

**ATTACHMENT F
CEQA MEMORANDUM**



MEMORANDUM - City of Pasadena

DATE: September 4, 2019

TO: Jason Van Patten, Planner

FROM: John Bellas, Environmental Coordinator

RE: Affordable Housing Concession Permit #11879 (127 & 141 N. Madison Avenue):
CEQA Consideration of Revised Project

Background

Affordable Housing Concession Permit #11879 is an application to construct a 5-story mixed-use project at 127 & 141 N. Madison Avenue (between Walnut and Union Street) consisting of 49 multi-family dwelling units and 4,210 square feet of commercial office space (referred to hereafter as the Original Project). The Project was determined to be categorical exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15332 In-Fill Development Projects (Class 32), based on a Class 32 Categorical Exemption Report (ESA, July 2019) and supporting technical studies, including a Noise Technical Report (ESA, July 2019), Air Quality Technical Report (ESA, July 2019), and Cultural Resources Assessment Report (ESA, July 2019).

The Project, as proposed, was approved by the Hearing Officer and, subsequently, the Board of Zoning Appeals (BZA). The BZA approval was appealed to the City Council by a group consisting of Pasadena Heritage, the Women's City Club of Pasadena, and the Blinn House Foundation. Prior to being considered by the City Council on appeal, the applicant has revised the Project in consideration of the concerns of the appellate group (Revised Project). See the "Summary of Changes to the Project" section below for details.

This memorandum considers whether the proposed Revised Project is eligible for a Class 32 categorical exemption from CEQA.

Summary of Changes to the Project

The proposed revisions to the Project include the following:

- Revised west elevation that maintains a minimum of 10 feet of clearance between the above-ground building volume and the rear (west) property line

- Revised subterranean parking footprint with a seven-foot setback from the rear (west) property line for the upper parking level
- Addition of a partial second level of subterranean parking (setback a minimum of 62 feet from the rear property line)
- Elimination of at-grade parking
- Revised building volumes on the upper levels to step back the fourth and fifth stories from the rear (west) elevation by 21 feet 5 inches (21' 5") (31' 5" feet from the property line) and 40' 11" (50' 11" feet from the property line), respectively
- Reduction in the commercial component from 4,210 square feet of office to 2,500 square feet (both the Original Project and the Revised Project include 49 residential units)

Class 32 Infill Development Criteria Analysis

- a. State CEQA Guidelines Section 15332 identifies the following criteria for a Class 32 Infill Development Categorical Exemption (CE):
- b. *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*
- c. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
- d. *The project site has no value as habitat for endangered, rare or threatened species.*
- e. *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
- f. *The site can be adequately served by all required utilities and public services.*

The proposed revisions to the Project have no bearing on criteria a, b, c, or e, and the analyses of these criteria in the Project's CEQA Class 32 Categorical Exemption Report (ESA, July 2019) remain fully applicable. The subsections below evaluate criterion d, specifically whether the proposed revisions would change the Project in a manner that would result in significant effects relating to traffic, noise, air quality, or water quality.

Traffic

The proposed revisions to the Project do not change the uses or intensity of uses, other than to reduce the office component from 4,210 square feet to 2,500 square feet, which would result in a slight reduction in the Project's trip generation. Thus, the Project remains below the Pasadena Department of Transportation's threshold for study for CEQA-level transportation analysis and impacts are considered less than significant.

Noise

The proposed Project would generate noise during both construction and operation. As described in the Class 32 Categorical Exemption Report, during construction noise would be generated through the use of heavy-duty construction equipment and through vehicle trips generated from construction workers traveling to and from the Project Site. Construction of the

Revised Project would involve the same construction practices as the Original Project. While the length of the grading and excavation phase may be extended under the Revised Project due to the additional partial subterranean level, daily grading/excavation activities and the equipment fleet are expected to be the same as under the Original Project. Likewise, the amount of daily vehicle trips generated by construction workers would not increase, as the workforce for construction of the Revised Project is expected to be the same as for the Original Project. Thus, construction noise levels would not increase beyond those considered in the Class 32 Categorical Exemption Report and impacts would remain less than significant.

As described in the Class 32 Categorical Exemption Report, Project operations would generate an increase in ambient noise from roadway traffic and onsite noise from equipment, human activity, and parking operations. As discussed above, the Revised Project would result in a slight reduction in the Project's trip generation due to the reduction in commercial square footage. Thus, roadway traffic noise levels would be slightly less than those considered in the Class 32 Categorical Exemption Report. Likewise, the Revised Project would not increase onsite noise. Mechanical equipment would remain screened and subject to the restrictions in the City's Noise Restrictions Ordinance. Human activity would also remain subject to the Noise Restrictions Ordinance, including Section 9.36.050.A of the Pasadena Municipal Code (PMC), which prohibits the generation of noise that exceeds the ambient noise level at the property line by more than five decibels. Parking for the Revised Project would be entirely underground, which would reduce ground-level noise compared to the Original Project that included at-grade parking. Therefore, operation of the Revised Project would not increase noise impacts beyond those considered in the Class 32 Categorical Exemption Report and impacts would remain less than significant.

Like the Original Project, construction of the Revised Project would generate vibrations in the vicinity of historic resources, most notably including contributing structures in the Ford Place Historic District and the Edmund Blinn House (which is both a contributor to the Ford Place Historic District and individually eligible). The proposed revisions would reduce the potential vibration impacts on these historic buildings by setting back the proposed building and subterranean parking by ten feet and seven feet, respectively, from the rear (west) property line, as opposed to the Original Project that proposed excavation up to the property line. Like the Original Project, the Revised Project would implement the Applicant's vibration management plan, which is detailed in the Class 32 Categorical Exemption Report as PDF-NOISE-2. Implementation of this vibration management plan ensures that vibrations would be less than significant and, as a result of the additional setbacks, vibration impacts would be less than the Original Project.

Air Quality

As described in the Class 32 Categorical Exemption Report, the Project has the potential to cause air quality impacts associated with construction activities, mobile sources, building energy demand, and other aspects of Project construction and operations that have the potential to generate criteria air pollutant emissions. Construction of the Revised Project would involve the same construction practices as the Original Project. While the length of the grading and excavation phase may be extended under the Revised Project due to the addition of a second partial subterranean level, air quality impacts are evaluated on a daily basis and daily grading/excavation activities are expected to be the same as under the Original Project, including the daily export and amount of truck trips. Therefore, the Revised Project's construction air quality impacts are the same in type and magnitude as those of the Original

Project, which are described in the Class 32 Categorical Exemption Report and well below the South Coast Air Quality Management District's thresholds of significance.

As described in the Class 32 Categorical Exemption Report, air pollutant emissions associated with Project operations would be generated by the consumption of natural gas and by the operation of on-road vehicles. The proposed Project revisions would not increase natural gas consumption, since the type and intensity of uses would remain the same, other than the reduction of the office component from 4,210 square feet to 2,500 square feet. As previously discussed, as a result of this reduction in office space, the Revised Project would generate slightly less vehicle trips than the Original Project. Thus, mobile source air pollutant emissions would be slightly less than those evaluated in the Class 32 Categorical Exemption Report. Like the Original Project, the air pollutant emissions of the Revised Project would be well below the South Coast Air Quality Management District's thresholds of significance and, thus, air quality impacts of the Revised Project would be less than significant.

Water Quality

The Revised Project would be required to comply with the same water quality regulations as the Original Project. These regulations include construction phase requirements, including the preparation of a Stormwater Pollution Prevention Plan (SWPPP), and operation phase requirements, including the preparation of a Low Impact Development (LID) plan. With the required compliance with water quality regulations, the Revised Project would not result in any significant effects relating to water quality.

Exceptions to the Use of Categorical Exemptions

State CEQA Guidelines Section 15300.2 identifies the following six exceptions to the use of categorical exemptions:

- a. *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*
- b. *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*
- c. *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*
- d. *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

- e. *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*
- f. *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The proposed revisions to the project have no bearing on exceptions a, b, c, d, or e, and the analyses of these exceptions in the Project's CEQA Class 32 Categorical Exemption Report (ESA, July 2019) remain fully applicable. The following subsection evaluates exception f, specifically whether the proposed revisions would change the Project in a manner that would cause a substantial adverse change in the significance of a historical resource:

Historical Resources

As described in the Class 32 Categorical Exemption Report, a Cultural Resources Assessment Report was prepared by ESA (revised July 2019) to identify any historical resources on the Project site or in the vicinity that could be impacted by the Project. Based on this analysis, no historical resources exist on the Project site. However, four historical resources were identified in the vicinity: the Ford Place Historic District (listed on the National Register of Historic Places [National Register]), the Edmund Blinn House (a contributor to the Ford Place Historic District and individually listed on the National Register), the Playhouse Historic District (listed on the National Register), and the Scottish Rite Cathedral (a contributor to the Playhouse Historic District, eligible for individual listing on the National Register, and individually listed on the California Register of Historical Resources [California Register]).

The closest historical resource to the Project site is the Ford Place Historic District, a portion of which abuts the rear (west) property line of the Project site, with the Blinn House located approximately 60 feet northwest of the site. The Project (both Original and Revised) would not directly affect the Ford Place Historic District or the Blinn House and would not alter any of the character-defining features of these resources. The Cultural Resources Assessment Report also evaluated the potential for indirect effects on these resources and concluded, "while the Project would alter the surrounding setting of the Ford Place Historic District by constructing a taller building on the project site, affecting one of the seven aspects of integrity, this would not constitute a substantial adverse change to the resource resulting in it no longer being able to convey its significance." The Revised Project would further reduce any potential indirect impacts on these resources by setting the proposed building mass back from the west property line, with a minimum of 10 feet of clearance to the above-ground building volume, an added step back on the fourth story, and an increased the step back on the fifth story. The increased building and subterranean parking setbacks would also reduce potential construction phase vibration impacts on the historical resources to the west (see the Noise discussion above for further details). As noted in the Cultural Resources Assessment Report, "The Scottish Rite Cathedral and the Playhouse Historic District are further away from the Project Site and would not be indirectly impacted by the Project because primary views would not be impacted." The proposed revisions to the Project would have no bearing on this conclusion. In summary, impacts to the historical resources in the Project vicinity would be less than significant both with the Original Project and the Revised Project.

Conclusion

Based on the analysis in this memorandum, in conjunction with the analysis in the Project's Class 32 Categorical Exemption Report (July 2019) and supporting technical studies, the Revised Project would be eligible for a categorical exemption from CEQA as an in-fill development project pursuant to State CEQA Guidelines Section 15332 (Class 32).

End of memo.