Janice Stern indicated that Shweta Bonn, Associate Planner, will be presenting the staff report for this item. She noted that Wayne Rasmussen, Rasmussen Planning, Inc., project lead consultant, and Mary Bean, FirstCarbon Solutions, project environmental consultant, were present.

Shweta Bonn presented the staff report, indicating that the purpose of the scoping session is to receive input from the Commission and the public on the scope and content of the Environmental Impact Report (EIR) for the East Pleasanton Specific Plan.

Brian Dolan reiterated the purpose of a scoping session for an EIR, as presented by Ms. Bonn. He noted that the Commission has been through many of these sessions over the years and that there is a great temptation for both the public and the Commissioners to start discussing the merits of the project. He emphasized that there will be plenty of opportunities to do that but that tonight is only to make sure that all of the potential environmental impacts that could occur from any of these alternatives under consideration are analyzed. He added that what staff and the consultants are looking for at this point is input on what should be the subject of these studies within the EIR and the technical environmental analysis that they will be preparing; rather than opinions about whether or not the Commission or the public is happy with or likes the Preferred Plan or the various Alternatives.

Chair Pearce noted that staff is not asking the Planning Commission to make any decisions tonight.

Mr. Dolan confirmed that no decisions will be made tonight and that staff will not be responding to any of the comments either. He noted that staff is writing these comments down and will be looking for those things they may have missed in the draft scope, adding to it and considering and discussing any of the suggestions to see if they are appropriately included in the document.

THE PUBLIC HEARING WAS OPENED.

Heidi Massie stated that she is a member of the East Pleasanton Specific Plan (EPSP) Task Force, representing the Autumn Glen and Heritage Valley neighborhoods, located along Valley Avenue at Kolln Street near the Santa Rita Road/Valley Avenue intersection. She explained that her neighborhood’s main concern about the project is around the increase in traffic and impact to schools. She requested that, for the purpose of the EIR
component, which will include a traffic analysis, the EIR include looking at the recently approved high-density, multi-family Auf der Maur development at the corner of Stanley Boulevard and Bernal Avenue.

Ms. Massie stated that based on a previous Planning Commission meeting, it was discussed that the “Preferred Plan” will add 31,000 new car trips per day on weekdays, and up to or around 27,000 new trips per day on weekends. She noted that this would mean adding six car trips per day for every new multi-family dwelling unit, such as at the Auf de Maur development. She added that those kinds of numbers, and the EPSP being as large as it is, will impact regional roadways; and, therefore, it is important that the total number of new car trips that are going to be added by the already approved Auf de Maur project be included in the traffic analysis to reflect a larger picture of the full circulation impacts and not just those coming out of the EPSP area.

Mary Switzer stated that she lives in The Village at Ironwood and that her main concern is also traffic. She indicated that she has been talking to the residents at Ironwood as well as other neighborhood residents in the area, and their specific concern is whether there will be a possible lawsuit by the gravel companies if El Charro Road is put through to Stanley Boulevard. She questioned, if the extension of El Charro Road is taken out of the equation, where the future residents of the EPSP will exit, whether through Busch Road or Boulder Street, and what its impact on traffic would be.

Kelly Cousins stated that she is a member of the EPSP Task Force, representing the Mohr Martin area. She expressed her appreciation for the addition of more alternatives to the Preferred Plan, and her neighborhood’s concerns about traffic if El Charro Road is not extended, and its impact on First Street, the Valley Avenue/Stanley Boulevard area, and the total area of Pleasanton. She added that they also have concerns about the potential issues with the wicking system and the different kinds of amendments that have to be made in that area to make the soil stable, about the settlement and the various issues for the homes in the future, and about the effect of the ground water coming in to the City’s water system.

Becky Dennis, representing Citizens for a Caring Community, expressed concerns about the environmental impacts that are caused by the affordability profile of the plan. She stated that when Pleasanton completed its nexus study, it identified that 49.6 percent of Pleasanton employees earn at the very-low-income level and that 90 percent of Pleasanton workers commute to Pleasanton. She noted that the affordability profile of the Preferred Plan calls for 15 percent of the 30-units-to-the-acre portion of the project to be affordable to lower-income families, and that basically hovers between three-percent and five-percent affordability when looked at as a total portion of the development, with the balance of about 18 percent to 28 percent of the total project being moderate-income or market rate.

Ms. Dennis stated that she would like the EIR to really analyze where people are working, based on the current commute patterns: how many of these people will work in Pleasanton; how many will work in Silicon Valley; and how many jobs will be created in
the lower-income categories by the market-rate housing and commercial development. She indicated that if vehicle miles traveled are recognized to be the biggest source of carbon emissions, with a lot of extra vehicle miles traveled just beyond the local traffic concerns, then the air quality numbers will not add up.

Ms. Dennis commented that the “No-Project” alternative, which states that there would not be any plan developed in the Specific Plan Area, might be a little extreme. She stated that she thinks there are probably many more efficient plans with a much better balance of housing that more specifically targets the affordability needs, which would result in much less but better balanced development. She indicated that it might mean going back to the drawing board but that she would be interested in those figures as far as the jobs–housing balance is concerned. She noted that when Pleasanton was called out by the Attorney General in the lawsuit, the main point was the jobs – housing balance and the lack of affordability in the City.

Don Kahler distributed a copy of his letter to the Commissioners and read it into the record:

“In reference to the letter I sent to Brian Dolan, the Director of Community Development, on September 10, 2013, the letter I read to the EPSP Task Force, the Planning Commission, and City Council Members at their meetings.

“How will you eliminate the prevalent issue of adolescents cutting holes in the fence and gaining access to the lake? This has happened in the past and continues to be a problem to this day. Holes are constantly being repaired in the fences leading up to the lakes. Two areas this issue is especially prevalent are: (1) on the east side of the Arroyo Mocho, and (2) on the south side of Stanley Boulevard, due to kids from the nearby neighborhoods in Livermore cutting holes in the fence to go swimming in the Lake ‘A.’ Cemex has to repair holes there on a continual basis.

“The water level in Lake ‘A’ is at ground elevation, whereas Lake ‘H’ and Lake ‘I’ have slippery 2:1 slopes with the water level hovering around 50 feet below ground level. Hypothetically speaking, if someone were to fall into either one of those lakes, it would be difficult if not impossible for them to get back out. In fact, several years ago, this hypothetical situation became a reality when two young boys cut a hole in the fence on the south side of Stanley Boulevard and drowned in the lake while attempting to go frogging.

“Even though both mining operators have security services in place (security guards as well as cameras), trespassers still gain access through the fences unnoticed. This is a huge liability being that there is not surefire way to keep this kind of tragic event from happening in the future.”

Kay Ayala thanked the Commission for having this forum. She then asked the Commissioners if they have a copy of the EPSP Preliminary Background Report which was handed out to the Task Force in July of 2012 and which she finds to be a very
helpful document. She stated that since there is limited time for the speakers, she hopes the Commissioners will address the issues posed in the Preliminary Report for the EIR. She added that she is looking forward to the Planning Commissioners’ input in the EIR because she does not want to miss anything and to miss this opportunity.

Ms. Ayala stated that she has two concerns with the Specific Plan that she thinks are “game changers” that were not known when the Specific Plan process was started: (1) Mining Operations. When the Specific Plan process was started, there was a timeline in mind, and in the meantime, the mining operations have extended their contract with the County for 28 years; the City will be jumping the gun until these properties are near completion; and (2) Schools. The Task Force received a request from the Pleasanton Unified School District (PUSD) that it needed land for the school and the building and that it did not have any money to pay for it. Ms. Ayala stated that these two things are “game changers” for the community and should be kept in mind when the questions are posed to staff for the EIR Plan.

Ms. Ayala stated that the PUSD did a comprehensive study of what it is going to need, what it needs “to Buildout,” and what it needs in “Projects Approved but not yet Built.” She indicated that she hopes the EIR does the same intense scrutiny of what situation the City is in. She stated that she is saying this because she looked in the EIR documents for the Vineyard Avenue Corridor Specific Plan (VACSP), dated November 1998, where schools were mentioned extensively: that elementary schools were at 108-percent capacity, middle schools at 134 percent, and high schools were at 85 percent; and that the elementary school would be completed between 2002 and 2003. She added that the VACSP addressed the issues in the EIR, but in reality they were not addressed because that elementary school does not exist. She pointed out that the City is now in the process of approving another Specific Plan, and the capacities of the schools are way over the 1998 percentages. She stated that she hopes the full details will be included in the EIR.

Ms. Ayala stated that everyone realizes that the City’s property values are as good as its schools. She noted that Pleasanton has always been blessed, but it has been a fight. She added that ever since she has been in the community, since 1983, schools were an issue and the question “Are you working with the schools?” was constantly asked so the City would have the money for the facilities. She indicated that in the present situation, the schools do not have the money to build facilities but are in debt, so the situation is more dire than it was in 1998 when the VACSP was done.

Sidney Cohen distributed a copy of his letter to the Commissioners and read it into the record:

“My name is Sidney Cohen. I am a resident of Ironwood Estates and Classics. At the last City Council meeting, the group I represent presented a petition with >90 signatures (representing the majority of Ironwood homes) expressing concerns about the East Pleasanton Specific Plan. The group has asked me to speak on their behalf. [We] appreciate the opportunity to summarize our thoughts about what should
be included in the Environmental Impact Report and we look forward to be part of the process. We feel it is important for us to be heard as we are the residential section most impacted by the proposed project, although our concerns involve all of Pleasanton.

“We plan to submit details of our questions by the deadline and will only summarize key questions we are interested in having the EIR evaluate.

“a. We are not happy with the 1,759 number being pushed as the Preferred Plan. First, this unnecessarily burdens the East Pleasanton area with the higher density building and with the environmental impact. Second, the Preferred Plan is being driven by the infrastructure costs and by satisfying the RHNA numbers through 2030 rather than through 2024. Third, the scenarios being evaluated only assume worst-case assumptions and we feel that is not correct to only evaluate this assumption. We request that the EIR also evaluate best case and moderate case scenarios. We also feel that the process used to obtain a vote on the Preferred Plan did not involve a vote of all individuals on the Task Force commission but was done by consensus with several members not in attendance due to last-minute change in meeting date.

“b. We are very concerned that the proposed size of this project is enormous for the East Pleasanton area and will have a dramatic effect on the environment of East Pleasanton and all of Pleasanton. Pleasanton has a unique character and the environmental impact on noise, pollution, traffic, infrastructure requirements, etc., is enormous. We need to have a clear and unbiased understanding of the environmental impact of the proposed projects. Bottom line, we are concerned that this will not maintain Pleasanton as the Pleasanton we all love and we want to make sure we maintain our small-town feel. If development is to occur, we want to make sure that any build out is in character with the current Pleasanton culture.

“Key concerns:

“a. Examples of question we have concerning traffic and the effect of traffic on the character of Pleasanton, including, for example:

“i. Updated and more accurate and current traffic counts be obtained and used in this report. Specifically, the Traffic Analysis of October 2012 should not be used as it is outdated. (For example, Stoneridge Drive opening and the Paragon Outlet opening and Auf der Maur development.)

“ii. The analysis should include the impact of the surrounding City build out including the Livermore build out. (Project should bear all of its burdens – need to include infrastructure costs and impact of other development on this cost.)

“iii. Impact of moving the Urban Growth Boundary going to a vote.

“iv. Given that many of us will be considering the need for senior housing in the near future, the traffic report should consider the effect of including senior housing as a mitigation factor to reduce traffic.
“v. Effect on safety of increased pedestrian traffic with increased automobile traffic.

“vi. Analyze effect not completing the El Charro extension as well as analyze not completing El Charro south of Stoneridge.

“vii. Evaluate not completing the El Charro extension to Stanley (avoid infrastructure costs of bypass).


“ix. Provide a detailed list of funded and scheduled City Capital Improvement Projects (CIP) that would affect the traffic analysis such as improvements along Valley Avenue (traffic improvements between Stanley and Santa Rita).

“x. Noise level of increased traffic.

“xi. Evaluate the EIR impact of not only the proposed elementary school but also include the impact of additional traffic due to more trips for additional students to the existing intermediate and high schools.

“xii. The land use designation of public facility of the City’s Operations Services Center (OSC) will remain in place but will be rezoned as Public/Institutional. The traffic report should evaluate alternate permitted use in the Public/Institutional designation in its report, such as location of a private school at this location.

“b. The Pleasanton School Superintendent stated in an email that this development will exceed current school capacity and that the funding from builder fees will not cover the cost of the facilities required to house the increment in students. The EIR should evaluate need for land and buildings for new schools or the need to expand current school buildings as well as the full cost of these infrastructure developments. We need to know what the cost to the community will be for the difference between builder paid fees and the true cost of these projects.

“c. Since there are no discussed plans for additional middle or high school buildings, what will be the impact on school safety of the larger student body in current facilities.

“d. Risk study of opening up the lakes area to the public.

“e. Risk study of drowning risk for putting a school in proximity to the lakes.

“f. Impact on wildlife of this development – the lakes provide a wild-life corridor – will extension of El Charro be a barrier to wild life (foxes, deer, mountain lions, etc.).

“g. Environment impact of two scenarios:

“i. Zoning for full project

“ii. Phased zoning to match the two RHNA phases (do not need to rezone the entire area – now to 2022 and 2022 to 2030)

“h. Study the effect of traffic on quality of life from the additional 30,000 car rides/day detailed by the preliminary traffic report.

“i. Need to include Auf der Maur in all calculations as this is an approved project.

“j. Ask the Planning Commission to extend the public comment period due to the holidays from November 25 to December 10 as a courtesy to the public.”
Brian Bourg stated that he is speaking for many of the First Street, Second Street, and Third Street neighbors who are concerned about increasing traffic beyond what is already there. He indicated that they already have extremely heavy traffic on First Street, particularly at the AM/PM commute hours, and are concerned that the proposed apartments at Bernal Avenue and Stanley Boulevard will also add to that total. He continued that adding to the mix the traffic that would be coming from the EPSP development would be a tremendous burden on their area, which is already highly affected. He noted that they already have people who head out, going down to the Southern Bay Area to work, and that those who will be living in the EPSP area would certainly head over to Stanley Boulevard, and then down First Street to the freeway to go to the Southern Bay Area to work. He stated that he wanted to get on the record for their neighborhood that they would like this issue addressed in the EIR.

Karen Vifian, a PUSD employee for 16 years, stated that if there is a list of studies to be done, she would like to suggest more research in determining whether the PUSD can afford to operate a school even if it were built by a developer. She noted that once the school is built, there still needs to be a lot of money to be spent. She indicated that the past year was the first year that teachers were not given pink slips because the PUSD did not have enough money to determine if these employees would be hired the following year.

Ms. Vifian stated that she has heard of only one school being considered to be built in this area. She noted that the closest middle school and high school are full, so students in this area would need to be bussed or driven across town to get to school. She further noted that the Alisal Elementary/Amador High area is so congested in the mornings and the afternoons and that Jensen Tract is just in gridlock such that nobody can get in or out of it as it is. She pointed out that adding 30,000 more cars would certainly make a difference, not only on the traffic but also in the safety of the children who are walking to Alisal Elementary and Amador High, and to any other school that would be built in that area.

THE PUBLIC HEARING WAS CLOSED.

Chair Pearce asked Mr. Dolan if the public comment period can be extended or if the City is bound to the November 25, 2013 date.

Mr. Dolan replied that it can be extended but that it would be something that he would want to discuss with the City Manager to see if that would adversely impact the overall schedule.

Chair Pearce commented that she finds the request for an extension to be a valid point if people would like to have time over the Thanksgiving holiday and it does not significantly adversely impact anything else, as she would like to have a little more time and opportunity for the public to comment.
Commissioner Olson stated that one of the speakers tonight mentioned the idea of a phased zoning on this project. He added that a former Councilmember/Planning Commissioner sent an email with that thought in mind. He inquired if it is too late to add this as an additional alternative to be evaluated.

Mr. Dolan replied that staff saw that letter and that there was a similar comment tonight. He indicated that there are a couple of issues to consider here. He added that once the Council approves the alternatives, he can explore adding one. He noted, however, that if a phased alternative was added, the analysis would be done for when all phases are complete.

Mr. Dolan continued that this would look just like any alternatives. He emphasized that the Council was very specific in its direction that it was not interested in creating a phased extension of El Charro Road; it did not want to create another Stoneridge Drive situation where a part of it is built, and then ten, twenty years go by and people forget that that was the plan, and then it becomes a huge community battle.

Mr. Dolan stated that the other thing that is relevant to the question is that all of these alternatives will be phased; every single one of them will be subject to Growth Management, which is the Regional Housing Needs Allocation (RHNA), the current limit in the ordinances, and the RHNA numbers divided by the years in the planning period. He indicated that there will be some leeway to borrow from years but that all of them will be phased out; this growth is going to have to be metered out. He noted that it creates challenges in the financing but that is what the Ordinance says.

Mr. Dolan noted that staff will look into Commissioner Olson’s idea but that he does not see how the answer will be different. He noted that ultimately, impact analysis on the worst case would be done, which is complete build out of all the phases.

The Commissioners then presented their comments.

Commissioner Allen stated that many of the speakers tonight and others that she has talked to on the Task Force are concerned about the number of units and the impact on traffic and other areas. She noted that the Task Force recognized that it needed to have a plan that was financially feasible, so the Task Force backed in to the alternatives that were presented by creating a worst-case financial view which assumed a full buildout of infrastructure using worst-case costs as well as the most conservative revenue view. She continued that the Task Force then determined how many housing units and commercial units were necessary to have a financially feasible project. She noted that this approach to working the numbers this way likely creates more housing than may be required.

Commissioner Allen stated with this in mind, she has six requests for the EIR scope to assure that the City does not build any more housing than absolutely required to have a feasible project:
1. Identify the expected incremental school impacts with each of the alternatives.

2. Identify the potential positive impact of creating a community where there would be a subset of senior housing – maybe 25 percent, maybe 50 percent – one or two scenarios and what that would do to the school impact and the traffic impact. The answer could be overlaid into any of the scenarios for decision-making.

3. Have a full economic and fiscal analysis for each scenario, as is a common practice with large businesses. More importantly, the analysis should include not only a most-conservative or worst-case view of financials but also a best-case view and a most-likely or moderate view.

4. Do a detailed study on three El Charro Road configurations with supporting economics and traffic impacts. Very importantly, the traffic analysis needs to include the weekend impact of traffic, which is not normally done in many of the City’s traffic studies but was brought up tonight, based on the numbers from Mike Tassano, City Traffic Engineer. In this situation, the weekend traffic impact is a significant quality-of-life impact for the neighborhoods, and it needs to be understood that while it will never be as bad as the weekday, it is a real impact.

   The three scenarios for the El Charro Road configurations are:
   a. a four-lane scenario as planned;
   b. a two-lane scenario which includes two angles: (1) no underpass or overpass; just a traffic light similar to going Downtown by the Pleasanton Hotel; and (2) have an overpass or underpass and show how much money can be saved from doing this and what its traffic impact is; and
   c. a "no El Charro Road" impact study.

   The reason for all three scenarios is that there are enough questions from this community about what the real answer is regarding El Charro Road, and absent having that, it would be just guessing. Another question is whether the traffic impact at the Valley Avenue/Santa Rita Road intersection will be better or worse with 2,200 homes and with El Charro Road versus 1,000 homes without El Charro Road. Without running these numbers, nobody will know if full justice was done on that open question that so many from the community have.

5. Add another scenario, if possible, that would look at a question of economics in a way that is different from any of the other alternatives already considered: What the least amount of homes that can be built is, assuming a 65 percent/35 percent mix, while still breaking even and having a financially feasible project, perhaps with a more moderate or more-likely assumption, possibly even a reduced El Charro Road. Again, this would be answering the question in a very different way than all the other alternatives already looked at; it is just a different approach, like looking at this through a whole different lens, to answering the question of whether there is another financially feasible project.
6. Identify different approaches for funding this project in terms of bonds versus other options, such as how Hacienda was built out, as each of them may have a different level of risk on how financially feasible different options are.

Commissioner Olson stated that he agreed with Commissioner Allen’s assessments and that he does not have much to add to that other than he is concerned about the situation with the schools and the extension of the mining operations as was mentioned tonight. He noted that these should definitely be factored-in for the EIR study.

Commissioner O’Connor stated that Commissioner Allen covered everything that he wanted to bring up, with the addition of one or two other areas. He agreed with Commissioner Allen that the impacts should be limited, especially in those areas that have been talked about for so long, including schools. He indicated that the Commission has been looking all along at alternatives of what the maximum number of homes is, what the maximum number of development acres is, industrial versus retail, and so forth. He added that he thinks one of the areas that the Commission missed was what the minimum development needed is in order to make this a feasible project, including one with no or a smaller El Charro Road, either not having it come through at all or having only two lanes or letting it come through only from existing roadways that are already there today. He noted that doing that would mean a much lighter development; that would also help impacts to schools, and maybe another school site in this area would not be necessary if there were not that many homes built.

Commissioner O’Connor stated that the other thing he thinks the Commission needs to look at is that in every map he has seen so far, the road is either on or outside the urban growth boundary (UGB), and industrial is also pegged outside the UGB. He indicated that, again, the more that is built, the more the impact. He added that he would also like to make sure that an option of not going outside the UGB is included when the alternatives are looked at and not developing that industrial there. He asked what it would take to make this a financially feasible project without that development and that it need to be scaled back to some extent. He noted that the underpass being considered is costly: a $4 million dollar road versus a $2 million dollar road is quite a bit more costly, or saving more by not putting El Charro Road all the way through.

Commissioner Ritter stated that the goal is to get the worst-case scenario and that his big thing is instead of saying “We are going to develop X number of homes” is to ask “What do the citizens of Pleasanton need.” He indicated that the City need schools, it needs seniors, it needs special needs housing, it needs affordable housing. He added that he thinks some of these have been included in recommendations in the EIR.

Commissioner Ritter stated that the other issue is traffic, noting that one of the residents brought up that staff ensure that what is happening with the new developments coming in and even Livermore with Stanley Boulevard be included. He added that as the City’s demographics and population shift, it is important that those issues are covered with the EIR, and he believes that they are covered in the way the EIR is written.
Commissioner Posson stated that he would like to build on Commissioner Allen’s comment about putting in a signalized crossing at El Charro Road. He stated that if that were done, he would highly recommend that the public safety aspects of the signalized crossing versus an underpass be looked at. He added that also on the public safety matter, on a number of hearings regarding multi-family and affordable housing units that have come before the Commission, the issue of crime has come up. He continued that in light of the health and safety concerns of the development, he requested that the EIR look at what impact that change in development and demographics might have on crime. Lastly, in the area of schools, he stated that the Commission has talked about capacity but has not talked about the quality of education. He noted that if there is a change in demographics based on the multi-family and the affordable housing elements, the EIR should look at what impact that would have on the quality of education as well.

Chair Pearce stated that she did not have a whole lot to add as she thinks everything has been covered sufficiently and that she is planning on submitting her comments in writing. She indicated that following Commissioner Posson’s comment about police services, she had similar questions about fire. She added that she does not know if fire response times and things of that nature can be covered within the concept of public services. She noted that no one mentioned this tonight and that she does not think it has been mentioned at the Task Force meetings. She then asked staff where the closest fire station to that area is because the City is not planning on adding another one.

Mr. Dolan replied the closest fire station is the headquarters by the McDonald’s Restaurant on Bernal Avenue and Stanley Boulevard.

Chair Pearce stated that for the sake of time and as she mentioned earlier, she will submit the rest of her comments in writing.

Mr. Dolan thanked the Commission and stated that that he just wanted to address one thing. He indicated that he did not want to get into responses but that it is not realistic to think about a surface crossing of the railroad track. He noted that the railroad company will not approve it and that it has the complete authority to not allow it to be done. He added that unfortunately, if that connection is to be made, it will have to go under or over.

Chair Pearce thanked everybody and requested anyone who thinks of anything else to submit them in writing. She then asked Mr. Dolan if the Commission and the public will know at any point if the comment period will be extended.

Mr. Dolan replied that it would depend on how soon he can talk to the City Manager but that the decision will be made quickly and will be posted on the City’s website.

Chair Pearce asked staff to make sure to get the information out to the Ironwood community as the concern came from that area in particular.

Mr. Dolan replied that staff will try and send it to everyone who spoke tonight.