

Agenda Report

DATE: June 28, 2004

TO: CITY COUNCIL

FROM: CYNTHIA J. KURTZ, CITY MANAGER

SUBJECT: CALL FOR REVIEW OF DESIGN COMMISSION DECISION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND CONCEPT DESIGN REVIEW FOR A NEW MIXED-USE BUILDING AT 220 NORTH LAKE AVENUE.

CITY MANAGER'S RECOMMENDATION:

It is recommended that the City Council

Environmental Determination and Land Use Entitlements

1. Affirm the conclusions of the revised mitigated negative declaration – with technical corrections added on April 26, 2004—that the proposed project will not create any significant adverse effects on the environment that cannot be mitigated to a level of insignificance;
2. Approve the revised Mitigated Negative Declaration with Mitigation Measures and a Mitigation Monitoring Program for the project;
3. Direct the City Clerk to file a Notice of Determination with the County Clerk.

Findings for Removal of Protected Native, Specimen, and Landmark Trees.

1. Acknowledge that the environmental mitigation measures for the project requires a dedication of land to widen portions of North Mentor Avenue, East Walnut Street, and North Lake Avenue; and that the widening of these streets will cause the removal of four public trees, two-Brachychiton populneus and a Camphor tree along Mentor Avenue, and a California Sycamore along Lake Avenue. The replacement of these trees and new planting of street trees will be reviewed by the Public Works Department.

Findings for Concept Design Approval

1. Find that the concept-level design is **consistent** with the Design Guidelines for the Central District (including the Lake Avenue sub-district), Citywide Design Principles in the Land Use Element of the General Plan, and the Purposes of Design Review in §17.92.010 of the Zoning Code;
2. Based on these findings, **approve** the application for concept design review with the following conditions:
 - a) Redesign the residential component to be distinctively residential in character.

- b) Restudy the articulation and massing of the upper level walkways visible through openings along Walnut Street, the architectural fins, balconies, and two-story base-ement, and possible increase in upper-level step-backs.
- c) Study the possibility of a setback along the residential components of the project, which need not be continuous and could include landscape planters.
- d) The Design Commission shall also conduct an advisory, 50% design review of the project before the applicant files an application for final design review.
- e) The Design Commission shall conduct final design review.
- f) Among the issues to be evaluated during 50% review and/or final design are:
 - a sign program (consider sign locations and integrate with architecture);
 - the window assemblies;
 - architectural canopy at entrance lobby;
 - balcony guardrail detail;
 - detailing of raised planters
 - the screening of mechanical equipment, backflow preventor/utility vault/gas meters, dryer vents, etc.

RECOMMENDATION FROM THE DESIGN COMMISSION

The recommendation from the Design Commission was to approve the project with the conditions listed in the City Manager’s recommendations.

PROJECT DESCRIPTION

The proposed new development is a six-story 181,000-square foot mixed-use building with subterranean parking, 99 residential units, 5 live/work units, and a total of 23,100 square feet of commercial floor area. The site is 1.14-acres bordering North Lake Avenue to the west, North Mentor Avenue to the east, East Locust Street to the north, and East Walnut Avenue to the south. The site does not include the northwest corner of the block, which is under separate ownership.

BACKGROUND

On March 22, 2004, the Design Commission held a public hearing to review a draft environmental initial study with mitigation measures and an application for Concept Design Review of the project. The Commission heard presentations from City staff, the design architects, the developer, as well as comments from the public. The comments from the public living in close proximity to the proposed project focused primarily on traffic circulation and project massing. At the conclusion of the hearing, the Commission voted to issue a concept-level approval of the design. This approval has six conditions—along with 6 other items for further consideration during an advisory 50% review. Concept design, the first of two steps in the City’s design review process, concentrates on schematic-level issues such as massing, orientation, roofline, wall openings, proportions, rhythms, and volumes.

MITIGATED NEGATIVE DECLARATION

A Mitigated Negative Declaration was prepared for this development (Attachment D). The Department of Transportation examined the potential traffic and parking impacts and concluded that one street segment will experience an impact above the level of significance. The traffic study also identifies an existing cut-through traffic pattern on Locust Street and recommended developing a neighborhood traffic management plan (NTMP). This recommendation has been reviewed and approved by the Department of Transportation even though the NTMP is not required as an environmental impact mitigation measure.

The required mitigations for traffic are:

1. A separate review on the planned eastbound dual-left turns revealed that Walnut Street would be misaligned within the intersection unless a minimum three-foot widening on the east-leg of Walnut Street is completed. Therefore, the project will be conditioned to dedicate an additional three feet of right-of-way (for a total dedication of up to six feet) along the north side of Walnut Street for a distance of up to 100 feet measuring from the Beginning of Curve (BC) northwest corner on Walnut Street at Lake Avenue.
2. There will also be a dedication of 12 feet of right-of-way along the
3. project's Lake Avenue frontage in order to accommodate the future widening of Lake Avenue, and a three foot dedication along the entire west side of Mentor Avenue (from Walnut to Locust).
4. Required intersection improvements—25-foot radius property line corner rounding—occur at the southwest corner of Locust Street and Mentor Avenue, northeast corner of Lake Avenue and Walnut Street, and northwest corner of Walnut Street and Mentor Avenue.
5. The final mitigation involves the preparation of a construction staffing and traffic management plan showing the impact of the various construction stages on the public right-of-way including street occupations, closures, detours, staging areas, and routes of construction vehicles entering and exiting the site.

ANALYSIS AND CONCLUSION

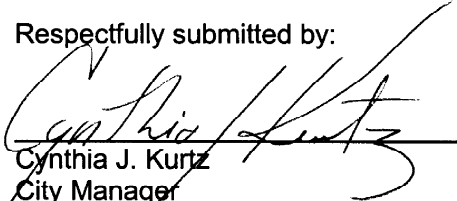
The conditions of approval formulated by the Design Commission aim to soften the massing of the building and impart a more residential scale and appearance to the building. The project will be further evaluated for compliance with the conditions of approval at a 50% advisory review evaluation.

A community outreach effort was undertaken to inform residents, employees and merchants in proximity to the site about the project. Community concerns focused primarily on traffic circulation issues. To address these issues, the applicant met with surrounding residents to discuss neighborhood traffic management protection measures. The applicant agreed to fund up to \$50,000 toward a neighborhood traffic management plan (NTMP). City staff will participate in the development of the NTMP. Suggested mitigations from the neighborhood include a dedicated one-way street, partial road closure, and/or traffic diverter. These efforts will require extensive neighborhood outreach by the Department of Transportation, and will be in the context of a future study involving the entire neighborhood.

FISCAL IMPACT


The call for review of this application does not affect revenues to the City. Applicants seeking land-use entitlements, including design review, are required to pay fees to the City.

Respectfully submitted by:




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City Manager

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ATTACHMENTS

Attachment A Master Application Form

Attachment B Notice of Decision

Attachment C Staff Report

Attachment D Draft Environmental Initial Study and Mitigation Measures

Attachment E Traffic Study

Attachment F Project Plans and Elevations