



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: April 7, 2021

TO: Hearing Officer

SUBJECT: Modification to Conditional Use Permit #6740

LOCATION: 1253 E. Colorado Boulevard and 1217 E. Colorado Boulevard

APPLICANT: FE Design and Consulting, on behalf of Artush Karapetyan

ZONING DESIGNATION: ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict)

GENERAL PLAN DESIGNATION: Medium Mixed-Use (0.0 – 2.25 FAR, 0-87 dwelling units per acre)

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **disapprove** the Modification to Conditional Use Permit #6740.

PROJECT PROPOSAL:

- 1) Modification to Conditional Use Permit #6740 – To allow a banquet hall (Club, Lodge and Private Meeting Hall land use), in conjunction with the approved Adult Day Care land use;
- 2) Conditional Use Permit – To allow the extended hours of operation for the proposed Club, Lodge and Private Meeting Hall from 3:00 p.m. to 2:00 a.m., daily, in lieu of the permitted hours of 7:00 a.m. to 10:00 p.m., daily, when adjacent to a residential zoning district;
- 3) Minor Conditional Use Permit – To allow shared parking both on-site and off-site at 1217 E. Colorado Boulevard between the previously approved land use (Adult Day Care) and the proposed land use (Club, Lodge and Private Meeting Hall); and,
- 4) Minor Conditional Use Permit – To allow valet parking on-site in conjunction with the proposed Club, Lodge and Private Meeting Hall land use.

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)(5); Administrative Code, Title 14, Chapter 3, §15270(a), Projects Which are Disapproved. This Statutory Exemption states that CEQA does not apply to projects which a public agency rejects or disapproves.

BACKGROUND:

Site characteristics:

The project site is comprised of two parcels: 1) APN #5738-020-001 at 1253 E. Colorado Boulevard, which is developed with a commercial building; and, 2) APN #5738-020-021 at 1217 E. Colorado Boulevard, which is developed as a Commercial Off-Street Parking lot.

The previously approved Adult Day Care land use and proposed Club, Lodge and Private Meeting Hall use would occupy the existing building at 1253 E. Colorado Boulevard, which is located on the northwest corner of E. Colorado Boulevard and N. Chester Avenue. The approximate 13,240 square-foot corner site is currently improved with a one-story, 8,030 square-foot building, including an 840 square-foot mezzanine, an attached, 5,475 square-foot above-grade enclosed parking garage with 12 parking spaces and an unenclosed loading space outside the garage along the north property line. Existing vehicular access is available from N. Chester Avenue via a one-way entry vehicular pathway into the garage and a one-way vehicular pathway out through an opening on the side of the garage to the loading area and out onto Chester Avenue. The property was previously occupied by a retail sales use (furniture store) and is currently being renovated to function as an Adult Day Care.

The approximate 13,050 square-foot property at 1217 E. Colorado Boulevard is approximately 125 feet to the west of 1253 E. Colorado Boulevard and is located on the northeast corner of E. Colorado Boulevard and N. Michigan Avenue. The property is currently used as a Commercial Off-Street Parking lot (land use) with 36 parking spaces and a 766 square-foot storage/office building for the property owner. The Commercial Parking lot is open to the public for parking with a fee and is not currently tied to any specific building or land use.

Adjacent Uses:

- North – Multi-Family Residences
- South – Commercial (Retail, Massage Therapy, Office and Food Sales)
- East – Commercial (Retail) and Religious Facility (Church) with a preschool
- West – Commercial (Retail), Office (Military recruitment office), and a Motel

Adjacent Zoning: North – RM-16-PK (Multi-family Residential, 0-16 Units per Acre, Parking Overlay District) and ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict)
South – ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict)
East – ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict)
West – ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict) and ECSP-CG-1-AD-2 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict, Alcohol Overlay District 2)

Previous Cases: Conditional Use Permit #6740: To establish an Adult Day Care land use within an existing 7,650 square-foot commercial building. Approved June 19, 2019.

Variance #11165: To establish a retail use in an existing building with 12 parking spaces, less than what was required. Approved May 17, 1994.

PROJECT DESCRIPTION:

The applicant, FE Design and Consulting, on behalf of Artush Karapetyan, has submitted a Modification to Conditional Use Permit #6740 in order to allow the establishment of a Club, Lodge and Private Meeting Hall land use (banquet hall) in conjunction with an approved Adult Day Care use, when the adult day care use is not open. The proposed banquet hall is requesting the hours of operation of 3:00 p.m. to 2:00 a.m., daily, in lieu of the permitted hours of 7:00 a.m. to 10:00 p.m., daily. The proposed use as a banquet hall requires 41 parking spaces. In order to accommodate the required parking, the applicant is proposing a shared parking agreement with the approved Adult Day Care land use for the 12 on-site parking spaces and an off-site shared parking agreement with the commercial parking lot at 1217 E. Colorado Boulevard for the remaining 29 required parking spaces for the use. In addition, to facilitate parking, the applicant is proposing a valet parking station on-site to park vehicles on- and off-site.

Specifically, the applicant is requesting: 1) a Conditional Use Permit to allow a Club, Lodge and Private Meeting Hall use within the ECSP-CG-1 (East Colorado Specific Plan, Commercial General, Mid-City subdistrict) zoning district to establish the banquet hall for private events; 2) a Conditional Use Permit to allow the extended hours of operation for the proposed Club, Lodge and Private Meeting Hall from 3:00 p.m. to 2:00 a.m., daily, in lieu of the permitted hours of 7:00 a.m. to 10:00 p.m., daily, when adjacent to a residential zoning district; 3) a Minor Conditional Use Permit to allow shared parking both on-site and off-site at 1217 E. Colorado Boulevard between the previously approved land use (Adult Day Care) and the proposed land use (Club, Lodge and Private Meeting Hall); and, 4) a Minor Conditional Use Permit to allow valet parking on-site in conjunction with the Club, Lodge and Private Meeting Hall land use.

BACKGROUND:

The adult day care land use was approved by the Hearing Officer on June 19, 2019, and the applicant is in the process of renovating the building to accommodate the approved use. The Adult Day Care use was approved with the hours of operation of 8:00 a.m. to 3:00 p.m., Monday

through Friday, and would accommodate the 12 required parking spaces on-site in the parking garage in the building.

The applicant proposes to accommodate the Adult Day Care and banquet hall uses by rehabilitating the existing structure through an interior remodel. No additional square-footage is proposed and there are no exterior changes proposed. The 7,190 square-foot ground floor would be improved with rooms specifically designed for the Adult Day Care land use (e.g. rooms devoted to therapy, social work, nursing or quiet), a shared kitchen and a large open space that would be used for both the Adult Day Care and banquet hall uses. The 840 square-foot mezzanine would consist of three offices for staff members, two of which would be for the banquet hall use, and one for the day care use. Primary entries to the facility would be available from both the south side of the building on Colorado Boulevard and the east side of the building on Chester Avenue. There is also an entrance from the interior of the facility into the parking garage. The delivery loading zone is located to the north of the garage and is not enclosed.

ANALYSIS:

Modification to Conditional Use Permit #6740: To establish a Club, Lodge and Private Meeting Hall use

Pursuant to Zoning Code Section 17.64.050 (Changes to an Approved Project), a major modification to an approved project can be approved by the Hearing Officer only after making the findings required for the original approval, and the additional finding that there are changed circumstances sufficient to justify the modification of the original approval.. 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, compatibility of the operation with existing and future uses, and whether there are changed circumstances to justify the modification of the original approval. The Conditional Use Permit process allows the City to specify development standards and may result in recommended conditions or requirements associated with the operation of the use.

The subject site is located within the ECSP-CG-1 zoning district where, pursuant to Zoning Code Section 17.31.040, Table 3-3 (Allowed Uses and Permit Requirements for ECSP Zoning Districts), a Club, Lodge and Private Meeting Hall land use is permitted by-right. However, Conditional Use Permit #6740 approved an Adult Day Care land use at the proposed site with the condition that “the day care center shall be licensed by the State of California for adult day care services. The use shall not operate or be licensed as a Child Day Care Center, Charitable Institution, or Clubs, Lodges, Private Meeting Halls use without the approval of a Conditional Use Permit” (Condition Number 12). In order to request the proposed Club, Lodge and Private Meeting Hall land use, in conjunction with the approved Adult Day Care use, a Major Modification to CUP #6740 is required.

The Zoning Code defines a Club, Lodge and Private Meeting Hall as “a meeting, recreational, or social facility of a private or nonprofit organization primarily for use by members or guests.” The applicant proposes to utilize a 4,110 square-foot portion of the 8,030 square-foot tenant space as the assembly area for the banquet hall for private events such as birthdays, weddings and corporate events. Tables along with chairs would be placed as needed throughout the banquet hall space and, depending on the event, the space may be reconfigured to allow for a customer dancing area or accessory live performances. The venue would not be open to the general public and would solely be for private events by invite only. As described by the applicant, the venue would also not be utilized as a private club, which requires membership. The venue

would utilize the existing kitchen established for the existing, to remain, Adult Day Care. Food and beverage would be catered and served in conjunction with all events. The applicant is not requesting a Conditional Use Permit to sell alcoholic beverages for on-site consumption and any alcoholic beverages (beer, wine and/or distilled spirits) would be available as an ancillary amenity by caterers. The banquet hall would have no outdoor seating or designated outdoor congregating areas. As a result, the proposed banquet hall qualifies as a Club, Lodge and Private Meeting Hall land use.

As part of the evaluation of the proposed project, staff considered whether the proposed application would affect the general welfare of the surrounding property owners, including any sensitive uses. In its review, staff determined that the proposed use, in combination with the requested extended hours of operation and parking arrangement, would have negative consequences related to noise, parking and safety given its proximity to the adjacent residences.

Proximity to Sensitive Uses

Directly to the north on Chester Avenue and Michigan Avenue is an established multi-family residential neighborhood. Approximately 200 feet to the east is a church with a pre-school, and Pasadena City College is located approximately 1,000 feet away to the east.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. In addition, GPLU Policy 3.3 (Assembly Facilities) requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area. The proposed Club, Lodge and Private Meeting Hall land use would not contribute to a vibrant mix of land uses and the use is incompatible with the adjacent residential neighborhood. Noise and nuisance activity during and after-hours from the banquet hall until 2:00 a.m., daily, is a concern for staff and the Police Department and would create traffic, noise and safety concerns for the surrounding residences.

In addition, the Police Department has concerns regarding the noise that would emanate from the facility, which would negatively impact the residents to the north along with the surrounding businesses. The Police Department submitted comments on the application and in an email dated October 28, 2019, the Police Department stated "it does not support the major modifications to this CUP. All the modifications requested will have a dire affect to the abutting residential properties." Subsequent to this comment on April 29, 2020, the Police Department reaffirmed their concerns, and suggested conditions of approval, in the event that the Hearing Officer approved the application. They stated that "allowing a banquet hall to rent out their facility for parties near a residential area will provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location." The Police Department further stated that if the project were to be approved, the following would be recommended conditions: (1) No live music; (2) Hours of Operation:

Sunday – Thursday, 3:00 p.m. to 8:00 p.m. and Friday – Saturday, 3:00 p.m. to 11:00 p.m.; (3) No outdoor music or congregation; (4) Valet Service; (5) Provide 2 security guards; and, (6) Require Verified Identification with an application to rent the banquet hall, which would be provided to the Police Department upon request.

Noise

As described by the applicant, events can include amplified music or live entertainment with or without patron dancing. In addition, events can be catered with a full line of alcoholic beverages (beer, wine and/or spirits). While the applicant states that no guests would congregate outside the venue or garage, it is anticipated that while the guests wait for the valet service to pick up their cars, they would congregate outside the venue and result in noise and public safety disturbances for the abutting residences. The garage is constructed such that the inbound and outbound one-way driveways are located at the northern side of the property adjacent to residences, with the inbound driveway within the garage and the outbound driveway outside of the garage, but immediately adjacent to the inbound driveway. This leaves little room for turning within the garage and exiting would require some maneuvering. As shown in the submitted plans, the valet stand and car pickup/drop off is located in the entrance of the inbound driveway to the garage with no designated area for guests to congregate or an area for vehicle queuing. The event loading and unloading would occur in the loading space outside the garage abutting the residences to the north. This would also create noise on a daily basis.

The circumstances, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area inside, would result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing outside the garage in the residential neighborhood. Furthermore, as proposed, there would be no limit on the number of events per week nor the type of event, which could result in the venue operating seven days a week until 2:00 a.m. with amplified music, thus proving to be a continuous noise and public safety nuisance to the surrounding residences. While the adjoining parking garage separates the assembly area from the adjacent residences, the garage is not fully enclosed and the valet station would abut the residences. This would result in noise and safety concerns after events late into the evening/early in the morning, on a daily basis, for these abutting residences.

In addition, in staff's previous review of the CUP for adult day care land use, consideration of the abutting residences was weighed heavily. In the conditions of approval, several conditions were included to protect the abutting residences. These included prohibiting any outdoor activity, requiring employees to park on-site, prohibiting participants from driving themselves, locating the participant drop-off/pick-up on-site, the use of shuttles to and from participant's residential facilities, and to have doors and windows shut during operating hours. Noise and parking was a concern for the adult day care land use, which is a less intense use than a banquet hall operating until 2:00 a.m. A proposed banquet hall with live entertainment or amplified music would be a louder and more intrusive use and thus prove incompatible with the surrounding land uses. As a result, staff determined that there are no changed circumstances to justify permitting a more impactful use at this location.

Parking

A change or expansion of a use or structure, shall appropriately maintain off-street parking in compliance with the regulations identified in Section 17.46.020 - Basic Requirements for Off-Street Parking and Loading. However, Section 17.46.020.E further clarifies that off-street

parking shall be provided in compliance with the current Zoning Code only when the change of the occupancy on a site is to a use classification that requires greater parking requirement.

Adult Day Care uses require two parking spaces for every 1,000 gross square feet of floor area pursuant to Table 4-6, Section 17.46.040 (Number of Off-Street Parking Spaces Required). The former retail use, prior to the approval of CUP #6740, was required to provide three parking spaces per 1,000 gross square feet of floor area, but obtained approval of a Variance (No. 11165) to allow for 12 parking spaces on-site in 1994. The change in use to Adult Day Care did not intensify the parking requirement pursuant to the City's Zoning Code and as such, the subject site was permitted to maintain the existing, legal, non-conforming 12 parking spaces while accommodating the proposed change in use to Adult Day Care.

A Club, Lodge and Private Meeting Hall use requires 10 spaces per 1,000 square feet of floor area for assembly purposes. As designed, 4,110 square-foot of the 8,030 square-foot tenant space would be used as assembly area. As a result, the banquet hall use is required to provide 41 parking spaces. The use proposes to share the on-site 12 parking spaces with the approved Adult Day Care use, as they would not be operating at the same time. In order to satisfy the remaining 29 required parking spaces, the applicant proposes to utilize a Commercial Off-Site Parking Lot (land use) at 1217 E. Colorado Boulevard through a shared parking agreement, and a recorded lease at an off-site location. The parking at the off-site location would be via valet service.

The request for shared parking on- and off-site and on-site valet parking are analyzed in the following sections for: 1) *Minor Conditional Use Permit: Shared Parking* and 2) *Minor Conditional Use Permit: Valet Parking*.

Hours of Operation

The Adult Day Care use was approved with the hours of operation of 8:00 a.m. to 3:00 p.m., Monday through Friday. The proposed banquet hall is requesting the hours of operation of 3:00 p.m. to 2:00 a.m., daily.

Section 17.40.070 of the Zoning Code limits the hours of operation for businesses within 150 feet of a residential zoning district between 7:00 a.m. and 10:00 p.m. A Conditional Use Permit is required for uses requesting additional hours of operation between 10:00 p.m. and 7:00 a.m. The nearest residential zoning district is abutting the site on its northern boundary and, as a result, the site is subject to the limited hours of operation specified in Section 17.40.070.

As such, a Conditional Use Permit is required to allow for extended hours of operation banquet hall and the request for extended hours is analyzed in the *Conditional Use Permit: Extended Hours of Operation* section of the report.

Conditional Use Permit: Extended Hours of Operation

As described above, the application includes a request to operate the proposed banquet hall from 3:00 p.m. to 2:00 a.m., seven days a week, past the permitted limited hours of operation, and a Conditional Use Permit is required to allow the project to have extended hours of operation until 2:00 a.m. The Hearing Officer may approve a Conditional Use Permit for extended hours only after making six findings identified in the Zoning Code, which include evaluating 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.

Based on staff's review of the application, there are concerns regarding the extended hours and guests congregating outside the banquet hall and in the surrounding residential neighborhood until late in the evening and early morning, the frequency of public drinking, as well as noise complaints from inside and outside the banquet hall. General Plan Land Use Element (GPLU) Policy 3.3 (Assembly Facilities) aims to require that assembly facilities for social and cultural purposes are located, designed and managed to ensure compatibility and avoid traffic, noise and other negative impacts with adjoining uses. Furthermore, GPLU Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoin residential neighborhoods are designed to be compatible with each other. Lastly, GPLU Policy 3.1 (High-Impact Uses) aims to avoid the concentration of uses in any neighborhood where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life.

As a result, it is staff's recommendation to not recommend approval of the extended hours of operation given the proximity of the residential neighborhood and the potential for nuisance activity and noise complaints that would negatively impact the general welfare of the surrounding uses.

Minor Conditional Use Permit: Shared Parking

As described earlier in the report, the banquet hall use is required to provide 41 parking spaces. The use proposes a shared parking agreement with the approved Adult Day Care use for the on-site 12 parking spaces, and in order to accommodate the remaining 29 required parking spaces, the applicant proposes to utilize a Commercial Off-Site Parking Lot (land use) at 1217 E. Colorado Boulevard through a shared parking agreement.

Pursuant to Zoning Code Section 17.46.050, Shared Parking, an applicant can propose a shared parking agreement for any site where the hours of operation allow the shared use of parking spaces to occur without conflict and as a result, the total number of parking spaces required may be reduced in compliance with this Section. A Minor Conditional Use Permit is required for a shared parking agreement, in compliance with Zoning Code Section 17.61.050, and shall apply to all properties subject to the shared parking agreement. The Hearing Officer may approve a Minor Conditional Use Permit for shared parking only after making eight findings identified in the Zoning Code. In addition to evaluating 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, there are findings regarding availability, quality, and efficiency of parking.

In analyzing the shared parking agreement for the 12 parking spaces on-site with the already approved Adult Day Care land use, staff found that the hours for the Adult Day Care use are from 8:00 a.m. to 3:00 p.m., Monday through Friday and the requested hours for the banquet hall are from 3:00 p.m. to 2:00 a.m., daily. As a result, the two land uses would not operate at the same time and there would be no conflict over the sharing of the 12 spaces on-site. This arrangement meets the minimum requirements of a shared parking agreement in the Zoning Code.

Section 17.46.020.I.3 (Parking for nonresidential uses) of the Zoning Code permits parking for a non-residential use to be located on a different site, and under different ownership, provided the off-site parking is located within the maximum allowed distance, as measured, "...from the

nearest corner of the parking facility to the entrance of the use served via the shortest pedestrian route.” For all zoning districts, except the CD (Central District), the maximum walking distance for customer parking spaces is 500 feet. The Commercial Off-Street Parking lot (land use) with 36 parking spaces at 1217 E. Colorado Blvd, proposed to satisfy the remaining 29 spaces, is located approximately 125 feet to the west, and complies with the maximum allowed distance.

However, the shared parking agreement with the off-site Commercial Off-Street Parking lot at 1217 E. Colorado Boulevard creates some obstacles. Zoning Code Section 17.80.020 defines Commercial Off-Street Parking as “the commercial parking of vehicles for nonresidential uses. The parking is not required for a specific use.” The purpose of Commercial Off-Street Parking lot is to provide public parking to a general area, typically commercial, without locking up the spaces for one specific user. As Commercial Off-Street Parking cannot be designated for a specific use, no specific use can be included in the evaluation of whether it is possible to share the parking without conflict. This creates a challenge in making the findings for a shared parking agreement for this site.

Nevertheless, staff evaluated how the Commercial Off-Street Parking lot could potentially be used in a shared parking agreement and considered three options to utilize this site for the off-site parking, none of which proved adequate. The first was to permanently assign 29 parking spaces within the lot as dedicated spaces for the proposed banquet hall. This however would result in underutilization of the parking lot during the hours where the banquet hall is closed and/or the adult day care is in operation. The second option was to close the commercial parking lot during events at the banquet facility and have an arrangement between the commercial parking lot and the banquet hall manager to prohibit public parking during events. This method would not be readily enforceable except through a series of operational conditions of approval, self-monitoring and potentially code compliance inspections. A third option was for the use as a commercial off-street parking lot to be vacated and to establish the primary use of the site as an office building, or other appropriate use (with surplus parking). This would also require that the lot not be used for commercial off-street parking at all. This was not a viable option for the property owner of the Commercial Off-Street Parking lot. As a result, it is not possible to conclude that the spaces required to be provided for the banquet use will be available, so long as the banquet hall lawfully exists, as the spaces will be available for commercial parking for the general public as well.

Given the use of a valet program (discussed further in the following section), the vehicle queuing for valet and demand for parking would result in traffic conflicts on Chester Avenue and overflow onto the surrounding residential streets. This would create noise and safety issues in this residential neighborhood. Objective 25.7 of the General Plan Land Use Element (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods or mixed residential and commercial uses are designed to be compatible with each other. This proposed use abutting residential uses, with daily hours of operation until 2:00 a.m. and a shared parking arrangement, is not a compatible use.

Therefore, staff recommends disapproval of the Minor Conditional Use Permit for shared parking.

Minor Conditional Use Permit: Valet Parking.

Pursuant to Zoning Code Section 17.46.020.M (Basic Requirements for Off-Street Parking and Loading – Valet parking), valet parking (attendant parking) is subject to the approval of a Minor

Conditional Use Permit. Valet parking is defined as a parking facility where a lot attendant parks vehicles for drivers. The Hearing Officer may approve a Minor Conditional Use Permit only after making six findings identified in the Zoning Code.

The application states that the parking attendant would be on-site while the banquet hall is in use for the purpose of parking vehicles for guests. The attendant station would be inside the parking garage and would park all vehicles either on-site in the parking garage or off-site at the Commercial Off-Street Parking lot at 1217 E. Colorado Boulevard.

In analyzing the valet parking proposal, staff found that the proposed valet service would result in an impact on the surrounding area. Staff found that overflow parking could result on adjacent streets in the vicinity, or guests might park illegally in nearby residential streets. These conditions could occur because some guests may prefer to park their own cars and/or attempt to avoid paying valet fees. Additionally, staff found that queuing of cars from the street into the site (Chester Avenue or Colorado Boulevard) may occur since the parking garage does not have sufficient room to accommodate the valet drop-off and the queuing on-site. Lastly, as described in the section on shared parking, staff found that noise disturbances could occur while patrons wait to pick up their cars after the events as there is insufficient area inside the parking garage for patrons to gather, and the garage is not fully enclosed; noise could easily transmit to the adjacent residences to the north.

Staff considered the valet station on Colorado Boulevard in the public right-of-way in order to reduce the potential for queuing on Chester Avenue, but that proved infeasible. The Department of Transportation (DOT) determined that they would not install a loading zone for the project use along the property frontage and that DOT would not issue any parking permits for project use on public rights-of-ways.

While the valet parking arrangement is proposed to be on-site, the existing parking garage is small with little room for circulation. The parking garage was established with the approval of Variance #11165 and does not meet current code requirements for parking dimensions and vehicle circulation. Parking using valet would likely prove to be cumbersome and inconvenient, resulting in guests parking in the residential neighborhood to the north, which is inconsistent with GPLU Policies 25.7 (Buffering Adjoining Residential Areas) and 3.1 (High-Impact Uses). As a result, staff is unable to make the findings in support of the on-site valet service, as the service would result in a negative impact on the surrounding area.

Conclusion

In conclusion, staff acknowledges the Police Department's concerns, and found that the health, safety or general welfare would not be served by the addition of a banquet facility at this location. The use, parking arrangement and hours of operation do not contribute to the health and vitality of the neighborhood. Noise and nuisance activity during and after-hours from the banquet hall is a concern for staff, and the consumption of alcohol may compound these issues. The proposed banquet hall use would not be compatible and would create traffic, noise and safety concerns for the surrounding residences. Therefore, staff is not able to make the required findings identified in Attachment A and is recommending the disapproval of the modification to Conditional Use Permit #6740 to permit a Club, Lodge and Private Meeting Hall land use, a Conditional Use Permit to permit the extended hours of operation, a Minor Conditional Use Permit to permit the on- and off-site shared parking agreement and a Minor Conditional Use Permit to permit the on-site valet program.

GENERAL PLAN CONSISTENCY:

The proposed banquet hall, with extended hours, shared parking both on- and off-site and an on-site valet parking service, is not consistent with the purposes of the East Colorado Specific Plan and the policies contained in, Goal 3, Compatible Land Uses and Goal 25, Vital Districts and Corridors, of the General Plan Land Use Element.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. In addition, General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. GPLU Policy 3.3 (Assembly Facilities) also requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area.

Both staff and the Police Department have concerns regarding the use of the operation of a banquet hall as well as the extended hours of operation and parking arrangements. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening and early mornings and result in noise disturbances from inside and outside the banquet hall. The demand for parking would likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization would not equal or exceed the level that is otherwise required. This overflow would create noise and safety issues in this residential neighborhood. As a result, the proposed banquet hall use with extended hours of operation would not be in line with the purposes and policies of the Specific Plan and the General Land Use Plan. The banquet hall would not be a compatible land use with the adjacent residential neighborhood and would create traffic, noise and safety concerns for the surrounding residences.

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)(5); Administrative Code, Title 14, Chapter 3, §15270(a), Projects Which are Disapproved. This Statutory Exemption states that CEQA does not apply to projects which a public agency rejects or disapproves.

In the event the Hearing Officer decides to approve Conditional Use Permit #6816, the project could qualify for an exemption 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 there are no features that distinguish this project from others in the exempt class; therefore there are no unusual circumstances. Class 1 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The proposed modification of CUP #6740 to permit a banquet hall with extended hours, shared parking both on- and off-site and a valet parking service, is considered a negligible expansion of a commercial use.

REVIEW BY OTHER DEPARTMENTS:

The proposal was reviewed by the Department of Transportation, the Police Department, the Fire Department, the Department of Public Works, the Health Department, the Building and Safety Division and the Design and Historic Preservation (DHP) Section. The Pasadena Fire Department, Health Department, Building and Safety Division and the Design and Historic Preservation Section had no comments. In the event that the project be approved, the Police Department, the Department of Transportation and the Department of Public Works have recommended conditions of approval, related to reduced hours of operation, prohibition of live entertainment, providing security guards and prohibiting the use of the public-right-of-way for any parking arrangements.

CONCLUSION:

It is staff's assessment that the findings necessary for approving the Modification to Conditional Use Permit #6740 for the establishment of a Club, Lodge and Private Meeting Hall in conjunction with the approved Adult Day Care, with extended hours of operation, a shared parking agreement and on-site valet parking cannot be made. Specifically, staff finds that the use as a banquet hall with extended hours would negatively impact the general welfare of the surrounding area. Approval of such a request would be contrary to the intent of the General Plan Land Use Policies 3.2, 3.3 and 25.7 and would not be a compatible land use with the adjacent residential neighborhood. Approval of the proposed project would create traffic, noise and safety concerns for the surrounding residences. As a result, the proposed project would be detrimental to the public health, safety, and general welfare and is not in compliance with the General Plan. Therefore, staff is recommending denial of the proposed applications based on the findings in Attachment A.

Attachments:

Attachment A: Specific Findings

ATTACHMENT A
SPECIFIC FINDINGS FOR THE MODIFICATION TO CONDITIONAL USE PERMIT #6740

Modification to Conditional Use Permit #6740: To establish a Club, Lodge and Private Meeting Hall use

1. *The location of the proposed use does not comply with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. The proposed Club, Lodge and Private Meeting Hall land use will not contribute to a vibrant mix of land uses and the use is incompatible with the surrounding residential neighborhood. Noise and nuisance activity during and after-hours from the banquet hall until 2:00 a.m., daily, is a concern for staff and the Police Department. The location does not provide for adequate parking or buffering between it and the adjacent residential uses. The proposed use will result in traffic, noise, and safety concerns for the adjoining residential uses and will adversely impact the character, safety, health and quality of life for the surrounding area.

2. *The proposed use is not in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed banquet hall, with extended hours, shared parking both on- and off-site and an on-site valet parking service, is not consistent with the purposes of the East Colorado Specific Plan and the policies contained in Goal 3, Compatible Land Uses and Goal 25, Vital Districts and Corridors, of the General Plan Land Use Element.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. In addition, the General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. GPLU Policy 3.3 (Assembly Facilities) also requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area.

Both staff and the Police Department have concerns regarding the use of the site as a banquet hall as well as the extended hours of operation and parking arrangements. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. The demand for parking will likely overflow onto the surrounding residential streets and the

quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. As a result, the proposed banquet hall use with extended hours of operation will not be in line with the purposes and policies of the Specific Plan and the General Land Use Plan. The banquet hall will not be a compatible land use with the adjacent residential neighborhood and will create traffic, noise and safety concerns for the surrounding residences.

3. *The establishment, maintenance, or operation of the use would, 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.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of an inside guest congregating area, will result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as there would be no limit on the number of events per week nor the type of event, it could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that "all the modifications requested will have a dire affect to the abutting residential properties." In addition, the use will "provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location."

4. *The use would be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the general welfare of the City. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area, will result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as there would be no limit on the number of events per week nor the type of event, it could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that "all the modifications requested will have a dire affect to the abutting residential properties." In addition, the use

will “provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location.”

5. *The design, location, operating characteristics, and size of the proposed use would not be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The project involves the establishment of a Club, Lodge and Private Meeting Hall with extended hours of operation and inadequate parking arrangements, within an existing commercial space along a major Boulevard, but adjacent to a residential neighborhood. The operational characteristics such as frequency of events, hours of operation, and parking operations will be incompatible with existing and future land uses in the vicinity. These operating characteristics, along with event impacts (e.g. amplified music, parking and patron noise) will not be compatible with the character of the existing residential uses.

6. *There are no changed circumstances sufficient to justify the modification of the original approval.*

In staff's previous review of the CUP for adult day care land use, consideration of the abutting residences was weighed heavily. In the conditions of approval, several conditions were included to protect the abutting residences. These included prohibiting any outdoor activity, requiring employees to park on-site, prohibiting participants from driving themselves, locating the participant drop-off/pick-up on-site, the use of shuttles to and from participant's residential facilities, and to have doors and windows shut during operating hours. Noise and parking was a concern for the adult day care land use, which is a less intense use than a banquet hall operating until 2:00 a.m. A proposed banquet hall with live entertainment or amplified music would be a louder and more intrusive use and thus prove incompatible with the surrounding land uses. As a result, staff determined that there are no changed circumstances to justify permitting a more impactful use at this location.

Conditional Use Permit: Extended Hours of Operation

7. *The location of the proposed use does not comply with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. The request extended hours until 2:00 a.m., daily, in lieu of the permitted 10:00 p.m., for the Club, Lodge and Private Meeting Hall land use, and will not contribute to a vibrant mix of land uses and the use is incompatible with the surrounding residential neighborhood. Noise and nuisance activity during and after-hours from the banquet hall until 2:00 a.m., daily, is a concern for staff and the Police Department. The location does not provide for adequate parking or buffering between it and the adjacent residential uses. The proposed use will result in traffic, noise, and safety concerns for the adjoining residential uses and will adversely impact the character, safety, health and quality of life for the surrounding area.

8. *The proposed use is in not conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed banquet hall, with extended hours, shared parking both on- and off-site and an on-site valet parking service, is not consistent with the purposes of the East Colorado Specific Plan and the policies contained in Goal 3, Compatible Land Uses, and Goal 25, Vital Districts and Corridors, of the General Plan Land Use Element.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. In addition, the General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. GPLU Policy 3.3 (Assembly Facilities) also requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area.

Both staff and the Police Department had concerns regarding the use of the site as a banquet hall as well as the extended hours of operation and parking arrangements. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. The demand for parking will likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. As a result, the proposed banquet hall use with extended hours of operation will not be in line with the purposes and policies of the Specific Plan and the General Land Use Plan. The banquet hall will not be a compatible land use with the adjacent residential neighborhood and will create traffic, noise and safety concerns for the surrounding residences.

9. *The establishment, maintenance, or operation of the use would 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.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes extended hours of operation until 2:00 a.m., daily, in lieu of the permitted 10:00 p.m. The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area, will result in guests waiting outside the garage, having the valet

drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as proposed, there is no limit on the number of events per week nor the type of event, which could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that “all the modifications requested will have a dire affect to the abutting residential properties.” In addition, the use will “provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location.”

10. *The use, as described, would be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes extended hours of operation until 2:00 a.m., daily, in lieu of the permitted 10:00 p.m. The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the general welfare of the City. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area, will result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as proposed, there is no limit on the number of events per week nor the type of event, which could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that “all the modifications requested will have a dire affect to the abutting residential properties.” In addition, the use will “provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location.”

11. *The design, location, operating characteristics, and size of the proposed use would not be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The project involves the establishment of a Club, Lodge and Private Meeting Hall with extended hours of operation and inadequate parking arrangements, within an existing commercial space along a major Boulevard, but adjacent to a residential neighborhood. The operational characteristics such as frequency of events, hours of operation, and parking operations will be incompatible with existing and future land uses in the vicinity. These operating characteristics, along with event impacts (e.g. amplified music, parking and patron noise) will not be compatible with the character of the existing residential uses.

Minor Conditional Use Permit: Shared Parking

12. *The location of the proposed use does not comply with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The proposed shared parking agreement includes the reliance on an off-site Commercial Off-Street Parking lot. Zoning Code Section 17.80.020 defines Commercial Off-Street Parking as “the commercial parking of vehicles for nonresidential uses. The parking is not required for a specific use.” The purpose of Commercial Off-Street Parking lot is to provide public parking to a general area, typically commercial, without locking up the spaces for one specific user. As Commercial Off-Street Parking cannot be designated for a specific use, no specific use can be included in the evaluation of whether it is possible to share the parking without conflict. As a result, the proposed shared parking agreement does not comply with the special purposes of the Zoning Code or zoning district.

13. *The proposed use is not in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed banquet hall, with extended hours, shared parking both on- and off-site and an on-site valet parking service, is not consistent with the purposes of the East Colorado Specific Plan and the policies contained in Goal 3, Compatible Land Uses and Goal 25, Vital Districts and Corridors, of the General Plan Land Use Element.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. In addition, the General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. GPLU Policy 3.3 (Assembly Facilities) also requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area.

Both staff and the Police Department had concerns regarding the use of the site as a banquet hall as well as the extended hours of operation and parking arrangements. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. The demand for parking will likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. As a result, the proposed banquet hall use with extended hours of operation will not be in line with the purposes and policies of the Specific Plan and the General Land Use Plan. The banquet hall will not be a compatible land use with the adjacent residential neighborhood and will create traffic, noise and safety concerns for the surrounding residences.

14. *The establishment, maintenance, or operation of the use would 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.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes the utilization of a Commercial Off-Street Parking lot in a shared parking agreement with on-site valet parking. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. Even with the off-site parking lot, the demand for parking will likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. As a result, the proposed shared parking agreement for the banquet hall use with extended hours of operation will be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood and will not be a compatible land use with the adjacent residential neighborhood.

15. *The use, as described, would be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes the utilization of a Commercial Off-Street Parking lot in a shared parking agreement with on-site valet parking. The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the general welfare of the City. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area, will result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as proposed, there is no limit on the number of events per week nor the type of event, which could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that "all the modifications requested will have a dire affect to the abutting residential properties." In addition, the use will "provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location."

16. *The design, location, operating characteristics, and size of the proposed use would not be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The project involves the establishment of a Club, Lodge and Private Meeting Hall with extended hours of operation and inadequate parking arrangements, within an existing commercial space along a major Boulevard, but adjacent to a residential neighborhood. The operational characteristics such as frequency of events, hours of operation, and parking

operations will be incompatible with existing and future land uses in the vicinity. These operating characteristics, along with event impacts (e.g. amplified music, parking and patron noise) will not be compatible with the character of the existing residential uses.

17. *The spaces to be provided would not be available as long as the uses requiring the spaces lawfully exist.*

The proposed shared parking agreement with the off-site Commercial Off-Street Parking lot at 1217 E. Colorado Boulevard creates obstacles in being able to maintain the availability of the required spaces for the operation of the banquet hall. Zoning Code Section 17.80.020 defines Commercial Off-Street Parking as “the commercial parking of vehicles for nonresidential uses. The parking is not required for a specific use.” The purpose of Commercial Off-Street Parking lot is to provide public parking to a general area, typically commercial, without locking up the spaces for one specific user. As Commercial Off-Street Parking cannot be designated for a specific use, no specific use can be included in the evaluation of whether it is possible to share the parking without conflict. In their analysis, Staff found that there was not an adequate manner in which the 29 required parking spaces could reasonably be secured for the proposed use. As a result, it is not possible to conclude that the spaces required to be provided for the banquet use will be available, so long as the banquet hall lawfully exists, as the spaces will be available for commercial parking for the general public as well.

18. *The quality and efficiency of the parking or loading utilization would not equal or exceed the level that is otherwise required.*

The demand for parking will likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. Objective 25.7 of the General Plan Land Use Element (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods or mixed residential and commercial uses are designed to be compatible with each other. This proposed use abutting residential uses, with hours of operation until 2:00 a.m., daily and inadequate parking arrangement, is not a compatible use.

Minor Conditional Use Permit: Valet Parking

19. *The location of the proposed use does not comply with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. The request includes a valet parking arrangement and states that the parking attendant will be on-site while the banquet hall is in use for the purpose of parking vehicles for drivers. The attendant station will be inside the parking garage and will park all vehicles either on-site in parking garage or off-site at the Commercial Off-Street Parking lot at 1217 E. Colorado Boulevard. While the valet parking arrangement is proposed to be on-site, the existing parking garage is small with little room for circulation. The parking garage was established with the approval of Variance #11165 and does not meet current code requirements for parking dimensions and vehicle

circulation. Parking using valet will likely prove to be cumbersome and inconvenient, resulting in guests parking in the residential neighborhood to the north, which is inconsistent with GPLU Policies 25.7 (Buffering Adjoining Residential Areas) and 3.1 (High-Impact Uses). Noise and nuisance activity during and after-hours from the banquet hall until 2:00 a.m., daily, is a concern for staff and the Police Department. The location does not provide for adequate parking or buffering between it and the adjacent residential uses. The proposed use will result in traffic, noise, and safety concerns for the adjoining residential uses and will adversely impact the character, safety, health and quality of life for the surrounding area. As a result, the proposed location and use does not comply with the purposes of the Zoning Code and zoning district by providing an on-site solution to parking as the valet service will result in a negative impact on the surrounding area.

20. *The proposed use is not in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed banquet hall, with extended hours, shared parking both on- and off-site and an on-site valet parking service, is not consistent with the purposes of the East Colorado Specific Plan and the policies contained in Goal 3, Compatible Land Uses, and Goal 25, Vital Districts and Corridors, of the General Plan Land Use Element.

The purpose of the East Colorado Specific Plan and the ECSP-CG-1 zoning district is to create a vibrant mix of land uses and a series of distinctive places, to identify areas, which are appropriate locations for developing mixed-use and housing projects, and areas where commercial development should be concentrated and to improve the appearance, function, and urban ambiance the Boulevard. In addition, the General Plan Land Use Element (GPLU) Policy 25.7 (Buffering Adjoining Residential Areas) aims to ensure that commercial uses adjoining residential neighborhoods are designed to be compatible with each other. GPLU Policy 3.3 (Assembly Facilities) also requires that assembly facilities for social or cultural purposes be located, designed and managed to ensure compatibility and avoid traffic, noise, and other negative impacts with the adjoining uses. Lastly, GPLU Policy 3.2 (High-Impact Uses) aims to avoid the concentration of uses and facilities in any neighborhood or district where their intensities, operations, and/or traffic could adversely impact the character, safety, health and quality of life for the surrounding area.

Both staff and the Police Department had concerns regarding the use of the site as a banquet hall as well as the extended hours of operation and parking arrangements. The proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. The demand for parking will likely overflow onto the surrounding residential streets and the quality and efficiency of the parking utilization will not equal or exceed the level that is otherwise required. This overflow will create noise and safety issues in this residential neighborhood. As a result, the proposed banquet hall use with extended hours of operation will not be in line with the purposes and policies of the Specific Plan and the General Land Use Plan. The banquet hall will not be a compatible land use with the adjacent residential neighborhood and will create traffic, noise and safety concerns for the surrounding residences.

21. *The establishment, maintenance, or operation of the use would, 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.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes the utilization of a Commercial Off-Street Parking lot in a shared parking agreement with on-site valet parking. Staff found that the service will result in an impact on the surrounding area. Overflow parking can result on adjacent streets in the vicinity, or guests might park illegally in nearby residential streets. These conditions can occur because some guests may prefer to park their own cars and/or attempt to avoid paying valet fees. Additionally, queuing of cars from the street into the site (Chester Avenue or Colorado Boulevard) can occur since the parking garage does not have sufficient room to accommodate the valet drop-off and the queuing on-site. Lastly, noise disturbances can occur while patrons wait to pick up their cars after the events. There is insufficient area inside the parking garage for patrons to gather, and the garage is not fully enclosed. Noise can easily transmit to the adjacent residences to the north. In addition, the proposed use and its operation is anticipated to have guests congregate outside and in the surrounding neighborhood until late in the evening, to have frequent instances of public drinking as well as noise disturbances from inside and outside the banquet hall. As a result, the proposed on-site valet program for the banquet hall use with extended hours of operation will be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use. The banquet hall with valet parking will not be a compatible land use with the adjacent residential neighborhood and will create traffic, noise and safety concerns for the surrounding residences.

22. *The use as described would be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

Approval of the proposed project will allow for the operation of a Club, Lodge and Private Meeting Hall (banquet hall), a use that requires a major modification to an approved Conditional Use Permit (#6740). The request includes the utilization of a Commercial Off-Street Parking lot in a shared parking agreement with on-site valet parking. The site is adjacent to residential uses to the north, and noise disturbances and traffic will be detrimental to the general welfare of the City. It is anticipated that while the guests wait for the valet service to pick up their cars, they will congregate outside the venue and result in noise and public safety disturbances. The circumstances of the project, which include the difficulty for guests or valet to exit easily from the drop-off site in their vehicles, the lack of on-site vehicle queuing and the absence of a guest congregating area, will result in guests waiting outside the garage, having the valet drop off cars on Chester Avenue and queuing of vehicles outside the garage into the residential neighborhood. Additionally, as proposed, there is no limit on the number of events per week nor the type of event, which could result in the venue operating seven days a week until 2:00 a.m. with amplified music, proving to be a continuous noise and public safety nuisance to the surrounding residences after events late into the evening/early in the morning. Furthermore, the Police Department has stated that "all the modifications requested will have a dire affect to the abutting residential properties." In addition, the use will "provide an undue nuisance to nearby residents...Police and City resources will likely be taxed to handle alcohol and noise complaints at this location."

23. *The design, location, operating characteristics, and size of the proposed use would not be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection.*

The project involves the establishment of a Club, Lodge and Private Meeting Hall with extended hours of operation and inadequate parking arrangements, within an existing commercial space along a major Boulevard, but adjacent to a residential neighborhood. The operational characteristics such as frequency of events, hours of operation, and parking operations will be incompatible with existing and future land uses in the vicinity. These operating characteristics, along with event impacts (e.g. amplified music, parking and patron noise) will not be compatible with the character of the existing residential uses.