



Planning Commission Staff Report

October 26, 2011
Item 6.c.

- SUBJECT:** PGPA-17 – Public hearing to receive comment on the Draft Supplemental Environmental Impact Report (DSEIR) for the Housing Element Update (including 17 sites for rezoning) and Climate Action Plan, both of which apply Citywide
- APPLICANT:** City of Pleasanton
- PURPOSE:** To provide an opportunity for the Commission to: (1) receive an overview of the Draft SEIR prepared for the Housing Element Update and Climate Action Plan; (2) receive public comments on the Draft SEIR; and (3) provide Planning Commission comments on the Draft SEIR.
- EXHIBITS:** A. Draft Supplemental Environmental Impact Report (previously distributed)
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BACKGROUND

In October 2010, the City Council confirmed an 11-member Housing Element Task Force with the mission to oversee the update of the City's Housing Element. After nine Task Force meetings, four community workshops, input from housing experts, and extensive community input at Task Force and community meetings, and via e-mail, the Housing Element Task Force recommended a draft list of potential sites for rezoning and goals, policies and programs for the 2007 to 2014 Housing Element. Following review and discussion at its meeting on June 19, 2011, the Planning Commission recommended the document to the City Council as a Draft Housing Element to be submitted to the California Department of Housing and Community Development for its 60-day review.

In a separate effort, and in cooperation with the Committee on the Energy and Environment, and assistance from the City's consultant, ESA (an environmental science and planning firm), staff has prepared a Draft Climate Action Plan (CAP) to address the issue of greenhouse gas reduction. This plan was reviewed by the City Council and released for public review in August, 2011.

In addition to preparing the CAP, ESA's scope of work also included preparation of the environmental documentation for the Draft Housing Element and the CAP, in compliance with the California Environmental Quality Act (CEQA), and the Settlement Agreement in the matter of *City of Pleasanton vs. Urban Habitat*. The Draft Supplemental Environmental Impact Report (DSEIR) for the Housing Element and Climate Action Plan is now available for public review. This document is a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan and certified in July 2009.

PROJECT DESCRIPTION

The Housing Element is a policy document that consists of goals, policies and programs to guide the City and private and non-profit developers in providing housing for existing and future residents to meet projected housing demand for all economic segments of the community. Included in the proposed Housing Element is a program to expand the City's inventory of land available for the development of multifamily housing. Concurrent with the City's consideration of the updated Housing Element is a proposed General Plan amendment and rezoning for up to 17 sites within the City to allow high density multifamily development.

The Climate Action Plan (CAP) outlines goals, strategies and actions to reduce municipal and community-wide greenhouse gas (GHG) emissions. The CAP is structured to ensure the City does its part to meet the mandates of California's Global Warming Solutions Act of 2006 (AB32), which directs the state to reduce state-wide GHG emissions to 1990 levels by 2020. The Climate Action Plan is based on the California Air Resources Board (CARB) recommendations that in order to achieve these reductions, local governments target 2020 municipal and community-wide GHG emissions to be 15 percent below 2005 GHG emissions levels.

REASON FOR SUPPLEMENTAL EIR

A Supplemental EIR (SEIR) augments an EIR prepared for an existing project to address any project changes or changed circumstances since the time the prior document was certified. In the case of changes to a previously approved project, as is the case here, the purpose of an SEIR is to provide the additional analysis necessary to make the previous EIR adequately apply to the project as modified. Accordingly, the SEIR need contain only the analysis necessary to respond to the propose change in the project that triggered the need for additional environmental review.

The proposed project would amend the adopted General Plan by updating the Housing Element and by incorporating a Climate Action Plan by reference. The remainder of the General Plan remains in effect as previously adopted. Based on the scope of the General Plan amendment, the City has determined that some changes in the previously certified EIR are necessary to address the impacts of additional housing development and GHG reduction measures.

SEIR DESCRIPTION

An EIR is an informational document, the purpose of which is to make the public and decision-makers aware of the environmental consequences of a project. It is also intended for use by responsible agencies in considering any actions they must take or permits they must issue as a result of implementation of the Housing Element and Climate Action Plan.

The Draft Supplemental Environmental Impact Report consists of six main sections:

- Chapter 1: Introduction which provides a project overview, EIR background, issues of concern, and a summary of the scope, the lead, responsible and trustee agencies, and an overview of the environmental review process. This chapter also describes the Environmental Review Context and the reason this EIR was prepared as a supplement to the General Plan EIR.
- Chapter 2: Summary which includes a summary of impacts and mitigation measures and alternatives to the project.
- Chapter 3: Project Description which provides a description of the Draft Housing Element and Climate Action Plan as well as project objectives and required project approvals.
- Chapter 4: Environmental Setting, Impacts and Mitigation Measures, which discusses the existing conditions, thresholds of significance, impacts at build-out, and mitigation for all potential significant impacts in each of the topical areas.
- Chapter 5: Alternatives to the Project, which describes the alternatives selected for the analysis and those considered but rejected for further analysis.
- Chapter 6: Other Statutory Sections, which describes any growth inducing effects, significant irreversible changes, cumulative impacts, significant and unavoidable environmental impacts, and effects not found to be significant.

EIR PROCESS

The process for requiring, preparing and adopting an EIR is outlined in the California Environmental Quality Act (CEQA) Guidelines. It consists of the following primary steps that have either been conducted to date by the City or are scheduled for the future:

1. Determine the need for an Environmental Impact Report – April 2011
2. Distribute the Notice of Preparation of an EIR to Agencies and Interested Parties – Comment period: August 23 through September 22, 2011
3. Hold a Public EIR Scoping Session – September, 14, 2011
4. Prepare a Draft Supplemental Environmental Impact Report (DEIR) – Draft Supplemental Environmental Impact Report was released for public review on September 28, 2011
5. Allow for Public Comment on the DEIR – September 28 through November 14, 2011
6. Public meeting convened by the Planning Commission to receive comments from the public and the Planning Commission on the DSEIR – October 26, 2011
7. Prepare a Final EIR (FEIR) – To be completed by December 2, 2011
8. Hold Public Hearings to Consider Certification of the FEIR – Planning Commission recommendation on December 14, 2011 and action by the City Council in January 2012.

A 45-day comment period for agencies and members of the public to submit written comments on the DSEIR extends through November 14, 2011. Responses to all verbal comments received at the October 26, 2011 Planning Commission meeting and all written comments will be addressed by the EIR consultants and City staff in the FEIR, which will be reviewed by the Planning Commission and the City Council at public hearings.

ENVIRONMENTAL ISSUES

The DSEIR addresses a wide range of potentially significant environmental impact areas, including:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Greenhouse Gas Emissions
- Geology and Soils
- Hazards and Hazardous Material
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Utilities
- Recreation
- Transportation and Traffic

The DSEIR describes impacts in each of these topical areas and summarizes these impacts in the Summary Chapter. Analysis of the impacts of the proposed project indicated potential significant impacts on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hazards and Hazardous Materials, Noise, Public Services and Utilities (Water), and Transportation. The impacts requiring mitigation were all ascribed to impacts of the Housing Element, and specifically to residential development that would be allowed with the potential rezoning of sites. Most of these impacts would be reduced to a less than significant impact with the application of the mitigation measures described in the DSEIR. The mitigation measures are generally typical of measures applied to development in Pleasanton, such as: dust control during construction; pre-construction surveys to avoid impacts on birds, bats or burrowing owls; protection of creeks and riparian vegetation; archaeological monitoring for archaeologically sensitive sites; Phase 1 environmental assessments required to assess any hazardous materials on sites; a limitation on the hours of construction; vibration and acoustical studies to determine appropriate construction techniques and sound mitigation for new buildings; and payment of impact fees.

The following paragraphs describe the two significant and unavoidable impacts which are identified in the Draft Supplemental Environmental Impact Report:

Impact 4.D-1: Development facilitated by the General Plan Amendment and rezoning has the potential to adversely change the significance of historic resources.

Construction activities such as grading and excavation associated with development on the potential sites for rezoning identified in the proposed Housing Element could potentially effect known historic or cultural resources. Specifically, Site 6 and Site 21 include several early 20th century buildings that may be historic, and Site 17 is adjacent

to several downtown historic resources. These resources could be directly adversely impacted by development if they are demolished to make way for new housing or, indirectly, through incompatible design. Mitigation measures 4.D-1a and 4.D-1b include the requirement for a historic evaluation at Sites 6 and 21. These evaluations may determine that these buildings are not eligible for consideration as historic resources. However, if one or more of these buildings is determined to have historic significance, demolition would remain significant and unavoidable even with implementation of mitigation.

Impact 4.N-7: Development facilitated by the General Plan Amendment and rezoning could potentially add traffic to the regional roadway network to the point at which it would operate unacceptably under Cumulative plus Project conditions.

In year 2035, numerous roadway facilities are projected to operate at deficient LOS F conditions. Traffic generated by development facilitated under the proposed Housing Element on the potential sites for rezoning would not worsen any segment projected to operate acceptably to unacceptable conditions; however, it would increase the V/C by more than 0.03 on two roadway segments projected to operate at LOS F:

- Sunol Boulevard (First Street) between Vineyard Avenue and Stanley Boulevard
- Hopyard Road between Owens Drive and I-580

Traffic generated by development facilitated under the Housing Element on the potential sites for rezoning would worsen LOS F conditions on Sunol Boulevard (First Street) between Vineyard Avenue and Stanley Boulevard during morning peak hour by increasing the volume to capacity ratio by more than 0.03. Additionally, the proposed Housing Element would worsen LOS F conditions on Hopyard Road between Owens Drive and I-580 during the morning peak hour by increasing the volume to capacity ratio by more than 0.03. Based on the significance criteria, this is considered a significant impact. Widening this segment of Sunol Boulevard (First Street) is not considered feasible or desirable due to the surrounding built environment. Likewise, widening the segment of Hopyard Road is not considered feasible due to the surrounding built environment. Improvements to nearly parallel corridors could create more attractive alternative routes and provide additional capacity. Implementation of Mitigation Measure 4.N-7 would reduce the project contribution to cumulative impacts.

Mitigation Measure 4.N-7: The City shall require developers on the potential sites for rezoning to contribute fair-share funds through the payment of the City of Pleasanton and Tri-Valley Regional traffic impact fees to help fund future improvement to local and regional roadways.

However, as the City of Pleasanton is not the Lead Agency (the Tri-Valley Transportation Council is the implementing agency for the Tri-Valley Region traffic impact fee) and because the City cannot be assured that collected funds would specifically improve Sunol Boulevard or parallel corridors, the impact to this segment would remain significant and unavoidable after mitigation.

PUBLIC NOTICE

Notice of this item was published in The Valley Times. Notice cards were sent to owners and tenants in properties within 1,000 feet of each of the potential housing sites. In addition, the City sent notification to about 420 interested parties who have provided e-mail addresses during the Housing Element update process.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Receive comments from the public regarding the completeness and adequacy of the DSEIR; and
2. Provide Planning Commission comments with regard to the completeness and adequacy of the DSEIR.

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