



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 20, 2020

TO: Hearing Officer

SUBJECT: Conditional Use Permit #6824

LOCATION: 2302-2304 East Colorado Boulevard

APPLICANT: John and Kirsten Jackson

ZONING DESIGNATION: ECSP-CG-4 (East Colorado Specific Plan, The Route 66 area)

GENERAL PLAN DESIGNATION: Medium Mixed Use

CASE PLANNER: Jason Van Patten

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Conditional Use Permit #6824 with the conditions in Attachment B.

PROJECT PROPOSAL:

- 1) Conditional Use Permit: To establish an Industry Restricted, Small Scale land use (Wild Parrot Brewing Company);
- 2) Conditional Use Permit: To allow the on- and off-site sale and consumption of limited alcohol (beer and wine) in conjunction with the operation of an Industry Restricted, Small Scale land use; and
- 3) Conditional Use Permit: To allow extended hours of operation. The applicant proposes to operate between 7:00 a.m. and 10:00 p.m., Sunday to Thursday, and between 7:00 a.m. and 11:30 p.m., Friday and Saturday.

ENVIRONMENTAL DETERMINATION: This project has been determined to be 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, §15301, Class 1, Existing Facilities) and that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Section 15301 exempts the operation and licensing of existing private structures, involving negligible or no expansion of an existing use. The sale of limited alcohol and proposed hours in conjunction with the operation of an Industry Restricted, Small Scale land use is considered a negligible expansion of an existing commercial use. Further, no expansion to the existing floor area is proposed. Therefore, the project is exempt from environmental review.

BACKGROUND:

Site characteristics: The project site is located at the southeast corner of Colorado Boulevard and Roosevelt Avenue. The property is currently improved with a multi-tenant commercial building and a surface parking lot. Vehicular access is provided from Roosevelt Avenue. An existing coffee shop (Rosebud Coffee) occupies the subject 3,177 square-foot tenant space.

Adjacent Uses: North – Retail Sales, Vehicle/Equipment Repair, Restaurants, Food Sales, Financial Institution, Personal Services, Medical Office
South – Multi-Family Residential
East – Retail Sales
West – Medical Office, Mixed-Use

Adjacent Zoning North – ECSP-CG-4 (East Colorado Specific Plan, The Route 66 area)
South – RM-32-PK (Multi-Family Residential, City of Gardens, Parking Overlay District)
East – ECSP-CG-4 (East Colorado Specific Plan, The Route 66 area)
West – ECSP-CG-4 (East Colorado Specific Plan, The Route 66 area)

Previous Cases: None

PROJECT DESCRIPTION:

The applicants, John and Kirsten Jackson, have submitted Conditional Use Permit applications for the following: 1) to establish an Industry Restricted, Small Scale land use (Wild Parrot Brewing Company); 2) to allow the on- and off-site sale and consumption of limited alcohol (beer and wine) in conjunction with the operation of an Industry Restricted, Small Scale land use; and, 3) to allow extended hours of operation. The proposed Industry Restricted, Small Scale land use, accessory sale of limited alcohol (beer and wine), and extended hours of operation are subject to the approval of a Conditional Use Permit.

Wild Parrot Brewing Company (hereafter, referenced as “Wild Parrot”) intends to manufacture beer and operate a tasting room within a 3,177 square-foot tenant space. The existing tenant, Rosebud Coffee would remain and share the tenant space. The applicant proposes to operate between 7:00 a.m. and 10:00 p.m., Sunday to Thursday, and between 7:00 a.m. and 11:30 p.m., Friday and Saturday. The applicant intends to operate under a non-retail Type 23 (Small Beer Manufacturer) Alcoholic Beverage Control (ABC) license.

ANALYSIS:

Zoning and Land Use

The subject property is located within the Route 66 sub area of the East Colorado Specific Plan (ECSP-CG-4) zoning district. The purpose of the ECSP-CG-4 zoning district is to implement the East Colorado Specific Plan. This purpose includes retaining the eclectic mix of uses, protecting the vitality of small, independent businesses, and upholding Colorado Boulevard as a location for specialty and niche retail businesses. A manufacturer of beer is classified as an Industry Restricted, Small Scale land use (limited to maximum gross floor area of 5,000 square feet). This land use is subject to approval of a Conditional Use Permit (CUP) within the ECSP-CG-4 zoning district, pursuant to Table 3-3 (Allowed Uses and Permit Requirements for ECSP Zoning Districts) of Zoning Code Section 17.31.040 (ECSP District Land Uses and Permit Requirements). The proposed accessory sale of alcohol for on- and off-site consumption is also subject to the approval of a CUP, pursuant to Table 3-3, Zoning Code Section 17.31.040.

Conditional Use Permit – Industry Restricted, Small Scale

The Hearing Officer may approve a CUP to establish an Industry Restricted, Small Scale land 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. In this case, the analysis focused on whether the request to establish an Industry Restricted, Small Scale land use, would negatively impact the general welfare of the surrounding property owners or be incompatible.

The plan is a shared concept that provides for both Wild Parrot and the existing tenant, Rosebud Coffee. The two businesses would operate separate service counters, while sharing a common seating area, restrooms, and kitchen/prep facilities. The seating would be located toward the front of the tenant space, adjacent to Colorado Boulevard. A brewing pad that would contain fermenters and other associated brewing equipment would be located on the east side of the tenant space, visible to patrons occupying the seating area. According to the applicant, Wild Parrot plans to produce beer with an anticipated weekly production of approximately nine barrels, and an initial annual production of approximately 450 barrels. The sale of limited alcohol (beer and wine) for on-site consumption would take place within the seating/tasting area. Both the on- and off-site sale and consumption of limited alcohol (beer and wine) would be ancillary to the principal manufacturing use. Serving sizes for on-site tasting will vary between four and 16 ounces. Additionally, a menu of food, wine, cider, and guest beers may also be offered to provide flexibility in operation. Purchase of beer for off-site consumption would be available via special containers known as growlers (glass) or crowlers (cans). These containers would be available in 32 and 64-ounce sizes, packaged and sealed on the premise by the operator, and sold to the customer for off-site consumption only. Pre-packaged beer (32oz bottles, 12 and 16-ounce cans) would also be available for off-site sale and consumption.

The operation of the proposed land use would occur on private property within the interior of an existing commercial tenant space, located within a multi-tenant commercial building. Anticipated interior improvements that include the build-out of the manufacturing facilities and utilities would occur in compliance with applicable Building and Fire Codes. Patrons visiting the business would enter from Colorado Boulevard, and have access to the on-site surface parking lot, both highly visible areas. The visibility of the operation, accessibility of parking, and required compliance with applicable Codes and conditions of approval would prevent any detriment to

the health, safety, or general welfare of persons residing or working in the neighborhood. It will further prevent any injury to property or improvements in the area. The proposed use is a small independent business that will contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor, consistent with the purpose of the ECSP zoning district. The conditions of approval would ensure the use remains a small beer manufacturer, consistent with the applicable non-retail ABC license (Type 23). To protect the adjacent residential uses, recommended conditions of approval provided in Attachment B of this report, would address hours of operation, require that the applicant comply with the City's Noise Ordinance (Chapter 9.36), Performance Standards of the Zoning Code (Section 17.40.090), and supply adequate and appropriately located litter and recycling receptacles. The intent of the aforementioned conditions is to minimize potential impacts by controlling on-site lighting, noise, odors, vibrations, and any truck access associated with the proposed use.

Parking

Industry, Restricted land uses require two spaces for every 1,000 gross square feet, pursuant to Table 4-6 (Off-Street Parking Space Requirements) of Zoning Code Section 17.46.040 (Number of Off-Street Parking Spaces Required). The accessory tasting room is incidental to the principal use and is not listed in Table 4-6, in part, because an accessory use may vary in function from one operation to another. However, pursuant to Zoning Code Section 17.46.040.F.1 and F.2 (Number of Off-Street Parking Spaces Required – Uses Not Listed), land uses not specifically listed shall provide parking as required by the Zoning Administrator. The Zoning Administrator shall use the requirements of Table 4-6 as a guide in determining the minimum number of off-street parking spaces to be provided. In this case, the Zoning Administrator has applied a ratio of 10 spaces per 1,000 gross square feet based on operational characteristics of the tasting area. The tasting room will sell alcohol and food to patrons, similar to a restaurant use that may sell alcohol and/or provide food for sale. A restaurant classification has a parking ratio of 10 space per 1,000 gross square feet.

In this case, the applicant's proposal increases the parking requirement applicable to the existing operation. Whereas, the existing operation requires 10 spaces, the proposed operation requires 17 spaces. The applicant is required to address the difference in parking.

Table 1: Parking

Use	SF	Ratio	Required
Personal Service (existing)	3,177	3:1,000	10
Industry Restricted, Small Scale (proposed)	1,828	2:1,000	4
Tasting Room (proposed)	1,349	10:1,000	13
		Difference	7

In order to offset the seven-space parking difference, the property owner has chosen to restrict occupancy to a 2,200 square-foot portion of a currently unused tenant space. The tenant space, located adjacent to the subject space was previously occupied by a computer repair and sales business (Business Support Services). Wild Parrot's seven-space difference equates to 2,200 square feet at a ratio of three spaces per 1,000 square feet. This ratio is the applicable requirement for the prior Business Support Services use. A condition of approval requiring the property owner provide a signed affidavit regarding the restriction in occupancy would ensure the 2,200 square-foot space is set aside and not occupied. In place of this restriction, and as an alternative, the applicant may secure parking off-site where available. The Zoning Code allows required parking to be located off-site provided it meets distance requirements and a long-term

lease agreement is recorded. Planning staff would verify off-site parking compliance during the building permit plan check process.

Conditional Use Permit – On- and Off-Site Sales of Limited Alcohol (Beer and Wine)

The Hearing Officer may approve a CUP for the accessory sale of alcohol only after making five 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. In this case, the analysis focused on whether the request to allow the sales of alcohol would create a negative impact on the general welfare of the surrounding property owners or result in an aggravation of any existing alcohol-related problems such as loitering, public drunkenness, sales to minors, or noise.

Concentration of Alcohol Sales

The project site is located in Census Tract 4634. The table below provides a list of existing alcoholic beverage establishments within 1,000 feet of the subject site, measured property line to property line. According to data provided by the applicant and accessed through the ABC, there are currently nine establishments within 1,000 feet of the subject property possessing ABC licenses. Table 1 summarizes the establishments.

Table 2: Alcohol License Types within 1,000 Feet

#	Business Name	Address	ABC License Type
1	Lupita's Mexican Restaurant	2383 E. Colorado Blvd.	On-Sale Beer and Wine (41)
2	Go Go Sushi	2269 E. Colorado Blvd., #C101	On-Sale Beer and Wine (41)
3	Lee's Hoagie House	2269 E. Colorado Blvd.	On-Sale Beer and Wine (41)
4	Vons	2355 E. Colorado Blvd.	Off-Sale General (21)
5	Plate 38	2361 E. Colorado Blvd.	On-Sale General (47)
6	Dickie's BBQ	2363 E. Colorado Blvd.	On-Sale Beer and Wine (41)
7	Pasadena Noodle & Grill	2335 E. Colorado Blvd., #110	On-Sale Beer and Wine (41)
8	Sahara Middle Eastern Cuisine	2226 E. Colorado Blvd.	On-Sale Beer and Wine (41)
9	Walgreens	2376 E. Colorado Blvd.	Off-Sale Beer and Wine (20)

The applicant proposes to operate under a type 23 non-retail license. Whereas the ABC maintains statistical information (number allowed verses what is existing) for retail licenses (e.g. on-sale beer and wine, on-sale general, etc.), they do not maintain this information for non-retail licenses. Unlike retail licenses, non-retail licenses are primarily associated with the import, manufacture, or wholesale of alcohol products. As the name implies, they do not principally involve direct sales to the public and have different limitations/restrictions from retail licenses that are commonly held by restaurants, bars, or similar. The establishments possessing alcohol licenses within 1,000 feet are all located off-site with none located in the multi-tenant building. This includes property north across Colorado Boulevard, west across Roosevelt Avenue, and east across Sierra Madre Boulevard. Further, the existing establishments do not include nightclubs or liquor stores, but instead a majority provide traditional food related services. This condition reduces the concern regarding a potential concentration of alcohol sales or occurrence of unwanted activities. Additionally, due to the number, type, and location of existing licenses in the vicinity, it is unlikely that the proposed addition of alcohol sales would create an undesirable concentration that is detrimental to the area.

Surrounding Uses and Proximity to Sensitive Uses

Nonresidential uses are located north, east and west of the subject property. These include retail sales, vehicle/equipment repair, restaurants, food sales, financial institutions, personal services, medical offices, and a mixed-use building. Many of these uses are located within the shopping center directly north across Colorado Boulevard. Residential units are located west within an existing mixed-use building, and south and east of the surface parking lot. Properties to the south and east are within multi-family residential zoning districts. While within proximity, the residential units are buffered from the proposed use by the existing Roosevelt Avenue right-of-way, other tenants within the subject multi-tenant building, and the surface parking lot. In addition, the orientation of the subject tenant space provides additional means of separation. The tenant space is located towards the interior of the multi-tenant building, fronts directly onto Colorado Boulevard, and locates the seating area adjacent to the Colorado Boulevard street frontage. A limited number of sensitive uses (e.g. park and recreation facilities, hospitals, schools, or parks) exist nearby. The nearest school is the St. Gregory A & M Hovsepian School located across Colorado Boulevard approximately 350 feet northeast of the site. Other schools in the vicinity are located at substantially further distances from the site. The nearest religious assembly uses are located approximately 350 feet west of the site. There are no hospitals or parks located nearby.

As proposed, the on- and off-site sale and consumption of limited alcohol (beer and wine) would not adversely impact sensitive uses nearby. The use would be located within a multi-tenant building adjacent to other nonresidential tenants. All sales and consumption of limited alcohol (beer and wine) is proposed indoors on private property, and no live entertainment is proposed. Therefore, staff determined the proposed use could coexist with nearby residential uses provided the operator complies with recommended conditions of approval. Included conditions of approval prohibit cover charges, age restrictions, and amplified music conducive of a nightclub atmosphere. In addition to this CUP, the applicant would be required to meet standards enforced by the ABC. This encourages the applicant to take all appropriate measures to prevent detriment to the adjacent residential use in order to avoid revocation of the ABC license.

Conditional Use Permit – Extended Hours of Operation

Within the ECSP-CG-4 zoning district, Industry Restricted, Small Scale uses are subject to limitations on hours of operation when located on a site that is within 150 feet of a residential zoning district. A residential zoning district adjoins the subject property on the east and south. Pursuant to Zoning Code Section 17.40.070 (Limited Hours of Operation) the proposed use may only operate between the hours of 7:00 a.m. and 10:00 p.m., by right; and between the hours of 10:00 p.m. and 7:00 a.m., subject to the issuance of a CUP. Wild Parrot proposes to operate between 7:00 a.m. and 10:00 p.m., Sunday to Thursday; and, between 7:00 a.m. and 11:30 p.m., Friday and Saturday. According to the applicant, brewing operations would typically begin at 7:00 a.m. with service to customers typically beginning at noon. The Hearing Officer may approve a CUP to extend the hours of operation, only after making six findings identified in the Zoning Code. These findings are the same as those required to allow the Industry Restricted, Small Scale use.

The extended hours of operation are associated with the establishment of an Industry Restricted, Small Scale use that will occupy an interior tenant space of an existing multi-tenant building located in a commercial area. The applicant's proposal extends the allowed hours of operation by 90 minutes, two days a week (Friday and Saturday). Hours of operation Sunday

through Thursday, would comply with Zoning Code requirements that limit hours between 7:00 a.m. and 10:00 p.m. Restrictions on truck loading, unloading, and trash pick-up would be unaffected by this request. Truck loading, unloading, and trash pick-up are only allowed between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. No truck loading, unloading, or trash pick-up is allowed on Sundays. The extended hours for Friday and Saturday are for the purpose of providing additional service on days people are commonly patronizing businesses later in the evening. The additional time would not reasonably impact physical property and improvements given the extended hours occur two days a week. The subject location is separated from adjacent residential uses and districts by a surface parking lot, the public right-of-way, and other existing improvements. These circumstances would allow for compatibility between uses while minimizing disturbances to property values. The requested hours would not reasonably be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood. Whereas a concentration of alcohol serving business with extended hours could be detrimental, such a circumstance would not exist. A majority of uses within the vicinity close by 10:00 p.m. daily. In addition, the tenants residing on the subject site do not serve alcohol. The proposed use with extended hours would remain compatible with existing and future land uses that are generally limited to commercial establishments. The proposed hours would not change aesthetic values, scale and view protection. While the extended hours would allow people to patronize the business for a longer period of time, it's anticipated that the character of the area would remain unchanged.

GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY:

The project site is designated Medium Mixed Use (0-0-2.25 FAR, 0-87 du/acre) in the Land Use Element of the General Plan. This designation is intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. The separate, but applicable East Colorado Specific Plan (ECSP) document is intended to provide for implementation of the General Plan, as related to the properties located within the boundaries of the ECSP area. The ECSP provides a greater level of specificity and serves as a bridge between goals and policies of the General Plan and individual projects. Within the ECSP area, a wide variety of predominantly commercial businesses provide goods and services for both citywide and regional patrons and residents immediately north and south of the corridor. The vision for East Colorado Boulevard is to create a vibrant mix of land uses, a unified streetscape and a series of distinctive places along the boulevard.

The proposed Industry Restricted, Small Scale use, with accessory sale of alcohol, and extended hours of operation is consistent with General Plan Land Use Element Policy 11.3 (New and Complementary Businesses), and Goal 28 (Places to Live, Work, Shop, and Recreate). Policy 11.3 emphasizes identifying opportunity sites for expansion of successful Pasadena companies and attraction of new establishments that are complementary with Pasadena's Central District, neighborhood and transit villages, and commercial corridors. Goal 28 calls for a diversity of well-designed corridors and villages containing an integrated mix of commercial uses and/or housing that enable Pasadena's residents to live close to businesses, services, and employment, reduce automobile use, and actively engage and enhance pedestrian activity. The proposal is consistent with the General Plan Land Use Element and ECSP because it would introduce a new local business along a heavily travelled commercial corridor. The establishment would be complimentary to existing commercial businesses in the vicinity because it would offer a distinct experience. The establishment would further promote pedestrian activity along the Colorado Boulevard commercial corridor and may provide additional attraction for residents surrounding the site and in the vicinity. The proposed use is a

small independent business that will contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor, consistent with the purpose of the ECSP.

ENVIRONMENTAL REVIEW:

This project has been determined to be 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, §15301, Class 1, Existing Facilities) and that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts the operation and licensing of existing private structures, involving negligible or no expansion of an existing use. The sale of alcohol and proposed hours in conjunction with the operation of an Industry Restricted, Small Scale use is considered a negligible expansion of an existing commercial use. Further, no expansion to the existing floor area is proposed. Therefore, the project is exempt from environmental review.

REVIEW BY OTHER CITY DEPARTMENTS:

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

CONCLUSION:

It is staff's assessment that the findings for approval of the CUP for the proposed Industry Restricted, Small Scale use, accessory sales of alcohol, and extended hours of operation can be made. The proposal complies with applicable provisions of the Zoning Code, including but not limited to, those pertinent to the East Colorado Specific Plan and is in conformance with the General Plan Land Use Element. In addition, staff found that the proposed use could coexist with the existing nearby residential uses provided the operator complies with recommended conditions of approval. Conditions of approval prohibit cover charges, age restrictions, and amplified music conducive of a nightclub atmosphere. They also address hours of operation, require that the applicant comply with the City's Noise Ordinance (Chapter 9.36), Performance Standards of the Zoning Code (Section 17.40.090), and supply adequate, appropriately located litter and recycling receptacles. Further, the applicant would be required to meet standards enforced by the ABC, which encourages the applicant to take all appropriate measures to prevent detriment to the adjacent residential uses. 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: Recommended Findings of Approval

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6824

Conditional Use Permit – To Establish an Industry Restricted, Small Scale Land Use

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.* Industry Restricted, Small Scale land uses are subject to the approval of a Conditional Use Permit (CUP) pursuant to Table 3-3 (Allowed Uses and Permit Requirements for ECSP Zoning Districts) of Zoning Code Section 17.31.040 (ECSP District Land Uses and Permit Requirements). The proposed use complies with applicable provisions of the Zoning Code including but not limited to those pertinent to the East Colorado Specific Plan.
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. To achieve this purpose, it is the intent of this Zoning Code to in part, maintain and protect the value of property, ensure the provision of adequate open space for light, air, and fire safety, and ensure compatibility between land uses. The purpose of the ECSP zoning district is to implement the East Colorado Specific Plan. This purpose includes retaining the eclectic mix of uses, protecting the vitality of small, independent businesses, and upholding Colorado Boulevard as a location for specialty and niche retail businesses. The proposed commercial use will occur on private property within the interior of an existing commercial tenant space located within a multi-tenant commercial building. The proposed use is a small independent business that will contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor. Therefore, the proposed location of the commercial use complies with the purpose of the Zoning Code and zoning district.
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 du/acre) in the Land Use Element of the General Plan. This designation is intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. The separate, but applicable East Colorado Specific Plan (ECSP) document is intended to provide for implementation of the General Plan, as related to the properties located within the boundaries of the ECSP area. The ECSP provides a greater level of specificity and serves as a bridge between goals and policies of the General Plan and individual projects. Within the ECSP area, a wide variety of predominantly commercial businesses provide goods and services for both citywide and regional patrons and residents immediately north and south of the corridor. The vision for East Colorado Boulevard is to create a vibrant mix of land uses, a unified streetscape and a series of distinctive places along the boulevard.

The proposed Industry Restricted, Small Scale use, accessory sale of alcohol, and hours of operation are consistent with General Plan Land Use Element Policy 11.3 (New and Complementary Businesses), and Goal 28 (Places to Live, Work, Ship, and Recreate). Policy 11.3 emphasizes identifying opportunity sites for expansion of successful Pasadena companies and attraction of new establishments that are complementary with Pasadena's Central District, neighborhood and transit villages, and commercial corridors. Goal 28 calls

for a diversity of well-designed corridors and villages containing an integrated mix of commercial uses and/or housing that enable Pasadena's residents to live close to businesses, services, and employment, reduce automobile use, and actively engage and enhance pedestrian activity. The proposal is consistent with the General Plan Land Use Element and ECSP because it will introduce a new local business along a heavily travelled commercial corridor. The establishment will be complimentary to existing commercial businesses in the vicinity because it will offer a distinct experience. The proposed use is a small independent business that will contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor, consistent with the purpose of the ECSP. The establishment will further promote pedestrian activity along the Colorado Boulevard commercial corridor and will provide an additional attraction for residents surrounding the site and in the vicinity.

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 operation of the use will occur on private property within the interior of an existing commercial tenant space located within a multi-tenant commercial building. Anticipated interior improvements that include build out of the manufacturing facilities and utilities will occur in compliance with applicable building and fire codes. Patrons visiting the business will enter from Colorado Boulevard and have access to the on-site surface parking lot, both highly visible areas. The visibility of the operation, accessibility of parking, and required compliance with applicable codes and conditions of approval will prevent any detriment to the health, safety, or general welfare of persons residing or working in the neighborhood. The proposed use is a small independent business that will contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor. The conditions of approval will ensure the use remains a small beer manufacturer. To protect the adjacent residential uses, recommended conditions of approval address hours of operation, require that the applicant comply with the City's Noise Ordinance (Chapter 9.36), Performance Standards of the Zoning Code (Section 17.40.090), and supply adequate, appropriately located litter and recycling receptacles. The intent is to minimize potential impacts by controlling on-site lighting, noise, odors, vibrations, and any truck access associated with the use. Therefore, it is anticipated that the Industry Restricted, Small Scale use will not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood.
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 proposed use involves the operation of a commercial business contained within the interior of an existing commercial building. Anticipated interior improvements that include build out of the manufacturing facilities and utilities will occur in compliance with applicable building and fire codes. Therefore, operational activities associated with the use will not reasonably impact property or improvements in the neighborhood or general welfare of the City.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The proposed use will improve the aesthetic value and character of the area through the planned interior improvements and resulting customer draw. The potential increase in customer base will lead to improved investment as well as encourage establishment of other diverse businesses that will complement existing and future uses. There will be no impact or change on scale or view protection because no expansion is proposed.

Conditional Use Permit – On- and Off-site Sale and Consumption of Limited Alcohol (beer and wine)

7. *The proposed location of the site for the Conditional Use Permit would not adversely affect the general welfare of the surrounding property owners.* The on- and off-site sale of alcohol will occur in conjunction with an industry restricted, small scale use that will principally manufactures beer. The service will occur on property located in the Route 66 sub area of the East Colorado Specific Plan, which is characterized by a wide range of commercial uses. Nonresidential uses are located north, east and west of the subject property. These include retail sales, vehicle/equipment repair, restaurants, food sales, financial institutions, personal services, medical offices, and a mixed-use structure. Many of these are located within the shopping center directly north across Colorado Boulevard. Residential units are located west within an existing mixed-use structure, and south and east of the surface parking lot. Properties to the south and east are within multi-family residential zoning districts. While within proximity, the residential units are buffered from the proposed use by the existing Roosevelt Avenue right-of-way, other tenants within the subject multi-tenant building, and the surface parking lot. In addition, the orientation of the subject tenant space provides additional means of separation. The tenant space is located towards the interior of the multi-tenant building, fronts directly onto Colorado Boulevard, and locates the seating area adjacent to the street frontage. Therefore, the alcohol sales are appropriately located such that it will not adversely affect the general welfare of the surrounding property owners.
8. *The proposed location of the site for the Conditional Use Permit would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including wine, in the area.* The applicant proposes to operate under a type 23 non-retail license. Whereas the ABC maintains statistical information (number allowed verses what is existing) for retail licenses (e.g. on-sale beer and wine, on-sale general, etc.), they do not maintain this information for non-retail licenses. Unlike retail licenses, non-retail licenses are primarily associated with the import, manufacture, or wholesale of alcohol products. As the name implies, they do not principally involve direct sales to the public and have different limitations/restrictions from retail licenses that are commonly held by restaurants, bars, or similar. The establishments possessing alcohol licenses within 1,000 feet are all located off-site with none located in the multi-tenant building. This includes property north across Colorado Boulevard, west across Roosevelt Avenue, and east across Sierra Madre Boulevard. Further, the existing establishments do not include nightclubs or liquor stores, but instead provide traditional food related services. This condition reduces the concern regarding a potential concentration of alcohol sales or occurrence of unwanted activities. Due to the number, type, and location of existing licenses in the vicinity, it is unlikely that the proposed location of alcohol sales will create an undesirable concentration that is detrimental to the area.
9. *The proposed location of the site for the Conditional Use Permit would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to the following: a. Residential uses and residential districts; b. Hospitals, park and recreation facilities, places of public assembly, public or private schools, and religious assembly uses that attract minors and other similar uses; and c. Other establishments offering alcoholic beverages (including wine) for sale for consumption both on- and off-site.* Nonresidential uses are located north, east and west of the subject property. These include retail sales, vehicle/equipment repair, restaurants, food sales, financial institutions, personal services, medical offices, and a mixed-use structure. Many of these are located within the shopping center directly north across Colorado

Boulevard. Residential units are located west within an existing mixed-use structure, and south and east of the surface parking lot. Properties to the south and east are within multi-family residential zoning districts. While within proximity, the residential units are buffered from the proposed use by the existing Roosevelt Avenue right-of-way and the surface parking lot. There exist a limited number of sensitive uses (e.g. park and recreation facilities, hospitals, schools, or parks) nearby. The nearest school is the St. Gregory A & M Hovsepian School located across Colorado Boulevard approximately 350 feet northeast of the site. Other schools in the vicinity are located at substantially further distances from the site. The nearest religious assembly uses are located approximately 350 feet west of the site. There are no hospitals or parks located nearby. Other establishments selling alcohol nearby are all located off-site with none located in the multi-tenant building. Further, the existing establishments do not include nightclubs or liquor stores, but instead provide traditional food related services. Therefore, the proposed location of the site for the Conditional Use Permit will not detrimentally affect the nearby surrounding area

10. *The proposed location of the site for the Conditional Use Permit would not aggravate proposed problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, and sales to minors).* No prior history of alcohol sales or associated complaints were found. The Police Department did not express any concerns with the subject site. However, to prevent problems associated with the sale of alcohol and protect the adjacent residential uses, recommended conditions prohibit cover charges, age restrictions, and amplified music conducive of a nightclub atmosphere. Noncompliance with any conditions of approval or any provisions in the Zoning Code may result in the revocation of the CUP. These measures will limit any potential problems that might otherwise be created by the sale of alcohol. In addition to this CUP, the applicant will be required to meet standards enforced by the ABC, which encourages the applicant to take all appropriate measures to prevent detriment to the adjacent residential use.
11. *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 proposed accessory sale of alcohol is consistent with General Plan Land Use Element Policy 11.3 (New and Complementary Businesses), and Goal 28 (Places to Live, Work, Shop, and Recreate). Policy 11.3 emphasizes identifying opportunity sites for expansion of successful Pasadena companies and attraction of new establishments that are complementary with Pasadena's Central District, neighborhood and transit villages, and commercial corridors. Goal 28 calls for a diversity of well-designed corridors and villages containing an integrated mix of commercial uses and/or housing that enable Pasadena's residents to live close to businesses, services, and employment, reduce automobile use, and actively engage and enhance pedestrian activity. Alcohol sales will provide the new local business with an additional amenity that is attractive to patrons traveling along Colorado Boulevard, a heavily travelled commercial corridor. The establishment will be complimentary to existing commercial businesses in the vicinity because it will offer a distinct experience while providing a menu option not currently available on-site. The establishment will further promote pedestrian activity along the Colorado Boulevard commercial corridor and may provide additional attraction for residents south of the site and in the vicinity. Alcohol sales will allow the small independent business to contribute to the mix of specialty and niche business located throughout the Colorado Boulevard corridor, consistent with the purpose of the ECSP. Therefore, alcohol sales is consistent with the General Plan Land Use Element and ECSP.

Conditional Use Permit – Extended Hours of Operation

12. *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.* Within the East Colorado Specific Plan zoning district, Industry Restricted, Small Scale uses are subject to limitations on hours of operation when located on a site that is within 150 feet of a residential zoning district. A residential zoning district adjoins the site on the east and south. Pursuant to Zoning Code Section 17.40.070 (Limited Hours of Operation) the proposed use may only operate between the hours of 7:00 a.m. and 10:00 p.m. by right; and between the hours of 10:00 p.m. and 7:00 a.m. subject to the issuance of a CUP. The applicant proposes to operate between 7:00 a.m. and 10:00 p.m., Sunday to Thursday, and between 7:00 a.m. and 11:30 p.m., Friday and Saturday. The request for extended hours of operation complies with all applicable provisions in the Zoning Code.
13. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The extended hours of operation are associated with the establishment of an Industry Restricted, Small Scale use that will occupy an interior tenant space of an existing multi-tenant building located in a commercial area. The subject location is separated from adjacent residential uses and districts by a surface parking lot, the public right-of-way, and other existing improvements. These circumstances will allow for compatibility between uses while minimizing disturbances to property values. Therefore, the location of the use subject to the extended hours will comply with the purpose of the Zoning Code and applicable zoning district.
14. *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.* Extended hours of operation are consistent with General Plan Land Use Element Policy 11.3 (New and Complementary Businesses), and Goal 28 (Places to Live, Work, Ship, and Recreate). Policy 11.3 emphasizes identifying opportunity sites for expansion of successful Pasadena companies and attraction of new establishments that are complementary with Pasadena's Central District, neighborhood and transit villages, and commercial corridors. Goal 28 calls for a diversity of well-designed corridors and villages containing an integrated mix of commercial uses and/or housing that enable Pasadena's residents to live close to businesses, services, and employment, reduce automobile use, and actively engage and enhance pedestrian activity. Extended hours are not only attractive to the operator, but will provide patrons with an additional opportunity to experience the new local business as they travel along Colorado Boulevard. Extended hours will allow the business to compliment other nearby establishments by offering an additional spot within walking distance that can be accessed after a meal. Therefore, alcohol sales is consistent with the General Plan Land Use Element and ECSP.
15. *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 applicant's proposal extends the allowed hours of operation by 90 minutes, two days a week (Friday and Saturday). Hours of operation Sunday through Thursday will comply with zoning code requirements that limit hours between 7:00 a.m. and 10:00 p.m. The requested hours will not reasonably be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood. Whereas a concentration of alcohol serving business with extended hours could be detrimental, such a circumstance will not exist. A majority of uses

within the vicinity close by 10:00 p.m. daily. In addition, the tenants residing on the subject site do not serve alcohol and there will be no change in the allowed hours of truck loading, unloading, and trash pick-up.

16. *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.* It's anticipated the extended hours of operation will not be detrimental or injurious to property and improvements. The additional hours Friday and Saturday are for the purpose of providing additional service on days people are commonly patronizing businesses later in the day. The additional time will not reasonably impact physical property and improvements given the extended hours occur two days a week.
17. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The proposed Industry Restricted, Small Scale use with extended hours of operation will remain compatible with existing and future land uses that are generally limited to commercial establishments. The proposed hours will not change aesthetic values, scale and view protection. While the extended hours will allow people to patronize the business for a longer period of time, it's anticipated that the character of the area will remain unchanged.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6824

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 at Hearing, May 20, 2020", 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 four 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 an Industry Restricted, Small Scale land use, allows the accessory on- and off-site sale and consumption of alcohol (beer and wine) in conjunction with the Industry Restricted, Small Scale use, and allows extended hours of operation.
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 **PLN2020-00080**, is subject to a Final Zoning Inspection. 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 Division

9. Hours of operation shall be limited between 7:00 a.m. and 10:00 p.m., Sunday to Thursday, and between 7:00 a.m. and 11:30 p.m., Friday and Saturday. Any change to the hours of operation shall require a change to this Conditional Use Permit or a new Conditional Use Permit.
10. All activities and any storage associated with the Industry Restricted, Small Scale use shall be conducted within the enclosed building at all times, unless authorized through a separate Temporary Use Permit or Sidewalk Dining Occupancy Permit.

11. The premises shall operate under ABC License Type 23 (Small Beer Manufacturer). No other license shall be obtained without the approval of a new Conditional Use Permit and/or Expressive Use Permit.
12. All sales of alcohol for off-site consumption shall be consumed off the premise.
13. Alcohol sales shall cease one-half hour before close.
14. Alcoholic beverages shall not be served on-site in disposable containers.
15. No cover charges, entry fees, or minimum drink orders shall be required of patrons. There shall be no restrictions on the age of customers.
16. Promoter-produced parties or events shall be prohibited. These events include private parties that involve third parties who profit from organizing and/or drawing attendees to the events.
17. Temporary events shall require the approval of a Temporary Use Permit.
18. Customized lighting and sound system conducive of a nightclub atmosphere shall be prohibited at all times.
19. Amplification of music shall comply with the regulations of Chapter 9.36 (Noise Restrictions) of the Pasadena Municipal Code. Outdoor music or amplification of any kind is prohibited.
20. Signs advertising brands and types of alcoholic beverages or the availability of alcohol for sale at the subject site shall not be visible from the exterior of the premises. The display of alcoholic beverages shall be interior only (no outdoor display) at all times.
21. The following preventive measures shall be undertaken to reduce the potential for alcohol related problems:
 - a. Rideshare service phone numbers shall be posted in a conspicuous location at all times in the area(s) where alcohol is served to customers;
 - b. All employees selling or serving alcohol shall be required to participate in an alcohol training program offered by the Alcoholic Beverages Control prior to the operation of selling/serving alcohol;
 - c. The availability of non-alcoholic beverages shall be made known and offered to customers.
22. These conditions of approval must be posted in a conspicuous location for public viewing within the tasting room on a continuous basis for the life of this Conditional Use Permit beginning on the date the alcohol sales commence.
23. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
24. Compliance with the City of Pasadena Refuse Storage regulations, see Section 17.40.120 of the Pasadena Municipal Code, shall be maintained at all times.

25. Truck loading, unloading, and trash pick-up for the premises are allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. No truck loading, unloading, or trash pick-up is allowed on Sundays, as specified in Section 17.40.070.C. (Limited Hours of Operation) of the Zoning Code. Loading and unloading activities shall be within the permitted hours and shall not continue afterwards.
26. The establishment shall comply with applicable standards in Section 17.40.090 (Performance Standards).
27. The establishment shall allow patrons of all ages at all times.
28. Should occupancy be restricted to an adjacent tenant space to address any deficiency in parking created by the subject Industry Restricted, Small Scale use, the legal owner of the property shall be responsible for submitting to the Zoning Administrator a signed and notarized affidavit acknowledging the restriction in occupancy. This affidavit shall be provided prior to the issuance of a building permit.
29. Any live entertainment shall be limited to 75 square feet of floor area. Windows and doors shall remain closed during any live entertainment. Dancing by customers shall be prohibited at all times.
30. No live entertainment beyond what is allowed for 'Restaurants with Limited Live Entertainment' shall be allowed.
31. No live entertainment or amplified music shall be allowed in any outdoor areas.

Building & Safety

32. Project shall comply with the current edition of the California Building Standards at the time of plan review submittal.

Public Works Department

33. This application does not permit sidewalk dining in the public right-of-way. If the applicant intends to serve any food or beverages in the public right-of-way, an application shall be filed with the Department of Public Works for a sidewalk dining occupancy permit to establish or maintain a sidewalk dining area within the public right-of-way on East Colorado Boulevard. Sidewalk dining shall comply with all the requirements of Chapter 12.13, entitled "Sidewalk Dining on Public Walkways", of the Pasadena Municipal Code. Please contact 626-744-4195 or email pw-permits@cityofpasadena.net for the general process.

Police Department

34. No dance floor/dancing so as to appear the brewery is a nightclub.