



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: December 18, 2019

TO: Hearing Officer

SUBJECT: Certificate of Exception #370

LOCATION: 33 & 45 W. Green Street

APPLICANTS: Larry Mar

ZONING DESIGNATION: CD-1, AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District 1)

GENERAL PLAN DESIGNATION: Medium Mixed Use

CASE PLANNER: Alison Walker

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Certificate of Exception #370 with the conditions in Attachment B.

PROJECT PROPOSAL: Certificate of Exception: To allow a lot line adjustment that would consolidate two parcels into one 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). 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.

BACKGROUND:

Site characteristics: The subject site is located on the north side of West Green Street, between Fair Oaks Avenue and De Lacey Avenue. 33 W. Green Street is a lot that is 6,615 square feet in area and is developed with a one-story commercial building. 45 W. Green Street is a lot that measures 5,250 square feet and is developed with a one-story commercial building and surface parking.

Adjacent Uses: North – Commercial
South – Commercial
East – Commercial
West – Commercial

Adjacent Zoning: North – CD-1 AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District 1)
South – CD-1 AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District 1)
East – CD-1 AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District 1)
West – CD-1 AD-1 (Central District Specific Plan, Old Pasadena subdistrict, Alcohol Density Overlay District 1)

Previous Cases: None

PROJECT DESCRIPTION:

The applicant, Larry Mar, has submitted a Certificate of Exception application to allow for a lot line adjustment between two adjacent parcels (AIN 5713-007-22, 5713-007-21). The proposal would formally consolidate the two existing parcels into one legal parcel. The parcel resulting from the boundary adjustment would consist of 11,865 square feet.

The lot consolidation would facilitate development of a two-to-four story mixed-use project with 7,751 square feet of ground floor commercial and nine residential units that received Major Changes to an Approved Final Design Review approval on November 26, 2019. The lot consolidation is required in order for the floor area ratio to apply singly to the project site. This application only concerns an adjustment to the existing lot boundaries, no demolition of existing structures 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:

Parcel #	Address	Assessor's Number	Lot Area
Parcel #1	33 W. Green Street	5713-007-22	6,615 sf.
Parcel #2	45 W. Green Street	5713-007-21	5,250 sf.
Total			11,865 sf.

The applicant's proposal would take land from each parcel, consolidating both 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.

Development Standards:

Minimum Lot Size (Area and Width):

The two parcels are located in the Old Pasadena sub district of the Central District Specific Plan (CD-1) and are developed with commercial buildings and 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 11,865 square feet and a width of 113 feet along Green 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-1 zoning district or applicable Central District Specific Plan.

Floor Area Ratio:

Zoning Code Section 17.30.040 identifies that the maximum allowable floor area ratio for the subject site is 2.00. Through this Certificate of Exception process, two existing parcels would be consolidated into one legal parcel resulting in a combined lot size of 11,865 square feet. Based upon the combined lot size of the new legal parcel, the maximum allowable floor area is 23,730 square feet. The total floor area of all existing structures on site is 6,986 square feet, which complies with the requirement.

Setbacks:

The front yard setback of properties located within the CD-1 zoning district are determined by Zoning Code Figure 3-7 (Central District Required Setbacks). Figure 3-7 identifies that the subject parcels are required to build to the front property line. Pursuant to Zoning Code Section 17.30.040, Table 3-2, nonresidential uses have no side or rear setback requirement.

On Parcel #1, currently, the existing building is built to the front property line and complies with the front setback requirement. The existing commercial building located on Parcel #2 has a non-conforming 5-foot front yard setback. Although the front setback for the existing commercial building on Parcel #2 will remain non-conforming, there is no expansion of the structure proposed with this application; therefore, the existing 5-foot setback would remain legal non-conforming and not affected by the mapping action. Any future addition to the site would be required to comply with all setback requirements.

GENERAL PLAN CONSISTENCY:

The proposed project, a mapping action consolidating two lots into one lot, 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). 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.

REVIEW BY OTHER CITY DEPARTMENTS:

The project was reviewed by the Department of Public Works, Department of Transportation, Building and Safety Division, Design and Historic Preservation Section, and the Fire Department, whom all expressed no concerns with the application. Planning Division conditions of approval have been attached to the report (Attachment B).

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 elimination of the interior lot line resulting in the consolidation of the two existing parcels into one legal parcel would result in the compliance of all applicable development standards, with the exception of the legal non-conforming 5-foot front yard setback that currently exists, of the CD-1 AD-1 zoning district. Any future development on the subject property would be required to conform to the development standards of the underlining zoning district and the Building Code in place at the time of any construction activity. Therefore, staff recommends that the Hearing Officer approve the application with the recommended specific 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 #370

Certificate of Exception – Lot Line Adjustment to consolidate two lots into one lot.

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 two lots into one lot, 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 11,865 square feet. The resulting lot area would be within the range of sizes in the surrounding area. More importantly, the proposed lot size would not conflict with the development standards established for the CD-1 zoning district or applicable Central District Specific Plan. Any future development on the site is required to conform to the development standards of the underlining zoning district and Building Code.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #370

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, December 18, 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 parcels 5713-007-022 and 5713-007-021 into one legal parcel, as depicted on the approved site plan.
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description of the parcel resulting from the Lot Line Adjustment. The legal description shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author. The legal description shall substantially conform to the plans submitted with this application.
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 a grant deed containing a legal description matching the legal description contained in the Certificate of Exception. This lot line adjustment is not effective unless and until it is recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.