

Agenda Report

November 14, 2011

TO: Honorable Mayor and City Council
FROM: Planning Department
SUBJECT: MAJOR CHANGE TO APPROVED PROJECT - PLAYHOUSE PLAZA COMMERCIAL DEVELOPMENT – 680 E. COLORADO BOULEVARD – A REVISED PROJECT - CONDITIONAL USE PERMIT #5317, ADJUSTMENT PERMIT #11612, PRIVATE TREE REMOVAL, AND ADDENDUM TO FINAL ENVIRONMENTAL IMPACT REPORT

RECOMMENDATION:

It is recommended that the City Council at the close of the public hearing take the following actions:

1. Adopt the resolution adopting an Addendum to the Final Environmental Impact Report for the 680 East Colorado Boulevard project;
2. Approve the Major Change to Approved Project, which consists of:
 - A. Conditional Use Permit for a new non-residential project that exceeds 25,000 square feet;
 - B. Minor Conditional Use Permit for a new project that exceeds 15,000 square feet in the Transit-Oriented District;
 - C. Adjustment Permit for three deviations from the Zoning Code, including: to exceed building height in two height districts; to exceed Floor Area Ratio (FAR) in one FAR district; and to reduce the required number of loading spaces from five to two; and
 - D. Private Tree Removal of one protected specimen tree; with the Specific Findings of Fact (Attachment A), Conditions of Approval (Attachment B), and the Comprehensive Water Conservation Plan (Attachment C).
3. Agree in concept to fund fifty percent (\$125,000) of the cost of the proposed speed table on El Molino Avenue with funds from the Downtown Redevelopment Project.

EXECUTIVE SUMMARY:

On November 26, 2009, the Council approved an Adjustment Permit and certified an Environmental Impact Report (EIR) for a five-story commercial office development and subterranean parking garage at 680 E. Colorado Boulevard. On December 21, 2009, Pasadenans for a Livable City and Pasadena Heritage filed a petition in the Los Angeles Superior Court, alleging violations of the California Environmental Quality Act (CEQA) and City codes in the approval of the Project. In October 2010, the Court issued an Order granting the Petition in part. In March 2011, the Petitioners, the City of Pasadena, and Pasadena Office, LLC (the Applicant) resolved the disputes in a Settlement Agreement.

In accordance with the Settlement Agreement, Pasadena Office, LLC has submitted an application for a Major Change to an Approved Project that includes the Revised Project. The conceptual design of the Revised Project was achieved through several collaborative meetings among the Applicant, a Working Group (comprised of representatives of Pasadenans for a Livable City and Pasadena Heritage), the Design Architect (Moule and Polyzoides), the Executive Architect (Gensler), and with participation by an ad-hoc subcommittee of the Design Commission. In August 2011, the Applicant and the representatives of the Working Group reached consensus on the proposed Revised Project.

The Revised Project requires several land use entitlements, including an Adjustment Permit, Conditional Use Permits, and a Private Tree Removal Permit. Unlike the Original Project, the proposed project does not request any Floor Area Increase to exceed the maximum floor area allowed on the property. The Revised Project meets all requirements of the Settlement Agreement concerning floor area, height and setbacks, and open space. The Revised Project is designed to respect the scale, massing, and articulation of the historic Pasadena Playhouse, the Arcade building, and the adjacent Playhouse National Register Historic District. Further, the project includes a raised pedestrian speed table agreed to by the Petitioners and the applicant to address pedestrian safety.

Staff has reviewed the application for compliance with the Zoning Code and the California Environmental Quality Act (CEQA) with an Addendum to the Final Environmental Impact Report. The Revised Project is designed to be compatible with existing historic structures and will enhance the pedestrian and economic vitality of the Playhouse sub-district of the Central District. Therefore, staff recommends approval of the Major Change to an Approved Project with the recommended Findings of Fact, Conditions of Approval, and other attachments to this report.

Revised Project

The Revised Project includes a site plan with two courtyards across from the Pasadena Playhouse; a five-story office block on E. Colorado Boulevard designed with architectural styling and massing similar to classic Art Deco commercial buildings of the 1920s; two free-standing, one-story retail/restaurant buildings on S. El Molino Avenue designed as vernacular Pasadena brick commercial blocks; and a subterranean parking garage with a more narrow driveway on S. El Molino Avenue. The table below shows the differences between the Revised Project and Original Project:

Project Characteristics

	Revised Project	Original Project
Lot Size	1.3 acres (57,762 square feet)	1.3 acres (57,762 square feet)
Floor Area	<u>145,428 square feet total</u> <ul style="list-style-type: none"> • 137,253 s.f. - office • 3,675 s.f. - retail • 4,500 s.f. - restaurant 	<u>159,971 square feet total</u> <ul style="list-style-type: none"> • 145,564 s.f. - office • 14,407 s.f. - retail
Floor Area Ratio (averaged between two FAR districts)	2.6 (without any floor area increase)	2.8 (with a 10% floor area increase)
Building Height/Stories	76'-10" (5 stories) on Colorado Bl. to 18'-0" (1 story) on El Molino Ave.	75'-0" (5 stories) on Colorado Bl. to 40'-0" (3 stories) on El Molino Ave.
Subterranean Parking Spaces	367 (on 4 levels) [project spaces only, without public parking spaces]	522 (on 6 levels) [project spaces plus public parking spaces]
Architectural Concept	Three buildings and two architectural styles with strong references to classic architecture.	One building with a contemporary design and subtle classical features.
Courtyards	Two publicly accessible courtyards with a visual connection to the Playhouse.	One pedestrian paseo with a roof connected to the Arcade Building to the east; and a narrow plaza.
Pedestrian Safety	A pedestrian speed table providing a connection to the site and the Playhouse on El Molino Ave.	The original project did not include enhancements for pedestrian circulation in the project vicinity.

Zoning Code Entitlements Required for the Revised Project

Adjustment Permit – The Adjustment Permit (AP) may request to adjust or modify development standards of the Zoning Code. The AP is intended to provide flexibility to improve a project in which unique site conditions exist that can create constraints to development of a new project. For this project, the development site is unique in that it is divided by three different height districts and two different Floor Area Ratio districts. Moreover, the project site slopes five feet downward from north to south. This project requests three deviations from the Zoning Code through the Adjustment Permit:

Height – The building would exceed the maximum allowable height in two of the three height districts on the site. Specifically, a portion of the fifth floor would exceed the 75 foot height limit by approximately two feet; and a portion of second floor would exceed the 35 foot height limit by approximately five feet in the rear portion of the site, near the driveway entrance.

Floor Area Ratio – The project proposes to place the majority of the building mass along Colorado Boulevard and the eastern property line, instead of meeting the individual FAR requirement in each separate FAR district. The northern portion of the site is in the 3.0 FAR district, and the southern portion of the site is in the 2.0 FAR district. The 3.0 FAR district would have 106,615 square feet and the 2.0 FAR district would have 38,813 square feet. The proposed FAR in the 3.0 district would be 3.6, and the proposed FAR in the 2.0 district would be 1.4. The average FAR for the entire project site would be 2.6.

Loading - The project proposes a total of two loading spaces instead of the six that are required by the Zoning Code. They would be concealed from public view and located on the ground floor with access from S. El Molino Avenue.

Conditional Use Permit – This is required for all new developments of 25,000 square feet or greater.

Minor Conditional Use Permit (TOD) – For a new Transit Oriented Development (TOD) project. The site is located in a Transit Oriented District and the project is required to encourage transit usage in conjunction with a pedestrian-oriented environment.

Private Tree Removal – To remove one protected specimen *Ethrythrina caffra* (Coral tree). There are a total of 17 trees on the property and the rest of the trees are unprotected and would also be removed. The protected tree is located in the middle of the site where the building and parking garage would be located.

ANALYSIS AND STAFF RECOMMENDATION:

Staff recommends approval of the project based on its comprehensive plan that combines new commercial development with publicly accessible courtyards and pedestrian improvements in the vicinity of the historic Playhouse. The project is designed to be integrated within the existing development in the Playhouse District by complementing the existing pedestrian and ground floor retail character of the neighborhood. The office use is compatible with other commercial development in the vicinity and is consistent with the standards for Transit Oriented Development. With the recommended conditions concerning design, traffic and transportation, and public infrastructure improvements, the project meets the findings required for approval of all requested entitlements.

The site's unique condition, being located in three different height districts, two different Floor Area Ratio districts, and having a five-foot downward slope from north to south, justifies the requested exceptions to the Zoning Code. These conditions create difficulty in designing a large office building that achieves a combination of important elements: efficient floor plates for interior operations and circulation; a visually interesting exterior appearance with varied massing to reduce scale and achieve compatibility; and provide a site plan with engaging, ground level open space. The office, retail, and restaurant operations would function sufficiently with the two proposed loading spaces without impacts to adjacent properties or the public.

Compliance with the General Plan and Central District Specific Plan

The project complies with many of the policies and objectives of the Central District Specific Plan and the General Plan (listed in Attachment F). Below is analysis of the Revised Project's compliance with three significant subjects: design and historic preservation, transit-oriented development, and targeted economic development:

Design and Historic Preservation

The Revised Project includes an office building with step-backs on the upper floors and ground floor open spaces that achieve a more modulated building with greater physical separation from the Playhouse. The two publicly accessible courtyards and storefront retail development integrate the project with the commercial streetscape and strengthen pedestrian connections within the district.

The Design Architect, Moule and Polyzoides, has prepared a comprehensive design narrative that is included in the Revised Project application. The following excerpt from the design narrative (Attachment G) partly summarizes the design concept and architectural logic of the Revised Project:

"The massing of the project protects the visual prominence and monumental character of the lower buildings in its immediate vicinity, namely both the Playhouse and the Arcade Building. The Playhouse remains the dominant building on El Molino. The

scale of the Arcade building is reflected into the base of the new Colorado office block. Access to light and air for the Arcade building are protected by stepping back the new building in plan and providing a 20 foot sideyard against its western side.... New buildings must be designed into urban settings in order to both project their individual architectural presence, and to promote the overall form of the City, at the same time. In this case, we have designed a building in many parts, some large and monumental, and others small and simple. The former stand out, the latter blend and complete the anonymous building fabric and the public realm of the Playhouse District.”

Targeted development of an underutilized property

The Central District Specific Plan’s sub-district concept for the Playhouse District encourages infill development that will make the District’s streets more appealing and close gaps in the street wall. The Plan states that the existing lack of continuity in parts of the district should be remedied through more intense, mixed use development, and orientation to the street is critical. The Plan specifically recommended that the subject site is developed with mixed-use development (which may include ground floor retail with upper floor office space) to replace the existing one-story building. The Revised Project is consistent with this concept.

Transit Oriented Development (TOD)

The development standards of the TOD provide for a mixture of land uses in close proximity to light rail stations, and encourage transit usage in conjunction with a safe and pleasant pedestrian-oriented environment. The proposed office development (with ground floor restaurant and retail) is within walking distance (less than one-half mile) of the Lake Avenue Gold Line station and provides an opportunity for a substantial number of employees to use public transit for commuting.

Economic development

The proposed office development accommodate approximately 695 employees. The employees in the development will use the services (retail, restaurant, etc.) in the vicinity and strengthen the business activity in the district. The retail uses will draw additional customers to the Playhouse District and enhance and reinforce the pedestrian retail character of Colorado Boulevard and El Molino Avenue.

Pedestrian Safety and Proposed Speed Table on El Molino Avenue

The original pedestrian safety study was prepared by Linscott, Law, and Greenspan Engineers (dated January 19, 2011). The study was undertaken as a result of the subsequent litigation and it reviewed existing and future conditions with respect to pedestrian circulation and crossings in the vicinity of the 680 East Colorado Commercial project. Thirteen mid-block crossing alternatives were evaluated as part of this original study. The addendum prepared by Pasadena Department of Transportation staff (dated October 12, 2011) analyzes the pros and cons of constructing a speed table on El Molino Avenue between Colorado Boulevard and Green Street as an additional mid-block pedestrian crossing alternative.

The speed table alternative was evaluated for consistency with the City of Pasadena's pedestrian policies, including the applicable policies within the Pasadena Mobility Element and the 2006 Pedestrian Plan. The speed table is consistent with applicable policies and objectives from the Mobility Element and the 2006 Pedestrian Plan in so far as it would: (1) provide a pedestrian crossing facility directly where activity occurs for the existing conditions based on observations of existing pedestrian crossings that occur prior to performances at the Pasadena Playhouse; (2) maintain one travel lane in each direction on El Molino Avenue for vehicular access; (3) not increase traffic or traffic capacity on El Molino, a "de-emphasized" street; and (4) provide for convenient drop-off/pick up for Playhouse events for valet or self parkers.

Construction of the speed table along El Molino Avenue involves raising the pedestrian walkway, south of Playhouse Alley, with pavement treatment differentiating it from the roadway. Safety enhancements such as in-pavement lighting and appropriate signage would also be considered if warranted. Roadway reconstruction would also be required to address grade changes and roadway drainage.

To further evaluate the quality of El Molino Avenue after construction of the speed table, the Pedestrian Environmental Quality Index (PEQI) was used to determine the degree to which the environment (with a speed table) encourages non-motorized travel. Along El Molino Avenue, between Colorado Boulevard and Green Street, the PEQI score for existing conditions is 74 (high quality pedestrian conditions are present) for the east side of the street, and 89 (high quality pedestrian conditions are present) for the west side of the street. After construction of the speed table, the PEQI score would be 79 for the east side of El Molino Avenue and 95 for the west side of El Molino Avenue. These scores are indicative of a high quality pedestrian environment.

The speed table was determined to be an appropriate measure to accommodate mid-block crossings by pedestrians and slowing down vehicles in an urban environment. Construction of the speed table would not introduce any potentially significant impacts to pedestrian safety. Furthermore, the implementation of the speed table falls within the objectives stated in the Mobility Element and the Pedestrian Plan, and the speed table is an appropriate measure to slow down vehicles and accommodate the expected high volumes of mid-block crossing by pedestrians during events at the Playhouse or other attractions.

The pedestrian speed table will be a valuable public improvement as it will work to reduce speeds on El Molino and create an opportunity to expand the plaza in front of the Pasadena Playhouse on special events. As a result of negotiations with the Developer, staff is proposing the cost of constructing the speed table be split equally, with the City's portion coming from the Downtown Redevelopment Project Area. The estimated cost is \$250,000. Staff will return to City Council, at the appropriate time, to request authorization to appropriate and expense the City's portion.

ENVIRONMENTAL ANALYSIS – ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE REVISED PROJECT:

An Addendum to the FEIR has been prepared by Rincon Consultants. The Addendum was prepared to describe minor technical changes that have been proposed to the project description (notably, the revised design concept, introduction of the restaurant use, pedestrian speed table for the Revised Project), and to summarize the conclusions reached in a new technical Traffic Impact Study and Pedestrian Safety Study completed by the City of Pasadena Department of Transportation. According to Section 15164 of the *California Environmental Quality Act (CEQA) Guidelines*, an addendum to a previously certified Final EIR is the appropriate environmental document in instances when “only minor technical changes or additions are necessary” and when the new information does not involve new significant environmental effects beyond those identified in the certified Final EIR.

The Addendum addresses each of the environmental issues studied in the Final EIR, comparing the effects of the Revised Project with the Original Project that was the subject of the certified Final EIR. The environmental issues addressed include: aesthetics, air quality, geology, historic resources, noise and vibration, pedestrian safety, transportation and traffic, and water service. The Revised Project has been reduced in floor area by approximately 15,000 square feet and incorporates a substantially revised design concept to achieve greater compatibility with existing development and historic structures in the Playhouse District. Based on these revisions and additional quantitative analysis, the Addendum concludes that the Revised Project revisions would have no new significant environmental effects.

DESIGN REVIEW AND NEXT STEPS:

If the Major Change to the Approved Project is approved by the Council, the Revised Project design will be subsequently be reviewed by the Design Commission at a noticed public hearing. The Revised Project will be required to complete Concept Design, 50 Percent Design, and Final Design. After the design review process, the Revised Project will be reviewed by all City departments in the plan check process.

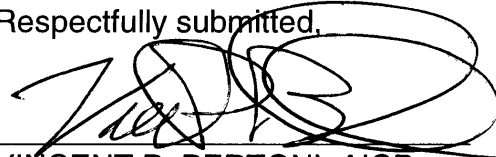
FISCAL IMPACT:

The project will provide increased property tax assessment for the subject property and enhance the retail and economic vitality of the Playhouse District. The proposed project would provide approximately 695 jobs in the Playhouse District. The City would contribute approximately \$125,000 for the construction of the pedestrian speed table on El Molino Avenue, funds for which would be drawn from the Downtown Redevelopment Project Area.

CONCLUSION:

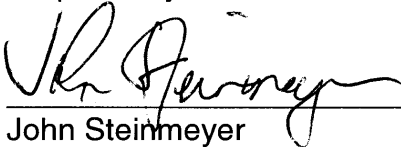
Staff recommends approval of all entitlements with recommended Findings, Conditions, and Addendum to the FEIR. The project has provides contextual design that is compatible with the existing historic structures in the vicinity; it will enhance the pedestrian streetscape and vitality of the Playhouse District, and provide economic development. The design will continue to be developed and refined in the design review process.

Respectfully submitted,



VINCENT P. BERTONI, AICP
Director
Planning Department

Prepared by:



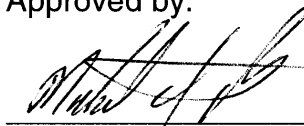
John Steinmeyer
Acting Zoning Administrator

Concurred by:



Stephanie DeWolfe, AICP
Deputy Director
Planning Department

Approved by:



MICHAEL J. BECK
City Manager

Attachments:

- A. Findings of Fact
- B. Conditions of Approval
- C. Comprehensive Water Conservation Plan
- D. Zoning Analysis of Applicable Development Standards
- E. Analysis of Requested Entitlements
- F. Compliance of the Project with the General Plan and the Central District Specific Plan
- G. Summary of Final Environmental Impact Report
- H. Design Narrative from Design Architect (Moule and Polyzoides)
- I. Plans and Elevations

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA ADOPTING
AN ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORT FOR 680
EAST COLORADO BOULEVARD**

WHEREAS, on November 16, 2009, the City Council of the City of Pasadena certified the Final Environmental Impact Report for 680 East Colorado Boulevard, State Clearinghouse No. 2007071020 ("FEIR")* made findings of fact, adopted a Mitigation Monitoring Program, adopted a Statement of Overriding Considerations ("SOC")*, and approved land use approvals for the office development at 680 East Colorado Boulevard (the "Project"); and

WHEREAS, after litigation and settlement regarding the FEIR and Project, the applicant has submitted an application for a Major Change to an Approved Project; and

WHEREAS, pursuant to Section 15164 of the California Environmental Quality Act ("CEQA") Guidelines, an addendum to the previously adopted Final EIR is the appropriate environmental document in instances when only minor technical changes or additions are necessary and when the new information does not involve new significant environmental effects beyond those identified in an adopted FEIR; and

WHEREAS, City staff prepared an Addendum* to the FEIR in accordance with CEQA which describes the applicant's Major Change to an Approved Project; and

WHEREAS, though not required by CEQA, the Addendum was made available for public review and comment from November 3, 2011 to November 14, 2011; and

WHEREAS, the City Council held a duly noticed public hearing at which it considered the FEIR, the Addendum, and the application for Major Change to an Approved Project on November 14, 2011; and

WHEREAS, the findings made in this resolution are based upon the information and evidence set forth in the FEIR, the Addendum, and upon other substantial evidence that has been presented at all public meetings regarding the City's proposed ordinance and in the record of the proceedings. The documents, staff reports, technical studies, appendices, and other materials that constitute the record of proceedings on which this resolution is based are on file and available for public examination during normal business hours in the Planning Department and with the Director of Planning, who serves as the custodian of these records; and

WHEREAS, the City Council finds that agencies and interested members of the public have been afforded proper notice and opportunity to comment on the Addendum and the Major Change to an Approved Project and that the comment process has fulfilled all requirements of State and local law; and

WHEREAS, the City Council, as the decision-making body for the lead agency, has independently reviewed and considered the contents of the FEIR, the Addendum, and all documents and testimony in the record of proceedings prior to deciding whether to adopt the Addendum; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA
RESOLVES AS FOLLOWS:**

I. RESOLUTION REGARDING ADOPTION OF THE ADDENDUM

Pursuant to State CEQA Guidelines Section 15164, the City Council finds that:

(1) changes or additions to the FEIR were necessary but none of the conditions described in State CEQA Guidelines Section 15162 or 15163 calling for preparation of a subsequent or supplemental EIR have occurred and therefore an Addendum was prepared; (2) the City Council considered the Addendum with the FEIR, prior environmental findings and SOC prior to making a decision whether to adopt the Major Change to an Approved Project; (3) the prior findings and SOC remain substantially effective in light of the Major Change to an Approved Project, and the Addendum is an accurate and objective statement that fully complies with CEQA, the State CEQA Guidelines, the City's local environmental guidelines, and (3) the Addendum reflects the independent judgment of the lead agency.

The City Council further finds that the additional information provided in the staff report, in any comments (and any responses thereto) received after publication of the Addendum, in the evidence presented in written and oral testimony presented at public meetings, and otherwise in the administrative record, does not constitute new information requiring revision to the Addendum. None of the information presented to the City Council after publication of the Addendum has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the

application for Major Change to an Approved Project or a feasible mitigation measure or alternative that the City has declined to implement. The City Council adopts the Addendum based on the findings and conclusions herein.

II. RESOLUTION REGARDING NOTICE OF DETERMINATION

Staff is directed to file a Notice of Determination with the Clerk of the County of Los Angeles within five working days of approval of the Major Change to an Approved Project.

Adopted at the _____ meeting of the City Council on the _____ day of _____, 2011 by the following vote:

AYES:

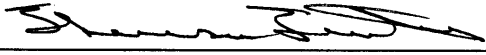
NOES:

ABSENT:

ABSTAIN:

Mark Jomsky, CMC
City Clerk

APPROVED AS TO FORM:



Theresa E. Fuentes
Assistant City Attorney

*Attachments: All attachments hereto were provided to the Council on a disc with the agenda packet.
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