



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: November 18, 2020

TO: Hearing Officer

SUBJECT: Vesting Tentative Tract Map #83194

LOCATION: 250 E. Union Street

APPLICANT: Burke Farrar

ZONING DESIGNATION: CD-2 (Central District Specific Plan, Civic Center/Midtown Subdistrict) zoning district

GENERAL PLAN DESIGNATION: Medium Mixed Use (0.0 – 2.25 FAR)

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Vesting Tentative Tract Map #83194 with the Conditions of Approval in Attachment B.

PROJECT PROPOSAL: Vesting Tentative Tract Map: To create 59 air parcels for residential condominium purposes and one air parcel for commercial condominium purposes on one land lot. This application is for the consolidation of the land lots and creation of air parcels only; no changes to the project are proposed as part of the current application.

ENVIRONMENTAL DETERMINATION: An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for Variance #11810 in compliance with the California Environmental Quality Act (CEQA) and adopted by the Hearing Officer on September 2, 2015, along with V #11810.

An addendum to the IS/MND has been prepared analyzing the additional 23 residential units, the additional 15,441 square feet, and the additional 15'-0" in height, and to

explain the Lead Agency's (City of Pasadena) decision not to prepare a subsequent or supplemental CEQA documentation in compliance with Section 15164 (Addendum to an EIR or Negative Declaration) of the CEQA guidelines (Title 14, Chapter 3, Article 11). The addendum found that the project revisions will not result in any potentially significant impacts that were not already analyzed.

The Addendum was adopted by the Board of Zoning Appeals on October 30, 2019. A similar determination was made during the Concept Design Review, which was approved on May 12, 2020. It has further been determined that there are no changed circumstances or new information as part of the proposed Vesting Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others previously reviewed; therefore, there are no unusual circumstances.

BACKGROUND:

Site characteristics:

The site is a 21,780 square-foot, square-shaped lot, located on the south side of Union Street, between Marengo Avenue and Garfield Avenue. The property is bounded by three alleys; Skillen Alley on the east, Brainard Alley on the south, and Stratton Place on the west. Currently the site is developed with a surface parking lot containing 61 parking spaces, a parking attendant booth, and two garages, all of which will be demolished as part of the project.

Adjacent Uses:

North – Parking lot and former YWCA building
South – General Commercial
East – United States Post Office
West – General Commercial

Adjacent Zoning:

North – CD-2 (Central District Specific Plan, Civic Center/Midtown Subdistrict)
South – CD-2 (Central District Specific Plan, Civic Center/Midtown Subdistrict)
East – CD-2 (Central District Specific Plan, Civic Center/Midtown Subdistrict)
West – CD-2 (Central District Specific Plan, Civic Center/Midtown Subdistrict)

Previous zoning cases on this property:

AHCP#11870 – To allow the construction of a new 64,441 square-foot, six-story, mixed-use building containing 59 residential units (five very low-income units), 1,939 square

feet of ground floor commercial space, and 156 parking spaces within four levels of parking, including one ground level and three subterranean level. The approval included the following entitlements:

- 1) Affordable Housing Concession Permit to increase the maximum allowable floor area ratio (FAR) from 2.25 to 2.96;
- 2) Affordable Housing Concession Permit to increase the maximum allowed height from 60'-0" to 75'-0";
- 3) Variance to reduce the depth of the commercial uses along Union Street from the minimum required of 50'-0" to 27'-9"; and
- 4) Private Tree Removal Permit to allow the removal of one 22" DBH European Olive (*Olea Europa*) and one 27" DBH European Olive (*Olea Europa*), both located along the front property line.

Approved w/ conditions on 10/30/2019

V#11810 – To allow the construction of a new five-story, 60-foot high, 49,000 square foot, mixed-use building, with 2,625 square feet of commercial space and 36 units on four levels above, and 134 parking spaces. The Variance allowed the commercial depth to be reduced from the required 50'-0" to 28'-6". Additionally, a Private Tree Removal Permit allowed the removal of two protected trees, a 22" DBH European Olive (*Olea Europa*) and a 27" DBH European Olive (*Olea Europa*), both located along the front property line. Approved w/ conditions on 09/02/2015.

PROJECT DESCRIPTION:

The applicant, Burke Farrar, on behalf of the property owner, has submitted a Vesting Tentative Tract Map application to allow the consolidation of three land parcels and, subsequently, the subdivision of the property into 59 air parcels for residential condominium purposes and one air parcel for commercial condominium purposes. A new mixed-use project with 59 residential units and 1,924 square feet of commercial space received Final Design Review approval on October 13, 2020. This application is limited to the creation of air parcels to allow the individual sale of the commercial space and dwelling units. This application does not address the design or construction of the mixed-use project and does not include any proposed changes to the previous Design Review approval or any other previously-approved entitlements.

ANALYSIS:

The subject site is located within the CD-2 (Central District Specific Plan, Civic Center/Midtown subdistrict) zoning district. Mixed-use projects within this zoning district is subject to the development standards of the Zoning Code. In this case, the maximum permitted density on the site is 87 units per acre, and based on a lot size of 21,870 square feet, a maximum of 44 units are permitted on the site. In order to develop the site with additional residential units, a density bonus is being requested.

The density bonus section of the Zoning Code (Section 17.43.040) permits an increase in the number of units permitted on the site, without discretionary approval, provided a specified percentage are designated as affordable units. In this case, the maximum number of units permitted on the property under the base zoning is 44 dwelling units. Per Table 4-3 of the City's Zoning Code, designating 11 percent of the allowed base units (i.e., five units) as very low-income would permit a density bonus of 35 percent (i.e., 16 units), for a total of 60 dwelling units. The proposed 59 dwelling units are within the maximum permitted number of units with the provision of the five very low-income units.

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

The project is designed to comply with development standards applicable to projects in the CD-2 zoning districts. The project received approval of an Affordable Housing Concession Permit on October 30, 2019 for additional height and floor area ratio, and reduced commercial depth. With the exception of the requested concessions and deviation, Staff determined that the project complied with all applicable development standards as required by the City's Zoning Code, including, but not limited to setback, open space and parking.

Additionally, on October 13, 2020, the City's Design Commission found that the design of the project is consistent with the purposes the design guidelines, the design-related goals and policies in the Land Use Element of the General Plan and the Design Guidelines in the Central District Specific Plan, and approved the Final Design Review application.

Tenant Protection Ordinance

The proposed project would create 59 new air parcels in conjunction with new construction. The site is currently developed with a surface parking lot and parking garages and a parking lot and does not contain any residential dwelling units. The proposed project is not subject to the City's Tenant Protection Ordinance requirements because it does not entail the demolition/removal of housing units and the displacement of tenants.

Inclusionary Housing

Chapter 17.42 of the Zoning Code applies to projects with 10 or more new dwelling units, such as this 59-unit development. These standards and procedures are intended to encourage the development and availability of affordable housing by ensuring that the addition of affordable housing units to the City's housing stock is in proportion to the overall increase in new housing units by requiring that at least 15 percent of the units to be constructed be restricted as affordable for-sale housing for moderate income households. For this project, the applicant intends to provide five very-low income units within the development. A recommended condition of approval requires that the applicant submit for an Inclusionary Housing Plan with the Housing Department for their approval.

GENERAL PLAN CONSISTENCY:

The proposed density of the Vesting Tentative Tract Map is within the maximum density allowed for the Medium Mixed Land Use land use designation of the General Plan. The project is consistent with the size and character of other mixed-use and commercial development in the vicinity of the site.

The Vesting Tentative Tract Map is consistent with Policy 2.1, Housing Choices, of the City's General Plan Land Use Element, as the project would provide opportunities for a full range of housing types, densities, locations, and affordability levels to address the community's fair share of regional, senior, and workforce housing needs and provide a strong customer base sustaining the economic vitality of Pasadena's commercial land uses.

The Vesting Tentative Tract Map is also consistent with Policy 21.1, Adequate and Affordable Housing, as this project would provide a variety of housing types, styles, densities, and affordability levels that are accessible to and meet preferences for different neighborhood types, physical abilities and income levels, pursuant to the Housing Element.

Lastly, the project Vesting Tentative Tract Map is consistent with Policy 1.2, Targeted Growth, in that the project would result in new construction in an infill area and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties within the Central District.

TREE PROTECTION ORDINANCE:

Two protected trees were approved to be removed by the Board of Zoning Appeals through the approval of Affordable Housing Concession Permit #11870 on October 31, 2019.

ENVIRONMENTAL REVIEW:

An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for Variance #11810 in compliance with the California Environmental Quality Act (CEQA) and adopted by the Hearing Officer on September 2, 2015, along with Variance #11810.

An addendum to the IS/MND has been prepared analyzing the additional 23 residential units, the additional 15,441 square feet, and the additional 15'-0" in height, and to explain the Lead Agency's (City of Pasadena) decision not to prepare a subsequent or supplemental CEQA documentation in compliance with Section 15164 (Addendum to an EIR or Negative Declaration) of the CEQA guidelines (Title 14, Chapter 3, Article 11). The addendum found that the project revisions will not result in any potentially significant impacts that were not already analyzed.

The Addendum was adopted by the Board of Zoning Appeals on October 30, 2019. A similar determination was made during the Concept Design Review, which was approved on May 12, 2020. It has further been determined that there are no changed circumstances or new information as part of the proposed Vesting Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others previously reviewed; therefore, there are no unusual circumstances.

REVIEW BY OTHER DEPARTMENTS:

The City's Department of Transportation, Public Works Department, Housing and Career Services Department, Building and Safety Division, Design and Historic Preservation Division, Department of Water and Power, and Fire Department have reviewed the proposal. Pasadena Unified School District, AT&T California and Southern California Edison have also reviewed the current application. The Department of Public Works, Housing and Career Service Department, the Building and Safety Division and Department of Water & Power provided comments and their recommended conditions of approval have been included in Attachment B of this staff report. The Department of Transportation, the Design and Historic Preservation Division, the Power Division of the Department of Water and Power and the Fire Department do not have any comments at this time and will review the plans during the building plan check process.

CONCLUSION:

The Vesting Tentative Tract Map would consolidate three land lots and create 59 air parcels for residential condominium purposes and one air parcel for commercial condominium purposes on one land lot. The proposal is consistent with the land use policies of the General Plan, and is also in compliance with the development standards for mixed-use projects as established in the Zoning Code. Therefore, staff recommends approval of the application based on the findings in Attachment A and the conditions in Attachment B.

Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR VESTING TENTATIVE TRACT MAP #83194

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The proposed density of the Vesting Tentative Tract Map is within the maximum density allowed for the Medium Mixed Use land use designation of the General Plan, and is consistent with the size and character of other residential lots in the vicinity of the site. The Vesting Tentative Tract Map is also consistent with the following General Plan Policies: Policy 2.1 (Housing Choices), 21.1 (Adequate and Affordable Housing), Policy 21.2 (Equitable Distribution of Affordable Housing), and Policy 1.2 (Targeted Growth).
2. *The site is physically suitable for the type of development.* The site consist of two rectangular-shaped interior lots without unique topographical features. The site is similar in size and topography to other lots in the vicinity that are developed with similar uses.
3. *The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.* The property and surrounding area is in an urbanized area and is developed with residential uses. The project has been previously reviewed in compliance with the California Environmental Quality Act. No fish or wildlife habitats in the vicinity have been identified. As such, approval of the map will not result in significant environmental impacts.
4. *The design of the subdivision or the proposed improvements is not likely to cause serious health problems in that the subdivision is compatible with existing residential land uses in the vicinity.* The design of the project provides appropriate community space, ventilation, light, and circulation within the development and among other existing developments in the vicinity as required by the applicable development standards of the Zoning Code.
5. *The proposed map meets the requirements of Title 16 as applicable.* The proposed density of the Tentative Tract Map is within the maximum density allowed for the Medium Mixed Use land use designation under the General Plan. The project is consistent with the size and character of other lots in the vicinity of the site. The Vesting Tentative Tract Map is also consistent with the following General Plan Policies: Policy 2.1 (Housing Choices), Policy 21.1 (Adequate and Affordable Housing), and Policy 1.2 (Targeted Growth). The Vesting Tentative Tract Map will provide opportunities for a full range of housing types, densities, locations, and affordability levels to address the community's fair share of regional, senior, and workforce housing needs and provide a strong customer base sustaining the economic vitality of Pasadena's commercial land uses, as well as provide a variety of housing types, styles, densities, and affordability levels that are accessible to and meet preferences for different neighborhood types, physical abilities and income levels, pursuant to the Housing Element. Additionally, the Vesting Tentative Tract Map will result in new construction in an infill area and away from Pasadena's residential neighborhoods and open spaces by redeveloping underutilized commercial and industrial properties within the Central District.
6. *The discharge of waste from the proposed subdivision into existing sewer system would not add to or result in violation of existing water quality control standards.* The development standards of the Pasadena Municipal Code provide standards that will require the applicant to connect to public sewer. Compliance with this requirement will be verified during the plan check process.

7. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.* Easements acquired for the public at large do not traverse the site of the proposed subdivision.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #83194

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

General

1. The final map to be recorded with the Los Angeles County Recorder shall substantially conform to the Vesting Tentative Tract Map submitted with this application and dated "Approved at Hearing, November 18, 2020," except as modified herein.
2. The site plan, floor plan, elevations, and building sections submitted for building permits shall substantially conform to plans submitted and stamped "Approved at Hearing, November 18, 2020, except as modified herein.
3. The consolidation of three land lots and creation of the 59 air parcels for residential condominiums purposes and one parcel for commercial condominium purposes on one land lot shall occur substantially as shown on the submitted plans, except as modified herein and shall comply with the applicable land use regulations and development standards of the Pasadena Municipal Code subject to the approval of the Zoning Administrator.
4. All utility substructures shall be located underground if required by the applicable City Departments. However, no subterranean gas meters shall be allowed.
5. The applicant or successor in interest shall comply with the attached conditions of approval from other City Departments.
6. The applicant shall receive written final approval of the addresses that will be assigned to each proposed parcel/unit prior to recordation of map. Final approval of the addresses shall come from the Addressing Coordinator. For additional information please contact the Addressing Coordinator at (626) 744-4622.

Planning

7. Any change to these conditions of approval or expansion of the use shall require the modification of this Vesting Tentative Tract Map or a new Vesting Tentative Tract Map.
8. The common area portion of the site shall be maintained and kept in good condition at all times.
9. The applicant shall satisfy the requirements of Chapter 17.46 (Parking and Loading) of the Pasadena Municipal Code prior to the issuance of a Building Permit.
10. All guest parking spaces shall be clearly marked "Guest Parking Only".
11. The applicant or successor in interest shall comply with the conditions of the Design Review approval.
12. All proposed signage on the site shall conform to the regulations of the Zoning Code and shall be reviewed and approved by the Zoning Administrator and Design and Historic Preservation staff prior to issuance of any building permits.

13. All exterior mechanical equipment shall be architecturally screened from view of the public right-of-way in a manner subject to review and approval by the Zoning Administrator and Design and Historic Preservation staff.
14. All landscape and walkway lighting shall be directed downward to minimize glare.
15. A final landscape and irrigation plan, in compliance with Zoning Code Chapter 17.44 (Landscaping) shall be submitted prior to final approval of a building permit. Final landscape plans (inclusive of planting and hardscape plans, the planting pallet, drainage plan, and irrigation system plan(s) and specifications) consisting of new landscape areas equal to or greater than 500 square feet shall be reviewed by Planning and Community Development Department staff for conformance with the standards and requirements specified within the 2015 California Model Water Efficient Landscape Ordinance (MWELo) prior to the issuance of a building permit. No certificate of occupancy shall be issued until such plans have been deemed compliant with the MWELo and the landscaping has been installed per such approved MWELo-compliant plans to the satisfaction of the Director of Planning and Community Development or his/her designee.
16. All proposed fencing and/or walls shall comply with Section 17.40.180 (Walls and Fences) of the Zoning Code.

Building and Safety Division

17. Governing Codes: Current Edition of the California Building, Mechanical, Electrical, Plumbing, Energy, and Green Building Standards Codes. The governing edition is based on the date in which the project is submitted to the City for review.

FYI – The current edition is the 2019 series effective January 1, 2017 until December 31, 2022.
18. Soils Report: Soils report is required for the project.
19. Property Land Survey: Property Land Survey is required for the project.
20. LID: Will be required for submittal, review MS4 permit requirements.
21. Grading: If greater than 50 cubic yard (excluding excavation for foundation), Grading/Drainage Plans shall be prepared by a registered engineer. Grading shall conform to the provisions of Chapter 14.05 of City's Municipal Code.
22. Building Code Analysis: Document on the plans the Allowable Height and Area, Occupancy Group(s), Type of Construction, and occupant load.
23. Means of Egress (Exiting): Provide Occupant Load Calculations for all areas, and provide an "Exit Plan". Identify exit separation and travel distance.
24. California Disabled Access Requirements: Project to be accessible to the disabled in accordance with Chapter 11A and 11B of the CBC.
25. Permit(s): Separate permits are required for grading (if applicable), fire sprinkler, mechanical, electrical, and plumbing.

Department of Public Works

26. Prior to submission of the final map to the City for approval, the applicant shall pay a non-refundable flat fee (based on the current General Fee Schedule) to cover the cost of processing the final map. The applicant shall complete all required conditions before City's approval, or provide a Letter of Credit or cash deposit to cover all unfinished public improvements as quantified in an approved cost estimate.
27. The applicant's engineer shall set boundary monuments on the proposed subdivision per Pasadena Municipal Code, Section 16.24, and furnish to the City a set of field notes that have been recorded with Los Angeles County Department of Public Works. The monuments shall be independently inspected by a third party licensed surveyor; with a certified report submitted to the City.
28. No private improvements may be placed within the public right-of-way, including, but not limited to, soldier beams, tie-backs, utility conduits, backflow preventers, transformers, fire sprinkler valve, decorative sidewalk and applicable parade post holes on Colorado Boulevard per Standard Drawing S-419. Private improvements may only be placed in the public right-of-way by submitting a license agreement, which must be approved by the City. The license agreement application for any private improvement within the public right-of-way shall be submitted to the Department of Public Works for review and shall be approved by the City before any permits are granted. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the license agreement, at least three to four (3-4) months prior to the issuance of any building or demolition permits. An approved license agreement will allow the applicant to install and maintain the private improvements within the public right-of-way with conditions.

A license agreement for shoring requires an indemnity bond in order to guarantee that shoring and tie-backs are free from defect due to faulty material, workmanship and failure. Upon review of the license agreement exhibits, an indemnity bond estimate will be prepared and forwarded to the applicant. The estimated amount is equivalent to the cost of reconstructing the public right of way, including all affected utilities, public facilities, and infrastructures, based on the plane of failure at a 45-degree angle from the lowest point of excavation. The indemnity bond shall be submitted to the City prior to the execution of the agreement and the issuance of any building or demolition permits.

All steel rods in every tie-back unit shall be relieved of all tension and stresses, and any portion of soldier beams and any portion of the tie-backs located be removed entirely from the public right-of-way. A monthly monitoring report stamped and certified by a licensed surveyor shall be submitted to indicate that the deflection from any piles or soldier beams does not exceed one inch. Upon completion of construction, the developer or his contractor shall remove all tie-back rods within the public right-of-way. The removal shall be documented by a report certified by a licensed deputy inspector. The report shall be submitted to the City for review and approval. The applicant will be charged a penalty of \$7,000 for each tie-back rod not removed from the public right-of-way. For temporary tie-backs or shoring, the maximum width of the license area fronting the development frontage(s) shall only extend to the centerline of the public right-of-way.

29. The proposed doors, along Union Street and Stratton Alley frontages, shall not encroach into the public right-of-way when fully opened. No building features shall encroach into the public right-of-way, including but not limited to: grade drainage scuppers, fire hose connections,

shut-off valves, meters, building facades, moldings, wall footings and basements. All building doorways shall be set back so that it will not enter the public right-of-way at any point in its swing radius.

30. The Union Street frontage sidewalk widening shall be per the Department of Transportation approval.
31. Skillen Alley along the frontage of the subject property has a substandard right-of-way width of 15 feet. In order to provide for a standard 20-foot wide alley, the applicant shall dedicate to the City a 5-foot strip of land along the subject frontage for alley purposes. Pavement shall be reconstructed with concrete for a minimum of 6 feet, and the alley approach at Union Street shall be widened to 20 feet.
32. Brainard Alley along the frontage of the subject property has a substandard right-of-way width of 15 feet. In order to provide for a standard 20-foot wide alley, the applicant shall dedicate to the City a 5-foot strip of land along the subject frontage for alley purposes. Brainard Alley shall be reconstructed for the full width of 20 feet with asphalt concrete along the entire subject frontage.
33. Stratton Place along the frontage of the subject property has a substandard right-of-way width of 15 feet. In order to provide for a standard 20-foot wide alley, the applicant shall dedicate to the City a 5-foot strip of land along the subject frontage for alley purposes. Stratton Alley shall be reconstructed for the full width of 20 feet with asphalt concrete along the entire subject frontage.
34. The applicant shall dedicate to the City the land to construct 10-foot corner cut-offs at the corners of Stratton Place and Brainard Alley and Skillen Alley and Brainard Alley. In lieu of a 10-foot corner cut-off, a 15-foot property line radius is acceptable.
35. The applicant shall be responsible for all the costs required to complete the above dedications/easements. The applicant shall submit the application, plan and processing fee/deposit, associated with processing the dedications/easements, at least three to four (3-4) months prior to the issuance of any building or demolition permits. The easement/dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.
36. The development shall provide sufficient sight distance clearance between the outbound vehicles onto Union Street and the pedestrians, to the satisfaction and approval of both Department of Public Works and Department of Transportation.
37. The applicant shall construct public improvements along the Union Street frontage of the subject property in accordance with Central District Specific Plan. The improvements include installing street furnishings, such as street lights, trash receptacles and tree grates, planting street trees, landscaping, and other necessary related work. For additional information on the specific plan requirements, please visit the City's website at <https://ww5.cityofpasadena.net/planning/planning-division/community-planning/specific-plans/>
38. The proposed development shall connect to the public sewer with one or more new six-inch diameter house sewers laid at a minimum slope of two percent. In accordance with PMC Chapter 13.24.010, house sewer "means that part of the horizontal piping beginning 24 inches

from the exterior wall of the building or structure and extending to its connection with the public sewer.” The section of house sewers within the public right-of-way - from the property line to the public sewer, or within easement, shall be vitrified clay or cast iron pipe. The house sewer shall meet City Standards as determined by the Department of Public Works, and a permit issued by the Department of Public Works is required for work within the public right-of-way. The construction of all new house sewers shall be completed prior to the issuance of Certificate of Occupancy.

39. The site shall be designed such that all drainage flows to Union Street and no water flows to any of the alleys. Please contact the Department of Public Works for mitigation methods, if necessary.
40. If drainage patterns are altered, the applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Community Development Department and the Department of Public Works prior to issuance of a grading or building permit for this site.
41. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Union Street, including concrete drive approach per Standard Plan S-403; concrete sidewalk per Standard Plan S-421; concrete curb and gutter per Standard Plan S-406. All public improvements shall be completed prior to the issuance of Certificate of Occupancy.
42. Union Street, Stratton Place, Brainard Alley, and Skillen Alley restorations, fronting the subject development, shall be a full width (from gutter to gutter) cold milling and resurfacing of asphalt concrete roadway per Standard Plan S-415. The street restoration shall be completed prior to the issuance of Certificate of Occupancy.
43. The applicant shall remove and salvage the existing City street lights at the corner of Stratton Place/Brainard Alley and Brainard Alley/Skillen Alley. The salvaged street lights shall be delivered for storage at the City yards.
44. The applicant shall install one (1) street light on the frontage of the property on Union Street. The type and hardware shall conform to current policies approved by the City Council, and the locations shall be as approved by the Public Works Department. In addition, the type, hardware, and locations of the new street lights shall be per the Pasadena Central District Specific plans and specifications. The cost of the street light is the applicant's responsibility.
45. The applicant is responsible for the design, preparation of plans and specifications, and the construction of all required street lights. Plans for the improvements shall be prepared by a civil engineer, registered in the State of California. Upon submission of improvement plans to the Departments of Public Works for checking, the applicant will be required to place a deposit with the department to cover the cost of plan checking and construction inspection of the improvements. The amount of deposit will be determined when the plans are submitted. In addition, there is possibly considerable lead-time for the materials required for street light construction. In order to avoid delays in the development schedule, the applicant shall coordinate with this office at 626-744-4195 regarding this street light condition at least six (6) months in advance of the anticipated issuance of Certificates of Occupancy.
46. Additional lighting in alley walkway should be provided for security and operations, and for pedestrian activity area illumination. Light fixtures should be wall mounted wherever possible

on private property. The new lighting in alley walkway shall be similar to the predominant existing alley walkway and, where appropriate, the fixture type should correspond to the individual building facades.

47. The applicant is responsible for the design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by a civil engineer, registered in the State of California. Upon submittal of improvement plans to the Departments of Public Works for review, the applicant will be required to place a deposit with the department to cover the cost of plan checking. The amount of deposit will be based on the current City's General Fee Schedule. Note that building plans approved by the City's Planning (Building) Department do not constitute approvals for work in the public right-of-way. Separate plans shall be submitted to the Department of Public Works – Engineering Division – at 175 North Garfield Avenue Window 6. The applicant shall submit public improvements plans and the plan check deposit at least two (2) months prior to the issuance of any building or demolition permits.
48. The applicant shall plant and maintain a maximum of three (3) officially designated street trees (*Magnolia grandiflora*, Southern magnolia) per the City approved master street tree plan on the subject frontage and install and permanently maintain an irrigation system for the trees. Trees shall be planted in a 4 feet by 4 feet tree wells. The locations will be finalized in the field by the Department of Public Works. Plans for the irrigation system shall be submitted to the Department for review and approval.
49. Trees planted by the applicant must meet the City's tree stock standards, be inspected by the City, and be planted according to the details provided by the Parks and Natural Resources (PNR) Division. Planting shall include the installation of the following per tree: no less than two tree stakes; one arbor guard; and the use of slow-release fertilizer tablets. The applicant shall contact PNR (626-744-3880) for tree planting approval, a minimum of two (2) months, prior to the issuance of a Certificate of Occupancy.
50. Trees planted by the applicant must be irrigated by either an existing or a new irrigation system constructed by the applicant. Plans for the irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to PNR for review and approval. Irrigation facilities (main line, valve, pull box, timer, etc.) must be constructed within private property with the exception of the laterals and bubblers. The lateral shall be a minimum of 18" deep, and no above-ground structures are allowed.
51. Prior to issuance of the Certificate of Occupancy, the applicant shall submit a Tree Guarantee Deposit equal to the cost of all new trees planted to guarantee that newly planted trees are maintained by the applicant for a minimum of three calendar years. Tree maintenance during this period shall include the following: watering no less than once a week; weed removal; reconstruction of tree wells as needed; re-staking as needed; adjustment to grade of any trees that settle; and any other operations needed to assure normal tree growth. The applicant shall replace any newly planted trees which, for any reason, die or whose health is compromised, within the applicant's three-year establishment period. The three-year tree establishment period shall commence on the day that the Certificate of Occupancy is issued. PNR shall inspect all trees planted by the applicant at the end of the three-year establishment period, and if the trees are found to be in good health, the applicant's deposit will be released. If the trees are found to be in poor health, the establishment period may be extended by PNR and the applicant's deposit shall be held accordingly. Said deposit may be included as part of the construction guarantee if applicable, and is subject to partial refund or additional billing.

52. Past experience has indicated that projects such as this tend to damage the abutting street improvements with the heavy equipment and truck traffic that is necessary during construction. Additionally, the City has had difficulty in requiring developers to maintain a clean and safe site during the construction phase of development. Accordingly, the applicant shall place a \$20,000 deposit with the Department of Public Works prior to the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the applicant will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping, slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction on this site. The deposit may be used for any charges resulting from damage to street trees and for City personnel to review traffic control plans and maintain traffic control. A processing fee will be charged against the deposit.
53. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the Department of Public Works for review and approval. The template for the Construction Staging and Traffic Management Plan can be obtained from the Department of Public Works webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/> . A non-refundable flat fee, based on the current General Fee Schedule, is required for plan review and on-going monitoring during construction. This plan shall show the impact of the various construction stages on the public right-of-way (and the private street) including all street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site. An occupancy permit shall be obtained from the department for the occupation of any traffic lane, parking lane, parkway, or any other public right-of-way. All lane closures shall be done in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and California Supplement. If the public right-of-way occupation requires a diagram that is not a part of the MUTCD or California Supplement, a separate traffic control plan must be submitted as part of the Construction Staging and Traffic Management Plan to the department for review and approval. No construction truck idling or staging, material storage, or construction trailer are allowed in the public right-of-way.

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

54. 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.
55. In addition to the above conditions, the requirements of the following ordinances may apply to the proposed project:
- a) Sewer Facility Charge - Chapter 4.53 of the PMC

The ordinance provides for the sewer facility charge to ensure that new development within the city limits pays its estimated cost for capacity upgrades to the city sewer system, and to ensure financial solvency as the city implements the operational and maintenance practices set forth in the city's master sewer plan generated by additional demand on the system. Based on sewer deficiencies identified in the City's Master Sewer Plan, the

applicant may be subject to a Sewer Facility Charge to the City for the project's fair share of the deficiencies. The Sewer Facility Charge is based on the Taxes, Fees and Charges Schedule and will be calculated and collected at the time of Building Permit Issuance.

- b) 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.
- c) City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC
The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee. No trees shall be damaged by the proposed construction, if a City tree is damaged, the applicant may be liable for the assessed value of the tree. Refer to <https://www.cityofpasadena.net/public-works/parks-and-natural-resources/urban-forestry/> for guidelines and requirements for tree protection.
- d) Residential Impact Fee Ordinance - Chapter 4.17 of the PMC
The ordinance was established to provide funds to mitigate the impact of new residential development on City parks and park and recreational facilities. A copy of the Residential Impact Fee Information Packet is available at the city webpage at: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>. The Residential Impact Fee is based on the current Taxes, Fees and Charges Schedule (<https://www.cityofpasadena.net/finance/general-fund/fees-tax-schedules/>) and will be calculated and collected at the time of Building Permit Issuance.

The building plans shall include, preferably on the title sheet, a summary of all living units to capture the number of different units; number of bedrooms in each unit; and types of units (Regular, Workforce housing, Skilled nursing unit, Student housing, Residential care facility for the elderly, Affordable Housing). The definitions on the different types of units are available in the abovementioned Residential Impact Fee Information Packet as well as in the Pasadena Municipal Code.

The estimated Residential Impact Fee based on the current tax schedule and the submitted information in the application. This amount is a rough estimate and for informational purposes only. The exact amount will be calculated at the time of Building Permit issuance.

- e) 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: <https://www.cityofpasadena.net/public-works/recycling-resources/construction-demolition-recycling/construction-and-demolition-debris-recycling/> and the Recycling Coordinator, (626) 744-7175, for approval prior to the request for a permit:
 - i. 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.

- ii. 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.

Department of Water and Power: Water Division

56. Water Mains: Pasadena Water and Power (PWP), Water Division can serve water to this project. There is an 8-inch cast iron water main in Union Street that was installed under Work Order 202 in 1914. This water main is located approximately 16 feet north of the south property line of Union Street.

57. Moratoriums: Verify with Public Works Department (PWD) regarding any street construction moratorium affecting this project.

58. Water Pressure: The approximate water pressure at this site is approximately 80 psi.

59. Water Service: PWP records reflect one ¾-inch water service (14928) serving the property. Any change in water service will be reviewed when the building plans are submitted. Any change in service will be installed at actual cost and paid for by the owner/developer. Additionally, if it is determined that a water main must be upgraded due to size, age, pressure deficiencies, and/or the integrity of the existing water main; the upgrade will be paid for by the owner/developer. A deposit will be requested for the water main design and a cost estimate will be provided to the owner/developer for the new water service installations, main design, and main construction. The owner/developer must be aware that the design of a new water main will take 3 to 4 months after the initial deposit is made by the owner/developer. Also, an additional 4 to 6 months will be needed for the construction of the water main after the balance of the estimate is paid in full by the owner/developer. The design and construction estimated time depends on the size and length of the water main and other mains in the queue. For this reason, it is imperative that the initial deposit be submitted promptly. Also, the owner/developer will pay in full any street restoration that is required by PWD. PWD determines the limits of the street restoration.

60. Water Division Requirements:

- a. Water lines are not permitted to cross lot lines to serve adjoining lots without a utility easement; the Pasadena Water Division shall approve all proposed easements.
- b. The Water Division will install the service tap, lateral, water meter and designate the distribution main and service tap.
- c. All services not in use must be abandoned at the distribution main at the applicable rate.
- d. For subdivided lots with one unit behind the existing, show easement documentation and assessor parcel map showing the subdivision.
- e. Pursuant to the PWP Water Regulation Section XI 'A water service and meter may be evaluated for its continuing integrity. Should PWP find a service, meter, vault or other appurtenance to be substandard and no longer suitable for continued use, replacement

and/or construction of new facilities may be required. PWP may require that a portion or all of the costs of such replacement and/or construction be paid or contracted for by the Applicant or Customer prior to construction.' The property owner is responsible for the replacement cost. All service pipes shall be of suitable capacity as determined by applicable plumbing and fire codes. The minimum sized service installed by PWP is 1-inch.

61. Cross Connection Requirements for Domestic Services:

- a. All city cross-connection prevention policies must be adhered to. The developer is required to provide back-flow protection at all connections whereby the plan arrangement or configuration could potentially contaminate the domestic water system.
- b. There shall be no taps between the meter and the backflow assembly.
- c. The owner/developer shall provide and install an approved double check valve backflow prevention assembly at each water service if more than one water service serves property. The location of the back-flow prevention assembly shall be above ground within 20-feet of the property line.
- d. The property owner is responsible for the back-flow prevention assembly. The assembly will be registered and require an annual test certification. All manufacturer warranties shall be transferred upon installation and certification to the property owner.
- e. The owner/developer is responsible for certifying and testing the assembly after installation by a person that possesses a current and valid license, and must be certified by the County of Los Angeles Department of Health Services.
- f. The owner/developer shall submit the results of the test to the Water Utility Service Section for approval. Upon approval, the City will maintain domestic water to the property and will automatically register the assembly.
- g. All water services shall be protected from cross connections by means of approved backflow prevention techniques and assemblies.
- h. An administrative fee of \$180.94 will be charged for each backflow prevention assembly installed.

62. Cross Connection Requirements for Fire Service:

- a. The fire service requires a detector meter and back-flow prevention assembly.
- b. The assembly shall be located in a readily accessible location for meter reading, test and maintenance.
- c. All fire sprinkler systems require installation of an approved double check valve backflow prevention assembly at the sprinkler lateral off the domestic system.
- d. Contract service other than PWP, providing the backflow prevention assembly shall contact the Water Utility Services Section to verify assembly approval or contact the University of Southern California foundation for Cross Connection Control and Hydraulic Research for an approve list of assemblies.
- e. All manufacturer warranties shall be transferred upon installation and certification to the property owner. The property owner shall assume ownership of the back-flow prevention assembly. The assembly will be registered and require an annual test certification.
- f. If PWP is to provide DCDA for fire service, PWP will install Wilkins, model 450 DA.
- g. Choose from one of the below listed options and incorporate into the fire sprinkler plans.

Option 1:

Detector meter located on double check detector check assembly (DCDA) outside the structure on private property.

- The Water Division will install the service tap, lateral, DCDA (optional Wilkins, models 350 DA or 450 DA) and designate the distribution main and service tap.

- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 10-feet of the property line, on private property. Reference Water Division Plan Check for certification and registration.

Option 2:

Detector meter located in a vault within the public right of way with a double check valve backflow prevention assembly (DCA) provided and installed inside or outside the building by the owner/developer.

- The Water Division will install the service tap, lateral, detector water meter and designate the distribution main and service tap.
- The location of the back-flow prevention assembly shall be a minimum of 12-inches above grade within 20-feet of the property line on private property. Reference Water Division Plan Check for certification and registration.

63. All Other Cross Connection Requirements: The owner/developer is also responsible for additional cross connection requirements for irrigation system, swimming pool and/or spa, boiler / chilled water / cooling tower (using chemical additives), domestic water line at makeup to carbonation system, sewage ejector, decorative water fountain, and makeup water to reverse osmosis filtration equipment.

64. Residential Water Metering Requirements: Senate Bill No. 7 (Housing: water meter: multiunit structures) approved by the Governor September 25, 2016, requires that individual meters or submeters be installed on all new multifamily residential units. Per Senate Bill No. 7: Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or newly constructed mixed-use residential and commercial structure for which an application for a water connection, or more than one connection, is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The law exempts long-term health care facilities, low-income housing, residential care facilities, housing at a place of education, and time-share properties, as well as, other multiunit residential structures deemed infeasible by the Department of Housing and Community Development.

Per the Water Regulations adopted by City Council on June 4, 2012: “The water service will end at the curb, public right of way or property line at the option of PWP. Where the location of the meter box or vault on the City side of the property line is not practicable, the meter box or vault shall be located on the Customer’s premises or such other location that may be agreed upon by PWP at its option. The Customer shall be responsible for the expense of installation and maintenance of the lines on the Customer’s side of the property line connecting to PWP’s service where construction of the Customer’s facilities began.”

The following submetering options are available to PWP customers:

Option 1:

Individual metering located on the parkway.

The Water Division will install individual water meters on the parkway in front of the project site, if permitted by available space as per the General Requirements, for each residential unit. The owner/developer shall install an approved double check valve backflow prevention assembly at each domestic water service. All dedicated irrigation services must have a Reduced Pressure Zone Valve Assembly (“RP”). The location of the backflow prevention assemblies shall be above ground within 20-feet of the property line, and the assemblies

require registration and annual test certifications. PWP's responsibility of service ends at the meter and PWP will bill each tenant directly.

Option 2:

Individual metering located on private property.

The Water Division will install a service lateral up to the property line with a shut off valve. The owner/developer shall provide and install an approved double check valve backflow prevention assembly after the shut off valve and will install all piping behind the property line. The location of the backflow prevention assembly shall be above ground within 20-feet of the property line, and the assembly requires registration and an annual test certification. The owner/developer will pay for and install all water meters, provided by PWP, to each residential unit. Water meters must be installed horizontally and must be located in an open area or in a garage/parking area and must have a minimum 12-inch above grade in order for meter readers to have unrestricted access to them if needed. All dedicated irrigation services must have a RP. PWP will inspect the individual meters as a condition of providing service. PWP's responsibility of service ends at the property line and PWP will bill each tenant directly.

Option 3:

Submetering by third party vendor located on private property.

The Water Division will install master water meter(s) on the parkway, in front of the project site. The owner/developer must submit a statement on letterhead stating that a Contractor licensed by the California State License Board will install submeters, per Senate Bill No. 7, to all residential units. The owner/developer shall install an approved double check valve backflow prevention assembly on each submeter. All dedicated irrigation services must have a RP. The backflow prevention assemblies require registration and annual test certifications. PWP will inspect the submeters as a condition of providing service. PWP's responsibility of service ends at the master meter and the owner/developer is responsible for billing each tenant per Senate Bill No. 7.

65. Fire Flow and Fire Hydrants: The Pasadena Fire Department (PFD) has jurisdiction and establishes the requirements for fire protection within the City of Pasadena. PFD must be consulted in this regard. Any cost incidental to providing adequate fire protection for the project must be paid for by the owner/developer.

There are six fire hydrants in close proximity to the project site. Fire hydrant 517-11 is the closest hydrant located on the northwest corner of Union Street and Garfield Avenue. A fire flow test was conducted on this hydrant on June 16, 2020 and the results were as follows:

Static Pressure:	80	psi
Flow Pressure:	60	psi
Pitot:	55	psi
Total Observed Flow:	1,243	gpm
Flow at 20-psi residual:	2,249	gpm

If you would like to request a copy of the fire flow test, please contact Linette Vasquez at (626) 744-7064.

66. Fire Hydrants Details:

