

**MEMORANDUM - CITY OF PASADENA  
DEPARTMENT OF PUBLIC WORKS**

**DATE:** May 15, 2020

**TO:** Leon White, Principal Planner  
Design and Historic Preservation

**FROM:** Yannie Wu-Bowman, Principal Engineer  
Department of Public Works

**RE:** Concept Design Review – PLN2018-00289 (Revised)  
810 North Marengo Avenue

The Department of Public Works has reviewed the application for Concept Design Review at 810 North Marengo Avenue. The application is for a three-story, 27-unit multi-family development with subterranean parking. The approval of this concept design review should be based upon satisfying all of the following conditions:

1. Should this proposed development continue beyond the concept design review process, the Department of Public Works will review the proposed development for specific recommended conditions to be approved, which could also include other conditions.
2. 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 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 shall only extend to the centerline of the public right-of-way.

3. In order to provide sufficient sight distance for pedestrians along Marengo Avenue frontage, the proposed driveway ramp to the subterranean garage, from the property line to the first 20 feet east, shall be sloped at 2% or less, unless otherwise reviewed and approved by the Department of Transportation.
4. The proposed drive approach is in conflict with the existing catch basin. The applicant shall relocate the drive approach or reconstruct the existing catch basin. If the applicant proposes to reconstruct the catch basin, plans shall be submitted to the Department of Public Works for review and approval.
5. The existing street lighting fronting the subject site is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate three (3) existing street lighting, on or near the frontage of the subject property, with LED lights, per the City requirements and current standards.

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.

6. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Marengo 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.
7. Marengo 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.
8. The proposed development shall connect to the public sewer main line with one or more 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.
9. 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 submit fees, per the current

General Fee Schedule, to cover the cost of plan checking and construction inspection of the improvements. 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 fees at least two (2) months prior to the issuance of any building or demolition permits.

10. 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.
11. To protect existing City trees during construction, the applicant shall fully conformed to the Tree Protection Guidelines signed by the City Manager. The full guidelines is available at the following link: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>
12. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
13. 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.

14. 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.

15. 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.
16. 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.
17. 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.
18. 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.

19. The applicant shall plant the officially designated street tree, per the City’s approved Master Street Tree Plan, one (1) Coast Live Oak tree along the frontage of the subject property. The Department of Public Works will confirm eligible planting sites.

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.

20. 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.
21. 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. A processing fee will be charged against the deposit.

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

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

23. 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/> .

24. 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. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu-Bowman at 626-744-3762.

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

- 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.

- 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.
- 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.
- 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, dated May 14, 2018, is \$368,945.09. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

- 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:
  - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
  - b. Summary Report with documentation must be submitted prior to final inspection.

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

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).

*Yannie Wu-Bowman*

YANNIE WU-BOWMAN  
Principal Engineer

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