



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** August 7, 2019

**TO:** Hearing Officer

**SUBJECT:** Conditional Use Permit #6649

**LOCATION:** 1813 E. Colorado Boulevard

**APPLICANT:** Fiedler Group, on behalf of Mobil

**ZONING DESIGNATION:** ECSP-CG-4 (East Colorado Specific Plan, Commercial General, Route 66 subdistrict)

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

**CASE PLANNER:** Jennifer Driver

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Conditional Use Permit #6649 with the conditions in Attachment B

---

**PROJECT PROPOSAL:** Conditional Use Permit: To allow for the construction of a new Vehicle Services – Minimum Service Station with eight fuel pumps, a 2,170 square-foot convenience store and a self-service auto wash;  
Conditional Use Permit: To allow the off-site sale of limited alcohol (beer and wine) within the convenience store;  
Conditional Use Permit: To allow a 24-hour a day, seven days a week operation of the Vehicle Service Station;  
Minor Variance: To allow a 28' front yard setback on Colorado Boulevard for the fuel canopy, where the Zoning Code requires 5'; and,  
Minor Variance: To allow a 29' corner side yard setback on Allen Avenue for the fuel canopy, where the Zoning Code requires 5'.

**ENVIRONMENTAL DETERMINATION:** This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities), Section §15302, Class 2 (Replacement or Reconstruction), Section §15303, Class 3 (New Construction or Conversion of Small Structures), and

Section §15332, Class 32 (In-Fill Development Projects) and there are no features that distinguish this project from others in the exempt classes; therefore, there are no unusual circumstances. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will have substantially the same purpose and capacity as the structure replaced. Section 15303 exempts the construction and location of limited numbers of new, small facilities, or structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary services and facilities are available and the surrounding area is not environmentally sensitive. Section 15332 specifically exempts from environmental review in-fill development where: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services. In addition, the project would not cause a substantial adverse change in the significance of a historical resource.

**BACKGROUND:**

**Site characteristics:** The project site is located on the northeast corner of East Colorado Boulevard and North Allen Avenue and consists of one parcel. The approximate 25,509 square-foot corner site is currently improved with a Vehicle Services – Full Service Station with eight fuel pumps under one canopy, a 1,976 square-foot convenience store, two vehicle service repair bays and 38 parking spaces (including eight at the fuel pumps) in a surface parking lot. Existing vehicular access is available from two driveways on Colorado Boulevard and two driveways on Allen Avenue.

**Adjacent Uses:**

|        |                                                                                          |
|--------|------------------------------------------------------------------------------------------|
| North: | Multi-Family Residential                                                                 |
| South: | Commercial (Strip mall with various Retail, Personal Service businesses and Restaurants) |
| East:  | Multi-Family Residential                                                                 |
| West:  | Commercial (Retail)                                                                      |

**Adjacent Zoning:**

|        |                                                                                    |
|--------|------------------------------------------------------------------------------------|
| North: | RM-32-PK (Multi-family Residential, 0-32 units per acre, Parking Overlay District) |
| South: | ECSP-CG-4 (East Colorado Specific Plan, Commercial General, Route 66 subdistrict)  |
| East:  | ECSP-CG-4 (East Colorado Specific Plan, Commercial General, Route 66 subdistrict)  |

West: ECSP-CG-2 (East Colorado Specific Plan, Commercial General, College subdistrict)

**Previous Cases:** CUP 1462: To reconfigure and alter the existing service station fuel pumps. Approved August 1, 1984.

CUP 1360: To expand the area for sale of snack food items in an existing service station. All the improvements were restricted to an area within the existing building. Approved July 20, 1983.

CUP 962: To convert an existing service station to full self-serve and allow for the retail sale of food items. Approved October 20, 1977.

CUP 555: Approved the demolition of an existing service station and the construction of a new service station. Approved October 29, 1970.

### **PROJECT DESCRIPTION:**

The applicant, Fiedler Group on behalf of Mobil, is requesting a Conditional Use Permit to allow the construction and operation of a “Vehicle Services – Minimum Service Station” (Minimum Service Station) within the ECSP-CG-4 (East Colorado Specific Plan, Commercial General, Route 66 subdistrict) zoning district. The site is presently developed as a Vehicle Service – Full Service Station (Full Service Station) use with eight fuel stations in four pump islands under one canopy, a 1,976 square-foot convenience store and two auto repair service bays with 38 parking spaces in a surface parking lot (eight of which are at the fuel pumps). The convenience store has had a Type 20 (Off-Sale Beer and Wine) license from the Alcoholic Beverage Control (ABC) since 1984 and sells beer and wine for off-site consumption. Currently, four driveways provide access to the site, two on Colorado Boulevard and two on Allen Avenue. The fuel islands and canopy are oriented in a north/south direction fronting on Colorado Boulevard. The convenience store and repair bays are in the east center portion of the site.

The applicant proposes to demolish all existing structures and improvements, including the subterranean fuel tanks, to construct a new Minimum Service Station use with a 2,170 square-foot convenience store, a 900 square-foot self-service auto wash, and eight fuel stations in four pump islands under one canopy with 20 parking spaces in a surface parking lot (eight of which are at the fuel pumps). The project proposes to eliminate the southern driveway on Allen Avenue, and to maintain the three other existing driveways (two on Colorado Boulevard and one on Allen Avenue). The fuel islands are proposed in an east/west direction, fronting on Colorado Boulevard. The convenience store and self-serve auto wash will be sited in a similar location as the existing structures. The carwash will have vehicles enter from the north and exit on the south of the structure. In addition, the project includes a request for a Conditional Use Permit to allow the off-site sale of limited alcohol (beer and wine) within the proposed convenience store, a Conditional Use Permit to allow aspects of the use to operate outside the permitted hours of operation and two Minor Variances to deviate from the five-foot front and corner side setback requirement and increase the setback along Colorado Boulevard. The project also includes the relocation of underground storage tanks.

### **ANALYSIS:**

Conditional Use Permit: To allow the establishment of a Vehicle Services - Minimum Service Station land use

The Zoning Code defines a Vehicle Services - Service Station use as “an establishment engaged in the retail sale of vehicle fuel, lubricants, parts and accessories. These uses include service Station with convenience stores, self-service auto washes and facilities having service bays for vehicle service and repair. The service and repair may include incidental maintenance and repair of automobiles and light trucks, but shall not include maintenance and repair of large trucks, or body and fender work or automobile painting on any vehicles.” The Zoning Code further differentiates service station uses as Full Service or Minimum Service Station, where a Full Service is defined as a service station that has one or more service bays, and a Minimum Service Station is a service station that has no service bays onsite.

The existing Full Service Station was established in 1971 and has been in operation for the past 48 years. The applicant is proposing to demolish the existing service station which includes eight fuel stations on four island pumps, under one canopy, configured in a north/south direction, a 1,976 square-foot convenience store, two vehicle service bays and 38 parking spaces in a surface parking lot (includes eight spaces at the fuel stations). The project includes the construction of a new 2,170 square-foot service station with eight fuel stations on four pump islands, under one canopy, configured in an east/west direction, a 2,170 square-foot convenience store and a 900 square-foot self-service auto wash with 20 parking spaces in a surface parking lot (includes eight spaces at the fuel stations). Currently, the existing service station has two service bays and is classified as a Full Service Station land use. With the proposed elimination of the service bays to accommodate the new convenience store and self-service auto wash, the project would be reclassified to a Minimum Service Station land use.

The subject site is located within the East Colorado Specific Plan, Commercial General, Route 66 subdistrict (ECSP-CG-4) zoning district where a Minimum Service Station land use requires the review and approval of a Conditional Use Permit. The Hearing Officer may approve a Conditional Use Permit to allow the establishment of a Minimum Service Station use only after making six findings identified in the Zoning Code. The general purpose is to evaluate compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses. The Conditional Use Permit process allows the City to specify development standards and may result in recommended conditions or requirements associated with the operation of the use.

*Minimum Site Area:*

Section 17.50.290 of the Zoning Code requires a service station to have a minimum lot area of 15,000 square feet, with a minimum 125-foot street frontage. This requirement is not applicable to preexisting service station that are being remodeled or expanded; such as the subject project. Nonetheless, the proposed site has a lot size of 25,590 square feet, has a 135-foot frontage on Colorado Boulevard and a 180-foot frontage along Allen Avenue. As a result, the site complies with the minimum size requirements.

*Floor Area:*

Per Section 17.31.050, Table 3-4 of the Zoning Code, the maximum allowable floor area ratio for the site is 0.80 or 80 percent of the lot size. Based upon the subject's lot size of 25,509 square feet, the maximum allowable floor area is 20,407 square feet. The proposed project includes the

construction of a 2,170 square-foot convenience store and a 900 square-foot carwash, totaling 3,070 square feet of floor area, which is in compliance within the maximum allowable floor area requirement.

*Height:*

Per Section 17.31.050, Table 3-4 of the Zoning Code, the maximum height limit allowed in the ECSP-CG-4 zoning district is 45 feet. The proposed project will have a height of 18'2" for the convenience store and 19' for the fuel canopy. As a result, the project is in compliance with the maximum height limit requirement.

*Setbacks:*

Per Section 17.31.050, Table 3-4 of the Zoning Code, the East Colorado Specific Plan requires that properties in the ECSP-CG-4 zoning district maintain a five-foot fixed setback along a front and corner side yard (Colorado Boulevard and Allen Avenue, respectively). The Specific Plan also requires that this five-foot setback be landscaped. As proposed, the project is requesting to increase the front yard setback to 28 feet along Colorado Boulevard and the corner side yard setback to 29 feet along Allen Avenue, and to include a 10-foot landscaped area along the street perimeter, except where buildings abut a property line and where driveway cuts are located. A Minor Variance is required to deviate from the setback requirement and is discussed further below in the Minor Variance analysis.

A 15-foot setback along a rear or side property line is required when abutting an RS or RM zoning district. Directly to the north is a RM-32-PK zoned property, and a 15-foot rear setback is required. As proposed, the project complies by providing a 34-foot rear setback to the rear of the building. While the property abuts multi-family residential on the east, the adjacent property is not zoned RS or RM and thus no side setback is required, and none is provided.

*Walls:*

Section 17.46.210.B of the Zoning Code requires parking areas for five or more vehicles to be screened from adjoining residential zones or ground floor residential uses by a solid concrete or masonry wall six feet in height. The site abuts a residential zone on its northern boundary and residential uses on its eastern boundary. The site has an existing eight-foot tall masonry wall along both the north and east property lines. The proposed project does not include the removal or modification of the wall adjacent to its parking areas. As a result, the project is in compliance with this requirement.

*Parking:*

Section 17.46.040, Table 4-6 of the Zoning Code requires a Minimum Service Station use to provide one space per 2,000 square feet of lot area; less the footprint of any convenience store; plus 3.3 spaces per 1,000 square feet of convenience store area; plus five queue lane spaces for any self-service auto washes. Fueling positions may count as parking spaces; provided, there are at least three non-fueling position parking spaces.

Based upon the 25,509 square-foot lot size and the proposed 2,170 square-foot convenience store building (net lot size of 23,339 square feet), 12 off-street parking spaces are required for the proposed Minimum Service Station use. In addition, the convenience store requires seven parking spaces. In total, 19 parking spaces are required. As proposed, there would be 20 parking spaces

available on-site, eight of which are fueling position parking spaces and 12 are non-fueling position spaces. Five queuing spaces are provided for the self-service auto wash. The proposed spaces and queuing spaces provided satisfies the minimum parking requirement for the proposed Minimum Service Station use.

*Bicycle Parking:*

Section 17.46.320 of the Zoning Code requires that nonresidential buildings, with less than 15,000 square feet of floor area, provide four, Class 2 bicycle stalls. As proposed, the applicant has provided four parking stalls; however, prior to building permit issuance, information will be provided by the applicant to ensure compliance with the Class 2 bicycle facility requirements.

*Parking Lot Landscaping:*

Section 17.46.230.A of the Zoning Code requires parking lots with more than 150 feet of street frontage, to have a minimum 10-foot wide perimeter landscaped area. Allen Avenue has a street frontage of 180 feet and as a result, a ten-foot landscaped perimeter is required, except when a building abuts an interior property line and as required for vehicular ingress and egress. As proposed, the project is providing a 10-foot landscaped buffer along the north, south and west property lines, except where the existing, three driveways are located. Along the east property line, due to the carwash abutting the property line and the required vehicular ingress and egress to the self-service auto wash and fuel stations, a 10-foot landscape buffer is not required and is not provided for the entirety of the property line.

In addition, Section 17.46.230.B of the Zoning Code requires parking lots with fewer than 100 parking spaces to provide a minimum of 5 percent of the parking lot area as landscaped area. This landscaped area shall not include the landscaped area required as part of the 10-foot landscaped perimeter and shall be distributed throughout the parking lot area. Based upon the net parking lot size of 19,217 square feet (site area less area of convenience store, carwash and 10-foot perimeter landscape buffer), a minimum of 961 square feet of landscape area is required to be provided on site. The landscape plan provided by the applicant indicates that 1,046 square feet of new landscaping would be provided throughout the site for a total of 5.44 percent of the net parking lot area and therefore is in compliance with the minimum amount of landscape area requirement.

As a result, the project is in compliance with the parking lot perimeter and percent landscaping requirements.

*Hours of Operation:*

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

As submitted, the applicant has requested that fuel sales and the convenience store be allowed to remain open 24-hours a day and that the self-service auto wash be allowed to operate 7:00 a.m. to 9:00 p.m. A Conditional Use Permit is required to allow for extended hours of operation for the sale of fuel and the convenience store. The request for extended hours is further analyzed in the Conditional Use Permit: To Allow Extended Hours of Operation section of the report.

*Lighting Plan:*

A lighting plan, in compliance with Section 17.40.080 (Outdoor Lighting) and 17.46.220 (Outdoor Parking Area Lighting) of the Zoning Code, is required to be submitted in conjunction with the processing of a Conditional Use Permit for a service station. These sections of the Zoning Code limit the height of light fixtures, the intensity of illumination and the emittance and shielding of light. Outdoor parking area lighting cannot exceed a maximum height of 18 feet.

The lighting plan submitted by the applicant indicates nine outdoor light poles at no more than 18 feet in height will be installed. In addition, the lighting fixtures used would be designed to confine emitted light to only within the parking area, and the light source would not be visible from outside of the illuminated area. The maximum average illumination at ground level would not exceed three foot-candles, as required for parking lots that are located within a nonresidential zoning district. As recommended as a condition, a final photometric lighting study will be required to be submitted by the applicant, prepared by a registered professional engineer, to indicate that the maximum average illumination of the subject site is below the maximum three foot-candles permitted. The lighting plan, as conditioned, would be in compliance with the outdoor parking area lighting requirements as analyzed above.

*Service Stations, Vehicle Washing, and Detailing Standards:*

Section 17.50.290 of the Zoning Code provides specific standards for the new construction, remodeling, or expansion of a service station, vehicle washing and detailing businesses. Consistent with Section 17.50.290, the project does not provide any mobile recycling trucks or other temporary or nonpermanent structures on site. Ancillary services (e.g., air, water, telephone, and vending machines) are located in an area that does not impede vehicular traffic. The cashier is located within the convenience store and provides a minimum of three pedestrian queue spaces inside for maximum safety purposes for employees and patrons. In addition, outdoor storage of, and sale, lease, or rental of trailers, vehicles, trucks, or similar equipment is not proposed in this application and as conditioned will be prohibited at all times. Further, display racks will be conditioned to be located either at the pump islands or within three feet of the convenience store and be limited to one for reach street frontage. The Zoning Code requires all restroom entrances to be screened from view from adjacent properties or street rights-of-way. The restroom is proposed to be located inside the convenience store and the restroom entrance would not be visible from adjacent properties or public right-of-way views.

*Driveways:*

Table 3-4 in Section 17.31 of the Zoning Code requires that for sites with less than 200 feet in width (street frontage), only one driveway shall be permitted. However, in this case, the existing Full Service Station has two driveway cuts on both Allen Avenue and Colorado Boulevard, both of which are less than 200 feet in width, and are all considered non-conforming. While not necessary to correct the non-conforming driveway configuration, the project voluntarily includes the removal of the southern driveway on Allen Avenue. The Department of Transportation (DOT), in their recommended conditions of approval, is requiring the elimination of one driveway cut on both street frontages, but allowed for a relief of this condition if approved by the Hearing Officer. Furthermore, DOT is recommending that all existing driveways be reconstructed so that they have a width not to exceed 24 feet. The applicant is proposing to maintain the driveway width of 26.7' for the remaining driveway on Allen Avenue and 26' for the eastern driveway on Colorado Boulevard; the existing, to remain, western driveway on Colorado Boulevard is 24'.

*Building Entry and Façade:*

Table 3-4 in Section 17.31 of the Zoning Code requires that for parcels with frontage on Colorado Boulevard, a building or storefront entry shall be oriented to Colorado Boulevard and a minimum of 50 percent of the street facade to a height of eight feet must be a visually transparent window display. As proposed, the convenience store façade facing Colorado Boulevard is comprised of at least 69 percent transparent windows and doors to a height of eight feet. As a result, the proposed building or storefront entry complies with the requirement.

It is staff's assessment that the new Minimum Service Station complies with the applicable development standards, with the exception of the requested Minor Variances, and provisions of the Zoning Code as analyzed above. The findings necessary for the approval of the Conditional Use Permit can be made. The existing service station use has been in operation since 1971 and has provided necessary fuel and services to the surrounding commercial and residential uses. The location and operating characteristics of the proposed convenience store would be similar to the existing convenience store and therefore would continue to be compatible with the surrounding land uses in the vicinity. Therefore, staff is able to make the required findings identified in Attachment A and is recommending the approval of the Conditional Use Permit to allow the construction of a new Minimum Service Station use with the conditions of approval identified in Attachment B.

Conditional Use Permit: To allow the Off-Site Sale of Limited Alcohol (Beer & Wine)

The site is within the ECSP-CG-4 zoning district and is currently utilized as a Full Service Station land use with a convenience store that sells beer and wine for off-site consumption. The applicant has been operating the existing convenience store with a Type 20 License (Off-Sale – Beer and Wine) since December 5, 1984, and proposes to transfer the current license to the new Minimum Service Station. The sale of beer and wine predates the current zoning code requirement for a Conditional Use Permit for alcohol sales. The applicant is proposing to continue selling limited alcohol (beer and wine) for off-site consumption within the new convenience store. The applicant is proposing to reconstruct the convenience store and as a result alter and enlarge the area for the sale of limited alcohol.

Section 17.71.100 of the Zoning Code (Uses Requiring Conditional Use Permits) establishes the procedure for the alteration or enlargement of uses that do not have a Conditional Use Permit, but would require one if newly established. This section requires that a land use legally established without a Conditional Use Permit, where current zoning code provisions require a Conditional Use Permit, shall receive Conditional Use Permit approval prior to alteration or enlargement.

Staff's review of a Conditional Use Permit for alcohol sales entails an analysis of whether the proposed location of off-site sales of limited alcohol (beer and wine) would negatively affect the general welfare of the surrounding property owners, as well as whether the proposed use would result in an aggravation of existing alcohol-related problems such as loitering, public drunkenness, sales to minors, noise, and littering. The Hearing Officer may consider existing calls for police response to make a determination of whether there is an undesirable concentration of alcohol uses in the vicinity of the project site.

*Concentration of Alcohol Sales:*



A Conditional Use Permit application for alcohol sales requires the applicant to identify all uses that sell alcohol for either on-site or off-site consumption within 1,000 feet of the site. There are currently seven existing businesses (including the existing vehicle service station on the subject site) that sell alcoholic beverages within 1,000 feet of the subject site, as indicated in Table 1 below:

**Table 1: Businesses with Liquor Licenses within 1,000 Feet**

| Site | Business Name                       | Address                | License Type                 |
|------|-------------------------------------|------------------------|------------------------------|
| 1    | Mobil Service Station               | 1813 E. Colorado Blvd. | Type 20 Off-Site Beer & Wine |
| 2    | Pizza Press                         | 1655 E. Colorado Blvd. | Type 41 On-Site Beer & Wine  |
| 3    | Fatburger                           | 1705 E. Colorado Blvd. | Type 41 On-Site Beer & Wine  |
| 4    | Kaiba Japanese Ramen, Sushi & Grill | 1713 E. Colorado Blvd. | Type 41 On-Site Beer & Wine  |
| 5    | Lucky Baldwin's                     | 1770 E. Colorado Blvd. | Type 47 On-Site General      |
| 6    | Bowl Market                         | 1848 E. Colorado Blvd. | Type 21 Off-Site General     |
| 7    | Cameron's Seafood                   | 1978 E. Colorado Blvd. | Type 47 On-Site General      |

During the review process for a new off-site sale liquor license, it is also necessary to determine if there is an over concentration in the census tract in which the subject site is located. If it is determined that there would be an overconcentration of off-site sale licenses with the proposed project, the decision maker is required to make a finding of Public Convenience or Necessity. The project site is located within census tract 4627. This census tract extends from North Hill Avenue on the west to North Oak Avenue on the East and from East Orange Grove Boulevard on the North to the East Colorado Boulevard on the South. According to the ABC, a maximum of three off-site sales licenses are allowed in the census tract as a function of the population in the census tract. Currently there are four existing off-site sales licenses within the census tract (Table 2), including the existing vehicle service station on the subject site, which will be transferred to the new station. As no new license is proposed, there is no change in the concentration of off-sale licenses within the census tract and as such, a finding of Public Convenience or Necessity is not required to be made by the Hearing Officer.

In addition, in its' review, staff can consider calls for service to the Police Department in order to

**Table 2: Businesses within Census Tract 4627 with Off-Sale Liquor Licenses**

| Number | Business Name         | Business Address       | ABC License Type            |
|--------|-----------------------|------------------------|-----------------------------|
| 1      | Linda Rosa Market     | 1827 E. Villa St.      | Off-Sale Beer and Wine (20) |
| 2      | Fair Market           | 354 N. Allen Ave.      | Off-Beer and Wine (20)      |
| 3      | M & S Liquor          | 490 N. Allen Ave.      | Off-Sale General(21)        |
| 4      | Mobil Service Station | 1813 E. Colorado Blvd. | Off-Sale Beer and Wine (20) |

assess impacts of the sale of alcohol for off-site consumption. As reported by the Pasadena Police Department, the existing Full Service Station with convenience store and ancillary off-site sale of limited alcohol solicited only 13 calls for service during the past 12 months and thus is not considered a problematic use. The Police Department has reported that they have no concerns with the continued sale of limited alcohol on the subject site for off-site consumption.

*Proximity to Sensitive Uses:*

The subject site located on the northeast corner of North Allen Avenue and East Colorado Boulevard is not located within immediate proximity of a sensitive use such as parks, playgrounds, or schools. The nearest public park, Grant Park, is approximately three-quarters of a mile southwest of the site. The nearest primary school, International School of Los Angeles/Lyceum International, is located 1,800 feet west of the subject site. Pasadena Community College is approximately 900 feet to the west. The nearest religious facilities are approximately 1,400 feet to the south (Rose City Church and Buddhanimitt Temple). No single-family development is nearby but multi-family residential uses are located adjacent to the north and east of the subject site.

It is staff's assessment that the adjacent residential uses would not be impacted by the off-site sale of limited alcohol because of recommended conditions and because the purchase of alcoholic beverages in sealed containers would be for off-site consumption only and the onsite consumption of alcoholic beverage would be strictly prohibited at all times.

*Hours of Beer and Wine Sales:*

Currently, the applicant sells alcohol from 6:00 a.m. and 2:00 a.m. After construction of the new service station and convenience store, the applicant is proposing to continue selling alcohol from 6:00 a.m. and 2:00 a.m. The subject site abuts multi-family uses to the east and north and it is possible that patrons of the service station will loiter in the parking lot during early morning hours and late hours resulting in potential negative impact to the adjacent residential uses. The sale of alcohol until 2:00 a.m., as is requested, may compound this possibility. As a result, staff recommends limiting the sale of alcohol to between 7:00 a.m. and 9:00 p.m., daily.

Staff also recommends adding several conditions that would reduce potential negative impacts to the surrounding uses:

- 1) That the cooler housing the alcoholic beverages be locked between the hours of 9:00 p.m. and 7:00 a.m., seven days a week and alcohol beverages not be available for purchase during this time.
- 2) That the display of alcoholic beverages be limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage.
- 3) The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area would be prohibited at all times.
- 4) That the applicant post signs in the parking lot advising patrons that residences are nearby and to be respectful of noise levels.

The above recommended conditions of approval would ensure that the off-site sale of alcoholic beverages would be a small component of the products sold at the convenience store in order to reduce any potential negative impact to the residential and sensitive uses in the neighborhood.

It is staff's assessment that the necessary findings can be made to approve the proposed Conditional Use Permit for limited off-site alcohol sales. The continued off-site sale of limited alcohol (beer and wine) in conjunction with the operation of the vehicle service station and convenience store use is not viewed as a conflict with the surrounding commercial and residential

uses. The Police Department did not object to the off-site sale of limited alcohol in conjunction with the operation of the Minimum Service Station and convenience store use at this location. As a result, the off-site sale of limited alcohol in conjunction with the proposed service station would not detrimentally affect the surrounding area. Therefore, staff is able to make the required findings identified in Attachment A and is recommending the approval of the Conditional Use Permit to allow the limited off-site sales of alcohol (beer and wine) with the conditions of approval identified in Attachment B.

#### Conditional Use Permit: To Allow Extended Hours of Operation

Section 17.40.070 of the Zoning Code limits the hours of operation for businesses within 150 feet of a residential zoning district to between 7:00 a.m. and 10:00 p.m. A Conditional Use Permit is required for uses requesting additional hours of operation between 10:00 p.m. and 7:00 a.m. The nearest residential zoning abuts the subject site on its northern boundary. Staff's review of a Conditional Use Permit for extended hours of operation entails an analysis of whether the extended hours of operation would negatively impact general welfare of the surrounding uses.

Currently, the Full Service Station is operating as follows: fuel pumps and convenience store are open 24-hours a day, seven days a week; and the vehicle repair shop is open from 7:00 a.m. to 10 p.m. While the existing Full Service Station has been operating beyond the current Zoning Code restricted hours, without the benefit of a Conditional Use Permit.

As submitted, the applicant has requested the following operational hours: fuel pumps and convenience store to be open 24-hours a day, seven days a week; and the operation of the self-service auto wash between the hours of 7:00 a.m. to 9:00 p.m. A Conditional Use Permit is required to allow the Minimum Service Station to have extended hours of operation for fuel sales and the convenience store.

The site is located within the ECSP-CG-4 zoning district, which encourages businesses that serve the daily needs of nearby residential area. The new convenience store would offer a variety of retail and food merchandise oriented to daily convenience and travelers' shopping needs, including the off-site sale of beer and wine.

The subject site abuts multi-family uses to the east and north. It is possible that patrons of the service station will loiter in the parking lot during early morning hours and late hours resulting in potential negative noise impact to the adjacent residential uses. In addition, the sale of alcohol until 2:00 a.m. may compound this possibility. Further, the self-service auto wash is a noise-generating amenity and the hours of operation should also be considered.

The operations and activities of the use would be buffered on the north side by a parking lot, an existing eight-foot tall masonry wall, and 10 feet of proposed landscaping, which will include new trees (Thornless Palo Verde) and a row of dense, tall shrubbery (New Zealand tea trees). On the east side, where the self-service auto wash is built to the property line, the adjacent residential use will be protected by the recommended restricted hours of operation for the self-service auto wash as well as by having the majority of the parking located in front of the convenience store. A four to five-foot landscaped planter and a six to eight foot tall masonry wall will remain in place along the east property line.

It is the planning staff's determination that the proposed extended hours of operation for the sale of fuel and the operation of the convenience store to operate 24 hours a day, seven days a week can be supported with conditions, but that the self-service auto wash hours be restricted to 7:00 a.m. and 9:00 p.m.. Given the proximity of the adjacent residential uses, staff finds that granting

of the extended hours of operation to these limited uses would not result in potential negative impacts. In order to lessen any potential impacts from the proposed extended hours of operation onto the adjacent residences, staff has added a condition of approval that the applicant post signs in the parking lot advising patrons that residences are nearby and to be respectful of noise levels.

Therefore, staff is able to make the required findings identified in Attachment A and is recommending the approval of the Conditional Use Permit to allow extended hours of operation for the convenience store and the sale of fuel with the conditions of approval identified in Attachment B.

Minor Variance 1 and 2: To deviate from the required fixed five-foot setback on Colorado Boulevard and on Allen Avenue

Per Section 17.31.050, Table 3-4, of the Zoning Code, the required front and corner side setback along Colorado Boulevard and Allen Avenue is five. The proposed Minimum Service Station will have a front yard setback on Colorado Boulevard of 28 feet and a corner side setback on Allen Avenue of 29 feet to the fuel canopy edge and does not comply with the setback requirement. As a result, the applicant has submitted two Minor Variance applications to request a deviation of this development standard for both the front and corner side yard setbacks.

A Minor Variance application allows the City to review whether a deviation from the Zoning Code can be granted for a project. It may only be granted when, because of special circumstances applicable to the subject property, the strict application of the Zoning Ordinance denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts, or creates an unnecessary and non-self-created hardship or unreasonable regulation that makes it obviously impractical to require compliance with the applicable development standards. A Minor Variance shall not be granted if the granting of the application would be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety, or general welfare.

Staff finds that there are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district. The setback requirements in the Specific Plan are required to promote pedestrian uses and activities at the sidewalk. However, the Route 66 subdistrict, which begins at the subject site, and continues eastward, is an auto-centric area and specifically aims to promote the historical car culture of Route 66. It supports vehicle-oriented convenience development, such as a Vehicle Service Station, and anticipates that buildings would be set back away from the street and that the focus of the site to be the automobile. This area is characterized by having parking lots adjacent to the street edge.

The existing station is laid out in the traditional auto-oriented format for service stations, with the fuel canopy in the front adjacent to Route 66 and the convenience store structure behind the fueling canopy. The proposed service station would continue the auto-oriented site layout, with the fuel canopy in front of the convenience store and self-service auto wash, maintaining the site as a vehicle-oriented convenience development. As the site has an established identity as a Vehicle Service Station, the increased setbacks on Colorado Boulevard and Allen Avenue are essentially an inherit property right to the site and use. In addition, as a Vehicle Service Station, fuel trucks need to have adequate access to the site, and sufficient overhead clearance, to serve the underground fuel storage tanks. The proposed canopy for the fuel stations will be setback 28 feet from Colorado Boulevard and 29 feet from Allen Avenue in order to accommodate truck vehicular circulation for the use.

Applying the regulation would make it impractical for the proposed use to operate due to the fuel truck access and clearance requirements needed for the functionality of the proposed use. Applying the strict development standards of the Zoning Code, and relocating the canopy at the five-foot setback requirement, would prohibit the access of the trucks to the site and thus prevent the site to be used as a Minimum Service Station. As such, staff feels that a deviation from this Code requirement is warranted and recommends approval of the Minor Variance requests to permit the construction of a Minimum Service Station with a larger front and corner side setback than is permitted due to the uniqueness of the use and site access requirements.

Granting the minor variances for the setbacks along Colorado Boulevard and Allen Avenue would be consistent with the existing historical use, design and intent of the Route 66 sub area. Further, a goal of the Specific Plan is to “work to beautify key intersections and establish community and subarea gateways that help to establish a sense of place.” Since the site is a gateway to the Route 66 subarea, the site layout is consistent with the vehicle-oriented development desired within the subarea.

In addition, the Specific Plan states, “residential development is not encouraged in this area. However, service commercial uses, restaurants, historic motels, and other uses that capture the desired Route 66 character are preferred and single story 1950’s architecture is desirable. Due to the nature of the area, parking lots occur adjacent to the street edge. Such lots should be screened and robust landscaping should be planted at the street edge.” In keeping with this aim for the subarea, as well as the requirements for parking lot landscaping, there will be a 10-foot landscaped buffer along both Allen Avenue and Colorado Boulevard to provide screening at the street edge.

As a result, staff finds that granting the increased front and corner side setback of 28 feet and 29 feet, respectively, would not be detrimental or injurious to property or improvements in the vicinity of the development site, and to the public health, safety, and general welfare. Therefore, staff is able to make the required findings identified in Attachment A and is recommending the approval of the Minor Variance application for an increased front and corner side setback with the conditions of approval identified in Attachment B.

#### **GENERAL PLAN CONSISTENCY:**

The proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and an automated carwash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan.

Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena’s residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Vehicle Services – Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses.

Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena’s commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of

local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors.

In addition, Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan.

Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

#### **ENVIRONMENTAL REVIEW:**

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities), Section §15302, Class 2 (Replacement or Reconstruction), Section §15303, Class 3 (New Construction or Conversion of Small Structures), and Section §15332, Class 32 (In-Fill Development Projects) and there are no features that distinguish this project from others in the exempt classes; therefore, there are no unusual circumstances.

Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The previous use was a Vehicle Service – Full Service Station and the construction of a new Vehicle Service – Minimum Service Station is a negligible expansion of an existing use. As a result, the project is exempt from further review.

Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will have substantially the same purpose and capacity as the structure replaced. The proposed project includes the demolition of an existing Full Service Station with a fuel canopy, 8 fuel pumps, a convenience store and an auto repair facility and the construction of a Minimum Service Station with a fuel canopy and 8 fuel pumps, a convenience store and an self-service auto wash facility, and will have substantially the same purpose and capacity as the structures replaced. As a result, the project is exempt from further review.

Section 15303 exempts the construction and location of limited numbers of new, small facilities, or structures. In urbanized areas, the exemption applies to up to four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary services and facilities are available and the surrounding area is not environmentally sensitive. A Phase 1 and Phase 2 Environmental study was prepared for the proposed project, which includes the relocation of existing subterranean fuel storage tanks. There was no evidence of significant soil contamination

in the areas investigated and no significant environmental impacts were determined to result from the proposed project. As a result, the project is exempt from further review.

Section 15332 specifically exempts from environmental review in-fill development where: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services. In addition, the project would not cause a substantial adverse change in the significance of a historical resource. In this case, the project meets the minimum requirements to qualify as an in-fill project under CEQA. The project is consistent with the General Plan designation and policies as discussed above; the Minimum Service Station is permitted with a Conditional Use Permit within the ECSP-CG-4 zoning district; and, the project complies with the applicable development standards, with the exception of the requested minor variances for the front and corner side setbacks. The proposed project is replacing an existing Full Service Station and no additional CEQA-focused traffic impact analysis, noise analysis, air quality analysis, and greenhouse gas emissions analysis are required and it does not contain habitat for endangered, rare or threatened species. The project site is located in an urban area where utilities and public services can be adequately served. The project would not adversely affect underground aquifers, drainage patterns, or surface water quality. Furthermore, there are no unusual circumstances that distinguish this project from others in the exempt class.

#### **REVIEW BY OTHER CITY DEPARTMENTS:**

The Departments of Public Works, Transportation, Fire and Police, Pasadena Water and Power (Power and Water Divisions), the Building and Safety Division and the Design and Historic Preservation Section reviewed the proposed project. The Police Department reviewed the application and did not express any major concerns in regards to this application. Recommended conditions of approval provided by all other departments are incorporated in this report under Attachment B "Recommended Conditions of Approval."

#### **CONCLUSION:**

It is staff's assessment that the findings necessary for approving the Conditional Use Permit to allow the establishment of Vehicle Service – Minimum Service Station, to allow the operation of the convenience store and the fuel sales to operate during extended hours, to allow the sale of limited alcohol (beer and wine) in conjunction with the convenience store and to allow the increase in the allowed front and corner side setbacks can be made. The project is consistent with the goals and objectives of the General Plan, and the Zoning Code. In particular, the project complies with the General Plan's Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Staff is recommending conditions be placed on this application in order to ensure the use is in harmony with the surrounding uses and as such, the recommendation to the Hearing Officer is for approval with the findings in Attachment A and the conditions of approval in Attachment B.

Attachments:

Attachment A: Specific Findings of Approval

Attachment B: Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6649**

Conditional Use Permit: To allow the establishment of a Vehicle Services - Minimum Service Station land use

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.*

The subject property is located in the Route 66 area of the East Colorado Specific Plan (ECSP-CG-4). Table 3-3 of Zoning Code Section 17.31.040 (ECSP District Land Uses and Permit Requirements), permits the Minimum Service Station with an ancillary automated carwash and convenience store land use subject to the approval of a Conditional Use Permit. With the exception of the increase in the front and corner side yard setbacks, the proposed operation will comply with all applicable provisions of the Zoning Code.

2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the ECSP-CG-4 zoning district is to implement the East Colorado Specific Plan by balancing and optimizing economic development, historic preservation, and the maintenance of local community culture. Specifically, it aims to identify areas of East Colorado Boulevard where auto-centric commercial development should be concentrated. The proposed Minimum Service Station is a commercial use that will be replacing an existing Full Service Station fronting East Colorado Boulevard in an area that is generally concentrated with commercial development. Therefore, the proposed use is consistent with the intent and purpose of the ECSP-CG-4 zoning district. As a result, with strict adherence to the conditions of approval, the proposed use will be in conformance with the purposes of the zoning district.

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to



residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

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 proposed project will allow for the operation of a Minimum Service Station, a use that is conditionally permitted within the ECSP-CG-4 zoning district. As the subject site has been developed and operated as a service station for nearly 50 years, and is surrounded by predominately commercial development, it is anticipated that there will be no detrimental effects to the public health, safety and welfare at large. While the site is adjacent to a residential use to the east and north, the residential uses are buffered by the parking lot, an eight-foot masonry wall, and a dense landscape buffer with trees and tall shrubbery, which are intended to mitigate any potential impacts that the proposed use could have to persons residing in the neighborhood. Therefore, as conditioned, the operation of a Minimum Service Stations use will not detrimentally affect the surrounding area.

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 Minimum Service Station use will be developed with a 2,170 square-foot convenience store, a 900 square-foot self-service auto wash and eight fuel stations on four pump islands under one canopy. The project meets, with exception to the front and corner side yard setbacks, the development standards including but not limited to building height, floor area and rear setback requirements of the ECSP-CG-4 zoning district. The project complies with the off-street parking requirements of the Zoning Code, providing 20 off-street parking spaces for the service station. The project complies with the landscaping requirements for parking lots by providing the required 10-foot landscape perimeter on all property lines and by landscaping at least five percent of the parking lot. The project will be conditioned to comply with the Noise Ordinance regulations of Chapter 9.36 of Pasadena Municipal Code. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use. As such, the proposed use as described and conditionally approved would not be injurious to property and improvements in the area.

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 project involves the demolition of an existing Full Service Station, with a convenience store and auto repair facility, and the construction of a new Minimum Service Station, with a

convenience store and a self-service auto wash. The building is sited in roughly the same location as the existing building and would maintain a substantial buffer from adjacent residential uses to the north and east. The new building is in scale with the buildings along this segment of Colorado Boulevard and meets all the development standards of the ECSP-CG-4 zoning district, except for the front and corner side yard setbacks (see Findings 20 – 29). The project will be required to obtain all necessary approvals from other City Departments prior to construction and as conditioned, will be in harmony with the surrounding uses.

Conditional Use Permit: To allow the Off-Site Sale of Limited Alcohol (Beer & Wine)

7. *The proposed location of the site for the Conditional Use Permit would not adversely affect the general welfare of the surrounding property owners.*

The ancillary off-site sale of beer and wine in conjunction with the operation of the proposed Minimum Service Station use is consistent with the commercial activity of the surrounding uses. The Police Department did not object to the off-site sale of limited alcohol in conjunction with the operation of the Minimum Service Station and convenience store use at this location. The use will operate in accordance with the City's laws, ordinances, and conditions of approval that will ensure the use will co-exist in harmony with the surrounding properties. Further, as conditioned, the sale of alcohol will be limited to between 7:00 a.m. and 9:00 p.m., daily, in order to mitigate any potential impacts on the adjacent residential uses during the late evening and early morning hours of 10:00 p.m. to 7:00 a.m.

8. *The proposed location of the site for the Conditional Use Permit would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including wine, in the area.*

The project site is located within census tract 4627. This census tract extends from North Hill Avenue on the west to North Oak Avenue on the East and from East Orange Grove Boulevard on the North to the East Colorado Boulevard on the South. According to the ABC, a maximum of three off-site sales licenses are allowed in the census tract as a function of the population in the census tract. Currently there are four existing off-site sales licenses within the census tract, including the existing vehicle service station on the subject site, which will be transferred to the new station. As no new license is proposed, there is no change in the concentration of off-sale licenses within the census tract and as such, there is not an undesirable concentration of premises for the sale of alcoholic beverages as a result of the request.

9. *The proposed location of the site for the Conditional Use Permit would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to the following: a. Residential uses and residential districts; b. Hospitals, park and recreation facilities, places of public assembly, public or private schools, and religious assembly uses that attract minors and other similar uses; and c. Other establishments offering alcoholic beverages (including wine) for sale for consumption both on- and off-site.*

The adjacent residential and sensitive uses would not be significantly impacted by the off-site sale of limited alcohol because the purchase of alcoholic beverages in sealed containers would be for off-site consumption only and the onsite consumption of alcoholic beverage would be strictly prohibited at all times. In addition, the display of alcoholic beverages shall be limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage. The

display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area would be prohibited at all times. The off-site sale of alcoholic beverages will be a small component of the products sold at the convenience store in order to reduce any potential impact to the adjacent residential and sensitive uses in the neighborhood. The Police Department did not object to the off-site sale of limited alcohol in conjunction with the operation of the Minimum Service Station. Additionally, conditions of approval have been included that will limit the potential for negative impacts associated with off-site sale of beer and wine, including the limited hours of sale to between 7:00 a.m. and 9:00 p.m..

10. *The proposed location of the site for the Conditional Use Permit would not aggravate proposed problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, and sales to minors).*

As conditioned, the off-site sale of alcoholic beverages will be a small component of the products sold at the convenience store in order to reduce any potential impact to the adjacent residential and sensitive uses in the neighborhood. The display of alcoholic beverages is limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage. The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area will be prohibited at all times. The off-site sale of limited alcohol (beer and wine) will be limited to 7:00 a.m. to 9:00 p.m., seven days a week. The cooler housing the alcoholic beverages will be required to be locked between the hours of 9:00 p.m. and 7:00 a.m., seven days a week and alcoholic beverages will not be available for purchase during this time. Noncompliance with any of the conditions of approval or any of the provisions of the Zoning Code may result in the revocation of the Conditional Use Permit. The implementation of these conditions of approval will reduce any potential issues associated with problems associated with alcohol sales.

11. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by

maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

#### Conditional Use Permit: To Allow Extended Hours of Operation

12. *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.*

A Conditional Use Permit is required to permit the requested hours of operation, which include a 24-hour a day, seven days a week operation of the Minimum Service Station (fuel pumps and convenience store). Staff determined that while the convenience store and fuel sales could operate 24 hours a day, seven days a week with no detriment to the surrounding area, the operation of the self-service auto wash shall be limited to the hours of 7:00 a.m. and 9:00 p.m. in order to lessen the impact of the business on the adjacent residential properties. The proposal has been designed in compliance with all of the applicable Zoning Code standards, except for the front and corner side setbacks permitted (See Findings 20 – 29). Conditions of approval have been included that will further limit the potential for negative impacts. The Police Department does not object to the proposed conditioned hours of operation.

13. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.*

The purpose of the ECSP-CG-4 zoning district is to promote a commercial character and allow for a variety of commercial uses to encourage development that contributes to the pedestrian character. The hours of operation will give the nearby patrons a local walking option for shopping and a close location for fuel sales instead of having to drive to other parts of the City. Further, the location of the proposed Minimum Service Station has operated as a Full Service Station for nearly 50 years, and has been operating with extended hours of operation, with no opposition from the Police Department. The proposed project complies with all aspects of the Zoning Code, except for the maintenance of a five-foot front and corner side yard setback (see Findings 20 – 29). As conditioned, the project's hours of operation will be compatible with the surrounding area and the use will continue to be operated in a manner that will allow for harmonious relationships among land uses.

14. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.*

The recommended hours of operation for the proposed Minimum Service Station use, with a convenience store, limited sale of alcohol for off-site consumption and a self-service auto wash, is consistent with policies contained in Goal 1, Sustainable Growth, Goal 2, Land Use Diversity, Goal 4, Elements Contributing to Urban Form and Goal 25, Vital Districts and Corridors, of the Land Use Element of the General Plan. Specifically, Policy 1.2, Targeted Growth, is achieved by targeting growth and new construction in infill areas and away from

Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties, especially within the Central District, Transit Villages, Neighborhood Villages, and along selected corridors. The proposed Vehicle Services – Minimum Service Station use will result in new construction on a lot that has historically been a Full Service Station since 1971 and as conditioned will be developed in a manner that is compatible with the adjacent uses. Policy 2.3, Commercial Businesses, is achieved by maintaining an existing vehicle service station use in one of Pasadena's commercial corridors. This use will serve both local and regional needs, reducing the need for residents to travel to adjoining communities, capturing a greater share of local spending, and offering a diversity of employment opportunities. The General Plan encourages businesses that serve residents within walking distances of their houses. The proposed 24 hours of operation of the convenience store and fuel sales will provide the nearby residents a retail and fuel option that they can walk or drive to during all hours of the day. Further, the availability of beer and wine and use of the self-service auto wash will provide an added convenience to residents and visitors. In addition, Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station, with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan. Lastly, Policy 25.1, Diversity of Uses, is fulfilled by allowing the development of a commercial use, with a variety of services, to operate with extended hours and to reduce the need for residents and visitors travel to adjoining communities.

15. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

The proposed Minimum Service Station use will be developed with a 2,170 square-foot convenience store, a 900 square-foot self-service auto wash and eight fuel stations in four pump islands under one canopy. The project meets, with exception to the front and corner side yard setbacks, the development standards including but not limited to building height, floor area and rear setback requirements of the ECSP-CG-4 zoning district. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the proposed use, including limiting the hours for the sale of beer and wine and the operation of the self-service auto wash to 7:00 a.m. to 9:00 p.m. In addition, signs shall be posted in the parking lot advising the patrons of the residences nearby. Lastly, the site has operated as a Full Service Station for nearly 50 years, and as such, the proposed use as described and conditionally approved would continue to not be injurious to property and improvements in the area.

16. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

A vehicle service station has been in existence on the subject property for nearly 50 years and has operated with extended hours of service for the convenience store, fuel sales, and alcohol sales. As conditioned, the extended hours of operation for the convenience store and fuel sales will provide the nearby residents a convenience for "one-stop" shopping on an existing commercially developed site. In addition, by limiting the hours of operation for the sale

of alcohol and the self-service auto wash to 7:00 a.m. to 9:00 p.m., the general welfare of the surrounding residents will be protected.

17. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.*

The subject property is located in East Colorado Route 66 subdistrict, an area of auto-centric development within the City. The surrounding area is fully developed commercial uses to the west and south. Residential uses are located to the north and east of the site. The project size is consistent with the floor area limitations found in the Specific Plan and the project scale is consistent with the character of the surrounding uses. Further, the proposed increased setbacks on Colorado Boulevard and Allen Avenue will maintain the auto-centric design of the Route 66 subdistrict. Lastly, the project does not impede existing views along Colorado Boulevard.

Minor Variance: To deviate from the five-foot front setback on Colorado Boulevard

18. *There are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district*

The setback requirements in the Specific Plan are required to promote pedestrian uses and activities at the sidewalk. However, the Route 66 subdistrict, which begins at the subject site, and continues eastward, is an auto-centric area and specifically aims to promote the historical car culture of Route 66. It supports vehicle-oriented convenience development, such as a vehicle service station, and allows for buildings to be set back away from the street and for the focus of the site to be the automobile. This area is characterized by having parking lots adjacent to the street edge.

The existing station is laid out in the historic auto-oriented format for service stations, with the fuel canopy in the front adjacent to Route 66 and the convenience store structure behind the fueling canopy. The proposed service station would continue the auto-oriented site layout, with the fuel canopy in front of the convenience store and self-service auto wash, maintaining the site as a vehicle-oriented convenience development. In addition, as a Vehicle Service Station, fuel trucks need to have access to the site and the underground fuel storage tanks. A hardship exists due to the truck access requirements of the proposed, conditionally permitted use. Applying the strict development standards of the Zoning Code, and relocating the canopy at the five-foot setback requirement, would prohibit the access of the trucks to the site and thus prevent the site to be used as a Vehicle Service Station, which is a substantial property right. As such, a deviation from this Code requirement is warranted.

19. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardship.*

Strict application of the five-foot setback requirement along Colorado Boulevard would prevent the circulation of the fuel trucks into and out of the site, which are instrumental to the operation of a Minimum Service Station, and would prevent the site to be used as a Vehicle Service Station, which is a substantial property right. Lastly, requiring the five-foot setback would hinder the auto-centric goals of the Specific Plan by limiting the functionality of the service station.

20. *Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare*

The purpose of requiring a five-foot setback along Colorado Boulevard is to encourage buildings along the street frontage in order to engage pedestrian activity on the sidewalk. The site of the proposed service station is located within the Route 66 subdistrict of the East Colorado Specific Plan, which is an area of the Specific Plan that promotes auto-oriented development with parking lots in front of buildings. The Specific Plan states, "residential development is not encouraged in this area. However, service commercial uses, restaurants, historic motels, and other uses that capture the desired Route 66 character are preferred and single story 1950's architecture is desirable. Due to the nature of the area, parking lots occur adjacent to the street edge. Such lots should be screened and robust landscaping should be planted at the street edge." In keeping with this aim for the subarea, as well as Zoning Code requirements for parking lot landscaping, there will be a 10-foot landscaped buffer along Colorado Boulevard to provide screening at the street edge. Further, due to the inherent design of Vehicle Service Stations, the increase in the front setback will increase the usability of the site as a vehicle service station.

21. *Granting the application is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district*

Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station with increased front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan.

22. *Cost to the applicant of strict compliance with the regulation should not be the primary reason for granting the Minor Variance*

The cost to the applicant has not been considered as the primary factor at any time throughout the review of this application.

Minor Variance: To deviate from the five-foot corner side setback on Allen Avenue

23. *There are exceptional or extraordinary circumstances or conditions applicable to the subject site that do not apply generally to sites in the same zoning district*

The setback requirements in the Specific Plan are required to promote pedestrian uses and activities at the sidewalk. However, the Route 66 subdistrict, which begins at the subject site, and continues eastward, is an auto-centric area and specifically aims to promote the historical car culture of Route 66. It supports vehicle-oriented convenience development, such as a Vehicle Service Station, and allows for buildings to be set back away from the street and for the focus of the site to be the automobile. This area is characterized by having parking lots adjacent to the street edge.

The existing station is laid out in the historic auto-oriented format for service stations, with the fuel canopy in the front adjacent to Route 66 and the convenience store structure behind the fueling canopy. The proposed service station would continue the auto-oriented site layout, with the fuel canopy in front of the convenience store and self-service auto wash, maintaining the site as a vehicle-oriented convenience development. In addition, as a Vehicle Service Station, fuel trucks need to have access to the site and the underground fuel storage tanks. A hardship exists due to the truck access requirements of the proposed, conditionally permitted use. Applying the strict development standards of the Zoning Code, and relocating the canopy at the five-foot setback requirement, would prohibit the access of the trucks to the site and thus prevent the site to be used as a Vehicle Service Station, which is a substantial property right. As such, a deviation from this Code requirement is warranted.

24. *Granting the application is necessary for the preservation and enjoyment of a substantial property right of the applicant and to prevent unreasonable property loss or unnecessary hardship.*

Strict application of the five-foot setback requirement along Allen Avenue would prevent the circulation of the fuel trucks into and out of the site, which are instrumental to the operation of a Minimum Service Station, and would prevent the site to be used as a Full Service Station, which is a substantial property right. Lastly, requiring the five-foot setback would hinder the auto-centric goals of the Specific Plan by limiting the functionality of the service station.

25. *Granting the application would not be detrimental or injurious to property or improvements in the vicinity of the subject site, or to the public health, safety or general welfare*

The purpose of requiring a five-foot setback along Allen Avenue is to encourage buildings along the street frontage in order to engage pedestrian activity on the sidewalk. The site of the proposed service station is located within the Route 66 subdistrict of the East Colorado Specific Plan, which is an area of the Specific Plan that promotes auto-oriented development with parking lots in front of buildings. The Specific Plan states, "residential development is not encouraged in this area. However, service commercial uses, restaurants, historic motels, and other uses that capture the desired Route 66 character are preferred and single story 1950's architecture is desirable. Due to the nature of the area, parking lots occur adjacent to the street edge. Such lots should be screened and robust landscaping should be planted at the street edge." In keeping with this aim for the subarea, as well as Zoning Code requirements for parking lot landscaping, there will be a 10-foot landscaped buffer along Allen Avenue to provide screening at the street edge. Further, due to the inherent design of Vehicle Service Stations, the increase in the front setback will increase the usability of the site as a vehicle service station.

26. *Granting the application is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of any applicable specific plan and the purposes of this Zoning Code, and would not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zone district*

Policy 4.11, Development that is Compatible, is fulfilled by maintaining a contextual relationship with neighboring structures and sites address such elements as building scale, massing, orientation, setbacks, buffering, the arrangement of shared and private open spaces, visibility, privacy, automobile and truck access, impacts of noise and lighting, landscape quality, infrastructure and aesthetics. The proposed service station with increased



front and corner side setbacks, single-story massing, ample surface parking spaces and landscape buffers along the property lines will be compatible with the auto-centric nature of the Route 66 subdistrict of the East Colorado Specific Plan.

*27. Cost to the applicant of strict compliance with the regulation should not be the primary reason for granting the Minor Variance*

The cost to the applicant has not been considered as the primary factor at any time throughout the review of this application.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6649**

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

1. The proposed Vehicle Services – Minimum Service Station shall substantially conform to the site plan, floor plan, elevations and landscape plan submitted with this application and stamped “Approved at Hearing August 7, 2019”, except as modified herein.
2. This approval authorizes the construction of a new Vehicle Services – Minimum Service Station land use that is comprised of a 2,170 square-foot convenience store, eight fuel pumps under one canopy and an automated car wash.
3. The approval of this application authorizes the sale of pre-packaged beer and wine for off-site consumption only.
4. The approval of this application grants a deviation from the required five-foot front and corner side setback for the fuel canopy.
5. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, except where an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
6. 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.
7. Any change to these conditions of approval or expansion and/or modification of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
8. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
9. The proposal shall meet all of the Zoning Code requirements and any other requirements as established in the Pasadena Municipal Code
10. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
11. The proposed project, Activity Number **PLN2018-00304** is subject to the City’s Condition Monitoring Program and Final Zoning inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy or its equivalent. Contact the Planning Case Manager, Jennifer Driver at (626) 744-6756 to schedule an inspection appointment time and set up monitoring fees.

Planning Division

12. The hours of operation onsite shall be:

- a. 24 hours, seven days a week, for the fuel sales;
  - b. 24 hours, seven days a week, for the convenience store;
  - c. 7:00 a.m. to 9:00 p.m., seven days a week, for sales of beer and wine in the convenience store; and,
  - d. 7:00 a.m. to 9:00 p.m., seven days a week, for the operation of the self-service auto wash.
13. The fuel canopy shall have:
- a. A front yard setback of no more than 28 feet along Colorado Boulevard; and,
  - b. A corner side setback of no more than 29 feet along Allen Avenue.
14. All employees selling alcohol shall be required to participate in an alcohol management-training program prior to selling alcohol.
15. Signs advertising brands of alcoholic beverages or the availability of alcoholic beverages for sale at the subject site shall not be visible from the exterior of the building.
16. The display of alcoholic beverages shall be interior only (no outdoor display) at all times.
17. No alcoholic beverages shall be consumed on the premises or any property adjacent to the subject site.
18. The display of alcoholic beverages shall be limited to a maximum of 30 percent of the cooler display area. The remaining 70 percent of the cooler area shall be limited to the display and sale of non-alcoholic beverage.
19. The display of alcoholic beverage products outside the cooler area and/or on the convenience store floor area would be prohibited at all times.
20. The area set aside for the display and refrigeration of beverages containing alcohol shall be in the extreme rear of the store and shall not be visible from outside the store.
21. Beer in containers greater than 16-ounces shall not be sold on the premises.
22. Beer in containers under one quart shall not be sold in less than six-pack quantities.
23. A sign stating "No Loitering or Public Drinking" shall be posted in the parking lot. Said sign shall be approved by the Zoning Administrator and Public Works and Transportation Department.
24. The sale of beverages containing alcohol for off-site consumption is conducted as an incidental use to operation of a Minimum Service Station.
25. Malt liquors or based products with alcoholic content greater than five percent by volume shall not be sold from the premises.

26. Wine, with the exception of wine coolers, shall not be sold in containers of less than 750 milliliters. Wine coolers shall not be sold in less than four-pack quantities.
27. Fortified wine shall not be sold on the premises.
28. A final landscape and irrigation plan, in compliance with Chapter 17.44 (Landscaping) of the Zoning Code, identifying all remaining and proposed vegetation and trees shall be submitted along with plans for building permit for review and approval by the Zoning Administrator. The plan shall include a mix of plant size and materials. Plant materials shall emphasize drought-tolerant and/or native species. The plan shall include at least the following:
  - a. Where proposing more than 2,500 square feet of new landscaping, the project shall meet 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 and Community Development 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 Director of Planning and Community Development or his/her designee.
  - b. A 10-foot landscaped buffer along all property lines, except for required vehicular access and when a building abuts the property line.
  - c. Bushes, hedges or trees in the north and east landscaped buffer to create a noise and visual buffer for the self-service auto wash and to screen the view of automobiles from the adjacent site.
  - d. Low-level bushes in the southern and western landscaped area between the project and the public right-of-way in order to screen the gas fueling area.
29. The project shall comply with the Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval for the existing palm tree prior to the issuance of any building or grading permits. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of building permits.
30. Security. Prior to the utilization of this grant, a camera surveillance system shall be maintained, which covers all common areas, including entrances, exits and vacuum areas of the car wash.
31. Within 60 days of the effective date of this permit, a litter cleanup plan shall be submitted for review and approval by the Zoning Administrator. The plan's objective is to maintain an attractive site, free of litter and discarded material. The litter cleanup plan shall:
  - a. Cover the entire site including, but not limited to, the parking lot area, queuing lanes, landscaping area, walkways, exterior windows, doors, lights and signage.
  - b. Identify when the cleanup would occur, with a minimum of four times a day.

- c. Identify the location of exterior trash receptacles.
  - d. The applicant shall ensure that site and immediate adjacent areas, including the public right-of-way, shall be maintained free of trash and debris and loiterers at all times.
32. Any graffiti that should appear on the site shall be removed within 48 hours.
33. The operations of Vehicle Services – Minimum Service Station land use shall comply with the requirements outlined in Section 17.50.290 of the Zoning Code.
34. The site shall comply with all applicable standards related to on-site signage stipulated in Section 17.48 of the Zoning Code. In particular, the following types of signs are prohibited:
- a. Balloons, lighter-than-air devices, inflatable signs and objects, except as may be allowed through a Temporary Sign Permit.
  - b. Banners, pennants, ribbons, spinners, streamers, or other similar devices, except as specifically allowed through a Temporary Sign Permit.
  - c. Portable, folding, or similar signs, except as allowed in Title 12 of the Municipal Code.
  - d. Signs mounted on the roof of a building, including mansard roofs, and similar architectural roof-like elements.
  - e. Signs that are displayed on the exterior of a building and are made of materials that are impermanent and will not stand exposure to the weather.
  - f. Advertisings, banners, bills, cards, notices, placards, posters, signs, stickers, or other devices designed to attract the attention of the public that are posted or otherwise affixed upon any street, street furniture, right-of-way, public sidewalk, crosswalk, curb, lamppost, fencing, hydrant, tree, alley, telephone pole, public telephone, lighting system, or other public alarm or communication system.
35. Compliance with Pasadena Municipal Code Chapter 8.78 (Tobacco Use Prevention Ordinance) shall be adhered to at all times.
36. A sign shall be posted on the site within a clear view of any interested person containing a telephone number and the name of a person to be contacted in the event that the operation of the involved store is causing concerns or problems in the adjacent neighborhood resulting from the subject use.
37. All pay telephones on the subject property shall not be equipped to receive incoming calls. Calls for patrons of the store shall not be received at any telephone on the subject site to prevent loitering
38. All deliveries, truck loading, and trash pick-up is allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturday.
39. Prior to the issuance of a building permit, a lighting (photometric) plan shall be submitted for review and approval by the Zoning Administrator demonstrating that the maximum average

illumination of the subject site is below the maximum three (3) foot-candles permitted. The lighting plan shall include a site plan showing locations of ground-mounted light fixtures, and shielding to orient light away from adjacent properties.

40. Overnight parking of vehicles or trucks shall not be permitted on the premises except for employees of the business or customers while conducting business in the retail establishment.
41. No outdoor sales shall be conducted on the premises.
42. No video games shall be permitted.
43. The installation of an outdoor seating area shall not be permitted for this use.
44. The parking lot shall comply with the requirements of Chapter 17.46 of the Pasadena Municipal Code except as modified herein.
45. No mechanical equipment shall be permitted on any roof unless properly screened, or in an enclosure designed to be architecturally compatible with the building. All screening must be reviewed and approved by the Zoning Administrator.
46. A refuse storage area for the collection of trash and recycled goods shall be provided prior to issuance of a Certificate of Occupancy. Refuse storage shall comply with Zoning Code Section 17.40.120 (Refuse Storage Facilities) at all times.
47. The use shall comply with Municipal Code Chapter 9.36 (Noise Restrictions).
48. These conditions of approval must be posted in a conspicuous location for public viewing within the religious facility on a continuous basis for the life of this Conditional Use Permit, beginning on the date the occupancy commences.

#### Design and Historic Preservation Division

49. Submit to the Design and Historic Preservation Division for Consolidated Design Review.

#### Building and Safety Division

50. Governing Codes: Comply with the Current Edition of the 2016 California Residential Code, 2016 California Building Code, 2016 California Electrical Code, 2016 California Plumbing Code, 2016 California Mechanical Code, 2016 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.
51. Survey: A surveying plan is required for new construction to officially determine the location of the property lines.
52. Soils Report: Soils report is required for the project.
53. Grading: If greater than 50 cubic yards (excluding excavation for building foundation), Grading/Drainage Plans shall be prepared by a registered engineer.

54. Low Impact Development (LID) Plan: This project appears to require the preparation of a LID Plan to demonstrate stormwater management post-construction. See Form PC for determination. LID Plan shall be prepared by a registered engineer.
55. Building Code Analysis: Document on the plans the Allowable Height and Area, Occupancy groups, Type of Construction and Height and Area increases.
56. Special Provisions: Motor fuel-dispensing facilities shall comply with Section 406.7 of the CBC.
57. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11B of the CBC.
58. Required Plans and Permit(s):
  - a. Separate permits are required for the following: Demolition, grading (if applicable), fire sprinkler, mechanical, electrical and plumbing.

#### Public Works Department

59. The proposed drive approaches along Colorado Boulevard and Allen Avenue frontages shall be per the Department of Transportation (DOT) and the Department of Public Works approvals, in reference to DOT's memorandum, dated February 23, 2018.
60. On-site drainage, such as roof drain and area drain shall be contained on-site per LA County Regional Water Quality Control Board's current permit.
61. The existing storm drain system on Allen Avenue is owned and operated by the Los Angeles County Department of Public Works. Approval from The City and Los Angeles County is required for any modification/connection to the storm drain structure/catch basin.
62. In order to accommodate an Americans with Disabilities Act (ADA) compliant curb ramp, the applicant shall verify, and reconstruct directional curb ramps, if possible, at all of the intersection corners of Colorado Boulevard and Allen Avenue per Caltrans Standard A88A or City of Pasadena Standard No. S-414. Additional striping, signal work, and/or poles/utility relocations might be necessary. The curb ramps 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 may 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 return 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 place a deposit with the Department of Public Works to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. 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 return improvement plans and the plan check deposit at least two (2) months prior to the issuance of any 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 (up to 15 feet radius per the 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/deposit shall be submitted to this office, at least three to four (3-4) months, prior to issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

63. The existing street lighting along the subject project frontages are substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate one (1) existing street lighting along the Colorado Boulevard frontage and one (1) existing street lighting along the Allen Avenue frontage per the City requirements and current standards. The 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 lights, 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](mailto:pw-permits@cityofpasadena.net) to schedule a street lighting pre-inspection, prior to the issuance of any permits.

64. The proposed development shall connect to the public sewer main line with a new six-inch diameter sewer lateral laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer (lateral) “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 is responsible for the design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above 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 place a deposit with the department to cover the cost of plan checking. The amount of deposit will be based on the current City’s General Fee Schedule. Note that 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 public improvements plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits.



66. 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.
67. 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.
68. The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.
69. 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.
70. 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 4' 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.
71. 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.
72. Prior to issuance of any permit, a sundry 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 sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
73. Past experience has indicated that projects such as this tend to damage the (existing public

and private street) abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of any permit. This deposit is subject to refund or additional billing, and 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. A processing fee will be charged against the deposit.

74. 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://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>. 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.
75. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy.

In general, all public streets, sidewalks and parkways shall be free and clear of excavations and other construction related activities during the period of November through January of the following year. Specific dates will vary on an annual basis. Accordingly, contractors will be required to shut down construction operations which would impede traffic and pedestrian movements during these periods unless otherwise authorized by the City Engineer. Any existing excavations shall be backfilled, compacted and temporarily repaved before the beginning of the moratorium period.

The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>

76. 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. A processing fee will be charged against all deposits.

77. Sewer Facility Charge - Chapter 4.53 of the PMC.

- a. 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.

78. Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)

- a. 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.

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

- a. 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 <https://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.

80. Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

- a. The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at [http://cityofpasadena.net/PublicWorks/Engineering\\_Division/](http://cityofpasadena.net/PublicWorks/Engineering_Division/) and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
  - i. 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.
  - ii. 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.

#### Department of Transportation

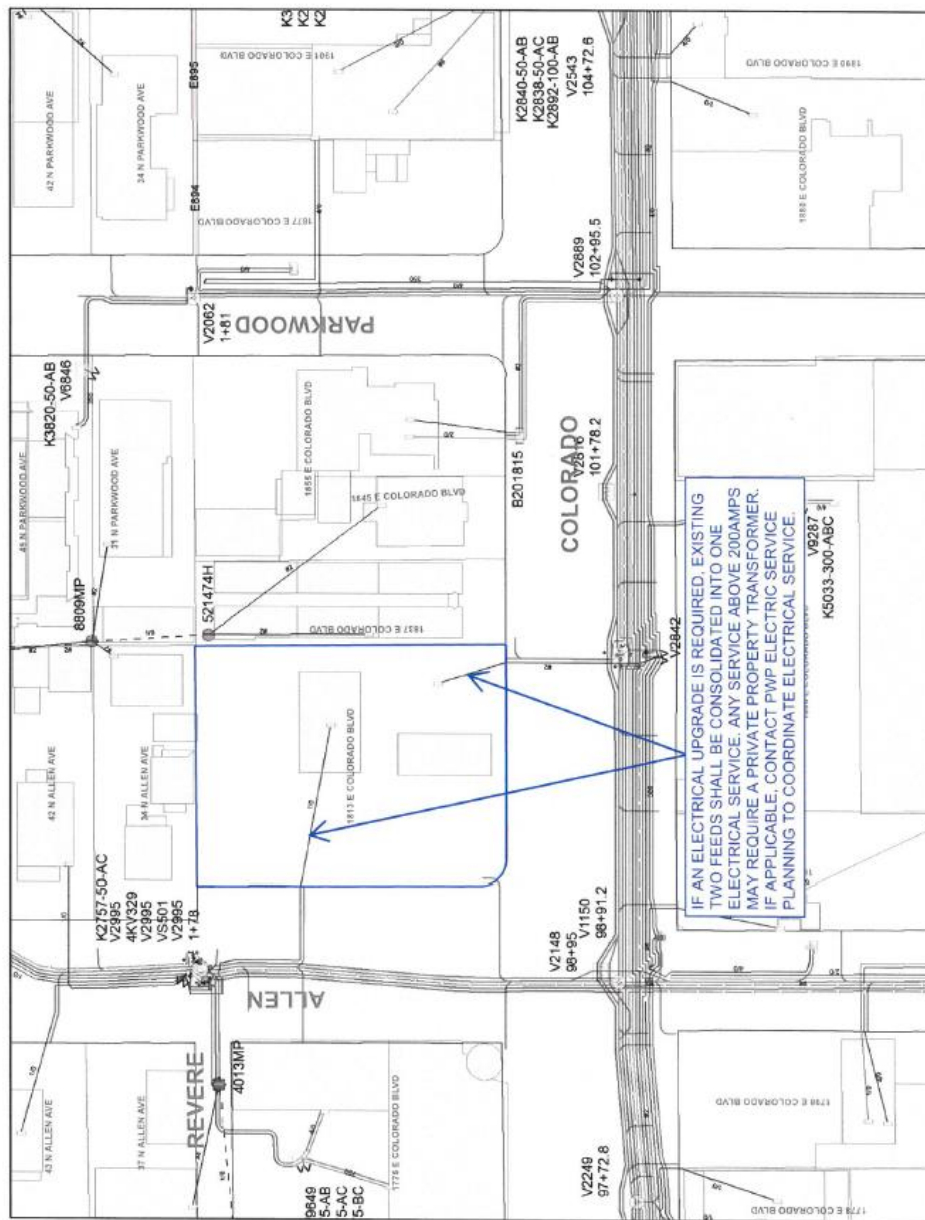
81. One of the two driveways on Allen Avenue closest to the intersection shall be closed.
82. One of the two driveways on Colorado Boulevard closest to the intersection should be closed.
83. The applicant claims that relocation of underground fuel tanks necessitates maintaining both driveways on Colorado Boulevard. The applicant has been advised to present its supporting document at the project entitlement hearing. DOT will accept the findings of the hearing.
84. All driveways shall be re-constructed to the maximum width of 24 feet.
85. Any project loading/unloading spaces shall be on-site. DOT will not install a loading zone for project use along the project frontage.

#### Fire Department

86. Plan shall comply with the requirements of California code of regulations Title 24 and Pasadena Municipal Code (PMC).
87. Automatic Fire Sprinkler System: The structure shall be provided with a fully automatic fire sprinkler system engineered and installed per NFPA 13. Shop drawings are to be submitted by licensed contractor for review and approval prior to construction. PMC, CFC Chapter 9.
88. Fire Department Fire Sprinkler Connections (per system) shall be comprised of:
  - a. FDC shall be located a minimum of 25-feet from the building and within 150-feet of a public fire hydrant.
  - b. (2) 2-1/2" CLAPPERED internal swivel inlet X 4" FDC
  - c. Shall be clearly labeled to indicate FDC for Fire Sprinklers and Standpipes.
  - d. A clear dimension of 3-feet shall be maintained around the perimeter of each fire department appliance.
  - e. Approved protective vehicle bollards are to be installed when fire appliances are subjected to physical damage.
  - f. All fire appliances except for fire hydrants shall be cleaned, primed, and painted fire engine red enamel or Krylon.
89. 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.

Pasadena Water and Power – Power Division

- 90. If an electrical upgrade is required, existing two feeds shall be consolidated into one electrical service.
- 91. Any service above 200 amps may require a private property transformer. If applicable, contact PWP electric service planning to coordinate electrical service.



Pasadena Water and Power – Water Division

- 92. Water Mains: Pasadena Water and Power (“PWP”), Water Division can serve water to this project. There are two water mains surrounding this project. There is a 6-inch cast iron

water main in Colorado Boulevard, installed under Work Order 2754 in 1932. This water main is located approximately 16 feet south of the north property line of Colorado Boulevard. There is a 12-inch cast iron water main in Allen Avenue, installed under Work Order 5092 in 1956. This water main is located approximately 60 feet west of the east property line of Allen Avenue.

93. Moratorium: Verify with Public Works Department regarding any street construction moratorium affecting this project.
94. Water Pressure: The approximate water pressure in the area is 70 – 80 psi.
95. Water Service: PWP records reflect one 1-inch domestic service (32098) serving this project. Any change in water service will be reviewed when the building plans are submitted. 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.
96. Water Division Requirements:
  - a. 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.
  - b. The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
  - c. All services not in use must be abandoned at the distribution main at the applicable rate.
  - d. For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
  - e. 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.

97. Cross Connection Requirements for Domestic Services:

- a. The fire service requires a detector meter and back-flow prevention assembly.
- b. The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- c. All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- d. 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.
- e. 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.
- f. If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- g. Choose from one of the below listed options and incorporate into the fire sprinkler plans:
  - i. Option 1: Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.
    - 1) 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.
    - 2) 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.
  - ii. 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.
    - 1) The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
    - 2) 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.

98. 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.

99. Residential Water Submetering Requirements: Senate Bill No. 7 (Housing: water meter: multiunit structures) approved by the Governor September 25, 2016, requires that individual meters or submeters be installed on all new multifamily residential units. Per Senate Bill No. 7: Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The law exempts long-term health care facilities, low-income housing, residential care facilities, housing at a place of education, and time-share properties, as well as, other multiunit residential structures deemed infeasible by the Department of Housing and Community Development.

Per the Water Regulations adopted by City Council on June 4, 2012: "The water service will end at the curb, public right of way or property line at the option of PWP. Where the location of the meter box or vault on the City side of the property line is not practicable, the meter box or vault shall be located on the Customer's premises or such other location that may be agreed upon by PWP at its option. The Customer shall be responsible for the expense of installation and maintenance of the lines on the Customer's side of the property line connecting to PWP's service where construction of the Customer's facilities began."

The following submetering options are available for PWP customers:

- a. Option 1: Individual metering located on the parkway
  - i. The Water Division will install individual water meters on the parkway in front of the project site, if permitted by available space as per the General Requirements, for each residential unit. PWP's responsibility of service ends at the meter and PWP will bill each tenant directly.
- b. Option 2: Individual metering located on private property.
  - i. The Water Division will install a service lateral up to the property line with a shut off valve. The owner/developer will install all piping behind the property line and will install all water meters, provided by PWP to each residential unit. Water meters must be installed outside or in a garage/parking area in order for meter readers to have unrestricted access to them if needed. PWP will inspect the individual meters as a condition of providing service. PWP's responsibility of service ends at the property line and PWP will bill each tenant directly.
- c. Option 3: Submetering by third party vendor located on private property.
  - i. The Water Division will install master water meter(s) on the parkway, in front of the project site. The owner/developer must submit a statement on letterhead stating that a Contractor licensed by the California State License Board will install submeters, per Senate Bill No. 7, to all residential units. PWP will inspect the submeters as a condition of providing service. PWP's responsibility of service ends at the master meter and the owner/developer is responsible for billing each tenant per Senate Bill No. 7.



100. 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 two fire hydrants in close proximity to the project site. Fire hydrant 917-1 is located on the south side curb of Colorado Boulevard 106 feet east of the east property line of Allen Avenue. Fire hydrant 817-20 is located on the northwest corner of Colorado Boulevard and Allen Avenue. There is no current fire flow test information available for these fire hydrants.

If you would like to request for a fire flow test, please contact Marco Sustaita at (626) 744-4498.

101. Fire Hydrants Details:

