

**MINUTES  
HEARING OFFICER  
FEBRUARY 7, 2018**

**HEARING OFFICER**

Public Meeting 6:00 P.M.  
175 North Garfield Avenue  
Permit Center Hearing Room, 1<sup>st</sup> Floor  
Meeting Started: 6:00 P.M.  
Meeting Adjourned: 6:45 P.M.

1. ROLL CALL AND READING OF PROCEDURES
2. PUBLIC HEARINGS

**REGULAR CASES**

**A. MODIFICATION TO CUP #753: 225 Grandview Avenue – Council District #1**

Modification to Conditional Use Permit: The applicant, Grandview Foundation, Inc., has submitted an application for a Modification to Conditional Use Permit #753 to legalize five 120 square-foot structures in the rear yard of the existing General Residential Care Facility (Grandview Foundation). The structures would be used to provide a confidential setting where the facility staff could meet with the patients for one-on-one treatment. The number of patients (maximum of 20) and staff is not increasing with this request. The expansion of an existing General Residential Care Facility requires the review and approval of a Modification to the Conditional Use Permit.

**Staff Recommendation:**

- 1) Find that this project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, (Class 1, Existing Facilities); and
- 2) Approve the Modification to Conditional Use Permit with conditions.

**PRESENTATION BY: Beilin Yu**

<b>APPROVED WITH CONDITIONS</b>
<b>APPEAL DATE: 2/20/2018</b>
<b>EFFECTIVE DATE: 2/21/2018</b>
<b><u>SPEAKERS</u></b>
<b>APPLICANT: Lindy Carl</b>
<b>IN FAVOR: Casey Lobes, Janet Whalin,</b>
<b>IN OPPOSITION:</b>
<b>REBUTTAL:</b>

**ATTACHMENT B  
CONDITIONS OF APPROVAL FOR MODIFICATION OF CONDITIONAL USE PERMIT #753**

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

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Received at Hearing "February 7, 2018", except as modified herein.
2. These conditions of approval supersede all previous conditions of approval for Conditional Use Permit #753.
3. The approval of this application authorizes five detached 120 square-foot structures to be located in the rear yard of the existing addiction recovery facility.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.

5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The proposed project, Activity Number PLN2016-00409, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. In addition, the project requires Condition Mitigation Monitoring. Contact the Planning Case Manager, Beilin Yu at (626) 744-6726 to schedule an inspection appointment time.

#### Planning Division

8. The structures shall not be used for sleeping quarters or converted to a residential use. The structures shall be used as meeting space for staff and patients.
9. The facility shall have a maximum of 20 residents. The applicant shall submit a copy of the license issued by the State of California, Department of Health Care Services, stating that the total capacity for the facility is 20 residents.
10. The facility shall operate in compliance with applicable local and state regulations at all times including the Pasadena Municipal Code and Zoning Code.
11. The total square footage of the structures in the rear shall not exceed 600 square feet.
12. All structures shall maintain a minimum of 6'-0" separation from another structure, and the separation shall be clear of any obstructions.
13. The applicant shall obtain the appropriate permits (building, electrical, etc) for the structures.
14. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
15. The facility shall comply with the standards of the City's Noise Ordinance (P.M.C. Chapter 9.36).

#### Building and Safety Division

16. Governing Codes: Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review. The current edition is the 2016 series effective January 1, 2017 until December 31, 2019.
17. Soils Report: Soils report is required for the project.  
  
Complete plans to include architectural, structural, T-24, PME
18. Grading: If greater than 50 cubic yards (excluding excavation for building foundation), grading/drainage plans shall be prepared by a registered engineer. Grading shall conform to the provisions of Chapter 14.05 of the City's Municipal Code.
19. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Group(s), Type of Construction, and Height & Area Increases.
20. Means of Egress (Exiting): Provide Occupant Load Calculations for all areas, and provide an "Exit Plan". Identify exit separation and travel distance.

21. California Disabled Access Requirements: Project shall be accessible to the disabled in accordance with Chapter 11B of the CBC.
22. Permit(s): Separate permits are required for demolition, new building structure, fire sprinkler (if required), mechanical, electrical, and plumbing.

Public Works Department

23. ~~Sidewalk Ordinance – Chapter 12.04 of the Pasadena Municipal Code (PMC)~~  
In accordance with Section 12.04.035, entitled “Abandoned Driveways” of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property in accordance with Section 12.04.031, entitled “Inspection required for Permit Clearance” of the PMC. **MODIFIED BY THE HEARING OFFICER**
24. ~~City Trees and Tree Protection Ordinance – Chapter 8.52 of the PMC~~  
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the approval of the Urban Forestry Advisory Committee. **MODIFIED BY THE HEARING OFFICER**
25. ~~Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC~~  
The applicant shall submit the following plan and form which can be obtained from the Permit Center’s webpage at <http://cityofpasadena.net/PublicWorks/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
  - a. ~~C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.~~
  - b. ~~Summary Report with documentation must be submitted prior to final inspection.~~

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project. **MODIFIED BY THE HEARING OFFICER**

**MODIFIED CONDITIONS – ATTACHMENT B – PUBLIC WORKS**

23. Sewer Facility Charge - Chapter 4.53 of the PMC  
The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
24. Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled “Abandoned Driveways” of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of

Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

25. City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC

The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to [http://www.cityofpasadena.net/PublicWorks/Pasadena\\_Tree\\_Protection\\_Ordinance/](http://www.cityofpasadena.net/PublicWorks/Pasadena_Tree_Protection_Ordinance/) for guidelines and requirements for tree protection.

**HEARING OFFICER ACTION:** The Hearing Officer decided to adopt the Environmental Determination and Findings recommended by Staff and **approve** the application with the modified conditions #23, 24 and 25 listed in Attachment B and the Site Plan in Attachment C.

**CUP #6613: 61 S. Fair Oaks Avenue**

**B. CUP#6613: 61 S. Fair Oaks Ave – Council District #6**

Conditional Use Permit: To allow for the on-site sale and consumption of a full line of alcoholic beverages in conjunction with the operation of a 5,549 square-foot restaurant (Beer and Claw). A restaurant use is permitted by right in the Central District; however, the sale of alcoholic beverages in conjunction with a restaurant use is subject to approval of a Conditional Use Permit.

**Staff Recommendation:**

- 1) Find the project to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and
- 2) Approve the Conditional Use Permit with conditions.

Case Manager: Jamie Peltier

**HEARING OFFICER WAIVED STAFF PRESENTATION**

<b>APPROVED WITH CONDITIONS</b>
<b>APPEAL DATE: 2/20/2018</b>
<b>EFFECTIVE DATE: 2/21/2018</b>
<b><u>SPEAKERS</u></b>
<b>APPLICANT: Brett Engstrom</b>
<b>IN FAVOR: Caline Carry</b>
<b>IN OPPOSITION:</b>

**HEARING OFFICER ACTION:** The Hearing Officer decided to adopt the Environmental Determination and Findings recommended by Staff and **approve** the application with the Conditions listed in Attachment B and the Site Plan in Attachment C.

**HDP #6532: 1732 Kaweah Drive**

**C. HDP #6532: 1732 Kaweah Drive – Council District #6**

Hillside Development Permit: To allow an 848-square-foot second-story addition to an existing one-story, 1,500-square-foot dwelling with attached, 397-square-foot two-car garage.

**Staff Recommendation:**

- 1) Find the project to be exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15301 (Class 1: Existing Facilities) and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and
- 2) Approve the Hillside Development Permit with conditions.

Case Manager: Jason Van Patten

**PRESENTATION BY: Jason Van Patten**

<b>APPROVED WITH CONDITIONS</b>
<b>APPEAL DATE: 2/20/2018</b>
<b>EFFECTIVE DATE: 2/21/2018</b>
<b><u>SPEAKERS</u></b>
<b>APPLICANT: Alex Campos, Christian</b>
<b>IN FAVOR:</b>
<b>IN OPPOSITION: Mr. Mc Quire</b>
<b>REBUTTAL: Christian</b>

**HEARING OFFICER ACTION:** The Hearing Officer decided to adopt the Environmental Determination and Findings recommended by Staff and **approve** the application with the Conditions listed in Attachment B and the Site Plan in Attachment C.

**AHCP #11860: 747 E. Green Street**

**D. AHCP #11860: 747 E. Green Street -- Council District #7**

Affordable Housing Concession Permit: A request for two affordable housing concessions to facilitate construction of a new 83,801 square-foot, four- to seven-story, mixed-used building containing 72 residential units (including six "very low income" units), 5,345 square feet of commercial space, and 173 parking spaces in a subterranean garage. An existing 22,736 square-foot, 4-story, office building located on the subject site at the northeast corner of Green Street and Oak Knoll Avenue would remain. The applicant is requesting the following two Affordable Housing Concessions:

1. To allow the proposed building to exceed the maximum allowed floor area ratio. Pursuant to Section 17.30.040 (Figure 3-9) of the City of Pasadena Zoning Code, the maximum allowed floor area ratio is 3.0 for the northern 6,319 square-feet of the site and 2.0 for the remainder of the site. The applicant is requesting to increase the floor area ratio to 3.0 across the entire site; and
2. To allow the proposed building to exceed the maximum allowed height. Pursuant to Section 17.30.040 (Figure 3-8) of the City of Pasadena Zoning Code, the maximum building height allowed for the site is as follows: 75-feet for the northern 6,319 square-feet of the site (90 foot maximum building height could be achieved utilizing height averaging); 50-feet for the middle 16,647 square-feet of the site (65 foot maximum building height could be achieved utilizing height averaging); and 35-feet for the southern 12,576 square-feet of the site. The applicant is requesting a maximum building height of 87-feet and 9-inches in the northern portion of the site, 77-feet and 8-inches in the middle portion of the site, and 65-feet and 8-inches in the southern portion of the site.

**Staff Recommendation:**

- 1) Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15332 (Class 32: In-fill Development Projects), and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances; and
- 2) Approve the Affordable Housing Concession Permit with conditions.

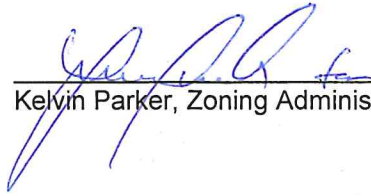
Case Manager: Talyn Mirzakhania

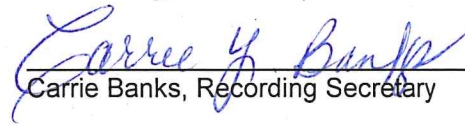
**HEARING OFFICER WAIVED STAFF PRESENTATION**

<b>APPROVED WITH CONDITIONS</b>
<b>APPEAL DATE: 2/20/2018</b>
<b>EFFECTIVE DATE: 2/21/2018</b>
<b><u>SPEAKERS</u></b>
<b>APPLICANT: Burke Farrar, Rob Tyler</b>
<b>IN FAVOR:</b>
<b>IN OPPOSITION: speaker didn't give name</b>
<b>REBUTTAL: Burke Farrar</b>

**HEARING OFFICER ACTION:** The Hearing Officer decided to adopt the Environmental Determination and Findings recommended by Staff and **approve** the application with the Conditions listed in Attachment B and the Site Plan in Attachment C.

**3. ADJOURNMENT**

  
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Kelvin Parker, Zoning Administrator

  
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Carrie Banks, Recording Secretary