



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: December 1, 2021

TO: Hearing Officer

SUBJECT: Minor Conditional Use Permit #6911

LOCATION: 32 West Colorado Boulevard

APPLICANT: Michael Vogt

ZONING DESIGNATION: CD-1-AD-1 (Central District Specific Plan, Old Pasadena Subdistrict, Alcohol Density Overlay)

GENERAL PLAN DESIGNATION: Medium Mixed Use

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Minor Conditional Use Permit #6911 with the conditions in Attachment B

PROJECT PROPOSAL: Minor Conditional Use Permit: To establish a Vehicle Services – Sales and Leasing, Limited land use (Lucid Motors) within an existing tenant space.

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 that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances. This section specifically applies to small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. The establishment of a Vehicle Services – Sales and Leasing, Limited land use in an existing commercial tenant space would not result in an expansion of use.

BACKGROUND:

Site characteristics:

The subject site is located on the south side of West Colorado Boulevard between Mills Place on the west and South Fair Oaks Avenue on the east, with Edwin Alley to the south. The 4,386 square-foot property is developed with a three-story commercial building. The proposed Vehicle Services- Sales and Leasing, Limited use (Lucid Motors) would be located on the first floor within an existing 3,866 square-foot tenant space (previously occupied by a fast food restaurant, Yogurtland).

Adjacent Uses:

North: Commercial
South: Commercial
East: Commercial
West: Commercial

Adjacent Zoning:

North: CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay)
South: CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay)
East: CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay)
West: CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay)

Previous Cases:

Exception #10071 – A Variance to allow restaurant without providing the required parking at 24 W. Colorado Blvd. Approved on April 21, 1982.

Variance #10163 – To allow the operation of a ballet school for up to 80 students per month in 19 weekly classes of up to 12 students each without providing the required parking. Approved on October 20, 1982.

Variance #11915 – To permit construction of a basement to exceed Floor Area Ratio. Variance determined to be unnecessary because the addition of a basement did not constitute the addition of floor area and did not affect the Floor Area Ratio calculation. Withdrawn on October 16, 2019.

PROJECT DESCRIPTION:

The applicant, Michael Vogt, has submitted a Minor Conditional Use Permit application to allow the establishment of a Vehicle Services – Sales and Leasing, Limited land use (Lucid Motors) located in the CD-1-AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay) zoning district. Lucid Motors is a seller of electric vehicles. The existing tenant space is 3,866 square feet in interior floor area, located on the first floor of the commercial building. The proposed hours of operation are Monday through Saturday from 11:00 a.m. to 8:00

p.m. and Sunday from 11:00 a.m. to 7:00 p.m. A Minor Conditional Use Permit is required for Vehicle Services – Sales and Leasing, Limited land uses within the CD-1-AD-1 zoning district.

ANALYSIS:

Minor Conditional Use Permit – To Allow a Vehicle Services, Sales and Leasing, Limited Use

The Hearing Officer may approve a MCUP to establish a Vehicle Services – Sales and Leasing, Limited use only after making six findings identified in the Zoning Code. The general purpose is to evaluate compliance with the Zoning Code and General Plan, whether the use would be detrimental or injurious to the neighborhood, and compatibility of the operation with existing and future uses.

Zoning and Land Use

The subject property is located in the CD-1-AD-1 zoning district, a subdistrict intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. Approval of a Minor Conditional Use Permit is required to establish a Vehicle Services – Sales and Leasing, Limited use pursuant to Zoning Code Section 17.30.030 (CD Land Uses and Permit Requirements).

A Vehicle Services- Sales and Leasing, Limited land use is defined in the Zoning Code as “*the sales and leasing of automobiles, motorcycles, or trucks within an enclosed structure without any incidental maintenance or repair work allowed. Vehicles shall not be displayed or stored outdoors. Accessory part installation as part of the vehicle sale is permitted. This excludes uses that exclusively rent vehicles.*” According to the applicant, the proposal includes an interior showroom displaying a maximum of two vehicles and an incidental area devoted to office space. Within the showroom, customers would be able to discuss pricing, place vehicle orders, and experience Lucid Motors’ driving experience through virtual reality technology and/or test drives. No incidental maintenance, repair work or rental services are proposed. In additional, vehicle display will be interior only.

The test drive component would be an ancillary offering to the primary operation of a vehicle showroom. Test drives would occur during operating hours, with the vehicles stored in an off-site structure located at 33 East Green Street. Staff would bring the test drive vehicle to the customer, provide a brief orientation, and join the customer for the test drive. To ensure that there will be no impacts as it relates to customer test drives and noise in residential zoning districts, a condition of approval is recommended requiring the business operator provide a test drive route plan to the Zoning Administrator for review and approval prior to Certificate of Occupancy, and that the test drives do not occur in residential zoning districts.

Furthermore, in the CD-1, along Colorado Boulevard, the ground floor shall be limited to pedestrian-oriented uses for at least 50 percent of a building's street frontage. The Zoning Code designates a Vehicle Services, Sales and Leasing – Limited use as “pedestrian-oriented,” and the proposed tenant space would feature transparent façade to attract customers with its unique offerings. The proposed use provides a new regional retail use that would be compatible with surrounding uses within the CD-1 zoning district including, but not limited to, a mix of restaurants, retail, and other commercial uses.

Parking

The previous use located at the subject tenant space was a Restaurant, Formula Fast Food land use, which required 10 spaces per 1,000 square feet of gross floor area. The proposed Vehicle Services – Sales and Leasing use is subject to a parking ratio of one parking space for every 1,000 square feet of gross floor area and is a less intensive use. Therefore, no additional on-site parking is required.

The six vehicles proposed to be used for the test drive component of the business would be parked at the City parking structure at 33 East Green Street. The Department of Transportation has determined that the parking structure has sufficient capacity to accommodate the vehicles and recommends a condition of approval that the business owner shall secure parking agreements with the City of Pasadena Parking Division prior to the issuance of any Building Permit.

Hours of Operation

The hours of operation are proposed from 11:00 a.m. to 8:00 p.m. Monday through Saturday and 11:00 a.m. to 7:00 p.m. on Sundays. The Zoning Code does not restrict hours of operation in the CD zone. Therefore, the hours of operation comply.

GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY:

The subject site has a General Plan Land Use designation of Medium Mixed Use. The Medium Mixed Use land use designation is intended to support the development of multi-story buildings with a variety of compatible commercial (retail and office) and residential uses. Where buildings face the street frontage, they shall be designed to enhance pedestrian activity with transparent facades for retail uses. The proposed Vehicle Services – Sales and Leasing, Limited use features large windows along Colorado Boulevard that allow pedestrians to view the interior of the suite and the two cars displayed inside the store.

The proposed use would be consistent with General Plan Land Use *Policy 11.1, Business Expansion and Growth*, which supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. The new business would bolster a diverse economy base and would be a long-term economic contribution to the City and CD-1-AD-1 zoning district which encourages a full range of retail and service businesses.

The site is located within the CD-1-AD-1 zoning district, also known as the “Old Pasadena,” which is intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. The introduction of the Vehicle Services – Sales and Leasing, Limited provides variation in land uses and would bring a regional retail attraction to the area.

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 and, therefore, there are no

unusual circumstances. This section specifically applies to the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. The Vehicle Services- Sales and Leasing, Limited land use would not result in an expansion of use.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposal was reviewed by the Building Division, Fire Department, Design and Historic Preservation Section, Public Works Department, and Department of Transportation. The Building Department and Fire Department did not have any comments at this time and would review the use during any applicable future building permit plan check processes. Design and Historic Preservation identified that design review is currently in process for proposed exterior modifications to the building and will need to be completed before a permit is issued for the proposed modifications. The Public Works Department and Department of Transportation provided comments that are included as recommended conditions of approval in Attachment B.

CONCLUSION:

It is staff's recommendation that the findings necessary for approval of the Minor Conditional Use Permit can be made. The proposed Vehicle Services – Sales and Leasing, Limited use would be consistent with other existing uses in the vicinity. The project is in conformance with the purpose of the Zoning Code, for properties within the CD-1-AD-1 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 vehicle sales use 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: Recommended Specific Findings
- Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #6911

Minor Conditional Use Permit – To Allow a Vehicle Services- Sales and Leasing, Limited land use

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The City's Zoning Code defines a Vehicle Services – Sales and Leasing, Limited land use as “the sales and leasing of automobiles, motorcycles, or trucks within an enclosed structure without any incidental maintenance or repair work allowed. Vehicles shall not be displayed or stored outdoors. Accessory part installation as part of the vehicle sale is permitted. This excludes uses that exclusively rent vehicles.” The proposed business will display vehicles within the existing tenant space and would not provide part installation or rental services; therefore, the use will meet the definition of this land use that is a conditionally permitted use within the CD-1-AD-1 zoning district with the approval of a Minor Conditional Use Permit.

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 subject property is located in the CD-1-AD-1 (Central District Specific Plan, Old Pasadena Subdistrict, Alcohol Density Overlay) zoning district. The Zoning Code allows the Vehicle Services - Sales and Leasing – Limited” use in the Central District Specific Plan through the approval of a Minor Conditional Use Permit. The purpose of the CD zoning district is to implement the objectives and policies of the Central District Specific Plan by providing for a diverse mix of land uses designed to create the primary business, financial, retailing, and government center of the City. The Old Pasadena subdistrict is intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses

The Vehicle Services, Sales and Leasing – Limited use (Lucid Motors) will be located in an existing building and in area that promotes a mix of uses. The proposed use is compatible with other uses in the immediate area, as it features a transparent façade and attracts customers with its unique offerings. The Zoning Code designates this use as “pedestrian-oriented,” which is compliant with the 50 percent ground floor pedestrian-oriented use requirement for buildings along Colorado Boulevard in the CD-1. As conditioned, the Vehicle Services - Sales and Leasing, Limited use will not result in any significant impacts on adjacent uses. The proposed use is otherwise in compliance with the Zoning Code and district.

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The proposed use will be consistent with General Plan Land Use Policy 11.1, Business Expansion and Growth, which supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. The new business would bolster a diverse economy base and would be a long-term economic contribution to the City and CD-1-AD-1 zoning district which encourages a full range of retail and service businesses. The site is located within the CD-1-AD-1 zoning district, also known as the “Old Pasadena,” which is intended to maintain and reinforce the historic character of the area, and to support its long-term viability as a regional retail and entertainment attraction through the development of complementary uses, including medium to high-density housing near light rail stations. The introduction of the Vehicle Services – Sales and Leasing, Limited provides variation in land uses and would bring a regional retail attraction to the area. Therefore, the use is in

conformance with the General Plan and purpose and intent of the Central District Specific Plan.

4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The proposed project will allow for the operation of a Vehicle Services – Sales and Leasing, Limited use, a use that is conditionally permitted within the CD-1-AD-1 zoning district. The operation of an automobile sales use without outdoor display of vehicles is consistent with the activity of the surrounding commercial area on Colorado Boulevard. Lucid Motors also proposes to feature occasional test drives of their electric vehicles; as conditioned, the odorless cars will travel along the public right-of-way on routes approved by the Zoning Administrator and it is anticipated that there will be no detrimental effects to the public health, safety and welfare at large.
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 operation of the Vehicle Services, Sales and Leasing, Limited use is consistent with the activity of the surrounding commercial area in the Old Pasadena area. All changes to the tenant suite will be reviewed through the building plan check process. Through conditions of approval, measures have been taken to address the potential for concerns regarding the operation of the test drive component of the proposed use. As such, the proposed use as described and conditionally approved would not be injurious to property and improvements in the area.
6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetic values, character, scale, and view protection.* The proposed Vehicle Services – Sales and Leasing land use is consistent with the surrounding land uses, as it provides a showroom and tenant space for vehicle sales. The granting of this Minor Conditional Use Permit will allow the operation of the new auto sales business with minimal changes to the existing tenant suite. Any exterior changes to the tenant building will be reviewed through the City's Design Review process with the Design and Historic Preservation Division so that the building will not be altered in terms of aesthetics, character, scale, etc. The new use will elevate the aesthetic of the otherwise vacant tenant space, which will be compatible with existing and future land uses.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #6911

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

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing, December 1, 2021," except as modified herein.
2. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. The approval of this application authorizes the establishment of a Vehicle Services – Sales and Leasing, Limited land use in an existing 3,866 square-foot tenant space, as depicted in the approved floor plan.
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 Minor Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval or expansion of the use may require the modification of this Minor Conditional Use Permit or a new Minor 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 **ZENT2021-00096**, 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. Contact the Planning Case Manager, Alison Walker at (626) 744-6742 to schedule an inspection appointment time.

Planning Division

9. Prior to issuance of a Certificate of Occupancy, a plan describing test drive route(s) shall be submitted for review and approval by the Zoning Administrator, subject to the following restriction: Test driving of vehicles shall be prohibited in residential zoning districts.
10. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.
11. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
12. Any outdoor lighting shall also meet Section 17.40.080 (Outdoor Lighting) of the Zoning Code.

Public Works Department

13. 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, 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(s) shall only extend to the centerline of the public right-of-way.

14. 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.

15. 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/>
16. 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.

17. 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.
18. 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.
19. 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.

20. 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.
21. In order to ensure that the job site is kept safe and clean and all existing public facilities are protect in place, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of any permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, 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.
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.
23. 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:

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

Department of Transportation

24. Parking: The applicant shall secure parking agreements with the City of Pasadena Parking Division prior to the issuance of any Building Permit. DOT encourages the applicant to contact the Parking Division at (626) 744-7665 or via email at parking@cityofpasadena.net as soon as possible since the availability of parking is not guaranteed.
25. Loading: The revised operations plan memo dated October 20, 2021 shows a space for passenger loading on Colorado Boulevard. DOT will not install a dedicated loading zone for exclusive project use along the project frontage.
26. Occupancy in Public Right-of-Way: The applicant shall submit an application for any activity or occupancies conducted within the public right-of-way to the Department of Public Works for review and approval.
27. The project shall not install any bollards in public right-of-way to restrict any traffic from entering or exiting along Mills Place except by permit.
28. The efficient operations of the adjacent property owners and Edwin Alley shall not be obstructed. Vehicles shall not be staged within 25' of Edwin Alley.
29. Colorado Boulevard Site Access: Temporary site access from Colorado Boulevard for display purposes shall require appropriate permits from the Department of Public Works in addition to a Traffic Control Plan.
30. Operations Plan: Site Plan and Operations Plan for showroom vehicle access shall be reviewed and approved by the Department of Transportation prior to the issuance of the first permit for construction.
31. Driveway cuts: No new driveway cuts shall be installed along Colorado Boulevard.