



Agenda Report

July 23, 2018

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department

**SUBJECT: CALL FOR REVIEW OF THE DESIGN COMMISSION'S DECISION ON AN APPLICATION FOR CONSOLIDATED DESIGN REVIEW FOR A NEW PUBLIC RESTROOM AND STORAGE FACILITY AT DESIDERIO NEIGHBORHOOD PARK
10 NORTH ARROYO BOULEVARD**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code §21080(b)(9) and the State CEQA Guidelines §15303 (California Code of Regulations, Title 14, Article 19, §15303. New Construction or Conversion of Small Structures [Class 3]) and there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances;
2. Acknowledge that on October 27, 2014, the City Council approved PD33 which authorized development of Desiderio Neighborhood Park and included provisions in the PD for future construction of a restroom building;
3. Find that the project, upon implementation of the conditions of approval, will be consistent with the purposes of design review and the applicable design guidelines; and,
4. Based on these findings, uphold the Design Commission's decision and approve the application for Consolidated Design Review for the project, as illustrated in Attachment A, subject to the conditions included in the agenda report, which shall be subject to staff review and approval prior to issuance of a building permit.

Conditions:

1. Provide manufacturer's product literature and color specifications for the proposed hollow metal doors.
2. Provide details of the corners of the exterior fiber-cement shingle cladding. The proposed fiber-cement lap siding shall be removed and the building shall be clad in shingles only. Consider tapering the shingles where they adjoin the concrete base of the building.
3. Consider removing the step in the building footprint at the rear of the building.
4. Provide a landscape plan for the area immediately surrounding the building.
5. The lighting temperature specified on the final plans shall not rise above 3,000 kelvin for all proposed exterior fixtures. Replacement lighting elements should be regulated by maintenance staff in the future.
6. Remove the concrete pilasters and resolve the openings with the exterior cladding material turning the corner into the openings.
7. This project will be subject to a final inspection and sign-off by staff of the Design & Historic Preservation section to ensure that the project is constructed as indicated and specified in the decision letter and that all work is performed consistent with the approved plans.
8. A copy of this decision letter shall be included in the plans submitted for building permit plan check.

EXECUTIVE SUMMARY:

On May 8, 2018, the Design Commission (DC) considered, at its regularly noticed meeting, a call for review of staff's approval of an application for Consolidated Design Review for construction of a new restroom and storage building for Desiderio Neighborhood Park at 10 N. Arroyo Boulevard. At the conclusion of the public hearing, the DC adopted the environmental determination that the proposed project is exempt from environmental review and approved the application subject to 8 conditions of approval (Attachment B).

On May 21, 2018, Marci Solway, Stacey Fortner and Jeff Michael submitted an appeal application (Attachment D) to the City Council citing several concerns with the DC's decision. On the same day, Councilmember Madison initiated a request to call the DC's decision for City Council review. The City Council voted to call the DC's decision for review at its June 4, 2018 meeting. The hearing before the City Council is a de novo hearing where the Council has no obligation to honor the prior decisions and has the authority to make an entirely different decision.

Staff recommends that the City Council uphold the DC's May 8, 2018, decision and approve the application for Consolidated Design Review with the same 8 conditions of approval.

BACKGROUND:

Staff Review

The application was initially subject to Consolidated Design Review with the Director of Planning & Community Development as the review authority, based on the design review thresholds in Zoning Code Section 17.61.030. The application was filed on January 24, 2018 and approved by the Director on March 13, 2018. At that time, the request was to construct an 875-square-foot public restroom and storage facility. The original approved design was a simple rectangular structure with a side-gabled roof, extended eaves, exposed beams, fiber-cement siding in two colors, and a concrete base with extended, angled pilasters flanking a large recess that provided entry to the men's and women's restroom facilities. A field of patterned ceramic tiles was proposed on the wall within the recessed entryway. Staff approved the application with conditions requiring fiber-cement siding to have a smooth finish, transitions in color at inside corners, provision of specifications of hollow metal doors, including modification of the design to be panelized rather than flat, and provision of additional architectural details (Attachment C).

DC Call for Review

Design Commissioner Andrea Rawlings initiated a call for review of the Director's decision on March 15, 2018 and the DC called the decision for review on March 27, 2018. Over the course of the DC's review, the design was revised to address the DC's comments, including reduction in the size of the building to 623 square feet, 90-degree rotation of the roof gable orientation, creation of separate entries to the restroom facilities, and modifications to materials and details to create a more clearly "Craftsman" design. Public comments were provided and related to requests to eliminate the restroom from the park, reduce the building's size, and move it to a new location in the park (closer to playground), as well as CEQA concerns regarding potential traffic and aesthetics impacts. Staff informed the DC that it does not have purview over the design of public parks and, by extension, the location of the building. The DC approved the revised design on May 8, 2018 with 8 conditions of approval (Attachment B). The City Council called the DC's decision for review at its June 4, 2018 meeting.

ANALYSIS:

Current Project Design

The design that is currently presented is included in Attachment A and is the same design that the DC approved on May 8, 2018.

Questions Raised by City Council

At the time the Council called the decision for review, it requested the following information be provided:

1. Discussion of operational issues on event nights

This issue was raised in public comment, relative to concerns about potential use of the restroom by Rose Bowl event attendees traveling south along Arroyo Boulevard after large events. Pursuant to PMC §3.24.110.A.23, all public parks close daily at 10:00 pm. Parks & Natural Resources staff have indicated that the City's security contractor is responsible for securing restroom buildings at that time.

2. How location of restroom was selected; other options reviewed

Please refer to the discussion of item 4 of the appeal application beginning on page 5 of this report.

3. Design & scale of the restroom

Please refer to the discussion of items 2 & 3 of the appeal application on page 5 of this report.

Concerns Cited in Appeal Application

To address public comments expressed during the design review process, the concerns raised in the submitted appeal application (Attachment D) are repeated below, with staff's analysis of each in italics:

1. "The Design Commission erred in making the required 'Findings' in support of this decision. Specifically, the project, a restroom/storage facility, upon implementation of the conditions of approval, will not be consistent with the purposes of design review and the applicable design guidelines."

It is unclear from the appeal application with which of the purposes of design review or design guidelines the DC's decision would be inconsistent. The purposes of design review, as outlined in Zoning Code Section 17.61.030.A, and the applicable design guidelines, are listed in Attachment E. Staff finds that the

DC's decision is consistent with the purposes and policies listed in the attachment.

2. "The design of the restroom/storage facility is not compatible with surrounding historic resources and neighborhoods, including but not limited to, the historic Colorado Street Bridge, and should not have been approved."

Nearby historic resources from which the building could draw design inspiration are largely from the Arts & Crafts Period of the City's architectural history. Specific buildings and neighborhoods near the site include La Casita del Arroyo; Vista del Arroyo bungalows, the Robinson, Freeman Ford and Tod Ford Houses by Greene & Greene; and the Lower Arroyo Seco Historic District. The adjacent residential neighborhood to the south of the park is an eclectic mix of houses from multiple periods in the City's history and does not appear to qualify for designation as a landmark district. It would be inappropriate for this small, low-scaled structure to incorporate architectural features of the Colorado Street Bridge and its scale is similar to other small structures that are within the viewshed of the bridge, including the Vista del Arroyo bungalows and the Habitat for Humanity houses. The current design was derived based on extensive comment from the DC suggesting that it more clearly respond to architecture of the Arts & Crafts period.

3. "The restroom/storage facility is too large in size and footprint. It should not include any storage including, but not limited to, Park Storage, Janitor/Plumbing Chase and Electrical Closet. The restroom should be reduced to a minimal size for use by families and toddlers."

All park restrooms have a storage and/or utility closet which is used to store items such as toilet paper and cleaning supplies and allows for maintenance of utilities in an enclosed area without requiring freestanding utility boxes. The storage closet and electrical closet are each proposed to be approximately 26 square feet.

A janitor/plumbing chase is required to allow space for maintenance of the plumbing to the restroom fixtures.

The men's and women's facilities include the minimum two fixtures and a sink each and are sized to accommodate use by individuals with disabilities.

4. "The restroom/storage facility is located in the wrong place on the site. The current location on the site is too close to Arroyo Boulevard, Arroyo Drive, the historic Colorado Street Bridge and the Vista Del Arroyo Community. The restroom/storage facility should be located closer to the park playground."

The building was originally proposed in 2015 to be located adjacent to the playground and was relocated in response to comments from the public

specifically requesting it to be constructed in the location now proposed. The park is currently under construction, including infrastructure to support the restroom in the location shown in the plans, and significant additional costs would be incurred to redesign the park to place the building in the originally proposed location and extend infrastructure further within the park to accommodate the change.

5. "Inclusion of a restroom/storage facility in Desiderio Neighborhood Park violates the City of Pasadena's long-standing policy of not including restrooms in neighborhood parks. Further, the city cannot afford a \$1 million dollar restroom/storage facility in a neighborhood park."

The City does not have a long-standing policy of not including restrooms in neighborhood parks. Of the 15 designated neighborhood parks in the City, not including school parks, 11 have restrooms. While it is true that funding has not been secured to construct the restroom, it is important to have an approved design in place when seeking funding sources. In addition, the source of the \$1 million cost estimate for the restroom is unclear. Based on the costs of other similar restrooms recently constructed, staff estimates the total fiscal impact to construct this restroom will be between \$700,000 and \$725,000.

6. "The decision to include a restroom/storage facility in Desiderio Neighborhood Park contradicts the original park concept. The park was initiated and planned as a 'passive park' without a restroom."

On October 27, 2014, the City Council approved the Planned Development that included the park and specified that it would include a restroom.

7. The California Environmental Quality Act (CEQA) determination is incorrect. The Design Commission erred in determining that the project is categorically exempt from the California Environmental Quality Act (CEQA) and also erred in failing to require an Initial Study under CEQA. The project encompasses foreseeable and potentially significant environmental impacts under CEQA.

As described in detail in the "Environmental Analysis" section of this Agenda Report, the project qualifies for a Class 3 categorical exemption from CEQA as the construction of a small structure. CEQA does not require an evaluation of potential impacts related to transportation and traffic, land use and planning, aesthetics, and public services for categorically exempt projects pursuant to Class 3. However, in the interest of consideration of all concerns cited in the appeal application, responses to the appellants' specific environmental points are provided below.

- a. **Transportation and Traffic:** The proposed project is located adjacent to and situated on Arroyo Boulevard and the intersection of Arroyo Boulevard and Arroyo Drive, which streets are used heavily by traffic entering and

exiting the Rose Bowl and other Arroyo Seco events in vehicles of all sizes and types such as cars, buses, motor homes etc. The city failed to study and mitigate potential transportation and traffic impacts from use of the restroom by those vehicles traveling to and from the Rose Bowl and other Arroyo Seco events, including traffic stoppages and disruptions, and illegal parking.”

The Final EIR for the Desiderio project includes the following statement: “Inclusion of a restroom facility has been suggested by the Recreation and Parks Commission; however it is not a change proposed by staff at this time. Nonetheless, the inclusion of a restroom facility would not materially change the analysis or conclusions presented in the Draft EIR... Further, the inclusion of bathrooms as part of the proposed project would not materially change the conclusions related to traffic. As discussed in Section 3.4, Traffic, of the Draft EIR, the traffic analysis is based on ITE trip generation rates for “City Park.” The City Park designation would be appropriate for the analysis under both a bathroom and no bathroom scenario. Therefore, trip generation rates and traffic estimates would be the same whether or not a bathroom was proposed as part of the proposed project.”

Moreover, a restroom building itself is not a destination and would not generate additional vehicle trips. As noted by the commenter, it is possible that vehicles passing by the site may occasionally stop at the proposed park restroom. However, the size of the proposed restroom and any trips associated with it are far below the thresholds for transportation analysis identified in the City’s “Transportation Impact Analysis Current Practice and Guidelines” manual, which exempts from transportation review non-residential projects that are less than 10,000 square feet and generate less than 300 daily trips.

- b. “Land Use and Planning; Aesthetics: The location of the restroom/storage facility is not consistent with the historic character, sight lines and view corridors of the historic Colorado Street Bridge and should not be located adjacent to the Bridge. The City failed to study and mitigate these potential impacts on the historic Colorado Street Bridge.”

As previously stated, the proposed small-scale restroom building is similar to other existing small structures that are within the viewshed of the bridge, including the Vista del Arroyo bungalows and the Habitat for Humanity houses. Views of the Colorado Street Bridge and all of its visual attributes would remain from multiple public vantage points.

- c. “Public Services: The restroom/storage facility will attract criminal activity and create possible safety issues for park visitors and surrounding neighborhoods and communities, including, but not limited to, the Habitat

for Humanity Homes. The City failed to study and mitigate these potential impacts on public services and public safety.”

A project would be considered to have an impact on public services if it were to require construction of new or altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives. The construction of a public restroom is not expected to require new public safety facilities to be constructed or any physical alterations to existing public safety facilities.

GENERAL PLAN CONSISTENCY:

The subject site is designated as “Parks” in the General Plan Land Use Element. The use of the site would be for a public park, which is consistent with this designation. The project is also consistent with design-related goals and policies of the Land Use Element as outlined previously in this report and listed in Attachment E.

ENVIRONMENTAL ANALYSIS:

This project has been determined to be categorically exempt from CEQA pursuant to Public Resources Code §21080(b)(9) and the State CEQA Guidelines §15303 (California Code of Regulations, Title 14, Article 19, §15303. New Construction or Conversion of Small Structures [Class 3]). Class 3 exempts from environmental review construction and location of limited numbers of new, small facilities or structures including accessory (appurtenant) structures such as garages, carports, patios, swimming pools, and fences. The proposed 623-square-foot restroom/storage building is an accessory building to the proposed public park.

In addition to the discussion above relative to CEQA compliance comments from the appellants, pursuant to Section 15300.2 of the State CEQA Guidelines, the following are the only circumstances when a qualifying categorical exemption would otherwise not be allowed, along with staff’s analysis:

1. Location where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The project site is not an officially mapped environmental resource of hazardous or critical concern.

2. When the cumulative impact of successive projects of the same type in the same place, over time is significant.

The restroom was contemplated as part of the overall redevelopment of the Desiderio Army Reserve Center and discussed in the Final Environmental Impact

Report for that project, which the City Council certified on October 27, 2014. No cumulative environmental impacts were identified in that report.

3. Projects that may have a significant effect on the environment due to unusual circumstances.

The project does not involve any unusual circumstances. There are several public and private properties in the vicinity that have been developed with similarly sized or larger structures, including others in close proximity to the historic Colorado Street Bridge and within its viewshed. In addition, many of the City's parks have restroom buildings and the City regularly builds, maintains, and operates restroom buildings, including several new park restroom buildings within the past few years (e.g., Memorial Park, Central Park, Eaton Blanche Park, Allendale Park, Central Arroyo, etc.).

4. Projects resulting in damage to scenic resources within an officially designated state scenic highway.

The site is not within or visible from an officially designated state scenic highway. The closest highway identified in the California State Scenic Highway system is the segment of I-210 from SR 134 on the east to SR 126 on the west, which is identified as an "Eligible State Scenic Highway—Not Officially Designated." The project site is more than 3,000 feet from I-210 and visually separated from I-210 by topography, vegetation, and structures. As a result, the project site is not visible from I-210 and does not contain any scenic resources related to the I-210 corridor.

5. Project location on a listed hazardous waste site.

The project site (APN 5714-016-909) is not included on any lists of hazardous waste sites compiled pursuant to Section 65962.5 of the Government Code as shown on either the Department of Toxic Substances Control's (DTSC's) EnviroStor Database or the State Water Resources Control Board's (SWRCB's) GeoTracker Database.¹ The adjacent parcel to the south (APN 5714-016-910), which is also part of Desiderio Neighborhood Park, appears on both the EnviroStor and GeoTracker databases with a status of "No Further Action." These historical listings are related to past military vehicle maintenance activities, with two connected entries in the databases titled "Pasadena Desiderio Hall" and "Pasadena Area Support Cntr." Pasadena Desiderio Hall was a "State Response" site and Pasadena Area Support Center was a "Military Evaluation" site. The DTSC classified the Pasadena Desiderio Hall site as "No Further Action" as of

¹ Department of Toxic Substances Control, EnviroStor Database <www.envirostor.dtsc.ca.gov>, accessed June 26, 2018; and State Water Resources Control Board, GeoTracker Database, <<http://geotracker.waterboards.ca.gov>>, accessed June 26, 2018.

01/09/2012 and the Pasadena Area Support Center as "No Further Action" as of 10/24/2011.

6. Projects which may cause a substantial adverse change in the significance of a historical resource (defined as resulting in the resource no longer being able to convey its significance).

The project would not result in a substantial adverse change in the significance of a historical resource. The nearest historical resource to the proposed restroom building, the Colorado Street Bridge, would retain all of its character-defining features and would therefore retain its ability to convey its significance as a historical resource due to the fact that the restroom will be a separate structure from the bridge and, therefore, would not alter any of its physical features. The impacts of the Desiderio project on the setting of the Colorado Street Bridge were evaluated in the Environmental Impact Report that was certified by the City Council on October 27, 2014 and states, "The proposed project would not directly impact the existing abutments on the project site. Therefore, the proposed project would not directly affect the Colorado Street Bridge. Construction and operation of the proposed project would result in a visible change to the project site and the area surrounding the Colorado Street Bridge... While this visual change would be substantial, it would not affect the character-defining features of the Colorado Street Bridge. Specifically, the change in the visual setting would be more consistent with the surrounding area which consists of single-family homes, and the lower Arroyo Seco. Therefore, the change in the setting from the Desiderio USARC to the proposed project would not affect the significance of the Colorado Street Bridge."

CONCLUSION:

Staff concludes that the design approved by the Design Commission is consistent with the purposes of design review and the applicable design guidelines. Conditions of approval would ensure that the project is a high-quality design that is compatible with surrounding development. Therefore, staff recommends that the City Council uphold the Design Commission's decision to approve the application for Consolidated Design Review, subject to the same conditions of approval.

FISCAL IMPACT:

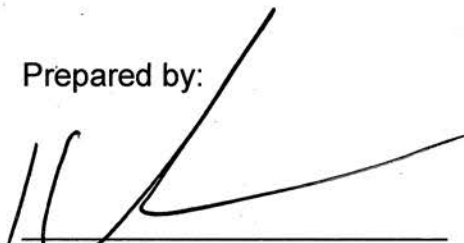
There is no fiscal impact associated with this decision. The cost of construction of the restroom is subject to City Council approval of the City's Capital Improvement Program.

Respectfully submitted,



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STEVE MERMELL
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Attachments: (5)

- Attachment A – Design plans, elevations and details approved by the Design Commission
- Attachment B – Design Commission approval letter dated May 10, 2018 (without attachments)
- Attachment C – Staff approval letter dated March 13, 2018 (with attachments)
- Attachment D – Request for Appeal dated May 21, 2018
- Attachment E – Purposes of design review and applicable design guidelines