

RESOLUTION NO. 17-40

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
RECOMMENDING THE CITY COUNCIL APPROVE
GENERAL PLAN AMENDMENT 16-01 AND ZONE CHANGE 10-04**

WHEREAS, an application has been filed by Rudiger and Cecilia Kaesler (the "Applicant") for General Plan Amendment 16-01 and Zone Change 10-04 (the "Application"), said request attached hereto and incorporated herein by reference; and

WHEREAS, the request applies to one property within the Public/Semi-Public zone district, referred to on the County Assessor's roles as APN 5812-022-038, as described in Exhibit A to this Resolution and shown on the map included as Exhibit B; and

WHEREAS, General Plan Amendment 16-01 is a request to amend the General Plan Land Use Map to apply a land use designation of "Downtown Village Specific Plan" to a 5,600 square foot lot located between Valley Sun Lane and the 210 Freeway, generally located west of Hill Street; and

WHEREAS, Zone Change 10-04 is a request to amend the Zoning designation from Public/Semi-Public to "Mixed Use 2" within the Downtown Village Specific Plan on a 5,600-square foot lot located between Valley Sun Lane and the 210 Freeway, generally located west of Hill Street; and

WHEREAS, the property that is the subject of the Application is vacant land and was purchased by the Applicant from the State of California. The subject property, when owned by the State, was utilized as right-of-way associated with the 210 Freeway; and

WHEREAS, an associated request for Conditional Use Permit 455 has been made to permit the development of the property as a parking lot as a principal use; and

WHEREAS, after publication and posting of the request in the prescribed manner, the Planning Commission, on October 10, 2017, held a public hearing on the project and concluded said hearing on that date; and

WHEREAS, an Initial Study was prepared for the Application in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines and circulated for public review between May 2, 2017 and May 24, 2017, for a 20-day review. Based on the Initial Study, it has been determined that the project will not have a significant effect on the environment and a Mitigated Negative Declaration has been prepared for the project; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff reports dated October 10, 2017 regarding the Application, and heard and considered the testimony of the applicant and the public, with all testimony received being made a part of the public record.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA

FLINTRIDGE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission finds and determines that the above recitals are true and correct.

Section 2. General Plan Amendment 16-01

a. The proposed General Plan Amendment would amend the designation of a 5,600 square foot parcel located north of Valley Sun Lane, south of the 210 Freeway and generally west of Hill Street. The subject parcel, when owned by the State of California, was utilized as right-of-way associated with the 210 Freeway. As such, the property was not designated on the City's General Plan Land Use Map. The subject property is now under the ownership of the Applicant, who wishes to develop the parcel.

b. Amending the Land Use Map to include the parcel within the Downtown Village Specific Plan is logical and beneficial given the change in ownership of the property and the requested designation is consistent with the immediately adjacent privately owned land.

c. The request, and ultimate development of the property, has also been reviewed and found consistent with the following provisions of the City of La Cañada Flintridge General Plan, including: Opportunity/Issue 5: Continue to enhance and improve Foothill Boulevard; LUE Objective 1.2: Encourage the development of an attractive and balanced commercial base for the community that meets the needs of the residents without negatively impacting the circulation network, infrastructure capacity, or existing residential neighborhoods; LUE Policy 1.2.2: Retain a mix of land uses that provides employment opportunities for City residents that are compatible with the community's character; LUE Policy 1.2.3: Encourage a mix of commercial land uses that serves the needs of the local community; LUE Objective 1.7: Coordinate public infrastructure, utilities, and services with new development; LUE GOAL 2: Enhance the visual image and economic vitality of Foothill Boulevard as the City's main commercial corridor; LUE Policy 2.1.4: Support the mixed-use village character of the Downtown District (from La Cañada Boulevard to the I-210 Freeway overpass at Crown Avenue) through continued implementation of the DVSP; LUE Objective 3.2: Continue to protect the public's safety by evaluating land and environmental constraints prior to development and requiring that projects mitigate potential negative environmental and safety impacts; LUE Objective 5.1: Encourage overall development of the community to be designed and constructed in a manner that is visually pleasing, preserves and enhances the semi-rural character of the local environment, and protects the scenic qualities of the community; LUE Policy 5.1.3: Review all plans for development for compatibility with surrounding developments and established design guidelines, in accordance with the City's Design Review process and the DVSP; CE Objective 5.3: Enhance parking efficiency and utilization along Foothill Boulevard to promote the City's commercial vitality.

d. The project will allow for the ultimate development an existing vacant site with a use that is compatible with the existing commercial environment and will provide opportunities for local employment and which will serve the local community. The provision of surplus parking will improve the overall parking available within an area that is currently deficient in off-street parking. The design of the structure and parking area will be subject to Design Commission review and approval, ensuring the development is visually pleasing, is consistent with the requirements of the Downtown Village Specific Plan and compatible with existing development.

Section 3. Zone Change 10-04

a. The request for ZC 10-04 is warranted as the applicant has purchased the subject property from the State of California. Since the parcel was previously owned by a public agency, no Zoning designation on the Zoning Map was applied to the property. Pursuant to Zoning Code Section 11.02.030, all property within the City not otherwise zoned shall be classified in the Public/Semi-Public zone. The change in ownership from public to private, and the request from the applicant to develop the property warrants the Zone Change from "Public/Semi-Public" to "Mixed Use 2" within the Downtown Village Specific Plan. The subject parcel is located immediately adjacent to land already designated Mixed Use 2 and the proposed project is consistent with existing development patterns and the development standards of the Mixed Use 2 designation of the Downtown Village Specific Plan.

b. The subject property is considered to have a Zone designation of Public/Semi-Public at the current time, since the property is not identified within any particular zone on the Zoning Map. This is a result of the property being formerly owned by the State of California, where it was utilized as part of the right-of-way of the 210 Freeway. The need to modify the Zoning exists since the State sold the property to the applicant, allowing for the ultimate development of the site pursuant to the applicable regulations of the City of La Cañada Flintridge. The amendment of the Zoning from Public/Semi-Public to Mixed Use 2 within the Downtown Village Specific Plan is necessary for the property to be developed with a use and development standards that are compatible with existing commercial properties in the vicinity.

c. The subject property is located on the north side of Valley Sun Lane, generally west of Hill Street. To the north is the 210 Freeway, to the south is Valley Sun Lane, with existing commercial uses beyond. The immediately adjacent parcels to the south of the subject site are designated Mixed Use 2 within the Downtown Village Specific Plan and are developed with commercial structures and associated parking. Since the property is no longer owned by the State of California, it is not appropriate for the property to remain undesignated with regards to Zone designation. Given the existing development patterns and a consistent Zone designation of Mixed Use 2 on adjacent parcels, the subject property is properly located for the requested Zone Change from Public/Semi-Public to Mixed Use 2 within the Downtown Village Specific Plan.

d. The subject property is currently vacant and was previously owned by the State of California and utilized as part of the right-of-way for the 210 Freeway. The subject property has been purchased by the applicant, who has filed applications to develop the property, in conjunction with an adjacent parcel, for commercial purposes. The current Zone designation of Public/Semi-Public is not appropriate given the recent transfer of ownership of the property. The requested Zone Change from Public/Semi-Public to Mixed Use 2 within the Downtown Village Specific Plan is in the interest of public health, safety and general welfare as it will allow for development of the property consistent with the applicable regulations of the City of La Cañada Flintridge. Immediately adjacent parcels have been previously developed with commercial uses and are currently designated Mixed Use 2. The requested Zone Change will permit the development of the property in a compatible manner to adjacent uses and consistent with the development standards of the Downtown Village Specific Plan. These development standards were put in place to preserve scenic mountain views to the north of Foothill Boulevard, to provide adequate parking and circulation to support any new development and to provide commercial buildings compatible with existing development patterns.

Section 4. Environmental Review

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's Local CEQA Guidelines, the City staff prepared an Initial Study for the project. City staff determined that there was no substantial evidence that the project would have a significant effect on the environment after the implementation of Mitigation Measures. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

b. The Planning Commission has reviewed the Initial Study and Mitigated Negative Declaration, finds that no comments were received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that there is no substantial evidence that the project will have a significant effect on the environment after the implementation of mitigation measures. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby recommends that the City Council adopt the Mitigated Negative Declaration in relationship to the approval of GPA 16-01 and ZC 10-04.

c. The Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program prepared for the project pursuant to the requirements of Public Resources Code Section 21081.6 and finds that the Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore recommends that the City Council adopt the Mitigation Monitoring and Reporting Program for the project.

d. The custodian of records for the Initial Study, Mitigated Negative Declaration and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Director of Community Development of the City of La Cañada Flintridge. Those documents are available for public review in the Planning Department of the City of La Cañada Flintridge located at 1327 Foothill Boulevard, La Cañada Flintridge, California, 91011, telephone (818) 790-8881.

Section 5. The Planning Commission does hereby recommend that the City Council approve General Plan Amendment 16-01 and Zone Change 10-04.

PASSED, APPROVED AND ADOPTED this 24th day of October, 2017.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT A

LEGAL DESCRIPTION OF GENERAL PLAN AMENDMENT 16-01 AND ZONE CHANGE 10-04

The portion of Hill Street, 40.00 feet wide, and Lot 23 in Block 4 of Tract 7133, in the City of La Cañada Flintridge, County of Los Angeles, State of California, as shown on map recorded in Book 90, Pages 12 and 13 of Maps, in the office of the County Recorder of said county, described as follows:

Beginning at the southeasterly terminus of that certain course described as N 61° 06' 48" W, 218.11 feet in Director's Deed No. D-42893, recorded August 14, 1972 as document No. 316 in Book D5565, page 492 of Official Records in said county; thence along said certain course N 61° 06' 48" W, 163.55 feet; thence N 0° 18' 12" E 15.84 feet; thence S 72° 01' 54" E, 111.50 feet; thence S 66° 39' 05" E, 82.91 feet to the East line of said Hill Street; thence along said east line, S 0° 18' 26" W, 28.56 feet to the most easterly corner of Director's Deed No. DK 42910-2, recorded March 7, 1984 as Document No. 84-278864 of Official Records in said office; thence along the northeasterly line of last said Document No. 84-998777 of Official Records in said office, N 68° 56' 36" W, 42.78 feet to the West line of said Hill Street; thence along said west line S 0° 18' 26" W, 17.09 feet to the point of beginning.

RESOLUTION NO. 17-41

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF LA CAÑADA FLINTRIDGE
APPROVING CONDITIONAL USE PERMIT 455
AT 1109 FOOTHILL BOULEVARD**

WHEREAS, an application has been filed by Rudiger and Cecilia Kaesler (the "Applicant") for Conditional Use Permit (CUP) 455 (the "Application"), said request attached hereto and incorporated herein by reference; and

WHEREAS, the request applies to three parcels within the Mixed Use 2 designation of the Downtown Village Specific Plan and one parcel currently zoned Public/Semi-Public, referred to on the County Assessor's roles as APN 5812-022-018, 5812-022-033, 5812-022-034, and 5812-022-038 respectively; and

WHEREAS, CUP 455 to construct a 2,450-square foot, two story, medical office building and parking area with associated landscape area as a principal use on two parcels totaling 8,110 square feet. The project will include the reconfiguration of existing parking on two parcels located along the north side of Valley Sun Lane to provide ADA compliant parking for the existing commercial buildings located at 1111 and 1113 Foothill Boulevard and access to the proposed new parking area. A new trash enclosure is to be located at the rear of 1113 Foothill Boulevard, and shared by the proposed and existing commercial businesses located at 1109-1113 Foothill Boulevard; and

WHEREAS, the property that is the subject of the Application is either vacant land or is existing paved parking; and

WHEREAS, an associated request has been made for General Plan Amendment 16-01, to amend the General Plan Land Use Map designation to apply a designation of "Downtown Village Specific Plan to APN 5812-022-038, and Zone Change 10-04, to amend the zone designation of said parcel from "Public/Semi-Public" to "Mixed Use 2" within the Downtown Village Specific Plan; and

WHEREAS, after publication and posting of the request in the prescribed manner, the Planning Commission, on October 10, 2017, held a public hearing on the project and concluded said hearing on that date; and

WHEREAS, an Initial Study was prepared for the Application in compliance with the California Environmental Quality Act (CEQA) and CEQA Guidelines and circulated for public review between May 2, 2017 and May 24, 2017, for a 20-day review. Based on the Initial Study, it has been determined that the project will not have a significant effect on the environment and a Mitigated Negative Declaration has been prepared for the project; and

WHEREAS, the Planning Commission has reviewed the facts contained in the staff reports dated October 10, 2017 regarding the Application, and heard and considered the testimony of the applicant and the public, with all testimony received being made a part of the public record.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LA CAÑADA FLINTRIDGE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The Planning Commission finds and determines that the above recitals are true and correct.

Section 2. Conditional Use Permit 455

a. The proposed use will not be in substantial conflict with the adopted general plan for the area. The project is consistent with the goals, objectives and policies of the General Plan, including: Opportunity/Issue 5: Continue to enhance and improve Foothill Boulevard; LUE Objective 1.2: Encourage the development of an attractive and balanced commercial base for the community that meets the needs of the residents without negatively impacting the circulation network, infrastructure capacity, or existing residential neighborhoods; LUE Policy 1.2.2: Retain a mix of land uses that provides employment opportunities for City residents that are compatible with the community's character; LUE Policy 1.2.3: Encourage a mix of commercial land uses that serves the needs of the local community; LUE Objective 1.7: Coordinate public infrastructure, utilities, and services with new development; LUE GOAL 2: Enhance the visual image and economic vitality of Foothill Boulevard as the City's main commercial corridor; LUE Policy 2.1.4: Support the mixed-use village character of the Downtown District (from La Cañada Boulevard to the I-210 Freeway overpass at Crown Avenue) through continued implementation of the DVSP; LUE Objective 3.2: Continue to protect the public's safety by evaluating land and environmental constraints prior to development and requiring that projects mitigate potential negative environmental and safety impacts; LUE Objective 5.1: Encourage overall development of the community to be designed and constructed in a manner that is visually pleasing, preserves and enhances the semi-rural character of the local environment, and protects the scenic qualities of the community; LUE Policy 5.1.3: Review all plans for development for compatibility with surrounding developments and established design guidelines, in accordance with the City's Design Review process and the DVSP; and CE Objective 5.3: Enhance parking efficiency and utilization along Foothill Boulevard to promote the City's commercial vitality. The project will develop an existing vacant site that fronts onto Foothill Boulevard, with a structure that is compatible with the existing commercial environment and will provide opportunities for local employment and which will serve the local community. The provision of surplus parking will improve the overall parking available within an area that is currently deficient in off-street parking. The design of the structure and parking area will be subject to Design Commission review and approval, ensuring the development is visually pleasing is consistent with the requirements of the Downtown Village Specific Plan and compatible with existing development.

The project site lies within the Downtown Village Specific Plan, which implements General Plan policies that encourage a cohesive city center, developed in an integrated manner. The Specific Plan includes policies, and specific use lists, that help establish the vision of the downtown area defined by the community. The proposed project is consistent with the relevant policies in Section 3.5 of the Specific Plan, including: Support mixed-use character by promoting development of street-front retail buildings, attractive architectural design, low-scale signage, landscape design, open spaces and parks, outdoor plazas and other pedestrian amenities; Preserve and enhance existing terrain, vegetation and mountain views; Encourage mutual access easements, shared parking and public parking lots or subterranean parking to improve parking and circulation along the Boulevard; and Encourage local-serving commercial uses and low density development consistent with the small town character of the community. The project would permit the development of an approximately

2,450 square foot medical office use and associated parking area. The medical office use would support local employment opportunities and serve the local community. The design of the building and parking area will be subject to design Commission review and approval, but does provide a street-front building, incorporates appropriate building setbacks, and is consistent with the height requirements of the zone, allowing long-range mountain views. The proposed new parking area and reconfiguration of parking along Valley Sun Lane does provide for surplus off-street parking spaces than Code requirements and provides landscaping improvements that will ensure an attractive development. The requirement for a covenant to be recorded against the properties providing for ongoing shared access, parking and the utilization of the shared trash enclosure will provide significant benefit to the surrounding commercial properties.

The project, in both use and design, has demonstrated compliance with the goals, objectives and policies of the General Plan and the Downtown Village Specific Plan.

b. The project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to public health, safety or general welfare. The project site is located within the Downtown Village Specific Plan and is consistent with its requirements. Pursuant to Section 7.3 of the DVSP, as the project site is located outside of the Village Center, development must be consistent with Zoning Code Section 11.14 Community Planned Development (CPD) with regards to setbacks and height standards.

The project would permit the development of an approximately 2,450 square foot medical office use and associated parking area. The proposed medical office building provides the required setback from Foothill Boulevard and incorporates landscaping into the required setback. Pedestrian access to the site is either via Foothill Boulevard or Valley Sun Lane. As the associated parking is located at the rear, it is anticipated that most people will access the building from the rear. The building provides an attractive design that is compatible with adjacent development. The building does not exceed the maximum height limit for the zone, maintaining long-range views of the mountains to the north of the site. Roof mounted equipment has been screened from the public right-of-way and interior access to the roof, rather than an exterior mounted ladder, will deter public safety issues.

The proposed parking provides sufficient parking spaces to support the size of the building, and a surplus of parking is provided, improving off-street parking in a commercial area that has an existing deficit. The parking lot has been designed with compliant drive aisles of sufficient width to provide safe ingress and egress from the site. Lighting levels within the parking lot will be reviewed by the Design Commission to ensure the safety of patrons utilizing the parking lot and those travelling along Valley Sun Lane. Landscape planters within the parking lot will ensure that the requisite number of trees are provided, ensuring shade and an aesthetically pleasing environment.

The impacts of development of the project has been evaluated and mitigation measures and conditions of approval have been applied to the project to ensure short-term construction impacts will not significantly impact the surrounding area. Based on the information provided in the application, plans and materials submitted in support of the development application design of the project and the environmental review performed, the project will not adversely affect the people within the surrounding area, will not be materially detrimental and will not endanger public health, safety or general welfare.

c. 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 this code, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project has been evaluated against the development standards contained within the Downtown Village Specific Plan for the Mixed Use 2 designation and against the applicable development standards of the Community Planned Development (CPD) zone. The proposed structure will be a maximum of 22'-3" in height, well below the 35 feet permitted. The building has been designed as two-stories from Foothill Boulevard but a single-story from Valley Sun Lane, as the project utilizes the grade differential between the front and rear of the lot. The front setback exceeds the five-foot average regard for the site and landscaping is provided between Foothill Boulevard and the front of the structure. At the rear, the building is set back sufficient distance from Valley Sun Lane to provide an ADA accessible parking space, landing area and pathway, leading to a ramp into the building.

The project provides a total of eight code compliant parking spaces and five tandem spaces, more than sufficient based on the size of the proposed structure. The five tandem parking spaces are proposed that may be used to accommodate employees of the business and the project will restripe an existing parking space for ADA accessibility for the utilization of those businesses located at 1111-1113 Foothill Boulevard. The project will provide a significant increase in off-street parking where a deficit currently exists. Based on the information above, the project site is adequate to accommodate all code required development standards.

d. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public and private service facilities as are required. The proposed project is provided access, both vehicular and pedestrian, via Foothill Boulevard and Valley Sun Lane. The project site is bounded by Foothill Boulevard to the south, a 90-foot wide major arterial through the City. Foothill Boulevard is fully improved, with existing sidewalks. The existing curb cut from the site onto Foothill will be removed as part of the project. To the north is Valley Sun Lane, a twenty-foot wide alley, at runs along the rear of the commercial row of buildings providing access to parking and loading for the commercial buildings. As the proposed parking associated with the use is located to the rear of the building, north of Valley Sun Lane, it is anticipated that the majority of people will access the building from the rear.

Based on the information contained within the Mitigated Negative declaration and Initial Study Checklist for the project, and based on information regarding the size and use of the proposed structure obtained from *Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition* for the "Medical-Dental Office Building", the use is anticipated to generate approximately 90 additional trips per day. Based on the existing use and capacity of Foothill Boulevard, the project will not significantly impact the existing roadway network.

All utilities are currently available on-site, so extension of or construction of new facilities will not be required to serve the project. Therefore, the proposed site is adequately served by the existing street system and public utilities.

Section 3. Environmental Review

a. Pursuant to the California Environmental Quality Act ("CEQA") and the City's Local CEQA Guidelines, the City staff prepared an Initial Study for the project. City staff determined that there was no substantial evidence that the project would have a significant effect on the environment after the implementation of Mitigation Measures. Based on that determination, a Mitigated Negative Declaration was prepared. Thereafter, the City staff provided public notice of the public comment period and of the intent to adopt the Mitigated Negative Declaration.

b. The Planning Commission has reviewed the Initial Study and Mitigated Negative Declaration, finds that no comments were received regarding the Mitigated Negative Declaration and, based on the whole record before it, finds: (i) that the Mitigated Negative Declaration was prepared in compliance with CEQA; and (ii) that there is no substantial evidence that the project will have a significant effect on the environment after the implementation of mitigation measures. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration.

c. The Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program prepared for the project pursuant to the requirements of Public Resources Code Section 21081.6 and finds that the Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures during project implementation. The Planning Commission therefore adopts the Mitigation Monitoring and Reporting Program for the project.

d. The custodian of records for the Initial Study, Mitigated Negative Declaration and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, is the Director of Community Development of the City of La Cañada Flintridge. Those documents are available for public review in the Planning Department of the City of La Cañada Flintridge located at 1327 Foothill Boulevard, La Cañada Flintridge, California, 91011, telephone (818) 790-8881.

Section 4. The Planning Commission does hereby approve Conditional Use Permit 455, subject to the City Council's approval of General Plan Amendment 16-01 and Zone Change 10-04.

PASSED, APPROVED AND ADOPTED this 24th day of October, 2017.

Chair of the Planning Commission

ATTEST:

Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT 455
1109 FOOTHILL BOULEVARD

Standard Conditions:

1. Compliance with and execution of all conditions listed herein shall be necessary prior to obtaining final building inspection clearance and/or prior to obtaining any occupancy clearance. Deviation from this requirement shall be only by written consent of the Director of Community Development.
2. This approval is granted for the land or land use as described in the application and any attachments thereto, and as shown on the site plan submitted, labeled Conditional Use Permit 455.
3. The approval of Conditional Use Permit 455 shall not be effective until the City Council has approved General Plan Amendment 16-01 and Zone Change 10-04, and such legislative acts are effective.
4. Prior to obtaining a building permit or when applicable initiation of use, the applicant and property owner shall file with the Secretary of the Planning Commission written acknowledgment of the conditions stated herein on forms provided by the Planning Department.
5. All structures, site work and other features including but not limited to, buildings, roadways, parking areas, landscaping and other facilities shall be located and maintained as shown on the plans labeled Conditional Use Permit 455, except as otherwise stated in these conditions.
6. This approval will expire unless "start of construction" is commenced within 24 months after the effective date of this approval (see condition No. 3 above) and diligently pursued thereafter. The Director of Community Development may extend the original expiration date by as much as 12 months upon receipt of a written request from the applicant prior to expiration of the original approval if the approved project and applicable zoning standards are unchanged. Start of construction is defined as:
 - a. All zoning and related approvals are effective; and
 - b. All required building and grading permits for the project have been issued; and
 - c. The "foundation inspection" and "concrete slab or underfloor inspection" have been made and received approval from the Department of Building and Safety; i.e., all trenches must be excavated, forms erected, and all materials for the foundation delivered on the job and all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items must be in place. Nothing in this definition shall be construed to alter the applicable legal standards for determining when vested property rights to complete the project have arisen.

7. All applicable requirements of any law, ordinance, or regulation of the City of La Cañada Flintridge shall be complied with.
8. This approval is subject to the applicant paying all fees, deposits and assessments to the City of La Cañada Flintridge, as established by policy, ordinance or resolution of the City Council prior to occupancy or initiation of use. This includes payment for contracted staff services as invoiced to the city. The project is located within the Downtown Village Specific Plan and is subject to a cost recovery prorated fee of \$0.36/square foot of new floor area, due prior to the issuance of a building permit.
9. In the event the City determines that it is necessary to take legal action to enforce any of the provisions of these conditions, and such legal action is taken, the applicant agrees to pay any and all costs of such legal action, including reasonable attorney's fees, incurred by the City, even if the matter is not prosecuted to a final judgment or is amicably resolved, unless the City should otherwise agree with the applicant to waive said fees or any part thereof. The foregoing shall not apply if the permittee prevails in the enforcement proceeding.
10. The applicant shall defend, indemnify, and hold harmless the City and its officers, agents, and employees from any claim, action or proceeding against the City or its officers, agents, or employees to attack, set aside, void, or annul approval of this Conditional Use Permit. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense.
11. An approval granted by the Planning Commission does not constitute a building permit or authorization to begin any construction. An appropriate permit issued by the Department of Building and Safety must be obtained prior to construction, enlargement, relocation, conversion, or demolition of any building or structure within the City.
12. All construction/contractor parking shall be on-site only. If it is deemed by the Director of Community Development that sufficient on-site parking may not be available, then on-street parking in front of the site will be permitted if it can be demonstrated that such parking will not interfere with the immediate neighbors, and will not interfere with the public's use of the surrounding streets. If this cannot be found, then any additional construction vehicle or equipment parking must occur off-site at a location approved by the Director of Community Development. Approval of the off-site location shall be based on the submittal of a Parking Management Plan by the applicant that demonstrates that the site shall not interfere with the neighbors in the area or hinder the public's use of the surrounding streets. Contractors and construction workers will be required to carpool to the construction site. No construction, no deliveries and no movement of construction materials shall occur on Sundays or City recognized holidays.
13. Any subsequent substantive change to these approved plans by the Fire Department or any other agency having subsequent approval authority shall cause these plans to be returned to the Planning Commission for additional review and approval prior to permit issuance.

Planning Conditions:

14. A landscape and irrigation plan shall be submitted to the Planning Department and approved by the Director of Community Development or his designee prior to building permit issuance. The landscape and irrigation plan shall comply with the City's Water Efficient Landscaping Ordinance (Municipal Code Section 4.23). The proposed landscaping shall be installed on site and certified per the requirements of LCF Municipal Code Section 4.23 prior to Building Permit final.
15. No occupancy shall be granted until the Director of Community Development or his designee confirms that the landscaping installation is complete and consistent with the approved plan.
16. The site shall be watered regularly during all grading activity to limit dust/debris emissions.
17. Prior to the issuance of a grading or building permit, the applicant shall merge the three parcels located between Foothill Boulevard and Valley Sun Lane (APNs: 5812-022-016, -017 and -018) into one parcel and merge the three parcels located north of Valley Sun Lane (APNs: 5812-022-033, -034-, -038) into one parcel.
18. Prior to the issuance of a building permit, the applicant shall record a covenant requiring the merged parcels identified within Condition No 17 above to be held as one and prohibiting the transfer or sale of the parcels separately.
19. Prior to the issuance of a Certificate of Occupancy, the applicant shall record an agreement associated with APNs 5812-022-034 (Parcel 4) and 5812-022-035 (parking associated with 1117 Foothill located on the north side of Valley Sun Lane immediately west of Parcel 4) allowing for ongoing use of the existing parking that crosses the property line or a lot line adjustment shall be recorded, adjusting the property line to coincide with the alignment of the parking spaces.
20. During construction, the following best management practices (BMPs), shall be implemented by the contractor and subcontractors to reduce construction noise:
 - a. Construction equipment shall be properly muffled according to industry standards.
 - b. Construction-related equipment, including heavy duty equipment, motor vehicles, and portable equipment, must be turned off when not in use for more than 15 minutes.
 - c. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.
 - d. Stationary construction equipment, such as pumps, generators, or compressors, must be placed as far from noise sensitive uses as feasible during all phases of project construction.
21. Prior to the issuance of a grading permit for project, the Project Applicant shall retain a qualified archaeologist and a certified monitor from the Gabrieleño Band of Mission Indians to monitor all ground-disturbing activities to identify any unknown archaeological/tribal resources. During the grading process, the monitors shall be present to monitor freshly excavated soil and to identify, document, and further explore any intact artifact-filled deposits that may become unearthed. This would include field and laboratory analysis of

any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail and recorded with South Central Coastal Information Center (SCCIC).

22. Employees of the business located at 1109 Foothill Boulevard shall utilize the five tandem spaces, allowing the eight compliant parking spaces to be available for customers of the office use. A parking plan shall be provided to the Director of Community Development prior to occupancy of the structure providing for implementation and monitoring of this condition.

Public Works Conditions:

23. Prior to the issuance of Building Permits, the applicant shall submit Drainage Study for review, identifying all drainage areas that are tributary to the project site.
24. Project shall comply with City's Low Impact Development Standards.
25. This project disturbs less than one acre of land, and is subject to the following minimum construction requirements:
 - a. Sediments from areas disturbed by construction shall be retained on site, using structural drainage controls to the maximum extent practicable, and stockpiles of soil shall be properly contained to minimize sediment transport from the site to streets, drainage facilities, or adjacent properties via runoff, vehicle tracking, or wind.
 - b. Construction-related materials, wastes, spills or residues shall be retained on site to minimize transport from the site to streets, drainage facilities, or adjoining properties by wind or runoff.
 - c. Runoff from equipment and vehicle washing shall be contained at construction sites unless treated to remove sediments and pollutants.
25. Prior to the issuance of Building Permits, the applicant shall obtain a connection permit and pay sewer fees to the Sanitation Districts of Los Angeles County and provide a copy of the receipt to the City.
26. Prior to any construction (including, but not limited to, drive approaches, sidewalks, curb and gutter, etc.), trenching or grading within public or private street right-of-way, the applicant shall submit a street improvement plan consistent with the approved Site Plan and conditions of approval and obtain an Encroachment Permit from the Public Works Department.
27. Prior to the issuance of a Certificate of Occupancy, the existing driveway on Foothill Boulevard shall be removed and the curb, gutter and sidewalk reconstructed.
28. Prior to the issuance of a Certificate of Occupancy, the applicant shall repave the entire width of Valley Sun Lane fronting the property.

29. Prior to Building permit final, the applicant shall repair any broken or damaged curb, gutter, sidewalk and pavement on streets abutting the project, to the satisfaction of the City Engineer.
30. Prior to the issuance of a grading permit, the applicant shall prepare a Haul Route Management Plan. The plan will describe the route, queuing and destination of the trucks for removal of dirt from the site, as well as the frequency of operation. Frequency of operation shall include days of operation, time of operation and the time spacing of vehicles between pickups. The Haul Route Management Plan shall be reviewed by the Director of Public Works and the Director of Community Development. In particular, the plan shall prohibit hauling operations on Saturdays and Sundays, and on days when other large trucks are scheduled to be in the area (trash on Mondays). Times of operation shall also address local school operations and any other similar activities that would be affected by the movement of large trucks. As part of the plan, the applicant shall fund a temporary city employee to act as the Haul Route Manager for the city. This person shall be responsible for managing the plan and shall report directly to the City Engineer or the Director of Public Works. No permits of any kind shall be issued until the Haul Route Management Plan is approved by both Directors and the Plan Manager hired.