

CORRESPONDENCE

To: Bill Bogaard, Mayor, City of Pasadena
100 N. Garfield Ave. Rm S228
P.O. Box 7115
Pasadena, CA 91109-7215

RECEIVED

October 5, 2009

09 OCT -7 A8 05

From: Donald Chambers,
MCD Arcade Lane LLC
P.O. Box 660847
Arcadia, CA 91066

CITY CLERK
CITY OF PASADENA

Re: Proposed IDS Development of Pasadena Plaza at 680 E. Colorado Blvd

The MCD Arcade Lane LLC are majority owners of the Arcade Lane on Colorado Blvd., immediately adjacent to the former JH Biggar Furniture Store, and site of the proposed development of the Pasadena Plaza complex by IDS. We support the appropriate development of the property in a way which maintains the historic character of the Playhouse District, yet provides modern accommodations for office, hotel, or residential use, and serves the needs of the community.

We have concerns about the current proposal for the Pasadena Plaza by IDS. The Arcade Lane owners have reviewed the plans, and have been in communication with the developer and the City Planning Department for many months, consistently expressing our concerns about the size of the development which is necessitating an underground parking structure so large that we believe its construction will adversely compromise the integrity of our building. We are currently experiencing damage to the Arcade Lane building on the east side which we believe is caused by the construction of the underground parking facility serving the Archstone building adjacent to our property.

Additionally, we are concerned that the Planning Commission has unanimously rejected the EIR, and yet the Planning Department staff continues to support the project. Our only conclusion is that the Commissioners were not properly informed, or, that they have significant objections to the EIR report. In either case, we have little confidence in the IDS proposal as it stands.

As Mayor of Pasadena, we respectfully ask that you, as well as all City Council members consider the opinions of the Planning Commissioners, as well as the input from community members, including the Arcade Lane owners, in your deliberations.

Sincerely,



Donald Chambers

Representing the MCD Arcade Lane LLC

RECEIVED

MCD Arcade Lane, LLC

19 OCT -8 P1 56

CITY CLERK
CITY OF PASADENA

August 13, 2008

Mr. David Saeta
Senior Vice President
IDS REAL ESTATE GROUP
515 S. Figueroa Street, 16th Floor
Los Angeles, California 90071-3337

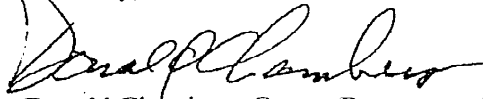
Reference: Playhouse Plaza

Dear David:

Thank you for meeting with us to share the modifications that have been made to the plans for the Playhouse Plaza development. We appreciate the modifications you have made to the design and configuration to enhance the Playhouse Plaza's compatibility with existing historic properties while making its own unique architectural statement. We believe, as you do, that the expanded east-west paseo will facilitate pedestrian traffic flow between the Pasadena Playhouse, Playhouse Plaza and Arcade Lane, thereby providing a convenient and attractive shopping, dining, and entertainment experience. Additionally, we appreciate that the 20' set back from floors 2-5 adjacent to our property responds to the scale and appearance of the Arcade Lane as an historic building.

We fully support the project and look forward to its completion and to the benefits it will provide to the Pasadena Playhouse District.

Sincerely,



Donald Chambers, Owner Representative
MCD Arcade Lane, LLC
Majority Owners of the Arcade Lane

cc: Tom Virgil, MMV Properties, LLC
Jock Ebner, Morlin Asset Management, LP

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**PASADENA
PLAYHOUSE** RECEIVED
LEADING THE WAY IN LA THEATRE
OCT -8 P1:56

CITY CLERK
CITY OF PASADENA

December 5, 2008

Mr. Michael Beck
City Manager
City Hall-2nd Floor
100 North Garfield Avenue
Pasadena, CA 91109

Dear Mr. Beck,

I am writing with regard to a development project that has been proposed by IDS Real Estate Group for the southeast corner of Colorado Blvd. and El Molino.

This project, if it happens, would be right across the street from our theatre and would represent a significant new neighbor. Given these factors, I want to express our support as well as our utmost appreciation for the thorough and forthright work IDS has done to address the needs and concerns of the Pasadena Playhouse.

From the very beginning, when what we all think of as the "Biggar's Building" was purchased by IDS, David Saeta and David Mgrublian have been solicitous of our input and responsive to our requests in their design. They have worked closely with our management and artistic leadership to design a building that enhances our neighborhood, complements the theatre going experience, and adds important amenities, such as parking and new shops and restaurants, for our patrons.

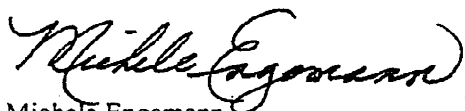
IDS was willing to meet with our board both in one-on-one meetings and in a special session we held this past summer. We appreciate that both the partners within IDS are long-time supporters of arts and education in this community and that they really care about the welfare of Pasadena.

Today's theatre goers want convenient parking, dining and shopping options that they can walk to both before and after plays. The proposed project offers that and, in our view, creates an enhanced environment for our ongoing efforts to bring theatre patrons to this area and to preserve this historic treasure for future generations. This is especially true when you consider that the current environment directly in front of the playhouse is non-active and contains only a dilapidated building and a small parking lot.

For these reasons, and for what it is worth, the Pasadena Playhouse appreciates the positive change represented by the proposed project.

Thank you for your consideration of these thoughts and for your service to our City.

Sincerely,



Michele Engemann
Board Chair

39 South El Molino Avenue, Pasadena, CA 91101

Administration: 626-792-8672 • Fax: 626-792-7343 • Box Office: 626-356-7529 • www.PasadenaPlayhouse.org

PASADENA PLAYHOUSE

LEADING THE WAY IN LA THEATRE

RECEIVED

09 OCT -8 P1 56

October 5, 2009

Mayor Bill Bogaard
City of Pasadena
100 N. Garfield Avenue, Room S228
Pasadena, California 91101

CITY CLERK
CITY OF PASADENA

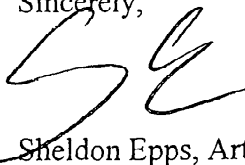
Unfortunately I cannot attend the hearing tonight because of a previously scheduled trip out of the country. But I have asked Stephen Eich to read this on my behalf in order to add my voice to the proceedings.

I am eager for Mayor Bogaard and everyone on the council to know that, along with our board and staff, I am very much a supporter of the IDS project. Over the many months since this building was first proposed, David Saeta and his collaborators have constantly and consistently kept both the needs and desires of Pasadena Playhouse in mind and consulted with us openly, honestly, and with great desire for our input at every step of the way. I personally feel that the current design will bring vibrancy to the Playhouse district, and that the increased parking facilities as well as the public spaces that so carefully mirror the Playhouse courtyard will be of great value to existing Playhouse supporters. At the same time, I have no doubt that this development will also attract new audience members to our theatre and to all of the surrounding businesses in the Playhouse District.

I know that there are those who feel that the interests of the theatre may not be served by this development and that somehow the theatre will be either literally or figuratively "overshadowed" by this project. As one who has the greatest care and concern for the theatre, I can tell you that the careful planning of the building will keep this from becoming true. Also, as one who has watched projects such as this one in connection with other major theatre companies, I can also tell you that this is the kind of development project that frequently has brought new vibrancy, electricity, and increased vitality to performing arts centers and theatres all over the country. Once again, I feel confident that this project will have the same positive benefits for our theatre.

The project has the endorsement of all of us at the Playhouse. I hope that it will also have your support.

Sincerely,



Sheldon Epps, Artistic Director
Pasadena Playhouse

39 South El Molino Avenue Pasadena, CA 91101

Administration: 626-792-8672 • Fax: 626-792-7343 • Box Office: 626-356-7529 • www.PasadenaPlayhouse.org

RECEIVED

--CITY MGR.--

'09 OCT 5 8:40AM

53 N. El Molino, #148
Pasadena, CA 91101

October 2, 2009

Mr. Michael Beck
City Manager
City of Pasadena
100 North Garfield, Room S228
Pasadena, CA 91109

Re: Proposed Playhouse Plaza Project

Dear Mr. Beck:

We are writing this letter to express our strong support for this project. We saw the public notice sign in the window of the existing building but unfortunately, are not available to attend the hearing to speak in support of the project on October 12th. We would like to respectfully request that this letter be distributed to the City Council Members in advance of that meeting.

We live across the street from the subject property and therefore have first-hand, daily experience in the area and understand the benefits that this project will bring to the neighborhood. We are in favor of the project because of three dramatic improvements it will make to the Playhouse District which include: Public Plaza Space, Increased Parking, and Visual/Aesthetic Improvement.

Public Plaza Space: From our perspective, one of the largest single benefits that this project will bring to the Playhouse District is the public plaza that is planned to align with the Playhouse entrance and create a circulation axis with the Arcade immediately to the east. This will create a much-needed public space in the Playhouse District that will be used in many of the same ways that One Colorado Plaza is used in Old Pasadena for public activities. The creation of this type of public plaza in the epicenter of the Playhouse District will be a tremendous asset for both local residents and visitors.

Increased Parking: Being residents 1/2 block north of the proposed project, we bear personal witness to the shortage of parking in the area, particularly on nights and weekends. During peak evening and weekend hours when the Playhouse has a performance, people are dining at the restaurants in the immediate area, the bookstore is busy, and the movie theater is full, there is no parking available within a three-block radius. As we understand it, this project will add over 150 public parking spaces that will help to relieve this continual strain.

Visual/Aesthetic Improvement: It almost goes without saying that the existing structure on the subject property is an undesirable visual element of the Playhouse District. By contrast, the proposed new structure will bring a much needed enhancement to the area. The scale of the proposed structure and the initial exterior design concepts are consistent with and complementary to the neighboring buildings and will greatly enhance the visual characteristics of the Playhouse District while maintain the appropriate sense of scale at the pedestrian level. The scale and design of the project will create a visually pleasing anchor and focal point at the center of the Playhouse District.

Thank you very much for considering our opinions in this process. We will gladly make ourselves available if you would like any additional information.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is for Mike Helton, and the signature on the right is for Susan Helton. Both signatures are fluid and cursive.

Mike Helton

Susan Helton



Culture, Commerce and Community in the Heart of Pasadena

RECEIVED

09 OCT -8 10:52

CITY CLERK
CITY OF PASADENA

October 7, 2009

Mayor Bill Bogaard
City of Pasadena
100 North Garfield Avenue
Pasadena, CA 91109

Subject: 680 E Colorado Boulevard

Dear Mayor Bogaard:

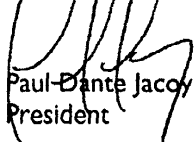
The Playhouse District Association is reiterating our support for the proposed project at 680 East Colorado Boulevard. The PDA Board of Directors voted to support the project at 680 East Colorado Boulevard at the meeting of November 19, 2008. This action was made after several months of review and consideration of the analysis in the project draft EIR. We believe that this project will assist in the revitalization of the Playhouse District and will further the PDA's mission to promote the economic vitality of the Playhouse District.

In addition to the Playhouse District Association's endorsement for Playhouse Plaza project, we urge the continued refinement of project with the following: Provision of traffic improvements in advance of project construction, with traffic signal synchronization as needed; decorative paving for proposed crosswalk and intersection of Colorado and El Molino, consistent with the 1996 Playhouse District Streetscape and Alleyways Plan; and provision of a comprehensive project signage program, including signage for the public parking component.

The Playhouse District Association also encourages further exploration of access to the project via a Green Street easement.

Please feel free to contact me or Erlinda Romo, Executive Director, if you have any additional questions or to further discuss the proposed project.

Sincerely,



Paul-Dante Jacoy
President

cc: City Council
Michael Beck, City Manager
Richard Bruckner, Director of Planning and Development
John Steinmeyer, Senior Planner, Planning Division
Playhouse District Association Board of Directors



ASSOCIATION

Culture, Commerce and Community in the Heart of Pasadena

November 20, 2008

Mr. Michael Beck
City Manager
City of Pasadena
100 North Garfield Avenue
Pasadena, CA 91109

RECEIVED

09 OCT -8 P1 56

CITY CLERK
CITY OF PASADENA

Subject: 680 E Colorado Boulevard

Dear Mr. Beck:

The Playhouse District Association Board of Directors voted to support the project at 680 East Colorado Boulevard at the meeting of November 19, 2008. This action was made after several months of review and consideration of the analysis in the project EIR. In addition to the Playhouse District Association's endorsement for Playhouse Plaza project and we urge the continued refinement of project with the following:

1. Provision of traffic improvements in advance of project construction, with traffic signal synchronization as needed;
2. Decorative paving at the proposed crosswalk and intersection of Colorado and El Molino, consistent with the 1996 Playhouse District Streetscape and Alleyways Plan;
3. Provision of a comprehensive project signage program, including signage for the public parking component.

The Playhouse District Association also encourages further exploration of access to the project via a Green Street easement.

Please feel free to contact me or Erlinda Romo, Executive Director if you have any additional questions or to further discuss the proposed project.

Sincerely,


Paul Jacoby
President

cc: Mayor Bill Bogaard
John Steinmeyer, Senior Planner, Planning Division
Playhouse District Association Board of Directors

HAHN & HAHN LLP
INCLUDING PROFESSIONAL CORPORATIONS
LAWYERS
NINTH FLOOR
301 EAST COLORADO BOULEVARD
PASADENA, CALIFORNIA 91101-1977

LEONARD M. MARANGI*
WILLIAM S. JOHNSTONE, JR.*
DON MIKE ANTHONY*
WILLIAM K. HENLEY*
CLARK R. BYAM*
MARC R. ISAACSON*
SUSAN T. HOUSE*
DIANNE H. BUKATA
GENE E. GREGG, JR.*
R. SCOTT JENKINS*
DALE R. PELCH*
KARL I. SWAIDAN*
CHRISTIANNE F. KERNS*
LAURA V. FARBER*
CHRISTOPHER J. CURRER
TODD R. MOORE
CANDICE K. ROGERS
RITA M. DIAZ
KARLA C. BERENTSEN
HAEGYUNG CHO
RYAN A. KAYE

* PROFESSIONAL CORPORATION

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09 OCT -7 12:17

BENJAMIN W. HAHN 1869-1932
EDWIN F. HAHN 1872-1951
HERBERT L. HAHN 1893-1982
STANLEY L. HAHN 1910-2005

RETIRED PARTNERS
DAVID K. ROBINSON
LOREN H. RUSSELL
RICHARD L. HALL

OF COUNSEL
GEORGE R. BAFFA
JULIETTE M. HARRHY

TELEPHONE
(626) 796-9123

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(626) 449-7357

AUTHOR'S E-MAIL
rsjenkins@hahnlawyers.com

October 8, 2009

CITY CLERK
CITY OF PASADENA

The Honorable William J. Bogaard
Members of the City Council
CITY OF PASADENA
100 North Garfield Avenue
Pasadena, California 91101

Re: 680 East Colorado Boulevard – Playhouse Plaza Project

Dear Mayor Bogaard and City Council Members:

I write you on behalf of IDS Real Estate Group and the California State Teachers Retirement System ("CalSTRS"), as the applicant for the Playhouse Plaza Project located at 680 East Colorado Boulevard, in Pasadena (the "Project"). We request that you approve the entitlements for the Project following the public hearing before the City Council scheduled for Monday, October 12, 2009. We hope the following information will be helpful to you in your deliberations.

1. What is the Project?

The Playhouse Plaza will be located at southeast corner of Colorado and El Molino. The Project consists of a proposed five-story, 159,000 square foot commercial office building. The conceptual design – still subject to Design Commission review – is in the form of a reverse "E," creating greater compatibility with and respect for surrounding historic buildings. The Project will have underground parking – 367 spaces for office and retail, and 155 spaces for public use. In addition to ground floor open space, an east-west paseo will physically open to the Arcade Lane to the east, and create a visual connection with the Pasadena Playhouse across El Molino.

2. How is the conceptual design respectful of both the Playhouse and the Arcade Lane?

The Playhouse District is comprised of myriad and disparate architectural styles and building types, lacking a cohesive architectural style. Colorado Boulevard is characterized by a few large buildings (Bank of the West, Trio Apartments, Archstone and Arcade Lane), and El Molino is characterized by the Pasadena Playhouse. The Project's massing strategy addresses

these different scales and characteristics on the streets. The main building mass is set back from all boundary property lines to allow each part to relate to its surroundings. Along Colorado Boulevard, the upper floors recede to diminish the perception of height, and a two-story base creates a strong street edge, relating in scale to the Arcade. Along El Molino, the five-story mass acts as a backdrop for the lower scale building extensions, encouraging the notion of retail pedestrian space along the street, while the modulation of these extensions breaks the building's overall length, creating a rhythm of lower scale structures, with intermittent retail courtyards. Directly opposite the entry courtyard to the Pasadena Playhouse, a new east-west paseo connects the Arcade Lane with the Project and its parking, and visually connects with the Playhouse. The architectural expression is traditional in design with contemporary accents. The building will incorporate appropriate and high-quality materials. The building is being designed to LEED silver standards.

3. What about the Adjustment Permit?

The Adjustment Permit process allows flexibility in development standards in order to encourage quality development. Because the site is subject to three different height zones (75' at the north end, 50' in the middle, and 35' at the south end), an adjustment for height in the middle and south end zones is needed to create a more contextually designed project with two open-air courtyards and a connecting paseo, as well as the building stepbacks away from El Molino pushing the massing away from the historic Pasadena Playhouse building. Because the site is subject to two different FAR districts (3.0 and 2.0), the Project proposes essentially to average the floor areas between the two districts. To be more compatible with the surrounding buildings and create more open space – in a district with zero setbacks for non-residential buildings – the Project proposes setbacks along Colorado and El Molino. Last, while less than code requirements but based on local surveys, an office building of this type needs only two onsite dedicated loading spaces.

4. Should the City grant the 10% FAR bonus?

Yes, the Project warrants the increase in the FAR maximum. The Central District Specific Plan expressly allows an FAR increase for a project that facilitates the preservation of historic structures or sets aside publicly accessible outdoor space. The Project will create public open space and will facilitate the viability of surrounding historic buildings by the development of both the public parking and the paseo connecting the buildings. The additional FAR makes more feasible the unique orientation of the building to the Playhouse, allows for building setbacks and step-backs, and encourages the overall design compatibility with both the Arcade Lane and the Playhouse.

5. Is there really a need for 155 public parking spaces?

Yes; the City Council adopted in December 2005 the Playhouse Parking Study, prepared by Meyer, Mohaddes Associates, showing a shortage of 300 public parking spaces. The

shortage is especially noticeable during business hours, as vehicles circulate throughout the District, seeking parking. The location of these spaces in the heart of the District, and immediately across El Molino from the Playhouse, should facilitate and encourage the renaissance of retail and restaurant use in the area.

6. Why is the Playhouse District supporting the Project?

The Playhouse District Board of Directors has taken a formal vote in favor of the Project, and has submitted a letter to you endorsing the Project. The District believes the activity created by the Project will help make the District more vibrant and alive, and enable its business community to thrive. The Project will also make coming to the Playhouse more convenient, safe and enjoyable. Public parking spaces in the middle of the District are ideal for visitors. Connecting theatre parking with nearby restaurants and shops will facilitate more pedestrian activity in the neighborhood. The Project architects have created a conceptual design that is sensitive to the surrounding buildings and the Playhouse.

7. Why is the Pasadena Playhouse supporting the Project?

The Pasadena Playhouse Executive Staff and Board of Directors have been integrally involved with developing the conceptual design of the Project. The proposed building addresses specific needs articulated by the Playhouse, including (a) the construction of 155 public parking stalls, (b) the creation of an east-west paseo to connect to easily accessible and convenient parking, as well as to the restaurants within Arcade Lane, and (c) the permission allowing Playhouse patrons to utilize ground floor restrooms in the Project before, after, and during intermissions of its plays. The Playhouse also appreciates the manner in which the proposed building has been oriented toward the Playhouse front courtyard and believes that the Project office and retail tenants represent a large pool of new patrons and potential sponsors.

8. Can we get Green Street access?

Unfortunately no; the site has direct access only to Colorado and El Molino, and is land-locked on the Green Street side. The owner has had repeated and extensive discussions with the owners of the Arcade Lane property, seeking access to Green Street – to no avail. The parking entrance off El Molino is designed to accommodate access to Green Street, if that were to become possible in the future. The environmental studies analyzed El Molino and Green Street access combinations and determined that the Green Street access would not significantly reduce the traffic impacts in the area.

9. Why isn't a mid-block El Molino crosswalk included in the Project?

El Molino is a city street and controlled by the City, not the owner. A mid-block crosswalk at this locale has not been studied in the environmental documents. Thus, it is not part of this Project. We believe that a mid-block El Molino crosswalk would be desirable, and pledge

to cooperate with the City to create the same. Conceptually, a mid-block crosswalk would be similar to the existing mid-block crosswalk on Euclid Avenue, leading from the City Hall to Plaza Las Fuentes. By law, an unmarked crosswalk currently exists mid-block on El Molino, at the intersection of Playhouse Alley and El Molino

10. What about the street segment traffic impacts on El Molino?

The City of Pasadena is one of only two known cities in California that analyzes mid-block street segment traffic (in addition to intersection analysis). Pasadena evaluates traffic impacts on street segments by percentage increase, rather than the number of traffic signals waits or congestion delays. The studies show that there will be a 10.4% increase in ADT volume on El Molino, between the Playhouse Alley and Colorado, and a 6.5% increase in ADT on El Molino, between Union and Colorado, both deemed to be significant by percentage increase without any reference to how many vehicles are actually in that street segment. El Molino is designated by the City as a “de-emphasized” street, meaning that no physical expansion or improvements are allowed in an effort to increase traffic. Nonetheless, the City is requiring mitigation measures, involving installation of left-turn lanes at Union and Green Streets, and the elimination of left hand turns at Colorado and El Molino, which will actually reduce congestion, compared to current delays, by over 20%. The only way to avoid the street segment traffic impacts would be to tear down the existing 66,000 square foot building and construct in its place improvements of merely 31,471 square feet – something very unlikely to ever occur.

11. Why didn't the traffic study consider the impacts of the public parking spaces?

The policy of the City of Pasadena is to treat particular uses of property as creating traffic, but not parking spaces themselves. As such, the Department of Transportation does not count public parking spaces as creating additional traffic. To count public parking spaces as creating more traffic would cause a double counting – the volume of traffic in the area is already captured through the traffic counts. Additionally, the traffic studies also include traffic projections for other proposed projects in the area and ambient growth conditions.

12. Should the City adopt a statement of overriding considerations for this Project?

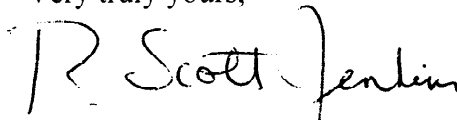
Yes; the numerous benefits clearly outweigh the few detriments from the Project. The minor street segment traffic impacts, which cannot be mitigated to a level of non-significance, are merely statistical and as a result of the proposed traffic mitigation measures, congestion on El Molino will actually be reduced. The Project will create a new vibrancy in the Playhouse District, which is the goal of the Specific Plan. An increase of over 700 office workers in the District will clearly benefit the retail and restaurants in the area. The addition of 155 public parking spaces in the heart of the District will significantly reduce the shortage of such spaces and should encourage greater visitation to the District, including the Playhouse. The Project will promote the District's goal of increased walkability, allowing visitors to park once and enjoy a multitude of business, shopping, dining and entertainment venues. During a recessionary era, the

The Honorable William J. Bogaard
Members of the City Council
October 8, 2009
Page 5

development of such a Project will encourage temporary and permanent hiring in the Pasadena area. Especially at this time, the creation of new tax revenues for the City is highly desirable.

At the public hearing, we would be happy to respond to any questions that you might have about the Project. We sincerely believe the Project will be good for Pasadena and create new life in the Playhouse District. We trust that you agree and that the City Council will approve this Project following the upcoming hearing.

Very truly yours,

A handwritten signature in black ink that reads "R. Scott Jenkins". The signature is written in a cursive, flowing style.

R. Scott Jenkins
of HAHN & HAHN LLP

RSJ:jam

cc: Mr. David Saeta
Mr. Richard Bruckner
Mr. Eric Duyshart
Mr. Robert Montano
Mr. John Steinmeyer

RECEIVED

09 OCT -6 P2:57

CITY CLERK
CITY OF PASADENA



October 6, 2009

Mayor Bill Bogaard
Pasadena City Council
City of Pasadena
100 N. Garfield Avenue, Room S228
Pasadena, California 91109

RE: Playhouse Plaza office development

Dear Mayor Bogaard,

I am writing in support of the Playhouse Plaza office development project. At a time when investment in Pasadena is severely limited, we at the Pasadena Chamber of Commerce support this project moving forward because it will add to the commercial core of our city, replace an underused building with a first-class office complex and will have no impacts that cannot be mitigated. In addition, this project will add significantly to the public parking inventory in the area. It will also help the Pasadena Playhouse by providing parking for patrons, restaurants for Playhouse patrons and potential subscribers and supporters of one of our most valued cultural institutions.

The Pasadena Chamber has studied the local commercial office environment. In our report, *The Case for Commercial Real Estate: Office*, the Chamber noted that office projects contribute significant and ongoing revenues to the City of Pasadena. Construction taxes, fees and charges will add one-time revenues to the General Fund. Additionally, property taxes will provide steady income to the city, county, school district and community college district. In addition the project will add more than 400 jobs to our economy, and customers, clients and patrons for our existing commercial citizens.

It is estimated that Playhouse Plaza will provide \$3,000,000 in one time fees to the City, \$60,000 to the Pasadena Unified School District and \$375,000 for the arts. On an ongoing basis, the project is estimated to provide \$2,500 in business license fees, \$475,000 in utilities of which \$85,000 are utility user taxes and \$75,000,000 of employee salaries. In addition, \$40,000,000 in salaries paid to support workers throughout the region, and \$104,000,000 in additional receipts in the region will be supported by the project.

Urban Land Institute studies indicate that the average office worker spends \$9.00 per day in the local community. At projected full occupancy, 765 office workers will add nearly \$7,000 per day and more than \$2,000,000 per year into the Playhouse District.

In recent years, Pasadena has lost companies occupying more than 700,000 square feet and providing more than 3,500 jobs. These businesses wanted to stay in Pasadena, but could not find quality, contiguous office space in Pasadena. The list of companies who have left or expanded outside Pasadena includes Overture/Yahoo! (400,000 sf, Burbank), Kaiser Permanente (200,000 sf, Burbank), and Yellowpages.com (100,000 sf, Glendale). In addition, rumor has it that two more tenants requiring 225,000 sf may leave Pasadena soon because they cannot find adequate office space in downtown Pasadena. The Playhouse Plaza project will provide office space in a large floor plate plan ideal for exactly these sorts of tenants.



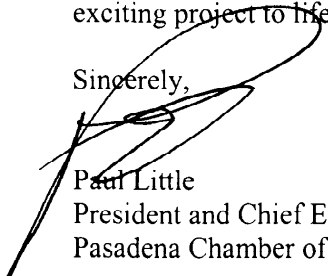
Additional quality office space may help reverse this trend by attracting or retaining exactly the sort of office tenants Pasadena wants.

Of course the traffic generated by new office space is of concern. Our research found that Pasadena residents commute an average of 23.6 miles, burning 14,304,822 hours per year commuting. Having more quality office space in Pasadena will decrease commute time, reduce miles traveled, decrease through-traffic and enhance productivity in Pasadena.

Recent writings on land use and climate change argue that density and concentrated development are key to reducing greenhouse gas emissions and creating a more sustainable environment. Writers as varied as Witold Rybczynski in *The Atlantic* and David Owen in *Green Metropolis* argue that denser development uses fewer resources and creates less of an impact on the environment than traditional suburban growth patterns that encourage driving and have a greater negative impact on the environment. Those same considerations inform AB32 and SB375, recent state legislation on climate change and greenhouse gas reduction that encourage development of workspace near housing and transit, that is denser urban-like development instead of traditional suburban land use patterns. Playhouse Plaza will be built within easy walking distance of more than 3000 residential units and could provide work space and after hours opportunities for those residents who prefer living in a concentrated downtown environment such as downtown Pasadena.

Playhouse Plaza represents one of the few remaining sites zoned for office development that is large enough to accommodate growth-oriented Pasadena companies. The major stakeholders including the Playhouse District, Pasadena Playhouse and the Arcade Lane ownership all support Playhouse Plaza. We hope the Council will join the Chamber of Commerce and the immediate stakeholders in bringing this exciting project to life.

Sincerely,



Paul Little
President and Chief Executive Officer
Pasadena Chamber of Commerce

Cc: M. Beck, M. Jomsky

HOLLISTER & BRACE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SANTA BARBARA OFFICE
1126 SANTA BARBARA STREET
P.O. Box 630
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JOHN B. GALVIN
Of Counsel

October 5, 2009

Hand Delivered

The Honorable Mayor Bill Bogaard
and Honorable City Council Members
c/o City Clerk
City of Pasadena
100 North Garfield Avenue, Room 228
Pasadena, CA 91109

**Re: IDS Playhouse Plaza Office Building; 680 East Colorado Blvd.,
Pasadena, California (Playhouse District)
Hearing Date: October 12, 2009**

Dear Honorable Mayor Bogaard and Honorable City Council Members:

This office represents MMV Properties, LLC, a California Limited Liability Company, which is a co-owner of the Arcade Building located at 696 East Colorado Boulevard immediately adjacent to the proposed project at 680 East Colorado Boulevard (the "Project"). The Arcade Building is a three story, brick, restaurant/office building with a total gross building area of 28,092 square feet and a construction date of 1927. Contrary to statements made by IDS representatives at the Planning Commission hearing, MMV Properties is very much opposed to the Project. The Project is simply too intensive for the site and has significant unmitigated impacts on the environment. Specifically, the FEIR has failed to recognize that the Project has significant impacts on historical resources and aesthetics that are not mitigated to insignificance by proposed mitigation measures. Further, the FEIR is defective for overstating the effectiveness of proposed mitigation measures and in failing to require adequate mitigation.

As will appear more fully below, the Project also violates numerous policies of the Central District Specific Plan that preclude the City Council from approving the Project in its current form. Reducing the Project significantly in height, bulk and scale would avoid many of the Project's significant and adverse impacts and enable your Council to make required findings of policy consistency.

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CITY OF PASADENA

I. Adequacy of Final Environmental Impact Report (“FEIR”)

A. Project Description

In order to comply with CEQA, an EIR’s project description must be stable and finite and provide sufficient detail to enable public comment and informed decision making. An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR. ***County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 193.** The FEIR’s project site description fails to discuss the important fact that the Project is located proximate to the National Register-listed Playhouse Historic District and three important historic buildings: the Pasadena Playhouse State Theatre of California, our client’s Arcade Building and the Henley & Hays Insurance Building at 713-715 East Green Street.

The Arcade Building is a unique building with a decorative clock tower fronting Colorado Boulevard. The FEIR’s description of it as a commercial building is wholly misleading, thereby making the proposed Project appear far more compatible with the surrounding area than it would actually be if constructed. Similarly, the Henley & Hays Building is only one story in height. And, existing buildings in the Playhouse Historic District on the west side of El Molino Avenue are one to two stories in height. These important facts are also absent from the FEIR’s project site description and thereby makes it difficult to evaluate the effects of the proposed Project on the immediately adjacent Historic District and nearby separate historical resources. Further, none of the elevations included in the project description describe the proposed Project in relation to the very small surrounding buildings. Such information, if included in the FEIR, would clearly demonstrate that the size, bulk, scale and massing of the proposed Project is incompatible with the small scale Historic District and MMV’s locally recognized Arcade Building.

B. Historical Resources

The FEIR fails to include an Historical Resources section. Rather, it addresses impacts to historical resources only in a cursory manner in the context of “Aesthetics.” In view of the fact that the proposed Project will result in significant, unmitigated Class I impacts to both the Playhouse Historic District and MMV’s Arcade Building, Historical Resources must be thoroughly addressed in a separate section of a recirculated environmental document. A project with an effect that may cause a substantial adverse impact in the significance of an historic resource is a project that may have a significant effect on the environment. Under CEQA, “Generally a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation, and Guidelines for Rehabilitating Historic Buildings (1995), *Weeks & Grimmer*, shall be considered as mitigated to a level

of less than a significant impact on the historical resource.” *CEQA Guidelines* §§ **15064.5(b)(3), 15126.4(b)(1)**.

The proposed Project fails to adhere to the Secretary of the Interior’s Standards for Rehabilitation, specifically “Additions for the New Use,” which expressly state that the following is “Not Recommended”: “Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.” The CEQA Guidelines define a “substantial adverse change in the significance of an historical resource” to mean “physical demolition, destruction, relocation, or alteration of the resource **or its immediate surroundings** such that the significance of an historical resource would be materially impaired.” *CEQA Guidelines*, § **15064.5(b)(1)**; **emphasis added**. The significance of an historical resource is materially impaired when the project “[d]emolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance....” *CEQA Guidelines*, § **15064.5(b)(2)(A)**. The proposed Project is immediately adjacent to historical resources, does not meet concepts described in the Secretary of the Interior’s standards for new building design and will materially alter in an adverse manner the setting of the historic resources surrounding the Project. Hence, the Project will cause a substantial adverse change in the significance of an historical resource within the meaning of CEQA.

Here, the proposed Project is a five story office building consisting of more than 160,000 square feet with a six-level subterranean garage which clearly introduces new construction into a historic district that is visually incompatible and destroys the historic relationships within the setting. And, any contention that conformance with City design review will lessen project related impacts on historical resources is wishful thinking. This is not the sort of analysis contemplated by CEQA and amounts to impermissibly deferred mitigation. See *Endangered Habitats League v. County of Orange* (2005) 131 Cal. App. 4th 777, 794.

The proposed Project also fails to meet the following additional objectives of the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, which expressly states the following is “Not Recommended”:

“Introducing a new building or landscape feature that is out of scale or otherwise inappropriate to the setting’s historic character...”

“Introducing heavy machinery into areas where it may disturb or damage [fragile historic buildings] important landscape features or archaeological resources.”

“Locating any new construction ... in a location which contains important landscape features or open space, for example removing a lawn and walkway and installing a parking lot.”

“Placing parking facilities directly adjacent to historic buildings where automobiles may cause damage to the buildings or landscape features, or be intrusive to the building site.”

“Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color, and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features.”¹

C. Traffic and Parking

According to the FEIR, the Project’s traffic counts were based upon a study performed prior to June, 2007. The traffic counts indicate that the nearby intersection of El Molino Avenue and Green Street at p.m. peak hours was at LOS A. However, a traffic study performed by Linscott, Law & Greenspan three years earlier for the Union Village Project shows the same intersection at p.m. peak hours at LOS C. This discrepancy should have been discussed in the FEIR since it was mentioned in public comment at the Planning Commission’s December, 2008 hearing. El Molino Avenue is a narrow street and is already congested with existing traffic. From Union Street to Green Street there are multiple and opposing driveways that create instant bottlenecks in traffic.

The Project proposes a six-story underground garage with 522 parking stalls. Of these, 156 stalls, representing 30% of the total, are designated for “public use.” The impact of these additional 156 publicly available parking stalls was not environmentally reviewed in analyzing traffic impacts. Rather, the environmental analysis is based solely on the square footage of the proposed building. These additional parking stalls exceed the parking cap for the Project and will exacerbate the already significant and unmitigated traffic impacts on El Molino Avenue. And, the significant, unmitigated increased traffic on the roadways and at intersections will have a negative impact on pedestrian movements in the Playhouse District. These negative impacts will be further exacerbated by the Conditions of Approval which require the Applicant to work with City Public Works and Transportation Departments “... to provide a street loading zone on E. Green St.” **Attachment D, Staff Report, #21, p. 35.** The Central District Specific Plan (“CDSP”) expressly encourages enhanced pedestrian measures to improve the pedestrian character of Green Street and El Molino Avenue, in the immediate vicinity of the Pasadena Playhouse. **CDSP pp. 112; 115.**

¹ The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, pp. 102-108; 112-113.

As regards the Project's remaining 322 parking spaces, 32 of them are attributable to the developer's request for an additional 10% bonus density over the current regulations governing the site. The bonus density is not warranted because such an increase will adversely contribute to the Project's unavoidable, significant traffic impacts on El Molino Avenue proximate to the Pasadena Playhouse. The FEIR finds that two segments on El Molino Avenue would have Class I, unavoidably significant impacts because no physical improvements can be made to this de-emphasized street to mitigate the Project's impacts. In fact, the projected increased traffic volumes would exceed the City's adopted thresholds on six of the ten study area road segments. **FEIR, p. 4-5-27.**

Based upon the Project's Class I, unavoidable significant impacts on traffic and pedestrian movements, particularly on El Molino Avenue and Green Street, the Project should be denied.

II. Policy Consistency Analysis

A Project's consistency with applicable policies must be established before findings required for project approval can be made. The Project violates numerous applicable policies, detailed below, that preclude the City Council from approving the Project in its current form.

The Project is inconsistent with the Central District's Specific Plan ("CDSP") which provides as follows:

- "New development should build upon the character established by significant and noteworthy buildings in the sub-district, and present a level of design excellence and creativity appropriate to an arts-oriented district. This notion also emphasizes the preservation and rehabilitation of historically and culturally significant buildings." **CDSP, p. 115.**
- "Demand a high level of design excellence that is appropriate to an arts-oriented district; variety within the context of the street-oriented development pattern is encouraged." **CDSP, p. 175.**
- "Respect the scale, massing and articulation of adjacent historic buildings; massing should not overwhelm or diminish historic structures." **CDSP, p. 175.**

The Project's proposed building is visually incompatible in terms of height, bulk, scale and design with adjacent and nearby buildings, many of which

are significant contributors to the Playhouse Historic District. The Project's proposed Adjustment Permit would allow the massing of the building to encroach onto Green Street contrary to the objectives of the Central District's Specific Plan which expressly provides that: "New development must be especially sensitive to the established character of Green Street," which is defined as a "charming pedestrian-oriented place, featuring pleasantly scaled commercial buildings focused on the street." **CDSP, p. 112.** The Project's proposed massing of the building toward Green Street violates this objective and therefore the Project should be denied as proposed.

III. The Project Poses a Risk of Damage to the Adjacent Historically Significant Arcade Building

The Project poses a serious risk of damage to our client's historically significant Arcade Building. In 2008, IDS approached our client and the other co-owner of the Arcade Building asking them to enter into a "Temporary Tieback License and Indemnity Agreement." Tiebacks, which maintain shoring, require (1) drilling horizontal holes through the shoring material, generally perpendicular to the face of the excavation; (2) inserting steel rods – the "tiebacks" – that are threaded on the end that extends into the open excavation; and (3) injecting grout around the rod to enable it to resist tension. A large washer and bolt on the end of the threaded rod keeps the shoring from collapsing into the excavation.

Our client and the other co-owner of the Arcade Building retained a local attorney to interface with IDS regarding the requested Temporary Tieback License and Indemnity Agreement. On February 23, 2009, the retained attorney wrote IDS stating that the co-owners would "pursue required due diligence toward making counter proposals," that such "due diligence will require further legal attention and consultations with an experienced engineer," that it was anticipated that professional fees incurred would "be at least \$10,000" and requested that IDS forward "a check in that amount payable to Arcade Lane." IDS never responded to the local attorney's letter nor sent the requested check.

IDS will be liable for any damage to the Arcade Building resulting from excavations and construction of the proposed Project. The City should ensure that the Project's shoring and basement construction plan not cause any adverse effects on our client's adjacent historic Arcade Building. The Arcade Building is a fragile, masonry building. Any construction-related activities, including vibration, shoring that could result in differential settlement, grading, or any other construction-related activities that damage the historic resource would be an impact as defined in CEQA.

Following construction of the Archstone condominium development on the other side of the Arcade Building, our client discovered numerous cracks in the building's exterior. Our client fears that the construction of the proposed five-story behemoth

Honorable Mayor and City Council
City of Pasadena
October 5, 2009
Page 7

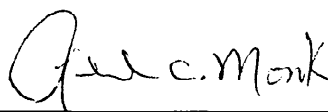
Project, consisting of more than 160,000 square feet, with its six-level subterranean garage abutting up against the Arcade Building will cause much more serious damage to its property. And, merely stating that review by City officials will reduce the risk of harm to our client's building is grossly inadequate. In view of the fact that the Arcade Building and other buildings immediately adjacent to the proposed Project constitute historic resources, the City must adopt a mitigation measure which requires continuous vibration monitoring with an obligation that IDS bond against and repair all project-related damage in conformance with the Standards for Rehabilitation, under a consulting agreement with a qualified historical architect and civil engineer.

IV. Conclusion

Based upon the foregoing, the FEIR remains inadequate and the proposed Project is not fully analyzed to the extent required by CEQA. The Project's proposed building is visually incompatible in terms of height, bulk, scale and design with adjacent and nearby buildings and is incompatible with the Playhouse District, the Arcade Building and the other proximate historic structures. We therefore urge your Council to deny the Project in its present form.

Respectfully submitted,

HOLLISTER & BRACE
A Professional Corporation

By 

Richard C. Monk

RCM/crr
cc: MMV Properties, LLC

Richard Norton
1188 Hillcrest Avenue, Pasadena, CA 91106
(626) 396-1121 rdnorton@sbcglobal.net

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October 12, 2009

via email to mjomsky@cityofpasadena.net

CITY OF PASADENA

Mayor Bill Bogaard
Vice Mayor Victor Gordo
Members of the City Council
100 N. Garfield Avenue
Pasadena, CA 91109

Subject: Proposed Playhouse Plaza Project at 680 East Colorado Blvd.

Dear Mayor Bogaard, Vice Mayor Gordo and Councilmembers:

On July 22, 2009 the Planning Commission reviewed the Final Environmental Impact Report (FEIR) for the proposed IDS Playhouse Plaza Project ("Project") and voted 8-0 to recommend that the Council reject the adequacy of the FEIR, and the Commission unanimously rejected the Staff's proposed findings and recommendation for a 10% Floor Area Ratio (F.A.R.) bonus.

This letter explains my personal views that:

1. The required showing to permit exceeding the Central District F.A.R. limit is utterly missing;
2. The FEIR consciously, intentionally omits a significant, adverse unmitigated public safety issue the Project would create on El Molino;
3. The FEIR ignores the impact on El Molino and directly violates the mobility element of the General Plan; and
4. The FEIR and the city staff intentionally fail to assess substantial adverse cumulative traffic impacts.

The Project conflicts with the Central District Specific Plan (CDSP) Playhouse Sub-District because of its scale and massing.

At Guidelines #2 and #3 on Page 175, the Central District Specific Plan says:

- *The scale, massing and degree of façade articulation of new structures should be respectful of historical buildings*
- *Massing should not overwhelm or diminish historic structures"*

The proposal in the FEIR exceeds both FAR and height limitations and is just too big for this site. Instead of respecting the Specific Plan and the historic neighborhood, the recommended Project, by virtue of its size and massing, would overshadow and overwhelm the historic buildings, in particular the Pasadena Playhouse Theatre itself.

The Proposed F.A.R. Bonus Ignores Mandatory Standards in the Specific Plan

In both the FEIR and in testimony before the Planning Commission, the staff and the Applicant have contended that the City should provide a 10% F.A.R. bonus and height limitation waiver, without which the project would not be “economically viable.”

The Specific Plan prohibits this F.A.R. bonus.

The Central District Specific Plan is precise as to whether and when the F.A.R. may be exceeded:

- A. **Floor area ratio (FAR)**. Development on a single parcel may exceed the maximum FAR established by Figure 3-9 (Central District Maximum FAR) as follows. See also Subsection E. for FAR exceptions regarding parking structures.
 1. **Extent of additional floor area allowed**. The Commission may increase the assigned Maximum Parcel FAR by up to 10 percent, provided that the additional floor area is necessary to achieve an economically feasible development and meets the following circumstances. The intent is to allow sufficient flexibility and facilitate development where unique factors are involved; these may include:
 - a. Unusual parcel size and configuration;
 - b. A project that facilitates the preservation of a historic structure, or sets aside publicly accessible outdoor space; and/or
 - c. A project eligible for a density bonus as provided by State law.
 2. **Required findings**. Approval of a floor area increase in compliance with this Subsection shall require that the Commission first make all of the following findings:
 - a. The additional floor area allows development that would otherwise be economically infeasible;
 - b. The additional floor area will not be injurious to adjacent properties or uses, or detrimental to environmental quality, quality of life, or the health, safety, and welfare of the public;
 - c. The additional floor area will promote superior design solutions and allow for public amenities that enhance the property and its surroundings; and

The intent of Section A 1. is express as to when the Planning Commission may consider additional F.A.R.: *"The intent is to allow sufficient flexibility and facilitate development where unique factors are involved, these may include. . ."*

Three "unique factors" are listed. Neither the staff, nor the applicant, nor the FEIR contends that any of the 3 unique factors (nor anything like them) would apply here.

Equally determinative is Section A 2. Required Findings. To exceed the Specific Plan limits, the Zoning Code requires the Planning Commission to make all 3 of the listed findings. The Planning Commission concluded that none of them existed here.

The Economic Viability Justification Fails the Truth Test and is Against the Law

The applicant and the staff want to use the concept of "economic viability" to justify an unjustifiable project. The staff's reports and in the FEIR emphasize that a less intense use of the site would not be economically viable. Therefore, they contend the F.A.R. bonus is necessary. Respectfully, there is no such evidence. Nor is the staff's interpretation of the phrase "economically viable" legally sound.

The staff testified that the City's entire analysis on the subject of "economic viability" is contained in the August 25, 2008 Memorandum from Keyser Marston Associates to Richard Bruckner (attachment to the Staff Report dated July 22, 2009). The staff said it consulted no other source and did no research of its own. The Keyser Marston memo was commissioned by the staff specifically to consider this project's economics.

The City's "economic viability" approach founders on the shoals of economic reality. At the July 22, 2009 Planning Commission hearing, the city asked Mr. Marston to explain the Keyser Marston study of August 25, 2008. Stuningly, he testified that their study found that this IDS Playhouse Project would not be economically viable, even if the city were to approve the proposed F.A.R. bonus. In fact, he told us it would be economically infeasible to build the project proposed, analyzed in the FEIR, and recommended by the staff.

Mr. Marston also explained how in the year since his report was written, the Project has become much less realistic. The culprit is the unprecedented nationwide (even worldwide) drop in real estate values and the unavailability of financing for such a venture. Those factors have reduced the value of this property (just like tens of millions of other properties) in this country. Moreover, during the last year the rents and occupancy rates assumed have become even more out of touch with reality. Mr. Hollis estimated that today the property, which the applicant paid more than \$12 million, for is now worth about \$3 million. That drop in market value of the land does not provide a basis to approve this project.

Equally important is that the staff's use of "economic viability" is against the law. Respectfully, the City staff's economic viability position would turn the law on its head. The United States Supreme Court has repeatedly over the past 70 years defined what "economic viability" and "economic infeasibility" mean in land use decisions like this one. Unless a City has deprived an owner of 100% of the use and value of his property, any limitation on use whether by zoning, general or specific plan, or otherwise, is not an economic infeasibility. (*Lucas v South Carolina* 505 U.S. 1003 (1992)). Specifically, even if the City's zoning or other regulation were to reduce the value of property by 95%, the Supreme Court has instructed us that such a drastic reduction is not a denial of economically viable use.

The staff and the applicant want "economic viability" to mean the City guarantees that the developer makes a profit when he tries to develop his land. That is not and could not be a lawful interpretation. Actually, the economic viability test is whether there is anything the property owner can do with his property, even if that "anything" only recoups under 5% of the value of his investment in that land.

The FEIR failed to examine and mitigate a significant public safety issue.

The Project creates a serious pedestrian/auto conflict on El Molino. Incredibly the FEIR does not include a pedestrian safety study nor recommend mitigation measures to avoid the inevitable, and dangerous pedestrian/auto clash that will be created on El Molino between Colorado and Green Street.

A central feature of the Project is its proposed "Paseo", emphasized as justification for ignoring the Specific Plan limits. The Paseo would be a pedestrian corridor leading from El Molino and through the building to "connect" the historic Playhouse Theatre to Arcade Lane. Throughout the Draft EIR process, renderings for the Project showed illustrations of how the Paseo would work. People would cross El Molino, using a wide, multi-colored, cross-walk, mid-block on El Molino (between Colorado and Green Street), connecting the Project and the Playhouse Theatre. The graphics employed by the applicant and staff were in Draft EIR Revisions presented at our May 13, 2009 meeting, also in the staff report and in PowerPoint™ presentations by the Applicant at that and previous Planning Commission meetings.

Unfortunately, a few feet from where the Paseo pedestrian corridor would cross El Molino is the Project's only entrance and exit to the 522-space parking garage. The Project would dump thousands of car trips on El Molino and is designed so that hundreds of pedestrians will cross mid-block on El Molino where there will be inevitable pedestrian/auto conflicts. Pedestrian safety issues abound!

Yet, in the FEIR, this intended pedestrian crossing is not studied or even mentioned!

When this adverse impact was raised at the Planning Commission hearing on this FEIR, the staff expressly stated that the Environmental Impact Report stops at the property lines and does not study impacts outside the property boundaries. During the Draft EIR process, the Transportation Advisory Commission (TAC), the Planning Commission and members of the public repeatedly pointed to this pedestrian safety issue and requested that it be studied and mitigations recommended. However, the FEIR failed to study and recommend mitigation measures for the pedestrian safety issues and mid-block walkway improvements.

In response to TAC's concern about this pedestrian/auto conflict (Page 8-45), the FEIR responds *"The comment regarding a preference for particular project features, such as the walking link, do not make such features part of the proposed project, and thus are not analyzed in the EIR."*

It is frankly preposterous to contend that because this FEIR defines the Project as ending at the property line, therefore offsite environmental impacts are beyond the scope of an EIR. An EIR studies environmental impacts. That means impacts to the rest of the city not just within the property boundaries. In fact, environmental impacts are overwhelmingly impacts offsite—traffic, air pollution, water pollution, noise, stability of neighboring properties, public resources, cumulative impacts, etc.

A disingenuous part of the FEIR presentation deserves mention. The failure to provide a safety study was raised at the May 22, 2009 hearing, raised also by TAC and raised again in letters received by the staff. In response, did they study the impacts? No. Instead, the project illustrations and the PowerPoint™ slides were altered between the May 13, 2009 DEIR hearing and the July FEIR hearing to delete the crosswalk and the depiction of people crossing El Molino. The real-world safety issue does not get erased as readily. The lack of a pedestrian safety study and absence of recommendations for pedestrian safety measures in the FEIR is an unmitigated significant adverse environmental impact which the FEIR wants to sweep under the rug. At the Final EIR hearing, Terry Tornek, speaking as a member of the public, called this a "life threatening" crossing.

The Project conflicts with the Mobility Element of the General Plan

El Molino is a de-emphasized street in the General Plan. Policy 3.11 of its Mobility Element it states: *"Recognize designated de-emphasized streets as routes where efforts will be made to limit increases in travel. Measures that would increase traffic in these streets will not be planned or implemented."* The Project, according to the FEIR, not only adds traffic, it creates a substantial adverse environmental traffic impact on El Molino that cannot be mitigated. The General Plan is specific and mandatory that such a project *"will not be planned or implemented"*.

This unmitigated contravention of the General Plan mandate alone requires rejection of the FEIR.

The FEIR Traffic Study is inadequate because Cumulative Traffic Impacts were ignored.

The FEIR correctly recites the CEQA statutory requirement on cumulative impacts (Page 3-2):

“Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately, but could have a substantial impact when analyzed together.”

The projects that contribute to cumulative traffic impacts are listed in Table 3.1 of the FEIR called Planned and Pending Projects in the Site Area. Unfortunately, the FEIR did not address cumulative traffic impacts. In response to Commission questions, the staff said they did not consider cumulative impacts. Instead, only instances where this project alone exceeded traffic thresholds were considered (testimony provided by City Attorney at Planning Commission hearing on FEIR).

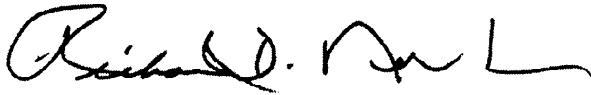
The FEIR reveals that such cumulative traffic impacts, *IF* they had been considered, would be substantial, adverse and unmitigated. FEIR Table 4.5-21, shows that cumulative traffic impacts would reduce the Level of Service (LOS) at 10 major intersections at least one, and in some cases, two levels of service (e.g. from LOS “B” to “D”, as shown in items 1. and 4. on Table 4.5-21). At two intersections those cumulative impacts cause the LOS to sink to Level E, an unacceptable gridlock condition. The traffic study in the FEIR should be revised to include a study of cumulative traffic impacts. The staff says that this project alone would not create ruinous traffic impacts. Because of that position, the staff says they never have to look at cumulative adverse impacts. That’s just an outright violation of CEQA.

Finally, despite all the sleight of hand, the FEIR still concludes that this project still has significant adverse traffic impacts.

In conclusion, I encourage you to support the vote of the Planning Commission so that the EIR may be revised and corrected, so these important issues are resolved and a more appropriate project is proposed and studied.

As a Planning Commissioner, I look forward to reviewing and commenting on a revised EIR for this Project and shall remain open minded to revised project alternatives and additional recommendations from City Staff.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Norton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard Norton

MARSHA V. ROOD, FAICP
216 S. MADISON AVENUE, #302
PASADENA, CA 91101
Via e-mail

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October 8, 2009

CITY CLERK
CITY OF PASADENA

MAYOR BILL BOGAARD
MEMBERS OF THE CITY OF PASADENA CITY COUNCIL
c/o Mark Jomsky, City Clerk
100 N. Garfield Avenue
Pasadena, CA 91101

SUBJECT: IDS PLAYHOUSE PLAZA OFFICE BUILDING; 680 EAST
COLORADO BOULEVARD, PASADENA, CA (PLAYHOUSE DISTRICT)

Dear Mayor Bogaard and Members of the City Council:

I am a resident of the Central District and live just one block south of the Playhouse District. I served as the City's Development Administrator for nearly 20 years (1982 - 2000), with lead development responsibility for the Central District. I currently serve as a member of the City Council's *General Plan Update Advisory Committee* and am a founding member of *Open Space Now* and *Coalition for a Common Vision*. My comments are my own.

- RECOMMENDATION -

I recommend that the City Council *reject* the staff recommendations that the proposed office building project at 680 East Colorado Boulevard (the "Project") is consistent with required findings for the requested Adjustment Permit, Conditional Use Permit, Minor Conditional Use Permits, a Floor Area Ratio increase of 10%, and the Private Tree Removal Request. The Project is simply too large for the Playhouse District and is antithetical to the City's 20-year vision of this district as an active, pedestrian and arts-inclusive urban village. Well-designed buildings that enhance a sense of community are those that relate to locality and landscape and put people before cars; regrettably, this project is not among them.

The proposed office building would overwhelm the Playhouse District in its size, its impacts on adjacent historic resources and a national register district, and its unmitigable significant traffic impacts on two segments of El Molino Avenue, one of which is next to the Pasadena Playhouse. Over the past 20 years, public policies of this city have targeted major office buildings to Lake Avenue and Colorado Boulevard, and Los Robles Avenue and Colorado Boulevard, not to El Molino Avenue and Colorado Boulevard. The primary reason for this policy is that both Los Robles Avenue and Lake Avenue are two of the

three major boulevards in the city that link the downtown Pasadena to the freeway system, funneling traffic away from neighborhoods.

- REASONS FOR RECOMMENDATION -

1. **Design Compatibility:** The scale and massing of the proposed Project would overwhelm two of the most important historic buildings in the Playhouse District - the Pasadena Playhouse, the State Theater of California to the west, and the Arcade Building to the east - and negatively impacts the larger *National Register Playhouse Historic District*. Introducing the new development adjacent to these historic buildings and adjacent historic district destroys their historic relationship within the setting. Moreover, because the Project site is adjacent to the Historic District, its design and its impacts are particularly important to not only the City and the Playhouse District, but also to the nation's historic resources. In addition, the proposed building is visually incompatible in terms of size, scale, and design with adjacent and nearby buildings. The proposed Project is substantially larger than and out of scale with the existing surrounding buildings, many of which are significant contributors to the historic district. The *Central District Specific Plan* [City Council adopted on November 8, 2004] states:

- *"New development should build upon the character established by significant and noteworthy buildings in the sub-district, and present a level of design excellence and creativity appropriate to an arts-oriented district. This notion also emphasizes the preservation and rehabilitation historically and culturally significant buildings."* (p. 115)
- *"Demand a high level of design excellence that is appropriate to an arts-oriented district; variety within the context of a street-oriented development pattern is encouraged."* (p. 175)
- *"Respect the scale, massing and articulation of adjacent historic buildings; massing should not overwhelm or diminish historic structures."* (p. 175)

In addition, the proposed Adjustment Permit would allow the massing of the building to encroach on Green Street, rather than step down in a more respectful manner, a long-established planning objective for this area. In fact, the *Specific Plan* specifically states, *"New development must be especially sensitive to the established character of Green Street"* which is defined as a *"...charming pedestrian-oriented place, featuring pleasantly scaled commercial buildings focused on the street."* (p. 112) *Massing the building toward Green Street does not implement this objective.*

CONCLUSION: BASED UPON THE PROPOSED PROJECT'S DESIGN INCOMPATIBILITY WITH THE PLAYHOUSE DISTRICT, ANY CLAIM THAT THE PROJECT "...WOULD PRODUCE A COMPREHENSIVE DEVELOPMENT INCORPORATING A MORE ENHANCED ENVIRONMENT AND ARCHITECTURAL EXCELLENCE" MUST BE REJECTED.

2. **Traffic and Circulation:** The developer's request for a 10% increase in floor area ratio (FAR) is not warranted because such an increase will adversely contribute to the unavoidably significant traffic impacts of the project on El Molino Avenue, importantly on that segment adjacent to the Pasadena Playhouse. The Final Environmental Impact Report for the Project dated July 2009 ("Final EIR") finds that two segments on El Molino Avenue would have unavoidably significant impacts because no physical improvements can be made to this de-emphasized street to mitigate the project's impacts. *In fact, the projected increased traffic volumes would exceed the City's adopted thresholds on six of the ten study area road segments.* According to the Final EIR:

"Pas DOT has determined that there are no feasible mitigation measures to reduce the impact of the project on El Molino Avenue between Colorado Boulevard and Playhouse Alley and on El Molino Avenue between Union Street and Colorado Boulevard below levels of significance. *Therefore, the impact to these street segments a result of the proposed project would be unavoidability significant, and if the project is entitled, a Statement of Overriding Consideration would be required.*" [Emphasis added] (p. 4.5 - 27)

Moreover, the impact of the additional 155 publicly available parking spaces proposed by the developer has not been taken into account in analyzing traffic impact; the analysis is based solely on the square footage of the proposed building. These additional spaces exceed the parking cap for the project and would worsen the already significant and unmitigable traffic impacts on El Molino Avenue. Finally, the significant, unmitigable increased traffic on the roadways and at intersections will have a negative impact on pedestrian movements in the Playhouse District, a key objective of the *City of Pasadena's General Plan* and the *Central District Specific Plan*. These negative impacts will be magnified by a requirement in the *Conditions of Approval* (Attachment D of the Staff Report, #21, p. 35) that the applicant to work with the Public Works and the Transportation Departments "...to provide a street loading zone on E. Green St." The *Specific Plan* especially encourages enhanced pedestrian measures to improve the pedestrian character of Green Street and El Molino Avenue, the main north-south axis at the heart of the District and the front door address to the Pasadena Playhouse. (p. 112; p. 115). Putting a loading zone at this key intersection would adversely impact pedestrian safety and movement to, within the Playhouse District, and to the Pasadena Playhouse itself.

CONCLUSION: *BASED UPON ITS UNMITIGABLE SIGNIFICANT IMPACT ON TRAFFIC AND PEDESTRIAN MOVEMENT, PARTICULARLY ON EL MOLINO AVENUE AND GREEN STREET, THE PROJECT MUST BE REJECTED.*

3. **Alternative Uses:** Alternative uses such as residential mixed use and/or boutique hotel mixed use would have yielded an "*environmentally superior*" alternative to the proposed project and should have been analyzed in the Final

EIR. Either of these uses (or a combination of such uses) would have dramatically reduced the vehicular traffic impacts of a project on this site, particularly at peak traffic times. In addition, because the Project will generate an estimated 765 jobs, substantially more than the suggested alternative uses, more housing would be required in the City to satisfy the jobs/housing balance as well as the Regional Housing Needs Assessment or "RHNA" housing number requirements.

CONCLUSION: *THE PROJECT DOES NOT REPRESENT THE "ENVIRONMENTALLY SUPERIOR ALTERNATIVE" IN TERMS OF LAND USE, MASSING AND SCALE; IN FACT, TO ALLOW THE PROJECT TO PROCEED, THE CITY COUNCIL MUST ADOPT A "STATEMENT OF OVERRIDING CONSIDERATIONS" TO COMPLY WITH CEQA.*

- SUMMARY CONCLUSIONS -

Based on the foregoing reasons, the City Council must reject the staff's recommendations regarding the proposed Project. The necessary Findings cannot be made based upon the facts. The Project as a physical structure will overwhelm the Playhouse District and the Pasadena Playhouse itself, have negative impacts on historic buildings and the national register Playhouse Historic District, and subject the District and the Playhouse to unmitigable traffic impacts, most significantly on El Molino Avenue. Finally, the Project does not further the City's decades-long established policies to direct major office buildings to the intersections of major boulevards such as Lake Avenue and Colorado Boulevard, and Los Robles Avenue and Lake Avenue.

Sincerely,

[Marsha V. Rood]

MARSHA V. ROOD, FAICP



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CITY CLERK
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California State Teachers'
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October 5, 2009

The Honorable Bill Bogaard
Mayor, City of Pasadena
100 N. Garfield Avenue, Room S228
Pasadena, California 91101
RE: Playhouse Plaza Entitlements

Dear Mayor Bogaard:

The California State Teacher's Retirement System (CalSTRS) is the primary investor in the Playhouse Plaza project. This letter requests your approval of the entitlements for this well-crafted development.

The CalSTRS Mission Statement is "Securing the financial future and sustaining the trust of California's educators." We take this responsibility to heart, as we know that our investments will have a material impact on the retirement quality of life of our 833,000 members and their families. In your community, CalSTRS stakeholders include the 1,985 current Pasadena teachers comprised of 1,385 Pasadena Unified School District teachers and 610 Pasadena Community College District teachers. In addition, there are 1,191 retired teachers consisting of 840 Pasadena Unified School District retirees and 351 Pasadena Community College District retirees who reside in Pasadena.

The timely completion of the entitlements and design review process for Playhouse Plaza represents the opportunity to provide and secure an additional 765 jobs in Pasadena. Playhouse Plaza represents CalSTRS fourth commercial investment in Pasadena with IDS bringing our total investment to \$256 million over the past five years. Crown City Center, 80 South Lake and Thatcher Medical Center precede Playhouse Plaza. Today, these three projects house over 1,800 well-paying jobs and have enabled Pasadena companies to grow and remain in Pasadena.

CalSTRS supports many of the ideas espoused by organized labor and encourages participation by labor unions and their signatory contractors in the development and management of its real estate investments. Crown City Center was built by union contractors and it is our intention to similarly build Playhouse Plaza. We plan to utilize the Pasadena First Source Local Hiring Program and will design and build to LEED Silver standards.

CalSTRS is committed to being a responsible investor both for our members and for the communities served by our investments. We look forward to future investments in Pasadena.

Sincerely,

Henry J. Thomas Jr., CPM®, CCIM®
Portfolio Manager