

Agenda Report

TO: CITY COUNCIL

DATE: JANUARY 23, 2006

FROM: CITY MANAGER

SUBJECT: AMENDMENTS TO THE FAIR OAKS/ORANGE GROVE SPECIFIC PLAN

RECOMMENDATION:

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

- 1) Approve the Initial Environmental Study and Negative Declaration (Attachment 1)
- 2) Adopt the findings that the Specific Plan amendments and related Zoning Code amendments are consistent with Pasadena Municipal Code Title 17 (Zoning Code Section 17.74.070) and the General Plan as outlined in the body of the report;
- 3) Amend the Fair Oaks/Orange Grove Specific Plan to:
 - a) Permit the Vehicle Services – Automobile Rental use in Districts 2 and 3 with a Conditional Use Permit;
 - b) Permit the Retail Sales Use in Planning District 2
- 4) Direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 2);
- 5) Direct the City Attorney to prepare a resolution amending the Fair Oaks/Orange Grove Specific Plan and an ordinance amending the Zoning Code to permit the Vehicle Services – Automobile Rental use in Planning Districts 2 and 3 with a Conditional Use Permit, and permit the Retail Sales use in Planning District 2 within 60 days.

PLANNING COMMISSION RECOMMENDATION

On December 14, 2005, the Planning Commission unanimously approved the proposed amendments to the Fair Oaks/Orange Grove Specific Plan to permit the Vehicle Services – Automobile Rental Use in Planning Districts 2 and 3 with a Conditional Use Permit, and the Retail Sales use in Planning District 2 (the use is currently allowed in Planning Districts 1 and 3, See Attachment 3).

FAIR OAKS PROJECT AREA COMMITTEE

On October 18, 2005, staff presented the Specific Plan amendments to the Fair Oaks Project Area Committee (PAC) to receive their input. The Committee supported the inclusion of the Vehicle Services – Automobile Rental use within Planning Districts 2 and 3 of the Specific Plan, and the expansion of the retail sales use in Planning District 2 of the Specific Plan. The Committee believes that certain types of retail uses would be useful in Planning District 2, given the existing businesses that already serve area residents. Emphasis was placed on the need for marketing the visibility and business opportunities of the area.

NORTHWEST COMMISSION

On October 25, 2005, staff presented the Specific Plan amendments to the northwest Commission. The Commission also supported the retail use in all three districts, and noted interest in what type of retail would thrive in the district. The Commission supports the Vehicle Services – Automobile Rental use within the Specific Plan area.

BACKGROUND

On December 8, 2004, the Fair Oaks Project Area Committee (PAC) as well as various land owners and residents in the area submitted a request to the Planning Commission to amend the Fair Oaks/Orange Grove Specific Plan to change several of the land use provisions. On March 23, 2005, the Planning Commission initiated an amendment to the Specific Plan to consider allowing Vehicle Services – Automobile Rentals and Retail Sales.

ANALYSIS

Amendment of the Fair Oaks/Orange Grove Specific Plan

The amendments to allow Vehicle Services –Automobile Rental and Retail uses within designated districts are among the first requests since the Plan's adoption in January of 2002.

One of the major goals of the Specific Plan envisioned by the General Plan is to encourage “Livable Communities” concepts such as balanced mixed-use development, with retail, residential, and employment within walking distance of one another. This concept is integrated into the Land Use Vision of the Specific Plan. The Land Use Vision takes into account the unique character, development patterns, trends, and opportunities in each of the three districts. The land use strategy “bridges the gap” between the uses that exist there now and the vision for this area.

The Plan provides recommendations to help improve and build upon new retail uses and upgrading or expanding existing retail uses. The Plan also envisioned the attracting of new businesses and employment generating uses as a key component to the economic development strategy for the area. Specific Plan goals were established with the community to seek efforts to revitalize the area through viable commercial development.

Staff examined existing conditions within the Fair Oaks/Orange Grove corridors to determine if the Vehicle Services – Automobile Rental use and the Retail Sales use would be compatible with the existing land uses and land use vision for Planning Districts 1, 2 , and 3. The conclusions are as follows:

Vehicle Services/Automobile Rental – the use was determined to be appropriate for Planning Districts 2 and 3, given the diversity of existing land uses (services, offices, variety of shops), potential available sites, and consistency with the District's vision. The use is typically a low intensity operation with no noise or odors, or inoperative vehicles often associated with other automobile related uses.

Retail Sales – the use was determined to be appropriate for Planning District 2, given the existing commercial and community-serving facilities. The Retail Sales use existed in Planning District 2 prior to the preparation and during the preparation of the Specific Plan.

Staff commissioned the services of Economics Research Associates to update the economic conditions of the Specific Plan area to focus on the retail and light industrial demand in Planning District 2. The Economic Study findings concluded that retail opportunities are generally limited, unless the trade area is expanded, or if a new retail sales tenant could attract sales from an existing retail use to support a new operation. The economic findings further concluded that the light industrial market is still viable for Planning District 2, with the added incentive of a marketing strategy. In recent years, Planning District 2 has attracted interest in establishing businesses in both the retail and light industrial markets, although the area has not experienced major land use changes.

Both the Retail use and the Vehicle Services – Automobile Rental use provide needed services and employment opportunities to area residents. Essentially, retail sales would be an added use, with the light industrial use remaining. Therefore, staff recommends that the Specific Plan be amended to allow both of these uses.

For the Vehicle Services – Automobile Rental use, a Conditional Use Permit is recommended, to allow for a comprehensive review of the proposal to consider project layout, adjacency of land uses, and hours of operation. Specifically, the CUP process would examine and address proximity to single-family (RS) and multi-family (RM) residential properties. For example, a 15 foot side and rear setback is required of all commercial buildings which abut RS and RM properties. Parcels fronting the easterly side of Fair Oaks have the added protection of an alley, located to the rear of those properties located in Planning Districts 2 and 3. The retail sales use is recommended to be allowed as a permitted use in Planning District 2, as allowed in any other commercial district throughout the City.

Community Meeting

On September 22, 2005, a Community meeting was held to receive input on the proposed amendments, approximately 30 people attended the meeting. Those in attendance were in favor of allowing the Retail Sales in Planning District 2. The use is seen as a valued service to nearby residents. There was expressed interest in continuing to accommodate light industrial uses in Planning District 2, with the added assistance of tax credits and a marketing strategy to heighten awareness of the area. The use is also viewed by the community as generating employment opportunities. There was majority support and some opposition expressed

regarding Vehicle Services – Automobile Rental. The use was also supported as a valued service to the community provided the facilities are properly designed and reviewed through the Conditional Use Permit process to reduce any potential impacts on adjacent residential uses. There was also concern regarding the potential for automobile repair services and storage of vehicles in connection with this use. Staff clarified that although no repair services would be allowed, the Zoning Code does allow incidental maintenance (such as oil changes, etc.). Some meeting participants expressed concern in allowing the automobile rental use because it is viewed as “opening the door” to other types of vehicle related uses.

REQUIRED FINDINGS

Specific Plan and Zoning Code Amendment Findings (Sections 17.68.070 and 17.74.070B)

1. *The proposed amendment is in conformance with the goals, policies, and objectives of the General Plan.*

The proposed amendments to allow the Vehicle Services – Automobile Rental use and the Retail Sales use within designated Specific Plan districts are consistent with a number of General Plan Objectives and Policies as stated:

Objective 10 – DIVERSE ECONOMY: Pasadena shall promote a diverse economic base that serves local residents by providing jobs, by providing city revenues, by enhancing our dynamic social and cultural life, and by meeting the needs of international competition.

Policy 10.3 – Business Expansion and Growth: Support the continuation or expansion of existing businesses in harmony with their surroundings and provide new spaces for growth and changing business requirements.

Policy 10.6 – New Business: Recruit new businesses to provide retail and other services, and employment and other opportunities for Pasadena residents and visitors.

Objective 11 – Job Opportunities: Encourage the retention and creation of job opportunities for Pasadena residents, particularly the underemployed and unemployed and jobs that can support families.

Objective 12 – FISCAL HEALTH: Encourage a business climate that contributes to the City's fiscal well-being.

Policy 12.1 – Retail: Encourage retail and sales tax producing businesses to remain or expand in, or come to, Pasadena and promote healthy areas.

The approval of the amendments would allow the Retail Sales use in Planning District 2 of the Specific Plan area, in addition to the use being allowed in Planning District 1 and 3; and the Vehicle Services –Automobile Rental use within Planning Districts 2 and 3. In both cases, the uses would serve local residents by providing needed services and job opportunities for surrounding residents. Ultimately, both uses would be served by business growth opportunities. The addition of the retail use in Planning District 2, will contribute to the City's fiscal well-being.

2. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

The Zoning Code amendment will ensure that all development associated with the Vehicle Services –Automobile Rental use and Retail Sales use will be consistent with the Specific Plan vision, goals, and policies. The Vehicle Services –Automobile Rental use will have the added protection of the Conditional Use Permit, and there will be an opportunity to add conditions to protect the surrounding properties.

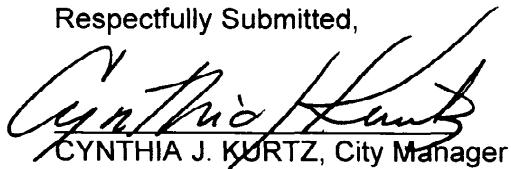
ENVIRONMENTAL REVIEW - INITIAL STUDY AND DRAFT NEGATIVE DECLARATION

Staff prepared an Initial Environmental Study (IS) pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines. See Attachment 1. The draft IS evaluates potential environmental effects that may result from implementation of the proposed amendments. Based on this analysis, staff proposes adoption of a Negative Declaration (Attachment 1), because it has been determined that the amendments could not have a significant effect on the environment.

FISCAL IMPACT

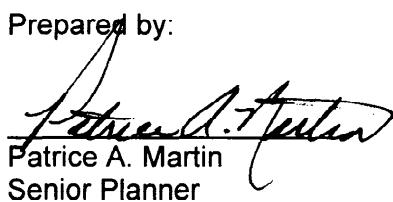
There will not be an immediate fiscal impact as a result of this Specific Plan amendment. Potential revenues are anticipated from retail and sales tax producing businesses over time. At this time, there is no estimated future building permit revenue for commercial projects due to the Enterprise Zone fee waivers.

Respectfully Submitted,



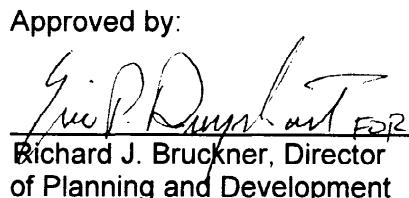
CYNTHIA J. KURTZ, City Manager

Prepared by:



Patrice A. Martin
Senior Planner

Approved by:



Richard J. Bruckner, Director
of Planning and Development

Attachments:

- 1) Initial Environmental Study and Negative Declaration
- 2) Notice of Determination and Fee Exemption
- 3) Map of the Specific Plan area