



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: May 2, 2018

TO: Hearing Officer

SUBJECT: Conditional Use Permit # 6629

LOCATION: 2965 East Colorado Boulevard

APPLICANT: Rusnak/Pasadena

ZONING DESIGNATION: ECSP-CG-6-HL65 (East Colorado Specific Plan, Commercial General, sub-area 6, 65-foot Height Limit Overlay District)

GENERAL PLAN DESIGNATION: East Colorado Specific Plan

CASE PLANNER: Kristen Johnston

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Conditional Use Permit #6629 with the Conditions of Approval in Attachment B.

PROJECT PROPOSAL: Conditional Use Permit: The applicant, Rusnak/Pasadena, has submitted a Conditional Use Permit application to allow the expansion of an existing, Vehicle Services, Sales and Leasing land use. The project proposes to enclose an existing 2,400 square-foot outdoor display pad with storefront glass and incorporate it into the existing indoor showroom. The subject property is located within the ECSP-CG-6-HL65 zoning district.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Section 15301 exempts projects from environmental review, where additions would not result in an increase of more than 50 percent of floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project consists of enclosing an existing 2,400 square-foot outdoor display pad with storefront glass.

BACKGROUND:

Site characteristics: The subject property is located on the north side of East Colorado Boulevard, between Sunnyslope Avenue and Kinneloa Avenue. The property is a double-frontage lot with street frontage on East Walnut Street and East Colorado Boulevard. The property measures 74,653 square feet in area and is developed with a 38,038 square-foot commercial building used as a Vehicle Services, Sales and Leasing land use.

Adjacent Uses: North – Light Manufacturing/Shipping
South – General Commercial
East – Automotive Sales
West – Automotive Sales

Adjacent Zoning: North – EPSP-d1-IG (East Pasadena Specific Plan, subarea d1, General Industrial District)
South – PD-18 (Planned Development 18 - Colorado/El Nido)
East – ECSP-CG-6 (East Colorado Specific Plan, Commercial General, sub-area 6)
West – ECSP-CG-5-AD-2 (East Colorado Specific Plan, Commercial General, sub-area 5, Alcohol Density Overlay District 2)

Previous zoning cases on this property: Conditional Use Permit #6262: To allow the expansion of a non-conforming use and enclose an existing 4,100 square-foot roofed area currently used as a vehicles display area, and a Minor Variance to allow the 4,100 square-foot enclosure to encroach into the required front yard setback. (approved December 17,2014 / Expired December 30, 2017)

PROJECT DESCRIPTION:

The applicant, Rusnak/Pasadena, has submitted a Conditional Use Permit application to allow the expansion of an existing, Vehicle Services, Sales and Leasing land use. The project proposes to enclose an existing 2,400 square-foot covered outdoor display pad with storefront glass and incorporate it into the existing indoor showroom. The enclosed area proposes a 5-foot front setback, 10-foot side setback to the east, and 170-foot side setback to the west.

The subject property is within the boundaries of the East Colorado Specific Plan, in the CG-6-HL65 (East Colorado Specific Plan, Commercial General, sub-area 6, 65-foot Height Limit Overlay District) zoning district. The East Colorado Specific Plan was adopted by the City Council on May 12, 2003. Under the current zoning designation, Vehicle Services, Sales and Leasing

land use is a permitted use subject to approval of a Conditional Use Permit; the existing use was established without a Conditional Use Permit. A Conditional Use Permit is required when a land use that was legally established without a Conditional Use Permit, but would be required by current Zoning Code provisions to have Conditional Use Permit approval, is altered or enlarged.

ANALYSIS:

The site is utilized by a Vehicle Services, Sales and Leasing land use located within the ECSP-CG-6-HL65 zoning district. The site consists of a 38,038 square-foot automotive sales and service repair building constructed in 1970, predating the current zoning code requirement for a Conditional Use Permit for vehicle service land uses. The project proposes to enclose an existing 2,400 square-foot covered outdoor display pad with storefront glass and incorporate it into the existing indoor showroom.

Section 17.71.100 - Uses Requiring Conditional Use Permits, establishes the procedure for evaluating the allowable enlargement of uses that do not have a Conditional Use Permit, but would require one if newly established. This section requires that a land use legally established without a Conditional Use Permit, where current zoning code provisions require a Conditional Use Permit, shall receive Conditional Use Permit approval prior to alteration or enlargement. In 1970, a building permit was issued that approved the construction of a commercial building specifically for an automotive use, which legally established the Vehicle Services, Sales and Leasing land use.

The Conditional Use Permit process allows the City to review a project to determine if the proposed project is compatible with the surrounding area and requires compliance with specific conditions related to the operation of a Vehicle Services, Sales and Leasing land use. In order to approve a Conditional Use Permit, six specific findings must be made in the affirmative. These findings relate to a project meeting the intent and purpose of the Zoning Code and conformance with the General Plan, not having a negative impact on the surrounding properties, and being compatible with surrounding uses. In this case, the analysis focuses on whether the request to enlarge the existing Vehicle Services, Sales and Leasing land use would create negative impacts to the surrounding uses.

Development Standards

Properties located within the ECSP-CG-6-HL65 zoning district are subject to the development standards provided in Section 17.31.050 – Table 3-4, ECSP General Development Standards. Based on the scope of work, the development standards analyzed for the project are setbacks, height, and parking, described in the following analysis.

Setbacks

As previously noted, the site is a double-frontage lot with street frontage provided along East Walnut Avenue (north) and East Colorado Boulevard (south). The proposed area of construction is along the front elevation of the building, facing East Colorado Boulevard. Therefore, setbacks analyzed for the project are the side setback to the east and west, and the front setback, to the south.

Section 17.31.050, Table 3-4 specifies fixed setbacks are required for the front, corner side, and side or rear setbacks. As such, a 15-foot side setback is required when adjacent to an RS or RM zone unless the adjacent lot is within a PK overlay district, and used for parking; otherwise, no

side setback is required. Both adjacent lots, located to the east and west of the subject site, are within the same zoning district as the subject property (ECSP-CG-6); therefore, no side setback is required. A majority of the existing building abuts the east property line, with a portion of the building set back as close as 10 feet from the side property line to the east. The existing building has an approximate 170-foot setback from the west property line. The plans submitted demonstrate the proposed 2,400 square-foot showroom would match the existing building setbacks, continuing the 10-foot side setback to the east and a 170-foot setback to the west. Therefore, the proposed showroom expansion complies with the fixed side setback requirements.

The required front setback for properties in the ECSP-CG-6-HL65 zoning district is five feet, requiring that the five-foot fixed setback shall be landscaped. The existing building is currently set back 30 feet from the front property line, which is non-conforming to the current development standards. The proposed showroom expansion would enclose the existing covered outdoor display area with storefront glass, and would provide a front setback of five feet, fully landscaped. Therefore, the proposed expansion complies with the fixed front setback requirement.

Height

The maximum allowable height of the Height Limit Overlay District (HL-65) is 65 feet. The maximum allowable height of a structure shall be measured from the lowest elevation of the existing grade at an exterior wall of the structure to the highest point of the structure. The existing height of the building measures 24 feet from existing grade. The building elevations provided demonstrate that the showroom expansion would enclose an existing roofed area with storefront glass. Therefore, the proposed expansion would not change the existing height of the building, which complies with the maximum allowable height.

Parking

The Zoning Code requires a Vehicle Services, Sales and Leasing land use to provide one parking space per 1,000 square feet. Additionally, vehicle repair, when it is an accessory use to vehicle sales is required to provide four parking spaces per 1,000 square feet. The existing building is 38,038 square feet, with approximately 27,861 square feet dedicated to vehicle repair and the remaining 10,177 square feet for sales and leasing services. Following the 2,400 square-foot expansion, the building would measure 40,438 square feet. Given the required parking ratios, 111 parking spaces are required for vehicle repair and 37 parking spaces are required for sales and leasing services, for a total requirement of 148 parking spaces. As demonstrated on the site plan, there are 150 parking spaces, which complies with the minimum number of required parking spaces.

GENERAL PLAN CONSISTENCY:

The Vehicle Services, Sales and Leasing land use is consistent with the General Plan Land Use Element – Goal 11, Job Opportunities, specifically Policy 11.1 Business Expansion and Growth. The continuation and improvement of an existing Vehicle Services, Sales and Leasing land use accommodates a diversity of job opportunities, supports the growth and success of businesses that create new job opportunities and productive and satisfying employment for Pasadena residents. In addition, the project is consistent with the goals of the East Colorado Specific Plan, which promotes a vibrant mix of land uses, a unified streetscape, and a series of distinctive “places” along the Boulevard.

REVIEW BY OTHER DEPARTMENTS:

The proposed project was reviewed by the Design and Historic Preservation Section, Department of Transportation, Public Works Department, Building Department, and Pasadena Fire Department. Based on their review of the project, the Public Works Department has provided comments and recommended conditions of approval, which have been incorporated in Attachment B of this staff report. The remaining departments had no comments and would review the plans through the building permit plan check process.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities), and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 exempts projects from environmental review, where additions would not result in an increase of more than 50 percent of floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project consists of enclosing an existing 2,400 square-foot outdoor display pad with storefront glass.

CONCLUSION:

It is staff's conclusion that the findings necessary for approval of the Conditional Use Permit to allow the expansion of an existing Vehicle Services, Sales and Leasing land use can be made. The project would allow the applicant to enclose an existing outdoor display area with storefront glass and incorporate it into the indoor showroom. As a result, the building will conform to the current zoning code, as it pertains to the required development standards analyzed above. In addition, the project is consistent with the goals and objectives of the General Plan, specifically allowing the continuation and improvement of an existing Vehicles Services, Sales and Leasing land use that provides job opportunities for Pasadena residents. Based on staff's analysis of the requested expansion of the existing Vehicle Services, Sales and Leasing land use would remain compatible with the adjacent land uses and would not result in any adverse impacts to the surrounding area given that the use is consistent with the goals of the East Colorado Specific Plan. Therefore, staff recommends that the Hearing Officer approve the application with findings in Attachment A and the Conditions of Approval in Attachment B.

Attachments:

Attachment A: Findings

Attachment B: Conditions of Approval

ATTACHMENT A
SPECIFIC FINDINGS FOR CONDITIONAL USE PERMIT # 6629

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The operation of a Vehicle Services, Sales and Leasing land use is a conditionally permitted land use within the ECSP-CG-6-HL65 (East Colorado Specific Plan, Commercial General, sub-area 6, 65-foot Height Limit Overlay District) zoning district. The existing Vehicle Services, Sales and Leasing land use has been operating since the 1970's and is compatible with the activities of the surrounding commercial uses within this sub-district of the East Colorado Specific Plan. The applicant is proposing to enclose the existing 2,400 square-foot outdoor display area with storefront glass and incorporate it into the indoor showroom. The proposed project is required to comply with Section 17.31.050, Table 3-4 - ECSP General Development Standards, providing in the Zoning Code. As proposed, the expansion of the indoor showroom complies with all applicable development standards.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject site is located in the ECSP-CG-6-HL65 (East Colorado Specific Plan, Commercial General, sub-area 6, 65-foot Height Limit Overlay District) zoning district. A Vehicle Services, Sales and Leasing land use is allowed with the approval of a Conditional Use Permit within the ECSP-CG-6-HL65 zoning district. The purpose of the East Colorado Specific Plan is to balance and optimize economic development, historic preservation, and the maintenance of local community culture, and to improve the appearance, function, and urban ambiance along East Colorado Boulevard. In this case, the site is surrounded with a variety of commercial uses. The proposal is to utilize an existing covered outdoor display area and enclose it with storefront glass to expand the interior showroom. Approval of the conditional use permit, and ultimately the expansion of the showroom will not alter the operation of the existing Vehicle Services, Sales and Leasing land use; nor will it allow the use to operate in a detrimental manner.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* The existing Vehicle Services, Sales and Leasing land use is consistent with the General Plan Land Use Element – Goal 11, Job Opportunities, specifically Policy 11.1 Business Expansion and Growth. The continuation and improvement of an existing Vehicle Services, Sales and Leasing land use accommodates a diversity of job opportunities, supporting the growth and success of business that create new job opportunities and productive and satisfying employment for Pasadena residents. In addition, the project is consistent with the goals of the East Colorado Specific Plan, which promotes a vibrant mix of land uses, a unified streetscape, and a series of distinctive “places” along the Boulevard.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The site has been operating as a Vehicle Services, Sales and Leasing land use since the 1970's, and will continue operating as such. The proposed project is to enclose the existing outdoor vehicle display area with storefront glass. The proposed enhancements to the existing Vehicle Services, Sales and Leasing land use will not alter the current operation of the business in a manner that would be detrimental to the surrounding neighborhood, given that the request is to enclose an existing outdoor showroom with storefront glass to incorporate it into the indoor showroom.

Furthermore, the applicant is subject to compliance with all of the conditions of approval provided in Attachment B of this report.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The site has historically operates as a Vehicle Services, Sales and Leasing land use. The proposed project is to enclose the existing outdoor display area and incorporate it into the indoor showroom. As conditioned, it is not expected that the expansion of the existing outdoor display area by enclosing it with storefront glass will be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
6. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection.* The existing Vehicle Services, Sales and Leasing land use occupies an existing building, historically utilized for automotive sales and service and is consistent with surrounding land uses. The granting of this Conditional Use Permit will allow the expansion of an existing covered outdoor display area by enclosing it with storefront glass and incorporating it into the indoor showroom. The proposed expansion will comply with all of the required setbacks, maximum height and parking requirements. The proposed project is required to receive approval from Design and Historic Preservation, ensuring the project is consistent with the aesthetic values, character, and scale.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #6629

The applicant or the successor in interest shall comply with the following conditions:

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans stamped "Approved at Hearing May 2, 2018," except as modified herein.
2. The approval of this application authorizes the applicant to enclose an existing 2,400 square-foot covered display pad with storefront glass and incorporate it into the existing indoor showroom.
3. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
4. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
5. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
6. The final decision letter and conditions of approval shall be incorporated in the building plans as part of the building plan check process.
7. The proposed project, Activity Number **PLN2018-00084**, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. Contact the Planning Case Manager, Kristen Johnston, at (626) 744-6709 to schedule an inspection appointment time.
8. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.

Planning Division

9. The applicant or successor in interest shall obtain approval from the Design and Historic Preservation section for all exterior treatments of the building and site, prior to the issuance of building permits.
10. The operations of Vehicle Services, Sales and Leasing land use shall comply with the requirements outlined in Section §17.50.360 of the Pasadena Municipal Code.

Public Works Department

11. The requirements of the following ordinances will apply to the proposed project:

- Sidewalk Ordinance - Chapter 12.04 of the Pasadena Municipal Code (PMC)

In accordance with Section 12.04.035, entitled "Abandoned Driveways" of the PMC, the applicant shall close any unused drive approach with standard concrete curb, gutter and sidewalk. In addition, the applicant shall repair any existing or newly damaged curb, gutter and sidewalk along the subject frontage prior to the issuance of a Certificate of Occupancy in accordance with Section 12.04.031, entitled "Inspection required for Permit Clearance" of the PMC.

- City Trees and Tree Protection Ordinance - Chapter 8.52 of the PMC

The ordinance provides for the protection of specific types of trees on private property as well as all trees on public property. No street trees in the public right-of-way shall be removed without the support of the Urban Forestry Advisory Committee.