

and policies, as well as applicable Green Space and Recreation objectives and policies. (EIR, pp. 3.7-30 to 34.)

With regard to the WGSP, the Project is consistent with almost all applicable objectives and policies. While the Project would exceed the 36 foot height limit in the WGSP-1B zone and the 72 foot height limit in the WGSP-1A zone, and requests a reduction in setbacks on Del Mar Boulevard, relief from these requirements is requested by the Adjustment Permit. The applicant must provide sufficient justification for relief for this adjustment to receive approval from the City Council, or the request will be denied. (EIR, pp. 3.7- 37 and 38.) As a result, there are no significant CEQA impacts from the Project with regard to the General Plan or the WGSP.

There are also no significant impacts from the Project regarding its consistency with the Tree Protection Ordinance. The Project provides public benefit through the preservation and retention of historic structures and landscape, and by facilitating public access to the open space and historic grounds, in support of Finding No. 1 under the Tree Protection Ordinance. With the project's general consistency with Ordinance objectives, public benefits offered consistent with Finding No. 1, and mitigated tree impacts, the project would not conflict with the City's tree preservation policy or ordinance. (EIR, p. 3.7-38.)

The Project is also consistent with the land use and growth-related policies in Southern California Association of Governments' regional planning documents, such as the Regional Comprehensive Planning Guide, the Regional Transportation Plan, the Air Quality Management Plan, and the Congestion Management Plan. (EIR, pp. 3.7-39 to 41.)

Mitigation Measure 3.7-2 will ensure that loading activities do not disturb adjacent church services in the Ambassador Auditorium. The Project would not result in any other significant land use compatibility impacts or significant impacts on local and regional land use

plans, General Plan elements, or existing zoning, that require additional mitigation. Thus, there are no significant land use impacts from the Project. (EIR, p. 3.7-42.)

### **Cumulative Impacts**

Those related projects closest to the Project include a mixed-use project across Green Street, and the Westgate project to the east. Given that the Project would comply with setback requirements along Green Street and that both the senior life/care component and residential development of the Italian Gardens parcel are allowed uses that comply with WGSP height and zoning requirements, there are no significant cumulative land use impacts in the immediate area. Further east, the Westgate project is physically separated from the project site by the I-710 Freeway, Harvest Rock Church and Maranatha High School, and is not located within the West Gateway Specific Plan area. As a result, the Project does not have an incremental effect on land use in the area, and there are no cumulatively considerable land use impacts. The impacts of other less proximate projects to their respective zoning and to applicable General Plan Element policies would be determined on a project-by-project basis and would occur with or without the impact of the Project. Each related project would undergo its own discrete site plan/design review as may be called for under respective zoning, and subject to its own environmental review. Consequently, there are no significant cumulative impacts. (EIR, p. 3.7-42.)

### **f. NOISE**

#### **i. Potential Significant Impacts**

Construction of the Project would result in temporary increases in noise levels on the site and its vicinity on an intermittent basis. The increase in noise could result in a temporary annoyance to nearby residents. (EIR, p. 3.8-9.)

## ii. Proposed Mitigation

While the Project would not result in a significant construction noise impact, the following mitigation measures will reduce construction annoyance to the surrounding community:

**Mitigation Measure 3.8-1:** Construction contracts shall specify that construction equipment shall be equipped with mufflers or other suitable noise attenuation devices, where feasible.

**Mitigation Measure 3.8-2:** For construction activities that would occur within 200 feet of the International Montessori Academy, Maranatha High School Student Center and the property lines of residences on Orange Grove Boulevard and Del Mar Boulevard, temporary eight-foot wood walls shall be constructed along the perimeter of the construction areas, where a direct ground-level line of sight between the construction areas and these sensitive receptors exists (e.g., where ground-level construction activity can be seen from a ground-level location at the sensitive receptor). For construction activities that would occur within 200 feet of Harvest Rock Church (Ambassador Auditorium), Maranatha High School classrooms, and the property lines of existing residential uses to the southwest portion of the construction site, temporary 10-foot noise curtains shall be erected instead of wood walls. The noise curtain shall have a sound transmission class (STC) rating of 15 or more. The placement of the wood walls/noise curtains shall break the line of sight between construction activities on the project site and activity spaces (e.g., spaces where activities would be sensitive to noise, such as classrooms, church auditoriums and residential living areas) within the sensitive receptors.

**Mitigation Measure 3.8-3:** During construction of the proposed project, an acoustical engineer shall be hired by the construction contractor to monitor construction noise levels. As a part of this mitigation measure, the construction contractor shall solicit from Harvest Rock Church (Ambassador Auditorium) a schedule of church services and concerts that could occur during normal construction hours (expected to be six or fewer a year). Noise measurements shall be taken prior to events held at the Harvest Rock Church (Ambassador Auditorium) to determine if measures, in addition to those stated above in Mitigation Measure 3.8-2, are required to ensure that the optimal ambient noise level inside the church auditorium (where performances and church services would occur) of 35 dBA is achieved. Measures to ensure the 35 dBA ambient noise level for a church service or performance include, but are not limited to the following:

- Stop construction activities that would generate noise levels greater than 61 dBA at the Harvest Rock Church (Ambassador Auditorium) during church services or performances. The distance in which construction activities can not occur shall be determined through the noise monitoring.
- Install exterior noise curtains where there is a direct ground level line-of-sight between construction equipment and Harvest Rock Church (Ambassador Auditorium). Through the noise monitoring, the acoustical engineer shall determine the height and placement of the exterior noise curtains to ensure that the recommended 35-dBA ambient noise level inside the Harvest Rock Church (Ambassador Auditorium) performance and sanctuary areas is achieved.

At a minimum, heavy construction activities (e.g., those that involve use of heavy equipment with an engine rating greater than 150 horsepower) shall not occur within 325 feet of the Harvest Rock Church (Ambassador Auditorium) during church services and concerts to ensure that noise and vibration levels are not perceptible.

**Mitigation Measure 3.8-4:** All residential units located within 1,000 feet of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where residents can inquire about the construction process and register complaints. The telephone number shall be legible at a distance of 50 feet.

**Mitigation Measure 3.8-5:** A “noise disturbance coordinator” shall be established by the construction contractor. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and would be required to implement reasonable measures such that the complaint is resolved. The noise coordinator shall keep a log of noise complaints and shall follow up with the community member who had made a complaint to ensure that the complaint was resolved. The disturbance coordinator shall be a member of the construction contractor’s work crew as they will have the most familiarity with construction activity and the means to address noise issues. All notices that are sent to residential units within 1,000 feet of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator. The signs and notices shall also state that the City’s Department of Planning and Development shall be notified if the disturbance coordinator is unresponsive to community noise complaints.

**Mitigation Measure 3.8-6:** The construction contractor shall locate equipment staging areas as far from sensitive receptors as feasible, given the needs for proximity to construction activities. The location of the staging areas shall be approved by the Department of Planning and Development.

**Mitigation Measure 3.8-7:** When located within 60 feet of a sensitive receptor, the construction contractor shall operate as few pieces of heavy equipment (i.e., equipment with an engine rating greater than 150 horsepower) as possible. Total vibration levels can be significantly reduced when each vibration source operates separately.

**Mitigation Measure 3.8-8:** The applicant shall request that Harvest Rock Church provide the applicant access to the Harvest Rock site so the applicant can take pre-construction pictures of previously damaged tiles in the fountain and reflecting pool. Pictures of any additional damaged tiles shall be retaken when project construction activity at the senior life/care component is complete, to document whether any additional damage occurred as a result of construction. Upon documentation of any damage attributable to construction, Harvest Rock Church shall provide the applicant with a copy of two estimates for repair of the construction damaged tiles. The applicant shall retain one of the two persons providing the estimate to complete the repairs, and the applicant shall pay Harvest Rock Church for those repairs. The applicant shall only be

liable for such payment if the repair work meets the Secretary of the Interior Standards for Preservation to the satisfaction of the Design and Historic Preservation Section of the Planning and Development Department.

**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**

**Construction Phase Noise and Vibration Impacts**

The EIR concluded that construction noise levels would exceed the City's threshold of 85 dBA at eight sensitive receptors, and a significant impact would occur at these sensitive receptors. (EIR, pp. 3.8-9 to 12.) In addition, construction outside of Harvest Rock Church (Ambassador Auditorium) could reach 63 dBA, which is higher than the optimal ambient noise level in a church auditorium of 35 dBA during a service or performance. (Based on published service and performance schedules, it is estimated that only six such services or performances will be impacted.) Significant impacts are therefore anticipated and mitigation is required. (Id. at p. 3.8-12.) Use of mufflers on construction equipment, as called for in Mitigation Measure 3.8-1 would reduce noise levels from construction equipment by five to ten decibels. In addition, the wood walls and noise curtains (Mitigation Measure 3.8-2) would act as noise barriers between construction sites and sensitive receptors. The estimated construction noise levels during construction, with implementation of Mitigation Measures 3.8-1 and 3.8-2 are reduced to below a level of significance. Interior noise levels at the sensitive receptors are generally 26

dBa lower than the noise levels outside. Mitigation Measure 3.8-3 would reduce construction-related noise levels by an additional nine dBA during noise-sensitive Church or auditorium activity. Mitigation Measure 3.8-4 would ensure that the 35 dBA recommended interior noise level for a church auditorium is achieved and, as such, construction noise impacts specifically at the Harvest Rock Church (Ambassador Auditorium) would be reduced to a less than significant level. (EIR, p. 3.8-18.) Mitigation Measures 3.8-5 and 3.8-6 would notify nearby residences of construction activities and would provide a noise hotline, which would allow community members to register noise complaints that would then be attended to by the noise disturbance coordinator. Mitigation Measure 3.8-7 would further reduce construction noise levels by placing the equipment staging area away from sensitive receptors. With implementation of Mitigation Measures 3.8-1 through 3.8-7, the noise impacts from the Project are mitigated to below a level of significance. (EIR, p. 3.8-18.)

With regard to vibration, the EIR concluded that none of the sensitive receptors would experience construction vibration impacts at the threshold of significance for building damage, and no mitigation is required. In response to comments concerned about damage to Harvest Rock Church's fountain and reflecting pool, even though impacts are not anticipated, Mitigation Measure 3.8-8 provides for reimbursement for repairs by the applicant if Harvest Rock Church properly documents the need for, and properly conducts, repairs. Mitigation Measure 3.8-8 was slightly revised in response to a comment that the measure initially placed too much of the compliance burden on a party other than the applicant. Regarding human annoyance to vibration levels, the residences adjacent to the Project site on the southwest and Maranatha High School Classrooms could experience vibration levels exceeding the annoyance threshold of 80 RMS. As such, the construction vibration impact would be significant without implementation of

mitigation. (EIR, p. 3.8-14.) Mitigation Measure 3.8-7 would reduce construction-related vibration levels at Maranatha High School and the residences adjacent to the project site on the southwest by limiting the number of vibration causing equipment pieces. Construction activity associated with the proposed project would comply with the standards established in the City of Pasadena Municipal Code. Construction activity would be prohibited between the hours of 7:00 PM and 7:00 AM on weekdays, before 8:00 AM and after 5:00 PM on Saturdays, or at anytime on Sunday or a public holiday. As such, construction-related vibration levels would result in a less-than-significant impact. (EIR, p. 3.8-20.)

There are no operational phase noise or vibration impacts anticipated, and no mitigation is required. (EIR, p. 3.8-20.)

### **Cumulative Impacts**

With regard to noise impacts from traffic, the annual growth and related projects would incrementally increase noise levels by up to two decibels at sensitive receptors when 2009 “with project” or “without project” conditions are compared to existing conditions. The incremental contribution (less than 1 dBA) would not be considered cumulatively considerable and would not exceed the noise threshold of five decibels. Thus, the proposed project is not anticipated to have a significant cumulative noise impact. Since neither the project nor related projects would substantially increase heavy-duty vehicle traffic (which generate vibrations) near the Project site and would not cause a substantial increase in heavy-duty trucks on local roadways, the Project would not add to a cumulative vibration impact. (EIR, p. 3.8-20.)

**g. PUBLIC SERVICES**

**i. Potential Significant Impacts**

The Project will increase demand on fire stations and paramedic services serving the area by adding to the residential population of the area and increasing site occupancy. Specifically, it is anticipated that the assisted living and senior care housing could substantially increase paramedic calls to the area. (EIR, p. 3.9-6.)

**ii. Proposed Mitigation**

**Mitigation Measure 3.9-1:** Prior to the start of construction or the issuance of any permits, the applicant shall submit a Construction Staging & Traffic Management Plan to the Department of Public Works and the Department of Transportation for review and approval. This plan shall demonstrate that encroachments on the public right-of-way including street occupations, closures, detours, staging areas, and routes of construction vehicles entering and exiting the construction site shall be minimized to the satisfaction of the Department of Transportation and Fire Department to ensure that emergency access to and from the project area will remain unimpeded.

**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**

The proposed senior life/care component will be extensively staffed with medical personnel including approximately 17 certified nurse assistants working in shifts to provide 24-hour care, about two registered nurses assigned primarily to assisted living needs but available to all residents eight hours a day, approximately three certified medication care managers and about two resident care coordinators. The additional residents and the approximately 25,734 square



feet of institutional and office uses could increase the demand for police services, however, according to the Pasadena Police Department, this project would not require additional or expanded police facilities. As a result, the Project in and of itself would not necessitate the construction of new or expanded facilities to serve the Project. (EIR, p. 3.9-6.)

Based on this early consultation with the Pasadena Department of Transportation, and Fire Department, Mitigation Measure 3.9-1 is included to fulfill DOT requirements and would also reduce the temporary chance that access or closure to public right-of-ways during project construction would impact emergency fire vehicle access or movement during construction.

(Ibid.)

Even though the senior care facility will provide an on-site library that could overlap with public library needs, the Project has the potential to increase the demand placed on the City's library services. Payment of the City's Library Special Tax (Section 4.109 of the City Municipal Code) will offset any of these impacts in full. (EIR, p. 3.9-7.)

### **Cumulative Impacts**

The Project, in conjunction with the listed projects, would have a significant cumulative impact on fire services as they would result in an overall increase in population and development requiring fire service attention. However, in its most recent budgetary review, the City has set aside funding for one new ambulance to serve the City. This additional ambulance will reduce the significant cumulative impacts of this Project and the other listed projects. According to the Pasadena Police Department, in the aggregate, this project combines with others that add more citizenry, and translates into greater service demands on the police department. While this specific project does not cause the police department immediate concerns, the growing number

of projects that increase population and traffic issues require more study and may require additional police personnel.

As the City continues to grow and densify, this cumulative impact may become significant in the future. However, each service provider has a separate process for review and upgrade of staff and facilities independent of the development review process. In this manner the City maintains the necessary levels of service, and as such, reduces any significant cumulative impacts to a less than significant level. (EIR, p. 3.9-8 and 9.)

**h. TRANSPORTATION, CIRCULATION AND PARKING**

**v. Potential Significant Impacts**

The Project is estimated to generate 90 and 120 trips during the AM and PM peak hours, respectively. On a daily basis, the project would generate 1,815 total trips. (EIR, p. 3.10-12.)

**vi. Proposed Mitigation**

**Mitigation Measure 3.10-1:** Prior to the start of construction or the issuance of any demolition, grading or Building Permits, the applicant shall submit a Construction Staging and Traffic Management Plan to the City of Pasadena Department of Public Works for review and approval. This plan shall show the impact of the various construction stages on the public right-of-way including hours of construction operations, any street occupations, lane closures, detours, staging areas, routes of construction vehicles entering and exiting the construction site, methods of pedestrian protection and construction fencing along the public right-of-way. Consideration shall be given to limiting construction access and worker parking along Del Mar Boulevard to the maximum extent possible.

**Mitigation Measure 3.10-2:** Soft mitigation to offset the effect of project daily trips on Orange Grove Boulevard north of Green Street and St. John Avenue north of Green Street) shall be required. Specifically, such measures may include trip reduction such as a Transportation Demand Management (TDM) program or by increasing the capacity or efficiency of the segment or area through operational improvements to the satisfaction of the Department of Transportation. Primarily, it is recommended that the project contribute to the cost of design, materials and installation of two closed circuit television (CCTV) cameras along the Green Street and/or St. John Avenue corridors to enhance the City's advanced traffic management system. The exact CCTV camera locations will be determined by the Department of Transportation. A fee for the two CCTV cameras shall be made prior to the issuance of the first permit for this project at a total cost not to exceed \$50,000. Additionally, the project is committed to trip reduction by encouraging transit use per the project's Mobility Plan (included in Appendix G).

This plan overlaps with many of the recommendations that would be implemented by a TDM program for residential and non-residential/employee aspects of the project. The implementation of the Mobility Plan would also be considered soft mitigation to address project impacts on the two street segments. Specific provisions of the Mobility Plan include encouraging the use of public transit (shuttle service to the Gold Line station and other destinations, and provision of Metro bus passes to members of the property owners' association, senior life/care employees and residents, and office users); promoting bicycling to and from the site; provision of a "wayfinding" signage program internal to the site, at entrances and along the site's perimeter; protecting the neighborhood from traffic intrusion, provision of carpooling and shared parking opportunities; and, annual monitoring by the City to evaluate the effectiveness of the program. These provisions are part of the project and will provide trip reduction benefits. In addition, should the Department of Transportation consider that any other TDM elements are required to be implemented, above and beyond those included in the Mobility Plan for the project, they shall be a condition of approval for the project prior to issuance of Certificates of Occupancy. TDM measures should be implemented to encourage trip reduction by employees of the office and senior life/care uses. Lastly, if the applicant retains ownership of the institutional support uses (Maranatha High School) that part of the project will also be subject to provisions of the City's Trip Reduction Ordinance.

**Mitigation Measure 3.10-3:** Prior to issuance of a certificate of occupancy for the senior life/care facility, a traffic signal with appropriate pedestrian crossing features shall be installed at the intersection of Green Street and Terrace Drive in order to provide maximum safety for the seniors and potential disabled persons crossing at this location.

**vii. 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.

**viii. Supporting Explanation**

Using a conservative analysis approach, the EIR determined current 2005 traffic volumes, and then added a traffic growth factor of 1.5 percent per year to develop a future year 2009 "baseline" figure. The growth factor accounts for increases in traffic resulting from projects not yet proposed or outside of the study area. Traffic expected to be generated from other known or

reasonably foreseeable projects from the list of projects in the EIR is then added to these baseline traffic volumes to form the basis for a 2009 no-project condition. When compounded annual growth is added to related project volumes, the future 2009 “no project” baseline conditions have been established. Lastly, Project volumes are analyzed as an incremental addition to these 2009 no-project condition to determine project-specific impacts. (EIR, p. 3.10-20.)

The traffic analysis in the EIR shows that, even with the addition of future and project traffic, only two of the 18 intersections which were studied would operate at level of service (“LOS”) E or greater during the AM and/or PM peak hour period: Pasadena Avenue and Del Mar Boulevard, and Pasadena Avenue and California Boulevard. The LOS at Pasadena Avenue and Del Mar Boulevard will increase from E to F during the PM peak hour without the proposed project. The intersection of Pasadena Avenue and California Boulevard would increase from E to F in the AM peak hour and from D to F in the PM peak hour without the proposed project. The Project’s impact to the LOS at these two intersections will be 0.003 and 0.001, respectively, which are below the City’s significant thresholds. The remaining 16 studied intersections would all operate at LOS D or better with or without the Project. Consequently, no significant intersection impacts would occur with the Project and no mitigation is required. (EIR, p. 3.10-27.)

In the EIR, an assessment of potential impacts to eight local street segments was undertaken to evaluate project impacts relative to the City’s significance thresholds for street segments. Only two of the eight street segments studied require “soft” (or no physical construction required) mitigation since Project traffic would be 2.5 percent or more of total daily trips: Orange Grove Boulevard (3.6 percent) and St. John Avenue (2.7 percent) north of Green

Street and in close proximity to Green Street. (EIR, p. 3.10-31.) Mitigation Measure 3.10-2 sets forth the mitigation required to reduce the impact to below a level of significance.

A total of 511 new subterranean parking spaces would be provided for new development, including 279 spaces to serve the senior life/care component and 232 spaces to serve the new residential component. Four additional guest parking spaces for the new residential component would also be provided at the Italian gardens motor court. An additional 30 new subterranean parking spaces would also be provided for institutional uses on the block as may be needed. A total of 25 spaces would be provided for converted office uses and 74 spaces would be provided for converted residential uses (24 spaces would be provided off-site in the adjacent Maranatha High School garage: 20 spaces for Grove Manor/Villa Francesca and South Orange Grove residential, four assigned office spaces for the Rankin House). In total, 644 spaces would be provided for the Project. This exceeds the parking requirements for the Project and there are no significant impacts from parking. (EIR, p. 3.10-33.) The loss of the occasional use of existing surface parking would not result in any significant parking impacts, particularly considering that the use of such spaces by an adjacent use is currently provided as a courtesy by the existing property owner. (Ibid.) Final parking provisions for the Project have been determined during the CUP process, however, the provision of excess parking, above and beyond adequate parking as required by Code, is not in and of itself a significant environmental impact that warrants further analysis in the EIR. (Id. at p. 3.10-33.)

Additionally, the project will provide for appropriately scaled and visible signage for the public to easily find the access point on Green Street. The signage will also discourage the public from entering upon any land that is not a part of the project and not a part of the public easement – particularly the Harvest Rock Church and Maranatha High School properties, which

will further control the flow of pedestrian activity in and around the senior life/care facility. (EIR, p. 8.1-81.)

The EIR studied pedestrian crossing safety, and specifically analyzed the pedestrian crossing on Green Street adjacent to the project near Terrace Drive. Once the Project is completed, pedestrian crossing could potentially increase on Green Street near Terrace Drive. The intersection of Green Street and Terrace Drive is unsignalized with a stop sign on the southbound approach on Terrace Drive. Crosswalks are currently not striped at this location. Implementation of the signal at that intersection pursuant to Mitigation Measure 3.10-3 reduces any impacts to below a level of significance. (EIR, p. 3.10-35 to 36.) Estimated pedestrian volumes around the site are anticipated to be less than 17 trips per hour for all routes, and would not be expected to interfere or pose any hazards or vehicular conflicts. There are safe pedestrian routes to Old Pasadena from the site, and there is no evidence in the record to the contrary. There are no times of the week, including evenings or weekends, when pedestrian traffic generated by the Project would be so significant as to cause a hazard. (EIR, p. 3.10-33.)

A total of 42 bicycle spaces are required for the Project in addition to the spaces to be provided off-site on the Maranatha High School campus. The Project will provide, at minimum, the number of bicycle parking spaces and lockers required to satisfy City code. (EIR, p. 3.10-38.)

While construction traffic and staging was analyzed in the EIR and found to be less than significant, Mitigation Measure 3.10-1 requires that the applicant submit a Construction Staging and Traffic Management Plan to the satisfaction of the Department of Transportation to ensure that any impacts remain below a level of significance. Consequently, this short-term and intermittent impact is not considered significant. (EIR, p. 3.10-39.)

In sum, the Project's traffic impacts are less than significant. No significant intersection impacts requiring mitigation will be created by the project at the 18 studied locations. The Project provides soft mitigation as described in Mitigation Measure 3.10-2 to address its contribution of daily trips to two impacted street segments. A construction staging and management plan would be provided by Mitigation Measure 3.10-1 and a traffic signal to maximize pedestrian safety would be provided by Mitigation Measure 3.10-3. Additionally, the Project would not generate sufficient trips to require further analysis at four CMP designated locations in the project area. Lastly, the Project will provide parking that exceeds City Code requirements. (EIR, p. 3.10-41.)

### **Cumulative Impacts**

In order to address cumulative traffic growth in the City of Pasadena, the City Council has adopted a new "Transportation Improvement and Traffic Reduction Fee" that would pay for the implementation of the City's Mobility Element improvement program. This fee has been adopted, and payment of the fee will be a condition of approval for the Project, and for pending related projects. This program is sufficient to address the cumulative impacts of the Project and related development, and thus no significant cumulative impacts are anticipated. (EIR, p. 3.10-41.)

With respect to parking, the Project would exceed City code requirements. The development of related projects would not compound the less than significant impacts of the Project by displacing available parking to the Project and/or placing an additional demand that could not be met by the Project. Consequently, no significant cumulative parking impacts are expected. (EIR, p. 3.10-42.)

## **h. UTILITIES AND SERVICES**

### **i. Potential Significant Impacts**

#### **ii. Proposed Mitigation**

**Mitigation Measure 3.11-1:** The applicant shall enlarge the existing 4-inch sewer lateral line within the project site to an 8-inch sewer line, adequate to the specifications of the City Engineer. The City Engineer shall approve all plans for the proposed upgrade prior to issuance of any building permit, and all improvements shall be provided to the satisfaction of the City Engineer prior to issuance of Certificates of Occupancy for Grove Manor and Villa Francesca.

**Mitigation Measure 3.11-2:** A 10-foot wide sewer easement along the 8-inch lines along Terrace Drive shall be granted to the City for maintenance purposes. The manholes along this sewer shall be accessible by means of sewer cleaning equipment such as sewer easement machines. The establishment of the easement shall be a requirement of the Plan Check approval process.

#### **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**

The total Project peak wet flow accounts for 0.017 percent of the available capacity of the Whittier Narrows Water Reclamation Plant, and accounts for 0.057 percent of the remaining capacity of the Los Coyotes Water Reclamation Plant. Because the Project results in such a minimal use of the remaining capacity at both wastewater treatment facilities, the slight increase in peak wet flow wastewater generation would not require expansion of these facilities or the construction of new regional wastewater treatment facilities. Consequently, the Project is



considered to have a less than significant impact to regional wastewater facilities. (EIR, p. 3.11-3 and 4.)

The sewer flow from Villa Francesca, Grove Manor and some portion of the adjacent high school classrooms drain to an existing 4-inch sewer lateral line which will be inadequate to handle flows from those structures. Therefore, a potentially significant impact could occur. Installation of the larger 8-inch sewer line required by Mitigation Measure 3.11-1 will ensure that flows can be handled and the improvements are designed to the satisfaction of the City Engineer. Additionally, Mitigation Measure 3.11-2 will ensure that the City retains adequate access to sewer lines internal to the site. Consequently, no significant and unmitigated impacts would occur to the local sewer system or regional treatment facilities as a result of the Project. (EIR, p. 3.11-5.)

### **Cumulative Impacts**

The Project, in conjunction with the 38 related projects, could have a significant cumulative impact on wastewater treatment plant capacities as the combined projects would result in an overall increase in wastewater generation. The Project may be subject to a pro-rata payment as a condition of approval to fund sewer improvements in the City. These improvements would provide adequate capacity for the existing sewer flows, project flows and additional cumulative flows by addressing the deficiency in future wet and dry flows at two downstream reaches located in California Boulevard between Fair Oaks Avenue and Raymond Avenue. Therefore, the Project is not considered to have a significant cumulative impact with respect to local facilities and would not result in a cumulatively considerable contribution to significant impacts to wastewater treatment facilities and available capacities. Additionally, the connection fee required to facilitate improvements or expansion of the LASCD system on a pro-

rata, project-by-project basis would be applied toward the development of additional facilities, as may be needed to accommodate cumulative increases in wastewater flow. Furthermore, the capacities of regional treatment facilities are based on SCAG Regional Comprehensive Plan and Guide (RCPG) growth forecasts. The Project would be built within the overall growth foreseen for the area by the City of Pasadena General Plan, and thus within the RCPG forecasts. Therefore, no significant cumulative impacts to regional treatment facilities would occur as a result of the Project. (EIR, p. 3.11-5 and 6.)

#### **IV. RESOLUTION REGARDING ENVIRONMENTAL IMPACTS UNABLE TO BE MITIGATED TO BELOW A LEVEL OF SIGNIFICANCE**

The City Council finds that, although mitigation measures have been identified in the Final EIR which reduce the following potentially significant environmental impacts, the impacts cannot be mitigated to below a level of significance.

##### **a. AESTHETICS**

###### **i. Potential Significant Impacts**

Development of the senior assisted living component of the Project would result in increased density and massing at the Project site as it would change the primarily open landscaped character of this area to a modern high-density residential community. The proposed development along St. John Avenue may substantially degrade the existing visual character or quality of the northeastern portion of the Project site and views, particularly from the north. The proposed development of the lower campus building along Green Street may substantially degrade the existing visual character or quality of the northeastern portion of the project site and views, particularly from the northeast and east. (EIR, p. 3.1-13.) The development of the upper campus building would substantially increase massing along this portion of Green Street (mid-

block between Orange Grove Boulevard and St. John Avenue). (EIR, p. 3.1-21.) A potentially significant impact would result from the proposed development of the senior life/care component of the Project.

## **ii. Proposed Mitigation**

**Mitigation Measure 3.1-1:** As part of the Conditional Use Permit process, the Design Commission shall provide guidance to the applicant and 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 the surroundings, will be fully considered by the decision-maker as part of the Conditional Use Permit. (Id. at p. 3.1-29.)

## **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**

**Green Street Views:** The proposed Italian Gardens units north of the Italian Gardens (which will be preserved,) will be adequately screened by existing mature trees with dense canopies or by new trees. As such, the Italian Gardens units will not substantially degrade the existing visual character or quality of the northwestern portion of the Project site and views, particularly from the north. (EIR, p. 3.1-21.)

**Orange Grove Views:** The proposed development of the Italian Gardens residential buildings along Orange Grove Boulevard will not substantially degrade the existing visual

character or quality of the northwestern and western portions of the Project site, as a result of the mature landscaping that will be retained, new landscaping that will be added, and the maintained setback from Orange Grove. (EIR, pp. 3.1-21 to 25.) The new Grove units will not have a significant aesthetic impact on views from Orange Grove, due to the presence of intervening mature trees, other landscaping elements, and the Rankin House. (EIR, p. 3.1-25.) Interior renovations to existing structures (South Orange Grove Apartments and Mayfair Mansion) will be integrated into the new residential components and would not result in any impacts to aesthetics or views. (Ibid.)

Del Mar Boulevard Views: The proposed Del Mar residential component would consist of two two-story buildings along Del Mar Boulevard west of Manor Del Mar and the relocated rose garden. Based on the style and building materials used for this Project component and due to the low-rise nature and low density of the proposed buildings, the Del Mar units are not anticipated to substantially change existing views along Del Mar Boulevard. The Project will result in the removal of trees on-site, but large mature trees along Del Mar Boulevard will be preserved in-place to maintain the existing canopies that dominate the north side of Del Mar Boulevard. Because the rose garden will be preserved at another location less than 300 feet to the east along Del Mar Boulevard, the relocation of the rose garden would not be considered a substantial loss of public benefit or substantially change the existing visual character of Del Mar Boulevard. The renovation and conversion of Grove Manor, Villa Francesca and Manor Del Mar will be integrated into the new residential components and will not result in any impacts to aesthetics or views. There will not be a significant aesthetic impact at Del Mar Boulevard. (EIR, pp. 3.1-25 to 28.)

Internal Project views from within the Project site will not be significantly impacted. While internal views of the Project site are dominated by a wide expanse of open space, gardens, courtyards, water features, walkways, and plazas that link all on-site uses, the Project would preserve the majority of the existing open space, and would continue to link the different uses on the site. In addition, the Project would preserve more than 50 percent of the existing structures on-site, and the views of the proposed senior life/care facilities from the Great Lawn and the plaza in front the Ambassador Auditorium are not visually and aesthetically different from existing conditions. (Final EIR, p. 3.1-28.)

Implementation of Mitigation Measure 3.1-1 would ensure that specific designs of the proposed structures, particularly the senior life/care facilities, address how massing may be reduced and include articulation and other architectural treatments to balance the density and massing with the adjacent and surrounding uses. Mitigation Measure 3.1-1 has already been fulfilled. However, as expected, this measure did not fully mitigate the substantial degradation of the existing visual character of the northeastern portion of the Project site. Therefore, a significant unavoidable impact would result from the development of the senior life/care component of the Project. (EIR, p. 3.1-29.)

### **Cumulative Impacts**

This development would occur in an area that has already been impacted by urban development. The EIR found that four cumulative projects within the vicinity of the Project site may contribute to the cumulative aesthetic and visual effects of the Project. After analysis, however, the EIR concluded that there would not be significant cumulative visual impacts from these projects and the Project. Cumulative projects, like the proposed Project, would be subject to height limits and building setbacks established by the Zoning Ordinance and WGSP. In

addition, all projects would be subject to design review by the City to ensure that project design is consistent with City standards. The significant visual impact of the senior life/care development on the northeastern part of the property would not be compounded by related projects, and as such, would not be cumulatively considerable. Therefore, no significant cumulative impacts to aesthetics and visual resources would occur. (EIR, p. 3.1-29 and 30.)

## **b. AIR QUALITY**

### **i. Potential Significant Impacts**

Although construction-related emissions are temporary, adverse air quality impacts may still result. (EIR, p. 3.2-15.)

### **ii. Proposed Mitigation**

**Mitigation Measure 3.2-1:** The construction area and all accessible areas (public streets, sidewalks, etc.) within 100 feet of the project site shall be swept (preferably with water sweepers) and watered at least twice daily.

**Mitigation Measure 3.2-2:** All unpaved roads, parking and staging areas shall be watered at least twice daily.

**Mitigation Measure 3.2-3:** Site access points shall be swept/washed within thirty minutes of visible dirt deposition. Street sweepers that comply with SCAQMD Rule 1186 and 1186.1 shall be used to sweep site access points.

**Mitigation Measure 3.2-4:** On-site stockpiles of debris, dirt or rusty material shall be covered or watered at least twice daily.

**Mitigation Measure 3.2-5:** All haul trucks importing and exporting soil from the project site shall either be covered or maintain two feet of freeboard. Smaller trucks can be used to transfer dirt, debris, and other materials to the haul trucks.

**Mitigation Measure 3.2-6:** All haul trucks shall have a capacity of no less than 12.75 cubic yards.

**Mitigation Measure 3.2-7:** All inactive disturbed surface areas shall be watered on a daily basis when there is evidence of wind-driven fugitive dust.

**Mitigation Measure 3.2-8:** Operations on any unpaved surfaces shall be suspended when winds exceed 25 miles per hour.

**Mitigation Measure 3.2-9:** Traffic speeds on unpaved roads shall be limited to 15 miles per hour.

**Mitigation Measure 3.2-10:** All diesel-powered construction equipment shall be maintained in good condition and in proper tune as per manufacturer's specifications.

**Mitigation Measure 3.2-11:** Architectural coating to be used shall contain no more than 217 grams of VOC per liter (1.81 pounds per gallon).

**Mitigation Measure 3.2-12:** Equipment used for architectural coating shall have a transfer efficiency rate of at least 65 percent. Equipment with a transfer efficiency rate of 65 percent includes High Volume Low Pressure Turbines (HVLP).

**Mitigation Measure 3.2-13:** A sign shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number where interested parties can inquire about the construction process and register complaints concerning dust or other construction generated air quality concerns. The SCAQMD telephone number (1-800-CUT-SMOG) shall also be provided to allow parties to inform the SCAQMD if complaints are not resolved by the contractor. The telephone numbers shall be legible at a distance of 50 feet.

**Mitigation Measure 3.2-14:** All construction equipment and haul trucks shall be fueled with B20, which is a fuel that contains a blend of 20 percent bio-diesel and 80 percent petroleum diesel by volume.

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### **iv. Supporting Explanation**

#### **Project Construction Impacts**

Construction of the Project would last approximately 30 months and take place in four phases, which may overlap at certain points. The construction activities will temporarily create

emissions of dusts, fumes, equipment exhaust, and other air contaminants. (EIR, p. 3.2-15.) The EIR concluded that daily construction emissions are anticipated to exceed the South Coast Air Quality Management District (“SCAQMD”) thresholds for volatile organic compounds (“VOC”) during architectural coating activities under Phase 4 and when construction activities and phases overlap. Carbon monoxide (“CO”) emissions would exceed the SCAQMD threshold when construction activities and phases overlap, and CO concentrations would exceed the California Ambient Air Quality Standards (“CAAQS”) for the eight-hour period at three sensitive receptors near the site. Additionally, nitrogen oxides (“NOx”) emissions would exceed the SCAQMD threshold during building construction activities for all phases of construction and when construction activities and phases overlap, and concentrations of NO<sub>2</sub> and PM<sub>10</sub> would exceed the CAAQS and the SCAQMD threshold, respectively, at all sensitive receptors. Thus, significant impacts are anticipated. (EIR, pp. 3.2-15 to 19.)

It is mandatory for all construction projects in the Basin to comply with SCAQMD Rule 403 for Fugitive Dust and Rule 431.2 for Sulfur Content of Liquid Fuels. Rule 431.2 requires diesel fuel to have a sulfur content of 15 ppm by weight or less, which would limit the amount of sulfur oxide (“SO<sub>x</sub>”) and fugitive dust that is emitted. Rule 403 requires the use of control measures to reduce PM<sub>10</sub> emissions. Implementation of mitigation measures 3.2-1 through 3.2-9 ensures proper implementation of Rule 403 and that less-than-significant SO<sub>x</sub> and fugitive dust impacts are anticipated. (EIR, p. 3.2-15.)

Implementation of Mitigation Measures 3.2-1 through 3.2-9 and 3.2-13 would reduce dust and PM<sub>10</sub> emissions during grading/excavation activities. Mitigation Measure 3.2-10 would reduce NO<sub>x</sub>, CO, and PM<sub>10</sub> emissions throughout the entire construction period. However, these reductions cannot be quantified. With implementation of these mitigation



measures, daily PM10 emissions would be less than the SCAQMD threshold of 150 pounds per day, during days with overlapping construction activities. (EIR, pp. 3.2-23 and 24.) During overlapping construction activity and phases, however, mitigation measures 3.2-11 and 3.2-12 would reduce VOC emissions, but VOC emissions would still exceed the SCAQMD thresholds when construction activities and phases overlap. (Id. at p. 3.2-24.) Mitigation Measure 3.2-10 would also reduce NOx and CO emissions during construction. However, these reductions cannot be quantified. No other feasible mitigation measures are available to reduce NOx and CO emissions. Even with implementation of Mitigation Measure 3.2-10, daily construction emissions would exceed the SCAQMD thresholds for NOx when construction activities and phases overlap. CO emissions would also exceed the SCAQMD thresholds when construction activities and phases overlap. Thus, under the worst case overlapping construction phase scenario, the Project would have a significant unmitigated impact with respect to VOC, NOX, and CO emissions. (Ibid.)

During public comment, a new mitigation measure was proposed, to require the use of alternative fuels during construction. (See Comment letter #8, EIR, p. 8-1.24.) Alternative construction fuels are currently being developed, but are generally cost-prohibitive and not commercially practical. The EIR considered the use of both aqueous fuels and Engine Gas Recirculation technology to reduce NOx emissions, and concluded that it was not feasible or commercially practical to require their use, and therefore was not considered further as mitigation measures in the EIR. (EIR, p. 8.1-25.) The EIR also considered the use of bio-diesel, and concluded that, while its use would reduce the levels of certain air contaminants, its use would actually increase NOx emissions, add additional construction time (and corresponding pollutants), and place undue hardships on the construction equipment and contractor that operate