

# Agenda Report

August 8, 2005

TO: City Council

FROM: City Manager

SUBJECT: CONSIDERATION OF A MORATORIUM ON THE APPROVAL OF STRUCTURES OF THREE STORIES OR MORE IN ANY ZONE WHERE THE PROJECT WOULD ABUT AN RS – SINGLE-FAMILY RESIDENTIAL ZONE

**RECOMMENDATION:**

It is recommended that the City Council:

1. Find the proposed project to be Statutorily Exempt for environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA guidelines, Section 15262, Feasibility and Planning Studies;
2. Approve a moratorium for a period of 45 days on the issuance of building permits for structures three stories or taller within any zone where the project immediately abuts an RS – Residential Single Family zone; and the project has not received any entitlement approval pursuant to Title 17 of the PMC, including but not limited to a use permit, variance, design review approval (concept or consolidated) or certificate of appropriateness, that is still effective, prior to the effective date of the moratorium.
3. Find that the proposed moratorium is consistent with the goals and policies of the General Plan;
4. Find that in accordance with the Pasadena Municipal Code (Section 2.75.220b, as amended) a) continued approval of structures three stories or taller immediately adjacent to RS – Residential Single Family zones would have a specific, adverse impact upon the public health, safety or welfare pursuant to the standards and policies set forth in the General Plan, b) an interim ordinance establishing the proposed moratorium is necessary to mitigate or avoid the specific, adverse impacts and, c) there is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance; and
5. Direct the City Attorney to prepare an Interim Ordinance implementing these recommendations.

**BACKGROUND:**

The community has raised concerns regarding the impacts of height and density of large multi-family projects abutting single-family properties. Adverse impacts include third stories overshadowing back yards, lack of setbacks allowing new buildings to encroach on the property line of residential properties, and a lack of visual transition from large scale to small scale development.

After several three-story projects were permitted under current regulations adjacent to single-family homes, concerns centered not only on the negative impacts of those projects, but also on the potential for similar negative impacts to be created in other residential areas due to lack of transition zones.

Current City of Gardens zoning for multi-family projects allows zero setbacks in some instances and height limits up to three stories. Development regulations in other zones, such as the CO and CL commercial zones, would permit three to four stories with setbacks of 15 feet adjacent to a single family zone.

This moratorium would prohibit the issuance of a building permit for any project that includes three or more stories if such project is located in any zoning district and that project would abut an RS zoning district.

This prohibition would not apply to any project that has any entitlement approval pursuant to Title 17 of the PMC, including but not limited to a use permit, variance, design review approval (concept or consolidated) or certificate of appropriateness, that is still effective, prior to the effective date of the moratorium.

The proposed moratorium seeks to achieve the goals and objectives of both the Land Use and Housing Elements of the General Plan *"to preserve the character, scale and quality of established residential neighborhoods"*.

During the 45-day moratorium staff will review current development regulations and draft recommended amendments to ensure greater compatibility between new development and adjacent single-family neighborhoods. The attached map illustrates the areas where single family zoning is adjacent to zones that would permit greater than two stories. These recommendations will be reviewed by the Planning Commission and presented to City Council for final approval.

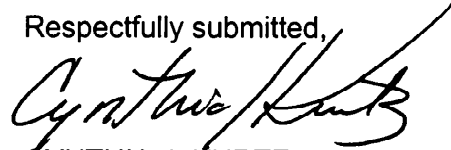
**ENVIRONMENTAL DETERMINATION:**

This project has been determined to be Statutorily Exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act, CEQA Guidelines, Section 15262, Feasibility and Planning Studies.

**FISCAL IMPACT:**

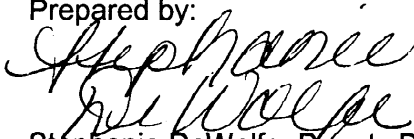
Costs associated with this recommendation are limited to staff time and can be absorbed by the department budget.

Respectfully submitted,



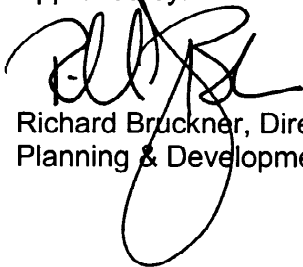
CYNTHIA J. KURTZ  
City Manager

Prepared by:

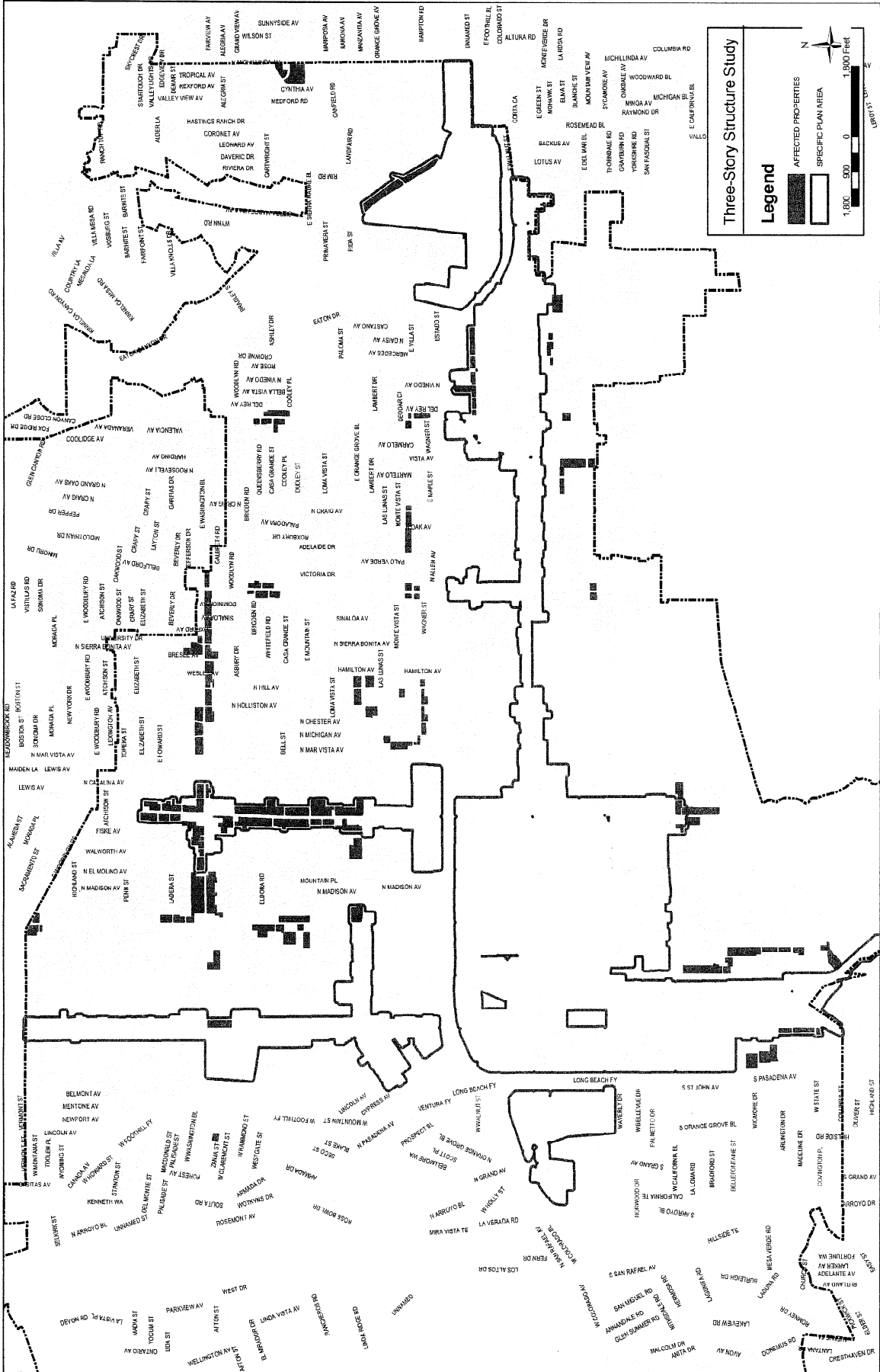


Stephanie DeWolfe, Deputy Director  
Planning & Development Department

Approved by:



Richard Bruckner, Director  
Planning & Development Department



### Three-Story Structure Study

**Legend**

- AFFECTED PROPERTIES
- SPECIFIC PLAN AREA

0 500 1,000 1,800 Feet

N

LIBERTY ST. 15th W

**Rodriguez, Jane**

**From:** James Van de Voorde [j.vandevoorde@osherco.com]  
**Sent:** Tuesday, August 02, 2005 8:55 AM  
**To:** Bogaard, Bill; Gordo, Victor; Haderlein, Steve; Holden, Chris; Little, Paul; Madison, Steve; Rodriguez, Jane; Streater, Joyce; Tyler, Sid  
**Cc:** Abell Janine (E-mail); Boyer Suzie (E-mail); Carloyn Britton; Carter Lucian (E-mail); Chuck Livingstone (E-mail); Chulay Benji (E-mail); Clark Bill (E-mail); Graf Mark (E-mail); Holmes Kelley (E-mail); James Van de Voorde (E-mail); John Latta; Kelly Joyce (E-mail); Kleinman Neil and Judy (E-mail); Levy Rob and Leslie (E-mail); Manzke Ron (E-mail); Rey Rodriguez (E-mail); Sill Rick (E-mail); Wilhide John and Linda (E-mail)  
**Subject:** Moratorium on Multi-Family Development  
**Importance:** High



August 2, 2005

Mayor Bill Bogaard  
117 East Colorado Blvd.  
Pasadena, CA 91105

Sent via e-mail: [bbogaard@cityofpasadena.net](mailto:bbogaard@cityofpasadena.net)

Dear Mayor Bogaard:

On behalf of the Madison Heights Neighborhood Association, please accept this letter in support of a moratorium on multi-family development in our neighborhood.

There are at least two new and disturbing developments in or near Madison Heights that have come to our attention and present potentially devastating consequences to bordering single family homeowners. The first multi-family development is located on Lake Avenue just south of California and the second is located on Marengo just north of Fillmore.

The Lake Avenue property is under construction and abuts right to the property line of single-family neighbors on Hudson Avenue. The Marengo property is in the final approval phase and will abut 15 feet from the property line of single-family neighbors on Magnolia Avenue. In addition to the seemingly unsuitable proximity of multi-family housing to single-family, we are concerned about the lack of adequate height restrictions for these new developments. We are especially alarmed by the potential financial and quality of life impact on our single-family

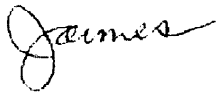
neighbors. This encroachment by multi-family development has serious consequences for adjacent single-family properties and needs to be further analyzed.

In addition to the moratorium on multi-family development, we support the following:

- Improved communication to neighbors that might be affected by such development so that our voice can be heard before it's too late
- Necessary revisions to the City of Gardens ordinance as it specifically pertains to required setbacks from adjacent property and height requirements for new multi-family development
- Consideration of a zoning study to change existing RM-32 zoning and protect the low density residential character of our neighborhood

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in cursive script that reads "James".

James Van de Voorde  
MHNA President

copy: Pasadena City Council (via e-mail)

July 31, 2005

RECEIVED

'05 AUG -4 P1:51

To Mayor Bogaard and the Pasadena City Council:

CITY CLERK  
CITY OF PASADENA

As homeowners and residents of Magnolia Avenue, we are writing to express our concern regarding the potential for multi-family housing development of the parcels of land on the east side of Marengo Avenue, between of California Boulevard and Fillmore Street. Because this area sits adjacent to single-family dwellings on Magnolia, we are specifically concerned about the possibility of structures that exceed their existing heights abutting these properties. The potential environmental impacts of increased heights and density at the rear of these parcels, as currently required under the City of Gardens ordinance, would be devastating to our block of single-family homes.

It is our understanding that this issue is currently under review by the City Planning Commission. We therefore encourage the City Council to impose a moratorium on multi-family development in this area, and all other potentially impacted neighborhoods for forty-five days, so that the City can thoroughly review the situation and adopt a suitable policy for the transition from multi-family zoning to single-family residences.

Thank you for your consideration of this matter.

Name	Signature	Address	Phone and/or Email
Kelley Holmes	Kelley Holmes	690 Magnolia	793-2151
John Holmes	John C. Holmes	690 Magnolia Ave	626-793-2151
Keison Harrison	Keison Harrison	625 Magnolia Ave	626-578-0024 626-
Erika Foy	Erika Foy	672 Magnolia Ave	356-0164
Lella Smith	Lella Smith	752 S. Magnolia Ave	626-795-6222
Kimberly W. Lomax	Kimberly W. Lomax	744 Magnolia Ave	626-396-9361 kimilomax@yahoo.com
Brett Foy	Brett Foy	672 Magnolia	213-533-8119
Patience Cryst	Patience Cryst	655 Magnolia	(626) 792-8772
C. MAUCH	C. Mauch	697 Magnolia	405-0069
Oliver Pike	Oliver Pike	703 Magnolia	626-793-9130

NAME	SIGNATURE	ADDRESS	PHONE AND OR E MAIL
PEI CHUN CHU		75 MAGNOLIA AVE.	(626) 577-7018
Nicole Logan		685 Magnolia Ave.	626 584 0694 nrlogane@pacbell.net
Konhogan		685 Magnolia Ave.	626-584-0694
Dimitry Nelson		645 Magnolia Ave.	626 796-3322
Paul Cassari		712 magnolia ave Pasadena	626 391 163
emily smith		731 Magnolia Ave	626 379 7336
Liz Smith		731 MAGNOLIA AVE. PAS. CA	(626) 376-1125
Kenneth Loi		755 Magnolia Ave Pasadena	
STEPHANIE WOODYARD		736 Magnolia Ave PASA	91106 626-585-9850
Shannon Stort		730 Magnolia Ave.	626-792-9101
Wes & Mary Monroe		650 Magnolia Ave	626 584-1917
ELAYNE - TOM TECHENTIN		640 Magnolia Ave	626 578-1766
TERI SHIKASHO		720 Magnolia Ave	626 440-8908
BOBBYUE		720 MAGNOLIA AVE	626 440 8808
Mary & Bill Connor		765 Magnolia Ave.	626 440.0248
Dave & Jean Saur		704 S. Magnolia Ave.	626 364-9757
Margaret & Brad Floyd		628 Magnolia Ave	626 440-1480
Christal		Christoper Floyd 628 Magnolia Ave	626 440-1480
Susan & Alex Pilman		620 Magnolia Ave.	626 304-0122



