



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: October 6, 2021

TO: Hearing Officer

SUBJECT: Conditional Use Permit #6807

LOCATION: 774-790 N. Lake Avenue

APPLICANT: Chick-fil-A, Inc.

ZONING DESIGNATION: CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type)

GENERAL PLAN DESIGNATION: Low Commercial (0.0-1.0 FAR)

CASE PLANNER: Jason Van Patten

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6807 with the conditions in Attachment B.

PROJECT PROPOSAL: To allow an existing drive-through business (formerly Carl's Jr.) to be demolished and rebuilt (Chick-fil-A). The project requires the following applications:

- 1) Conditional Use Permit: To allow the demolition and reconstruction of a drive-through business within the North Lake Specific Plan; and
- 2) Conditional Use Permit: To allow extended hours of operation between 5:30 a.m. and 12:00 a.m.

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, §15302, Class 2, Replacement or Reconstruction) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new

structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

BACKGROUND:

Site characteristics: The project site is located at the southeast corner of Lake Avenue and Boylston Street and consists of three parcels (5732-002-070, 5732-002-047, 5732-002-060). The aggregate site area is 46,202 square feet. The north parcel, addressed 790 North Lake Avenue (-070) is improved with a one-story, 2,815 square-foot drive-through restaurant and surface parking lot that was constructed in or around 1986. Existing vehicular access is provided via two drive approaches from Boylston Street on the north and one from Lake Avenue on the west. The southerly parcels addressed 774 North Lake Avenue (-047 and -060) are improved with a one-story, 3,085 square-foot commercial building and surface parking lot that was constructed in or around 1962. Existing vehicular access is provided via a single drive approach from Lake Avenue on the west. The site topography is relatively flat across the project site. Surrounding properties to the north, south, and west are developed with nonresidential uses. To the east and southeast are single-family residential uses.

Adjacent Uses: North – Drive-Through Business, Restaurants; Retail Sales
South – Medical Office
East – Single-Family Residential
West – Drive-Through Business, Restaurants

Adjacent Zoning: North – CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type)
South – CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type), RS-6-LD-1 (Single-Family Residential, 0-6 lots per acre, Bungalow Heaven Landmark District)
East – RS-6-LD-1 (Single-Family Residential, 0-6 lots per acre, Bungalow Heaven Landmark District)
West – CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type)

Previous Zoning Cases on this Property: Modification to Conditional Use Permit #1498 – To allow the modification of a condition of approval to CUP-1498. Condition #2 related to signage limited the size of the ground monument sign. It is proposed to change the monument sign and a conditional use permit modification is required to allow such a change. Approved August 18, 1997.

Conditional Use Permit #2065 – To add a 145 square-foot cash booth to the rear of the existing building and to add a 924 square-foot playground to the front of the building. Variance to reduce the

number of existing parking stalls by four to provide adequate space for the playground. Approved November 15, 1989.

Conditional Use Permit #1498 – To establish a restaurant with seating for 97 persons and an automobile drive-thru window. Approximately 49 parking stalls would be provided. Approved April 24, 1985.

Variance #2383 – To convert and use an existing garage for an osteopathic office. Approved October 7, 1948.

PROJECT DESCRIPTION:

The applicant Chick-fil-A, Inc. has submitted a Conditional Use Permit application to allow an existing 2,815 gross square-foot drive-through business (formerly Carl's Jr.) to be demolished and replaced with a 2,755 gross square-foot drive-through business (Chick-fil-A). The proposed one-story business would provide interior dining and 1,176 square feet of outdoor dining. Outdoor dining areas would be located at the east, south and west sides of the building. The proposal includes 40 parking spaces within a surface parking lot and dual drive-through lanes that could accommodate a 26-vehicle stack. Hours of operation are proposed between 5:30 a.m. and 12:00 a.m.

The project site is located in the North Lake Specific Plan. A Conditional Use Permit is required to demolish and rebuild a drive-through business. Further, uses located within 150 feet of a residential zoning district require a Conditional Use Permit to operate outside the hours of 7:00 a.m. and 10:00 p.m. The subject property adjoins a residential zoning district to the east that is within 150 feet.

Proposed site improvements include new landscaping, parking lot paving and striping, lighting, and a new eight-foot tall block wall inside the east and southeast property lines. Vehicular access to the site would be available from Lake Avenue via two drive approaches; the two existing drive approaches from Boylston Street would be closed. In conjunction with the replacement of the existing drive-through building, the project includes demolition of the adjacent one-story commercial building to the south at 774 North Lake Avenue. No protected trees are proposed for removal.

BACKGROUND:

On December 2, 2020, a project of a similar scope was scheduled to be considered by the Hearing Officer. Specifically, the applicant requested two Conditional Use Permits: 1) to allow the demolition and reconstruction of a drive-through business within the North Lake Specific Plan; and 2) to allow extended hours of operation between 5:30 a.m. and 12:00 a.m. This proposal was limited to 790 North Lake Avenue and did not include the adjacent southerly parcels at 774 North Lake Avenue. This proposal included a 2,755 gross square-foot building, 708 square feet of outdoor dining, 35 parking spaces, and drive through lanes that could accommodate an approximate 16-car stack.

Staff's assessment of the proposal concluded that several, but not all findings for a Conditional Use Permit could be made in the affirmative. City staff determined that queuing space for no less than 25 vehicles would be adequate. Since the project accommodated a shorter vehicle stack, staff's position was that the proposed parking and circulation plan would not provide adequate

area for safe queuing and maneuvering of vehicles. As a result, the staff report prepared for the meeting recommended that the Hearing Officer disapprove the Conditional Use Permit that would have allowed the reconstruction of the drive-through business. In light of the staff recommendation, the applicant requested the item be continued. The Hearing Officer concurred and did not hear the item as scheduled, opting instead to continue the item indefinitely.

In advance of the December 2020 public hearing, and during the required public noticing period, staff received 19 letters with some expressing support, and others in opposition. The City also received three comments at the start of the public meeting that were submitted electronically. All comments are a part of the public record.

Following the continuance, the applicant revised the original proposal as follows:

- Incorporated the 774 North Lake Avenue parcels into the proposal;
- Extended the vehicle stack from 16 to 26 cars;
- Increased parking from 35 to 40 spaces;
- Shifted the menu boards further west away from adjacent residential uses to the east;
- Shifted refuse storage area further west away from adjacent residential uses to the east;
- Shifted the loading space further west away from adjacent residential uses to the east;
- Closed vehicular access from Boylston Street.

The Analysis section of this staff report discusses the current revised project. The October 6, 2021 hearing was noticed based on the latest ownership list.

Northwest Commission

On August 10, 2021, the applicant provided the City's Northwest Commission with an informational presentation regarding the updated drive-through proposal. The Northwest Commission serves as a monitoring body for the Northwest area of Pasadena.

ANALYSIS:

Zoning and Land Use

The subject property is located in the CL-SP-1d (Commercial Limited, North Lake Specific Plan, Village Building Type) zoning district. The purposes of the SP-1 district is to implement the purposes of the North Lake Specific Plan. The Village Building subdistrict promotes a commercial character, and excludes residential, mixed-use, and work/live uses.

The prior drive-through operated in conjunction with a fast food restaurant that was established in 1985 through Conditional Use Permit #1498. In 1989, the City granted Conditional Use Permit #2065 to add a 145 square-foot cash booth to the rear of the existing building and a 924 square-foot playground to the front of the building. The approval included a Variance to reduce the number of existing parking stalls by four to provide adequate space for the playground. Subsequent to the approval, construction was completed for the addition at the rear. The playground at the front was never constructed.

Within the CL-SP-1d zoning district, and pursuant to Zoning Code Section 17.34.030.C (SP-1 Allowable Land Uses and Permit Requirements, Drive-through businesses), an existing drive-through business may be completely demolished and rebuilt with the approval of a Conditional Use Permit as long as the square footage of the new building is not more than the building

proposed to be demolished. The prior drive-through use occupied a 2,815 gross square-foot building. The proposed building consists of 2,755 gross square feet, which is less than the building to be demolished. Further, the proposed use is classified Drive-Through Businesses, Restaurants, the same as the prior use. A drive-through business is an establishment that sells products or provides services to occupants in vehicles, including drive-in or drive-up windows and drive-through services. The proposed use is a drive-through business that operates in conjunction with a formula fast food restaurant, a commercial use, consistent with the applicable zoning district.

Development Standards

New structures within the North Lake Specific Plan are subject to development standards in Zoning Code Section 17.34.040 (SP-1 General Development Standards) and 17.34.050 (SP-1 Additional Development Standards). Drive-through businesses are subject to additional requirements in Zoning Code Section 17.50.090 (Drive-Through Businesses). The table outlines compliance with development standards. A discussion of operational characteristics follows.

Development Standard	Required	Proposed
Setbacks		
<i>Front (Lake Avenue)</i>	5' (fixed)	5'
<i>Corner (Boylston Street)</i>	5' minimum	30'
<i>Side (south)</i>	None	104'
<i>Rear (east)</i>	15' minimum	118'-8"
Height Limit	15' (minimum) to 30' (maximum)	15' to 22'
Floor Area Ratio (FAR)	No maximum	0.06
Fence and Walls	8' high solid masonry along a property line that separates a nonresidential use from a residential use	8' high solid wall inside east and southeast property lines
Parking	10 spaces per 1,000 gross square feet plus queue lanes for at least 5 cars for drive up service 2,755 square feet + 1,176 square feet of outdoor dining = 39 spaces and drive up service	40 spaces and drive up service for 26 vehicles
Loading	1 space	1 space
Perimeter Parking Lot Landscaping	5' wide minimum	10' (east) 5' (south) 14' (west)
Percentage of Parking Lot Landscaping	5%	7%

Queuing Study

A queuing study is required for restaurants with a drive-through business. The purpose is to determine whether longer queuing lines, beyond the five required by the Zoning Code are necessary. The applicant's proposal includes a 26-vehicle stack via a dual lane drive-through. A queuing analysis, prepared by Linscott, Law & Greenspan, Engineers (LLG) was provided by the applicant. As part of the analysis, LLG received and reviewed a previous queuing analyses

conducted by TJW Engineering on behalf of Chick-fil-A (dated December 18, 2017) that included site observations at four existing Chick-fil-A sites. These sites are located in the Cities of Upland (Campus Avenue), Corona (Grand Oaks), Laguna Hills (El Toro Road) and Rancho Cucamonga (Foothill Boulevard). Two of the four sites reviewed as part of TJW Engineering's analysis were also surveyed by LLG personnel, specifically, the Rancho Cucamonga and Upland locations. LLG also surveyed the existing Chick-fil-A location in the City of Pasadena (Colorado Boulevard). As reported by TJW Engineers, the maximum observed queue at the Rancho Cucamonga site was 19 vehicles, and the maximum observed queue at the Upland site was 26 vehicles. At the Pasadena location, LLG documented a maximum queue of 25 vehicles.

LLG concluded based on a comparative queuing assessment, that the maximum drive-through service lane vehicle queue for the proposed project is forecast to consist of 14 vehicles. Since the proposed drive-through service lane is expected to accommodate at least 26 vehicles in queue, LLG anticipates the queue storage area would adequately accommodate the forecasted maximum queue. In the event the vehicle queue exceeded the available storage space, LLG recommended that a staff member be present to direct the additional vehicles to a parking or waiting area to ensure the potential vehicle queues do not interfere with on-site circulation or spill onto adjacent public right-of-way. They further expect that Chick-fil-A employees/order takers will be deployed during peak hours, if necessary, to conduct remote ordering in order to expedite drive-through operations.

The City's Department of Transportation (DOT) evaluated the queuing analysis and similarly conducted a site survey of the existing Pasadena Chick-fil-A location. Based on the queuing analyses submitted by the applicant, and staff observation at the local Chick-fil-A site, DOT recommended the project provide on-site drive-through queuing space for no less than 25 vehicles.

Parking, Circulation and Traffic

The proposed drive-through business is positioned towards the northwest portion of the site, with queuing lanes starting from the south, and wrapping counter-clockwise around the east, north and west sides of the building. A total of 40 parking spaces and one loading space are located to the east and south of the building. Vehicular access would be available from Lake Avenue on the west via two drive approaches. The northerly driveway would accommodate outbound movements only, while the southerly driveway would accommodate inbound movements only. The existing vehicular access from Boylston Street would be closed and reconstructed, eliminating the existing interruptions along that sidewalk.

Within the parking lot, the applicant has proposed parking stalls and drive aisle widths that exceed the applicable requirements, increasing established standards for maneuverability and circulation. The applicant's circulation plan anticipates that vehicles entering the site from Lake Avenue will be able to circulate through the parking lot without interfering with the 26-vehicle stack, were it at maximum capacity. Vehicles exiting the queuing lanes and parking lot would exit the site onto Lake Avenue. The vehicle stack starts approximately 250 lineal feet (nearest route) from Lake Avenue.

Along with parking and circulation information, the applicant's consultant LLG provided a traffic signal warrant analysis to determine whether traffic signals are warranted at the Lake Avenue/Boylston Street intersection, both under existing conditions and upon completion of the proposed project. LLG concluded that warrants were met under the existing and proposed conditions and that the City may elect to consider installation of a traffic signal at the Lake

Avenue/Boylston Street intersection. Similar to the queuing analysis, DOT reviewed the traffic signal warrant analysis and concluded that construction of a traffic signal at the Lake Avenue/Boylston Street intersection would be required if the project is approved and constructed. In addition to a signalized intersection, other traffic related measures, which are included as recommended conditions of approval, would be required if the project were approved:

- 1) On-site Traffic Operations: The development shall have designated staff to provide on-site operations to control and monitor the traffic in and out of the development to prevent queuing conflicts onto public right-of-way, neighboring businesses, and bus operations. Restaurant staff shall discourage motorists from blocking the adjacent public streets and driveways to access the development.
- 2) On-street striping: The project shall restripe the northbound left turn lane at the Lake Avenue at Boylston Street intersection to accommodate a 40' long left turn pocket.

Litter Clean-up and Refuse Storage

A litter clean-up plan is required for restaurants with a drive-through business, and a storage area for trash is required when a new structure is proposed to be constructed. A litter clean-up plan addresses litter clean-up on-site and off-site, and includes, but is not limited to, the parking lot, drive-through lanes, landscaped areas, outdoor dining areas, walkways, windows, doors, lights and signage. The objective is to maintain an attractive site, free of litter and discarded material. According to the applicant, Chick-fil-A proposes to provide off-site litter cleanup within a half-block radius of the site (200 feet north and south along Lake Avenue; 150 feet minimum east along Boylston Street). A staff member would perform an off-site check approximately every two to three hours. Staff would also periodically circulate through the restaurant and parking lot to pick up litter discarded by customers. The operator would provide trashcans on-site for customers' use in order to accommodate and encourage proper disposal of trash.

The proposed trash storage area would be located within the parking lot, to the west of the queue lanes. The enclosure would screen the storage of refuse from the street and adjoining properties and would only be accessible from the entry at the interior of the surface parking lot. The design of the enclosure, access, and size confine activities. The trash storage enclosure would be secured, limited to staff's use, and provide recycling, consistent with requirements in the Zoning Code.

Driveway Cuts

Pursuant to Zoning Code Section 17.50.090.E (Drive-Through Businesses, Driveway cuts), drive-through facilities shall minimize the number of driveway cuts. The existing drive-through use is currently served by three driveway cuts, two from Boylston Street, and one from Lake Avenue. The adjacent property at 774 North Lake Avenue is served by one driveway cut from Lake Avenue. The proposal would have two driveways along Lake Avenue and remove the two driveways on Boylston Street.

Landscaping and Lighting

The City's Zoning Code includes provisions for landscaping and outdoor parking lot lighting. The intent is to provide for an attractive site while confining light to the parking area and source. Pursuant to Section 17.46.230 (Parking Lot Landscaping), all parking lots shall have a minimum five-foot wide perimeter landscaped area. In addition, a minimum of five percent of the parking lot

is required to be landscaped, over and above the perimeter landscape requirement. Trees at a rate of one for every four vehicle parking spaces is also required within the parking lot. According to plans, the applicant provides a minimum 10-foot perimeter landscape area along the east, 5-foot perimeter along the south, and 14-foot perimeter along the west. Approximately seven percent of the parking lot is landscaped, and a minimum of 21 trees are proposed, of which ten are within the interior of the parking lot area. Vertical landscaping and an eight-foot tall block wall are also proposed inside the east and southeast boundaries of the site, as required by the Zoning Code. The vertical elements are required between the subject nonresidential use and the residential use directly east in order to provide a buffer.

Exterior lighting is proposed around the building, where patrons order and pick-up food, and at the parking area. Within the parking lot, two pole-mounted fixtures are proposed along the east property line to illuminate the parking area and drive-through queue lanes. Three light poles are proposed inside the south property line to illuminate the parking area. The lighting fixtures used are required to be shielded, confining emitted light to the parking area, and the light source shall not be visible from outside of the area. According to the photometric survey provided by the applicant, light would be confined to the subject property.

Hours of Operation

The proposed drive-through business is subject to limitations on hours of operation because it is located within 150 feet of a residential zoning district. A residential zoning district adjoins the site on the east. 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 Conditional Use Permit. The applicant proposes to operate between 5:30 a.m. and 12:00 a.m. and has requested a Conditional Use Permit, which is discussed later in this report.

In addition to hours of operation, truck loading, unloading, and trash pick-up is 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 applicant would comply with this requirement.

Conditional Use Permit: Drive-Through Business

The Hearing Officer may approve a Conditional Use Permit to completely demolish and rebuild a drive-through business only after making eight 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. Findings are also required to be made regarding the adequacy of parking and circulation for safe queuing and maneuvering, and whether the location of the drive-through business would have adverse impacts upon the vicinity or adjoining land uses.

In this case, the proposed drive-through use complies with applicable development standards in the Zoning Code, including those specific to drive-through businesses. The proposed drive-through business, a commercial use, is located along Lake Avenue within the Village Building Type subdistrict of the North Lake Specific Plan zoning district. This subdistrict promotes only a commercial character, and excludes residential, mixed-use, and work/live uses, and the base CL zoning district is also a commercial district intended for commercial uses.

The proposed location of the rebuilt drive-through business complies with the purposes of the Zoning Code and applicable zoning district in that the rebuilt business does not expand the gross floor area of the existing drive-through business, maintains the commercial character of the corridor, and locates the use in closer proximity to Lake Avenue. The request for a Conditional Use Permit to rebuild a drive-through business is in keeping with the intent of the North Lake Specific Plan as the proposal would maintain the same use of the site that has functioned since the 1980's. The establishment would sell food to occupants in vehicles via drive-through services and to patrons over a traditional walk-in counter, the same as the prior use of the site. No walk-up service or alcohol sales are proposed.

The drive-through use will be designed and constructed in compliance with applicable codes and requirements and operate according to current health and safety standards. Drive-through activities will accommodate no less than a 26-vehicle stack and will be set more than 250 lineal feet (nearest route) from Lake Avenue, substantially reducing potential for conflict with the public right-of-way. The closure of drive approaches from Boylston Street will eliminate interruptions along the sidewalk and avoid interactions between pedestrians and vehicles along this block. Parking for the use will exceed the minimum requirements for count, stall width, and drive aisle width, which will improve on-site circulation.

Menu-boards used for ordering will be located more than 100 feet from adjacent residential uses and will be equipped with automatic noise reducing technology, further reducing potential for noise. Traffic calming measures required include a signal at the Lake Avenue/Boylston Street intersection, striping at the northbound left turn lane, and on-site traffic operations. Project characteristics along with recommended conditions of approval would ensure that the establishment, maintenance, or operation of the use would not be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood.

The proposed use is not expected to create odor or noise that causes discomfort. A litter clean-up plan prepared for the project would ensure the operator maintains the premise and surrounding area in a clean and orderly manner, and that any refuse is not left to the detriment of other properties. Vertical landscaping and an eight-foot tall block wall are proposed inside the east property line, which will provide a buffer between the drive-through use and adjacent residential property and improvements. These project characteristics will prevent detriment or injury to property and improvements in the neighborhood or to the general welfare of the City.

Parking lot landscaping, signage, and other planned improvements will elevate the character and aesthetic value that exists in the vicinity. The proposed site improvements and one-story building will resolve existing nonconforming conditions that exist on-site, increasing compatibility with existing residential uses nearby, and future uses that will be subject to requirements of the applicable zoning district. Operationally, the proposed drive-through use will generally function the same as the existing use to be demolished.

The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses. The site plan provides sufficient space for vehicle parking, vehicle queuing, areas for refuse, on-site loading, and would use modern lighting and menu board technology that will improve visibility and safety and reduce concerns regarding noise.

The site layout locates the building and outdoor dining areas in excess of 100 feet from the east boundary of the project site and approximately 90 feet from the south boundary. Areas to the east and south are limited to landscaping, parking, drive-through queuing, and refuse storage. Menu

boards for drive-through ordering are placed in close proximity to the Boylston Street frontage. Refuse storage and on-site loading are located more than 41 feet from the east boundary and more than 125 feet from the south boundary. These areas are also designed to be accessible from the interior of the parking lot to contain activity to a highly visible area and away from adjacent uses. Distances to the building, outdoor dining areas, refuse storage, and menu boards are adequately separated from adjoining land uses.

Based on the discussion above, staff determined that the required findings to approve the Conditional Use Permit to allow the demolition and construction of new formula fast food restaurant with drive-through service within the North Lake Specific Plan can be made.

Conditional Use Permit: Extended Hours of Operation

The Hearing Officer may approve a Conditional Use Permit to allow the extended hours of operation beyond 7:00 a.m. to 10:00 p.m. 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 proposed extended hours of operation of 5:30 a.m. to 12:00 a.m. are generally in keeping with the operating hours of adjacent existing commercial uses along this segment of Lake Avenue, which include other drive-through businesses. North Lake Avenue is a major roadway designed for trips that originate from or are destined to the City. As such, the proposed drive-through service and other similar uses along this segment of North Lake Avenue desire to provide a service and capture the sales from morning and evening commuters. The proposed hours comply with the applicable purposes of the zoning district.

Although the subject site abuts a residential zoning district, the proposed site design has incorporated features in consideration of their proximity. The applicant's proposal has located audible equipment and outdoor dining more than 100 feet from adjoining residential uses to the east. The proposed ordering equipment would be equipped with automatic noise reducing technology that registers ambient noise and automatically reduces the volume of the speaker. The proposed vertical landscaping and an eight-foot tall block wall proposed inside the east and southeast boundaries would help minimize noise generated by the use. The site would be well lighted, would employ on-site measures to allow for efficient drive-through operations and circulation as conditioned, would signalize the intersection, does not involve the sale of alcohol, and does not provide a walk-up window for ordering. Therefore, the extended hours of operation, those being before 7:00 a.m. and after 10:00 p.m. would not under the circumstances be detrimental to the health, safety, or general welfare of people residing or working in the neighborhood. Activities associated with operation of the use would continue to be confined to the subject property during the period of extended hours and operational activities would function that same as other periods of the day.

To ensure there would be no detriment or injury to property, a condition of approval requires that the applicant prepare a security plan that includes measures to monitor and secure the site during hours of operation. The security plan shall be reviewed and approved by the Zoning Administrator. The extended hours would not alter the principal operating characteristics, that being a drive-through business that sells food. Ingress and egress from Lake Avenue would assist in keeping patrons of the site away from surrounding streets during the hours of operation.

Based on the discussions above, staff determined that the required findings to approve the Conditional Use Permit to allow for extended hours of operation beyond 7:00 a.m. and 10:00 p.m. can be made.

TREE PROTECTION ORDINANCE:

Certified Arborist Javier Cabral prepared a tree inventory and report for the project that identifies eight total trees. Of these, five are within the public right-of-way, two are located off-site on the adjacent easterly property, and one is located on the subject property along the Lake Avenue frontage. The applicant proposes to remove the one private property tree located along the Lake Avenue frontage while retaining all other trees. The tree proposed for removal is not protected and therefore, is not subject to the City's Tree Protection Ordinance and does not require a private tree removal permit for removal.

GENERAL PLAN CONSISTENCY:

The project site is designated as Low Commercial (0.0-1.0) in the Land Use Element of the General Plan. This designation is characterized by a limited range of retail and service uses. These uses are located and designed to foster pedestrian use, primarily serve the needs of adjacent neighborhoods and maintain compatibility with residential uses in the immediate area. The proposed drive-through business would be consistent with applicable goals, policies, and objectives of the General Plan. These include, but are not limited to General Plan Land Use Element Policies 2.3 (Commercial Businesses), 11.1 (Business Expansion and Growth), 12.4 (Revitalization of Commercial Areas) and 25.9 (Maintenance). The applicant's proposal would revitalize the site through new investment. In turn, this investment will encourage private investment at neighboring sites, leading to business expansion, growth, and job opportunities. Rehabilitation of the site will also more closely align with community expectations for a quality environment.

The request for a Conditional Use Permit to rebuild a drive-through business and to extend hours of operation is in keeping with the intent of the applicable North Lake Specific Plan. This is further evident in the utilization of the three parcels for parking and circulation, reduction of curb cuts, including the elimination of interruptions along the Boylston Street sidewalk frontage, and the landscape enhancements, which are promoted in the Specific Plan. The extended hours will allow the use to employ and support approximately 35 people. This is consistent with General Plan Policies in that it will provide the capacity to support the growth and success of the business. Extended hours will create new job opportunities resulting in productive and satisfying employment for Pasadena.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposal was reviewed by the Departments of Transportation, Fire, Police, Public Works, Water and Power, Health, the Building and Safety Division, and the Design and Historic Preservation Section. Several departments provided comments and recommended conditions, which are incorporated into Attachment B.

In particular, given the proposed project entails the demolition of two single-story buildings, the Design and Historic Preservation Section reviewed the existing buildings for historical significance. The existing one-story drive-through building at 790 North Lake Avenue was constructed in or around 1986 and has undergone minor alterations since that time. The building has no historical significance. The adjacent one-story commercial building at 774 North Lake

Avenue was constructed in or around 1962 and is more than 45 years old. An assessment of the building determined the building has been heavily altered with significant remodeling occurring in 2005 and lacks integrity of design, materials, or workmanship. It further does not retain integrity of setting, feeling, and association as a vernacular Mid-Century Modern building in Pasadena. As such, it was determined the property lacks architectural integrity and possesses no historical significance at the local, state, or federal levels.

As it relates to the public right-of-way and traffic, the Departments of Transportation and Public Works recommended conditions intended to address public improvements, accessibility, and traffic. Public improvements required of the project include but are not limited to: construction of a compliant accessible curb ramp, a new tree well and street tree, upgrades to existing substandard safety lights to new LEDs, replacement/renovation of three existing substandard street lights (two on Lake; one on Boylston), and the repainting/restoration of an existing metal street light pole along Lake Avenue. As referenced prior, the Department of Transportation requires the applicant to construct a traffic signal at the Lake Avenue at Boylston Street intersection. The traffic signal shall be fully operational prior to the issuance of the Certificate of Occupancy. The applicant is also required to restripe the northbound left turn lane at the Lake Avenue at Boylston Street intersection to accommodate a 40-foot long left turn pocket.

The development shall also have designated staff to provide on-site operations to control and monitor the traffic in and out of the development to prevent queueing conflicts onto public right-of-way, neighboring businesses, and bus operations. Restaurant staff shall discourage motorists from blocking the adjacent public streets and driveways to access the development. Prior to the start of construction or the issuance of any permits, the applicant is required to submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval.

Though conditions of approval are recommended, departments did not express any concerns regarding the proposed drive-through operation or request for extended hours of operation.

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, §15302, Class 2, Replacement or Reconstruction) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. In addition, the demolition of two existing buildings would not result in an impact to a historical resource because both structures lack historic significance.

CONCLUSION:

Staff has determined that all findings required to approve a Conditional Use Permit to allow the existing drive-through business to be demolished and rebuilt, and a Conditional Use Permit to allow extended hours of operation can be made. The proposal would comply with the applicable zoning district, provisions in the zoning code, and would be in conformance with goals and policies of the General Plan. The establishment, maintenance, and 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. There would also be no

detriment or injury to property or improvements in the vicinity. The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses. Further, the extended hours of operation, those being before 7:00 a.m. and after 10:00 p.m. would not under the circumstances be detrimental to the health, safety, or general welfare of people residing or working in the neighborhood.

Attachments:

Attachment A: Conditional Use Permit Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6807

Conditional Use Permit – Drive-Through Business

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* Within the CL-SP-1d zoning district, and pursuant to Zoning Code Section 17.34.030.C (SP-1 Allowable Land Uses and Permit Requirements, Drive-through businesses), a drive-through business may be completely demolished and rebuilt with the approval of a Conditional Use Permit as long as the square footage of the new building is not more than the building proposed to be demolished. The proposed 2,755 gross square-foot drive-through business will replace an existing 2,815 gross square-foot drive-through business. The proposed use complies with applicable provisions of the Zoning Code, including those specific to drive-through businesses, Zoning Code Section 17.50.090 (Drive-Through Businesses). hi
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 proposed drive-through business, a commercial use, is located along Lake Avenue, a heavily traveled roadway and within the Village Building Type subdistrict of the North Lake Specific Plan zoning district. This subdistrict promotes only a commercial character, and excludes residential, mixed-use, and work/live uses. The base CL zoning district is also a commercial district intended for commercial uses. A purpose of the North Lake Specific Plan is to limit the expansion of existing drive-through businesses. The proposed location of the rebuilt drive-through business complies with the purposes of the Zoning Code and applicable zoning district. The rebuilt business does not expand the square footage of the existing drive-through business, maintains the commercial character of the corridor, and locates the use in closer proximity to Lake Avenue. The request for a Conditional Use Permit to rebuild a drive-through business is in keeping with the intent of the North Lake Specific Plan.
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 proposed drive-through business is in conformance with applicable goals, policies, and objectives of the General Plan. These include, but are not limited to General Plan Land Use Element Policies 2.3 (Commercial Businesses), 11.1 (Business Expansion and Growth), 12.4 (Revitalization of Commercial Areas) and 25.9 (Maintenance). The applicant's proposal will revitalize the site through new investment. In turn, this investment will encourage private investment at neighboring sites, leading to business expansion, growth, and job opportunities. Rehabilitation of the site will also more closely align with community expectations for a quality environment. The request for a Conditional Use Permit to rebuild a drive-through business is in keeping with the intent of the applicable North Lake Specific Plan. This is further evident in the consolidation of the three parcels for parking and circulation, reduction of curb cuts, including the elimination of interruptions along the Boylston Street sidewalk frontage, and the landscape enhancements, which are promoted in the Specific Plan.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The applicant proposes to maintain the same use of the site that has functioned since the 1980's. The establishment will sell food to occupants in vehicles via drive-through services and to patrons over a traditional walk-in counter, the same as the prior use of the site. The drive-through use will be designed

and constructed in compliance with applicable codes and requirements and operate according to current health and safety standards. Drive-through activities will accommodate no less than a 26-vehicle stack and will be set more than 250 lineal feet (nearest route) from Lake Avenue, which significantly reduces potential for conflict with the public right-of-way. The closure of drive approaches from Boylston Street will eliminate interruptions along the sidewalk and any interactions between pedestrians and vehicles. Parking for the use will exceed the minimum requirements for count, stall width, and drive aisle width, which will improve on-site circulation.

Menu-boards used for ordering will be located more than 100 feet from adjacent residential uses and will be equipped with automatic noise reducing technology, further reducing potential for noise. Traffic calming measures required include a signal at the Lake Avenue/Boylston Street intersection, striping of the northbound left turn lane, and on-site traffic operations. These project characteristics would ensure that the establishment, maintenance, or operation of the use would 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 drive-through use will be accessible via two driveways along Lake Avenue, where each is dedicated to entry or exit only, and will provide more than the minimum required number of on-site parking spaces. Queue lanes will provide a minimum 26-vehicle stack and the project will employ traffic calming measures that include a signal at the Lake Avenue/Boylston Street intersection. These measures as described will ensure adequate circulation on-site, encourage the use of on-site parking, and confine drive-through activities to private property. They will also minimize impacts on the public right-of-way. The proposed building will maintain sufficient distance to neighboring properties and improvements. No excavation is planned and there would be no vibratory impacts that could be detrimental or injurious to physical improvements in the neighborhood or to the general welfare of the City. The proposed use is not expected to create odor or noise that causes discomfort.

A litter clean-up plan prepared for the project will ensure the operator maintains the premise and surrounding area in a clean and orderly manner, and that any refuse is not left to the detriment of other properties. Vertical landscaping and an eight-foot tall block wall are proposed inside the east property line, which will provide a buffer between the drive-through use and adjacent residential property and improvements. These project characteristics will prevent detriment or injury to property and improvements in the neighborhood or to the general welfare of the City.

6. *The design, location, operating characteristics, and size of the proposed use 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 building will be located near the Lake Avenue and Boylston Street intersection and be of a similar shape and size as the building to be demolished. The proposed gross floor area will be less than the building to be demolished, and the design will comply with applicable development standards that regulate form and scale. Parking lot landscaping, signage, and other planned improvements will elevate the character and aesthetic value that exists in the vicinity. The proposed site improvements and one-story building will resolve existing nonconforming conditions that exist on-site, increasing compatibility with existing residential uses nearby, and future uses that will be subject to requirements of the applicable zoning district. Operationally, the proposed drive-through use will generally function the same as the existing use to be demolished. The proposed use will

provide services via a drive-through and over a traditional indoor counter, and operate within the same or similar hours that exist within the vicinity.

7. *The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses.* The proposed drive-through business is positioned towards the northwest corner of the site, with queuing lanes starting from the south, and wrapping around the east, north and west sides of the building. A total of 40 parking spaces and one loading space are located to the east and south of the building. Vehicular access to the site will be accommodated via two drive approaches from Lake Avenue on the west. The northerly driveway would accommodate outbound movements only, while the southerly driveway would accommodate inbound movements only. The existing vehicular access at Boylston Street will be closed and reconstructed, eliminating the existing interruptions along that sidewalk.

Within the parking lot the applicant has proposed 40 parking stalls and drive aisle widths that exceed the applicable requirements, increasing established standards for maneuverability and circulation. The applicant's circulation plan will allow vehicles entering the site from Lake Avenue to circulate through the parking lot without interfering with the 26-vehicle queue were that at maximum capacity. The location of the queue lanes substantially eliminates any potential for vehicles to spill back to Lake Avenue based on distance.

A queuing analysis, prepared by Linscott, Law & Greenspan, Engineers (LLG) concluded based on a comparative queuing assessment, that the maximum drive through service-lane vehicle queue for the proposed project is forecast to consist of 14 vehicles. Since the proposed drive-through service lane is expected to accommodate at least 26 vehicles in queue, LLG anticipates the queue storage area will adequately accommodate the forecasted maximum queue. The City's Department of Transportation (DOT) also evaluated the queuing analysis and conducted a site survey of the existing Pasadena Chick-fil-A location. Based on the queuing analyses submitted by the applicant, and staff observation at the local Chick-fil-A site, DOT recommended the project provide on-site drive-through queuing space for no less than 25 vehicles, which is adequately addressed by the project's proposed dual queuing lanes. In the event the vehicle queue exceeded the available storage space, conditions of approval require that staff members be present to direct the additional vehicles to a parking or waiting area to ensure the potential vehicle queues do not interfere with on-site circulation or spill back onto adjacent public right-of-way. Further employees/order-takers will be deployed during peak hours, if necessary, to conduct remote ordering in order to expedite drive-through operations.

Residential uses are located to the east and adjoin the southeast corner of the project site. Nonresidential uses adjoin the site to the south. The site layout locates the building and outdoor dining areas in excess of 100 feet from the east boundary of the project site and approximately 90 feet from the south boundary. Areas to the east and south are limited to landscaping, parking, drive-through queuing, and refuse storage. Menu boards for drive-through ordering are placed in close proximity to the Boylston Street frontage and more than 100 feet from the eastern boundary. Refuse storage and on-site loading are located more than 41 feet from the east boundary and more than 125 feet from the south boundary. Distances to the building, outdoor dining areas, refuse storage, and menu boards are adequately separated from adjoining land uses. To further buffer these improvements and the dual drive-through lanes from adjoining land uses, the applicant proposes to install a minimum eight-foot tall block wall with minimum six-foot tall vertical landscaping for the length of the

site that adjoins residential uses. The wall and landscape buffer along with overall site design will provide adequate buffering of the use from adjoining land uses.

8. *The proposed location of the drive-through business will not result in adverse impacts upon the vicinity after giving consideration to a litter clean-up plan, the hours of operation, and the site plan.* The proposed parking and circulation plan will provide adequate area for safe queuing and maneuvering of vehicles, and the site design will provide adequate buffering of the use from adjoining land uses. The proposed site improvements and one-story building will resolve existing nonconforming conditions that exist on-site, reducing potential for impacts upon the vicinity. The site plan provides sufficient space for vehicle parking, vehicle queuing, areas for refuse, on-site loading, and will use modern lighting and menu board technology that will improve visibility and safety and reduce concerns regarding noise. The applicant's litter clean-up plan provides for off-site litter cleanup within a half-block radius of the site (approximately 200'). A staff member will perform an off-site check approximately every two to three hours. Staff will also periodically circulate through the restaurant and parking lot to pick up litter discarded by customers. The operator will provide trash cans on-site for customers' use in order to accommodate and encourage proper disposal of trash. These circumstances along with conditions of approval requiring preparation of a security plan and deployment of employees/order-takers during peak hours will further ensure the business does not result in adverse impacts with the proposed hours of operation.

Conditional Use Permit: Extended Hours of Operation

9. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The proposal to operate between 5:30 a.m. and 12:00 a.m. and extend hours of operation beyond 7:00 a.m. and 10:00 p.m. is allowed through the approval of a Conditional Use Permit pursuant to Zoning Code Section 17.40.070 (Limited Hours of Operation). The proposal complies with all other applicable provisions of the Zoning Code.
10. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The proposed drive-through use is located along Lake Avenue, a heavily traveled roadway and within the Village Building Type subdistrict of the North Lake Specific Plan zoning district. This subdistrict promotes only a commercial character, and excludes residential, mixed-use, and work/live uses. The base CL zoning district is also a commercial district intended for commercial uses. A purpose of the North Lake Specific Plan is to limit the expansion of existing drive-through businesses. The proposed location of the rebuilt drive-through business complies with the purposes of the Zoning Code and applicable zoning district. The extended hours of operation of the commercial use will not be out of character with the operating hours of other similar uses along this segment of North Lake Avenue. North Lake Avenue is defined as a Principal Arterial roadway and is designed primarily for trips that originate from or are destined to the City. As such, the proposed drive-through service and other similar uses along this segment of North Lake Avenue desire to provide a service and capture the sales from morning and evening commuters. The proposed hours comply with the applicable purposes of the zoning district.
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 extended hours will allow the use to employ and support approximately 35 people. The Conditional Use Permit for extended hours is consistent with General Plan Land Use Element Policy 11.1, Business Expansion and Growth because it will provide the capacity to support the growth and success

of the business. Extended hours will create new job opportunities resulting in productive and satisfying employment for Pasadena.

12. *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.* Residential uses are located to the east and adjoin the southeast corner of the project site. Nonresidential uses adjoin the site to the south. The site layout locates the building and outdoor dining areas in excess of 100 feet from the east boundary of the project site and approximately 90 feet from the south boundary. Areas to the east and south are limited to landscaping, parking, drive-through queuing, and refuse storage. Menu boards for drive-through ordering are placed in close proximity to the Boylston Street frontage and more than 100 feet from the east boundary. Menu boards will be equipped with automatic noise reducing technology. Refuse storage and on-site loading are located more than 41 feet from the east boundary and more than 125 feet from the south boundary. Distances to the building, outdoor dining areas, refuse storage, and menu boards are adequately separated from adjoining land uses.

To further buffer these improvements and the dual drive-through lanes from adjoining land uses, the applicant proposes to install a minimum eight-foot tall block wall with minimum six-foot tall vertical landscaping for the length of the site that adjoins residential uses. The wall and landscape buffer along with overall site design will provide adequate buffering of the use from adjoining land uses. Additionally, the site will be well lighted, will employ on-site measures to allow for efficient drive-through operations and circulation as conditioned, will signalize the intersection, does not involve the sale of alcohol, and does not provide a walk-up window for ordering. Therefore, the extended hours of operation, those being before 7:00 a.m. and after 10:00 p.m. would not under the circumstances be detrimental to the health, safety, or general welfare of people residing or working in the neighborhood.

13. *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 extended hours of operation, those being before 7:00 a.m. and after 10:00 p.m. will not result in detriment or injury to property and improvements in the neighborhood or the general welfare of the City. Activities associated with operation of the use would continue to be confined to the subject property during the period of extended hours and operational activities will function that same as other periods of the day. To ensure there will be no detriment or injury to property, a condition of approval requires that the applicant prepare a security plan that includes measures to monitor and secure the site during hours of operation. The security plan shall be reviewed and approved by the Zoning Administrator.
14. *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 extended hours of operation will not affect the site design, location, and size of the use that was determined to be compatible with existing and future land uses in terms of aesthetic values, character, scale and view protection. The extended hours is compatible with existing land uses in the vicinity and will be consistent with future land uses that may be approved for extended hours. The extended hours will not alter the principal operating characteristics, that being a drive through business that sells food. Ingress and egress from Lake Avenue would assist in keeping patrons of the site away from surrounding streets during the hours of operation.

ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6807

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

General

1. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans stamped "Approved at Hearing, October 6, 2021," except as modified herein.
2. This approval authorizes the demolition of an existing formula fast food restaurant with drive-through services, construction of a new formula fast food restaurant with drive-through service and outdoor dining areas, and extended hours of operation.
3. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions, Extensions of Time).
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, expansion of the use, or extension to operating hours 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 City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the submitted building plans as part of the building plan check process.
8. The proposed project, Activity Number **PLN2019-00645**, is subject to the Inspection Program by the City. A Final Zoning Inspection is required for your project prior to the issuance of a Certificate of Occupancy or approval of the Final Building Inspection. Contact Jason Van Patten, Current Planning Section, at 626-744-6760 to schedule an inspection appointment time.

Planning Division

9. The hours of operation shall be limited between 5:30 a.m. and 12:00 a.m. daily.
10. No grading or demolition permits shall be issued until the building permit for the proposed project is ready to be issued.
11. The on-site and off-site sale and/or consumption of alcohol is strictly prohibited at all times, without separate approval of a Conditional Use Permit.

12. Queue lanes for a minimum of 25 vehicles for drive up service shall be available during hours of operation. Queue lanes shall be located a minimum of ten feet from the rear (east) property line.
13. Should the vehicle queue exceed the available storage space, employees shall be deployed to conduct remote ordering and to direct the additional vehicle(s) to the on-site parking area to ensure that queues do not interfere with on-site circulation or spill back onto adjacent public right-of-way.
14. The applicant shall prepare a security plan that includes measures to monitor and secure the site during hours of operation. Security measures shall include security alarms and/or cameras, and may include private security to supplement employees if deemed necessary by the operator. The security plan shall be reviewed and approved by the Zoning Administrator.
15. Menu boards shall be equipped with automatic noise reducing technology that registers ambient noise and automatically reduces the volume of the audio equipment. For the equipment used, the applicant shall submit relevant technical information related to sound, such as, but not limited to sound level (decibels) and automatic sound adjustment features as part of the building permit plan check process.
16. Prior to issuance of a Certificate of Occupancy, a noise study shall be conducted by the applicant, at the expense of the applicant, to ensure that the order board equipment complies with the City's noise regulations, Municipal Code Chapter 9.36 (Noise Restrictions). The noise study shall be submitted to the Zoning Administrator for review.
17. Menu boards shall be located substantially consistent with plans approved at hearing, but no closer than 105 feet from the rear (east) property line.
18. An exterior walk-up window in which orders for food are taken and/or customers are served food is not allowed. An exterior walk-up window may require the modification of this Conditional Use Permit or a new Conditional Use Permit.
19. A covenant and agreement regarding maintenance of parking on the southerly parcel shall be executed by all relevant parties and recorded prior to the issuance of any building permits.
20. A final litter clean-up plan shall be submitted for review and approval by the Zoning Administrator prior to the issuance of any building permits. The litter clean-up plan shall identify the location of exterior trash receptacles on-site, refuse storage, include a litter pick-up schedule, and provide for off-site litter clean-up within a minimum one-half block radius (200 feet minimum north and south along Lake Avenue; 150 feet minimum east along Boylston Street) of the site. Off-site litter clean up shall occur a minimum of three times daily.
21. The applicant or the successor in interest, shall submit a final landscape and irrigation plan, in compliance with Zoning Code Chapter 17.44 (Landscaping) along with plans for a building permit. The plan shall be reviewed and approved to the satisfaction of the Zoning Administrator prior to the issuance of any building or grading permits. The landscape plan shall include a mix of plant size and materials. Plant materials shall emphasize drought-tolerant and/or native species. Protected trees on or off the site that are to remain, shall be protected through a tree protection plan. The plan shall be reviewed and approved to the satisfaction of the Zoning Administrator prior to the issuance of any building or grading permits.

22. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the department.
23. The applicant or successor in interest shall construct an eight-foot-high solid masonry wall along the rear (east) property line and portions of the side (south) property line to separate the proposed nonresidential use from adjacent residential uses, consistent with plans approved at hearing.
24. Vertical landscape material shall be planted and maintained for the length of the eight-foot-high wall to the satisfaction of the Zoning Administrator. The minimum height of landscaping shall not be less than six feet, at planting. The plants shall be spaced to maximize the opaqueness of the plant canopy. Final plant species, quantity, size and spacing shall be approved by the Zoning Administrator prior to the issuance of a building permit.
25. Truck loading, unloading, and trash pick-up shall comply with Zoning Code Section 17.40.070 (Limited Hours of Operation). These hours shall be applicable to deliveries made to the site.
26. On-site parking shall comply with Zoning Code Chapter 17.46 (Parking and Loading).
27. The applicant or the successor in interest shall adhere to the City's noise regulations, Municipal Code Chapter 9.36 (Noise Restrictions) at all times.
28. Outdoor dining areas shall not be used after the closing of the dine-in services or 12:00 a.m., whichever is earlier.
29. The applicant or the successor in interest shall comply with Zoning Code Section 17.40.120 (Refuse Storage Facilities) at all times.
30. The site shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
31. Outdoor lighting shall comply with Zoning Code Sections 17.40.080 (Outdoor Lighting) and 17.46.220 (Outdoor Parking Area Lighting) at all times. At no time shall exterior lighting spill onto an adjacent property. A final lighting (photometric) plan demonstrating illumination levels of parking, driveway, landscape, walkways and common areas shall be submitted along with plans for a building permit for review and approval, prior to the issuance of building permits. The lighting plan shall include a site plan showing locations of all exterior light fixtures, and light specifications demonstrating shielding to orient light away from adjacent properties.
32. The designated service and utility area shall remain unenclosed.

Building and Safety

33. GOVERNING CODES: Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, California Green Building Standard Code and the City of Pasadena Municipal Code. The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.
34. BUILDING CODE ANALYSIS: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.
35. BEST MANAGEMENT PRACTICES: Photocopy to plans and complete the BEST MANAGEMENT PRACTICE page 1(form must be signed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc. These forms can be found at <https://ww5.cityofpasadena.net/planning/building-and-safety/informational-handouts/>
36. PROPERTY LINE SURVEY REQUIRED: Per City of Pasadena Policy property line survey is required for: New construction. Auxiliary buildings and additions where setback is less than 5'-0" to property line. All buildings where specific Zoning Division Variance is issued for approved setbacks & whether newly constructed or altered.
37. SOILS REPORT REQUIRED: A soils engineer report is required for: All new constructed single and multi-family residential, commercial, and industrial buildings. An addition to a commercial or industrial building. Second (2nd) story addition to existing one-story building. Hillside construction, i.e. decks, retaining walls, and swimming pools.
38. GRADING: Provide a grading plan and show compliance with CBC Appendix J – Grading with City of Pasadena Amendments. Clearly show the cubic yard quantities for excavation (cuts) and fills; and label if site grading or foundation excavations. A grading permit may not be required per section J103.2 Exemptions.
39. GREEN CODE: Photocopy to plans and complete the CALIFORNIA GREEN BUILDING STANDARDS CODE WITH CITY OF PASADENA AMENDMENTS FORMS. These forms are being provided attach and can be found at: <https://ww5.cityofpasadena.net/planning/building-and-safety/informational-handouts/>
40. LOW IMPACT DEVELOPMENT (LID): Low Impact Development (LID) may be required for this project. Refer to the City of Pasadena link for further information on the requirements and submittal process: <https://ww5.cityofpasadena.net/planning/building-and-safety/low-impact-development/>
41. MEANS OF EGRESS (EXITING): Clearly label and identify on plans fire-resistive corridors, exit enclosures, exit passageways, horizontal exits, occupancy separation walls and floors, fire resistive shafts, and fire walls, along with their fire-resistive ratings as applicable.
42. FIRE AND SMOKE PROTECTION FEATURES: Show materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent

spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

43. ACCESSIBILITY: Provide compliance with accessibility per CBC Chapter 11B. Provide an analysis for the minimum required units and parking spaces. Label the accessible units/parking spaces.
44. REQUIRED PLANS AND PERMIT(S): In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, and grading plans as required. No deferred submittal. Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

Design and Historic Preservation

45. A Master Sign Plan shall be required when six or more permanent non-exempt signs are proposed for a single use.

Department of Transportation

46. Street Design Guidelines: Pursuant to the adopted Street Design Guide, the applicant shall comply with the following:
 - The existing Boylston Street sidewalk width is 12' wide and shall be maintained.
 - The existing Lake Avenue sidewalk width is 12' wide and shall be maintained.
 - Reconstruct the southeast corner of Lake Avenue at Boylston Street with a 15' curb radius ADA compliant directional ramp per Public Works standards. Striping, signal work, and/or poles/utility relocations may be necessary.
47. Traffic Signal: Based on the traffic signal warrant analysis submitted by the applicant, and to better manage anticipated traffic at this location, the project shall plan, design, and construct a traffic signal at the Lake Avenue at Boylston Street intersection per Department of Public Works and Transportation review and approval. The traffic signal shall be fully operational prior to the issuance of the Certificate of Occupancy.
48. Traffic Circulation: Based on the queuing analyses submitted by the applicant and staff observation at a local Chick-fil-a restaurant, the project shall provide on-site drive-thru queuing space to accommodate a minimum 25 vehicles starting from the Lake Avenue driveway.
49. On-site Traffic Operations: The development shall have designated staff to provide on-site operations to control and monitor the traffic in and out of the development to prevent queuing conflicts onto public right-of-way, neighboring businesses, and bus operations. Restaurant staff shall discourage motorists from blocking the adjacent public streets and driveways to access the development. DOT reserves the right to re-evaluate the traffic operations of this development and recommend improvements to the on-site traffic operations after construction.
50. On-street striping: The project shall restripe the northbound left turn lane at the Lake Avenue at Boylston Street intersection to accommodate a 40' long left turn pocket. Please contact DOT for more information related to the plan approval and construction permitting process to satisfy this condition.

51. Transit: All existing bus zones and transit amenities shall remain in place and protected during and after construction. The 100' long bus zone shall be maintained. Tree wells, street lights, fire hydrants and other items shall not be placed in the public right of way within bus zone(s). In order to maintain the transit route schedule, the proposed project shall not interfere in any way with transit operations, including the effective loading and unloading of transit passengers on Lake Avenue.

The existing Pasadena Transit bus route sign shall be relocated from the existing light pole to the existing pedestrian crossing sign post to the satisfaction of the DOT inspector prior to the issuance of the Certificate of Occupancy. The existing yield to pedestrian crossing sign shall be removed and returned to DOT.

52. Entry Gate(s): The current plans do not show gates at the driveways. Further review will be required if parking lot entry gates are proposed.

53. Loading: Any project loading/unloading spaces shall be on-site. DOT will not install a loading zone for project use along the project frontage.

54. Construction Staging & Traffic Management: Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging & Traffic Management Plan to the Department of Public Works for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, parking space relocation agreements, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site.

55. Traffic Impact Fee: The Traffic Reduction and Transportation Improvement Fee (Ordinance No. 7076) will apply to all net new retail development square feet.

Fire Department

56. Minimum Fire Flow/Fire Hydrants: All structures shall have the minimum fire flow (GPM) required by Appendix-B and the quantity and spacing of fire hydrants as required by Appendix-C of Title 24, Part 9, California Fire Code.

57. Automatic Fire Sprinkler System: The structure shall be provided with a fully automatic fire sprinkler. Shop drawings are to be submitted by contractor for review and approval prior to construction. PMC, CFC Chapter 9.

58. Fire Department Fire Sprinkler Connections: Shall be comprised of:

- FDC shall be located a minimum of 25-feet from the building and within 100-feet of a public fire hydrant.
- (4) 2-1/2" clappered internal swivel outlet X 6" FDC.
- A clear dimension of 3-feet shall be maintained around the perimeter of each fire department appliance.
- Approved protective vehicle bollards are to be installed when fire appliances are subjected to physical damage.
- All fire appliances except for fire hydrants shall be cleaned, primed, and painted fire engine red enamel or Krylon

59. Knox Box: All access gates across roadways or entrances to facilities shall fail unlocked/open in the event of any loss of power. All access gates and main entrance doors shall have a Knox Box or Knox Control Key Switch installed. Obtain Knox Box Applications from the Pasadena Fire Department Permit Desk.

Health Department

60. Plan submittal to the Health Department will be required for the construction of a food facility. All food and beverage facilities must comply with PMC 8.12 and the California Retail Food Code. Please refer to the Plan Check Construction Guidelines; this document provides an overview of the plan check process and an outline of the structural requirements that the California Retail Food Code requires for all retail food facilities.
61. Food facilities shall adhere to the regulations established in the Tobacco Use Prevention Ordinance (PMC 8.78). Smoking in outdoor public areas is prohibited throughout the City of Pasadena. Refer to the following link for more information: 8.78.071 – Prohibition of smoking in certain outdoor public places.

Public Works Department

62. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall verify, and reconstruct if necessary, a standard curb ramp at the southeast corner of Lake Avenue and Boylston Street per Caltrans Standard A88A or City of Pasadena Standard S-414. The curb ramp construction shall be completed prior to the issuance of Certificate of Occupancy. A separate permit from the Department of Public Works is required for all construction in the public right-of-way. Please contact 626-744-4195 for the general process.

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

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

63. No utility/service connections on Lake Avenue. All excavations for utility connections/services for the development shall be limited to Boylston Street. Boylston Street restoration fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. All street restoration shall be completed prior to the issuance of Certificate of Occupancy.
64. The proposed development shall connect to the public sewer with a new six-inch diameter house sewer laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer “means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer.” The section of house sewer within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.
65. The applicant shall construct a new tree well and plant (1) Brisbane box tree, *Lophostemon confertus*, the officially designated street tree per the City’s approved Master Street Tree Plan on the Boylston Street frontage of the subject property. The Department of Public Works will confirm eligible planting site.
66. Trees planted by the applicant must meet the City’s tree stock standards, be inspected by the City, and be planted according to the details provided by the Parks and Natural Resources (PNR) Division. Planting shall include the installation of the following per tree: no less than two tree stakes; one arbor guard; and the use of slow-release fertilizer tablets. The applicant shall contact PNR (626-744-3880) for tree planting approval, a minimum of two (2) months, prior to the issuance of a Certificate of Occupancy.
67. Trees planted by the applicant must be irrigated by either an existing or a new irrigation system constructed by the applicant. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to PNR for review and approval. Irrigation facilities (main line, valve, pull box, timer, etc.) must be constructed within private property with the exception of the laterals and bubblers. The lateral shall be a minimum of 18” deep, and no above-ground structures are allowed.
68. Prior to issuance of the Certificate of Occupancy, the applicant shall submit a Tree Guarantee Deposit equal to the cost of all new trees planted to guarantee that newly planted trees are maintained by the applicant for a minimum of three calendar years. Tree maintenance during this period shall include the following: watering no less than once a week; weed removal; reconstruction of tree wells as needed; re-staking as needed; adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth. The applicant shall replace any newly planted trees which, for any reason, die or whose health is compromised, within the applicant’s three-year establishment period. The three-year tree establishment period shall commence on the day that the Certificate of Occupancy is issued. PNR shall inspect all trees planted by the applicant at the end of the three-year establishment period, and if the trees are found to be in good health, the applicant’s deposit will be released. If the trees are found to be in poor health, the establishment period may be extended by PNR and the applicant’s deposit shall be held accordingly. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.

69. To protect existing City trees during construction, the applicant shall fully conformed to the Tree Protection Guidelines signed by the City Manager. The full guidelines is available at the following link:

<https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>

70. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree.

The applicant is prohibited from the following within a designated TPZ: construction vehicle access, construction vehicle operation, staging of materials, and trenching without the consent of the Department of Public Works.

The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

71. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance.

72. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 6' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.

73. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.

74. Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public tree(s) along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and the health of the tree(s) was critically compromised requiring its removal, the applicant shall be liable for the following costs: assessed value of tree determined by a PNR Arborist using a

current ISA assessment methodology; the removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.

75. Prior to issuance of any permit, a deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
76. The applicant shall re-paint one (1) existing metal post-top street light pole along the Lake Avenue frontage of the subject property in a manner acceptable to the Department of Public Works. The cost of the street light pole restoration and painting is the applicant's responsibility.
77. The existing safety lights at the intersection of Lake Avenue and Boylston Street are substandard. To improve safety at the existing uncontrolled pedestrian crossing, the applicant shall upgrade four (4) existing high-mast safety lights with new LEDs (2 - 120W LEDs and 2 - 214W LEDs) to meet current City design standard. The upgrade shall include but not limited to new LED lights, conductors, fuse, photo cell, and miscellaneous related parts.
78. The existing street lighting along the development frontages is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate the existing street lighting, on the following frontage of the subject property per the City requirements and current standards:
 - a. Two (2) existing street lights on Lake Avenue frontage
 - b. One (1) existing street light on Boylston Street frontageThe renovation shall include but not limited to new LED lights, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and miscellaneous related parts.

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

79. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>. A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation

requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

In addition, prior to the start of construction or issuance of any permits, the applicant shall conduct a field meeting with an inspector from the Department of Public Works for review and approval of construction staging, parking, delivery and storage of materials, final sign-off procedure, and any of the specifics that will affect the public right-of-way. An appointment can be arranged by calling 626-744-4195.

80. In order to ensure that the developer maintains a clean and safe site during the construction phase of development, the applicant shall place a \$10,000 refundable deposit with the Department of Public Works prior to the issuance of any permit. This deposit is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/ resurfacing, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control.

All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met.

In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:

- Sidewalk Ordinance - Chapter 12.04
- Sewer Facility Charge – Chapter 4.53
- Residential Impact Fee – Chapter 4.17
- City Trees and Tree Protection Ordinance - Chapter 8.52
- Construction and Demolition Waste Ordinance - Chapter 8.62
- Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100

Water and Power – Water Division

81. Water Division Requirements:

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

Applicant or Customer prior to construction.’ The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.

82. Cross Connection Requirements for Domestic Services:

- All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
- There shall be no taps between the meter and the backflow assembly.
- The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
- The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.
- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$180.94 will be charged for each backflow prevention assembly installed.

83. Cross Connection Requirements for Fire Service:

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

Option 1: *Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.*

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.

- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

Option 2: *Detector meter located in a vault* within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

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

84. All Other Cross Connection Requirements:

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

85. Fire Flow and Fire Hydrants:

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

There are three fire hydrants in close proximity to the project site:

- Fire hydrant 614-28 is located on the west curb of Lake Avenue, approximately 120 feet south of the intersection of Lake Avenue and Boylston Street.
- Fire hydrant 614-7 is located on the northeast corner of Lake Avenue and Boylston Street.
- Fire hydrant 614-25 is located on the west curb of Lake Avenue, approximately 80 feet north of the intersection of Lake Avenue and Boylston Street.

There are no current fire flow tests available for this hydrant. If you would like to request a fire flow test, please contact Linette Vasquez at (626) 744-7064.

Fire Hydrant Details:

