

Agenda Report

TO: CITY COUNCIL

DATE: OCTOBER 12, 2009

FROM: CITY MANAGER

SUBJECT: CALL FOR REVIEW OF A DECISION BY THE DESIGN COMMISSION
MINOR CHANGES TO AN APPROVED PROJECT: SUBSTITUTE
MATERIAL/FINISH ON CORNICE, 125 NORTH RAYMOND AVENUE
(RAYMOND RENAISSANCE PROJECT)

RECOMMENDATION

It is recommended that the City Council:

1. Find that the revised final environmental impact report and addendum certified by the City Council on January 7, 2002—with findings of fact and a statement of overriding considerations for the Raymond Theater Reuse and Mixed-Use Project ("project") now known as the "Raymond Renaissance"—and a Second Consistency Finding to the revised FEIR pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq.) and State CEQA Guidelines §15164 (May 2005) apply to this action.
2. Find that the change to the material of the cornice is, as specified in §17.61.030.I.6 and 17.64.050 of the Pasadena Municipal Code:
 - Minor and consistent with the intent of the original approval (*the physical form, projection, and placement of the cornice comply with the approved design*);
 - Consistent with all applicable provisions of this Zoning Code (*no provisions about the material and finish of a cornice are in the zoning code*);
 - Does not involve a feature of the project that was specifically addressed in, or was a basis for findings in a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) for the project (*the material of the cornice is not addressed in the environmental impact report*);

- Does not involve a feature of the project that was specifically addressed in, or was a basis for conditions of approval for the project, or that was a specific consideration by the applicable review authority in the approval of the permit (*the change of material is unrelated to conditions of approval*); and
 - Does not expand the approved floor area or any outdoor activity area by 10 percent or more over the life of the project (*change of material is unrelated to floor area*).
3. Find that the proposed change—if modified to comply with the condition of approval—is consistent with the applicable design guidelines.
 4. Finds that there are changed circumstances sufficient to justify the proposed changes (*representations from developer about structural properties when installing copper with specified spans and projections, concerns about liability and waterproofing*), and
 5. Based on these findings, approve the request for changes to the previously approved design with the following condition:

As an alternative to recoating or cladding the roofline cornice, staff shall work with the applicant on aesthetic enhancements to the project.

RECOMMENDATION FROM THE DESIGN COMMISSION

Approve the request for changes to the previously approved design with the following condition:

In lieu of the existing plaster finish, the applicant and the applicant's architect or consultant shall propose a method to change the finish (e.g., paint in a solid color)—and this proposal to change the finish shall be reviewed and approved by a three-person subcommittee of the Design Commission. The Commission also indicated that this work may be delayed to accommodate construction loans and other financing issues.

BACKGROUND

The applicant did not install the building cornice as indicated in the approved design drawings. On August 10, the Design Commission called for review a staff decision (ATTACHMENT A, July 29, 2009) approving a change of material for the roofline cornice at the Raymond Renaissance building, 125 N. Raymond Avenue. The Design Commission issued a decision on August 24, 2009 (ATTACHMENT B), which the City Council subsequently called for review on September 14, 2009.

The applicant objected to the Design Commission's decision to paint the cornice and indicated that painting the plaster could compromise the integrity of the cornice. Staff

recommends that the cornice remain as built with the understanding that plantings (or landscaping in pots) be added at the base of the building.

The mixed-use project at 125 N. Raymond Avenue (Raymond Renaissance) is a new six-story building at the northwest corner of N. Raymond Avenue and E. Holly Street. The site is in the Old Pasadena Historic District. The building, which has three elevations (facing E. Holly Street, N. Raymond Avenue, and Electric Alley), is of Type-II construction over two levels of partially subterranean parking. The exterior elevations are finished with a veneer of red brick, window and storefronts framed in painted aluminum, and accent applications of cast stone and black granite.

The Design Commission approved an application for final design review of the project on October 24, 2005. At this review, the applicants proposed a copper cladding on the projecting cornice at the roofline of the building. The Design Commission approved this proposal and in its decision adopted two conditions of approval about the vertical and horizontal dimensions of the cornice. After this meeting, City staff sent a decision letter to the applicants. This letter (dated October 27, 2005) included a standard provision informing them about a process in the municipal code (P.M.C. §17.64.050) authorizing changes to approved projects before or during construction:

Changes in the approved design of the project, whether before construction or during construction, must be submitted to City staff for review and approval. The municipal code authorizes the staff to approve minor changes to the project including the conditions of approval. Major changes, however, must be reviewed as part of a separate application for major changes to an approved project (for which the filing fee is equal to one-half the original fee). Two applications for major changes to a project may be filed during a calendar year. Major changes may be approved only if there are findings of changed circumstances that justify the revisions.

In May 2009, after removal of the construction scaffolding, staff noticed that the cornice was not copper but a painted finish simulating the verdigris of aged copper and sent a letter to the developers about this unauthorized change. This letter cited reasons why the existing installation is objectionable (ATTACHMENT C, May 11, 2009). The applicant responded, in a letter dated June 4, 2009, that a "...horizontal application of copper in that area could not be guaranteed by our contractor over the term of our 10 year tail on the insurance required for a Condo project in California. The horizontal application could not be guaranteed not to sag and bag in this type of installation..." In a subsequent letter, the applicant confirmed that the cornice is finished with a coating of glazed Italian plaster with colorants (presumably applied with brush and sponge) and a sealer. The coloring of the finish is a reddish-brown field with irregular blue-green splotches. The intended effect of this "faux" finish is oxidized copper in a humid climate.

The code authorizes the staff to approve minor changes to previously approved projects. The change of material to the cornice is minor because the cornice is only one

feature of the six-story building and it matches the approved design in all respects except for the material.


In July, the staff approved the request for minor changes with a condition that the cornice be recoated in a solid color or similar treatment that avoids a "faux finish." The Design Commission endorsed this position when issuing its decision in August. The design guidelines for the Central District Specific Plan support this approach: *BD 6.1 Consider each building as a high-quality, long-term addition to Downtown; exterior design and building materials should exhibit permanence and quality appropriate to an urban setting. BD 6.3 Design architectural features that are an integral part of the building, and discourage ornamentation and features that appear "tacked-on" or artificially thin; this applies to balconies, canopies and awnings, as well as exposed rafters and beams, moldings, downspouts, scuppers, etc.*

To comply with this condition of approval, the applicants would have to erect scaffolding on three elevations of a six-story building. The cost of this installation and the resurfacing of the plaster are likely to create an extreme hardship for the applicants especially when they have pending expiration dates on construction loans and other financial constraints. For these reasons, staff believes there should instead be other consequences for the failure to request approval before changing the material of the cornice. Consequently, staff recommends improvements to the aesthetics of the project at the pedestrian level (e.g., adding planters or landscaping at street level). The conditions of approval for final design also require: additional features (e.g., planters, grille work, art piece) at pedestrian level along Electric Alley to enliven the blank wall surfaces and to fulfill the objectives of the streetscapes and alley walkways plan for Old Pasadena. [Source: conditions of concept design, May 17, 2004; Streetscapes and Alley Walkways Plan]. These improvements appear to be the most viable option at this time, and the staff could work with the developers on a program to complete these installations.

FISCAL IMPACT

The material of the cornice on this new building has no fiscal impact to the City.

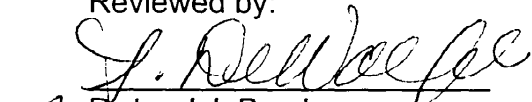
Respectfully submitted,


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City Manager

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Reviewed by:


for Richard J. Bruckner
Director of Planning and Development Dept.

Attachments

- A. Decision Letter, Minor Changes to an Approved Project (July 29, 2009)
- B. Notice of Decision, Design Commission call for review of staff decision (August, 26, 2009)
- C. Letter to Gene and Marilyn Buchanan (May 11, 2009)
- D. Proposal from applicant for landscaping at sidewalk level.