

# Agenda Report

January 23, 2023

**TO:** Honorable Mayor and City Council

**FROM:** Planning and Community Development Department

**SUBJECT: AMENDMENTS TO THE FULLER THEOLOGICAL SEMINARY MASTER PLAN AND DEVELOPMENT AGREEMENT TO REMOVE A PARCEL NO LONGER OWNED BY FULLER  
270-282 NORTH LOS ROBLES AVENUE**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Sections 15305 (Class 5: Minor Alterations in Land Use Limitations) and 15332 (Class 32: In-fill Development Projects) (Attachment E);
2. Adopt the Findings (Attachment A) and Conditions of Approval (Attachment B) and approve the proposed amendments to the Fuller Theological Seminary Master Plan and Development Agreement;
3. Adopt a resolution approving the amendment to the Fuller Theological Seminary Master Plan; and
4. Conduct first reading of an ordinance amending the Development Agreement.

## **PLANNING COMMISSION RECOMMENDATION:**

On June 8, 2022, the Planning Commission voted to recommend approval of the amendments to the Fuller Theological Seminary Master Plan, and related Development Agreement, to the City Council.

## **PROJECT DESCRIPTION:**

The applicant, CDB Investments LP, has submitted applications to amend the Fuller Theological Seminary Master Plan and Development Agreement, both of which were adopted by the City Council in 2006. The purpose of both amendments is to exclude the property at 282 N. Los Robles Avenue (which is no longer owned by Fuller) from both

the Master Plan and Development Agreement to facilitate the construction of a multi-family residential development with 105 dwelling units. The proposed Master Plan Amendment would unencumber 282 N. Los Robles Avenue from the Fuller Master Plan, thereby allowing the site to be developed as allowed by the base zoning district and without the requirement that the housing be exclusively for Fuller use. No other changes to the Master Plan or Development Agreement are proposed.

Currently, 282 N. Los Robles Avenue is developed with a surface parking lot and 270 N. Los Robles Avenue is vacant. They are both considered the project site for the proposed new project. The applicant has submitted a separate Design Review application for the proposed project. The project meets all development standards of the Zoning Code and requires Design Review which will be conducted by the Design Commission separately from this action. The proposed residential project would be subject to all applicable requirements of the Zoning Code. 270 N. Los Robles Avenue is within the boundary Master Plan boundary; however, this property was never owned by Fuller, and therefore it is not subject to the Development Agreement or the Master Plan. The Master Plan boundary remains in place and is not affected by this application. If Fuller purchases a parcel within the boundary, it would be subject to the Development Agreement and Master Plan.

*Exhibit 1: Location Map*



### Master Plan Amendments

The purposes of a Master Plan, as established in Pasadena Municipal Code (PMC) Section 17.61.050 (Conditional Use Permits and Master Plans), are to reduce processing time and uncertainty by consolidating several Conditional Use Permit hearings over an extended period of time; and to ensure orderly and thorough City review of expansion plans for certain public, semi-public, and open space uses, resulting in more compatible and desirable development. The City Council is the decision-making body for the Master Plan, with the Planning Commissions acting in an advisory role to make a recommendation to the City Council.

Similarly, when an amendment to an approved Master Plan is proposed, the Planning Commission also makes a recommendation to the City Council. However, the City's review of a proposed amendment is limited to the amendment itself; no other elements of the Master Plan can be considered.

### Development Agreement Amendment

The City Council is the review authority for Development Agreements, and the Planning Commission provides an advisory recommendation. The same procedure applies to a proposed amendment of a Development Agreement. One of the findings necessary to approve a Development Agreement as well as an amendment to one, is that the amendment would be in the best interests of the City.

At the time the Development Agreement was executed, Fuller intended to implement a 20-year planning framework for expansion of their campus to accommodate the projected growth of up to 2,014 students. The Development Agreement was approved to allow Fuller to vest their development rights against any changes that may arise out of future General Plan and Zoning Code updates. The Development Agreement also provided public benefits to the City, and at the time it was considered, it was approved in the best interest of the City.

Since 2006, when the Master Plan and Development Agreement were approved, the City and Fuller have both received benefits from the Development Agreement. The most significant benefits that the City realized were the designation of Ford Place as a landmark district and the preservation of three historic structures on-site, as well as the relocation of three other historic structures that were sold off to limited income households. In addition, the Hubbard library was expanded, traffic signals were installed at the Union/Oakland and Walnut/Oakland intersections, and an open space mid-block pedestrian campus gateway with a plaza was implemented in front of the Hubbard library.

Since the 2006 approval, the vision that Fuller Theological Seminary had for their campus has changed significantly, in part due to the launch of their online programs. As such, there is no longer a desire by Fuller to expand their campus, and therefore, in July 2013, Fuller sold 3.8 acres of land including the surface parking lot at 282 N. Los

Robles Avenue, that was originally envisioned for redevelopment in the 2006 Master Plan. Specifically, 282 N. Los Robles Avenue was envisioned in the Master Plan to be developed in conjunction with the two properties to the immediate east with two buildings for student housing.

The Development Agreement required all net new dwelling units constructed pursuant to the Master Plan to be affordable units reserved for Fuller's use (e.g. students, faculty). However, because Fuller no longer owns the 282 N. Los Robles Avenue property, it does not have the right to construct anything on the site. Unencumbering the site from the Development Agreement will facilitate the property owner's ability to construct a project subject to the Zoning Code regulations and will result in additional housing for the City.

### **ENVIRONMENTAL REVIEW:**

As described earlier in this report, the project for purposes of environmental review consists of two actions:

- 1) A request to remove the parcel at 282 N. Los Robles from the Master Plan boundary and Development Agreement which is (under of the purview of the City Council); and
- 2) Subsequent and subject to Design Commission review and approval, a multi-family development project that is proposed to be constructed at 270-282 N. Los Robles Avenue. The removal of the parcel at 282 N. Los Robles from the Master Plan Development Agreement is needed to facilitate the development project.

As this is the first action on the project, a CEQA analysis was conducted for the project as a whole which includes the request to remove the parcel at 282 N. Los Robles from the Master Plan and Development Agreement as well as the development project that requires subsequent review and approvals.

The project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (CEQA) Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Sections 15305 (Minor Alterations in Land Use Limitations) and 15332 (In-Fill Development Projects), and there are no features that distinguish this project from others in these exempt classes; therefore, there are no unusual circumstances. Section 15305 specifically exempts from environmental review projects where there are minor alterations in land use limitations which do not result in any changes in land use or density; such as the proposed amendments. The amendments would unencumber the 282 N. Los Robles Avenue property from both documents. The applicant has designed the residential in-fill project to comply with the Zoning Code development standards applicable to such projects and no variances are required.

In addition, a Class 32 Categorical Exemption Evaluation Report (Attachment E) was prepared by GPA Consulting to analyze the residential in-fill project. Based on this analysis, it was determined that the in-fill project qualifies for this exemption, as Section 15332 specifically exempts from environmental review in-fill development where: 1) the project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; 2) the proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; 3) the project site has no value as habitat for endangered, rare or threatened species; 4) approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and 5) the site can be adequately served by all required utilities and public services.


**CONCLUSION:**

It is staff's conclusion that the findings necessary to amend both the Fuller Theological Seminary Master Plan and Development Agreement can be made. The purpose of the amendments is to remove 282 N. Los Robles Avenue from the regulations of both documents and allow its development as allowed by the Zoning Code and General Plan for the site, without limiting its use for Fuller use exclusively as the site is no longer owned by Fuller.


**FISCAL IMPACT:**

Consistent with the adopted Fee Schedule, fees will be charged for review of applications and for processing, permitting, inspections, and monitoring. The project will be subject to the City's fees for private development projects.


Respectfully submitted,

  
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Attachments (5):

- Attachment A – Specific Findings
- Attachment B – Conditions of Approval
- Attachment C – Fuller Theological Seminary Master Plan (2006)
- Attachment D – Development Agreement No. 19378 (2006)
- Attachment E – Class 32 Categorical Exemption Evaluation Report