



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: July 20, 2022

TO: Hearing Officer

SUBJECT: Conditional Use Permit #7005

LOCATION: 2670 E. Colorado Boulevard

APPLICANT: Michael Santillan (Huntington Collection)

ZONING DESIGNATION: ECSP-CG-5-AD-2 (East Colorado Specific Plan, Commercial General, Lamanda Park Subdistrict, Alcohol Density Overlay 2).

GENERAL PLAN DESIGNATION: Low Mixed-Use

CASE PLANNER: Joseph Weaver

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #7005 with the conditions in Attachment B.

PROJECT PROPOSAL: Conditional Use Permit: To allow the establishment of a Charitable Institutions land use in the ECSP-CG-5-AD-2 zoning district. Retail uses, including the sale of second-hand goods, are permitted by-right in the ECSP-CG-5-AD-2 zone; the Conditional Use Permit is only required for the Charitable Institutions land use, which includes regularly staffed drop-off facilities for clothing and household goods, in this zoning district.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Title 14, Chapter 3, Section 15301, Class 1, Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Class 1 exempts projects that involve negligible or no expansion of an existing use. The previous use of the tenant

space within the existing commercial building was a Bank land use. The change in use from a Bank to a Charitable Institutions use in conjunction with the operation of a retail store is considered a negligible expansion of the use within an existing commercial building. No new square footage is proposed.

BACKGROUND:

Site characteristics: The subject site is approximately 103,045 square feet in size and is located on the south side of Colorado Boulevard between South Vinedo Avenue and South San Gabriel Boulevard. The site is developed with a one-story, 38,675 square foot commercial building and surface parking. The proposed use will occupy a 7,500 square foot tenant space.

Adjacent Uses: North – Commercial
South – Multi-family Residential
East – Commercial, Manufacturing
West – Commercial, Multi-family Residential

Adjacent Zoning: North – ECSP-CG-5-AD-2 (East Colorado Specific Plan, Commercial General, Lamanda Park Subdistrict, Alcohol Density Overlay 2)
South – RM-32-HL-1 (Multi-Family Residential, City of Gardens, High Limit Overlay)
East – CG (Commercial General)
West – ECSP-CG-5-AD-2 (East Colorado Specific Plan, Commercial General, Lamanda Park Subdistrict, Alcohol Density Overlay 2), RM-32-HL-1 (Multi-Family Residential, City of Gardens, High Limit Overlay)

Previous zoning cases on this property: - Sign Exception #11430 – To deviate from the maximum number of signs, placement and size (Guitar Center). Approved January 31, 2003.
- Conditional Use Permit #3411 – To allow a Commercial Ice Skating Rink. Approved July 1, 1998.

PROJECT DESCRIPTION:

The applicant, Michael Santillan (representing Huntington Collection), has submitted a Conditional Use Permit application to allow the establishment of a Charitable Institutions use in the ECSP-CG-5-AD-2 zoning district. The proposed Charitable Institutions use will consist of a retail store of second-hand items as the primary use and donation drop-off facility as a secondary use. The retail floor area would be 4,628 square feet, and the merchandise sold at the store would be clothing, art, furniture, jewelry, and household items. Retail uses including the sale of second-hand goods in the ECSP-CG-5-AD-2 zoning district are permitted by right; the Conditional Use Permit is only required for the Charitable Institutions use, which includes regularly staffed drop-off facilities for clothing and household goods, in this zoning district. The proposed hours of operation for both the donation facility and retail store components of the premises are from 10:00 a.m. to 3:00 p.m., Monday through Friday.

ANALYSIS

Conditional Use Permit: To Allow the Establishment of a Charitable Institutions Use

Zoning and Land Use

The subject site is zoned ECSP-CG-5-AD-2 (East Colorado Specific Plan, Commercial General, Lamanda Park Subdistrict, Alcohol Density Overlay 2). A Charitable Institutions use is permitted within this zoning district through the review and approval of a Conditional Use Permit. The Zoning Code defines a Charitable Institutions use as, “a not-for-profit use that distributes or facilitates the giving of goods and services for the relief of the needy. This use classification includes soup kitchens, regularly staffed drop-off facilities for clothing and household goods and food banks.” Huntington Collection is primarily a retail use with a donation drop-off component and is a non-profit organization whose proceeds benefit the Huntington Senior Care Network and Huntington Hospital. Retail uses including the sale of second-hand goods in the ECSP-CG-5-AD-2 zoning district are permitted by right. The Conditional Use Permit is required for the Charitable Institutions use, which includes regularly staffed drop-off facilities for clothing and household goods, in this zoning district

Conditional Use Permits are intended to allow for activities and uses, which may be desirable in the applicable zoning district and compatible with adjoining land uses, but whose effect on a site and its surroundings cannot be determined before being proposed for a particular location. Staff’s review of a Conditional Use Permit for the establishment of Charitable Institutions includes assessment of the configuration, design, location, and potential impacts of the proposed use in order to evaluate its compatibility with surrounding uses, and the suitability of the use to the site.

The 103,045 square-foot site is developed with a 38,675 square-foot commercial building and surface parking. The proposed use will occupy a 7,500 square-foot tenant space. The previous use of the commercial space was a Banks, Financial Institutions use which vacated the tenant space over a year ago. The surrounding area is developed with a variety of commercial uses, including a Guitar Center retail store, other retail businesses, and a bar. The nearest residential use is multi-family, which abuts the site’s parking lot to the south.

The retail sales floor area would be 4,628 square feet. Items for sale include second-hand art, clothing, furniture, jewelry, and related household items. In addition to the sales floor, the tenant space contains various storage rooms, office rooms, and two restrooms. The business would have two entrances – the main entrance is located along Colorado Boulevard and the secondary entrance is located facing the parking area in the rear. The donation facility, which consists of a drop-off counter and storage room, would be located toward the main entrance. The donation facility will also be accessible from the secondary entrance at the rear of the building. During store hours, customers will bring items to the donation counter to be received and processed by staff. Received items will be taken to a storage room within the store.

The items accepted at the donation facility would be art, clothing, furniture, jewelry, and related household items. All donation transactions would take place within the building at the drop-off counter with occasional drop-offs directly outside to the rear of the building at the base of the stairs facing the parking lot. All donations would be received in-person by an employee and any outdoor donations would be brought inside. The store and donation facility would be staffed with 6 staff members and 3-5 volunteers at all times. No unattended drop-off boxes or drop-off windows are proposed and drop-offs are only allowed during business hours. Following item drop off, items will be moved to a storage room within the store to ensure the inside and outside of the building is clutter-free. There will be no outdoor storage or display of items. Customer vehicles may use

the available parking spaces within the existing parking lot for item drop-offs. Additionally, there are three parking stalls directly adjacent to the rear entrance of the building where drop-offs, loading, and unloading may occur. As such, staff is recommending a condition of approval (#19 in Attachment B) that these stalls be clearly marked as drop-off/loading spaces for Huntington Collection.

In order to deter after-hour and unattended drop-offs, loitering, or criminal activities, staff is recommending a condition of approval (#17 in Attachment B) requiring a security surveillance system be installed by both entrances. In addition, staff is also recommending a condition of approval (#21 in Attachment B) that an informational sign be posted on the site indicating the hours of operation, and that the drop-off of goods is prohibited during non-business hours, the illegal dumping of trash and debris is strictly prohibited, and a contact telephone number for complains.

Hours of Operation

Zoning Code Section 17.40.070 (Limited Hours of Operation) limits the hours of operation of a proposed use to 7:00 a.m. and 10:00 p.m., daily when located within 150 feet of a residential zoning district. The subject site adjoins a residential zoning district to the south that is within 150 feet. The proposed hours of operation for both the donation facility and retail store components of the use are from 10:00 a.m. to 3:00 p.m., Monday through Friday, and complies with the Zoning Code. Additionally, the site is located within 300 feet of a residential zoning district; thus, the project must comply with special hours for truck loading, unloading, and trash pick-up per Zoning Code Section 17.40.070.C., which only allows these loading activities between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, between 9:00 a.m. to 5:00 p.m. on Saturdays, and no truck loading, unloading, or trash pick-up on Sundays.

Staff is recommending a condition of approval (#11 in Attachment B), limiting the hours of operation of the retail store and donation facility to 7:00 a.m. to 10:00 p.m., seven days a week, consistent with the hours of operation set forth in Zoning Code Section 17.40,070. This condition allows the applicant the flexibility to expand hours of operation within the hours allowed by the Zoning Code while ensuring that donation drop-off activities do not occur too early in the morning or late at night.

Parking

The Zoning Code requires that the off-street parking requirements for a Charitable Institutions use be specified through the Conditional Use Permit process. Applications are reviewed on a case by case basis, because each Charitable Institution project is unique in terms of the size of the land and facility, location, and proposed activities. The Zoning Code requires three parking spaces per 1,000 square feet of gross floor area for Retail Sales use. The subject Charitable Institutions use is consistent with Retail Sales as it includes the sale of second-hand goods and activities associated with the drop-off of donated household goods are similar in function. Therefore, for the subject Charitable Institutions use, a requirement of three parking spaces per 1,000 square feet of gross floor area would be appropriate.

The 7,500 square foot tenant space where the project is proposed was previously occupied by a Banks, Financial Institutions land use. The Banks, Financial Institutions land use has a parking requirement of three spaces per 1,000 square feet. Therefore, there would be no change in the required number of parking spaces for the proposed use. The site currently provides 149 surface parking spaces which serve all on-site businesses. The size and location of the premises would

be in comparison of typical retail and personal services businesses. Furthermore, the Department of Transportation reviewed the proposal and expressed no concerns regarding parking. Therefore, it is staff's assessment that the existing parking lot would be adequate for the proposed use.

GENERAL PLAN CONSISTENCY:

The Conditional Use Permit is consistent with Policy 12.6, (Local Businesses) of the General Plan where the project would support the development of Pasadena-grown and based retail business as an alternative to national chain brands. Further, the Conditional Use Permit is consistent with Policy 25.2 (Compact Infill Development) as it would encourage commercial uses along major corridors, in Neighborhood Villages, and as infill development adjacent to existing commercial uses and on surface parking lots to improve commercial services, maximize revenue generation, and leverage concentrating commercial uses

All proceeds from the retail sales benefit Huntington Hospital and Huntington Senior Care Network, which is a program aimed at assisting older and disabled adults with maintaining health, wellness, and independence. The primary use would remain as Retail Sales of second-hand goods with the ancillary use of collecting donated goods.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Title 14, Chapter 3, Section 15301, Class 1, Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Class 1 exempts projects that involve negligible or no expansion of an existing use. The previous use of the tenant space within the existing commercial building was a Bank land use. The change in use from a Bank to a Charitable Institutions use, in conjunction with the operation of a retail store, is considered a negligible expansion of the use within an existing commercial building. No new square footage is proposed.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposal was reviewed by the Department of Transportation, Department of Public Works, Building and Safety Division, and the Design and Historic Preservation Section. The Building and Safety Division submitted comments requiring that the project comply with all relevant building code and accessibility requirements. The remaining departments had no comments and in addition to recommend conditions of approval, will review the project for compliance during the building permit plan review process.

CONCLUSION:

It is staff's conclusion that the findings necessary for approval of the Conditional Use Permit for the establishment of a Charitable Institutions use to allow a regularly staffed donation facility in conjunction with the operation of Huntington Collection retail store can be made. The project is in conformance with the purposes of the Zoning Code for properties within the ECSP-CG-5-AD-2 zoning district. The project is also consistent with the goals and objectives of the East Colorado Specific Plan and the General Plan.

The proposed use would occupy a portion of an existing commercial space that has been vacant. With the retail component as the primary activity of the premises and the donation facility as the secondary, the proposed use would be compatible with the neighborhood-service-oriented commercial districts. The applicant shall strictly adhere to the conditions recommended so that the use would not deviate from the planned operation as reviewed by staff. 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: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #7005

Conditional Use Permit – To Allow the Establishment of a Charitable Institutions Use

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The operation of a Charitable Institutions use (non-profit donation facility) is allowed with the approval of a Conditional Use Permit within the applicable ECSP-CG-5-AD-2 zone. The proposed project will not result in the enlargement of the existing building and will comply with the applicable 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 proposed use furthers the intent of the East Colorado Specific Plan as it provides a new retail business along Colorado Boulevard. One of the purposes of the East Colorado Specific Plan is to retain the eclectic mix of uses and protect the vitality of small, independent businesses, as well as uphold Colorado Boulevard as a location for specialty and niche retail businesses. The proposed Charitable Institutions use will add to the existing eclectic mix of uses along this area of Colorado Boulevard, and will consist of a retail store of second-hand items as the primary use and donation drop-off facility as a secondary use, which is a specialty and niche retail business. With strict adherence to the conditions of approval, the Charitable Institutions use will be in conformance with the purposes of the zoning district.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The proposed use is consistent with Policy 12.6 (Local Businesses) of the General Plan Land Use Element (GPLU) as the project would support the development of Pasadena-grown and based retail business as an alternative to national chain brands. In addition, the proposed use is consistent with GPLU Policy 25.2 (Compact Infill Development) as the project would encourage commercial uses along major corridors, in Neighborhood Villages, and as infill development adjacent to existing commercial uses and on surface parking lots to improve commercial services, maximize revenue generation, and leverage concentrating commercial uses. Further, the project is consistent with the goals of the East Colorado Specific Plan in that it promotes a mix of uses, and upholds Colorado Boulevard as a location for specialty and niche retail businesses.
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 operation of the primary retail sales of second-hand goods in conjunction with ancillary collection of donated goods will not be detrimental to the health or safety of neighboring uses. There will be no drop-off box or window in order to prevent unregulated drop-off activities and all drop-offs will be attended by staff. The proposed use will comply with hours of operation as allowed in the Zoning Code and will be compatible with the activities of the surrounding commercial/retail uses. With strict adherence to conditions of approval, the project will not adversely impact the surrounding neighborhood.
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.* With the implementation of the recommended conditions of approval, the Charitable Institutions

use will not be detrimental to the general welfare of the City. Outdoor storage of donated goods and collected items will be prohibited on-site in order to eliminate any potential negative impact associated with the use. In addition, condition monitoring will ensure that any issues are addressed and the use will continue to operate in a manner that is compatible with surrounding uses in the neighborhood.

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 Charitable Institutions use and retail store will occupy an existing 7,500 square foot commercial tenant space. The use will operate within the hours allowed in the Zoning Code and complies with other applicable standards. The proposed use will be compatible with the activities of the surrounding commercial/retail uses in the zoning district. No major changes to the exterior of the building are proposed.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #7005

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

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing, July 20, 2022," except as modified herein.
2. The approval of this application authorizes the establishment of a Charitable Institutions land use (donation facility) within an existing 7,500 square foot tenant space.
3. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with 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.
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 **ZENT2022-00040**, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Joseph Weaver at (626) 744-3813 to schedule an inspection appointment time.

Planning Division

9. The Charitable Institutions land use is permitted to accept personal and household items (clothing, shoes, books, accessories, consumer electronics, furniture, and related household items) for donations in addition to the retail sales of the collected secondhand goods on-site. Vehicles, automotive parts, chemicals, hazardous materials, and trash shall not be accepted.
10. The outdoor display of merchandise shall not be allowed at any time.
11. The hours of operation of the retail store and donation facility shall be limited to the hours of 7:00 a.m. to 10:00 p.m., seven days a week.
12. Donation drop-offs shall not occur at any time the store is closed.

13. Unattended drop-off boxes and/or drop-off windows are prohibited on the site.
14. A minimum of one employee shall be present at the drop-off area during business hours. Donated items shall be stored behind the drop-off counter or within the stockroom immediately after drop-offs occur.
15. Donated items shall not be stored or left outdoors or indoors where they are visible from outside.
16. The subject site shall be maintained free and clear of trash and debris at all times.
17. A security surveillance system shall be installed with security video cameras for the rear and front entrances of the premises supported by a recording system.
18. The minimum parking requirement for this Charitable Institutions land use is three parking spaces per 1,000 square feet of gross floor area.
19. As shown on the site/floor plans stamped "Approved at Hearing, July 20, 2022," the three parking spaces adjacent to the electrical enclosure near the rear entrance of the building shall be dedicated for the loading and unloading of donated goods. Permanent signs and/or striping shall be installed indicating this. A copy of the sign shall be provided to the Zoning Administrator for review and approval, as part of the plan check process.
20. There shall be no more than two Huntington Collection business vehicles used for pick-up/drop-off parked on-site during business hours.
21. An informational sign, no larger than two square feet in size, shall be posted by each entrance on the building indicating a) the hours of operation, b) a statement that the drop-off of goods is prohibited during non-business hours and the illegal dumping of trash and debris is strictly prohibited at all times, and c) a business contact telephone number to address any complaints for the property. The location of the signs shall be subject to review and approval by the Zoning Administrator.
22. No trash shall be stored in any area of the site except within an enclosed trash structure. The operator or property owner shall call for an immediate trash pickup when the trash enclosure is full.
23. If at any time it is determined by the Zoning Administrator that trash, litter, and debris has become a problem, the operator shall submit a litter clean-up plan to the Zoning Administrator for review. The litter clean-up plan shall include a schedule of time and frequency of litter clean-up activities. Upon approval of the plan by the Zoning Administrator, the measures of the plan shall be implemented. This condition may require the operator of the use to post a bond to ensure trash and litter compliance.
24. The applicant shall be responsible for all cost and expenses of all monitoring and inspection activities by the City.
25. The temporary and permanent storage of vehicles (automotive, trucks, trailers, boats, motorcycles, etc.) shall be prohibited on the subject site at all times as part of this use.

26. Truck loading, unloading, and trash pick-up for the premises are allowed only between the hours of 7:00 a.m. to 9:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on Saturdays. No truck loading, unloading, or trash pick-up is allowed on Sundays, as specified in Section 17.40.070.C. (Limited Hours of Operation) of the Zoning Code. Loading and unloading activities shall only be within the permitted hours.
27. All loading and unloading shall occur within the site and not within the public right of way (including the sidewalk).
28. The outdoor lighting shall be adequate and consistent with the standards of Section 17.40.080 (Outdoor Lighting) and Section 17.46.220 (Outdoor Parking Lighting) of the Zoning Code. All new lighting shall be properly shielded to avoid glare and spill of light to surrounding properties.

Building and Safety Division

29. 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.
30. 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.
31. Best Management Practices: Photocopy to plans and complete the Best Management Practice page 1 (form must be signed). 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>
32. 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>.
33. 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.
34. 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.
35. Accessibility: Show compliance with accessibility per CBC 11B.

Photocopy to plans and complete the Summary of ACCESSIBILITY UPGRADES FOR COMMERCIAL PROJECTS. These forms are being provided attach and can be found at <https://www.cityofpasadena.net/planning/wp-content/uploads/sites/30/Accessibility-Upgrades-Summary-2021.pdf?v=1651099285405>.

36. 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.