

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 Dearth House meets the eligibility criteria for listing as a local landmark by the City of Pasadena. (EIR, p. 3E-2.) Pursuant to CEQA, a substantial adverse change in the significance of an historical resource could occur with the demolition or relocation of the resource, such that its significance would be impaired. Relocation of the Dearth House to a historic residential setting to Waverly Drive provides a better setting than the Project site. The Dearth House was originally set in a residential neighborhood, however the City rezoned the neighborhood to commercial uses and the surrounding residential buildings were demolished. Relocation of the Dearth House to 112 Waverly Drive would continue to convey its significance as an architecturally intact and representative example of Queen Anne design in massed building form. As the significance of the building is architectural, its location is not a factor in its eligibility for designation under the Pasadena Historic Preservation Ordinance. (Id. at p. 3E-4.) As such, relocation of the Dearth House to 112 Waverly Drive would not constitute impairment to an historical resource, and is not a significant impact. (Id. at p. 3E-5.)

Cumulative Impacts

The Cumulative Impact listed projects include various commercial, industrial and residential projects located in the vicinity of the project site that are currently under construction, approved but not built, or proposed for development. (EIR, p. 3E-6.) The

Dearth House would be relocated to 112 Waverly Drive and be rehabilitated in accordance with the Secretary of Interior's Standards, in accordance with CEQA Guidelines Section 15064.5(b)(3). (Id. at p. 3E-5.) The cumulative projects would also be subject to this section of the CEQA Guidelines if historical resources are located on the related project sites. (EIR, p. 3E-6.) Thus, the Project does not contribute an incremental effect to a cumulatively considerable impact.

f. LAND USE AND PLANNING

i. Potential Significant Impacts

Impact 3F.1: The proposed project would not conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect (less than significant). (EIR, p. 3F-7.)

Impact 3F.2: The proposed project would not contribute to an adverse cumulative land use impact (less than significant). (Id. at p. 3F-17.)

ii. Proposed Mitigation -- NONE

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 Project furthers the intent of the applicable goals of the General Plan Land Use Element, which designates the Project site as within the Central District Specific Plan. (EIR, pp. 3F-7 to 3F-9.) Growth will be targeted to serve community need and enhance quality of life, as the Project targets development within the Central District, within the densities established for the Central District. (Id. at p. 3F-7.) Change will be harmonized to preserve Pasadena's historic character and environment since the Dearth House will be relocated to a more appropriate setting, site development is consistent with existing and planned development on Green Street and throughout Old Pasadena, redevelopment of the site would bring the site to a character and density consistent with that envisioned in the CDSP for a transit village, and the proposed buildings would conform to City height limits and be consistent with building heights on adjacent properties. (Id. at p. 3F-8.) Economic vitality will be promoted because the Project would create jobs and promote economic opportunities while supplying housing for a variety of income levels. (Ibid.) Pasadena will be promoted as a healthy family community, and a community where people can circulate without cars, since the Project provides housing for a variety of income levels, provides retail uses and other amenities within walking distance, and is within walking distance of the Del Mar Gold Line Station, and the Area Rapid Transit System (ARTS) and MTA bus routes. (Id. at p. 3F-9.) Finally, Pasadena will be promoted as a cultural, scientific, corporate, entertainment and

educational center for the region, because the Project provides regional-serving retail uses. (Ibid.)

The Project is also consistent with the CD-1 zoning designation for the site. (Id. at pp. 3F-9 to 11.) On its Green Street frontage, and at the southwest corner of the Dayton Street and DeLacey Avenue, the Project will provide pedestrian-oriented retail uses. The Project meets Zoning Code densities across Blocks 1 and 2, and seeks a 35 percent density bonus on Block 3 pursuant to state law. The applicant does not seek to average the densities across the three blocks. (Id. at p. 3F-10.) Proposed building heights are all within Zoning Code limits, and the applicant does not seek a variance. The Project also meets all setback requirements. (Id. at p. 3F-11.)

The CDSP is intended to guide the detailed development of the City's urban core, and the Project is consistent with the CDSP. (Ibid.) The Project will promote the Central District as Pasadena's vibrant urban core with a distinctive character by constructing high density residential uses in close proximity to the Del Mar Gold Line Station and along ARTS and MTA bus routes, and by providing retail space for neighborhood-serving retail uses. (Id. at pp. 3F-11 and 12.) The Project will also provide a diversity of economic, residential, and cultural opportunities since it includes 820 residential units near job centers in Pasadena, , such as the Fair Oaks biotechnology corridor south of Del Mar Boulevard. The Project also includes on-site retail uses, a portion of which is intended to serve residents (proposed uses include dry cleaners, convenience store, etc.). Regional-serving commercial uses, including two sit-down restaurants, would be provided on Block 1. Consistent with other commercial uses in Old Pasadena, the proposed retail uses on Block 1 would serve residents and

neighboring uses while attracting patrons from other parts of Pasadena and the region.
(Ibid.)

Cumulative Impacts

The Project and all the Cumulative Impacts listed projects are subject to the City of Pasadena Zoning Code and General Plan. The listed projects require site plan review and approval as part of overall project approvals, and that review will ensure that there are no conflicts between the related projects and applicable plans, policies and regulations for the sites. Because the Project would not conflict with applicable plans and policies governing site uses, the incremental impact of the proposed project when considered with the related projects would not cause a significant impact to land use and planning. (EIR, p. 3F-17.)

g. NOISE

i. Potential Significant Impacts

Impact 3G.1: Construction activities associated with the project would not result in a temporary increase of ambient noise levels in the project area (less than significant). (EIR, p. 3G-10.)

Impact 3G.2: Construction activities associated with the project would not result in exposure of sensitive receptors to excessive levels of ground-borne vibration (less than significant). (Id. at p. 3G-13.)

Impact 3G.3: Increased traffic associated with the project would not result in a permanent increase of ambient noise levels in the project area (less than significant). (ibid.)

Impact 3G.4: Stationary noise sources associated with the project would not result in a permanent increase of ambient noise levels (less than significant). (Id. at p. 3G-15.)

Impact 3G.5: Operational activities associated with the project could result in exposure of sensitive receptors to excessive levels of ground-borne vibration (less than significant). (ibid.)

Impact 3G.6: Construction and operation of the project would not result in cumulative noise and vibration impacts (less than significant). (Id. at p. 3G-16.)

ii. Proposed Mitigation

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

Measure 3G.1: During construction, the contractor shall not construct between the hours of 7 PM and 7 AM Monday through Friday, and 5 PM to 8 AM Saturday, or at any time on Sunday or public holiday.

Measure 3G.2: Prior to construction, the contractor shall erect an eight-foot temporary sound barrier (e.g., solid wood fence) along the project site boundary when construction activity occurs within 250 feet of said property line.

Measure 3G.3: During construction, the contractor shall outfit all equipment, fixed or mobile, with properly operating and maintained noise mufflers, consistent with manufactures' standards.

Measure 3G.4: During construction, the contractor shall use sound blankets on all equipment for which use of sound blankets is technically feasible.

Measure 3G.5: During construction, the contractor shall schedule activities so as to avoid operating several pieces of equipment simultaneously which causes high noise levels.

Measure 3G.6: During construction, the contractor shall locate all stationary equipment as far as feasible from the project site boundaries and direct stationary equipment away from sensitive receptors.

Measure 3G.7: During construction, the contractor shall locate all equipment staging areas in the central most portion of the project site to create the greatest distance between construction related noise sources and sensitive receptors. (EIR, p. 3G-12.)

iii. Findings Pursuant to CEQA Guidelines Section 15091

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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

Noise impacts from construction activities occurring within the Project site would be a function of the noise generated by construction equipment, the equipment location, and the timing and duration of the noise-generating activities. (EIR, p. 3G-10.) The construction noise levels discussed in the EIR represent conservative worst-case conditions. These estimated maximum noise levels would not be continuous, nor would they be typical of noise levels throughout the construction period. The highest level of construction noise would be expected to occur during the site clearing and finishing and

cleanup phases. (ibid.) While most construction activity would be located central to the site and away from sensitive receptors, construction equipment would occasionally travel along the eastern boundary of the project site and within 50 feet of the Friendship Baptist Church and 200 feet of the nearest multi-family residence. (Id. at p. 3G-11.) Since construction activity will comply with the standards established in the City's Noise Ordinance, and construction noise generated by use of individual construction equipment and by cumulative use in a construction phase (e.g., excavation) would be less than 85 dBA at 100 feet, the construction noise impact would be less than significant. (Id. at p. 3G-12.) Nonetheless, the EIR proposed mitigation measures to further reduce noise impacts; the eight-foot temporary noise barrier described in Mitigation Measure 3G.2 can achieve a five dBA reduction, and the remaining mitigation measures further reduce construction noise levels at sensitive receptors. (ibid.)

With regard to ground vibration, compliance with the Noise Ordinance's limitations on hours of operation, and the attenuation of vibration from the distance between construction and any sensitive uses, ensures that ground vibration impacts remain less than significant. (Id. at p. 3G-13.) With regard to traffic, the roadway noise increase attributed to the Project would be less than the three dBA CNEL increment at all analyzed street segments. Residential units would be constructed with double-glazed glass windows, in accordance with sound transmission levels set forth in the California Building Code, and with internal air conditioning such that air could be circulated without having to open windows. Interior noise levels for the residences facing Del Mar Boulevard would not exceed the HUD recommended interior noise level of 45 CNEL, and the on-site mobile noise impact would be less than significant. (Id. at

p. 3G-14.) Finally, with regard to Project operation, potential stationary noise sources include parking activity, refuse collection, mechanical equipment and outdoor dining. The Project will have to comply with Municipal Code Section 8.60.205, which prohibits refuse collection between 5 PM and 7 AM Monday through Saturday, and serves to prevent noisy refuse collection during the times that would disturb sensitive receptors. Mechanical equipment onsite will be enclosed or confined to rooftops, and, in accordance with Section 17.64.230 (Screening of Mechanical Equipment) of the Municipal Code, mechanical equipment would be screened or located out-of-view from public rights-of-way. (Id. at p. 3G-15.) Project operation would not include significant stationary sources of ground-borne vibration. (Ibid.)

Cumulative Impacts

With regard to construction noise, construction noise generated on the western portion of the Ambassador College campus would not be audible at sensitive receptors near the project site. While combined construction noise levels from the Project and the Friend Paper Company project could reach 92 dBA at 50 feet, or 76 dBA at 100 feet, construction activity at both projects must comply with the standards established in the Noise Ordinance, and thus the cumulative construction noise impact would be less than significant. (EIR, p. 3G-16.) The operational noise impact related to the Project and combined with related projects would be less than significant because the cumulative noise would not increase ambient noise levels in the project area by five dBA. (Ibid.) The maximum cumulative roadway noise increase would be 2.4 dBA CNEL along Del Mar Boulevard between Pasadena Avenue and Fair Oaks Avenue, which is below the three dBA threshold increment. (Ibid.) Finally, regarding cumulative vibration impacts,

ground-borne vibration impacts from equipment that would be used during Project construction and operations are localized and generally occur within 60 feet, there are no related projects within 75 feet of the Project, and construction vibration from the Project would not overlap with construction vibration from any related project. Therefore, cumulative impacts are less than significant. (Id. at p. 3G-17; see also errata, attachment E.1.)

h. PUBLIC SERVICES, RECREATION AND UTILITIES

i. Potential Significant Impacts

Impact 3H.1: The proposed project would incrementally increase the demand on local fire protection services (less than significant). (EIR, p. 3H-7.)

Impact 3H.2: The proposed project would incrementally increase demand on local police protection services (less than significant). (Id. at p. 3H-8.)

Impact 3H.3: The proposed project would increase the demand on local schools (less than significant). (Ibid.)

Impact 3H.4: The proposed project would incrementally increase the demand on libraries (less than significant). (Id. at p. 3H-9.)

Impact 3H.5: The proposed project would incrementally increase the demand on parks and recreation services (less than significant). (Ibid.)

Impact 3H.6: The proposed project would to increase demand for potable water beyond the City's 20 year capacity to supply (less than significant). (Ibid.)

Impact 3H.7: The proposed project would incrementally increase the demand for wastewater treatment (less than significant with mitigation incorporation). (Id. at p. 3H-10.)

Impact 3H.8: The proposed project would result in adverse cumulative impacts to public services, recreation and utilities (significant). (Id. at p. 3H-11.)

ii. Proposed Mitigation

Measure 3H.1: The project applicant shall pay fees assessed by the City of Pasadena for the upgrade of existing sewer lines located at California Boulevard between Fair Oaks Boulevard and Raymond Avenue (current 8 inch diameter piping to 12-inch diameter piping), and Del Mar Boulevard between Fair Oaks and Raymond Avenue (current 8-inch diameter piping to 10-inch diameter piping).

Measure 3H.2: Prior to the issuance of the first building permit, the project applicant shall conduct flow testing for sewer system outlets surrounding Block 2 and Block 3 to provide a detailed capacity report to the satisfaction of the City Engineer. (Id. at p. 3H-11.)

iii. Findings Pursuant to CEQA Guidelines Section 15091

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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 Project would result in a new on-site population and a potential for a corresponding increase in response calls from the City of Pasadena Fire Department. However, this increase would not require additional staff and equipment facilities. The type of fire safety problem presented from a structure fire at the site is similar in nature to any multi-story building and can be handled effectively through standard measures which the applicant will be required to install (i.e., fire sprinkler system, fire detection and early warning systems, smoke evacuation system, and on-site fire hydrants). In addition, the applicant will be required to design all access/walkways to be accessible to Fire Department equipment with a minimum of 20 feet clearance and no bollards or curbs that would inhibit access, and the applicant will also be required to provide a water fire flow report prior to the issuance of a Certificate of Occupancy by the City. The City of Pasadena Fire Department predicts that it would be able to absorb additional demand with existing staffing levels and equipment. (Id. at p. 3H-7.)

Currently, the City's Police Department heavily patrols the Project area, and the addition of the Project is not anticipated to cause a significant increase in the need for police protection services or require additional staffing and equipment. (Ibid.)

The EIR estimated that a total of approximately 328 children would occupy the site, and attend local schools. Pasadena Unified School District is currently operating at about 79% capacity, and the Project could increase that enrollment by up to 1.5%. Under the Measure Y School Bond, the applicant will pay developer fees to the City of Pasadena to benefit the PUSD for the construction and maintenance of the educational facilities. With payment of these fees, the Project would have a less than significant

impact to schools. (Id. at p. 3H-8.) To offset the cost of population growth on library services, the applicant will have to pay the Library Special Tax (Section 4.109 of the City Municipal Code), levied on each residential dwelling unit and nonresidential parcel within the City for the purposes of maintaining and improving the City's library system. Payment of the Library Special Tax would ensure a less than significant impact to the Pasadena library system. (Id. at p. 3H-9.)

The Project provides open space as required by the Municipal Code, to help offset the City's parkland deficit. The applicant may pay the residential impact fee for parks, and/or dedicate land to the City for park space. The applicant is providing some publicly accessible private open space on site, and one of the Project conditions requires that a key part of the open space front a public street. (See EIR, pp. 3H-9; 9-37.) This configuration will draw more than just neighborhood users to the site, and assist the City with providing public open space which is clearly accessible to all City residents.

Upon completion of the Project, there would be a permanent increase in water demand in the City of Pasadena as a result of the project. The Project would be expected to increase water consumption by approximately 345,479 gpd or 387 af/yr. (Id. at p. 3H-9.) The projected water demand of the Project is within the demand PWP anticipates to supply in 2015. In addition current water line capacity surrounding the Project would be adequate. (Id. at p. 3H-10.)

The existing sewer lines serving the Project site on Blocks 2 and 3 is inadequate to support the Project. The City must install larger pipes to properly service the new

development. The City's Department of Public Works sewage and water pipe capacity modeling program showed that the Project must upgrade its existing sewer lines located at Fair Oaks to Raymond Avenue (current 8-inch diameter piping to 12-inch diameter piping), and Del Mar Boulevard between Fair Oaks and Raymond Avenue (current 8-inch diameter piping to 10-inch diameter piping). Implementation of Mitigation Measures 3H.1 and 3H.2 will ensure that the Project is properly serviced. (Id. at p. 3H-10.) Sewage generated by the Project would be treated at the existing regional facilities serving the City of Pasadena and operated by the LACSD (specifically, the Los Coyotes Water Reclamation Plant or the Whittier Narrow Water Reclamation Plant). LACSD charges a fee for connecting to the District's sewage system or to increase the sewage output from parcels already connected to the system. This connection fee is required to construct an incremental expansion of the District's system to accommodate the proposed project, and the Project will have to pay that fee. (Ibid.; see also p. 9-56.)

Cumulative Impacts

The Cumulative Projects List includes various commercial/mixed-use, office, industrial and residential projects located in the City of Pasadena that are currently under construction, approved but not built, or proposed for development. The City is utilizing the projected population increases within different regions of Pasadena to plan for an increased demand for public services which would be paid for by the various development fees assessed by the City (e.g., Measure Y School Bond, Library Special Tax), and these fees reduce those impacts to below a level of significance. However, currently there are no development impact fees for police or fire services. Nonetheless, the Project, in conjunction with the listed projects, would not have a

significant cumulative impact related to police, fire and emergency services. (Id. at p. 3H-11, 9-39; see also errata, attachment E.1.)

i. TRANSPORTATION, CIRCULATION AND PARKING

i. Potential Significant Impacts

Impact 3I.1: Increased traffic volumes at local intersections would not impact the local street system resulting in poor roadway conditions (less than significant with mitigation incorporation). (EIR, p. 3I-13.)

Impact 3I.2: Increased traffic volumes on street segments would impact the local street system resulting in poor roadway conditions (less than significant with mitigation incorporation). (Id. at p. 3I-28.)

Impact 3I.3: The proposed project would not be developed with a shortage of parking capacity (less than significant). (Id. at p. 3I-30.)

Impact 3I.4: The proposed project would not interfere with implementation of the Congestion Management Plan (“CMP”) (less than significant with mitigation incorporation). (Id. at p. 3I-31.)

Impact 3I.5: While a number of local intersections would be significantly impacted by cumulative growth (as described in the Mobility Element EIR), the project would not have a cumulatively considerable contribution to these impacts (less than significant). (Id. at p. 3I-34.)

ii. Proposed Mitigation

Measure 31.1: Prior to the issuance of the Certificate of Occupancy, the applicant shall construct a westbound right-turn lane at the intersection of Pasadena Avenue & Del Mar Boulevard by converting the existing westbound through-lane into an optional westbound through right-turn lane. The southernmost of the right-turn lanes would be exclusively for the freeway traffic and the northernmost right lane would carry both the freeway traffic and traffic bound for north Pasadena Avenue. Right turns on red would be prohibited at this intersection. Additionally, a pedestrian crosswalk would be provided that would line up with the existing sidewalk.

Measure 31.2: Prior to the issuance of the Certificate of Occupancy, the applicant shall prepare a traffic management plan outlining:

1. Compliance with the City's Bike Ordinance;
2. Provisions for transit kiosks; and
3. Participation in a program to reduce single occupant automobile travel (including appropriate participation in a ride sharing program, carpool matching program, and flexible car access, etc.). (EIR, p. 31-26.)

Measure 31.3: Prior to the issuance of the Certificate of Occupancy, the applicant shall implement signal coordination on the Pasadena Avenue/St. John Avenue corridors from Columbia Street north to Walnut Street. The signal coordination would involve installation of fiber optic cable along the corridors and the connection of the corridors to the City's Transportation Management Center. (Id. at p. 31-29.)

Measure 31.4: Prior to the issuance of a building permit, the applicant would be required to prepare a construction staging plan in coordination with City staff. (Id. at p. 31-35.)

iii. Findings Pursuant to CEQA Guidelines Section 15091

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iv. Supporting Explanation

With regard to construction traffic, activity at typical construction projects is concentrated outside the peak traffic hours, since most workers usually arrive prior to 7 AM and depart between 3 and 4 PM. Construction truck trips would be greater during the demolition phase of construction, during excavation and grading, and during concrete pour/delivery. It is expected that truck trips will be dispersed throughout the day and will generally avoid peak hours. As such, impact of project construction on traffic would be less than significant. (EIR, p. 3I-14.)

In order to evaluate the potential operational traffic impacts of the Project, it was necessary to develop estimates of future traffic conditions both with and without the Project. Related cumulative projects were thus included in this analysis. In addition, the future "No Project" condition assumes that certain specific transportation improvements identified in the 2004 Mobility Element are to be implemented. (Id. at p. 3I-14.) This assumption is based on the applicant's agreement to pay a fair share contribution toward the 2004 Mobility Element improvements. (Id. at p. 3I-35.) Since the City has not adopted a transportation impact fee, the applicant would not otherwise be required to pay the fair share contribution. The intersections chosen for study in the EIR represent locations where the potential for traffic impacts was greatest. Any additional locations selected would represent locations where trips had dispersed significantly so that an impact would be unlikely or were in locations between the intersections and segments already selected. (Id. at pp. 9-74; 9-117.)

The EIR concluded that, applying the City of Pasadena's impact criteria, implementation of the Project would result in a significant impact at the intersection of Pasadena Avenue and Del Mar Boulevard during the PM peak hour, but not at any other intersections. (Id. at pp. 3I-18; 3I-25.) Impacts at all other intersections of freeway ramp termini were also less than significant. (Id. at p. 3I-26.) These results were based on a conclusion that level of service "E" intersection operations in Year 2015 are consistent with the projected LOS E findings of the Mobility Element of the General Plan. (See EIR, p. 9-10.) To mitigate the impacts at Pasadena Avenue and Del Mar Boulevard, which arises from potential conflict between the westbound right-turning traffic bound for north Pasadena Avenue and the westbound right-turning traffic bound for the freeway on-ramp, the construction of dual right-turn lanes realigned to direct westbound directly onto the freeway ramp is required, pursuant to Mitigation Measure 3I-1. This requires dedication of part of the right-of-way for the construction of the lanes. These lanes would be controlled by traffic signal indications that would be operated as part of the traffic signal at the Pasadena Avenue & Del Mar Boulevard intersections. This alignment would require the removal of one tree along the east side of Pasadena Avenue north of Del Mar Boulevard, and would necessitate traffic signal modifications including some new signage, controller cabinets, poles, mast arms and/or signal heads, and the relocation of existing utility features, storm drains, signage, streetlights, etc., as necessary for construction of the required improvements. None of these secondary impacts arising from implementation of Mitigation Measure 3I.1 are potentially significant. Thus, with implementation of Mitigation Measures 3I.1 and 3I.2, the pm peak hour volume at the intersection of Pasadena Avenue and Del Mar