

# Agenda Report

April 16, 2012

**TO:** Honorable Mayor and City Council

**FROM:** Planning Department

**SUBJECT: ALL SAINTS CHURCH MASTER DEVELOPMENT PLAN AND  
FINAL ENVIRONMENTAL IMPACT REPORT  
132 NORTH EUCLID AVENUE**

## **RECOMMENDATION:**

Staff recommends that the City Council:

1. Adopt a resolution certifying the Final Environmental Impact Report (EIR) prepared for the All Saints Church Master Development Plan (SCH #2009101073) (Attachment A) and adopting the CEQA Findings and Mitigation Monitoring Reporting Program.
2. Adopt the Land Use Findings for the Approval of the Master Plan, Conditional Use Permits, and Variances (Attachment B).
3. Adopt a resolution approving the All Saints Church Master Development Plan, the Conditional Use Permits, and the Variances specifically identified below, and as conditioned and modified by Alternative 7 described in the Final EIR General Response #3 (SCH #2009101073), the Conditions of Approval (Attachment C), and the Mitigation Monitoring and Reporting Program.

### Conditional Use Permits

- Conditional Use Permit for a restaurant with walk-up window
- Minor conditional use permit for shared parking
- Minor conditional use permit for commercial off-street parking
- Minor conditional use permit for tandem parking spaces

### Variances

- Variance to provide more than the maximum allowed setback along Euclid Avenue
- Variance to provide more than the maximum allowed setback along Walnut Street

- Variance to allow a portion of fence along Walnut Street to exceed the four foot height limit
  - Minor variance for the construction of a columbarium within twenty feet of a property line
  - Variance to have two loading spaces on the street
4. Direct the City Clerk to file a Notice of Determination before Friday, April 20, 2012.
  5. Staff concurs with Planning Commission recommendations #3 and #4 below.

**PLANNING COMMISSION RECOMMENDATION:**

On March 14, 2012, the Planning Commission adopted the following motion making recommendations to City Council by a 7-1 vote:

1. Certify the Final EIR (SCH #2009101073), adopt CEQA Findings, and Mitigation Monitoring and Reporting Program.

And the following motion making recommendations to City Council by a 5-3 vote:

2. Adopt written findings for the Master plan, Conditional Use Permits, and Variances contained in Attachment B.
3. Approve the All Saints Church Master Plan, as conditioned and modified by Alternative 7 described in the Final EIR General Response #3 (SCH # 2009101073), the Conditions of Approval, and the Mitigation Measures identified in the Final EIR, including the addition of an on-site conservator for the Maryland Hotel Wall in Condition HR-4 as recommended by the Design Commission.
4. Recommend that the City Council request that during Design Review the Design Commission:
  - Review the location and design of the stairway facing the Maryland Wall courtyard;
  - Review the purpose and adequacy of the walkway from Walnut Avenue and allow the Commission reasonable latitude to redesign this access point as appropriate; and
  - Review the adequacy of the development of the green space on the corner during Phase I.

**DESIGN COMMISSION RECOMMENDATION:**

On February 27, 2012, the Design Commission adopted the following motion by a 4-2 vote:

The Design Commission recommends to the Planning Commission and to the City Council:

1. All Saints Church Master Development Plan and EIR review an additional Alternative #8, (purple diagram) (see Attachment E) that was submitted by a member of the public at the commission meeting.
2. A condition to be added that the site and building design of the new project must comply with the Secretary of Interior Standards Guidelines and with the Central District Private Realm Design Guidelines and must be compatible with the adjacent historic buildings and the Civic Center Historic District.
3. The Commission reserves the right to require alteration on the building permeability, altering entries, windows and door openings as the project moves forward.
4. In Mitigation Measure HR-4 Construction Vibration study, add a condition to have an on-site conservator for the Maryland Wall as required.

#### **EXECUTIVE SUMMARY:**

All Saints Episcopal Church proposes a Master Development Plan to improve and expand their facilities over a period of fifteen years. The recommended proposal modifies the original project in response to community, Planning Commission and Design Commission concerns.

During the Master Plan process, Commissioners and community members expressed concerns about the proximity of the proposed Building A (West Building) to the Maryland Hotel Wall, the length of the Building A frontage along Euclid Avenue and the absence of a building on the corner of Walnut Street and Euclid Avenue. In direct response to community concerns raised in comments, Alternative 7 was added to the Final EIR (See Attachment D). Under Alternative 7, Building A was redesigned and shortened by approximately 55 feet to reduce overlap behind the Maryland Hotel Wall and to create a larger courtyard between the existing Rectory and the new Building A. Alternative 7 does not propose relocation of the Maryland Hotel Wall, but retains it in its current location. Furthermore, Alternative 7 proposes a two-story youth recreation building on the corner of Walnut Street and Euclid Avenue. The applicant now requests approval of the project as modified by Alternative 7.

Members of the public and the Design Commission suggested the proposed Alternative 8 (See Attachment E) be considered to determine how the project would be affected from varying the length of Building A (West Building) along Euclid. Staff analyzed Alternative 8 and finds that it does not meet the requirements for further consideration under CEQA nor as a planning alternative because it does not reduce any potentially

significant environmental effects in comparison to Alternative 7, it is a variation of the existing Alternatives analyzed in the EIR, and because it does not improve upon any planning related matters, both of which are discussed in detail below. Therefore staff does not recommend further consideration of the proposed Alternative 8.

In response to the Design Commission recommendation 2, staff retained an independent consultant to review Alternative 7 for consistency with the Secretary of the Interior's Standards. Their conclusion is that the site plan, massing, height, setbacks, and the assumptions made regarding design for Alternative 7 are consistent with Standards 9 and 10 of the Secretary of the Interior's Standards in terms of their adjacency to the historic All Saints Church complex, the Maryland Hotel Wall, the Maryland Apartments and the Civic Center Historic District. (See Attachment F)

In response to Design Commission recommendations 3 and 4, staff concurs that the Zoning Code gives the Design Commission the ability to alter the permeability of the buildings including entries, windows and doors and that Mitigation Measure HR-4 - Construction Vibration Study be modified to include an on-site conservator for the Maryland Wall.

Staff concurs with the Planning Commission recommendation for additional items to be considered by the Design Commission when the project moves forward to the Design Review stage.

## **BACKGROUND:**

### **Location**

All Saints Episcopal Church is located at 132 North Euclid Avenue. The current English-Gothic Revival Church (designed by Johnson, Kaufmann and Coate) was dedicated in 1924; the adjoining Regas House and Rectory buildings (Bennett and Haskell) were completed in 1930. In 1961, All Saints Church purchased the former Maryland Hotel property to the north which included a section of the 1920s-era stucco wall. In 1966, the Church constructed Scott Hall (Smith and Williams) for Sunday School and a child day-care use. The original complex of the church, rectory, and parish house, as well as the surface parking area to the north, are within the Pasadena Civic Center Historic District (1980). The All Saints Church site is 2.8 acres.

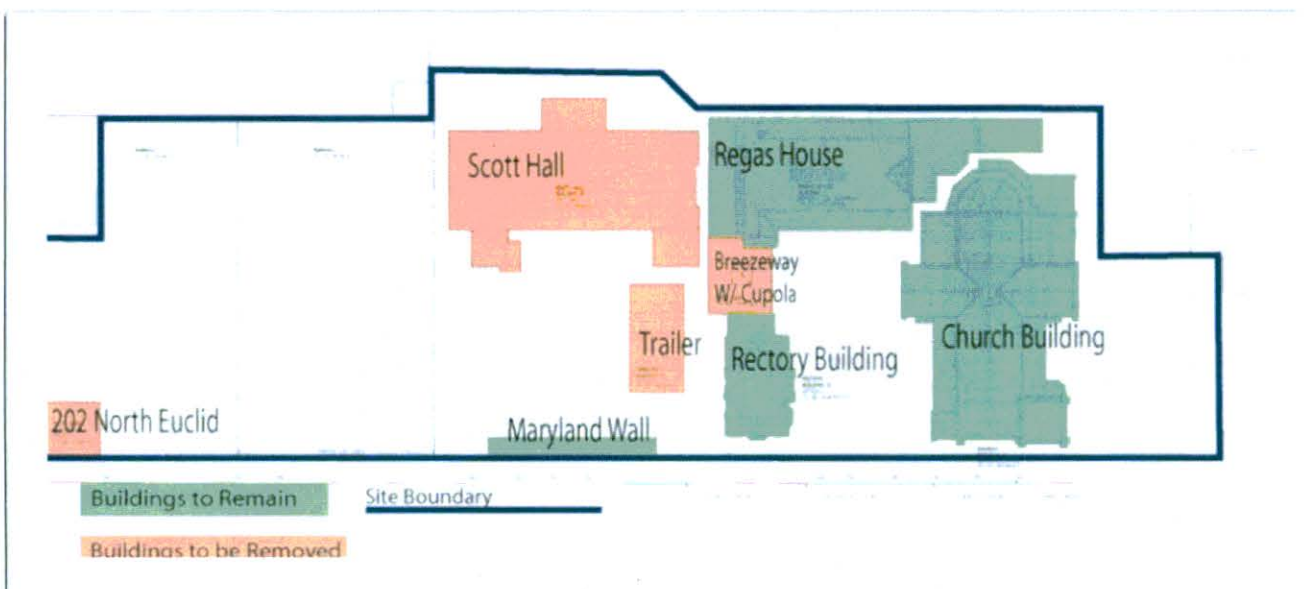
### **Master Plan Components**

The purpose of a Master Development Plan as established in the Pasadena Municipal Code Section 17.61.050 is to "Establish a procedure which reduces processing time and uncertainty by consolidating several Conditional Use Permit hearings over an extended period of time" and "Ensure orderly and thorough City review of expansion plans for certain public or semi-public and open space uses, resulting in more compatible and desirable development."

All Saints Church has applied for a Master Plan to expand their campus to meet the needs of existing and future programs as described in greater detail in the EIR project description. The application proposes:

#### Demolition

- 202 N. Euclid Avenue - Commercial building on the corner of Walnut Street and Euclid Avenue (1,487 square feet)
- Scott Hall, a building used for Sunday school/daycare purposes (6,195 square feet)
- Trailer used for office and meeting space (1,800 square feet)



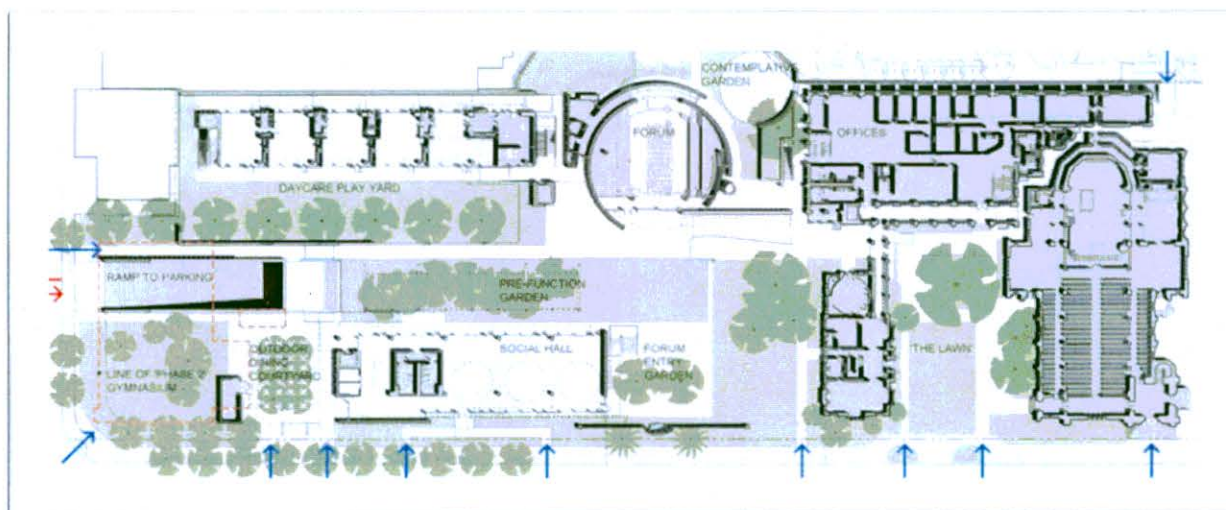
Proposed Demolition

Construction of a multiple-story, four-building complex (approximately 50,300 square feet)

- West Building (Building A) - A two-story building with offices, conference rooms, and a social hall with kitchen (14,300 square feet). Under Alternative 7, Building A would be reduced to 13,643 square feet.
- Forum (Building B) - Alternate Worship - A two-level assembly building (6,700 square feet)
- East Building (Building C) - A three-story building that will house a youth program, daycare, and classroom areas (18,000 square feet)
- North Building (Building E) - Under Alternative 7 in the Final EIR, Building E would be modified to only include a two-story building for youth recreation (11,965 square feet). The North Building will be built in a second phase, after the completion of the other three buildings and subterranean parking garage.

In Phase I, the site of the north building will be a landscaped outdoor plaza space and a temporary one-story café building. Alternative 7 would not include the senior citizen housing.

- Construction of a columbarium along the interior (east) property line
- Construction of a subterranean parking level that will include 128 parking spaces and 12,500 square feet of office, storage and mechanical equipment areas
- Interior renovation of the existing Rectory and Regas House
- Under Alternative 7, outdoor plaza spaces which include a forecourt between the existing Rectory and West Building adjacent to the Maryland Hotel Wall, a pre-function garden, an outdoor seating area on the north side of the West Building, two play yards, and a contemplative garden with a labyrinth.



Proposed Site Plan – Phase I

## **Development Standards and Entitlements**

The revised Master Development Plan incorporates conditional use permits and variances:

### Conditional Use Permits

- Conditional Use Permit for a restaurant with walk-up window
- Minor conditional use permit for shared parking
- Minor conditional use permit for commercial off-street parking
- Minor conditional use permit for tandem parking spaces

### Variances

- Variance to provide more than the maximum allowed setback along Euclid Avenue
- Variance to provide more than the maximum allowed setback along Walnut Street

- Variance to allow a portion of a fence along Walnut Street to exceed the four foot height limit
- Minor variance for the construction of a columbarium within twenty feet of a property line
- Variance to have two loading spaces on the street

Attachment B contains the required Findings for approval of the master plan, conditional use permits and variances and more information about why each variance is required. The Planning Commission recommended approval of these Findings.

The project meets the Zoning Code requirements for height, floor area ratio, parking, and outdoor play areas. The proposed setbacks on Euclid Avenue and Walnut Street are larger than permitted by the Zoning Code, which requires a setback variance.

## **ANALYSIS**

### **General Plan and Zoning Designations**

The All Saints Church property has a General Plan designation of Specific Plan and is within the Central District Specific Plan area. The Zoning designation is CD-2 (Civic Center/Midtown Sub- District.)

The project site is within the Central District Specific Plan (CDSP) and is subject to its design guidelines, which include the Civic Center/Midtown Sub-District Design Guidelines. In addition, the project's urban design is guided by the goals and objectives and Citywide Design Guidelines in the General Plan.

### **Central District Specific Plan**

The Central District Specific Plan, adopted in 2004, builds on several earlier plans for downtown Pasadena. The original *Pasadena Civic Center Plan* was designed by the firm of Bennett, Parsons, Frost and Thomas of Chicago in 1923. The *Bennett Plan* established a City Beautiful urban design scheme centered along the major view axes of Garfield Avenue and Holly Street. The *Bennett Plan* resulted in the construction of the anchor civic buildings - City Hall, Central Library and the Civic Auditorium.

The *Pasadena Civic Center Master Plan* by Lyndon/Buchanan Associates was adopted in 1988 with the goal of bringing the City Beautiful vision of the *Bennett Plan* up-to-date. The *Civic Center/Mid-town Programming Effort Report* (commonly called the *Gray Book*) was prepared by a City Center Task Force comprised of Councilmembers, Commissioners, property owners and community representatives and presented to the City Council in 1998. This led to the *Pasadena Civic Center/Mid-town Design Project: Refined Concept Plan* which presented a plan and design documents for streetscape improvements and traffic and parking strategies for the area.

The project site is within the Civic Center/Midtown Subdistrict of the Central District Specific Plan (CDSP). The objective of this subdistrict is to “strengthen its role as the symbolic and governmental center of the City, encouraging the presence of civic, cultural and public service institutions, while augmenting the character of the area with a supportive mixture of uses.” In the Civic Center Core of this subdistrict, north of Union Street, “the design of all buildings and public spaces in this precinct should reflect the highest quality, respect the prominence of civic landmark buildings, and reinforce the vision of the Bennett Plan.”

In this area, the CDSP requires, “Civic-minded Architecture: New buildings should exhibit permanence and quality, as well as respect the dominance and monumentality of major civic buildings, and the scale and form of existing historic structures. In general, site buildings in a manner that defines streets, permitting courtyards and formal open spaces interior to the block.”

The All Saints Church Master Plan supports these objectives and meets these requirements. In Alternative 7, the new buildings respect the adjacent historic buildings by being located a significant distance away from them and by being lower than the height of the sanctuary. The West Building is 120 feet from the Rectory and the new Forum Building is approximately 40 feet from the Regas House.

In response to Commission and community concerns, Alternative 7 reduced the length of the West Building and moved it north to provide a large landscaped courtyard space behind the Maryland Hotel Wall. This also creates both interior courtyards and public open spaces as envisioned by the CDSP.

Alternative 7 proposes all new buildings below the height and floor area ratio limits set by the Central District Specific Plan. The heights of the new buildings are at or lower than the existing sanctuary and the taller buildings (55-60 feet) are placed in the interior of the site, adjacent to the taller Plaza Las Fuentes hotel and office buildings. The new buildings do not block views of the mountains or of City Hall and are significantly lower than the adjacent Westin Hotel and County Courthouse. The All Saint's church campus, at completion of the Master Plan will have a floor area ratio of 0.82, which is much less than the 2.50 permitted under the CDSP. This allows the project to have a site plan with generous courtyards - both facing the street and more private courtyards interior to the project.

The project is subject to Design Review by the Design Commission at a later date and must comply with the design guidelines of the CDSP and the Citywide Design Guidelines.

At Design Review, the project will be reviewed for adherence to the CDSP Civic Center/Midtown Design Guidelines including, but not limited to the following guidelines:



*Building Design Guideline 1: Achieve Design Coherence - There should be a strong visual relationship between structures in the area, an expression of unity appropriate to a civic center. Clear proportions and materials that relate to adjacent buildings will help achieve this goal.*

*Building Design Guideline 2: Communicate Building Function - Buildings in the area accommodate commercial, residential, or institutional uses, and these should be distinguished through their built form. In particular, public institutions should be readily identifiable.*

*Building Design Guideline 3: Build to the highest standards - The highest level of craftsmanship is expected of all buildings in the Civic Center/Midtown area. High quality design and construction acknowledges both the architectural heritage and civic importance of the area.*

In addition, the CDSP includes the following Design Guidelines pertaining to site planning in the Civic Center area:

*Site Planning Guideline 1: Provide a gracious landscape setting - The presence of gracious landscape spaces is one of the defining qualities of the Civic Center / Midtown area. Significantly, these spaces exhibit a strong relationship and comfortable flow between interior and exterior space.*

*Site Planning Guideline 2: Embellish outdoor spaces - Courtyards, gardens and other landscape areas should be embellished with year-round greenery and floral abundance. These elements present a gracious quality and are evocative of the Tournament of Roses Parade.*

*Guideline 3: Penetrate blocks for visual connections - Building massing should allow visual access to civic buildings and public spaces. Periodic penetrations of the street wall will build physical and visual connections.*

Alternative 7 meets the Site Planning Guidelines by having generous landscaped outdoor spaces, both accessible to the street and also interior to the project.

The original project application proposed to relocate the Maryland Hotel Wall three feet closer to Euclid Avenue which would have caused a significant impact. The Recirculated Draft Environmental Impact Report (RDEIR) provided six alternatives which maintained the Maryland Hotel Wall in its current location and avoided the significant impact (Impact HR-2). In response to comments from the community concerns, All Saints Church submitted additional detail on an alternative (Alternative 7) to the proposed project. Under Alternative 7, the West Building, along Euclid Avenue, was redesigned and shortened by approximately 55 feet to reduce overlap behind the Maryland Hotel Wall and to create a larger courtyard between the existing Rectory and

the new West Building. The Maryland Hotel Wall will remain in its current location under Alternative 7.

### Tree Removals

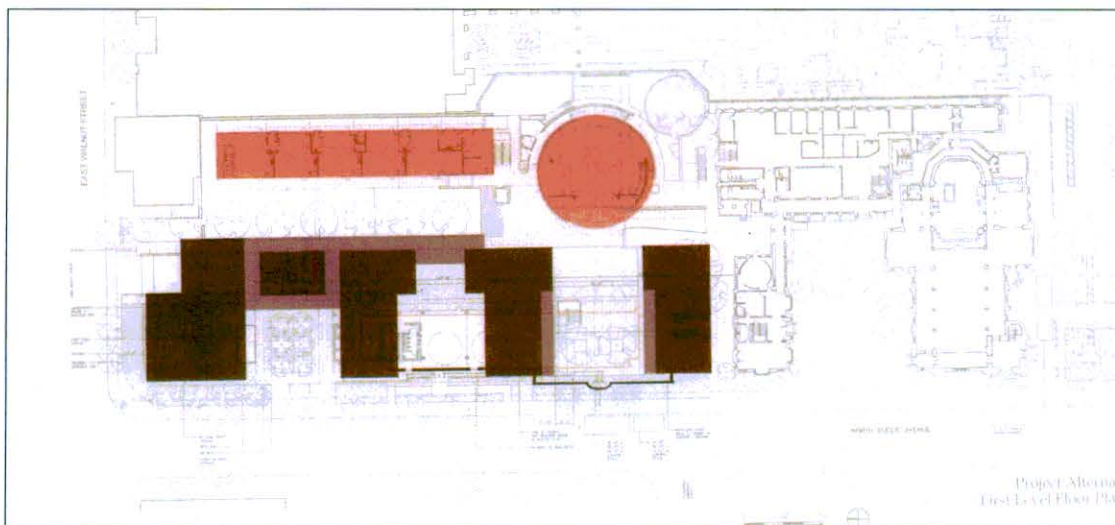
There are no protected tree removals as part of the Master Plan. The Master Plan includes conditions of approval to submit a final landscape and irrigation plan and a tree retention plan to protect the remaining trees on the site during construction.

The project proposes to remove 42 non-protected trees. These trees are primarily located in the existing surface parking lot and adjacent to Scott Hall. They will be replaced with new trees in the courtyards of the project.

### **Analysis of Commission Recommendations**

#### Design Commission Recommendation #1 - Additional Alternative #8

The Design Commission recommended analysis of an additional Alternative to determine how the project would be affected by varying the length of Building A (West Building) along Euclid (referred as Alternative 8 or the Purple diagram) - shown below. This alternative, presented by a member of the community to the Design Commission, does not change the Forum or East Building, but changes the West and North Buildings to be a series of four smaller buildings oriented east to west rather than north-south. The central north-south oriented enclosed pre-function garden area is removed and replaced with three small courtyards open to the street. Staff considered this additional plan from both a CEQA perspective and from a planning perspective.



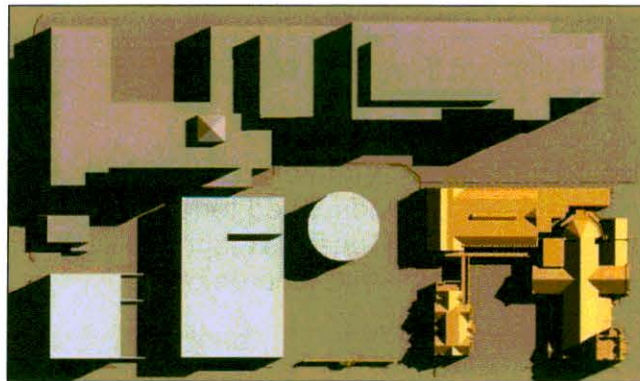
Proposed Alternative 8 – Purple Diagram

Under CEQA, an additional alternative should only be considered if it potentially provides additional or improved mitigation for significant environmental impact. CEQA requires an analysis of a reasonable range of alternatives which reduce or avoid significant impacts. No evidence has been provided that this suggested alternative would be environmentally superior to Alternative 7 or to any of the other alternatives analyzed in the EIR.

Since Alternative 7 avoids all potentially significant environmental effects of the project, the proposed Alternative 8 does not improve upon the potentially significant effects and is therefore not a proper CEQA alternative. Further, CEQA does not require variations on existing alternatives. CEQA presumes that once a reasonable range of alternatives that reduces or mitigates potentially significant effects has been analyzed, decision makers and the public can understand the potential impacts of permutations of alternatives. To require further analysis of each permutation would not provide additional information valuable to the role of CEQA as a disclosure document.

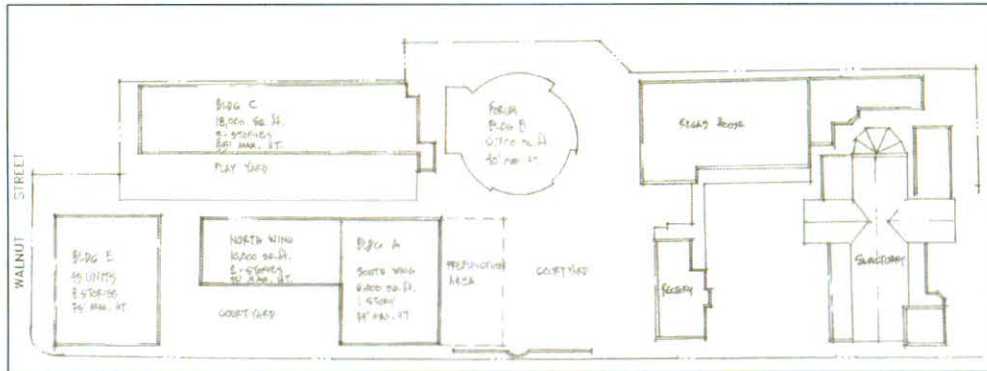
The EIR included Alternatives 4, 5, 6, and 7, which all varied the lengths of the West Building (Building A) along Euclid Avenue and all of which reduced the potentially significant impacts of the project to a level of less than significant. The Council and the public have sufficient information to consider variations on these alternatives, and therefore Alternative 8 does not require further analysis in the EIR. Similar alternatives studied in the EIR include:

Alternative 4: Rotates Building A 90 degrees so that its primary and longest wall faces north-south and its shorter walls face east-west. (Recirculated DEIR Section 6.4.1.)



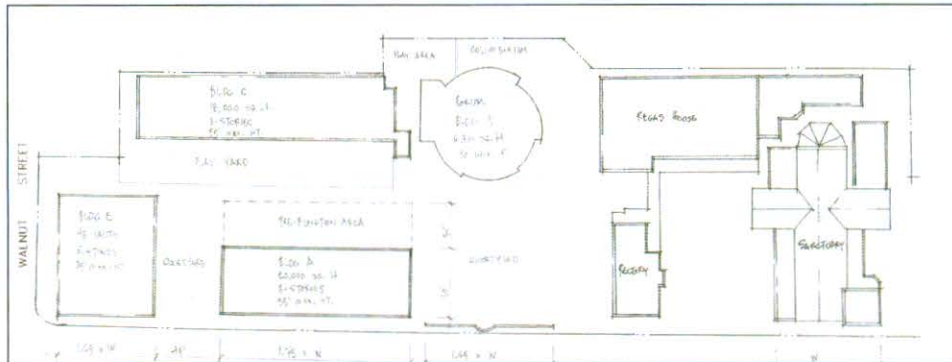
Alternative 4 (Figure 6-1)

Alternative 5: This alternative would remove the northwestern corner of Building A and create an additional courtyard along Euclid. (Recirculated DEIR Section 6.5.1.)



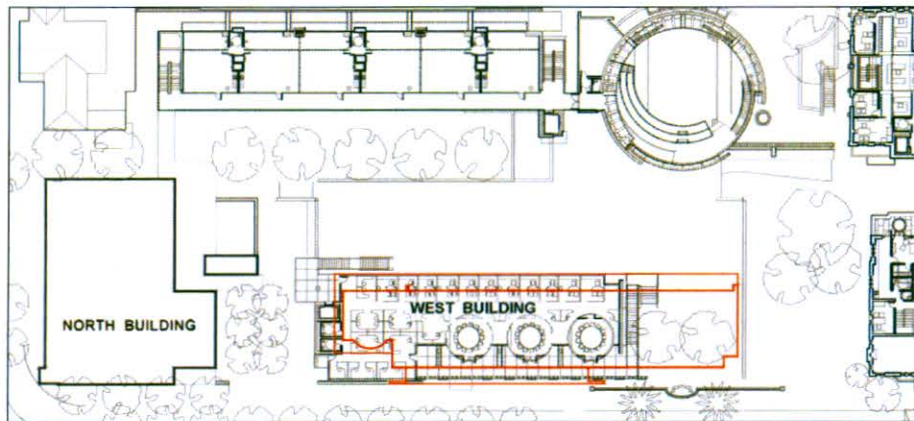
Alternative 5 (Figure 6-2, see also Figure 6-3)

**Alternative 6:** Would reduce the length of Building A along Euclid, and would increase the height to three stories (2 stories under the proposed project). (Recirculated DEIR Section 6.6.1.)



Alternative 6 (Figure 6-4, see also Figure 6-5)

**Alternative 7:** Would also decrease the length of Building A along Euclid and would provide a second story setback with a landscaped terrace along Euclid, with a slight increase in width east west. (Final EIR General Response #3.) Red lines indicate previous location of West Building in the site plan below.



Alternative 7 (Figure 8.1-3, see also Figures 1.1-1 through 8.1-4 in FEIR General Response #3)

When considered purely as a planning alternative rather than a CEQA issue, Alternative 8 does not provide an improved site plan or greater consideration of historic preservation. It appears to preclude access to the courtyard behind the Maryland Hotel Wall by siting buildings on either end of the wall. Pedestrians on Euclid Avenue would not perceive that a courtyard is located behind the wall. This alternative would appear less open and therefore lessen the pedestrian experience in comparison to Alternative 7.

In addition, the southernmost of the proposed buildings in Alternative 8 would be much closer to the existing historic Rectory Building than in Alternative 7. Rather than separated by a 120 feet wide courtyard as proposed by Alternative 7, in Alternative 8 a new building appears to be approximately 15 feet from the Rectory Building. This adjacency of a new building to the existing historic church complex may have a negative impact on the historic setting of the church buildings.

Because the RDEIR contained a reasonable range of alternatives, and proposed Alternative 8 is not environmentally superior to Alternative 7, does not provide a better site plan from a planning or historic preservation perspective, and the Final EIR already includes a reasonable range of alternatives, staff does not recommend further consideration of Alternative 8.

#### Design Commission Recommendation #2 - Compliance with Guidelines

The Design Commission recommended a condition that the Master Plan, as designed to the current level of detail (site layout, massing, height and setbacks), comply with the Secretary of Interior Standards for Rehabilitation and the Central District Private Realm Design Guidelines and be compatible with the adjacent historic buildings and the Civic Center/Midtown National Register Historic District. Compliance with the Secretary

Standards is not required by CEQA in order to analyze the potential historic or aesthetic impacts of a project (see FEIR, Section 8.2 General Response #2).

Nonetheless, in order to provide more information in response to the Design Commission's recommendation, the City retained Richard Starzak and Daniel Paul of ICF International to review Alternative 7 for compliance with the Secretary of the Interior's Standards. Their findings are in Attachment F. These experts reviewed Master Plan Alternative 7 for compliance with the Secretary of the Interior's Standards. Of the ten Secretary of the Interior Standards for Rehabilitation, Standards 9 and 10 are pertinent to the proposed All Saints Church Master Development Plan. They conclude that *"This review of applicable Secretary of the Interior's Standard of rehabilitation finds that the proposed project is consistent with Standards 9 and 10 as they pertain to the All Saints Church complex, the Maryland Wall, the Maryland Apartments, and the Pasadena Civic Center Historic District. This finding is made for the conceptual scale, massing, and placement of the proposed buildings upon the site, along with clarified or likely design features based off diagrams, site plans, verbal information, and correspondence."*

Further, the site plan, height and setbacks of the proposed new buildings to the level of detail depicted in Alternative 7 are consistent with the Central District Specific Plan. Attachment B – Land Use Findings provides more information about the project's consistency with the Central District Specific Plan and the site plan design guidelines. The building design and materials of the project will be reviewed for compliance with these standards and guidelines during the Design Review process.

#### Design Commission Recommendation #3 - Alteration of Project in Design Review

The Design Commission requested the ability to alter the building permeability, entries, windows and door openings. The Zoning Code specifies in the Design Review process under 17.61.030.1.5.a, *Changes in a project required as a condition of Design Review approval may include density, height, open space, parking or loading, and sign requirements, as long as the conditions are not more restrictive than those prescribed by applicable zoning district regulations or a valid Adjustment Permit, Conditional Use Permit, Development Agreement, Master Plan, Planned Development, Variance, or other legislative or zoning entitlements."*

The Design Commission has the ability to alter the permeability of the buildings including entries, windows and doors; however the Design Commission cannot change the location, footprint or shape of the buildings on the site plan once it is approved by the City Council. Any such change would be considered a "change to an approved project" per the Zoning Code, and would require an application from the applicant to do so. Per Section 17.64.050.B, *"The Director may approve (minor) changes to an approved site plan, architecture, or the nature or conditions of the approved use if the changes:*

1. *Are consistent with all applicable provisions of this Zoning Code;*
2. *Do 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;*
3. *Do 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; and*
4. *Do not expand the approved floor area or any outdoor activity area by 10 percent or more over the life of the project.”*

This requested Condition would be restating what the Design Commission already can do under the Zoning Code; therefore staff does not recommend that it be added as a condition of approval.

#### Analysis of Comments Made at Planning Commission

Several commenters suggested at Planning Commission that the EIR provides insufficient detail regarding the project design to address the project's impacts to aesthetics and cultural resources.

The level of detail provided in the Draft EIR is consistent with the requirements of CEQA. CEQA Guidelines Section 15124 notes that the project description “should not supply extensive detail beyond that needed for an evaluation and review of the environmental impacts” and shall provide a “general description.” As further provided in the CEQA Guidelines Sections 15151 and 15146 “an evaluation of the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible”...“the degree of specificity required in an EIR will correspond to the degree of specificity involved in the underlying activity which is described in the EIR.”

The primary underlying activity sought for approval at this time is that of a Master Plan under Pasadena Municipal Code Section 17.61.050(I). While Final Design Review is not contemplated or applied for at this time, pursuant to Pasadena Municipal Code Section 17.61.030, the EIR made several reasonable assumptions about different materials relating to project design. This approach is consistent with Public Resources Code 21080(e) and CEQA case law which permit the use of reasonable assumptions. (See *Environmental Council of Sacramento v. City of Sacramento* (2006) 142 Cal.App.4th 1018 [“A public agency can make reasonable assumptions based on substantial evidence about future conditions without guaranteeing that those assumptions will remain true...”].) As discussed in the EIR and based upon the “application submittals” (EIR page 2-4):

- “[Building A] façade would be composed of glass doors and windows, a freestanding cast-stone colonnade, and perforated copper-mesh sunscreens (See Figures 4.1-3 and 4.1-4). The façade of the southern portion of the building would be behind the repositioned Maryland Hotel wall.” (EIR page 2-5)

- “[Building B] would be circular in plan composed of four slightly curved walls: one to the north, one to the east, and two to the south. It would be constructed with cast-in-place concrete and include glass windows along the west-facing façade. The space would open into a plaza for use as supplemental outdoor seating for large events. Stained glass windows would be used in the building along with sky-lights to provide natural lighting. A straight wall of eight to ten feet would run from the southern boundary of the Forum toward the existing Regas House. It would be clad with stone to relate to the granite walls of the existing historic church buildings. The entrance to the building would be composed of scored colored-concrete paving.” (EIR page 2-5)
- “[Building C] would be built in simple modular form with architectural concrete and would have a column grid/glass façade along the western elevation.” (EIR page 2-5)
- “[Building E] would have an exterior finish of cement plaster. The southern portion of the Euclid Avenue frontage would be partially behind a stone wall....The ground-level frontage along Euclid would have windows of various sizes and rectangular shapes...A stone wall would screen the center portion of the Walnut Street frontage of the building.” (EIR page 2-6)
- “according to the project description and related architectural documents, the dominant materials for the proposed building appear to be stone, glass, concrete and copper.” (Impact HR-3)

The environmental analysis was based upon these assumptions and determined that impacts to the visual character of the area would be less than significant (Impact AES-1; DEIR page 4.1-8) and impacts to the Historic District would be less than significant (Impact HR-3; Final EIR page 8-318).

Furthermore, the issue of project design, level of detail, and aesthetic impacts has arisen in several CEQA cases. In the *Bowman* case the court concluded that compliance with design review can be used to ensure aesthetic impacts remain less than significant “...even if some people are dissatisfied with the outcome. A contrary holding that mandated redundant analysis would only produce needless delay and expense.” (*Bowman v. City of Berkeley* (2004) 122 Cal.App.4th 572, 594.) Similarly the issue of final design was addressed in the *Dry Creek* case in which the court held that “Appellants have not established that the general description of the diversion structures in the EIR coupled with approval of final designs after the project is approved violated any CEQA mandate.” (*Dry Creek Citizens Coalition v. County of Tulare* (1999) 70 Cal.App.4th 20.) The level of detail provided in the EIR is consistent with the requirements of CEQA.



### **COUNCIL POLICY CONSIDERATION:**

The General Plan contains goals and objectives supporting expansion opportunities for existing significant institutions, such as All Saints Church. The project, in conjunction with the recommended conditions of approval and the mitigation measures in the FEIR is consistent with the General Plan and the Central District Specific Plan.<sup>1</sup> For detailed analysis, see Finding A3 of Attachment B (Land Use Findings.)

### **ENVIRONMENTAL ANALYSIS:**

The Design Commission conducted advisory reviews of the prior versions of the project on March 24, 2008 and October 13, 2008. At the March 24, 2008 advisory meeting, the Design Commission emphasized the desirability of placing a building at the corner of the site with a recommendation against approval of the Master Plan. At this meeting, the Design Commission expressed concern regarding the length, placement and articulation of Building A. Specifically, the issues were the pedestrian experience along Euclid Avenue and the close spatial relationship of the West Building to the Maryland Hotel wall. The project was redesigned to address these concerns and resubmitted for review. On October 13, 2008, the Design Commission conducted a second advisory review and recommended approval of the Master Plan with a request that the pedestrian access through the site from Walnut Street be re-examined. The Design Commission affirmed the finding that the project would not result in adverse aesthetic environmental impacts with a favorable recommendation. In December of 2008, the Planning Commission recommended that an EIR be prepared. The City published a DEIR on July 19, 2010.

In September of 2010 the Design Commission reviewed the EIR and Plan and provided comments to the Planning Commission. In September of 2010 the Planning Commission recommended that additional alternatives be studied in the EIR. Additional alternatives were included, and the DEIR was recirculated for review from May 13, 2011 through June 27, 2011.

The City prepared and released the Final Environmental Impact Report (FEIR) on January 24, 2012. The following provides an overview of the City's review process for the EIR by various Commissions:

- **Transportation Advisory Commission:** September 9, 2010
- **Design Commission:** September 13, 2010; May 23, 2011, February 27, 2012

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<sup>1</sup> On November 8, 2004, the City Council adopted the resolution approving the Central District Specific Plan which specifically superceded the "Gray Book" and "Civic Center Specific Plan," therefore consideration of those documents is inappropriate. (See Final EIR, p. 4.6-13 to 4.6-14, and Appendix E.)

- **Planning Commission:** September 22, 2010; May 25, 2011, February 29, 2012 (cont'd to March 14, 2012)

Most recently, the Church modified its proposed building layout for a third time to address further concerns raised by the Design Commission, Planning Commission and members of the public. This modification, referred to as "Alternative 7" in the Final EIR, was included in the materials considered by the Design Commission on February 27, 2012, and has been incorporated in the Final EIR.

The mitigation measures applicable to Alternative 7 are incorporated into a Mitigation Monitoring and Reporting Program. The mitigation measures for Alternative 7 are provided in the resolution adopting the Final EIR.

The EIR concluded that the relocation of the Maryland Hotel Wall would have a significant unavoidable environmental impact for the proposed project. This impact would be reduced to less than significant with implementation of Alternative 7. All other impacts would be mitigated to less than significant levels. Seven alternatives to the proposed project were analyzed. All of the alternatives retain the Maryland Hotel Wall and do not have impacts that are unavoidably significant.

#### **FISCAL IMPACT:**

There will not be a direct fiscal impact associated with adoption of the All Saints Church Master Development Plan. The applicant will be responsible for all costs associated with condition monitoring and meeting the conditions of approval. Permitting fees will be collected for future development projects to cover the costs incurred from staff time for project review.

Indirect benefits of the project may result from the increased space that All Saints Church will be able to provide for incubating community serving organizations and additional visitors to the Civic Center on Sundays, and at weddings and other events.

**CONCLUSION:**

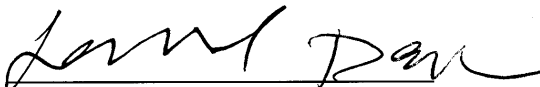
The All Saints Church Master Plan project Alternative 7, including conditions of approval and mitigation measures in the FEIR, enhances the Civic Center. The project replaces an existing surface parking lot and non-significant buildings with new high quality buildings that are interspersed with significant outdoor spaces, respects the scale and siting of the adjacent historic buildings and the Civic Center National Register District, and meets the expansion and program needs of All Saints Church. All Saints Church has modified its Master Plan in response to input from the Commissions and members of the community and has created a project that is supportive of the Central District and Civic Center goals.

Respectfully submitted,



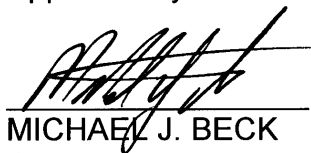
VINCENT P. BERTONI, AICP  
Director  
Planning Department

Prepared by:



Laura F. Dahl  
Senior Planner

Approved by:



MICHAEL J. BECK  
City Manager

Attachments:

- Attachment A – Final Environmental Impact Report – CD-ROM
- Attachment B – Land Use Findings
- Attachment C – Conditions of Approval
- Attachment D – Site Plan, Elevations
- Attachment E – Proposed Alternative 8 submitted at the Design Commission meeting
- Attachment F – Report from Rick Starzak and Daniel Paul, ICF International of 3/30/12