

CITY OF PASADENA
City Council Minutes
February 4, 2008 – 5:30 P.M.
City Hall Council Chamber

REGULAR MEETING

OPENING:

Mayor Bogaard called the regular meeting to order at 5:45 p.m.
(Absent: Councilmember Gordo)

On order of the Mayor, the regular meeting recessed at 5:45 p.m., to discuss the following closed session:

Councilmember Gordo
arrived at 5:57 p.m.

**CITY COUNCIL AND COMMUNITY DEVELOPMENT
COMMISSION CONFERENCE WITH REAL PROPERTY
NEGOTIATORS pursuant to Government Code Section
54956.8**

**Property Locations: 19-25 East Orange Grove Boulevard;
710-722 North Fair Oaks Avenue; 730 North Fair Oaks
Avenue; 738 and 750 North Fair Oaks Avenue; 756 North
Fair Oaks Avenue; 768 North Fair Oaks Avenue; 782 North
Fair Oaks Avenue; 784 and 788 North Fair Oaks Avenue;
770 North Fair Oaks Avenue**

**Negotiating Parties: Bernard Melekian and Sylvia Ruiz;
Retirement Housing Foundation**

Under Negotiation: Price and terms

The above closed session item was discussed, with no reportable action at this time.

On order of the Mayor, the regular meeting reconvened at 6:30 p.m. The Pledge of Allegiance was led by Councilmember Robinson.

ROLL CALL:

Councilmembers:

Mayor Bill Bogaard
Vice Mayor Steve Haderlein
Councilmember Victor Gordo
Councilmember Chris Holden
Councilmember Steve Madison
Councilmember Margaret McAustin
Councilmember Jacque Robinson
Councilmember Sidney F. Tyler

Staff:

City Manager Bernard K. Melekian
City Attorney Michele Beal Bagneris
City Clerk Jane L. Rodriguez

CERMONIAL MATTERS

The City Clerk administered the oaths of office to Marianna Marysheva-Martinez as Community Development Committee member, Paul R. Martin as Historic Preservation

**PUBLIC COMMENT ON
MATTERS NOT ON THE
AGENDA**

Commissioner, and Michael Warner as Code Enforcement Commissioner.

June Takenouchi, Pasadena resident, expressed support for increasing the pay and benefits for the City's police officers, hiring additional officers, and purchasing new helicopters to replace those currently being used by the Police Department.

Vice Mayor Haderlein, Chair of the Public Safety Committee, noted the Public Safety Committee was currently discussing noise issues related to the helicopters and would look at the funding issue for new helicopters during the annual budget process.

In anticipation of public comments to be made regarding a proposed cell tower project to be located in the Avenue 64 area, the City Manager discussed the reasons for the numerous continuances of a public hearing scheduled on this matter and attempts by staff to work with the applicant to resolve issues related to this matter.

The City Attorney noted that since the cell tower Conditional Use Permit was the subject of a public hearing and as a matter of legal process, any public comments made at this time would not be able to be considered by Council in making a decision on the matter when this is presented at the scheduled public hearing, and that it would be more effective for the comments on the cell tower project to be made during the public hearing.

The Mayor clarified that the public hearing on the cell tower matter would be continued to May 5, 2008, and that the City's current information from the applicant included the applicant's intent to re-consider the need for the tower.

The following persons spoke in opposition to the installation of a cell tower in the Avenue 64 area and/or expressed concerns regarding the number of public hearing continuances allowed on the proposed cell tower project:

Freddie Hannan, Save the Hill Neighborhood Alliance member

Todd Sandberg, Save the Hill Neighborhood Alliance member

Joan Dooley, Save the Hill Neighborhood Alliance member, submitted a letter dated November 20, 2007 from the President of the West Pasadena Residents Association that expressed concerns and suggestions regarding cell tower sitings.

Miriam Nakamura-Quan, Save the Hill Neighborhood Alliance member, submitted her letter dated February 4, 2008 regarding the application for the tower project and copies of two letters from Moser Consulting

dated May 31, 2007 and October 1, 2007 requesting continuances.

Tomoko Copon, Save the Hill Neighborhood Alliance member, submitted a packet of information on the proposed tower site.

The City Manager indicated staff will not recommend further continuances beyond the continued public hearing in May 2008.

CONSENT CALENDAR

AUTHORIZATION TO ENTER INTO A PURCHASE ORDER CONTRACT WITH RUSH TRUCK CENTER FOR THE PURCHASE OF ONE 2008 TRACTOR TRUCK NOT TO EXCEED \$135,412

Recommendation of City Manager:

- (1) Accept the bid dated December 26, 2007, submitted by Rush Truck Center for One 2008 Tractor Truck for the Water and Power Department;
- (2) Authorize the issuance of a purchase order to Rush Truck Center in an amount not to exceed \$135,412.

AUTHORIZATION TO ENTER INTO A CONTRACT WITH ACCURATE AIR ENGINEERING, INC. FOR FURNISHING AND DELIVERY OF SKID-MOUNTED COMPRESSED AIR SYSTEM FOR GLENARM AND BROADWAY POWER PLANTS FOR NOT TO EXCEED \$102,749

Recommendation of City Manager:

- (1) Accept the bid dated November 14, 2007, submitted by Accurate Air Engineering, Inc. in response to Specifications LD-07-6 for Furnishing and Delivery of Skid-Mounted Compressed Air System for Glenarm and Broadway Power Plants;
- (2) Reject the other bid; and
- (3) Authorize the City Manager to enter into a contract with Accurate Air Engineering, Inc. for an amount not to exceed \$102,749. (Contract No. 19,535)

APPROVAL OF FINAL VESTING TRACT MAP NO. 063461, BEING A MIXED-USE PROJECT CONSISTING OF 33 CONDOMINIUMS AND ONE COMMERCIAL PARCEL, AT 285 WEST GREEN STREET

Recommendation of City Manager:

- (1) Adopt a resolution to approve Final Vesting Tract Map No. 063461;
- (2) Accept the offer of easement dedications for street purposes as shown on said map; and
- (3) Authorize the City Clerk to execute the certificate on the map showing the City's approval of said map. (Resolution No. 8820)

AUTHORIZATION TO AMEND THE PROFESSIONAL SERVICES CONTRACT WITH PASADENA COMMUNITY ACCESS CORPORATION (PCAC) FOR MANAGEMENT OF CHANNEL 55 KPAS AND PROVISION OF RELATED SERVICES

Recommendation of City Manager: Authorize the City Manager to amend Contract No. 17,606 with PCAC to extend the term of the contract for an additional three-year term with two one-year renewal options subject to the approval of the City Manager, and to increase the annual contract amount to \$341,713 per year. (Contract Amendment No. 17,606-3)

CLAIMS RECEIVED AND FILED

Claim No. 10,525	Interinsurance Exchange of the Automobile Club as subrogee for Isidra and Enrique Castaneda	\$ 2,337.22
Claim No. 10,526	Priscilla Monje	Not stated
Claim No. 10,527	Dierdre F. Moffat	Not stated
Claim No. 10,528	Douglas Rodriguez	Not stated
Claim No. 10,529	Dino John Stirpe	Not stated
Claim No. 10,530	State Farm Insurance Companies for Othella T. Owens	1,411.68

PUBLIC HEARINGS SET

February 25, 2008, 7:30 p.m. - Huntington Hospital Master Plan Amendment

May 19, 2008, 7:30 p.m. - City Manager's Recommended Fiscal Year 2009 Operating Budget

It was moved by Councilmember Gordo, seconded by Vice Mayor Haderlein, to approval all items on the Consent Calendar. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

AUTHORIZE EXECUTION OF A LEASE AGREEMENT, LICENSE AGREEMENT, AND TWO OPTION AGREEMENTS BETWEEN THE CITY OF PASADENA AND THE ART CENTER COLLEGE OF DESIGN FOR THE USE OF CITY PARCELS DEEMED TO BE EXCESS WITHIN THE PASADENA WATER AND POWER DEPARTMENT GLENARM POWER PLANT SITE

Recommendation of City Manager:

- (1) Approve the Initial Study (Attachment 3 of the agenda report) and Mitigated Negative Declaration prepared for Parcel B (Attachment 4 of the agenda report);
- (2) Acknowledge the Option Agreements to be exempt from the California Environmental Quality Act (CEQA) Administrative Code Title 14, Chapter 3, Section 15061(b)(3) (Attachment 5 of the agenda report);
- (3) Approve the Notice of Exemption for the Option Agreements (Attachment 5 of the agenda report);
- (4) Authorize the City Manager to execute a Lease Agreement for Parcel B;

- (5) Authorize the City Manager to execute a License Agreement for Parcels D and E;
- (6) Authorize the City Manager to execute an Option Agreement for Parcel A (Glenarm Power Plant Building); and
- (7) Authorize the City Manager to execute an Option Agreement for Parcels D and E. (Agreement Nos. 19,536 through 19,539)

The City Manager introduced the agenda item.

Eric Duyshart, Business Development Manager, reviewed the agenda report; noted that Art Center College of Design had agreed to reduce the lease term on Parcel B to 10 years (rather than 55 years) so that the project could move forward, with the lease to be amended to a 99-year lease for the entire Pasadena Water and Power (PWP) site once the long-term plans for the site are in place; and responded to questions.

Richard Bruckner, Director of Planning and Development Department, discussed the synchronization of the Art Center Master Plan with the City's utility plans for the use and development of the various parcels on the entire PWP site, and responded to questions.

Discussion followed regarding the responsibility for environmental mitigation measures, future plans for the GT-1 and GT-2 generators, the proposed parking structure on Parcel B, proposed parking on various parcels of the site, and plans and a timeframe for construction of the proposed student housing.

The following persons spoke in support of the various agreements:

Patricia Oliver, Art Center College of Design, Senior Vice President, Educational Planning and Architecture
Iris Gelt, Art Center College of Design, Senior Vice President, Marketing and Communications, read a statement of support from Richard Koshalek, President of the Art Center.

Councilmember Holden thanked the Art Center for their decision to stay in Pasadena and City staff for working with the Art Center to locate this site for the Art Center's expanded use.

It was moved by Councilmember Madison, seconded by Councilmember Holden, to approve the City Manager's recommendation, including the revision to the proposed lease agreement for Parcel B that would reduce the lease term from 55 years to 10 years. (Motion unanimously carried) (Absent: None)

PUBLIC HEARINGS

CONTINUED PUBLIC HEARING: DESIGNATION OF 72 EAST GLENARM STREET AS A HISTORIC MONUMENT
Recommendation of City Manager:

- (1) Acknowledge that the designation of historic resources is categorically exempt from the California Environmental Quality Act (CEQA Guidelines Section 15308: Class 8 - Actions by Regulatory Agencies for Protection of the Environment);
- (2) Find that the Glenarm Power Plant at 72 East Glenarm Street, including the interior of the turbine room in the 1928 building and the electric fountain, meets Criterion C in Pasadena Municipal Code Section 17.62.040 for designation of a historic monument because it is a significant representation of an electrical power-generating plant in the Moderne and Georgian Revival styles and because of its associations with the architectural firm of Bennett & Haskell;
- (3) Approve the designation of the Glenarm Power Plant property at 72 East Glenarm Street – including the interior of the turbine hall and the electric fountain – as a historic monument, while recognizing the need for flexibility in regulating changes to the interior spaces to accommodate future uses of the building;
- (4) Adopt a resolution approving a Declaration of Historic Monument Designation for 72 East Glenarm Street, Pasadena, California;
- (5) Authorize the Mayor to execute a Declaration of Historic Monument Designation for 72 East Glenarm Street, Pasadena, California; and
- (6) Direct the City Clerk to record the Declaration with the Los Angeles County Recorder. (Resolution No. 8821)

Recommendation of Historic Preservation Commission: On September 17, 2007, at a noticed public hearing, the Historic Preservation Commission voted unanimously to recommend approval of the designation of 72 East Glenarm Street as a historic monument. The Commission also provided the following additional recommendation: the Historic Preservation consultant retained by the City should continue to monitor the current seismic-retrofitting work at the Glenarm Power Plant. Staff concurs with this recommendation. The current work at the Glenarm Power Plant is being monitored by a Historic Preservation consultant and the monitoring will continue until the project is complete.

The Mayor announced now was the time for the continued public hearing.

The City Manager introduced the agenda item.

Richard Bruckner, Director of Planning and Development Department, reported that questions regarding the interior of the building (including the equipment) and the need to preserve the historic fabric of the exterior and interior of the building had been reconciled in the lease and option agreements approved by Council with the Art Center College of Design.

No one appeared for public comment.

It was moved by Councilmember Tyler, seconded by Councilmember McAustin, to close the public hearing. (Motion unanimously carried) (Absent: None)

Mayor Bogaard read into the record the pending motion of February 4, 2008, which was moved by Councilmember Tyler, seconded by Councilmember McAustin, to approve the City Manager's recommendation, including the equipment cited in the recommendation above and contemplating that the equipment will be removed at some time in the future when an adaptive re-use plan is submitted.

Vote on the motion:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: None

PUBLIC HEARING: DESIGNATION OF 467 E. WASHINGTON BOULEVARD AS A LANDMARK

Recommendation of City Manager: It is recommended that the City Council continue the public hearing to February 11, 2008, at 7:30 p.m.

The Mayor opened the public hearing.

Donald Colbert, representing New Macedonia Missionary Baptist Church (property owner), expressed opposition to the landmark designation and concerns regarding a process that allows a party that does not own a property to request the designation of a site as a landmark when the action is not supported by the property owner and will create a hardship to the owner. He stated that a letter confirming the recent donation of the above property to the Church by a private party would be sent to staff before the end of this week.

Richard Bruckner, Director of Planning and Development Department, indicated staff would be presenting a report to Council at the meeting of February 11th that would include information on the recent transaction involving the property.

The City Manager noted staff would be presenting a report to the Economic Development and Technology Committee within the next couple of months reviewing the process by which private properties receive historical designation, including the situation where an application for historic designation is filed by a party other than the property owner.

By consensus and on order of the Mayor, the public hearing was continued to February 11, 2008 at 7:30 p.m.

PUBLIC HEARING: ZONING CODE AMENDMENT: MESSAGE ESTABLISHMENTS

Recommendation of City Manager: It is recommended that the City Council, following a public hearing:

- (1) Adopt the Initial Study and the Negative Declaration (Attachment 1 of the agenda report) for the proposed Zoning Code amendments and acknowledge the No Effect Determination by the Department of Fish and Game (Attachment 2 of the agenda report);
- (2) Find that the adoption of the Zoning Code amendments related to Massage Establishments is consistent with the goals, objectives and policies of the General Plan as outlined in the agenda report;
- (3) Approve the proposed Zoning Code amendments as contained in the agenda report; and
- (4) Direct the City Attorney's Office to prepare an ordinance codifying these amendments and return within 60 days for first reading.

Recommendation of Planning Commission: On September 12, 2007, the Planning Commission considered the proposed Zoning Code amendments on Massage Establishments. The Commission approved staff's recommendation with the addition that the 250-foot distance separation requirement for new Massage Establishments from residentially zoned properties to include those establishments that will be located in the Central District Specific Plan. Staff's recommendation includes the additional recommendation from the Planning Commission.

The Mayor opened the public hearing.

The City Clerk reported the notice of public hearing was published on January 21, 2008 in the Pasadena Star-News and January 31, 2008 in the Pasadena Journal; and no correspondence was received.

The City Manager introduced the agenda item.

Kent Lin, Assistant Planner, reviewed the agenda report and responded to questions.

Denver Miller, Principal Planner, discussed the distance separation requirements between Massage Establishments and various types of businesses (other massage-use establishments, pawn shops, tattoo parlors, and check-cashing services).

The City Attorney confirmed that staff had reviewed the legality of the proposed ordinance and found it to be lawful.

Discussion followed on an option to require a specific distance between massage businesses and sexually oriented businesses, use of a zoning map rather than use map in implementing the ordinance, operating conditions for Massage Establishments, and differences in the regulation of Massage Establishments.

Councilmember Gordo expressed concerns regarding the need to include a distance separation requirement between Massage Establishments and Sexually Oriented Businesses, and suggested a distance of 500' be required between these businesses.

Councilmember McAustin asked staff to provide her with a citywide map showing the location of the various types of massage businesses.

David Barker, representing chair massage service providers, expressed concerns regarding the current status of the chair massage practitioners/services at the Whole Foods Market on Arroyo Boulevard, and asked for relief from the City in order to provide the service now rather than waiting for the proposed ordinance to take effect.

Discussion continued on the problem identified by Mr. Barker, and the timing for drafting and adopting the proposed ordinance.

The City Manager clarified that the Whole Foods Market in question does not currently have a Conditional Use Permit that would allow chair massages.

The City Attorney discussed the timing for processing the ordinance, and indicated staff would look into whether the ordinance could become effective upon adoption and publication rather than 30 days after publication of the ordinance, based on this being a matter of public health and safety.

Councilmember Madison asked Mr. Barker to contact his office regarding the timing of the ordinance.

It was moved by Councilmember Tyler, seconded by Vice Mayor Haderlein, to close the public hearing. (Motion unanimously carried) (Absent: None)

It was moved by Councilmember McAustin, seconded by Councilmember Gordo, to approve the City Manager's recommendation, as amended to add a distance separation requirement of 500' between Massage Establishments and Sexually Oriented Businesses. (Motion unanimously carried) (Absent: None)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE AMGEN TOUR OF CALIFORNIA CYCLING RACE, TO BE HELD AT THE ROSE BOWL AND IN THE ARROYO SECO AREA ON SUNDAY, FEBRUARY 24, 2008

Recommendation of City Manager:

(1) Acknowledge that the proposed Amgen Tour of California Cycling Race and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323, Normal Operations of Facilities for Public Gatherings; and

(2) Adopt an ordinance and Notice of Exemption to suspend the Noise Ordinance and to allow amplified sound to exceed 65 dB's at the property line of the event and hold the first reading of same on Monday, February 4, 2008, with respect to the proposed Amgen Tour of California to be held at the Rose Bowl and within the Arroyo Seco area on Sunday, February 24, 2008 from 12:30 p.m. - 5:30 p.m.

ORDINANCE – FIRST READING

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO NOISE LEVELS AND GENERAL NOISE SOURCES FOR A PERMITTED EVENT AT THE ROSE BOWL IN THE ARROYO SECO AREA ON SUNDAY, FEBRUARY 24, 2008 FROM 11:00 AM TO 5:30 PM (THE AMGEN TOUR OF CALIFORNIA CYCLING RACE)”

The above agenda item and first reading of the ordinance were acted upon concurrently.

It was moved by Councilmember Madison, seconded by Vice Mayor Haderlein, to approve the City Manager's recommendation and offer the ordinance for first reading:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

SUSPENSION OF THE NOISE ORDINANCE RELATING TO THE CALVARY CHAPEL OF PASADENA'S EASTER SUNRISE SERVICE, TO BE HELD AT VICTORY PARK ON SUNDAY, MARCH 23, 2008

Recommendation of City Manager:

(1) Acknowledge that the proposed Calvary Chapel of Pasadena's Easter Sunrise Service and the lifting of the Noise Ordinance are categorically exempt under California Environmental Quality Act (CEQA) Guidelines Section 15323, Normal Operations of Facilities for Public Gatherings; and

(2) Adopt an ordinance and Notice of Exemption to suspend the Noise Ordinance and by permitting amplified sound on a

Sunday beginning at 7:00 a.m. and hold the first reading of same on Monday, February 4, 2008, with respect to the proposed Calvary Chapel of Pasadena's Easter Sunrise Service to be held at Victory Park on Sunday, March 23, 2008 from 7:00 a.m. to 8:30 a.m.

ORDINANCE – FIRST READING

Councilmember Madison was excused at 8:05 p.m.

Conduct first reading of “AN ORDINANCE OF THE CITY OF PASADENA SUSPENDING SECTIONS 9.36.220 AND 9.36.230 OF THE PASADENA MUNICIPAL CODE RELATING TO LIMITATIONS ON HOURS OF OPERATION OF AMPLIFIED SOUND ON A SUNDAY FROM 7:00 AM - 8:30 AM AND NOISE SOURCES FOR A PERMITTED EVENT AT VICTORY PARK ON SUNDAY, MARCH 23, 2008 (THE CALVARY CHAPEL OF PASADENA’S EASTER SUNRISE SERVICE)”

The above agenda item and first reading of an ordinance were acted upon concurrently.

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the City Manager’s recommendation and offer the above ordinance for first reading:

AYES: Councilmembers Gordo, Holden, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: Councilmember Madison

ORDINANCE – ADOPTED

Councilmember Madison returned at 8:06 p.m.

Adopt “AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 2, CHAPTER 2.05, SECTION 2.05.170, SUBSECTION A, OF THE PASADENA MUNICIPAL CODE TO ADD AFFORDABLE HOUSING MATTERS TO THE CHARGE OF THE COUNCIL ECONOMIC DEVELOPMENT AND TECHNOLOGY COMMITTEE” (Introduced by Councilmember Gordo) (Ordinance No. 7130)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Holden, Madison, McAustin, Robinson, Tyler, Vice Mayor Haderlein, Mayor Bogaard

NOES: None

ABSENT: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember McAustin and Vice Mayor Haderlein were excused at 8:07 p.m.

GREEN CITIES CALIFORNIA SUSTAINABILITY RESOLUTION

Recommendation of City Manager: It is recommended that the City Council adopt the Green Cities California Sustainability Resolution. (Resolution No. 8822)

Recommendation of Environmental Advisory Commission: At the regular meeting held on January 15, 2008, the Environmental Advisory Commission unanimously

recommended that the City Council adopt the Green Cities California Sustainability Resolution.

Alice Sterling, Senior Project Manager, summarized the agenda report.

It was moved by Councilmember Tyler, seconded by Councilmember Gordo, to approve the City Manager's recommendation. (Motion unanimously carried) (Absent: Councilmember McAustin, Vice Mayor Haderlein)

PUBLIC HEARING

CONTINUED PUBLIC HEARING: CALL FOR REVIEW – APPLICATION FOR CONSOLIDATED DESIGN REVIEW – NEW CONSTRUCTION OF TWENTY-ONE UNIT CONDOMINIUM AT 229-247 SOUTH MARENGO AVENUE
Recommendation of City Manager: It is recommended that the City Council:

Environmental Determination:

- (1) Find that the proposed project is consistent with the General Plan designation, with the General Plan goals and policies for the area, and with the applicable zoning designation and regulations; and that the project site has no value as a habitat for endangered or threatened species, and can be served by utilities and public services;
- (2) Find that approval of the project will not result in any significant effects relating to traffic, pursuant to the approval of the traffic assessment by the Department of Transportation on July 25, 2006;
- (3) Find that approval of the project will not result in any significant effects relating to noise, air quality or water quality;
- (4) Acknowledge that none of the buildings on the property meets the criteria for designation as landmarks, historic monuments, or for listing in the California or National Registers (and that the project will, therefore, have no effect on historic resources); and
- (5) Conclude, therefore, that the project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332, (Class 32) "in-fill development projects."

Findings for Removal of Specimen Trees and Replacement Trees:

- (1) Acknowledge that the new development will cause the removal of one protected tree, a Cinnamomum Camphora (camphor tree), with a 36-inch DBH (Tree No. 6 on Sheet L-PD – Attachment B of the agenda report); and
- (2) Approve the removal based on the finding that the canopy of the replacement trees (43 new trees at 24" box or larger – tree legend, Sheet L-PD – Attachment B of the agenda report) will result in a tree canopy coverage of greater significance than the tree canopy coverage being removed within a reasonable time after completion of the project (Section 8.52.075 A, finding No. 6, of the Pasadena Municipal Code).

Findings of Consolidated Design Approval:

Find that the design of the project complies with the City-wide Design Principles in the Land-use Element of the General Plan; the Multi-family Residential Development Standards in Chapter 17.22 of the Pasadena Municipal Code, and the Design Guidelines for Windows in Multi-unit Residential projects.

Based on these findings, affirm the decision of the Design Commission of November 26, 2007 to approve the application for consolidated Design Review for 229-247 South Marengo with the following conditions, subject to final review and approval by the staff:

- (1) The paving material shall relate to the base course cast-stone veneer represented on the elevations. The base course material shall be selected with special attention to the detailing of the corners and the interface with wood and stucco elements on the building.
- (2) The elevation drawings shall be revised to include wood facias on all eyebrow elements of the building.
- (3) The architect shall revise and coordinate the floor plans to reflect the final [approved] design.
- (4) The cast-stone cap detail on the balcony rail/parapet shall be included and shall reference the base material used on the building.
- (5) The corner element detail where two windows come together shall be reevaluated. (It may be wood or clear aluminum.)
- (6) The scale of the [pedestrian] entry gates shall be reinvestigated to consider making this element more substantial. The relocation of this element farther back from the street elevation shall be considered.
- (7) The dimension of the horizontal railings on the balconies shall be reexamined to insure that they are sturdy/strong enough instead of the half-inch dimension presented in the drawings.
- (8) The door selection (size and material) shall be reexamined on the front [street-facing] elevation.

Decision of the Design Commission:

The Design Commission at its meeting on November 26, 2007 voted to approve the application for consolidated Design Review for 229-247 South Marengo Avenue (following four previous reviews during 2007) with the eight conditions of approval cited above (Attachment D of the agenda report).

The Mayor announced now was the time for the continued public hearing.

Councilmember Gordo was excused at 8:13 p.m.

The City Clerk reported that an additional letter in opposition to and an additional letter in support of the project had been received since the public hearing had been opened on January 28, 2008.

Councilmember Madison discussed the call for review as this relates to the project's compatibility with the surrounding neighborhood and the stress placed on this corner (Marengo Avenue and Cordova Street) caused by the high level of development occurring in this area.

Mark Odell, Senior Planner, discussed the issues of neighborhood compatibility and the findings that have been made at this time, and responded to questions.

Richard Bruckner, Director of Planning and Development Department, outlined the factors that were reviewed in determining neighborhood compatibility (e.g., height, use, and architecture); and responded to questions.

The City Attorney clarified that the Council could review the project based on standards set forth in the Pasadena Municipal Code (aspects of design, trees, and environment), with findings to be made based on the evidence, if the application is denied; and responded to questions.

Councilmember Tyler expressed concerns regarding the compatibility of this building with the neighborhood to the south of the site on Marengo Avenue; and stated his opinion that the staff and Council should be taking into consideration the net impact, which is occurring citywide, of the apparent destruction of relatively affordable units that are being replaced by more expensive units.

Councilmember Holden commented on the affordability issue, noted that a moratorium was currently in place and a task force was reviewing the affordable housing issue, stressed the need for recommendations from the task force to be presented to Council as soon as possible so that an ordinance could be drafted and adopted, and expressed support for staff's position on this project.

Discussion followed on the project's compatibility with the neighborhood, the requirements for the garden area, allowable encroachments for the project under the City of Gardens ordinance, the impact of what may be a decrease in affordable housing units, and the need to apply transit-oriented standards to the project.

The following persons spoke in support for the project:

Ann Higginbotham, legal counsel for Prominent Victoria Group (applicant), submitted a handout of the market rate rents being charged for the current housing units.
Hugo Suarez, Suarez Architects, Inc. (applicant's architect)
Helen Woo, Prominent Victoria Group (applicant)
James Li, Prominent Victoria Group (applicant)

The following persons spoke in opposition to the project and/or expressed concerns regarding the project:

Lori Salvatti, Montecito Manor residents' representative
Alex Veloz, Pasadena resident
James Peterson, Pasadena resident
Phil Salvatti, Pasadena resident
Mark Jackson, Pasadena resident

Councilmember McAustin expressed concerns regarding the compatibility of the structure design with the neighborhood; the impact of increasing the number of units on a site without advancing the City's goals (e.g., affordable housing); and the need to include an evaluation of the cumulative impact of development on the quality of life in a neighborhood (e.g., light and air). She suggested Council agenda (at a future date) a general discussion of how the City deals with design and when design is to be reviewed during the development process, the issue of neighborhood compatibility, the need to evaluate the impact of a project as this relates to the totality of development occurring in a neighborhood area, and the need to evaluate environmental impacts on the quality of life in a neighborhood (to include light and air).

Mr. Bruckner noted that a consultant will be hired to review the design guidelines for City of Gardens projects (multi-family and commercial projects), and indicated that the location of the project must be confirmed by staff to determine if the transit-oriented standards would apply.

It was moved by Councilmember Madison, seconded by Councilmember Tyler, to close the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

Discussion continued on issues related to compliance with transit-oriented standards and consequent parking problems in transit-oriented zones, and issues related to directions being given by staff and the Design Commission to the developers to not mimic historical design and at the same time to meet the need to create a building that is compatible with a neighborhood.

The City Manager indicated staff will be reviewing design standards/guidelines, neighborhood compatibility, the pace of development, and the relationship between transit-oriented standards and street parking problems in the near future.

Vice Mayor Haderlein questioned whether the project, which is located within 1/4 mile of a light rail station, complies with the transit-oriented standards (especially as this pertains to parking requirements), and suggested the matter be continued until

staff can confirm that these standards are being applied to the project.

Councilmember Madison expressed concerns about making environmental findings involving the undue impact of the project on air quality and noise.

Following discussion, it was moved by Councilmember Madison, seconded by Councilmember McAustin, to re-open the public hearing. (Motion unanimously carried) (Absent: Councilmember Gordo)

Discussion continued on the issues and topics that would be addressed by staff for Council's further consideration if the public hearing is continued.

The City Manager clarified that staff will review the following issues for the continued public hearing: confirmation of the project's location in the Central District and compliance with the standards for the Central District, the project's distance from a light rail station and possible applicability of transit-oriented standards to the project, determination of the current units as affordable or market rate, and environmental impacts of the project on light and air on buildings located to the immediate north and south of the project.

Councilmember Holden suggested the general discussion proposed by Councilmember McAustin be based on a citywide approach that could include consideration of revisions to the General Plan and setting up study area zones in neighborhoods that are in transition in terms of increased development (commercial, mixed use, and residential). He also suggested that competing initiatives/City polices be made a part of the discussion (e.g., reduced parking in transit-oriented zones vs. problems with street parking, density vs. affordable housing, and design standards vs. neighborhood compatibility).

It was moved by Councilmember Madison, seconded by Councilmember Tyler, to continue the public hearing to February 25, 2008 at 7:30 p.m. (Motion unanimously carried) (Absent: Councilmember Gordo)

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Councilmember Madison was excused at 9:36 p.m.

APPOINTMENT OF GARY FLOYD TO THE HISTORIC PRESERVATION COMMISSION (North Pasadena Heights Landmark District Nomination)

APPOINTMENT OF SAL SOTO TO THE PASADENA CENTER OPERATING COMPANY BOARD (Hotel Nomination)

It was moved by Vice Mayor Haderlein, seconded by Councilmember Robinson, to approve the above appointments. (Motion unanimously carried) (Absent: Councilmembers Gordo, Madison)

PUBLIC COMMENT ON MATTERS NOT ON THE AGENDA (Continued)

Stacy Cahan, Pasadena resident, spoke in opposition to the proposed installation of a traffic signal at the corner of Orange Grove Boulevard and Craig Avenue.

COUNCIL COMMENTS

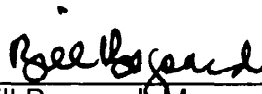
Vice Mayor Haderlein announced that applications for membership on the Open Space Element Committee would be available for the four seats to be appointed from the community at large, with information on the Committee and the application to be made available on the City's website and in the print media.

Councilmember Holden reminded Pasadena residents to vote on February 5, 2008.

The City Clerk provided information on the February 5th election (poll hours and website to access polling site locations and election results).

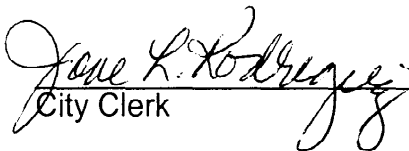
ADJOURNMENT

On order of the Mayor, the regular meeting of the City Council adjourned at 9:45 p.m., in memory of Gladys Joy Kennedy, long-time resident of Pasadena.



Bill Bogaard, Mayor
City of Pasadena

ATTEST:



Jane L. Rodriguez
City Clerk