

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 9, 2019

From: SUSAN BRANSEN, Executive Director

Reference Number: 2.2c.(5), Action

Prepared By: Jose Oseguera
Assistant Deputy Director

Published Date: September 27, 2019

Subject: Approval of Project for Future Consideration of Funding – Final Environmental Impact Report, including an Addendum, for the Dublin Transit Center Parking Garage Project (Resolution E-19-90)

Issue:

Should the California Transportation Commission (Commission), as a Responsible Agency, accept the Final Environmental Impact Report and Statement of Overriding Considerations, including an Addendum, for the Dublin Transit Center Parking Garage Project (Project) in Alameda County and approve the Project for future consideration of funding?

Recommendation:

Commission Staff recommends the Commission accept the Final Environmental Impact Report and Statement of Overriding Considerations, including an Addendum, and approve the Project for future consideration of funding.

Background:

The Alameda County General Services Agency is the California Environmental Quality Act lead agency for the Project. The Project will construct and operate a new, freestanding public parking garage to help meet the need for additional off-street parking in support of the Dublin/Pleasanton Bay Area Rapid Transit station. The Project is located on a 2.6-acre parcel of land and is bounded by Campus Drive in the City of Dublin, Alameda County.

On November 19, 2002, the Dublin City Council adopted the Final Environmental Impact Report and Statement of Overriding Considerations. The Final Environmental Impact Report determined that impacts related to air quality, traffic, and freeway operations would be significant and unavoidable.

The Dublin City Council found that there were several benefits that outweigh the unavoidable adverse impacts of the project. These overriding benefits include economic, legal, social, and technological considerations that outweigh the identified significant effects on the environment. Specifically, the Project benefits include:

- Improved jobs outlook with the creation of 7,832 local jobs, with a substantial number of those jobs in the construction sector.
- Increased local revenues as a result of additional sales and property tax revenues.
- Increased housing availability, including affordable housing.
- Promotes use of public transit by placing higher density development with a mix of residential, commercial, and office space opportunities.

Since adoption of the Final Environmental Impact Report 2002, a substantial portion of the Dublin Transit Center has been developed with high-density residential use, while office space has lagged behind.

On May 24, 2019, the Alameda County Board of Supervisors approved an Addendum to the Final Environmental Impact report to accommodate for changes in land use surrounding the Dublin Transit Center area.

On August 26, 2019, the Alameda County General Services Agency confirmed that the Final Environmental Impact Report, including the Addendum, remains valid and that there are no new identified impacts requiring mitigation. The Alameda County General Services Agency also confirmed that the preferred alternative set forth in the final environmental document is consistent with the Project scope of work programmed by the Commission.

The Project is estimated to cost \$34,000,000 and is fully funded through construction with Transit and Intercity Rail Capital Program Funds (\$20,000,000), Regional Measure 2 Funds (\$7,000,000), and Vehicle Registration Fee Funds (\$7,000,000).

Construction is estimated to begin in Fiscal Year 2020-21.

Attachments:

- Attachment A: Resolution E-19-90
- Attachment B: Statement of Overriding Considerations
- Attachment C: Notice of Determination
- Attachment D: Project Location Map

**CALIFORNIA TRANSPORTATION COMMISSION
Resolution for Future Consideration of Funding**

**4 – Alameda County
Resolution E-19-90**

- 1.1 WHEREAS, the Alameda County General Services Agency has completed a Final Environmental Impact Report and Statement of Overriding Considerations, including an Addendum, pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the Dublin Transit Center Parking Garage Project (Project) in Alameda County; and
- 1.2 WHEREAS, the Alameda County General Services Agency has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the CEQA Guidelines; and
- 1.3 WHEREAS, the Project is located on a 2.6-acre parcel of land and is bounded by Campus Drive in the City of Dublin, Alameda County; and
- 1.4 WHEREAS, the Project will construct and operate a new, freestanding public parking garage to help meet the need for additional off-street parking in support of the Dublin/Pleasanton Bay Area Rapid Transit station; and
- 1.5 WHEREAS, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report and Statement of Overriding Considerations, including an Addendum; and
- 1.6 WHEREAS, on November 19, 2002, the Dublin City Council adopted the Final Environmental Impact Report; and
- 1.7 WHEREAS, on November 19, 2002, the Dublin City Council determined that impacts related to air quality, traffic, and freeway operations would be significant and unavoidable; and
- 1.8 WHEREAS, on May 24, 2019, the Alameda County Board of Supervisors adopted an Addendum; and
- 1.9 WHEREAS, on August 26, 2019, the Alameda County General Services Agency confirmed that the Final Environmental Impact Report, including the Addendum, remains valid and that there are no new identified impacts requiring mitigation; and

- 1.10 WHEREAS, on August 26, 2019, the Alameda County General Services Agency also confirmed that the preferred alternative set forth in the final environmental document is consistent with the Project scope of work programmed by the Commission; and
- 1.11 WHEREAS, the Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report and Statement of Overring Considerations, including an Addendum.
- 2.1 NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby accept the Final Environmental Impact Report and Statement of Overriding Considerations, including an Addendum, for the above-referenced Project to allow for future consideration of funding.

STATEMENT OF OVERRIDING CONSIDERATIONS

1. **General.** Pursuant to CEQA Guidelines section 15093, the City Council of the City of Dublin makes this Statement of Overriding Considerations for those impacts identified in the Dublin Transit Center EIR as significant and unavoidable. The City Council has carefully considered each impact in reaching its decision to approve the Project. Although the City Council believes that many of the unavoidable environmental effects identified in the EIR will be substantially lessened by mitigation measures incorporated into the Project, and by future development plans as well as future mitigation measures implemented with future approvals, it recognizes that the implementation of the Project carries with it unavoidable adverse environmental effects.

The City Council specifically finds that to the extent that the identified adverse or potentially adverse impacts have not been mitigated to acceptable levels, there are specific economic, social, environmental, land use, and other considerations that support approval of the Project.

2. **Unavoidable Significant Adverse Impacts.** The following unavoidable significant environmental impacts are associated with the Dublin Transit Center Project as identified in the EIR. The impacts cannot be fully mitigated by changes or alterations to the Project.

Impact 4.2-3: Regional air quality impacts. Buildout of the project would exceed the maximum BAAQMD air quality standards for regional impacts on a project and cumulative level. DEIR p. 52. The Project is consistent with BAAQMD policies encouraging compact, infill development near public transit and includes variants of all of the strategies suggested by BAAQMD to minimize regional air quality impacts through accessibility to non-automobile forms of transportation. However, even with its transit and pedestrian oriented design, the Project would exceed BAAQMD regional air quality standards and no feasible mitigation measures are identified to further reduce this impact; therefore Project impacts remain significant and unavoidable. DEIR p. 51-53

Impact 4.11-5: Cumulative traffic impacts. In 2025, project and cumulative traffic at the Dougherty Road/Dublin Boulevard intersection would operate at unacceptable LOS E and LOS F during AM and PM peak hours, respectively. DEIR pp. 160-61. Improvements adopted as mitigation measures are not sufficient to reduce the impact to less than significant, however, additional improvements are not feasible due to the physical constraints at the intersection. The City will monitor the intersection to obtain updated volume forecasts; also, implementation of the I-580 Smart Corridor Project will likely relieve some congestion at the intersection. However, Project impacts remain significant and unavoidable.

Impact 4.11-7: Mainline freeway operation impacts, I-580. Project traffic will worsen I-580 mainline conditions which are projected to exceed the Alameda County Congestion Management Agency's threshold of significance in 2025 even without the Project. DEIR p. 166. Individual developments within the Project will be required to pay applicable regional Transportation Impact Fees, a portion of which will fund freeway improvements; however, freeway improvements are controlled by Caltrans and not the City of Dublin, therefore there are no feasible mitigations identified for this impact, which remains significant and unavoidable. DEIR pp. 165-66

Impact 4.11-8: Mainline freeway operations, I-680. Project traffic will worsen I-680 mainline conditions which are projected to exceed the Alameda County Congestion Management

Agency's threshold of significance in 2025 even without the Project. FEIR Appendix A. Individual developments within the Project will be required to pay applicable TVTD regional traffic improvement fees, which will assist in funding planned auxiliary lanes between Bollinger Canyon Road and Diablo Road. However, these measures will not avoid or substantially reduce the impact to the I-680 freeway. Furthermore, freeway improvements are controlled by Caltrans and not the City of Dublin, therefore there are no feasible mitigations identified for this impact, which remains significant and unavoidable. FEIR Appendix A

3. Overriding Considerations. The City Council has balanced the benefits of the Dublin Transit Center Project to the City of Dublin against the significant and potentially significant adverse impacts identified in the EIR that have not been eliminated or mitigated to a level of insignificance. To the extent that the Project would result in unavoidable significant impacts described in the EIR, the City Council hereby determines that such unavoidable impacts are outweighed by the benefits of Project as further set forth below. The City Council, acting pursuant to CEQA Guidelines Section 15093, hereby determines that unavoidable impacts of the Project are outweighed by the substantial public benefits of developing a state-of-the-art transit and pedestrian oriented village. Approval of the Project takes advantage of the unique opportunities presented by a large, infill, single-owner property with no major physical constraints and located directly adjacent to existing transit facilities. The Project's residential, office and ancillary commercial uses provide a complementary mix of uses that facilitates use of transit facilities. The mix of uses and site design will also create a vibrant urban neighborhood with attractive housing at higher densities to encourage transit use as well as increase the potential for affordable housing. The urban densities will be further complemented by recreational opportunities from common and private open space, as well as a nearby park and the adjacent Iron Horse Trail. Approval of the Project advances City policies to provide comprehensive community planning that balances various land uses and encourages higher density housing convenient to shopping, employment centers and transit facilities. In addition, the Project will result in the following substantial public benefits.

Economic Considerations. Substantial evidence is included in the record demonstrating the economic benefits that the City would derive from implementation of the Project. Specifically, the Project will result in:

- a. As many as 7,832 new jobs, as well as a substantial number of construction jobs.
- b. Potential commercial development that will result in increases in sales tax revenues for the City.
- c. Substantial increases in property tax revenues.

Social Considerations. Substantial evidence exists in the record demonstrating the social benefits that the City would derive from the implementation of the Project. Specifically, the Project will result in:

- a. Increases in housing opportunities in the City and in a region where housing is costly and in short supply.
- b. Increases in the amount of affordable housing in the community.
- c. Increased opportunities for the City to contribute its fair share of regional housing.

- d. Provision of higher density housing opportunities near local and regional public transit facilities and within a mixed residential/office/commercial use setting that provides goods and services accessible without automobile travel.

gpa00-013 statement of overriding

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: California Transportation Commission
Attn: Jose Oseguera
1120 N Street, MS 52
Sacramento, CA 95814
(916) 653-2094

Subject: Filing of Notice of Determination in compliance with Section 21108 of the Public Resources Code.

Project Title: Dublin Transit Center Parking Garage Project

2001120395	Bernadette Delgado	(510) 208-9590
State Clearinghouse Number	Lead Agency Contact Person	Area Code/Telephone

Project Location (include county): The project located on a 2.6-acre parcel of land and is bounded by Campus Drive in the City of Dublin, Alameda County.

Project Description: The project will construct and operate a new, freestanding public parking garage to help meet the need for additional off-street parking in support of the Dublin/Pleasanton Bay Area Rapid Transit station.

This is to advise that the California Transportation Commission has approved the above described project on

(Lead Agency/ Responsible Agency)

October 9, 2019, and has made the following determinations regarding the above described project:

1. The project (will/ will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were/ were not) made a condition of the approval of the project.
4. Mitigation reporting or monitoring plan (was / was not) adopted for this project.
5. A Statement of Overriding Considerations (was / was not) adopted for this project.
6. Findings (were/ were not) made pursuant to the provisions of CEQA.

The above identified document with comments and responses and record of project approval is available to the General Public at: 1401 Lakeside Drive, Suite 800, Oakland, CA 94612

SUSAN BRANSEN		Executive Director California Transportation Commission
<hr/> Signature (Public Agency)	Date	Title

Date received for filing at OPR:

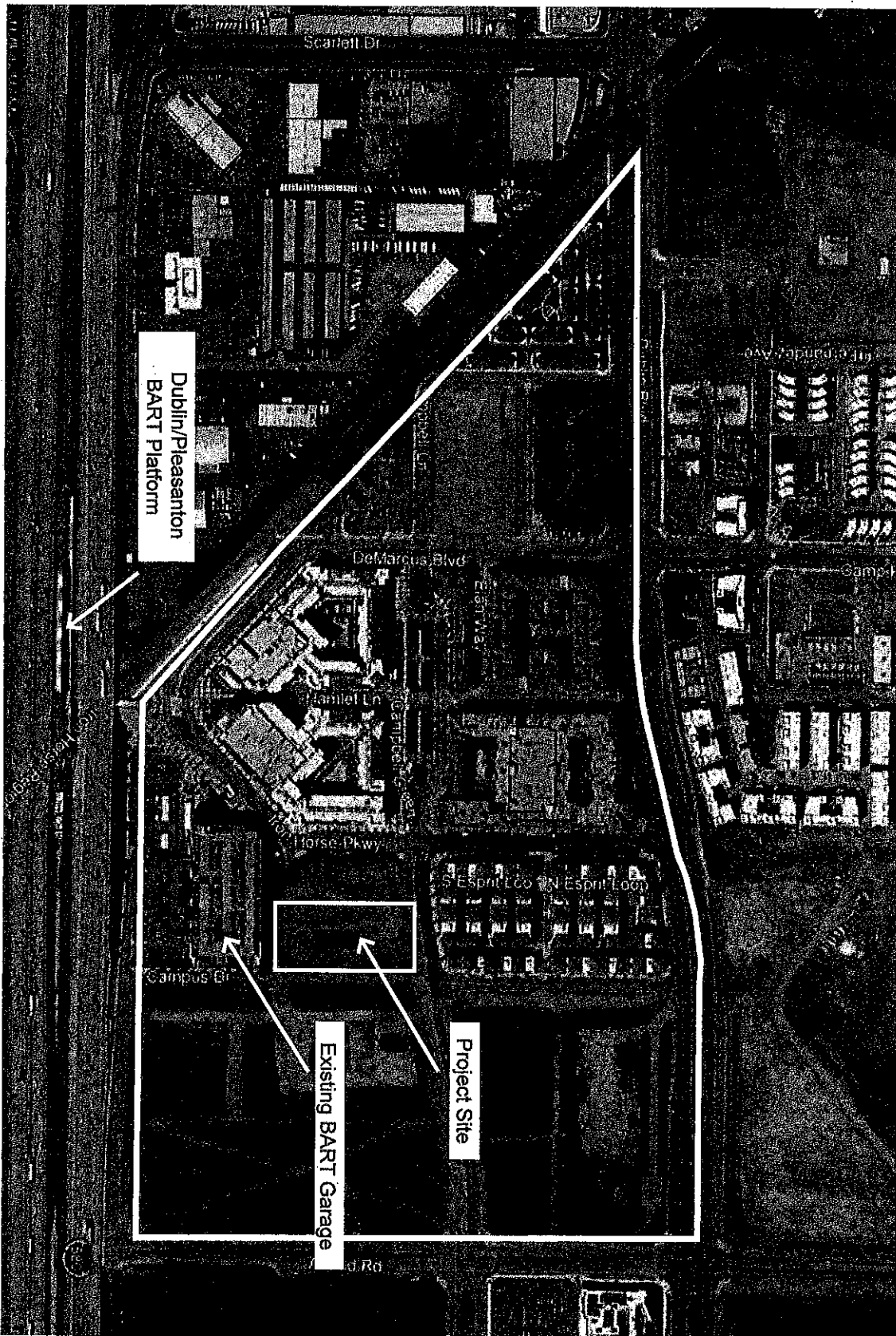


Figure 5
Site Context