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October 5, 2009

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Client-Matter: 42292-030

VIA ELECTRONIC MAIL (MJOMSKY@CITYOFPASADENA.NET)

The Honorable Members of the Pasadena City Council
City Hall
100 N. Garfield Ave.
Pasadena, CA 91109

Re: Item 7B - Conditional Use Permit #4910

Honorable Councilmembers:

Manatt, Phelps & Phillips, LLP represents Agape Life Change (“Agape”) on a *pro bono* basis in connection with Conditional Use Permit #4910 (the “CUP”) at 681 E. Washington Boulevard and 1370 N. El. Molino Avenue (the “Site.”) Tonight, the City Council will consider whether to approve a Call for Review, which would have the effect of vacating the Hearing Officer’s September 16, 2009 approval of the CUP. Agape respectfully requests that the Council *deny* the Call for Review and *affirm* the Hearing Officer’s determination.

This letter will speak solely to the issue of land use compatibility, which has been the subject of comments by several project opponents. As the Council knows, both parcels comprising the Site are zoned RM-32. These parcels were purchased by Agape in January 2007, eight months before the City amended its zoning code to change the Site’s zoning from CL-SP-1A (a commercial zoning district) to RM-32 (a high-density residential designation.) Given these two zoning designations, it is clear that the notion of intense uses on the Site is nothing new. As recently as January 2008, the City affirmed that the Washington Avenue corridor was suitable for higher intensity development.

Comments suggesting that the project is somehow incompatible with the neighborhood are therefore misplaced. In fact, the project—which would consist of a 2,631 square foot church building and a 870 square foot office building—actually follows the tradition of commercial and multi-family development and zoning on the Washington Avenue corridor. The Site is not currently, and has not recently been, intended for single family residential development. Additionally, future uses on the Site that are consistent with the applicable RM-32 zoning are sure to involve a substantial increase in square footage and all of its associated environmental impacts (e.g., traffic, noise.)

Agape agrees with the Hearing Officer’s determination that the project would be compatible with the surrounding neighborhood. In order to make that determination, the Hearing Officer proposed, and Agape accepted, the following new conditions of approval:

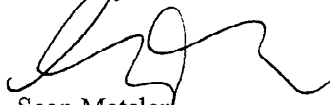
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27. The Child Day Care Center shall not exceed enrollment of 29 children. Any proposed increase in enrollment in the future would require the submittal of [a] Modification application to the subject Conditional Use Permit.
28. To ensure that the parking spaces can adequately be shared between the Religious Facility and the Child Day Care Center, the hours of operation for the Child Day Care Center shall be limited to Monday through Friday, 7:00 a.m. to 7:00 p.m. This does not preclude the care of children of the church congregation during church services on Sundays.
29. No residential uses (except as allowed for Religious Facilities in the Zoning Code) shall be permitted on the site.
30. There shall be no pedestrian ingress to the site from North El Molino Avenue.
31. There shall be no pedestrian egress from the site to North El Molino Avenue, except in case of emergency.
32. The vehicular gate across the driveway gate along El Molino shall be closed when property is not in use.

With these conditions, the Hearing Officer was able to determine that “[t]he re-establishment of a neighborhood church will be compatible with the residential uses in the neighborhood. There will be no substantial impacts on views, light, or air in the vicinity. The proposed church will add parking lot landscaping and trees and improve the overall appearance of the site.” (Page 3.) The Hearing Officer also found that the project “... complements residential development and the physical improvement of a site that has been in a state of disrepair for several years. This site improvement will protect and enhance the character and integrity of the North Lake Specific Plan.” (Page 3.)

Agape looks forward to addressing the Council’s concerns tonight.

Sincerely,



Sean Matsler

cc: Malathi Benjamin, PLC
Henry P. Sideropoulos, MD, Mdiv
David Sinclair, LEED AP

-----Original Message-----

From: Claire Okeke [mailto:claritarejoice@yahoo.com]

Sent: Fri 10/2/2009 7:45 PM

To: De La Cuba, Vannia

Subject: Agape Christian Church CUP #4910

Dear Mr. Gordo,

I am not a member of Agape Church, I am simply a concerned citizen. Please accept the conditional use permit for this church. They help the homeless here in Pasadena, and they are a wonderful neighbor. They help and only shed good light on our city. Liberals and conservatives alike should appreciate Agape Church because they do good without relying on public funds. They purchased their property when it was zoned appropriately for light commercial use, and then the zoning was changed, in direct opposition to the church. This is simply mean-spirited and plain wrong. How could anyone complain about living near a church? It's better than living next to drug dealers, or even next to a store. Please stand on the right side and permit Agape Church to meet on their property at 679-681 E. Washington Blvd and 1370 N. El Molino Ave., Pasadena, 91104.

Thank you, Mrs. Claire Okeke

10/05/2009
7.B.1.