



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** June 1, 2022

**TO:** Hearing Officer

**SUBJECT:** Modification of Conditional Use Permit #3059

**LOCATION:** 240, 250, & 256 South Michigan Avenue

**APPLICANT:** Child Education Center

**ZONING DESIGNATION:** RM-48 (Multi-family Residential, City of Gardens)

**GENERAL PLAN DESIGNATION:** High Density Residential

**CASE PLANNER:** Katherine Moran

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Modification of Conditional Use Permit #3059 with the Conditions of Approval in Attachment B.

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**PROJECT PROPOSAL:** Modification of Conditional Use Permit #3059: To expand an existing 'Child Day-Care Center' located at 250 and 256 South Michigan Avenue, originally approved by the Hearing Officer on August 2, 1995. The expanded day-care facility would include the property to the north at 240 South Michigan Avenue and would accommodate 23 additional school-aged children (4½-12 years old) for a total of 74 children at the day-care center. No changes are proposed to the existing buildings or operation at 250 and 256 South Michigan Avenue.

**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. Section 15301 specifically exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment,

or topographical features, involving negligible or no expansion of use. The proposal involves the expansion of an existing child day-care center into an existing adjacent building. The project does not propose an expansion to the existing structure or alteration to on-site parking. Therefore, the proposal is exempt from environmental review.

**BACKGROUND:**

**Site characteristics:** The subject site is located on the east side of South Michigan Avenue between Cordova Street and East Del Mar Boulevard and consists of three contiguous parcels. The existing Child Day-Care Center consists of two contiguous parcels located at 250 South Michigan Avenue and 256 South Michigan Avenue, each developed with one of the day-care's two existing buildings (formerly single-family residences). The existing day-care has an aggregate site size of 18,975 square feet and an aggregate building size of 2,452 square feet. The expanded day-care includes 240 South Michigan Avenue's 9,128 square-foot lot and 1,544 square-foot building. The aggregate day-care site between the three contiguous parcels would be 28,103 square feet with 3,996 square feet of total area between the three separate buildings. All of the day-care's existing and proposed parking is located off-site.

**Adjacent Uses:**  
North – Institutional, Park  
South – Multi-Family Residential  
East – Institutional, School  
West – Multi-Family Residential

**Adjacent Zoning:**  
North – OS (Open Space)  
South – RM-48 (Multi-Family Residential, City of Gardens)  
East – PS (Public and Semi-public)  
West – RM-48 (Multi-family Residential, City of Gardens)

**Previous zoning cases on this property:** Conditional Use Permit # 778: To establish a Child Day-Care facility, for up to 38 children, at 240 South Michigan Avenue. Approved with conditions on January 17, 1974.

Conditional Use Permit # CUP1251: To allow the change of ownership for a Child Day-Care facility, for up to 38 children, at 240 South Michigan Avenue. Approved with conditions on February 17, 1982.

Conditional Use Permit (CUP) #3059: To establish a Child Day-Care Facility, for up to 51 children, located at 250 and 256 South Michigan Avenue. Approved with conditions on August 2, 1995.

## **PROJECT DESCRIPTION:**

The applicant, the Child Educational Center (CEC) on behalf of the property owner, California Institute of Technology (Caltech), is requesting a modification to Conditional Use Permit (CUP) #3059 to expand an existing Child Day-Care Center located at 250 and 256 South Michigan Avenue, originally approved by the Hearing Officer on August 2, 1995. The expanded child day-care center would include the property to the north at 240 South Michigan Avenue and would accommodate 23 additional school-age children (4½-12 years old) for a total of 74 children at the day-care center. No changes are proposed to the existing buildings or operation at 250 and 256 South Michigan Avenue. A Conditional Use Permit is required for a Child Day-Care Center in RM-48 (Multi-family Residential, 0-48 dwelling units per acre) zoning district.

The day-care center would be licensed by the State of California (Department of Social Services, Community Care Licensing Division) and would primarily provide after-school day-care and activities for up to 74 elementary aged children between the ages of four and a half years to 12 years. There would be three employees on site during business hours. Hours of operation would be from 7:00 a.m. to 6:00 p.m., Monday through Friday, with no operating hours on Saturday and Sunday.

## **BACKGROUND:**

The proposed modification of Conditional Use Permit (CUP) #3059 is a request to expand the existing Child Day-Care Center located at 250 and 256 South Michigan Avenue to the single-family residential property adjacent to the north located at 240 South Michigan Avenue. All three of the day-care center's parcels were originally developed as residences (two single-family residences and a duplex).

In 1974, the single-family residence at 240 South Michigan Avenue obtained approval of CUP #778 to convert the single-family residence to a child day-care center for up to 38 children. In 1982, the property was purchased by new ownership and the Conditional Use Permit was amended through CUP #1251. On August 2, 1995, CUP #3059 approved the conversion of the 250 and 256 South Michigan Avenue residences to a Child Day-Care Center (Child Education Center) for up to 51 children. By 1995, the day-care facility at 240 South Michigan Avenue was no longer operating, as referenced in the staff report for Conditional Use Permit #3059 and the property resumed as a single-family residence. The existing day-care center currently contains an aggregate of 2,452 square feet of interior space between the 1,092 square-foot building at 250 South Michigan Avenue and the 1,360 square-foot building at 256 South Michigan Avenue.

The expanded day-care center, located at 240 South Michigan Avenue, would occur within the former 1,544 square-foot single-family residence (previously a child day-care center in the 1970's and 1980's). The existing single-family residence would be converted into the day-care center use as a part of the Child Education Center expansion. All three buildings would remain detached on their adjacent contiguous lots and would operate as one large day-care site. Adding the 1,544 square-foot interior floor area expansion, the expanded day-care facility will have an aggregate interior space of 3,996 square feet. As a part of this project, the applicant proposes to create a new outdoor play area in the rear yard, add screening to the north and east fences, and install a new gate along the south side property line to allow access to and from the day-care buildings to the south. No changes to the day-care's buildings or operational characteristics at 250 and 256 South Michigan Avenue are proposed.

## **ANALYSIS:**

### Modification of Conditional Use Permit – To Expand a Child Day-Care Center

The subject site is located within the RM-48 (Multi-family Residential, City of Gardens) zoning district. Pursuant to Section 17.22.030, Table 2-2 of the Pasadena Zoning Code (Allowed Uses and Permit Requirements for Residential Zoning Districts), the establishment or modification of a child day-care center requires the approval of a Conditional Use Permit. By definition, this land use is a child day-care facility other than a family day-care home which includes infant centers, preschools and extended day-care facilities. A day-care center is considered a business, not a residential, use.

Conditional Use Permit #3059 was approved with conditions on August 2, 1995. It allowed for a Child Day-Care Facility, for up to 51 children, located on two contiguous parcels at 250 and 256 South Michigan Avenue. The day-care is proposing to add the adjacent continuous parcel at 240 South Michigan Avenue to expand the day-care center to allow for an additional 23 children.

The Conditional Use Permit process allows the City to review a project to determine if the proposed project would be compatible with the surrounding area and require compliance with specific conditions related to the expansion of the existing operation. Child day-care centers are required to comply with the development standards and operational requirements set for the in Section 17.50.080.B of the Zoning Code (Child Day-Care Centers) as described below, unless noted otherwise. It is important to note that the report is only analyzing the expansion area of the day-care center at 240 South Michigan Avenue.

#### *Outdoor Play Space – Size:*

The total area of outdoor play space shall be a minimum of 75 square feet per child. The expansion of the child day-care center proposes to utilize the adjacent property at 240 South Michigan Avenue, and allow for an increase in enrollment of up to 23 children. The 23 children at 240 South Michigan Avenue would require a minimum total outdoor play space of 1,725 square feet. The existing outdoor area at 240 South Michigan Avenue would provide a 2,000 square foot play space and would satisfy the play area requirement.

#### *Outdoor Play Space – Location:*

No outdoor play space shall be within 25 feet of a residential structure on an abutting lot in an RS (Single-Family Residential) or RM (Multi-Family Residential) zoning district. The existing rear yard at 240 South Michigan Avenue will be converted to outdoor play area and will be buffered by the building to the west. There are no residential structures on abutting lot lines where the outdoor play area is located. The outdoor play area is adjacent to Grant Park at the north, a PS (Public and Semi-public) zoning district to the east, and the existing day-care's play area located to the south.

#### *Outdoor Play Space – Screening Fence:*

A wall or fence shall surround the outdoor play area. The minimum height of the wall or fence shall be equivalent to the maximum height of a wall or fence in the zoning district in which the site is located or six feet, whichever is less. If a fence with perforations through more than 50 percent of the surface area is provided, vertical landscaping shall be provided to screen the outdoor play area from adjacent properties to the south. A six-foot tall chain link fence currently surrounds the

existing rear yard that will serve as the outdoor play space, which complies with the minimum required height as the minimum and maximum allowed is six feet. The applicant proposes to modify the existing chain link fence along the north and east property lines by adding screening slats in order to provide screening from the adjacent park to the north and institutional property to the east.

#### *Side and Rear Landscape Buffers:*

When adjacent to RS zoning districts, child day-care centers are required to provide landscaping to buffer noise in side and rear setback areas of adjacent residential structures. The expansion area of the day-care is not adjacent to any RS districts, therefore, this requirement is not applicable to the child day-care center.

#### *Parking:*

Section 17.46.040 of the Zoning Code requires that a child day-care center provide two spaces per 1,000 square feet of gross floor area. Based on the size of the day-care's expansion of 240 South Michigan's interior area of 1,544 square feet, the child day-care center is required to provide three parking spaces. The three additional parking spaces for the day-care expansion will be provided off-site in a parking structure 1,000 feet from the project site located at 362 South Catalina Avenue. The off-site parking structure is under the same California Institute of Technology ownership as the day-care. Condition of Approval No. 13 requires that a parking covenant and agreement be recorded for the day-care to use the off-site parking structure.

As provided by the applicant, the day-care will primarily serve elementary school aged children whose parents work at and/or attend Caltech, with care being provided primarily after school. Customer loading and unloading will be provided in front of the day-care center, along South Michigan Avenue within the public right-of-way. Peak hours for unloading of the children are between 2:00 p.m. and 3:30 p.m. and loading between 4:00 p.m. and 5:30 p.m. The day-care center will utilize a van to pick up children from school and bring to the day-care. The Department of Transportation has reviewed the draft Transportation Management Plan and added a Condition of Approval No. 27 requires that the Transportation Management Plan be approved prior to receipt of the Certificate of Occupancy.

#### *Hours of Operation and Outdoor Activities*

The allowable hours of operation in residential zoning districts shall be established by the Conditional Use Permit required for the use. The expanded child day-care center is proposing to operate with the following hours: 7:00 a.m. to 6:00 p.m., Monday through Friday, which is satisfactory because when a business is located within 150 feet of a residential zoning district, the hours of operation are limited between 7:00 a.m. and 10:00 p.m.

The Zoning Code allows outdoor activities for child day-care centers between the hours of 7:00 a.m. and 7:00 p.m. in residential zoning districts. The subject property is located within RM-48 zoning district, and the proposed hours of operation are 7:00 a.m. to 6:00 p.m., Monday through Friday.

#### **REVIEW BY OTHER DEPARTMENTS:**

The City's Design and Historic Preservation Section, Department of Transportation, Public Works Department, Building and Safety Division, Water and Power Division (Water), Water and Power Division (Power), and Fire Department have reviewed the proposed child day-care expansion. The Design and Historic Preservation Section, Department of Transportation, and Building and

Safety Division provided comments and their recommended conditions of approval have been included in Attachment B of this staff report.

### **GENERAL PLAN CONSISTENCY:**

The subject property is designated High Density Residential in the Land Use Element of the General Plan. As conditioned, the proposed use expansion is consistent with General Plan Land Use Element *Policy 2.7 - Civic and Community Services* as it provides for diverse uses and services supporting Pasadena's residents such as facilities for youth. General Plan Land Use Element *Policy 3.2 - Care Facilities* as it is part of a broader goal of supporting the welfare of the population and allows for the development of child day-care facilities, and other care facilities where they can be located, designed, and managed to ensure compatibility with and the safety of adjoining uses, consistent with adopted specific plans, Community Places policies and in accordance with state legislation.

### **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. Section 15301 specifically exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use. The proposal involves the expansion of an existing child day-care center into an existing adjacent building. The project does not propose an expansion to the existing structure or alteration to on-site parking. Therefore, the proposal is exempt from environmental review.

### **CONCLUSION:**

It is staff's assessment that the findings necessary for approving the modification of the existing Conditional Use Permit to allow the expansion of a child day-care center can be made. The site is within close proximity to schools, residential neighborhoods, and commercial businesses, which creates a convenient service to the residents and businesses in the surrounding area. The site is surrounded by a park to the north, institutional uses to the east, and residential uses to the west and south. The day-care's peak activity will be in the afternoon, which would not create an adverse noise impact on residential properties within the vicinity. Lastly, the expansion to the child day-care center complies with all the specific development standards for a child day-care center set forth in the City's Zoning Code.

For these reasons, staff is recommending approval of the modification of the existing Conditional Use Permit subject to the recommended conditions attached herein. Conditions of approval and periodic condition monitoring would ensure that the use would not deviate from the planned operation reviewed with the application. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the Conditions of Approval in Attachment B.

#### Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

Attachment C: Conditional Use Permit #3059 Decision Letter

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR MODIFICATION OF CONDITIONAL USE PERMIT #3059**

Modification of Conditional Use Permit – To Expand a Child Day-Care Center

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of the Zoning Code.* A child day-care center is a permitted use within the RM-48 zoning district with a Conditional Use Permit. The proposed expansion of the existing child day-care center complies with all the applicable development standards of the Zoning Code.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject site is located in the RM-48 zoning district, the purpose of this district is to relate new development to the existing environment in scale, material, and character so that Pasadena's inherent human scale, visual, and functional diversity may be maintained and enhanced. The proposed expansion of the existing child day-care use is an expansion of a commercial use within a residential neighborhood. The expansion would occur with an existing building and maintain the scale and visual character of the neighborhood while expanding a child day-care use that serves the neighboring residential community. Approval of the modification to the conditional use permit will not alter the nature of the proposed use nor allow the use to operate in a detrimental manner.
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 subject property is designated High Density Residential in the Land Use Element of the General Plan. As conditioned, the proposed use expansion is consistent with General Plan Land Use Element Policy 2.7 - Civic and Community Services as it provides for diverse uses and services supporting Pasadena's residents such as facilities for youth. General Plan Land Use Element Policy 3.2 - Care Facilities as it is part of a broader goal of supporting the welfare of the population and allows for the development of child day-care facilities, and other care facilities where they can be located, designed, and managed to ensure compatibility with and the safety of adjoining uses, consistent with adopted specific plans, Community Places policies and in accordance with state legislation.
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 expanded child day-care center will occupy an existing building. The proposed expanded operation of the child day-care center will comply with all the applicable standards of the Zoning Code, and with the conditions of approval the project will not adversely impact the general welfare of the City.
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 child day-care center will be operated in accordance with the conditions of approval, City's law, State law, and ordinances that ensure the compatible coexistence of this use with surrounding uses.
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 project will not result in physical or aesthetic

changes to the site. There will be no addition or alteration of the building or expansion of the site with this approval, unless otherwise required by the conditions of approval. The expanded operation of the existing child day-care center will comply with all applicable standards and requirements of the Zoning Code.



**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR MODIFICATION OF CONDITIONAL USE PERMIT #3059**

The applicant or the successor in interest shall comply with the following conditions, in addition to all prior approvals for the site:

General

1. The proposed day-care center shall substantially conform to the site plan submitted with this application and dated "Received at Hearing June 1, 2022", 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, except where an extension of time is approved in compliance with Zoning Code Section 17.64.040.C (Time Limits and Extensions – Extensions of Time).
3. The approval of this application authorizes the expansion of a Child Day-care land use within an existing building. The approval also authorizes the proposed use to operate between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday.
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 may require the modification of this Conditional Use Permit or a new Conditional Use Permit.
6. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
7. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
8. The proposed project, Activity Number **ZENT2022-00003** is subject to the City's Condition monitoring Program and Final Zoning inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy or its equivalent. Contact the Planning Case Manager, Katherine Moran at (626) 744-6740 to schedule an inspection appointment time and set up monitoring fees.

Planning Division

9. The day-care expansion at 240 South Michigan Avenue shall be limited to a maximum enrollment of 23 children at any one time.
10. The child day-care center hours of operation shall be limited between 7:00 a.m. and 6:00 p.m., Monday through Friday. Any change in hours of operation shall require a modification to this approval or a new Conditional Use Permit.
11. The child day-care center shall be licensed by the State of California for child day-care and preschool services. The use shall not operate or be licensed as a school, Charitable

Institution, or Clubs, Lodges, Private Meeting Halls use without the approval of a Conditional Use Permit.

12. The child day-care center shall operate in compliance with applicable local and state regulations at all times including the Pasadena Municipal Code and Zoning Code.
13. A parking covenant and agreement shall be recorded Los Angeles County Assessor for the project site to use the off-site parking facility within 1,000 feet for three required parking spaces.
14. A lot tie shall be recorded with the Los Angeles County Assessor legally combining the three contiguous parcels located at 240, 250, and 256 South Michigan Avenue.
15. The existing outdoor lighting shall be subject to Section 17.40.080 (Outdoor Lighting) of the Zoning Code to ensure its compliance with the requirements to avoid glare and reflection impacts on adjoining properties and public-rights-of-way.
16. Any food services associated with the operation of the child day-care center shall be provided to children only. Meals shall not be made available to the public.

#### Design and Historic Preservation Section

17. Based on the minor alternations noted in the floor plan, DHP review is not required for this project. If the scope of the exterior modifications changes and meets the definition of a major project in PMC Section 17.62.030.U, a Historic Resource Evaluation will be required, and, if determined to be a historic resource, a Certificate of Appropriateness would also be required.

#### Building and Safety Division

18. Governing Codes: Comply with the Current Edition of California Building Code, California Electrical Code, California Plumbing Code, California Mechanical Code, California Energy Code, California Green Building Standard Code and 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.
19. Building Code Analysis: Provide a Building Code Analysis on the title sheet. Include the code(s) information for each building proposed: Descriptive scope of work, occupancy, assessor's parcel number, number of stories, type of construction, fire sprinklers, floor area, height, and allowable floor area.
  - a. Clarify age groups on plans.
  - b. Detail the sanitation facilities "restroom" for children.
  - c. Building has to fully comply with the new propose occupancy as required per the CA Building Code.
20. Best Management Practices: Photocopy to plans and complete the BEST MANAGEMENT PRACTICE page 1(form must be singed). Photocopy any other applicable pages and cross reference the location at the site plan, i.e. the material storage, the concrete waste management, etc. These forms can be found at:  
<https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>

21. Green Code: Photocopy to plans and complete the 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE WITH CITY OF PASADENA AMENDMENTS FORMS. These forms are being provided attach and can be found at:  
<https://www.cityofpasadena.net/planning/building-and-safety/bs-applications-forms/#informational-handouts>.
22. Means of Egress (Exiting): 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 as applicable.
  - a. Identify occupancy group and occupant load. Clarify what is the original occupancy and the proposed change of occupancy.
  - b. Show compliance with Section 452 School facilities for kindergarten through 12<sup>th</sup> grade and/or group E day care occupancy as applicable. Locate the safe dispersal areas on the site plan and locate any fences/gates.
  - c. Indicate room with children under 2 years of age with min. of two exits per room.
23. Fire and Smoke Protection Features: Show materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.
24. Accessibility: Provide compliance with accessibility per CBC 11B. Provide a parking layout with assigned parking spaces. Locate accessible path of travel.
25. Required Plans and Permit(s): Provide complete Architectural plans to show compliance with change of occupancy. Include furniture layout. In addition to architectural plans, provide Structural, Shoring, Plumbing, Mechanical, Electrical plans, PV systems and grading plans as required. No deferred submittal. Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire Sprinkler, Demolition, Block walls, others.

#### Department of Transportation

26. Traffic Analysis: Based on the preliminary information provided in the Master Application form, a traffic analysis is NOT required for this project for a child care center with 23 students.
27. Transportation Management Plan: The project applicant shall submit a traffic management plan for review and approval by the Department of Transportation prior to receipt of the Certificate of Occupancy. The plan shall address efficient pick-up and drop-off operations during the morning and afternoon pick-up times. For additional information on the requirements for this plan, contact Donson Liu at (626) 744-7672 or [dliu@cityofpasadena.net](mailto:dliu@cityofpasadena.net).
28. Loading: Any proposed loading and unloading spaces must be included on the site plan and approved by the Department of Transportation prior to the issuance of the first permit for construction (demolition, grading, or building).

# City of Pasadena

HALE BUILDING  
175 NORTH GARFIELD AVENUE  
PASADENA, CA 91109



CURRENT PLANNING  
ZONING AND SUBDIVISION

August 7, 1995

California Institute of Technology  
1201 E. California Boulevard  
Pasadena, CA 91125

**RE: Conditional Use Permit #3059  
250 and 256 South Michigan Avenue**

Dear Mr. Rousseau:

Your application for a **Conditional Use Permit** for a **Day Care Center** at **250 and 256 South Michigan Avenue**, Zone RM-48, was considered by the Zoning Hearing Officer on **August 2, 1995**. This was an application requesting the following:

**CONDITIONAL USE PERMIT - (Day Care Center):** An application has been filed with the City of Pasadena for a child day care center at this site. A conditional use permit is required when it is proposed to locate a child day care center in the RM-48 zoning district (PMC Section 17.24.020).

After careful consideration of this application, and with full knowledge of the property and vicinity, the Zoning Hearing Officer made the findings as shown an Attachment A to this letter.

Based upon these findings, it was decided the Conditional Use Permit for Child Day Care be **granted** in accordance with submitted plans and stamped **August 2, 1995**. The conditions listed in Attachment B were made part of the approval.

In accordance with Section 17.80.050 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years from the effective date of the approval, unless otherwise specified in the conditions of approval. A one year extension of your approval can be granted by the Zoning Administrator. Such a request must be received before the expiration date but not more than 60 days before expiration. The right granted by this approval

**CONDITIONAL USE PERMIT #3059**

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may be revoked if the entitlement is exercised contrary to the conditions of approval or if it is exercised in violation of the Zoning Code.

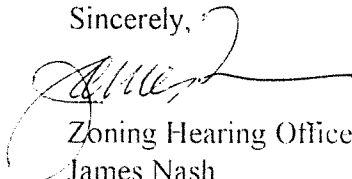
You are advised that application for a building permit is not sufficient to vest the rights granted herein. The building permit must be issued and construction diligently pursued within one year before the expiration of this application.

You are hereby notified that pursuant to Pasadena Municipal Code Section 17.104, any person affected or aggrieved by the decision of the Zoning Hearing Officer has the right to appeal that decision. This decision becomes effective on the eleventh day after the date of the decision. If the last day to appeal falls on a day when City Offices are closed, the appeal deadline shall be extended through the next day when the offices are open. In this case the effective date is **August 15, 1995.**

Any permits which are necessary may be issued to you by the Building Division on or after the effective date, which is the next working day following the appeal deadline. **You should call the Zoning Office 818-405-4152 to find out if any appeal has been filed before you submit your building permit application.** A copy of this letter must be attached to all plans submitted for building permits.

This project has been determined to be Categorically Exempt under Section 15301 Class 1 of the California Environmental Quality Act (CEQA).

Sincerely,



Zoning Hearing Officer  
James Nash

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Enclosures

xc: City Clerk, Building Division, Public Works, County Assessor, Power Division, Water Division, Design and Historic Preservation, Hearing Officer, Nancy Key, Mattie Henderson, Zoning Enforcement, (2) File

## ATTACHMENT A

### FINDINGS OF FACT FOR CONDITIONAL USE PERMIT #3059

1. The location of the conditional use permit is in accord with the special purposes of Title 17 and the purposes of the district in which it is located because the conditional use permit process for a child day care center in the RM-48 zoning district is intended to provide for the opportunity for review to ensure convenient, harmonious, and workable relationships among land uses as stated in the purposes of the zoning code PMC Section 17.04.030.
2. The location of the conditional use and the proposed conditions which it would be operated and maintained will be consistent with the general plan. Objective #13 from the Land Use Element of the General Plan entitled Adequate Services states: *Provide adequate support for businesses and institutions that serve the needs of Pasadena diverse residents and families, including ... child daycare facilities.* Policy #13.3 entitled Childcare which implements this objective states: *Promote the adequate availability of childcare facilities, including locating childcare facilities at or near work sites.* This Caltech childcare facility will be in extremely close proximity to the Caltech campus where the primary users will be from.
3. The conditional use will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, or injurious to properties or improvements in the vicinity in that the proposed day care facility is intended to operate in a manner that will not impact the surrounding neighborhood. There will not be any enlargement or physical alteration to the property as it now exists maintaining its single family appearance. The project will comply with all the requirements for a day care center in the zoning code.
4. The conditional use will comply with the provisions of Title 17, including any specific condition required from the proposed conditional use in the district in which it would be located. The conditions of approval would mitigate any impact the proposed use may have on the surrounding neighborhood. The proposal would meet the requirements of day care center requirements found in PMC Section 17.64.040.

## ATTACHMENT B

### CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #3059

1. The hours of operation shall be limited to 6:45 AM to 6:00 PM. No outdoor play time should occur before 7:00 AM.
2. No outdoor play area shall be within 25 feet of any of the residential structures of the neighboring 260-266 South Michigan Avenue as required by PMC Section 17.64.040 C1a.
3. All employee parking may be located off-site within 700 feet of the site on Caltech owned property subject to the approval of the Zoning Administrator. Parking may be provided on site for any vans owned by the child day care center.
4. A refuse storage area shall be provided to the satisfaction of the Zoning Administrator.
5. The maximum number of children allowed under this conditional use permit is 51. Any additional children would required a new conditional use permit.
6. The front yard shall be maintained with landscaping and the front building facades shall be maintained so the site has the appearance of two single family houses.
7. Signage is limited to one sign for the project, not to exceed eight square feet in size. Such sign may be located on the wall of the building; or may be freestanding, not to exceed four feet in height measured from existing grade level. Any such freestanding sign must be located within five feet of the building.
8. Exterior lighting shall be designed to confine emitted light to the property, and the light source shall be visually screened from surrounding properties and streets subject to the approval of the Zoning Administrator.
9. The applicant shall meet the conditions of approval subject to monitoring by the Condition Monitoring Coordinator. Required monitoring fee for setup and inspections shall be paid on or after the effective date of this permit but prior to the issuance of any building permits.
10. The applicant shall meet the applicable code requirement of all other City departments.
11. All mechanical equipment shall be screened from view of the public right-of-way in a manner subject to the approval of the Zoning Administrator.