

Agenda Report

TO: CITY COUNCIL

Date: February 9, 1998

FROM: City Manager

SUBJECT: Adoption of the Amended Mitigated Negative Declaration and Approval of the Lease Agreement between Kidspace Museum and the City for the Fannie E. Morrison Facilities at Brookside Park.

RECOMMENDATION

It is recommended that the City Council:

1. Approve the Amended Initial Study finding that the addendum and revision to mitigation measure #13 are more effective in mitigating potential significant effects on the environment than the original text.
2. Adopt the Amended Mitigated Negative Declaration, Mitigation Monitoring Program and the finding for no impact on fish and wildlife;
3. Direct the City Clerk to file the Notice of Determination and Certificate of Fee Exemption from State Fish and Game fees with the Los Angeles County Registrar-Recorder/County Clerk;
4. Adopt the Resolution setting forth the City Council's findings regarding the August 25, 1997 public hearing; and
5. Approve the lease agreement between the City and Kidspace Museum for the use of Fannie E. Morrison Facilities in Brookside Park and authorize the City Manager to execute the appropriate documents.

BACKGROUND

On August 25, 1997, after a public hearing, the City Council:

1. Declared the property occupied by the Fannie E. Morrison Center surplus real property within the meaning of Chapter 4.02 of the Municipal Code;

2. Declared that the subject property is not needed for the purpose for which it was acquired or for any other public purposes, and is, therefore, surplus property;
3. Found that an extraordinary and overriding public benefit will be achieved by the lease, defined in Section 4.02.010 as a sale of said property to Kidspace, a participatory museum serving children;
4. Directed the City Attorney to draft a Resolution setting forth these special findings made by City Council after the public hearing; and,
5. Authorized the City Manager to negotiate an agreement for a 50 year lease of the Fannie E. Morrison Center with Kidspace Museum for the final approval by the City Council.

Staff has conducted an environmental review in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study found that the project impacts can be mitigated to a level that is not significant and a Mitigated Negative Declaration has been prepared along with a Mitigation Monitoring Program (see attached documents). There are 13 mitigation measures with which Kidspace Museum must comply. Kidspace Museum must sign the Mitigation Monitoring Program and pay the Mitigation Monitoring Fee Deposit prior to the issuance of building permits. The environmental review will be incorporated with the Arroyo Seco Master Park Plan as directed by the City Council on November 24, 1997. There are seven impact areas requiring mitigation measures. These are:

Land Use and Planning

Geologic Problems

Water

Transportation/Circulation

Biological Resources

Public Services

Cultural Resources

Some of the mitigation measures for these impact areas should be highlighted. One measure states that the City will initiate the formation of an informal committee to discuss and coordinate events in the entire Arroyo Seco, to ensure adequate parking and other similar issues. The participants on this committee would include Kidspace Museum, the Rose Bowl Operating Company, the Rose Bowl Aquatic Center, the Public Works and Transportation Department, the Police Department, and others responsible for managing the resources in the Arroyo and would meet at least quarterly.

Regarding historic resources (Mitigation Measure #13), the Initial Study states that compliance with the Secretary of Interior's Standards for Rehabilitation of Historic buildings is required. However, since the structure is not listed in the City's Architectural and Historical Inventory, pursuant to Chapter 17.92, the Design Commission may, but is not required to make a finding of consistency with the Secretary of Interior's standards. In view of the historic significance of the Fannie Morrison Center ("the Center"), described in the Background Information Section of the Project Description in the Initial Study, the Center qualifies for designation as a historic landmark. This is due to the Center's age, historical purpose, persons associated with the Center, and events held there. Pursuant to CEQA and Public Resources Code Section 21084.1, as an

“historical resource”, the City must evaluate the project to determine if it will cause a substantial adverse change in the significance of the resource.

At this time, the project is conceptual and no specific plans or architectural drawings have been submitted to the City indicating the types of changes proposed to adapt the Center into the Kidspace Museum. In the absence of substantial evidence that the project will not have a substantial adverse change in the significance of the resource, it is appropriate to require the project to comply with the Secretary of Interior’s Standards of Rehabilitation of Historic Buildings and that it be reviewed by the City’s Design Commission before construction may commence. The Secretary of Interior’s Standards will ensure that the exterior of new additions, exterior alteration, or the exterior of related new construction will not destroy historic materials that characterize the property. Further, those standards will ensure that the new work will be compatible with the massing, size, scale and exterior architectural features to protect the historic integrity of the property and its environment.

Modification of the Initial Study under the discussion regarding Historic Resources and modification of proposed mitigation measure number 13 will ensure compliance with CEQA and will assure that any potential impact is reduced to a level of insignificance. The discussion in the Initial Study under historic resources under paragraph (c) (historic resources) of Part 14 (Cultural Resources) should be amended as reflected on the Proposed Addendum attached to the Initial Study. Mitigation measure 13 should be amended to read: **“13. the applicant will be required to seek project design approval from the City of Pasadena’s Design Commission. The exterior of the renovated and newly constructed buildings will be required to be consistent with the Secretary of Interior’s Standards of Rehabilitation of Historic Building.”**

The Addendum to the Initial Study and the modification to Mitigation Measure # 13 are more effective in mitigating potential significant effects on the environment than the original text within the meaning of Public Resources Code Section 21080 (f). Accordingly, the City Council should approve the Addendum and Modification to Mitigation Measure 13.

The attached lease agreement is the result of ongoing discussions and negotiations between Kidspace Museum and the City. This lease will directly support City Council’s goals to “focus on Planning, Programming and Reinventing in our Parks and Parklands”.

Additionally, the Recreation and Parks Commission unanimously approved the renovation/construction of the Fannie E. Morrison Horticultural Center for use by Kidspace Museum (7/31/97) and the Planning Commission also approved of the long term lease with Kidspace Museum (8/13/97).

The lease agreement stipulates that funding required to cover the costs of construction of the exterior shell must be in place by the beginning of the second anniversary of the agreement. If funding is not secured either the City or Kidspace Museum may terminate the agreement.

The attached Resolution incorporates the special findings made by the City Council as a result of the public hearing on August 25, 1997.

FISCAL IMPACT

Although plans and designs have not been completed for the Kidspace Museum project, the following funding scenario is anticipated:


\$ 5-6 million	Kidspace Museum Capital Campaign Construction and ongoing maintenance
\$ 593,482	City of Pasadena (\$420,984 Certificates of Participation) (\$172,498 - Insurance) Construction/renovation of buildings
\$ 930,000	City of Pasadena (1996 Los Angeles County Park Bond) Construction/renovation of buildings
\$ 90,000	City of Pasadena (1992 Los Angeles County Park Bond) Construction/renovation of buildings
\$ 169,000	This proposed funding allocation is available from the original \$1,100,000 of 1992 unspecified per parcel discretionary Prop A Grant monies and will require approval from the Board of Supervisors. It is anticipated that the process for Board approval will take from 4-6 weeks to complete.

In addition to their building facility responsibilities as per the lease agreement, Kidspace will also be responsible for any costs associated with the ongoing maintenance of the leased area.

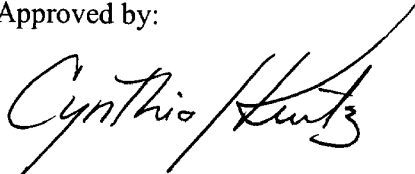
Respectfully submitted,


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City Manager

Prepared by:


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Approved by:



CYNTHIA J. KURTZ, Assistant City Manager/
Director of Public Works and Transportation

Reviewed by:



MICHELE B. BAGNERIS
City Attorney

xc: Attachments

- Lease Agreement
- Initial Study
- Mitigated Negative Declaration and Mitigation Monitoring Program
- Resolution