

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
COLORADO AT LAKE PROJECT, AND ADOPTING ENVIRONMENTAL FINDINGS**

WHEREAS, the Colorado at Lake project (the "Project") is located on a .95 acre site (85,136 square feet) along E. Colorado Boulevard from S. Mentor to S. Lake Avenues and encompasses eight separate lots. The Project proposes the renovation of the 65,750 square foot former Constance Hotel, including 3,700 square feet of basement, demolition of existing commercial uses and new development of additional hotel rooms, restaurant, office, retail and five residential uses over three phases. The first phase would renovate the existing structure to provide 136 hotel rooms in the initial phase and add 20 new hotel rooms and 5 residential units as an addition to the existing structure. The second and third phases include removal of the remaining structures on site, and construction of an office component (103,410 square feet) and retail/commercial and restaurant space (54,771 square feet). New buildings would vary in height up to seven stories and 90 feet. Total development would be approximately 252,315 gross square feet (including the 65,750 square feet renovated former hotel), resulting in a total Floor Area Ratio (FAR) OF 2.97:1, consistent with allowable FAR of 3:1 for seven of the eight site lots, and 2.75:1 for the remaining lot. The Project would be designed to qualify for a Leadership in Energy and Environmental Design ("LEED") energy efficiency certification and would be developed in compliance with the City

Green Building Ordinance (PMC 14.90). The Project requires approval of a Conditional Use Permit for new construction in a Transit Oriented District and for shared, tandem and valet parking; a Variance for Historic Resources for loading spaces, building setback, and construction of a surface parking lot; a Tree Removal Permit; a Tentative Tract Map to merge existing lots and create condominium airspace lots; Design Review (including approval of height averaging), 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) Geology and Soils; (4) Transportation and Circulation; (5) Noise and Vibration; and (6) Water Service; and

WHEREAS, pursuant to Guidelines Sections 15064 and 15081, and based upon the information in the Initial Study, the City ordered the preparation of an environmental impact report for the Project (“EIR”). On May 13, 2009, 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 30-day period, from May 13, 2009 to June 12, 2009, 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. Two public meetings were held, on Wednesday, May 27, 2009 and Wednesday, June 3, 2009, to determine the scope and content of the environmental information to be included in the Draft EIR; and

WHEREAS, pursuant to Public Resources Code section 21092, the City provided a public Notice of Completion and Availability ("NOA") of the Draft EIR (State Clearinghouse No. 2009051066) on July 29, 2010, through mailing to all property owners within 500 feet of the Project. The NOA also gave notice of a public meeting on September 1, 2010, at which comments on the Draft EIR would be taken. Copies of the Draft EIR were also placed at the City's Planning and Development Department at 175 North Garfield Avenue, at the Central Library at 285 East Walnut, 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 45-day public comment period, from July

29, 2010 to September 12, 2010. During the comment period, the City held two 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 August 26, 2010, and City Council on September 1, 2010; 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, and other regulatory agencies pursuant to Guidelines Section 15086; and

WHEREAS, the City subsequently 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 October 6, 2010, 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 14 day period of public review before the commencement of the public hearing 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 further recirculation of the Draft EIR; and

WHEREAS, the Final Environmental Impact Report (the "Final EIR" or "EIR") is comprised of: the Draft EIR; the comments and responses to comments on the Draft EIR set forth in the Final EIR dated October 2010; technical appendices; and

WHEREAS, the City Council held a duly noticed public hearing on the Final EIR and the Project on October 20, 2010; 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 and Development 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, as the decision-making body for the lead agency, has independently reviewed and considered the contents of the Final EIR and all documents and testimony in the record of proceedings prior to deciding whether to certify the Final EIR; 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 prior to approving the 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 lead agency. The City Council certifies the Final EIR based on the findings and conclusions herein.

The City Council finds that the additional information provided in the staff report, in the comments (and any responses thereto) received after circulation of the Draft EIR, in the evidence presented in written and oral testimony presented at public meetings, and otherwise in the administrative record, does not constitute new information requiring further 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: (1) Agricultural Resources; (2) Biological Resources; (3) Energy; (4) Geology and Soils; (5)

Hazards and Hazardous Materials; (6) Hydrology and Water Quality; (7) Land Use and Planning; (8) Mineral Resources; (9) Population/Housing; (10) Public Services; and (11) Recreation (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. AESTHETICS

i. Potential Significant Impacts

- The former Constance Hotel is a historic resource and could be considered to have aesthetic value as a scenic resource. (EIR, p. IV.A-12.)
- Changes to the landscaping on the site consists of removal of 29 out of 36 trees. (EIR, p. IV.A-6 and 13.)
- The Project would replace existing one-story retail uses, a Bank of America structure and associated parking with two-story retail and restaurant uses, as well as a larger, taller 6-story office structure built to 90 feet in height, all of which could impact views through and of the site. (EIR, p. IV.A-14.)
- The Project, particularly the 6-story office structure built to 90 feet in height at the corner of Colorado Boulevard and Lake Avenue, could have shade and shadow impacts. (EIR, p. IV.A-23.)
- Implementation of the Project would increase lighting from the site and in the immediate area. (EIR, p. IV.A-31.)

ii. Proposed Mitigation

IV.A-1 All lighting along the perimeter of the site, particularly street lamps, shall be focused on the project site and oriented in a manner that will prevent spillage or glare into surrounding uses. Lighting shall be energy-efficient and shielded so that direct glare and reflections are confined to the maximum extent feasible within the building site, and shall be directed downward and away from adjoining properties and public

rights-of-way. All proposed exterior (safety, landscape and signage) lighting shall comply with the outdoor lighting standards in the City of Pasadena Zoning Code.

IV.A-2 The proposed project shall comply with the City's lighting regulations included in the Zoning Code, which limit the reflectivity of architectural materials used to reduce any adverse impacts from window glass glare.

IV.A-3 Construction equipment staging areas shall use and maintain appropriate screening (i.e., temporary fencing with opaque material) to buffer views of construction equipment and material to the adjacent land uses. Any construction-related lighting shall include shielding in order to direct lighting down and away from adjacent residential and commercial areas.

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

Scenic Vistas and Resources Impacts: The Project would not result in the destruction of any landmark-eligible trees, stand of trees, rock outcropping or natural feature within or adjacent to a State Scenic Highway. (EIR, pp. IV.A-6 to 8, and 12.) However, the former Constance Hotel is a historic resource and has aesthetic value as a scenic resource. The renovations to the hotel would result in updating of the exterior and views of the structure in accordance with Section 106 requirements of the National Historic Preservation Act of 1966, and specifically will retain and restore character-

defining features of the hotel's exterior, and will remove incompatible alterations. (Id. at pp. IV.A-12 to13.) Accordingly, the Project will not have potentially significant impacts to scenic resources and no mitigation is required.

Visual Character or Quality Impacts: With regard to street trees and landscaping, all but two of the 31 trees internal to the site would be removed with the Project, and a tree removal permit is required to remove three of those trees. New trees (approximately 40) would be planted within and around the site. Given that existing trees within the fully developed site are not a predominant aesthetic feature and constitute a small proportion of site coverage, that the Project would broaden the existing landscape palette, and that the Project would add three new street trees on Mentor Avenue and an additional street tree on Colorado Boulevard, the reduction in existing coverage within the site is not considered to be a significant aesthetic impact nor a significant impact to visual character or quality. (EIR, pp. IV.A-13 to 14.) With regard to the Project's impacts on views, the massing and heights of the proposed structures would be consistent with the existing structures in the area, and the Project would be in compliance with the height requirements of the Specific Plan. The proposed hotel addition would be compatible in height and scale with the Constance Hotel and with other uses located along and across Mentor Avenue. (Id. at p. IV.A-22.) Lighting associated with the new structures would not be directed towards adjacent uses. (Ibid.) Although the Project would increase massing and scale on the site, it is proximate to other mid -rise office buildings and is compatible with the scale of

development in the surrounding area. Therefore, the Project would be aesthetically compatible with surrounding uses with respect to massing and scale. (Id. at pp. IV.A-22 to 23.) Pedestrian level views of both the San Gabriel Mountains and the Verdugo Mountains are partially available from public rights of way within the Project area, but are currently obstructed by mid-rise development that exists in the surrounding area. View lines through the Project site would be reduced with the construction of 6 and 7-story structures. However, since there are no scenic resources that are presently available in view lines from public rights of way through the Project site, no scenic views would be obstructed. Therefore, impacts associated with the obstruction of pedestrian views would be less than significant, and in sum, changes to views from the Project as preliminarily designed would not result in a significant impact to visual character or quality. (Ibid.)

Shade and Shadow Impacts: During the summer solstice the greatest shadows from the Project would be cast on adjacent commercial uses and would decrease in length throughout the day. As no shadows from the Project would be cast over sensitive uses, no significant environmental impacts from shade and shadow are anticipated to occur during the summer solstice. (EIR, p. IV.A-24.) Likewise, shadows from the Project cast during the winter solstice would not reach the four-story multi-family residential building located along Mentor Avenue or any other shadow-sensitive uses. (Ibid.) At no time during the spring/fall equinoxes would the multi-family residential building located next to the parking uses be shaded as a result of the Project.

(Ibid.) Therefore, no significant environmental shade/shadow impacts are anticipated to occur.

Lighting and Illumination Impacts: Lighting for the Project would include a continuation of security, landscaping, and street lighting that already exists on site and that is typical of the area. The proposed outdoor restaurant and courtyard areas would also include security, landscape and functional lighting. All such lighting would be of low-scale and directed and/or shielded away from adjacent uses to limit light spillover effects. Implementation of the Project would result in increased lighting from the project site and in the immediate area. However, with implementation of the mitigation measures, the Project would not create a new source of light or glare that would adversely affect day or nighttime views in the area. (EIR, p. IV.A-31.) The Project would not use highly reflective building materials, and glare from the proposed structure is not anticipated along Mentor Avenue. While the proposed 35-foot atrium at Lake Avenue and Colorado Boulevard would be largely glass enclosed, it would be built with glass of low reflectivity, as would all glass/windows in the Project. (Ibid.) Final Project lighting plans, as well as exterior finish, colors, and materials would be closely evaluated through the City's design review process, which would further ensure that Project lighting would be sensitive to, and compatible with the surrounding community. (Ibid.) In sum, the Project will have less than significant lighting and illumination impacts after the incorporation of mitigation. (EIR, p. IV.A-32.)

Cumulative Impacts

The Project would be located in a highly urbanized area within the City. While many of the related projects and the Project would be visible from public and private properties, the combination of these projects would not greatly obstruct existing public scenic views. Any changes to views and scenic resources that could occur from development of related projects would not be compounded or altered by the inclusion of the Project. The project site is not within the viewshed of the Angeles Crest Highway, and not along any scenic roadway corridors identified in the City of Pasadena General Plan. With respect to quality of the overall Project area, each of the related projects would be required to obtain approval from the City of Pasadena Design Commission prior to the issuance of grading permits. With respect to shade/shadow impacts, shadows cast by the Project would not impact sensitive uses and would not be compounded by shadows cast by any of the nearby related projects. Consequently, significant cumulative impacts are not anticipated to occur. (EIR, pp. IV.A-32 to 33.)

b. NOISE AND VIBRATION

i. Potential Significant Impacts

- Noise arising from construction would be significant if it exceeded 85 dBA at 100 feet, and/or construction activity took place during the hours of 7 p.m. to 7 a.m. Monday through Friday, 5 p.m. to 8 a.m. on Saturday, or any time on Sunday. (EIR, pp. IV.D-9 to 10.)
- Noise arising from Project operations would be significant if the ambient noise level measured at the property line of affected users increases by 3 dBA CNEL to or within specified noise levels depending on the land use at the affected property, or any 5 dBA increase in noise level. (EIR, pp. IV.D-10 to 11.)

- Vibration impacts would be significant if the Project would expose buildings to vibration levels of 0.5 inches per second, or would expose historic buildings to vibration levels of 0.12 inches per second. (EIR, p. IV.D-10.)

ii. Proposed Mitigation

IV.D-1 All residential units located within one-quarter mile of the construction site shall be sent a notice regarding the construction schedule of the proposed project. A sign, legible at a distance of 50 feet 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.

IV.D-2 A “noise disturbance coordinator” shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures such that the complaint is resolved. All notices that are sent to residential units within one-quarter mile of the construction site and all signs posted at the construction site shall list the telephone number for the disturbance coordinator.

IV.D-3 The construction contractor shall utilize caisson drilling instead of pile driving on the project site.

IV.D-4 Prior to commencement of construction activity, a qualified structural engineer shall survey the existing foundation and other structural aspects of the former Hotel Constance and 45 N. Mentor Avenue (subject to property owner granting access to conduct the survey). The survey shall provide a shoring design to protect the identified land uses from potential damage. Pot holing or other destructive testing of the below grade conditions may be necessary to establish baseline conditions and prepare the shoring design. The qualified structural engineer shall hold a valid license to practice structural engineering in the State of California and have a minimum of ten years specific experience rehabilitating historic buildings and applying the Secretary’s Standards to such projects.

IV.D-5 The qualified structural engineer shall submit a pre-construction survey letter establishing baseline conditions at the former Hotel Constance and the buildings located adjacent and to the south of the project site. These baseline conditions shall be forwarded to the lead agency and to the mitigation monitor prior to issuance of any foundation only or building permit for the proposed project.

IV.D-6 At the conclusion of vibration causing activities, the qualified structural engineer shall issue a follow-on letter describing damage, if any, to the former Hotel Constance and the buildings located adjacent and to the south of the project site. The letter shall include recommendations for any repair, as may be necessary, in conformance with the Secretary of the Interior Standards. Repairs to the former Hotel

Constance shall be undertaken and completed in conformance with all applicable codes including the California Historical Building Code (Part 8 of Title 24) prior to issuance of any temporary or permanent certificate of occupancy for the new building.

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 Impacts: Construction of the Project would result in temporary increases in ambient noise levels in the area on an intermittent basis, and would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receptor, and presence or absence of noise attenuation barriers. General construction noise levels are expected to be at their highest during the grading/excavation and finishing phases of construction. (EIR, p. IV.D-12.) Ambient noise levels during construction would range from 56.2 to 86.7 dBA Leq. The highest construction-related noise increase would occur at the multi-family residences directly east of the site, across Mentor Avenue. However, general construction equipment noise levels would not exceed the 85-dBA at 100 feet significance threshold. (Id. at pp. IV.D-12 to 13.) The ambient noise levels during pile

driving activity would range from 64.2 and 98.7 dBA Leq at sensitive receptors in the Project vicinity. Noise from potential pile driving activity would potentially occur during the construction process, and although temporary and intermittent, pile driving noise levels would exceed the 85-dBA at 100 feet significance threshold. Pile driving noise would result in a significant noise impact without mitigation. (Id. at pp. IV.D-13 to 14.) Mitigation Measures IV.D-1 and IV.D-2 would assist in controlling construction noise. Mitigation Measure IV.D-3 would eliminate pile driving activity in favor of caisson drilling. Caisson drilling generates a noise level of 71 dBA at 100 feet, which would be less than the 85 dBA significance threshold. Therefore, construction noise would result in a less-than-significant impact with mitigation. (Id. at p. IV.D-19.)

Operational Impacts: The greatest Project-related vehicle noise increase after the completion of Phase 1 would be 0.6 dBA CNEL, after the completion of Phase 2 would be 0.5 dBA CNEL, and after the completion of Phase 3 would be 1.1 dBA CNEL, all along Mentor Avenue between Colorado Boulevard and East Green Street. (Id. at p. IV.D-15.) Accordingly, vehicle noise generated by the Project would not exceed the City's threshold of significance. With regard to stationary noise, the Project would include various pieces of equipment in the mechanical areas of the site. The majority of these would be located within equipment enclosures and screened from view. Cooling towers would be located on the southern portion of the site. The nearest land use would be a multi-family residence that would experience a 0.6-dBA increase in ambient noise arising from the cooling tower. This incremental increase would not be audible

and no mitigation is required. (Id. at pp. IV.D-14 to 15.) The Project would include a rooftop pool on the southeastern portion of the site, which would generate an exterior noise level of 54.5 dBA at the multi-family residences. This incremental increase would not be audible, and no mitigation is required. (Id. at p. IV.D-15.) Outdoor restaurant space would largely be located on the second (terrace) level, and would generate a similar noise level as the pool area. Based on location, the restaurant seating noise levels would be less than the pool area noise levels presented above at sensitive receptors, and does not require mitigation. (Id. at p. IV.D-16.) Noise arising from cars parking at the site (or from valet parking during phases I and II) would result in a significant and unavoidable impact without mitigation. (Ibid.) The Project would include one loading dock for delivery trucks at the rear of the buildings near the south side of the site. Loading activity would not increase ambient noise level by more than 5 dBA at sensitive receptors, and no mitigation is required. (Id. at pp. IV.D-16 to 17.)

Ground-Borne Vibration: Construction activity would occur adjacent to two commercial buildings south of the site. Construction equipment would typically generate a vibration level of 1.0 inches per second at these land uses, and would exceed the 0.5 inches per second significance threshold. (EIR, p. IV.D-17.) General construction equipment would generate a vibration level of 1.0 inches per second at a distance of five feet, and would exceed the 0.12 inches per second significance threshold at the former Hotel Constance. (Ibid.) The Project may require drilled or driven piles. Impact pile driving would generate a vibration level of 7.2 inches per

second at both off-site sensitive receptors and the former Hotel Constance, which would exceed the potential fragile building damage thresholds of 0.5 and 0.12 inches per second, respectively. (Ibid.) Operational ground-borne vibration in the vicinity would be generated by vehicular travel on the local roadways, Project-related traffic vibration levels would not be perceptible by sensitive receptors, and is therefore less-than-significant. (Id. at p. IV.D-18.) Mitigation Measure IV.D-3 would require caisson drilling instead of impact pile driving. Caisson drilling would generate a vibration level of 1.0 inches per second at the former Hotel Constance and the buildings located adjacent and to the south of the project site instead of the 7.2 inches per second pile driving vibration level. Mitigation Measures IV.D-4 through IV.D-6 would ensure that vibration-induced building damage is recorded and repaired. As such, construction vibration would result in a less-than-significant impact with mitigation. (Id. at p. IV.D-19.)

Cumulative Impact

Cumulative noise impacts generally arise from cumulative traffic growth. The noise impacts in the EIR are generated directly from the traffic analysis results and therefore the future without project and future with project noise impacts described in the EIR already reflect cumulative impacts. The maximum cumulative roadway noise increase would be 1.7 dBA CNEL and would occur along Mentor Avenue between Colorado Boulevard and East Green Street. Mobile noise generated by the Project would not cause the ambient noise level measured at the property line of the affected uses to increase above the City's thresholds of significance. (EIR, p. IV.D-20.) The

predominant vibration source near the Project site is heavy trucks traveling on local roadways. Neither the Project nor related projects would substantially increase heavy-duty vehicle traffic near the site and would not cause a substantial increase in heavy-duty trucks on local roadways. Therefore, the proposed project would not add to a cumulative vibration impact. (Ibid.)

c. UTILITIES – WASTEWATER AND SERVICE SYSTEMS / WATER SUPPLY

i. Potential Significant Impacts

- The Project could impact the City's sewer infrastructure, and ability to process wastewater. (EIR, p. IV.F.1-14.)
- The Project could impact the City's water supply infrastructure, and ability to serve water. (EIR, pp. IV.F.2-8 to 9.)

ii. Proposed Mitigation

IV.F.1-1 At the time of construction design documents and if determined by the Department of Public Works, the applicant shall install one new 6-inch sewer lateral in Mentor Avenue or Lake Avenue, to Department of Public Works specifications. Since the lateral is not allowed to be larger than 6-inches, there is no ability to install a larger lateral in anticipation of future development.

IV.F.1-2 The City of Pasadena Department of Public Works shall approve all plans for the proposed installations 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.

IV.F.1-3 If so directed by the City of Pasadena Department of Public Works at the time a connection request is made, sewer loading for the proposed project shall be directed away from the Lake Avenue sewer system, which has relatively less available capacity, to the Colorado Boulevard or Mentor Avenue sewer systems to the satisfaction of the City Engineer.

IV.F.2-1 Consistent with LEED New Construction and Major Renovations, Water Efficiency Credit 3.1, the project shall employ strategies that in aggregate use 20% less water than the water use baseline calculated for the building (not including irrigation) after meeting the Energy Policy Act of 1992 fixture performance requirements.

Calculations are based on estimated occupant usage and shall include only the following fixtures (as applicable to the building): water closets, urinals, lavatory faucets, showers and kitchen sinks.

- Implementation of fixtures that meet or exceed those fixtures listed in LEED NC V3.0 Credit Number 3 in the table titled “Commercial and Residential Fixtures”.
- Renovation of the existing hotel will include replacement of toilets with high efficiency toilets and replacement of shower heads with low flow shower heads and faucets.
- Restrooms in the proposed residential units will include high efficiency toilets as well as low flow shower heads and faucets.
- Restrooms in the proposed office and retail areas will include waterless urinals, high efficiency toilets and low flow faucets.
- The project will install drought-resistant landscaping and an automated irrigation system.
- Hotel linen services will not be provided on-site.

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

Wastewater and Sewer Systems: The existing sewer laterals along the Mentor Avenue, Colorado Boulevard and Lake Avenue project frontages would be utilized for new building sewers to the maximum extent possible. However, since sewer loads and points of connection cannot be finalized until the mechanical engineer has designed the

plumbing system within the building, Mitigation Measure IV.F.1-1 requires that one new 6-inch sewer lateral may be necessary to connect to the Mentor Avenue sewer and one new 6-inch sewer lateral may be necessary to connect to the Lake Avenue sewer. (EIR, p. IV.F.1-14.) With regard to sewage, the Project's generation rate will be decreased as a result of required implementation of the City's mandated water conservation goals as set forth in Mitigation Measure IV.F.2.1. There are sufficient treatment capacities at the San Jose and Whittier Narrows water reclamation plants. (Ibid.) Further, although implementation of the Project will decrease the capacity of the three sewer systems serving the site, the decrease will not cause them to exceed their available capacity or be over 75 percent full, which the City defines as a safe loading capacity. Therefore, no improvements to the existing off-site sewer systems are required. (Id. at p. IV.F.1-5.) Sewer loading for the Lake Avenue connection can be partially reduced in the final design phase and shifted to the Colorado Boulevard and/or Mentor Avenue connection(s) in an effort to distribute sewage flows more evenly. Redistributing sewage flows in such a manner, as required by Mitigation Measure IV.F.1.3, would reduce the less significant project impacts even further. (Id. at p. IV.F.1-6.) Finally, Mitigation Measure IV.F.1.2 is a catch-all mitigation measure that allows appropriate coordination between the Project and PWP to ensure that the sewer and water systems for the Project are adequate and accurate through final design. Therefore, there are no remaining significant impacts. (Id. at p. IV.F.1-6.)

Water Supply Systems: New water infrastructure will be required of the Project, including two new fire hydrants. (EIR, p. IV.F.2-9.) After taking into account current water use on the site, the net change of water usage generated during the average daily flow, peak dry daily flow, and peak wet daily flow scenarios is 0.11, 0.22, and 0.29 mgd, respectively. (Id. at p. IV.F.2-10.) There are overall concerns of adequate water supply within the City, and the Project would generate increased demand for water. However, the PWP would be able to supply the projected demand based on existing entitlements provided the Project incorporates conservation. As the City is currently under a Level 1 Water Supply Shortage declaration per PMC 13.10.040, the Project will comply with all requirements of Pasadena Municipal Code (PMC) Title 13 during any water shortage declaration. (Id. at p. IV.F.2-11.) Specific mitigation is proposed in Mitigation Measure IV.F.2-1 to ensure that City water conservation targets are met or exceeded. Accordingly, no potentially significant impacts remain. (Id. at pp. IV.F.2-11 to 12.)

Cumulative Impacts

With regard to wastewater systems, there is sufficient capacity in the Project-adjacent sewers to accommodate the related projects upstream. The sewer on Mentor Avenue has more capacity, and sewage from the Project might be directed away from the Lake Avenue sewer where possible, per Mitigation Measure IV.F.1-3. Furthermore, although the related projects result in an overall increase in sewage effluent, the other known development projects would be required to employ City mandated water conservation measures, resulting in wastewater reductions similar to the Project.

Therefore, cumulative impacts related to wastewater service would be less than significant. (EIR, p. IV.F.1-7.) With regard to water supply, water supplies are considered adequate over a 20-year planning horizon in single dry year, multiple dry year and average years to serve projected development increases at the Project site and the list of projects, particularly when new developments will be required to implement conservation measures and to increase water conservation by 20% by 2020. (Id. at pp. IV.F.2-12 to 13.) Accordingly, there are no potentially significant cumulative impacts in these resource areas.

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 that reduce the following potentially significant environmental impacts, the impacts cannot be mitigated to below a level of significance.

a. AIR QUALITY

i. Potential Significant Impacts

- Construction of the Project has the potential to create air quality impacts through the use of heavy-duty construction equipment, vehicle trips generated during construction, fugitive dust created during demolition and site preparation activities, and paving operations and the application of architectural coatings. (EIR, p. IV.B-24.)
- Operational impacts of the Project after construction will generate 4,914 daily vehicle trips. (EIR, p. IV.B-29.)

ii. Proposed Mitigation

IV.B-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.

IV.B-2 The construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road:

- Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;
- Pave the surface extending at least 100 feet and at least 20 feet wide;
- Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or
- Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.

IV.B-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 or reclaimed water shall be used to wash site access.

IV.B-4 All haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).

IV.B-5 Construction activity on unpaved surfaces shall be suspended when winds exceed 25 miles per hour.

IV.B-6 Heavy-duty equipment operations shall be suspended during first and second stage smog alerts.

IV.B-7 Ground cover in disturbed areas shall be replaced as quickly as possible.

IV.B-8 The construction contractor shall utilize super-compliant architectural coatings as defined by the SCAQMD (VOC standard of less than ten grams per liter).

IV.B-9 The construction contractor shall utilize materials that do not require painting, as feasible.

IV.B-10 The construction contractor shall use pre-painted construction materials, as feasible.

IV.B-11 All diesel-powered construction equipment in use shall require control equipment that meets Tier III emissions requirements. In the event Tier III equipment is not available, diesel powered construction equipment in use shall require emissions control equipment with a minimum of Tier II diesel standards.

IV.B-12 The construction contractor shall utilize electricity from power poles rather than temporary gasoline or diesel power generators.

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 Impacts: Phase I and Phase III daily construction emissions for NO_x, CO, SO₂, PM_{2.5} and PM₁₀ would not exceed the SCAQMD regional thresholds. However, daily construction emissions for VOC would exceed the SCAQMD regional thresholds, therefore Phase I and Phase III regional construction emissions would result in a significant impact without mitigation. (EIR, pp. IV.B-24 to 27.) During all three phases, localized construction emissions for NO_x and CO would not exceed the SCAQMD regional thresholds. However, daily construction emissions for PM_{2.5} and PM₁₀ would exceed SCAQMD localized thresholds (primarily from construction equipment emissions, but also from grading in Phase III), and would result in a significant impact without mitigation. (Id. at p. IV.B-28.) Given the short-term construction schedule of approximately 38 months, the Project would not result in a long-term (i.e., 70 years) source of toxic air contaminant (TAC) emissions, and therefore no residual emissions and corresponding individual cancer risk are anticipated after

construction. (Ibid.) Potential sources that may emit odors during construction activities include equipment exhaust and architectural coatings, and odors from these sources would generally be confined to the immediate area surrounding the site and be temporary. Since these odors do not constitute a nuisance, construction odors would result in a less-than-significant impact. (Id. at p. IV.B-29.)

Operational Impacts: Operational emissions were estimated for each of the three phases and each phase was compared to the SCAQMD significance thresholds for informational purposes. The final conclusion of significance is based on total development of all three phases. Regional operational emissions for VOC, NO_x, CO, SO_x, PM_{2.5} and PM₁₀ would not exceed significance thresholds, and would result in a less-than-significant impact. (EIR, pp. IV.B-29 to 30.) With regard to localized CO hotspots, the Lake Avenue/Walnut Street intersection would degrade from LOS E to LOS F in Phase III and a detailed CO hotspot analysis was conducted. The one-hour CO concentration at the Lake Avenue/Walnut Street intersection would be 5 ppm at worst-case sidewalk receptors. The eight-hour CO concentration would be 3.7 ppm. The State one- and eight-hour standards of 20 and 9.0 ppm, respectively, would not be exceeded at the analyzed intersections. Localized CO concentrations would result in a less-than-significant impact. (EIR, p. IV.B-29.) During Project operations, the primary source of potential TACs is diesel particulate from delivery trucks on local streets and on-site truck idling. Since less than five heavy-duty delivery type trucks would access the site on a daily basis, and the trucks that do visit the site would not idle on-site for

extended periods of time, the Project does not need a health risk assessment associated with on-site activities, and potential TAC impacts are less than significant. (Id. at pp. IV.B-30 to 31.) The only odors that are expected from the Project could be at restaurant space on the site. While there is a potential for odors to occur, compliance with industry standard odor control practices, SCAQMD Rule 402 (Nuisance), and SCAQMD Best Available Control Technology Guidelines would limit potential restaurant objectionable odor impacts to a less-than-significant level. (Id. at p. IV.B-31.) The SCAQMD has indicated that a project is consistent with the 2007 AQMP if it is consistent with the applicable General Plan's land use zoning. The Project is well within the permitted densities and allowable uses for the site under Zoning Code, and would not require a general plan amendment, and is therefore consistent with the AQMP. (Ibid.)

Mitigation Measures IV.B-1 through IV.B-7 would ensure compliance with SCAQMD Rule 403 and would ensure that fugitive dust emissions would be reduced by approximately 61 percent. Mitigation Measure IV.B-8 would reduce project-related architectural coating emissions by 96 percent. Mitigation Measures IV.B-9 and IV.B-10 would also reduce VOC emissions. Mitigation Measures IV.B-11 and IV.B-12 would reduce localized particulate matter emissions from fuel combustion. However, particulate matter emissions would remain above the significance thresholds and cannot be mitigated further.

Cumulative Impacts

Since the Project results in localized significant impacts during construction relative to PM_{2.5} and PM₁₀, the Project contributes an incremental effect to a cumulatively considerable significant environmental impact. However, during operations the Project does not contribute to a potentially significant cumulative environmental effect. (EIR, p. IV.B-34.)

Greenhouse Gases and Global Climate Change: Greenhouse gas (GHG) emissions were calculated for on-road mobile vehicle operations, general electricity consumption, electricity consumption associated with the use and transport of water, natural gas consumption, and solid waste decomposition. Estimated GHG emissions would be less than the 10,000 metric tons of CO_{2e} per year quantitative significance threshold. (EIR, p. IV.B-34.) The Project would comply with the applicable greenhouse gas reduction plans, including: CAT Greenhouse Gas Reduction Strategies, Attorney General Greenhouse Gas Reduction Measures, and the City's 2009 Green City Action Plan. (EIR, pp. IV.B-35 to 40.) Global climate change would not be expected to have a substantial impact on the Project because the site would not be affected by minor changes in sea level and the Project would not require a substantial volume of water resources, so any changes in available water resources (resulting from climate change) would not have a substantial effect on the viability of the Project. (EIR, p. IV.B-41.)

b. HISTORICAL RESOURCES

i. Potential Significant Impacts

- Without compliance with PMC Section 17.62, rehabilitation and reuse of the historic Constance Hotel could cause the loss of its historic significance and integrity through incompatible alterations and new construction and the demolition of irreplaceable historic structures. (EIR, p. IV.C-26.)
- The 1926 multi-storefront building is a historic resource and its demolition would result in a significant impact. (EIR, p. IV.C-28.)
- Proposed new construction could impact on-site historic resources, and cause impacts associated with the location, scale and massing of new construction. (Ibid.)

ii. Proposed Mitigation

IV.C-1 The Constance Hotel and related buildings shall be photographed according to HABS standards for photography prior to any demolition, abatement or rehabilitation work. Views shall include all exterior elevations for each building, important interior features, key spatial relationships among buildings, and exterior hardscape features. These photos will also serve as graphic documentation for the Historic Structures Report described in mitigation measure IV.D-2. The negatives and archival quality prints will be donated to the Pasadena Public Library.

IV.C-2 A Historic Structures Report (HSR) shall be prepared which will include all the original components of the Constance Hotel property (hotel tower, courtyard, one-story retail building, and garage). The HSR will provide documentary, graphic, and physical information about both the property's history and its existing condition including a reproduction of the hotel's original drawings. Measured drawings of as-found conditions are not required. The report will also include appropriate methods for treatment of the existing historic fabric, a recommended scope of work, and provide information and recommendations for further treatment. This report will be prepared according to the National Park Services Preservation Brief 43: The Preparation and Use of Historic Structures Reports. A copy of this report will be donated to the Pasadena Public Library.

IV.C-3 The exterior rehabilitation of the Constance Hotel tower will follow the Secretary of the Interior's Standards and have specifications for the treatment of character defining features as identified in the HSR contained in the general specifications for the project. The specifications will include (but are not limited to), sections for treatment of historic fabric; quality control; substitution procedures; demolition; selective removal and storage of historic materials; protection, patching, and cleaning; determination of repair options and potential replacement of severely

deteriorated features. Materials conservation plans shall be incorporated into the plans and specifications if necessary.

IV.C-4 Original character-defining features on the exterior of the Constance Hotel tower and certain courtyard features (glazed tile and flagstone paving) will be substantially retained and rehabilitated according to the Secretary of the Interior's Standards in order to ensure that all remaining historic fabric is appropriately treated and returned to its original appearance wherever possible.

IV.C-5 The historic Constance Hotel courtyard will be partially salvaged through the removal of distinctive features that are examples of craftsmanship, reconstructed to substantially replicate the existing form and finish, and the salvaged features shall be reinstalled in their original locations. The features that shall be salvaged intact, using such expertise and care as is necessary for intact removal without loss and damage, are (a) glazed ceramic tiles at the fountain pool and glazed ceramic tile panels on the concrete walls, and (b) flagstone pavers. In addition to the HABS photographs that shall be provided, the courtyard shall be documented by measured drawings of the floor plan and north, east, south, and west elevations to HABS standards prior to demolition. The reconstructed courtyard shall match the demolished courtyard in size, shape, form, material, and finish, as documented by the HABS photographs and measured drawings. The features that shall be replicated accurately include the footprint of the walls, planters, and fountain, and materials such as the board-formed poured-in-place concrete walls. The only aspect that may vary in the replicated courtyard is the finished elevation of the flagstone pavers, which will be raised to accommodate the parking structure below and matching the elevation to the interior first floor level to accommodate wheelchair users without the need to add a ramp and railing at the loggia such as occurred at the existing incompatible addition.

IV.C-6 There are potential construction impacts that are mitigated to a less than significant level by monitoring by a qualified professional. These impacts are demolition of buildings and landscaping, shoring, excavation, new buildings below and above grade near and attached to historic resources on the site. A structural engineer with qualifications in completed historic preservation projects that conform to the Secretary of the Interior's Standards for Rehabilitation will be consulted and provide monitoring and written review of the engineering and construction of work that is on site and contiguous with historic resources that are to remain to ensure that the work being done is consistent with the Standards. If the engineer concludes that the work being done is not consistent with the Standards, the engineer shall give immediate verbal notice to the owner and contractor, followed by written notice of non-conformance. If there is no satisfactory response within one calendar week, then the engineer shall notice the City's mitigation monitor immediately, verbally, followed in writing and the City shall take any action as may be necessary to halt the work until such consistency is re-established.

IV.C-7 A historic preservation professional with qualifications in completed historic preservation project that conform to the Secretary of the Interior's Standards for

Rehabilitation will be consulted and provide monitoring and written review of the work that is related to historic preservation to ensure that the work being done is consistent with the Standards. If the historic preservation professional concludes that the work being done is not consistent with the Standards, they shall give immediate verbal notice to the owner and contractor, followed by written notice of non-conformance. If there is no satisfactory response within one calendar week, then the historic preservation professional shall notice the City's mitigation monitor immediately, verbally, followed in writing and the City shall take any action as may be necessary to halt the work until such consistency is re-established. This professional shall meet the Secretary of the Interior's professional qualifications standards for a historic architect.

IV.C-8 Using materials gathered for mitigation measures IV.C-1 and 2, an interpretive program including photographic exhibits and written descriptions shall be developed to chronicle the history of the site, original configurations, architects, technological innovations, and uses. These materials shall be placed in the historic hotel tower building at a location that is reasonably accessible to the general public.

IV.C-9 Archaeological monitoring shall be conducted by a qualified archaeologist in all areas of grading or ground alterations on the project site. The archaeological monitor shall have the authority to halt any activities impacting potentially significant archaeological resources and the monitor/archaeological consultant must be permitted to adequately evaluate the find in accordance with CEQA criteria. In the event potentially significant archaeological materials are encountered, work shall be stopped immediately or redirected until the significance of the find can be evaluated. If materials are found to be significant, measures must be taken to preserve such materials in place or relocate the material off site for further study.

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

Constance Hotel Rehabilitation: The Project would retain and restore significant character-defining features of the Constance Hotel tower's exterior, remove incompatible alterations, and substantially restore the tower's exterior to its original appearance, including replication of documented but missing exterior features. (EIR, pp. IV.C-26 to 27.) During the first phase of the Project, the courtyard would be retained. In subsequent phases, however, the courtyard would be demolished in order to construct a subterranean parking facility. Selected architectural features of the courtyard would be salvaged, stored, rehabilitated, and reinstalled in a reconstructed courtyard. Despite the efforts to salvage selected character-defining features, the demolition and reconstruction of the courtyard would result in a significant loss of character-defining features. Without mitigation, demolition and reconstruction of the courtyard would result in a substantial adverse effect to the historic hotel tower. (Id. at p. IV.C-27.) The Project would also include substantial alterations to retain and restore the interior of the historic hotel tower. The demolition of original interior materials, features, and spatial configurations on the upper floors of the building would result in the loss of those character-defining features. The hotel tower, however, would continue to convey its historic significance despite this loss, and the demolition of interior features in the private spaces on the 2nd through 7th floors would not result in a significant adverse effect. (Ibid.)