



**CITY OF SOUTH PASADENA
Planning Commission
Meeting Minutes
Tuesday, August 8, 2023, 6:30 PM
Amedee O. "Dick" Richards Jr. Council Chambers
1424 Mission Street, South Pasadena, CA 91030**

CALL TO ORDER:

A regular meeting of the South Pasadena Planning Commission was called to order by Chair Dahl on Tuesday, August 8, 2023 at 6:31 p.m. The meeting was held at 1424 Mission Street, South Pasadena and via Zoom teleconference.

ROLL CALL:

Present: Chair: Laura Dahl
Vice-Chair: Lisa Padilla
Commissioners: Arnold Swanborn, Amitabh Barthakur and John Lesak

City Staff

Present: David Snow, Assistant City Attorney
Angelica Frausto-Lupo, Community Development Director
Alison Becker, Community Development Deputy Director
Matt Chang, Planning Manager
Ben Jarvis, Interim Senior Planner

Council

Present: Council Liaison: Jon Primuth, Mayor

APPROVAL OF AGENDA:

Approved, 5-0.

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS:

Commissioner Barthakur disclosed that his firm was involved in the economic development portion of an earlier version of the Downtown Specific Plan.

PUBLIC COMMENT:

1. Public Comment – General (Non-Agenda Items).

None.

Chair Dahl apologized to the public, Staff and consultants for a lack of quorum at the prior meeting.

PUBLIC HEARING:

2. Proposed General Plan Update, Downtown Specific Plan and Program Environmental Impact Report.

State laws require cities to periodically update their General Plan and Zoning Code to ensure orderly land development and conform with State laws. The City of South Pasadena has prepared a Draft General Plan, Downtown Specific Plan (DTSP), and Program Environmental Impact Report (PEIR). The Planning Commission will review and make a recommendation to the City Council.

The General Plan Update will apply Citywide. The DTSP will apply to the Fair Oaks Corridor, bounded by SR110 to the north and Bank Street to the south, and Mission Street Corridor generally bounded to the north by Hope Street and to the south by El Centro Street, and to the east by Brent Avenue and Indiana Avenue to the west.

A PEIR has been prepared for this project to analyze any potential effect on the environment pursuant to the California Environmental Quality Act (CEQA). A Notice of Availability was released on July 24, 2023.

Recommendation:

Recommend that the Planning Commission receive the Staff presentation prepared for the project, open the public hearing and take testimony, and then:

1. Direct Staff to return to the Planning Commission on August 21, 2023, with a Resolution recommending that the City Council adopt and certify the Program Environmental Impact Report (PEIR) prepared for the project;
2. Direct Staff to return to the Planning Commission on August 21, 2023, with a Resolution recommending that the City Council adopt the General Plan and the Downtown Specific Plan (DTSP) Update;
3. Direct Staff to return to the Planning Commission on August 21, 2023, with a Resolution recommending that the City Council update the South Pasadena Municipal Code by Ordinance to support the General Plan, the 2021-2029 (6th Cycle) Housing Element, and DTSP; and
4. Continue the public hearing to August 21, 2023.

Staff Presentation:

Deputy Director Becker shared that there would be two presentations. She introduced Kaizer Rangwala of Rangwala Associates who presented a general overview of the General Plan & Downtown Specific Plan.

Questions for Staff:

Vice-Chair Padilla asked if the setbacks and stepbacks mentioned in the presentation would be codified in the Zoning Code.

Mr. Rangwala explained that the Specific Plan has the Zoning Code embedded in it, including policies and implementation strategies. All of the development standards mentioned are part of the Code.

Commissioner Swanborn asked specifically about increasing the tax base and inquired how the General Plan addresses increasing the tax base given that a lot of the parcels that might be seen as tax base parcels are now dedicated as housing.

Mr. Rangwala responded that using a site more productively than the existing use is going to generate more tax revenues, for example, a single-story building replaced with a multi-story building.

Commissioner Swanborn expressed concern because some of the parcels that are being identified as high-density sites for housing are currently commercial sites and the development standards do not address mixed use specifically. He asked how does the General Plan create opportunity for commercial development, *e.g.*, the Pavilions site, or the OSH site, which are currently commercial sites and in the Downtown Specific Plan are targeted as housing sites. He explained his concern that the development standards shared have established heights and specifics that may or may not allow for those commercial entities to exist as housing following the form-based code.

Mr. Rangwala concurred in that commercial use is allowed, but not required. He remarked that the market will dictate if there is a market for residential use, but the codes allow for it.

Commissioner Barthakur asked for an explanation of the context of the density bonus scenarios in the documents that show specific conditions as to how it may be applied to projects because it was not clear to him what the scenarios were trying to convey.

Mr. Rangwala explained there are specific requirements, objective standards, that are tied to projects seeking a density bonus, which are intended to protect and to enhance the contextual aspect of projects seeking a density bonus.

Assistant City Attorney Snow further elaborated that the vehicle for projects that end up with additional height would be through density bonus. Under Density Bonus Law, if facts are present to support it, waivers from standards could be obtained. Depending on the levels of affordability, they are also entitled to certain concessions.

Staff Presentation:

Deputy Director Becker introduced Jillian Neary of PSOMAS to present the second presentation, a summary of the Program Environmental Impact Report (PEIR).

Questions for Staff:

Commissioner Swanborn asked about mitigating measures and wanted to know if requiring all electric appliances in new buildings would be a greenhouse gas mitigation.

Consultant Neary responded that in that specific example they do not have a mitigation measure for that. Under the law, mitigation measures have to have a nexus – they have to be feasible – and they have to be proportional to the impact.

Assistant City Attorney Snow added that if the City did want to explore that, it would have to be through a separate effort rather than a mitigation effort.

Commissioner Lesak asked how the thresholds were evaluated for water, sewer and utilities and public services (e.g., schools), adding that many residents have had problems with the schools being at capacity.

Consultant Neary said they coordinate very closely with SPUSD. In addition, they may have to use additional facilities.

Public Comment:

Chair Dahl reported that they had received letters from South Pasadena Active Streets and South Pasadena Tenants Union, Lisa Pendleton, two (2) comments from Josh Albrektson and a comment from Joanne Nuckols.

Eric Dunlap, a Transportation Engineer, spoke about adopting a Roadway Safety Plan, which would unlock Federal money under the Bipartisan Infrastructure Law - *Safe Streets and Roads for All Initiative*. He also discussed Item 4.5(c) that includes removal of the bulb-out curb extensions on Fair Oaks Avenue. He strongly recommended removal of that item from the General Plan. In summary – expand Vision Zero, include a road safety plan and strike the bulb-out item.

Lisa Pendleton, a former Planning Commissioner, former member of the General Plan Advisory Committee, Mission Street Specific Plan Advisory Committee,

former Design Review Board Committee member and a more than 30-year resident, expressed concern about what has happened in the last two (2) months with the completion of the 6th Cycle of the Housing Element, 5th Draft. Her concerns are the extreme density increases, the loss of four (4) or more significant commercial sites to be given up for multi-family development (they could be mixed-use), and the loss of discretionary review.

Joanne Nuckols, a 50-year resident, addressed the Commission via Zoom. She made a correction to her written comments whereby she referred to the Mission Street Specific Plan mistakenly when she should have referred to the Downtown Specific Plan. She expressed support for the 45' height limit initiative and her understanding that it supersedes State law. She encouraged more public engagement about the future of the City, in particular, the proposed up-zoning. She remarked that once you up-zone you cannot go back.

Assistant City Attorney Snow elaborated on the State Density Bonus Law and explained that the development standards can be deviated from through density bonus, including the height initiative.

Chair Dahl asked the City Attorney about another public comment which suggested that the City could not require any pro forma analysis to prove that those waivers are necessary.

Assistant City Attorney Snow explained that in the statute there is some ability to ask for limited information. But after that, the burden would shift to the jurisdiction, the City, at which point the City would need to decide whether it wanted to develop evidence with respect to either the bases for denying or rejecting a concession incentive or a waiver.

Vice-Chair Padilla asked if Staff could clarify the review process and how it will change.

Deputy Director Becker explained that under State Housing Law and under commitments made in the Housing Element, with our Inclusionary Housing Ordinance (IHO) on the books, any project that comes in with ten (10) or more housing units which includes affordable units, must be approved ministerially, which is why the design standards are so important as a part of the document.

Vice-Chair Padilla asked if that determination would be made by the Planning Department Staff, with final approval by the Community Development Director.

Deputy Director Becker answered in the affirmative and explained that the procedure as currently drafted includes a design review component. The City would work with a design consultant who would help prepare cases for review with

the Design Review Board or perhaps a hybrid committee that could be composed of Planning Commissioners and Design Review Board members. She remarked that those are all options that can be explored in terms of details of administration. State law is very specific that the review is within the context of design only, so that it does not get kicked into a discretionary frame. The City can coach, encourage and facilitate better design, but it cannot deny a project.

Assistant City Attorney Snow further elaborated that when ministerial, there is a provision in State law that allows for very limited discretionary design review – it cannot be structured so that it is treated as a discretionary action for CEQA purposes. Also, the reference to the City’s limited ability to deny a project comes from the Housing Accountability Act where the basis for denying projects must be on objective standards.

Commissioner Barthakur asked that since objective standards in the Code requirements are now really critical in terms of how anyone interprets them (referring to the design standards presented by a different consultant at a previous meeting), are they going to be included in the General Plan or are they separate stand alone requirements in addition to the form-based code or the Specific Plan.

Deputy Director Becker replied that the Specific Plan being reviewed today is the Code for the Downtown District which is one of the key target areas for growth. There are some areas outside of the Specific Plan area – the Ostrich Farm area, the mixed-use corridor along Huntington – where there is no form-based Specific Plan to rely on, the City needs to be prepared for a ministerial review process, which is where the objective design standards come in. Those would be embedded into the zoning.

Commissioner Swanborn asked if there was a reason they could not use the form-based code on those parcels as well. He also asked if there could be a reference or an appendix to the Zoning Code where those are referenced or does there have to be a whole new set of design standards for those commercial zones that are not specifically within the Specific Plan.

Deputy Director Becker explained the City had to come up with a solution that would help meet the court-ordered deadline of September 27. That predisposed the Staff to ensure through pretty straightforward zoning that they could meet their deadline. That does not prevent the City from crafting form-based code for areas outside of the Downtown District.

Chair Dahl referenced the list of Errata staff provided and suggested several changes, including using stronger language to the item which references consideration of voter approval to raise the 45’ building height limit within the Downtown Specific Plan area. She also recommended including the ballot

measure date, and that the City shall advocate and support approval of that ballot measure.

Deputy Director Becker explained that information included in the Errata Tables represents the reconciliation between the two teams working on concurrent projects – including the rezonings occurring outside of the DTSP being handled by a different consultant firm. One of the key obligations now is making sure the new General Plan and the new DTSP are consistent. In addition, they worked with the Chamber of Commerce regarding land uses in the downtown district and have made some adjustments with the land use tables. Lastly, minor changes were made to wording where policies were no longer relevant.

Chair Dahl referred to the General Plan and suggested changes to the description of the Ostrich Farm District to matches its current vision of being a housing area. In addition, she recommended the wording regarding parking and creative parking requirements be changed to include the phrase *as consistent with State law* or something similar because parking is not required under some circumstances now.

Chair Dahl agreed with the commenter regarding bulb-outs and increasing enforcement on pedestrians and bicycles that that is not where the City should be focusing their efforts. She recommended to either strike that provision or make it open to infractions by cars as well as pedestrians and bikes.

For the longer term, she hoped the City Council and the City Manager would look at the creative community for economic development.

Chair Dahl also commented that she noticed David Watkins, the former Director of Planning and Building for 18 years, in a lot of the photos. She recommended including him in the acknowledgements.

Vice-Chair Padilla asked Staff to clarify some of the good public comments expressing concerns with some of the percentage changes. She remarked that the biggest percentage, the growth for the residential units, is driven by the RHNA allocation the City was required to make by the State, including an extra buffer.

Deputy Director Becker explained that the plan was ready to go through the process for 500 units. In the intervening two years, the number quadrupled over a very short period of time. She further explained that their approach to the numbers used an algorithm to anticipate what would be likely over a pretty short period of time. She agreed Ms. Pendleton was right that when looking at it from the max buildout and the very base capacity, the numbers go up considerably.

Deputy Director Becker remarked that the City's obligation is to plan for housing. The City spent quite a bit of time looking to concentrate new development in the

downtown core to add capacity. They simply were not able to accommodate all the growth there.

Chair Dahl asked if adopting the DTSP superseded adopting the Mission Street Specific Plan.

Assistant City Attorney Snow explained they would build in the Resolution that part of the action would be superseded upon the DTSP adoption taking effect.

Commissioner Discussion:

Commissioner Lesak expressed concern that the text and the diagrams were extremely hard to read and might present an accessibility issue for the community. In addition, he suggested formation of an ad hoc committee to test the usability of the documents. He also commented that in the DTSP, the organization of information goes from the smallest to the biggest components, starting with single-family homes and suggested it should be reversed, with the most intense land uses first and ending with the single-family homes.

Vice-Chair Padilla commented that the question is what can we do, what to prioritize. She remarked that there are a number of things that have come up tonight through public comment and a very engaged design community. It is essential to reflect a number of voices that are diverse, experienced and knowledgeable with a combination of people that understand planning and architecture.

Commissioner Swanborn expressed concerns about the materiality of buildings and encouraged discussion about the materials of the things we actually touch and engage and have a tactile relationship with, including windows, openings, proportions – things that tend to create rhythm and scale that we need to address as density significantly increases. In addition, he would like to hear more from the Safety and Transportation Commission. And lastly, he supported Commissioner Lesak's suggestion that an ad hoc committee or working committee be formed to create a list of priorities that need to be addressed quickly.

Vice-Chair Padilla requested clarity on the Commission's road map ahead.

Deputy Director Becker explained the intention to continue to evolve the objective design standards that were presented through AECOM and suggested perhaps a joint meeting of the Planning Commission and Design Review Board could happen to take their prototypes to the next level, customized for South Pasadena, that will support areas outside of the DTSP. They do not envision overlaying on top of the Specific Plan form-based code.

Commissioner Barthakur was not entirely clear about the scope of the form-based code versus the scope of the objective design guidelines because at the end of the day they all need to be objective design guidelines. He supported the Commissioners getting together or a committee of the Commission to get together to spend some time in identifying any fatal flaws and prioritizing next steps.

Assistant City Attorney Snow confirmed that if there was an ad hoc committee with two members just to look at this issue and report back either to the Commission or to the Council, it would not be subject to the Brown Act.

Chair Dahl asked for volunteers for the ad hoc committee. Commissioner Swanborn and Commissioner Lesak volunteered to be a part of an ad hoc committee to identify fatal flaws before adopting the documents.

Vice-Chair Padilla highlighted the public comment regarding community outreach efforts. She acknowledged the challenges of the timelines the City has been given and knows that Staff has worked truly very hard to try and have those outreach activities happen as often as possible, as early as possible, and engage everybody, including local organizations to try and host forums. She added that the comments that were submitted are thoughtful, researched, detailed and specific – exactly the type of productive public comments she would want to see as a consultant working for cities. She encouraged everyone listening tonight or watching the recording in the next few days to definitely take a look at the documents that are posted and submit comments prior to the deadlines that are provided.

Commissioner Swanborn remarked that the consultants have done an amazing job in a collaborative fashion preparing what has been presented to date. He added that there has not been a lot of community participation, but there have been workshops and they have been advertised. He expressed his appreciation for all the work that has been done, especially considering the timeframe they have been given. The Commissioners all concurred.

Chair Dahl asked for the correction to the fax number inaccurately listed in the presentation.

Director Frausto-Lupo shared the correct fax number for anyone interested in submitting public comments by fax (626) 403-7221. She reminded everyone that public comments are being received via email, in person and fax.

Vice-Chair Padilla raised the important topic of housing versus commercial. She noted the big emphasis on mixed use, but remarked that projects that come in will be market-driven. She commented that sites are going to change and evolve.

Commissioner Swanborn remarked that his comments were more toward building adaptability and flexibility as use changes to make sure that in these economic viable corridors, the City has building stock that does not need to be torn down and rebuilt which would have a huge carbon footprint as a result.

Decision:

Vice-Chair Padilla moved, seconded by Commissioner Barthakur, to continue tonight's Planning Commission Public Hearing on the General Plan Update and Downtown Specific Plan and the Program Environmental Impact Report to the next Planning Commission meeting scheduled for August 21, 2023 and include the creation of an Ad Hoc Committee, consisting of Commissioner Lesak and Commissioner Swanborn, to review the Downtown Specific Plan, specifically, to consider potential testing and to eliminate fatal flaws so the Plan is successful going forward.

Staff is directed to return to the Planning Commission August 21, 2023 meeting with a Resolution recommending that the City Council adopt and certify the Program Environmental Impact Report prepared for the project.

Staff is directed to return to the Planning Commission August 21, 2023 meeting with a Resolution recommending that the City Council adopt the General Plan and the Downtown Specific Plan Update.

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Chair Dahl asked staff to take Roll Call:

Commissioner Swanborn	Aye
Commissioner Barthakur	Aye
Commissioner Lesak	Aye
Vice-Chair Padilla	Aye
Chair Dahl	Aye

Motion carried, 5-0.

ADMINISTRATION

3. Comments from City Council Liaison:

Mayor Primuth reminded everyone that there is a City Council meeting next week. He shared his takeaways from tonight's meeting: (i) thank you for the collaborative way the Planning Commission has worked with Staff, especially considering the

tremendous number of highly volatile emotional issues that are embedded in these documents and understanding that staying on track is important; (ii) the importance by the Commission of amplifying and evaluating some of the Public Comments. The City Council wants to hear from the public and for the Commission to help them evaluate as Council members, how important those comments are – so thank you for doing that, and (iii) some of the Commissioners will have couple long meetings in August. He thanked the Commissioners for their sacrifice. For the City Council, this is the big item on their plate and he wanted to tell the Commission how appreciative they are.

4. Comments from Planning Commissioners:

Commissioner Barthakur applauded Staff and the consultants for marching ahead on what he thought was an untenable timeline.

Vice-Chair Padilla thanked everyone who came to the Chamber tonight and those that commented by Zoom. She remarked that it makes the process more valuable and enriches it.

Chair Dahl echoed all of those comments and thanked the Staff, the consultants and the community for showing up.

5. Comments from Staff:

Director Frausto-Lupo thanked the Commission for their time and effort. She reported that Senior Planner Dean Flores has joined the Department team and will be introduced to the Commission at a later meeting. In addition, a new Counter Technician will be joining the staff on Monday.

ADJOURNMENT:

6. Adjournment to the Special Planning Commission meeting scheduled on August 21, 2023:

There being no further matters, Chair Dahl adjourned the meeting at 8:47 p.m.



Laura Dahl, Chair