



CITY OF BEVERLY HILLS STAFF REPORT

Meeting Date: June 24, 2008
To: Honorable Mayor & City Council
From: Anne Browning McIntosh, AICP, Interim Community Development Director
Subject: REVIEW OF THE WALLIS ANNENBERG CENTER FOR THE PERFORMING ARTS AND CITY PUBLIC PARKING FACILITY LOCATED AT 455 NORTH CRESCENT DRIVE
Attachments: None

INTRODUCTION

The purpose of this report is to update the City Council on the Wallis Annenberg Center for the Performing Arts project (Annenberg Project) and the City's concurrent effort on a proposed subterranean public parking facility (City Garage) on Crescent Drive. Staff requests that the City Council confirm the general direction detailed in this report with regards to the overall project objectives, updating the lease negotiation and the review/approval process.

DISCUSSION

Background

The Wallis Annenberg Center is currently occupying the former Main Post Office building under a lease agreement with the City that was initiated in 2000; the lease term has been revised over the intervening years. However, the anticipated use of the property as a performance arts center has evolved over time and its planned use and development is no longer consistent with the existing lease. Therefore, staff is drafting revisions to the lease agreement with the Wallis Annenberg Center and will present its recommendations to the City Council in October 2008 along with the project Environmental Impact Report (EIR). The general parameters of the lease agreement are presented in this report.

Concurrent with the Annenberg Project, the City is proposing to construct a new two-, or three-level subterranean public parking garage. One-hundred parking spaces for the Annenberg Project will be provided within this garage, as detailed in this report, with related construction costs paid for by the Wallis Annenberg Center.

The subject properties are located on un-zoned, City-owned land. Accordingly, there are no property development standards or discretionary planning entitlements required. The lease agreement between the City and the Wallis Annenberg Center will detail permitted land uses, operational and programming restrictions, parking management strategies, financial obligations and other legal aspects. The City Council will also be responsible for certifying the project's EIR, which will include analysis of both the Annenberg Project and the City Garage. State law requires an EIR be certified when the first discretionary action is taken approving a project. Since approval of the lease is the first discretionary action, EIR certification by the City Council is required. The project's draft EIR was released on June 13, 2008; the public comment period ends July 31, 2008.

The Planning Commission will have a state-mandated role requiring General Plan consistency. Additionally, staff believes it is appropriate for the City's Planning Commission to review certain aspects of the project and provide comments that help inform the City Council's decision-making process. The recommended Planning Commission role in this project is detailed later in this report.

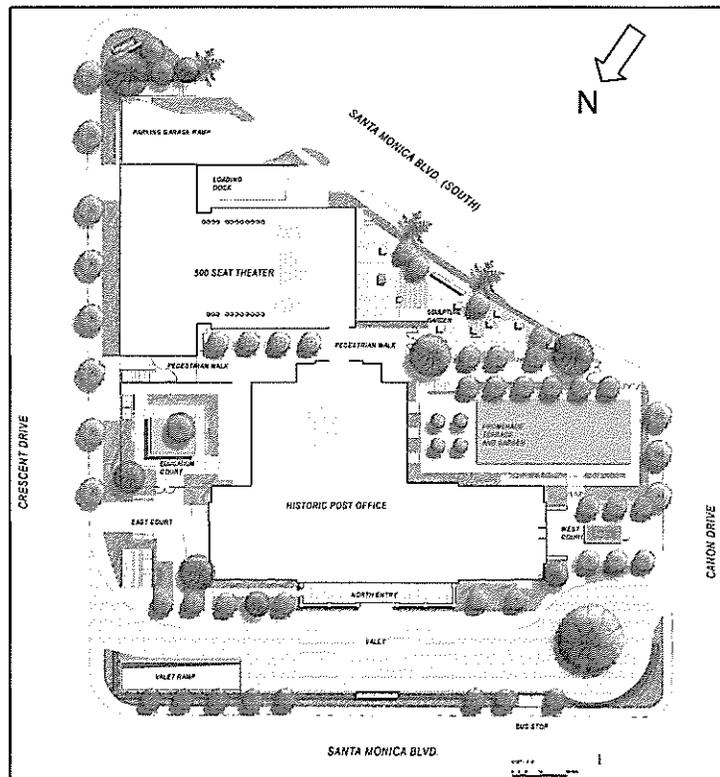
DISCUSSION

The Project

WALLIS ANNENBERG CENTER. The Wallis Annenberg Center involves three features: 1) the rehabilitation and re-use of the former Beverly Hills Post Office, 2) the development of a new 500-seat theater, and 3) development of garden spaces. The former post office would contain:

- A multi-purpose studio space that can accommodate up to 150 people;
- Classrooms for up to 60 students & staff;
- Rehabilitated lobby area;
- Donors lounge;
- Incidental food concession with outdoor seating (approximately 750 sq. ft.);
- Administrative offices and theater support facilities.

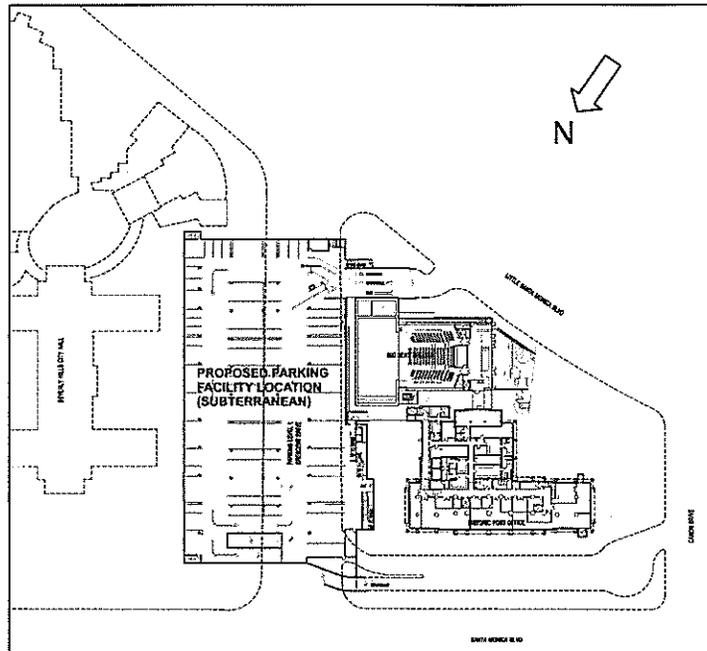
The proposed 500-seat, 28,000 square-foot theater would be developed on the southeastern portion of the post office site. It would have a height of 43'-9" (measured from the highest point of grade on the site). Garden spaces would be developed along Little Santa Monica Boulevard, Canon Drive, and Crescent Drive, as well as along the north facade.



CITY GARAGE. Concurrent with the Annenberg Project, the City's proposes the construction of a two-level, 270-300 space subterranean public parking facility between the former Beverly Hills Post Office and City Hall. The Wallis Annenberg Center would fund the construction of 100 parking spaces. The City would fund construction of 170-200 public parking spaces in the subterranean garage. A three-level option is also under consideration which could provide an additional 130± spaces. The facility would be jointly developed by both the City and the Wallis Annenberg Center. The lease would include provisions addressing the parking facility's use.

The Lease Agreement

The Wallis Annenberg Center is currently leasing the former Main Post Office facility to do its fundraising and for general office use for the Director's staff. The City and the Wallis Annenberg Center entered into the lease in March 2000, before architectural drawings were prepared for the performing arts center and at an early stage in the fundraising process. Since then the design of the center has evolved into the current proposal, as described above. Accordingly, a lease must be negotiated and approved by both parties.



Among other considerations, the lease will likely establish operational and/or program controls related to how the former post office and new theater building is used; the number of private and public events; the use of outside promoters; hours of operation; provisions for on-site dining and alcohol consumption; advertising; signage; and, a parking management strategy. Working with the Wallis Annenberg Center, staff will make recommendations to the City Council on these and other issues.

Construction of the City Garage, the number of levels, parking spaces, ingress and egress, shared use with the Annenberg Project and all other construction and operational details associated with the public parking structure are dependent on fiscal considerations and ongoing citywide parking management strategies. To the extent these parameters affect the Annenberg Project, those details will also be considered and approved by the City Council through the lease agreement or other appropriate mechanism. Parking management strategies and how those spaces are used will continue to be monitored and implemented based on City Council policy and consistent with any mitigation programs identified in the project EIR. The City Garage will be managed by the Public Works and Transportation Department.

Planning Commission Review

The subject properties on which the Annenberg Project and City Garage are proposed are unzoned, city-owned parcels. Therefore, there are no development standards (other than those established by the General Plan) or discretionary entitlements that would be subject to Planning Commission review, unlike development projects on zoned property. Furthermore, the City

Council would be called upon to certify the project EIR because it is the agency taking the first discretionary action on the project.

State law does, however, require the Planning Commission make a finding that each part of the project is consistent with the General Plan. Staff anticipates that this determination will be made in August. In addition to this state-mandated role for the Planning Commission, the planned approach is for the Commission to also be involved in reviewing the project EIR and certain planning-related aspects of the project.

The Planning Commission frequently reviews development projects for compatibility with the surrounding neighborhoods and the general vicinity. With respect to the Annenberg Project, this review would include consideration of modifications proposed to the former Post Office building and construction of the new performing arts theater; including, building height, mass and scale. Additionally, the Commission could consider building placement, project compatibility with other improvements on the property or in the general area. Exterior courtyard designs, public spaces and ensuring a safe and quality pedestrian environment are other key considerations.

Regarding the City Garage, the Planning Commission would provide comment on vehicle and pedestrian ingress and egress. And, this review would largely center on the findings in the project EIR, which identifies potential environmental impacts and opportunities to mitigate those impacts. Because construction of a new public parking facility and its operation are subject to fiscal considerations and Council parking policies, and because the Annenberg Project will include use of off-site parking to meet its parking demand, the Commission's role would not include consideration of the number of parking levels and parking spaces in the public garage.

The project EIR, while certified by the City Council, would also be subject to the Planning Commission's review. It is anticipated that the Commission will provide comments on the EIR at its regular June 26, 2008 meeting. Likely areas of consideration include impacts to visual and historic resources and traffic.

Architectural Commission Review

The Architectural Commission conducted a courtesy review on June 11, 2008 with five of seven commissioners present; each commissioner expressing support for the project. The Commission in particular recognized the physical constraints associated with the parcel's shape and existing improvements. The Commission remarked favorably to the architectural compatibility between the former Post Office building and new performance arts theater. It was articulated that the proposed building layout provided good quality garden spaces, respected vistas and preserved views of the historic Post Office building. The Commission noted the appropriateness of using the former Post Office building as the main entrance and supported the exterior 'folded-envelop' design concept of the new performance arts theater. This design treatment in particular was believed to break up the building mass and create a smaller sense of scale. The Commission noted and the applicant agreed that special attention to the treatment and installation of pre-aged copper would be required to ensure it maintained a constant color.

While it is not anticipated that the Architectural Commission would provide further review of the building design, lighting details and landscaping plan, staff recommends that the Commission review the Annenberg Project's sign program prior to installation.

Next Steps

Following the City Council meeting, the Planning Commission will conduct a public hearing to receive and provide comment on the project EIR; this meeting is scheduled for June 26, 2008. In

September, the Planning Commission will conduct at least one additional meeting to review the final EIR, including response to comments, make a determination of General Plan conformity and articulate comments for the City Council's hearing. The City Council hearing will take place in October and will include review and certification of the Final EIR and approval of a revised lease agreement between the City and the Wallis Annenberg Center.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the City Council, 1) direct staff to continue working with the Wallis Annenberg Center to prepare a lease agreement that reflects the revised project description detailed in this report for the City Council's review and, 2) direct the Planning Commission to take public comment on the project and review and provide recommendations to the City Council regarding the project and the Project EIR in a manner that is consistent with this report, and 3) direct staff to report back to the City Council regarding the Planning Commission's recommendations.


Anne Browning McIntosh, AICP
Approved By