



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 18, 2022

TO: Hearing Officer

SUBJECT: Tentative Parcel Map #83774

LOCATION: 936 N. Los Robles Avenue

APPLICANT: Billy Diep

ZONING DESIGNATION: RM-16 (Multi-Family Residential, 16 units per acre)

GENERAL PLAN DESIGNATION: Medium Density Residential

CASE PLANNER: Fatima Benitez

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Tentative Parcel Map #83774 with the Conditions of Approval in Attachment B.

PROJECT PROPOSAL: Tentative Parcel Map: To allow the creation of three air parcels on one land lot for residential condominium purposes.

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 §15303, Class 3, New Construction or Conversion of Small Structures), and there are no features that distinguish this project from others in the exempt classes; therefore, there are no unusual circumstances. Class 1, Existing Facilities, exempts the demolition of up to six dwelling units in an urbanized area and Class 3, New Construction or Conversion of Small Structures, exempts the construction of not more than six dwelling units in an urbanized area. It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Parcel Map application that necessitate further environmental review.

BACKGROUND:

Site characteristics: The subject property is a 7,750 square-foot rectangular-shaped parcel located at on the east side of North Los Robles Avenue between East Jackson Street and East Mountain Street. The property is currently developed with a single-family residence with a detached one-car garage and storage shed.

Adjacent Uses: North – Multi-Family Residential
South – Multi--Family Residential
East – Multi- and Single-Family Residential
West – Multi-Family Residential

Adjacent Zoning: North – RM-16 (Multi-Family Residential, 16 units per acre)
South – RS-6 (Single-Family Residential, 6 units per acre)
East – RS-6 (Single-Family Residential, 6 units per acre)
West – RM-12 (Multi-Family Residential, 12 units per acre)

Previous zoning cases: None.

PROJECT DESCRIPTION:

The applicant, Billy Diep, on behalf of the property owner, has submitted a Tentative Parcel Map application to allow the creation of three air parcels on one land lot for residential purposes. The applicant is proposing to demolish a single-family residence and to develop the site with one single-family residence and one duplex development project in the future. The three-unit residential project received Final Design Review approval on October 13, 2021. This Tentative Parcel Map application is for the creation of air parcels only. This application does not address the design or construction of the three-unit project and does not include any proposed changes to the previous Design Review approval.

ANALYSIS:

The subject property is located in the RM-16 (Multi-Family Residential, 16 units per acre) zoning district. Multi-family projects are permitted within this zoning district and are subject to the development standards in Section 17.22.060 (RM District General Development Standards) of the Zoning Code. In this case, the maximum permitted density on the site, based on a lot size of 7,750 square feet, is three units; therefore, the three-unit project is in compliance with the maximum allowed density.

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

The site is relatively flat and is currently improved with an existing single-family residence. The new multi-family project is designed to comply with development standards applicable to projects in the RM-16 zoning district. The three-unit project has completed the Preliminary Plan Check process and received Consolidated Design Review approval on October 13, 2020. Through these reviews, it was determined that the three-unit project has satisfied all applicable Zoning Code requirements, Citywide Design Principles, and architectural standards for multi-family housing.

These reviews included an analysis of City of Gardens requirements, which include setbacks, height, off-street parking requirements, and garden area and design requirements. No deviations, concessions, or waivers were requested as part of these applications.

As demonstrated in Attachment B, the proposed tentative parcel map meets all required findings. The project demonstrates consistency with the goals, objectives, and policies of the General Plan and the site is physically suitable for the proposed density as it is relatively flat and located in an urban area. The design of the subdivision will not cause substantial environmental damage in that the property is located in an urbanized area and not near any sensitive habitat. The proposal for three air parcels on one residential land lot would not cause environmental damage because the area is developed with residential uses, and the Tentative Parcel Map application is a mapping action that does not include any physical changes to the site. Further, the proposed improvements are not likely to cause serious health problems in that the design of the housing project provides appropriate ventilation, light, and circulation within the development, consistent with requirements of the Zoning Code. Finally, the project will comply with all sewer requirements and will not conflict with any public easements or prevent access through the property.

Tenant Protection Ordinance

The property is currently developed with a single-family residence that would be demolished as part of the proposed project. As there will be no demolition of existing multifamily units, the project is not subject to the City's Tenant Protection Ordinance, Municipal Code Chapter 9.75 ("TPO").

Inclusionary Housing

Zoning Code Chapter 17.42 (Inclusionary Housing Requirements) establishes standards and procedures to encourage the development of housing that is affordable to a range of households with varying income levels. However, as the proposed project would have less than ten units, it is not subject to the City's Inclusionary Housing Requirements.

GENERAL PLAN CONSISTENCY:

The subject property is designated Medium Density Residential (0-16 dwelling units per acre) in the General Plan Land Use Element. The three-unit project complies with the maximum density allowed. The Tentative Parcel Map for three air parcels is consistent with General Plan Land Use Element Policy 21.4 (New Residential Development) and Policy 23.1 (Character and Design). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the "City of Gardens" multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes at-grade garages in compliance with off-street parking requirements.

TREE PROTECTION ORDINANCE:

Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance) establishes standards for the protection and removal of protected trees on private property. No protected trees are proposed to be removed as part of this project.

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 §15303, Class 3, New Construction or Conversion of Small Structures, and there are no features that distinguish this project from others in the exempt classes; therefore, there are no unusual circumstances. Class 1, Existing Facilities, exempts the demolition of up to six dwelling units in an urbanized area and Class 3, New Construction or Conversion of Small Structures, exempts the construction of not more than six dwelling units in an urbanized area. It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Parcel Map application that necessitate further environmental review.

REVIEW BY OTHER DEPARTMENTS:

The City's Department of Transportation, Public Works Department, Housing Department, Fire Department, Design and Historic Preservation Division, and Department of Water and Power have reviewed the proposal. The Departments of Public Works and Transportation, have provided comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments or concerns were provided.

CONCLUSION:

The Tentative Parcel Map would create three air parcels on a single lot for residential purposes. It is staff's assessment that the proposal is consistent with land use policies of the General Plan, development standards applicable to multi-family projects, and applicable sections of the City's Subdivision Ordinance. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR TENTATIVE PARCEL MAP #83774

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The subject property is designated Medium Density Residential (0-16 dwelling units per acre) in the General Plan Land Use Element. The three-unit project complies with the maximum density allowed and is consistent with Land Use Policy 21.4 (New Residential Development) and Land Use Policy 23.1 (Character and Design). The project supports these policies by expanding the type, and increasing the inventory of housing units available for Pasadena residents. The project will enhance the neighborhood character and quality through implementation of the “City of Gardens” multi-family development standards that emphasize the coherence, embellishment, and visibility of courts and gardens. The proposal includes attached at-grade garages in compliance with off-street parking requirements.
2. *The site is physically suitable for the type of development.* The site is located in an urban area, is rectangular and relatively flat in topography. The proposed multi-family development will be located on a site that allows for multi-family development, consistent with lots on the block and in the vicinity that are similar in size and topography, and developed with similar uses.
3. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The property is located in an urbanized area and not near any sensitive habitat. Properties on the block and in the vicinity are developed with multi-family dwellings consistent with the use proposed. The proposal for three residential air parcels on one land lot will not cause substantial environmental damage as the area is developed with residential uses. The proposal for three air parcels will not cause environmental damage as the subdivision is for a mapping action and does not include any physical changes to the site.
4. *The design of the subdivision or the proposed improvements is not likely to cause serious health problems in that the subdivision is compatible with existing residential land uses in the vicinity.* The subdivision and proposed project will be consistent with uses on this block and in the vicinity. The multi-family dwellings will be designed in compliance with applicable Zoning Code standards, and Citywide Design Principles and architectural standards. The design of the project provides appropriate ventilation, light, and circulation within the development and adjacent developments, consistent with requirements of the Zoning Code. Therefore, proposed improvements are not likely to cause serious health problems.
5. *The proposed map meets the requirements of Title 16 as applicable.* The proposal to create three air parcels will comply with applicable standards of Title 16 of the Pasadena Municipal Code. The Tentative Parcel Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access. Copies of the Tentative Parcel Map were provided to the applicable parties, including, but not limited to the City engineer, Water and Power Department, Fire Department, Transportation Department, and Housing Department as required by Title 16. The three-unit project complies with the maximum density allowed for the Medium Density Residential land use designation under the General Plan.
6. *The discharge of waste from the proposed subdivision into existing sewer system would not add to or result in violation of existing water quality control standards.* The residential development standards of the Pasadena Municipal Code provide standards that will require

the applicant to connect to public sewer. Compliance with this requirement will be verified during the plan check process.

7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.* The design of the subdivision and type of improvements proposed will not conflict with easements acquired by the public, because no public easements traverse the site.

ATTACHMENT B
RECOMMENDED CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP #83774

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

General

1. The final map to be recorded with the Los Angeles County Recorder shall substantially conform to the Tentative Parcel Map submitted with this application stamped "Approved at Hearing, May 18, 2022," except as modified herein.
2. The plans submitted for building permits shall be in general conformance to site plan submitted with this application, stamped "Approved at Hearing, May 18, 2022," except as modified herein.
3. This approval allows Tentative Parcel Map #83774 to create three residential air parcels for residential purposes on a single lot. The creation of the three residential air parcels shall occur substantially as shown on the submitted plans, except as modified herein and shall comply with the applicable land use regulations and development standards of the Pasadena Municipal Code subject to the approval of the Zoning Administrator.
4. In accordance with Section 16.18.060.A of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 16.18.060 of the Municipal Code.
5. The applicant or successor in interest shall comply with the attached conditions of approval from other City Departments.
6. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.

Planning

7. The common area portion of the site shall be maintained and kept in good condition at all times.
8. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
9. All landscape and walkway lighting shall be directed downward to minimize glare.
10. This project meets the threshold for state-mandated water-efficient landscaping. Accordingly, the final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications), shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy

shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.

11. All proposed fencing and/or walls shall comply with Section 17.40.180 (Walls and Fences) of the Zoning Code.
12. The project shall comply with Pasadena Municipal Code Chapter 8.52 (City Trees and Tree Protection Ordinance). A tree protection and retention plan shall be submitted to the Zoning Administrator for approval prior to the issuance of any building or grading permits.

Department of Public Works

13. Prior to submission of the final map to the City for approval, the applicant shall pay a non-refundable flat fee (based on the current General Fee Schedule) to cover the cost of processing the final map. The applicant shall complete all required conditions of approval before City's approval, or provide a guarantee to cover all unfinished public improvements as quantified in an approved cost.
14. Prior to submission of the final map to the City, the applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24, and furnish to the City a set of field notes that have been recorded with Los Angeles County Department of Public Works. The monuments shall be independently inspected by a third party licensed surveyor; with a certified report submitted to the City.
15. There is an existing palm tree adjacent to the development drive approach. The drive approach shall be reconstructed per City Standard S-403 and maintain a minimum seven feet clearance from any public street trees. If any public trees are in conflict with the proposed drive approach, a separate tree removal application must be submitted to the City for review and secure support by the Urban Forestry Advisory Committee.
16. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Los Robles Avenue, including concrete drive approach per Standard Plan S-403; concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.
17. Los Robles Avenue restoration, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. The street restoration shall be completed prior to the issuance of Certificate of Occupancy.
18. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer "means that part of the horizontal piping beginning 24 inches from the exterior wall of the building or structure and extending to its connection with the public sewer." The section of house sewers within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the

public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.

19. The applicant is responsible for the design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the department to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue Window 6. The applicant shall submit public improvements plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits.
20. 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/>.
21. Any existing street tree(s) proposed to be removed are subject to the approval of the Urban Forestry Advisory Committee (UFAC).
22. 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.

23. 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.
24. 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.

25. 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.
26. 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.
27. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board’s current permit.
28. In order to ensure that the developer maintains a clean and safe site during the construction phase of development, the applicant shall place a \$10,000 refundable deposit with the Department of Public Works prior to the issuance of any permit. This deposit is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/ resurfacing, street trees, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. This deposit may also be used for charges due to damage to existing street trees and for City personnel to review traffic control plans and maintain traffic control.
29. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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

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

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

Department of Transportation

30. Parking: No permanent, on-street, overnight parking permits will be issued to future residents of this project.
31. Traffic Impact Fee: The Traffic Reduction and Transportation Improvement Fee (Ordinance No. 7076) will apply to all net new residential, retail, industrial, and office developments and is based on the Fee Schedule at the time of building permit issuance. For FY 2022 the fees are:

Land Use	Fee (FY 2022)
Single family (per dwelling unit)	\$9,550.39
Multi-family (per dwelling units)	\$3,697.88

Affordable housing projects may receive fee credits.