



## PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

### STAFF REPORT

**DATE:** November 20, 2019

**TO:** Hearing Officer

**SUBJECT:** Certificate of Exception #371

**LOCATION:** 95, 99, 111 N. Madison Avenue, 535 E. Union Street

**APPLICANT:** Olivewood Village LLC

**ZONING DESIGNATION:** CD-3 (Central District Specific Plan, Walnut Housing subdistrict)

**GENERAL PLAN DESIGNATION:** Medium Mixed Use

**CASE PLANNER:** Jason Van Patten

**STAFF RECOMMENDATION:** Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Certificate of Exception #371 with the conditions in Attachment B.

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**PROJECT PROPOSAL:** Certificate of Exception: To allow a lot line adjustment that would consolidate four adjacent parcels (AIN 5723-015-026, 5723-015-025, 5723-015-024, 5723-015-045) into a single parcel.

**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, §15305, Class 5, (Minor Alterations in Land Use Limitations); and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to minor lot line adjustments. This request is limited to adjusting the property lines between adjacent parcels

on a site with an average slope of approximately 2.5 percent, consistent with the Class 5 exemption.

**BACKGROUND:**

**Site characteristics:** The subject site consists of four separate parcels that are currently developed as a surface parking lot. These parcels front onto Madison Avenue to the east and Union Street to the south. Access to the parcels is also provided via existing drive approaches from the same streets.

**Adjacent Uses:**  
North – Surface parking lot  
South – Multi-family residential, medical office  
East – Medical office, office  
West – Institutional (Fuller Seminary)

**Adjacent Zoning:**  
North – CD-3 (Central District Specific Plan, Walnut Housing subdistrict)  
South – CD-3 (Central District Specific Plan, Walnut Housing subdistrict) and CD-4 (Central District Specific Plan, Pasadena Playhouse subdistrict)  
East – CD-3 (Central District Specific Plan, Walnut Housing subdistrict)  
West – CD-3 (Central District Specific Plan, Walnut Housing subdistrict)

**Previous Zoning Cases on this Property:** Conditional Use Permit #6452: A request to construct a new four-story mixed-use building containing a total of four residential units, 6,595 square feet of office and 6,709 square feet of ground-level retail and the construction of a new six-story residential building containing a total of 82 residential units, ten of which would be affordable (very-low income) units, over two subterranean parking levels containing a total of 184 parking spaces. The project requires the following entitlements: 1) Conditional Use Permit to allow a Density Bonus exceeding 35 percent; 2) Affordable Housing Concession Permit to allow the proposed site to exceed the maximum allowable floor area ratio (FAR); 3) Affordable Housing Concession Permit to allow proposed building to exceed the maximum height; and 4) Private Tree Removal to remove five protected trees located on site. Approved June 27, 2018.

Conditional Use Permit #155: Permission to develop the property for parking facilities. Approved March 10, 1959.

Variance #4143: Permission to erect a one story medical office building on the property. Approved February 4, 1954. Time extensions granted until February 5, 1974.

Variance #2218: Permission to use the property for an automobile parking lot. Approved April 8, 1948.

**PROJECT DESCRIPTION:**

The applicant, Olivewood Village LLC, has submitted a Certificate of Exception application to allow a lot line adjustment between four adjacent parcels (AIN 5723-015-026, 5723-015-025, 5723-015-024, 5723-015-045). The proposal would formally consolidate four existing parcels that have historically functioned as one continuous surface parking lot into a single parcel. The parcel resulting from the boundary adjustment would consist of 50,841 square feet.

The lot line adjustment would facilitate development of a project consisting of 88 units along with office and retail uses that was previously granted Conditional Use Permit #6452 on June 27, 2018. The development project has also completed the Design Review process. The lot consolidation is required in order for the floor area ratio to apply singly across the one project site. This application only concerns an adjustment to the existing lot boundaries, no demolition or new construction is proposed as part of this application.

**ANALYSIS:**

Applicants may request a Certificates of Exception application for a lot line adjustment between two or more adjacent parcels, where: 1) the land taken from one parcel is added to the adjacent parcel; and 2) a greater number of parcels than originally existed is not thereby created. The Hearing Officer may approve a Certificate of Exception provided the resulting parcels conform to the General Plan, any applicable Specific Plan, and zoning and building ordinances. The table below summarizes the existing parcels sizes.

Address	Assessor's Number	Existing Lot Area
111 N. Madison Avenue	5723-015-026	20,106 sf
99 N. Madison Avenue	5723-015-025	8,000 sf
95 N. Madison Avenue	5723-015-024	11,984 sf
535 E. Union Street	5723-015-045	10,751 sf
Total		50,841 sf

The applicant's proposal would take land from each parcel, consolidating all into a single parcel. A greater number of parcels than currently exists would not be created. The analysis that follows discusses the proposed parcels consistency with applicable provisions of the Zoning Code.

*Minimum Lot Size (Area and Width):*

All four parcels are located in the Walnut Housing sub district of the Central District Specific Plan (CD-3) and are developed for surface parking. Pursuant to Table 3-2 (CD District General Development Standards), Zoning Code Section 17.30.040 (CD General Development Standards), the minimum lot size (area and width) is determined through the subdivision process, consistent with the General Plan. The proposed lot line adjustment would result in a parcel with an area of 50,841 square feet, a width of 200.59 feet along Madison Avenue, and a width of 70.03 feet along Union Street. The resulting lot area and width would be within the range of sizes in the surrounding area. More importantly, the proposed lot size would not conflict with the CD-3 zoning district or applicable Central District Specific Plan. The minor lot line adjustment would also not conflict with any improvements existing on-site because improvements are limited to paving for a surface parking lot.

## **GENERAL PLAN CONSISTENCY:**

The proposed project, a mapping action consolidating four parcels into one, does not conflict with the General Plan. The General Plan Land Use Diagram prescribe standards for density and intensity for development sites. Intensities and densities after the lot line adjustment would remain the same as before the adjustment. The minor boundary adjustment would not conflict with the applicable land use designation, Medium Mixed Use, which is intended to support development that is of a higher density and intensity. The consolidation of the parcels would promote conformance with the applicable designation by providing a single lot area that could provide for shared open spaces, extensive landscaping, and separations between buildings. Further, the lot line adjustment is consistent with the General Plan Objectives and Policies, specifically Policy 1.2 (Targeted Growth), by creating a project site that is more suitable for development that would target growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces. The mapping action would be consistent with Policy 2.5 (Mixed Uses) by creating opportunities for development projects that mix housing with commercial uses to enable Pasadena's residents to live close to businesses and employment, increasing non-auto travel, and interact socially.

## **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, §15305, Class 5, (Minor Alterations in Land Use Limitations); and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent which do not result in any changes in land use or density, including but not limited to minor lot line adjustments. This request is limited to adjusting the property lines between adjacent parcels in an area with an average slope of less than 20 percent and no change in land use or density would result. Therefore, the proposed boundary adjustment qualifies for the Class 5 exemption.

## **COMMENTS FROM OTHER DEPARTMENTS:**

The project was reviewed by the Departments of Public Works, Transportation, Fire, Building and Safety Division, and Design and Historic Preservation Section. No comments were received on this application.

## **CONCLUSION:**

It is staff's assessment, based on the analysis of the project, that the findings necessary for approving the Certificate of Exception can be made as included in Attachment A of this report. The proposed lot line adjustment would consolidate four parcels into one parcel. Any future development on the subject parcel would be required to conform to the applicable development standards and the Building Code requirements in place at the time of any construction activity. Therefore, staff recommends that the Hearing Officer approve the application with the findings in Attachment A and the recommended Conditions of Approval in Attachment B.

### Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

**ATTACHMENT A**  
**SPECIFIC FINDINGS FOR CERTIFICATE OF EXCEPTION #371**

Certificate of Exception

1. *The parcel resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.* The proposed project, a mapping action consolidating four parcels into one, does not conflict with the General Plan. The General Plan Land Use Diagram prescribes standards for density and intensity for development sites. Intensities and densities after the lot line adjustment would remain the same as before the adjustment. The minor boundary adjustment would not conflict with the applicable land use designation, Medium Mixed Use, which is intended to support development that is of a higher density and intensity. The consolidation of the parcels would promote conformance with the applicable designation by providing a single lot area that could provide for shared open spaces, extensive landscaping, and separations between buildings. Further, the lot line adjustment is consistent with the General Plan Objectives and Policies, specifically Policy 1.2 (Targeted Growth), by creating a project site that is more suitable for development that would target growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces. The mapping action would be consistent with Policy 2.5 (Mixed Uses) by creating opportunities for development projects that mix housing with commercial uses to enable Pasadena's residents to live close to businesses and employment, increasing non-auto travel, and interact socially. The proposed lot line adjustment would result in a parcel with an area of 50,841 square feet, a width of 200.59 feet along Madison Avenue, and a width of 70.03 feet along Union Street. The resulting lot area and width would be within the range of sizes in the surrounding area. More importantly, the proposed lot size would not conflict with the CD-3 zoning district or applicable Central District Specific Plan. The minor lot line adjustment would also not conflict with any improvements existing on-site because improvements are limited to paving for a surface parking lot.

**ATTACHMENT B**  
**CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #371**

The applicant or successor in interest shall meet 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 submitted and stamped "Approved at Hearing, November 20, 2019," except as modified herein.
2. 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.
3. The approval of this application authorizes the consolidation of parcels 5723-015-026, 5723-015-025, 5723-015-024, 5723-015-045 into one parcel.
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description and plan exhibit of the parcels resulting from this Lot Line Adjustment. The legal description and plan exhibit shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author.
5. The applicant or successor in interest shall be responsible for recording with the Los Angeles County Recorder a Certificate of Compliance that has been approved by the Zoning Administrator, and furnishing a Grant Deed containing a legal description matching the legal description contained in the Certificate of Exception. This lot line adjustment shall not be effective until recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.