

From: Chris Holden [mailto:holden88@msn.com]
Sent: Wednesday, August 05, 2009 4:12 PM
To: Jomsky, Mark
Subject: 125 North Raymond Avenue

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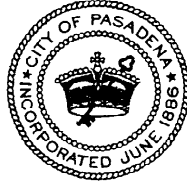
Mark,

I would like to place on the next council agenda a call for review of the recent decision by Planning staff to impose certain conditions outlined in the letter dated: July 29, 2009-minor changes to an Approved Project for the project addressed at 125 North Raymond Ave. The last date to file an appeal is Monday, August 10th, 2009. By submitting this request, it is my understanding that the decision has been stayed until the council decides on whether to hear the matter. Thank you.

Councilmember Chris Holden
District 3

08/10/2009

7.B.2.



PLANNING & DEVELOPMENT DEPARTMENT
PLANNING DIVISION

July 29, 2009

Mr. Gene Buchanan
Ms. Marilyn Dee Buchanan
Buchanan Raymond LLC
50 Fern Drive
Pasadena, CA 91105-1256

[fax: 795-2408]

125 North Raymond Avenue

Raymond Renaissance (New Building Adjacent to Former Raymond Theatre)
Minor Changes to an Approved Project: Substitute Material/Finish on Cornice
PLN2005-00511 Council District 3

Dear Mr. & Mrs. Buchanan:

Acting under the provisions of §17.61.030 and §17.64.050 of the Pasadena Municipal Code, the staff of the Planning Division has reviewed your request for minor modifications to the approved final design of the mixed-use project at 125 North Raymond Avenue (Raymond Renaissance). The site is in the Old Pasadena Historic District. The issue, first communicated to you in a letter dated May 11, 2009, concerns a change to the material of the projecting cornice above the sixth floor.

On October 24, 2005, the Design Commission reviewed your application for final design of the Raymond Renaissance project. The application specified that the cornice—a major feature of the building—would be of extruded copper. The Commission approved the application with conditions, none of which modified the proposed installation of a copper cornice. After this meeting, the staff sent you a letter (dated October 27, 2005) recording the decision of the Commission. This letter included a standard provision informing you about a process in the municipal code (P.M.C. §17.64.050) authorizing changes to approved projects before or during construction:

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

During the early phases of this project, we met with you to discuss issues on the interior and exterior of the building. Our expectation was that this level of communication and collaboration would continue through all phases of construction and include important decisions such as substituting another material for the copper cornice. At no time, however, did we receive a request to discuss a change to the cornice on the six-story building.

In early May, after removal of the construction scaffolding, staff noticed that the cornice was not copper but a painted finish simulating the verdigris of aged copper on an undetermined surface. We sent you a letter (May 11, 2009) about this change to the cornice and then received correspondence from you (dated June 4, 2009) in which you explain the reason for the change "...horizontal application of copper in that area could not be guaranteed by our contractor over the term of our 10 year tail on the insurance required for a Condo project in California. The horizontal application could not be guaranteed not to sag and bag in this type of installation..." This letter also refers to a "formed material" as the substitute for the copper, and it describes "...the use of plaster with a hand finished application of color." Responding to this letter, we asked for additional information about the plaster and substrate, which we received on July 19, 2009. This information documents that the cornice is a composite of gypsum sheathing, lath, brown and scratch coats of plaster, and finish coatings of a glazed Italian plaster with colorants (presumably applied with brush and sponge) and a sealer.

The coloring of the finish is a reddish-brown field with irregular blue-green splotches. The intended effect of this "faux" finish is oxidized copper. As we noted in the letter of May 11, however, this finish:

resembles only one stage of the normal oxidation of copper. As a result, it artificially creates the appearance of oxidizing copper suspended in time and permanently transitioning to its eventual sulfate patina. The blue-green coloring of the finish also creates the appearance of oxidized copper in humid climates; in an arid climate, as in Pasadena, copper oxides more uniformly and with less coloration.

In accordance with §17.61.030 and §17.64.050 of the *Pasadena Municipal Code*, the staff:

Environmental Clearance

Finds that the activity described in this application was subject to adequate environmental review in a revised final environmental impact report and addendum certified (together, the revised FEIR) with findings of fact and a statement of overriding considerations for the the City Council Raymond Theater Reuse and Mixed-Use Project ("project"), now known as the "Raymond Renaissance," on January 7, 2002 and a Second Consistency Finding to the revised FEIR pursuant to the California Environmental Quality Act (Public Resources Code § 21000 et seq.) and State CEQA Guidelines §15164 (May 2005).

Findings for Approval of Modifications (Minor Changes) to an Approved Project

The staff finds that the change to the material of the cornice:

- A. Is consistent with the intent of the original approval (the physical form, projection, and placement of the cornice complies with the approved design).
- B. Is consistent with all applicable provisions of this Zoning Code (*consistency confirmed*)

- C. Does not involve a feature of the project that was specifically addressed in, or was a basis for findings in a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) for the project (*minor revisions to this project are about aesthetic features*);
- D. Does not involve a feature of the project that was specifically addressed in, or was a basis for conditions of approval for the project, or that was a specific consideration by the applicable review authority in the approval of the permit (*unrelated to conditions*); and
- E. Does not expand the approved floor area or any outdoor activity area by 10 percent or more over the life of the project (*no request to increase floor area*).
- F. Finds that the proposed change—if modified to comply with the condition of approval—is consistent with the applicable design guidelines.
- G. Finds that there are changed circumstances sufficient to justify the proposed changes (*representations from developer about structural properties of installing copper with the specified spans and projections, concerns about liability and waterproofing*), and
- H. Based on these findings, **approves** the application for changes to the previously approved design with the following **condition**:
 - To avoid falsifying the material of a major feature of the building, the plastered (spatula stucco) cornice shall be resurfaced with a new pigmented coating (or siloxane-based coating) to create the appearance of a specialty plaster (e.g., a solid color, such as green or brown; a coating with a “veiled effect”—or similar effect—within the range of standard finishes for exterior plaster;
 - The color and finish of the resurfaced cornice shall be compatible with the design of the new six-story building; and
 - The staff shall review and approve the alternative color, finish, and texture of the resurfaced cornice **before** initiation of this work.

Guidelines in Support of this Decision (Central District Specific Plan)

BD 6.1 Consider each building as a high-quality, long-term addition to Downtown; exterior design and building materials should exhibit permanence and quality appropriate to an urban setting.

BD 6.3 Design architectural features that are an integral part of the building, and discourage ornamentation and features that appear “tacked-on” or artificially thin; this applies to balconies, canopies and awnings, as well as exposed rafters and beams, moldings, downspouts, scuppers, etc

Please also note that we are also awaiting final details of the finishes and ornament on the marquee. At a recent site visit, we also discussed extending the brickwork and cornice on upper portion of the north elevation, where it abuts the elevator tower. To date, this work has not taken place.

Effective Date ♦ Call for Review ♦ Appeal

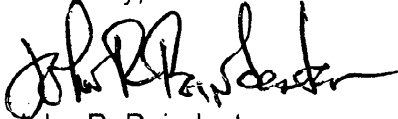
This decision becomes effective on **Tuesday, August 11, 2009**. Before the effective date, the City Council or Design Commission may call for a review of this decision. In addition, you or any person affected by this decision may appeal it to the Design Commission before the effective date by filing an application for an appeal (window #4, Permit Center) and paying the appeal fee of \$257.50. Appeals must cite a reason for objecting to a decision. Please note that appeals and calls for review are held as *de novo* hearings, meaning that the lower decision is

Gene & Marilyn Buchanan
7/30/2009

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set aside and the entire application is reviewed as a new proposal. The last day to file an appeal is **Monday, August 10, 2009**.

Sincerely,



John R. Poindexter
Planning Manager, Planning and Development Department
626-744-7232 jpoindexter@cityofpasadena.net

cc: address file, chronological file, Tidemark, City Council, Design Commission, Council District 3 Representative

Enclosure