



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 6, 2020

TO: Hearing Officer

SUBJECT: Variance for Historic Resources #11921

LOCATION: 33 & 45 W. Green Street

APPLICANT: Moule & Polyzoides

ZONING DESIGNATION: CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District)

GENERAL PLAN DESIGNATION: Medium Mixed Use (0.0-2.25 FAR, 0-87 du/acre)

CASE PLANNER: Jason Van Patten

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Variance for Historic Resources #11921 with the conditions in Attachment B.

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- PROJECT PROPOSAL:**
- 1) Variance for Historic Resources: To allow a Floor Area Ratio (FAR) up to 2.25, where the Zoning Code establishes a maximum of 2.0. The request for relief is in conjunction with the adaptive reuse of a designated contributing historic resource that is being converted from a nonresidential use to a mixed-use project; and
 - 2) Certificate of Exception: To allow a lot line adjustment that would consolidate two adjacent parcels (AIN 5713-007-021, 5713-007-022) into a single parcel.

ENVIRONMENTAL DETERMINATION: On July 22, 2014, in conjunction with the Concept Design Review approval for a two-to-four-story mixed-use project, the Design Commission determined the proposal was exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill

Development Projects) and that there were no features that distinguish the project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the applications that necessitate further environmental review.

BACKGROUND:

Site characteristics: The rectangular project site is located on the north side of Green Street between Mills Place on the east and De Lacey Avenue on the West and consists of two separate parcels. These parcels are located in the Old Pasadena Historic District, which is listed in the National Register of Historic Places. The 6,615-square-foot east parcel is improved with a single-story commercial building that is a designated contributing resource to the historic district. This building is characterized by a flat roof surrounded by a parapet with red tile coping, brick and stucco. Remaining elements such as large bays reveal the past use of the site for auto purposes. The 5,250-square-foot west parcel is improved with a single-story commercial building and surface parking lot that are non-contributing resources to the historic district. The site topography is flat with access provided via Green Street and Mills Place.

Adjacent Uses: North – Massage establishment
South – Restaurant, bar/tavern
East – Restaurant, office
West – Restaurant

Adjacent Zoning: North – CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District)
South – CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District)
East – CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District)
West – CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District)

Previous zoning cases on this property: Expressive Use Permit #5433: To establish a new restaurant use with banquet facility (Pandora on Green) with commercial entertainment; and Conditional Use Permit to allow the on-site sale and consumption of full alcohol (beer, wine and distilled spirits) in conjunction with the establishment of a restaurant use with banquet facility and commercial entertainment. Approved June 16, 2010.

PROJECT DESCRIPTION:

The applicant, Moule & Polyzoides, has submitted a Variance for Historic Resources application requesting relief from maximum Floor Area Ratio (FAR) requirement. The request is associated with the adaptive reuse of a designated contributing historic resource that is being converted from a nonresidential use to a four-story mixed-use project consisting of ground-floor retail tenant

spaces and nine residential units. Specifically, the applicant proposes up to a 2.25 FAR where the Zoning Code establishes a maximum of 2.0. In conjunction with the Variance for Historic Resources, the applicant has submitted a Certificate of Exception application to allow a lot line adjustment between the two adjacent parcels (AIN 5713-007-021, 5713-007-022) that make up the project site. The purpose is to consolidate the two existing parcels into a single parcel. The one parcel resulting from the boundary adjustment would consist of 11,865 square feet. The lot consolidation is required in order for the proposed 2.25 FAR to apply singly across the one project site.

BACKGROUND:

On July 22, 2014, the Design Commission approved the Concept Design Review application subject to conditions of approval for construction of a two-to-four-story, mixed-use project, including rehabilitation of an existing historic building. This included approval of height averaging.

On February 3, 2015, the Design Commission approved the Final Design Review application subject to conditions of approval for construction of a two-to-four-story, mixed-use project, including rehabilitation of an existing historic building. This decision was subject to a three-year time limit from an effective date of February 17, 2015.

On March 27, 2018, the Design Commission approved a one-year time extension of the previously approved Final Design Review extending the time limit to February 17, 2019.

On May 14, 2019, the Design Commission approved a second and final one-year time extension of the previously approved Final Design Review extending the time limit to February 17, 2020.

On August 23, 2019, Certificate of Exception #370 was submitted to consolidate the two adjacent parcels (AIN 5713-007-021, 5713-007-022) that make up the project site into a single parcel.

On November 26, 2019, the Design Commission approved a Major Change to the previously approved Final Design Review subject to conditions of approval. Changes approved included a reconfiguration of the rear of the ground floor for storage, utilities, restrooms, and circulation. Other changes affected the façade, interior unit layouts, and community space. This decision was subject to a three-year time limit from an effective date of December 10, 2019.

In December 2019, the applicant for Certificate of Exception #370 requested that the item be continued indefinitely to a date uncertain. The item had been scheduled for the December 18, 2019, Hearing Officer meeting.

On January 30, 2020, the subject Variance for Historic Resources application was submitted requesting relief from the Floor Area Ratio (FAR) requirement. Certificate of Exception #370 is being processed concurrent with the Variance for Historic Resources pursuant to Section 17.60.030 (Concurrent Permit Processing) of the City's Zoning Code.

ANALYSIS:

Zoning and Land Use

The subject property is located in the CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District) zoning district and within a transit-oriented development (TOD) area. This subdistrict is intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. Mixed-use projects that include retail sales uses are permitted by-right pursuant to Table 3-1 (Allowed Uses and Permit Requirements for CD Zoning Districts) of Zoning Code Section 17.30.030 (CD District Land Uses and Permit Requirements).

Development Standards

The proposed construction is subject to development standards specified in Zoning Code Chapter 17.30 (Central District Specific Plan) and those specific to mixed-use projects, Section 17.50.160 (Mixed-Use Projects). Parking for the proposed use is subject to applicable requirements in Zoning Code Chapter 17.46 (Parking and Loading) and Section 17.50.340 (Transit-Oriented Development [TOD]). The discussion that follows describes project compliance with these standards among other applicable requirements.

Housing and Ground Floor Pedestrian-Oriented Uses

In order to maintain retail continuity within principal shopping areas, housing is permitted, except on the ground floor pursuant to Figure 3-4 (Central District Housing/Ground Floor Map), Zoning Code Section 17.30.030 (CD District Land Uses and Permit Requirements). In addition, the ground floor is limited to pedestrian-oriented uses for at least 50 percent of the building's street frontage pursuant to Figure 3-3 (Central District Pedestrian-Oriented Use Areas), Zoning Code Section 17.30.030. A pedestrian-oriented use is intended to encourage walk-in customers and provides spontaneous draw from the sidewalk and street due to visual interest, high customer turnover, and social interaction. Examples include restaurants and retail sales uses.

The applicant's mixed-use proposal is arranged such that the entire ground floor frontage along Green Street would be occupied by retail uses. All nine residential units are located above the ground floor. As such, the uses comply with the Zoning Code.

Density

The maximum allowable residential density is 87 dwelling units per acre pursuant to Figure 3-6 (Central District Maximum Residential Density [dwelling units/acre]), Zoning Code Section 17.30.040 (CD General Development Standards). Based on a proposed lot size of 11,865 square feet, the site allows a maximum density of 23 units. The applicant proposes nine units, which complies with the maximum permitted density. No density bonus is proposed.

Setbacks

Pursuant to Figure 3-7 (Central District Required Setbacks), Zoning Code Section 17.30.040, a 'type one' setback is required along Green Street. A 'type one' setback specifies that the applicant build to the property line. The existing historic building to remain is built to the property line, and the proposed westerly addition is built to the property line, in compliance with the requirement.

When residential units are located above commercial uses as part of a mixed-use project, the Zoning Code specifies no interior side setback is required and a rear setback is only required if specified for commercial uses. In this case, the applicant proposes residential units above commercial uses. According to Table 3-2 (CD District General Development Standards), Zoning Code Section 17.30.040, a rear setback is not required for commercial uses. Therefore, no interior side or rear setback is required for the project. The applicant has proposed no rear or side setback.

Floor Area Ratio

The maximum Floor Area Ratio (FAR) allowed is 2.0 pursuant to Figure 3-9 (Central District Maximum Floor Area Ratio), Zoning Code Section 17.30.040. FAR is the numerical value obtained by dividing the aboveground gross floor area of a building or buildings located on a lot by the total area of the lot. Based on a proposed lot size of 11,865 square feet, the site allows up to a maximum of 23,730 square feet of gross floor area. The applicant proposes 26,436 square feet, or an FAR of 2.23, which exceeds the maximum. The applicant submitted the subject Variance for Historic Resources application requesting relief from this requirement.

Height

The maximum allowable building height is 40 feet, or 50 feet through height averaging, pursuant to Figure 3-8 (Central District Maximum Height), Zoning Code Section 17.30.040. Additionally, the height is limited to a maximum of three-stories, excluding portions of the development permitted through height averaging. Height averaging is a process that allows up to 30 percent of the building footprint to reach a height of 50 feet, provided the average height over the entire footprint does not exceed the otherwise required 40-foot maximum building height. The intent is to counterbalance the additional building height through lower heights across or elsewhere on the development site. Height averaging requires Design Commission approval.

In this case, the proposed project reaches a height of 50 feet and consists of four stories. To achieve these heights, the applicant used the height averaging provisions in the Zoning Code. According to the plan, approximately 26 percent of the building footprint exceeds 40 feet, while the remaining footprint ranges between 15 and 38 feet in height. The average across the entire footprint is approximately 31 feet. As part of the previously approved Concept Design Review, the Design Commission made the findings necessary to authorize height averaging. Therefore, the height proposed complies with provisions in the Zoning Code.

Community Space

Mixed-use projects shall provide a minimum of 150 square feet of community space for each dwelling unit. Based on the nine-unit project, a minimum of 1,350 square feet of community space is required. The proposal provides a 1,807 square-foot communal roof deck along with other private open space that in total exceed the minimum requirement.

Parking

The applicant's proposal would add an approximate 3,785 square-foot retail tenant space at the ground floor adjacent to the existing historic resource that would remain. The nine new residential units would be located across three floors above. The applicant is required to provide compliant

parking for the new addition and infill associated with the conversion/expansion of the existing project site.

Retail sales uses require three spaces for every 1,000 gross square feet. The City applies a mandatory 25 percent reduction to this requirement because the project site is located in the CD-1 zoning district. Based on a new retail sales area of approximately 3,785 square feet, eight parking spaces are required. The applicant intends to meet the requirement by providing parking for the nonresidential component off-site.

Residential units require one parking space for units less than 650 square feet in size and two parking spaces for units that are 650 square feet or larger in size. No guest parking is required for projects with less than ten units. Transit-oriented development requirements do not apply to the residential units because the project proposes less than 48 dwelling units per acre, the minimum density required to apply. Of the nine units proposed, all exceed 650 square feet in size. The resulting residential requirement is 18 spaces. The applicant intends to meet the requirement by providing parking for the residential component off-site. The Zoning Code allows required parking for the project to be located off-site provided it meets distance requirements and a long-term lease agreement is recorded. The staff would verify off-site parking compliance during the building permit plan check process.

Variance for Historic Resources

Pursuant to Zoning Code Section 17.61.080.H (Variances – Variances for Historic Resources), a Variance for Historic Resources is intended to accommodate historic resources that are undergoing adaptive use. This unique type of Variance is designed to provide relief from the strict compliance with the development standards of this Zoning Code that may impair the ability of a historic resource to be properly used for adaptive reuse. Adaptive use is the reuse of a structure with a new use different from that for which the structure was originally constructed. The Variance only applies if the property has a historic designation. The Hearing Officer may approve a Variance for Historic Resources to provide relief from the FAR requirement only after making three findings identified in the Zoning Code:

- 1) *The Variance for Historic Resource is necessary to facilitate the appropriate use of an existing designated historic structure;*
- 2) *The Variance for Historic Resource would not adversely impact property within the neighborhood or historic district; and*
- 3) *Granting the Variance for Historic Resource application would be in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed infill and addition to the designated contributing historic resource would transition a structure historically built for service-type businesses (most notably auto use with automobile bays prior to present retail sales use) to a mixed-use project. The mixed-use project is an appropriate use in the applicable CD-1-AD-1 zone because it supports the viability of the area as a regional retail and entertainment attraction through the development of complementary uses that include housing. Additionally, the mixed-use project is intended to maintain and reinforce the historic character of the area by preserving historic materials, features, and form present at the historic structure. Relief from the Floor Area Ratio (FAR) requirement is necessary to facilitate a mixed-use project that also enables preservation of a designated contributing historic resource.

The additional floor area granted through this Variance for Historic Resources would not result in any other deviation from the Zoning Code that could otherwise impact property within the neighborhood or historic district. The project will remain compliant with setback requirements that provide for light and air separation; and height requirements that affect views, sight lines, bulk, and mass. It is anticipated that the additional floor area would have no noticeable effect on surrounding properties because construction of the project and rehabilitation of the existing historic resource would occur in compliance with all applicable building and fire codes, as well as Secretary of the Interior’s Guidelines for Rehabilitating Historic Buildings.

Certificate of Exception

Applicants may request a Certificate of Exception application for a lot line adjustment between two or more adjacent parcels, where: 1) the land taken from one parcel is added to the adjacent parcel; and 2) a greater number of parcels than originally existed is not thereby created. The Hearing Officer may approve a Certificate of Exception provided the resulting parcels conform to the General Plan, any applicable Specific Plan, and zoning and building ordinances. The table below summarizes the two existing parcels sizes:

Address	Assessor’s Number	Lot Area
33 W. Green Street	5713-007-022	6,615 sf
45 W. Green Street	5713-007-021	5,250 sf
Total		11,865 sf

The applicant’s proposal would take land from one parcel and add to an adjacent parcel, consolidating all into a single parcel. A greater number of parcels than currently exists would not be created. The analysis that follows discusses the proposed parcels’ consistency with applicable provisions of the Zoning Code.

Minimum Lot Size (Area and Width)

The two parcels are located in the Old Pasadena sub district of the Central District Specific Plan (CD-1) and are developed with single-story commercial buildings and surface parking. Pursuant to Table 3-2 (CD District General Development Standards), Zoning Code Section 17.30.040 (CD General Development Standards), the minimum lot size (area and width) is determined through the subdivision process, consistent with the General Plan. The proposed lot line adjustment would result in a parcel with an area of 11,865 square feet and a width of 113 feet along Green Street. There would be no change in lot depth. The resulting lot area and width would be within the range of sizes in the surrounding area. More importantly, the proposed lot size would not conflict with the CD-1 zoning district or applicable Central District Specific Plan.

Floor Area Ratio

The maximum Floor Area Ratio (FAR) applicable to the subject parcels is 2.0. Existing buildings on the proposed 11,865-square-foot site include a 460 square-foot building (45 W. Green Street) and a 6,526 square-foot building (33 W. Green Street). The existing FAR of 0.59 complies with the maximum FAR. Independent of the proposed mixed-use project, approval of the lot line adjustment would not result in any conflict between the existing development and applicable FAR requirements.

Setbacks

The proposed lot line adjustment would be limited to removing the interior lot line between two adjacent parcels. Approval of the lot line adjustment would not result in any conflict between the existing development and applicable setback requirements. Currently, a 'type one' setback is required along Green Street. A 'type one' setback specifies that the applicant build to the property line. Additionally, no side or rear setback is required for nonresidential uses. The lot line adjustment would not affect the front, rear, or east side setback provided to the existing nonresidential building at 33 West Green Street. The west side setback would increase where no setback is required. The lot line adjustment would not affect the front, rear, or west side setback provided to the nonresidential building at 45 West Green Street. The east side setback would increase where no setback is required. While the existing buildings would be unaffected by the lot line adjustment, any future improvements, such as the proposed mixed-use building, would be required to comply with applicable setback requirements.

Tree Protection Ordinance

The applicant provided a tree inventory, which identified no existing trees on private property. Two existing trees located within the public right-of-way would be retained. Through the Building Permit plan check process, staff from the Public Works Department would verify that the existing street trees are retained and protected.

GENERAL PLAN CONSISTENCY:

The site is designated Medium Mixed-Use (0.0-2.25 FAR, 0-87 du/acre) in the General Plan Land Use Element. Sites with this designation are intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. The proposed mixed-use project is consistent with this designation because it provides a mix of retail and residential uses, an FAR of 2.25, and a density of less than 87 dwelling units per acre. A Guiding Principle of the Land Use Element of the General Plan is that Pasadena's historic resources will be preserved. Goal 8 (Historic Preservation) of the General Plan seeks the preservation and enhancement of Pasadena's cultural and historic buildings as valued assets and important representations of its past. The adaptive reuse of the site will ensure the preservation of a surviving early example of a particular building type. Policy 10.6 (Adaptive Reuse) of the General Plan encourages adaptive reuse of structures, including non-historic structures, as a means of supporting environmental sustainability. The project site includes a designated contributing resource to a nationally registered historic district (Old Pasadena), which will be adaptively re-used as part of the proposed project. This approach respects the General Plan's goals of not only protecting historic resources, but restoring and enabling continued economic and environmental value of such resources. The proposed project will allow the existing resource to be rehabilitated and appropriately modernized to reduce the risk of deterioration that may otherwise occur. Finally, the design of the proposed project demonstrates architectural sensitivity to the historic district in its approach to height, massing, and modulation through the use of height averaging, differentiated architectural styles, upper story step-backs, and transparent and active ground floor designs.

The primary purpose of the Central District zoning district is to implement the objectives and policies of the Central District Specific Plan by providing for a diverse mix of land uses designed to create the primary business, financial, retail, and government center of the City. It emphasizes the concept of a higher density, mixed-use environment that will support transit- and pedestrian-oriented mobility strategies. The Old Pasadena subdistrict is intended to maintain and reinforce

the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. The proposed mixed-use project would further enhance the Central District as the primary retail center of the City, while retaining the historic character of the area. Housing would contribute to the vitality of the area and provide an economic base for retail tenants.

ENVIRONMENTAL REVIEW:

On July 22, 2014, in conjunction with the Concept Design Review approval for a two-to-four-story mixed-use project, the Design Commission determined the proposal was exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects) and that there were no features that distinguish the project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the applications that necessitate further environmental review.

REVIEW BY OTHER CITY DEPARTMENTS:

The project was reviewed by the Building and Safety Division, Design and Historic Preservation Section, and Departments of Fire, Transportation, Public Works, and Water and Power. Though comments did not express concern with the proposal, recommended conditions of approval provided by departments are incorporated to this report under Attachment B “Recommended Conditions of Approval.”

CONCLUSION:

Staff believes findings necessary for approving the Variance for Historic Resources and the Certificate of Exception can be made (Attachment A). With the exception of the requested relief from the FAR requirement, the proposed mixed-use project and lot line adjustment meet all applicable development standards required by the Zoning Code. Granting the request would facilitate the appropriate use of an existing designated contributing historic structure without adversely impacting property in the neighborhood or historic district. In addition, the approval of the Variance for Historic Resources and the parcel resulting from the lot line adjustment would be in conformance with the General Plan, applicable Central District Specific Plan, CD-1 zoning district, and applicable zoning and building ordinances. Any future development on the subject property, such as the proposed mixed-use building, would be required to conform to the development standards of the underlining zoning district and the Building Code in place at the time of any construction activity. Therefore, staff recommends approval of Variance for Historic Resources #11921 and Certificate of Exception subject to the findings in Attachment A and recommended conditions of approval in Attachment B.

ATTACHMENTS:

Attachment A: Specific Findings of Approval
Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR VARIANCE FOR HISTORIC RESOURCES #11921

Variance for Historic Resources

1. *The Variance for Historic Resource is necessary to facilitate the appropriate use of an existing designated historic structure.* The proposed infill and addition to the designated contributing historic resource would transition a structure historically built for service-type businesses (most notably auto use with automobile bays) to a mixed-use project. The mixed-use project is an appropriate use in the applicable CD-1-AD-1 zone because it supports the viability of the area as a regional retail and entertainment attraction through the development of complementary uses that include housing. Additionally, the mixed-use project is intended to maintain and reinforce the historic character of the area by preserving historic materials, features, and form present at the historic structure. Relief from the Floor Area Ratio (FAR) requirement is necessary to facilitate a mixed-use project that also enables preservation of a designated contributing historic resource.
2. *The Variance for Historic Resource would not adversely impact property within the neighborhood or historic district.* The additional floor area granted through this Variance for Historic Resources would not result in any other deviation from the Zoning Code that could otherwise impact property within the neighborhood or historic district. The project will remain compliant with setback requirements that provide for light and air separation; and height requirements that affect views, sight lines, bulk, and mass. It is anticipated that the additional floor area would have no noticeable effect on surrounding properties because construction of the project and rehabilitation of the existing historic resource would occur in compliance with all applicable building and fire codes, as well as Secretary of the Interior's Guidelines for Rehabilitating Historic Buildings.
3. *Granting the Variance for Historic Resource application would be in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The site is designated Medium Mixed-Use (0.0-2.25 FAR, 0-87 du/acre) in the General Plan Land Use Element. Sites with this designation are intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. The proposed mixed-use project is consistent with this designation because it provides a mix of retail and residential uses, an FAR of 2.25, and a density of less than 87 dwelling units per acre. A Guiding Principles of the Land Use Element of the General Plan is that Pasadena's historic resources will be preserved. Goal 8 (Historic Preservation) of the General Plan seeks the preservation and enhancement of Pasadena's cultural and historic buildings as valued assets and important representations of its past. The adaptive reuse of the site will ensure the preservation of a surviving early example of a particular building type. Policy 10.6 (Adaptive Reuse) of the General Plan encourages adaptive reuse of structures, including non-historic structures, as a means of supporting environmental sustainability. The project site includes a designated contributing resource to a nationally registered historic district (Old Pasadena), which will be adaptively re-used as part of the proposed project. This approach respects the General Plan's goals of not only protecting historic resources, but restoring and enabling continued economic and environmental value of such resources. The proposed project will allow the existing resource to be rehabilitated and appropriately modernized to reduce the risk of deterioration that may otherwise occur. Finally, the design of the proposed project demonstrates architectural sensitivity to the historic district in its approach to height, massing, and modulation through

the use of height averaging, differentiated architectural styles, upper story step-backs, and transparent and active ground floor designs.

The primary purpose of the Central District zoning district is to implement the objectives and policies of the Central District Specific Plan by providing for a diverse mix of land uses designed to create the primary business, financial, retail, and government center of the City. It emphasizes the concept of a higher density, mixed-use environment that will support transit- and pedestrian-oriented mobility strategies. The Old Pasadena subdistrict is intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. The proposed mixed-use project would further enhance the Central District as the primary retail center of the City, while retaining the historic character of the area. Housing would contribute to the vitality of the area and provide an economic base for retail tenants.

Certificate of Exception

4. *The parcel resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.* The proposed project, a mapping action consolidating two lots into one lot, is consistent with the General Plan Objectives and Policies, specifically Policy 1.2 (Targeted Growth), by creating a project site that is more suitable for development that would target growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces. The mapping action would be consistent with Policy 2.5 (Mixed Uses) by creating opportunities for development projects that mix housing with commercial uses to enable Pasadena's residents to live close to businesses and employment, increasing non-auto travel, and interact socially. The proposed lot line adjustment would result in a parcel with an area of 11,865 square feet. The resulting lot area would be within the range of sizes in the surrounding area. More importantly, the proposed lot size would not conflict with the development standards established for the CD-1 zoning district or applicable Central District Specific Plan. Any future development on the site is required to conform to the development standards of the underlining zoning district and Building Code.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR VARIANCE FOR HISTORIC RESOURCES #11921

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Approved at Hearing, May 6, 2020," except as modified herein.
2. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. This approval allows a maximum Floor Area Ratio (FAR) of up to 2.25, and authorizes the consolidation of parcels 5713-007-022 and 5713-007-021 into one legal parcel, as depicted on the approved site plan.
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description of the parcel resulting from the Lot Line Adjustment. The legal description shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author. The legal description shall substantially conform to the plans submitted with this application.
5. Prior to the issuance of a building permit, the applicant or successor in interest shall record with the Los Angeles County Recorder a Certificate of Compliance that has been approved by the Zoning Administrator. This lot line adjustment is not effective unless and until the Certificate of Compliance is recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
8. The proposed project, Activity Number **PLN2019-00437** is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Jason Van Patten, Current Planning Section, at (626) 744-6760 to schedule an inspection appointment time.

Planning Division

9. Parking required of the project shall comply with Zoning Code Chapter 17.46 (Parking and Loading).
10. Prior to the issuance of a building permit, parking required to serve the project that is located off-site shall be secured. To be secured, the applicant or successor in interest shall be responsible for recording with the Los Angeles County Recorder a Covenant and Agreement

Regarding Maintenance of Off-Street Parking Spaces that has been approved by the Zoning Administrator prior to the issuance of a Building Permit.

11. Should this project meet the threshold for state-mandated water-efficient landscaping, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.
12. No grading permit shall be issued until the building permit for the project is ready to be issued.
13. The applicant or successor in interest shall comply with all requirements of Municipal Code Chapter 9.36 (Noise Restrictions). Specifically, all construction activities shall adhere to Municipal Code Section 9.36.070 (Construction Projects) and Section 9.36.080 (Construction Equipment).
14. Any above-ground mechanical equipment shall be located at least five feet from all property lines and shall comply with the screening requirements of Section 17.40.150 (Screening) of the Zoning Code.
15. City Permits for overnight parking on City streets shall not be issued. Residential tenants shall be advised of the unavailability of on-street overnight parking permits.
16. Residents of the mixed-use development project shall be notified that they are living in an urban area and that the noise levels may be higher than in a typical residential area. The signature of the residents shall confirm receipt and understanding of this information

Building and Safety Division

17. Governing Codes: Current Edition of 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Energy Code, California Green Building Standard Code.& the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.
18. Building Code Analysis: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Description of use, Occupancy, whether separated or un-separated, number of stories, type of construction, sprinklers, floor area, height, and allowable floor area.
19. Means of Egress (Exiting):
 - Show an exit plan that labels and clearly shows compliance with all required egress features such as, but not limited to, common path of travel, required number of exits, occupant load, required width, continuity, travel distance, etc. [CBC 1001.1]

- Clearly label and identify on plans fire-resistive corridors, exit enclosures, exit passageways, horizontal exits, occupancy separation walls and floors, fire resistive shafts, and fire walls, along with their fire-resistive ratings
- Primary accessible path of travel shall include a primary entrance to the building or facility; toilet and bathing facilities serving the area; drinking fountains serving the area; public telephones serving the area, and signs. CBC 2019 chapter IIA

21. Low Impact Development (LID) Plan I Standard Urban Storm-water Mitigation Plan (SUSMP) and Storm-water Pollution Prevention Plan (SWPPP): See city of Pasadena guideline for LID/SUSMP requirements <https://www.cityofpasadena.net/planning/building-and-safety/low-impact-development/>

22. Parking Spaces: Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per CBC 2019 II.

23. Permit(s): Separate permits are required for the following:

- Mechanical
- Electrical
- Plumbing
- Fire Sprinkler
- Demolition
- Others

Public Works Department

24. All Public Works conditions of approval in the Final Design Review – PLN2019-00463, dated October 30, 2019, apply.

Power Division, Water and Power Department

25. The size and location of the proposed transformer vault room shown on the plans is deemed preliminary and must be coordinated closely with PWP Electric Service Planning as early as possible before start of any construction. Any electrical service that crosses multiple parcels will require a utility easement.

Water Division, Water and Power Department

26. Water Service: PWP records reflect a 1 -inch service (7194), a 2-inch service (50152), and a 4-inch service (50153) serving this project. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length

of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.

27. 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.

28. 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.

29. 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.

30. 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.

31. Residential Water Submetering Requirements: Senate Bill No. 7 (Housing: water meter: multiunit structures) approved by the Governor September 25, 2016, requires that individual meters or submeters be installed on all new multifamily residential units. Per Senate Bill No. 7: Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The law exempts long-term health care facilities, low-income housing, residential care facilities, housing at a place of education, and time-share properties, as well as, other multiunit residential structures deemed infeasible by the Department of Housing and Community Development.

Per the Water Regulations adopted by City Council on June 4, 2012: "The water service will end at the curb, public right of way or property line at the option of PWP. Where the location

of the meter box or vault on the City side of the property line is not practicable, the meter box or vault shall be located on the Customer's premises or such other location that may be agreed upon by PWP at its option. The Customer shall be responsible for the expense of installation and maintenance of the lines on the Customer's side of the property line connecting to PWP's service where construction of the Customer's facilities began."

The following submetering options are available for PWP customers:

Option 1:

Individual metering located on the parkway.

The Water Division will install individual water meters on the parkway in front of the project site, if permitted by available space as per the General Requirements, for each residential unit. PWP's responsibility of service ends at the meter and PWP will bill each tenant directly.

Option 2:

Individual metering located on private property.

The Water Division will install a service lateral up to the property line with a shut off valve. The owner/developer will install all piping behind the property line and will install all water meters, provided by PWP to each residential unit. Water meters must be installed outside or in a garage/parking area in order for meter readers to have unrestricted access to them if needed. PWP will inspect the individual meters as a condition of providing service. PWP's responsibility of service ends at the property line and PWP will bill each tenant directly.

Option 3:

Submetering by third party vendor located on private property.

The Water Division will install master water meter(s) on the parkway, in front of the project site. The owner/developer must submit a statement on letterhead stating that a Contractor licensed by the California State License Board will install submeters, per Senate Bill No. 7, to all residential units. PWP will inspect the submeters as a condition of providing service. PWP's responsibility of service ends at the master meter and the owner/developer is responsible for billing each tenant per Senate Bill No. 7.

32. Fire Flow and Fire Hydrants: The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.

There is one fire hydrant in close proximity to the project site. Fire hydrant 417-1 is located on the northeast corner of Mills Place and Green Street.

There is no current fire flow test information available for this hydrant. If you would like to request fire flow test information, please contact Marco Sustaita at (626) 744-4498.

Fire Hydrant Details:

