

Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: JUNE 19, 2006

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE AMENDING THE DEVELOPMENT STANDARDS OF THE PLANNED DEVELOPMENT-11 (PD-11, FOOTHILL BOULEVARD, CRAIG AVENUE, AND WHITE STREET) ZONING DISTRICT

TITLE OF PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO CHANGE THE DEVELOPMENT STANDARDS OF THE PLANNED DEVELOPMENT-11 (PD-11, FOOTHILL BOULEVARD, CRAIG AVENUE, AND WHITE STREET) ZONING DISTRICT

PURPOSE OF ORDINANCE

This ordinance implements and codifies the code amendment approved by the City Council on April 24, 2006. Planned Development-11 was originally approved in 1986. The proposed ordinance will allow construction of a new building on the eastern portion of the site where there is an existing surface lot. The expansion involves the construction of a 46,200 square-foot, 30-feet high building.

REASON WHY LEGISLATION IS NEEDED

This legislation is needed to amend the Zoning Code in order to allow for the construction of a new building to the eastern portion of the PD-11 zoning district.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED

The Planning and Development Department will implement the proposed ordinance.

FISCAL IMPACT

There will not be an immediate fiscal impact as a result of this amendment to the Zoning Code. Permitting fees will be collected from any future development proposed on the site.

MEETING OF 06/19/2006

AGENDA ITEM NO. 9.A.5.

ENVIRONMENTAL

A Mitigated Negative Declaration was prepared and approved for the project in conformance with the requirements of the California Environmental Quality Act (CEQA).

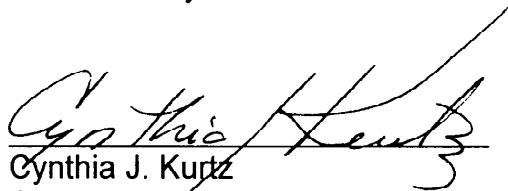
Respectfully submitted,


Michele Beal Bagneris
City Attorney

Prepared by:


Theresa Fuentes
Deputy City Attorney

Concurred by:


Cynthia J. Kurtz
City Manager

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) TO CHANGE THE DEVELOPMENT STANDARDS OF THE PLANNED DEVELOPMENT-11 (PD-11, FOOTHILL BOULEVARD, CRAIG AVENUE, AND WHITE STREET) ZONING DISTRICT.

The People of the City of Pasadena ordain as follows:

SECTION 1. This ordinance due to its length and corresponding cost of publication will be published by title and summary as permitted by Section 508 of the Charter. The approved summary of this ordinance is as follows:

“SUMMARY

Ordinance No. _____ amends the Planned Development-11 zoning district (PD-11, Foothill Boulevard, Craig Avenue, and White Street) to allow for the construction of a new building on the eastern portion of the site where there is an existing surface parking lot. The expansion involves the construction of a 46,200 square-foot, three-story, 30-foot high building. Seventeen on grade parking spaces will be provided as part of this expansion.

Ordinance No. _____ shall take effect 30 days from its publication.”

SECTION 2. PD-11 Foothill Boulevard, Craig Avenue, and White Street development standards contained in Appendix A of Title 17 are amended to read as follows:

“The following development standards apply to the property known as 2159-2233 East Foothill Boulevard:

A. ~~Pursuant to Section 17.44.030, the following development standards shall apply to the area reclassified in Section 1 of Ord. 6138:~~ Self-storage and Office-Administrative, Business, and Professional are the only permitted uses in this PD. The office use is limited to only the

southern two-story portion of Building C-2 and the self-storage use is limited to the northern single-story portion of Building C-2 and all other existing and proposed buildings.

B. ~~All construction shall be in conformance with the site plan attached to Ord. 6138 as Exhibit 2 and incorporated herein by this reference.~~ Outdoor storage containers shall be limited to the north side of the White Street parking lot as permitted under the 1986 PD plan. Storage containers shall be permitted on the eastern portion of the site (Foothill Boulevard parking lot), only until development of Building D occurs on this site. No additional storage containers shall be permitted on the PD site.

C. No storage of Recreational Vehicle (RV) shall be permitted on the White Street parking lot. Until new development occurs on the eastern portion of the PD site, parking for RVs is limited to the Foothill Boulevard parking lot with proper screening.

D. There shall be a landscaped berm 10 feet wide deep along the length of the White Street frontage.

E. There shall be a 15-foot landscaped setback between the parking lot on White Street and the residential ~~uses~~ district to the east of the ~~project site~~ Planned Development boundary.

F. ~~There shall be no setback between the proposed building shown on Exhibit 2 of Ord. 6138 and the adjacent residential uses to the east. Any building on the site shall be set back 74 feet from the north property line.~~ The setback (a minimum of 4 feet) for the east side of the existing storage Building C-1, adjacent to the residential district, shall be maintained as shown in Exhibit 1. This building shall also maintain a minimum setback of 74 feet from the property line along the White Street frontage, as approved under the 1986 PD plan.

G. No building located within 166 feet of the ~~north~~ northerly PD boundary along White Street shall exceed 23 feet in height.

H. The maximum height of Building D on the eastern portion of the site shall not exceed 30-feet, except for appurtenances as provided under Section 17.40.060 D of the Zoning Code.

I. The maximum height of Building A on the southwestern portion of the site shall not exceed 45-feet, except for appurtenances as provided under Section 17.40.060 D of the Zoning Code.

J. The setbacks for Building D on the eastern portion of the site shall be in conformance with the attached site plan as shown on Exhibit 1, entitled "Site Plan".

1. North side: Minimum 15 feet for the 1st and 2nd story and 25 feet for the 3rd story.
2. South side: Minimum 5 feet.
3. East side: No setback is required.
4. West side: No setback is required.

K. The setbacks along Foothill Boulevard and Craig Avenue for Building A on the southwestern corner of the site shall be in conformance with the attached site plan as shown in Exhibit 1, entitled "Site Plan".

1. North side: No setback is required.
2. South side: A range of 5-10 feet.
3. West side (corner yard): 5-6 feet.

L. The 5-foot setback along Foothill Boulevard frontage for Building D shall be landscaped. The 15-foot setback on the north side of Building D shall also be landscaped, as shown on Exhibit 1. A landscaped and irrigation plan shall be prepared and submitted for review and approval by the Zoning Administrator and Planning Director or Design Commission.

M. The proposed building, Building D, on the eastern portion of the site shall not exceed a maximum of 46,300-square feet of gross floor area. The building at the southwestern corner,

Building A, shall not exceed a maximum of 69,600 square feet, including the preservation of approximately 5,000 square feet of the existing historically significant Building C-2. The existing warehousing building, Building C-1, shall not exceed 128,230-square feet. Full development on the entire PD site shall not exceed 261,000-square feet of total floor area.

N. The hours of operation for the self-storage use shall be limited to hours between 7:00 a.m. to 7:00 p.m. seven days a week, except for the self-storage facility identified as Building A as shown in Exhibit 1, which may operate between the hours of 7:00 a.m. to 10:00 p.m. seven days a week. The hours of operation for Building D shall be limited to hours between 7:00 a.m. to 7:00 p.m. seven days a week.

O. All other regulations of the CG (General Commercial) district ~~which~~ that are not inconsistent with this ~~Ord. 6138~~ Planned Development shall apply.

P. A sign plan for all new development shall be submitted to and approved by the Zoning Administrator prior to any occupancy of the buildings.

Q. There shall be no vehicular access on White Street.

R. Parking shall conform to the requirements of Chapter 17.46 of the Pasadena Municipal Code and to the requirements of the Department of Public Works and the Department of Transportation, except as specified herein. Prior to the construction of Building D, a minimum of 45 parking spaces shall be provided for the entire PD plan. Upon completion of Building D, a minimum of 52 parking spaces shall be provided for the entire PD plan. All parking spaces shall be double-striped and provided with wheel stops. One tree shall be provided for every six (6) parking spaces.

S. The applicant shall meet all the requirements of Section 17.46.320 (Bicycle Parking Standards) of the Zoning Code. Final location of the bicycle parking and type of bicycle racks shall be reviewed by the Public Works and Transportations Departments.

T. The parking, trash enclosure, and loading areas shall conform to the requirements of the Zoning Ordinance and a plan showing all pertinent dimensions for these areas shall be submitted to the Department of Public Works and the Department of Transportation for review and approval prior to the issuance of a building permit.

U. No mechanical equipment, with the exception of solar collectors, shall be permitted on any roof unless property screened, or in an enclosure designed to be architecturally compatible with the building. All screening must be reviewed and approved by the Zoning Administrator. All mechanical equipment shall be screened in accordance with Chapter 17.40.150 (Screening) of the Zoning Code.

V. A detailed site plan/floor plan for review and approval by the Zoning Administrator shall be submitted prior to the issuance of a building permit. The site plan submitted for building permits shall substantially conform to the site plan as shown in Exhibit 1.

W. Concept and final design review shall be required for Building D as per Table 6-3 of the Pasadena Municipal Code Chapter 17.61.

X. The Public Art Ordinance requires that at least one percent (1%) of the building permit valuation of commercial, industrial and mixed use projects over 25,000 square feet of gross floor area shall be allocated by the developer to incorporate in their design a public art component.

Y. For any project with an on-site public art budget of \$25,000 or more, an experienced public art consultant is required and should be contracted as soon as possible to work as an integral part of the overall design team from the inception of the project.

Z. No project will receive Preliminary/Concept Design review without first applying to the Arts Commission for Preliminary/Concept Art review.

AA. The actual Arts Commission review must take place within 45 days of the Concept Design review.

BB. Application for Final Design review is only possible with an approved Preliminary Art Concept.

CC. Final Art Plan Review must occur within 45 day of the Final Design review.

DD. A deposit of twenty percent (20%) of the total one percent obligation as the Public Art Deposit will be required at plan check.

EE. The applicant is responsible to allocate the remaining eighty percent (80%) toward an on-site public art project.

FF. Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging Plan to the Department of Public Works and the Department of Transportation for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including street occupations, lane closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site.

GG. The applicant shall place a \$10,000 deposit with the Department of Public Works prior the issuance of a building or grading permit. This deposit is subject to refund or additional billing, and is a guarantee that the developer will keep the site clean and safe, and will make permanent repairs to the abutting street improvements that are damaged, including striping slurry seal/resurfacing, curb, gutter, and sidewalk, either directly or indirectly, by the construction of this site.

HH. The proposed development shall connect to the public sewer by a method approved by the Department of Public Works. All sewer connection shall be 6-inch diameter vitrified clay pipe with a minimum slope of 2 percent.

II. The applicant shall submit to the Department of Public Works a grading and drainage plan for review and approval indicating the quantity of storm water runoff and how it will be handled prior to the issuance of a building permit. If drainage patterns are altered, the applicant shall provide an approved method of controlling storm water runoff. Approval shall be made by the Planning and Development Department and the Department of Public Works prior to issuance of a grading or building permit for this site.

JJ. The development is subject to the requirements of the City's Storm Water and Urban Runoff Control Regulation Ordinance, which the requirements of the Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP). Prior to the issuance of any demolition, grading, or construction permits for this project, the developer shall submit a detailed plan indicating the method of SUSMP compliance.

KK. If the existing street lighting system along the project frontage is in conflict with the proposed driveway locations, it is the responsibility of the applicant to relocate the affected street lights, including conduits, conductors, electrical services, pull boxes and miscellaneous appurtenant work in a manner that complies with the requirements and receives the approval of the Department of Public Works.

LL. Excavations in the street of utility connections shall be close as possible to each other and the pavement shall be restored contiguously between extreme excavations.

MM. The applicant shall close all unused drive approaches with standard concrete curb, gutter and sidewalk and shall repair any existing or newly damaged curb, gutter and sidewalk,

without cutting the asphalt pavement. Sawcutting shall be done along the flowline. Existing street trees shall be protected using the City's Tree Protection Standards available from the Parks and Natural Resources Division (744-4514), along the subject frontage(s) prior to the issuance of a Certificate of Occupancy.

NN. If the proposed improvement drains to the driveway, the applicant shall construct a non-sump grate drain in the driveway at the back of the sidewalk. The drain shall discharge to the street in a curb outlet approved by the Department of Public Works.

OO. The project shall comply with the Tree Protection Ordinance (TPO) that provides protection for specific types of trees on private property as well as all trees on public property.

PP. If pruning of street trees will be required to facilitate construction of the development, pruning of street trees shall be done by the City's Parks and Natural Resources Division crew. The applicant shall be responsible for the cost of pruning the street trees to the Department of Public Works a \$1,500 deposit, subject to refund or additional billing, for the City crew to prune the street trees if pruning is required.

QQ. If street tree vacancies exist, the applicant shall plant and maintain, for a period of three years, the officially designated street tree per the City approved master street tree plan on the subject frontage and install an irrigation system for those trees. Locations will be finalized in the field by Department of Public Works staff. Trees must meet the City's tree stock standards and be planted according to the details provided by the Parks and Natural Resources Division. The trees shall be approved by the Forestry Supervisor prior to the issuance of a Certificate of Occupancy. Plans for irrigation system shall be prepared by a landscape architect registered in the State of California and submitted to the Department for review and approval.

RR. Plans must be submitted to the Parks and Natural Resources Division for approval showing any structures, irrigation, footings, grading or plantings that impact City street trees. The plans must conform to the Tree Protection Standards which specifically require showing the locations of all existing trees, their diameters and actual canopies as well as any trees to be planted with their canopy at mature size.

SS. The applicant shall comply with the current NPDES (National Pollutant Discharge Elimination System) Permit requirements for Development Planning and Development Construction through the Planning and Development Department of the City.

TT. Unless otherwise arranged, the applicant is responsible for design, preparation of plans and specifications, and construction of all required public improvements. Plans for the above improvements shall be prepared by an engineer registered in the State of California. Upon submission of improvements plans to the Department of Public Works, the applicant will be required to place a deposit with the Department to cover the cost of plan checking and construction inspection of the improvements.

UU. A sewer flow analysis, prepared by a civil engineer registered in the State of California, shall be submitted to the Department of Public Works for review and approval. The sewer flow analysis shall include sewer flow monitoring at specific locations to be determined by the Department. The sewer flow analysis shall include calculations for the quantities of sewer flow for the pre-development and post-development conditions and how sewer flow will be handled. The applicant will be required to mitigate any potential sewer capacity deficiency by a method approved by the Department. The applicant shall also be responsible for all costs required in mitigating the potential sewer capacity deficiency, including upgrading existing

sewer mains and/or replacing the existing sewer mains with larger mains in the streets fronting the development and reaches further downstream of the proposed development.

VV. The applicant shall submit the following plan and form which are obtainable from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works for approval:

1. C & D Recycling & Waste Assessment Plan – Submit plan prior to issuance of the grading permit. A list of Construction and Demolition Recyclers can be obtained from the Recycling Coordinator.

2. Monthly reports must be submitted throughout the duration of the project.

3. Summary Reports with documentation must be submitted prior to final inspection.

WW. The applicant shall advertise the availability of salvage materials. A listing can be made at no charge in the CALMAX Quarterly Catalog at www.ciwmb.ca.gov/CALMAX or through LACOMAX at www.dpw.co.la.ca.us/epd/lacomax or through preservation groups or web or newspaper advertising.

XX. The project shall be subject to the use of deconstruction techniques. A deconstruction manual is available free of charge by downloading it from www.ciwmb.ca.gov/publications or by requesting a copy from the Recycling Coordinator, (626) 744-4721, of the Department of Public Works.

YY. The project will be subject to the development impact fee for new construction. This fee will be used to fund street and traffic improvements in this general area. This fund was created to address incremental traffic impacts by new developments citywide.

ZZ. The project is not subject to the City's Transportation Demand Management (TDM)/Trip Reduction Ordinance (TRP) requirements.

AAA. Restrict all noise intensive construction activity to daytime working hours in accordance with the city noise ordinance.

BBB. Any modifications to the approved plans shall be submitted for review and approval to the Director of Planning and Development, for compliance with all applicable guidelines.

~~CCC. Any residential units which the cultural heritage commission determines to be good candidates for relocation shall be made available for relocation free of charge for a period of six months from the effective date of the commission's determination. Such determination will be made using the criteria of Pasadena Municipal Code Section 2.46.010. Any person accepting the offer to relocate a residential unit shall assume responsibility for the cost of relocating such units.~~
The applicant, or successor in interest, shall comply with Mitigation Measures identified in the approved Mitigated Negative Declaration for CUP #4085, and Conditions of Approval identified by all applicable City Departments for the project. Mitigation measures for CUP #4085 include the following: 1) Preservation of the existing office portion of the building and its landscaped courtyard in front of the building at 2189 E. Foothill Boulevard. The treatment of the office building shall follow the Secretary of the Interior's Standards for rehabilitation; and 2) If the factory portion at the rear of the building at 2189 E. Foothill Boulevard is demolished, any new structure in that location shall be designed to be compatible with the historic resource. The applicant shall participate in an on-going Mitigation Monitoring Program to ensure the appropriate implementation of the mitigation measures and conditions of approval for the project.

DDD. The proposed project is subject to the City's Condition/Mitigation Monitoring Program and is also subject to **Final** Zoning inspection. Mitigation Monitoring is required for

your project. Under the Monitoring Program, your project will be inspected by Code Compliance staff to determine compliance with the conditions of approval. The Condition/Mitigation Monitoring inspection will occur during the term of the project. The Final Zoning Inspection will occur at the completion of the project. Required monitoring fees for inspections shall be paid on or after the effective date of the Mitigation Monitoring permit, but prior to the issuance of any building permits. Contact the Code Compliance Staff at (626) 744-4633 to verify the fee. All fees are to be paid to the cashier at the Permit Center located at 175 N. Garfield Avenue. Failure to pay the required monitoring fees prior to initiating your approved land use entitlement may result in revocation proceedings of this entitlement.

EEE. The design of the wall at the north property line abutting the residential use shall be designed to provide for the continuance of natural flow of water runoff to the PD site as agreed by the property owner and the applicant. Such design shall be reviewed and approved by the Planning and Development Department prior to issuance of building permits.

FFF. The applicant, or successor in interest, shall comply with any conditions adopted as part of any required approval as well as the code requirements from other City Departments, including the Fire Department.

GGG. No construction shall be permitted that results in the injury or removal of a landmark, native, or specimen tree as defined under Chapter 8.52 unless findings are made pursuant to Chapter 8.52 of the Pasadena Municipal Code.

HHH. The creation of a flag-lot subdivision shall not be permitted.

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in summary.

SECTION 4. This ordinance shall take effect thirty days from its publication.

Signed and approved this _____ day of _____, 2006.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of
the City of Pasadena at its _____ meeting held _____, 2006 by the following vote:

AYES:

NOES:

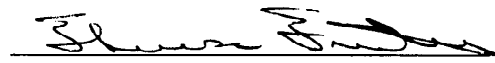
ABSENT:

ABSTAIN:

Published:

Jane L. Rodriguez, CMC
City Clerk

APPROVED AS TO FORM:


Theresa Fuentes
Deputy City Attorney