

Agenda Report

TO: CITY COUNCIL **DATE:** MARCH 12, 2007
FROM: CITY MANAGER
SUBJECT: ZONE CHANGE FOR THE PARCEL AT THE SOUTHEAST CORNER OF DAISY AVENUE AND NINA STREET (40 NORTH DAISY AVENUE) FROM EPSP-D1-IG (EAST PASADENA SPECIFIC PLAN SUBAREA D1 GENERAL INDUSTRIAL DISTRICT) TO ECSP-CG-5 (EAST COLORADO SPECIFIC PLAN, LAMANDA PARK AREA) AND SPECIFIC PLAN BOUNDARY AMENDMENT

RECOMMENDATION

It is recommended that the City Council, following a public hearing:

1. Adopt the Initial Environmental Study and Negative Declaration (Attachment 1);
2. Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat (Attachment 2);
3. Find that the zone change from EPSP-d1-IG (East Pasadena Specific Plan, sub-area d1, general industrial) to ECSP-CG-5 (The Lamanda Park area) is consistent with the goals, objectives and policies of the General Plan and would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City (Zoning Code Section 17.74.070 B) as outlined in the body of the report;
4. Approve the Zone Change from EPSP-d1-IG (East Pasadena Specific Plan sub-area d1, general industrial) to ECSP-CG-5 (The Lamanda Park area);
5. Adopt the resolution amending both East Colorado Specific Plan and East Pasadena Specific Plan boundaries to reflect the change in the zoning designation of the subject site;
6. Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder and
7. Direct the City Attorney to prepare an ordinance amending the official zoning map of the City of Pasadena established by Section 17.08.040 of the Pasadena Municipal Code.

PLANNING COMMISSION RECOMMENDATION:

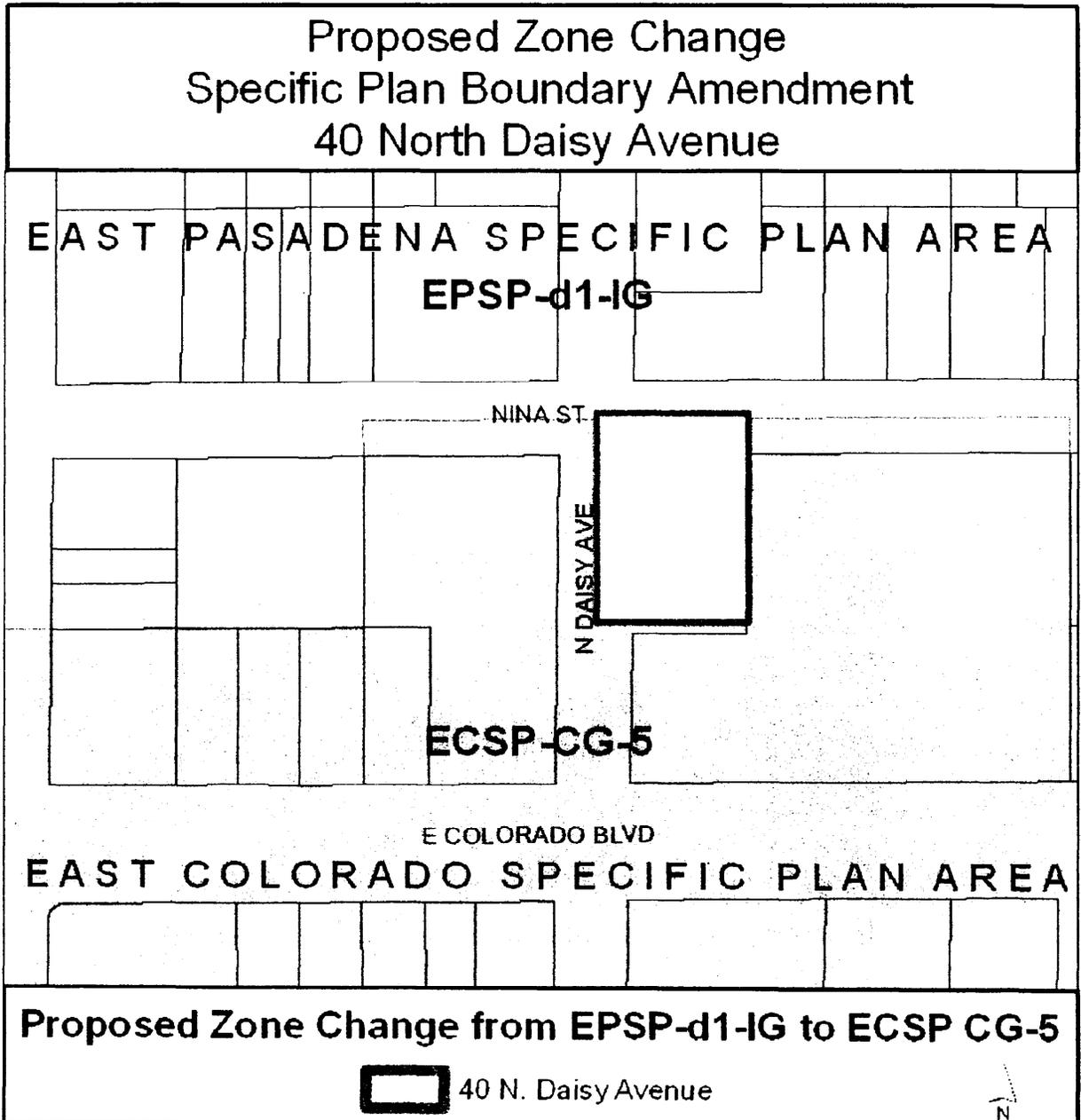
After a public hearing on December 13, 2006, the Planning Commission unanimously recommended approval of the proposed zone change from EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, general industrial district) to ECSP-CG-5 (The Lamanda Park area), and the subsequent amendment to boundaries of the East Pasadena Specific Plan and the East Colorado Specific Plan, as a result of this zone change.

EXECUTIVE SUMMARY

The subject parcel is located at the southwest corner of Nina Street and North Daisy Avenue. It is currently zoned Industrial within the East Pasadena Specific Plan area, sub-area d1, as shown in the map below. The parcel is approximately 12,450 square feet in area, with an

existing 5222-square-foot building, and has been used as an office by the Light of Love Mission church located in the adjacent larger parcel at 2801-2803 East Colorado Boulevard. The church acquired both parcels in 2000. The larger parcel is zoned General Commercial within the East Colorado Specific Plan area, the Lamanda Park area (ECSP-CG-5), where religious facilities and their ancillary uses are conditionally permitted.

Since office use (not related to a religious facility) is permitted in the Industrial zone, the Church had been using the building for that purpose. Recently, with plans to expand the Church with Sunday school and a day care center, the use of the subject site will no longer be exclusively administrative office. The Church intends to use a portion of the subject site to provide play area for the proposed day care. As the day care service is church related, the use becomes an ancillary use to the religious facility. According to the Zoning Code, religious facility and its ancillary uses are not permitted in Industrial; therefore, the Church's request for a zone change. The applicant proposes no change to the existing building at this time.



PROJECT ANALYSIS

Existing zoning and land use designation

The subject site is currently zoned EPSP-d1-IG (East Pasadena Specific Plan, sub-area d1, general industrial district). The Land Use diagram of the General Plan designates this site as Specific Plan, and it is particularly within district 1 of the East Pasadena Specific Plan. (See portion of zoning, Attachment 4.) The EPSP-d1-IG zone does not permit religious facility use and its ancillary uses.

The adjacent parcels to the west, east and south, part of the larger parcel owned and used by the Church are all within the ECSP-CG-5 (The Lamanda Park area) zone within the East Colorado Specific Plan area, which conditionally allows religious facilities and its ancillary uses, such as church-related offices.

The issues raised by the proposed zone change are:

1. Land Use - In assessing whether a zone change is appropriate for this site, the compatibility of land uses allowed in the existing and proposed zones is a key consideration. (A complete list of land uses is in Attachment 4). In comparing the land uses permitted in the Industrial (EPSP-d1-IG) zoning with the land uses permitted in the General Commercial (ECSP-CG-5) zoning, it is evident that the Industrial zoning is the most encompassing zone. It affords a broad range and intensity of industrial uses at both standard and restricted levels and in regular and small-scale operations. In particular, the East Pasadena Industrial zone permits Vehicle services, such as repair, washing and detailing, Commercial growing areas, Large Recycling Facilities, Wholesaling, distribution and storage, Transportation terminals, Vehicle storage, and others which are not permitted in the East Colorado Commercial zone.

Generally, Industrial uses are potential sources of noise, vibration, and other effects that detract from the desired compatibility with less intense uses intended for Commercial zones within the East Colorado Specific Plan area. With the current industrial zoning there is a potential to introduce industrial uses on the site that would be incompatible with the church and other commercial uses in the block containing this site. Changing the zoning to Commercial will reduce that potential. For this reason, the proposed zone change would not be detrimental to the public interest, health, safety, convenience or general welfare of the City.

2. Change to boundaries of both East Pasadena and East Colorado Specific Plan areas - The proposed zone change also involves a change in the boundaries of two adjacent specific plan areas. This boundary change will essentially result in an extension of the East Colorado SP to incorporate the subject parcel and follow the property lines along Nina Avenue and Daisy Avenue.

Specific Plan boundary lines were generally set following zoning and property lines, and the actual use of each lot in the designated areas. The building at 40 North Daisy Avenue was constructed in 1947 and seemed to have contained uses consistent with the Industrial zone until the Church acquired the subject site and the larger parcel (2801-2803 East Colorado Boulevard) where the church use was established in 2000. The subject property then became part of a larger land holding, although it was not consolidated. Thus, the jagged district boundary has remained up to this time. The adjustment will better align the boundary of the specific plans with property ownership and use patterns. (See Attachment 4 – portion of zoning map showing subject site and vicinity)

Staff anticipates that other adjustments to the boundaries between the East Pasadena and the East Colorado Specific Plans may need to be examined at the five-year review of each specific plan. Additional analysis may be needed particularly at the boundaries where parcel lines have changed since the inception of specific plan areas in 1994. The 5-year review could be, however, a year-long process. Delaying resolution of this boundary adjustment until then could

be punitive to the applicant in view of the limited area subject to the adjustment. Further, aligning the boundary line will create a consolidated site with consistent commercial zoning designation that reduces the potential for the introduction of incompatible uses at this site.

3. Development Intensity Allocations for East Pasadena and East Colorado Specific Plans – If approved, the change in zoning of the subject site will remove the parcel from the East Pasadena Specific Plan and add it to the East Colorado Specific Plan. The subject parcel will be added to the pool of parcels that will compete for the available remaining floor area in East Colorado Specific Plan. Removal of the parcel from the East Pasadena Specific Plan will reduce the potential demand for net new floor area that could have been generated by build up of the subject site.

If the subject parcel becomes part of the ECSP-CG-5 district, where an FAR of 0.80 applies, the maximum potential net new development at this site would be approximately 4,738 square feet. The ECSP area has 222,547 square feet of commercial allocation remaining as of December 31, 2006. As the capacity for net new development in this site is rather limited, the potential demand by this site will not significantly reduce available allocation for other properties within the East Colorado Specific Plan.

CONSISTENCY WITH GENERAL PLAN

The proposed zone change for the subject site is consistent with the prevailing land use pattern in the surrounding area. Moreover, the proposed zone change is consistent with the General Plan Land Use Element and will advance certain objectives and policies, such as ***Objective 13 – ADEQUATE SERVICES*** (*Provide adequate support for businesses and institutions that serve the need of Pasadena’s diverse residents and families...*), ***Policy 13.1 – Support of Organizations*** (*Support the needs of public, private and voluntary organizations and associations that provide important services to Pasadena’s diverse community*).

The proposed zone change will support the church’s continuous use of the existing building as its administrative office and to establish a day care center at the adjacent parcel, where it is permitted by right, by using a portion of the subject site to comply with the required play area.

The proposed zone change also furthers ***Objective 24 – EXISTING INSTITUTIONS*** (*Provide long-term opportunities for growth of existing cultural, scientific, corporate, entertainment and educational institutions in balance with their surroundings*) and ***Policy 24.2 – Land Use Opportunities*** (*Provide land use opportunities to retain and to develop regionally significant cultural, scientific, corporate, entertainment and educational uses*).

The proposed zone change of the site would provide an opportunity for the existing institution (church) in the adjacent site to continue using the subject site that is ancillary (office) to the principal land use (church), which is otherwise not permitted in its current zoning designation (EPSP-d1-IG). A consistent zoning designation will help promote a more efficient site plan for the combined parcels (40 North Daisy and 2801 East Colorado Boulevard) owned by the Church.

The East Colorado Specific Plan, area 5 (Lamanda Park area) provides opportunities for a broader range of residential land uses, and restrict commercial service, industrial and warehousing uses that were otherwise permitted in the city-wide General Commercial uses. Allowing the church to continue to utilize the subject site as ancillary is consistent with the East Colorado Specific Plan’s intent to enhance land uses that lend to the Lamanda Park area’s vision to strengthen its “Village” character.

The zone change, if approved, would remove a parcel from the inventory of land zoned Industrial; therefore, it would not be consistent with the General Plan Policy 10.5 which states:

Policy 10.5 – Industrial Businesses: Promote technological and manufacturing activities by protecting existing industrial (IG) zoning districts and encouraging new industrial employers.

The proposed zone change does not further Policy 10.5 to protect existing Industrial zoning districts. However, several factors were considered in finding the proposed zone change from Industrial to Commercial appropriate for this site, such as: (1) compatibility with adjacent land uses, in that the subject site is surrounded by commercial uses that are of lower intensity than the land uses that are permitted under the Industrial zoning designation; (2) compatibility with adjacent and surrounding zoning districts, in that the subject site is surrounded by commercially-zoned parcels; and (3) actual use and size of the subject site, in that it is an ancillary office to the institution and has not been used as Industrial since the time the Church acquired the site in 2000.

CONSISTENCY WITH THE EAST COLORADO SPECIFIC PLAN AND VISION

Permitting the use of the subject site as ancillary office to the church will contribute to a vibrant mix of land uses, and to the creation of distinctive “places” along the boulevard, in accordance with the East Colorado Specific Plan’s vision, as stated in Chapter 17.31 of the Zoning Code:

“...a vibrant mix of land uses, a unified streetscape, and a series of distinctive “places” along the boulevard.”

NEIGHBORHOOD MEETING

A neighborhood meeting was held on November 3, 2006 at the Hastings Branch Library. One property owner attended the meeting. Some inquiries have been received over the telephone, however, no one have voiced concern on the proposed zone change.

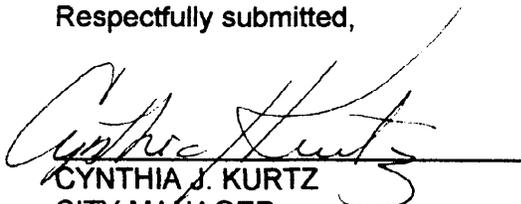
ENVIRONMENTAL DETERMINATION

An Initial Environmental Study (IES), completed for the proposed zone change determined that there will be no potential significant impact on the environment. A Negative Declaration has been prepared. In addition, there will be no impact on fish and wildlife, and staff is recommending the adoption of a Negative Declaration (Attachment 1). Comments on the draft Initial Study and proposed Negative Declaration may be received in writing between November 22 and February 5, 2007 and orally at public hearings considering these documents.

FISCAL IMPACT

There will not be a fiscal impact as a result of approving the proposed Zone Change and amendment to the boundary line between the East Pasadena Specific Plan and East Colorado Specific Plan. Permitting fees will be collected for future development or improvements on the affected parcels to cover costs incurred from staff time required for project review.

Respectfully submitted,



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CITY MANAGER

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Approved by:

OK 
Richard J. Bruckner, Director
Planning and Development

Attachments:

- Attachment 1 – Draft Initial Environmental Study and Proposed Negative Declaration
- Attachment 2 – De Minimis Impact Finding (California Department of Fish and Game, Certificate of Fee Exemption)
- Attachment 3 – Proposed Notice of Determination of Negative Declaration
- Attachment 4 – Portion of zoning map showing subject site and vicinity
- Attachment 5 - Comparison of land use categories permitted in EPSP-d1-IG and ECSP-CG-5