

DATE: JANUARY 22, 2001
TO: COMMUNITY DEVELOPMENT COMMISSION
FROM: CYNTHIA J. KURTZ, CHIEF EXECUTIVE OFFICER
**SUBJECT: DETERMINATION OF INCONSISTENCY WITH VILLA PARKE
REDEVELOPMENT PLAN FOR PROPOSED MOTEL AT 408
NORTH FAIR OAKS AVENUE**

RECOMMENDATION:

It is recommended that Pasadena Community Development Commission take the following action:

1. Find that the proposed motel at 408 North Fair Oaks Avenue is not consistent with the land use provisions (Sec.600) of the Villa Parke Redevelopment Plan.

EXECUTIVE SUMMARY:

The applicant, Bob Patel, proposes to construct a motel at 408 North Fair Oaks Avenue. This location is within the Villa Parke Redevelopment Plan Area and is within an area designated for industrial land use. Sec 608 of the Redevelopment Plan restricts uses within this area to industrial uses (alternate use residential), and related and compatible commercial uses.

After reviewing the proposal, staff advised the applicant that the proposed motel use was not a related and compatible commercial use, and therefore, was not consistent with the land use provisions of the Redevelopment Plan. This determination was based on a lack of evidence that the proposed motel use was related to any other use within the Villa Parke Redevelopment Plan Area or compatible with adjacent development or uses, as required by the Redevelopment Plan.

Immediately to the north Throop Lumber maintains a cement mixing operation. This operation, which gears up early in the morning, generates considerable noise, which would disturb occupants at the proposed motel. The design and operation of the Mobil Oil station includes bright nighttime illumination and retail sales activities on a 24-hour basis. This also is inconsistent with and would tend to disturb occupants at the proposed motel. Also, the residential uses to the east are sensitive to light, noise and nuisance activities emanating from the proposed motel. In addition, the proposed motel is three-stories high. The surrounding uses are predominately single-story. The mass of the proposed motel would tend to visually dominate and overpower the surrounding uses.

The applicant asserts that the proposed motel use is a related and compatible commercial use, and therefore, in accordance with Section 626 of the Redevelopment Plan, requests that the Commission determine that the proposed motel use is consistent with the Redevelopment Plan.

ADVISORY BODY REVIEWS:

On December 14, 2000, the Community Development Committee, based on the facts and a review of the surrounding land uses, recommended that the Commission find that the proposed motel use is not consistent with the land use provisions of the Villa Parke Redevelopment Plan; and deny the applicant's request. On December 27, 2000 the Fair Oaks Project Area Committee reviewed the subject project, and on January 3, 2001, the Northwest Commission reviewed the subject project. However, each requested additional information before making a recommendation on this item.

BACKGROUND:

On May 30, 2000 Paul Kim, on behalf of the applicant, submitted an application for predevelopment plan review to the Planning and Permitting Department for a proposed motel at 408 North Fair Oaks Avenue. This location is within an area designated for Industrial land use by the Villa Parke Redevelopment Plan.

The proposed project would be a three-story motel structure, and would be comprised of 34 guest rooms. The ground floor would be comprised primarily of grade level parking. The second and third floors would be comprised primarily of guest rooms and a motel lobby.

The project site, which is vacant, measures approximately 75 feet by 200 feet and is located at 408 North Fair Oaks Avenue, which is on the east side of Fair Oaks Avenue and one parcel north of Maple Street. The project site is bordered on the south by a Mobil service station; on the north by Throop Lumber; on the east by single-family residences and a vacant lot; and on the west, across Fair Oaks Avenue, by Smart & Final.

After reviewing the pre-development plan review application, Housing and Development staff responded that the proposed motel use was not consistent with the land use provisions of the Villa Parke Redevelopment Plan, and therefore, that Housing and Development staff was not prepared to sign off on a building permit for the proposed project.

Staff's determination was based on Section 608 of the Villa Parke Redevelopment Plan, which reads:

“Areas shown on the Map as Industrial (alternate use Residential) may be used for light manufacturing, warehousing, wholesaling, import-export trade, automotive, light industrial, and *related and compatible commercial uses*.

New industrial buildings may be constructed provided the proposed development and uses are compatible with adjacent development and uses proposed in the Redevelopment Plan. “

In reviewing the proposed motel use, it was noted that Section 606 of the Redevelopment Plan specifically allowed hotel and motel uses within those areas designated for Commercial use, but excluded them from the uses allowed within those areas designated for Industrial use. In addition, there was no indication that the proposed motel use was related to any other use within the Villa Parke Redevelopment Plan Area or compatible with adjacent development or uses.

Staff also determined and advised the applicant that elements of the proposed design were inconsistent with the Design for Development Standards for the Villa-Parke Redevelopment Plan. The applicant has indicated that they intend to request variation from some of these Standards, in accordance with Section 624 of the Redevelopment Plan.

On October 26, 2000, Huamin Chang, as agent on behalf of the applicant, submitted an application for a building permit. On November 14, 2000, in accordance with Section 626 of the Redevelopment Plan, the Housing and Development Department advised the applicant's agent that the proposed motel did not meet the requirements of the Redevelopment Plan and that the Department was withholding issuance of the building permit. This determination was reinforced with specifics in a subsequent letter, dated December 12, 2000. Copies of both letters are attached.

On November 29, 2000, Scott W. Carlson, attorney for the applicant, sent a letter to the Housing and Development Department contesting the staff determination of inconsistency with the redevelopment plan land-use provisions and requesting a determination by the Commission. A copy of his letter is attached. In his letter Mr. Carlson purports that the staff interpretation is inconsistent with the current

comprehensive general plan for the City of Pasadena. He further asserts that the proposed motel use is a “related and compatible commercial use” in that it would be located adjacent to freeway access and that a motel is a compatible use for the area.

After reviewing Mr. Carlson’s letter, staff believes that its original interpretation deserves affirmation. Mr. Carlson asserts that staff’s interpretation is inconsistent with the General Plan because the General Plan (page 105) includes a map, which indicates the applicant’s property for hotel/residential use. However, staff believes Mr. Carlson’s interpretation on this point to be in error. It is noted that the purpose of including this map within the General Plan was to delineate the location and boundaries of the Redevelopment Project Area, not to designate land use, which is otherwise designated elsewhere within the redevelopment plan and on a different Redevelopment Plan Land Use Map.

Mr. Carlson further asserts that the General Plan, by reference, adopts only the Lincoln Avenue Redevelopment Project Area and the Lincoln Triangle Area, and therefore, that the Villa Parke Redevelopment Project is not adopted in the General Plan. In doing so, Mr. Carlson relies on the discussion in Section II.D.7 (page 63) of the General Plan Land Use Element. Again, staff believes that Mr. Carlson’s interpretation on this point is in error. The General Plan does not adopt Redevelopment Projects. The purpose of the aforementioned discussion in the General Plan is to set allowable development densities for those redevelopment project areas, which are not otherwise within specific plan areas. Because the Villa Parke Redevelopment Project is within the proposed Fair Oaks/Orange Grove Specific Plan Area, its allowable development density is guided as indicated under Section II.D.1.g (page 54) of the Land Use Element of the General Plan. Further, it is noted that the Land Use Element of the General Plan (see Section II.A – page 7) makes specific reference to and indicates support for all redevelopment project areas, which are located in Northwest Pasadena, including the Villa-Parke Redevelopment Project. In addition, Policy 10.5 of the Land Use Element of the General Plan (page 18) encourages the promotion of industrial development ... “by protecting existing industrial districts and encouraging new industrial employers, and by restricting Industrial (IG) zoning districts to industrial businesses and ancillary retail and service activities...”

Lastly, Mr. Carlson asserts that the proposed motel use is a “related and compatible commercial use.” In so asserting, Mr. Carlson notes the adjacency to freeway access and asserts that the motel is a compatible use for the area. On this point, staff again differs with Mr. Carlson’s interpretation. There is no indication that the motel is related to or that the primary intent of the motel is to provide service to other uses within the project area. A relationship to a freeway, which is outside of the project area, does not appear to suffice for the intent of Section 608 of the Redevelopment Plan. Immediately to the north Throop Lumber maintains a cement mixing operation. This operation, which gears up early in the morning, generates considerable noise, which would disturb occupants at the proposed motel. The design and operation of the Mobil Oil station includes bright nighttime illumination and retail sales activities on a 24-hour basis. This also is inconsistent with and would tend to disturb occupants at the proposed motel. Also, the

residential uses to the east are sensitive to light, noise and nuisance activities emanating from the proposed motel. In addition, the proposed motel is three-stories high. The surrounding uses are predominately single-story. The mass of the proposed motel would tend to visually dominate and overpower the surrounding uses.

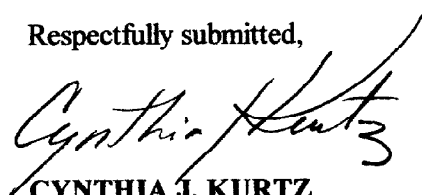
CEQA ANALYSIS:

As a denial of a project, the recommended action qualifies for a Statutory Exemption from assessment under the California Environmental Quality Act (Article 18, §15270). If the Commission elects to find that the subject project is consistent with the land use provisions of the Redevelopment Plan, the subject project would be subject to CEQA assessment prior to approval.

FISCAL IMPACT:

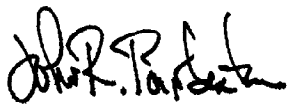
There is no direct fiscal impact from the proposed action.

Respectfully submitted,



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