

# Agenda Report

**TO:** CITY COUNCIL                      **DATE:** JULY 12, 1999  
**FROM:** CITY MANAGER  
**SUBJECT:** OSWEGO STREET ZONE CHANGE AND GENERAL PLAN  
                  AMENDMENT STUDY

**STAFF RECOMMENDATION:**

It is recommended that the City Council:

1. Approve the Initial Environmental Study and Negative Declaration prepared for this project (Attachment 3)
2. Approve the De Minimis Impact on the State Fish and Wildlife Habitat (Attachment 4);
3. Approve the General Plan Amendment from Medium Density Residential (0-16 dwelling units/net acre) to Medium-High Density Residential (0-32 dwelling units/net acres (Attachment 1) for the parcels which are along Oswego Street and on the west side of Altadena Drive in the study area and direct the City Attorney to prepare a resolution approving the General Plan Amendment;
4. Approve the zone change from RM 16 (Multi-family Residential, 0-16 units per acre) to RM 32 (Multi-family residential, 0-32 dwelling units/net acre) (Attachment 2) ) for the parcels which are along Oswego Street and on the west side of Altadena Drive in the study area and direct the City Attorney to prepare an ordinance to establish the new zone; and,
5. Direct the City Clerk to file a Notice of Determination and a Certificate of Fee Exemption for the California Department of Fish and Game, with the Los Angeles County Recorder (Attachment 5).

### **PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission voted 5-3 to deny staff's recommendations listed above. The basis of the Commission's denial is contained within a letter to the City Council dated June 3, 1999 in Attachment 6 – Planning Commission Recommendation to the City Council. The Commission's objections were based on concerns about density and that the proposal was a "project driven" General Plan Amendment.

### **CULTURAL HERITAGE COMMISSION:**

The Cultural Heritage Commission at its November 2, 1998 reviewed the proposal. The property contains houses constructed in 1908, 1915 and 1953. Two of the homes are, therefore, over 50 years of age and would require Certificate of Appropriateness if any demolitions were required. If the proposal is approved the applicant will be required to apply for and receive approval of any demolition requests. The Cultural Heritage Commission voted 6-0 for the following findings concerning the proposal:

1. Find that the portion of Oswego Street affected by the proposed General Plan Amendment and Zone Change does not qualify for designation as a landmark district under §17.52.040;
2. Find that the Craftsman-era bungalows at 2460 (c. 1908) and 2480 Oswego St. (c. 1915) and the ranch-style house at 2470 Oswego St. (1953) do not qualify for designation as landmarks or for rating as structures of merit;
3. Find that the proposed General Plan Amendment from Medium Density Residential (0-16 dwelling units/net acre) to Medium-High Density Residential (0-32 dwelling units/net acre) and zone change from RM-16 (Multi-family Residential, 0-16 dwelling units/net acre) to RM-32 (Multi-family Residential, 0-32 dwelling units/net acre) will not have an adverse effect on historic resources; and
4. Forward these comments to the Planning Commission and City Council.

### **DESIGN COMMISSION:**

The Design Commission reviewed the proposal and voted 4-0 on October 26, 1998 for the following findings:

1. Find that the new construction on the campus of the senior citizen building is – in concept – appropriate in siting and scale;
2. Concur with the conclusion in the initial environmental study that design review and application of the City's design guidelines to this project will reduce any adverse effects on aesthetics to a level of insignificance.

3. Forward these recommendations to the Planning Commission and the City Council for their consideration on the proposal.

### **EXECUTIVE SUMMARY:**

The purpose of this General Plan Amendment and zone change is to change the designations to permit residential densities of up to 32 units per acre to replace the existing densities permitted of up to 16 units per acre. Therefore, if approved, permitted densities for the subject properties would be doubled. The report contains an analysis which evaluates the zoning and General Plan issues associated with the proposal with a recommendation for option number 2 as shown in the Analysis section.

The study area is currently zoned RM 16 with a corresponding General Plan designation permitting up to 16 units per acre. The proposal is to change the zoning to RM 32 and General Plan designations to permit up to 32 per acre. The request for these changes originated from a property owner requesting a change for properties he owned along Oswego Street. The area was expanded to include all contiguous properties zoned RM 16 in the area.

### **BACKGROUND:**

This item was continued from the May 10, 1999 City Council meeting because the applicant requested an extension due to family considerations. An application was filed by Mr. Joseph Tomich for a zone change and General Plan Amendment for properties located at 2460, 2470 and 2480 Oswego Street. The purpose of the request was to permit the applicant to construct a 40-unit senior citizen project, which includes eight units of affordable housing. On January 29, 1998 the Planning Commission, on staff's recommendation, expanded the study area to include all of Oswego Street and some of the parcels fronting onto Altadena Drive following input from a neighborhood meeting.

The study area was part of an interim study district (ISD) in 1987 which was bounded by Altadena Drive to the east, Del Mar Boulevard to the south, Oswego Street to the north and Sierra Madre Boulevard to the west. At that time Oswego Street was downzoned from RM 32 to RM 16. There is no indication in the record as to why this decision was made. There were numerous downzonings in many areas of the city at the same time as part of the ISD process. The zoning designation of RM 16 has remained with the properties since that time. No new development has occurred on Oswego Street since the downzoning.

There are a total of 23 separate parcels in the study area. Current land uses include the following: single family residences, 12 parcels, including the 3 parcels proposed for the senior citizen development; duplexes, 7 parcels; multi-family dwellings, 3 parcels; one parcel is used by a utility (California Water Company) and contains no residences or

buildings other than pumping equipment. Land uses surrounding the study area have mixed residential densities. To the south along Del Mar Boulevard are larger multi-family buildings at 32 units per acre. The areas to the north and west have mixed existing densities equivalent to RM 32 and RM 16. To the east are multi-family densities as well as Lamanda Park Library, with single family densities to the southeast.

**PROJECT:** The project proposal is for a 40-unit senior citizen building with eight units of affordable housing on a one-acre site located on the south side of Oswego Street immediately west of Altadena Drive (Attachment 7). The units would be designated affordable but without any City subsidies provided. The applicant would be required to sign covenants with the City establishing the affordability of the units for 20 years. The applicant is receiving a 25% density bonus because of the affordability of the units. The RM 32 zoning designation permits 32-units for the one acre parcel but 40-units with the density bonus.

**DISCUSSION:** Existing densities for the study area are as follows: 13 parcels at 0-6 (low density) dwelling units per acre; 7 at 7-16 dwelling units per acre (medium density); and, 3 at 17-32 dwelling units per acre (medium-high density) (Attachment 9). Six of the low-density parcels are along Altadena Drive and are in small parcels which may not be developable at a higher density due to setback requirements and lot sizes. Thus, seven of the parcels at the low density are along Oswego Street and three of these parcels are the original zone change request. If the applicant were to develop a 20-unit apartment building as permitted by the existing RM-16 zoning, there would be only four parcels remaining at the low density. Therefore, Oswego Street is developed at a higher density than single family without any zone change. The street is no longer single family in nature and has not been for nearly 20 years. Development at the existing zoning designation without any zone change would be multi-family in nature replacing the remaining single family homes with additional units.

The study area is bordered on three sides (north, south and west) by RM 32 zoned properties. To the east of the study area there are properties zoned RS 6 and RM 32. The remainder of the blocks which incorporate the study areas are all zoned RM 32 except for the study area properties themselves. The study area properties, therefore, represent an island of RM 16 properties bordered by blocks which are predominantly RM 32. The fact that this is an island is not sufficient reason to change their zoning designation. If the zoning designation were changed just for the three subject properties, another island would be created along Oswego Street. With time, General Plan Amendment/zone change requests to change the remainder of the street may be filed. Changing the designations for portions of the study area may not be the best alternative.

**ANALYSIS:** The following are four options for the study area which were considered with option 1 being recommended by staff:

1. **Change to RM 32 for Entire Study Area:** This option would increase the permitted density for the entire study area from RM 16 to RM 32. This doubling of the density would not affect all the parcels in the study area. The parcels fronting onto Altadena Drive could not be developed at a greater density due to their limited size. In addition, three of the parcels along Oswego Street are already developed at this higher density. Under this option the applicant would be permitted to construct the 40-unit senior citizen building. However, the other parcels in the remainder of the street may be developed at this higher density also. However, increasing the permitted density does not necessarily mean that properties will be developed at that density. No properties were developed at the RM 16 density since the zone change in 1987.
  
2. **Change to RM 32 for Parcels on Oswego Street:** This option would result in a zone change only for those parcels fronting onto Oswego Street. Given the size of the parcels along Altadena Drive it is unlikely that they could be developed at the greater density even if they were rezoned. Under this option the 40-unit senior citizen building could be constructed and some of the parcels along Oswego Street could potentially be developed at this greater density.
  
3. **No Change:** Under this option there is no General Plan Amendment/ zone change and the current designations remain in place. Any future development that may occur would be at densities permitted by the RM 16 zoning designation. The applicant would therefore be able to construct a 20-unit building with four units of affordable housing provided a density bonus was granted for the one-acre site. The applicant would not be allowed to develop the 40-unit senior building with eight units of affordable housing. The loss to the City of potential affordable units would be between zero and eight. The amount of traffic generated by a 20-unit apartment building is similar to that from a 40-unit senior citizen building.
  
4. **Change to RM 32 for Site Only:** This option would change the zoning/General Plan designations only for the subject site and not affect permitted densities for any of the other parcels in the study area. This option would allow the applicant to construct the 40-unit senior citizen building but not allow any increased densities elsewhere. This would reduce development pressures on the remainder of the study area. However, given time, application(s) for zone change(s) for the remainder of the street may be filed citing this zone change as a precedent. However, Oswego Street has shown over a ten-year period that it may not develop at the RM 16 density and that it may need RM 32 to develop. In addition, this option could create islands of properties with a zoning designation different from the surrounding area.

**NEIGHBORHOOD MEETINGS:**

There were three neighborhood meetings conducted concerning the proposal. All meetings were held at the Lamanda Park Branch Library which is across the street from the study area. The first meeting was on October 29, 1997. At that meeting a question arose concerning the zoning for the entire street. This question was forwarded to the Planning Commission on December 10, 1997 which decided to increase the zone change/General Plan study area to include all of Oswego Street and the remaining lots fronting onto Altadena Drive. Follow-up meetings were held on January 28, 1998 and August 26, 1998. In addition, petitions were received both in favor and in opposition from property owners and neighbors.

**ENVIRONMENTAL DETERMINATION:**

An Initial Environmental Study was prepared for the proposal (Attachment 1) in conformance with the requirements of the California Environmental Quality Act (CEQA). It was found that the proposal would not have a significant effect on the environment and that a Negative Declaration could be prepared. The staff report recommended that the Planning Commission approve the Initial Study and the Negative Declaration and direct the City Clerk to file a Notice of Determination with the County Recorder.

**FISCAL IMPACTS:**

Any future applications for development in the study area will be required to pay for building permits and any other necessary fees.

**WORKLOAD IMPACTS:**

Should the General Plan Amendment and Zone Change be approved, the applicants may apply for building permits for residential development at the greater density. This work is not considered to be significant and the work can be accommodated with existing staff under the existing work program.

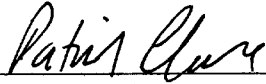
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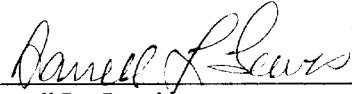
Cynthia J. Kurtz  
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Prepared by:

Approved by:



Patrick Clarke  
Planner



Darrell L. Lewis  
Director of Planning and Permitting

#### ATTACHMENTS

1. General Plan Designations
2. Zoning Designations
3. Initial Study
4. De Minimis Impact
5. Notice of Determination
6. Letter from Planning Commission dated June 3, 1999
7. Site Plan
8. Petition Opposing Zone Changes
9. Petition in Favor of Zone Changes
10. Existing Densities Map
11. Report from Gregg Whittlesey dated July 27, 1998