



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** December 7, 2022

**TO:** Hearing Officer

**SUBJECT:** Conditional Use Permit #6665

**LOCATION:** 1550 South Oak Knoll Avenue

**APPLICANT:** Teresa Valentine

**ZONING DESIGNATION:** RS-4-HD (Single-Family Residential, 0-4 dwelling units per acre, Hillside Overlay District)

**GENERAL PLAN DESIGNATION:** Low Density Residential (0 – 6 DU/Acre)

**CASE PLANNER:** Joseph Weaver

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6665 with the conditions in Attachment B.

---

**PROJECT PROPOSAL:** Conditional Use Permit: To allow the replacement and relocation of existing pump stations at an existing water reservoir facility (Major Utility use).

**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 §15302, Class 2, (Replacement and Reconstruction) and there are no features that distinguish this project from others in the exempt class. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will have substantially the same purpose and capacity as the structure replaced. The replacement of the pumps at the existing water

reservoir will not expand the existing use of the reservoir, nor will it expand the capacity of the tank.

**BACKGROUND:**

**Site characteristics:** The 60,270 square-foot irregular-shaped site consists of two lots (AINs 5325-016-037 and 5325-016-052) and is located on the east side of Oak Knoll Avenue. It is currently developed with a 22,445 square-foot concrete polygon water tank that is partially buried, and has a capacity to hold approximately 2.5 million gallons of water. In addition to the water tank, there are supporting equipment such as control valves, pipes, and two pump stations located within a concrete structure on the north side and south side of the water tank. There are numerous trees that exist on and around the site.

**Adjacent Uses:** North: Single-Family Residences  
South: Single-Family Residences  
East: Single-Family Residences  
West: Langham Hotel and Single-Family Residences

**Adjacent Zoning:** North: RS-4 (Single-Family Residential, 0-4 units/acre)  
South: RS-4-HD (Single-Family Residential, 0-4 units/acre, Hillside Overlay District)  
East: RS-4-HD (Single-Family Residential, 0-4 units/acre, Hillside Overlay District)  
West: PD-15 (Huntington Hotel) and RS-4-HD (Single-Family Residential, 0-4 units/acre, Hillside Overlay District)

**Previous cases on this property:** CUP #2512 – To upgrade an existing water reservoir by constructing a 12-foot high diversionary wall designed to contain water should the reservoir rupture due to earthquake damage. A Conditional Use Permit is required to alter a conditionally permitted land use (PMC Section 17.24.020). Variance – To permit construction of a 12-foot diversionary wall. A Variance is required to construct a wall higher than six feet in the RS-4 Zoning District (PMC Section 17.24.030). Approved 6/17/1992.

**PREVIOUSLY SCHEDULED HEARING OFFICER MEETING:**

A Public Hearing was held before the Hearing Officer on February 20, 2019, regarding the subject Conditional Use Permit request. Concerns were expressed from adjacent neighbors regarding potential impacts to their residences. The concerns were mainly related to noise, visibility, and safety of the facility. Because of these concerns, the Hearing Officer continued the item to a date uncertain directing the applicant to work with the neighbors and City staff in addressing these concerns.

On April 10, 2019, the applicant held an open house with the neighbors to discuss their concerns. To address concerns regarding noise, the applicant now proposes submersible pumps which will be located within sealed steel suction canisters below grade. Further, the pumps have been moved further away from the southerly property line and are now proposed with a 46-foot setback whereas previously, they were proposed with a 17-foot setback. To address concerns regarding

visibility, the applicant is proposing landscaping along the southerly and northerly property line to assist in screening the pumps from view of the neighboring residences. Additionally, a 4-foot wall near and parallel to the southerly property line is proposed.

### **PROJECT DESCRIPTION:**

The applicant, Teresa Valentine, on behalf of the property owner, California American Water Company, has submitted a Conditional Use Permit application to allow the modification of an existing water reservoir facility (Major Utility use). Specifically, the project would remove a 136 square-foot pump station structure along the north side of the water tank and the existing pump and electrical equipment within. Additional pumps inside an existing 144 square-foot pump station structure on the south side of the water tank are also proposed to be removed, however, the 144 square-foot structure would not be demolished. A new, unenclosed pump station is proposed in the southeast portion of the property and would be located atop a concrete pad approximately 190 square feet in size.

Grading to create access from an existing gate off Oak Knoll Avenue, located along the northern portion of the site to the new pump station, and grading to create the concrete pad for the new pump station are also proposed. A retaining wall is proposed around the new pump station, and a 4' high concrete masonry wall is proposed along the south property line. Landscaping is also proposed along the southerly and northerly property lines near the proposed pump station.

Per the City's Zoning Code, major utility land uses include generating plants, electrical substations, aboveground electrical transmission lines, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies or public utilities. As such, the existing water reservoir is classified as a major utility use. The project site is located within the RS-4-HD (Single-Family Residential, Hillside Overlay District) zoning district, and the modification of a major utility use within the RS-4-HD zoning district requires the review and approval of a Conditional Use Permit.

### **ANALYSIS:**

As stated above, the site is comprised of two lots (AINs: 5325-016-037 and 5325-016-052) and is irregular in shape. For the purposes of this report, the property line along Oak Knoll Avenue is considered the front property line, the easternmost property line measuring 35' is considered the rear property line, and the remaining two property lines are considered the side property lines.

The existing water reservoir facility has existed on the subject site since the 1960's. In addition to the water tank, the site is improved with supporting equipment, such as electrical equipment, control valves, pipes, and pumps. The site is surrounded by single-family residences on all sides, and a hotel on the west side, across Oak Knoll Avenue.

As stated above, the project entails the removal and replacement of the two pump stations, and interconnecting piping below grade. The irregular shaped site slopes down from north to south, and from east to west. The new pump station would be located to the rear of the existing tank, at the southeast corner of the irregular shaped site, tucked into an existing slope. A new retaining wall is proposed around the new pump station in order to create a pad area.

### Development Standards:

The subject site is located within the RS-4-HD zoning district. The proposed pump station, although unenclosed, will be analyzed as an accessory structure to the main water tank structure. Accessory structures within a residential zoning district are subject to the development standards in Section 17.50.250 of the City's Zoning Code. Below is a discussion showing the project's compliance with the applicable accessory development standards.

#### *Setbacks*

Within the residential zoning district, the required side yard setback is 10 percent of the lot width, with a minimum of five feet and a maximum of ten feet. The new pump station structure would be set back approximately 50' from the east side property line, and 46 feet from the south side property line, in compliance with the minimum side yard setback.

The minimum required rear yard setback is 25 feet. The proposed pump station structure would be set back greater than 40 feet from the rear property line, in compliance with the minimum rear yard setback.

#### *Height*

The maximum permitted height for an accessory structure is 9 feet to the top plate and 15 feet to the highest point. The proposed pump station will be located atop a concrete pad with safety railing and would be tucked into an existing slope. The unenclosed pump station measures approximately 7'-6" above existing grade, therefore in compliance with the maximum permitted height.

### Hours of Operation and Noise:

Similar to the current operation, the reservoir and pumps would operate 24 hours per day, with occasional employee visits to the site during regular business hours. According to the applicant, only during an emergency there would be staff members on site after hours. Major Utility uses are not subject to the limited hours of operation in Section 17.40.070 of the City's Zoning Code, which limits the hours of operation for commercial uses located within 150 feet of a residential zoning district to 7:00 a.m. to 10:00 p.m. However, because the hours of operation will remain the same as the existing operation, the relocation of the pump station, as it relates to the hours of operation, would not result in an adverse impact on the adjacent residences.

According to the applicant, the new pumps would have a lower noise level than the current pumps. The new motors will be a Grundfos MMS8000 model, consisting of a 75 HP, 3-phase, 3500 rpm, motor. It is rated for a maximum noise level of 70 dB(A) measured from 1 meter away. Although three pumps/motors are proposed, only two pumps/motors will be in operation at a time.

To address the concerns of the neighbors, the new pumps will be installed within sealed steel suction cans that will be submersed in water and partially buried approximately 8-feet below grade, further containing the noise level. A proposed 4-foot high block wall measuring 59 linear feet is proposed which will help contain noise levels and reduce visibility of the station. Lastly, the pumps will also be located at least 46 feet from the closest property line, which is a rear property line of a single-family residence, with the residence located approximately 140 feet from the new pump station. Because of this considerable distance between the new pump station and the nearest single-family residence, the new pump station would not result in a noise impact on the surrounding properties.

## Landscaping

To address the concerns of the neighbors, the applicant proposes landscaping along the southeastern portion of the residence abutting property lines to the south and to the north. Based on the provided landscape plan, six Coast Live Oak, eight Baja Fairy Duster, and four California Coffeeberry trees are proposed within this area along with miscellaneous shrubs and related irrigation. The planting of these trees will further screen the visibility of the proposed pump station from adjacent properties. Staff will review this project's applicability to the Model Water Efficient Landscape Ordinance (MWELo) and if applicable, will require full landscape and irrigation plans be submitted and approved prior to the issuance of building permits.

## Parking and Circulation:

The City's Zoning Code parking requirement for a Major Utility use is specified by the Conditional Use Permit. Currently, parking is available within the site, adjacent to an existing gate off Oak Knoll Avenue on the northern portion of the site, albeit no striping for parking spaces are provided. The proposed project does not entail an expansion of the existing water reservoir, as such, no additional parking spaces are required as part of the proposed improvements. However, with the proposed access road, parking would be available along the access road, as well as near the new pump station.

As stated above, grading of the new 20-foot-wide access road is proposed as part of project, which would create access from an existing gate off Oak Knoll Avenue to the new pump station. The access road would have a maximum slope of 12% and would be improved with decomposed granite. Grading and improvement of the access would not result in an impact on the adjacent residential properties since the grade of the road would not be significantly altered and apparent from the surrounding properties. Lastly, although the area is currently not improved for access, the area is used for parking, as such the new decomposed granite finish would be an improvement from the rough gravel finish.

## Tree Protection Ordinance:

From the updated tree inventory and arborist report, there are 49 existing trees on and around the site. Of the existing trees, 26 trees are protected under the City's Tree Protection Ordinance which consist primarily of Coast Live Oak trees. The City's Tree Protection Ordinance includes a list of species and a minimum corresponding size in order for a tree to be protected under the City's Ordinance.

The current project proposes the removal of two, Mexican Fan Palm trees which are not protected species under the City's Tree Protection Ordinance. No protected trees are proposed to be removed as part of this project. Additionally, the application includes a tree protection plan and an arborist report with tree protection recommendations and guidelines. This will ensure the site's trees will be protected during construction and grading activities.

## **GENERAL PLAN CONSISTENCY:**

The proposed modification to the water reservoir facility is consistent with General Plan Land Use Element Policy 10.16 (Infrastructure), which instructs the City to design, construct, maintain, and improve the City's infrastructure to conserve and reduce impacts to the natural environment. The upgrade and relocation of the pump stations improves the existing water reservoir facility, and prolongs the life of the facility, avoiding the need for new facilities. Additionally, the modification

to the water reservoir use is consistent with Policy 21.3 (Neighborhood Character), which encourages projects to maintain elements of residential streets that unify and enhance the character of the neighborhood including compatible setbacks. The proposed pump station structure will be located to the rear of the water tank, not visible from the street, thereby maintaining the existing neighborhood character.

#### **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 §15302, Class 2, (Replacement and Reconstruction) and there are no features that distinguish this project from others in the exempt class. Section 15301 exempts the operation, permitting, licensing or minor alteration of existing structures where there is negligible or no expansion of the use. Section 15302 exempts replacement or reconstruction of existing structures and facilities where the new structure will have substantially the same purpose and capacity as the structure replaced. The replacement of the pumps at the existing water reservoir will not expand the existing use of the reservoir, nor will it expand the capacity of the reservoir, therefore the project is exempt from environmental review.

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

The proposal was reviewed by the Department of Public Works, Building and Safety Section, Design and Historic Preservation Division, and Power Division. Comments from the Public Works Department and Building and Safety Section are incorporated in Attachment B of this report.

#### **CONCLUSION:**

It is staff's assessment that the findings necessary for approval of the Conditional Use Permit to allow the modification to an existing water reservoir facility at 1550 South Oak Knoll Avenue can be made. The proposed pumps will be within sealed steel suction cans and partially buried, which will result in a lower noise level than the current pump stations. The new pump station will be located to the rear of the water tank, not visible from the public right-of-way; and with a substantial setback (approximately 140 feet) from the nearest single-family residence. Additionally, the new access road will improve access to the water reservoir facility and allow parking on-site. 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: Specific Findings of Approval

Attachment B: Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT #6665**

Conditional Use Permit – To allow the modification of a Major Utility 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 existing water reservoir facility (Major Utility use) is allowed subject to the review and approval of a Conditional Use Permit in the RS-4-HD (Single-Family Residential, 0-4 units/acre, Hillside Overlay District) Zoning District. Modifications to the existing Major Utility use are also permitted subject to the review and approval of a Conditional Use Permit. As detailed in this report, the proposal to upgrade and relocate the pump stations will not conflict with the provisions of the Zoning Code, which includes, but not limited to compliance with height and setback requirements. As such the proposal will comply with all applicable provisions 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 RS-4-HD (Single-Family Residential, 0-4 units/acre, Hillside Overlay District) Zoning District. A purpose of the RS-4-HD District is to ensure provision of public services and facilities needed to accommodate planned population densities. The upgraded pump station will improve water distribution to the existing and planned population in the surrounding area and is thereby consistent with the intent of the RS-4-HD 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 modification to the water reservoir facility is consistent with General Plan Land Use Element Policy 10.16 (Infrastructure), which instructs the City to design, construct, maintain, and improve the City's infrastructure to conserve and reduce impacts to the natural environment. The upgrade and relocation of the pump stations would improve the existing water reservoir facility, and prolongs the life of the facility, avoiding the need for new facilities. Additionally, the modification to the water reservoir facility is consistent with Policy 21.3 (Neighborhood Character), which encourages projects to maintain elements of residential streets that unify and enhance the character of the neighborhood including compatible setbacks. The proposed pump station structure will be located to the rear of the water tank, not visible from the street, thereby maintaining the existing neighborhood character.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The proposed pump station will result in a lower noise level than the existing pump stations due to new technology and because they will be located within fully sealed steel suction cans located partially below grade. The hours of operation will remain the same as existing operating characteristics. The proposed access road will be graded to have a maximum slope of 12% with a decomposed granite finish, which will allow access from the street to the proposed pump station structure, and improve the use of this area as parking.
5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The proposed pump station structure will be located to the rear of the water tank and not visible from the public right-of-way. It will be set back approximately 140' from the nearest single-family residence, providing adequate distance. Because of new technology, the noise level

will be lower than the current pumps stations. Hours of operation and operational characteristics will remain the same as existing. Therefore, the improvements to the water reservoir use will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

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 in that the proposal does not convey an overdeveloped appearance in this area.* The proposed pump station has been designed to comply with the applicable development standards, including but not limited to height and setback requirements. It will also be located to the rear of the existing water tank, thereby maintaining the existing neighborhood character.



**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6665**

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

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Approved at Hearing December 7, 2022", except as modified herein.
2. The approval of this application authorizes the construction of a new pump station, and associated improvements such as walls and underground interconnecting piping at an existing water reservoir (Major Utility use) at 1550 South Oak Knoll Avenue. This application also authorizes the grading of a new access road to the new structure.
3. 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.
4. 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.
5. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
6. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
7. The proposed project, Activity Number PLN2018-00164, 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. In addition, the project requires Condition Mitigation Monitoring. Contact the Planning Case Manager, Joseph Weaver at (626) 744-3813 to schedule an inspection appointment time.
8. The project shall adhere to the City regulations governing hours of construction, noise levels generated by construction and mechanical equipment, and the allowed level of ambient noise as specified in Chapter 9.36 of the Pasadena Municipal Code.

Planning Division

9. The access road is approved to be finished with decomposed granite.
10. Any new fencing, gates, or walls are subject to compliance with Section 14.40.180 (Walls and Fences) of the Zoning Code and requires the review and approval by the Zoning Administrator.
11. The applicant or successor in interest shall use darker tones, including earth tones, for the exterior walls and railing of the pump station that blend with the natural terrain. Color and material samples shall be reviewed and approved by the Zoning Administrator prior to the issuance of any building permits.

12. The plans are approved to include tree plantings and irrigation along the south and north property lines near the proposed pump station. If deemed applicable by staff, the applicant must submit landscape and irrigations plans demonstrating compliance with California Model Water Efficient Landscape Ordinance (MWELO) for review and approval prior to the issuance of building permits.
13. The project shall comply with the 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. Any proposal to remove a protected tree requires approval of a Tree Removal Application prior to the issuance of any permits.

#### Building and Safety

14. 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.
15. 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.
16. 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>
17. SOILS REPORT REQUIRED: A soils engineer report is require for:
  - All new constructed single and multi-family residential, commercial, and industrial buildings.
  - An addition to a commercial or industrial building.
  - Second (2nd) story addition to existing one-story building.
  - Hillside construction, i.e. decks, retaining walls, and swimming pools.
18. GRADING: Provide grading plans as applicable. Clearly show the cubic yard quantities for excavation (cuts) and fills and label if site grading or foundation excavations.
19. REQUIRED PLANS AND PERMIT(S): 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 Public Works

20. The applicant shall protect all existing public facilities and maintain the right of way in good clean condition during the construction. If any damage is proven to be caused by the subject development, the applicant is responsible for replacing and/or repairing the facilities to the satisfaction of the City, prior to the issuance of Certificate of Occupancy.
21. A separate permit from the Department of Public Works is required for all construction and/or occupancy in the public right-of-way. Please contact 626-744-4195 for the general process.
22. All costs associated with these conditions shall be the applicant's responsibility. Unless otherwise noted in this memo, all costs are based on the General Fee Schedule that is in effect at the time these conditions are met. A processing fee will be charged against all deposits.

In addition to the above conditions, the requirements of the following ordinances will apply to the proposed project:

- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)  
In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.
- Construction and Demolition Waste Ordinance, Chapter 8.62 of the PMC  
The applicant shall submit the following plan and form which can be obtained from the Permit Center's webpage at <http://cityofpasadena.net/PublicWorks/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
  - a. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the permit. A list of Construction and Demolition Recyclers is included on the waste management application plan form and it can also be obtained from the Recycling Coordinator.
  - b. Summary Report with documentation must be submitted prior to final inspection.

A security performance deposit of three percent of the total valuation of the project or \$30,000, whichever is less, is due prior to permit issuance. For Demolition Only projects, the security deposit is \$1 per square foot or \$30,000, whichever is less. This deposit is fully refundable upon compliance with Chapter 8.62 of the PMC. A non-refundable Administrative Review fee is also due prior to permit issuance and the amount is based upon the type of project.