



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 19, 2021

TO: Hearing Officer

SUBJECT: Conditional Use Permit #6884

LOCATION: 3475 East Colorado Boulevard

APPLICANT: Dave Szany on behalf of Symes Motors

ZONING DESIGNATION: ECSP-CG-6 (East Colorado Specific Plan, General Commercial, Sub-area 6, The Chihuahuita area)

GENERAL PLAN DESIGNATION: Medium Mixed Use

CASE PLANNER: Katherine Moran

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6884 with the Conditions of Approval in Attachment B.

PROJECT PROPOSAL: Conditional Use Permit: To allow a 3,061 square-foot addition to the front of an existing auto dealer showroom. A Conditional Use Permit is required for a Vehicle Services – Sales and Leasing use within the ECSP-CG-6 (East Colorado Specific Plan, General Commercial, Sub-area 6, The Chihuahuita area) zoning district.

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) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts additions to existing structures, provided the addition will not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are

available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The proposed 3,061 square-foot addition to an existing auto dealer showroom does not exceed the threshold. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project location is not environmentally sensitive. Therefore, the proposal is exempt from environmental review.

BACKGROUND:

Site characteristics: The project site is approximately 196,544 square feet (4.51 acres) in size and is located on the northern side of East Colorado Boulevard between North Halstead Street and Sycamore Avenue. The site is presently developed with auto dealership showrooms, offices, service bays, and extensive parking areas. The jurisdictional boundary between the City of Pasadena and Los Angeles County runs north-south through the eastern portion of the site, such that the eastern one-quarter of the site is in unincorporated Los Angeles County.

Adjacent Uses: North – I-210 Freeway (North of Frontage Road)
South – Commercial (L.A. County jurisdiction)
East – Commercial (L.A. County jurisdiction)
West – Commercial

Adjacent Zoning: North – PS (Public and Semi Public)
South – LA County
East – LA County
West – ECSP-CG-6 (East Colorado Specific Plan, General Commercial, Sub-area 6, The Chihuahuita area)

Previous zoning cases on this property: Variance #11448 – Variance to allow the construction of a two level parking structure with substandard setbacks to the side and rear property lines. Approved September 3, 2003.

Conditional Use Permit #4374 – Conditional Use Permit to allow an addition to the showroom and offices of an existing auto dealer. Approved August 4, 2004.

PROJECT DESCRIPTION:

The applicant, Dave Szany of Dave Szany & Associates, on behalf of the property owner John Symes of Symes Motors, has filed a Conditional Use Permit application to allow a 3,061 square-foot addition to the front of an existing auto dealer showroom. A Conditional Use Permit is required for a Vehicle Services – Sales and Leasing use within the ECSP-CG-6 (East Colorado Specific Plan, General Commercial, Sub-area 6, The Chihuahuita area) zoning district.

ANALYSIS:

The project site is located within the East Colorado Specific Plan area, sub-area 6, The Chihuahuita area and is divided by the jurisdictional boundary line between the City of Pasadena and Los Angeles County, such that the eastern one-quarter of the site is in unincorporated Los Angeles County. The proposed addition will occur on the portion of the site located within the City of Pasadena.

This existing auto dealership contains showrooms and service areas for multiple auto-dealers including Land Rover. The proposed project is a 3,061 square-foot addition to an existing vaulted-ceiling indoor showroom. The addition consists of enclosing the existing covered, open-air showroom within the existing building footprint. The project also includes an interior remodel. Any expansion of floor area for an auto dealer requires a Conditional Use Permit application. The auto dealer's existing operational characteristics are not proposed to change as a part of the project.

Development Standards

Properties located within the ECSP-CG-6 zoning district are subject to the development standards provided in Section 17.31.050- ECSP General Development Standards. In addition to the general development standards, Vehicle services - Sales and leasing uses are subject to the additional development standards provided in Section 17.50.360 - Vehicle Sales and Repair Services. All of the applicable development standards are described below.

Setbacks

The proposed addition is located within the existing covered, open-air showroom, at the front of the building facing East Colorado Boulevard, effectively enclosing the front of the existing building footprint without altering the existing setbacks. The project site is rectangular shaped lot with all four frontages along streets. The Pasadena jurisdiction line bisects the eastern portion of the project site, parallel to Sycamore Avenue (L.A. County). For this site, the front lot line is located along North Halstead Street (west). The lot line along East Colorado Boulevard is the corner-side lot line (south). The lot line along Frontage Road is also a corner-side (north). The jurisdictional line along the east would act as the *de facto* the rear setback line. The proposed 3,061 square-foot addition would not modify the existing setbacks, as the proposed addition is within the envelope of the existing covered, open-air showroom. The required front and corner-side setbacks are five feet. The addition would maintain the existing front setback, approximately 188 feet, and the existing 10-foot corner-side setback. All other existing setbacks would be unaffected.

Height

The maximum height of a structure shall be measured from the lowest elevation of the existing grade at an exterior wall of the structure to the highest point of the structure. The maximum allowed height in this zoning district is 60 feet since the site is located within one-quarter mile of the Sierra Madre Villa Transit Station. The existing building is 26 feet in height and would not change.

Building Entries

The proposed addition faces East Colorado Boulevard. Parcels with frontage on Colorado Boulevard are required to have building and storefront entries that are visually transparent with a minimum height of eight feet and occupying a minimum of 50 percent of the street façade. The

proposed project's front elevation along Colorado Boulevard proposes a 13-foot tall transparent window display with planar glazing for approximately 68 percent of the street façade.

Parking

Pursuant to Section 17.46.040 of the Zoning Code – Number of Off-Street Parking Spaces Required – a Vehicle Services – Sales and Leasing land use is required to provide one parking space per 1,000 square feet of floor area. With the 3,061 square-foot expansion, and in conjunction with Section 17.50.340.D - Transit-Oriented Development (TOD), this nonresidential land use is subject to a 10 percent parking reduction due to its proximity to the Sierra Madre Villa Station; therefore, three additional parking spaces are required. The project site has multiple existing parking areas designated for specific uses such as employee parking, customer parking, and display parking for vehicles. The site is proposing to convert three of the existing display parking spaces to customer parking to accommodate the three required parking spaces.

The project proposes a business identification wall sign for Land Rover on the building's south elevation facing East Colorado Boulevard. Pursuant to Section 17.48.110.H.5 (Standards for Specific Types of Permanent Signs – Wall Signs) wall signs shall be located within the middle 70-percent of the building or occupancy's frontage measured from lease line to lease line. The Zoning Administrator may allow for a sign to deviate from the "middle 70 percent" location requirement where it can be clearly demonstrated that conforming severely limits proper sign placement. The subject wall sign is proposed at the easternmost edge of the south elevation outside this required middle 70-percent area. Ideal sign placement would be above the auto dealer building's front entry. The 10-foot wide building entrance is situated in the center of the elevation and is symmetrically inset from the rest of the façade, severely limiting proper sign size. Alternative sign locations within the middle 70-percent area would appear unbalanced on the symmetric elevation. The proposed sign placement would allow the sign to be located at the eastern edge of the building which balances out the symmetric facade. In this case, staff finds that the proposed location is the most optimal. Therefore, the Zoning Administrator recommends that the location requirement be modified and that the request be included as part of the approval of the Conditional Use Permit.

GENERAL PLAN CONSISTENCY:

The addition to the existing Vehicle services - Sales and Leasing use is consistent with multiple General Plan Land Use Element Goals and Policies including the following: Policy 2.3-Commercial Businesses, 11.1-Business Expansion and Growth, and 12.4-Revitalization of Commercial Areas. The proposed project includes an addition and remodel of an existing business along a major commercial corridor in the City. The expanded interior showroom space will allow the existing auto dealer to grow and serve both local and regional needs. The addition will allow for a more prominent building frontage along East Colorado Boulevard and contribute to an improved street environment which will complement existing vehicle-related uses within the vicinity. Therefore, the proposed project is consistent with the adopted policies.

REVIEW BY OTHER DEPARTMENTS:

The proposed project was reviewed by the City's Design and Historic Preservation Section, Building and Safety Division, Public Works Department, and Department of Transportation. The Design & Historic Preservation Section conducted a Historic Resource Evaluation of the project under the provisions of Section 17.62.040 of the Zoning Code. Based on the information available to staff, the property has been determined ineligible for landmark designation or as a contributing

structure to an eligible historic or landmark district. The Building and Safety Division and Public Works Department provided comments. The comments received from these departments have been incorporated in the conditions of approval and are included in Attachment B of this staff report.

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) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts additions to existing structures, provided the addition will not result in an increase of more than 10,000 square feet when the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan, and the area in which the project is located is not environmentally sensitive. The proposed 3,061 square-foot addition to an existing auto dealer showroom does not exceed the threshold. The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and the project location is not environmentally sensitive. Therefore, the proposal is exempt from environmental review.

CONCLUSION:

It is staff's conclusion that the findings necessary for approval of the Conditional Use Permit to allow a 3,061 square-foot addition to the auto dealership can be made. The project is in conformance with the purpose of the Zoning Code, for properties within the ECSP-CG-6 zoning district. In addition, the project is consistent with the goals and objectives of the General Plan. Based on staff's analysis of the requested addition, the auto dealer would remain compatible with the adjacent land uses and would not result in any adverse impacts to the surrounding area. Therefore, staff recommends that the Hearing Officer approve the application with findings in Attachment A and the Conditions of Approval in Attachment B.

Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT # 6884

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 Chihuahuita area of the East Colorado Specific Plan (ECSP-CG-6). Table 3-3 of Zoning Code Section 17.31.040 (ECSP District Land Uses and Permit Requirements), permits the Vehicle Services- Sales and Leasing use subject to the approval of a Conditional Use Permit. The proposed addition 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-6 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-oriented commercial development should be concentrated. The proposed project is to expand an existing Vehicle Services- Sales and Leasing use in a commercial area that is generally concentrated with other vehicle sales and Leasing uses. Therefore, the proposed addition is consistent with the intent and purpose of the ECSP-CG-6 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* in that the granting of the requested Conditional Use Permit is consistent with multiple General Plan Land Use Element Goals and Policies including the following: Policy 2.3-Commercial Businesses, 11.1-Business Expansion and Growth, and 12.4-Revitalization of Commercial Areas. The proposed project includes an addition and remodel of an existing business along a major commercial corridor in the City. The expanded interior showroom space will allow the existing auto dealer to grow and serve both local and regional needs. The addition will allow for a more prominent building frontage along East Colorado Boulevard and contribute to an improved street environment which will complement existing vehicle-related uses within the vicinity. Therefore, the proposed project is consistent with the adopted policies.
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 enhancements to the Vehicle Services – Sales and Leasing land use will not alter the current operation of the existing auto dealer in a manner that would be detrimental to the surrounding neighborhood. Regular activities of the auto dealer will continue. Therefore, as conditioned, the addition 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 project includes a 3,061 square-foot addition to enclose an existing covered open-air showroom and is subject to compliance with all of the conditions of approval. As conditioned, it is not expected that the additional square footage will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

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 existing Vehicle Services – Sales and Leasing land use is consistent with the surrounding land uses. The granting of this Conditional Use Permit will allow an addition to the auto dealer building and the continuation of the existing use. The addition will not alter the existing setbacks; therefore the existing building design and characteristics will remain and will not alter the compatibility to the existing and future land uses in the vicinity.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6884

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

General

1. The site plan and floor plan submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing, May 19, 2021" except as modified herein.
2. 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, unless otherwise specified in the conditions of approval. The Planning Director can grant a one-year extension of your approval.
3. The approval of this application authorizes a 3,061 square-foot addition to the existing 16,523 square-foot auto dealer building, in accordance with the plans on file with the Current Planning Division.
4. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
8. The proposed project, Activity Number **ZENT2021-00028**, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy or its equivalent. Contact the Planning Case Manager, Katherine Moran at (626) 744-6740 to schedule an inspection appointment time.

Building and Safety Division

9. Governing Codes: Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review. FYI – The current edition is the 2019 series starting January 1, 2020 thru December 31, 2022.
10. Soils Report: Soils report is required for the project.
11. Low Impact Development (LID) Plan: This project may require the preparation of a LID Plan to demonstrate stormwater management post-construction. LID Plan shall be prepared by a

registered engineer. See attached Form PC for determination and refer to redevelopment of item #9.

12. Building Code Analysis: Document on the plans the Allowable Height & Area, Occupancy Groups, Type of Construction, and Height & Area Increases.
13. Fire Protection: Provide wall & opening protection for exterior walls & openings based on the fire separation distance.
14. Means of Egress (Exiting): Provide Occupant Load Calculations, and provide an "Exit Plan". Identify exit separation and travel distance.
15. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11B of the CBC.
16. Permit(s): Separate permits are required for fire sprinkler, mechanical, electrical, & plumbing.

Public Works Department

17. A closed circuit television (CCTV) inspection of the house sewer serving the property shall be performed and a CCTV inspection video submitted to the Department of Public Works for review. At the time of the video submittal, a non-refundable flat fee, per the current General Fee Schedule, shall be placed by the applicant to cover the staff cost of video review. The house sewer inspection shall include footage from the private cleanout to the connection at public sewer main, with no or minimum flow in the pipe during the televising. 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 any defects revealed by the inspection. Defects may include, excessive tuberculation, offset joints, excessive root intrusion, pipe joints that can allow water infiltration, cracks, and corrosion or deterioration of the pipe or joint material, damaged or cracked connection to the sewer main, 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, and may include partial or total replacement of the house sewer, or installation of a structural or non-structural pipe liner. The applicant shall be responsible for all costs required to obtain the CCTV inspection of the existing sewer connection, and if required, to correct the defects.
18. 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/>

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.

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.

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.

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.

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.

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. In order to ensure that the developers maintain a clean and safe site during the construction phase of development, the applicant shall place a \$10,000 refundable deposit with the Department of Public Works prior to the issuance of any permit. This deposit 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.

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. A maximum of one construction workers' vehicle can be parked on the street; all others shall be parked on-site only. 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.

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.

In addition to the above conditions, the requirements of all applicable Pasadena Municipal Code (PMC) will apply and be implemented during the corresponding plan review and permitting. They may include but not limited to:

- a) Sidewalk Ordinance - Chapter 12.04
- b) Sewer Facility Charge – Chapter 4.53
- c) Residential Impact Fee – Chapter 4.17
- d) City Trees and Tree Protection Ordinance - Chapter 8.52
- e) Construction and Demolition Waste Ordinance - Chapter 8.62
- f) Holiday Moratorium of activities within public right-of-way – Chapter 12.24.100

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.