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May 23, 2022

Srinivas Rao, Chair
and Members of the Pasadena Design Commission
via email c/o mtakeda@cityofpasadena.net

Subject: Agenda and Process for May 24, 2022; Comments Regarding
Concept Review of 86 S. Fair Oaks Ave- Central Park Apartments

Dear Chair Rao and Commissioners:

On behalf of the Castle Green Homeowners Association, we request that your Concept Review of the Central Park Apartments project presented by Goldrich Kest (Project presentation or proposed Project) seek to create the best possible project for the City of Pasadena as we have always advocated for. This is not what is in front of you today. This Commission has full power and authority to require changes to the proposed Project to make it compatible with its surroundings and the cultural fabric of the City of Pasadena, including the National Register designated Hotel Green Apartments and Castle Green.

We would like to ask for clarification about the procedures for your Concept review, and to ask that it encompass all of the concerns that the affected community, especially Castle Green Homeowners Association, and various Commissioners raise.

We wrote to you on February 22, 2022, prior to your previous meeting to object to use of a Sustainable Communities Environmental Assessment (SCEA) as a basis for consideration of proposed Project. Now that you and the City Council have chosen to rely on the SCEA rather than an environmental impact report (EIR), we write to suggest ways in which your consideration of the Proposed Project can still be meaningful and achieve an acceptable project that respects the historical context of its surroundings first and foremost and creates an *enhancement* of the area rather than dominating the historic block.

The use of the SCEA creates a minimal floor of information and analysis available for your deliberations, but should not be viewed as a ceiling on the type of information or analysis that the Commission may require as part of its thorough consideration of the proposed Project on this most historic of sites. One of Pasadena's most unique buildings, the Castle Green was built in 1898 as the west annex for the famous Hotel Green. The Castle Green is an imposing six story Moorish Colonial and Spanish style building sitting

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next to Central Park in Old Pasadena at Raymond and Green Street. The synergy of the Castle Green, the Hotel Green, and Central Park that has been an integral part of Pasadena for over 100 years would be significantly overpowered by the Project as currently proposed.

Our February letter noted the Commission had reviewed an EIR for a prior, smaller version of the proposed Project and had numerous unanswered questions. Those questions are still applicable, and even more relevant in connection with the larger proposed Project. We suggest the Commission require satisfactory answers to these questions, no matter what type of environmental review staff suggests for reviewing the Project.

A. We Request Clarification of the Procedures That Will be Used, and Inclusion of the Castle Green Homeowners Association as a Uniquely Affected Stakeholder.

We commend the Design Commission on its careful consideration of all matters within its jurisdiction. In the past, the Castle Green Homeowners Association has been able to share insights and unique technical knowledge with the Commission as Design Review processes addressed concerns about various project proposals in the past. The Castle Green HOA is uniquely affected by the proposed project because Castle Green shares the same historic block designation and a historic district with the project site. Changes that may occur on the project site *may affect that designation*, creating impacts to the Castle Green HOA and 1903 Green Hotel Apartments that are unique and not suffered by other members of the public.

With that unique position in mind, we respectfully ask that the Castle Green HOA and its representatives be given sufficient time (at least 20 minutes if possible) to present our concerns at your hearing.

In the past few years since the most recent project application was submitted, the Castle Green HOA's representatives have spoken during general public comments at public hearings but those opportunities have been limited to a total of approximately 6 minutes (consisting of 3 minutes at the Commission's prior consideration of recommendations about the SCEA and 3 minutes at the City Council's consideration of the usage of a SCEA). Previously, the Castle Green HOA had been given additional time, but not in this year's meetings. This proposal is far too important to the fabric and history of the City of Pasadena to constrain valuable input from the directly impacted Castle Green HOA in this overly limited way.

It may be necessary to continue this matter in order to accord full consideration of comments to everyone who would like to speak, to properly deliberate about the issues,

and to obtain all the answers and information that are necessary prior to approving some version of the proposed project, we ask that you ensure the necessary time is taken.

Furthermore, we would like to ask that you clarify whether the Concept Review being conducted on Tuesday, May 24, 2022 will be followed by preliminary design review, as has been typical of projects proposed in the past. We must therefore respectfully insist on the necessity of an intermediate or preliminary design review.

B. The Design Commission Reviewed the SCEA for the Present Project and Had Numerous Questions that Staff Anticipated Would be Addressed in Later Processes.

When this Commission reviewed the SCEA for the proposed Project to make a recommendation to the City Council on how to proceed, Commissioners had numerous questions. At the Commission's most recent review of the proposed SCEA on February 22, 2022, the Commission asked a wide range of questions. The Commission was informed by staff that they would be able to consider all of these issues. The following provides pertinent highlights of the Design Commission discussion:

- Planner Kevin Johnson stated "the SCEA also requires that the project incorporate all feasible mitigation measures, performance standards or criteria from prior applicable EIR's". (Transcript, p. 6, lines 10-12.) It is, of course, for the Commission to decide if all feasible mitigation measures, including those suggested as alternatives, are incorporated. *The Commission is not locked into the SCEA's conclusions if further deliberation and information show additional mitigation measures, including alternatives, are necessary.*
- On page 24, there is a brief conversation where Commissioner Carpenter asks a representative of the applicant the difference in review process, particularly related to traffic between a SCEA and the EIR. Mr. Johnson says there is no difference. This is correct: *the Commission may use whatever information is most helpful to them, including the prior EIR if that is the document that provides the best information for your review.*
- On page 30, lines 10-15, environmental staff representative Bellas makes the point that all prior EIR's mitigation measures need to be implemented.
- Commissioner Timothy Sales questioned what the Commission will really be able to do in the future. (Transcript, pages 12-13). He states "So what do you envision the process for us to engage in understanding technical matters related to the documents presented? And is that [] something we would get into now or is it something we'll get into after something else happens?" Mr Johnson then suggests moving to public comment and determining who would be best to answer his questions (Transcript, page 14, lines 16-23).

- In an exchange between Mr. Johnson and a Commissioner, Mr. Johnson says that the process will include only concept design, not preliminary design. (lines 27-28 on page 7 and lines 1-12 on page 8.) However, it is up to the Commission how it would like to proceed with review of the Proposed Project within its plenary authority under the City Code. If the Commission directs preliminary design review must take place next, then that is what must take place.
- On page 8, lines 21-28, Mr. Johnson confirms "*the design commission is the review authority for the project*"
- In commenting to the Commission about its ability to condition the Project if a SCEA is used, Mr. Johnson said "conditions of approval are recommended, which would be tied to the Design Review decision... to manage trips and protect the neighborhood." (page 7, lines 4-5.) Therefore, this confirms that the Commission may address trips and impose conditions to protect the neighborhood.
- On page 11, lines 18-21, Mr. Johnson says there are some conditions of approval regarding traffic that are recommended by the DOT that will "be coming to the commission during design review", but that document should be made available to the Commission and the public well before action is required.
- On page 15, lines 1-13, Commissioner Chiao asks about alternatives in the design review process, Mr. Johnson states "*you could recommend further studies of massing alternatives... or other methods to reduce the scale of the project.*"
- On page 15 lines 27-28 through page 16 lines 1-4, Mr. Johnson tells Commissioner Rao during design review *views of the historic buildings can be addressed*. Also, views from the block's historic building and other buildings can and should be considered as well.
- On page 28, Mr. Johnson implies that the Commissioner could ask for shading studies as it relates to massing and views and other things. To the detriment of meaningful Project consideration, the SCEA does not study or acknowledge any aesthetic environmental impacts.
- On page 31 lines 22-23, Commissioner Sales says the SCEA does not permit additional analysis *he thinks needs to be completed* related to transportation issues. Then he goes on to say that it would be reasonable for the design review commission to recommend further conditions of approval informed by community feedback and "preserving our rights in this dialogue...to return to these issues later in design because as we've already seen, it was October 2017 when the preliminary consultation was done...and it doesn't serve the city to have these things dragged out so long and *have a lack of institutional knowledge*". (P. 32, line 10.) Castle Green is effectively your institutional memory.
- Finally on page 35, Commissioner Sales makes the point that the *Commission will have the opportunity "to come back through with regards to conditions of approval" and "make sure we get the project we deserve "*.

C. The Commission Reviewed the EIR for a Prior, Smaller Version of the Project Presentation and Found Environmental Review Insufficient.

As to the SCEA, this Commission reviewed the project presentation originally called the “Green Hotel Apartments” during the Draft Environmental Impact Report process that culminated in a June 2015 Final EIR (State Clearinghouse Number 2013031067), though it was not certified as accurate or complete. At that time the Commission expressed many concerns that required — and continue to warrant — additional environmental analysis and resolution.

As was summarized in the Final EIR (which was not certified as accurate or complete) in SCEA Appendix I (3-126-130, 3-158), this Commission’s comments that still await adequate analysis include:

Commissioner Barar: If you put this new building in its historic context, is the impact on the historic resource considered negligible? The building puts another shade on how view of the historic resources is taken. *I suggest that all facades of Green Hotel be considered primary views.* [In 2015, the Design Commission directed the Project applicant to consider all facades as primary].

Commissioner Byram: *The new building will obscure and block views from Central Park. Need to study alternatives with varied footprint.*

Commissioner Hansen: The visual simulations in the EIR show substantial changes in appearance. *How did the EIR analysis conclude that there were no significant visual impacts? How closely do we need to study the compatibility of building appearances, relative to historic resources? The original (1903) development plan for the project site should be evaluated as a project alternative.*

Commissioner Maitless: *Was off-site parking considered for the project?*

Commissioner Miller: Why was the segment of Fair Oaks Avenue between Dayton and Del Mar not studied? *There is potential for real transportation impacts, especially the way the proposed project is designed. There may be potential for queuing.* My suggestion is to have Dayton Street be a westbound one-way street.

Commissioner Moreno: *The whole block is historic. Is there a requirement of building material for this certain building development? Is there an impact on historic resources relative to building materials? How does Draft EIR address issues on external materials or construction building type?*

Commissioner Rawlings: *I would like to see a review of the scenic views (i.e., of the park) and evaluation of more alternatives. The spatial compatibility of size and mass, in general, suggests having more alternatives. Are there measures that could reduce the traffic impacts on Dayton Street, even if they don't completely eliminate the significant impact? Relative to the infeasibility of the alternatives, was a "pro forma" done on all the alternatives?*

D. The Project as Presented Would Have Unacceptable Impacts.

The applicant, Architectural Resources Group Inc. (ARG), proposes a 93,355 square foot mixed use development on a 32,362-square foot project site. An inappropriate or incompatible project could have the effect of detracting not just on views to and from the National Register-designated Hotel Green Apartments and Castle Green, but would change the low-rise scale of the entire historic district, contrary to established development patterns. Any consideration of a project in this area must be undertaken with utmost sensitivity to the broad context of this historic property and historic district. Consideration should also encompass impacts on local traffic patterns that significantly affect not just the ambience of the historic district, but also the very nature and functions of the district, the adjacent roads and intersections and the fire station directly across the street from the proposed Project. Consideration of cumulative impacts, aesthetics, air quality, and land use impacts, known areas of controversy, and alternatives would be lost by *only relying upon* the diminished SCEA review process.

1. Preservation and Aesthetic Impacts could be Significant.

Preservation impacts often rely on an EIR's Aesthetic component reviews, something not even studied in this SCEA base Project review. The project is proposed on a historically designated site. As has been pointed out to the City in correspondence from Kelly Sutherlin MacLeod, AIA, and Francesca Smith, an architectural historian, the boundaries of the historic Castle Green and Green Hotel are defined in the original National Register registration form. Those boundaries include the entire square block bounded by Raymond Avenue on the east, Green Street on the north, Fair Oaks Avenue on the west and Dayton Street on the south. The project as proposed could have the effect of eliminating long-established views to and from the National Register designated Hotel Green Apartments and Castle Green and could change the low-rise ambience and aesthetics of the historic district that surrounds it. Any consideration of the project as proposed in this area must be undertaken with the utmost sensitivity to the context of the area and this historic property. While there is evidence attesting to the view that historic resource impacts would not be significant, the significance of impacts is a matter for the Commission to decide, not staff or consultants for the Project proponent.

2. Alternatives to the Proposed Project Highlight Ways in Which to Avoid the Proposed Project's Impacts.

Alternate onsite designs that reduce the Project's impacts must be considered, including reduced-density alternatives. One such alternative could be the original third wing extension from Colonel Green's never built "1903 Concept." Sadly, the SCEA unjustly refers to this project as based on this concept, calling it "The 1903 Vision." Yet the proposed project is in complete contradiction to Colonel Green's intent and illustrations of a singular U-shaped hotel focuses on a landscaped courtyard. It also contradicts Goldrich & Kest's own admitted attempt to illustrate the 1903 Concept in 2011 as Schematic C.

The SCEA asserts "The City has complied with PRC Section 21151.2 [sic] by reviewing all of the suggested mitigation measures in Connect SoCal (2020 – 2045 Regional Transportation Plan/Sustainable Communities Strategy) and the City of Pasadena General Plan EIR for imposition on the project." *This is incorrect. The SCEA has not incorporated mitigation measures from the Draft EIR prepared for the Castle Green Apartments proposal.* Alternatives are a form of mitigation measure: "The chief goal of CEQA is mitigation or avoidance of environmental harm. To argue that only mitigation measures need be discussed overlooks the fact that alternatives are a type of mitigation." (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 403.)

The Green Hotel Apartments uncertified Final EIR dated June 2015 included a reduced density alternative called the "Smaller Scale Alternative" that would have reduced historic resource impacts. (FEIR, p. 3-25; p. 1-5 [addressing Reduced Height Alternative.]) This alternative may be analyzed and considered by the Commission, or the Commission can give direction to staff for presentation at a future hearing.

3. All of the Project's Potentially Significant Environmental Effects must be Comprehensively Addressed.

As the approval authority for the proposed project, the Commission must address the full range of impacts that the Project as proposed will have, and critically evaluate the presentation of information, and lack of information, in staff reports and the SCEA. In addition to the aesthetic and historic impacts, it will be critical to address impacts in the areas of biological resources, air quality and human health, traffic and access, and land use plans.

We and others have submitted comments on prior proposed versions of the current project, which had been undergoing environmental review that included preparation of a

draft and final EIR, as well as the SCEA for this proposed Project.

a. Air Quality and Human Health Could Be Adversely Affected.

The SCEA states that 45,500 cubic yards of grading soil export and use of construction equipment is planned. (SCEA, p. 4.0-28.) The extent and nature of the construction activities will likely lead to extensive air quality impacts. With nearby sensitive receptors such as the Hotel Green Apartments, Castle Green, and the Children's Park Playground in Central Park, avoiding or mitigating air pollution impacts to the fullest possible extent will be critical. Changes in project design can avoid or reduce these impacts by, for example, reducing the amount of soil export needed or levels of parking.

b. Land Use and Planning Impacts must be Addressed.

The Central District Specific Plan should guide development in this area. The SCEA dismisses the possibility of project conflicts with this plan in a one page conclusory discussion. (SCEA, p. 4.0-104.) The conclusion is not based upon sufficient examination of the Plan's requirements.

The Central District Specific Plan requires that infill construction should be consistent with existing buildings in the District (page 99); view corridors should be protected (page 132); and well-defined open space should be created (page 147). Other requirements apply as well. These and the Central District Specific Plan's other requirements should be fully explained and applied to the project before the City considers consistency of the project with this fundamental plan.

SCEA Appendix A - Incorporation of Applicable Mitigation Measures, Performance Standards and Criteria from Prior Applicable EIRs - lists the Connect SoCal 2020-2045 transportation strategy and the City of Pasadena General Plan EIR in the introductory paragraph. It does not list the previous 2014-15 project EIR as contributing to mitigation measures. Thus, the mitigations proposed in Appendix A do not rely on the previous uncertified EIR.

The 68 SCEA mitigation measures largely depend on the Connect SoCal 2020-2045 strategy (including 45 measures or 66% of all included measures), far less than on the Pasadena General Plan/Central District/Old Pasadena Plan (23 measures, or 34% of all measures). This highlights this unwarranted "transit project" designation instead of a true preservation focus.

Central District Specific Plan objectives envision Design Review in steps and

make the Design Commission the lead decision-making body.

c. Traffic and Safety Access Issues must be clearly addressed.

The Project as proposed will severely impact Dayton Street, a small street that already strains under its traffic burden. (2015 Green Hotel Apartments Project uncertified Final EIR, p. 1-13 [stating “the increased traffic introduced along Dayton Street between Fair Oaks Avenue and Raymond Avenue would constitute a significant impact” for which there is “No feasible mitigation” so it is a “Significant and unavoidable” impact for a smaller 64 unit project].)

The Commission may assess traffic impacts to this and other local roads around the Project site and require design changes that would alleviate these impacts. Fire Department safety and access, bike and pedestrian safety, unsignalized intersection impacts, and access to and functions of Central Park should also be addressed.

Other traffic and safety issues were identified in our February letter, and we suggest the Commission address design changes that can alleviate these impacts as well. This project has a responsibility to not further erode access and circulation.

d. The Current Proposed Project Continues a Prior Proposal but the SCEA Provides Insufficient Information.

The history of proposals at the project site is relevant to the Commission’s current consideration of the Project presentation. We explained this history in our February letter and recommend that discussion to the Commission again. Since the EIR for a smaller 64-unit project proposal was neither certified as accurate nor determined to be complete, it is likely its shortcomings and impacts and the level of concerns and contradictions are expanded with today’s 87-unit version of the proposed Project.

Conclusion.

The Commission is the approval authority for the proposed project. The project as proposed can have profound impacts on the future of the City and its historic and cultural fabric. The Project must be appropriately mitigated before it should be approved. We look forward to the Commission’s consideration of how best to address the impact of the proposed Project, even if the SCEA short changes some of the information and analysis available to the Commission. Despite these limitations of the SCEA, we believe it is still possible to require modifications to the Project to make it compatible with the area and an acceptable addition to the proud architectural heritage of Pasadena.

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Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink, reading "Douglas P. Carstens". The signature is written in a cursive style with a long horizontal flourish at the end.

Douglas P. Carstens