



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner
Director

April 15, 2010

Mr. Hazim J. Rabadi, Associate/Senior Project Manager
HMC Architects
633 West Fifth Street, Suite 300
Los Angeles, CA 90071

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**REGARDING: PROJECT NO. R2004-00104-(5)
COMMUNITY STANDARDS DISTRICT MODIFICATION NO. 200900002
778 S ROSEMEAD BLVD, EAST PASADENA ZONED DISTRICT**

Dear Mr. Rabadi:

The Regional Planning Commission, by its action of April 14, 2010, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

Please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on any other matter pertaining to these approvals, please contact Mi Kim of Zoning Permits I Section at (213) 974-6443 or via e-mail at mkim@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director


Maria Masis, Supervising Regional Planner
Zoning Permits Section II

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER: R2004-00104-(5)

COMMUNITY STANDARDS DISTRICT MODIFICATION NO. 200900002

REQUEST:

The applicant, St. Anthony's Greek Orthodox Church ("St. Anthony's"), requested relief from the East Pasadena – San Gabriel Community Standards District ("CSD") (Los Angeles County Code Section 22.44.135 D.2) rear yard setback requirement. The applicant is asking for a seven feet setback instead of the required 15 feet. The setback modification is requested in conjunction with a proposal for a new community center for a church, which, if not for the setback modification, would have been allowed with a director's review.

REGIONAL PLANNING COMMISSION HEARING DATE: April 14, 2010

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION"

April 14, 2010

The public hearing for the appeal of the Hearing Officer's decision was duly noticed. At the hearing, staff made a brief presentation and recommended the Commission sustain the Hearing Officer's decision.

The appellants, Ms. Alberta Walker and Mr. Decatur Walker, represented by their attorney, Mr. Alan Abergel, protested the hearing officer's approval. The appellants' provided the following testimony. The project does not meet the CSD burden of proof. The church is in violation of development standards because the existing church does not meet the current front yard setback requirements. The project does not provide adequate parking because the addition of the community center would double the number of required parking spaces. The church is providing only 90 spaces based on the occupancy load of the sanctuary. The proposed project violates the Subdivision Map Act and does not comply with CEQA. The alley was not meant for general public use, but for use by the single family residence.

The rebuttal was provided by Mr. Alan Abergel and Ms. Alberta Walker who reiterated issues with parking, traffic, and special events at the project site.

The applicant, represented by five persons testified in favor of sustaining the Hearing Officer's approval. They gave the following testimony. The church serves a wide community of people and supports many community programs. The church's request for a CSD rear yard setback modification was necessitated by the change in understanding of where is the front yard of a corner lot. The definition of the front yard as the southern property frontage (Locksley Drive) constrained the site design and necessitated the request. As a result, the church is now subject to operating hours and fees, which it would not have been subject to otherwise. One benefit of the proposed project is the improved site and alley.

Staff clarified two issues regarding the sanctuary's front yard setback and parking. The sanctuary was built before the CSD development standards and thus the front yard setback is legal non-conforming. Parking requirement is based on the largest assembly area, the sanctuary. Condition No. 15e ensures the occupancy load does not increase by requiring that concurrent events at the sanctuary and community center not exceed the total occupancy load established by the sanctuary.

There being no further testimony, the Commission closed the public hearing and approved the permit with the attached findings and conditions.

PROCEEDINGS BEFORE THE HEARING OFFICER:

December 1, 2009

The proposed project was duly noticed and was placed on the December 1, 2009 public hearing agenda. At the hearing, Staff requested the case be continued to January 19, 2010 to address the following issues:

- Fire Department clearance. The project needed Fire's clearance on access width and location. Fire had previously required 28-foot wide access and direct access from Rosemead Blvd. Fire had also requested a revised site plan, and fire flow and fire hydrant capacity data.
- Department of Public Works clearance.
- Submittal of additional materials requested by the Department of Regional Planning, including a site plan with accurate dimensions and basement plans.

January 19, 2010

A continued public hearing was conducted by Hearing Officer Pat Hachiya.

Staff made a brief presentation and read into record the changes to the draft conditions of approval requested by the applicant.

The applicant and applicant's representatives, Father Peter Stratos, Mr. John Patzakis, and Mr. John Buzas representing St. Anthony's, and Mr. Hazim Rabadi, the project architect, testified in favor of the request. Three additional members of the church spoke in favor of the project. They testified that the community center would be used for lectures, bible studies, teaching seminars, and other activities that would enrich the community.

The applicant submitted a written comment letter requesting additional changes to the draft conditions of approval. At the hearing, the applicant highlighted the following conditions they would like changed:

- Condition limiting the operating hours of the new community center.
- Condition requiring graffiti to be removed at a specified time.
- Condition requiring landscape and site plans to be submitted in a specified time.
- Fire Department's condition regarding alley width and fire hydrant location.
- Department of Public Works condition regarding fees.

The owner of the adjoining property to the north (location of the rear yard setback) supported the modification with a 7 feet setback instead of the requested five feet.

Mr. Jerry Brennan of the Michillinda Park Association neither opposed nor supported the request, but expressed concern over Fire Department's request for a 26-foot alley. The alley, owned and maintained by the homeowner's association, is currently 20 feet wide. The homeowner's association did not want to bear the cost of maintaining a 26-foot wide fire lane.

The opponents, Ms. Alberta and Mr. Decatur Walker, represented by Mr. Alan Abergel testified in opposition to the request. The Walkers own the property immediately east of the project site and share the alley with the applicant for access. They testified that the alley should not be open to public use as it is a driveway to their garage. The opposition cited issues with broken hedges, walls, traffic, lighting, and car headlight. Ms. Walker stated that car headlights shine directly into Mr. Walker's bedroom window. The Walkers blamed Zoning Enforcement for not sanctioning the church for some of the issues they cited.

Pursuant to the testimony, the hearing officer requested the occupancy load determination, revised plot plan, additional staff analysis of the applicant's requested changes to the conditions of approval, including comments from Department of Public Works and Fire and continued the public hearing to February 2, 2010.

February 2, 2010

A continued public hearing from January 19, 2010 was held by Hearing Officer Pat Hachiya.

Staff made a brief presentation and read into record additional changes to the draft conditions of approval requested by the applicant and as discussed at the previous public hearing.

The applicant and applicant's representative, Mr. John Patzakis and Mr. Hazim Rabadi, spoke in favor of the request. The applicant asked the hearing officer to modify Condition 15 g on operating hours. The hearing officer recommended operating hours of the community center on weekdays (Sunday through Thursday) from 7 a.m. to 10 p.m., except certain events, which may run from 7a.m. to 11 p.m. provided that such excepted events are limited to twenty-five times a year; and on weekends (Friday and Saturday), 7 a.m. to 12 p.m. (midnight) with exceptions and as otherwise authorized by a Temporary Use Permit.

The applicant stated that the operating hours and limiting the number of activities that exceed the operating hours during the weekday would be a hardship for the church.

The hearing officer stated that operating hours on the community center were imposed to mitigate the proposed use and its potential impacts on the surrounding single family neighborhood. The hearing officer stated that the revised condition was based on consultation with Zoning Enforcement on the history of complaints from neighbors regarding noise and traffic.

Mr. Jerry Brennan of Michillinda Park Association neither expressed support nor opposition but once again expressed concern that the homeowners's association would have to bear the cost of maintaining a 26-foot alley required by Fire.

The opponents, Ms. Alberta Walker and Mrs. Eleanor Walker, and their representative, Mr. Alan Abergel, spoke against the request. They stated that the increase in activities would have a negative impact on the enjoyment of their property which shares the alley with the church for access.

The Hearing Officer found that the appropriate rear yard setback is seven feet. This is the rear yard setback agreed to by the adjoining property to the north where the rear yard is located.

There being no further testimony, the Hearing Officer closed the public hearing and approved the permit with the revised conditions and findings.

Findings

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Community Standards District Modification No.

200900003 ("CSD Modification") on December 1, 2009, January 19, 2010, and February 2, 2010.

2. The subject property is located at 778 S. Rosemead Blvd, Pasadena within the East Pasadena Zoned District.
3. The applicant, St. Anthony's, requests the CSD Modification to authorize the modification of the required rear yard in the East Pasadena – San Gabriel Community Standard District ("CSD") from 15 feet to seven feet to accommodate the construction of a new community center at an existing church.
4. The subject property is presently zoned R-3 (Limited Multiple Residence). A church is allowed in the R-3 Zone with a director's review.
5. The plot plan for the proposed community center has been reviewed concurrently with the CSD Modification request for compliance with the Zoning Code except for the modification allowed by this approval.
6. The surrounding properties are zoned as follows:

North: R-3;
South: R-1-20,000 (Single Family Residence – 20,000 Square Feet Minimum Required Lot Area);
West: R-3; and
East: R-1-20,000.
7. The land use designation for the subject property in the Los Angeles Countywide General Plan ("General Plan") is "3"- Medium Density Residential (12 to 22 Dwelling Units Per Acre). The intent of this designation is to identify land suitable for multiple unit development including garden apartments and multiplex development in addition to high density townhouse developments. Such areas are typically located along major transportation corridors. The church fronts a major transportation corridor and is compatible with the intended higher density land use.
8. The subject property consists of three parcels: Assessor's Parcel Numbers 537802023, 5378012021, and 5378011032. The project site of the modification request and proposed community hall are two parcels north of Locksley Drive, APN 5378012023 and 5378012021. The third parcel, APN 5378011032 is located to the south of Locksley Drive. It is developed with additional parking for the church. No new construction is proposed for this parcel.
9. The occupancy load of the subject property as determined by the occupancy load determination provided by Building and Safety and established by the largest assembly area, the nave of the sanctuary, is 440. Therefore, at a ratio of 1 parking space for every 5 persons, the minimum required parking spaces is 88.

10. The subject property is currently developed with a church consisting of the main sanctuary, community hall, and parking. The project proposal is to demolish the existing community hall and build a new community center along the northern property line with a 5 foot rear yard setback instead of the 15 feet required by the East Pasadena – San Gabriel CSD.
11. In the R-3 Zone, a church is allowed with a director's review. Without the request for the rear yard setback modification, the proposed construction of the new community center would have been allowed with an administrative plot plan review.
12. The CSD Modification request with a public hearing included the plot plan review of the proposed community center. Except for the requested modification, the project is required to comply with all base zone and CSD development standards.
13. The project is subject to the Drought Tolerant Landscaping, Green Building, and Low Impact Development ordinances of the Green Building Program.
14. Regional Planning determined that the project was categorically exempt under the California Environmental Quality Act ("CEQA"), finding that the CSD modification is a minor alteration in land use limitations.
15. The modification request was processed in accordance with the procedure set forth in the CSD (Section 22.44.135 C.4). Property owners within 200 feet radius of the project site were notified of the modification request on June 25, 2009. The CSD procedure provides that if there are three or more requests for a public hearing within 15 days of notification of the request, the director must deny the request. Eight letters of opposition and request for public hearing were received within the comment period. Accordingly, the request was denied. The applicant appealed the director's denial and the matter was set for a public hearing to be considered by the Hearing Officer.
16. In accordance with public hearing procedures, the project was duly noticed to property owner's within 1,000 feet radius of the subject property, advertised in the Pasadena Star News and La Opinion, and the notice was posted on site at least 30 days prior to the public hearing.
17. At the Hearing Officer's December 1, 2009 public hearing, Staff requested the case be continued to January 19, 2010 because staff had not received clearance letters from Department of Public Works and Fire Department, and additional information from the applicant.
18. At the Hearing Officer's January 19, 2010 public hearing, four representatives of St. Anthony's testified in favor of the request, and three additional members of the church spoke in favor. The applicant testified that the community center would be used for lectures, bible studies, teaching seminars, and other activities that would enrich the community. The applicant requested changes to the draft conditions of

approval regarding operating hours, graffiti removal, timeframe to submit additional material, and conditions imposed by Department of Public Works and Fire Department.

19. At the January 19, 2010 public hearing, the owner of the property adjoining the project site to the north (the location of the requested rear yard setback) supported a seven-foot rear yard setback instead of the five feet requested by the applicant. A representative of the Michillinda Park Association did not oppose the project, but expressed concern that if the alley became a 26-foot wide fire lane, the homeowner's association should not be held responsible for maintaining it as a fire lane.
20. At the January 19, 2010 public hearing, the opponent and their representative testified that they own the property immediately east of the project site and share the alley with the applicant for access. The alley is the primary access to the opponent's garage. The opposition cited issues with broken hedges, walls, traffic, lighting, noise, and car headlights.
21. The Hearing Officer continued the public hearing to February 2, 2010 and requested occupancy load determination, revised plot plan, additional staff analysis of the applicant's requested changes to the conditions of approval, including comments from Department of Public Works and Fire.
22. At the February 2, 2010 public hearing, Staff made a brief presentation and read into record additional changes to the draft conditions of approval requested by the applicant and as discussed at the previous public hearing. The applicant requested modification to the condition limiting operating hours as the property historically was not subject to operating hours and such a limitation would be a hardship for the church. The Hearing Officer found that limiting the operating hours of the community center were necessary to mitigate the proposed use and its potential impacts on the surrounding single-family residential neighborhood. The Hearing Officer noted that the Department's Zoning Enforcement received numerous complaints over the years from neighbors regarding noise and traffic. Other testifiers include the representative of the Michillinda Park Association who reiterated the association's concern about the cost of maintaining the alley as a fire lane. Opposition testimony was given by the property owners immediately east of the project site.
23. The Hearing Officer determined that the appropriate rear yard setback is seven feet as agreed to by the property owner to the north where the rear yard is modified.
24. On February 2, 2010, after hearing all testimony, the Hearing Officer closed the public hearing and took the following action, approved Community Standards District Modification No. 200900002 and associated site plan with revised findings

and conditions and found that the project is exempt from the reporting requirements of CEQA pursuant to the Class 3 (New Construction or Conversion of Small Structures) Categorical Exemption.

25. The neighboring property owners, Eleanor Walker, appealed the Hearing Officer's approval on February 10, 2010. The reason for appeal as noted by the appellant is "Applicant has not met its burden of proof for CSD modification as required by LA County Code Section 22.56.1690 [.]"
26. A duly noticed public hearing on the appeal was held by the Regional Planning Commission on April 14, 2010.
27. The proposed addition of the new community center is in conformance with development standards except for the modification requested.
28. The approval of this modification does not establish a precedent for approval of other modifications within the East Pasadena-San Gabriel Community Standards District.
29. The approved rear yard setback modification (seven feet) for the new community center for the existing use will not change the existing occupancy load established by the sanctuary on the subject property; therefore, the proposed modification will not have a negative effect on the neighboring property, traffic, and public health, safety and general welfare.
30. The approved rear yard setback modification (seven feet) for the new community center is compatible with the surrounding land use as the setback will be modified at the northern property line adjoining a parcel which is also developed with a church. The northern property owner has no objections to the modified setback of seven feet.
31. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Los Angeles County Code.
32. The Commission finds that the scope of the project request is the modification of the CSD rear yard setback modification. It is not whether or not the community center is an allowable accessory use on the property as the community center is an accessory use allowed with a director's review.
33. The Commission finds that the subject property's front yard setback is legal non-conforming.
34. The Commission finds that the Categorical Exemption Class 3 is the appropriate environmental determination.

35. The Commission finds that project will not increase the occupancy load of the subject property as Condition No. 15 e ensures the concurrent use of the sanctuary and the community center may not exceed the occupancy load as determined by the sanctuary.
36. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
37. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the use, development of land and/or application of development standards is in compliance with all applicable provisions of this Title 22;
- B. That the use, development of land and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice;
- C. That the use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design.

REGIONAL PLANNING COMMISSION ACTION:

1. The proposed project is exempt from the reporting requirements of the California Environmental Quality Act (CEQA) guidelines pursuant to Class 3 (New Construction or Conversion of Small Structures) Categorical Exemption.
 2. In view of the findings of fact and conclusions presented above, the Commission sustains the approval of the Hearing Officer and approves Community Standards District Modification Number 200900002 subject to the attached conditions.
- c: Zoning Enforcement, Building and Safety

This grant authorizes a modification to the East Pasadena-San Gabriel Community Standards District for the construction of a community building accessory to an existing church with a rear yard setback of seven (7) feet in lieu of the required 15 feet, as depicted on the approved Exhibit "A", and subject to all of the following conditions:

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition Number 6, and until all required monies have been paid pursuant to Condition Number 8.
3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate reasonably in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the property owner or permittee shall **record the terms and conditions** of the grant in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. This grant shall expire unless used within 2 years from the date of final approval by the County. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
8. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **\$450**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for a total of **three** inspections, one a year. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be \$150.00 per inspection, or the current recovery cost, whichever is greater.

9. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

10. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
11. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
12. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage that was not approved by the Department of Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises unless otherwise authorized by a Temporary Use Permit.
13. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 48 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. The property shall be developed and maintained in substantial conformance with the approved Exhibit "A." The new development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, or is nonconforming.
 - a. If changes to the site plan are required as a result of instruction given at the public hearing, the corrected Exhibit "A" shall be submitted to the Department of Regional Planning within one hundred twenty(120) days of the date of approval of the CSD Modification Request.
 - b. In the event that subsequent Revised Exhibit "A" plans are submitted, the permittee shall submit four copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) for such revision.
15. The construction, operation and maintenance of the proposed use shall be further subject to all of the following conditions:
 - a. The Permittee shall maintain a combined minimum total of 88 parking spaces on either one or all of lots APN 5878012021, 5378012023 and/or 5378011032.

- b. The permittee shall maintain the subject property in a neat and orderly fashion and free of litter all areas of the premises under which the permittee has control.
- c. Outdoor storage is expressly prohibited unless otherwise authorized by the Department of Regional Planning pursuant to County Code.
- d. All on-site lights shall be shielded in such a way so as to minimize glare from the site. Any lighting adjacent to residences shall be hooded and directed away from neighboring residences to prevent direct illumination and glare.
- e. Concurrent events at the sanctuary and community center or on site shall not exceed the total occupancy load for the sanctuary as established by this permit, unless otherwise authorized by a Temporary Use Permit for a "Special Event."
- f. "Special Event" is an activity outside normal hours of operation established by this permit and an activity that exceeds occupancy load of the sanctuary as established by this permit. A Temporary Use Permit must be obtained from the Department of Regional Planning prior to any such event. Operating hours for such an event, appropriate parking arrangements, or other requirements may be established by the Temporary Use Permit especially for the "Special Event."
- g. The normal hours of operation for the community center will be from 7a.m. to 10p.m., Sunday through Thursday; except that memorial services, wakes, homeowners' association activities, county polling, and meetings of 30 people or less may run until 11p.m. at the latest, and off of the property by midnight. These meetings will be limited to no more than 25 total per year. A log shall be maintained by the church with information on the date of the events and the number of participants. The log shall be made available to DRP Zoning Enforcement if requested. Normal hours of operation for the community center on Fridays and Saturdays will be from 7a.m. to 11p.m and off the property by midnight. Normal hours of operation for the community center will be as previously stated unless otherwise authorized by a Temporary Use Permit for a "Special Event." The normal hours of operation for the community center do not apply to Christmas Eve, Christmas Day, Greek Orthodox Easter Sunday, and three days preceding Greek Orthodox Easter Sunday.
- h. Upon approval of this grant, the permittee shall contact the County Fire Department to determine the requirements that must be satisfied for fire protection purposes related to the permittee's use. All such requirements shall be satisfied to the satisfaction of and within the timeframe set by said

- department. In addition, the permittee shall comply with all requirements set forth in the letter dated November 30, 2009 by the County Fire Department, attached hereto, except as otherwise required by said department.
- i. The subject property shall be developed and maintained in compliance with requirements of the County Department of Public Health. Water and sewer facilities and/or service shall be provided for the project to the satisfaction of said department.
 - j. All structures related to the permittee's use shall comply with the requirements of County Department of Public Works' ("Public Works") Division of Building and Safety. In addition, the permittee shall comply with all requirements set forth in the letter dated January 14, 2010 by Public Works, attached hereto, except as otherwise required by said department.
 - k. The permittee shall post a sign at the entrance to the church parking encouraging parishioners to park on church premises and away from neighboring residential streets.
 - l. Within 90 days following the approval date of this grant, the permittee shall submit to the Director for review and approval a covenant running with the land for the benefit of the County showing that the permittee agrees to hold the following parcels as one parcel: Assessor Parcel Numbers 5378011032, 5378012023, and 5378012021. Once said covenant is approved, it shall be recorded in the office of the County Registrar-Recorder/County Clerk and shall remain in effect for the life of this grant or for as long as otherwise provided for in said covenant.
 - m. All trash receptacles shall be placed within a masonry or concrete block enclosure of adequate height to preclude view of the receptacle. Said enclosure shall have a wooden or other type of opaque gate.
 - n. The permittee shall comply with Drought Tolerant Landscaping Ordinance requirements as follows:
 - Minimum 75 percent of all landscaping must be drought-tolerant.
 - Grass or turf must be maximum of 25 percent of all landscaping, 5,000 square feet, water efficient, and at least five feet in width.
 - Plants with similar water needs are to be grouped together.
 - o. The permittee shall comply with Green Building Ordinance as follows:
 - One 15-gallon tree per 10,000 square feet of developed area. At least 65 percent of the trees must be from the Drought Tolerant Plant List.

- Project must comply with Green Building requirements unless waived or modified by Los Angeles County Department of Public Works.
 - Third party LEED Certification or equivalent is required.
- p. Three copies of a landscape plan shall be submitted to and approved by the Director of Planning before issuance of a building permit. The landscaping may be incorporated into the revised Exhibit "A" described above, showing the size, number, type, and location of all plants, trees, and watering facilities to be installed at the site. The permittee shall maintain all landscaping in a neat, clean, and healthy condition, and shall properly prune, weed, remove litter, fertilize, and replace plants when necessary. Landscape watering facilities, if any, shall consist of a permanent water-efficient irrigation system, such as "bubbler" or drip irrigation, to irrigate all landscaped areas, except for turf or other ground cover.
- q. The permittee shall comply with Low Impact Development Ordinance requirements unless waived or modified by Public Works.

Attachment:

Letter from Department of Public Works dated February 2, 2010
Letter from Fire Department dated November 30, 2009



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: **LD-1**

February 2, 2010

TO: Mark Child, AICP
Zoning Permits I Section
Department of Regional Planning

Attention Jeantine Nazar

FROM:  Steve Burger
Land Development Division
Department of Public Works

**PROJECT NO. R2008-02340
778 SOUTH ROSEMEAD BOULEVARD
UNINCORPORATED COUNTY AREA OF PASADENA**

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

This letter supersedes our January 14, 2010, memo. We reviewed the site plan for the project located at 778 South Rosemead Boulevard. The proposed project consists of the demolition of an existing 7,350-square-foot community hall and the construction of a new 16,030-square-foot community center.

Upon approval of the site plan, we recommend the following conditions:

1. Road Conditions

- 1.1 Pay a nonrefundable cash contribution in the amount of \$12,640.00 for the construction/reconstruction of curb ramps, curb returns, cross gutters, and street trees along the property frontage on Rosemead Boulevard.
- 1.2 Close any unused driveways with standard curb, gutter, and sidewalk along the property frontage on Rosemead Boulevard to the satisfaction of Public Works.

- 1.3 Repair any displaced, broken, or damaged curb, gutter, sidewalk, driveway apron, and pavement along the property frontage on Locksley Drive to the satisfaction of Public Works.
- 1.4 Construct/reconstruct all driveway approaches to meet current Americans with Disabilities Act requirements to the satisfaction of Public Works.
- 1.5 Plant street trees on Locksley Drive. Existing trees in dedicated right of way shall be removed and replaced if not acceptable as street trees.
- 1.6 Repair any improvements damaged during construction to the satisfaction of Public Works.
- 1.7 The applicant shall comply with all Edison and Public Utilities Commission requirements regarding placement of new or relocated distribution or service lines
- 1.8 Initiate proceedings to restrict parking along the south side of Locksley Drive between Rosemead Boulevard and the private alley/firelane to the satisfaction of Public Works. The applicant shall initiate proceedings with Public Works to process the parking restriction. Applicant shall be responsible for and shall pay all costs associated with the processing of the parking restriction.
- 1.9 To provide adequate sight distance along the curved section of the street approaching the existing alley driveway and initiate the process to restrict a minimum of 150 feet of parking on the easterly side of the existing alley driveway on Locksley Drive to the satisfaction of Public Works. The applicant shall initiate proceedings with Public Works to process the parking restriction. Applicant shall be responsible for all costs associated with the processing of the parking restrictions. Prior to processing the parking restriction request, the applicant shall provide a line-of-sight study to determine if a lesser amount of parking restriction is adequate along the curve section of the street to Public Works' Traffic and Lighting Division, Traffic Study Section, for review and approval. The applicant shall pay a plan checking fee for the review and approval of the line-of-sight study to our Traffic and Lighting Division, Traffic Study Section.
- 1.10 Acquire street improvement plan approval or direct check status before obtaining a grading/building permit.

- 1.11 Execute an Agreement to Improve for the street improvements prior to issuance of a building permit.

For questions regarding the items above, please contact David Esfandi at (626) 458-4921 or by e-mail at mesfandi@dpw.lacounty.gov.

2. Drainage

- 2.1 Standard Urban Stormwater Mitigation Plan (as part of the drainage concept) is required prior to grading approval when any of the following conditions exist:

- Redevelopment projects (creation, addition, or replacement of 5,000-square-feet of impervious surface area); or
- Parking lot with 5,000-square-feet or more of surface area or with 25 or more parking space.

- 2.2 A Low-Impact Development plans (as part of the drainage concept) is required prior to grading approval of the map.

- Per County Code Section 12.84.460 comply with Low-Impact Development requirements and provide calculations in accordance with the Low-Impact Development Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.

- 2.3 Submit a drainage concept showing the extent of drainage impacts and provide mitigation acceptable to Public Works. The analysis should address increases in runoff, any change in drainage patterns, debris producing areas, and the capacity of existing storm drain facilities. Provide line identification of all proposed drainage facilities. Preliminary soils and geology reports related to debris, retention, and detention basins may be required based on geographic and adverse geotechnical conditions. Provide engineering calculations to support sizing of debris, retention, and detention basins. Provide approximate flood hazard and bank erosion setbacks and lot identifications (as needed). Show slopes for existing and proposed streets. Provide a drainage/grading covenant for any off-site work.

For questions regarding the items above, please contact Christopher Sheppard at (626) 458-4921 or by e-mail at csheppard@dpw.lacounty.gov.

3. Soils and Geology

- 3.1 All or portion of the site is located within both an Alquist-Priolo Earthquake Fault Zone and a potentially liquefiable area per the State of California Seismic Hazard Zones Map—Mount Wilson Quadrangle. Both of these potential hazards were addressed in reports dated November 19, 2007, and June 16, 2008, prepared by the J. Byer Group, Inc. These reports found that the subject property is not subject to fault rupture or liquefaction hazard.

For questions regarding the items above, please contact Jeremy Wan at (626) 300-4925 or by e-mail at jwan@dpw.lacounty.gov.

4. Grading

- 4.1 Submit a grading plan (as applicable) to Public Works' Land Development Division, Road and Grading Section, for review and approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the Standard Urban Stormwater Mitigation Plan devices if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder(s) approvals.
- 4.2 Submit covenant/soils report and other documents as may be required prior to approval of grading plan.

For questions regarding the items above, please contact David Esfandi at (626) 458-4921 or by e-mail at mesfandi@dpw.lacounty.gov.

5. Water

- 5.1 Provide Will Serve letter from the water purveyor indicating that the water system will be operated by the purveyor, that under normal conditions the system will meet the requirements for the project, and that water service will be provided to the additional building.

For questions regarding the items above, please contact Tony Khalkhali at (626) 458-4921 or by e-mail at tkhalkh@dpw.lacounty.gov.

Mark Child
February 2, 2010
Page 5

If you have any other questions or require additional information, please contact Toan Duong or Ruben Cruz at (626) 458-4910 or by e-mail at tduong@dpw.lacounty.gov or rcruz@dpw.lacounty.gov.

RC:ca

P:/LDPUB/SUBMGT/CUP/ Project R2004-00104_778 SOUTH ROSEMEAD BLVD-FINALSREV2(5)a.DOCX



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: November 30, 2009

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CSD R2004-00104

LOCATION: 778 S. Rosemead Blvd., Pasadena (Co.)

- The required fire flow for this development is 2000 gallons per minute for 2 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Verify 1 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments: THIS PROJECT IS CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING.
- Water: THE FOLLOWING ITEM(S) SHALL BE COMPLETED DURING THE BUILDING PLAN CHECK PHASE AND PRIOR TO THE ISSUANCE OF A BUILDING PERMIT:
1. Verify and flow the nearest existing public fire hydrant to the property line.
 2. Install (1) new public fire hydrant on the address side (Rosemead Blvd.) of the new building. Final location to be determined by the Fire Prevention Engineering Section during building plan check.
 3. Relocate (1) existing private fire hydrant that is located in the center of the rear parking lot. Final location to be determined by the Fire Prevention Engineering Section during building plan check.

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783

- Access & Bldg. 1. With building heights below 35 feet, fire apparatus access shall be paved and maintain a minimum width of 26 feet clear to sky. Said access shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route.
2. Proposed building wall(s) adjacent to the side yard shall meet all fire and building code requirements for wall and opening protection.

- Special Requirements: THE FOLLOWING ITEM(S) SHALL BE SUBMITTED TO THE FIRE DEPARTMENT FOR REVIEW AND APPROVAL DURING THE BUILDING PLAN CHECK PHASE AND PRIOR TO ISSUANCE OF A BUILDING PERMIT:
1. An original Fire Flow Availability form (Form 196) for the public and private fire hydrants.
2. A revised Site Plan.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: **SCOTT JAEGGI**

INSTRUCTIONS

Please read carefully. Failure to follow these instructions as stated may result in delaying the issuance of the approved site plan and any necessary building permits.

After the termination of the appeal period (14 days after the hearing date), if no appeal was received, proceed with the following instructions.

1. Sign **both** attached Affidavit of Acceptance forms in the presence of a notary and have the notary attach an acknowledgement. Both the applicant and owner lines must be signed on the form, even if they are the same person.
2. Record the conditions of approval. Submit **in person (do not mail)** one original "Affidavit of Acceptance" form (with wet signature) and a copy of the Conditions of the grant to:

The Los Angeles County Recorder
12400 Imperial Highway
Norwalk, CA 90650

The "Affidavit of Acceptance" serves as proof to the Registrar Recorder of your acceptance of conditions associated with this grant. Both the County Recorder Office and the Department of Regional Planning need an original Affidavit of Acceptance form with wet signature.

The County Recorder's Office will provide you a certified copy of the recorded conditions to be submitted to the Department of Regional Planning.

3. Make an appointment with the assigned case planner to submit the following items:
 - Second original Affidavit of Acceptance" form (with wet signature).
 - Certified copy of the recorded documents from the County Recorder.
 - Three copies of the site plan. **Plans must be folded** to fit into an 8 ½" X 14" folder.
 - One check for the inspection fees (see conditions for fee amount). Make the check payable to: County of Los Angeles.
 - A second check for the Fish and Game fees may be required (if marked below). Make check payable to County of Los Angeles in the amount of:

Not Required

\$2,085.25 (includes \$75.00 processing fee) for the issued Negative Declaration or Mitigated Negative Declaration

\$2,867.25 (includes \$75.00 processing fee) for the required Environmental Impact Report

The County Clerk will not accept a Notice of Determination or Exemption for your project until the fees are paid.

Section 21089 (b) of the Public Resources Code provides that no project approval is operative, vested, or final until these fees are paid.

Please write project number on the check(s).

4. Submit the aforementioned items **in person (do not mail)** at:

Hall of Records
Department of Regional Planning, Room
320 West Temple Street
Los Angeles, CA 90012

You will receive a copy of the approved site plan and a copy of the approved site plan and conditions will be sent to the Department of Public Works' Division of Building and Safety.

If you have any questions regarding these instructions, please contact at (213) , from 7:30 a.m. to 5:30 p.m., Monday through Thursday or via email at . Our offices are closed on Fridays.



Please complete this form and return to:

The Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

AFFIDAVIT OF ACCEPTANCE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

}SS

**REGARDING: PROJECT NUMBER: R2004-00104-(5)
CASE NUMBER: COMMUNITY STANDARDS DISTRICT MODIFICATION 200900002
778 S. ROSEMEAD BLVD, PASADENA, CA 91107**

I/We the undersigned state:

I am/We are the owner of the real property described in the above-numbered case and the permittee in said case. I am/We are aware of, and accept, all the stated conditions in said grant.

I/We have enclosed a check in the amount of \$450 payable to the County of Los Angeles as required by the conditions of approval to ensure regular inspections for compliance. I/We also acknowledge that I/We and my/our successors in interest may be required to reimburse the Department of Regional Planning for any additional enforcement efforts necessary to bring the subject property into compliance.

Executed this _____ day of _____, 20_____

I/We declare under the penalty of perjury that the foregoing is true and correct.

(Where the owner and permittee are not the same, both must sign.)

Type or Print
Applicant

Name _____

Address _____

City, State _____

Signature _____

Owner:

Name _____

Address _____

City, State _____

Signature _____

*This signature must be
Acknowledged
By a notary public. Attach
Appropriate
Acknowledgements.*



Please complete this form and return to:

The Los Angeles County Recorder
12400 Imperial Highway
Norwalk, CA 90650

AFFIDAVIT OF ACCEPTANCE

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

}SS

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