

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<sub>x</sub>, CO, SO<sub>2</sub>, PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>x</sub> and CO would not exceed the SCAQMD regional thresholds. However, daily construction emissions for PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>2.5</sub> and PM<sub>10</sub> 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<sub>2.5</sub> and PM<sub>10</sub>, 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<sub>2</sub>e 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.)

Demolition of Storefronts: The Project would demolish the historic 1926 multi-storefront building and the parking garage to allow for new construction on the site. Both buildings are related to the Constance Hotel and date from the Hotel's period of significance. The demolition of these buildings would alter the hotel's historic setting. (EIR, p. IV.C-28.) Demolition of the parking garage would also obscure the fact that the original design included accommodation of automobiles. The demolition of the portion of the 1926 storefront building that contains the hotel's original dining room would remove a significant character-defining space that remained in use as the hotel's dining room until its recent adaptive reuse for a retail tenant. The exterior of the 1926 multi-storefront building is substantially intact below later additions, though its interiors other than the original dining room have sustained significant alterations and do not retain historic integrity. (Ibid.) The Constance Hotel tower and courtyard would not continue to be eligible for listing in the National Register of Historic Places and convey their historic associations with the demolition of this related building. Therefore, demolition of the 1926 multi-storefront building would result in a significant adverse effect to historic resources on the site. (Ibid.)

Proposed New Construction: The design of the addition to the hotel tower and adjacent new construction would have the potential to disrupt or distract from the historic character of the complex. As planned, all new construction would be designed as separate elements that potentially could be removed in the future, with minimal impact to the Constance Hotel tower. (EIR, p. IV.C-28.) Because the Constance Hotel



tower has been the tallest building on the block to date, the prominent vertical massing of new construction would alter the hotel tower's historic setting. However, the taller volumes of the new construction would be set back from Colorado Boulevard towards the southwestern corner of the site, leaving substantial space between the original hotel tower and the newly constructed tower. Vistas and view corridors to and from the Constance Hotel tower from along Colorado Boulevard, would be maintained and the hotel tower's Mentor Avenue elevation would remain unchanged. Therefore, the alteration of the hotel tower's setting through construction of a new mixed-use tower, and the location, scale, and massing of new construction would not result in a significant adverse affect to historic resources on the site. (Id. at pp. IV.C-29 to 30.) The Project as proposed would not meet all of the Secretary of the Interiors Standards without mitigation. Without mitigation to protect more of the hotel's historic character, the project would not meet Standard 2. (EIR, pp. IV.C-30 to 31.) Without mitigation to preserve more distinctive examples of craftsmanship, the proposed project would not conform to Standard 5. (Id. at p. IV.C-31.) Demolition of the multi-storefront retail building does not meet Standard No. 6. (Id. at p. IV.C-32.) The Project would conform to Standard 8 if archaeological resources are protected and preserved in place. If any resources are to be disturbed, mitigation measures must be undertaken. (Id. at p. IV.C-32.) Impacts to adjacent structures will not be significant. (Id. at pp. IV.C-33 to 34.)

With implementation of the mitigation measures listed above, the Project would result in adverse affects to the Constance Hotel property (specifically, the related

Colorado Boulevard storefronts) such that it will no longer convey its historic significance. Implementation of the mitigation measures would not reduce impacts to historic resources to a less-than-significant level and the Constance Hotel would likely not continue to remain eligible for the California Register of Historical Resources and the National Register of Historic Places. Consequently, the Project as currently proposed would have a significant and unmitigated impact to historical resources, even with preservation of the former Constance hotel tower and related elements including the hotel courtyard. (Id. at p. IV.C-36.)

Subsequent review by the City of Pasadena Design Commission during the approval process is required. As has always been the case under the Zoning Code (PMC § 17.61.030), certification of the EIR is a finding that the Project as designed to date may have the impacts disclosed in the EIR, and the mitigation measures set forth therein are imposed to reduce those potential impacts. Review by the Design Commission is not a mitigation measure. Rather, review by the Design Commission is a subsequent discretionary action whose scope is governed by the Zoning Code, and which will require review under CEQA. The Design Commission has the authority to require changes to the future design so that the final design does not give rise to new and different potentially significant impacts that were not analyzed in the EIR.

### **Cumulative Impacts**

No significant impacts to adjacent resources as a result of the Project have been identified. No related projects are located immediately adjacent to the Project which

could compound the effects of the Project on on- or off-site resources. Significant cumulative impacts to historical resources would not occur as a result of the Project.

(EIR, p. IV.C-36.)

### **c. TRANSPORTATION AND CIRCULATION**

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

- The Project has the potential to significantly impact nearby intersections. The impacts vary during different phases of the Project. (EIR, pp. IV.E-15 to 17.)
- If the Project does not provide sufficient parking, a significant impact could occur. (EIR, p. IV.E-16.)
- The increase in traffic from the Project has the potential to significantly impact surrounding street segments. (EIR, p. IV.E-15.)
- Regional impacts of the Project could rise to a level of significance at Congestion Management Program monitoring locations, and thereby impact regional transit systems. (EIR, p. IV.E-16.)

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

All phases of the project are subject to the City's Transportation Demand Management (TDM)/Trip Reduction Ordinance (TRO) requirements. A TDM plan shall be completed to address the Project's programs to promote alternative modes of transportation prior to the issuance of the first permit for construction per phase (foundation, demolition, grading, or building) and shall meet the following requirements:

1. Carpool and Vanpool Parking. A minimum of 10% of the employee parking spaces shall be reserved for and designated as preferential parking for carpool and vanpool vehicles. Such parking area shall be in a location more convenient to the place of employment than parking spaces for single occupant vehicles, and shall be located as close as practical to the employees' entrances.
2. Bicycle Parking. Bicycle parking shall be provided on-site in compliance with Section 17.46.320 (Bicycle Parking Standards). In addition, the bicycle parking shall be located near the employee entrance and shall be conveniently accessible from the external circulation system.
3. Transportation Demand Management Program Plan. A Transportation Demand Management Program ("TDM") Plan shall be submitted which complies with Chapter 10.64 of the Municipal Code (Transportation Management Program). The owner/ developer shall place a deposit with

the Department of Transportation prior to the issuance of the first permit for construction (foundation, demolition, grading, or building) per phase. This deposit is subject to a partial refund or additional billing in the event that the deposit amount is 'not sufficient to cover the cost of the review. The developer shall pay an annual Transportation Demand Management (TDM) status report review fee in compliance with the requirements of the Trip Reduction Ordinance.

**IV.E-1** The proposed project shall contribute funds to the Neighborhood Traffic Management Capital Improvement Program Fund Number 75210. The funds will be used to implement traffic management measures to protect neighborhoods potentially influenced by the project's traffic. This mitigation measure is in line with the objectives of the street segment thresholds to protect residential neighborhoods from intrusion of traffic intended to and from commercial projects. Section 4.1.3.1 of the Mobility Element of the General Plan states: "The Council established, as City policy, that traffic growth would be limited on selected streets in order to protect residential neighborhoods."

**IV.E-2** All of the sidewalks, crosswalks and travel lanes along Mentor Avenue and Colorado Boulevard shall be made available such that pedestrian and vehicular access and circulation within and in the vicinity of the project site would be maintained at all times during Phase 1 construction activities.

**IV.E-3** The functional adequacy of the valet operations on-site shall be demonstrated to the Pasadena Department of Transportation at the time of final design and permits for the Phase 1 component of the proposed project to ensure there will be no conflicts with on-site services. Continued operational adequacy of the valet operations during Phase 2 construction shall also be demonstrated to Pasadena DOT.

**IV.E-4** A formal recorded parking agreement between the applicant and the off-site parking provider shall be submitted to the City's Planning Department and Department of Transportation prior to the issuance of the first permit for construction (foundation, demolition, grading, or building). The parking agreement shall indicate the number of parking spaces to be leased to the applicant, and any time constraints to access those parking spaces, if any.

**IV.E-5** A final construction traffic management plan shall be prepared for each phase of the proposed project. This Plan would address haul routes, dust control, noise control and City regulations. The construction management plan ensures that the construction activities and workers follow the City regulations and provides details of activities planned on-site will be prepared at the time of final design, prior to commencement of construction. The Construction Management Plan will address various issues and details such as number of construction trips, haul routes and delivery management, relocation of the bus stop along Lake Avenue and associated coordination with the local transit operators, appropriate signage, temporary relocation/closing sidewalks along Lake Avenue, Colorado Boulevard and Mentor Avenue and other site-specific changes during construction.

**IV.E-6** Construction truck traffic shall be restricted to the hours of 9:00 AM to 3:00 PM, which is outside of the typical peak hour period of traffic, unless as otherwise stipulated by Mitigation Measure IV.E-5.

**IV.E-7** Construction staging shall not block any lanes of traffic along the project frontage of Lake Avenue, Colorado Boulevard and Mentor Avenue.

**IV.E-8** Construction workers shall be restricted from parking on-street. Construction workers should be transported to the project site using shuttles (bus or van).

**IV.E-9** The configuration of the Mentor Avenue driveway shall be coordinated with the City of Pasadena DOT before Final design approval. Specifically, the Mentor Avenue driveway shall be designed to provide unimpeded vehicular access at all times. At a minimum, DOT recommends three unrestricted lanes to serve vehicular traffic to and from Mentor Avenue. Appropriate overhead signage and striping shall be installed to reduce on-site driver confusion and decision-making.

**IV.E-10** The functional adequacy of the loading spaces shall be demonstrated to the satisfaction of the Pasadena Department of Transportation at the time of final design and permits for Phase 2 conditions to ensure there will be no conflicts with on-site services.

**IV.E-11** Lake Avenue/Walnut Street – The proposed project shall compensate for the acquisition of a shuttle bus as well as for the operations and maintenance (O&M) costs for the new shuttle bus service to be operated along Lake Avenue and/or the Walnut Street travel corridors at minimum for the first three years. The final route selection would be determined by the transit shuttle operator. Additionally, the unsubsidized portion of the O & M costs for this shuttle service for an additional seven years shall be considered. This Project transit improvement will recognize, consider, and build upon the recommendations from Pasadena ARTS Bus or any other bus operator for implementation of this improvement.

**IV.E-12** Transit Incentives – The proposed project shall provide subsidized transit passes at specific locations, conveniently located on-site. All eligible employees, residents and hotel guests shall be offered discounted daily or monthly transit passes giving them access to all transit services operating in the area.

**IV.E-13** For the bus zone at the southeast corner of the Lake Avenue/ Colorado Boulevard intersection, the following conditions shall apply:

- The applicant shall provide funds for a new bench, solar trash container, and bus stop signage;
- Bus zone shall be a minimum of 130 feet wide at this very heavily used transit stop location.
- No new trees shall be located within the bus zone to prevent interference with ADA guidelines, boarding/alighting, and other pedestrian accessibility.
- The existing bus shelter shall be retained in the zone at all times.

- Existing transit operations of the transit stop shall be maintained during and after construction at all times.

**IV.E-14** The driveway designs, valet service area and operations and loading area functionality shall be coordinated with the City of Pasadena DOT at the time of final design.

**IV.E-15** Truck and vehicular turn templates should be laid out on the site plan once design details have been worked out to ensure that on-site congestion is minimized to the satisfaction of Pasadena DOT at the time of final design approval.

### **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 EIR includes an extensive and adequate traffic study, broken down by each of the three phases of the Project, and mitigation measures imposed by phase. The traffic study also fully and adequately analyzed the impacts of each of the alternatives studied in the EIR.

Intersection Impacts: Phase I of the Project would result in a net total of approximately 1,273 daily trips of which 84 additional trips (49 inbound, 35 outbound) would occur during the morning peak hour and 101 additional trips (53 inbound, 48 outbound) during the evening peak hour. The proposed parking structure will not be

available until Phase II is completed, so the hotel will provide valet service to the 2 N. Lake Avenue parking structure. All of the Phase I valet trips, not including pass-by trips, were assigned to and from 2 N. Lake Avenue. Traffic generated by the Phase I of the Project would not cause a significant impact at any of the 15 study intersections. (EIR, pp. IV.E-18 to 24.) Phases I and II of the Project were combined to reflect Phase II conditions. Phase II conditions would have a total net trip generation of 1,354 daily trips of which 98 trips (57 inbound, 41 outbound) would occur during the morning peak hour and 108 trips (56 inbound, 52 outbound) during the evening peak hour. There would be no valet trips in Phase 2 conditions. None of the analyzed intersections would be significantly impacted by the combined traffic effects of Phases II and II. (EIR, pp. IV.E-24 to 28.) The overall Project (Phases I, II and III combined) defined as Project Phase III conditions, would have a total net trip generation of 4,914 daily trips of which 289 trips (210 inbound, 79 outbound) would occur during the morning peak hour and 488 trips (225 inbound, 263 outbound) during the evening peak hour. It was assumed that 75 percent of these trips (755 daily, 75 AM and PM trips) would be valet and the remaining 25 percent (252 daily, 25 AM and PM trips) would be self-parked trips. The overall resulting on-site Project trip generation would be 4,662 daily trips of which 264 trips would occur during the morning peak hour and 463 trips would occur during the evening peak hour. The Project's trip generation from the valet and self-park trips to 2 N. Lake Avenue would result in 1,007 daily trips of which 100 trips would occur during the morning and evening peak hours. The intersection of Lake Avenue/Walnut Street

would be significantly impacted during the evening peak hour by the combined traffic effects of the overall Project at completion. (EIR, pp. IV.E-28 to 33.) With imposition of Mitigation Measures IV.E-11 and IV.E-12, the Project's impacts are reduced to below a level of significance. The addition of a shuttle bus would increase transit capacity along the Lake Avenue and/or Walnut Street travel corridors as well as along other areas in the Project vicinity. This would reduce the number of vehicular trips in the corridor served by the additional bus, and would improve operations at many intersections along the selected route including the impacted intersection of Lake Avenue and Walnut Street. The addition of the bus along the Lake Avenue corridor would also improve transit network connectivity by offering improved/enhanced access to the Metro Gold Line Station at the Lake Avenue/I-210 interchange. (EIR, p. IV.E-62.)

Roadway Segment Impacts: Twelve roadway segment locations were identified for analysis, and the traffic study analyzed segment impacts for each phase of the Project. The City has adopted a local sliding scale of significance for segment impacts. (EIR, p. IV.E-16.) During Phase I, two street segments (Mentor Avenue between Union Street and Colorado Boulevard, and Mentor Avenue between Green Street and Cordova Street) have an increase in average daily trips greater than the City's highest segment significance threshold of 7.4% where mitigation may not be feasible. This increase is mostly attributable to the valet trips to/from the Project site and the offsite parking structure at 2 N. Lake Avenue. Significant impacts will remain at this location. Mentor Avenue between Walnut and Union is also impacted, but at the City's lowest



threshold, where mitigation is feasible. (EIR, pp. IV.E-33 to 35.) During Phase II, the impacts along these segments of Mentor Avenue decrease because there is no off-site valet service during Phase II, but they remain significant and unmitigable along the Mentor segment between Green Street and Cordova Street. The segment of Catalina Avenue between Union Street and Colorado Boulevard is also impacted during Phase II at the City's lowest threshold, where mitigation is feasible. (Id. at pp. IV.E-35 to 36.) Due to the overall Project (Phase III conditions), the following three analyzed street segments are impacted greater than the significance threshold of 7.4%: (1) Mentor Avenue between Walnut Street and Union Street; (2) Mentor Avenue between Union Street and Colorado Boulevard; and (3) Mentor Avenue between Green Street and Cordova Street. The following segments are significantly impacted but mitigable during Phase III: (1) Catalina Avenue between Union Street and Colorado Boulevard; (2) Mentor Avenue between Cordova Street and Del Mar Boulevard; (3) El Molino Avenue between Walnut Street and Union Street; and (4) El Molino Avenue between Union Street and Colorado Boulevard. (Id. at pp. IV.E-37 to 38.) As required by Mitigation Measure IV.E-1, the Project will contribute funds to the Neighborhood Traffic Management Capital Improvement Program Fund to implement traffic management measures to protect neighborhoods potentially influenced by the Project's traffic. This mitigation measure is in line with the objectives of the street segment thresholds to protect residential neighborhoods from intrusion of traffic intended to and from

commercial projects. However, even with mitigation, significant impacts to these street segments would remain. (EIR, p. IV.E-57.)

Congestion Management Program (Transit) Impacts: The nearest Congestion Management Program (CMP) arterial monitoring intersection to the Project site is the intersection of Arroyo Parkway and California Boulevard. The overall Project is not expected to add 50 or more new trips per hour to this location. Therefore, no further analysis of CMP arterial monitoring intersections is required. The nearest mainline freeway monitoring locations to the Project site are the I-210 Freeway west of SR-134 and I-210 at Rosemead Boulevard. The overall Project will not add 150 or more new trips per hour to these locations in either direction. Therefore, no further analysis of CMP freeway monitoring stations is required. (EIR, pp. IV.E-37 to 38.) With regard to transit, there would be capacity available on a daily basis, both on the existing bus and train lines, serving the study area to accommodate Project transit trips. Further, the existing transit system supply as well as the shuttle bus required by Mitigation Measure IV.E-11 would accommodate the Project's anticipated transit demands. (EIR, pp. IV.E-38 to 40.)

Site Access and Circulation Impacts: During Phases I and II, there would be no changes to any of the existing driveways along Lake Avenue and Colorado Boulevard. The configuration of the Mentor Avenue driveways will be altered to provide a two lane driveway at the northern driveway on Mentor Avenue, and the southern driveway would continue to provide one outbound lane and three existing ATM drive aisles. An area for

valet pick-up and drop-off would be located on-site until Phase II is built. As required by Mitigation Measure IV.E-3, the functional adequacy of the valet operations on-site shall be demonstrated to the Pasadena Department of Transportation at the time of final design and permits for Phase I to ensure there will be no conflicts with on-site services, and continued operational adequacy of the valet operations during Phase II construction shall also be demonstrated to Pasadena DOT. (EIR, p. IV.E-41.) With the completion of Phase II, the northern driveway on Mentor Avenue would be removed, leaving a single driveway on Mentor Avenue, and one existing ATM aisle would be removed. All of the driveways would provide access to the partially completed subterranean parking garage through a single ramp located adjacent to the loading area. Phase II would also provide eight loading spaces that can be accessed from any of the driveways. As required by Mitigation Measure IV.E-10, the functional adequacy of these loading spaces shall be demonstrated to the satisfaction of Pasadena Department of Transportation at the time of final design and permits for Phase 2 conditions to ensure there will be no conflicts with on-site services. Additionally, Mitigation Measure IV.E-9 requires that the driveway design be coordinated with the City of Pasadena DOT at the time of final design of Phase II. (Ibid.) During the construction of Phase III, the driveways on Lake Avenue and Colorado Boulevard would be available to construction vehicles only (unless otherwise stipulated by the Construction Management Plan per Mitigation Measure IV.E-5). The Mentor Avenue driveway would provide access to the Phase I and II components of the Project. All Phase II cumulative traffic would access

the site from the Mentor Avenue driveway only. (Id. at p. IV.E-43.) Upon completion of Phase III, the Project would have two driveways serving the site - one on Mentor Avenue and another on Lake Avenue. The existing driveway on Colorado Boulevard would be removed. Both driveways would provide access to the surface parking lot, subterranean parking garage and all loading spaces. A 28-foot wide two lane east-west drive aisle would provide on-site access and circulation to the surface parking lot driveway and the ramp accessing the subterranean parking garage. Mitigation Measure IV.E-14 requires that the driveway designs, valet service area and operations and loading area functionality shall be coordinated with the City of Pasadena DOT at the time of final design, and Mitigation Measure IV.E-15 ensures truck and vehicular turn templates are laid out after design details have been worked out. With these mitigation measures, impacts are less than significant. (EIR, pp. IV.E-43 to 44.)

Pedestrian Access and Circulation Impacts: The pedestrian elements, cross-walk and sidewalks, under Project are not anticipated to change compared to existing conditions. The Project would maintain the 12-foot to 14-foot sidewalk on Lake Avenue along the project frontage and a 15-foot sidewalk along Colorado Boulevard on the south side adjacent to the Project. Adequate pedestrian infrastructure would continue to be available in the vicinity of the Project. Numerous pedestrian access and circulation possibilities similar to existing conditions will continue to be available with the Project conditions, particularly with imposition of Mitigation Measure IV.E-2, and therefore impacts are less than significant. (EIR, p. IV.E-44.)

Parking Impacts: The Project is located in a Transit Oriented District as defined by the Pasadena Zoning Code. (EIR, p. IV.E-48.) A shared parking analysis was conducted which concluded that there is adequate parking at 2 N. Lake Avenue to provide for the uses in that building as well as the needs of the Project in each phase and upon completion that cannot be met on-site. Mitigation Measure IV.E-4 requires this arrangement to be recorded through a parking agreement. (EIR, pp. IV.E-50 to 53.) To satisfy Phase I Zoning Code required parking, the parking structure located at 2 N. Lake Avenue would provide the required spaces until Phase II is built and Phase I parking is provided on-site. Up to 162 spaces would be provided for the project off-site at 2 N. Lake Avenue. (Ibid.) A portion of the subterranean parking garage will be completed and the existing parking structure on-site is anticipated to be demolished in Phase II. All of the Phase II required parking can be provided on-site. (EIR, pp. IV.E-48 to 49.) Under Phase III, 550 spaces will be located on-site and 100 spaces will be off-site at the 2 N. Lake Avenue parking structure. (EIR, pp. IV.E-49.) It is anticipated that the construction workers would be transported to the project site using shuttles (bus or van) and would not park on-street. (EIR, p. IV.E-56.) Therefore, no parking impacts would result due to the overall Project.

Construction Impacts: The peak hour trips generated during the construction of each phase of the Project is less than significant. (EIR, p. IV.E-54, table IV.E-24.) Construction activity would usually occur between the hours of 6:00 AM to 3:00 PM. However, Mitigation Measure IV.E-6 requires that construction truck traffic be restricted

to the hours of 9:00 AM to 3:00 PM, outside of the typical PM peak hour, unless through the construction traffic management plan required by Mitigation Measure IV.E-5 the applicant and Pasadena DOT are able to agree to a plan that maintains a less than significant impact during the PM peak hour. In order to maintain key elements of the transportation infrastructure in an operable manner during construction and to minimize the construction impacts, a construction traffic management plan is required by Mitigation Measure IV.E-5 for each of the three phases of construction. During Phase III construction, the plan will require that all the sidewalks, crosswalks and travel lanes along Lake Avenue, Mentor Avenue and Colorado Boulevard would be available and that pedestrian and vehicular access and circulation within and in the vicinity of the Project site would be maintained at all times. Further, Mitigation Measure IV.E-7 prohibits construction traffic from blocking traffic lanes on surrounding streets. With implementation of these mitigation measures, the traffic effects due to construction would be minimized and no adverse construction traffic impacts would occur. (EIR, p. IV.E-53 to 56.)

Comment letter No. 8. The City received a detailed and critical comment letter regarding the traffic impact analysis of the Project. The City finds that the responses to the comments raised in that letter are detailed and accurate; the comment letter inaccurately describes a transit oriented district as codified in the Pasadena Municipal Code and relies on other inaccurate factual assumptions; the traffic study on which the EIR relied is thorough and accurate; the transit credits were applied accurately and

consistent with the City's past practices; and the City may rely on the expert traffic report and analysis set forth in the EIR. (See EIR, pp. IX.A-37 to 41.)

### **Cumulative Impacts**

As is standard in the industry, cumulative projects were included in the Project traffic study and were accounted for when drafting the mitigation measures listed above. The Cumulative (Future Year 2015) Plus Phase III Project conditions indicate that the overall Project will cause significant traffic impact at the intersection of Lake Avenue/Walnut Street during the weekday evening peak hour. No significant impact would occur at any of the other analyzed intersections. In order to mitigate the significant traffic impact, the Project would provide funding for the acquisition and operation of one shuttle bus to serve the project area (Mitigation Measure IV.E-11). The Project will have significant, unmitigable segment impacts, and therefore a significant cumulative impact remains. All other traffic, parking, and access impacts are not cumulatively significant. (EIR, p. IV.E-61.)

### **V. RESOLUTION REGARDING ALTERNATIVES**

The City Council declares that the City has considered and rejected as infeasible the alternatives identified in the Final EIR as set forth herein. CEQA requires that an EIR evaluate a reasonable range of alternatives to a project, or to the location of a project, which: (1) offer substantial environmental advantages to the proposed project, and (2) may be feasibly accomplished in a successful manner within a reasonable period of time considering the economic, environmental, social and technological factors

involved. An EIR must only evaluate reasonable alternatives to a project which could feasibly attain most of the basic project objectives, and evaluate the comparative merits of the alternatives. In all cases, the consideration of alternatives is to be judged against a rule of reason.

The lead agency is not required to choose the environmentally superior alternative if the alternative does not provide substantial advantages over the project, and (1) through the imposition of mitigation measures the environmental effects of a project can be reduced to an acceptable level, or (2) there are social, economic, technological or other considerations which make the alternative infeasible.

The Final EIR identified the objectives for the Project as follows (see EIR, p. II-26):

- Renovate and preserve the existing historic landmark to Secretary of the Interior Standards by returning the Constance Hotel to its original use.
- Develop an underutilized site that will attract and retain businesses while promoting local job growth east of Lake Avenue.
- Provide a compatible mixture of commercial and service uses at the site.
- Support the existing major office corridor on S. Lake Avenue and reinforce the importance of N. Lake Avenue and Colorado Boulevard as a key employment node by providing a commercial development housing a Class A office building.
- Improve the streetscape and create active sidewalks along Lake Avenue, Colorado Boulevard, and Mentor Avenue by providing pedestrian-oriented ground floor uses, linkages to newly created open space, and street-wall connectivity with pedestrian friendly character.
- Provide a hotel land use on the site that will bring visitors to the area to support nearby amenities such as the neighborhood playhouse, art and entertainment districts, and commercial district.
- Create mobility option for residents, employees and visitors (bikes, transit, walking) by developing a Class A office building in a Transit Oriented District which will provide the minimal amount of required parking stalls,



optimize use of the existing transit infrastructure, and encourage the “park once” strategy.

- Promote building forms that respect the local context and interface with adjacent properties.
- Create informal gatherings spaces that can be utilized year-round by providing the community with additional open space.
- Develop a LEED project (Silver anticipated) in support of the City’s Green City plan.

The alternatives analyzed in the EIR represent a reasonable range of alternatives based on the applicable provisions of the CEQA Guidelines.

**a. NO PROJECT/RETAIN EXISTING CONDITIONS (ALTERNATIVE 1)**

Pursuant to Guidelines Section 15126.6, the EIR discussed a No Project Alternative. The No Project Alternative assumes that the Project is not developed on the site and that the site, including the existing bank, existing retail/commercial uses, and the vacant hotel structure are retained for ongoing/future use and occupancy. Rehabilitation/re-occupancy of the former hotel is considered a possible scenario that could occur under No Project conditions as well, occupied as of right under the Zoning Code with no discretionary approvals necessary as senior housing (154 units are assumed for this scenario), or reoccupied with a hotel use. Future longer-term development opportunities would also remain open for the property. (EIR, pp. VI-4 to 5.) This alternative would reduce or avoid most (if not all, in the case of existing conditions remaining as is and the former hotel structure continuing to be vacant) of the significant, less than significant, and significant but mitigated environmental impacts of the Project. (Id. at pp. VI-5 to 10.) Should the former Constance Hotel structure be re-

occupied with either a senior housing or hotel use, the alternative could still result in unmitigated street segment impacts at two street segments (i.e., Mentor Avenue between Union Street and Colorado Boulevard and Mentor Avenue between Green Street and Cordova Street) and significant air quality impacts during renovation from exceedances of PM<sub>2.5</sub> and PM<sub>10</sub>. These impacts could possibly be reduced further if the former Constance Hotel was reoccupied with senior housing. (Id. at pp. VI-9 to 10.) Unlike the Project, the existing hotel courtyard would remain and not require reconstruction, however conditions would continue to deteriorate. Similarly, no new construction adjacent to existing historic resources or demolition of any other structures on the property (including historic 1926 storefronts) would occur with the alternative and the less than significant impacts of the Project (with mitigation) would be further reduced. (Id. at p. VI-7.) In either instance (whether or not the existing former hotel is re-occupied), no new construction would occur and all associated impacts with those uses would be eliminated.

Assuming the site remains in its current state, the No Project/Retain Existing Conditions Alternative would not meet any of the Project objectives. These include renovating and preserving an existing historic landmark, developing an underutilized site that will retain and attract businesses and promote job growth, providing a hotel use to bring visitors to the area, providing an office building in a Transit Oriented District that creates new mobility options for employees and visitors, providing a key employment node and improving new streetscape and creating active sidewalks. (EIR, p. VI-11.) In

the event the former Constance Hotel is re-occupied for as senior housing or for uses comparable to those proposed for Phase I of the Project, then some, but not all, of the key Project objectives would be met. Specifically, the alternative would renovate and preserve an existing historic landmark, and with the hotel reuse would renovate and provide a new hotel use to bring visitors to the area. However, it would not meet other objectives of developing an underutilized site to attract business and promote job growth, providing a new office building in a TOD that creates new mobility options, or supporting the existing major office corridor on S. Lake Avenue. (Ibid.)

The No Project/Retain Existing Conditions Alternative is considered to be the environmentally superior alternative in comparison to the Project. (EIR, p. VI-80.) However, for CEQA purposes this alternative is rejected because it does not meet any of the Project objectives.

**b. PROPOSED PROJECT WITHOUT HEIGHT AVERAGING  
(ALTERNATIVE 2)**

While the Project conforms to the existing CD-5-Central District Zone, and all requested uses and density are similarly permitted, approval of Height Averaging for the new office building as part of the City of Pasadena Design Commission Concept and Final Design is required for the current design. This alternative evaluates how the current design could differ, if Height Averaging was not applied. The alternative would shift massing of the office building to conform to a maximum 75-foot height. (EIR, p. VI-12.) The EIR includes three options under this alternative, as well as informative

multiple perspectives and exhibits of each of these three options. (EIR, pp. VI-12 to 16; see also Appendix L.)

As the alternative assumes the same program as the Project, population/use driven impacts would be the same. (EIR, pp. VI-17 to 23.) The only impacts that would change would be physical impacts associated with the massing reconfiguration within the Project. Proposed phasing and construction schedule would not change with this alternative, nor would provision of total (650 spaces) and off-site parking (100 spaces at 2 N. Lake). Consequently, the alternative would not reduce any of the environmental impacts of the Project, but in limited instances could increase Project impacts. Specifically, the alternative could increase the significant unmitigated impact to historical resources by obstructing/encroaching upon the available view of the former Constance Hotel structure (a designated historic resource) and associated open space including the hotel courtyard, in addition to demolition of the existing 1926 storefronts. (EIR, pp. 18 to 20.)

This alternative would meet many Project objectives with respect to preserving an existing historic landmark, providing a new hotel use to bring visitors to the area, developing an underutilized site to attract business and promote job growth, providing a new office building in a TOD that creates new mobility options, and supporting the existing major office corridor on S. Lake Avenue. However, objectives relating to promoting building forms that respect the local context and interface with adjacent properties and creating informal gatherings spaces by providing the community with

additional open space, may be compromised or sacrificed by moving massing around the site to maintain a 75-foot height limit. (EIR, p. VI-23.)

For CEQA purposes this alternative is rejected because it does not reduce any of the unmitigable significant effects of the Project and could exacerbate some of the significant effects.

**c. REDUCE NEW DEVELOPMENT – HOTEL AND RESIDENTIAL  
OPTIONS (ALTERNATIVE 3)**

This alternative would reduce total development (converted and new) to approximately 90% of that proposed by the Project while still converting the former Constance Hotel structure to the proposed hotel use (156 rooms converted and new) or with 81 multi-family residential units (converted and new). Existing retail space along Colorado Boulevard would also be retained and renovated, with ground floor retail also provided in the former Constance Hotel if converted to residential uses. The proposed office building, restaurant and retail space of approximately 196,000 square feet would be reduced to approximately 154,000 square feet. Total site development and reuse of approximately 261,000 square feet would be reduced to approximately 235,000 square feet (residential) or 242,000 square feet (hotel). A new parking structure would be built but unlike the Project, it would include above grade parking in addition to on grade and subterranean parking, as well as provision of limited shared parking with 2 N. Lake. A secondary option to reduce Project density could be accomplished by converting the former Constance Hotel structure to 136 hotel rooms as proposed by Phase I of the

current program, but similarly reducing other uses within the site as proposed by the alternative. Both options would achieve programs that are approximately 90 percent of the density of the Project. Under both options, the retention of existing retail uses along Colorado Boulevard and the reduction in new development would also allow for the existing hotel courtyard to remain with a new internal paseo that links to the street. The office building would be built to the same height as the office building proposed in the Project with the same number of occupied floors. (EIR, pp. VI-24 to 31.)

The alternative reduces both occupancy driven (e.g., traffic, utilities) and physical (e.g., aesthetics, historic resources) impacts of the Project. The retention and rehabilitation of existing retail storefronts along Colorado Boulevard that would be replaced with new development with the Project would remain with the alternative, and the overall street presence and visibility of the project would be commensurately reduced. (EIR, pp. VI-31 to 33.) Significant air quality impacts that would occur with construction would be reduced both in peak day emissions and in overall duration, but would still remain significant and unmitigated with this alternative. (Id. at pp. VI-36 to 39.) The remnant historic fabric present in the 1926 Colorado Boulevard storefronts that would be removed with the Project would be retained and integrated into the alternative. Consequently, the alternative (with either the hotel or residential option) would reduce a significant unmitigated impact of the project to historical resources, to a less than significant level. Mitigation measure IV.C-5 would be deleted. (Id. at pp. VI-39 to 41.) Alternative 3 was analyzed to the same level of detail as the Project in the

traffic study. The alternative would modestly reduce traffic impacts, but significant impacts would still occur at three street segments with the hotel option (Mentor Avenue between Walnut Street and Union Avenue, Mentor Avenue between Union Street and Colorado Boulevard, and Mentor Avenue between Green Street and Cordova Street), and at two street segments with the residential option (i.e. Mentor Avenue between Walnut Street and Union Street and Mentor Avenue between Union Street and Colorado Boulevard) would still occur (under the residential option). Mitigation measures IV.E-11 and IV.E-12 would not be required. (Id. at pp. VI-42 to 56.) While overall utility consumption/generation would also be slightly reduced with the alternative, similar improvements and mitigation would be expected to service the mix of uses and overall density on the site. (Id. at p. VI-57.) In most other instances, the impacts of the Project analyzed in this EIR would not appreciably change.

This alternative would meet most of the Project objectives, especially those with respect to preserving an existing historic landmark, providing a new hotel use to bring visitors to the area (but not with the residential option), developing an underutilized site to attract business and promote job growth, providing a new office building in a TOD that creates new mobility options, and supporting the existing major office corridor on S. Lake Avenue (although fewer office jobs would be created). The alternative would further preserve existing historical resources (e.g., 1926 storefronts along Colorado Boulevard) that would otherwise be removed with the Project, and thus, would further meet preservation objectives. Additionally, the objective to improve streetscape and

create active sidewalks would be further enhanced by the retention of more existing uses, and mixed newer uses along Colorado Boulevard. Similarly, objectives relating to promoting building forms that respect the local context and interface with adjacent properties can all be met. However, the residential option under this alternative would not meet the objective to provide a hotel land use to attract more visitors to the area, but the hotel option would. Consequently, the alternative, at a minimum, would meet most of the same objectives as the Project, and in several instances would exceed the objectives established by the Project. (EIR, pp. VI-57 to 58.) Alternative 3 would be considered environmentally superior to the Project, and would meet or exceed many Project objectives. (Id. at p. VI-58.)

For CEQA purposes this alternative cannot be rejected. It is less impactful across every resource area than the Project, although potentially significant effects still remain. Further, it would meet or exceed many of the Project objectives.

**d. ELIMINATE TRAFFIC IMPACTS/REDUCED PROJECT (ALTERNATIVE 4)**

This alternative would reduce trip generation to a level where significantly impacted street segments would be eliminated (1,712 daily trips or less). As with Alternative 3, this alternative would have residential and hotel options for re-use of the former Constance Hotel structure in an initial phase, but would reduce new development in subsequent phasing. Existing historical storefronts on Colorado Boulevard could also be retained with this alternative. New office, restaurant and retail



space would be substantially reduced compared to the Project to achieve trip reductions sufficient to eliminate traffic impacts to intersections and street segments. As with the Project, it is presumed that some portion of parking for the alternative could be provided at 2 N. Lake and that on-site parking could be provided by a parking structure with some subterranean levels. Trip generation reductions would be achieved by adjusting land uses across the site. Total site development and reuse of approximately 255,000 square feet would be reduced to approximately 154,000 square feet with the hotel option and 174,000 square feet with the residential option. (EIR, pp. VI-58 to 61.)

The alternative reduces both occupancy driven (e.g., traffic, utilities) and physical (e.g., aesthetics, historic resources) impacts of the Project. In particular, the historic fabric present in the 1926 Colorado Boulevard storefronts that would be removed with the Project would be retained and integrated into the alternative. Consequently, the alternative (with either the hotel or residential option) would reduce a significant unmitigated impact of the Project to historical resources, to a less than significant level. (EIR, pp. VI-69 to 71.) Similarly, significant air quality impacts that would occur with construction would be reduced both in peak day emissions and in overall duration, but would still remain significant and unmitigated with this alternative. (Id. at p. 67 to 69.) Alternative 4 would also reduce traffic impacts, including eliminating significant street segment impacts at Mentor Avenue between Walnut Street and Union Street, Mentor Avenue between Union Street and Colorado Boulevard and Mentor Avenue between Green Street and Cordova Street that would otherwise require mitigation. (Id. at pp. VI-

72 to 79.) Overall utility consumption/generation would also be reduced with the alternative, although similar improvements and mitigation would be expected to service the mix of uses and overall density on the site. (Id. at p. VI-79.) Unlike the Project, Alternative 4 would not require approval of height averaging, however, most major entitlements would likely still be required. Given that significant unmitigated impacts to historic resources (1926 storefronts) and traffic (street segments) would be reduced less than significant under the alternative, Alternative 4 would be considered environmentally superior to the Project.

This alternative would meet most of the Project objectives, especially those with respect to preserving an existing historic landmark, providing a new hotel use to bring visitors to the area (but not with the residential option), developing an underutilized site to attract business and promote job growth. The alternative would further preserve existing historical resources (e.g., 1926 storefronts along Colorado Boulevard) that would otherwise be removed with the Project, and thus, would further meet preservation objectives. The objective to improve streetscape and create active sidewalks would be further enhanced by the retention of more existing uses mixed newer uses along Colorado Boulevard. Similarly, objectives relating to promoting building forms that respect the local context and interface with adjacent properties can all be met. However, given the substantial reduction in office space in comparison to the Project, neither the hotel or residential options under this alternative would meet objectives relative to promoting job growth and establishing Lake Avenue as a major office corridor

and employment node. Consequently, the alternative would meet some, but not all of the same objectives as the Project. (EIR, p. VI-80.)

CEQA Guidelines Section 15126.6(c) requires identification of the environmentally superior alternative, and if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. The No Project Alternative is the environmentally superior alternative in this case. (EIR, p. VI-80.) Among the other alternatives, Alternative 4 (Eliminate Traffic Impacts/Reduced Project–Hotel and Residential Options Alternative) would reduce the most significant impacts of the Project and therefore would be the environmentally superior alternative. However, Alternative 4 would only meet some, but not all, project objectives due to the substantial reduction in Project density, the decrease in office space and associated employment benefits. Associated objectives relative to promoting job growth and establishing Lake Avenue as a major office corridor and employment node would not be met with this Alternative. (Id. at p. VI-81.)

For CEQA purposes this alternative cannot be rejected. It is less impactful across every resource area than the Project, although potentially significant effects still remain. Further, it would meet most of the basic Project objectives.

## **VI. RESOLUTION REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES**

State CEQA Guidelines Section 15126.2(c) requires an EIR to discuss the significant irreversible environmental changes which would be caused by the proposed project. An impact would occur under this category if, for example: (1) the Project involved a large commitment of nonrenewable resources; (2) the primary and secondary impacts of the Project would generally commit future generations to similar uses; (3) the Project involves uses in which irreversible damage could result from any potential environmental incidents associated with the Project; and (4) the proposed consumption of resources are not justified (for example, results in wasteful use of resources).

Construction of the Project would result in a commitment of limited, slowly renewable, and nonrenewable resources. Such resources would include certain types of lumber and other forest products; metals such as steel, copper, and lead; aggregate materials used in concrete and asphalt (e.g., stone, gravel, and sand); and other construction materials such as plastic. In addition, fossil fuels used in construction vehicles would also be consumed during construction of the Project. Operation of the Project would involve the continued consumption of limited, nonrenewable, and slowly renewable resources similar to other projects. These resources would include natural gas and electricity, petroleum-based fuels, fossil fuels, and water. Energy resources would be used for heating and cooling of buildings, transporting people and goods to and from the site, heating and refrigeration for food storage and preparation, heating

and cooling of water, and lighting. Operation of the Project would occur in accordance with Title 24, Part 6 of the California Code of Regulation, which sets forth conservation practices that would limit the amount of energy consumed by the Project, and the Project would meet City of Pasadena's Green Building Program requirements to comply with Leadership in Energy and Environmental Design (LEED) standards under the US Green Building Council (USGBC). Nonetheless, the use of such resources would still continue to represent a long-term, irreversible commitment of these resources. In addition, the limited use of common hazardous materials on the site, including cleaning agents and pesticides for landscaping, would be used, handles, stored, and disposed of in accordance with applicable regulations and standards. Thus, the Project would not result in a significant and irreversible environmental change associated with the accidental release of hazardous materials. (EIR, pp. V-2 to 3.)

## **VII. RESOLUTION REGARDING GROWTH-INDUCING IMPACTS**

State CEQA Guidelines Section 15126.2(d) requires an EIR to discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Growth inducement, however, is not considered necessarily detrimental, beneficial, or significant to the environment.

As the Project would include a residential component, it will directly result in a permanent, (but small) full-time population growth in the area. The Project, however, would not significantly impact existing schools or other community services in the area.

In addition, while the Project would increase the daytime population in the area due to the addition of hotel guests, residents and employees, the Project is not expected to induce people to move to the area (other than the small residential component already discussed). Thus, the Project would not induce population growth, and while it could foster a degree of economic growth due to the increase in employees, and visitors to the area, such growth-inducement would not be significant. Furthermore, the Project would not induce growth in an area that is not already developed with infrastructure to accommodate such growth. The Project site is located within an urbanized area on one of the City of Pasadena's main commercial streets and is currently developed. Additionally, it would be located in close proximity to various public transportation opportunities. The Project would incorporate new improvements, including some minor localized street improvements to accommodate access to the site, as well as water sewer connection improvements. These infrastructure improvements would serve the proposed uses and any excess capacity that may be provided by such improvements would not be to such a degree so as to induce or introduce additional growth in the area. Overall, the Project would not result in an increase in the population that may tax existing community service facilities, or encourage or facilitate other activities that could significantly affect the environment or the area, either individually or cumulative. Thus, the Project would not result in significant growth-inducing impacts. (EIR, p. V-3.)

**VIII. RESOLUTION REGARDING CUSTODIAN OF RECORDS**

The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Pasadena, City's Planning and Development Department at 175 North Garfield Avenue, Pasadena, California 91101.

Adopted at the \_\_\_\_\_ meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2014 by the following vote:

AYES:

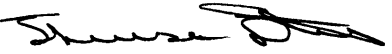
NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
MARK JOMSKY, CMC  
CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Theresa E. Fuentes  
Assistant City Attorney