



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** December 2, 2020

**TO:** Hearing Officer

**SUBJECT:** Tentative Tract Map #83197

**LOCATION:** 253 South Los Robles Avenue

**APPLICANT:** Sheila Harjanto

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

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

**CASE PLANNER:** Katherine Moran

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Tentative Tract Map #83197 with the Conditions of Approval in Attachment B.

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**PROJECT PROPOSAL:** Tentative Tract Map: To allow the creation of ninety air parcels on one land lot for residential condominium purposes.

**ENVIRONMENTAL DETERMINATION:** In conjunction with the Affordable Housing Concession Permit approval on February 10, 2020, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review.

#### BACKGROUND:

**Site characteristics:** The subject site is a 35,502 square-foot irregularly-shaped parcel of land, situated between Cordova Street and Del Mar Boulevard with frontage on South Los Robles Avenue to the east. The site is developed

with a 43,544 square-foot office building that is currently vacant and a 9,160 square-foot parking lot.

**Adjacent Uses:** North – Mixed-Use Residential/Commercial  
South – Existing Parking Lot/Approved Multi-Family Residential Project  
East – Office  
West – Multi-Family Residential/Parking Structure

**Adjacent Zoning:** North – CD-2 (Central District Specific Plan, Civic Center/Midtown sub-district)  
South – RM-48 HL-40(45) (Multi-Family Residential, 0-48 units/acre, 40-foot Height Limit Overlay District)  
East – CD-2 (Central District Specific Plan, Civic Center/Midtown sub-district) / RM-48 HL-40(45) (Multi-Family Residential, 0-48 units/acre, 40-foot Height Limit Overlay District)  
West – CD-2 (Central District Specific Plan, Civic Center/Midtown sub-district)

**Previous zoning cases:** AHCP #11869 – To facilitate the construction of a new 91,217 square-foot, five to six-story, 90-unit, multi-family residential building (including eight “very low income” units), with associated parking in a three-level subterranean parking garage. The approval included two affordable housing concessions:

- i. A concession to exceed the maximum allowed FAR (requesting 2.57 where Code maximum is 2.25); and
- ii. A concession to exceed the maximum allowed height (requesting 75 feet where Code maximum is 60 feet or 75 feet with height averaging).

Approved with conditions on February 10, 2020

VTPM #73462 – To subdivide one existing parcel (1.963 acres) into two parcels. Parcel 1 would be 0.815 acres, and Parcel 2 would be 1.148 acres. Approved with conditions on August 9, 2015

## **PROJECT DESCRIPTION:**

The applicant, Sheila Harjanto, has submitted a Tentative Tract Map application to allow the creation of ninety air parcels on one land lot for residential condominium purposes. The new ninety unit residential project received Consolidated Design Review approval on July 14, 2020. This Tentative Tract Map application is for the creation of air parcels only. This application is limited to the creation of air parcels to allow the individual sale of the dwelling units. This application does not address the design or construction of the multi-family 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. Multi-family 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 35,502 square feet, a maximum of 71 units are permitted on the site. In order to develop the site with additional residential units, a density bonus was 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 71 dwelling units. Per Table 4-3 of the City's Zoning Code, designating 11 percent of the allowed base units (i.e., eight units) as very low-income would permit a density bonus of 35 percent (i.e., 25 units), for a total of 96 dwelling units. The proposed 90 dwelling units are within the maximum permitted number of units with the provision of the eight 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 February 10, 2020 for additional height and floor area ratio. With the exception of the requested concessions, 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 July 14, 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 Concept Design Review application.

The proposed tentative map meets all required findings. The project demonstrates consistency with the goals, objectives, and policies of the General Plan, by complying with allowed density and several goals and policies such as Policy 2.1 (Housing Choices), Policy 21.1 (Adequate and Affordable Housing), and Policy 1.2 (Targeted Growth). The site is physically suitable for the proposed density as it is relatively flat and located in an urban area. The design of the subdivision will not cause substantial environmental damage in that the property is located in an urbanized area and not near any sensitive habitat. The project has been previously reviewed in compliance with the California Environmental Quality Act. Further, the proposed improvements are not likely to cause serious health problems in that the design of the project provides appropriate ventilation, light, and circulation within the development, consistent with requirements of the Zoning Code. Finally, the project will comply with all sewer requirements and will not conflict with any easements or prevent access through the property.

### Tenant Protection Ordinance

The property is currently developed with a vacant commercial building, 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 90-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 eight very-low income units within the development. The applicant has submitted a draft Inclusionary Housing Plan with the Housing Department, which will be required to be approved prior to Final Design Review approval. An Inclusionary Housing Agreement will be required to be approved and recorded prior to building permit issuance. A recommended condition of approval requires that the applicant submit for an Inclusionary Housing Plan and an Inclusionary Housing Agreement with the Housing Department for their approval.

### **GENERAL PLAN CONSISTENCY:**

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

The 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 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 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:**

A tree inventory was submitted for the project sit as part of the Affordable Housing Concession Permit and Design Review. The inventory indicated there are eight trees existing on and around the site, three of which are protected under the City's Tree Protection Ordinance. Two of the three protected trees are street trees; and one protected tree, a Canary Pine, is located on-site near the northeast corner of the existing building. The project proposes to remove the protected on-site Canary Pine.

The Private Tree Removal request was reviewed by the Design Commission during the Concept Design Review, at which time the Commission deferred the findings for the tree removal request to Final Design Review. The Commission instructed the applicant to explore all options to retain the protected tree, including reconfiguring the garage stairwell at the northeast corner of the proposed building and reducing parking stalls/count as permitted by Zoning Code Section 17.44.090.D and other means, and to provide a narrative and illustrated analysis of each alternative during Final Design Review.

#### **ENVIRONMENTAL REVIEW:**

In conjunction with the Affordable Housing Concession Permit approval on February 10, 2020, it was determined that the project is Categorically Exempt from CEQA (Section 15332, Class 32, In-Fill Development Projects), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review.

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

The City's Department of Transportation, Building and Safety Division, Public Works Department, Housing and Career Services Department, Fire Department, Design and Historic Preservation Section, and Department of Water and Power have reviewed the proposal. AT&T California has also reviewed the current application. The Housing and Career Services Department, Building and Safety Division, Department of Public Works, Design and Historic Preservation Section, and AT&T California comments and recommended conditions of approval that have been included in Attachment B of this staff report. No other comments or concerns were provided.

#### **CONCLUSION:**

The Tentative Tract Map would create ninety air parcels on a single lot for residential condominium purposes. It is staff's assessment that the proposal is consistent with land use policies of the General Plan, development standards applicable to multi-family projects in the Central District, and applicable sections of the City's Subdivision Ordinance. 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 TENTATIVE TRACT MAP #83197**

1. *The proposed map is consistent with applicable general and specific plans as specified in Section 65450.* The proposed density of the Tentative Tract Map is within the maximum density allowed for the Medium Mixed Use land use designation of the General Plan, with the provision of eight very low income units; and is consistent with the size and character of other residential lots in the vicinity of the site. The 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 is located in an urban area, is rectangular and relatively flat in topography. The proposed multi-family development will be located on a site that allows for multi-family development, consistent with lots on the block and in the vicinity that are similar in size and topography and 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 is located in an urbanized area and not near any sensitive habitat. The proposal for ninety air parcels will not cause substantial environmental damage as the area is developed with residential, mixed-use, and commercial uses. The proposal for ninety air parcels will not cause environmental damage as the subdivision is for a mapping action and does not include any physical changes to the site. Further, 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. There are no changed circumstances or new information as part of the proposed Tentative Tract Map application that necessitate further environmental review and there are no features that distinguish this project from others in the exempt class and will not cause substantial damage to the environment.
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 subdivision and proposed project will be consistent with uses on the block and in the vicinity. The multi-family project will be designed in compliance with applicable Zoning Code standards, and Citywide Design Principles and architectural standards. The design of the project provides appropriate open space, ventilation, light, and circulation within the development and adjacent developments, consistent with requirements of the Zoning Code. Therefore, proposed improvements are not likely to cause serious health problems.
5. *The proposed map meets the requirements of Title 16 as applicable.* The proposal to create nine air parcels will comply with applicable standards of Title 16. The Tentative Tract Map was prepared by a registered engineer, obtained a map number assigned by the County, references the locations of adjacent streets and other public properties, labels and identifies easements, and references means of vehicular access. Copies of the Tentative Tract Map were provided to the applicable parties, including, but not limited to the City engineer, Water and Power Department, Fire Department, Transportation Department, Housing Department, and telephone company (AT&T) as required by Title 16. The nine-unit project complies with the maximum density allowed for the High Density Residential land use designation under the General Plan.

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 residential 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.* The design of the subdivision and type of improvements proposed will not conflict with easements acquired by the public, because no public easements traverse the site.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR TENTATIVE TRACT MAP #83197**

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 Tentative Tract Map submitted with this application and dated "Approved at Hearing December 2, 2020," except as modified herein.
2. The plans submitted for building permits shall be in general conformance to site plan submitted and stamped "Approved at Hearing, December 2, 2020," except as modified herein.
3. This approval allows Tentative Tract Map #83197 to create ninety residential air parcels for residential condominiums on a single lot. The creation of the ninety residential air parcels 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. In accordance with Section 16.18.060.A of the Pasadena Municipal Code, the exercise of the right granted under this application must be commenced within two years of the effective date of the approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 16.18.060 of the Municipal Code.
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. The common area portion of the site shall be maintained and kept in good condition at all times.
8. 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.
9. 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.
10. All landscape and walkway lighting shall be directed downward to minimize glare.
11. All proposed fencing and/or walls shall comply with Section 17.40.180 (Walls and Fences) of the Zoning Code.

12. The project shall comply with Pasadena 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.
13. The project shall require Final Design Review.

#### Housing and Career Services Department

14. All eight very low income affordable rental units shall be restricted by income and rent in perpetuity, in accordance with the Inclusionary Housing Requirements, Chapter 17.42 of the Zoning Code.
15. Prior to Final Design Review approval for the project, an Inclusionary Housing Plan shall be approved by the City.
16. Prior to the issuance of a building permit, an affordable housing regulatory agreement in favor of the City (the "Inclusionary Housing Agreement") shall be prepared by the Housing Department for execution by the City and Owner, and recorded against the project.

#### Department of Public Works

17. 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.
18. 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.
19. In reference to the Department of Transportation requirement on sidewalk widening along Los Robles Avenue frontage, dated February 7, 2018, the applicant shall be responsible for all the costs required to complete the dedication. The dedication documents and processing fee shall be submitted to this office, at least three to four (3-4) months prior to the issuance of any permits. The dedication documents shall be executed and recorded prior to the issuance of a Certificate of Occupancy.
20. 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.

21. Each building of the proposed development shall connect to the public sewer with one or more new six-inch diameter house sewer 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 sewer 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.
22. Los Robles Avenue restoration, 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.
23. The applicant shall demolish existing and construct all new public improvements along the subject development frontage of Los Robles Avenue, 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.
24. On-site drainage, such as roof drain, area drain and subterranean garage discharge, shall be contained on-site per LA County Regional Water Quality Control Board's current permit.

25. The applicant shall plant a maximum of four (4) *Quercus Virginiana*, Southern Live Oaks on Los Robles Avenue frontage the officially designated street tree per the City's approved Master Street Tree Plan. The Department of Public Works will confirm eligible planting sites.
26. 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.
27. 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.
28. 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.
29. To protect existing City trees during construction, the applicant shall fully conformed to the Tree Protection Guidelines signed by the City Manager. The full guidelines is available at the following link: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>
30. A Tree Protection Zone (TPZ) shall be established for all existing City trees within the scope of a construction project. The TPZ extends from the base of the tree to four (4) radial feet beyond the dripline of a tree and applies to the entirety of the tree – from the roots to the canopy of the tree.

The applicant is prohibited from the following within a designated TPZ: construction vehicle access, construction vehicle operation, staging of materials, and trenching without the consent of the Department of Public Works.

The applicant shall at minimum provide the following within a designated TPZ: mulching, irrigation, and protective fencing.

31. Prior to the issuance of any permit, the applicant shall submit a Preliminary Tree Protection Plan (PMC Ch. 8.52 – City Trees and Tree Protection Ordinance), prepared by a Landscape Architect or certified Arborist, showing the TPZ and all structures, footings, and grading that may impact City trees shall be submitted to the Department of Public Works, for review and approval. Given that each construction project poses unique conditions, it is the responsibility of the applicant to develop a Tree Protection Plan based off the TPZ standards to the extent feasible. The Plan shall conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters, canopies, whether the tree is a public tree or private tree, as well as any trees to be planted with their canopy at mature size. The final conditions of the Tree Protection Plan shall be approved by the Forestry Superintendent. A non-refundable flat fee, per the current General Fee Schedule, will be required for staff time to review the Tree Protection Ordinance compliance.
32. Prior to any construction, tree protections including the installation of fencing to protect public trees must be in place. The fencing material shall be chain-link attached to posts inserted into the ground at the edge of the dripline and shall be a minimum of 6' in height. See Standard Plan S-642 – Tree Protection Chain Link Fencing. Fencing shall maintain visual lines of sight in order to avoid vehicle and pedestrian hazards. Fencing shall include a minimum 8.5" x 11" warning sign with the following information: 'Tree Protection Zone'; name and contact information of project owner or authorized representative; 'Please contact the City of Pasadena Citizen Service Center to report any concerns (626) 744-7311'. All protective fencing must be permitted, inspected and approved by Public Works prior to the commencement of any construction.
33. All new drive approaches shall be at least seven (7) feet clear of the existing street trees measured from the edge of the trunk closest to the drive approach. All public trees shall be protected and fenced with a posting on the fences advising of the tree protection.
34. Prior to issuance of any permit, the applicant shall submit a valuation assessment report of the existing public tree(s) along the boundary of their project. The report shall be prepared by a registered Arborist and submitted to PNR for review and approval. If it is determined that the applicant has failed to care for any City tree within their Tree Protection Plan, and the health of the tree(s) was critically compromised requiring its removal, the applicant shall be liable for the following costs: assessed value of tree determined by a PNR Arborist using a current ISA assessment methodology; the removal cost determined by PNR; and any applicable infraction or administrative fines determined by Code Compliance.
35. Prior to issuance of any permit, a deposit in the amount of the applicant's total liabilities based on the aforementioned approved tree assessment report shall be submitted to the City. The deposit is fully refundable, less administrative fees, upon the satisfaction of Public Works prior to the issuance of a Certificate of Occupancy.
36. The existing street lighting along the Los Robles frontage of the subject site is substandard. In order to improve pedestrian and traffic safety, the applicant shall replace/renovate one (1) existing street lighting, on the frontage of the subject property per the City requirements and current standards. The renovation shall include but not limited to new LED light, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and miscellaneous related parts.

In the event where the existing street light pole determined, by the City, to be deteriorated and/or damaged, the applicant shall replace the existing street light pole with a new street

light pole in kind. The replacement shall include but not limited to new pole, new footing, new LED light, conduit, conductors, lamp socket, fuse, globe/lantern, globe holder, photo cell, and other miscellaneous related parts. The applicant shall schedule a street lighting pre-inspection with the Public Works inspector to determine the details/scope of the replacement/renovation of the existing street lighting. Please contact 626-744-4195 or via email: [pw-permits@cityofpasadena.net](mailto:pw-permits@cityofpasadena.net) to schedule a street lighting pre-inspection, prior to the issuance of any permits.

37. If the existing street lighting system along the project frontage is in conflict with the proposed development/driveway, it is the responsibility of the applicant to relocate the affected street lights, including new LED lights, conduit(s), conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.
38. 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 submit fees, per the current General Fee Schedule, to cover the cost of plan checking and construction inspection of the improvements. 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 fees at least two (2) months prior to the issuance of any building or demolition permits.
39. 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 issuance of any permits, the applicant shall conduct a field meeting with an inspector from the 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.

40. 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. A processing fee will be charged against the deposit.
41. In preparation for the New Year Rose Parade and Rose Bowl Game, the Department of Public Works will suspend all works within the public right-of-way during the holiday season in accordance to PMC 12.24.100 and City Policy.

In general, all public streets, sidewalks and parkways shall be free and clear of excavations and other construction related activities during the period of November through January of the following year. Specific dates will vary on an annual basis. Accordingly, contractors will be required to shut down construction operations which would impede traffic and pedestrian movements during these periods unless otherwise authorized by the City Engineer. Any existing excavations shall be backfilled, compacted and temporarily repaved before the beginning of the moratorium period.

The Holiday Moratorium Map, showing the appropriate shutdown period, and corresponding areas in the City, is available at the Department of Public Works Permit Counter (window #6), 175 N. Garfield Avenue, Pasadena, CA 91109, or at the following link: <https://www.cityofpasadena.net/public-works/engineering-and-construction/engineering/>.

42. 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. A Public Works permit is required for all construction and occupancies in the public right-of-way. If construction vehicles and equipment are parked off-site in the public right of way, the permit fee for street and sidewalk occupancy will be based on the area and duration corresponding to the current City's General Fee Schedule. For more information, please contact Yannie Wu-Bowman at 626-744-3762.

In addition to the above conditions, the requirements of the following ordinances will 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 sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy or any building permit for work in excess of \$5,000 pertaining to occupancy or construction on the property 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.

### Building and Safety Division

#### 43. Governing Codes

Current Edition of 2019 California Residential Code, 2019 California Building Code, 2019 California Electrical Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Energy Code, California Green Building Standard Code.& 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.

#### 44. Building Code Analysis

Provide a Building Code Analysis on the title sheet. Include the code(s) information the proposed building: Description of use, Occupancy, whether separated or un-separated, number of stories, type of construction, sprinklers, floor area, height, and allowable floor area. Building Code Analysis should include building code required accessible compliance per California Building Code (CBC) Chapter 11, plumbing and mechanical building codes.

#### 45. Means of Egress (Exiting)

Show an exit plan that labels and clearly shows compliance with all required egress features such as, but not limited to, common path of travel, required number of exits, occupant load, required width, continuity, travel distance, etc. [CBC 1001.1]. Clearly label and identify on plans fire-resistive corridors, exit enclosures, exit passageways, horizontal exits, occupancy separation walls and floors, fire resistive shafts, and fire walls, along with their fire-resistive ratings. Primary accessible path of travel shall include a primary entrance to the building or facility; toilet and bathing facilities serving the area; drinking fountains serving the area; public telephones serving the area, and signs. CBC 2019 Chapter 11 / Current Code.

#### 46. Geotechnical Investigation

This investigation should include soil report(s) for buildings design criteria.

#### 47. Parking Spaces

Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per CBC 2019 /Current Code

#### 48. Low Impact Development (LID) Plan and Storm-water Pollution Prevention Plan (SWPPP)

See City link for LID: <https://www.cityofpasadena.net/planning/building-and-safety/low-impact-development/>

49. Permit(s)

Separate permits are required for the following: Mechanical, Electrical, Plumbing, Fire, Sprinkle, Demolition, Shoring

Department of Transportation

50. In accordance with City Ordinance No. 7076, the project shall pay the Traffic Reduction and Transportation Improvement Fee (TR-TIF) for the project at the time of building permit issuance. The TR-TIF is subject to change based on the current General Fee Schedule. Total payment would be based on the final scope at the time of project approval. The payment shall be made at Window #8 in the Permit Center located at 175 N Garfield Ave, Pasadena CA 91109.

51. To improve the safety of pedestrians crossing the driveway, the design plans shall indicate a slope of 2% or less from the property line to 20' beyond the property line to improve vehicular sight distance, or include the installation of an exit arm.

52. To improve the quality and safety of bicycling around the project, the developer shall pay for the purchase and installation, of bicycle racks in the vicinity of the project at the time of building permit issuance: Initial Deposit: \$1,000\*

*\*The estimated cost is subject to partial refund or additional billing. Payment should be made at DOT offices located at 221 East Walnut Street, Suite 210 Pasadena, CA 91101.*

53. Any project loading/unloading spaces shall be on-site. DOT will not install a loading zone for project use along the project frontage.

54. The sidewalk along Los Robles Avenue adjacent to the project site shall comply with the City's Street Design Guidelines. A minimum sidewalk width of 12' is required.

55. A circulation plan for the parking structure must be reviewed and approved by the Department of Transportation. The plan shall be drawn to a 1"=20' or 1"=40' scale. The plan shall include the turning radius of the ramp and proposed striping/configuration of parking spaces to ensure that vehicles can safely enter and exit the parking area.

56. No overnight parking permits will be issued to future residents of this project. Future tenants shall be advised by the property management of the unavailability of on-street overnight parking permits.

57. The location(s) of bicycle parking shall be shown on the plans and approved by the Department of Transportation prior to the issuance of the first permit for construction (demolition, grading, or building).

AT&T

58. AT&T reserves all rights conveyed by any easement or dedication, recorded or unrecorded affecting said property.

59. All precautions must be taken during any construction to protect existing telephone facilities.
60. This permission does not relieve you or your assigns from liability in case of damage to our facilities.
61. In the event that the development or relocation of facilities, on the subject property, which facilities exist by right of easement, prescriptive rights or otherwise, the owner/developer will be requested to bear the cost of such relocation and provide Pacific Bell Telephone Company, a California Corporation doing business as AT&T California suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.
62. Contact Engineer Rebecca Guevara at (323) 516-3107 or [rz1893@att.com](mailto:rz1893@att.com) to discuss relocation options and point of feed for the described project.