



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: December 20, 2023

TO: Hearing Officer

SUBJECT: Time Extension Request for Modification to CUP #4577

LOCATION: 951 – 995 South Fair Oaks Avenue

APPLICANT: Pasadena CA Senior LandCo LLC

ZONING DESIGNATION: SFO-MU-G AD-2 (South Fair Oaks Specific Plan, Mixed-Use General, Alcohol Overlay District '2')

GENERAL PLAN DESIGNATION: Medium Mixed Use

CASE PLANNER: Jennifer Driver

STAFF RECOMMENDATION: Acknowledge the Environmental Determination, and adopt the Specific Findings in Attachment A to **approve** Time Extension for the Modification to CUP #4577.

PROJECT PROPOSAL: Time Extension for Modification to Conditional Use Permit #4577:
To allow a one-year time extension for Modification to CUP #4577, which is set to expire on June 2, 2024.

ENVIRONMENTAL DETERMINATION: At a public hearing on May 20, 2020, it was determined by the Hearing Officer that the project was categorically 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, Section §15332, Class 32, In-Fill Development Projects) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the proposed Time Extension application that necessitate further environmental review.

BACKGROUND:

Site characteristics:

The subject site is located on the west side of South Fair Oaks Avenue and is bounded by Hurlbut Street to the north and Arlington Drive to the south. The site measures 105,421 square feet in size and is comprised of two parcels. Parcel 1 (AIN: 5719-022-108), measures 84,552 square feet in size and is improved with a Residential Care facility with 149 units and a surface parking lot. Parcel 2 (AIN: 5719-022-101), measures 20,869 square feet in size and is developed with a one-story, 8,400 square-foot industrial building and a surface parking lot. The improvements on Parcel 2 would be demolished as part of the project.

Adjacent Uses:

North – Medical Office
South – Commercial Office / Residential
East – Light Industrial/ Commercial Office
West – Commercial Office / Multi-Family Residential

Adjacent Zoning:

North – SFO-MU-G AD-2 (South Fair Oaks Specific Plan, Mixed-Use General, Alcohol Overlay District ‘2’)
South – SFO-MU-G AD-2 (South Fair Oaks Specific Plan, Mixed-Use General, Alcohol Overlay District ‘2’) and RS-6 (Single-Family Residential, 0-6 dwelling units per acre)
East – SFO-MU-C (South Fair Oaks Specific Plan, Mixed-Use Core)
West – SFO-RM-32 HL-1 (South Fair Oaks Specific Plan, Multi-Family Residential, 0-32 dwelling units per acre, Height Limit Overlay District ‘1’)

Previous zoning cases on this property:

CUP #3507 – To allow for the construction of a four-story, 86,600 square-foot, 119-unit Residential Care facility. The application included a Variance to allow the proposed structure to have a maximum height of 56 feet, where the maximum allowed height is 45 feet and approved the Residential Care land use within the RM-32 zoning district. Approved January 20, 1999.

CUP #4577 – To allow for the construction of a four-story, 46,990 square-foot, 47-unit addition to an existing Residential Care facility. Three existing units would be removed. The application included a Variance to allow the proposed structure to have a maximum height of 53’3”, where the maximum height allowed is 45 feet and approved the Residential Care land use within the RM-32 zoning district. Approved October 5, 2005.

Modification to CUP #3507 – To eliminate the use of an off-site parking lot at 33 Hurlbut Street utilized by an existing 149-unit Residential Care facility. All required parking was provided on-site in a 65-space surface parking lot. Approved February 5, 2014.

Modification to CUP #4577 – To allow an 89,622 square-foot, four-story addition with 88 units to an existing 149-unit Residential Care, General ('Residential Care') facility land use and a Certificate of Exception to consolidate two parcels into one parcel. Approved May 20, 2020.

Minor Change to Modification to CUP #4577 – Minor change to Modification to CUP #4577 to allow an 89,549 square-foot, five-story addition with 76 residential care independent living units to an existing 149-unit residential care (Residential Care, General') facility land use and a Certificate of Exception to consolidate two parcels into one parcel. Approved November 8, 2021.

PROJECT DESCRIPTION:

The applicants, Pasadena CA Senior LandCo LLC, have submitted a Time Extension request to allow for a one-year extension from the expiration date of Modification to CUP #4577 (Mod CUP #4577). Mod CUP #4577 was approved by the Zoning Hearing Officer on May 20, 2020, and became effective on June 2, 2020. This approval is set to expire on June 2, 2024. The Hearing Officer may grant a one-year extension from the expiration date of the initial approval upon making findings provided, the applicant files a written request for a Time Extension before the expiration of the permit. On August 14, 2023, the applicant submitted the requested Time Extension, which if approved would extend the expiration date to June 2, 2025.

Mod CUP #4577 allowed for an 89,549 square-foot, five-story addition with 76 Residential Care independent living units to an existing 149-unit residential care (Residential Care, General) facility land use and a Certificate of Exception to consolidate two parcels into one parcel. The approval also granted an increase in the maximum height permitted and a decrease in the required side setback for a portion of the building to preserve protected trees.

ANALYSIS:

According to the information provided by the applicant, the Time Extension is being requested to allow the project additional time due to hardships related to the COVID-19 pandemic and current financial market. The time extension is required to complete the building permit process and to secure financing. No project changes are proposed with this application.

Per Section 17.64.040.D (Findings and decision) of the City's Zoning Code, the review authority may approve an application for a time extension only after first finding that: 1) The findings and conditions of the original approval still apply; and 2) The proposed project meets the current height, setbacks, and floor area ratio requirements of the Zoning Code and is consistent with the General Plan, any applicable Specific Plan, and the Zoning Map.

The findings and conditions of the original approval still apply as there have been no changes in circumstances or new information provided as part of the proposed Time Extension to warrant the original findings and conditions invalid. The project meets all other development standards applicable to the project.

ENVIRONMENTAL REVIEW:

At a public hearing on May 20, 2020, it was determined by the Hearing Officer that the project

was categorically 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, Section §15332, Class 32, In-Fill Development Projects) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. It has further been determined that there are no changed circumstances or new information as part of the proposed Time Extension application that necessitate further environmental review.

CONCLUSION:

Staff concludes that the findings necessary for approving the Time Extension request can be made (Attachment A). The findings and conditions of the original approval still apply; and the proposed project meets the development requirements of the Zoning Code and is consistent with the General Plan, any applicable Specific Plan, and the Zoning Map. Therefore, staff recommends approval of the Time Extension request, subject to the findings in Attachment A.

ATTACHMENTS:

Attachment A: Specific Findings for Time Extension

ATTACHMENT A
SPECIFIC FINDINGS FOR TIME EXTENSION FOR MODIFICATION TO CUP #4577

Time Extension Request: To allow for a one-year time extension

1. *The findings and conditions of the original approval still apply.* The Modification to CUP #4577 allowed an addition of 76 Residential Care independent living units to an existing residential care facility and a Certificate of Exception to consolidate two parcels into one parcel, and there have been no changes in circumstances or new information provided to warrant the original findings and conditions invalid. The proposed project is designed to comply with all applicable provisions of the Zoning Code, except as approved in order to preserve the protected trees. The project expands on a use that is complementary to existing uses on-site and surrounding sites that have no demonstrated history of detriment or injury. The project will replace an underutilized site with a development that will support the surrounding medical and institutional uses, consistent with the purpose of the zoning district. The proposed project's development intensity, when combined with the earlier phases of the Residential Care facility development, is appropriate for the site and its surrounding context. The proposed project is consistent with policies of the General Plan related to sustainable growth and housing options. The proposed development is consistent with the purposes of the zoning district by fulfilling a goal to provide housing alternatives and care for senior citizens. In addition, the proposed design is sensitive to the surrounding development since the proposed structure is oriented towards Fair Oaks Avenue, away from the residential districts to the west.

2. *The proposed project meets the current height, setbacks, and floor area ratio requirements of the Zoning Code and is consistent with the General Plan, any applicable Specific Plan, and the Zoning Map.* As approved, the project meets the Zoning Code development standards applicable to the approved project, except as permitted to preserve protected trees. No changes to the approved project are proposed and as a result, the proposed project still meets the requirements of the Zoning Code.

The General Plan Land Use Element recognizes the property as being located within the South Fair Oaks Specific Plan. The vision for South Fair Oaks capitalizes on the presence of medical and institutional uses, focusing development adjoining the Fillmore Metro Gold Line station; introducing housing for seniors, students, or employees of the major institutions; and converting underutilized industrial areas for new businesses and job-generating uses leveraged by the medical and creative office uses.

The proposed project is consistent with policies of the General Plan related to sustainable growth, housing options and the South Fair Oaks Specific Plan area's vitality. The proposed project's development intensity, when combined with the earlier phases of the Residential Care facility development, is appropriate for the site and its surrounding context. By proposing an infill development on an underutilized property, the project is consistent with General Plan Policy 1.2 (Targeted Growth), the goal of which is to target growth and new construction in infill areas and away from Pasadena's residential neighborhoods and open spaces. By proposing the addition of 76 new Residential Care units, the project is consistent with General Plan Policy 2.2 (Senior Housing) and 3.2 (Care Facilities). General Plan Policy 2.11 (Health Facilities) is supported by expanding healthcare facilities that are transit-accessible and pedestrian-friendly. Lastly, the expansion of the Residential Care facility supports Policy 37.2 (Medical Supporting Uses) by locating in a building that is accessible to public transportation for employees and visitors.