

November 21, 2022

Pasadena City Council
100 North Garfield Avenue
Pasadena, CA 91101

RE: ITEM 14 - AFFINITY PROJECT (PLANNED DEVELOPMENT #39)

Dear Honorable Mayor Gordo and Pasadena City Council,

The applicant's request to utilize a Variance for Historic Resources for extra height on new buildings was discussed at the October 24 City Council meeting, but questions were not satisfactorily answered in our view. Even though the project would thankfully preserve two existing historic buildings, that variance does not apply. We will explain why by addressing each point made at the last meeting. Historic resources were not intended to be an outright benefit to developers by allowing them to add height and density elsewhere. City staff suggested what seems a dramatic reinterpretation of the municipal code that would accommodate the developer's request. We believe this is not only a misapplication of the code, but would set a bad precedent for Pasadena.

The municipal code section on Variances for Historic Resources (§ 17.61.080 H) explicitly states that in order to be approved, a variance must be **"necessary to facilitate the appropriate use of an existing designated historic structure."** Staff argued that allowing extra height on the project's new buildings is "necessary" for the developer to preserve the historic buildings, and therefore the Variance for Historic Resources applies. But while it may be more financially beneficial for the developer, it's certainly not necessary. The historic buildings could be kept intact and the new project could be built without exceeding height restrictions. Indeed, City Council rejected the proposed 93'6" height for the corner building and limited it to a maximum of 75' — therefore Council has already demonstrated that it has found the proposed project size and height were not "necessary" to preserve the historic buildings, but rather arbitrary.

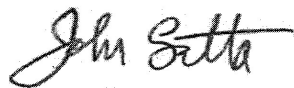
The above points alone make this variance inapplicable, and it should not be approved.

Furthermore, at the October 24 meeting, City staff explained that such height variances have been granted in conjunction with other sections of the city code, such as "City of Gardens" standards and "Tree Retention," suggesting those are relevant. They are not. As Councilmember Andy Wilson explained in response, height variances are specifically accommodated in those areas of the code, but they're not found under the Variances for Historic Resources (which is singled out in the code as a "unique type of Variance"). E.g., under Tree Retention (§ 17.44.090), "building height limits" are specified as one development standard that may be modified. The fact that height variances are specified there but not under the Variances for Historic Resources further indicates such a variance was not intended for the latter.

The code also states: "A Variance for Historic Resources is intended to accommodate historic resources that are undergoing development, change in use or are being relocated." Yet none of these

three things is happening to the historic buildings. They are currently commercial use and will remain commercial use, and the final EIR for this project clarifies that the existing historic resources will not undergo "any significant internal or external physical modifications," nor any "significant indirect impacts" either. That said, even if one of these three conditions did apply, it seems clear this variance is intended to grant concessions that apply to historic building properties themselves, in order to facilitate their preservation (e.g., allowing reduced parking for a historic building that is being converted from a residential to a non-residential use, or adjusting where a driveway may be appropriated). It is not intended to allow extra height on entirely separate new buildings nearby just to make a larger project more profitable for a developer.

If City Council feels the code should be revised, it can do so. But please don't dramatically reinterpret the letter and intent of the current code and set a precedent. Thank you.

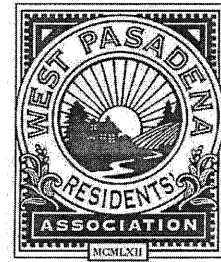
A handwritten signature in black ink, appearing to read "John Latta". The signature is fluid and cursive, with the first name "John" and last name "Latta" clearly distinguishable.

John Latta
President, MHNA

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2022 NOV 21 AM 8:31

CITY CLERK
CITY OF PASADENA



November 18, 2022

Honorable Mayor Victor Gordo
Members of the City Council
City of Pasadena
VIA EMAIL

Re: 491-577 Arroyo Parkway – “Affinity Project”

Honorable Mayor and Council Members:

The Board of West Pasadena Residents' Association (“WPRA”) supports development in the subject area south of Whole Foods and recognizes the need for senior and memory care housing. We further recognize the importance of hiring local workers to build any project. However, we strongly oppose the Affinity proposal in its current form but believe that with modifications the project could provide needed senior housing and local jobs without resulting in unacceptable impacts on the neighborhood both during and after construction.

We have provided our comments for improvements to the project to the Design Commission, Planning Commission, and City Council. Further we have met with the Developer on at least two occasions to discuss our suggested improvements to the project. Briefly, our unmet objectives include:

- assurance that the project adopts standards of the CDSP or the SFOSP. Presently it does not.
- provision of a specific Planned Development benefit to the City, depending on the final “use” the developer chooses.
- inclusion of affordable housing, depending on the final “use” the developer chooses,
- reduction of height and massing, particularly at the corner of California and Arroyo Parkway,
- evaluation of traffic impacts. The current evaluation is inadequate.
- expansion of the width of the sidewalks/ setbacks and,
- revision of the landscape plan to include “in ground” trees.

To date, the developer has failed to make any proposed changes to the project to address these concerns, which we have raised privately and in public meetings.

Of further concern are the short-term and long-term cumulative impacts of this project. The impacts will occur in the intertwined areas of the CDSP and the SFOSP - these have not been thoroughly evaluated.

WEST PASADENA RESIDENTS' ASSOCIATION
POST OFFICE BOX 50252 – PASADENA, CA 91115

Serving our neighborhood since 1962

11/21/2022

Item 14

The greatest short-term impact will be the construction of this project, along with the construction of two major Medical Office projects (758-766 So Fair Oaks and 590 So Fair Oaks, representing an additional of 200,000 SF). This will bring massive construction traffic to an already congested area.

Once built and operating, the buildings will generate permanent gridlock to both West and Central Pasadena.

Thank you for your consideration of our points of view.

Respectfully,

/s/ Evan J. Davis

Evan Davis, President
West Pasadena Residents' Association

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Linda Vista-Annandale Association
Pasadena, CA

2022 NOV 21 PM 12:09

CITY CLERK
CITY OF PASADENA

November 20, 2022

Re: Planned Development (PD) 39 – Affinity Project; City Council Meeting
11-21-2022; Agenda Item 14 .

Mayor Gordo and Councilmembers:

The Linda Vista-Annandale Association (LVAA) appreciates this additional opportunity to comment on the Affinity Planned Development (PD) 39.

Once again, our comments reflect several interrelated issues: first, whether the Project EIR is legally adequate and should be Certified, second, whether all of the recommendations of the Planning Commission should be accepted and adopted in addition to or in place of certain Staff Recommendations; third, whether the revised and new Staff recommendations should be accepted and approved; and fourth, whether any additional requirements should be imposed on the Project in connection with any approvals. Our comments on the proposed Certification of the EIR are made for the purposes of the Administrative Record in addition to being provided for your consideration.

EIR Certification: The Project Description is Inadequate. Public Policy Considerations.

The EIR Project Description includes two alternative development scenarios for Building A. This “choice” of different development scenarios is explained in the Draft EIR as providing flexibility to exchange uses in Building A to enable the Project to respond to economic needs and demands at the time of Project implementation. The EIR indicates that this flexibility: “would enable the Project to respond to the economic needs and demands of the City at the time of Project implementation” apparently determined by the Applicant alone See page 2-6 of the Draft EIR. This is a classic “slippery slope” approach to a “finite” Project Description, and clearly violates CEQA. Actually, why only two scenarios? Why not more? Why not let the Applicant put off deciding what IS the Project until it decides what is most favorable to it meanwhile obtaining EIR Certification? CEQA is not intended to enable this development practice and approach.

Applicable CEQA law requires an unambiguous, accurate, stable and “finite” Project Description. The EIR is legally Inadequate because it includes a Project Description

that is neither stable nor finite, and, in fact, is ambiguous, confusing, and misleading to the public.

The Project EIR cannot be Certified so long as the Project Description is legally inadequate because it is not accurate, stable, and finite.

Further, permitting the Applicant to delay identifying the exact use of Building A is bad public policy and sets a terrible precedent for future development in the City. The Council is being forced to confuse the public and engage in tortured analysis and process in order to try to entitle the best project for Pasadena.

The Applicant should be required to choose Building A use NOW, prior to entitlement approval and EIR Certification.

Planning Commission/Staff Recommendations. LVAA strongly supports all of the still relevant Planning Commission recommendations, particularly recommendation No. 1 limiting the height of Building A to a maximum of 75 feet under all use circumstances, that is, whether the Building is a medical research/office building OR a housing project. Further, and in this regard, LVAA strongly supports the Staff's new Conditions of Approval 132 and 135. We also support all other Staff suggested Conditions of Approval, including all new and revised Conditions.

Proposed Building A is a massive building at a key corner: California Blvd. and South Arroyo Parkway, proposed at over 90 feet, and possibly much more if housing is the selected use and the State Density Bonus Law is sought and applied. Such a result, no matter which use is selected, is out of scale, out of character, will be destructive to adjacent neighborhoods, loom over this area and change it in clear violation of all applicable City ordinances and policies, including adopted Planning documents. Therefore, every effort should be made through the entitlement process to limit the height of Building A to no more than 75 feet and to reduce the mass and related impacts of proposed Building A.

Project On-Site Canopy Shade Tree Canopy. City policies and procedure have evolved to meet current thinking: the changing climate and good Design policies require on-site real canopy shade trees **in the ground**, NOT in pots and planters. All of our new Specific Plans recognize this, as did the Huntington Hospital in connection with its recent medical project on South Fair Oaks. Staff and other developers KNOW how to put canopy shade trees in Tree Wells and otherwise in the ground.

Further, a large number of canopy shade trees in the open areas of this project will break up and reduce the visual and design impacts of truly massive and very tall Building B as viewed and perceived from South Arroyo Parkway – a significant public benefit.

This project should be required to follow suit and stop avoiding this requirement which is so important to the community. In fact, this community benefit should be required not only because it is the “right” thing to do, but because “giving” the developer all the benefits of a Planned Development should require community benefits such as this one: Canopy Shade Trees as a significant Landscape feature planted in the ground through Tree Wells and other methods, and not in pots and planters. The Council should impose an additional Condition or Conditions of Approval to require in-ground Canopy Shade Trees producing a significant Canopy in the open, landscaped areas of the project.

Thank you for your consideration of our comments and concerns.

Sincerely,

Linda Vista-Annandale Association

/s/ Nina Chomsky

Nina Chomsky, President

cc: LVAA Board of Directors