

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE “AMBASSADOR WEST” PROJECT, AND ADOPTING ENVIRONMENTAL FINDINGS, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Ambassador West project (the “Project”) proposes to develop a senior life/care component of approximately 248 units and a residential component of approximately 70 new condominiums; renovate existing apartments to provide 46 units, and retain a former mansion for residential uses, including providing about 25 affordable units on site; rehabilitate two other structures to provide 25,734 square feet of institutional support uses and 7,834 square feet of professional office space; and preserve significant historic landscape elements. The Project requires a Conditional Use Permit, a Tree Removal Permit, Adjustment Permits, and other subsequent discretionary approvals, from the City and other regional and state agencies; and

WHEREAS, the City of Pasadena is the lead agency for the Project pursuant to the California Environmental Quality Act (“CEQA,” Cal. Pub. Res. Code §21000 *et seq.*), the State CEQA Guidelines (the “Guidelines,” 14 Cal. Code Regs. §15000 *et seq.*), and the City’s local environmental policy guidelines; and

WHEREAS, pursuant to Section 15063 of the Guidelines, the City prepared an Initial Environmental Study (the “Initial Study”) for the Project. The Initial Study concluded that there was substantial evidence that the Project might have a significant environmental impact on several specifically identified resources and governmental services, including: (1) Aesthetics; (2) Air Quality; (3) Biological Resources; (4) Historical Resources; (5) Hazards and

Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use; (8) Noise; (9) Public Services; (10) Traffic and Transportation; and (11) Utilities (Sewers); and

WHEREAS, the Initial Study concluded that the Project would not have a significant impact on the following resources, and therefore they are not addressed in the EIR: agricultural resources, mineral resources, recreation, population and housing, and geology/soils; and

WHEREAS, pursuant to Guidelines Sections 15064 and 15081, and based upon the information contained in the Initial Study, the City ordered the preparation of an environmental impact report for the Project (“EIR”). On October 26, 2005, the City prepared and sent a Notice of Preparation of the Draft EIR and a copy of the Initial Study to responsible, trustee, and other interested agencies and persons in accordance with Guidelines Sections 15082(a) and 15375; and

WHEREAS, pursuant to Guidelines Section 15082, the City solicited comments from potential responsible and trustee agencies for a 40-day period, from October 26, 2005 through November 25, 2005, requesting details about the scope and content of the environmental information related to the responsible agency’s area of statutory responsibility that should be studied in the EIR, as well as the significant environmental issues, reasonable alternatives and mitigation measures that the responsible agency would have analyzed in the Draft EIR, and the City received nine comment letters in response to the NOP. In addition, an EIR scoping meeting was held by the City of Pasadena on November 9, 2005; and

WHEREAS, pursuant to Public Resources Code section 21092, the City provided a public Notice of Completion and Availability (“NOA”) of the Draft EIR on August 30, 2006, through mailing to all residents and property owners within 1,000 feet of the Project. The NOA

also gave notice of the Planning Commission meeting on October 11, 2006. Copies of the Draft EIR were also placed at the City's Planning and Development Department at 175 North Garfield Avenue, as well as at the Pasadena Central Library, Allendale Branch Library, San Rafael Branch Library, La Pintoresca Branch Library, and on the City's website; and

WHEREAS, the Draft EIR was circulated, together with technical appendices, to the public and other interested persons for a 60-day public comment period, from August 30, 2006 through October 30, 2006. During the comment period, the City held five duly noticed public meetings at which the public was given the opportunity to provide comments on the Draft EIR, as follows: Transportation Advisory Commission on September 7 and October 6, 2006; Historic Preservation Commission on September 18, 2006; Design Commission on September 25, 2006; and Planning Commission on October 11, 2006; and

WHEREAS, during the public comment period the City received written and oral comments on the Draft EIR, and consulted with all responsible and trustee agencies, other regulatory agencies and others pursuant to Guidelines Section 15086. The City prepared written responses to all written comments received on the Draft EIR and made revisions to the Draft EIR, as appropriate, in response to those comments. The City distributed written responses to comments on the Draft EIR on January 4, 2007, in accordance with the provisions of Public Resources Code Section 21092.5 and Guidelines Section 15088. The written responses to comments were also made available for a 53 day period of public review before the commencement of the public meeting regarding the certification of the Draft EIR. After reviewing the responses to comments and the revisions to the Draft EIR, the City concludes that the information and issues raised by the comments and the responses thereto did not constitute new information requiring recirculation of the Draft EIR; and

WHEREAS, the Final Environmental Impact Report (the “Final EIR” or “EIR”) is comprised of: the Draft EIR, dated August, 2006 and numbered State Clearinghouse No. 2005101125; the Comments and Responses to Comments on the Draft EIR set forth in Chapter 8 of the Final EIR dated December, 2006; a separate volume comprised of Technical Appendices; and

WHEREAS, the Planning Commission held a duly noticed public hearing on the Final EIR and the Project on January 10, 2007, and at that meeting recommended to the City Council that the EIR should be certified, and the Project approved, subject to conditions of approval; and

WHEREAS, the City Council held a duly noticed public hearing on the Final EIR and the Project on February 26, 2007; and

WHEREAS, the findings made in this resolution are based upon the information and evidence set forth in the Final EIR and upon other substantial evidence that has been presented at all public meetings regarding the Project and in the record of the proceedings. The documents, staff reports, technical studies, appendices, plans, specifications, and other materials that constitute the record of proceedings on which this resolution is based are on file and available for public examination during normal business hours in the Planning Department and with the Director of Planning, who serves as the custodian of these records; and

WHEREAS, the City Council finds that agencies and interested members of the public have been afforded ample notice and opportunity to comment on the Final EIR and that the comment process has fulfilled all requirements of State and local law; and

WHEREAS, the City Council has independently reviewed and considered the contents of the Final EIR prior to deciding whether to approve the Project; and

WHEREAS, the City Council finds that the comments regarding the Draft EIR and the responses to those comments have been received by the City; that the City Council received public testimony regarding the adequacy of the Final EIR; and that the City Council, as the decision-making body for the lead agency, has reviewed and considered all such documents and testimony prior to acting on the Project; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PASADENA RESOLVES AS FOLLOWS:

I. RESOLUTION REGARDING CERTIFICATION OF THE EIR

Pursuant to State CEQA Guidelines Section 15090, the City Council certifies that: (1) the City Council has reviewed and considered the Final EIR in evaluating the proposed Project, (2) the Final EIR is an accurate and objective statement that fully complies with CEQA, the State CEQA Guidelines, the City’s local environmental guidelines, and (3) the Final EIR reflects the independent judgment of the City Council. The City Council certifies the Final EIR based on the findings and conclusions herein and as set forth below.

The City Council finds that the additional information provided in the staff report, in the responses to comments received after circulation of the Draft EIR, and in the evidence presented in written and oral testimony presented at public meetings, does not constitute new information requiring recirculation of the Final EIR under CEQA. None of the information presented to the City Council after circulation of the Draft EIR has deprived the public of a meaningful opportunity to comment upon a substantial environmental impact of the Project or a feasible mitigation measure or alternative that the City has declined to implement

**II. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS NOT ANALYZED
IN THE EIR**

The City Council hereby finds that the following potential environmental impacts of the Project were found to be less than significant in the Initial Study, did not require the imposition of mitigation measures, and therefore did not require study in the EIR: agricultural resources, mineral resources, recreation, population and housing, and geology/soils (*see* Initial Study).

**III. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS MITIGATED TO
BELOW A LEVEL OF SIGNIFICANCE**

The City Council finds that mitigation measures have been identified in the Final EIR which will reduce the following potentially significant environmental impacts to below a level of significance.

a. BIOLOGICAL RESOURCES (TREES)

i. Potential Significant Impacts

Based on the proposed site plan, as well as the applicant's Urban Forestry Plan and Tree Removal Applications, 73.2% of the protected trees would remain in place, but the proposed building footprints and subgrade parking areas would require the removal and/or on-site relocation of 23.2% percent of the protected trees. The remaining 3.6% of the protected trees are in very poor condition or dead. (EIR, p. 3.3-6.) The Project would result in the removal of 92,248 square-feet of existing canopy cover provided by both Ordinance-protected and non-protected trees. The trees designated for relocation would provide 28,499 square feet of canopy replacement, leaving a net reduction of 63,749 square feet of canopy cover. (Ibid.)

ii. Proposed Mitigation

Mitigation Measure 3.3-1: The project landscape design plan shall provide for tree canopy coverage in onsite areas that are suitable for new tree planting. All tree planting locations shall

be maximized, but not over-planted; the design shall allow enough growing space for the mature tree so that tree health and vigor is not compromised. Implementation of the landscape plan shall be completed prior to the occupancy of each phase of the project. The project applicant shall submit and receive approval of the final landscape design plan prior to issuance of grading permits for the project.

Mitigation Measure 3.3-2: At least 70% of the new trees planted shall be Ordinance-protected species, those significant to the City's urban forest. The landscape design plan shall incorporate a range of species to ensure that overall species diversity is maintained.

Mitigation Measure 3.3-3: Large-canopied species shall be used wherever appropriate in the design; small stature trees shall be avoided where adequate space for larger species is available.

Mitigation Measure 3.3-4: The area of total removed canopy shall be replaced at a ratio of 1:1 through a combination of relocated trees, new trees planted on site, and offsite tree planting. Canopy replacement onsite shall be the first priority, with offsite replacement only used for canopy that cannot be accommodated in the project's landscape. Any canopy that cannot be reasonably replaced on site (with square footage allowances shown below) shall be replaced through one of the methods outlined below for tree planting and maintenance on City property, including street trees and parks.

On Site Canopy Replacement Allowances: Trees relocated = actual square footage as shown in October 2006 tree inventory.

New trees planted on site: Canopy credit for on-site planting shall be calculated based on the initial container size, allowing for five years of growth per nursery industry standards for average canopy spread. The following allowances shall be used:

Initial Container Size / Canopy Credit

- 24" box = 79 sq. ft. canopy
- 36" box = 113 sq. ft. canopy
- 48" box = 154 sq. ft. canopy
- 60" box = 201 sq. ft. canopy

Fee Method for Offsite Tree Replacement Mitigation:

Offsite canopy replacement shall be calculated based on the 24" box size (79 square feet of canopy per tree), using the City's current General Fee Schedule for street tree replacement. The fee shall be deposited with the City for the City Tree Fund prior to issuance of grading or building permits, and the City shall use the funds for new tree plantings within three years.

Contractor Method for Offsite Tree Replacement Mitigation:

If agreeable to the Director of Public Works, the applicant may replace the lost canopy offsite on City property with the applicant's own contractor. All of the City requirements for performing work on City property shall apply. The City shall be compensated for administrative oversight, inspections, tree watering (if not by contractor), and tree

maintenance (if not by contractor). Canopy credit shall be the same as for on-site replacement. Trees that do not survive during the first five years following planting shall be replaced by the applicant with trees having an initial canopy size that would have been expected had the original tree thrived.

Mitigation Measure 3.3-5: A Tree Protection Plan shall be prepared by a Certified Arborist in accordance with the Tree Protection Guidelines per section 8.52.032 of the ordinance. This plan shall include an updated tree inventory and shall detail the protective measures to be used during demolition and construction. Specific detail shall be provided for the following:

a) Root protection zones, as defined in the City of Pasadena Tree Protection Guidelines, shall be shown for all trees within or adjacent to a construction area. Root pruning prior to excavation activities shall be required.

b) Enhanced protective measures shall be incorporated for certain trees that are determined by City staff to have unique aesthetic qualities closely related to the landscape elements within a particular garden.

In accordance with the Tree Protection Guidelines, where structural footings are required and major roots (over 3-inches in diameter) will be impacted, the engineer of record shall submit acceptable footing design alternatives and or location alternatives to staff for plan review. In situations where more than 50-percent of the root zone is impacted or roots greater than 3-inches in diameter are to be removed within four feet of the trunk, the engineer of record shall submit acceptable design alternatives to staff for review. The plan shall be reviewed and approved by the Department of Planning and Development prior to issuance of any grading or building permits.

Mitigation Measure 3.3-6: Trees that are relocated shall be inspected and monitored by a Certified Arborist beginning when the trees are initially dug and boxed, and extending for a period of five (5) years from the date of replanting. Trees that do not survive, or have impaired health and vigor such that they are not reasonably expected to survive, shall be replaced according to the canopy replacement schedule shown in Mitigation Measure 3.3-4.

Mitigation Measure 3.3-7: Prior to any earthmoving activities during the breeding and nesting season (typically March 1 through September 1 or as early as February 1 for raptors), the applicant shall have a field survey conducted by a qualified biologist to determine if active nests of breeding birds are present within the area of potential influence of the activity. If nesting birds protected under the Migratory Bird Treaty Act are found within the area of potential influence, an appropriate buffer as determined by the biologist will be recommended based on field observations and the biology of the species, and the nest shall not be disturbed until the young have fledged. This survey shall be conducted within three (3) days before the commencement of grading in each phase of work.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final EIR.

iv. Supporting Explanation

Trees: The Project site is located within a fully developed, urban area of Pasadena and consists of manicured lawns and a mix of both native and non-native shrubs and trees. There are approximately 634 trees on the site, and the landscape is mature, with a variety of tree species. (EIR, p. 3.3-1.) The City’s Tree Protection Ordinance (TPO”) at Municipal Code § 8.52 imposes a permit requirement, supported by specific findings, to remove or injure any “protected” tree, and further requires protective measures during construction to avoid unintended injury or impacts to trees onsite. There are 10 native trees, 188 specimen trees, and 0 landmark trees, on the site. (Id. at p. 3.3-5.)

Replacing all canopy through on-site tree plantings would result in over-populating the site with trees, compromising the integrity of the landscape and gardens, encroaching onto the Great Lawn area, and likely endangering the health of both existing and new trees. (EIR, p. 3.3-6.) The applicant put in a considerable effort in creating a site design for the Project that would retain the maximum amount of trees in order to preserve the unique characteristics and qualities of the site. (Id. at p. 3.3-13.) As a result, the Project is consistent with nearly every objective of the Tree Protection Ordinance. Its inconsistencies arise from the fact that the Tree Protection Ordinance considers a tree as removed even though it is actually being preserved and relocated. (Id. at pp. 3.3-13 to 16.)

With the proposed Project, there are limited opportunities to plant new trees on site and still maintain the design integrity and aesthetic quality of the historic gardens and grounds and

the Great Lawn area. Implementation of Mitigation Measures 3.3-1 through 3.3-7 will reduce the impacts to tree resources to a level of less than significant through maximizing canopy coverage onsite, using Ordinance-protected species in the new landscape, and replacing all impacted canopy coverage either onsite or elsewhere within the City. The Project is also generally consistent with the TPO objectives, and with possible City Council concurrence with the public benefits offered for Finding No. 1, and mitigated tree impacts, the Project would not conflict with the City's tree preservation policy or ordinance. (EIR, p. 3.3-19.)

All avian species observed during the site survey are protected under the Migratory Bird Treaty Act which, among other activities, governs the killing and taking of a migratory bird. Impacts that could result in the kill or take of these species are prohibited unless permitted by the Department of the Interior. The loss of trees onsite is not considered a significant impact to birds due to the abundance of similar trees onsite and nearby elsewhere. (EIR, p. 3.3-16.) Moreover, with implementation of Mitigation Measure 3.3-8, the potential impacts to birds protected under the Migratory Bird Treaty Act would be less than significant. (*Id.* at p. 3.3-19.)

Cumulative Impacts

With implementation of mitigation measures, the impacts of the Project are less than significant. The benefits of mitigation extend to other areas of the City with off-site canopy replacement for canopy that cannot be accommodated in the Project's landscape, and thus the Project's impacts are not cumulatively considerable. Development of related projects that would require removal of protected trees would be subject to the City's Tree Protection Ordinance and would not compound the site specific impacts of the Project in such a manner as to elevate the Project impacts to a cumulatively considerable level. Additional impacts that could occur from

related projects would occur irrespective of the proposed Project. As such, the cumulative impacts of the Project are not considered significant. (EIR, p. 3-3.19.)

b. HISTORIC RESOURCES

i. Potential Significant Impacts

O.S.A. Sprague House (Mayfair): The O.S.A. Sprague House will be retained and proposed for use as Fine Arts classrooms for Maranatha High School. No changes are proposed to the exterior of the building. (EIR, p. 3.4-47.)

Stillman Jamieson House (Terrace Villa): The Jamieson House would be retained and converted from its present dormitory use into a single-family home, a use it previously served from 1924-1950. (EIR, p. 3.4-48.)

J.A. Rankin Guest Apartment/Garage (Memorial Hall): To avoid demolition, the J.A. Rankin Garage would be relocated to another site in close proximity to the Rankin House. (EIR, pp. 3.4-31 and 32.)

EDAW Garden, Tempietto Folly, and Water Feature: The following two landscape features that are part of larger historical resources would be removed and replaced with new construction:

- The EDAW-designed tempietto folly with rock garden and water feature would be removed and relocated to the courtyard between the Villa Francesca and Grove Manor apartment buildings.
- The Rose Garden within the West Del Mar Grouping would be removed and a new Rose Garden would be constructed to the east side of Manor Del Mar. (EIR, p. 3.4-33 and 34.)

ii. Proposed Mitigation

Mitigation Measure 3.4-1: *O.S.A. Sprague House (Mayfair)* All exterior modifications necessary to convert the Sprague House into Fine Arts classrooms for Maranatha High School, a use it previously served from 1961-1966, shall be undertaken according to the Secretary's Standards. Prior to issuance of any building permits, a Certificate of Appropriateness must be approved by the Design and Historic Preservation Section of the Planning & Development Department or the Historic Preservation Commission (depending on the extent of the proposed changes). A third-party architectural/historic preservation expert retained by the applicant and approved by the Planning Staff shall review all exterior building and design plans and provide a determination that the Standards have been met, prior to proceeding with construction.

Mitigation Measure 3.4-2: *Stillman Jamieson House (Terrace Villa)* All exterior modifications necessary to convert the Jamieson House from its present dormitory use into a single-family home, a use it previously served from 1924-1950, shall be undertaken according to the Secretary's Standards. Prior to issuance of any building permits, a Certificate of Appropriateness must be approved by the Design and Historic Preservation Section of the Planning & Development Department or the Historic Preservation Commission (depending on the extent of the proposed changes). A third-party architectural/historic preservation expert retained by the applicant and approved by the Planning Staff shall review all exterior building and design plans and provide a determination that the Standards have been met, prior to proceeding with construction.

Mitigation Measure 3.4-7: *J.A. Rankin House and Garage (Memorial Hall)* Historical resources may be moved and still be eligible for the California Register, therefore, there would be no substantial adverse change on its significance, if the garage is moved to a suitable location without being damaged. Because it would be moved to a place that is still near to and related to the Rankin House, it would be an appropriate location. It is a fairly small building element, and appears that it could be moved this short distance without being damaged. A third-party architectural/historic preservation expert retained by the applicant and approved by the Planning Staff shall review all site location and reconstruction plans and provide a determination that the proposed site and reconstruction plans are appropriate and meet the Secretary of the Interior's Standards for Rehabilitation, prior to proceeding with the move.

Mitigation Measure 3.4-8: *EDAW Garden, Tempietto Folly and Water Feature, West of No. 34* The EDAW garden to the west, with a tempietto folly, boulders, and water feature, shall be disassembled, moved to an appropriate location on the Ambassador West site, and reassembled accurately. The proposed courtyard site between Villa Francesca and Grove Manor is an appropriate location. Large trees associated with the feature would be moved, if an arborist determines they can be safely moved. If not, trees of the same or similar species should be planted. Historical resources may be moved and still be eligible for the California Register, therefore, there would be no substantial adverse change on its significance, if the landscape feature is moved to a suitable location without being damaged. It is a fairly small landscape element, and appears that it could be moved and reassembled without being damaged. A third-party architectural/historic preservation expert retained by the applicant and approved by the Planning Staff shall review all site location and reconstruction plans and provide a determination

that the proposed site and reconstruction plans are appropriate and meet the Secretary of the Interior's Standards for Rehabilitation, prior to proceeding with the move.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final EIR.

iv. Supporting Explanation

Among the historical resources that were studied, the EIR concluded that eight resources would be impacted by new construction at the Project, but the Project would not materially impair the significant physical characteristics of the resource, and/or alterations were to be made in accordance with the Secretary of the Interior's Standards. Of these eight resources, only two required the imposition of mitigation measures to reduce the impact to below a level of significance.

O.S.A. Sprague House (Mayfair): New construction of the Grove Unit multifamily residential buildings will not impact the Mayfair house, and no mitigation is required. The easternmost of three Grove Unit multifamily residential buildings would be constructed to the south of the Mayfair House. The two westernmost buildings would not be near it. (EIR, p. 3.4-37.) Because the adaptive use work on the Mayfair House shall be undertaken according to the Secretary's Standards and design review mitigation measures have been proposed to ensure the work meets the Secretary's Standards prior to construction, with the implementation of Mitigation Measure 3.4-1, no significant effect would occur after mitigation. (Id. at pp. 3.4-37 and 38.)

Stillman Jamieson House (Terrace Villa): The building does not currently have a kitchen, which would have to be reintroduced for single-family use. Because work shall be undertaken according to the Secretary's Standards, no significant effect would occur from its adaptive reuse. Design review mitigation measures have been proposed to ensure the work meets the Secretary's Standards prior to construction. (EIR, p. 3.4-38.) Thus, with implementation of Mitigation Measure 3.4-2, the impacts on Terrace Villa are mitigated to below a level of significance.

Villa Francesca: At Villa Francesca, proposed interior work would restore the two buildings back to their original eight-unit apartment configuration through interior alterations, which are not subject to review by the City of Pasadena. Because no exterior alterations are proposed, no mitigation measures are required. (EIR, p. 3.4-38.)

Garden C, Mayfair Villa Campus Mall: The easternmost of three Grove Unit multifamily residential buildings would be constructed on the Mayfair Villa Campus Mall. The two westernmost buildings would be set well back from the crest of the hill and would not be visible from Terrace Drive. The building on the east side of the parcel would be high enough above the ridge line to be compatible with the original site plan of Millionaire's Row atop the ridge, and would not have a significant effect on the Mayfair Villa Campus Mall. No mitigation measures are required. (EIR, p. 3.4-39.)

Orange Grove Manor Apartments: The interiors of Orange Grove Manor would be modified to add more units, and would be used for affordable housing. Because no exterior alterations would occur, no mitigation is required. (EIR, p. 3.4-39.)

Hulett C. Merritt East Gardens: The Hulett C. Merritt East Gardens would be preserved. No new construction is proposed on this parcel or parcels adjacent to this property. Because

there is no important view corridor to the East Gardens from Green Street or from other points north, the Project will not have a significant visual effect. No mitigation measures are required. (EIR, p. 3.4-39.)

Italian Gardens: The sunken Italian Gardens would be preserved. The proposed demolition of the Fine Arts Building and Science Hall would have a beneficial effect on this resource, as it would re-open views across the Italian Gardens to the Hulett C. Merritt Mansion. While the new Italian Garden multi-family residential units would be constructed adjacent to the north side of the Italian Gardens, the impact of this new construction on views of the Gardens is not considered an important view corridor to the Italian Gardens. No mitigation measures are required. (EIR, pp. 3.4-39 and 40.)

Garden E, Grove Plaza Stream and Walkway: The proposed new construction replacing the library on the east side of the parcel containing Garden E would not directly affect the Garden's stream. Because the Grove Plaza Stream and Walkway would be retained and maintained after the proposed construction, there would not be a significant effect, and no mitigation is required. (EIR, p. 3.4-40.)

The EIR also concluded that there was a potentially significant effect on six historic resources. With the imposition of mitigation measures, the impacts on two of those six resources could be mitigated to below a level of significance, as discussed immediately below. (The other four resources are discussed in Section IV.)

J.A. Rankin House and Garage (Memorial Hall): The J.A. Rankin House will be retained in its existing use as offices. Any work on it shall be undertaken in accordance with the Secretary's Standards. The Rankin Guest Apartment/Garage is located to the rear (east) of the Rankin House and is a contributing feature of the property. It is viewed from Orange Grove

Blvd. through the Rankin House porte cochere and from Grove Walk. The Rankin Guest Apartment/Garage is proposed to be relocated to accommodate the construction of the Grove Units. The move of the Rankin Guest Apartment/Garage would prevent its demolition and would maintain its general association with the Rankin House. While the move is considered to be a significant effect, design review mitigation measures have been proposed to ensure work done for the move meets the Secretary's Standards pursuant to Mitigation Measure 3.4-7. Thus, with implementation of this mitigation measure, the impact is mitigated to below a level of significance. (EIR, p. 3.4-48.)

EDAW Garden, Tempietto Folly, and Water Feature: A significant EDAW garden to the west of the Stillman Jamieson House, with a tempietto folly, boulders, and water feature, would have to be relocated to the courtyard between the Villa Francesca and Grove Manor apartment buildings due to construction of the Italian Garden multi-family residential units, as set forth in Mitigation Measure 3.4-8. The Garden is not historically related to the Jamieson House, so its removal would not have a significant effect on the Jamieson House. The final arrangement of the rock garden and waterway would be compatible with the natural setting and feeling that characterizes its current site, as required by Mitigation Measure 3.4-8. (EIR, p. 3.4-48.) Therefore, with the imposition of mitigation, there is no significant effect on this resource.

Cumulative Impacts

The significant impacts that would remain after mitigation for the Project are isolated to several historical resources on the Ambassador West campus. With the exception of the J.A. Rankin Guest Apartment/Garage and the EDAW Garden, Tempietto Folly, and Water Feature, both of which are ancillary structures, all of these historical resources would remain in place. There are no known cumulative projects that would occur within the West Del Mar Grouping

that could be further cumulatively impacted or compounded by the effects of the Project. There would be no significant loss to the pool of historical resources in the City of Pasadena, and no significant cumulative impacts when these effects are considered in addition to other proposed projects. (EIR, p. 3.4-53.)

c. HAZARDS AND HAZARDOUS MATERIALS

i. Potential Significant Impacts

The site contains (or contained) a number of sources of hazardous materials associated with former uses of the property, including older buildings containing asbestos and lead based paint which will be demolished, and historical uses including a service station. (EIR, p. 3.5-7.)

ii. Proposed Mitigation

Mitigation Measure 3.5-1: All demolition and renovation activities shall comply with SCAQMD Rule 1403 (Asbestos Emissions from Renovation/Demolition Activities) for all demolition/renovation work.

Mitigation Measure 3.5-2: Loose or flaking paints shall be removed under controlled conditions prior to demolition activities, unless there is data showing that the particular paint contains less than 0.06% lead dry weight.

Mitigation Measure 3.5-3: Dust control measures for site paints having a lead content of greater than 0.06% shall be treated in compliance with the Cal/OSHA Lead standard found in Title 8, California Code of Regulations, Construction Safety Orders, Section 1532.1 for all onsite work.

Mitigation Measure 3.5-4: Soil sampling and environmental investigation shall be conducted by an environmental professional in the area of the sump in the basement of the Science Hall (Building 43) when the structure is demolished, as there may be the potential for Volatile Organic Compounds (VOCs) and metals to be present in the soils in the area of the sump. Such investigation shall be undertaken in accordance with a Work Plan as may be determined by the City of Pasadena Fire Department or other responsible regulatory agency. In the event that any VOCs or metals are encountered at this location, construction shall be stopped until appropriate health and safety measures are implemented, and any remediation is completed under the regulatory oversight of the City of Pasadena Fire Department or other responsible regulatory agency.

Mitigation Measure 3.5-5: During any excavation activities, an environmental professional shall be called to the site if soils exhibiting staining, odor, or other evidence of possible

contamination are encountered. Such soil shall be properly characterized and managed appropriately, including proper disposal in accordance with the requirements of the environmental professional and applicable regulatory agencies as may be necessary.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final EIR.

iv. Supporting Explanation

Extensive subsurface investigations have been performed on and off the Project site. Any USTs present on the site have been removed and remediated. No Further Action letters have been issued by the Pasadena Fire Department for the tanks, indicating that any potential contamination has been remediated to the satisfaction of regulatory agencies including the Regional Water Quality Control Board. (EIR, p. 3.5-7.) Subsurface investigations found that no subsurface areas require further action to meet regulatory compliance. Although most remaining contaminants present on the site are below regulatory cleanup levels, additional mitigation is warranted to reduce potential impacts to less than significant levels and to ensure that any potential health hazards are eliminated. In addition, an area remains that requires further mitigation and remediation before construction can proceed, specifically, the sump in the basement of the Science Hall. (Ibid.)

Compliance with the precautionary construction methods and investigations set forth in Mitigation Measures 3.5-1 through 3.5-5 would ensure that any remaining contaminants on the property would not create a significant hazard to the public or the environment through

reasonable foreseeable upset and accident conditions involving the release of hazardous materials. Specifically, Mitigation Measure 3.5-4 requires soil sampling and investigation, and remediation if necessary, at the Science Hall, under the regulatory purview of the Pasadena Fire Department. Thus, the impacts at the Science Hall are mitigated to below a level of significance. (EIR, p. 3.5-8.)

Cumulative Impacts

Project site conditions are unique to the property and specific to isolated locations and sources. Compliance with Mitigation Measures 3.5-1 through 3.5-5 would ensure that any contaminants on the project site would not create a significant hazard to the public or the environment. Other related projects in the area are required to undergo their own individual environmental review and compliance, and would not compound the site-specific impacts located on the Project site. No significant cumulative impacts would occur. (EIR, p. 3.5-8.)

d. HYDROLOGY

i. Potential Significant Impacts

Construction activities could result in the generation of polluted runoff and sedimentation to surface waters. Grading activities could result in erosion and siltation. In addition, construction sites could contribute trash and other pollutants to stormwater runoff, for which the Los Angeles River is impaired. (EIR, p. 3.6-12.)

ii. Proposed Mitigation

Mitigation Measure 3.6-1: Any improvements required for connection between the proposed 18- to 24-inch storm drain system shall be to the satisfaction of the City Engineer. Final design requirements shall be established as a condition of plan check approval, prior to issuance of a building permit.

Mitigation Measure 3.6-2: The project's Stormwater Pollution Prevention Plan (SWPPP) shall include the following control measures (others may also be included at the discretion of the City of Pasadena): 1) Trash receptacles must be situated at convenient locations on construction sites

and must be maintained such that trash and litter do not accumulate on the site or migrate off-site; 2) Structural controls such as sediment barriers, filters, and berms would be designed to the satisfaction of the City of Pasadena Department of Public Works and must be in place at sites to be determined upon consultation with the Department of Public Works and prior to initiation of construction; 3) Washing of construction or other vehicles adjacent to a construction site shall be prohibited; 4) Erosion from slopes and channels must be controlled through an effective combination of Best Management Practices (BMPs) to be determined to the satisfaction of, and upon consultation with, the Department of Public Works, prior to issuance of any grading permits.

Mitigation Measure 3.6-3: The Standard Urban Stormwater Mitigation Plan (SUSMP) shall incorporate, at a minimum, either a volumetric or flow-based treatment control design standard, or both, as specified in the NPDES permit, to mitigate (infiltrate, filter or treat) stormwater runoff. The design standards shall be to the satisfaction of the City of Pasadena Department of Public Works as determined prior to the issuance of any grading or building permits. Structural or treatment control Best Management Practices (BMPs) set forth by the project shall meet the design standards in the SUSMP and the applicant shall be responsible for the maintenance of the BMPs in accordance with the requirements to be established by the Department of Public Works.

A standard volumetric treatment control BMP is defined as:

- The treatment of the volume of runoff produced from a 0.75 inch storm event, prior to its discharge to a stormwater conveyance system.

Flow-based treatment control BMPs include the following:

- The treatment of the flow of runoff produced from a rain event equal to at least 0.2 inches per hour in intensity; or
- The treatment of the flow of runoff produced from a rain event equal to at least two times the 85th percentile hourly rainfall intensity for Los Angeles County; or
- The treatment of the flow of runoff produced from a rain event that would result in treatment of the same portion as treated using volumetric standards above.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final EIR.

iv. Supporting Explanation

Pollutants generated by construction that could be accidentally discharged from the site could include contaminants associated with construction vehicles such as oil, grease, rubber, metals, and hydrocarbons. Compliance with the requirements of the Los Angeles County National Permit Discharge and Elimination System (NPDES) permit to reduce polluted stormwater runoff through the development of a SWPPP as set forth in Mitigation Measure 3.6-2 would reduce any potential impacts to a less than significant level because required practices within the SWPPP would reduce the potential for pollutants to enter stormwater runoff. The SWPPP must be submitted to the City of Pasadena for review and approval prior to the issuance of building or grading permits. (EIR, pp. 3.6-12, 13.)

Although the Project would increase impervious surface areas, it would minimize related impacts and would also include new and retained landscaped/open space areas. Impervious surface runoff from the Project could have significant impacts to surface water quality. However, compliance with the requirements of the Los Angeles County NPDES permit, including development of an SUSMP as set forth in Mitigation Measure 3.6-3, would result in less than significant impacts on water quality because the required practices within the SUSMP would reduce the potential for pollutants to enter stormwater runoff. (EIR, p. 3.6-13.)

The increase in stormwater flow rates attributable to the Project would be an insignificant increase and would be conveyed to existing City facilities via a new drainage system developed for the Project. The proposed storm drain system within the project will provide 100-year flow protection for the upper project areas adjacent to Orange Grove and Del Mar Boulevards . Existing drainage areas would not be substantially altered by the Project, as site development would largely follow existing grade. The Project would also not deplete existing groundwater

supplies. Compliance with County and State regulatory requirements would further ensure that any potential water quality and erosion effects that could occur from development would be rigorously controlled. The Project would not be subject to a known flood hazard, nor would it create a new flood hazard through the impedance of surface water runoff. Consequently, no significant unmitigated impacts on hydrology and water quality would occur with the Project. (EIR, p. 3.6-18.)

Cumulative Impacts

As with the proposed project, all of the 38 listed projects would be subject to NPDES permit requirements, RWQCB regulations, and drainage requirements, requiring compliance with a SUSMP, and implementation of a SWPPP to reduce sediment, construction materials, or other pollutants generated from construction activities, from entering stormwater runoff. BMPs would be utilized on a project-by-project basis to control runoff from construction sites. With respect to drainage, post-development Project 25-year flow rates will produce almost no increase, less than 2.0 percent, from the same frequency flows in the existing condition and would be adequately served by new drainage improvements and local drainage infrastructure. Therefore, cumulative impacts associated with water quality and hydrology would be less than significant. (EIR, p. 3.6-19.)

e. LAND USE AND PLANNING

i. Potential Significant Impacts

The land uses proposed at the Project, and specifically the senior life/care facility, could impact the land use at the adjacent Ambassador Auditorium.

ii. Proposed Mitigation

Mitigation Measure 3.7-1: As part of the Conditional Use Permit process, the Design Commission shall provide guidance to the applicant and the decision-maker regarding specific

design aspects of the senior life/care facility, including massing, articulation, and other architectural/design treatments, in order to integrate these considerations into the earliest stages of the decision-making process. This will ensure that any potential adjustments to design of these structures, as may be needed or recommended to provide a more compatible interface with adjacent uses, will be fully considered by the decision-maker as part of the Conditional Use Permit. (Same as Mitigation Measure 3.1-1)

Mitigation Measure 3.7-2: Loading activities serving the senior life/care facility and accessed in the loading area off St. John Avenue, between the new building and the northern side of the Ambassador Auditorium, shall be prohibited on Sunday mornings, when adjacent church services are in progress, and during evenings when concert performances are scheduled.

iii. Findings Pursuant to CEQA Guidelines Section 15091

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible mitigation measures or project alternatives identified in the Final EIR.

iv. Supporting Explanation

Zoning

The Project will develop multi-family residential uses on the western and southern portions of the site, which are compatible with surrounding residential neighborhoods. The historic character of the site and the surrounding residential neighborhoods is reflected in the design of the Project. While the Project is seeking relief from height limits on the site, and a reduction in the front setback along Del Mar Boulevard, and at Green Street and Orange Grove Boulevard, the applicant must provide sufficient justification for relief for these adjustments to receive approval from the City Council through the appropriate permit findings. With these exceptions, the nature of the area immediately surrounding these adjacent uses would be substantially unchanged as a result of the Project. (EIR, p. 3.7-18.)

The higher density residential senior life/care component of the Project will not be adjacent to any surrounding residential neighborhoods. While this portion of the Project site would be developed at a higher density and an increased height than new residential uses to the west, the buildings do not exceed the West Gateway Specific Plan (“WGSP”) height limit and height of the Ambassador Auditorium. The portion of the senior life/care component adjacent to the Auditorium would be set back from the Auditorium slightly farther than the existing Hall of Administration, which would be removed to accommodate the Project, and will incorporate design treatment and features that are informed by the Auditorium’s design. Thus, while the proposed senior life/care component would be taller than the existing uses that are currently in that portion of the site, it would not create an incompatible use. (EIR, p. 3.7-19.) Mitigation Measure 3.7-1 will ensure that the final design of the senior life/care facility reflects a scale that is sensitive to the Green Street frontage and the adjacent Ambassador Auditorium, and thus consistent with WGSP building design policies. (Id. at p. 3.7-42.)

No zoning code amendments are sought as part of the Project. The Project would require an Adjustment Permit to allow for variances from the WGSP and certain City of Gardens standards, as well as a CUP and an administrative Transfer of Development Rights (“TDR”) for the senior life/care facility. A CUP would also be required to allow for the permanent occupancy of the Rankin House with office uses, and a minor CUP may also be required to allow for shared parking. (EIR, pp. 3.7-20 to 24.) The new construction portions of the Project will provide parking that exceeds requirements. (EIR, p. 3.7-24.) The “City of Gardens” development standards recognize the need for an alternative approach for projects that preserve historic resources, such as this Project. Pursuant to Section 17.22.080.C of the Zoning Code, the Director may waive or grant up to a 50 percent reduction to the overall main garden and waive

some or all of the required architectural elements and modulation requirements, and adjustments for the Project are being sought pursuant to this Section. (Ibid.)

The Project will also be subject to design review and compliance with the architectural standards in the zoning code for multi-unit residential projects prior to the issuance of any building permits. This regulatory procedure provides the City with an additional layer of review for land use compatibility, aesthetics, etc., and an opportunity to incorporate additional conditions to increase the compatibility, aesthetic value, etc. of the Project. Complying with the City's standards will ensure that the Project is appropriately designed and is in character with the site and surroundings. Therefore, no significant land use impacts would occur in relation to existing zoning. (EIR, p. 3.7-25.)

General Plan

The assessment in the General Plan section of the EIR is a policy level overview of the project for environmental analysis purposes only, and there is no requirement in CEQA or case law that a project must be consistent with every plan or policy to support a less than significant conclusion. Additionally, inconsistency with one policy of a General Plan does not render a project, or any component of a project, inconsistent with the entire General Plan. (EIR, p. 8.1-78.)

The Land Use Element of the Pasadena General Plan outlines several objectives and policies for targeting growth while preserving the character of the City. The EIR analyzed the Project's consistency with each of the applicable objectives and policies. (EIR, pp. 3.7-25 to 31.) While the scale and massing of the senior life/care component is large relative to the adjacent Ambassador Auditorium, Mitigation Measure 3.7-1 reduces these land use impacts to below a level of significance. The Project is also consistent with applicable Mobility Element objectives