

April 13, 2022

Steven Olivas, Jason Lyon, David Coher, Julianna Delgado, Lambert Giessinger, Mic Hanson, Carol Hunt Hernandez, Andrea Rawlings, & Tim Wendler  
Members, Planning Commission, City of Pasadena

Mr. David Reyes  
Director, Planning & Community Development Department  
City of Pasadena

Dear Planning Commission Members & Mr. Reyes,

My name is Greg McLemore. I grew up locally, and my wife and I have been residents of Madison Heights for many years (along with our children their entire lives). Additionally, we are invested in property on south Raymond near the Fillmore station.

The draft is well thought out and well-presented, and clearly the successful product of many hours of hard work by many people. However, it places extensive new restrictions on properties. While some of these make sense, some of them seem proposed without fully realizing the impact caused.

It hasn't been economically feasible for much of the undeveloped and underdeveloped properties south of California to be redeveloped in many years, and if we aren't careful, we'll see more of the same lack of change. As pretty and as inspiring as the South Fair Oaks Specific plan is, economics still matter.

The headwinds to potential development include:

- significantly increased open space and design requirements
- proposed down-zoning for commercial projects on Raymond between California and Glenarm
- encroachment of sidewalks and new setbacks
- increased construction material, labor, and building code costs
- increased interest rates
- a proposed rent control ordinance in Pasadena which pegs rent increases at less than inflation increases (75% of CPI) and defines a "fair return" as one that keeps up with only 50% of inflation (CPI) changes.

### **OUR PRIMARY CONCERNS:**

#### **1. Nearly Proposed Subterranean Garage Setback on Raymond – Significant Issues for Metro Adjacent Properties:**

The April 13, 2022 SFOSP draft adds a damaging new requirement: "Subterranean parking shall be set back a minimum of 5 feet from Raymond Avenue..." (6.4.3.C, page 122). If this stands, it would significantly increase construction costs and impact development feasibility on the east side of Raymond (metro adjacent properties). At the northwest corner of Fillmore and Raymond (adjacent to the Fillmore station), the property is only 133' wide. On other parts of Raymond, it's only a few feet wider. An architectural firm has advised us that this new proposal would impact the construction of normal, efficient parking levels.

The width of property from east to west along the metro right-of-way is significantly compromised by the easement/right of way for the metro. Metro is currently seeking to have projects set back from the tracks and the overhead power line by just over 20' (up from a previous 10'). They are also concerned about the proximity of setting piles for building subterranean parking adjacent. Metro has reportedly made several threats for failing to comply with its demands, including the economically damaging threat of withholding tie-back agreements. This narrows the site and if the City seeks to set back the subterranean level along Raymond street to facilitate larger street trees we will all get to the point where the available land is hampered by being too narrow to provide two way traffic in a parking structure to support a program on the site.

A good parking layout uses 90-degree parking that is double loaded. Two 60' parking bays with a wall in between takes up 121'. The addition of shoring piles and structure takes approximately 3' on each side. This pushes the width needed to be between 127'-130' to safely provide efficient parking. If the parking is not efficient it is not only a cost of more excavation for additional levels but will also be much more cumbersome and time consuming to construct. This is additional impact to the environment during construction. And if the city pushes the garage back 5', increasing the excavation depth, it increases the need for tie-back agreements with Metro thus making it harder to avoid Metro's new demands.

Note: A possible but unattractive alternate is to provide cuts that allows more root space at an interval along Raymond. This may be a possible mitigation method however moving the retaining wall in and out as well as replacing lost parking would materially add to costs and reduce the efficiency of the parking to some extent.

Note: Currently S. Raymond has a sidewalk and amenity width of 10' from street to buildings. In previous drafts of the SFOSP, this was increased all the way up to 15'. In the current draft, it is increased to 17' (6' amenity, 6' sidewalk, 5' setback). While burdensome for landowners, the impact of losing this ground floor footage is not as great as losing the use of our own subterranean property.

**PROPOSAL: Restore subterranean language in 6.4.3.C to previous version by removing newly added Raymond Avenue reference, or alternatively removing just the east side of Raymond (as the western side tends to have wider lots and no metro issues). Alternatively, remove 5' setback and replace with 5' x 5' three-sided closed/one-sided open cut-outs adjacent to planned tree locations.**

## **2. Publicly Accessible Open Space – calculation methods onerous:**

Under the current SFOSP, open space requirements in much of the area are essentially non-existent (< 1% for most projects). Under the proposed SFOSP, in a 3.0 FAR area, a project built on say, 66,000 sf of land, could see more than 65,000 sf required open space (private, common, and public) and sidewalk/setback expansions for a residential project (on multiple levels) and over 27,300 sf on commercial projects.

Approximately 5% a lot size is becoming unbuildable due to sidewalk/setback expansions (more on certain locations, especially corner lots). Another 15% of land is made likely unbuildable due to Publicly Available Open Space Requirements (PAOSR). The 5% requirement for such space is being calculated on building gross floor area. an area with a 1.5 FAR would likely see 7.5% of its land reserved for PAOSR, while at a 3.0 FAR location, 15% of land area would likely become unbuildable.

In combination with other requirements of the SFOSP, as written this become onerous in high FAR areas, removing design flexibility, and overly promoting skinnier and taller, comparatively inefficient buildings.

Please note:

- As written, PSOSR area is in addition to other open space requirements and in addition to sidewalk and setback expansions.
- As written, there are significant incentives for developments not to tie lots together and instead make several smaller projects to avoid the PSOSR requirements altogether (by keeping each under the trigger size).
- Requirements are much more onerous for properties within 500' of a metro station than elsewhere in SFOSP, particularly for projects in the 60k-120k size.
- Requirements are more onerous than those passed by Council in the East Pasadena Specific Plan (EPSP). There are no areas cited in the EPSP that have higher requirements than other areas. In the EPSP area, PSOSR requirements start at projects of 80k sf or greater in size. In the SFOSP, such requirements start at 60k sf. While requirements are otherwise similar between the two plans, due to generally lower heights and FARs, East Colorado isn't as impacted by the FAR multipliers seen in the denser SFOSP areas.
- In the East Colorado plan, there are carve-outs for preferred development. Specifically:

Exception (6.3.1.B.1, page 117):

“For projects east of Holliston Avenue, Research & Development (Office and Non-Office) uses may reduce Publicly Accessible Open Space area requirements by a maximum of 50 percent, subject to review and approval of Design Commission. See Table 4.2-1, Note 4”

Table 4.2-1, Note 4, page 77:

“Projects utilizing an Open Space reduction shall be restricted to Research and Development uses for a minimum period of 5 years after Certificate of Occupancy. Any change of use prior to 5 years shall be subject to standard Open Space Requirements.

**Proposals:**

- **Please remove higher, more onerous, standard for lots within 500' of a metro station and keep a single standard across the plan area.**
- **Utilize the same project size levels as Council approved for the East Colorado Specific Plan (starting for 80k sf and larger developments instead of 60k).**
- **Allow for the footage used in the widening of the sidewalk and addition of front setbacks to be counted towards the PSOSR requirements.**
- **Consider capping the PSOSR requirements to the first 2.0 of FAR. So a 210k sf project on 70k sf of land would likely only lose 7,000 sf of open space instead of 10,500 sf. [Note that other open space requirements would still be calculated on the full project size.]**
- **As seen in the East Colorado plan, consider a 50% reduction for city preferred uses. I'd propose a 50% reduction for any development in the plan area that within three years of**

**plan adoption becomes entitled and aims to replace current property utilized at a current FAR of 1.0 or less. This would encourage timely development of much of south Fair Oaks and south Raymond below California, helping to bring life and energy to the area.**

- **If the above doesn't work, it is worth mentioning that Huntington Medical Research Institutes (HRMI) in recent years moved their headquarters in the plan area and plans to expand on adjacent land. I'm sure that mimicking East Colorado's "Research & Development" incentive here would help them bring their dreams to the community.**
- **Consider making Publicly Accessible Open Space potentially overlapping with Common Open Space Requirements, to the extent practical, as deemed appropriate by the Design Commission. While appropriate, in practice not too much may typically overlap.**

### **3. Maintain building envelope standards on Raymond between California and Glenarm.**

The existing in-effect South Fair Oaks Specific Plan, combined with the existing zoning map, specifically aimed to encourage development on South Raymond, from California to Glenarm (excluding Art Center which is handled separately) with building envelope building standards.

As Planning Department representatives can further explain, such commercial use has been significantly downzoned on Raymond south of California under the new SFOSP. The new plan draft also imposes significant new burdens on developers.

Even under the existing plan, without this downzoning and new burdens, commercial development hasn't been easy (as seen by the acres of undeveloped and underdeveloped parcels). With the new added challenges, an extra floor or area (which they have now) would be necessary to overcome these burdens, or a maintenance of existing building standards to the extent possible.

Without building envelope standards, we will likely get some residential development (likely often the top bidders for land) but miss the goal of creating a vibrant mix of uses with senior housing (a commercial project if any of it provides a level of care), medical research, and health services.

**Proposal: Aim to give research & development and senior housing a chance to be part of a mixed 'Health Community' south of California on Raymond by letting commercial uses (not new residential) use the existing standards and let the 'building envelope' dictate development.**

### **SFOSP DRAFT CLARITY SUGGESTIONS:**

#### **4. Tree Requirement Clarification – Not All Open Space is at Street Level.**

6.3.3.D requires a "A minimum of one 24-inc box tree per project or for every 500 square feet of outdoor Common Open Space, whichever is greater, shall be planted within the Common Open Space..."

6.3.4.J requires "A minimum of one 24-inch box tree per project or for every 750 square feet of Publicly Accessible Open Space, whichever is greater, shall be planted. For projects with 2 or more trees, a minimum 50 percent of trees planted shall be shade trees."

On the staff report dated today, additional requirements are specified: "The proposed plan would include a requirement that would indicate that trees planted in pots, or other similar containers, would not count towards meeting the requirement for the minimum number of trees needed for a project."

It would be clearer and appropriate if these large tree requirements were clearly based on 'outdoor ground level Common Open Space' in 6.3.3.D and 'outdoor ground level Publicly Accessible Open Space' in 6.3.4.J. It doesn't seem applicable roof-top decks, as the requirement as written and with that staff report modification could force an unnatural tree density in other areas of open space. And 6.3.4.F only requires the first 3,000 square feet of Publicly Accessible Open Space to be at the sidewalk elevation, nor does 6.3.4 require all Publicly Accessible Open Space to be outdoors.

## **5. Publicly Accessible Open Space – Plaza Locations – Leave Flexibility for Design Commission**

The exact shape and sitting of required plaza spaces should be left to the discretion of the Design Commission [and/or Planning Director].

I suggest that 6.3.4.M (page 116) be modified to read "Projects that are required to provide Publicly Accessible Open Space per 6.3.1.B and are selected for plaza development on Map 6.3-1, are required to meet the minimum area requirement, in whole or in part, by providing a plaza per Map 6.3-1." [underline = my suggested edit].

Currently, on page 117, it reads, "Exact sitting of paseos is subject to the discretion of the Planning Director..." This appears (apparently unintentionally) to omit plaza locations to future review. I'd propose changing this to "Exact sitting of paseos and plazas are ~~is~~ subject to the discretion of the [Design Commission or Planning Director?]"

It could be deemed in the future that it be better to have a plaza space on Raymond be more of a rectangular or triangular shape (flowing along the existing promenade) rather than a square.

A key problem is that as written, the more lots that get tied together for a project and the larger the project becomes, the larger required Publicly Accessible Open Space, and as written, it all needs to be located on that corner. A 3.0 FAR project that includes all most of the open lots currently seen on the east side of Raymond between Fillmore and Pico would require an open space plaza in size 100' north-to-south and over 100' in width (80% of the width of the property!). This would result in a plaza sized magnitudes larger than the sample shown on page 117.

In addition to or instead of the above, a cap on the required plaza size could be listed (max 3,000 sf?).

### **Thank You**

Thank you to the Planning Commission, Planning Department, and everyone else that participated in making this update come to fruition. We are excited to see the progress with the Specific Plan, and with its long-needed updated guidance and support for the area.

I hope the deficiencies listed herein will be given proper review.

Thank you for your attention,



Greg McLemore