

Agenda Report

TO: CITY COUNCIL

DATE: NOVEMBER 20, 2006

FROM: CITY MANAGER

SUBJECT: FULLER THEOLOGICAL SEMINARY
MASTER DEVELOPMENT PLAN, FINAL ENVIRONMENTAL IMPACT
REPORT, AND DEVELOPMENT AGREEMENT

RECOMMENDATION

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

1. Adopt a Resolution to certify the Final Environmental Impact Report and adopt the Mitigation Monitoring Reporting Program;
2. Adopt by Resolution the Findings of Fact and Statement of Overriding Considerations;
3. Adopt by Resolution the Specific Findings for the Master Development Plan and approve the proposed Master Development Plan with Conditions
4. Adopt the Findings and approve the Development Agreement;
5. Direct the City Attorney to prepare an Ordinance to adopt the Development Agreement;
6. Approve the De Minimis Impact Finding on the State Fish and Wildlife Habitat;
7. Direct the City Clerk to file a Notice of Determination and Certificate of Fee Exemption for the California Department of Fish and Game with the Los Angeles County Recorder.

COMMISSION RECOMMENDATIONS

The Planning Commission considered the Master Development Plan (MDP) on October 25, 2006 and November 1, 2006. The Planning Commission concurred with staff's recommendation to approve the Master Plan by a 4-3 vote. The Planning Commission recommended denial of the Development Agreement by a 5-1-1 vote.

On January 13, 2006, the Transportation Advisory Commission (TAC) provided comments on the Draft Environmental Impact Report (Draft EIR), and unanimously supported the project. On January 23, 2006, the Design Commission and Historic Preservation Commission provided comments on the Draft EIR and the proposed

MDP. The Design and Historic Preservation Commissions jointly recommended that the Final EIR describe the preservation of properties in more detail and that the applicant work with Pasadena Heritage to develop project alternatives to preserve more of the existing buildings. As a result, the Final EIR includes a Preservation Alternative.

EXECUTIVE SUMMARY

Fuller Theological Seminary (Fuller) is proposing a 20-year Master Development Plan (MDP) (Attachment K) and Development Agreement (DA) (Attachment E) for development of its Central District campus. The campus generally encompasses the Fuller landholdings in a four-square block area from Corson to Union Streets and Los Robles to Madison Avenues. The MDP boundaries include a through-lot from Madison to El Molino Avenue (former Montgomery Engineering Building).

The MDP proposes four phases of residential construction and four phases of academic construction. In addition to continuing to preserve eight properties that contribute to the potential Ford Place Landmark District, Fuller has indicated that a ninth contributing property, consisting of three buildings designed by Sylvanus Marston would also remain. The residential phases consist of 514 new units and renovation of a 92-unit apartment complex. The academic phases include construction of a 500-seat chapel, a 50,000 square-foot library expansion, construction of 180,000 square feet of academic use area, and a 450-space parking structure as indicated in Exhibit A. The long-range plan envisions a "community green space" in place of a portion of Oakland Avenue, which requires acquisition of additional properties and the approval of a street vacation.

The Fuller campus is within the Central District Specific Plan (CDSP). The CDSP acknowledges the prominence of Fuller Seminary within the Walnut Housing Sub-district and provides flexibility for campus development. The MDP complies with the CDSP standards for overall building intensity (floor area ratio) and residential density. The MDP proposes maximum allowable heights throughout the campus and incorporates the use of height averaging for residential building phases. Building design is subject to review and approval by the Design Commission.

An Environmental Impact Report (Final EIR) prepared for the project analyzes the potential significant impacts on Air Quality, Cultural Resources, Traffic/Transportation, and Utilities/Service Systems. Mitigation measures have been identified to reduce potential impacts for Traffic/Transportation and Utilities/Services Systems. The project would result in significant air quality impacts because construction activities would exceed regional emissions thresholds. Two potential landmark properties are proposed to be removed. Thus, the cultural resource impacts are significant. Approval of the MDP as conditioned would require adoption of a Statement of Overriding Considerations for both air quality impacts and the potential removal of a property eligible for individual landmark status, the Herkimer Arms Building.

BACKGROUND

The applicant has requested approval of a 20-year MDP to accommodate necessary expansion of seminary facilities and approval of a Development Agreement to secure

the provisions of the existing zoning code and the development standards as conditioned for the MDP.

Project Site

Fuller Theological Seminary is located primarily within a four square block area east of the Civic Center District and in the north part of the Playhouse District. The site is bisected by Walnut Street, which runs east-west, and Oakland Avenue which runs north-south. At build out, the Fuller MDP would incorporate approximately 18 acres, of which Fuller currently owns approximately 16 acres.

General Plan/Zoning Designations: The project site has a General Plan designation of Specific Plan and is zoned accordingly, Central District Specific Plan (CDSP). The site is within an area designated as the Ford Place/Fuller Seminary Precinct of the Walnut Housing sub-district (CD-3) and incorporates a portion of Planned Development District 21, Montgomery Engineering (PD-21).

The properties in the immediate area are zoned as Central District Specific Plan (CDSP). Land use designations to the north of the 210 freeway include Low-Medium Density to High Density Residential and Neighborhood Commercial. Surrounding zoning designations are shown on the Vicinity and Zoning Map (Attachment F).

Previous Zoning Cases

Throughout the 1970's and 1980's, Fuller constructed several buildings and developed surface parking lots via the conditional use permit process. The MDP will supersede these previously approved Conditional Use Permits.

PROJECT DESCRIPTION:

The MDP presents a 20-year planning framework for development of the Fuller Theological Seminary Campus. Fuller intends to increase affordable student housing, maintain properties that are deemed as historical resources, expand the academic facilities, improve parking efficiency, increase student enrollment from approximately 1,900 to 2,014 students, and provide additional open space within the campus. The Development Agreement is proposed by the applicant to ensure that the existing policies, rules, and development standards will be applicable throughout the horizon for the MDP. The project includes four phases of residential development consisting of a total of 514 units (304 net new), and construction of a library expansion and chapel building. As a result of input at the Commission hearings, Fuller revised the MDP to reduce the area of the academic building(s) to 180,000 square feet and the size of the parking structure to exclude the Women's City Club parking lot. The parking garage would house 450 spaces and not include the 72-unit student hotel. As part of the MDP, Fuller would also be renovating an existing 92-unit apartment complex.

Public Open Space

Contingent on Fuller acquiring additional properties on both sides of the Oakland Avenue, Fuller would submit a request to vacate a portion of Oakland Avenue between Walnut and Corson Streets. The vacated portion would be developed as a public open space, visually linking the north and south portions of the campus. Applications for

street vacations are subject to review by the Planning Commission and approval by City Council.

ANALYSIS

Master Development Plan: The CDSP included a special provision allowing the MDP to set the standards applicable to future development on the Fuller Campus, so long as the overall development conforms to the underlying average building intensity (floor area ratio), residential density, and height standards. The MDP complies with the CDSP standards for overall building intensity (floor area ratio), residential density, minimum parking, and tree removal requirements. The maximum height limits for the Fuller Campus will be established by the MDP as conditioned.

The MDP will establish the development standards for the properties within the MDP boundaries owned by Fuller Seminary. Since Fuller presently does not own all of the properties envisioned by the long range plan, development on those properties could occur subject to the underlying development standards of the CDSP. Only as properties are acquired by Fuller Seminary will they become subject to the standards proposed in the MDP.

The campus layout was conceived as having five distinct areas. From north to south these areas are: the Oakland Village, Walnut Crossroads, Madison Area, Los Robles Quad, and the Union Gateway. Residential development is focused on the north portion of the campus, the Oakland Village. The larger academic buildings are placed at the Los Robles Quad.

Parking: A specific parking ratio was established for Fuller in 1984 and incorporated in the zoning code. The current parking requirement is based on non-resident students, employees, units provided, and retail square footage. Under this formula, a total of 1,353 parking spaces are required. Fuller will be required to provide no more than the minimum number of spaces required because the project is located within the Central District area which is identified as a transit oriented district. Since parking demand is greatest during the early afternoon, it is recommended that parking be managed to provide supplemental parking for the Playhouse District during other times.

Floor Area Ratio (FAR): Development according to the MDP would comply with the underlying average floor area ratios called for in the CDSP. The Fuller campus is treated as one project site and the various floor area ratios are averaged across the campus. The total area proposed under the MDP is approximately 240,000 square feet less than the maximum permitted. This unrealized potential provides an opportunity for the floor area of surrounding properties to be increased as recommended by the City Council on April 4, 2005.

Although the MDP calls for the Los Robles Quad to be developed with a total building area of 180,000 square feet, staff is recommending the preservation of the apartment complex designed by Sylvanus Marston (144 Los Robles Avenue, 450-452 Ford Place, and 454-456 Ford Place), the "Marston apartment complex". The preserved buildings reduce the area left for development of the academic buildings. Staff is recommending

relocating some of the development intended for the Los Robles Quad elsewhere on campus, specifically the former Montgomery Engineering site.

Heights: The maximum building envelopes would be established by the MDP, using the CDSP provision that allows for a comprehensive assessment of building layout across the Fuller Campus. On the north portion of the campus, the various building phases would be subject to review by the Design Commission. Tall buildings would be placed along Los Robles Avenue and Corson Street to provide emphasis and create a sense of entry into the Central District from and along the freeway.

At the Los Robles Quad, a maximum building envelope would be established that is counterbalanced by the lower heights of preserved buildings at the center of the campus. The MDP proposes two 75-foot tall buildings at the southeast corner of Los Robles Avenue and Ford Place (Los Robles Quad). While the Los Robles Quad presents an opportunity for development of academic buildings, the CDSP height limit in this area is set at 50 feet. Staff recommends a maximum building height of 65 feet with the use of height averaging as permitted in the CDSP. The additional height for the Los Robles Quad is justified because the taller buildings would be of similar scale to those across Los Robles and provide emphasis along a major arterial. The Union Gateway and Los Robles Quad work together to protect the City Hall dome view corridor and shift development away from the central portion of the main campus that includes a number of low-scale, historically significant buildings.

Historic Preservation: Fuller is committed to preserve nine buildings that contribute to the potential Ford Place landmark district and has indicated a willingness to relocate the Professor Hammond House (110 N. Los Robles Avenue) which is eligible as an individual landmark property. Fuller is proposing the demolition of the Herkimer Arms Building (527 E. Union Street) that is also eligible for individual landmark designation and demolition of the Boadway Apartments (91 N. Oakland Avenue), another contributing property to the potential Ford Place landmark district. Fuller has agreed to preserve the Marston apartment complex that was originally slated for demolition.

Staff is including a condition requiring the applicant to proceed with the nomination of the district centered on Ford Place in the National Register of Historic Places. The Professor Hammond House will be required to be relocated either within the campus or off-site within the City and preserved prior to issuance of building permits for replacement buildings at the Los Robles Quad area. Fuller is required to offer the Herkimer Arms building for relocation for no less than 180 days following approval of the MDP and provide a minimum of \$100,000 for relocation efforts. If the offer to relocate this building is unsuccessful, Fuller Seminary will be allowed to demolish the building.

The Herkimer Arms Apartment House consists of two wings; the one facing Union Street is the only multi-family building designed by the firm of Greene & Greene and attributed primarily to Henry Greene. The property retains a high level of architecture integrity despite several major alterations. The property could be moved to a new location and retain its historic integrity. The architectural integrity of the Herkimer Arms building has diminished somewhat over time from the loss of the two porches (noted

above), the loss of the original front doorway, and the gunite coating of the original exterior in an outer layer of cement plaster.

The 1986 ordinance protecting works of Greene & Greene only authorized a 180-day delay for demolition, an exterior alteration, or removal of an interior fixture. At the end of the 180 days, a second and final 180-day delay could be imposed, after which the City was required to issue a certificate of appropriateness. The revised preservation ordinance, adopted in 2002, elevated works of Greene & Greene to landmark status and strengthened protections for these resources. The Historic Preservation Commission (or Design Commission) may now approve or deny alterations, demolitions, and/or removals of interior fixtures on all of these properties. With a master development plan, the City Council has the final discretion to approve, approve with conditions, or to deny requests to demolish, alter, or remove interior fixtures from a work of Greene & Greene. The Historic Preservation Commission and Design Commission present advisory comments to the City Council on the request, but they are not the decision-making bodies.

DEVELOPMENT AGREEMENT

The 20-year Development Agreement provides a reasonable assurance that the development anticipated under the MDP would not be affected by changes to the General Plan and Zoning Ordinance. The Development Agreement incorporates the MDP as an exhibit which dictates the permitted uses and development standards for the Fuller Campus. The Development Agreement does not limit the City's ability to collect development fees and applies only to Fuller-owned properties. The Development Agreement further assures that affordable student housing will be provided, the provision of a publicly accessible community open space will be pursued, and that excess parking will be available for other uses in the Playhouse District. The provision of affordable units enables further development opportunities elsewhere in the Central District and makes market rate units available that are currently rented by Fuller students. Development Agreement approval Findings are attached.

FINAL ENVIRONMENTAL IMPACT REPORT

In accordance with the California Environmental Quality Act (CEQA) Guidelines, an Environmental Impact Report (FEIR) was prepared (Attachment J & J.1. Errata Sheet). The Final EIR finds that potential traffic and utility service system impacts could be eliminated or mitigated to less than significant levels. Impacts on air quality and cultural resources are significant and unavoidable and a Statement of Overriding Considerations is required if the project, as conditioned, is approved.

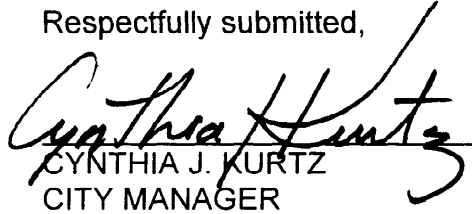
Four alternatives were described in the Draft EIR in an effort to reduce project impacts. In response to comments from the Commissions, a fifth alternative and a modified fifth alternative were included in the Final EIR. Of the five alternatives, only the No Project Alternative was identified as able to reduce the air quality impacts to less than significant. Beside the No-Project alternative, both the Reduced Intensity and Historic Preservation Alternatives were identified as environmentally superior to the project. However, the Alternatives do not achieve the project objectives.

The staff recommendation is a modification of the Historic Preservation Alternative, included in the Final EIR as Alternative 5A. Under this alternative, the Herkimer Arms building would be offered for relocation, but would be subject to demolition after a 180-day advertisement period. The Professor Hammond House would be retained within the Fuller Campus, or relocation elsewhere within the City. The Boadway Apartments would be subject to demolition. The Marston apartment complex would be retained on site. Approval of Alternative 5A requires a Statement of Overriding Considerations for demolition of the Herkimer Arms building.

FISCAL IMPACT

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

Respectfully submitted,


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CITY MANAGER

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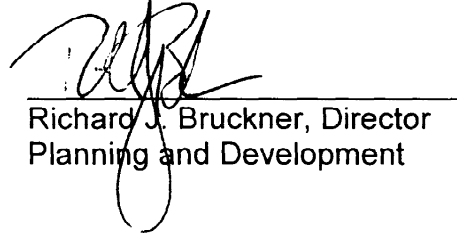

Richard J. Bruckner, Director
Planning and Development

Exhibit A: Revised Long Range Plan

Attachments:

- A. Draft Resolution Certifying the Final EIR
- B. Draft Resoultion Adopting a Statement of Overriding Considerations
- C. Draft Resolution Approving the Master Development Plan with General Plan and Zoning Code Consistency Findings
- D. Conditions of Approval
- E. Development Agreement
- F. Vicinity / Zoning Map
- G. Mitigation Monitoring Program
- H. Public Correspondence submitted to Planning Commission
- I. De Minimis Impact Finding, Notice of Determination, & Certificate of Fee Exemption
- J. Final Environmental Impact Report Volume I and Volume II (Under Separate Cover)
- J.1. Errata Sheet for Final Environmental Impact Report
- K. Fuller Theological Seminary Master Development Plan (Under Separate Cover)
- L. Development Agreement Findings