

MITIGATION MONITORING AND REPORTING PROGRAM**3330 EAST FOOTHILL BOULEVARD
(SMV/A NOISE WITHIN)**

This Mitigation Monitoring and Reporting Program (MMRP) for PAC2006-00018, located at 3330 East Foothill Boulevard, has been prepared pursuant to the California Environmental Quality Act (CEQA – Public Resources Code, Section 21000 *et seq.*), the CEQA Guidelines (Cal. Code Regs., Title 14, Chapter 3, Sections 15074 and 15097) and the City of Pasadena CEQA Guidelines. The mitigation measures included herein are considered conditions of approval for the project. A master copy of this MMRP shall be kept in the office of the Zoning Administrator and shall be available for viewing upon request. A copy also will be available at the office of the Condition/Mitigation Monitoring Coordinator.

PROJECT DESCRIPTION: The proposed project consists of: 1) the retrofit of an existing historically significant building into a 350 seat live stage theater and the new construction of a four-story 212 unit residential podium building above two levels of semi-subterranean parking; 2) the improvement to and the extension of Kinneloa Avenue between Colorado Boulevard and Foothill Boulevard; improvement to and extension of Walnut Street between Sunnyslope Avenue and Kinneloa Avenue; widening of Walnut Street between Altadena Drive and San Gabriel Boulevard; striping of Walnut Street from Altadena Drive to Madre Street; and extension of Virginia Avenue across the historic railroad hump to the north side of Walnut Street.

This MMRP includes mitigation measures for the the retro-fit of the historically significant building and the new construction of the 212-unit apartment building. A separate MMRP will be prepared for the portion of the project that includes roadway improvement portion of the project.

This MMRP includes mitigation measures in the Mitigation Monitoring and Reporting Matrix on the following pages that correspond to the final Mitigated Negative Declaration (MND) for the project. The matrix lists each mitigation measure or series of mitigation measures by environmental topic. For each mitigation measure, the frequency of monitoring and the responsible monitoring entity is identified. Mitigation measures may be shown in submittals and may be checked only once, or they may require monitoring periodically during and/or after construction. Once a mitigation measure is complete, the responsible monitoring entity shall date and initial the corresponding cell, and indicate how effective the mitigation measure was.

If any mitigation measures are not being implemented, the City may pursue corrective action. Penalties that may be applied include, but are not limited to, the following: (1) a written notification and request for compliance; (2) withholding of permits; (3) administrative fines; (4) a stop-work order; (5) forfeiture of security bonds or other guarantees; (6) revocation of permits or other entitlements.

Monitoring Program Cost:

I HEREBY AGREE TO PAY THE CITY MONITORING FEES, AND IMPLEMENT THESE MITIGATION MEASURES, AT A MINIMUM, IN THE DESIGN, CONSTRUCTION, AND MAINTENANCE OF THE PROJECT.

APPLICANT

DATE

Mitigation Monitoring (SMV/A Noise Within) and Reporting Program Matrix

PAC2006-00018

3330 EAST FOOTHILL BOULEVARD

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
Impact 1 – Cultural Resources				
<p>1. <u>Mitigation Measure for Design Review and Construction Monitoring CR1</u> – Work in the front yard setback will be limited to that noted in concept layout as described herein, and will be undertaken in conformance with the Secretary's Standards for Rehabilitation. With exception of proposed work, significant features of the front yard setback (historic garden) including gridded planting beds, retaining walls, walkways, reflecting pool, parking area, driveways and curbs will be retained. Any material variations between the concept layout designs reviewed herein and the final project design plans shall be reviewed, commented on and approved for conformance with Secretary's Standards by a preservation architect meeting the Secretary of the Interior's Professional Qualifications Standards in historic architecture. The preservation architect shall also be on-call to provide as needed historic preservation consulting for any unforeseen issues or conditions discovered during design development and construction document preparation as well as during construction work. Modifications recommended by the preservation architect shall be incorporated in the design and/or construction to ensure project conformance with the Secretary's Standards. A letter summarizing the qualified preservation architect's findings shall be submitted to the lead agency as necessary. The</p>	<p>Prior to the issuance of a Building Permit for the project</p>	<p>Planning and Development Department (Design and Historic Preservation Staff)</p>		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>qualified preservation architect shall hold a valid license to practice architecture in the State of California and have a minimum of 10 years specific experience rehabilitating historic buildings and applying the Secretary's Standards to such projects.</p>				
<p><u>2. Mitigation Measure for Lighting in Historic Garden CR2</u> – Although lighting in the historic garden is anticipated, current concept layout does not identify lighting requirements in historic garden. Prior to issuance of building permits for theater, a lighting plan for historic garden shall be prepared and reviewed by qualified preservation architect. The plan will seek to balance use requirements with the historic character of Stuart Building and the historic garden.</p>	<p>Prior to the issuance of a Building Permits for the theater.</p>	<p>Planning and Development Department (Design and Historic Preservation Staff)</p>		
<p><u>3. Mitigation Measure for Design Review and Construction Monitoring for the western portion of the Stuart Building CR3</u> – Same as Mitigation Measure No. 1 above</p>	<p>Prior to the issuance of a Building Permit for the project.</p>	<p>Planning and Development Department (Design and Historic Preservation Staff)</p>		
<p><u>4. CR4</u> - If archaeological resources are encountered during project construction, all construction activities in the vicinity of the find shall halt until an archeologist certified by the Society of Professional Archeologists examines the site, identifies the archaeological significance of the find, and recommends a course of action. Construction shall not resume until the site archeologist states in writing that the proposed construction activities will not significantly damage archaeological resources.</p>	<p>Continuously during the construction of the project</p>	<p>Planning and Development Department (Design and Historic Preservation Staff)</p>		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>5. <u>CR5</u>- If paleontological resources are encountered during project construction, all construction activities in the vicinity of the find shall halt until a paleontologist meeting the satisfaction of the Natural History Museum of Los Angeles County identifies the paleontological significance of the find, and recommends a course of action. Construction shall not resume until the site paleontologist states in writing that the proposed construction activities will not significantly damage paleontological resources.</p>	Continuously during the construction of the project	Planning and Development Department (Design and Historic Preservation Staff)		
Impact 2 – Air Quality				
<p>1. <u>AQ1</u> - Construction equipment shall be properly maintained to ensure low operating emissions.</p>	Periodically during construction (at least once per month)	Planning and Development Department (Building Division Staff)		
<p>2. <u>AQ2</u> - Compliance with SCAQMD rule 403 and 1113 regarding the control of fugitive dust emissions, and architectural coatings.</p>	Periodically during construction (at least once per month)	Planning and Development Department (Building Division Staff)		
Impact 3 – Noise				
<p>1. <u>NO1</u> - A Construction Related Noise Plan is required as part of the Construction Staging Plan. This plan must show the location of any construction equipment and how the noise from this equipment will be mitigated by such methods as: temporary noise attenuation barriers; preferential location of equipment; and use of current technology and noise suppression equipment.)</p>	Prior to the issuance of a Building Permit for the Project.	Planning and Development Department (Building Division Staff)		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>2. <u>NO2</u> - The interior noise levels attributable to any exterior source shall not exceed 45 dB in any habitable room. Construction materials, including but not limited to, double-paned windows and wall insulation, shall be utilized. Prior to the issuance of a Certificate of Occupancy, a noise test shall be conducted to verify the interior noise levels comply with the 45 dB requirement as required by the California Noise Insulation standards Title 24.</p>	<p>Prior to the issuance of a Certificate of Occupancy.</p>	<p>Planning and Development Department (Building Division Staff)</p>		
Impact 4 – Hydrology and Water Quality				
<p>1. <u>HW1</u> – This project will require the preparation of a Standard Urban Storm water Mitigation Plan</p>	<p>Prior to the issuance of a Building Permit for the Project.</p>	<p>Planning and Development Department (Building Division Staff)</p>		
Impact 5 – Hazards and Hazardous Materials				
<p>1. <u>HHM1</u> – Prior to issuance of a Final sign off of the Grading Permit and to the satisfaction of the Building Department, the applicant shall prepare and implement a nickel remediation plan for the project site. The City shall not issue final sign off of the Grading Permit until there are no concentrations of nickel on the project site that exceed the USEPA Region 9 Residential Preliminary Remediation Goal of 150 milligrams per kilogram. The applicant shall provide evidence that this standard has been met, to the satisfaction of applicable City departments including the Pasadena Fire Department.</p>	<p>Prior to the issuance of Final sign off for the grading permit for the project.</p>	<p>Planning and Development Department (Building Division Staff)</p>		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>2. <u>HHM2</u> – Prior to the issuance of a grading permit and to the satisfaction of the City, the applicant shall have a Phase II environmental site assessment or equivalent documentation of hazardous material conditions on site conducted on the project site to determine the presence and extent of any chemicals remnant of the previous laboratory use of the site including but not limited to alcohol, ethanol, methanol, chlorinated solvents such as carbon tetrachloride, TCE, and 1,1,1- TCA. Should the Phase II reveal contamination of the project site in excess of any residential health based standards or preliminary remediation goals, the City shall not issue Final sign off of the Grading Permit until the applicant has prepared and implemented a respective remediation plan for the contamination identified on site. The City shall not issue final sign off of the Grading Permit until there are no concentrations of the identified contamination on the project site that exceed the respective residential health based standards or preliminary remediation goals. The applicant shall provide evidence that such standards have been met, to the satisfaction of applicable City departments including the Pasadena Fire Department.</p>	<p>Prior to the issuance of Final sign of the grading permit for the project.</p>	<p>Planning and Development Department (Building Division Staff)</p>		

MITIGATION MONITORING AND REPORTING PROGRAM

3330 EAST FOOTHILL BOULEVARD (PUBLIC WORK IMPROVEMENTS)

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APPLICANT

DATE

**Mitigation Monitoring (Public Works) and Reporting Program Matrix
PAC2006-00018
3330 FOOTHILL BOULEVARD**

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
Impact 1 – Aesthetics				
<p>1. AES-1 - To ensure no significant impacts to cultural resources occur during project construction, the edge of the ROW in this area of the Walnut Street extension shall be fenced with temporary construction fencing to protect the bridge from construction activities. Should construction activities be anticipated to affect or alter the bridge, prior to the initiation of such activities, the City shall conduct a phase I cultural resource assessment to assess and identify the historical importance of the bridge and adopt any needed measures to protect the bridge, including using a qualified cultural resources specialist to monitor construction and demolition activities for the duration of the period activity occurs adjacent to the bridge. All modifications or alterations to the bridge shall be conducted in accordance with the Secretary of the Interior's Standards. Prior to the initiation of any work near the bridge, the proposed work shall be reviewed/approved by the appropriate City staff/commissions</p>	<p>Prior to any work being conducted near the bridge</p>	<p>Design and Historic Preservation staff</p>		
Impact 2 – Biological Resources				
<p>1. BIO1- During project construction, run-off into Eaton Creek shall be controlled through the use of sedimentation control techniques, such as hay bales or sand bags, to intercept and prevent run-off and debris from entering the stream channel. In</p>	<p>Continuously during project construction</p>	<p>Public Works staff and Building Department staff</p>		

Mitigation Measure	Mitigation Monitoring Timing	Responsible Monitoring Entity	Mitigation Measure Complete?	Effectiveness
<p>addition, when the extent of possible disturbance to Eaton Creek is better defined, the City should perform early consultation with CDF&G, RWQCB and the USACE to refine possible project permit requirements and better define and required Best Management Practices.</p>				
<p>2. BIO2 - During project construction, run-off into Eaton Creek shall be controlled through the use sedimentation control techniques such as hay bales or sand bags to intercept and minimize pollution and debris from entering the stream channel. If demolition of the entire section over Eaton Creek is required, the City would implement measures to ensure that no concrete or asphalt debris enters the stream channel. In addition, when the extent of possible disturbance to Eaton Creek is better defined, the City should perform early consultation with the CDF&G, RWQCB and the USACE to refine possible project permit requirements and identify any additional BMPs that may be required.</p>	<p>Continuously during project construction</p>	<p>Public Works staff and Building Department staff</p>		
<p>3. BIO3 - The proposed project would include the planting of street trees every 30 feet along both roadways as specified in the East Pasadena and East Colorado Boulevard Specific Plans. The size the type of tree shall be approved by Urban Forestry staff. Public trees are protected trees; therefore UFAC shall review the proposed removal of the trees.</p>	<p>Prior to the removal of any trees</p>	<p>Urban Forestry Staff</p>		

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Impact 3 – Hydrology and Water Quality				
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<p>1. HWQ1 – If streambed alteration is required, a Streambed Alteration Agreement would be required from the CDF&G pursuant to Section 1600 of the CDF&F code and a flood permit would be required from the Los Angeles County Department of Public Works, which maintains jurisdiction over the channel. In addition to implementation of the mitigation measure described in Section 6b, mitigation measures would be required as part of the Stream Alteration Agreement.</p> <p>2. HWQ2 - The applicant shall implement mitigation measure 6b and any additional mitigation measures that may be required by the Streambed Alteration Agreement from the California Department of Fish and Game, and any other jurisdictional agency with oversight of the channel.</p> <p>3. HWQ3 - Construction activities near the Eaton Creek channel shall occur during summer months when Eaton Creek would be at its lowest volume.</p>	<p>HWQ1 & HWQ2 - Prior to any alteration to the streambed</p> <p>HWQ3 – Throughout the construction of the project</p>	<p>HWQ1 & HWQ2 – Public Works and any other outside applicable agency.</p> <p>HWQ3 – Public Works Staff</p>		
Impact 4 – Hazardous materials				
<p>1. HM1 - Prior to issuance of a Final sign off of the Grading Permit and to the satisfaction of the Building Department, the applicant shall prepare and implement a nickel remediation</p>	<p>Prior to the issuance of a Final Grading Permit</p>	<p>Planning & Development Department, the Building Divisions and the Fire Department</p>		

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<p>plan for the project site. The City shall not issue final sign off of the Grading Permit until there are no concentrations of nickel on the project site that exceed the USEPA Region 9 Residential Preliminary Remediation Goal of 150 milligrams per kilogram. The applicant shall provide evidence that this standard has been met, to the satisfaction of applicable City departments including the Pasadena Fire Department.</p> <p>2. HM2 Prior to the issuance of a grading permit and to the satisfaction of the City, the applicant shall have a Phase II environmental site assessment or equivalent documentation of hazardous material conditions on site conducted on the project site to determine the presence and extent of any chemicals remnant of the previous laboratory use of the site including but not limited to alcohol, ethanol, methanol, chlorinated solvents such as carbon tetrachloride, TCE, and 1,1,1- TCA. Should the Phase II reveal contamination of the project site in excess of any residential health based standards or preliminary remediation goals, the City shall not issue Final sign off of the Grading Permit until the applicant has prepared and implemented a respective remediation plan for the contamination identified on site. The City shall not issue final sign off of the Grading Permit until there are no concentrations of the identified</p>				

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<p>contamination on the project site that exceed the respective residential health based standards or preliminary remediation goals. The applicant shall provide evidence that such standards have been met, to the satisfaction of applicable City departments including the Pasadena Fire Department. With the incorporation of these mitigation measures, the project will not create a significant hazard to humans or the environment due to hazardous materials.</p> <p>3. HM3: Prior to grading or construction activities occurring, the applicant shall receive confirmation that no release has occurred at 233 N. Altadena Avenue, Pasadena CA. If such information cannot be verified or obtained, prior to excavation and grading the City shall have a Phase II Environmental Site Assessment or equivalent documentation of hazardous materials conditions of the site (including soil sampling) to determine the presence and extent of any hazardous materials associated with the site. Should the Phase II reveal contamination of any portion of the project site, the City shall prepare and implement a remediation plan for the identified contamination. The City shall not conduct grading or excavation activities until remediation has been completed according to all city and state regulations.</p>				

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<p>4. HM4: Answer – Hazardous materials and petroleum products commonly associated with railroads and rail-yards include creosote, pentachlorophenol (PCP), and copper chromate arsenic (CCA) which could leach from railroad ties or bridge timbers. Prior to excavation and grading the City shall have obtain documentation that no contamination is present, or they must prepare a Phase II Environmental Site Assessment or equivalent documentation of hazardous materials conditions of the site (including soil sampling) to determine the presence and extent of any hazardous materials associated with the railroad on the project site. Should the Phase II reveal contamination of any portion of the project site, the City shall prepare and implement a remediation plan for the identified contamination. The City shall not conduct grading or excavation activities until remediation has been completed according to all city and state regulations.</p>				