



**CITY OF SOUTH PASADENA
DIRECTOR'S MEETING**

**Office of the Planning and Community Development Director
1414 Mission Street, South Pasadena, CA 91030**

Monday, April 6, 2020 at 5:00 p.m.

The meeting will be held through a web conference. To join the meeting from your computer, tablet or smartphone go to: <https://global.gotomeeting.com/join/574935133>. To join by phone, dial: 1 (877) 309-2073 and enter Access Code: 574-935-133

In order to address the Planning Director, please join the meeting from your computer, tablet, smartphone, or landline. Time allotted per speaker is three minutes.

CALL TO ORDER: Joanna Hankamer, Planning & Community Dev. Director

ROLL CALL: Joanna Hankamer, Planning & Community Dev. Director,
Jose Villegas, Planning Intern

PUBLIC COMMENTS AND SUGGESTIONS

(Time limit is three minutes per person)

Time reserved for those in the audience who wish to address the Planning Director on items not on the agenda and within the subject-matter jurisdiction of the Planning Director. The audience should be aware that the Planning Director may not discuss details or vote on non-agenda items.

Note: Public input will also be taken during all agenda items. Time allotted per speaker: 3 minutes.

PUBLIC HEARINGS

- 901 Fair Oaks Avenue, Project No. 2292-AUP/MOD Administrative Use Permit and Design Modification for outdoor dining at 910 Fair Oaks Avenue, Suite E. (APN: 5315-003-058)**

Recommendation

Approve, subject to conditions of approval

ADJOURNMENT

2. Adjourn the meeting.

Prior to meetings, the agendas are available at the following locations:

- South Pasadena Public Library, 1100 Oxley Street;
- Planning and Building Department, 1414 Mission Street; and on the
- City Website at: <http://www.ci.south-pasadena.ca.us/planning/agendasminutes.html>

Individuals can be placed on an email notification list to receive forthcoming agendas by calling the Planning and Building Department at 626-403-7220.

Any disclosable public records related to an open session item, which appears on a regular meeting agenda and distributed by the City of South Pasadena to all or a majority of the legislative bodies fewer than 72 hours prior to that meeting, are available for public inspection at the Planning and Building Department, located at City Hall, 1414 Mission Street prior to the meeting. During the meeting, these documents will be included as part of the "Counter Copy" of the agenda packet kept in the Amedee O. "Dick" Richards, Jr., Council Chambers at 1424 Mission Street. Documents distributed during the meeting will be available following the meeting at the Planning and Building Department.

Regular meetings are broadcast live on Time-Warner Cable Channel 19 and are replayed for at least 24 hours following the meeting. A DVD of regularly scheduled meetings is available for check-out at the South Pasadena Public Library. DVD and CD copies of the meetings can be purchased from the Planning and Building Department.

ACCOMMODATIONS



The City of South Pasadena wishes to make all of its public meetings accessible to the public. Meeting facilities are accessible to persons with disabilities. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Hearing assistive devices are available in the Council Chamber. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City's website as required by law.

3/19/20
Date


Elaine Serrano,
Administrative Secretary



Planning Director Agenda Report

ITEM NO. 1

DATE: April 6, 2020

TO: Director of Planning and Community Development

FROM: Kanika Kith, Planning Manager

VIA: Jose Villegas, Planning

SUBJECT: **Project No. 2292-AUP/MOD:** Administrative Use Permit and Design Review Modification, to allow outdoor dining at 901 Fair Oaks Avenue, Suite E (APN: 5315-003-058)

Recommendation

Approve Administrative Use Permit and Design Review Modification, to allow the conversion of the front portion of Suite E to accommodate outdoor dining located at 901 Fair Oaks Avenue, subject to conditions of approval.

Background

On December 17, 2018, the Planning Commission approved the conversion of a single office tenant building to a multi-tenant building for retail and restaurant uses at 901 Fair Oaks Avenue (Project No. 2194-CUP/AUP/PUP/DRX).

Project Description

The applicant, Mr. Steve Dahl, on behalf of the property owner, is requesting the conversion and the front alteration of Suite E by approximately 720 square feet for a proposed outdoor dining area. Suite E is located and faces Fair Oaks Avenue. The proposal involves the revision of the approved façade elevation for Suite E. The glass windows and doors will be relocated and creating a new outdoor dining area towards the front of the tenant space. The outdoor dining area will maintain the existing roof cover. The outdoor dining area will have a glass enclosure, similar appearance to the previous approved project. A new 3'6" glass wall is proposed. A map showing the location of the project site outlined in green is provided in **Figure 1** and **Figure 2** shows the tenant space within the multi-tenant building.

Figure 1: Project Site Aerial View

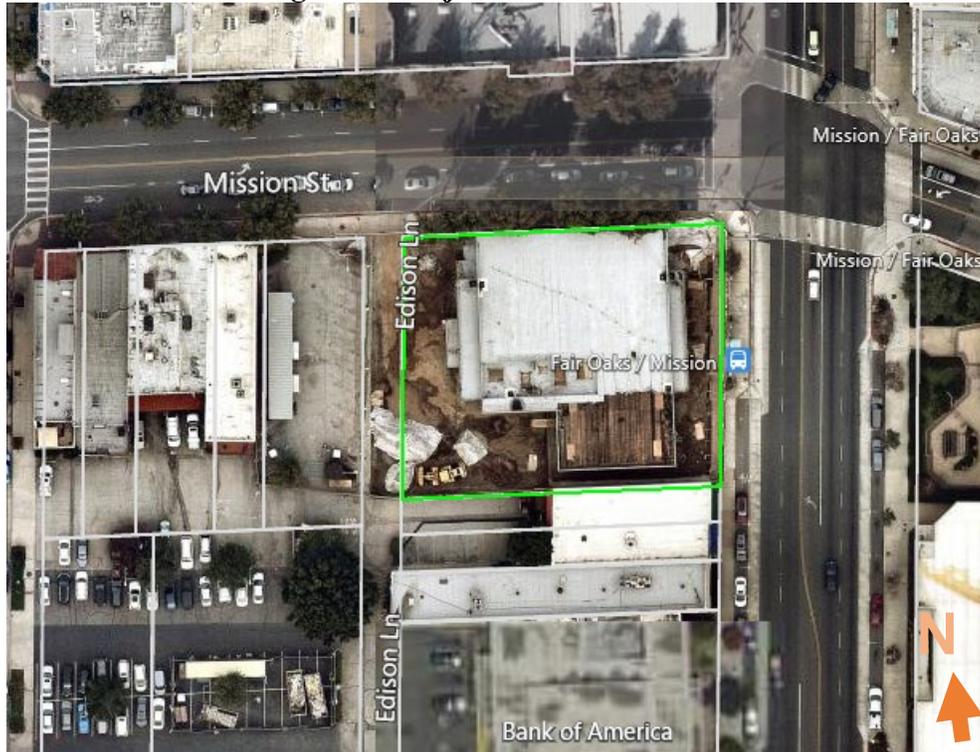
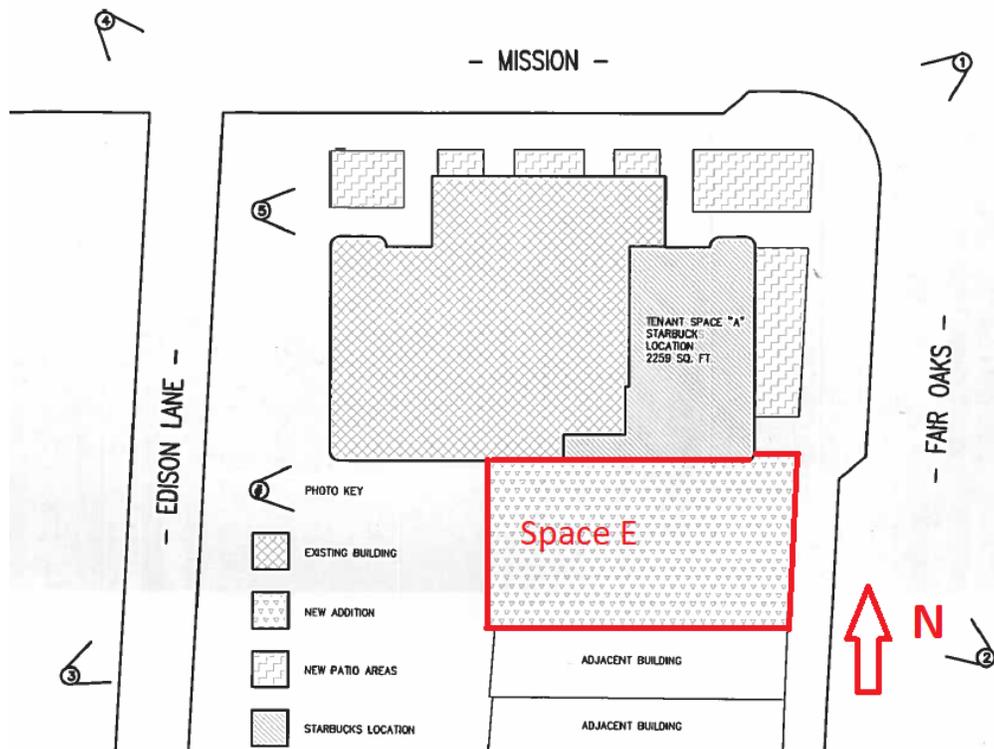


Figure 2: Tenant Space #E Within Multi-Tenant Building



PROJECT ANALYSIS

General Plan Consistency

The General Plan land use designation of the site is General Commercial which allows a variety of retail, service, office, automotive establishments, entertainment facilities, convenience goods and services to residents in the immediate neighborhood, and parking facilities.

According to the General Plan, the project site sits within subarea A, the “Central District,” of the Focus Area 3, “The Fair Oaks Corridor.” The General Plan outlines Objectives for this key commercial zone of the City. These objectives were met with the approval of Project No. 2194-CUP/AUP/PUP/DRX.

The proposed outdoor dining promotes the General Plan objectives as follows:

Objective 1.1: Nurture established character of district.

The proposed outdoor dining will expand pedestrian-oriented uses along Fair Oaks Avenue and will maintained the established retail and pedestrian-oriented character of Central District.

Objective 1.2: Increase level of pedestrian activity.

Guideline 1.3 calls for the encouragement of ground-floor convenience retail uses. The proposed outdoor dining will promote pedestrian activity and enhance community interaction, and therefore will satisfy this Guideline and Objective of increasing pedestrian activity.

Objective 1.3: Preserve historic building fabric and strengthen “street-wall.”

Although the existing building is not designated as historic, the previous approval for the conversion of building was an adaptive reuse of the existing bank building for retail/restaurant uses. The bank front has traditionally been separated from the street since its construction. The approved conversion of the building maintained the existing shell of the building and transparent storefront glazing. The proposed outdoor dining will bring the project closer to the street and will further connect to existing outdoor dining on Fair Oaks Avenue.

Objective 1.4: Promote or “seed” economic revitalization.

The previous approval for the conversion of the building to retail/restaurant uses, promoted economic revitalization. The proposed outdoor dining will further promote economic revitalization.

Objective 1.5: Further define “district” design objectives.

The previous approval for the conversion of the building satisfied this objective. The proposed outdoor dining will further promote pedestrian activity as defined as desirable for the Central District.

Objective 1.6: Enhance availability of Parking.

The previous approval for the conversion of the building evaluated

parking and satisfied this objective. The proposed outdoor dining area will convert an approved interior retail/restaurant space to outdoor dining which would not change parking requirements as evaluated in the previous approval.

Zoning Compliance

The zoning for the site is Commercial General (CG) which is intended for a wide range of commercial retail and service land uses. The proposed project conforms to the allowable uses within the CG zone and is consistent with the General Commercial land use designation in the General Plan.

The operation of a restaurant with outdoor dining is a permitted use under a separate Conditional Use Permit, which was approved by the Planning Commission on December 17, 2018, Project No. 2194-CUP/AUP/PUP/DRX. The proposed outdoor dining for the subject unit was not considered in the approval by the Planning Commission, and therefore, an approval of an Administrative Use Permit is required pursuant to South Pasadena Municipal Code (SPMC) Sections 36.230.030 and 36.350.130.

Administrative Use Permit

Pursuant to the SPMC Sections 36.230.030 and 36.350.130, outdoor dining requires approval of an Administrative Use Permit approved by the Planning Director. The outdoor dining area will not occur on the public sidewalk and will be separated from the sidewalk with a low wall of approximately 3'6" feet high. The low wall will serve as a design and physical barrier between the project site and the right-of-way along Fair Oaks Avenue.

The proposed outdoor dining area is approximately 720 square feet occupying the front portion of the Suite E fronting Fair Oaks Avenue that was previously approved for retail/restaurant use. This will modify the previously approved design of the building, but the appearance of the building would not change significantly. The overall design of the unit would remain the same with the exception of the relocation of the entrance from the center to the north end of the unit and not having a glass wall enclosure.

Figure 3 below show previously approved retail/restaurant design and proposed outdoor dining area design.

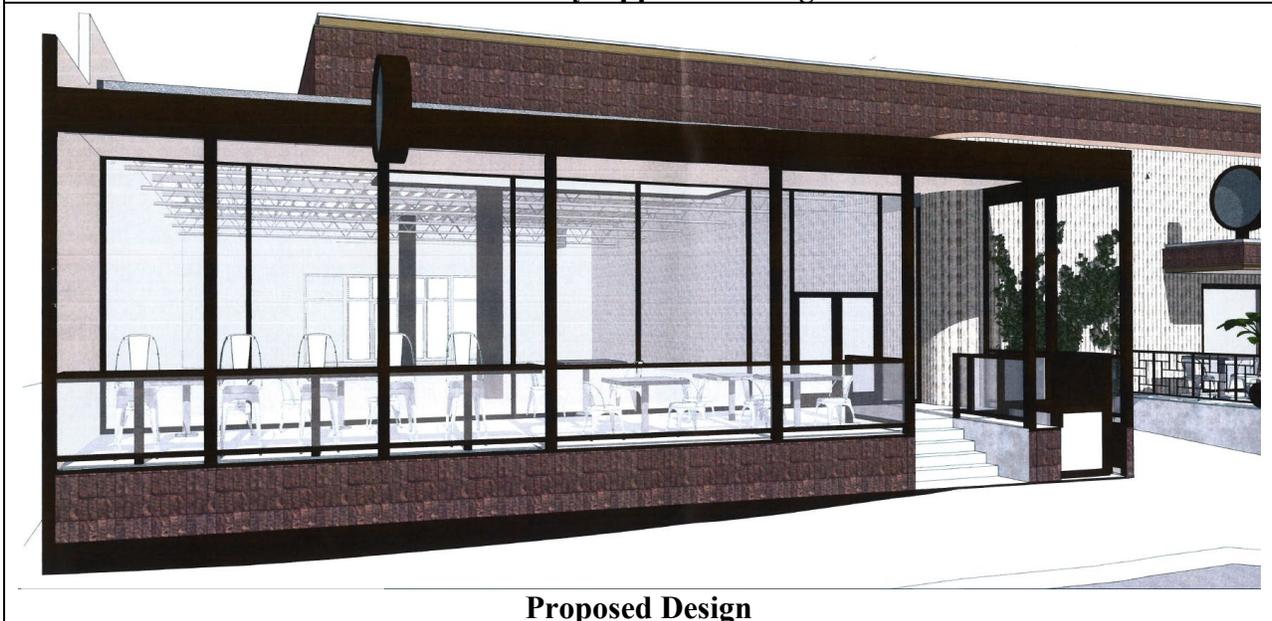
The proposed outdoor seating area does not require additional parking as it is converting an approved interior space to outdoor dining.

The hours of operation for the outdoor dining area will be the same as the main business operation occupying the unit.

Figure 3: Approved and Proposed Design



Previously Approved Design



Proposed Design

The following conditions are included in addition to the standards conditions.

1. The hours of operation shall be limited to the hours of the main business operation occupying the unit.
2. The site shall be maintained in a cleanly manner at all time. Trash receptacles shall be provided for customers use on-site.
3. All of the conditions of SPMC 36.350.130 (Outdoor Dining) shall be adhered to.

4. Any amplified sound equipment installed in the outdoor dining area shall be approved and registered in compliance with the South Pasadena Municipal Code Sections 19A.17 and 19A.18.

Findings for Administrative Use Permit

Based on the discussion above, staff recommends making the findings for approval as noted pursuant to South Pasadena Municipal Code (SPMC) Section 36.410.060.

1. *The proposed use is allowed with Conditional Use Permit or Administrative Use Permit approval within the applicable zoning district and complies with all applicable provisions of this Zoning Code;*

The proposed project is located within the Commercial General zone. Pursuant to the SPMC Sections 36.230.030 and 36.350.130, outdoor dining requires approval of an Administrative Use Permit approved by the Planning Director.

2. *The proposed use is consistent with the General Plan and any applicable specific plan.*

The General Plan land use designation of the site is General Commercial which allows a variety of retail, service, office, automotive establishments, entertainment facilities, convenience goods and services to residents in the immediate neighborhood, and parking facilities.

According to the General Plan, the project site sits within subarea A, the “Central District,” of the Focus Area 3, “The Fair Oaks Corridor.” The General Plan outlines Objectives for this key commercial zone of the City. The proposed outdoor dining is consistent with the General Plan and will promote objectives 1.1 to 1.6 for the District as follows:

- Will expand pedestrian-oriented uses along Fair Oaks Avenue and will maintain the established retail and pedestrian-oriented character of Central District.
 - Will increase pedestrian activity and enhance community interaction.
 - Will bring the project closer to the street and will further connect to existing outdoor dining on Fair Oaks Avenue.
 - Will further promote economic revitalization.
 - Will further promote pedestrian activity as desirable for the District.
 - Will convert an approved interior retail/restaurant space to outdoor dining which would not change parking requirements as evaluated in the previous approval for the conversion of the building to retail/restaurant uses.
3. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.*

The proposed project is for the conversion of an approved interior space to accommodate outdoor dining area facing Fair Oaks Avenue. Restaurant and retail uses are contemplated and encouraged within the Central District subarea of the Fair Oaks Corridor Focus Area in the General Plan and is allowed under the Zoning Code.

The proposed use of outdoor dining is in compliance with the provisions of the Zoning Code. Hours of operation for the outdoor dining area will be same as the hours of the operation for the business occupying the unit, and as allowed under the Zoning Code. The establishment, maintenance and operation of the proposed use would not be detrimental to the health, safety or general welfare of persons working or residing in the neighborhood.

4. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.*

The proposed outdoor dining use is contemplated and promoted in the General Plan to increase pedestrian activity and community interaction. The proposed outdoor dining is described in the Zoning Code as a permitted use with approval of an Administrative Use Permit. The outdoor dining use would not change the parking requirements as evaluated in the previous approval for the conversion of the building to retail/restaurant uses. Therefore, the proposed use and improvements would not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

5. *The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use.*

The existing roadway and width of the existing sidewalk on Fair Oaks Avenue are adequate in size and scale to serve the proposed outdoor dining area. The proposed outdoor dining area will not occur on the public sidewalk and will be separated from the sidewalk with a low wall of approximately 3'6" feet high. The low wall will serve as a design and physical barrier between the project site and the right-of-way along Fair Oaks Avenue.

The proposed outdoor seating area does not require additional parking as it is converting an approved interior space to outdoor dining.

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.*

The proposed outdoor dining area is approximately 720 square feet occupying the front portion of the Suite E fronting Fair Oaks Avenue, which was previously approved for retail/restaurant use. The outdoor dining area will not occur on the public sidewalk and will be separated from the sidewalk with a low wall of approximately 3'6" feet high. The low wall will serve as a design and physical barrier between the project site and the right-of-way along Fair Oaks Avenue.

The proposed outdoor dining area is approximately 720 square feet occupying the front portion of the Suite E fronting Fair Oaks Avenue that was previously approved for

retail/restaurant use. This will modify the previously approved design of the building, but the appearance of the building would not change significantly. The overall design of the unit would remain the same with the exception of the relocation of the entrance from the center to the north end of the unit and not having a glass wall enclosure.

The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land use in the vicinity in terms of aesthetics, character, scale, and views protection.

Alternatives Considered

In addition to Staff's recommendation, the following alternatives are offered for the Planning Director's consideration:

- Approve with condition(s) added; or
- Identify other issues or concerns with the proposed project and provide the applicant with direction to further modify the project and continue the public hearing to a date certain; or
- Deny the Administrative Use Permit

Fiscal Impact

The proposed outdoor dining is anticipated to generate sales tax revenues for the City's general fund.

Environmental Analysis

In accordance with the California Environmental Quality Act (CEQA), the project qualifies for a Categorical Exemption under Section 15301, Class 1 of CEQA.

Public Notification of Agenda Item

The public was made aware that this item was to be considered this evening by virtue of its inclusion on the legally publicly noticed agenda, posting of the same agenda and reports on the City's website, and notice was mailed to property owners within a 300-foot radius of the project site on March 9, 2020.

Public Comment

To date, no comments have been received for the proposed project.

Attachment:

1. Conditions of Approval

CONDITIONS OF APPROVAL
PROJECT NO. 2292-AUP/MOD
901 Fair Oaks Ave., Suite E (APN: 5315-003-058)

PLANNING DIVISION:

- P-1. The following approvals are granted as described below and as shown on the development plans submitted to and approved by the Director of Planning and Community Development on March 19, 2020:
- A. **Administrative Use Permit and Design Review Modification** to allow the conversion of the front portion of Suite E to accommodate outdoor dining.
- P-2. This approval and all rights hereunder shall terminate within twelve (12) months of the effective date of their approval by the Planning Director unless otherwise conditioned and/or unless the use is established or action is taken to secure Building Permits and maintain active Building Permits with the Building Division beginning with the submittal of the plans for Plan Check review.
- P-3. Approval by the Planning Director does not constitute a building permit or authorization to begin any construction. All appropriate permits issued by the South Pasadena Public Works Department and Building Division must be obtained prior to construction, enlargement, relocation, conversion or demolition of any building or structure on any portion of the project site.
- P-4. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P-5. Compliance with and execution of all appropriate conditions listed herein shall be necessary prior to obtaining any occupancy inspection clearance and/or prior to obtaining any occupancy clearance.
- P-6. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or Planning Director concerning this use.
- P-7. The hours of operation shall be limited to the hours of the main business operation occupying the unit. Any deviation from these hours will require approval of a Conditional Use Permit.
- P-8. The site shall be maintained in a cleanly manner at all time. Trash receptacles shall be provided for customers use on-site.
- P-9. All of the conditions of Zoning Code Section 36.350.130 (Outdoor Dining) shall be adhered to.
- P-10. Any amplified sound equipment installed in the outdoor dining area shall be approved and registered in compliance with the South Pasadena Municipal Code Sections 19A.17 and 19A.18.