



**PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**DATE:** March 20, 2024

**TO:** Hearing Officer

**SUBJECT:** Minor Conditional Use Permit #7138

**LOCATION:** 1349-1365 North Hill Avenue, 1366, 1383-1399,  
and 1384-1400 East Washington Boulevard  
(AIN 5850-015-015, 5741-013-016, 5741-013-017)

**APPLICANT:** Seth Bell

**ZONING DESIGNATION:** CL (Commercial General)

**GENERAL PLAN  
DESIGNATION:** General Commercial

**CASE PLANNER:** Jason Van Patten

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Minor Conditional Use Permit #7138 with the Conditions in Attachment B.

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**PROJECT PROPOSAL:** Minor Conditional Use Permit: To allow shared use of two existing surface parking lots to accommodate a new restaurant at 1392 East Washington Boulevard. The restaurant proposes to operate between 5:00 p.m. and 10:00 p.m. daily. During the hours of operation, a total of 78 spaces across the two lots would be available for use by the proposed restaurant and the commercial tenants of the Shops on Hill development.

**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 that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This exemption applies to the operation and permitting of uses in existing structures where there is no negligible or expansion of the use. The

proposal involves the shared use of existing surface parking lots. No expansion to the existing development would occur and the proposed restaurant tenant is a permitted use in the CL zone.

**BACKGROUND:**

**Site characteristics:** The project site is commonly referred to as the Shops on Hill, which consists of property at the northwest corner (5850-015-015), and southwest corner (5741-013-016, 5741-013-017) of the Washington Boulevard and Hill Avenue intersection. The north property is approximately 38,357 square feet in size and is developed with a two-story mixed-use building and a 50-space surface parking lot. Commercial tenants are located on the ground floor and consist of restaurants, retail sales, personal services, and personal improvement services. Twelve residential units are located on the second floor. The south property is approximately 24,159 square feet in size and is developed with a single-story commercial building and a 28-space surface parking lot. The subject 1392 East Washington Boulevard tenant space is within this southerly building. Commercial tenants consist of restaurants and personal improvement services. Vehicular access to the north property is from Washington Boulevard. Vehicular access to the south property is from Washington Boulevard and Hill Avenue.

**Adjacent Uses:** North – Multi-Family Residential  
South – Mixed-Use, Multi-Family Residential  
East – Retail Sales, Vehicle Services – Service Station  
West – Religious Facilities, Multi-Family Residential

**Adjacent Zoning:** North – RM-12 (Multi-Family Residential, Two Units Per Lot)  
South – CL (Commercial Limited)  
East – CL (Commercial Limited)  
West – RM-32 (Multi-Family Residential, City of Gardens, 0-32 du/acre)

**Previous Zoning Cases on this property:** Conditional Use Permit #6254 (1384 E. Washington Boulevard) – To allow the on-site sale and consumption of limited alcohol (beer and wine) in conjunction with a sit-down restaurant; and, a Minor Conditional Use Permit to allow for shared parking to accommodate the expansion of an existing [use] into an adjacent space which was not originally part of the restaurant. The proposed dining area expansion will require 13 additional off-street parking spaces, which the site is unable to provide, therefore the applicant has entered into an agreement to share parking spaces with the property located 500 feet away, across the public right-of-way and located at 1399 East Washington Boulevard. Approved January 21, 2015.

**PROJECT DESCRIPTION:**

The applicant, Seth Bell, has submitted a Minor Conditional Use Permit application to allow shared use of two existing surface parking lots to accommodate a new restaurant (Woon) at 1392 East Washington Boulevard. This request is intended to address parking requirements of the new use. The two parking lots currently provide parking for the tenants of the Shops on Hill Development. The restaurant would be located on the southerly property and proposes to operate between 5:00 p.m. and 10:00 p.m. daily. During the hours of operation, a total of 78 spaces across the two lots would be available for use by the restaurant and commercial tenants of the shopping center. No change to the access or circulation of the existing parking lots is proposed. The properties are zoned CL (Commercial Limited) and the sharing of parking spaces requires approval of a Minor Conditional Use Permit.

## **ANALYSIS:**

### Land Use and Parking

The restaurant proposed within the 2,550 square-foot, 1392 tenant space is permitted in the CL zone, pursuant to Table 2-5 (Allowed Uses and Permit Requirements for Commercial and Industrial Zoning Districts), Zoning Code Section 17.24.030 (Commercial and Industrial District Land Uses and Permit Requirements). Pursuant to Table 4-6 (Off-Street Parking Space Requirements), Section 17.46.040 (Number of Off-Street Parking Spaces Required), restaurant land uses require a parking ratio of 10 spaces for every 1,000 square feet of gross floor area, which includes any outdoor dining on private property. The prior land uses within the tenant space have included retail sales and personal service functions. Parking requirements for these land uses are three spaces for every 1,000 square feet of gross floor area. As part of a change in land use, any intensification in parking ratios shall also be addressed. In this case, the subject tenant space would require an additional 18 parking spaces over and above the prior use, based on parking ratios in the Zoning Code (3:1,000 to 10:1,000).

To address this, the City's Zoning Code provides options that allow applicants to satisfy parking requirements such as: 1) providing the additional parking on-site; 2) locating unused parking (surplus) off-site within specified distances (i.e. w/in 500' for customer/visitor spaces and 1000' for employee spaces); or 3) requesting a discretionary process (eg. Minor Conditional Use Permit for the sharing of parking spaces). In this case, the applicant submitted this Minor Conditional Use Permit application to reduce the additional 18 space requirement and share the existing parking spaces. The proposed restaurant is limited to the evening hours, and the applicant was unable to stripe additional parking spaces within the existing surface parking lot or locate unused off-site parking. The two parking lots that would be shared consist of 78 spaces total. These parking lots are located across the street from each other (Washington Boulevard), approximately 75 feet apart, property line to property line. The walking distance from the corner of one parking lot to another via the sidewalk and crosswalk is approximately 375 feet.

### Minor Conditional Use Permit: To Allow Shared Parking

Pursuant to Zoning Code Section 17.46.050 (Shared Parking), a Minor Conditional Use Permit shall be required for the sharing of parking and/or loading spaces for any site where the hours of operation allow the shared use of parking to occur without conflict. The Hearing Officer may approve a Minor Conditional Use Permit to reduce required parking spaces and allow shared parking only after making eight findings identified in the Zoning Code. The general purpose is to evaluate compliance with the Zoning Code and General Plan, whether the use would be

detrimental or injurious to the neighborhood, compatibility of the operation with existing and future uses, and the availability, quality, and efficiency of the parking.

As part of the request, the applicant provided a parking assessment prepared by Linscott Law & Greenspan (LLG), a traffic, transportation, and parking consultant. The assessment evaluated the existing parking conditions at the Shops on Hill by conducting site-wide parking accumulation surveys. The surveys are observed counts (occupied and unoccupied parking spaces) that were conducted in hourly time increments from 8:00 a.m. to 9:00 p.m. on a mid-week day (Wednesday) and on a typical weekend day (Saturday). Using these counts, the assessment then forecast future peak weekday and weekend parking demands with the proposed restaurant and assuming full occupancy of the shopping center. The purpose was to determine whether there would be enough on-site parking spaces to adequately accommodate the future peak parking demand with the restaurant. Shared parking calculations recognize that different uses often experience individual peak parking demands at different hours of the day, days of the week, or months of the year. Therefore, when various uses share a common parking supply, the total number of spaces needed to support the collective whole is generally fewer than the parking required by the individual land use ratios presented in the Zoning Code. Shared parking analysis provides a methodology for adjusting the required parking to account for the interaction of differing peak parking demands. The shared parking analysis incorporates the analysis procedures recommended in Shared Parking, Third Edition, published by the Urban Land Institute (ULI).

The parking consultant conducted site visits on Wednesday, October 25, and Saturday, October 28, 2023, to assess existing parking availability. The assessment indicates that peak demand occurred at 10:00 a.m. during the mid-week day, and at 12:00 p.m. on the weekend. During the observed days, parking spaces were available during the highest peak hour. During other time periods of the day, a greater parking surplus was available. Since the proposed restaurant is planned to be in operation between the hours of 5:00 p.m. and 10:00 p.m., daily, and some of the staff are assumed to be on-site by 4:00 p.m. (to assist in restaurant setup, food preparation, etc.), the shared parking analysis focused on the hours between 4:00 p.m. and 10:00 p.m.

Based on the shared parking analysis, the calculated future site-wide peak parking demand totals 64 spaces during the weekday afternoon between 6:00 PM and 7:00 PM. When compared to the existing onsite parking supply of 78 spaces, a surplus of 14 parking spaces is expected during the peak weekday period. Based on the shared parking analysis, the calculated future site-wide peak parking demand totals 68 spaces during the weekend afternoon between 6:00 PM and 8:00 PM. When compared to the existing on-site parking supply of 78 spaces, a surplus of 10 parking spaces is expected during the peak weekend period. As such the assessment concluded that the on-site parking supply of 78 spaces is expected to adequately accommodate the forecasted future weekday and weekend peak parking demands, with completion of the proposed restaurant and full occupancy of the shopping center.

The proposal to share parking spaces complies with applicable requirements of the Zoning Code. The parking spaces that would be shared are located within the maximum walking distance allowed. Based on the shared parking analysis, it is anticipated the sharing of parking would occur without conflict. On-site parking would be available for customers and employees of the proposed restaurant use and remain for other tenants of the shopping center. Any further increase in parking requirements or change to the hours of operation of the subject restaurant would require a modification to, or an approval of a new Minor Conditional Use Permit. This application proposes no change to the approved parking facilities or expansion to buildings on-site. Conditions of approval regarding number of parking stalls and hours of operation would ensure compatibility

with uses in the vicinity. Further, the existing parking facilities have functioned sufficiently for the existing uses on-site. The proposed restaurant use would not change the existing access, circulation or affect the quality or quantity of parking available. Access to the parking facilities would continue to be maintained from Washington Boulevard and Hill Avenue that allow vehicles to enter and exit the site. Therefore, under the circumstances of the particular case, the sharing of parking is not expected to be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use or to property and improvements.

**GENERAL PLAN CONSISTENCY:**

The subject property is designated Low Commercial in the Land Use Element of the General Plan. The sharing of parking spaces is in conformance with Goal 19 (Parking Availability) of the Land Use Element of the General Plan, specifically, Policies 19.3 (Parking Management) and 19.4 (Park Once). Policy 19.3 encourages reducing the amount of land devoted to frequently vacant parking lots through management tools. Policy 19.4 encourages opportunities for residents, patrons and visitors to park once and visit many destinations through centrally located parking. Based on the shared parking assessment, the parking supply available will be adequate for the proposed restaurant use and other tenants of the shopping center at full occupancy. The ability to share spaces without conflict allows the parking facilities to be used and not sit vacant. Additionally, the proximity of the shared parking spaces and the variety of tenants served by the parking facilities does encourage people to park once and visit multiple destinations. Therefore, the proposal is in conformance with the General Plan.

**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 that there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. This exemption applies to the operation and permitting of uses in existing structures where there is no negligible or expansion of the use. The proposal involves the shared use of existing surface parking lots. No expansion to the existing development would occur and the proposed restaurant tenant is a permitted use in the CL zone.

**REVIEW BY OTHER CITY DEPARTMENTS:**

The proposal was reviewed by the Department of Transportation, Fire Department, Public Works Department, Building and Safety Division, and Design and Historic Preservation (DHP) Section. No comments were provided specific to this application. Building and Safety provided general comments related to the build-out of the tenant space that would be reviewed through the Building Permit plan check process to ensure compliance with all applicable code requirements.

**CONCLUSION:**

It is staff's assessment that the findings necessary for approval of the Minor Conditional Use Permit for shared parking can be made (Attachment A). The proposed restaurant is a permitted use and based on a shared parking analysis, it was concluded that the existing 78-space on-site supply can accommodate the parking demands. Therefore, staff recommends that the Hearing Officer approve the Minor Conditional Use Permit to allow for shared parking.

Attachments:

Attachment A: Specific Findings for Minor Conditional Use Permit

Attachment B: Conditions of Approval for Minor Conditional Use Permit

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR MINOR CONDITIONAL USE PERMIT #7138**

Minor Conditional Use Permit: To Allow Shared Parking

1. *The proposed use is allowed with a Minor Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of the zoning district.* Zoning Code Section 17.46.050 (Shared Parking) allows the sharing of parking with the approval of a Minor Conditional Use Permit when sharing can occur without conflict. The parking study provided indicates the proposed restaurant can share parking during the evening without conflict. The parking spaces that will be shared are located approximately 375 feet apart, via the shortest pedestrian path, and within the maximum walking distance allowed. The shared parking spaces are in the CL zone, which allows Restaurant land uses. The sharing of parking complies 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 purpose of the Zoning Code is to protect and promote the public health, safety and general welfare, and to implement the policies of the General Plan. To achieve this, an intent of the Zoning Code is to permit the development of office, commercial, industrial, and transportation-related land uses in accordance with the general plan in order to strengthen the City's economic base. A purpose of the applicable CL zoning district is to provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses within and adjoining a CL district. The proposed restaurant use will service the needs of those working and residing in the nearby area and strengthen the City's economic base. It may also promote or attract other commercial tenants within the shopping center that can contribute to the City's economic base. The location within an existing commercial shopping center in a commercial zoning district is consistent with the purpose of the Zoning Code. Ensuring adequate off-street parking for the use will also prevent adverse effects on uses within or near the site because it will allow people to park off the street. Based on the shared parking analysis, it is anticipated the sharing of parking will occur without conflict. Parking on-site will be available for customers and employees of the proposed restaurant use and other tenants of the shopping center. Therefore, the location of the proposed use and sharing of parking complies with the purpose of the Zoning Code.
  
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 sharing of parking spaces is in conformance with Goal 19 (Parking Availability) of the Land Use Element of the General Plan, specifically, Policies 19.3 (Parking Management) and 19.4 (Park Once). Policy 19.3 encourages reducing the amount of land devoted to frequently vacant parking lots through management tools. Policy 19.4 encourages opportunities for residents, patrons and visitors to park once and visit many destinations through centrally located parking. Based on the shared parking assessment, the parking supply available will be adequate for the proposed restaurant use and other tenants of the shopping center at full occupancy. The ability to share spaces without conflict allows the parking facilities to be used and not sit vacant. Additionally, the proximity of the shared parking spaces and the variety of tenants served by the parking facilities does encourage people to park once and visit multiple destinations. Therefore, the proposal is in conformance with the General Plan.

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.* Shared parking will occur on-site without conflict. The parking study demonstrated that the parking needs and requirements of the proposed restaurant use can be met through the existing on-site parking facilities due to different hours of operation and based on anticipated parking demand. The sharing of parking will allow the use of an otherwise unoccupied tenant space and provide a new opportunity for those working or residing in the 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.* The parking study determined that the anticipated peak parking demand will be accommodated on-site without conflict. The study also suggests that spaces will be available for patrons and employees, which will limit the use of available off-street parking in the neighborhood. Any further increase in parking requirements or change to the hours of operation of the subject restaurant will require a modification to or an approval of a new Minor Conditional Use Permit.
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 applicant proposes no change to the approved parking facilities or expansion to buildings on-site. Approval of shared parking and operation of the restaurant use will be compatible with existing and future uses. Conditions of approval regarding number of parking stalls and hours of operation will ensure compatibility with uses in the vicinity.
7. *The spaces to be provided would be available as long as the uses requiring the spaces lawfully exist.* The application identifies 78 approved parking spaces available for the restaurant use and other tenants of the shopping center. Any increase in parking requirements, or reduction in on-site parking, will require a modification to or an approval of a new Minor Conditional Use Permit.
8. *The quality and efficiency of the parking or loading utilization would equal or exceed the level that is otherwise required.* The existing parking facilities have functioned sufficiently for the existing uses on-site. Approval of shared parking will not change the existing access, circulation or affect the quality or quantity of parking available. Access to the parking facilities will continue to be maintained from Washington Boulevard and Hill Avenue that will allow vehicles to enter and exit the site efficiently. Given the arrangement of stalls will continue to adhere to the approved plan, and that two-way traffic will continue, the quality and efficiency of the parking would at minimum equal the level that is otherwise required.



**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR MINOR CONDITIONAL USE PERMIT #7138**

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

General

1. The site plan submitted for building permits and/or future development shall substantially conform to the site plans stamped "Approved at Hearing, March 20, 2024" except as modified herein.
2. In accordance with Section 17.64.040 of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within three years of the effective date of the approval, unless otherwise specified in the conditions of approval. The Planning Director can grant a one-year extension of your approval.
3. The approval of this application authorizes a tenant at 1392 East Washington Boulevard to share the 78 parking spaces associated with the Shops on Hill Development (AIN 5850-015-015, 5741-013-016, 5741-013-017) in order to fulfill parking requirements in conjunction with the operation of a restaurant use.
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 Minor Conditional Use Permit if sufficient cause is given.
5. Any change to these conditions of approval, expansion of the use, or changes to hours of operation shall require the modification of this Minor Conditional Use Permit or a new Minor 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 **ZENT2023-00076**, 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 or its equivalent. Contact the Planning Case Manager, Jason Van Patten at (626) 744-7670 to schedule an inspection appointment time.

Planning Division

9. A minimum of 78 on-site parking spaces shall be maintained at all times, unless a reduction is necessary to meet Americans with Disabilities (ADA) requirements. None of the on-site parking spaces shall be shared with other off-site uses other than the on-site buildings and uses identified on the approved site plan and parking assessment.
10. The applicant shall stripe the north parking lot consistent with the approved plan stamped "Approved at Hearing, March 20, 2024" that depicts 50 parking spaces and a loading space.

A site inspection shall be conducted to verify parking lot striping prior to issuance of a Certificate of Occupancy for the tenant of 1392 East Washington Boulevard.

11. All employees of the tenant of 1392 East Washington Boulevard shall park on-site.
12. The applicant shall submit a contract, lease or agreement between the property owner(s) and the tenant of 1392 East Washington Boulevard providing for the shared use of the parking facilities. A copy of the agreement shall be submitted for review prior to the issuance of any building permits.
13. The hours of operation of the restaurant tenant shall be from 5:00 p.m. to 10:00 p.m. daily. Any expansion of these hours shall require a modification to or a new Minor Conditional Use Permit and may necessitate a new parking assessment.
14. All loading, unloading, and trash pick-up is allowed 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.
15. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that should appear on the site shall be removed within 48 hours.
16. Compliance with the City of Pasadena Refuse Storage regulations, see Section 17.40.120 of the Pasadena Municipal Code, shall be maintained at all times.
17. The applicant shall provide directional signage alerting patrons of the 1392 East Washington Boulevard tenant of the availability of parking on-site and on the property to the north (AIN 5850-015-015) prior to the issuance of building permits. All signage shall comply with Chapter 17.48 (Signs) of the Zoning Code.