



**PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF REPORT**

**DATE:** September 13, 2018

**TO:** Hearing Officer

**SUBJECT:** Tentative Tract Map #74796

**LOCATION:** 289 North El Molino Avenue

**APPLICANT:** SummerHill Apartment Communities

**ZONING DESIGNATION:** CD-3 (Central District Specific Plan)

**GENERAL PLAN DESIGNATION:** Urban Housing (0-87 dwelling units/acre)

**CASE PLANNER:** Beilin Yu

**STAFF RECOMMENDATION:** Acknowledge the Environmental Determination and adopt the Specific Findings in Attachment A to **approve** Tentative Tract Map #74796 with the attached conditions in Attachment B.

---

**PROJECT PROPOSAL:** Tentative Tract Map: To allow the creation of 105 air parcels for residential condominium purposes on one land lot.

**ENVIRONMENTAL DETERMINATION:** An Initial Study with a Mitigated Negative Declaration was approved in conjunction with Affordable Housing Concession Permit #11801 by the Hearing Officer at a public hearing on October 21, 2015. The Initial Study determined that the project will have less than significant environmental impacts with the incorporation of the proposed Mitigation Measures. The proposed Tentative Tract Map application will not result in any new environmental impacts.

It has further been determined that there has been no change to the project or substantial changes in circumstances or new information that would warrant

subsequent environmental analysis in accordance with CEQA related to the proposed Tentative Tract Map application that necessitate further environmental review.

**BACKGROUND:**

**Site characteristics:** The site is a squared-shaped lot measuring approximately 42,710 square feet, located on the southwest corner of El Molino Avenue and Corson Street. A new project consisting of 105 new residential units is currently under construction.

**Adjacent Uses:** North – I-210 Freeway  
South – Single-Family Residential  
East – Multi-Family Residential  
West – Multi-Family Residential

**Adjacent Zoning:** North – PS (Public/Semi Public)  
South – CD-3 (Central District Specific Plan, Walnut Housing Sub-district)  
East – CD-3 (Central District Specific Plan, Walnut Housing Sub-district)  
West – CD-3 (Central District Specific Plan, Walnut Housing Sub-district)

**Previous zoning cases on this property:** AHCP #11801 – To allow the construction of a new 105-unit, six-story multi-family residential building. The maximum permitted density on the subject property is 85 units; however, the project proposed to utilize density bonus for a total of 105 units, a 23.5 percent increase. The following entitlements were requested:

- 1) Affordable Housing Concession Permit to increase the maximum allowable floor area ratio (FAR) from 2.25 to 2.86.
- 2) Affordable Housing Concession Permit to exceed the 60-foot height limit to a maximum height of 75-feet on 55 percent of the proposed building's footprint.
- 3) Minor Variance to reduce the minimum required 10-foot setback along Corson Street to 3-feet.

Approved on 10/21/2015

**PROJECT DESCRIPTION:**

The applicant, SummerHill Apartment Communities, has filed a Tentative Tract Map application to create 105 air parcels on one land lot for residential condominium purposes. The project, which involves the construction of a six-story multi-family structure with 105 residential units, over one level of subterranean parking, received approval of an Affordable Housing Concession Permit by

the Hearing Officer on October 21, 2015. The Affordable Housing Concession Permit allowed two concessions from the development standards: to increase the maximum allowable floor area ratio (FAR) from 2.25 to 2.86, and to exceed the 60-foot height limit to a maximum height of 75-feet on 55 percent of the proposed building's footprint. The project also received approval of a Minor Variance to reduce the minimum required 10-foot setback along Corson Street to 3-feet. The proposed project also received Final Design Review approval on September 13, 2016. This application is for the creation of air parcels only; no changes to the project are proposed as part of the current application.

## **ANALYSIS:**

The property is located within the CD-3 (Central District Specific Plan, Walnut Housing Subdistrict) zoning district, where multi-family residential is a permitted use. The maximum permitted density is 87 units per acre, or 85 units for the subject 42,710 square foot lot. Because the project, as approved, provides 11 percent of the allowed based units (i.e. nine units) as very low income units, the project was entitled for a 35 percent density bonus (i.e. 30 units), for a total of 115 dwelling units. As such, the proposed 105 units are within the allowable density.

As stated earlier, the project received approval of an AHCP by the Hearing Officer. During this review, staff determined that the project satisfied all the general requirements of the CD-3 development standards (e.g. open space, setbacks, height, parking and density) of the Zoning Code as it relates to multi-family development. The project has also been reviewed by Design and Historic Preservation staff through the Design Review process. On September 13, 2016, the City's Design Commission found that the design of the project complies with the Citywide Design Principles in the Land Use Element of the General Plan and the architectural standards for multi-family housing, and approved the application.

The City's Department of Transportation, Public Works Department, Housing Department, Water Division, and Power division have reviewed the proposal. AT&T California has also reviewed the current application. The AT&T California, Department of Public Works, Housing Department, and Water Division provided comments and their recommended conditions of approval have been included in Attachment B of this staff report.

### Tenant Protection Ordinance

This is a project to create 105 new residential air parcels in conjunction with new construction. Prior to the commencement of the construction of the new multi-family structure, the site was developed with two buildings serving a church use and surface parking lot, all of which were demolished as part of the project. Because the site did not contain any residential dwelling units, this project is not subject to the Tenant Protection Ordinance requirements.

### Inclusionary Housing

Chapter 17.42.010 of the Zoning Code applies to projects with 10 or more new dwelling units, such as this 105 unit development. These standards and procedures are intended to encourage the development and availability of affordable housing by ensuring that the addition of affordable housing units to the City's housing stock is in proportion to the overall increase in new housing units by requiring that at least 15 percent of the units to be constructed be restricted as affordable for-rent housing for very low income households. If an applicant does not wish to construct the required inclusionary units on-site, Section 17.42.050 permits the applicant to pay a one-time 'in lieu' fee which will be used to fund future affordable housing projects.

For this project, the applicant intends to provide nine (9) very low income rental units per the Inclusionary Housing/Density Bonus Agreement, dated April 18, 2017 and recorded on April 25, 2017.

**PRIVATE/PUBLIC TREE DETERMINATION:**

No protected trees will be removed as part of the proposed project.

**GENERAL PLAN CONSISTENCY:**

The proposed density of the Tentative Tract Map is above the maximum density allowed for the Urban Housing (0-87 dwelling units/acre) designation under the General Plan. However because the project is providing very low income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the size and character of other residential lots in the vicinity of the site. The Tentative Tract Map is also consistent with the following General Plan Policies: Policy 1.2 (Targeted Growth), Policy 31.3 (Del Mar, Memorial Park and Lake Transit Villages), and Policy 31.9 (Housing Choice). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena families. The project will concentrate higher intensity multi-family housing use and support Metro Gold Line Ridership, while constructing infill housing away from Pasadena's residential neighborhood and open space, by redeveloping an underutilized property within the Central District.

The property is located within the CD-3 - Walnut Housing subdistrict of the Central District Specific Plan, which is intended to promote the development of a high-density residential area north of Colorado Boulevard and in close proximity to the Lake Avenue Light Rail Station. The proposed project would construct 105 units, including nine very low income units, on the southwest corner of Corson Street and El Molino Avenue, which is located approximately 0.3 miles from the Lake Avenue Light Rail Station.

**ENVIRONMENTAL REVIEW:**

An Initial Study with a Mitigated Negative Declaration was approved in conjunction with Affordable Housing Concession Permit #11801 by the Hearing Officer at a public hearing on October 21, 2015. The Initial Study determined that the project will have less than significant environmental impacts with the incorporation of the proposed Mitigation Measures. The proposed Tentative Tract Map application will not result in any new environmental impacts.

It has further been determined that there has been no change to the project or substantial changes in circumstances or new information that would warrant subsequent environmental analysis in accordance with CEQA related to the proposed Tentative Tract Map application that necessitate further environmental review.

**CONCLUSION:**

The Tentative Tract Map would create 105 air parcels on one land lot for residential condominium purposes. The proposal is consistent with the land use policies of the General Plan, and is also in compliance with most of the "Urban Housing" development standards for multi-family projects as established in the Zoning Code with the exception of the approved concessions. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

Attachments:

Attachment A: Specific Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR TENTATIVE TRACT MAP #74796**

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The proposed density of the Tentative Tract Map is above the maximum density allowed for Urban Housing (0-87 units/acre) designation under the General Plan, however because the project is providing very low-income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the size and character of other residential lots in the vicinity of the site. The Tentative Tract Map is also consistent with the following General Plan Policies: Policy 1.2 (Targeted Growth), Policy 31.3 (Del Mar, Memorial Park and Lake Transit Villages), and Policy 31.9 (Housing Choice). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena families. The project will concentrate higher intensity multi-family housing use and support Metro Gold Line Ridership, while constructing infill housing away from Pasadena's residential neighborhood and open space, by redeveloping an underutilized property within the Central District. .
  
2. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The property and surrounding area is in an urbanized area and is developed with residential and commercial uses. The project has been reviewed in compliance with the California Environmental Quality Act. An Initial Study with a Mitigated Negative Declaration was approved in conjunction with Affordable Housing Concession Permit #11801 by the Hearing Officer at a public hearing on October 21, 2015. The Initial Study determined that the project will have less than significant environmental impacts with the incorporation of the proposed Mitigation Measures. The proposed Tentative Tract Map application will not result in any new environmental impacts.
  
3. *The design or improvements of the proposed subdivision is consistent with applicable general and specific plans.* The proposed density of the development is above the maximum density allowed for the Urban Housing (0-87 dwelling units/acre) under the General Plan. However because the project is providing very low income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the size and character of other residential lots in the vicinity of the site. The Tentative Tract Map is also consistent with the following General Plan Policies: Policy 1.2 (Targeted Growth), Policy 31.3 (Del Mar, Memorial Park and Lake Transit Villages), and Policy 31.9 (Housing Choice). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena families. The project will concentrate higher intensity multi-family housing use and support Metro Gold Line Ridership, while constructing infill housing away from Pasadena's residential neighborhood and open space, by redeveloping an underutilized property within the Central District.

The property is located within the CD-3 - Walnut Housing subdistrict of the Central District Specific Plan, which is intended to promote the development of a high-density residential area north of Colorado Boulevard and in close proximity to the Lake Avenue Light Rail Station. The proposed project will construct 105 units, including nine very low income units, on the southwest corner of Corson Street and El Molino Avenue, which is located approximately 0.3 miles from the Lake Avenue Light Rail Station, consistent with the vision of the Specific Plan.

4. *The site is physically suitable for the type of development.* The site is a corner rectangular-shaped lot without unique topographical features. As such, the site is similar in size and topography to other lots in the vicinity that are developed with similar uses.
5. *The site is physically suitable for the proposed density of development.* The proposed development complies with most of the required development standards, except for the corner side yard setback along Corson Street. Although the proposed project is above the maximum density allowed for Urban Housing (0-87 units/acre) designation under the General Plan, because the project is providing very low income units, the project is entitled to a density bonus. With the density bonus allowance, the project is consistent with the density permitted under the Density Bonus provisions of the City's Zoning Code.
6. *The design of the subdivision or the proposed improvements is not likely to cause serious health problems.* The subdivision is compatible with existing residential land uses in the vicinity. An Initial Study with a Mitigated Negative Declaration was approved in conjunction with Affordable Housing Concession Permit #11801 by the Hearing Officer at a public hearing on October 21, 2015. The Initial Study determined that the project will have less than significant environmental impacts with the incorporation of the proposed Mitigation Measures. The design of the development was reviewed and approved through the Design Review process, which ensured that the project provides appropriate ventilation, light, and circulation within the development and among other existing developments in the vicinity.
7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.* Easements acquired for the public at large do not traverse the site of the proposed subdivision.
8. *The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.* The proposed project incorporates a 69' by 42' open space area at the southwest corner of the development. Additionally, the application of required residential development standards in the Pasadena Municipal Code result in unpaved areas, which allow for passive or natural heating and cooling to continue on the site.
9. *The discharge of waste from the proposed subdivision into the existing sewer system would not add to or result in violation of existing water quality control standards.* The project will be required to comply with the Building and Safety Division's requirements for drainage, and any required sewer connection will be reviewed to ensure compliance with the applicable City regulations.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP #74796**

The applicant or the successor in interest shall comply with the following conditions:

General

1. The final map to be recorded with the Los Angeles County Recorder shall substantially conform to the Tentative Tract Map submitted with this application and stamped "Approved at Hearing September 13, 2018" except as modified herein.
2. The site plan and floor plan submitted for building permits shall substantially conform to plans submitted and stamped "Approved at Hearing, September 13, 2018", except as modified herein.
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 Section 17.64.040.C of the Zoning Code.
4. The creation of the 105 air parcels for condominium purposes with subterranean parking shall occur substantially as shown on the submitted plans, except as modified herein and shall comply with the applicable land use regulations and development standards of the Pasadena Municipal Code subject to the approval of the Zoning Administrator.
5. All utility substructures shall be located underground if required by the applicable City Departments. However, no subterranean gas meters shall be allowed.
6. The applicant or successor in interest shall comply with the attached conditions of approval from other City Departments.
7. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.

Planning

8. The common area portion of the site shall be maintained and kept in good condition at all times.
9. No overnight parking permits shall be issued to residents of this project.
10. The applicant shall satisfy the requirements of Chapter §17.46 (Parking and Loading) of the Pasadena Municipal Code prior to the issuance of a Building Permit.
11. Areas of the site not covered by structures shall be maintained with landscaping. The applicant shall submit a final landscape and irrigation design plan by a landscape architect. The final landscape and irrigation plan shall meet the requirements of Section 17.44.050 (Landscape Documentation Package) and Section 17.44.060 (Landscape Location Requirements) The landscaped areas shall be maintained in accordance with Chapter 14.50 and Section 17.44.080 (Maintenance of Landscaping) of the Zoning Code.



12. The project is subject to compliance with the State of California Model Water Efficient Landscape Ordinance (MWELo).
13. The loading and unloading on the street of furniture and household goods for residential dwelling units shall be limited to the hours of 9:00 a.m. to 2 p.m. and 7:00 p.m. to 10:00 p.m. on weekdays, and 9:00 a.m. to 10:00 p.m. on weekends.
14. The applicant or successor in interest shall comply with the conditions of the Design Review and Affordable Housing Concession Permit approvals.
15. All proposed signage on the site shall conform to the regulations of the Zoning Code and shall be reviewed and approved by the Zoning Administrator and Design and Historic Preservation staff prior to issuance of any building permits.
16. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
17. All landscape and walkway lighting shall be directed downward to minimize glare.
18. All proposed fencing and/or walls shall comply with Section 17.40.180 of the Zoning Code.
19. Future residents of the development project shall be notified that they are living in an urban area and that the noise levels may be higher than in a typical residential area. The signature of the residents shall confirm receipt and understanding of this information.

#### Public Works Department

20. No Prior to submission of the final tract map to the City for approval, the applicant shall pay a non-refundable flat fee (based on the current General Fee Schedule) to cover the cost of processing the final map. The applicant shall complete all required conditions before City's approval of the final map.

The applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24.060, and furnish to the City a set of field notes that have been recorded with Los Angeles County Department of Public Works. The monuments shall be independently inspected by a third party licensed surveyor; with a certified report submitted to the City.

21. The developer shall adhere to the Department of Public Works conditions of approval under Affordable Housing Concession Permit (AHCP) 11801, dated August 4, 2014 (attached).
22. All public improvements conditioned in the Affordable Housing Concession Permit (AHCP) 11801, dated August 4, 2014, shall be constructed, under valid permits, prior to the processing of the final map, or prior to issuance of Certificate of Occupancy, whichever occurs earlier.

### Housing Department

23. This project is subject to an Inclusionary Housing/Density Bonus Agreement, dated April 18, 2017 and recorded on April 25, 2017. Pursuant to the Agreement, the property owner is required to provide nine (9) affordable, very low income rental units within the 105-unit project.

### AT&T of California

24. AT&T reserves all rights conveyed by any easement or dedication, recorded or unrecorded affecting said property.
25. All precautions must be taken during any construction to protect existing telephone facilities.
26. This Vesting Tentative Map does not relieve the applicant from liability in case of damage to AT&T facilities.
27. In the event that the development relocation of facilities, on the subject property, which facilities exists by right of easement, prescriptive rights or otherwise, the owner/developer will be requested to bear the cost of such relocation and provide pacific Bell Telephone Company, a California Corporation doing business as AT&T California suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.

### Water Division

28. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There are two water mains surrounding this property. There is an 8-inch cast iron water main in Corson Street that was installed under Work Order 5600-226 in 1973, located approximately 3.5 feet north of the north property line of Corson Street. There is a 12-inch cast iron water main in El Molino Avenue that was installed under Work Order 2654 in 1931, located approximately 16 feet east of the east property line of El Molino Avenue.
29. Moratorium: Verify with Public Works Department regarding any street construction moratorium affecting this project.
30. Water Pressure: The approximate water pressure in the area is 80 psi.
31. Water Service: PWP records reflect one 1-inch domestic service (50682), one 6-inch domestic service (50681) and one 6-inch domestic service (50693) serving 289 North El Molino Avenue. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.

### 32. 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.

### 33. Cross Connection Requirements for Domestic Services:

- All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
- There shall be no taps between the meter and the backflow assembly.
- The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
- The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.
- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$194.00 will be charged for each backflow prevention assembly installed.

### 34. 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.

35. 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.

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

There is one fire hydrant in close proximity to the project site. Fire hydrant 417-4 is located on the northeast corner of Green Street and De Lacey Avenue. There is no current fire flow test information for this fire hydrant.

37. Fire Hydrant Details:

