



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: December 15, 2021

TO: Hearing Officer

SUBJECT: Modification to Conditional Use Permit #4804

LOCATION: 1100 Arden Road

APPLICANT: California American Water Company

ZONING DESIGNATION: RS-2-LD-28 (Single-Family Residential, 0-2 units/acre, Arden Road Landmark District)

GENERAL PLAN DESIGNATION: Low Density Residential

CASE PLANNER: Beilin Yu

STAFF RECOMMENDATION: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (Attachment C) for the project; and the Specific Findings (Attachment A) to approve Modification to Conditional Use Permit #4804 with the conditions of approval (Attachment B).

PROJECT PROPOSAL:

Modification to Conditional Use Permit # 4804: To allow the replacement of the existing Patton Reservoir water tank with a new circular prestressed concrete reservoir tank. The proposed replacement circular reservoir tank would be located on the same footprint as the existing reservoir tank and have an internal diameter of 107 feet. A new berm, similar to the existing berm, is proposed around the replacement reservoir, and the replacement reservoir would measure 12 feet above the top of the berm. The proposed capacity of the new reservoir is 940,000 gallon. A Conditional Use Permit is required for the modification of a 'Major Utility' use in the RS-2 (Single-Family Residential, 0-2 lots/acre) zoning district.

ENVIRONMENTAL DETERMINATION:

An Initial Study was prepared for the project pursuant to the California Environmental Quality Act (CEQA) and concluded that there would be less than significant impacts on the environment with the incorporation of mitigation measures; a Mitigated Negative Declaration has therefore

been prepared. Possible impacts on Vibration, and Tribal Cultural Resources were identified in the Initial Environmental Study.

BACKGROUND:

Site characteristics: The project site is located at 1100 Arden Road, east of Wilson Avenue. The irregularly shaped lot measures approximately 64,130 square feet and is located within the RS-2 zoning district in the Arden Road Landmark District. Currently the site is developed with a water reservoir for California American Water Company (CalAm), including a 540,000-gallon reservoir water tank, and supporting equipment, such as pumps, utility cabinets, and a disinfecting facility. A chain link fence with dense vegetation surrounds the front, west side, and rear property line. A wall is located along the eastern interior side property lines. A total of 43 trees are located on-site. The site is accessed from Arden Road by a driveway located on the west side of the property. Surface parking spaces are provided on the north side of the water reservoir, behind a chain link fence.

Adjacent Uses: North: Single-Family Residential and Polytechnical School
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential

Adjacent Zoning: North: RS-4-LD-28 (Single-Family Residential, 0-4 lots/acre, Arden Road Landmark District) and PS (Public / Semi Public)
South: City of San Marino
East: RS-2-LD-28 (Single-Family Residential, 0-2 lots/acre, Arden Road Landmark District)
West: RS-2-LD-28 (Single-Family Residential, 0-2 lots/acre, Arden Road Landmark District)

Previous cases on this property: CUP #4804 – To allow the expansion of an existing Major Utility Use (water reservoir) consisting of the following three components: 1) drilling of a groundwater production well that will contain a submersible pump within the well, 2) installation of a Liquid Granular Activated Carbon (LGAC) treatment facility measuring approximately 15 feet 9 inches in height which is intended to filter material from the existing water being supplied to the site, and 3) installation of approximately 16,200 lineal feet of 12 inch diameter ductile iron water pipeline in public roadways in the City of Pasadena, City of San Marino, and unincorporated Los Angeles County. A Conditional Use Permit is required for the expansion of the reservoir site. Approved by Hearing Officer on September 13, 2007.

PROJECT DESCRIPTION:

In September 2007, the Hearing Officer approved Conditional Use Permit #4804 to allow the improvements to the water reservoir use. The expansion approved in 2007 consisted of three components: 1) drilling of a groundwater production well that contained a submersible pump within the well; 2) installation of a Liquid Granular Activated Carbon (LGAC) treatment facility

measuring approximately 15 feet 9 inches in height which is intended to filter material from the existing water being supplied to the site; and 3) installation of approximately 16,200 lineal feet of 12-inch diameter ductile iron water pipeline in public roadways in the City of Pasadena, City of San Marino, and unincorporated Los Angeles County. No changes to the water reservoir tank was proposed or approved at that time.

The applicant, Brown and Caldwell, on behalf of the property owner, California American Water Company, has submitted a Modification to Conditional Use Permit #4804 to allow the replacement of the existing Patton Reservoir tank with a new circular prestressed concrete reservoir tank.

Patton Reservoir water tank currently has a capacity of 540,000-gallons, with the potable water stored within the reservoir serving California America Water customers and fire hydrants within the adjacent City of San Marino. The existing reservoir tank is a partially buried rectangular basin measuring 110 feet by 110 feet, with a 3.5-foot graded and paved berm surrounding it. The buried portion of the basin has sloped side walls with a concrete berm surrounding it. The existing reservoir's steel trussed roof, which is supported by wood posts, stands 4.5 feet above the berm.

The proposed replacement circular reservoir tank would be located on the same footprint as the existing reservoir tank and have an internal diameter of 107 feet. A new similar 3.5-foot graded berm is proposed around the replacement reservoir tank, and the replacement reservoir tank would measure 12 feet above the top of the berm (finished grade). The proposed capacity of the new reservoir tank is 940,000-gallons. The new reservoir tank would continue to have a mild-sloped roof design (similar to the existing reservoir roof) and would be painted Hunter Green in color.

The proposed project would only replace the reservoir tank and would not require any additional infrastructure/changes within the site or modifications to the purpose of the existing facility.

A Water Reservoir use is classified as a Major Utility use under the City's Zoning Code. The subject site is located within the RS-2-LD-28 (Single-Family Residential, 0-2 lots per acre, Arden Road Landmark District) zoning district, where a Major Utility use requires the review and approval of a Conditional Use Permit. The applicant's proposal to replace the reservoir tank is a change from the original 2007 approval, and therefore requires the review and approval of a Modification application.

ANALYSIS:

Conditional Use Permit – To allow the replacement of a Major Utility use in the RS-2 Zoning District

The Conditional Use Permit process allows the City to review the project to determine if the proposed improvements will be compatible with the surrounding uses and require that the proposal adhere to specific conditions related to construction, operation, appearance, etc. In order to approve the Conditional Use Permit, six specific findings (Attachment A) must be made by a Hearing Officer in the affirmative. These findings relate to the project meeting the intent and purpose of its Zoning District and the Zoning Code. Per Section 17.64.050.A.4, before approval of a modification, the applicable review authority shall make the required findings for the original approval, and an additional finding that there are changed circumstances sufficient to justify the modification of the original approval.

The proposed project entails the replacement of the existing Patton Reservoir tank with a new water reservoir tank. Patton Reservoir tank was built in the 1920's, and over the years, the reservoir tank has had minor upgrades and repairs, but the overall water storage capacity and reservoir tank design remains unchanged. Due to its age, the reservoir tank cannot adequately supply current demand and provide adequate fire suppression water storage capacity. Additionally, the deteriorated reservoir tank structure does not meet present earthquake design requirements. The project applicant is proposing to replace the existing Patton Reservoir tank to increase water storage capacity, increase supply reliability, and correct structural deficiencies.

The proposed reservoir tank would be located within the same location on-site as the existing reservoir, approximately 117 feet from the front property line, approximately 23 feet from the side property lines, and approximately 90 feet from the rear property line. The existing reservoir tank is a squared-shaped tank measuring 110 feet by 110 feet, while the proposed reservoir would be circular shaped and have an interior diameter of 107 feet.

The existing reservoir tank is partially buried into the ground. As described above, a 3.5-foot graded berm surround the existing tank. Including the graded berm, the tank is buried approximately 10 feet into the ground, with an exposed height of 4.5 feet. The proposed reservoir would also be buried similarly into the ground, minimizing the grading required during construction. A similar 3.5-foot high graded berm would surround the proposed tank. The proposed reservoir tank would be 12 feet above the top of the berm (finished grade) surrounding it, which would result in a height increase of approximately 7.5 feet from the existing reservoir tank. The reservoir tank would be painted in Hunter Green color.

The use of the property will remain the same as the existing, and which has existed on the property since the 1920's. The use does not entail frequent service visits, and the water reservoir itself does not emit or produce any noise. The site is surrounded by dense vegetation along the front, sides and rear property lines. The vegetation on the site includes 43 trees on site and 13 trees on adjacent properties, which are proposed to be maintained, except for one deceased tree.

It is staff's assessment that the replacement of the existing reservoir with a new reservoir would not result in impacts to surrounding properties. The use would remain the same as the existing, the frequency of staff visits to the site would not increase, and the proposed reservoir does not emit smell or noise that would create disturbance to the nearby residences.

Although the proposed reservoir tank would be approximately 7.5 feet higher than the existing reservoir tank, the proposed Hunter Green color would blend in the tank with the existing vegetation. The exposed height of 12 feet is consistent with the RS-2 zoning district development standard, which permits a maximum height of 32 feet. Lastly, the existing and proposed 117-foot front setback and the existing dense vegetation along the front property line would minimize the appearance of the reservoir tank from the street. The improvements on the subject site complies with the general development standards of the RS-2 zoning district, including setbacks, height, and encroachment plane.

TREE PROTECTION ORDINANCE:

The City's Tree Protection Ordinance (Section 8.52 of the City's Municipal Code) provides for the preservation of mature trees and has a list of protected tree species. A Tree Inventory, prepared by James Komen, Class One Arboriculture, Inc., was submitted as part of the application. The arborist report indicates that 43 trees are located within the subject property and 13 trees are located adjacent to the subject site.

Of the 56 trees analyzed by the arborist, 39 trees (including 3 street trees) are protected under the City's Tree Protection Ordinance. A Tree Protection Plan indicating the location of a Tree Protection Fencing was also submitted, and according to the arborist report, no trees would be impacted by the proposed project.

Lastly, the arborist report noted that Tree #44, a 9" DBH (diameter at breast height) *Quercus agrifolia* (Coast Live Oak) tree, located at the southwest corner of the site, along the rear property line, is dead and recommended to be removed. *Quercus agrifolia* (Coast Live Oak) trees with a 4" DBH or greater are protected under the City's Tree Protection Ordinance, as such this tree is protected. Because this tree is not located in the immediate area of the proposed water reservoir tank and would not be impacted by the construction of the project, removal of this tree requires the review and approval of a separate Private Tree Removal permit.

GENERAL PLAN CONSISTENCY:

The proposed project is consistent with General Plan Land Use Policy 10.16 (Infrastructure), which encourages the design, construction, maintenance, and improvement of Pasadena's infrastructure to conserve and reduce impacts to the natural environment. The replacement of the existing water reservoir is intended to increase water storage capacity, increase supply reliability, and correct structural deficiencies.

ENVIRONMENTAL REVIEW:

Aspen Environmental Group conducted the environmental review of the Project in compliance with the California Environmental Quality Act (CEQA). This analysis resulted in a Draft Initial Study / Mitigated Negative Declaration. As required by CEQA, the following environmental topics were analyzed:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

All impacts identified in the Initial Study were found to be less than significant, or less than significant with implementation of mitigation measures. The Initial Study identified potentially significant effects related to the following topics: Vibration and Tribal Cultural Resources. However, with incorporation of mitigation measures, it was determined in the Initial Study that all potentially significant effects would be reduced to a less-than-significant level.

Summarized below are the topics where it was determined that mitigation measures were necessary, as well as summaries of the relevant mitigation measures. The full analysis of these topics, as well as those found to have a less-than-significant impacts can be found in the Draft Initial Study / Mitigated Negative Declaration (IS/MND).

Vibration (Less than Significant with Mitigation)

The Noise analysis in the Draft IS/MND found that heavy equipment used during construction has the potential to generate groundborne vibration. Additionally, heavy truck haul trips may produce short-term groundborne vibration. Typically, groundborne vibrations generated by man-made activities attenuate rapidly with distance from the source of the vibration. Man-made vibration issues are therefore usually confined to short distances from the source. During construction of the project, heavy truck trips and grading/excavation would produce the greatest levels of short-term groundborne vibration. The main cause of vibration during vehicle transport is uneven road surfaces. However, large truck trips would only occur on paved roads and paved areas within the site adjacent to residential receptors, with negligible vibration levels produced. Therefore, grading/excavation would be the primary sources of vibration during construction of the project.

The construction of the proposed project would require use of a roller during backfill and compaction of the reservoir tank. The nearest sensitive receptors to the primary project work area (reservoir footprint) are single-family homes located approximately 40 feet to the east and 55 feet to the west of the project work area. To ensure the potential for vibration impacts from vibratory compacting to the nearest adjacent residential structures is avoided, Mitigation Measure VIB-1 is recommended and would ensure that roller compacting not occur within 45 feet of the nearest residential structure. The incorporation of Mitigation Measure VIB-1 would avoid any adverse vibration impacts during construction and would ensure no damage to either building occurs as a result of the project. This mitigation would reduce potential vibration impacts from necessary roller compacting to a less than significant level.

Construction of the project would require temporary use of pile drivers for seismic shoring of the buried reservoir tank. The project applicant has confirmed that use of a Giken "quiet piler" would be sufficient to construct the structural piers and foundations necessary to support the new reservoir tank. The use of a Giken quiet piler would not create significant vibration impacts at the nearest residential structure. To ensure the potential for vibration impacts from pile driving to adjacent residential structures is avoided, Mitigation Measure VIB-1 is recommended and would ensure a Giken quiet piler (or equivalent) is utilized.

The incorporation of Mitigation Measure VIB-1 would avoid any adverse vibration impacts during construction and would ensure no damage to either building occurs as a result of the project. This mitigation would reduce potential vibration impacts to a less than significant level.

Mitigation Measure VIB-1 - Construction Equipment Limits and Requirements to Avoid Vibration Impacts. During construction of the project, the applicant and its construction contractor(s) shall abide by the following limits and requirements:

- **Roller Compacting Requirements.** During construction of the project, the applicant and its construction contractor(s) shall not use a roller compactor within 45 feet of the nearest residential structure. Compacting within a distance of 45 feet from the nearest residential structure shall only be completed using non-vibratory equipment that does not exceed 0.12 PPV at the nearest residential structures to the work area.
- **Pile Driving Equipment Requirements.** During construction of the project, the applicant and its construction contractor(s) shall only utilize a Giken quiet piler (or equivalent) for any necessary pile driving activities. Such equipment shall ensure that vibration levels generated during construction do not exceed 0.12 PPV at the nearest residential structures to the work area. At least 7 days prior to any pile driving activities, the project

applicant shall provide the City of Pasadena Planning Department verification of the specific equipment to be utilized during pile driving and proof via the equipment manufacturer's specifications that the expected PPV levels at the nearest residential structures to the project shall not exceed 0.12 PPV.

Tribal Cultural Resources (Less than Significant with Mitigation)

The proposed project is subject to compliance with Assembly Bill 52 (AB 52), which requires consideration of impacts to "tribal cultural resources" (TCRs) as defined in Public Resources Code 21074 as part of the CEQA process. Per AB 52, the City conducted a consultation with the Gabrieleño Band of Mission Indians – Kizh Nation, which resulted in this Tribe stating that the project site lies within their ancestral tribal territory. However, consultation did not identify any specific tribal cultural resources within the project area. Therefore, no listed or eligible tribal cultural resources appear to be present on the project site. However, it is possible that intact and previously undiscovered prehistoric archaeological deposits are present at subsurface levels and could be uncovered during ground-disturbing activities. In the event that such deposits of previously unknown tribal cultural resources are encountered, significant effects may occur to that resource if the resource is disturbed, destroyed, or otherwise improperly treated. As such, Mitigation Measure TCR-1 is provided in the event that resources are uncovered during construction and requires monitor meeting the satisfaction of the Gabrieleño Band of Mission Indians – Kizh Nation to be present during ground-disturbing activities at the project site and removal of the existing tank. Mitigation Measure TCR-1 further requires the proper handling and treatment of any significant resources, should they be discovered on site. Upon incorporation of Mitigation Measure TCR-1, impacts to tribal cultural resources would be less than significant.

Mitigation Measure TCR-1 Retain a Native American Monitor. During ground-disturbing activities (e.g., trenching) and removal of the existing reservoir tank, a monitor meeting the satisfaction of a Native American tribe with cultural affinity to the Gabrieleño (for example, the Gabrieleño Band of Mission Indians—Kizh Nation) shall be present. Consistent with Mitigation Measure 4-1 in the Pasadena General Plan EIR, if Native American artifacts are found, all ground disturbing activities in the immediate vicinity of the find shall be halted until the find is evaluated by a Registered Professional Archaeologist. If testing determines that significance criteria are met, then the Project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; and provide a comprehensive final report, including site record to the City and the South Central Coastal Information Center at California State University, Fullerton. No further grading shall occur in the area of the discovery until Planning Department approves the report. Subsequently, the find shall be turned over to the tribe. In addition, any cultural resources found shall be treated in accordance with regulatory requirements. Grading and excavation may continue around the isolated area of the find so long as the activities do not impede or jeopardize the protection and preservation of any cultural resources as determined by the monitor.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposal was reviewed by the Department of Transportation, Public Works Department, Fire Department, Building and Safety Division, Water Engineering, Power Division, and Design and Historic Preservation (DHP) Section. Conditions from the Department of Public Works, Building and Safety Division, Water Engineering, and Power Division are incorporated in Attachment B of this report.

CONCLUSION:

Based on the analysis presented in this report, staff concludes that the findings for approval of the Modification to Conditional Use Permit #4804 to allow the replacement of the existing reservoir (Major Utility) can be made. Currently the site is utilized as a water reservoir and the proposed improvement is intended to meet water demands in the immediate region. The proposed reservoir tank would be located at the same location as the existing reservoir, would not be readily visible from the street, and this proposal is not intended to change the operation of the reservoir use or result in exposure to higher noise levels. As such, staff recommends approval of the application with the findings in Attachment A and with the conditions of approval in Attachments B.

ATTACHMENTS:

Attachment A: Specific Findings of Approval

Attachment B: Conditions of Approval

Attachment C: Mitigation Monitoring and Reporting Program

Attachment D: Initial Study / Mitigated Negative Declaration

ATTACHMENT A
SPECIFIC FINDINGS FOR MODIFICATION TO CONDITIONAL USE PERMIT #4804

Conditional Use Permit – To allow the replacement of a Major Utility use in the RS-2 Zoning District

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 site is located within the RS-2 zoning district, where the proposed improvement to a Major Utility use is permitted subject to the review and approval of a conditional use permit. The proposal entails the replacement of a 540,000-gallon water reservoir tank with a 940,000-gallon reservoir tank. The proposed reservoir tank will be located at the same location on-site as the existing reservoir tank, with a 117-foot front yard setback, 23-foot side yard setbacks, and 90-foot rear yard setback, and will have a height of 12-feet. The design and location of the reservoir complies with the RS-2 zoning district general development standards, including setbacks, height, and encroachment place.
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 site is located within the RS-2 zoning district and has been utilized as a Major Utility use since the 1920's. One of the general purposes of the Residential Zoning Districts is to ensure the provision of public services and facilities needed to accommodate planned population densities. The purpose of the project is to replace the existing water reservoir tank to increase water storage capacity, increase supply reliability, and correct structural deficiencies. As such, the location of the use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The proposed project is consistent with General Plan Land Use Policy 10.16 (Infrastructure), which encourages the design, construction, maintenance, and improvement of Pasadena's infrastructure to conserve and reduce impacts to the natural environment. The replacement of the existing water reservoir tank is intended to increase water storage capacity, increase supply reliability, and correct structural deficiencies.
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 replacement of the exiting water reservoir tank will not result in an increase in the frequency of staff visits to the site, and the proposed reservoir does not emit smell or noise that would create disturbance to the nearby residences. Although the proposed reservoir tank will be approximately 7.5 feet higher than the existing reservoir tank, the proposed Hunter Green color will blend the reservoir tank with the existing vegetation. The 117-foot front setback and the existing dense vegetation along the front property line will minimize the appearance of the reservoir tank from the street. The replacement reservoir tank will also correct structural deficiencies which currently exists and result in a seismically safe structure that complies with all applicable codes.

Heavy equipment used during construction has the potential to generate groundborne vibration. With the incorporation of Mitigation Measure VB-1, which prohibits the use of a roller compactor within 45 feet of the nearest residential structure; and requires the use of a Giken quiet piler (or equivalent) for any necessary pile driving activities, the construction vibration will be less than significant.

With the mitigation measure, the establishment, maintenance, or operation of the use will 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.

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 improvement is not intended to be obtrusive to the surrounding area. The use of the site will remain the same as existing, which has existed on the property since the 1920's. Due to its age, the reservoir tank cannot adequately supply current demand and provide adequate fire suppression water storage capacity. Additionally, the deteriorated reservoir structure does not meet present earthquake design requirements. The project will increase water storage capacity, increase supply reliability, and correct structural deficiencies. The proposal will also be required to meet all conditions as imposed herein by all respective City departments, as well as state agencies prior to the issuance of building permits (ex. Building, Water, Zoning etc.).
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 water reservoir tank will be located within the same location on-site as the existing reservoir tank, with a 117-foot front yard setback, 23-foot side yard setbacks, and 90-foot rear yard setback. The site is surrounded by dense vegetation along all property lines. The height of the reservoir is 12 feet, measured from finished grade, and the reservoir is proposed to be painted Hunter Green to blend in with the existing landscaping. All these features will minimize the appearance of the proposed water reservoir tank to ensure it is compatible with the vicinity in terms of aesthetic values, character, and scale.
7. *There are changed circumstances sufficient to justify the modification to the original approval.* The proposed project under this Modification request is to replace the existing water reservoir tank that was constructed in the 1920's. Due to its age, the reservoir tank cannot adequately supply current demand and provide adequate fire suppression water storage capacity. Additionally, the deteriorated reservoir structure does not meet present earthquake design requirements. The project will increase water storage capacity, increase supply reliability, and correct structural deficiencies . At the time of the original approval for Conditional Use Permit #4804 in 2007, no improvements were proposed or approved for the water reservoir tank.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MODIFICATION TO CONDITIONAL USE PERMIT #4804

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

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved at Hearing December 15, 2021", except as modified herein.
2. The approval of this application authorizes the replacement of the existing water reservoir with a new 940,000 gallon water reservoir, with an interior diameter of 107 feet, and an exposed height of 12 feet.
3. The right granted under this application must be enacted within 24 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
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.

Planning Division

7. The project shall adhere to the City regulations governing hours of construction, noise levels generated by construction and mechanical equipment, and the allowed level of ambient noise as specified in Chapter 9.36 of the Pasadena Municipal Code.
8. Any proposed outdoor lighting shall comply with Section 17.40.080 of the Pasadena Zoning Code.

Public Works Department

9. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Arden Road, 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.
10. 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.

11. 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.
12. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 4' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
13. 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.
14. 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.
15. Prior to issuance of any permit, a sundry deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The sundry deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
16. Past experience has indicated that projects such as this tend to damage the abutting (existing public and private street) street improvements with the heavy equipment and truck traffic that

is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$5,000 deposit with the Department of Public Works prior to the issuance of any permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.

17. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>. A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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.

18. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy.

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

The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link:

<https://ww5.cityofpasadena.net/public-works/engineering-and-construction/engineering/forms-and-applications/>.

19. 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 at 626-744-3762.

20. In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project:
 - 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://ww5.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.

 - 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://ww5.cityofpasadena.net/public-works/street-maintenance-waste-management/recycling-resources/construction-and-demolition-debris-recyclers/> 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.

21. 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.

Building and Safety Division

22. GOVERNING CODES: Current Edition of 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Energy Code, California Green Building Standard Code.& the City of Pasadena Municipal Code

The governing edition is based on the date in which the project is submitted to the City of Pasadena for review.

23. BUILDING CODE ANALYSIS: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Description of use, Occupancy, whether separated or un-separated, number of stories, type of construction, sprinklers, floor area, height, and allowable floor area.

24. MEANS OF EGRESS (EXITING):

Show an exit plan that labels and clearly shows compliance with all required egress features such as, but not limited to, common path of travel, required number of exits, occupant load, required width, continuity, travel distance, etc. [CBC 1001.1]

Clearly label and identify on plans fire-resistive corridors, exit enclosures, exit passageways, horizontal exits, occupancy separation walls and floors, fire resistive shafts, and fire walls, along with their fire-resistive ratings

Primary accessible path of travel shall include a primary entrance to the building or facility; toilet and bathing facilities serving the area; drinking fountains serving the area; public telephones serving the area, and signs. CBC 2016 chapter 11A

25. Low Impact Development (LID) Plan / Standard Urban Stormwater Mitigation Plan (SUSMP) and Stormwater Pollution Prevention Plan (SWPPP): See attached city of Pasadena guideline for LID/SUSMP requirements. For more details, see City link for LID: <http://cityofpasadena.net/Planning/LID/>

26. PARKING SPACES: Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per CBC 2016 11A

27. PERMIT(S): Separate permits are required for the following:

Mechanical
Electrical
Plumbing
Fire Sprinkler
Demolition
Others

Water Division – Water and Power Department

28. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There are three water mains surrounding this property. There is a 8-inch ductile iron water main in Arden Road that was installed under Work Order 02541 in 2007. This water main is located approximately 29 feet south of the north property line of Arden Road.

29. Moratorium: Verify with Public Works Department regarding any street construction moratorium affecting this project.
30. Water Pressure: The approximate water pressure in the area is 80 - 90 psi.
31. Water Service: PWP do not have any records of water services at this location. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly.
32. Water Division Requirements:
- Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
 - The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
 - All services not in use must be abandoned at the distribution main at the applicable rate.
 - For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
 - Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use, replacement and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.
33. Cross Connection Requirements for Domestic Services:
- All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
 - There shall be no taps between the meter and the backflow assembly.
 - The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
 - The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.

- The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- An administrative fee of \$194.00 will be charged for each backflow prevention assembly installed.

34. Cross Connection Requirements for Fire Service:

- The fire service requires a detector meter and back-flow prevention assembly.
- The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approved list of assemblies.
- All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
- If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- Choose from one of the below listed options and incorporate into the fire sprinkler plans.

35. Option 1: Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

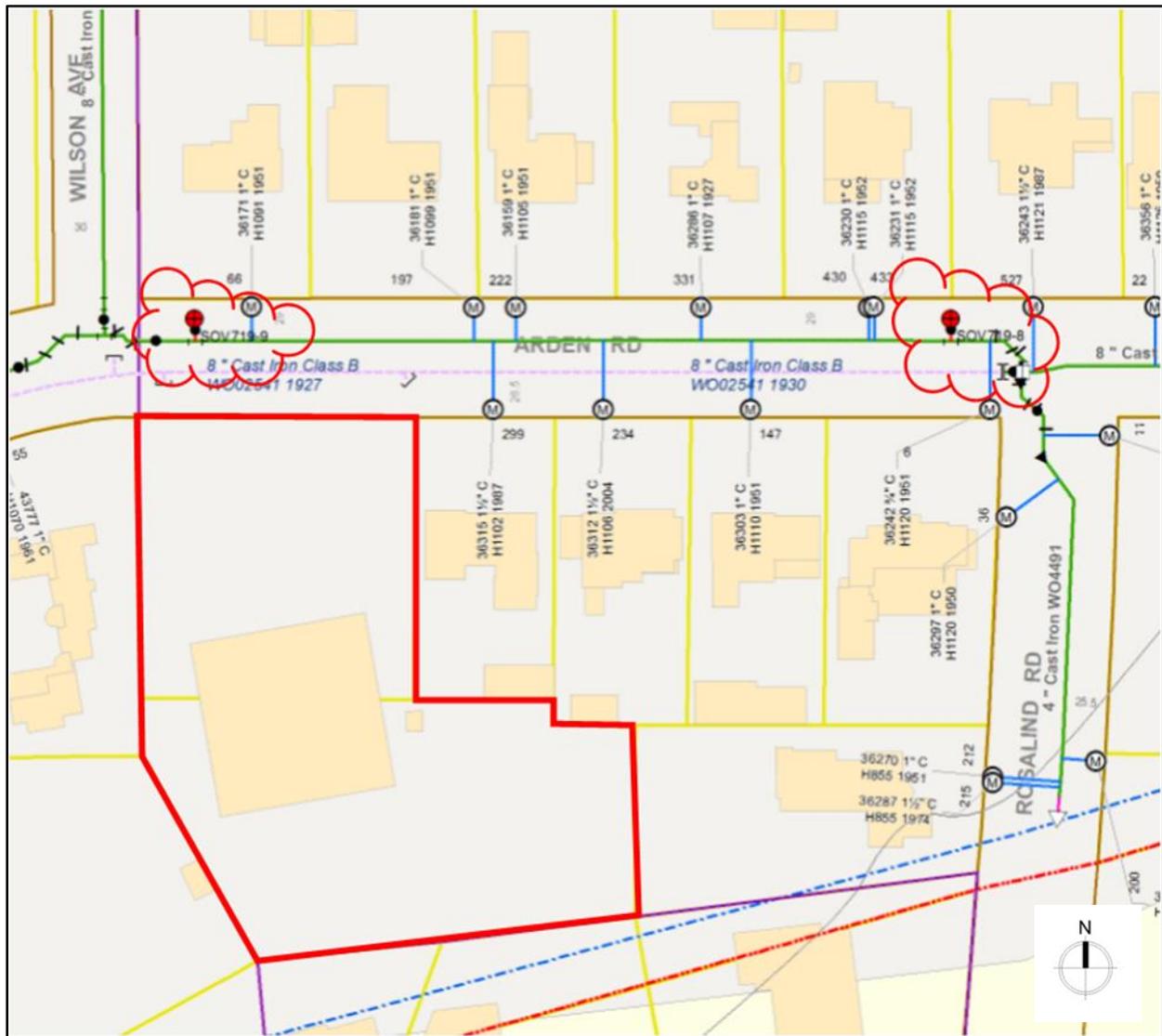
36. Option 2: Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

- The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.

37. All Other Cross Connection Requirements: The owner/developer is also responsible for additional cross connection requirements for irrigation system, swimming pool and/or spa, boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.

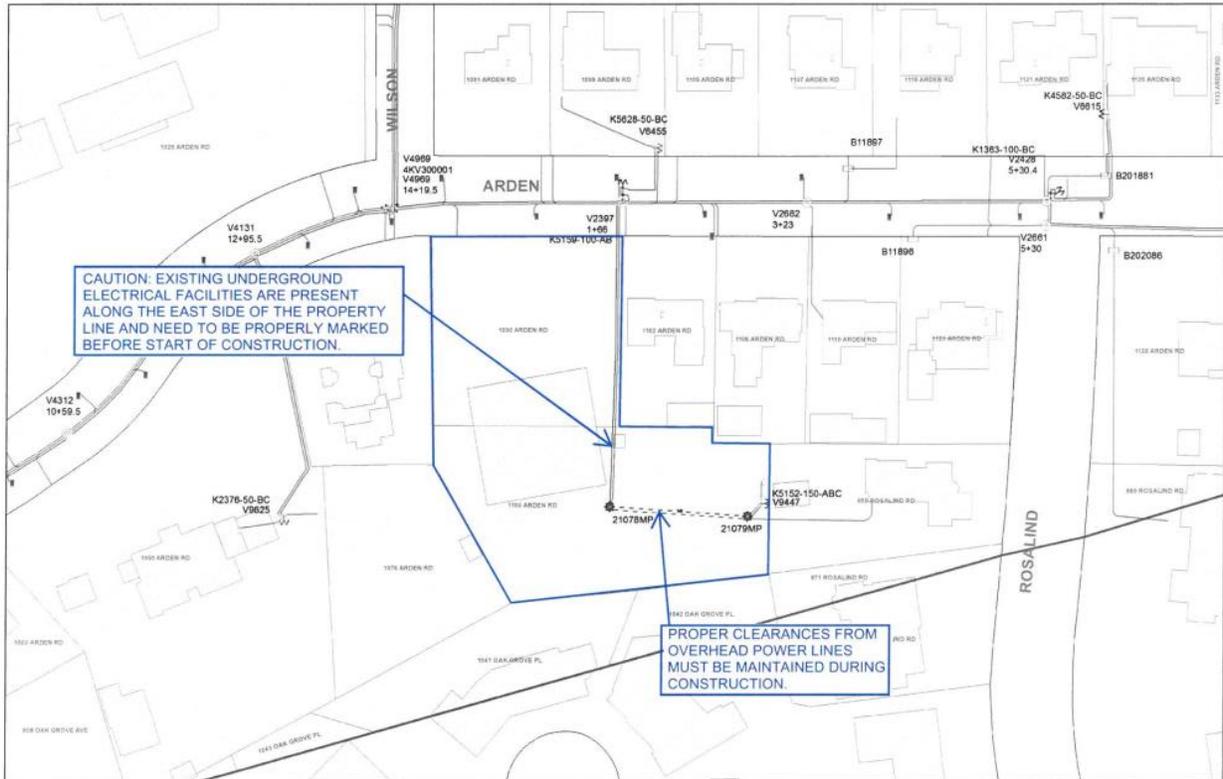
38. Fire Flow and Fire Hydrants: The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.
39. There are two fire hydrants in close proximity to the project site. Fire hydrant 719-9 is located on the northeast corner of Wilson Avenue and Arden Road. Fire hydrant 719-8 is located on the northwest corner of Rosalind Road and Arden Road. There is no current fire flow test information for either of these two fire hydrants. To request for a fire flow test, please contact Marco Sustaita at (626) 744-4498.

Fire Hydrants Details:



Power Division – Water and Power Department

- 40. Proper clearances from overhead power lines must be maintained during construction.
- 41. Existing underground electrical facilities are present along the east side of the property line and need to be properly marked before start of construction.



**ATTACHMENT C
MITIGATION MONITORING AND REPORTING PROGRAM**

MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of CEQA and Section 15097 of the State CEQA Guidelines require a public agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for assessing and ensuring the implementation of required mitigation measures applied to proposed projects. Specific reporting and/or monitoring requirements that will be enforced during Project implementation shall be adopted simultaneously with final Project approval by the responsible decision-making body.

The MMRP for the Patton Reservoir Replacement Project (Project) below, consists of Mitigation Measures (MMs) identified in the IS/MND. The MMs are required to reduce or avoid significant environmental effects associated with Project implementation. The MMs for the Project are listed in the first column, with the timeframe for implementation in the second column, the agency or party with primary responsibility for implementation in the third column, and the agency or party with responsibility for monitoring compliance in the last column.

The City of Pasadena Public Works Department will confirm that all MMs are included in the Contractor Specifications and bid documents, as appropriate, and verified as part of MMRP implementation, consistent with Section 15097 of the State CEQA Guidelines.

Mitigation Measure	Mitigation Monitoring Timing	Implementation Responsibility	Enforcement Responsibility
Impact – Vibration			
<p>Mitigation Measure VIB-1 - Construction Equipment Limits and Requirements to Avoid Vibration Impacts. During construction of the project, the applicant and its construction contractor(s) shall abide by the following limits and requirements:</p> <ul style="list-style-type: none"> • Roller Compacting Requirements. During construction of the project, the applicant and its construction contractor(s) shall not use a roller compactor within 45 feet of the nearest residential structure. Compacting within a distance of 45 feet from the nearest residential structure shall only be completed using non-vibratory equipment that does not exceed 0.12 PPV at the nearest residential structures to the work area. • Pile Driving Equipment Requirements. During construction of the project, the applicant and its construction contractor(s) shall only utilize a Giken quiet piler (or equivalent) for any necessary pile driving activities. Such equipment shall ensure that vibration levels generated during construction do not exceed 0.12 PPV at the nearest residential structures to the work area. At least 7 days prior to any pile driving activities, the project applicant shall provide the City of Pasadena Planning Department verification of the specific equipment to be utilized 	During construction	Construction Contractor	Pasadena Planning and Community Development Department

Mitigation Measure	Mitigation Monitoring Timing	Implementation Responsibility	Enforcement Responsibility
during pile driving and proof via the equipment manufacturer's specifications that the expected PPV levels at the nearest residential structures to the project shall not exceed 0.12 PPV.			
Impact – Tribal Cultural Resources			
<p>Mitigation Measure TCR-1 Retain a Native American Monitor. During ground-disturbing activities (e.g., trenching) and removal of the existing reservoir tank, a monitor meeting the satisfaction of a Native American tribe with cultural affinity to the Gabrieleño (for example, the Gabrieleño Band of Mission Indians—Kizh Nation) shall be present. Consistent with Mitigation Measure 4-1 in the Pasadena General Plan EIR, if Native American artifacts are found, all ground disturbing activities in the immediate vicinity of the find shall be halted until the find is evaluated by a Registered Professional Archaeologist. If testing determines that significance criteria are met, then the Project shall be required to perform data recovery, professional identification, radiocarbon dates as applicable, and other special studies; and provide a comprehensive final report, including site record to the City and the South Central Coastal Information Center at California State University, Fullerton. No further grading shall occur in the area of the discovery until Planning Department approves the report. Subsequently, the find shall be turned over to the tribe. In addition, any cultural resources found shall be treated in accordance with regulatory requirements. Grading and excavation may continue around the isolated area of the find so long as the activities do not impede or jeopardize the protection and preservation of any cultural resources as determined by the monitor.</p>	<p>Prior to the issuance of a grading and/or building permit</p> <p>During construction</p>	<p>Construction Contractor</p>	<p>Pasadena Planning and Community Development Department</p>

**ATTACHMENT D
INITIAL STUDY / MITIGATED NEGATIVE DECLARATION**

Can be viewed at:

<https://www.cityofpasadena.net/planning/patton-reservoir-replacement-project/>