

RESOLUTION NO: _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASADENA EXEMPTING CONSTRUCTION ACTIVITIES ABOVE, BELOW, AND ADJACENT TO THE METRO GOLD LINE FROM THE PROVISIONS OF SECTION 9.36.070.B. OF PASADENA MUNICIPAL CODE FOR ARTCENTER COLLEGE OF DESIGN MASTER PLAN LOCATED AT 870, 888, 950 AND 988 SOUTH RAYMOND AVENUE AND 1111 SOUTH ARROYO PARKWAY (SOUTH CAMPUS)

WHEREAS, ArtCenter College of Design has submitted an application for a 15-year Maser Plan for new construction, additions and improvements to its existing facilities located at its South Campus (870, 888, 950, and 988 South Raymond Avenue and 1111 South Arroyo Parkway) and Hillside Campus (1700 Lida Street); and

WHEREAS, the subject sites have a Public, Semi-Public (PS) zoning designation and a General Plan designation of Institutional; and

WHEREAS, as conditioned, the project proposed by the Master Plan is consistent with the General Plan Land Use designation and Zoning Ordinance; and

WHEREAS, within the South Campus, development of the elevated Main Quad, the temporary bridge, and the underground tunnel connecting the subterranean parking structures would involve construction activities above, below, and adjacent to, the Metro Gold Line right-of-way; and

WHEREAS, Section 4.3 B. of Metro's Adjacent Construction Design Manual states that "(a) construction project that will require work over, under, or

adjacent to the at grade and aerial MTA right-of-way should be aware that the operation of machinery, construction of scaffolding or any operation hazardous to the operation of the MTA facility shall require that the work be done during non-revenue hours...;” and

WHEREAS, Metro further advised in a comment letter dated October 3, 2016 to the Draft Environmental Impact Report (EIR) for the project that any and all modifications to Metro facilities and any temporary changes to Metro’s normal operations due to the project are not desirable and shall be at the sole cost to the applicant; and

WHEREAS, the South Campus is located approximately 280 feet from several residentially-zoned (RM-32 and RM-32-OC) properties to the east, on the west side of South Marengo Avenue, north of Ohio Street; and

WHEREAS, night-time construction was analyzed in the Draft EIR for potential noise and vibration impacts, and with the implementation of two mitigation measures (installation of temporary and impermeable sound barriers and limiting material deliveries to day-time hours), it concluded that noise and vibration impacts would be less than significant; and

WHEREAS, Section 9.36.070.B. (Construction Projects – Noise Ordinance) of Pasadena Municipal Code (PMC) restricts construction or repair work on buildings, structures, or projects within a residential district, or within a radius of 500 feet of a residential district, in such a manner that, “...a reasonable

person of normal sensitiveness residing in the area is caused discomfort or annoyance at any time other than..." the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m. on Saturday, and prohibits such work on Sundays and holidays; and

WHEREAS, Section 9.36.170.A. (Exemptions – Noise Ordinance) of PMC provides for an exemption from the time-of-day restrictions for construction activities that are "deemed necessary by the City to serve the best interests of the public and to protect the public health, safety and welfare;" and

WHEREAS, at its duly noticed public meeting on May 9, 2018, the Planning Commission fully reviewed and discussed the proposed Master Plan, and recommended the City Council to adopt a Resolution allowing only those construction activities related to the Main Quad, the temporary bridge, and connecting the two subterranean parking structures to occur outside the hours specified in Section 9.36.070.B. (Construction Projects – Noise Ordinance) of PMC; and

WHEREAS, on July 16, 2018, the City Council adopted a resolution approving the ArtCenter College of Design Master Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of City of Pasadena hereby exempts construction activities for the Main Quad, the temporary bridge, and underground tunnel above, below, and adjacent to the Metro Gold Line for the ArtCenter College of Design Master Plan project from the provisions of Section 9.36.070.B. of the

PMC as shown in the Master Plan adopted by resolution, and subject to the mitigation measures for nighttime construction set forth on **Exhibit A**, attached hereto and incorporated herein by reference.

Adopted at the regular meeting of the City Council on 16th day of July 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

MARK JOMSKY
CITY CLERK

APPROVED AS TO FORM:



THERESA E. FUENTES
ASSISTANT CITY ATTORNEY

EXHIBIT A

ARTCENTER COLLEGE OF DESIGN EIR MITIGATION MEASURES FOR NIGHTTIME CONSTRUCTION

Mitigation Measure J-1: During nighttime construction activities associated with construction work above and below the Metro Gold Line ROW, a temporary and impermeable sound barrier shall be erected at the following locations. Examples of temporary sound barriers include: a loaded-vinyl noise control blanket (minimum STC-25) or plywood:

- a) Along the southern and western property lines of the 988 Parcel. The temporary sound barrier shall be a minimum of 6 feet high and designed to provide a minimum 5 dBA noise reduction at the residential use at southeastern corner of Alarcon Place and Glenarm Street (receptor R4).
- b) Along the eastern property line of the 1111 Parcel (from the northern property line to the existing 1111 Building). The temporary sound barrier shall be a minimum of 18 feet high and designed to provide a minimum 15 dBA noise reduction at the residential use along Marengo Avenue north of Glenarm Street (receptor R5).
- c) Along the southern property line of the 1111 Parcel (between the Metro ROW and the existing 1111 Building). The temporary sound barrier shall be a minimum of 12 feet high and designed to provide a minimum 10 dBA noise reduction at the residential use at the southeastern corner of Marengo Avenue and Glenarm Street (receptor R6).

Mitigation Measure J-2: Materials delivery and haul trucks that would be needed for the construction of the Main Quad over the Metro ROW and the underground tunnel under the Metro ROW shall be scheduled to occur during daytime hours only.