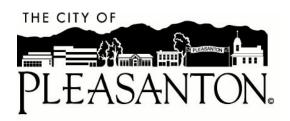
## **EXHIBIT D**

# INITIAL STUDY AND NEGATIVE DECLARATION HOPYARD ROAD SHELL/7-ELEVEN REDEVELOPMENT (PUD-134: PUD REZONING AND DEVELOPMENT PLAN)

JULY 31, 2019

## **PREPARED BY:**

City of Pleasanton Planning Division 200 Old Bernal Avenue P. O. Box 520 Pleasanton, California 94566-0802



An Initial Study has been prepared by the City of Pleasanton Planning Division evaluating the potential environmental effects of land use entitlements PUD-134/P18-0334(Planned Unit Development Rezoning and Development Plan) and P18-0332 (Conditional Use Permit) for the demolition of an existing 7-eleven convenience store, auto service/smog check building and Shell fuel station canopy; and construction and operation of a new 7-Eleven convenience store, drive-through car wash, Shell fuel station canopy, and related site improvements on a 0.91-acre site at 3760 and 3790 Hopyard Road, for Anabi Real Estate Development LLC.

Based upon the following Initial Study that evaluates the environmental effects of the proposed project, the City of Pleasanton has found that the proposed project (including any mitigation measures that would be incorporated into the project) would not have a significant effect on the environment. The City of Pleasanton has concluded, therefore, that it is not necessary to prepare an Environmental Impact Report (EIR) for this project.

# **TABLE OF CONTENTS**

1.	BACKGR	ROUND	3
2.	PROJEC	T DESCRIPTION	4
	2. 1	INTRODUCTION	4
	2. 2	ENVIRONMENTAL ANALYSIS	4
	2.3	PROJECT LOCATION	4
	2. 4	PLEASANTON GENERAL PLAN	8
	2.5	ZONING	<u>8</u>
	2.6	PROJECT DESCRIPTION	8
3.	ENVIRO	NMENTAL FACTORS POTENTIALLY AFFECTED	11
4.	DETERMI	NATION	12
5.	ENVIRO1	NMENTAL CHECKLIST	13
	5. 1.	AESTHETICS	13
	5. 2.	AGRICULTURAL AND FORESTRY RESOURCES	15
	5. 3.	AIR QUALITY	16
	5. 4.	BIOLOGICAL RESOURCES	21
	5. 5.	CULTURAL RESOURCES	23
	5. 6.	GEOLOGY AND SOILS	24
	5. 7.	GREENHOUSE GAS EMISSIONS	26
	5. 8.	HAZARDS AND HAZARDOUS MATERIALS	28
	5. 9.	HYDROLOGY AND WATER QUALITY	31
	5. 10.	LAND USE PLANNING	33
	5. 11.	MINERAL RESOURCES	35
	5. 12.	NOISE	36
	5. 13.	POPULATION AND HOUSING	38
	5. 14.	PUBLIC SERVICES	39
	5. 15.	RECREATION	41
	5. 16.	TRANSPORTATION AND TRAFFIC	42
	5. 17.	UTILITIES AND SERVICE SYSTEMS	45
	5. 18.	MANDATORY FINDINGS OF SIGNIFICANCE	47
6.	ENDNO	TES	49

# LIST OF FIGURES

FIGURE 1: AERIAL PHOTOGRAPH OF THE PROJECT SITE AND SURROUNDING AREA	5
FIGURE 2: PROPOSED SITE PLAN	9
FIGURE 3: PROPOSED FLOOR PLAN	9
FIGURE 4: PROPOSED ELEVATIONS	10
FIGURE 5: PROJECT RENDERINGS	11

# 1. BACKGROUND

1.	Project Title:	Hopyard Road Shell/7-Eleven Redevelopment PUD-134/P18-0334 (PUD Rezoning and Development Plan) Conditional Use Permit (P18-0332)
2.	Lead Agency:	City of Pleasanton Planning Division CommunityDevelopment Department 200 Old Bernal Avenue Pleasanton, California 94566
3.	Contact Person:	Jenny Soo Phone: (925) 931-5615 Fax: (925) 931-5483 Email: <u>isoo@cityofpleasantonca.gov</u>
4.	Project Location:	3760 and 3790 Hopyard Road Pleasanton, CA
5.	Project Sponsor Names(s) and Addresses:	Brad Hirst, Agent for: Anabi Real Estate Development, LLC 2466 Minivet Court Pleasanton, CA 94566
6.	General Plan Designation:	Retail/Highway/Service Commercial; Business and Professional Offices
7.	Zoning:	Neighborhood Commercial (C-N) District
8.	Description of Project:	See the "Project Description" section of the Initial Study
9.	Surrounding Land Uses and Settings:	See the "Project Description" section of the Initial Study
10.	Other public agencies whose approval is required:	No approvals are needed from other public agencies

## 2. PROJECT DESCRIPTION

#### 2. 1 INTRODUCTION

This Initial Study (IS) and Negative Declaration (ND) provide the environmental analysis required by the California Environmental Quality Act (CEQA) for land use entitlements PUD-134/P18-0334 (PUD Rezoning and Development Plan) and P18-0332 (Conditional Use Permit) for demolition of an existing 7-Eleven convenience store, auto service/smog check building and Shell fuel station canopy; and construction and operation of a new 7-Eleven convenience store, drive-through car wash, Shell fuel station canopy, and related site improvements on a 0. 91 acre site at 3760 and 3790 Hopyard Road, for Anabi Real Estate Development LLC.

The project site is located on two adjoining parcels under the same ownership. If the project is approved, the property owners will file a Lot Line Adjustment application to merge the two parcels so that the project would occupy one single parcel. Hereafter, the two parcels will be referred to as the "project site."

This IS/ND consists of an environmental checklist, a brief explanation of topics addressed in the checklist, and a determination that an EIR is not required.

#### 2. 2 ENVIRONMENTAL ANALYSIS

In accordance with CEQA Guidelines Section 15070, the City conducted an Initial Study which shows that there is no substantial evidence, in light of the whole record, that the proposed development may have a significant effect on the environment.

## 2. 3 PROJECT LOCATION/SUBJECT PROPERTY

The proposed project is located on an approximately 0.91-acre site known as 3760 and 3790 Hopyard Road at the southwest corner of Hopyard Road and W. Las Positas Boulevard. The project site has been occupied by a Shell fuel station, an automobile service/smog check building, and a 7-Eleven convenience store for several decades. Vehicular access to the site is currently provided from four existing driveways: three driveways are located on Hopyard Road and one driveway is located on W. Las Positas Boulevard, and an internal drive aisle connecting the project site with the property located to the immediate south. Please refer to Figure 1 for an aerial photograph of the project site (in blue) and surrounding area. The project site is relative flat. A row of Canary pines is located to the west of the existing auto service/smog check building. The street corner of the project site is furnished with grass and the Shell fuel station sign. A total of 13 parking spaces are available for the Shell station and auto service/smog check services and a total of 6 parking spaces are available for the 7-Eleven convenience store.

Figure 1. Aerial Photo of the Project Site (in blue) and Surrounding Area.





## 2. 3. 1 SURROUNDING LAND USES, AREA, AND SETTING

Surrounding land uses include: an office building to the immediate south (occupied by The Church in Pleasanton and Alameda County Health Care Services Agency) and Arroyo Mocho further beyond; a multi-tenant commercial building to the west; commercial uses to the north (Val-Vista Shopping Center with Lucky supermarket); and office uses to the east (within Hacienda Business Park), across Hopyard Road. Residential uses are beyond the commercial uses to the north and northwest and beyond the Arroyo Mocho to the south and southeast.

## 2. 4 PLEASANTON GENERAL PLAN

The project site has a General Plan Land Use Designation of "Retail/Highway/ Service Commercial; Business and Professional Offices" which permits commercial uses.

#### 2. 5 ZONING

The subject properties are zoned Neighborhood Commercial (C-N) District.

#### 2. 6 PROJECT DESCRIPTION

The proposed project consists of the redevelopment of the existing convenience store, auto service/smog-check building and gas station canopy with a new convenience store, drive-through carwash and fuel station canopy, including an increase in the number of dispensers/fueling positions. The project would involve reconfiguration of the project site's parking, circulation, and landscaping areas to facilitate the redevelopment of the site, including the elimination of the interior driveway between the project site and the property to the south. Driveways to adjacent streets would also be modified.

As noted above, the existing zoning of the site is Neighborhood Commercial (C-N). This zoning designation, while allowing for a variety of commercial uses, does not allow a convenience store or a drive-through carwash in conjunction with a fuel station. In addition, other zoning districts where a fuel station with convenience store is allowed, do not allow the sales of alcoholic beverages. Therefore, the applicant is requesting to rezone the property from the current C-N District to a Planned Unit Development – Commercial (PUD-C) District in order to facilitate the proposed uses.

Key elements of the proposed project are outlined below.

## **Entitlements:**

 Planned Unit Development (PUD) development plan and rezoning from C-N to PUD-C for the proposed development; and • Conditional Use Permit to operate a self-service station with a drive-through carwash and convenience store with the sale of alcoholic beverages.

## **Building:**

- Demolish existing on-site buildings and structures including:
  - o 1,962-square-foot auto service building;
  - o 1,972-square-foot fuel station canopy; and
  - 2,224-square-foot 7-Eleven convenience store.
- Construct the following new buildings and structures:
  - o An approximately 1,290-square-foot drive-through carwash building;
  - An approximately 3,311-square-foot fuel station canopy, which would be located over reconstructed pump islands with two additional fuel pumps, increasing the total number from four (eight dispensers) to six fuel pumps (12 dispensers);
  - o An approximately 3,034-square-foot 7-Eleven convenience store; and
  - New trash enclosure.

## <u>Operation</u>

- Cease operation of the existing auto service/smog check business;
- Maintain Operation of a 24-hour 7-Eleven convenience store with the sales of alcoholic beverages;
- Maintain operation of the existing 24-hour self-service Shell fuel station; and
- Operate a self-service drive-through carwash from 7 a.m. -10 p.m.

## Site Development

- Shift the existing driveway on W. Las Positas Boulevard 10 feet easterly;
- Eliminate the existing driveway from Hopyard Road to the existing 7-Eleven convenience store;
- Widen the southernmost driveway at the existing Shell station on Hopyard Road from 35 feet to 45 feet;
- Eliminate the existing drive aisle connecting the 7-Eleven convenience store site to the adjoining church property to the south;
- Remove existing trees that would be impacted by the proposed development and landscaping between the Shell fuel station and 7-Eleven store;
- Install new landscaping on the project site;
- Modify on-site circulation and install 17 parking spaces; and
- Add one underground fuel storage tanks for diesel fuel.

<u>Convenience Store:</u> The convenience store is designed in a triangular "home-plate" shape with the front face of the building oriented northeast, towards the Hopyard/West Last Positas intersection. The north side of the convenience store

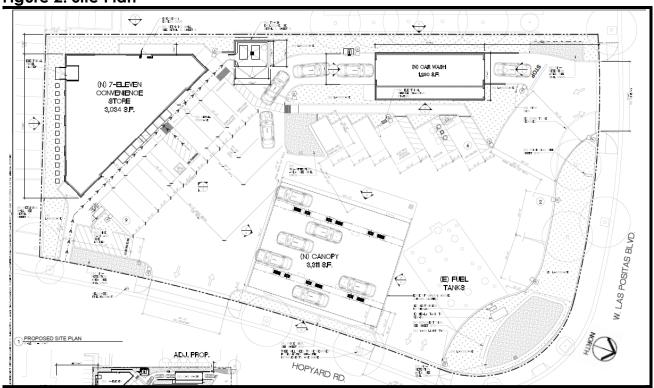
would be the front of the store with public entry doors and storefront windows. The store's exterior finishes include tan-colored stucco with stone veneer wainscoting on the north and south sides. Metal trellises are proposed on the building's south and west elevations. The building would have a dark brown-colored composition shingle roof. Tower elements would be located at the east and west corners of the building. The store building would measure approximately 18 feet and 8 inches in height from grade to the top of the mansard roof and approximately 24 feet 6 inches in height from grade to the top of the towers.

<u>Carwash</u>: The carwash building would match the exterior colors and materials of the convenience store building. The building would measure approximately 17 feet 10 inches in height from grade to the top of the mansard roof.

<u>Fuel Station Canopy</u>: The new fuel station canopy would have a yellow-, white-, and red-colored fascia (Shell brand colors) with a dark brown colored composition shingle roof. Red-colored bands would be mounted on the fascia. The canopy columns would be tan-colored stucco with stone veneer at the bottom, matching the convenience store building. The four existing unleaded fuel pumps would be removed and replaced, and two diesel pumps would be added. The canopy would measure approximately 20 feet 8 inches in height from the grade to the top the mansard roof.

Figures 2-5 on the following pages illustrate the proposed convenience store site plan, floor plan, elevations, and renderings, respectively.

Figure 2: Site Plan





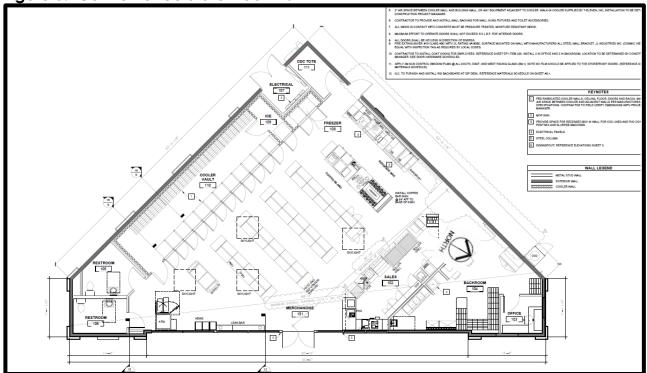


Figure 4: Elevations



Figure 5: Project Renderings

View of the Proposed Project from Hopyard Road

## 3. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

View of the Proposed Project from W.Las Positas Boulevard

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture and Forestry Resources	Air Quality
Biological Resources	Cultural Resources	Geology / Soils
Greenhouse Gas Emissions	Hazards and Hazardous Materials	Hydrology / Water Quality
Land Use / Planning	Mineral Resources	Noise
Population / Housing	Public Services	Recreation
Transportation / Traffic	Utilities / Service Systems	Mandatory Findings of Significance

## 4. DETERMINATION

On the basis of this initial evaluation:

Х	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed project could have a significant effect on the environment,
	there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an
	ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially
	significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed project could have a significant effect on the environment,
	because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Jemph	July 31, 2019	
Jenny Soo	Date	

## 5. ENVIRONMENTAL CHECKLIST

The following section contains the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the proposed project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project specific mitigations, which have been incorporated into the project design as a part of the proposed project.

For this project, the following designations are used:

- **Potentially Significant Impact:** An impact that could be significant and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- Less Than Significant With Mitigation Incorporated: An impact for which mitigation has been identified to reduce the impact to a less-than-significant level.
- Less Than Significant: Any impact that would not be considered significant under CEQA relative to existing standards.
- No Impact: Any impact that does not apply to the project.

## 5. 1. AESTHETICS

#### **ENVIRONMENTAL SETTING**

The project site is currently occupied by a Shell fuel station, an auto service/smog check building and a 7-Eleven convenience store. The site is highly visible from Hopyard Road and W. Las Positas Boulevard, but views of the existing 7-Eleven convenience store from Hopyard Road are partially obstructed by existing shrubs. In general, the aesthetics of the site are characterized by low-slung buildings, a fuel pump canopy, and a surface parking lot. The site has a visual quality that is typical of commercial and office uses located along Hopyard Road and W. Las Positas Boulevard.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

 Substantially alter or degrade the existing visual character or quality of the project site;

- Have a substantial effect on a scenic resource; or,
- Substantially increase light or glare in the project site or vicinity, which would adversely affect day or nighttime views.

		Less Than		
		Significant		
	Potentially	Impact With	Less Than	
	Significant	Mitigation	Significant	No
Issues	Impact	Incorporated	Impact	Impact

## **Aesthetics**

Would the project:

a)	Have a substantial adverse effect on a scenic vista?						Χ	
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X			
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?				X			
d)	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				Χ			

#### DISCUSSION

- a. The project site is not located within a scenic vista or within a State scenic highway. Therefore, this would be no impact.
- b. No rock outcroppings or historic buildings exist on the site. A total of 13 trees would be removed due to the construction, which includes 11 non-heritage sized trees and 2 heritage-sized trees<sup>1</sup>. The applicant would plant 12 new trees on the site and make a payment to the City's Urban Forestry Fund for the difference in value of the removed and new trees. This would be a less-than-significant impact.
- c. The design of the proposed buildings includes high-quality materials, detailing and articulation that would create architectural interest and reduce the perception of mass. The height of the 7-Eleven convenience store, carwash building, and the fuel station canopy would be comparable to the height of existing structures located on the project site and the surrounding area. New landscaping would enhance the visual quality of the site surroundings. Therefore, this would be a less-than-significant impact.

d. Conditions for the project will require that all exterior lighting be directed downwards and/or contain shields to minimize light pollution and glare. Therefore, this would be a *less-than-significant impact*.

## 5. 2. AGRICULTURAL AND FORESTRY RESOURCES

#### **ENVIRONMENTAL SETTING**

The project site is located in an urbanized area. The project site is currently occupied by a fuel station, an automobile service/smog check building, and a 7-Eleven convenience store. It is not currently being used for farmland, agricultural production, or forestry. The California State Department of Conservation designates the subject property as "Urban and Built-Up Land," which is defined as land that is occupied by structures with a building density of at least 1 unit to 1. 5 acres, or approximately 6 structures to a 10-acre parcel.

## STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses;
- Conflict with or result in the cancellation of a Williamson Act contract;
- Adversely affect agricultural production.

		Less Than			l
		Significant			l
	Potentially	Impact With	Less Than		l
	Significant	Mitigation	Significant	No	l
Issues	Impact	Incorporated	Impact	Impact	l

## **Agricultural and Forest Resources**

Would the project:

a)	Convert Prime Farmland, Unique Farmland, or						Χ	
	Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?							
b)	Conflict with existing zoning for agricultural use, or						Χ	
	a Williamson Act contract?							

c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as						X	
	defined by Government Code section 51104(g))?							
d)	Result in the loss of forest land or conversion of forest land to non-forest use?						Χ	
e)	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?						Х	

## **DISCUSSION**

a. -e. The project site is located in an urbanized area and is currently developed with structures, parking, and landscaped areas. No agricultural or forestry land is located on the site. The proposed project will not result in the conversion of any farmland and the subject property is not zoned for agricultural use and does not have a Williamson contract in place<sup>2</sup>. No loss or conversion of forest land will occur as a result of the proposed project. Therefore, these would be no-impact.

## 5. 3. AIR QUALITY

#### **ENVIRONMENTAL SETTING**

The project site is located within Pleasanton and Alameda County, and within the San Francisco Bay Area Air Basin (Air Basin). Air quality in the Air Basin is regulated by the Environmental Protection Agency (EPA), the California Air Resources Board (ARB) and Bay Area Air Quality Management District (BAAQMD). The EPA and ARB designate air basins where ambient air quality standards are exceeded as National (EPA) "non-attainment" areas, or State (ARB) "non-attainment" areas for a range of pollutants, with different standards and thresholds for each. The Air Basin is considered a non-attainment area for Ozone (State and National); Particulate Matter (PM<sub>10</sub>) (State); and Particulate Matter - Fine (PM<sub>2.5</sub>) (State and National)<sup>1,5</sup>.

The 1970 Federal Clean Air Act (CAA), updated in 1997 and 1990, addresses and regulates six "criteria pollutants" (Ozone, Nitrogen dioxide (NO<sub>2</sub>), Lead, Particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>), Carbon monoxide (CO) and Sulfur dioxide; the 1988 California Clean Air Act (CCAA) addresses these same six pollutants, as well as visibility reducing particles, hydrogen sulfide, sulfates and vinyl chloride. Generally,

<sup>&</sup>lt;sup>1</sup> <a href="http://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status">http://www.baaqmd.gov/about-air-quality/research-and-data/air-quality-standards-and-attainment-status</a>, accessed July 29, 2019

the planning requirements of the CCCA are more stringent than similar federal regulations; therefore, consistency with the CCAA will also demonstrate consistency with the CAA.

## STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Conflict with or obstruct implementation of the applicable air quality plan;
- Result in pollution emission levels above those established by BAAQMD in either the short term (construction related) or long term (operations);
- Expose sensitive receptors to substantial pollutant concentrations;
- Create objectionable odors affecting a substantial number of people.

		Less Than		
		Significant		
	Potentially	Impact With	Less Than	
	Significant	Mitigation	Significant	No
ssues	Impact	Incorporated	Impact	Impact

## **Air Quality**

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a)	Conflict with or obstruct implementation of the applicable air quality plan?						Χ	
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X			
c)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X			
d)	Expose sensitive receptors to substantial pollutant concentrations?				X			
e)	Create objectionable odors affecting a substantial number of people?				X			

## **DISCUSSION**

- a. An air quality plan is intended to bring a region's air quality into compliance with State and Federal requirements. The BAAQMD developed the Final 2017 Clean Air Plan (adopted in September of 2017) and the 2005 Ozone Strategy (adopted in January of 2006). The assumptions and growth projections used in these documents rely on the General Plan documents of communities. Therefore, projects that are found to be consistent with the General Plan (as is the subject project) are consistent with applicable air quality plans. Therefore, this would be no-impact.
- b.-c. In May 2017, the BAAQMD adopted its 2017 Clean Air Plan (CAP) and published an update to its CEQA Air Quality Guidelines<sup>3</sup>. These guidelines establish screening criteria with which to provide a conservative indication of whether the proposed project could result in potentially significant air quality impacts. If the screening criteria are met by the proposed project, then no additional air quality analysis is necessary. The screening criteria are organized into operational-related impacts (criteria air pollutants and precursors and greenhouse gases), community risk and hazard impacts, carbon monoxide impacts, odor impacts, and construction-related impacts. If the screening criteria are not met, then an air quality analysis is required to determine if the project's air quality impacts are below BAAQMD's significance thresholds (roughly equivalent to the CEQA thresholds of significance used to ascertain whether an impact would be significant).

Stationary sources of pollution which would trigger review by BAAQMD are not proposed on site. Of the land uses listed in the screening section of the CEQA Air Quality Guidelines, the proposed project most closely resembles a convenience market with gas pumps. The operational criteria pollutant screening thresholds for a convenience market with gas pumps is 4,000 square feet. The approximately 3,034-square-foot convenience does not exceed this threshold and would thus not to be expected to generate a considerable net operational increase in related criteria pollutant emissions. The majority of carwash users are expected to also be gas station or convenience store customers, thus this component of the project is not expected to increase the incremental operational emissions of the facility to the extent that the screening threshold would be exceeded.

With respect to construction-related emissions, the project would involve demolition of existing buildings and construction of new buildings and site improvements, which would be expected to generate short-term emissions of dust and construction vehicle emissions during the construction phase. As documented in the 3760 and 3790 Hopyard Road Health Risk Assessment

prepared by Illingworth and Rodkin, Inc.<sup>4</sup>, project construction activities would result in an estimated total of 0. 4455 tons of PM<sub>10</sub>, and 0. 1262 tons of PM<sub>2.5</sub>. Based on an estimated 123 total days of construction, the project would generate 7. 99 lbs/day of PM<sub>10</sub>, and 2. 26 lbs/day of PM<sub>2.5</sub>. This is well below the significance threshold of 82 lbs/day, and 54 lbs/day specified in the BAAQMD CEQA Guidelines. Nonetheless, the project would be required to follow the standard construction-related measures specified by BAAQMD as project conditions of approval, including implementation of dust control measures such as site watering, covering of trucks hauling debris, soil or sand, and measures to minimize construction vehicle emissions, such as a requirement for construction vehicles to meet all current exhaust standards, which would further reduce these effects.

Carbon monoxide impacts are measured by a project's consistency with a local congestion management plan and traffic volumes. The Circulation Element of the General Plan requires a level-of-service "D" or better at intersections with the exception of the Downtown Area and at gateway intersections. The site already houses an existing gas station, convenience store, and vehicle service/smogcheck station which would be replaced by similar but slightly expanded and modified uses. As discussed in Section 5.16, the project would not generate a substantial amount of traffic that would conflict with the City's level-of-service criteria at the adjacent W. Las Positas Boulevard at Hopyard Road intersection or other intersections within or outside the City; nor would the project cause hourly traffic volumes to exceed 44,000 vehicles per hour on Hopyard Road or W. Las Positas Boulevard. In addition, the project is not located near tunnels, underpasses, canyons, or below-grade roadways where carbon monoxide would concentrate.

Based on the above, the project would not be expected to generate operational or construction-related emissions that would result in a considerable net increase of criteria air pollutants or cause or contribute to a violation of an ambient air quality standard. As a result, these would be *less-than-significant impacts*.

d. Information in this section is based on a Health Risk Assessment prepared by Illingworth and Rodkin, Inc., which evaluates the potential effects of Toxic Air Contaminants (TACs) associated with construction and operation of the project. Project impacts related to increased health risk can occur either by introducing a new sensitive receptor, in close proximity to an existing source of toxic air contaminants (TACs) or by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity. The BAAQMD considers a sensitive receptor any facility or land use that includes members of the public who are particularly sensitive to the effects of air

pollutants, such as children and the elderly. Examples of receptors include residences, schools, parks and playgrounds and medical facilities. The nearest sensitive receptors are residential uses in proximity to the project; the nearby church would not ordinarily be considered a sensitive receptor, but due to concerns raised by the church, the report conservatively analyzes impacts to workers and visitors to the church.

The proposed project includes the reconstruction and expansion of a fuel station and a convenience store. It would not introduce new sensitive receptors (residences, hospital, etc.) to the project site. However, the project would be a source of construction and operational emissions such as those from fugitive dust and construction vehicles; tailpipe emissions from customer and delivery vehicles, and evaporative emissions from fuel transfer and storage. The report thus addresses several specific types of TACs associated with such activities, including Diesel Particulate Matter (DPM), Non-Diesel Total Organic Gases (TOC), Benzene, and PM<sub>2.5</sub>.

The assessment concludes that the health risk from emissions from construction and operation of the proposed project would not exceed the thresholds of significance for community risk impacts in terms of excess lifetime cancer risk, annual  $PM_{2.5}$  concentrations and Hazard Index. Both single-source and cumulative-source thresholds for community risk would not be exceeded. Therefore, these would be less-than-significant impacts.

e. The proposed project includes addition of two diesel pumps to the existing fuel station. Diesel exhaust fumes would be generated by equipment during demolition and construction. Diesel fumes would result in odors that may be perceptible to residents and tenants in the immediate vicinity of the project site. However, diesel odors would dissipate within a short distance from the project site. Therefore, diesel odor would not be expected to adversely impact the surrounding residents and tenants. Construction vehicles will be required to meet all current exhaust standards for emissions.

Operation of the 7-Eleven convenience store would not generate objectionable odors because the project does not include any food preparation or processes or other high odor-generating activities. The proposed 7-Eleven convenience store would have perishable food items and the disposal of expired or spoiled perishable food items could generate odors on or off site. The proposed project includes the construction of a trash enclosure with covered trash bins for food disposal which would reduce food odors. The proposed carwash would not generate objectionable odors. Therefore, the project would result in a less-than-significant-impact.

## 5. 4. BIOLOGICAL RESOURCES

#### **ENVIRONMENTAL SETTING**

The site is urbanized and contains ornamental plant species with little habitat value. No wetlands or creeks occur on the project site. The site contains 16 trees, 13 of which would be removed due to the proposed project.

## STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Adversely affect, either directly or through habitat modification, any endangered, threatened or rare species, as listed in Title 14 of the California Code of Regulations (Sections 670. 5) or in Title 50, Code of Regulations (Sections 17. 11 or 17. 12) or their habitats (including but not limited to plants, fish, insects, animals, and birds);
- Have a substantial adverse impact, either directly or through habitat modification, on any species identified as a candidate, sensitive or specialstatus species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife (CDFW) or U. S. Fish and Wildlife Service (USFWS);
- Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS;
- Adversely affect federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) either individually or in combination with the known or probable impacts of other activities through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites; or,
- Conflict with any local or regional policies or ordinances designed to protect or enhance biological resources, such as a tree preservation policy or ordinance.

		Less Than			ì
		Significant			ì
	Potentially	Impact With	Less Than		1
	Significant	Mitigation	Significant	No	1
Issues	Impact	Incorporated	Impact	Impact	1

## **Biological Resources**

Would the project:

a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?							X	
_								V	
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	,						X	
<u> </u>								Х	
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?								
-11								Χ	
d) 	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	,							
e)	Conflict with any local policies or ordinances					Х			
	protecting biological resources, such as a tree preservation policy or ordinance?					,,			
-								\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?							X	

## **DISCUSSION**

a-d. There are no rare, endangered, or threatened species of flora or fauna known to inhabit the subject property. In addition, there is no existing stream, river, lake, drainage channel, or other water body/course on the subject property. The

project site is developed and is surrounded by urban development. Therefore, these would be *no-impacts*.

- e. The applicant is proposing to remove 13 existing trees. Among the trees that would be removed, two are considered heritage trees according to Chapter 17. 16 (Tree Preservation) of the Pleasanton Municipal Code. The applicant proposes to plant 12 trees to mitigate the loss of existing trees. The applicant would also be required pay to the City's Urban Forestry Fund for the difference in value of the removed and new trees. Therefore, the proposed project would not substantially conflict with local policies or ordinances related to biological resources. Therefore, this would be a less than significant impact.
- f. No Habitat Conservation Plan, Natural Community Conservation Plan, or other conservation plans apply to the project site and, thus, this issue is not applicable to this project. Therefore, this would be *no-impact*.

## 5. 5. CULTURAL RESOURCES

#### **ENVIRONMENTAL SETTING**

The project site is not located in an area identified as having site-specific archeological, paleontological, or geologic features or resources. It is possible (although unlikely) that archaeological resources could be identified on the site during ground disturbance activities.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Cause a substantial change in the significance of a historical or archeological resource as defined in the CEQA Guidelines Section 15064. 5; or,
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## **Cultural Resources**

Would the project:

a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?						Х	
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				Х			
c)	Directly or indirectly destroy a unique Paleontological resource or site or unique geologic feature?				Χ			
d)	Disturb any human remains, including those interred outside of formal cemeteries?				Χ			

#### DISCUSSION

- a. The existing buildings on the site were constructed in late 1960s and early 1970s and are not historical resources; nor are the site or structures listed on the California Register of Historic Resources. Therefore, this would be no impact.
- b-d. There are no known archaeological or unique paleontological resources or human remains on the site. However, there is a slight potential for such resources to be encountered during the construction period. A condition of approval for the project will require work to stop within 20 meters (66 feet) of any prehistoric, historic artifacts, or other cultural resources found during the project construction period. Subsequent to the find, the services of the appropriate qualified professional will be secured to determine the best course of action that is consistent with the requirements. Therefore, these would be less-than-significant impacts.

## 5. 6. GEOLOGY AND SOILS

## **ENVIRONMENTAL SETTING**

The site is generally flat and does not contain any significant slopes or changes in grade. Project specific grading for the proposed project would be limited to that required for preparation of the building foundations, surface parking, and drive aisles.

## STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

• Result in a project being built that will introduce geologic, soils, or seismic hazards by allowing the construction of the project on such a site without protection against those hazards.

		Lana Thansa		
		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## **Geology and Soils**

Would the project:

a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:								
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.							X	
		+	-	-	-		-		
	ii) Strong seismic ground shaking?	_				X			
	lii) Seismic-related ground failure, including liquefaction?	<u>+</u>				Х			
	iv) Landslides?							Х	
h)	Result in substantial soil erosion or the loss of topsoil?	$\frac{1}{1}$				X			
	103011 11 300310111101 3011 01031011 01 1110 1033 01 10p30119	$\pm$							
						X			

c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?							
d)	Be located on expansive soil, as defined in Table 18-1-				X			
	B of the Uniform Building Code (1994), creating substantial risks to life or property?							
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?						X	

#### DISCUSSION

- a. The project site not located within an Alquist-Priolo Earthquake Fault Zone as identified by the California Geological Survey<sup>7</sup>. Also, the project will be required to meet the requirements of the California Building Code and conditions of approval for the project will require that the project meet or exceed seismic requirements. The site has generally flat terrain and there are no known landslides on the property. Therefore, these would be either less-than-significant impacts or no-impact.
- b-d. The topography of the site is generally flat. The project is not expected to result in substantial soil erosion or loss of topsoil. Conditions of approval will require that the project comply with stormwater runoff requirements and other applicable erosion-control measures. A site specific soils analysis would be required in conjunction with the building permit review. Therefore, these would be less-than-significant impacts.
- e. The project scope does not entail the use of septic tanks and will utilize existing or proposed new infrastructure to connect to existing water and sewer lines. Therefore, this would be *no-impact*.

## 5. 7. GREENHOUSE GAS EMISSIONS

#### **ENVIRONMENTAL SETTING**

The BAAQMD encourages local jurisdictions to adopt a qualified Greenhouse Gas (GHG) Reduction Strategy that is consistent with Assembly Bill (AB) 32 goals. AB 32 mandated local governments to adopt strategies to reduce GHG emissions. Consistent with the objectives of AB 32, the City has adopted a Climate Action Plan<sup>6</sup> (CAP) to outline strategies to reduce GHG emissions to 1990 levels by the year 2020.

The CAP was reviewed by the Bay Area Quality Management District and was deemed a "Qualified Greenhouse Gas Reduction Strategy" in accordance with the District's CEQA guidelines.

## STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Be inconsistent with a qualified GHG Reduction Strategy or
- Generate more than 1,100 Metric Tons CO<sub>2</sub> equivalent per year (MT CO<sub>2</sub> e/year).

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## **Greenhouse Gas Emissions**

Would the project:

a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				Χ		
	OTTAILOTIITIOTII.						
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X		

## **DISCUSSION**

a-b. The proposed project would replace and modestly enlarge an existing convenience store and gas station and replace an existing service/smog-check facility with a drive through carwash. Construction and operation of the facility could therefore incrementally increase GHG emissions, principally from mobile sources (i. e. customer and delivery vehicle trips) to and from the site.

The BAAQMD CEQA Guidelines establish a criterion for GHG emissions of 1,100 MT  $CO_2$  e/year, with emissions above this level considered to be significant. Based on the California Emissions Estimator Model (CalEEMod) modeling included in the appendix to the Health Risk Assessment, the project would generate a total of 77.23 MT  $CO_2$  e/year during its construction phase, and 720.69 MT  $CO_2$  e/year during each year of its operation. This is well below the 1,100 MT  $CO_2$  e threshold that is considered to be significant.

Furthermore, several Strategies and Supporting Actions related to water and energy conservation from the Climate Action Plan are incorporated into the proposed project or will be required as conditions of approval. Specifically, it would incorporate a landscape plan that is required to meet the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Basics requirements for water-saving, drought-resistant planting. The project would implement the current State of California Title 24 energy efficiency standards. It would also provide bike parking.

Based on the above, these impacts would be less-than-significant impacts.

## 5. 8. HAZARDS AND HAZARDOUS MATERIALS

## **ENVIRONMENTAL SETTING**

The project site is currently occupied by a convenience store, gas station and an automobile service building. To date, there is no known soil or groundwater contamination on the site.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in exposing people to existing contaminated soil during construction activities:
- Result in exposing people to asbestos containing materials;
- Result in exposing people to contaminated groundwater if dewatering activities take place.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues (Cont.)	Impact	d	Impact	Impact

## **Hazards And Hazardous Materials**

Would the project:

a)	Create a significant hazard to the public or the				Χ		
1	environment through the routine transport, use, or						
	disposal of hazardous materials?						

b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X			
	Trazar a cos maremais inne inne en inne inne inne inne inne							
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X			
٩١	Be located on a site which is included on a list of				Χ			
u)	hazardous materials sites compiled pursuant to Government Code Section 65962. 5 and, as a result, would it create a significant hazard to the public or the environment?							
e)	For a project located within an airport land use plan						Х	
	or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?						^	
f)	For a project within the vicinity of a private airstrip would the project result in a safety hazard for people residing or working in the project area?						Χ	
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?						X	
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?						X	

## **DISCUSSION**

a-b. The drive-through carwash would be equipped with an automated carwash tunnel. The carwash component of the project would not transport, use, or dispose of significant amounts of hazardous material requiring special control measures. The soaps used for car-washing would not be hazardous in the volumes used on the site. The small amount of oils and other substances used for maintenance of equipment would not be substantially hazardous and would be used in accordance with their labeling.

The Shell station is an existing use. The existing operation of the fuel station has not created a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials through fueling or dispensing

gasoline. The existing fuel station is registered with Livermore-Pleasanton Fire Department for hazardous material and is required to follow protocols in case of incidents involving the release of hazardous materials into the environment, such as fuel spillage. The same or similar operations are expected to continue, and the operation of the fuel station is therefore not expected to create a hazard to the public.

Thus, the proposed project would not create a significant hazard to the public or the environment thorough routine transport, use, or disposal of hazardous materials. In addition, the proposed project would not produce large quantities of hazardous wastes; therefore, there is no potential for a hazardous release that could significantly impact the public. Therefore, these would be less-than-significant impacts.

- c. The project site is located approximately 0. 21 miles (as the crow flies) from the nearest school facility, Donlon Elementary School, located at 4150 Dorman Road. The project site is currently occupied by a fuel station which has been in place for decades. The operation of the existing fuel station in terms of handling hazardous materials (fuel), emission, substances, or waste, has not created a significant impact to the public, including the school. The proposal is to expand the fuel station by add two fuel pumps. The expanded fueling facility will be operated in a same or similar manner as that which is existing today, including adherence to all mandated standards and procedures for the handling of hazardous materials, emissions, substances, or wastes. Therefore, it would be a less-than-significant impact.
- d. The project site contains a convenience store, an automobile service/smog check building and an existing fuel station with underground fuel storage tanks. Per the Department of Toxic Substances Control, the project site is not included on the list of hazardous materials sites compiled pursuant to Government Code 65962. 5 (Cortese List). Therefore, it would be a less-than-significant impact.
- e-f. The project site is located approximately 4.75 miles from the nearest airport runway at the Livermore Municipal Airport and is not located within the Airport Influence Area (AIA) indicated in the Livermore Municipal Airport's Airport Land Use Compatibility Plan or within the vicinity of a private airstrip. Therefore, these would be no-impact.
- g-h. The project site is located in an urbanized area and modifications to the property would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. No roadways in the vicinity of the site would be modified as part of the project.

Wildlands do not exist within or adjacent to the subject site. Therefore, these would be no impact.

## 5. 9. HYDROLOGY AND WATER QUALITY

#### **ENVIRONMENTAL SETTING**

The National Pollutant Discharge Elimination System (NPDES) was established in the Clean Water Act to regulate municipal and industrial discharges to surface waters of the U. S. Non-point sources originate and diffuse over a wide area rather than from a definable point. Two types of non-point source discharges are controlled by the NPDES program: discharges caused by general construction activities, and discharge to the municipal storm water system. The project site does not contain creeks, wetlands, or other water bodies, and is almost completely covered with impervious surfaces.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Substantially degrade water quality or violate any water quality objectives set by the State Water Resources Control Board due to increased sediments or other contaminants generated by consumption and/or operation activities;
- Expose people or property to the risk of injury and damage in the event of a 100-year flood.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## **Hydrology and Water Quality**

Would the project:

<ul> <li>a) Violate any water quality standards or waste discharge requirements?</li> </ul>				Х			
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer						Х	

	volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?							
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X			
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				X			
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X			
f)	Otherwise substantially degrade water quality?				X			
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?						X	
h)	Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?						Х	
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?						X	
j)	Inundation by seiche, tsunami, or mudflow?						Х	

## **DISCUSSION**

a-f. No streams, rivers, drainage channels, etc. run through the site and, therefore, the project would not alter the course of any body of water. The project site is generally flat, and the proposed plans for the project indicate that drainage would be accommodated within the existing drainage system. The project would be required to incorporate best management practices (BMP's) during construction to minimize erosion and stormwater pollution. The project would be required to comply with all applicable stormwater runoff requirements. The

project would not use a well to pump ground water for this project. The proposed carwash would recycle water to reduce stormwater runoff. Therefore, these would be less-than-significant impacts or no-impact.

g-j. The project site is not located within the 100-year flood zone and the proposed project does not include any housing units. The project would not impede or redirect flood flows or expose people or structures to a significant risk of flooding. The project site is not in a location where the project would be subject to a seiche, tsunami, or mudflow. Therefore, these would be no-impact.

## 5. 10. LAND USE PLANNING

#### **ENVIRONMENTAL SETTING**

The project site is currently occupied by a fuel station, an automobile service/smog check building, and a 7-Eleven convenience store. The project site is located at the southwest corner of Hopyard Road and W. Las Positas Boulevard. The site is surrounded by: an office building to the immediate south (occupied by The Church in Pleasanton and Alameda County Health Care Services Agency) and Arroyo Mocho further beyond; a multi-tenant commercial building to the west; commercial uses to the north (Val-Vista Shopping Center with Lucky supermarket); and office uses to the east (within Hacienda Business Park), across Hopyard Road. Residential uses are beyond the commercial uses to the north and northwest and beyond the Arroyo Mocho to the south and southeast.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

• Substantially alter an approved land use plan that would result in physical change to the environment.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## Land Use Planning

Would the project:

a)	Physically divide an established community?						Х	
b)	Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X			
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?						Χ	

## **DISCUSSION**

- a. The project site is surrounded by roadways, office and commercial uses, and a church. The proposed project is an infill development and would not physically divide an established community. The project would not obstruct access in the vicinity of the site, and would not change the local circulation system in such a way that it would physically divide a community. Therefore, this would be categorized as no-impact.
- b) The project site has a General Plan Land Use Designation of "Retail/ Highway/Service Commercial; Business and Professional Offices" which permits commercial and service uses. The current zoning of the project site, C-N District, does not allow the operation of a convenience store or a carwash on the same site with a fuel station. Furthermore, the non-PUD zoning districts where a gas station with convenience store is allowed (the Freeway Commercial and Service Commercial Districts) do not allow the sales of alcoholic beverages. The project site would be rezoned to Planned Unit Development Commercial to allow these uses to occur on the same site. The proposed project conforms to the following General Plan policies and programs:

Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

Program 13. 1: Zone sufficient land for neighborhood, community, and regional commercial uses to support Pleasanton's increasing business activity.

Policy 14: Provide adequate neighborhood commercial acreage to serve the future needs of each neighborhood at buildout.

Program 14. 1: Locate appropriately-scaled commercial centers with reasonable access to the residential neighborhoods they serve.

In addition, the proposed project with a Floor Area Ratio (FAR) of 11.2% is below the maximum 60% FAR allowed for commercial uses by the General Plan. Therefore, this would be a *less-than-significant impact*.

- b. There is no habitat conservation plan or natural community conservation plan applicable to the project area. Therefore, this would be categorized as no-impact.
- c. There is no habitat conservation plan or natural community conservation plan applicable to the project area. Therefore, this would be categorized as no-impact.

### 5. 11. MINERAL RESOURCES

#### **ENVIRONMENTAL SETTING**

The project site is urbanized and mineral extraction would be infeasible.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

Result in the depletion of a mineral resource.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

### **Mineral Resources**

Would the project:

a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the						Χ	
	residents of the state?							
b)	Result in the loss of availability of a locally important						Χ	
	mineral resource recovery site delineated on a local							
	general plan, specific plan or other land use plan?							

### **DISCUSSION**

a-b. The subject property is not known to have any mineral resources and thus the proposed project would not result in the loss of the availability of locally important mineral resources. Therefore, these would be *no-impact*.

### 5. 12. **NOISE**

### **ENVIRONMENTAL SETTING**

External noise sources that could affect the site include traffic noise from adjacent City streets and adjacent land uses. In addition, project-related noise associated with the carwash could increase ambient noise levels.

A Noise Assessment report was prepared by Illingworth & Rodkin, Inc. focusing on the proposed carwash component of the project<sup>8</sup>. The report states automated carwashes such as that proposed include several noise sources associated with their operation including water pump and spray noise inside the building during the wash cycle and the blower/dryer noise during the drying cycle. Since the water pump and water spray noise would occur inside the wash tunnel, the main noise heard outside of the building would be produced by the blowers/dryers that are located near the northern exit of the carwash building. The proposed carwash would use an AeroDry Systems, LLC, "Excel" blower/dryer system. This dryer system would produce a noise level of 63 to 70 dBA at the nearest property line to the carwash exit (the western property line which is approximately 17 feet away).

### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

 Result in construction noise levels that do not meet the City of Pleasanton Noise Ordinance; • Generate exterior noise levels above 70 dBA at the property plane (excluding construction noise).

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

#### **Noise**

Would the project:

a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					X			
b)	Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?					Χ			
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	_				Χ			
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?					X			
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?							X	
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?							Х	

### **DISCUSSION**

a. The project site is located within the future (2025) 70 dBA L<sub>dn</sub> noise contour along both Hopyard Road, and W. Las Positas Boulevard as indicated in the 2005 – 2025 Pleasanton General Plan. This noise level is considered to be "Normally Acceptable" for "Office Buildings, Business Commercial, and Professional" land uses according to the Pleasanton General Plan<sup>9</sup>. With respect to potential noise impacts generated by the proposed project, the City's Noise Ordinance (Chapter 9.04 of Pleasanton Municipal Code) does not allow any person to produce any noise or allow any noise to be produced by any machine, animal, device, or any combination of the same, on commercial property, in excess of

70 dBA at any point outside of the property plane. As noted above, the Noise Assessment report indicated that noise levels from the proposed carwash operation would measure 63-70 dBA at the closest property line; thus, the project would meet the City's Noise Ordinance requirements.

The Noise Assessment report indicated that the applicant has not specified the two vacuum units that would be installed as part of the project, but indicated that vacuum units that would meet the Municipal Code noise requirement of 70 dBA at the property plane are readily available. A condition will require the applicant install vacuum units that meet the City's noise requirements. Therefore, this would be a less-than-significant impact.

b-d. The proposed development would generate added urban noise, such as that associated with traffic, loading and unloading of delivery trucks, etc. However, given the existing noise levels produced by nearby street traffic, the existing uses on the project site, and the existing commercial and office uses in the area, noise levels would not change substantially from those currently experienced in the area.

The construction phase of the project may entail activities that result in ground-borne vibrations. The nearest residential uses are located approximately 250 feet to the northwest of the project site on the north side of W. Las Positas Boulevard. The hours of construction would be limited to minimize any impact to surrounding land uses. Construction equipment would be required to meet Department of Motor Vehicles (DMV) noise standards and be equipped with muffling devices. Once constructed, the operation of the proposed uses would be required to meet the City's Noise Ordinance, which stipulates that businesses not be allowed to produce a noise level in excess of 70 dBA at any point outside of the property plane. Therefore, these would be less-than-significant impacts.

e-f. The project site is located approximately 4.75 miles from the nearest airport runway at the Livermore Municipal Airport and is not located within its Airport Influence Area (AIA) or General Referral Area. Therefore, the project would not expose people to excessive aircraft noise levels. Therefore, these would be noimpact.

### 5. 13. POPULATION AND HOUSING

#### **ENVIRONMENTAL SETTING**

The subject property does not contain any housing units and the scope of the subject project does not include any housing units.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Induce substantial growth that is inconsistent with the approved land use plans in place;
- Displace affordable housing.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

# Population and Housing

Would the project:

a)	Induce substantial population growth in an area,						Χ	
	either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?							
b)	Displace substantial numbers of existing housing,						Х	
	necessitating the construction of replacement housing elsewhere?							
c)	Displace substantial numbers of people, necessitating						Χ	
′	the construction of replacement housing elsewhere?							

### **DISCUSSION**

a-c. The proposed project is an infill development that would not induce growth in surrounding areas. The proposed project would provide additional commercial services to nearby residents. Infrastructure has been extended to the project site in conjunction with the existing development. Therefore, the project would not result in direct or indirect growth-inducing impacts in the City of Pleasanton. No housing units would be lost or created as part of the project scope and thus no replacement housing is necessary and no direct population growth would occur. Therefore, these would be categorized as no-impact.

### 5. 14. PUBLIC SERVICES

### **ENVIRONMENTAL SETTING**

The City of Pleasanton has public services and infrastructure to meet the demand associated with build out of the General Plan.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Create an increase in demand for police protection services which could substantially interfere with the ability of the Police Department to provide adequate response time to the project site;
- Create an increased demand for fire protection services that would substantially interfere with the ability of the Fire Department to provide adequate response time to the project site;
- Create an increased demand for schools that would exceed existing school capacity; or,
- Create an increased demand for parks and other public facilities that would exceed existing capacity.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

### **Public Services**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:							
i) Fire protection?				Χ			
ii) Police protection?				Х			
iii) Schools?						Χ	
iv) Parks?						Χ	

v) Other public facilities?					Χ			
			·	·		·	·	

a) The proposed project would result in the reconstruction of a 7-Eleven convenience store and a fuel station canopy, demolition of an existing auto service/smog check building, and construction a new drive-through carwash. The project would be compliant with the Fire Code and would not substantially increase demand for fire protection services. In ascertaining whether the proposed project would increase demand for police services, the Police Department analyzed the calls for service data from 2015 to 2019<sup>10</sup> for the existing convenience store and fuel station. The Police Department did not find significant changes or increases in police activity at the subject site over time. The Police Department does not believe the proposed project would generate a substantial increase in demand for police services. There could be a small, incremental increase in demand for police services associated with project, but it would not require the construction of new Police Department facilities. Residential development is not a part of the project; thus the project would not generate additional demand for public services related to schools or parks. Therefore, these would be categorized as no impacts or less-than-significant impacts.

### 5. 15. RECREATION

#### **ENVIRONMENTAL SETTING**

The project site currently does not contain any neighborhood, community, or regional parks. The project site contains a 7-Eleven convenience store, a Shell fuel station, an auto service/smog check building, parking areas, and landscaping.

#### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

Result in the failure to meet City standards for the provision of parkland.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

### Recreation

Would the project:

a)	Would the project increase the use of existing						Χ	
	neighborhood and regional parks or other							
	recreational facilities such that substantial physical deterioration of the facility would occur or be							
	accelerated?							
b)	Does the project include recreational facilities or						Χ	
	require the construction or expansion of recreational							
	facilities, which might have an adverse physical							
	effect on the environment?							

#### **DISCUSSION**

a-b. The proposed project involves reconstruction of a 7-Eleven convenience store and fuel station canopy, and construction of drive-through carwash. The proposed development would not accelerate the substantial deterioration of existing park or recreation facilities near the project site nor require the construction or expansion of recreational facilities. The proposed project does not include recreational facilities. Therefore, these would be no impacts.

# 5. 16. TRANSPORTATION AND TRAFFIC

#### **ENVIRONMENTAL SETTING**

The project site is located at the southwest corner of Hopyard Road and W. Las Positas Boulevard. Vehicular access to the site is currently provided from four existing driveways: three driveways are located on Hopyard Road and one driveway is located on W. Las Positas Boulevard. The proposed development would eliminate the driveway from Hopyard Road to the existing convenience store and shift the driveway on W. Las Positas Blvd. 10 feet easterly. In addition, the drive aisle connecting the existing convenience store site to the adjoining church property to the south would be eliminated. A Wheels bus stop is located approximately 300 feet to the north of the project site on the west side of Hopyard Road. Sidewalks along

Hopyard Road and W. Las Positas Boulevard provide pedestrian access to the project site.

### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

• Result in reducing the Level of Service (LOS) at a major intersection to LOS E or F.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

# **Transportation and Traffic**

_								
a)	Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X			
<u> </u>					` '			
D)	Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X			
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location those results in substantial safety risks?						Х	
٩١	Substantially increase bazards due to a design feature						Х	
u) 	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?						^	
e)	Result in inadequate emergency access?				Χ			

f)	Conflict with adopted policies, plans, or programs				Χ		
	regarding public transit, bicycle, or pedestrian						
	facilities, or otherwise decrease the performance or						
	safety of such facilities?						

a. Per the 10th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Handbook, the two additional fuel pumps that are proposed would add 50 trips to the a.m. and p.m. peak hours.

The City's 2005-2025 General Plan Circulation Element includes buildout peak-hour traffic volumes on major roadways. The following table shows the existing and buildout a. m. and p. m. peak-hour traffic volumes on Hopyard Road and W. Las Positas Boulevard 11:

	Existing A.	Buildout	Existing P. M.	Buildout
	M. Peak-	A. M.	Peak-Hour	P. M.
	Hour	Peak-	Volumes	Peak-
	Volumes	Hour		Hour
		Volumes		Volumes
Hopyard Rd. south of W.	3,504	4,470	4,390	5,400
Las Positas Blvd				
W. Las Positas Blvd. west	1,714	1,780	1444	2,900
of Hopyard Rd.				

The City's Traffic Engineer has reviewed the proposed project in comparison to what are existing on the project site. Based on the ITE data for additional trips to be added to the a.m. and p.m. peak hours, the City Traffic Engineer concluded that the additional traffic associated with the proposed project would not change the existing peak hour Level of Service (LOS) and that the intersection of W. Las Positas Boulevard and Hopyard Road would maintain the current LOS C. Therefore, no project-specific traffic study or improvements to the existing circulation system are needed. However, the project applicant would be required to pay regional and local traffic fees to offset the increase in trips resulting from the proposed project. This will be a condition of approval of the project.

Additionally, the proposed project would not be in conflict with the existing public transportation system as the nearest Wheels Bus Stop would not be impacted by the proposed project. The proposed project would not be in conflict with other modes of transportation including non-motorized travel and relevant components of the circulation system, including but not limited to

intersections, streets, highways and freeways, pedestrian and bicycle paths. The project, on the contrary, would dedicate a sliver of 2 feet along its frontage on W. Las Positas Boulevard for bicycle lane improvements. Therefore, this would be a less-than-significant-impact.

- b. The Alameda County Congestion Management Agency's threshold for a significant impact to County transportation facilities is the addition of 100 or more new peak-hour trips. The project would not exceed this threshold and therefore, this would be less than significant.
- c. The proposed heights of the convenience store, drive-through carwash, and fuel station canopy would measure approximately 24 feet 6 inches to the tower element, 17 feet 10 inches, and 20 feet 8 inches, respectively. These heights are comparable to the existing structures on the site and would not require air traffic to change its flight path. Therefore, this would be *no-impact*.
- d. The project would not increase hazards due to design features or incompatible uses. The project driveways and drive aisles were designed to City standards and would provide adequate sight distances and accommodate the safe turning radius of emergency and non-emergency vehicles. Therefore, this would be noimpact.
- e. The proposed modifications to the existing driveways and drive aisles will be designed to City standards and would provide adequate sight distances and accommodate the safe turning radius of emergency and non-emergency vehicles. The modest change in peak hour volumes will not delay or alter emergency response times or result in inadequate emergency access. Therefore, this would be a less than significant impact.
- f. The proposal would not conflict with policies, plans, or programs related to public transit, bicycle or pedestrian facilities. The project would incorporate bicycle racks for employees and patrons of the convenience store. Existing and proposed public sidewalks along Hopyard Road and W. Las Positas Boulevard would provide access to the site. ADA-compliant pedestrian pathways will be required to construction plans prior to issuance of permits. Therefore, this would be a less than significant impact.

# 5. 17. UTILITIES AND SERVICE SYSTEMS

#### **ENVIRONMENTAL SETTING**

The City of Pleasanton has public services and infrastructure planned to meet the buildout of the General Plan.

### STANDARDS OF SIGNIFICANCE

For purposes of this environmental document, an impact is considered significant if the proposed project would:

- Result in the construction of new water facilities or expansion of existing facilities;
- Result in exceeding the wastewater treatment requirements of the Regional Water Quality Control Board;
- Result in or require the construction or expansion of existing wastewater treatment facilities;
- Be served by a landfill that has inadequate permitted capacity.

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

## **Utilities and Service Systems**

a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				,	X		
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X		
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?					X		
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				,	X		
e)	Result in a determination by the wastewater treatment provided which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X		
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				,	X		

g) Comply with federal, state, and local statutes and				Χ		
regulations related to solid waste?						

a-g. The proposed project would not exceed projected wastewater treatment requirements. The carwash operation would recycle water used for the carwash. While it is anticipated there are sufficient water supplies available to serve the project, the approval of the project would not guarantee the availability of sufficient water to serve the project and the City may withhold building permits if the City determines that sufficient water is not available at the time of application of building permits. On-site storm water pre-treatment will be implemented by constructing bio-retention planters. The project will not require the construction of off-site stormwater drainage facilities. Construction of the proposed project would generate construction waste; however, at least 75 percent of the total job site construction waste (measured by weight or volume) would be required to be recycled. The remaining construction waste would not result in a substantial reduction in the capacity of a landfill. Therefore, these would be less than significant impacts.

# 5. 18. MANDATORY FINDINGS OF SIGNIFICANCE

		Less Than		
		Significant		
		Impact With		
	Potentially	Mitigation	Less Than	
	Significant	Incorporate	Significant	No
Issues	Impact	d	Impact	Impact

### **Mandatory Findings of Significance**

a)	Does the project have the potential to degrade the				Χ		
	quality of the environment, substantially reduce the						
	habitat of a fish or wildlife species, cause a fish or						
	wildlife population to drop below self-sustaining levels,						
	threaten to eliminate a plant or animal community,						
	reduce the number or restrict the range of a rare or						
	endangered plant or animal or eliminate important						
	examples of the major periods of California history or						
	prehistory?						
					Χ		

b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?							
c)	Does the project have environmental effects, which						Χ	
,	will cause substantial adverse effects on human							
	beings, either directly or indirectly?							

- a. The project site has an existing fuel station, a 7-Eleven convenience store, and an auto service/smog check building surrounded by urban development and two public streets. There are no existing rivers, streams, lakes, or other water bodies on the subject property and there are no rare, endangered, or threatened species of flora or fauna known to inhabit the subject property. In addition, there are no known historical, archaeological, or paleontological sites or structures on the project site. Thus, this would be a less-than-significant-impact.
- b. Constructing the project would incrementally increase impacts related to certain environmental factors, but the increases would not be cumulatively considerable. Therefore, this would be a *less-than-significant-impact*.
- c. The project would not include any activities or uses causing substantial adverse effects on human beings either directly or indirectly or on the environment. The project has been designed to meet the general development standards required by the City of Pleasanton and would incorporate conditions of approval to meet local codes and regulations. The project design and conditions of approval would reduce potential impacts to a no impact.

# **ENDNOTES**

- <sup>1</sup> Arborist Report by HortScience, dated May 2019.
- <sup>2</sup> California Department of Conservation, Map titled, Alameda County Important Farmland 2010; and pages 7-26 through 7-28 of the City of Pleasanton General Plan 2005-2025
- <sup>3</sup> Bay Area Air Quality Standards and Attainment Status, BAAQMD Website: http://www.baaqmd.gov/
- <sup>4</sup>Shell Station Health Risk Assessment by Illingworth & Rodkin, Inc., dated March 5, 2019
- <sup>5</sup> Bay Area Air Quality Management District, CEQA Air Quality Guidelines, Updated May 2017
- <sup>6</sup>Climate Action Plan, City of Pleasanton, adopted by City Council February 13, 2012
- <sup>7</sup> Figure 5-5 of the City of Pleasanton General Plan 2005-2025
- <sup>8</sup>7-Eleven Store & Carwash Additions Noise Assessment by Illingworth & Rodkin, Inc., dated June 11, 2019
- <sup>9</sup> Figure 11-2 of the City of Pleasanton General Plan 2005-2025
- <sup>10</sup> Calls for Service data from the Pleasanton Police Department
- 11 Tables 3-6 and 3-7 of the City of Pleasanton General Plan 2005-2025