



**PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

**STAFF REPORT**

**DATE:** November 20, 2019

**TO:** Hearing Officer

**SUBJECT:** Tentative Tract Map #82751

**LOCATION:** 690-700 North Orange Grove Boulevard

**APPLICANT:** Phillip Lee, Haven Ponderosa, LLC

**ZONING DESIGNATION:** RM-32 (Multi-Family Residential, 0-32 units/acre), and FGSP-C-3d (Fair Oaks/Orange Grove Specific Plan, Limited Commercial District 3, Subdistrict "d")

**GENERAL PLAN DESIGNATION:** Medium-High Density Residential (0-32 DU/Acre), and Low Mixed Use (0.0 – 1.0 FAR, 0-32 DU/Acre)

**CASE PLANNER:** Alison Walker

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Tentative Tract Map #82751 with the Conditions of Approval in Attachment B.

---

**PROJECT PROPOSAL:** Tentative Tract Map: To allow the creation of 48 air parcels for residential condominium purposes and four air parcels for commercial condominium purposes on one land lot. This application is for the creation of air parcels only.

**ENVIRONMENTAL DETERMINATION:** In conjunction with the approval of Affordable Housing Concession Permit #11873 on November 7, 2018, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects). It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review

**BACKGROUND:**

**Site characteristics:** The 48,867 square-foot subject site (addressed 690 North Orange Grove Boulevard and 700 North Orange Grove Boulevard) is comprised of four contiguous parcels associated with the following Assessor's Identification Numbers: 5726-010-016, 5726-010-017, 5726-010-041, and 5726-010-042. The property at 690 North Orange Grove Boulevard is located on the southeast corner of Orange Grove Boulevard and Cypress Avenue within the RM-32 zoning district, and the property at 700 North Orange Grove Boulevard is located on the southwest corner of Orange Grove Boulevard and Lincoln Avenue within the FGSP-C-3D zoning district. Burkard's Nursery occupied the site until 2016. The site is currently unoccupied.

**Adjacent Uses:** North – Elementary School / Vehicle Repair  
South – Child Day Care Center  
East – Post Office  
West – Multi-Family Residential

**Adjacent Zoning:** North – PS (Public/Semi Public), RM-32 (Multi-Family Residential 0-32 units/acre), and FGSP-C-3d (Fair Oaks/Orange Grove Specific Plan – Limited Commercial district 3, Subdistrict "d")  
South – RM-32 (Multi-Family Residential, 0-32 units/acre)  
East – FGSP-PS (Fair Oaks/Orange Grove Specific Plan, Public and Semi-Public District)  
West – RM-32 (Multi-Family Residential, 0-32 units/acre)

**Previous zoning cases:** Affordable Housing Concession Permit #11873: to facilitate the construction of a new mixed-use project consisting of 48 residential units (including eight low income units) and 7,389 square feet of commercial area within two buildings. The project included the following entitlements:  
(1) Affordable Housing Concession Permit to allow the west building to have a height of 36'0", where the maximum allowed height is 24'0" within the front 60 percent site;  
(2) Affordable Housing Concession Permit to allow the east building to result in a floor area ratio (FAR) of 1.3, where the maximum allowed FAR is 1.0; and  
(3) Private Tree Removal Permit to allow the removal of two protected trees: a 14" DBH Trumpet Tree (*Tabebuia* sp.), and a 12.2" DBH Sweet Michelia Tree (*Michelia doltsopa*).  
Approved on November 7, 2018

CUP#444: Permission to remodel an existing service station. The remodeling will consist of the installation of a mansard design roofline on the existing building and canopies, a stone veneer applied to the entrance of the building, new lube bay doors, a new trash area and the installation of a new planter at the street intersection. Approved on 08/07/1969.

V#5363: Permission to erect a yard lighting column in both the northeast corner and southwest corner of the property located at 700 N. Orange Grove Ave. Zone C-1. It is also proposed to overhang two island canopies

of which one would come to within approximately 2 feet of the front property line on Orange Grove Ave and the other would come to within approximately 2 feet of the front property line on Lincoln Ave. It is also proposed to erect a sign which would extend to the property line at the intersection of Orange Grove Ave and Lincoln Ave. (The Hancock Oil Co proposes to develop this corner with a service station).

Approved on 12/05/1957

## **PROJECT DESCRIPTION:**

The applicant, Philip Lee, has submitted a Tentative Tract Map application to allow the creation of 48 air parcels for residential condominium purposes and four air parcels for commercial condominium purposes on one land lot. A three-story, mixed-use building received approval of an Affordable Housing Concession Permit on November 7, 2018 and received Concept Design Review approval on March 12, 2019. The approved project consists of a multi-family structure with 25 residential units, four of which would be designated as low-income units, on the westerly portion of the site. The approval also includes a mixed-used structure containing 9,036 square feet of commercial space and 23 residential units, four of which would be designated as low-income units, on the easterly portion of the site. This application is for the creation of air parcels only; no changes to the project are proposed as part of this application.

## **ANALYSIS:**

The subject 48,867 square-foot site is located on the south side of North Orange Grove Boulevard and is bounded by Cypress Avenue on the west and Lincoln Ave on the east. The westerly 24,797 square-foot portion of the site is located at 690 North Orange Grove Boulevard, within the RM-32 (Multi-Family Residential, 0-32 units/acre) zoning district, and subject to the RM District (City of Gardens) Development Standards. The east 24,070 square-foot portion of the site is located at 700 North Orange Grove Boulevard, within the FGSP-C-3d (Fair Oaks Orange Grove Specific Plan Limited Commercial District 3, Subdistrict "d") zoning district and subject to the development standards of the Fair Oaks Orange Grove Specific Plan.

Pursuant to Section 17.40.055.A of the City's Zoning Code, the regulations applicable to each district shall be applied to the area within each district. The maximum permitted residential density on both zoning districts is 32 dwelling units per acre. For the 24,797 square-foot portion of the site within the RM-32 zoning district, a maximum of 19 units are permitted. For the 24,070 square-foot portion of the site within the FGSP-C-3d zoning district, a maximum of 18 dwelling units are permitted.

The density bonus section of the Zoning Code (Section 17.43.040) permits an increase in the number of units permitted on the site provided a specified percentage are designated as affordable units. Per the Zoning Code, the percentage of density bonus increase afforded to the project is dependent on the number of units that are dedicated as affordable. In this case, a total of eight low-income units would be provided. Specifically, four units on each portion of the site (RM-32 and FGSP-C-3d) would be designated as low-income units, which equates to 21 and 22 percent of the allowed base units for the west and east portions of the site, respectively. Per Table 4-3.1 of the City's Zoning Code, by designating 21 and 22 percent of the allowed base units (i.e., four units) as low-income, the applicant is entitled to a density bonus of up to 35 percent (i.e., seven units) on the west and east portions of the site, for a total of up to 26 and 25

dwelling units respectively. As such, the proposed 25 dwelling units on the west portion of the site and 23 dwelling units on the east portion of the site are within the maximum permitted number of units with the provision of the four low-income units on each portion of the site.

Tentative Maps are subject to seven findings contained in the City's Subdivision Ordinance, Municipal Code Chapter 16.20 (Tentative Maps). Generally, the purpose of these findings is to address the design of subdivision, the suitability of the site, among other potential impacts, damage, or conflict with the environment, wildlife habitat, public health, water quality, and access.

The new project is designed to comply with development standards applicable to projects in the RM-32 and FGSP-C-3d zoning districts. The new project received approval of an Affordable Housing Concession Permit on November 7, 2018 for additional height and floor area ratio. With the exception of the requested concessions, Staff determined that the project complied with all applicable development standards as required by the City's Zoning Code, including, but not limited to, main garden, total garden, setbacks, open space, and parking. Additionally, the new project received Concept Design Review approval on March 12, 2019. Staff determined that the project satisfied the Design Guidelines in the Fair Oaks Orange Grove Specific Plan and the Design Guidelines for Neighborhood Commercial and Multi-Family Residential Districts. Final review of the project's compliance with the applicable development standards will occur during the building project's plan check process, prior to the issuance of a building permit.

The proposal to create 48 air parcels for residential condominium purposes and four air parcels for commercial condominium purposes on one land lot will comply with applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access

#### Tenant Protection Ordinance

The proposed project would not entail the demolition of dwelling units on the site. Therefore, this project is not subject to the provisions of the City's Tenant Protection Ordinance, Municipal Code Chapter 9.75.

#### Inclusionary Housing

Chapter 17.42 of the Zoning Code applies to projects with 10 or more new dwelling units. These standards and procedures are intended to encourage the development and availability of affordable housing by ensuring that the addition of affordable housing units to the City's housing stock is in proportion to the overall increase in new housing units. The Inclusionary Housing Plan (IHP) for this project was approved by the City on March 4, 2019. The IHP specifies, among other things, that the proposed 48-unit housing development will provide eight (8) units of affordable rental housing restricted at the Low Income level. The affordable units consist of six (6) one-bedroom units and two (2) two-bedroom units. The City will prepare an Inclusionary Housing Agreement which is required to be executed by Owner and City and recorded as a condition of building permit issuance.

## **GENERAL PLAN CONSISTENCY:**

The subject property is designated Medium-High Density Residential 0-32 DU/Acre, and Low Mixed Use (0.0 – 1.0 FAR 0-32 DU/Acre) in the General Plan Land Use Element. The proposed density of the Tentative Tract Map is above the maximum density allowed under the General Plan. However because the project is providing low income units, the project is entitled to a density bonus. The Tentative Tract Map is consistent with General Plan Policy 21.4 (New Residential Development) and Goal 23 (Multi-Family Neighborhoods). Specifically, Policies 23.1 (Character and Design), and 23.2 (Parking Areas and Garages). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the “City of Gardens” multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes a subterranean garage in compliance with off-street parking requirements.

## **ENVIRONMENTAL REVIEW:**

In conjunction with the Affordable Housing Concession Permit approval on November 7, 2018, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects). It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review

## **REVIEW BY OTHER DEPARTMENTS:**

The City’s Department of Transportation, Public Works Department, Housing and Career Services Department, Fire Department, Design and Historic Preservation Section, Department of Water and Power, AT&T California, Pasadena Unified School District and Southern California Edison have reviewed the current application. The Department of Public Works provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments were provided.

## **CONCLUSION:**

The Tentative Tract Map would create 48 air parcels for residential condominium purposes and four air parcels for commercial condominium purposes on one land lot. The proposal is consistent with the land use policies of the General Plan, and is also in compliance with the City of Gardens and Fair Oaks/Orange Grove Specific Plan development standards for mixed-use and multi-family projects as established in the Zoning Code. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

### Attachments:

Attachment A: Specific Findings for TTM #82751

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR TENTATIVE TRACT MAP #82751**

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The proposed density of the Tentative Tract Map is permissible within the Low-Medium Mixed subject property is designated Medium-High Density Residential 0-32 DU/Acre, and Low Mixed Use (0.0 – 1.0 FAR 0-32 DU/Acre) in the General Plan Land Use Element. The proposed density of the Tentative Tract Map is above the maximum density allowed under the General Plan. However because the project is providing low income units, the project is entitled to a density bonus. The Tentative Tract Map is consistent with General Plan Policy 21.4 (New Residential Development) and Goal 23 (Multi-Family Neighborhoods). Specifically, Policies 23.1 (Character and Design), and 23.2 (Parking Areas and Garages). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the “City of Gardens” multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes a subterranean garage in compliance with off-street parking requirements.
2. *The site is physically suitable for the type of development.* The site is of ample size and does not have any unique topographical features to hinder development. The site is similar in size and topography to other lots in the vicinity that are developed with similar uses.
3. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The property is located in an urbanized area and not near any sensitive habitat. Properties on the block and in the vicinity are developed with multi-family dwellings consistent with the use proposed. The proposed map will not cause substantial environmental damage as the area is developed with a mix of residential and nonresidential uses. The proposed map will not cause environmental damage as the subdivision is for a mapping action and does not include any physical changes to the site. Further, it was determined as part of the Affordable Housing Concession Permit approval that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects). There are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others in the exempt class and will not cause substantial damage to the environment.
4. *The design of the subdivision or the proposed improvements is not likely to cause serious health problems in that the subdivision is compatible with existing residential land uses in the vicinity.* The subdivision and proposed project will be consistent with uses on the block and in the vicinity. The project dwelling will be designed in compliance with applicable Zoning Code standards. Furthermore, the project will comply with the Design Guidelines in the Fair Oaks Orange Grove Specific Plan and the Design Guidelines for Neighborhood Commercial and Multi-Family Residential Districts. The design of the project provides appropriate ventilation, light, and circulation within the development and adjacent developments, consistent with requirements of the Zoning Code. Therefore, proposed improvements are not likely to cause serious health problems.

5. *The proposed map meets the requirements of Title 16 as applicable.* The proposed map will comply with applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access. Copies of the Tentative Tract Map were provided to the applicable parties, including, but not limited to the City engineer, Water and Power Department, Fire Department, Transportation Department, Housing Department, telephone company (AT&T), and Pasadena Unified School District as required by Title 16.
6. *The discharge of waste from the proposed subdivision into existing sewer system would not add to or result in violation of existing water quality control standards.* The residential development standards of the Pasadena Municipal Code provide standards that will require the applicant to connect to public sewer. Compliance with this requirement will be verified during the plan check process.
7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.* Easements acquired for the public at large do not traverse the site of the proposed subdivision.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP #82751**

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

General

1. The final map to be recorded with the Los Angeles County Recorder shall substantially conform to the Tentative Tract Map submitted with this application and stamped "Approved at Hearing, November 20, 2019" except as modified herein.
2. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Approved at Hearing, November 20, 2019" except as modified herein.
3. In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval. This approval is eligible for two one-year extensions. Each one year extension is required to be reviewed and approved by the Hearing Officer at a noticed public hearing. In order for a project to be eligible for a time extension, the applicant is required to submit the required fee and time extension application to the Permit Center prior to the expiration date of the land use entitlement
4. All conditions of approval for Affordable Housing Concession Permit #11873, dated November 7, 2018 shall apply, except as modified herein.
5. This approval allows Tentative Tract Map #82751 to create 48 air parcels for residential condominium purposes and four air parcels for commercial condominium purposes on one land lot.
6. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.

Public Works

7. Prior to submission of the final tract map to the City for approval, the applicant shall pay a non-refundable flat fee (based on the current General Fee Schedule) to cover the cost of processing the final map. The applicant shall complete all required conditions before City's approval of the final map.
8. The applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24.060, and furnish to the City a set of field notes that have been recorded with Los Angeles County Department of Public Works. The monuments shall be independently inspected by a third party licensed surveyor; with a certified report submitted to the City.
9. In reference to the Department of Transportation requirement on sidewalk widening along Orange Grove Boulevard and Lincoln Avenue frontages, the applicant shall be responsible



for all the costs required to complete the dedication. The dedication documents and processing fee shall be submitted to this office, at least three to four (3-4) months prior to the issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.

10. In order to provide for an American with Disabilities Act (ADA) compliant ramp, the applicant shall:
  - i. Verify, and reconstruct if necessary, a standard curb ramp at All four (4) corners of Orange Grove Boulevard and Cypress Avenue intersection, if possible, per Caltrans Standard A88A or City of Pasadena Standard No. S-414. Additional striping, signal work, and/or poles/utility relocations might be necessary.
  - ii. Verify, and reconstruct if necessary, a standard curb ramp at All four (4) corners of Orange Grove Boulevard and Lincoln Avenue intersection, if possible, 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.

11. 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 ramps. 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 building or demolition permits.

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

12. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits, backflow preventers, transformers, fire

sprinkler valve, decorative sidewalk and applicable parade post holes on Colorado Boulevard per Standard Drawing S-419. Private improvements may only be placed in the public right-of-way by submitting a license agreement, which must be approved by the City. The license agreement application for any private improvement within the public right-of-way shall be submitted to the Department of Public Works for review and shall be approved by the City before any permits are granted. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any building or demolition permits. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

A license agreement for shoring requires an indemnity bond in order to guarantee that shoring and tie-backs are free from defect due to faulty material, workmanship and failure. Upon review of the license agreement exhibits, an indemnity bond estimate will be prepared and forwarded to the applicant. The estimated amount is equivalent to the cost of reconstructing the public right of way, including all affected utilities, public facilities, and infrastructures, based on the plane of failure at a 45-degree angle from the lowest point of excavation. The indemnity bond shall be submitted to the City prior to the execution of the agreement and the issuance of any building or demolition permits.

All steel rods in every tie-back unit shall be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located be removed entirely from the public right-of-way. A monthly monitoring report stamped and certified by a licensed surveyor shall be submitted to indicate that the deflection from any piles or soldier beams does not exceed one inch. Upon completion of construction, the developer or his contractor shall remove all tie-back rods within the public right-of-way. The removal shall be documented by a report certified by a licensed deputy inspector. The report shall be submitted to the City for review and approval. The applicant will be charged a penalty of \$7,000 for each tie-back rod not removed from the public right-of-way. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

13. The existing street lighting fronting the subject site is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate the existing street lighting with LED lights, per the City requirements and current standards:
  - i. One (1) street light on Cypress Avenue
  - ii. Three (3) street lights on Orange Grove Boulevard
  - iii. One (1) street light on Lincoln Avenue

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

14. The existing traffic signal system at Orange Grove Boulevard and Lincoln Avenue shall be upgraded as follow:
  - i. The north /south corridor will require the installation of Fire Pre-emption equipment for emergency vehicles.
  - ii. To better address ADA requirements, all push buttons shall be replaced with Accessible Pedestrian Signal ped-push buttons.
  - iii. To increase traffic signal efficiency through better technology, the existing traffic signal cabinet shall be replaced with a 332 cabinet and 2070 controller.
  - iv. To increase pedestrian safety, the existing intersection lighting shall be replaced with high efficiency LED lights.

Please contact Arnold Dichosa at 626-744-7402 or [adichosa@cityofpasadena.net](mailto:adichosa@cityofpasadena.net) for further information.

15. The applicant is responsible for the design, preparation of plans and specifications, and the construction of all required street light and traffic signal modification. Plans for the improvements shall be prepared by a civil engineer, registered in the State of California. Upon submission of improvement plans to the Departments of Public Works for checking, the applicant will be required to place a deposit with the department to cover the cost of plan checking and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted. In addition, there is possibly considerable lead-time for the materials required for construction. In order to avoid delays in the development schedule, the applicant shall coordinate with this office at 626-744-4195 regarding this street light/traffic signal conditions at least five (5) months in advance of the anticipated issuance of Certificates of Occupancy.
16. The applicant shall plant and maintain the officially designated street trees per the City approved master street tree plan, a maximum of six (6) *Quercus Agrifolia* Coast Live Oak trees on Orange Grove Boulevard frontage and a maximum of three (3) *Quercus Agrifolia* Coast Live Oak trees on Lincoln Avenue frontage and install and maintain an irrigation system for the trees. The locations will be finalized in the field by the Department of Public Works. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to the Department of Public Works for review and approval.

Trees planted by the applicant must meet the City's tree stock standards, be inspected by the City, and be planted according to the details provided by the Parks and Natural Resources (PNR) Division. Planting shall include the installation of the following per tree: no less than two tree stakes; one arbor guard; and the use of slow-release fertilizer tablets. The applicant shall contact PNR (626-744-3880) for tree planting approval, a minimum of two (2) months, prior to the issuance of a Certificate of Occupancy.

Trees planted by the applicant must be irrigated by either an existing or a new irrigation system constructed by the applicant. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to PNR for review and approval. Irrigation facilities (main line, valve, pull box, timer, etc.) must be constructed within private property with the exception of the laterals and bubblers. The lateral shall be a minimum of 18" deep, and no above-ground structures are allowed.

17. Prior to issuance of the Certificate of Occupancy, the applicant shall submit a Tree Guarantee Deposit equal to the cost of all new trees planted to guarantee that newly planted trees are maintained by the applicant for a minimum of three calendar years. Tree maintenance during this period shall include the following: watering no less than once a week; weed removal; reconstruction of tree wells as needed; re-staking as needed; adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth. The applicant shall replace any newly planted trees which, for any reason, die or whose health is compromised, within the applicant's three-year establishment period. The three-year tree establishment period shall commence on the day that the Certificate of Occupancy is issued. PNR shall inspect all trees planted by the applicant at the end of the three-year establishment period, and if the trees are found to be in good health, the applicant's deposit will be released. If the trees are found to be in poor health, the establishment period may be extended by PNR and the applicant's deposit shall be held accordingly. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.
18. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
19. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.
20. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree.

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

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

21. 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.

22. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 6' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
23. 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.
24. Prior to issuance of any permit, a deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
25. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer "means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer." The section of house sewers 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.
26. The applicant shall demolish existing and construct all new public improvements along the subject development frontage(s) of Orange Grove Boulevard, Lincoln Avenue and Cypress Avenue, including concrete drive approach per Standard Plan S-403; concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.
27. Orange Grove Boulevard, Lincoln Avenue and Cypress Avenue restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. The street restoration shall be completed prior to the issuance of Certificate of Occupancy.

Orange Grove Boulevard and Lincoln Avenue intersection consist of concrete streets. If the streets are excavated for utility connections, extensive restoration of the concrete pavement, including removal and replacement of the entire panel from joint to joint and per

Standard Drawing No. S-417, will be required. The traffic channelization shall be restored per the Department of Transportation requirements and approval.

28. 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 and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted and will be based upon the estimated cost to the department for the work. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Independent plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue. The applicant is encouraged to submit these plans as early as possible to avoid delays in the issuance of Certificates of Occupancy.
29. There is an existing storm drain culvert on the southeast corner of Orange Grove Boulevard and Cypress Avenue. Plans K-466 and F-22 are attached herein for your reference. A closed circuit television (CCTV) inspection, including heavy cleaning to remove debris, of the culvert shall be performed and a CCTV inspection tape submitted to the Department of Public Works for review. The property address, date of inspection, and a continuous read-out of the camera distance from the starting point shall be constantly displayed on the video. The applicant shall correct and rehabilitate any defects revealed by the inspection. Defects may include, offset joints, excessive root intrusion, or other defects as determined by the City Engineer. The method of correction of the defects shall be subject to the approval of the City Engineer. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing storm drain culvert, and if required, to correct the defects.
30. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board's current permit.
31. The applicant shall provide storm water drainage plans and obtain approval from the Planning Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
32. Past experience has indicated that projects such as this tend to damage the 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 \$20,000 deposit with the Department of Public Works prior to the issuance of a building or grading 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, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.

33. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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

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

35. 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.

In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project:

- a) Sewer Facility Charge - Chapter 4.53 of the PMC  
The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.
- b) Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.
- c) City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC  
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://www.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- d) Residential Impact Fee Ordinance - Chapter 4.17 of the PMC  
The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>. The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (<https://www.cityofpasadena.net/finance/general-fund/fees-tax-schedules/>) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule and the submitted information in the application for this project. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.



e) Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC

The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at: <https://www.cityofpasadena.net/public-works/recycling-resources/construction-demolition-recycling/construction-and-demolition-debris-recycling/> 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.

If you have questions regarding the above conditions and requirements of the ordinances, please contact me at (626) 744-3762 or email [YWu-Bowman@cityofpasadena.net](mailto:YWu-Bowman@cityofpasadena.net).