

Takeda, Michi

From: Armond Ghazarian [REDACTED]
Sent: Monday, July 31, 2023 4:30 PM
To: commentsHO
Cc: Tam, Hayman; Masuda, Gene
Subject: Comments on Application for Conditional Use Permit #7033 - August 2, 2023 Hearing, Agenda Item 2.D

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Mr. Paul Novak
Hearing Officer
City of Pasadena
Planning & Community Development Department

Thank you for the opportunity to provide comments on the application for Conditional Use Permit (CUP) #7033 to establish a commercial nursery at 3161 East Orange Grove Boulevard (Property). I have reviewed the documents, including the Staff Report (Report), associated with CUP #7033 and I am writing this letter to request City of Pasadena to **disapprove** issuance of CUP #7033 for the following reasons:

ANALYSIS:

- **Conditional Use Permit: To Establish a Commercial Nursery land use**

City's Zoning Code Section 17.61.050 (Conditional Use Permits and Master Plans) describes the purpose as: "Conditional Use Permits are intended to allow for activities and uses which may be desirable in the applicable zoning district and compatible with adjoining land uses, but whose effect on a site and its surroundings cannot be determined before being proposed for a particular location."

The Property is currently flanked by a row of residential properties to the East and West, and Paloma Street and Orange Grove Boulevard, to the North and South, respectively. Furthermore, with the exception of Eaton Wash; Vina Vieja Park; Gwinn Park; and Sunny Slope Park; only residential properties are located within approximately 950-foot radius of the Property. Use of the Property for the development of a commercial nursery is incompatible with the surrounding residential properties and therefore should not be issued the Conditional Use Permit.

- **Zoning and Land Use**

Land Use

Per the Report, "The proposed commercial nursery would consist of a small office, three storage structures, the display, sale, storage of plants, flowers, shrubs, gardening equipment, and related items. Open space will be maintained which is consistent with the

purpose of OS district.” The development of a commercial nursery fails to meet the main requirements of providing active and passive recreational opportunities for Pasadena’s residents as described in City’s Land Use Element Goals and Policies: “The Open Space classification is intended to provide active and passive recreational opportunities for Pasadena’s residents, as well as the preservation and maintenance of undeveloped lands and natural areas.”

Zoning

The operations of commercial nursery as described in the Report includes 200 square foot office, two 200 square-foot storage structures, one 280 square-foot equipment structure, seven 1,000 square-foot shade structures, and parking. The commercial nursery does not meet the exception to screening requirements under Zoning Code Section 17.50.180 (Outdoor Display, Storage, and Seasonal Sales), Sub-section A.2.d.1 which states that the exception only applies to nurseries and commercial growing grounds only if the outdoor display and storage is limited to plants. The CUP should include conditions (i.e., screening and height requirements) set under Zoning Code Section 17.50.180.

- **Hours of Operation**

Business Hours

Currently, our neighborhood surrounding the Property is tranquil in the mornings while everyone is getting ready for their day and in the afternoons upon returning home. The proposed commercial nursery operation hours of 7:00 a.m. and 7:00 p.m. seven days a week will expose the neighborhood (especially the residents adjacent to the Property) to unnecessary increased daily noise and traffic diminishing quality of life contrary to City’s Zoning Code Section 17.61.050, Subsection H.4 which states that the Conditional Use Permit may be approved only after first finding that 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.

Truck Loading, Unloading, and Trash Pick-up

Zoning Code Section 17.40.170 (Truck Trip Limitations), Sub-section B.3 states “These hours of operation may be modified through the approval of a conditional use permit. The base ambient noise level found in the vicinity (without the operation of the trucks) shall not be exceeded during the time the truck activity is proposed.” In order to establish the base ambient noise level for the vicinity under current conditions, the applicant must be required to submit a noise study prior to the start of operations.

GENERAL PLAN CONSISTENCY:

Development of the Property for commercial nursery is inconsistent with City’s General Plan Policy 10.12 (Urban Open Spaces). The policy sets to preserve and develop urban open spaces such as landscaped parklets, paseos, courtyards, and community gardens ensuring adequate public access to these open spaces. A commercial nursery, though it provides greenery, is not similar to open space examples listed under Policy 10.12 and by its nature of being a business, a commercial nursery limits public access only to its customers.

ENVIRONMENTAL REVIEW:

Sustainability is discussed in City's 2013 General Plan Update Initial Study; Section I (Project Information); Subsection 9 (Description of the Project); Land Use Element; Sustainability, Open Space, and Conservation; as: "Sustainability means meeting the needs of the present without compromising the ability of future generations to meet their own needs. It is further defined as balancing the three E's: environment, economy, and equity. For example, a decision or action aimed at promoting economic development should not result in decreased environmental quality or social inequity." Environmental impacts of developing a commercial nursery in the middle of a residential neighborhood without studies, such as noise and traffic, cannot properly be evaluated. I am requesting City or the applicant to perform these studies to determine the environmental impacts.

Finally, our family has been part of this neighborhood for the last three years. During our home buying search, an existing commercial nursery at the proposed location would have deterred us from purchasing our home as I believe many future home buyers will be deterred from purchasing homes in our neighborhood resulting in devaluation of our properties.

Respectfully,

Armond Ghazarian

