

# Agenda Report

November 4, 2013

**TO:** Honorable Mayor and City Council

**FROM:** Planning & Community Development Department

**SUBJECT: PREDEVELOPMENT PLAN REVIEW OF PROPOSED DEVELOPMENT PROJECT AT 922-936 EAST GREEN STREET**

**RECOMMENDATION:**

This report is intended to provide information to the City Council, no action is required.

**BACKGROUND:**

Turtle Design Group has submitted a Predevelopment Plan Review (PPR) application to develop the site at 922-936 East Green Street. The project proposes to demolish the existing one- and two-story buildings with surface parking that currently occupy the site and to construct a new six-story building with commercial uses on the first floor with dwelling units on the second through sixth floors. Vehicular access to the site will be via Shopper's Lane. Two levels of subterranean parking are proposed.

The PPR process is established in the City's Zoning Code as a process by which better projects can be achieved through early consultation between City staff and applicants. The process coordinates the review of projects among City staff, familiarizes applicants with the regulations and procedures that apply to projects, and avoids significant investment in the design of a project without preliminary input from City staff. It also helps to identify issues that may arise during application processing such as community concerns, achieving consistency with City regulations and policies.

Projects that meet the threshold of "community-wide significance" (greater than 50,000 square feet of construction with at least one discretionary action, 50 or more housing units, or any project that is deemed by the Director of Planning & Community Development Department to be of major importance to the City) are presented to the City Council as way to inform the Council and the public of significant projects. In this case, the project does not exceed any of the above thresholds, but the Director has determined it to be a project of major importance. Thus the project is being presented to the City Council for informational purposes.

This report provides a project description, identifies the entitlement and environmental review processes, and key topic areas that staff will focus on during case processing, should a formal application be submitted.

**PROJECT SUMMARY:**

The site is located at the southwest corner of Green Street and Mentor Avenue, ½ block east of Lake Avenue (922 E. Green Street). Shoppers Lane is adjacent to the south side of both properties. The 18,685 square foot combined site contains two commercial buildings and associated parking.

The surrounding land uses are office and retail to the north, east, and west. A parking lot is located to the south. Residential uses and a residential zoning district are located to the southeast along the east side of Mentor Avenue approximately 100 feet south of the site.

*Original PPR Plans:*

The original proposal that was submitted in 2012, was for the construction of a seven-story, 77 foot tall, 67,492 square foot, mixed-use building. The ground floor was proposed as 7,900 square feet of commercial space (work/live and commercial). The second through seventh floors were divided into 43 dwelling units. Two levels of subterranean parking with 96 parking spaces were also proposed.

Staff had significant concerns with the original project, as it required variances to floor area, height, and setbacks.

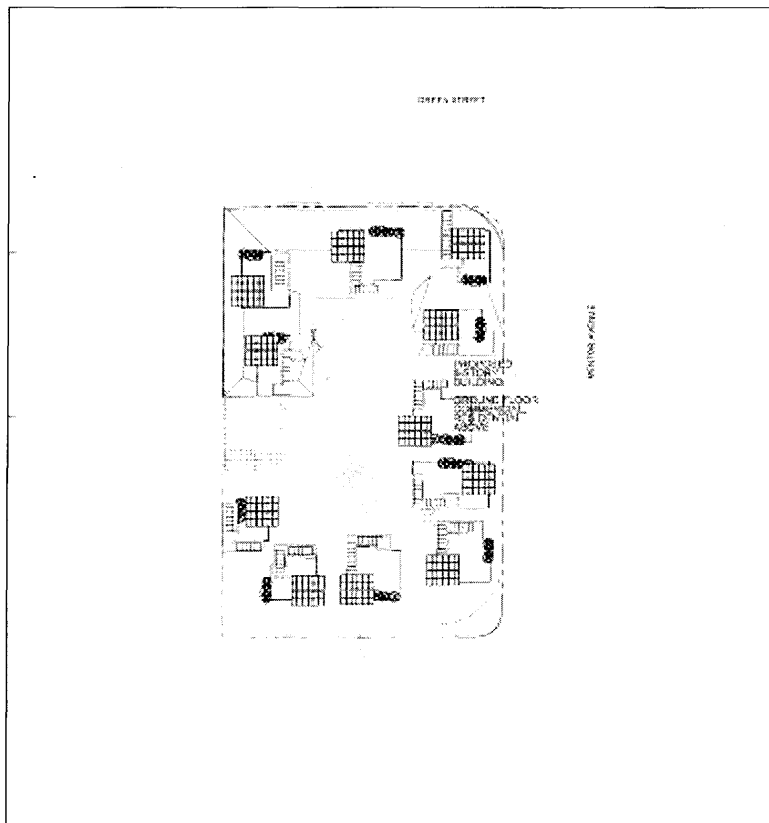
*Revised Plans:*

Rather than proceed with the 2012 plans that required several variances, the applicant team worked with Planning staff and resubmitted revised plans in July of 2013.

The revised proposal is for a six-story, 75 foot tall, mixed-use building of 56,522 square feet (which does not include the subterranean parking area). The ground floor is proposed to be 12,800 square feet of commercial tenant space. The second through sixth floor will contain 45 residential units. Two levels of subterranean parking containing 113 parking spaces and one loading space are proposed.

The revised submittal addresses the variance requests for floor area and height. The proposal still requires a variance to not construct the building to the street property line as required in this area of the Central District Specific Plan.

The proposed site plan is shown on the following page:



### **Discretionary Entitlements**

As designed, the project would require the following discretionary entitlements:

- Variance (to not construct the building to the property line at Green Street and Mentor Avenue);
- Affordable Housing Concession Permit (to exceed floor area limitations);
- Tentative Tract Map (for condominium units); and
- Design review (Design Commission for new construction over 5,000 square feet).

The project may also require the review of public tree removals by the Urban Forestry Advisory Committee. The Urban Forestry Advisory Committee would provide a recommendation regarding the public tree removals to the City Manager.

### **PREDEVELOPMENT PLAN REVIEW SUMMARY:**

In August 29, 2012, staff conducted a preliminary informational meeting regarding the proposed project with the applicant and representatives from various City departments

and divisions, including the Cultural Affairs, and Design and Historic Preservation Sections of the Planning & Community Development Department, the Fire Department, the Department of Public Works, and the Department of Transportation. Written comments were also provided by the Building & Safety Division, Current Planning, and Community Planning

Sections of the Planning & Community Development Department, the City Manager's Office (Economic Development Division, Enterprise Zone), Finance Department (First Source Local Hiring), Health Department, Housing Department, and the Water and Power Divisions of the Department of Water & Power.

Review and comments on the proposal identified the following issues:

### **Zoning Code**

The subject property is within the CD-5 (Central District, sub-district 5- Lake Avenue) Zoning District. The proposed mixed-use development is permitted in the CD-5 (Central District Specific Plan, sub-district 5-Lake Avenue) Zoning District. The property is within the Central District and Transit-Oriented Development Area. Additionally, the project must comply with the requirements of Chapter 17.30 (Central District Specific Plan) and Section 17.17.50.340 (Transit-Oriented Development) of the City's Zoning Code. Below is a breakdown of those requirements as they relate to this project:

*Residential Density:* The maximum number of dwelling units permitted on the 18,685 square foot lot under the base zoning (87 units per acre), is 37 dwelling units. However, by utilizing the density bonus section of the Zoning Code (Section 17.43.040), the number of units permitted on the site without discretionary approval may be increased, provided a specified percentage of the units are designated as "affordable units".

The applicant proposes to designate 10-percent of the allowed 37 dwelling units (four units) as very low-income which would permit a density bonus of 20-percent (eight units). The applicant proposes a development with total of 45 dwelling units of which 41 will be market-rate units and four will be very low-income units. The proposed density of 45 dwelling units complies with the Density Bonus section of the Zoning Code.

*Floor Area:* The floor area ratio for this sub-area of the specific plan is 2.75. Based on the lot size of 18,685 square feet, the allowable floor area is 51,384 square feet. Consistent with California State Law, the Zoning Code permits a project that is utilizing Density Bonus to request a concession, or deviation, from an applicable development standard, provided the concession is necessary for the provision of the affordable units. Per Section 17.43.050 of the Zoning Code, this request is processed through the Affordable Housing Concession Permit process.

Based on the information provided, 56,522 square feet of gross floor area is proposed (not including the area devoted to parking). This development is 5,138 square feet over

Based on the information provided, 56,522 square feet of gross floor area is proposed (not including the area devoted to parking). This development is 5,138 square feet over the permitted Floor Area Ratio (FAR). The applicant will request a concession to increase in the FAR of 2.75 to a FAR of approximately 3.03.

Per PMC Section 17.43.030 D, two findings are required for approval of an Affordable Housing Concession Permit. First, it must be found that the concession is required in order for the designated units (i.e., four very low-income units) to be affordable. Second, it must also be shown that the project would not have a specific adverse impact on health or safety, or on the physical environment, nor an adverse impact on property listed on the California Register of Historic Places. Upon formal submittal the projected will be assessed for both findings.

For the first finding, the project's financial information will be forwarded to the City's financial consultant for analysis. For the second finding, staff review must verify that there will be no adverse impact on public health, public safety, or the physical environment, and would not have an adverse impact on a property that is listed in the California Register of Historical Resources.

*Height:* The maximum allowed height for the subject site is 75 feet. As proposed, the project height at 75 feet complies with the height requirement.

*Parking:* The applicant has indicated that 113 parking spaces will be provided for the project. Of the 113 parking spaces, 34 are for commercial uses and 79 are for the residential uses (including five guest parking stalls). The number of parking stalls provided complies with the parking standards.

*Loading:* The applicant has indicated that one loading space will be provided for the project. For the commercial portion of projects with over 3,000 square feet of gross floor area, the first loading space shall be a minimum of 12 feet by 30 feet, with 14 feet of vertical clearance. Based on the information provided on the plans, the loading space complies with these standards. Upon formal submittal the size and vertical clearance for the loading stall will be reviewed.

*Setbacks:* This area of the Central District Specific Plan requires that non-residential buildings be built to the property line. In this case the building is required to be built to the property lines at Green Street and Mentor Avenue. There is no minimum or maximum setback requirement along Shoppers Lane or the west property line.

As proposed the new building is being setback from Green Street and Mentor Avenue to create interior patios for the commercial tenants. This configuration does not comply with the Zoning Code requirements and will require a Variance.

*Trees:* Based on the information submitted, the trees on the site are not protected. There are several large street trees surrounding the site. Protection of the public trees is discussed in the Public Works section of this report.

*Environmental Review:* The project will require an Initial Environmental Study. The Initial Study will evaluate the potential impact of the project on this site, including traffic, aesthetics, utilities, land use, etc. The Initial Study may result in the requirement for the preparation of a Negative Declaration, Mitigated Negative Declaration or an Environmental Impact Report. Upon the completion of the project's CEQA compliance documentation, mitigation monitoring may also be required.

## **Design and Historic Preservation**

The two existing commercial buildings to be demolished are not historic resources. There are no adjacent or nearby historic resources.

Because the project consists of construction of a new structure of more than 5,000 square feet, design review is required, with the Design Commission being the reviewing authority. The applicable design guidelines for the project are the Citywide Design Principles and Criteria and the Central District Design Guidelines. Additional comments about specific design issues were also provided, as noted below:

This preliminary proposal appears to respond appropriately to the site by taking vehicular access from Shoppers Lane and successfully engaging the street edge, maintaining the existing relationship of buildings along the street. The latest plans submittal shows progress in responding to the design comments and compliance with Central District Design Guideline 1.3 ("Discourage... developments that result in left-over space."). Additional study of the ground floor layout is recommended.

Give thought to the layout, landscaping, amenities and outdoor space at the second level to ensure that they are attractive to human activity. Consider strategies to improve the comfort of the northern portion of the outdoor space near the elevator.

Consider alternative massing scenarios that include more variation, possible use of strong building forms, and visual relief.

This project appears to incorporate references to a number of different architectural styles. Improving the visual harmony of the design (and use of references) to achieve a much more internally consistent and coherent design concept is recommended. Design guidelines for Lake Avenue emphasize simplicity and clarity.

The pedestrian entrance facing Mentor Avenue should more formally, read as an entry to the building. Furthermore, it is recommended that the commercial uses units at the corners acknowledge the corner by, possibly, orienting the entrances to the corner, as done successfully at other locations in the vicinity.

Materials are reviewed at the Final Design review stage; however an early examination of the materiality of the proposed buildings is highly advisable. The Citywide Design Principles call for durable, high-quality materials "...to create places of enduring quality." The final specification for materials and finishes and the details of their application will also be important in developing a high caliber building design.

## **General Plan**

The property's General Plan Land Use designation is Specific Plan (Central District). The Central District Specific Plan is further broken down into sub-districts, with the project site being located within the CD-5 (Central District, sub-district 5- Lake Avenue). The purpose of the specific plan is to include a diverse mix of land uses designed to create the primary business, financial, retailing and government center of the City.

### Development and Density Caps

In 1994, the General Plan allocated 5,095 new housing units and 6.2 million square feet of new non-residential development to the Central District Specific Plan area. As of April 30, 2013, the Central District retained an allocation of 1,072 housing units and 4.6 million square feet of non-residential development potential. Recently, the City Council directed staff to review the environmental impact of a new cap of 5,000 residential units and 4 million non-residential square feet in the Central District as part of the General Plan Update. Currently 126 residential units and 3,135,854 square feet of commercial development remain (after cases already in the pipeline). The proposed project of 45 dwelling units and 12,800 square feet of commercial space can be accommodated within the allowable remaining units and square feet proposed by the General Plan.

The Land Use Diagram is being analyzed for the General Plan Update calls to reduce the Floor Area Ratio of the site from 2.75 to 2.25. This FAR reduction would decrease the allowable floor area of the site from 51,384 to 42,041 square feet, which in turn would reduce the size of the project. Final approval of this change is expected in the summer of 2014.

The applicant has told staff they plan to submit for a discretionary entitlement (e.g., Tentative Tract Map, Variance, or Design Review) prior to the approval of the General Plan Update. The first discretionary approval will vest the zoning rules for the project at that time.

### Policies and Objectives

The following Land Use Policies and Objectives of the General Plan are applicable to the project:

Objective 1 – Targeted Development: Direct higher density development away from Pasadena's residential neighborhoods and into targeted areas, creating an

exciting urban core with diverse economic, housing, cultural and entertainment opportunities.

Policy 1.3 - Transit-Oriented and Pedestrian-Oriented Development: Within targeted development areas, cluster development near light rail stations and along major transportation corridors thereby creating transit oriented development “nodes” and encouraging pedestrian access.

Objective 5 – Character and Scale of Pasadena: Preservation of Pasadena’s character and scale, including its traditional urban design form and historic character, shall be given highest priority in the consideration of future development.

Policy 5.5 – Architectural and Design Excellence: The City shall actively promote architectural and design excellence in buildings, open space and urban design and shall discourage poor quality development.

Objective 3 – Affordable Housing: Encourage the retention and creation of affordable housing throughout Pasadena by providing sufficient land and densities to develop new affordable housing.

Policy 2.3 - Density: Increase densities in certain areas, including Mixed Use and Urban Village areas, to encourage the production of affordable housing – ownership units affordable to moderate, low and very low income households, rental units affordable to low or very low income households, or senior housing.

Policy 15.2 - Increase Supply: Increase the total number of market rate and affordable housing units within the city.

Policy 15.3 - Equitable Distribution: Increase, where feasible, the equitable distribution of affordable housing throughout the City, including an inclusionary zoning ordinance.

## **Public Works Department**

The existing street trees (Ficus) along Green Street and Mentor Avenue overhang the site. In order to protect the existing street trees, Public Works staff is requesting an additional upper floor setback to protect the tree canopies. If a substantial amount of the trees are proposed to be trimmed or pruned this would be considered the same as a tree removal. As such, the applicant would need to go before the Urban Forestry Advisory Committee for review of any proposed public tree removal.

A Tree Protection Plan will be required to protect the trees during construction. The applicant has been informed by Public Works staff that this project cannot move forward without redesigning the project to comply with these conditions or going to the Urban



Forestry Advisory Committee to seek review and a recommendation regarding public tree removals.

Dedications of land for public right-of way purposes will be required. These include a five-foot dedication along Shoppers Lane to install a sidewalk, a 20-foot radius corner at Green Street & Mentor Avenue, and a 25-foot radius corner at Mentor Avenue and Shoppers Lane.

### **Transportation/Traffic**

The thresholds identified in the City's Traffic Impact Review Guidelines require that a full Traffic Study be conducted for the project. This analysis will be used to prepare the Traffic and Transportation section of the Initial Study and will also identify feasible mitigation measures for transportation related impacts.

The Department of Transportation is also requiring that the easterly driveway to Shoppers Lane be eliminated to reduce vehicular and pedestrian conflicts, and an additional dedication of land or easement to install 12-foot sidewalks along Green Street and Mentor Avenue.

### **NEXT STEPS:**

The applicant has been responsive to staff's previous comments and has reduced the height of the building and eliminated the Variance request to exceed floor area. Staff will continue to work with the applicant to address the design and massing issues, as well as, the Variance request for setbacks.

This project will require discretionary approvals involving public hearings before the Planning Commission or Zoning Hearing Officer and Design Commission. In addition, an EIR may be required if the project is found to have the potential to result in significant environmental impacts.

The following list identifies next steps in the review process:

- Preliminary Consultation with the Design Commission;
- Urban Forestry Advisory Committee for public street tree removal review and recommendation to the City Manager;
- Preparation of Initial Study; to determine the level of environmental review;
- Zoning Hearing Officer public hearing (entitlements); and
- Design Commission public hearings.

**FISCAL IMPACT:**


The project has the potential to generate revenue through the collection of Residential Impact fees as well as Transportation Improvement fees. The exact amount of these fees will be determined during the plan check process.

Respectfully submitted,



VINCENT P. BERTONI, AICP  
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Attachment: PPR Plans