

## ATTACHMENT B

### AMBASSADOR WEST PROJECT

#### FINDINGS FOR CONDITIONAL USE PERMIT (CUP #4653; PLN2006-00390)

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of the Zoning Code in that life/care uses are allowed with a conditional use permit in both the WGSP-1A and WGSP-1B zones (Table 3-16, Section 17.36.050). The proposed project meets most of the requirements of the Zoning Code; however the applicant is requesting three adjustment permits that are related to the life/care use. The adjustments permits, if approved, will allow a portion of the upper campus building to exceed the height requirements, will void the requirement for the three units in the WGSP-1B to conform to City of Gardens standards, and will allow a bridge to cross a property line in contradiction to a ten foot setback requirement. If approval of the adjustments is granted, then this finding can be made.*

2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district; in that the purpose of the Zoning Code includes protecting historical integrity, ensuring provision of adequate open space, promoting economic stability, ensuring compatibility of uses, and encouraging pedestrian-friendly design. The life/care facility provides ample open space, exceeding the mandatory amount of open space required by the Zoning Code. The mix of uses across the Ambassador West site creates a wider economic base for the City. The life/care use and structure is located adjacent to an area that allows high density residential and has retail and office structures. The life/care facility will be compatible with these uses. The location of the life/care facility in proximity to commercial uses along Colorado Boulevard, Old Pasadena, and on a campus-like site will promote pedestrian movement. The facility includes the preservation of the Merritt Mansion as part of its project, and the facility has a setback, height, massing, and design that protects the historic integrity of the Ambassador Auditorium.*

3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan; in that the City's General Plan establishes the West Gateway Specific Plan. The WGSP establishes a number of guiding principles including the following: balance economic development; historic preservation and maintenance of community culture; preserve the high quality atmosphere; allow a broad mix of land uses; and preserve historically significant structures and gardens. The life/care facility is part of a larger project that balances the economic needs of the property owner with the public's desire to preserve historic structures, significant gardens, and protected trees. The larger project provides a mix of land uses including the proposed life/care facility, multi-family residences, and an office. In addition, the campus-like site also includes a religious institution, a high school and single family residences. Lastly, the proposed project will preserve and rehabilitate the historic structures and gardens on the site.*

4. *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; the Life/Care facility will be required to comply with the City's Municipal Code and requirements of the State licensing agency. The Municipal Code contains requirements related to noise, security of the facility, and the safety of its occupants. The proposed use is intended to provide day to day care to seniors.*

This residential use does not pose a threat to the health, safety or welfare of people residing or working in the neighborhood.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City; and the Life/Care facility will be required to comply with the City's Municipal Code. The Municipal Code contains requirements related to noise, security of the facility, and the safety of its occupants. The proposed use is intended to provide day to day care to seniors. This residential use does not pose a threat to the health, safety or welfare of people residing or working in the neighborhood.*

6. *The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection in that the existing land uses in the vicinity include buildings of similar height and scale, such as the Ambassador Auditorium, the five-story office building at 350 W. Colorado and the proposed residential building at 285 W. Green Street. Furthermore, the West Gateway Specific Plan allows for buildings up to 72 in height and encourages development to be located away from Del Mar Ave. and Orange Grove Blvd. and towards Green St. and St. John Ave.; thus the structure in which the proposed use resides will be compatible with the existing and future land uses. In terms of aesthetic value and character the project has been reviewed by and commented on by the Design Commission twice and will continue to undergo further refinement to ensure aesthetic and character compatibility. Views of the Ambassador Auditorium from the public right of way at the corner of St. John Ave. and Green St. will be virtually unchanged by this project, as demonstrated in the EIR.*

#### **FINDINGS FOR ADJUSTMENT PERMITS (PLN2005-00582)**

1. *The land involved shall be a minimum of 2 acres in area and shall be either in one or multiple ownership(s) filed jointly by the owner(s) of all of the property included. The site contains 19.72 acres, all owned by AACPII at this time, the entity that applied for this application.*
2. *The proposed development shall be in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan, and shall result in a comprehensive development incorporating a more enhanced environment and architectural excellence than would normally be possible under more standard district development requirements. The City's General Plan establishes the West Gateway Specific Plan. The WGSP establishes a number of guiding principles including: balance economic development, historic preservation and maintenance of community culture; preserve the high quality atmosphere; allow a broad mix of land uses; and preserve historically significant structures and gardens. The life/care facility is part of a larger project that balances the economic needs of the property owner with the public's desire to preserve historic structures, significant gardens, and protected trees.*

The larger project provides a mix of land uses including a senior life/care facility and multi-family residences. Most of the adjustments are necessary for the multi-family condominiums. In addition, the campus-like site also includes a religious institution, a high school and single family residences. Lastly, the proposed project will preserve and rehabilitate the historic structures and gardens on the site. Both the senior facility and the multi-family condominiums conform with the goals, policies and objectives of the General Plan. For instance

*Objective 2: change will be harmonized to preserve Pasadena's historic character and environment* in that all historic structures on the site are being preserved and reused.

*Objective 3: economic vitality will be promoted to provide jobs, services, revenues and opportunities* in that the Senior facility will provide a full range of services, including meals, housekeeping, wellness services, transportation, swimming pool, and recreational activities. Between 100 and 120 jobs (FTE) will be offered at the Senior facility.

*Objective 4: Pasadena will be promoted as a healthy family community* in that pedestrian amenities will be required as a condition of approval to entice senior citizens to walk to restaurants and services in Old Pasadena and elsewhere along Colorado Blvd.

Furthermore, the site itself will remain available as a healthful opportunity for members of the public to walk through the beautiful gardens in the project. In addition, health services are provided by the Sunrise facility to its residents.

*Objective 5: Pasadena will be a city where people can circulate without cars* in that the project is preserving most of the magnificent gardens, fountains, expansive lawns, mature trees, and decorative walls and fences that form the extraordinary landscape of this site. No physical barriers will bar the general public from the Great Lawn, the Grove Stream and Walk and other features of the site, and the public will have the opportunity to enjoy these.

In addition to meeting all of the General Plan Goals and Objectives, this development also meets all of the objectives of the West Gateway Specific Plan.

The proposed adjustments result in a comprehensive development as can be seen in the complete and careful plans for the 19.72 acre site.

The adjustments that are requested enhance the environment by clustering the development in order to preserve open space around historic buildings, to preserve the maximum number of protected trees, and to preserve significant landscape features such as the Great Lawn, Grove Stream and Walk, Fowler Garden, and the Italian Gardens.

3. *The various elements of the proposed plan, including structures, grounds, and open space, shall relate to one another in a manner that forms a comprehensive plan of sufficient unity to justify exceptions, if any, to the standard district development requirements identified in this Zoning Code* in that the proposed development consists of a Comprehensive Plan to utilize the existing extraordinary historic site features and site to create a cohesive community. Full schematic floor plans, section drawings, and conceptual landscape plans are included in the submittal. The Standard Pacific Homes and the Sunrise Senior Living have compatible heights and share driveway access. The Standard Pacific Homes and multi-family rental units also share driveway access. Every tree on the site has been analyzed by EDAW, the landscape architecture firm that created much of the beautiful landscaping on the former Ambassador College campus, and an Urban Forestry Plan has been submitted.
4. *The proposed development shall not adversely affect adjacent properties.* The Final EIR found that none of the adjustments have an adverse environmental effect on any adjacent property, and no known negative land use effects have been identified as a result of the Adjustment Permit. For example, the additional seven feet of height for the Sunrise Senior Living project is on the far west end of the facility and does not affect any adjacent properties. The bridge between the upper and lower campus Sunrise buildings has no effect on adjacent properties. The portion of the Sunrise facility next to the Merritt Mansion is an internal portion of the building that does not affect any neighboring properties.

5. *Where applicable, the Adjustment Permit provides the flexibility in development standards necessary to preserve a significant historic landmark, resource, site, or structure in that the increased heights of buildings, lengths of buildings, decreased setbacks, and other adjustments serve to preserve significant landscape features of the campus, such as the Great Lawn, the Italian Gardens, Fowler Garden, Merritt Gardens, Grove Stream and Walk and others. The adjustments also allow for more breathing room for historic structures such as Terrace Villa, Merritt Mansion, Mayfair, and South Orange Grove apartments.*
6. *The proposed development is allowed within the subject base zoning district in that multi-family units are a permitted use and the senior life/care use is permitted with a Conditional Use Permit.*
7. *The proposed development is in conformance with the applicable provisions of this Zoning Code relating to both on- and off-site improvements that are necessary to accommodate flexibility in site planning and property development and to carry out the purpose and intent of the subject base zoning district. The proposed project will comply with all requirements for off-site and on-site improvements deemed necessary by any City department. The project carries out the purposes of the WGSP zone (Section 17.36.020 of the zoning code), as follows: it implements the purposes of the West Gateway Specific Plan; it balances economic development and historic preservation and the goal of maintaining the Ambassador Auditorium as a cultural institution; it preserves the high quality atmosphere of the grounds of the project site; it provides flexibility needed to provide residences that the public demands; it prevents a westward expansion of Old Pasadena's commercial use while providing residential users who will shop and eat in Old Pasadena; it allows a mix of uses, including senior housing, life/care housing; market rate housing and affordable housing; it facilitates appropriate development by streamlining the development process; it encourages linking of the site to Old Pasadena by conditions of approval requiring improved amenities along Green Street; it preserves significant historic structures and significant gardens and landscaped areas; it provides appropriate traffic patterns and parking spaces; it provides development types that would use nearby transit lines and provides continued pedestrian opportunities on the site; and it recognizes the cultural value of the Ambassador Auditorium on the adjacent property by its development of compatible structures and uses.*
8. *The proposed project would produce a comprehensive development incorporating a more enhanced environment and architectural excellence (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than would normally be possible under more standard district development requirements; The adjustments that are requested enhance the environment by clustering the development in order to preserve open space around historic buildings, to preserve the maximum number of protected trees, and to preserve significant landscape features such as the Great Lawn, Grove Stream and Walk, Fowler Garden, and the Italian Gardens.*

Approval of the adjustment will result in a superior design because the project can then be designed to take advantage of existing treasures on the site, such as hardscape elements, fences, balustrades, trees or relationships to historic buildings on the site. The existing Italian Gardens provides a type of main garden unimaginable by the City of Gardens code. Relaxation of length of building requirements and allowing a third story in some areas protects the Italian Garden from encroachments by new units. The proposed condominium

units are designed in ten buildings that all have substantially different footprints and four different architectural styles.

9. *The design, location, shape, size, operating characteristics, and the provision of public and emergency vehicle access and public services and utilities (e.g., drainage, fire protection, sewers, water, etc.), would ensure that the proposed development would not endanger, jeopardize, or otherwise constitute a hazard to the public health, safety, or general welfare, or injurious to the property or improvements in the vicinity and base zoning district in which the property is located;* The units in Parcel 3 and 5 will be accessed from a shared driveway with the Sunrise facility off of Green Street. The units in Parcel 9 will have access from an existing driveway from Orange Grove Blvd. The units in Parcel 16 will have access from Del Mar Blvd. All driveways provide full emergency access. The Fire, Public Works, Water and Power Departments have evaluated the project and set conditions to assure that the project does not endanger, jeopardize or otherwise constitute a hazard to public health and safety.
10. *The subject site is physically suitable for the type and density/intensity of development being proposed and adequate in shape and size to accommodate the proposed development.* The project's overall density is well below that allowed in the WGSP. The project's design accounts for the hill in the middle of the project without difficulty. The irregular size and shape of the project accommodates the proposed development.
11. *The public need for, and the positive benefits to be derived from, the proposed project clearly outweigh any of the potential unavoidable negative effects it may cause;* see the Statement of Overriding Considerations in Attachment C of this report.
12. *Where applicable, the Adjustment Permit provides the flexibility in development standards necessary to preserve a significant historic landmark, resource, site, or structure.* Without the adjustment permit, the development of the allowable density on this site would require elimination of some of the historic structures or significant landscape features of the property, including the Italian Gardens, Merritt Gardens, Fowler Garden, Grove Walk and Stream, and the EDAW water feature and tempietto.

#### **FINDINGS FOR PRIVATE TREE REMOVAL REQUESTS (PLN2006-00223 – 00231)**

1. *The present conditions of seven of the trees are such that they are not reasonably likely to survive.* Seven of the protected trees on the site are deemed to be dead or dying based on the analysis of both the applicant's landscape firm, EDAW, and the City's certified arborist and tree expert, Dudek and Associates, who is a sub-consultant on the EIR for the project. These trees are #660 on Parcel 1 (FEIR Appendix D), #717 on Parcel 2, #162 on Parcel 3, #309 on Parcel 9, #1003 on Parcel 12, #989 on Parcel 16 and #430 on Parcel 16.
2. *There is a public benefit, or a public health, safety, or welfare benefit, to the removal that outweighs the protection of the specific trees (public benefit means a public purpose, service, or use which affects residents as a community and not merely as particular individuals).* In this case there are actually two factors that, taken together, comprise the public benefit.
  - a. First, the replacement canopy required to make Finding 6 for Private Tree Removals could be accomplished by the applicant providing new trees on the sprawling historic, sloping "Great Lawn." However, the openness of the Great Lawn, which already includes some of the most spectacular trees on the site, would be lost.

Moreover, new trees on the Great Lawn would contradict the historic reason for the lawns in the first place and block views of historic mansions on the property as seen from the Great Lawn and from the primary north/south walkway on the site where Terrace Avenue used to be.

Without having to replace the tree canopy on site, all of the preserved mansions on the property can be enjoyed in their original settings without the imposition of additional trees needed just to replace a canopy coverage.

Other preserved gardens on the site (e.g., the Italian Gardens, Merritt Gardens, and Fowler Gardens) will be available to be viewed by the public in their historic form and are virtually irreplaceable in terms of cost and land availability.

- b. Second, for any tree canopy that is not replaced on site, the applicant will provide the equivalent canopy as new street trees where needed on public streets throughout the city. Off-site canopy will preserve the landscape character of the site while providing replacement canopy in other parts of the city as an environmental benefit to the city as a whole.

### **FINDINGS FOR VESTING TENTATIVE TRACT MAP #063103**

1. *The proposed map is consistent with the applicable general and specific plans as specified in Section 65450 in that the proposed uses are consistent with the uses allowed within the site's General Plan and Zoning classification. With the proposed transfer of development rights, the project meets the density requirements set by the West Gateway Specific Plan. The Map is consistent with the following General Plan Objectives and Policies Objective 1, Policy 2.3, Policy 5.5, Policy 6.3, and Policy 20.3.*
2. *The site is physically suitable for the type of development in that the site is relatively flat from north to south, and with a 32 foot rise from east to west. The topography of the site does not preclude development; the site has been the location of uses ranging from residential to institutional for more than 100 years. The site's physical suitability is demonstrated by this past development and by the West Gateway Specific Plan's allowance to build at the site and encouragement to locate the density at the northeast corner of the block. The site has the proper infrastructure to accommodate the existing uses and the applicant will be providing further upgrades to allow for the proposed use. Furthermore, there are no native biological resources located on the site. The applicant has developed a proposal that preserves the site's features including historic and/or significant buildings, landscapes and protected trees*
3. *The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat in that the Environmental Impact Report reviewed the project's impact on biological resources and found that with the accompanying mitigation measures that the project would not have a significant impact on fish or wildlife.*
4. *The design of the subdivision or type of improvements is not likely to cause serious public health problems in that any development must comply with the standards of the Pasadena Municipal Code. Additionally the life/care facility will need to comply with State licensing requirements. The proposed new construction requires building permits, which will ensure that all health and safety related requirements are met. The Environmental Impact Report for the project states that the project will create a significant, unavoidable air quality impact.*

However this impact is due to the demolition and construction phase of the project and is thus temporary in nature.

5. *The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access or use of the property within the proposed subdivision in that the development has been designed around the existing public easements including utility and roadway easements. The applicant will also be creating a public easement granting use of the Great Lawn to the public. The proposed development does not conflict with that easement.*
6. *The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in that the proposed mixed-use development must comply with the development standards of the Pasadena Municipal Code. This ensures adequate open space which will facilitate natural heating and cooling patterns on the site. The project will undergo design review by the Design Commission and will be reviewed again prior to receiving a building permit to ensure that the project will be in full compliance with all applicable code standards and will provide the natural flow of air to the furthest extent regulated by the Pasadena Municipal Code. In addition, the life/care facility and the new residential condominiums will be required to comply with the City's Green Building Ordinance which may require the facility to institute additional passive or natural heating and cooling opportunities.*
7. *The discharge of waste from the proposed subdivision into the existing sewer system would not add to or result in violation of existing water quality control standards in that in order to mitigate the project's potential impact on the existing sewer system the applicant will be responsible for paying its fair share of sewer improvements. This issue was analyzed in the Environmental Impact Report, and mitigation measures were established so that no significant negative impacts resulted.*

#### **FINDINGS FOR SUBDIVISION MODIFICATION (PLN2007-0001)**

1. *The land involved in any subdivision is of such size or shape, or is subject to such title limitations of record or is affected by such topographical location or conditions or is to be devoted to such use, that it is impossible or impracticable in the particular case for the subdivider to conform fully to the regulations contained in this title. It is impractical for the applicant to subdivide the land in such a way as to provide street frontage for the interior portion of the block. Doing so would require the applicant to create a street at the former Terrace Drive and Grove Streets. Besides destroying the beauty of the campus and possibly creating a significant environmental impact this could also result in the loss of protected trees. Furthermore, given the shape of the parcel and the location of the existing historic structures within that shape, subdividing the lot in a manner compliant with Title 16 is impractical. The proposed lot configuration in conjunction with the proposed private and public easements results in an improved site plan with fewer impacts on historic buildings, protected trees, and significant open spaces.*

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