site would be served by an existing alley located to the rear of the property that connects with Holliston Avenue on the west, and Hill Avenue on the east. The applicant intends to provide the remaining spaces off-site on property located at 1347-1355 East Colorado Boulevard, 39 North Hill Avenue (north parcel). The Zoning Code allows non-residential uses to locate required parking off-site provided they are within maximum distances specified in Table 4-4 (Maximum Distances for Off Site Parking), of Zoning Code Section 17.46.020 (Basic Requirements for Off-Street Parking and Loading). The proposed off-site location complies with the applicable distance requirements. The applicant is also required to record a covenant and lease agreement that specifies that parking shall be available when the use commences and continuing so long as the use is in effect. Compliance with parking requirements would be verified prior to Building Permit issuance.

As part of the creation of PD-35, the proposed project was evaluated by the Pasadena Department of Transportation (DOT) to determine the project's transportation impact to the community. As described in the EIR certified by the City Council on September 12, 2016, the proposed project would decrease the percentage of the citywide service population located within one-quarter mile of existing bicycle facilities to 31.4 percent (0.3 percent decrease). This is considered a significant impact. However, through implementation of Mitigation Measure MM-T-1 residual impacts would be less than significant. Mitigation Measure MM-T-1 would require the applicant to contribute the project's fair share of funds toward the Union Street Cycle Track Complete Streets Project found in the City's Fiscal Year 2016-2020 Capital Improvement Program (prior to issuance of a Grading Permit). Since the proposed use included with this CUP would comply with requirements established in the PD, and adhere to the adopted MMRP, staff determined that any parking or traffic impacts would be addressed.

Surrounding Uses and Noise

The subject property is located at the southeast corner of the Colorado Boulevard and Holliston Avenue intersection. The abutting property to the east is used as a gas station. To the south across Giddings Alley is a surface parking lot and a Pasadena public library (Hill Avenue Branch). To the west across Holliston Avenue is a fast food drive-through restaurant. A mixed-use structure is located southwest of the site approximately 100 feet away. To the north across Colorado Boulevard is a religious facility, the F. Suie One Antiques Store building (which also includes private offices and residences), and the PD-35 north parcel.

The EIR certified by the City Council (which specifically considered the development of the proposed hotel on the subject property) as part of the creation of PD-35, evaluated the potential noise impacts associated with construction activities (on-site construction equipment and traffic-related construction occurring off-site) and operation of the project, including new sources of noise on the project site such as heating, ventilation, and air conditioning equipment. The analysis also evaluated potential off-site noise along roadways that could result from increased traffic attributable to the project. Vibration analysis focused on the vibration associated with construction activities. Based on the nature of the proposed project, no notable additional sources of vibration would occur with long term operation of the project.

With respect to the operation of the proposed use (specific to this Conditional Use Permit review), the EIR concluded that the proposed project has the potential to result in a substantial permanent increase in ambient noise levels in the project vicinity. Specifically, the noise associated with on-site stationary sources and on-site outdoor activities (pool and cabana area) could result in significant noise impacts. To address this, noise and vibration mitigation measures were adopted by the City Council through a Mitigation Monitoring and Reporting Program (MMRP):

MM-NOISE-1 Noise Activity Prohibition. Prior to the issuance of the hotel occupancy permit, the Applicant shall demonstrate to the satisfaction of the Director of Planning and Community Development that the hotel regulations include a prohibition on the use of radios, televisions, "boom boxes", and similar devices in the pool area and other outdoor common areas unless the devices are used with headphones, ear buds, or similar devices.

MM-NOISE-2 Restriction of Nighttime Outdoor Activities. Prior to the issuance of the hotel occupancy permit, the Applicant shall demonstrate to the satisfaction of the Director of Planning and Community Development that the hotel regulations include a prohibition on the use of the pool area between 10:00 p.m. and 5:00 a.m. and that signs with pool hours are posted at the pool area.

MM-NOISE-3 Loading Dock Design. All Project outdoor loading docks and trash collection areas will be located or constructed such that the line of sight between these noise sources and any adjacent noise sensitive land use would be obstructed to the extent necessary so as to reduce noise to within 5 dBA above ambient (in terms of hourly Leq) as measured at the nearest off-site noise sensitive receptor.

MM-NOISE-4 Access and Egress via Holliston for North and South Parcel. Prior to the issuance of an occupancy permits for Building A on the North Parcel and Building B on the South Parcel, the Applicant shall present data to the Director of Planning and Community Development consisting of signage, operating instructions, and other measures that would be implemented to: Prevent service truck access and egress at the Holliston Avenue driveway and prevent use of the Holliston Avenue loading dock between 10:00 p.m. and 7:00 a.m. for the North Parcel; and prevent service truck access and egress on Giddings Alley at the Holliston Avenue driveway between 10:00 p.m. and 7:00 a.m. for the South Parcel.

The EIR also concluded that the proposed project could expose persons to or generate noise levels in excess of established standards, specifically indoor noise levels suitable for hotel uses. To address this, mitigation measures were adopted by the City Council:

MM-NOISE-5 Interior Noise Level. Prior to the issuance of each building permit, the Applicant shall present data to the Director of Planning and Community Development demonstrating that the interior noise level of hotel rooms facing Colorado Boulevard or Hill Avenue shall not exceed 45 A-weighted decibels (dBA) Community Noise Equivalent Level (CNEL).

Through implementation of these mitigation measures, the residual impacts would be less than significant. Since the proposed use included with this CUP would adhere to the adopted MMRP, staff determined the proposed use could coexist with surrounding uses and that any noise impacts would be addressed.

Hours of Operation

The City's Zoning Code does not limit hours of operation because there are no residential zoning districts within 150 feet. However, the adopted MMRP (MM-NOISE-2) specifies that use of the pool shall be prohibited between 10:00 p.m. and 5:00 a.m. This prohibition was extended to 6:00 a.m. by the Planning Commission through Condition of Approval 122, approved as part of the August 22, 2018, revision to the PD Plan. The proposed hotel use is required to adhere to the restriction on the pool hours.

GENERAL PLAN CONSISTENCY:

The project site is designated Medium Mixed Use (0.0-2.25 FAR, 0-87 dwelling units per acre) in the Land Use Element of the General Plan. Properties designated as Mixed-Use (MU) by the Land Use Diagram may be developed for a singular use (i.e., commercial or housing) or a mix of uses on the same site. This designation is intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. Development is characterized by shared open spaces, extensive landscaping, small to medium separations between buildings, and shared driveways and parking. Sites may be exclusively commercial or exclusively residential, or with buildings vertically integrating housing with non-residential uses. Where buildings face the street frontage, they shall be designed to enhance pedestrian activity with transparent facades for retail uses and distinctive entries for housing. Parking shall be located below or to the rear of the street.

The proposed use would be exclusively commercial, and include guest rooms and amenities, retail uses and dining (pedestrian oriented specifically), with parking located below ground. The hotel use would provide a facility that would be attractive to visitors, tourists, or even nearby educational institutions. Inclusion of ground floor pedestrian oriented commercial uses would contribute in activating the street, resulting in a more diverse mix of land uses and a vibrant streetscape. A centrally located courtyard and pool would provide an amenity to those using the hotel. Further, the establishment of the proposed hotel use is consistent with goals and policies in the Land Use Element of the General Plan. This includes Goal 2 (Land Use Diversity), Policy 2.3 (Commercial Businesses), Goal 14 (Visitors), Policy 14.2 (Conventions and Lodging), and Goal 25 (Diversity of Uses), Policy 25.1 (Diversity of Uses).

Goal 2 aims for a mix of land uses meeting the diverse needs of Pasadena's residents and businesses, fostering improved housing conditions, offering a variety of employment and recreation opportunities, and supporting a healthy population while protecting the environment. Policy 2.3 is about designating sufficient land to enable a broad range of viable commercial uses in Pasadena's Central District, Transit and Neighborhood Villages, and commercial corridors. These uses will serve both local and regional needs, reducing the need for residents

to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. Goal 14 emphasizes that Pasadena is a major destination for tourists from throughout the world to celebrate its events, culture, history, and setting. Policy 14.2 is about growing a variety of lodging options and attracting more lucrative conventions. Lastly, Goal 25 emphasizes diverse, active, prosperous, and well-designed commercial corridors and districts that provide a diversity of goods, services, and entertainment and contribute to a positive experience for residents and visitors. Policy 25.1 is about encouraging the development of a broad range of commercial uses that reduce the need to travel to adjoining communities, while capturing a greater share of local spending.

The proposed use is consistent with the applicable Goals and Policies because it would provide a hotel use along with pedestrian-oriented retail, service, and restaurant opportunities. This mix would serve residents by providing employment opportunities. It would also serve businesses, local educational institutions, and regional needs by providing lodging opportunities that would capture a greater share of local spending. The use would reduce the need for residents and visitors to travel to adjoining communities. It would also present an attractive opportunity for tourists. Further, the proposed use would contribute to a positive experience for residents and visitors by allowing them to stay within a reasonable distance to public transportation. The presence of a mix of uses in the immediate vicinity as well as accessibility to other areas of the City without a vehicle may attract greater occupancy while capturing a larger share of local spending. Therefore, the proposed use is consistent with the applicable Goals and Policies in the Land Use Element of the General Plan.

ENVIRONMENTAL REVIEW:

The City Council adopted a resolution certifying an Environmental Impact Report (EIR) (SCH #2013101060), adopted a Mitigation Monitoring and Reporting Program (MMRP), and adopted a Water Supply Assessment pursuant to the California Environmental Quality Act (CEQA) on September 12, 2016. This environmental determination was in conjunction with the creation of a Planned Development Plan, and amendments to the zoning map and zoning code that affected properties located at 1347-1355 East Colorado Boulevard, 39 North Hill Avenue (north parcel), and 1336 East Colorado Boulevard (south parcel). The environmental analysis considered the development of two hotels (one on each of the north and south parcels), comprising up to 525 guest rooms and 26,400 square feet of commercial space. Specific to the south parcel, the analysis considered the construction and operation of an approximate 90,000 square-foot hotel and commercial use building. The ground floor would encompass approximately 10,000 square feet devoted to, but not limited to, retail, restaurant, and other non-residential uses consistent with the adopted uses allowed within the applicable area of the East Colorado Specific Plan. The remaining approximate 80,000 square feet would be devoted to a hotel with up to 150 rooms.

The EIR analyzed environmental impacts to the following study areas: Air Quality, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning; Noise and Vibration; Public Services, Transportation and Traffic, and Utilities and Service Systems. The EIR identified potentially significant effects related to the following topics: Air Quality, Cultural Resources, Hazards and Hazardous Materials, Noise and Vibration; and Traffic and Transportation. With the incorporation of mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP), the EIR determined that all potentially significant effects would be reduced to a less than significant level. On August 22, 2018, the Planning Commission approved revisions to the PD Plan to modify the adopted development standards related to setbacks and height for the south parcel.

The Planning Commission determined that substantial changes had not occurred with respect to circumstances under which the original project was undertaken. They also determined that the proposed changes were minor in nature and would not require major revisions of the previously certified EIR because there were no new significant environmental effects or a substantial increase in the severity of previously identified significant effects mitigated to less than significant levels. This application for a Conditional Use Permit does not involve any changed circumstances or new information that would require further environmental review.

REVIEW BY OTHER CITY DEPARTMENTS:

The Building and Safety Division and Design and Historic Preservation section along with the Departments of Transportation, Fire, Public Works, Public Health, and Water and Power were asked to comment on the project. Recommended conditions of approval received are incorporated in Attachment B.

CONCLUSION:

It is staff's assessment that findings for approval of the Conditional Use Permit can be made. Lodging – Hotels, Motels land uses are allowed subject to the approval of a Conditional Use Permit (CUP) pursuant to PD-35. The proposed use would comply with applicable provisions of the Zoning Code including but not limited to standards specific to Lodging – Hotels, Motels land uses, and parking. The applicant proposes to locate a commercial use in a commercial area along a busy corridor near a major intersection. The use complies with the special purpose of the Zoning Code and the purpose of the applicable PD-35 zoning district. Through the establishment of the PD-35 zoning district, it was determined that a hotel use was acceptable at the subject location with a Conditional Use Permit and provided conditions and mitigation were followed.

The use is further consistent with the applicable General Plan Land Use Element designation Medium Mixed Use (0.0-2.25 FAR, 0-87 dwelling units per acre) and applicable goals and policies. An EIR previously certified by the City Council (which considered the development of a hotel on the subject property) as part of the creation of PD-35, analyzed environmental impacts. The EIR identified potentially significant effects related to the following topics: Air Quality, Cultural Resources, Hazards and Hazardous Materials, Noise and Vibration; and Traffic and Transportation. With the incorporation of mitigation measures in the MMRP, the EIR determined that all potentially significant effects would be reduced to a less than significant level. As a result, the proposed use will not be detrimental to the public interest, health, safety, convenience, or general welfare of the city, or injurious to property and improvements in the neighborhood. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the Conditions of Approval in Attachment B.

Attachments:

Attachment A: Specific Findings of Approval

Attachment B: Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6709

Conditional Use Permit

1. *The proposed use is allowed with a Conditional Use Permit (Major and Minor) or Hillside Development Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* Lodging – Hotels, Motels land uses are allowed subject to the approval of a Conditional Use Permit (CUP) pursuant to PD-35 (Colorado Hill Planned Development). The proposed hotel use subject to this CUP complies with applicable provisions of the Zoning Code including but not limited to standards specific to Lodging – Hotels, Motels land uses. The project will comply with applicable provisions as conditioned by this CUP and through the Building Permit plan check process.

2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The purpose of the Pasadena Zoning Code is to protect and promote the public health, safety and general welfare, and to implement the policies of the General Plan by classifying and regulating the uses of land and structures within the City of Pasadena in a manner consistent with the General Plan. In part, to achieve this purpose, it is the intent of the Zoning Code to permit the development of office, commercial, industrial, and transportation-related land uses in accordance with the General Plan in order to strengthen the City's economic base. It is also meant to encourage a pedestrian-friendly community by promoting a mix of land uses and pedestrian-oriented development in commercial areas. The PD zoning district is intended for sites where an applicant proposes and the City desires to achieve a particular mix of uses, appearance, land use compatibility, or special sensitivity to neighborhood character. Among other things, the specific purposes of the PD district are to allow certain types of development consistent with the general plan that can be acceptable at a specific location only under standards significantly more restrictive than those of a base district in which the use is permitted. A hotel use with a mix of ground floor commercial uses generally exists to strengthen the City's economic base by attracting both residents and visitors to the City. The applicant proposes to locate a commercial use in a commercial area along a busy corridor near a major intersection. The use complies with the special purpose of the Zoning Code and the purpose of the applicable PD-35 zoning district. Through the establishment of the PD-35 zoning district, it was determined that a hotel use was acceptable at the subject location with a Conditional Use Permit and provided conditions and mitigation were followed.

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The project site is designated Medium Mixed Use (0.0-2.25 FAR, 0-87 dwelling units per acre) in the Land Use Element of the General Plan. Properties designated as Mixed-Use (MU) by the Land Use Diagram may be developed for a singular use (i.e., commercial or housing) or a mix of uses on the same site. This designation is intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. Development is characterized by shared open spaces, extensive landscaping, small to medium separations between buildings, and shared driveways and parking. Sites may be exclusively commercial.

The proposed use would be exclusively commercial, and include guest rooms and amenities, retail uses and dining, with parking located below ground. The hotel use would provide a facility that would be attractive to visitors, tourists, or even nearby educational

institutions. Inclusion of ground floor pedestrian oriented commercial uses may result in a diverse mix of land uses and a more vibrant streetscape. A centrally located courtyard and pool would provide an amenity to those using the hotel. Further, the proposed hotel use is consistent with goals and policies in the Land Use Element of the General Plan. This includes Goal 2 (Land Use Diversity), Policy 2.3 (Commercial Businesses), Goal 14 (Visitors), Policy 14.2 (Conventions and Lodging), and Goal 25 (Diversity of Uses), Policy 25.1 (Diversity of Uses).

Goal 2 aims for a mix of land uses meeting the diverse needs of Pasadena's residents and businesses, fostering improved housing conditions, offering a variety of employment and recreation opportunities, and supporting a healthy population while protecting the environment. Policy 2.3 is about designating sufficient land to enable a broad range of viable commercial uses in Pasadena's Central District, Transit and Neighborhood Villages, and commercial corridors. These uses will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. Goal 14 emphasizes that Pasadena is a major destination for tourists from throughout the world to celebrate its events, culture, history, and setting. Policy 14.2 is about growing a variety of lodging options and attracting more lucrative conventions. Lastly, Goal 25 emphasizes diverse, active, prosperous, and well-designed commercial corridors and districts that provide a diversity of goods, services, and entertainment and contribute to a positive experience for residents and visitors. Policy 25.1 is about encouraging the development of a broad range of commercial uses that reduce the need to travel to adjoining communities, while capturing a greater share of local spending.

The proposed use is consistent with the applicable Goals and Policies because it would provide a hotel use along with retail, service, and restaurant opportunities. This mix would serve residents by providing employment opportunities. It would also serve businesses, local educational institutions, and regional needs by providing lodging opportunities that would capture a greater share of local spending. The use would reduce the need for residents and visitors to travel to adjoining communities. It would also present an attractive opportunity for tourists. Further, the proposed use would contribute to a positive experience for residents and visitors by allowing them to stay within a reasonable distance to public transportation. The adjacency to retail and restaurants in the immediate vicinity as well as accessibility to other areas of the City without a vehicle encourage occupancy while capturing a greater share of local spending. Therefore, the proposed use is consistent with the applicable Goals and Policies in the Land Use Element of the General Plan.

4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The establishment, maintenance, and operation of the proposed use would occur entirely on private property with outdoor activity generally limited to the interior courtyard and pool. Properties to the north, south, and west would be buffered from the subject site by public rights-of-way, limiting any potential detriment to the health, safety, or general welfare of persons residing or working in the neighborhood. Entries proposed along Colorado Boulevard and Holliston Avenue as well as vehicular access from the alley will provide several alternatives to accessing the hotel, thereby limiting impacts to the abutting gas station to the east and other uses in the vicinity. More specifically, the EIR certified by the City Council as part of the creation of PD-35, analyzed environmental impacts to the following study areas: Air Quality, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and

Water Quality, Land Use and Planning; Noise and Vibration; Public Services, Transportation and Traffic, and Utilities and Service Systems. The EIR identified potentially significant effects related to the following topics: Air Quality, Cultural Resources, Hazards and Hazardous Materials, Noise and Vibration; and Traffic and Transportation. With the incorporation of mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP), the EIR determined that all potentially significant effects would be reduced to a less than significant level. Therefore, it's anticipated that the proposed use will not be detrimental to the public interest, health, safety, convenience, or general welfare of the city.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The use proposed would occupy a building up to five-story high that would comply with development standards of the PD-35 zoning district. The proposed hotel use would occur entirely on private property with outdoor activity generally limited to the interior courtyard and pool. The EIR certified by the City Council as part of the creation of PD-35, analyzed environmental impacts to the following study areas: Air Quality, Cultural Resources, Greenhouse Gases, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning; Noise and Vibration; Public Services, Transportation and Traffic, and Utilities and Service Systems. The EIR identified potentially significant effects related to the following topics: Air Quality, Cultural Resources, Hazards and Hazardous Materials, Noise and Vibration; and Traffic and Transportation. With the incorporation of mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP), the EIR determined that all potentially significant effects would be reduced to a less than significant level. Therefore, it's anticipated that the operation of the proposed use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
6. *The design, location, operating characteristics, and size of the proposed use will be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.* The proposed 150-room hotel will occupy a five-story building, located on a corner site. The design and size of the proposal were evaluated by the Design Commission on September 12, 2017. The Design Commission determined the 150-room, five-story project was of high quality and appropriately massed and sited to be contextual compatible with the surrounding neighborhood. From an architectural perspective, the surrounding context is highly mixed and consists of small-scale commercial and auto-oriented uses as well as larger-scaled buildings on the campus of Pasadena City College (PCC), several churches and a four-story hotel. The subject use is smaller in scale and employs massing strategies that break down the overall mass of the building to relate to smaller-scaled adjacent buildings. As such, the project is designed to be responsive to its context by organizing transitional building volumes to avoid adversely affecting surrounding smaller-scale buildings. The proposed design is also architecturally consistent with nearby historic resources as well as the monumental quality of the main PCC buildings along Colorado Boulevard. The project has a strong street presence that will encourage pedestrian activity. Conditions of approval incorporated into the approved PD Plan will ensure a high-quality design is implemented through the design review, plan check and construction process. In addition, activities associated with the hotel use will generally be contained indoors or within a centrally located courtyard. The location of the project (corner property bounded by public rights-of-way on three sides) along with the incorporation of mitigation measures in the Mitigation Monitoring and Reporting Program (MMRP), will allow the proposed use to remain compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, and scale.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6709

All mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) adopted by the City Council September 12, 2016, and conditions of approval identified in the revision to PD-35 (PLN2017-00438) approved by the Planning Commission August 22, 2018, shall remain in effect, and the applicant or successor in interest shall meet the following conditions:

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved September 4, 2019", except as modified herein.
2. In accordance with Section 17.64.040 (Time Limits and Extension) 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, unless otherwise specified in the conditions of approval. The Hearing Officer may grant a one-year extension of your approval.
3. The approval of this application authorizes the establishment of a Lodging – Hotels, Motels land use consisting of a maximum of 150 guest rooms.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new 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 **PLN2018-00670**, is subject to a Final Zoning Inspection and is subject to the City's Condition Monitoring Program and Mitigation Measures Monitoring Program. Condition Monitoring and Mitigation Measures Monitoring are required for your project. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Jason Van Patten at (626) 744-6760 to schedule an inspection appointment time.

Planning

9. The applicant or successor in interest shall provide an exhibit in the Building Permit plan check set that identifies floor area devoted to pedestrian oriented retail sales and service uses (subject to the requirements of the ECSP-CG-2 zoning district in Table 3-3 of Pasadena Municipal Code Section 17.31.040) as required by PD-35 Plan to the satisfaction of the Zoning Administrator. Areas devoted to the hotel (i.e. hotel-serving hallways, restrooms, entrances, hotel reception/check-in areas, office), and corridors/hallways leading to guest rooms shall not count towards meeting the retail sales and services requirement

specified in the PD-35 Plan. Areas devoted to addressing the minimum 10,000 square feet of retail sales and services uses specified in the PD-35 Plan shall meet the definition of gross floor area as defined in Zoning Code Section 17.80.020 (Definitions). Areas that do not meet the definition shall not qualify towards meeting the minimum retail sales and services requirement.

10. The applicant or the successor in interest, shall consolidate parcels 5736-001-001, 5736-001-002, 5736-001-003, 5736-001-004 through a Tentative Map or a Certificate of Exception application. Recordation of the lot consolidation shall occur prior to building permit issuance.

Building & Safety

11. 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.
12. Soils Report: Soils report is required for the project.
13. Property Land Survey: Survey is required for the project.
14. Grading: If greater than 50 cubic yard (excluding excavation for foundation), Grading/Drainage Plans shall be prepared by a registered engineer. Grading shall conform to the provisions of Chapter 14.05 of City's Municipal Code.
15. Low Impact Development (LID) Plan I Stormwater Pollution Prevention Plan (SWPPP): This project will require the preparation of a LIDISWPPP Plan if you are in a Hillside District to demonstrate stormwater management during- and post-construction.
16. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Group(s), Type of Construction, and occupant load.
17. Means of Egress (Exiting): Provide Occupant Load Calculations for all areas, and provide an "Exit Plan". Identify exit separation and travel distance.
18. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11 B of the CBC. Stage and seating must be accessible.
19. Permit(s): Separate permits are required for grading (if applicable), fire sprinkler, mechanical, electrical, and plumbing.

Fire Department

20. Plan shall comply with the requirements of California code of regulations Title 24 and Pasadena Municipal Code (PMC).
21. Mixed Use and Occupancy: where a building contains more than one occupancy group, the building or portion thereof shall comply with applicable provision of CBC Section 508.
22. Emergency escape or rescue window: In dwelling units and every sleeping room below the fourth story shall have at least one operable window or door approved for emergency

escape or rescue that shall open directly into public street, public alley, yard or exit court. The emergency door or window shall be operable from the inside to provide a full, clear opening without the use of separate tools. (CBC Sec.1029). A minimum of 5 feet clearance on the ground shall be provided for rescue windows and doors located in first and second floor and 10 feet if located on third floor.

23. Accessible means of egress elevator: A building with five stories above grade shall comply with the requirements of Accessible means of egress per CBC Section 1007.
24. Allowable Building Heights and Area: shall comply with the requirements of CBC Table 503.
25. Medical Emergency Service Elevator: At least one elevator shall be provided for fire department emergency access to all floors. The medical emergency service elevator shall comply with gurney size per CBC Section 3002.4.
26. Exit and exit access to public way: Each building shall comply with requirements of CBC chapter 10 for path of egress travel to public way.
27. Emergency Responder Radio Coverage: Building shall have approved radio coverage for emergency responders within the building based upon the existing coverage level of the public safety communication system per California Fire Code Section 510.
28. Minimum Fire Flow/Fire Hydrants: All structures shall have the minimum fire flow (GPM) required by Appendix B Table B 105.1 and the quantity and spacing of fire hydrants as required by Appendix C Table C105.1 of Title 24, California Fire Code. Plans shall be submitted to the Pasadena Fire Department for review and approval prior the review and approval of the building plans. NOTE: A current fire flow report (not older than 6-months), performed by the Pasadena Water Department, shall be provided to the Fire Department when applying for building permits to construct or add to any structures.
29. Fire Dept. Access: Fire Department Access shall be provided to within 150-feet of all exterior portions of any structure. All access roads exceeding 150-feet shall be provided with an approved Fire Department Hammerhead or Turnaround. Fire department access shall be constructed of an all weather surface to support a minimum of 75,000 pounds with a minimum of 20-feet wide and unobstructed height of 13'-6", with No Parking on Either Side. No roadway way shall exceed 10% slope.
30. Aerial Fire Apparatus Access Roads: Building exceeding 30 feet in height above the lowest level of Fire Department Vehicle Access shall comply with requirements of CFC Section D105.1 though D105.3. Building shall have approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.
31. Knox Box: All access gates across roadways or entrances to facilities shall fail unlocked/open in the event of any loss of power. All access gates and main entrance doors shall have a Know Box or Knox Control Key Switch installed. Obtain Knox Box Applications from the Pasadena Fire Department Permit Desk.
32. Automatic Fire Sprinkler System or Standpipe: An automatic sprinkler system shall be provided throughout building per CBC Section 903.2.1 and PMC amended CFC section 903.

33. Stand pipe system shall comply with the requirements of CBC Section 905.
34. Fire Department Fire Sprinkler Connections: Shall be comprised of:
- FDC shall be located a minimum of 25-feet from the building or surface mounted to 2-hours rated wall with no opening within 10 feet and FDC shall be located within 100 feet of a public hydrant
 - (2) 2-1/2" CLAPPERED internal swivel outlet X 2-1/2" CLAPPERED internal swivel outlet X 4" FDC
 - 4" CLAPPERED internal swivel outlet X 4" FDC
 - Shall be clearly labeled to indicate FDC for Fire Sprinklers and Standpipes.
 - A clear dimension of 3-feet shall be maintained around the perimeter of each fire department appliance
 - All fire appliances except for fire hydrants shall be cleaned, primed, and painted fire engine red enamel or krylon.
35. Automatic Fire Alarm/Detection System: All structures 10,000 square feet or any structure required by Title 24, California Building or Fire Codes, shall be provided with a fully automatic and manual fire detection and notification system. Shop drawings shall be submitted by contractor for review and approval prior to construction. PMC amended CFC Section 907.
36. Emergency Vehicle Traffic Signal Preemption Systems: Traffic signaling systems serving this complex are required to have emergency vehicle signal preemption controls installed. The specific signals requiring this system is to be determined by both Pasadena Fire Department and Pasadena Department of Transportation. The fees for these systems will be determined based on the quantities and types of traffic signals being used and/or being retrofitted for the emergency vehicle controls.

Public Works Department

37. 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, decorative sidewalk and applicable parade post holes on Colorado Boulevard per Standard Drawing S-419. 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 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 an indemnity bond in order to guarantee that shoring and tie-backs are free from defect due to faulty material, workmanship and failure. Upon review of the license agreement exhibits, an indemnity bond estimate will be prepared and forwarded to the applicant. The estimated amount is equivalent to the cost of reconstructing the public right of way, including all affected utilities, public facilities, and infrastructures, based on the plane of failure at a 45-degree angle from the lowest point of

excavation. The indemnity bond shall be submitted to the City prior to the execution of the agreement and the issuance of any building or demolition permits.

All steel rods in every tie-back unit shall be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located be removed entirely from the public right-of-way. A monthly monitoring report stamped and certified by a licensed surveyor shall be submitted to indicate that the deflection from any piles or soldier beams does not exceed one inch. Upon completion of construction, the developer or his contractor shall remove all tie-back rods within the public right-of-way. The removal shall be documented by a report certified by a licensed deputy inspector. The report shall be submitted to the City for review and approval. The applicant will be charged a penalty of \$7,000 for each tie-back rod not 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. *(PD condition # 54)*

38. Giddings Alley is 20-foot wide and to be used as a main vehicular access to this site. In order to reduce any vehicular conflict and accommodate two-way traffic, the applicant shall dedicate to the City a 3'-6" strip of land along the Giddings Alley frontage for street purposes.

The limit of the 3'-6" dedicated area along Giddings Alley shall be from easterly property line to 102 feet west, in accordance with the submitted proposal on building footprint.

The applicant shall be responsible for all the costs required to complete the dedication. The dedication document and processing fee/deposit shall be submitted to this office, at least three to four (3-4) months, prior to the issuance of any permits. The dedication document shall be executed and recorded prior to the issuance of the Certificates of Occupancy.

The applicant shall improve the abovementioned dedicated areas and reconstruct the full width (property line to property line) of Giddings Alley, including the alley approach at Holliston Avenue. *(PD condition # 61c-updated and specified)*

39. The applicant shall demolish existing and construct all new public improvements along the subject development frontages of Holliston Avenue and Colorado Boulevard, including concrete drive approach per Standard Plan S-403, 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. *(PD condition # 55)*
40. Holliston Avenue and Giddings Alley restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. *(PD condition # 56-updated)*
41. Colorado Boulevard restoration, fronting the subject development, shall be a half width (from gutter to centerline) cold milling and resurfacing of rubberized asphalt concrete roadway per Standard Plan S-415. *(PD condition # 57-updated)*
42. In order to provide for an American with Disabilities Act (ADA) compliant ramp, the applicant shall verify and reconstruct, if necessary, all four corners of Colorado Boulevard and Holliston Avenue intersection with ADA compliant directional ramps, if possible, per Caltrans Standard A88A or City of Pasadena Standard S-414. Additional striping, signal work, and/or poles/utility relocations might be necessary.

The curb ramps construction shall be completed prior to the issuance of Certificate of Occupancy. A separate permit from the Department of Public Works is required for all construction in the public right-of-way. Please contact 626-744-4195 for the general process. *(PD condition # 58-updated)*

43. The applicant may submit to the City for review any proposed designs that will comply with the ADA requirements. The applicant is responsible for the design, preparation of plans and specifications, and construction of the new curb ramps. Plans for the curb return improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the Department of Public Works to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that the building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue Window 6. The applicant shall submit the curb return improvement plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits. *(PD condition # 59)*

Upon review of the curb ramps improvement plans, the applicant may need to dedicate to the City for street purposes the land necessary at the property line corner rounding (per Standard Plan No. S-423) to provide for the minimum clearance required by the Americans with Disabilities Act standards. If so, the applicant shall remove and reconstruct the sidewalk for the dedicated area, per Standard Plan No. S-421. The applicant shall be responsible for all the cost required to complete the dedication, if it is required. The dedication document and processing fee/deposit shall be submitted to this office, at least three to four (3-4) months, prior to issuance of any permits. The dedication document shall be executed and recorded prior to the issuance of a Certificate of Occupancy. *(PD condition # 60)*

44. 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. *(PD condition # 63)*
45. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board's current permit. *(PD condition # 65)*
46. The site shall be designed such that all drainage flows to Colorado Boulevard and Holliston Avenue. No drainage shall flow to Giddings Alley. *(New condition)*
47. 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 an engineer, registered in the State of California. Upon submission of improvement plans to the Department 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. Civil engineering plans must be submitted to the Department of Public Works for approval of the public right-of-way improvements. Plans submitted to the Building Department do not satisfy this requirement. *(PD condition # 76)*

48. Any existing street tree(s) proposed to be removed are subject to the approval from the Urban Forestry Advisory Committee (UFAC). *(PD condition # 67)*
49. 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. *(PD condition # 68)*

50. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance. *(PD condition # 69-updated)*
51. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 4' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction. *(PD condition # 70)*
52. All proposed new drive approaches shall be a minimum of 12 feet in width and in accordance with Standard Drawing No. S-403. The proposed drive approach 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. (PD condition # 62-updated)

53. 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. (PD condition # 71)
54. Prior to issuance of any permit, a sundry deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy. (PD condition # 72)
55. The applicant shall plant, the officially designated street tree, per the City approved Master Street Tree Plan, three (3) *Calocedrus decurrens* (incense cedars) along Holliston Avenue frontage and five (5) *Tabebuia impetiginosa* (trumpet tree) along the Colorado Boulevard frontage. The Department of Public Works will confirm eligible planting sites, and will provide the applicant the location. (PD condition # 73-updated)
56. 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. (PD condition # 73)
57. 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. (PD condition # 73)
58. 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. *(PD condition # 73)*

59. The existing street lighting along the Colorado Boulevard frontage is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate four (4) existing street lighting, on the frontage of the subject property per the City requirements and current standards. The renovation shall include but not limited to new LED light(s), conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and miscellaneous related parts.

In the event where the existing street light pole determined, by the City, to be deteriorated and/or damaged, the applicant shall replace the existing street light pole with a new street light pole in kind. The replacement shall include but not limited to new pole, new footing, new LED light(s), conduit, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and other miscellaneous related parts. The applicant shall schedule a street lighting pre-inspection with the Public Works inspector to determine the details/scope of the replacement/renovation of the existing street lighting. Please contact 626-744-4195 or via email: pw-permits@cityofpasadena.net to schedule a street lighting pre-inspection, prior to the issuance of any permits. *(PD condition # 74-updated)*

60. The existing street lighting system on Holliston Avenue, to the south of Colorado Boulevard, consists of utilitarian lights (mounted on wood power poles) and, therefore, does not meet present design standards. In order to improve pedestrian and traffic safety, the applicant shall install two (2) new street lights on the frontage of the property, including conduits, conductors, electrical service (if necessary), pull boxes, and miscellaneous appurtenant work. 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.

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 shall 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. *(PD condition # 75-updated)*

61. 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 and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit. (*PD condition # 78*)

62. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>. A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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. (*PD condition # 79*)

63. 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/>. (*New condition*)

64. 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. (*PD condition # 80*)

In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project (*PD condition*):

- 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 support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- 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.

Water & Power Department – Power

65. Exact location of electrical vault room must be coordinated with PWP electric service planning to ensure all requirements are met. If electrical service is shared between multiple parcels, an easement will be required. Contact PWP electric service planning to coordinate electrical service. Existing electrical services will need to be demolished prior to construction and will require an outage. Contact PWP electric service planning to coordinate.

Water & Power Department – Water

66. Water Service: PWP records reflect a 1-inch water services (3110) serving 1336 East Colorado Boulevard. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.

67. Water Division Requirements:

- Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
- The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
- All services not in use must be abandoned at the distribution main at the applicable rate.
- For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
- Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use, replacement and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.

68. Cross Connection Requirements for Domestic Services:

- All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.

- There shall be no taps between the meter and the backflow assembly.
- The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
- The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.
- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$194.00 will be charged for each backflow prevention assembly installed.

69. Cross Connection Requirements for Fire Service:

- The fire service requires a detector meter and back-flow prevention assembly.
- The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approve list of assemblies.
- All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
- If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- Choose from one of the below listed options and incorporate into the fire sprinkler plans.

Option 1:

Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

Option 2:

Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

- The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.

70. All Other Cross Connection Requirements:

The owner/developer is also responsible for additional cross connection requirements for irrigation system, swimming pool and/or spa, boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.

71. 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.

