

CALIFORNIA ENERGY COMMISSION
REPORT OF CONVERSATION Page 1 of 1



**Energy Facilities Siting and
Environmental Protection
Division**

FILE: 09-AFC-4

PROJECT TITLE: Oakley Generating Station

<input checked="" type="checkbox"/> Telephone	(925) 779-6133	<input type="checkbox"/> Meeting Location:	
NAME:	Mindy Gentry, Acting Senior Planner, City of Antioch	DATE: 2/24/11	TIME: 10:00 p.m.
WITH:	Susanne Huerta, Land Use Technical Staff, Aspen Environmental Group		
SUBJECT:	City of Antioch Applicable LORS		

COMMENTS:

I left a message for Ms. Gentry on 2/23/11 to discuss the city's comments on the PSA (dated 2/10/11), which stated that the general plan and zoning designations for the proposed transmission line are incorrect.

Ms. Gentry returned my call on 2/24/11. In comparing the LORS provided in the PSA and the LORS provided by the city, the inconsistency occurred since the city has adopted the Hillcrest Station Specific Plan which is not available on the Planning Department's website. Ms. Gentry also stated that the land use designations provided in the city's online GIS mapping system may not be based on the city's most recent data. As such, the following designations need to be added to the analysis: Business Park, Public/Institutional, and the Residential Transit-Oriented Development from the Hillcrest Station Specific Plan. In addition, the C-3 zoning designation included in the PSA is not applicable, and the area should instead be identified as the Planned Business Center. Based on this conversation, staff revised the Land Use analysis.

In addition, Ms. Gentry sent the Staff Report and Resolution for the Hillcrest Specific Plan. Both are attached.

DOCKET	
09-AFC-4	
DATE	FEB 24 2011
RECD.	FEB 25 2011

cc: Amanda Stennick, CEC Pierre Martinez, CEC Negar Vahidi, Aspen	Signed: Name: Susanne Huerta, Aspen
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**STAFF REPORT TO THE CITY COUNCIL
FOR CONSIDERATION AT THE MEETING OF APRIL 14, 2009**

Prepared by: Victor Carniglia, Deputy Director Economic Development 


Date: April 9, 2009

Subject: A public hearing to consider the Hillcrest Station Area Specific Plan. In addition, amendments to the City's General Plan and Zoning Designations will be considered to ensure consistency with the Specific Plan. Consideration will also be given to certifying the Final Environmental Impact Report (Final EIR) for this project, including adopting a Statement of Overriding Considerations, and adoption of the project's Water Supply Assessment. The Project Area consists of approximately 375 acres bounded by Hillcrest Avenue on the west, Hwy. 4 on the south, Hwy. 160 on the east, and Oakley Road on the north.

RECOMMENDATION

Staff recommends that the City Council take the following actions:

1. Adopt the attached resolution certifying the Final Environmental Impact Report (FEIR) for the Hillcrest Station Area Specific Plan and related actions, including amendments to the City's General Plan and Zoning Designations, and adopting a Statement of Overriding Considerations. Approval of the project's Water Supply Assessment is incorporated into this resolution (Attachment A).
2. Adopt the attached resolution approving amendments to the General Plan to ensure consistency with the Hillcrest Station Area Specific Plan, with amendments as included in the attached resolution (Attachment B).
3. Adopt the attached resolution approving the Hillcrest Station Area Specific Plan (Attachment C).
4. Adopt the attached ordinance as a first reading of the Ordinance rezoning the entire approximately 375 acre Specific Plan Project Area to Planned Development (PD) Zoning (Attachment D).



4-14-09

BACKGROUND / DISCUSSION

At the March 24, 2009 Study Session, City Council provided staff direction on a number of issues concerning the proposed Hillcrest Station Area Specific Plan and related documents. Attached are draft minutes of that meeting (see Attachment E). As chronicled in the staff report for the March 24, 2009 Council meeting, the preparation and review process for the Specific Plan has covered some 18 months, with numerous public hearings and meetings at the Planning Commission and City Council levels, along with a number of community meetings. The product of this extensive planning effort is contained in the plans now before City Council.

In order to implement the proposed plans, a number of actions are needed, which are listed in the preceding "Recommendations" section of this report. These actions are described briefly below in the following "Analysis" section.

ANALYSIS:

A. Environmental Impact Report:

The City Council received a copy of the Draft EIR (DEIR) for this project in late January 2009. The 45 day period for written comments on the DEIR closed on March 7, 2009. A number of written comments were received from a variety of agencies and parties. The City's consultant, Dyett Bhatia, along with City staff, have prepared responses to the comments received on the Draft EIR. A document containing the comment letters, along with the responses to environmental issues raised in the comments, was distributed to City Council on April 3, 2009. The Final EIR consists of the Draft EIR plus the comments received and the responses to those comments. While a number of environmental concerns were raised in the comment letters, the majority of these were able to be addressed in the context of the information provided in the Draft EIR. As pointed out in the response to comments document, many of the comments received on the Draft EIR actually raised issues that were relevant to the Specific Plan, not the EIR.

As noted in previous Council staff reports, the Specific Plan and EIR prepared for this project are "self mitigating". This means that the mitigation measures identified in the EIR that are needed to address environmental impacts, are included as policies in the Specific Plan. This arrangement helps ensure that all potential environmental issues are addressed in the plan implementation process.

It is important to note that there are two impacts that cannot be fully mitigated by the proposed project as no mitigation is feasible/reasonable, namely transportation and noise impacts. As a result, the resolution certifying the Final EIR contains what is referred to as a "Statement of Overriding Considerations". This is essentially a finding that the benefits of the project to the community outweigh the environmental impacts that could not be fully mitigated.

Action on the resolution certifying the FEIR also adopts the Water Supply Assessment (WSA) that is included in the Council packet. State law requires a WSA for a project of a certain threshold size involving a General Plan Amendment. This WSA examines the issue of water availability for the proposed project, and concludes that adequate water supply is indeed available.

B. General Plan Amendment:

A number of amendments to the General Plan are required in order to ensure consistency between the General Plan and Specific Plan. The proposed amendments primarily involve changes to the Land Use and Circulation Elements, and are contained as an exhibit to the General Plan Amendment resolution (Attachment B) included with the staff report.

C. Hillcrest Station Area Specific Plan:

Overview: The Specific Plan is obviously the key document driving the process and the related actions. The City Council was distributed the first draft of the Specific plan in late January 2009. A second draft of the Specific Plan was given to Council members for the March 24, 2009 City Council Study Session, which incorporated changes from the previous version in redline/strike out format. Enclosed with this staff report is a third and "final" draft that addresses issues/concerns brought up at the March 24, 2009 Council Study Session, and as a result of the environmental review process. This third draft is a "clean version", as using strike out/deletion would likely create confusion with earlier iterations. There have been a number of format changes to make the document more readable, and some information/policies have been reorganized in the document to make them easier to find. The following is a summary of the more substantive changes from the previous version:

- Day Care Center: Language has been added (see Spec Plan pg. 3-19) specifies the inclusion of a day care facility in the Transit Village. A reference has also been added in the Master Plan Section (see pg. 7-11) to determine where the day care facility would be located.
- Senior Housing: An explicit reference to the need to incorporate senior housing has been added to Policy LU-23, pg. 3-18.
- Discounted Transit Passes: A policy has been added to require that a program be utilized to provide discounted transit passes to area residents (see Policy 3-23 on pg 3-28). This will help to ensure that residents in the station area will be even more likely to rely on transit.
- Timing of Development: A new policy has been included (see Policy I-3, pg. 7-2) that specifies that no residential building permits may be issued until the BART system is under construction.

- Three Bedroom Units: Language has been added requiring that approximately 20% of the affordable housing units be at least three bedrooms. This policy will ensure that a certain percentage of affordable units built will be available for families (see LU-26, pg. 3-18).
- Enhanced Bicycle and Pedestrian Access: A number of policies have been added to strengthen bicycle and pedestrian access both within the planning area, and to existing and planned trail systems outside the planning area (see Policy C-16, pg. 3-28 and C-49, pg. 3-34).

Issue of Station Location: The central point of discussion at the March 24, 2009 Council study session was the question of the location of the eBART Station. As indicated in the staff report for the March 24, 2009 meeting, both the City staff and BART staff prefer the East Median Station. The key point of disagreement at the March 24, 2009 meeting was whether the best way to move forward would be to use a "dual bid" or a "change order" to evaluate the relative economic viability of the East Median Station. Setting aside the question of the relative merits/demerits of how the project is bid, the underlying issue is the level of commitment of both the City and BART to make the East Median Station a reality. One way to move forward would be for the City to clearly communicate to the BART Board as part of the action on the Hillcrest Station Specific Plan, the importance of the East Median Station to the City, and the City's commitment to work with BART to attempt to implement this superior location. The City would request a similar level of commitment from the BART Board. This could be accomplished by a letter signed by the Mayor, or alternate means. Attached as an example is the letter that City Manager Jakel forwarded to Board Member Keller as a follow up to the March 24, 2009 City Council Study Session (Attachment F). As Council is aware, the Specific Plan is structured in such a way so as to allow either station site to be ultimately developed.

D. Rezoning:

An ordinance is attached (Attachment D) to the staff report rezoning the area from its existing zoning designations, a combination of Light Industrial (M-1), Planned Business Center (PBC) and Planned Development (PD), to a Planned Development (PD) Zone. As discussed in the Implementation Section of the Specific Plan, the Master Plan/Final Development process will be utilized in conjunction with the PD zoning to regulate the future development of the Specific Plan area.

FISCAL IMPACTS

Action on the Specific Plan and related documents would have no direct fiscal impact on the City.

OPTIONS

- The City Council could vote not to approve the Specific Plan. In this scenario, the current land use designations would remain in place. It is unclear how such an action would influence the decision of the BART Board at their hearing on the eBART project on April 23, 2009.
- The City Council could continue the item, directing staff to make changes/modifications to the plan.

ATTACHMENTS

- A. Resolution Certifying FEIR, making findings of overriding considerations, approving the Water Supply Assessment
- B. Resolution adopting General Plan Amendments
- C. Resolution adopting Hillcrest Station Area Specific Plan
- D. Ordinance rezoning Area
- E. Draft Minutes of March 24, 2009 City Council Study
- F. Letter to Board Member Keller

RESOLUTION NO. 2009/**

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ANTIOCH
CERTIFYING THE HILLCREST STATION AREA SPECIFIC PLAN
FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)**

WHEREAS, In July 2005, the Metropolitan Transportation Commission (MTC) adopted Resolution 3434, which requires that a minimum of 2200 residential units be located within a half mile radius of an eBART transit terminal; and

WHEREAS, in order to ensure this threshold could be met and to assist local planning efforts, funds were provided by MTC for local jurisdictions to prepare land use plans for the eBART station areas. MTC utilized the terminology of "Ridership Development Plans" (RDP) to refer to this planning process. The City determined that a "Specific Plan" is the most appropriate legal mechanism to implement these RDP's; and

WHEREAS, amendments are needed to the City's General Plan to address the fact that the eBART extension is now proposed to be located in the Highway 4 Median, as opposed to in the Union Pacific right of way as assumed in the 2003 General Plan; and

WHEREAS, changes to the Circulation Element of the General Plan are needed to enhance the access to the proposed eBART station, including, the new Philips Interchange, the realignment of Viera Avenue, a grade separation at Viera Avenue and the Mococo rail line, and the extension of Oakley Road; and

WHEREAS, changes are also required to the City's Zoning Ordinance to ensure consistency with the Specific Plan; and

WHEREAS, the Hillcrest Station Area Specific Plan, and corresponding General Plan and Zoning Ordinance changes are hereby referred to as the "Project"; and

WHEREAS, through the Initial Study process, the City determined to prepare an Environmental Impact Report evaluating the environmental effects of the Project, pursuant to Public Resources Code section 21000 *et seq.* ("CEQA"); and

WHEREAS, on June 2, 2008, the City published a Notice of Preparation of a Hillcrest Station Area Specific Plan *Environmental Impact Report* in order to analyze the environmental impacts of the proposed Project; and

WHEREAS, a scoping session was held on June 18, 2008 at a noticed Planning Commission meeting to receive public comments on environmental issues to be addressed in the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, the DEIR was published for public review and comment on January 21, 2009 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2008052128; and

WHEREAS, the DEIR was made available for review and comment by interested persons and public agencies during the required 45-day public review period beginning on January 21, 2009 through March 7, 2009; and

WHEREAS, the Planning Commission held a public hearing on February 18, 2009 to receive verbal comments on the DEIR; and

WHEREAS, the City prepared written responses to the comments received during the 45 day review period and included these responses in a separate volume entitled Hillcrest Station Area Specific Plan *Final Environmental Impact Report* (the "Final EIR" or "FEIR"). The Final EIR was distributed to commenting agencies, City decision makers and other interested parties as required by state law and consists of: a List of Agencies and Persons Commenting, Comments and Responses; the Draft EIR, and all appendices; and

WHEREAS, on March 18, 2009, the Planning Commission held a public hearing and after reviewing all of the written and verbal testimony, determined that the EIR for the Project adequately addressed the environmental impacts of the Project and recommended that the City Council certify the Final EIR; and

WHEREAS, the Final EIR and Specific Plan for the Hillcrest Station Area are structured in such a manner as to be "self mitigating", with any measures identified as necessary to address potential environmental impacts of the project incorporated as policies into the text of the Specific Plan; and.

WHEREAS, the environmental impacts associated with proposed Hillcrest Station Area Specific Plan are analyzed at a programmatic level in the FEIR for this project, and therefore additional environmental analysis will be required for project level entitlement requests in the Hillcrest Station Area, including Master Plans and Final Development Plans, and

WHEREAS, the City Council reviewed the FEIR prepared for the Project, City Staff reports pertaining to the Project, and all written and oral evidence and testimony received at a duly noticed public hearing on April 14, 2009; and

WHEREAS, the City is required whenever possible, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of the Project; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project the City believes justify the occurrence of those impacts.

NOW THEREFORE BE IT RESOLVED, THE CITY COUNCIL OF THE CITY OF ANTIOCH DOES HEREBY RESOLVE TO CERTIFY THE HILLCREST STATION AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT, AS FOLLOWS:

Section 1. The City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

Section 2. Upon review of the proposed Hillcrest Station Area Specific Plan Final Environmental Impact Report, the City Council hereby finds, upon review, that the FEIR complies with all applicable requirements of the California Public Resources Code Section 21000 *et seq.*, with all applicable requirements of the California Code of Regulations, Title 14, Section 15000 *et seq.*, and with all applicable requirements of the City of Antioch Municipal Code; that the Final EIR was presented to the City Council prior to the Council's action on the Project; and that the Final EIR reflects the City Council's independent judgment and analysis.

Section 3. Based on the findings set forth in this Resolution and the attached Exhibit A, and on the evidence in the Staff Report and the verbal and written record, the City Council hereby finds that none of the proposed project alternatives set forth in the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* can feasibly substantially lessen or avoid the significant adverse environmental effects.

Section 4. Based on the findings set forth in this Resolution, and on the evidence in the Staff Report and the verbal and written record, the City Council hereby approves and adopts the Water Supply Assessment for the Hillcrest Station Area Project, attached hereto as Exhibit B and incorporated into the FEIR.

Section 5. Based on the findings set forth in this Resolution and the attached Exhibit A, and on the evidence in the Staff Report, and the verbal and written record the City Council hereby finds that the Project will not have significant effects on the environment except as described in Exhibit A, which includes a Statement of Overriding Considerations.

Section 6. Based on the findings set forth in this Resolution and the attached Exhibit A and Exhibit B, and on the evidence in the Staff Report, and the verbal and written record, the City Council hereby certifies the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* and adopts the associated Statement of Overriding Considerations.

Section 7. Upon adoption and certification by the City Council, the Community Development Director is hereby directed to retain the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* and make it available for public review in the Community Development Department of the City of Antioch.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 14th day of April 2009, by the following vote:

AYES:

NOES:

ABSENT:

L. JOLENE MARTIN, City Clerk

EXHIBIT A

THE CITY OF ANTIOCH'S FINDINGS FOR THE HILLCREST STATION AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Public Resources Code, Section 21000 et seq.)

A. Introduction

The City of Antioch (the "City") prepared a Draft and a Final Environmental Impact Report for the Hillcrest Station Area Specific Plan and related actions, including General Plan and Zoning Amendments, which involves the approximately 375 acres located east of Hillcrest Ave., north of Hwy 4, east of Hwy 160 and generally south of Oakley Road.

The EIR addresses the potential environmental effects associated with the Project at the programmatic level. The Findings, Recommendations, and Statement of Overriding considerations set forth below (the "Findings") are adopted by this City of Antioch City Council as the City's findings under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings and staff reports provide the written analysis and conclusions of this City Council regarding the Project's environmental impacts, alternatives to the Project, and the overriding considerations, which, in this City Council's view, justify approval of the Project, despite its environmental effects.

B. General Findings and Overview

a. History of the Project

In 2005 the Metropolitan Transportation Commission (MTC) adopted Resolution 3434, which requires that a minimum of 2200 residential units be located within a half mile radius of an eBART transit station. In order to ensure this threshold can be met and to assist local planning efforts, funds were provided by MTC for local jurisdictions to prepare land use plans for the eBART station areas. MTC utilized the terminology of "Ridership Development Plans" (RDP) to refer to this planning process. The City, BART, and MTC jointly determined that a Specific Plan is the most appropriate mechanism to implement this RDP requirement.

City conducted an extensive public involvement process in preparing the Specific Plan and environmental documentation that included the following key dates and mile stones leading up to the City Council action on this Project:

- May 2008: The City's consultant interviewed approximately 30 stakeholders concerning the proposed Hillcrest RDP, and prepared a "Stakeholder Interviews Summary Report".
- May 20, 2008: The first in a number of City Council Study Sessions was held to discuss project issues and provide feedback to staff on issues raised.
- June 3, 2008: The Planning Commission held a public hearing to receive comments on the Notice of Preparation announcing that an EIR would be prepared for the Hillcrest eBART Specific Plan.

- July 8, 2008: A second City Council Study Session was held, which included the presentation and discussion of a range of land use options. A Market Analysis was prepared by EPS to provide relevant information for this Study Session.
- September 18, 2008: City staff and consultants held a Community Meeting to provide information to residents in the area about the Hillcrest eBART planning process, and to get comments and feedback from the residents. In addition to newspaper noticing, eight hundred public notices were mailed to surrounding property owners. Approximately 50 property owners, residents, and interested parties attended the two hour long Community Meeting.
- October 28, 2008: This third City Council Study session focused on the relative merits and costs of locating the eBART station further east than proposed by BART.
- December 3, 2008: The Planning Commission held a Study Session of the Hillcrest Specific Plan.
- January 21, 2009: Draft EIR published for a 45 day public review period
- January 27, 2009: The City Council held a Study Session on the just published Draft Specific Plan.
- February 4, 2009: Study Session with the Planning Commission on the Draft Specific Plan.
- February 18, 2009: Planning Commission holds public hearing to receive comments on the Draft EIR.
- March 4, 2009: Planning Commission public hearing on the Specific Plan and DEIR. This hearing included amendments to the General Plan Land Use and Circulation Elements to ensure consistency with the Specific Plan. After a lengthy discussion, the Planning Commission continued the item to March 18, 2009.
- March 7, 2009: Public review period ends on the Draft EIR
- March 18, 2009: Second Planning Commission public hearing on Specific Plan and related documents. The Planning Commission recommended by a 5-0 vote that the City Council certify the EIR, adopt the Specific Plan, and approve the General Plan amendment and zoning changes.
- March 24, 2009: City Council Study session on Specific Plan.
- April 14, 2009: Scheduled date for City Council action to certify the Final EIR, adopt the Specific Plan, and approve appropriate General Plan Amendments, Rezoning and other related actions.

C. Procedural Background

Pursuant to CEQA and the CEQA Guidelines, the City determined that an EIR would be required for the Project. On June 2, 2008, the City issued a Notice of Preparation for the EIR and an Initial Study, which was circulated to responsible agencies and interested groups and individuals for review and comment. An environmental scoping meeting was held by the City on June 18, 2008.

The Hillcrest Station Area Specific Plan Draft Environmental Impact Report (referred to as the "Draft EIR" or the "DEIR") was published for public review and comment on January 21, 2009 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2008052128. The DEIR was made available for review and comment by interested persons and public agencies through March 7, 2009.

The City prepared written responses to the comments received during the comment period and included these responses in a separate volume entitled "Hillcrest Station Area Specific Plan: Final Environmental Impact Report (the "Final EIR" or "FEIR"). The Final EIR consists of: Summary of Changes, List of Agencies and Persons Commenting, Comments and Responses, a water supply assessment for the Project prepared pursuant to SB 610. The Final EIR and Specific Plan are structured in such a manner as to be "self mitigating", with any measures identified as necessary to address potential environmental impacts in the FEIR proposed as policies in the Specific Plan. While most of the potential impacts can be mitigated

to a less than significant level, the exceptions are traffic and noise impacts, which therefore require findings of "Overriding Considerations".

The Final EIR was made available for public review on April 3, 2009. The Draft EIR, the Final EIR and all appendices thereto constitute the "EIR" referenced in these findings.

D. Record of Proceedings and Custodian of Record

The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

1. The EIR and all documents referenced in or relied upon by the EIR.
2. All information (including written evidence and testimony) provided by City staff to the City Council relating to the EIR, the approvals, and the Project.
3. All information (including written evidence and testimony) presented to the City Council by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the City Council.
4. All information (including written evidence and testimony) presented to the City from other public agencies related to the Project or the EIR.
5. All applications, letters, testimony and presentations relating to the Project.
6. All information (including written evidence and testimony) presented at any City hearing or City workshop related to the Project and the EIR.
7. All City-adopted or City-prepared land use plans, ordinances, including without limitation general plans, specific plans, and ordinances, together with environmental review documents, findings, mitigation monitoring programs, and other documents relevant to planned growth within the area.
8. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is Victor Carniglia, Deputy Director, Economic Development Department, or his designee. Such documents and other material are located at Antioch City Hall, Third and H Streets, P.O. Box 5007, Antioch, CA 94531-5007.

E. Consideration and Certification of the EIR

In accordance with CEQA, the City Council certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR. The EIR and these

findings represent the independent judgment and analysis of the City and the City Council. The City Council recognizes the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The City Council certifies that the EIR is adequate to support the approval of the action that is the subject of the staff report to which these CEQA findings are attached. The City Council certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR.

F. Absence of Significant New Information

The City Council recognizes the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the EIR contains additions, clarifications, and modifications. The City Council has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required. The City Council finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

G. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Reorganization Project, shall continue in full force and effect unless amended or modified by the City.

H. Findings and Recommendations Regarding Significant and Unavoidable Impacts

According to CEQA Guidelines 15126(b), an EIR must discuss any significant environmental impacts that cannot be avoided under full implementation of the proposed program. The proposed policies of the Hillcrest Station Area Specific Plan described in Chapter 3 in the EIR would avoid or eliminate most potentially significant impacts. However, two impacts classified as significant and unavoidable have been identified in the issue areas of circulation and noise. The Hillcrest Station Area Plan is being proposed because it achieves many goals for the City and the East County area that outweigh the potential significant and unavoidable impacts on traffic and noise. These goals include:

- Construction of the eBART line to provide transit service to East County;

- Location of residential and employment near the Hillcrest eBART station to generate ridership that supports the operation of eBART;
- Provision of a range of housing types not currently available in Antioch, which increases the diversity and affordability of housing in Antioch;
- The creation of pedestrian-oriented centers with shops, retail, and restaurants, and entertainment uses, which serve the entire City and improve the quality of life for all residents; and
- Creation of jobs in Antioch through the provision of large office development sites in close proximity to the freeway and eBART.

a. Circulation

1. Intersection Operations

Implementation of the proposed Hillcrest Station Area Specific Plan would result in two intersections operating at less than the adopted standard: Hillcrest Avenue at East Tregallas Drive/Larkspur Avenue intersection and Hillcrest Avenue at SR 4 Eastbound Ramp intersection. The City has considered additional measures to comply with the LOS criteria at these two intersections. Measures considered include realigning Tregallas Drive and Larkspur Avenue to the south to improve vehicle storage between this intersection and the SR 4 eastbound off-ramp intersection. This change was determined to be infeasible during the planning horizon because it would require the acquiring and demolition of active and viable commercial properties, residential properties, and a church south of the Planning Area. Other measures considered, such as realigning the Hillcrest Avenue corridor and/or constructing new/modified ramps to/from SR 4 eastbound, would have similar right-of-way impacts.

Two other intersections have the potential to have significant and unavoidable impacts: the Hillcrest Avenue/East 18th Street intersection and the Neroly Road/Oakley Road intersection. Both of these intersections are outside the Planning Area and beyond the scope of the defined project. The proposed Specific Plan includes policies to support improving the operations of these intersections, but if improvements are not made then these two intersections would also operate at unacceptable LOS E or F conditions in 2035 with buildout of the Specific Plan. No feasible mitigation is available for increases in circulation impacts to intersection operations beyond those already incorporated into the Specific Plan.

Findings for Overriding Considerations: The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting from impacts to intersection operations..

2. Freeway Operations

There are also potential significant and unavoidable impacts to freeway operations due to the implementation of the eBART project, regional growth, and the Hillcrest Station Area Specific Plan. By 2035, due to the eBART project and regional growth, it is projected that freeway traffic will experience delay indexes of up to 3.3, traveling at 21 miles per hour average speed. The

addition of development in the Hillcrest Station Area would exacerbate this congestion even further.

The construction of the SR 4/Phillips Lane Interchange has been identified by the City as the most feasible solution. If a new interchange is implemented, the delay index would remain the same or improve in the AM peak hours, and worsen only slightly in PM peak hours. This mitigation would allow the freeway to operate within the adopted standards.

The City has considered measures to address the severe traffic congestion at the Hillcrest Avenue Interchange beyond those identified in the SR 4 East Widening Project including additional ramp widening, alternative interchange configurations, and realigning local roads to improve interchange efficiency. These changes would all require the acquiring and demolition of active and viable commercial properties, residential properties, and a church south of the Planning Area. The alternatives were considered infeasible given the substantial impact to the right-of-way. No feasible mitigation is available for increases in circulation impacts to freeway operations beyond those already incorporated into the Specific Plan

Findings for Overriding Considerations: The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting from impacts to freeway operations.

b. Noise

The current City standards state that development near SR 4, the SR 4 Bypass, and the eBART project may not result in increases greater than five CNEL above existing noise levels. Four locations within the Planning Area exceed this standard. Each of these locations is adjacent to the Union Pacific Mococo railroad, and freight rail will be the primary noise source. If Union Pacific resumes freight rail service on the Mococo line, and if no grade separation is provided at Hillcrest Avenue, the noise impacts are significant. However this impact is due to the resumption of rail service, and is not an impact of the Specific Plan.

There are mitigation actions that could reduce the noise levels to a less than significant level. The grade separation at Hillcrest Avenue and the Union Pacific rail line, and a grade separation lowering the elevation of the rail line itself into a below-grade channel, would mitigate the noise impact. However since those projects are not within City control, and there is no identified funding source, these cannot be assumed as mitigations. Therefore the impacts of the railroad line noise on the proposed development under the Specific Plan are significant and unavoidable. The policies of the Specific Plan ensure that noise impacts are mitigated to the maximum extent feasible, and that in areas where exterior noise levels cannot be met, interior noise levels are reduced below the minimum standard in order to compensate for the noise in exterior spaces. No feasible mitigation is available for increases in noise levels above required standards beyond those already incorporated into the Specific Plan

Findings for Overriding Considerations. The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting the increase in noise levels beyond required standards.

I. Impacts Found Not to be Significant

Chapter 3 of the EIR discusses all potential impacts, regardless of their magnitude. A similar level of analysis is provided for impacts found to be less than significant as impacts found to be significant. Significance of an impact is assessed in relation to the significance criteria provided in each section in Chapter 3. A summary of all impacts is provided in the Executive Summary of the EIR.

J. Growth-Inducing Impacts

CEQA Guidelines require that the EIR “discuss the ways in which the proposed Plan could foster economic or population growth, or the construction of additional housing, either directly or indirectly” (CEQA Guidelines §15126.2(d)). This analysis must also consider the removal of obstacles to population growth, such as improvements in the regional transportation system.

a. Projected Growth

Growth-inducing impacts over an extended time period are difficult to assess with precision, since future economic and population trends may be influenced by unforeseeable events, such as natural disasters, and business and development cycles. The Association of Bay Area Governments (ABAG) is responsible for making long-term, realistic forecasts of population, households, and employment which are based on historic trends, as well as emerging trends in markets, demographics, and local policies (ABAG, 2007). Regional and local jurisdictions and agencies use ABAG projections to guide planning efforts. The current ABAG 2007 Projections indicate that in 2035 the population could be 128,400 in 43,270 households. The projected employment is 40,800 jobs.

Table 5.1-1 City of Antioch Projected Growth

Year	Population		Households		Employment		Jobs/ Household
	Number	Percent Growth	Number	Percent Growth	Number	Percent Growth	
2005	101,500	12%	32,760	12%	20,510	4%	0.63
2010	106,000	4%	34,560	5%	22,680	11%	0.66
2015	110,400	4%	36,360	5%	25,930	14%	0.71
2020	115,000	4%	38,090	5%	29,350	13%	0.77
2025	119,600	4%	39,890	5%	33,000	12%	0.83
2030	124,000	4%	41,580	4%	36,750	11%	0.88
2035	128,400	4%	43,270	4%	40,800	11%	0.94
2005-2035 Annual Growth Rate	0.8%		0.9%		2.3%		

Source: ABAG Projections 2007; Dyett & Bhatia, 2008

K. Irreversible Impacts:

CEQA Guidelines require the EIR to consider whether “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely” (CEQA Guidelines §15126.2(c)). “Nonrenewable resource” refers to the physical features of the natural environment, such as land, waterways, etc.

- Water Consumption: New development under the proposed Specific Plan will increase the demand for public water. The pace of the City of Antioch’s growth is in large part dependent on its ability to provide adequate public facilities and services. Additional development and the resulting population and employment increases will result in a permanent increase of water consumption, which represents an irreversible environmental change.
- Energy Resources: New development under the proposed Specific Plan would result in the commitment of existing and planned sources of energy, which would be necessary for the construction and daily use of new buildings and for transportation. Buildings use electricity, natural gas, and petroleum products for power, lighting, heating, and other indoor and outdoor services, while transportation induced by development uses both oil and gas. Use of these types of energy for new development even with the proposed energy conservation and green building policies would result in the overall increased use of nonrenewable energy resources. This represents an irreversible environmental change.
- Construction-Related Impacts: Irreversible environmental changes could also occur during the course of constructing development projects made possible by the proposed Specific Plan. Beyond the energy, fuel and water consumption impacts of construction described separately above, new construction would also result in the consumption of building materials, many of which are still made from non-renewable resources. This represents an irreversible environmental change.

L. Cumulative Impacts

CEQA requires that the EIR examine cumulative impacts. As discussed in CEQA Guidelines §15130(a)(1), a cumulative impact “consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” The analysis of cumulative impacts need not provide the level of detail required of the analysis of impacts from the project itself, but shall “reflect the severity of the impacts and their likelihood of occurrence” (CEQA Guidelines §15130(b)).

In order to assess cumulative impacts, the EIR must analyze either a list of past, present, and probable future projects or a summary of projections contained in an adopted general plan or related planning document. In conducting the analysis for this EIR, ABAG population and employment projections for the City of Antioch were reviewed. (See above.)

It is important to note that the proposed Hillcrest Station Area Specific Plan is essentially a set of projects, representing the cumulative development scenario for the reasonably foreseeable future in the Planning Area. Therefore, the analysis presented in Chapter 3 represents a cumulative analysis of the Planning Area as a whole, over the next 26 years.

The air quality, circulation, climate change, and noise analyses evaluate the future development scenario as a whole, with the projected Specific Plan development and proposed transportation system applied to projected future growth in the region. Therefore, for these four issue areas,

analysis of the proposed Specific Plan contained in Chapter 3 of this EIR represents both the project impacts and cumulative effects. Refer to sections 3.4 Circulation and Traffic, 3.2 Air Quality, 3.5 Climate Change and Energy Use, and 3.11 Noise. In addition, Section 3.3 Biological Resources and Section 3.9 Hydrology and Water Quality include separate discussions of the cumulative effects in these issue areas. Other cumulative impacts would include:

- ***Aesthetics and Visual Resources.*** Buildout under the proposed Plan would change the existing visual character of the Planning Area. New development under the Specific Plan will change the Planning Area's existing undeveloped condition by replacing open grassland and hillsides with new transit-oriented development. In the final built condition of the project, extensive landscaping and public spaces will be added, and key natural features will be preserved. There are not any other probable future projects that are planned in the Planning Area or adjacent areas that will detract from aesthetics and visual resources. Vacant sites adjacent to the Planning Area are zoned for single-family home development. As such, cumulative impacts to visual resources would be less than significant.
- ***Cultural Resources.*** A records search verified that there are no known or listed cultural resources in the Planning Area. Proposed Specific Plan policies require additional research to evaluate the eligibility of, and subsequent mitigation of, potential historic resources. Adopted General Plan policies require protocols that ensure that cultural or paleontological resources would be mitigated should accidental discovery of such resources occur. Significant resources that could be affected by construction activities would be avoided, or if this is not possible, recovered for scientific value. Research about cultural resources did not indicate any additional projects that remove or alter cultural resources in the surrounding area or the City of Antioch, such that historical, archeological, or paleontological resources would be permanently lost. Therefore, the cumulative impacts to significant cultural or paleontological resources are expected to be less than significant.
- ***Geological and Seismic Hazards.*** All future projects considered under the proposed Plan would be required to comply with seismic requirements contained in the California Building Code, the City of Antioch Municipal Code, adopted General Plan and proposed Specific Plan policies. Implementation of the proposed Plan is not expected to result in an increase in seismic impacts, including those impacts related to emergency services, or geological hazards. In addition, future projects in the Planning Area would be required to comply with NPDES General Construction Permit requirements, so erosion impacts should be less than significant. Overall cumulative impacts pertaining to geology, soils and seismic hazards would be less than significant.
- ***Hazardous Materials and Safety.*** Future development of the Planning Area, as proposed by the Hillcrest Station Area Specific Plan, could improve existing issues associated with soil and groundwater contamination. Any necessary remediation would be completed prior to construction and, by law, future land uses must abide with the most recent laws and regulations regarding hazardous material use, generation, transport, storage, and disposal. In addition, development within the Planning Area is likely to reduce the risk of wildland fires for the surrounding area by providing improved access and circulation throughout the Study Area.

Compliance with adopted General Plan policies and proposed Specific Plan policies would ensure that fire and emergency services would be adequate to meet the demand created by

new development. Therefore there would not be a contribution to a deficit in emergency services for the City of Antioch. In addition, compliance with proposed Specific Plan policies would reduce the risks inherent in allowing construction and development near high-pressure petroleum pipelines. As such, cumulative impacts pertaining to hazardous materials and safety would be less than significant.

- **Land Use.** The proposed Plan would result in less than significant land use impacts, and all future projects under regional and proposed Plan buildout would be required to mitigate their respective land use impacts. Therefore, the incremental impact of the proposed Plan, when considered in combination with buildout of the region would not result in cumulatively significant impacts related to land use.
- **Public Services and Facilities.** The public services and facilities components of the Hillcrest Station Area Specific Plan have cumulative effects but these are not significant, as they respond to the City's adopted standards.
 - **Fire and Emergency Services.** There is no existing fire station that could serve the projected development within the Planning Area and meet the response time standard. Compliance with adopted General Plan policies and proposed Specific Plan policies ensure that a new fire station, or improved access to an existing fire station will be constructed to provide adequate fire and emergency services. The addition of a new fire station or improved access to existing stations will benefit the surrounding Study Area, in addition to serving the Planning Area. Thus the impact on fire facilities resulting from the Hillcrest Station Area Specific Plan and other projects in this region would not create a significant cumulative impact. The Fire District collects impact fees for new facilities, which will ensure that this project and projects in the surrounding area pay their fair share of the costs for the needed capital improvements.
 - **Police Services.** Based on the population projections for 2035, the City of Antioch will require a police force of at least 154 officers, which entails hiring approximately 10 new officers. Of these 10, approximately six would be needed to serve the Planning Area. Proposed Plan policies ensure that the tax revenues from planned development would support the cost of new police services or an additional funding source is identified. Therefore, the cumulative impact on police services would be less than significant.
 - **Schools.** New housing in the City combined with residential development in the Planning Area may require the construction or expansion of an elementary school. However, the General Plan and City regulations require that new development provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities. Antioch Unified School District policies require that developers pay school impact fees for new construction of residential units and commercial space. Therefore, the cumulative impact on public schools will be less than significant.
 - **Parks.** New development would provide required park-land to serve its residents and as such there would be adequate parks and recreation facilities provided. Thus there will be no significant cumulative impact. Moreover, the trail facilities proposed in the Specific Plan would be available to all City residents, and would provide an extension of the citywide trail system, and thus there is a beneficial cumulative impact as a result of the project.
 - **Community Center Space.** Compliance with General Plan and proposed Specific Plan policies will ensure that the City adopted standard of 750 square feet of

community space per 1,000 residents is met or exceeded for projects within the Planning Area. Therefore, the cumulative impact is less than significant.

- **Utilities.** Future development projects resulting from the proposed Specific Plan will cause an increase in population and density of development, with a resultant increase in sewer flows, water demands, stormwater runoff, and solid waste generation. Infrastructure improvements, including water mains, sewer mains, and storm drainage lines, will alleviate deficiencies in distribution and collection capacity brought on by new development. Further, future development projects in Antioch would be required to mitigate impacts on utilities and service systems on a project-by-project basis. As such, overall cumulative impacts pertaining to utilities systems would be less than significant.

M. Project Alternatives:

CEQA mandates consideration and analysis of alternatives to the proposed General Plan. According to CEQA Guidelines, the range of alternatives “shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant impacts” (Section 15126(d)(2)). The alternatives may result in new impacts that do not result from the proposed Specific Plan.

The following Alternatives were considered:

- a. Alternative Plan: The Alternative Plan is based on the BART Proposed Project, which includes one eBART station in the SR 4 median close to Hillcrest Avenue at the Median Station location. The assumed 2035 circulation network is the same as the proposed Plan, with two key exceptions. The Alternative Plan does not include the construction of a Phillips Lane interchange within the planning period; and does not include a potential second station in the eastern portion of the Planning Area. Because the Phillips Lane interchange is not assumed to be built, the Phillips Lane extension would be constructed as a 2-lane collector rather than as a 4-lane arterial.

The Alternative Plan assumes a much lower intensity of development than the proposed Plan. The Phillips Lane Interchange is not assumed to be built, and there will be major traffic and circulation constraints. Lower intensity development is assumed in the eastern portion of the site that is further from freeway interchanges. Very little development is expected to occur in the southeast quadrant in the area where there are steep hills. The PG&E electrical transmission towers and lines that cross north-south in the eastern Planning Area would remain in their current location, rather than being relocated as in the proposed Plan.

Findings: This plan was rejected as it did not offer the same amount of development potential, both for housing and for job creation, as the proposed plan, nor did it provide the flexibility of multiple station locations as provided by the Proposed Plan.

- b. No Project:
The no project scenario is based on the current General Plan, which was updated in 2003. The Zoning Ordinance was updated to implement the General Plan in 2005.

Therefore, this scenario illustrates the expected development if the Planning Area's existing policies and land use regulations were to remain in place, and planned circulation improvements were to be constructed, including BART service.

Findings: This alternative was rejected as it did not meet the City's goal of transit oriented development around the eBART station area. This alternative did not address the changed circumstance of the eBART extension being located in the Hwy 4 median, as opposed to in the Union Pacific right of way as depicted under the "No Project" plan.

RESOLUTION NO. 2009/****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH
APPROVING AMENDMENTS TO THE CITY OF ANTIOCH GENERAL PLAN
AS CONTAINED IN EXHIBIT #1 (ATTACHED)**

WHEREAS, the City of Antioch did initiate preparation of the Hillcrest Station Area Specific Plan in order to ensure appropriate land use planning in response to the proposed extension by the Bay Area Rapid Transit District (BART) of rail transit known as eBART to the City of Antioch; and

WHEREAS, in order to implement the Hillcrest Station Area Specific Plan, a number of amendments are required to the City's General Plan due to changing circumstances, including the fact that the eBART train will be located within the Highway 4 median, as opposed to the Union Pacific rail lines as originally proposed and to address revisions to the Circulation Element regarding access to the proposed eBART station, including the new Philips Interchange, the realignment of Viera Avenue, a grade separation at Viera Avenue and the Mococo rail line, and the extension of Oakley Road; and

WHEREAS, the City of Antioch has to-date held numerous Workshops and Study Sessions on the proposed Specific Plan and corresponding General Plan changes, with City Council study sessions occurring on May 20, 2008, July 8, 2008, October 28, 2008, January 27, 2009, and March 24, 2009 ; and

WHEREAS, the Hillcrest Station Area Specific Plan, and corresponding General Plan and Zoning Ordinance changes are hereby referred to as the "Project"; and

WHEREAS, at its regular meeting of March 18, 2009, and following several duly noticed public hearings and study sessions, the Planning Commission recommended that the City Council adopt the Specific Plan, approve the proposed General Plan Amendments contained in Exhibit 1, and adopt an ordinance to rezone the subject property from the current zoning designations of Light Industrial (M-1), Planned Business Center (PBC) and Planned Development (P-D) to Planned Development District (P-D); and

WHEREAS, the City Council duly gave notice of a public hearing as required by law; and

WHEREAS, on April 14, 2009 the City Council duly opened the public hearing and received and considered evidence, both oral and documentary; and

WHEREAS, on April 14, 2009, pursuant to Resolution 2009/____, according to the California Environmental Quality Act, after full consideration of

the Final Environmental Impact Report prepared for the Project, and on the basis of the whole record before it, the City Council certified the Hillcrest Station Area Specific Plan Final Environmental Impact Report and adopted the associated Statement of Overriding Considerations; and

WHEREAS, the General Plan Amendments proposed are included in Exhibit 1, included and attached herein for reference.

NOW THEREFORE BE IT RESOLVED that the City Council does hereby find that the proposed General Plan Amendments are consistent with the East County Action Plan and related requirements of Measure C and Measure J (the Contra Costa County Sales Tax Transportation Initiatives) as required by the adopted implementation documents for Measure C and J; and

BE IT FURTHER RESOLVED that the City Council does find that the proposed General Plan Amendments are necessary to ensure consistency between the proposed Hillcrest Station Area Specific Plan and the City's General Plan; and

BE IT FURTHER RESOLVED that the City Council of the City of Antioch does hereby approve the General Plan Amendments as contained in Exhibit 1 to the General Plan of the City of Antioch.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 14th day of April 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jolene Martin, City Clerk

Hillcrest Station Area Specific Plan General Plan Amendment

TABLE OF CONTENTS

Page iii: Amend

Figure 4.5: State Route 4 Industrial Frontage Focus Area Hillcrest Station Area Focus Area 4-47

4.0 LAND USE

Page 4-7: Amend Figure 4.1: Proposed General Plan Land Use

Pages 4-9 - 4-14: Amend Table 4.A

Delete "SR-4/SR-160 Business Park" from table

Delete "Transit-Oriented Development" from table

Add the following Land Use Designations:

- Residential TOD
- Office TOD
- Town Center Mixed Use
- Community Retail

Page 4-14: Amend Footnote #9

9. Auto sales within the SR-4/SR-160 Frontage Focus Area Hillcrest Station Area Focus Area are limited to sites adjacent to the SR-4 and SR-160 freeways.

Page 4-15: Amend Table 4.B

Land Uses	Single-Family Dwelling Units	Multi-Family Dwelling Units	Commercial/Office (sq. ft)	Business Park/ Industrial (sq. ft)
SR-4 Frontage Hillcrest Station Area	409	--	--	5,878,900
	--	2,500	2,500,000	--
Subtotal	6,633	3,856	6,929,165	20,046,425
	6,524	6,356	9,429,165	14,167,525
TOTAL	33,012	13,821	11,247,495	29,692,935
	32,903	16,321	13,747,495	23,814,035

Page 4-16: Amend Table 4.C

Land Uses	Single-Family Dwelling Units	Multi-Family Dwelling Units	Commercial/Office (sq. ft)	Business Park/ Industrial (sq. ft)
SR-4 Frontage Hillcrest Station Area	--	--	--	--

Page 4-17: Amend Table 4.D

Land Uses	Single-Family Dwelling Units	Multi-Family Dwelling Units	Commercial/Office (sq. ft)	Business Park/Industrial (sq. ft)
SR-4 Frontage	409	--	--	5,878,900
Hillcrest Station Area	--	2,500	2,500,000	--

Page 4-20: Add

Residential TOD. This mixed-use classification is intended to create a primarily residential neighborhood within walking distance to the eBART station, with complementary retail, service, and office uses. Residential densities are permitted between a minimum of 20 and a maximum of 40 units per gross acre. A range of housing types may be included in a development project, some of which may be as low as 10 units per acre, provided the total project meets the minimum density standard. Up to 100 square feet commercial space such as retail, restaurant, office, and personal services are permitted per residential unit.

Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts. Retail, restaurants, commercial services, and office are allowed on the ground floor and second floor, particularly on pedestrian retail streets and adjacent to Office TOD designations. Low intensity stand-alone retail or restaurant uses with surface parking are not permitted. Fee parking in surface parking lots is not permitted as a primary use.

- *Minimum housing density:* 20 units per gross acre
- *Maximum housing density:* 40 units per gross acre

Page 4-21 - 4-22: Delete

~~**Transit Oriented Development.** The primary purpose of areas designated "Transit Oriented Development" is to provide for a mix of high-density uses oriented toward rail transit stations within and adjacent to Antioch. Within this designation, an integrated mix of residential, commercial, and employment generating uses is appropriate. Both horizontal mixed use (different types of uses located in adjacent buildings) and vertical mixed use (different types of uses within the same building) are appropriate. Development is to be high-density to facilitate pedestrian and bicycle use, and shall provide easy access to the adjacent transit station.~~

- ~~• *Appropriate Land Use Types:* See Table 4.A.~~
- ~~• *Maximum allowable development intensity:* FAR of 1.25 (including areas devoted to residential use).~~
- ~~• *Anticipated Population per Acre:* Twenty (20) to twenty-five (25) persons per acre.~~

Page 4-22: Delete

~~**SR 4/SR 160 Frontage Commercial.** Areas designated commercial within the SR 4/SR 160 Focus Area represent an important gateway into the community (see Figure 4.5). The primary purpose of SR 4/SR 160 Frontage Commercial is to provide an appropriate mix of uses for this specific corridor.~~

- ~~• *Appropriate Land Use Types:* See Table 4.A~~
- ~~• *Maximum allowable development intensity:* FAR of 0.50.~~

Page 4-21 - 4-22: Add

Community Retail. This classification is intended to facilitate the development of a community commercial center with highway frontage. The site shall be at least 10 acres and shall be developed with a maximum FAR of 0.30. This site may share parking with the adjacent office or Town Center Mixed Use development.

- *Maximum allowable development intensity: FAR of 0.3.*

Town Center Mixed Use. This classification is intended to provide for an integrated mix of high-intensity uses in the area surrounding the potential second eBART station near Phillips Lane. Residential, commercial, employment, entertainment, and hospitality uses are permitted. Both horizontal mixed-use and vertical mixed-use projects are appropriate in this area. Retail, restaurant, and service uses are to be located on the ground floor in the pedestrian Town Center. Office space or residential space may be on upper floors. Development is to be high-density to support pedestrian and bicycle use, and shall provide easy pedestrian access to the potential transit station. The maximum floor area ratio (FAR) allowed is 1.0.

Residential densities may range from a minimum of 6 to a maximum of 25 units per gross acre (calculated based on the entire Town Center Mixed Use area). A range of housing types may be included in a development project, some of which may be as high as 50 units per acre with City Council approval, provided the total project does not exceed the maximum density standard. Residential units should be at least 300 feet away from rail and freeway rights-of-way, or should incorporate construction measures that mitigate noise and air emission impacts.

- *Maximum allowable development intensity: FAR of 1.0.*
- *Minimum housing density: 6 units per gross acre*
- *Maximum housing density: 25 units per gross acre*

Page 4-23: Add

Office TOD. This classification is intended to provide a compact office employment center close to the eBART station. The types of development envisioned in the office TOD land use classification are shown in the photos to the left. The maximum Floor Area Ratio (FAR) allowed is 1.0. A portion of the parking should be in parking decks or structures. Retail, restaurant, and commercial service uses that serve employees are permitted and encouraged on the ground floor. Low density, single-use retail or entertainment developments with surface parking are not permitted. Commercial parking in surface lots requires a conditional use permit (where it is a primary use, not associated with a development project).

- *Maximum allowable development intensity: FAR of 1.0.*

Page 4-37: Amend

4.4.6.2 Somersville Road Corridor. This Focus Area encompasses the commercial areas along Somersville Road from SR-4 north to Fourth Street, as well as the commercial areas south of the freeway, up to and including the Chevron property. The General Plan intends that existing auto dealerships be retained and revitalized along Somersville Road. If the existing dealers ultimately decide to relocate from Somersville Road, the City should work with the dealers to secure alternative locations within the City of Antioch. Potential alternative locations include the Regional Commercial area within the East Lone Tree Specific Plan Focus Area and between SR 4 and the railroad in the Hillcrest Station Area. ~~the SR-4 Frontage Focus Area.~~

Page 4-45: Amend

4.4.6.4 Hillcrest Station Area Focus Area. The SR-4/SR-160 Industrial Frontage Focus Area has been repealed and replaced with the Hillcrest Station Area Specific Plan. Please refer to this adopted Plan for

all policies related to the area shown on Figure 4.5.

SR-4/160 Frontage. This Focus Area encompasses 428.45 acres along SR-4 and 160 freeways. The area is primarily undeveloped, with a large PG&E substation, a small commercial area, and a park and ride lot located along Hillcrest Avenue at the western portion of the Focus Area.

Page 4-45 - 4-49: Delete all text related to SR-4/160 Frontage Focus Area (not shown here)

5.0 COMMUNITY IMAGE AND DESIGN

Page 5-13: Amend

c. Provide gateways to specific districts/communities within Antioch through streetscape improvements, entry monumentation, and special landscape design at the following locations.

- SR 4/Somersville Road interchange (entry into "auto row" and Rivertown to north and County East Mall to the south)
- Entries into Rivertown at the SR 4 interchanges with "A" Street and "L" Street, and the intersections of "L" Street and 10th Street, "A" Street at 6th Street, 4th Street at "L" Street, and Somersville Road at 4th Street
- SR 160 interchanges at Wilbur Avenue and 18th Street (entries into eastern employment areas)
- Hillcrest Avenue north of the SR 4 freeway (entry into the Hillcrest Station Area Focus Area SR-4 Industrial Frontage Focus Area)

6.0 ECONOMIC DEVELOPMENT

Page 6-12: Amend

- Promote the preparation of Specific Plans with associated environmental documentation to facilitate the development of specific local areas, including, but not necessarily limited to, the following:
 - Business Park areas west of Rivertown
 - Rodgers Point area, including the former City water treatment plan
 - Chevron property (along with annexation of the site)
 - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
 - Hillcrest Station Area Focus Area SR-4 Industrial Frontage Specific Plan
 - "A" Street Interchange Focus Area
- Implement assessment districts or other financing mechanisms to facilitate the development of infrastructure for specific local areas, including, but not necessarily limited to, the following:
 - Business Park areas west of Rivertown
 - Rodgers Point area, including the former City water treatment plan
 - Eastern Waterfront Employment Focus Area (expansion of the East 18th Street Specific Plan)
 - Hillcrest Station Area Focus Area SR-4 Industrial Frontage Specific Plan

7.0 CIRCULATION

Page 7-9: Amend Figure 7.1

Page 7-11: Amend

a. Facilitate meeting the roadway performance standards set forth in the Growth Management Element and improving traffic flow on arterial roadways.

- Work with the UP SP and BNSF railroads to construct grade separations along the tracks at Somersville Road, Hillcrest Avenue, "A" Street, the proposed Viera Road extension, and the proposed Phillips Lane extension to the SR 4/SR 160 Frontage Focus Area.

Page 7-16: Amend

7.5.2 Transit Policies

a. Facilitate development of rail transit centers within the Hillcrest Station Area ~~SR 4 Industrial Frontage~~ Focus Area and the East Lone Tree Focus Area by:

- permitting higher residential densities and mixed-use development adjacent to the rail transit station;
- working with Caltrans and the Contra Costa County Transportation Commission to provide freeway interchanges capable of serving these transit centers; and
- working with BART, Amtrak, Tri-Delta Transit, and other transit providers toward the development and implementation of a transit oasis system within areas surrounding area transit centers, including establishment of a system of priority transit lanes or dedicated travel lanes in addition to those needed for vehicular travel to facilitate movement by transit oasis vehicles in areas surrounding the transit center.

9.0 HOUSING

Page 9-23: Amend Tables

Table 9.U

Land Uses	City of Antioch	Unincorporated Areas	Total
SR-4 Frontage Hillcrest Station Area	75.74		75.74
Subtotal	4,639.64 4,715.38	2,778.98	7,418.62 7,494.36
TOTAL	13,224.15 13,299.89	2,869.90	16,094.05 16,169.79

Table 9.V

Land Uses	Single Family Dwellings		Multi-Family Dwellings		Total Dwelling Units	
	City of Antioch	Unincorporated Areas	City of Antioch	Unincorporated Areas	City of Antioch	Unincorporated Areas
SR-4 Frontage Hillcrest Station Area						

RESOLUTION NO. 2009/**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANTIOCH ADOPTING THE
HILLCREST STATION AREA SPECIFIC PLAN

WHEREAS, the City of Antioch did initiate preparation of the Hillcrest Station Area Specific Plan in order to ensure appropriate land use planning in response to the proposed extension by the Bay Area Rapid Transit District (BART) of rail transit known as eBART to the City of Antioch; and

WHEREAS, the City, in conjunction with the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), determined that a Specific Plan was the most appropriate planning tool to address the land use implications of the proposed eBART extension; and

WHEREAS, the City of Antioch has to-date held numerous Workshops and Study Sessions on the proposed Specific Plan, with City Council study sessions occurring on May 20, 2008, July 8, 2008, October 28, 2008, January 27, 2009, and March 24, 2009; and

WHEREAS, in order to implement the Hillcrest Station Area Specific Plan, a number of amendments are required to the City's General Plan due to changing circumstances, including the fact that the eBART train will be located within the Hwy. 4 median, as opposed to the Union Pacific rail lines as originally proposed and to address revisions to the Circulation Element regarding access to the proposed eBART station, including the new Philips Interchange, the realignment of Viera Ave, a grade separation at Viera Avenue and the Mococo rail line, and the extension of Oakley Road; and

WHEREAS, the Hillcrest Station Area Specific Plan, and corresponding General Plan and Zoning Ordinance changes are hereby referred to as the "Project"; and

WHEREAS, at its regular meeting of March 18, 2009, and following several duly noticed public hearings and study sessions, the Planning Commission recommended that the City Council adopt the Hillcrest Station Specific Plan attached as Exhibit 1, approve the proposed General Plan Amendments and adopt an ordinance to rezone the subject property from the current zoning designations of Light Industrial (M-1), Planned Business Center (PBC) and Planned Development (P-D) to Planned Development District (P-D); and

WHEREAS, following a duly noticed public hearing, the Planning Commission on March 18, 2009 recommended approval of the proposed Hillcrest Station Area Specific Plan, and

WHEREAS, the City Council duly gave notice of a public hearing as required by law; and

WHEREAS, on April 14, 2009 the City Council duly opened the public hearing and received and considered evidence, both oral and documentary; and

WHEREAS, on April 14, 2009, pursuant to Resolution 2009/____, according to the California Environmental Quality Act, after full consideration of the Final Environmental Impact Report prepared for the Project, and on the basis of the whole record before it, the City Council certified the Hillcrest Station Area Specific Plan Final Environmental Impact Report and adopted the associated Statement of Overriding Considerations.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Antioch finds that the proposed Hillcrest Station Area Specific Plan is consistent with the City's General Plan, as amended pursuant to Resolution 2009/____; and

BE IT FURTHER RESOLVED that the City Council does hereby find that the procedures for adoption of a Specific Plan as set forth in Article 33 of Title 9 of the Antioch Municipal Code, including compliance with California Government Code sections 65090, 65094 through 65095 and 65453, have been followed with the adoption of the Hillcrest Station Area Specific Plan; and

BE IT FURTHER RESOLVED that the City Council does hereby find that the proposed Hillcrest Station Area Specific Plan is consistent with the East County Action Plan and related requirements of Measure C and Measure J (the Contra Costa County Sales Tax Transportation Initiatives) as specified by the Implementation Documents of Measures C and J; and

BE IT FURTHER RESOLVED that the Hillcrest Station Area Specific Plan contains the required Specific Plan components as specified in Gov Code 65451; and

BE IT FURTHER RESOLVED that the City Council of the City of Antioch does hereby approve the Hillcrest Station Area Specific Plan as distributed to the City Council for the April 14, 2009 City Council meeting, and titled "Hillcrest Station Area Specific Plan, April 2009."

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the City Council of the City of Antioch at a regular meeting thereof held on the 14th day of April 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

JOLENE MARTIN, City Clerk

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANTIOCH TO REZONE APPROXIMATELY 375- ACRE HILLCREST STATION SPECIFIC PLAN AREA GENERALLY BOUNDED BY HILLCREST AVENUE ON THE WEST, HIGHWAY 4 ON THE SOUTH, HIGHWAY 160 ON THE EAST AND OAKLEY ROAD ON THE NORTH FROM THE CURRENT ZONING DESIGNATIONS OF PLANNED BUSINESS CENTER (PBC), LIGHT INDUSTRIAL (M-1) AND PLANNED DEVELOPMENT (PD) TO A PLANNED DEVELOPMENT (PD) DESIGNATION

WHEREAS, in order to effectuate the extension of the BART system through an eBART transit terminal in Antioch, the City of Antioch initiated the preparation of the Hillcrest Station Area Specific Plan in order to ensure appropriate land use planning;

WHEREAS, in addition to the Specific Plan, amendments are needed to the City's General Plan to address the fact that the eBART extension is now proposed to be located in the Highway 4 Median, as opposed to in the Union Pacific right of way as assumed in the 2003 General Plan and to address revisions to the Circulation Element regarding access to the proposed eBART station, including the new Philips Interchange, the realignment of Viera Ave, a grade separation at Viera Avenue and the Mococo rail line, and the extension of Oakley Road; and

WHEREAS, in addition, changes are also required to the City's Zoning Ordinance to ensure consistency with the Specific Plan; and

WHEREAS, the Hillcrest Station Area Specific Plan, and corresponding General Plan and Zoning Ordinance changes are hereby referred to as the "Project"; and

WHEREAS, at its regular meeting of March 18, 2009, and following several duly noticed public hearings and study sessions, the Planning Commission recommended that the City Council adopt an ordinance to rezone the subject property from the current zoning designations of Light Industrial (M-1), Planned Business Center (PBC) and Planned Development (P-D) to Planned Development District (P-D).

WHEREAS, on April 14, 2009, pursuant to Resolution 2009/____, according to the California Environmental Quality Act, after full consideration of the Final Environmental Impact Report prepared for the Project, and on the basis of the whole record before it, the City Council certified the Hillcrest Station Area Specific Plan Final Environmental Impact Report and adopted the associated Statement of Overriding Considerations;

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1

Pursuant to Antioch Municipal Code section 9-5.2802, the City Council finds that the proposed amendment to the Zoning Ordinance is in the public necessity, convenience and general welfare are more particularly described below:

1. The proposed zone reclassification will allow more uses suitable for the area than the present classification as the zone reclassification allows greater flexibility for development surrounding the proposed Hillcrest Station.
2. The uses permitted by the proposed zone will not be detrimental to adjacent or surrounding property ***as they will be required to be consistent with the Hillcrest Station Area Specific Plan***
3. That evidence has been presented documenting land use changes in the area to warrant a change in zone as more specifically described in the Hillcrest Station Specific Plan.
4. The requested zone change is in conformance with the General Plan, as amended pursuant to Resolution No. 2009/___.

SECTION 2:

The real property depicted in Exhibit A, attached hereto, is hereby rezoned from the current zoning designations of Planned Business Center (PBC), Light Industrial (M-1) and Planned Development (PD) to a Planned Development (PD) Designation and the zoning map for the City of Antioch is hereby amended accordingly.

SECTION 3:

The development standards applicable to this Planned Development District are those established in the Hillcrest Station Area Specific Plan, and as determined through the Final Development/Master Plan process for the area as provided for in the Specific Plan

SECTION 5:

This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Antioch.

I HEREBY CERTIFY that the foregoing ordinance was introduced at a regular meeting of the City Council of the City of Antioch, held on the ____ day of April 2009 and passed and adopted at a regular meeting thereof, held on the ____ day of _____ 2009 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor of the City of Antioch

ATTEST:

City Clerk of the City of Antioch

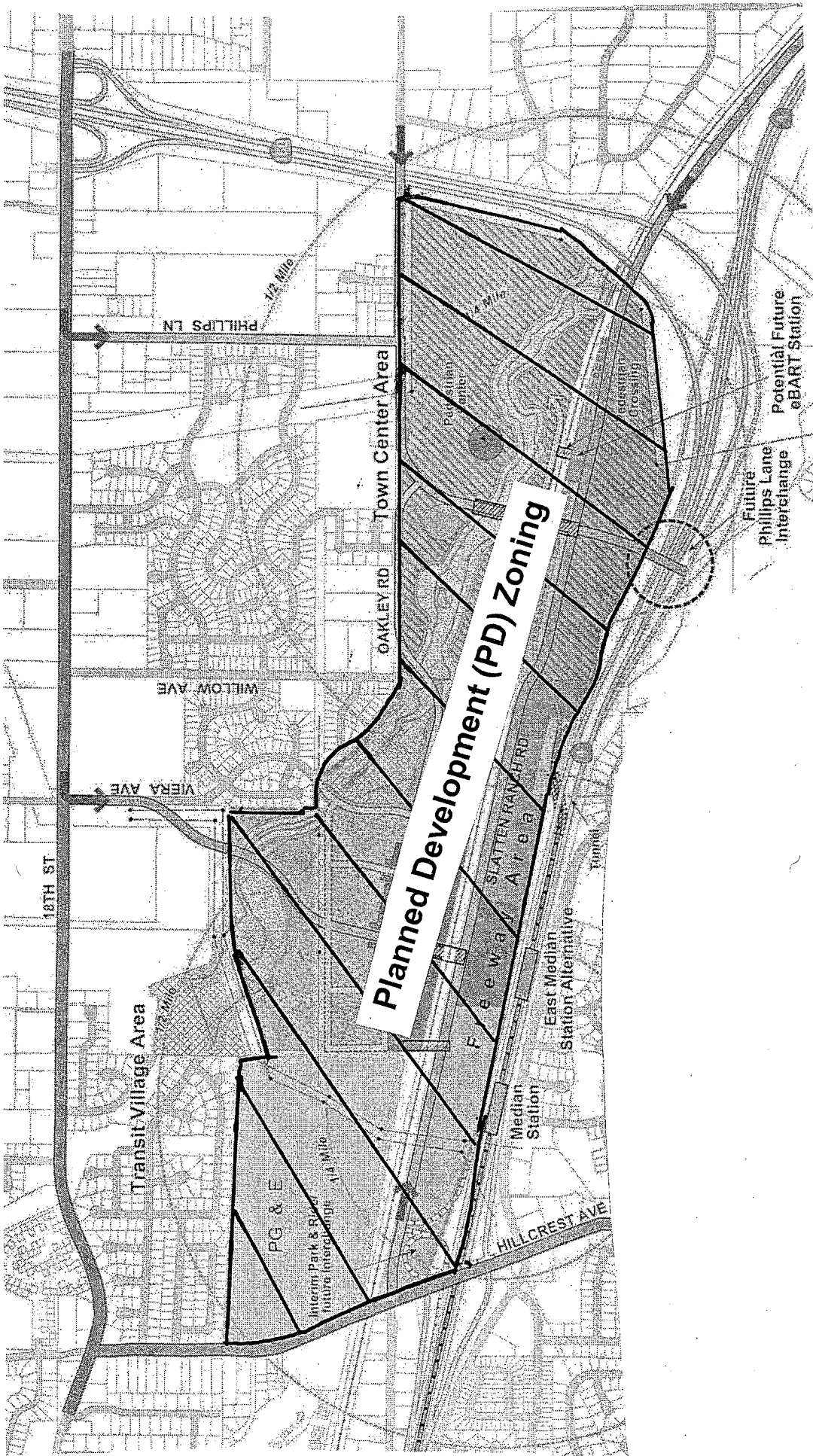


Exhibit A

ANTIOCH CITY COUNCIL
ANTIOCH DEVELOPMENT AGENCY
Regular Meeting
March 24, 2009

Page 7

The Antioch Development Agency adjourned to the Antioch City Council with all Councilmembers present.

STUDY SESSION

6. STUDY SESSION ON THE PROPOSED HILLCREST STATION AREA SPECIFIC PLAN BEING PREPARED FOR THE HILLCREST E-BART STATION AREA, CONSISTING OF APPROXIMATELY 375 ACRES LOCATED IN THE AREA BOUNDED BY HILLCREST ON THE WEST, HIGHWAY 4 ON THE SOUTH, HIGHWAY 160 ON THE EAST, AND OAKLEY ROAD ON THE NORTH.

Economic Development Deputy Director Carniglia presented the staff report dated March 19, 2008 recommending the City Council: Motion to hold the Study Session and provide comments and direction to staff as appropriate.

Leslie Gould, representing Dyett Bhatia Consulting Firm, gave a brief overhead presentation of the Draft Preferred Plan for the Hillcrest eBART Station Area.

Councilmember Parsons stated Antioch had paid taxes for BART, and deserved to receive the east station as planned. She requested an addendum be included in the bid. Additionally, she requested the transition between the BART station and parking area be redesigned for easier access.

Ellen Smith, representing eBART Project Manager, stated the change order concept, regarding the unfunded portion of the plan would allow a more competitive bid process and provide an additional year for the City to find resources to cover the costs of the station relocation.

Councilmember Kalinowski expressed concern the City of Antioch had only one year to secure \$30M for the second station change order.

Councilmember Moore stated the residents of Antioch, and East County had paid for BART for four decades; therefore he felt they deserved to have the additional \$1M spent to create the documents for the dual bid.

Ms. Smith clarified the proposed project would provide good service and was fully funded.

Councilmember Kalinowski commented should an add on or change order arise, the money for the east median station documents would have to be spent; therefore, he could not support BART's position for the proposed station without the second bid document for the eastern station. He added the specific plan he wanted to adopt would only show the eastern median station or furthest east of median station.

Mayor Davis stated he supports a dual proposal for the BART proposed and eastern median stations.

Chris Schildt, Trans Form, congratulated the City Council for their leadership and support of the east median and the potential for Transit Oriented Development. She thanked staff and the City Council for being so participatory in working through the plan.

Jaime Silahua, President of Contra Costa Interfaith Supporting Community Organization (CCISCO), spoke to local job opportunities for the community, voicing their support for the local hire strategy requirement in the eBART station area. He encouraged the City to continue working with them on the local hire strategy and urged inclusion of an apprenticeship program, as well as a requirement stating 20% of the workers must be local residents.

Berenice Ramos, CCISCO, spoke in support of the Transit Oriented Development and urged the City to take action to assure they were affordable for all families.

Victor Urbina, CCISCO, thanked the City Council for working to bring eBART, and jobs to Antioch. He invited the City Council to a community meeting on March 31, 2009 at 7:00 P.M. at Holy Rosary Church.

Edna Carreos, Antioch resident, spoke in support of more affordable senior housing developments in Antioch.

Camille Guiriba, Trans Form, urged the City Council to consider the need for more senior housing and eBART, being a great opportunity for seniors. She commended the City Council for their vision.

Charles Wall discussed the importance of the tunnel being built to accommodate full BART and working with neighboring cities to maintain the possibility of future service. He stated he felt building an out of median maintenance facility was a waste of land.

Donald Parachini reviewed a letter he submitted to the City Council regarding the Hillcrest Transit Oriented Development Specific Plan, as it relates to his property.

Councilmember Moore stated he felt the plan should include senior and affordable housing components as well as an enforceable local hiring component.

Councilmember Rocha stated she felt a childcare center, housing for families and a local hiring component should be part of the specific plan.

Councilmember Kalinowski reiterated his concern regarding the dual bid process.

Councilmember Parsons requested the BART board assist Antioch in making this the best project possible for the community.

Economic Development Deputy Director Carniglia reviewed the schedule for the project.

PUBLIC COMMENTS

Bob Oliver, Antioch resident, questioned whether the City Council would receive and include email as part of the public comment record during meetings. He requested the City reconsider his request for reverse osmosis for water. He also asked if would have access to City Council meeting recordings.

Mayor Davis requested City Attorney Nerland research and report back to the City Council on the issue of email being received and read into the record.

City Clerk Martin clarified the minutes were a permanent record and at the request of the public copies would be provided for copy fee.

Bill Gegg clarified meetings are recorded by Comcast and a camera crew in Council Chambers for the internet. Additionally, there is an audio recording stored in the City Clerk's office, copies of which could be obtained by the public for a nominal fee.

Bill Worrell, Antioch resident, reported on his attendance at the Scoping Meeting for the Bay and Delta Conservation Plan. He commended Phil Harrington, and Devi Lanphere for their presentations. He expressed his disappointment at the lack of participation from elected officials and encouraged them to get involved in opposing the peripheral canal.

STAFF COMMUNICATIONS

City Manager Jakel announced the Quality of Life Forum would be held at the El Campanil Theater on April 4, 2009 at 8:30 A.M., a City Council meeting on April 14, and a Bus Tour being hosted by the Green Belt Alliance on March 28, 2009.

COUNCIL COMMUNICATIONS

Councilmember Parsons reported representatives from Senator DeSaunier and Assemblymember Torlakson had attended the scoping meeting for the Bay and Delta Conservation Plan. She announced Oakley Councilmember Connelly was organizing a million boats event and she had a Facebook "Stop the Peripheral Canal 2".

Councilmember Rocha announced Antioch had won the Bocce tournament for the League of Cities and will be taking the trophy from Pittsburg.

Councilmember Moore reported he attended the groundbreaking ceremony for Prewett Park Community Center and he is looking forward to the completion of the project.

Mayor Davis requested thoughts and prayers from the community for the severely injured Antioch Police Department Officer and announced donations are being accepted at the Antioch employee's Credit Union.

With no further business, Mayor Davis adjourned the meeting at 10:45 P.M. to the next regular Council meeting on January 8, 2008, in memory of the four Oakland Police Officers who were slain in the line of duty.



March 26, 2009

Bay Area Rapid Transit
Attn: BART Board Member Joel Keller
300 Lakeside Drive
Oakland CA 94612

Dear Board Member Keller:

On Tuesday, March 24, 2009, the Antioch City Council held a Study Session to discuss the Hillcrest eBART Station Specific Plan. As you are aware, this Specific Plan is being prepared as part of the Ridership Development Plan (RDP) process mandated by both MTC and BART for transit extensions. Action on this Specific Plan, and supporting environmental documents, is scheduled for the April 14, 2009 City Council hearing. At the March 24, 2009 Study Session, City Council expressed its strong preference for the East Median Station location, and directed staff to continue to pursue this question of station location with BART.

One of the key issues that has come out of this RDP process is the question of the best site for the Hillcrest eBART station. While the determination of the eBART station location is clearly the prerogative of the BART Board, our RDP process has revealed strong correlations between the station location and the ability to develop a viable Transit Oriented Development (TOD). The BART "Proposed" station location, just east of the Hillcrest/Hwy 4 Interchange, has the primary merit of being the least costly of the station location options. The East Median Station, on the other hand, is a superior station location when other factors beyond cost are considered. This fact has been acknowledged by BART staff, and was most recently affirmed by the BART representative at the March 24, 2009 Council Study Session. The primary question then becomes how to best implement this station by determining the incremental cost of the East Median Station, and figuring out how to pay for it. BART staff has to-date prepared some cost estimates, with a recent estimate "pegging" the additional cost of the East Median Station at approximately \$66 million, although only \$30 million of this BART cost estimate is for implementing the East Median Station. As part of our ongoing discussions on how to best move the East Median Station forward, BART staff has suggested the concept of evaluating the East Median Station through a "change order" process, once the contract for the overall eBART extension is awarded by the BART Board.

While the City appreciates BART staff's flexibility in considering a "change order" process, we have some real reservations about this approach, and feel there are better ways of moving forward. Specifically, we think a "dual bid" process would likely yield a lower incremental cost for the East Median Station than the "change order" concept. The "dual bid" process would benefit from having multiple construction firms bidding. Utilizing a "change order" at some future date after the eBART construction contract is already awarded would likely result in only one bidder for the change order, namely the

construction firm that was awarded the eBART contract. This "dual bid" process would only need to address the portion of the eBART system east of the Hillcrest/Hwy 4 Interchange, which represents about 5% of the total system length. We clearly understand that it is BART's expectation that the City of Antioch will participate in locating funding for any additional construction costs for the East Median Station.

Another issue relevant to the station location question is how these two station locations will affect the practicality of extending eBART beyond Hillcrest in the future. As documented by BART's ridership analysis, a future eBART extension beyond Hillcrest is highly desirable given the projected eBART ridership increase of 40%. The simple fact is that the East Median Station is more "efficient" than the BART "Proposed" station location when considered in the context of a future extension of the eBART system. Instead of having to split maintenance facilities between the median and a yard outside the median (with the added complication of maintenance occurring in the median simultaneously with fare service), the East Median Station would result in a single large maintenance area outside the median, likely resulting in few, if any, "stranded assets".

A final point is a concern we have about potential legal challenge to a "change order" process for such a potentially large dollar amount. Perhaps you have already analyzed this legal issue, but given the very competitive bid environment today, it is a concern worth fully evaluating.

Thank you for considering these issues. In summary, the City of Antioch is requesting that BART do everything in its power to maximize the likelihood of the East Median Station being implemented, understanding that the City will need to work hard in conjunction with BART to secure whatever additional funds are needed. The City Council strongly feels that this can be best accomplished through a dual bid or similar process that provides for multiple bidders to address the East Median Station in a competitive environment. We feel just as strongly that a "change order" strategy occurring after the contract has been awarded will not be nearly as effective.

Let's have a follow up discussion as soon as you have time, given the tight schedule for eBART and the importance of this issue.

Sincerely,



JIM JAKEL

City Manager

Cc: Mayor and City Council
Gail Murray, BART Board
Ellen Smith, BART staff
Chris Schildt, TRANSFORM
Michael Bernick

RESOLUTION NO. 2009/28

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ANTIOCH
CERTIFYING THE HILLCREST STATION AREA SPECIFIC PLAN
FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)**

WHEREAS, In July 2005 the Metropolitan Transportation Commission (MTC) adopted Resolution 3434, which requires that a minimum of 2200 residential units be located within a half mile radius of an eBART transit terminal.

WHEREAS, in order to ensure this threshold could be met and to assist local planning efforts, funds were provided by MTC for local jurisdictions to prepare land use plans for the eBART station areas. MTC utilized the terminology of "Ridership Development Plans" (RDP) to refer to this planning process. The City determined that a "Specific Plan" is the most appropriate legal mechanism to implement these RDP's; and

WHEREAS, amendments are needed to the City's General Plan to address the fact that the eBART extension is now proposed to be located in the Highway 4 Median, as opposed to in the Union Pacific right of way as assumed in the 2003 General Plan; and

WHEREAS, changes to the Circulation Element of the General Plan are needed to enhance the access to the proposed eBART station, including, the new Philips Interchange, the realignment of Viera Ave, a grade separation at Viera Avenue and the Mococo rail line, and the extension of Oakley Road; and

WHEREAS, changes are also required to the City's Zoning Ordinance to ensure consistency with the Specific Plan; and

WHEREAS, the Hillcrest Station Area Specific Plan, and corresponding General Plan and Zoning Ordinance changes are hereby referred to as the "Project"; and

WHEREAS, through the Initial Study process, the City determined to prepare an Environmental Impact Report evaluating the environmental effects of the Project, pursuant to Public Resources Code section 21000 *et seq.* ("CEQA"); and

WHEREAS, on June 2, 2008, the City published a Notice of Preparation of a Hillcrest Station Area Specific Plan *Environmental Impact Report* in order to analyze the environmental impacts of the proposed Project; and

WHEREAS, a scoping session was held on June 18, 2008 at a noticed Planning Commission meeting to receive public comments on environmental issues to be addressed in the Draft Environmental Impact Report ("DEIR"); and

WHEREAS, the DEIR was published for public review and comment on January 21, 2009 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2008052128.

WHEREAS, the DEIR was made available for review and comment by interested persons and public agencies during the required 45-day public review period beginning on January 21, 2009 through March 7, 2009; and

WHEREAS, the Planning Commission held a public hearing on February 18, 2009 to receive verbal comments on the DEIR; and

WHEREAS, the City prepared written responses to the comments received during the 45 day review period and included these responses in a separate volume entitled Hillcrest Station Area Specific Plan *Final Environmental Impact Report* (the "Final EIR" or "FEIR"). The Final EIR was distributed to commenting agencies, City decision makers and other interested parties as required by state law and consists of: a List of Agencies and Persons Commenting, Comments and Responses; the Draft EIR, and all appendices; and

WHEREAS, on March 18, 2009, the Planning Commission held a public hearing and after reviewing all of the written and verbal testimony, determined that the EIR for the Project adequately addressed the environmental impacts of the Project and recommended that the City Council certify the Final EIR; and

WHEREAS, the Final EIR and Specific Plan for the Hillcrest Station Area are structured in such a manner as to be "self mitigating", with any measures identified as necessary to address potential environmental impacts of the project incorporated as policies into the text of the Specific Plan; and.

WHEREAS, the environmental impacts associated with proposed Hillcrest Station Area Specific Plan are analyzed at a programmatic level in the FEIR for this project, and therefore additional environmental analysis will be required for project level entitlement requests in the Hillcrest Station Area, including Master Plans and Final Development Plans, and

WHEREAS, the City Council reviewed the FEIR prepared for the Project, City Staff reports pertaining to the Project, and all written and oral evidence and testimony received at a duly noticed public hearing on April 14, 2009; and

WHEREAS, the City is required whenever possible, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of the Project; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant environmental effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project the City believes justify the occurrence of those impacts.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ANTIOCH DOES HEREBY RESOLVE TO CERTIFY THE HILLCREST STATION AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT, AS FOLLOWS:

Section 1. The City Council hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

Section 2. Upon review of the proposed Hillcrest Station Area Specific Plan Final Environmental Impact Report, the City Council hereby finds, upon review, that the FEIR complies with all applicable requirements of the California Public Resources Code Section 21000 *et seq.*, with all applicable requirements of the California Code of Regulations, Title 14, Section 15000 *et seq.*, and with all applicable requirements of the City of Antioch Municipal Code; that the Final EIR was presented to the City Council prior to the Council's action on the Project; and that the Final EIR reflects the City Council's independent judgment and analysis.

Section 3. Based on the findings set forth in this Resolution and the attached Exhibit A, and on the evidence in the Staff Report and the verbal and written record, the City Council hereby finds that none of the proposed project alternatives set forth in the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* can feasibly substantially lessen or avoid the significant adverse environmental effects while meeting the goals of the project.

Section 4. Based on the findings set forth in this Resolution, and on the evidence in the Staff Report and the verbal and written record, the City Council hereby approves and adopts the Water Supply Assessment for the Hillcrest Station Area Project, attached hereto as Exhibit B and incorporated herein by reference into the FEIR.

Section 5. Based on the findings set forth in this Resolution and the attached Exhibit A, and on the evidence in the Staff Report, and the verbal and written record the City Council hereby finds that the Project will not have significant effects on the environment except as described in Exhibit A, which includes a Statement of Overriding Considerations.

Section 6. Based on the findings set forth in this Resolution and the attached Exhibit A and Exhibit B, and on the evidence in the Staff Report, and the verbal and written record, the City Council hereby certifies the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* and adopts the associated Statement of Overriding Considerations.

Section 6. Upon adoption and certification by the City Council, the Community Development Director is hereby directed to retain the Hillcrest Station Area Specific Plan *Final Environmental Impact Report* and make it available for public review in the Community Development Department of the City of Antioch.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Antioch at a regular meeting thereof, held on the 14th day of April 2009, by the following vote:

AYES: Council Members Kalinowski, Rocha, Moore, Parsons and Mayor Davis

NOES: None

ABSENT: None


L. JOLENE MARTIN, City Clerk

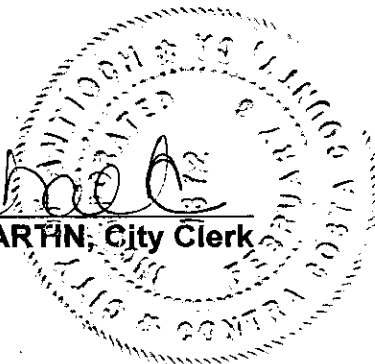


EXHIBIT A

THE CITY OF ANTIOCH'S FINDINGS FOR THE HILLCREST STATION AREA SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Public Resources Code, Section 21000 et seq.)

A. Introduction

The City of Antioch (the "City") prepared a Draft and a Final Environmental Impact Report for the Hillcrest Station Area Specific Plan and related actions, including General Plan and Zoning Amendments, which involves the approximately 375 acres located east of Hillcrest Ave., north of Hwy 4, east of Hwy 160 and generally south of Oakley Road.

The EIR addresses the potential environmental effects associated with the Project at the programmatic level. The Findings, Recommendations, and Statement of Overriding considerations set forth below (the "Findings") are adopted by this City of Antioch City Council as the City's findings under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the Project. The Findings and staff reports provide the written analysis and conclusions of this City Council regarding the Project's environmental impacts, alternatives to the Project, and the overriding considerations, which, in this City Council's view, justify approval of the Project, despite its environmental effects.

B. General Findings and Overview

a. History of the Project

In 2005 the Metropolitan Transportation Commission (MTC) adopted Resolution 3434, which requires that a minimum of 2200 residential units be located within a half mile radius of an eBART transit station. In order to ensure this threshold can be met and to assist local planning efforts, funds were provided by MTC for local jurisdictions to prepare land use plans for the eBART station areas. MTC utilized the terminology of "Ridership Development Plans" (RDP) to refer to this planning process. The City, BART, and MTC jointly determined that a Specific Plan is the most appropriate mechanism to implement this RDP requirement.

City conducted an extensive public involvement process in preparing the Specific Plan and environmental documentation that included the following key dates and mile stones leading up to the City Council action on this Project:

- May 2008: The City's consultant interviewed approximately 30 stakeholders concerning the proposed Hillcrest RDP, and prepared a "Stakeholder Interviews Summary Report".
- May 20, 2008: The first in a number of City Council Study Sessions was held to discuss project issues and provide feedback to staff on issues raised.
- June 3, 2008: The Planning Commission held a public hearing to receive comments on the Notice of Preparation announcing that an EIR would be prepared for the Hillcrest eBART Specific Plan.

- July 8, 2008: A second City Council Study Session was held, which included the presentation and discussion of a range of land use options. A Market Analysis was prepared by EPS to provide relevant information for this Study Session.
- September 18, 2008: City staff and consultants held a Community Meeting to provide information to residents in the area about the Hillcrest eBART planning process, and to get comments and feedback from the residents. In addition to newspaper noticing, eight hundred public notices were mailed to surrounding property owners. Approximately 50 property owners, residents, and interested parties attended the two hour long Community Meeting.
- October 28, 2008: This third City Council Study session focused on the relative merits and costs of locating the eBART station further east than proposed by BART.
- December 3, 2008: The Planning Commission held a Study Session of the Hillcrest Specific Plan.
- January 21, 2009: Draft EIR published for a 45 day public review period
- January 27, 2009: The City Council held a Study Session on the just published Draft Specific Plan.
- February 4, 2009: Study Session with the Planning Commission on the Draft Specific Plan.
- February 18, 2009: Planning Commission holds public hearing to receive comments on the Draft EIR.
- March 4, 2009: Planning Commission public hearing on the Specific Plan and DEIR. This hearing included amendments to the General Plan Land Use and Circulation Elements to ensure consistency with the Specific Plan. After a lengthy discussion, the Planning Commission continued the item to March 18, 2009.
- March 7, 2009: Public review period ends on the Draft EIR
- March 18, 2009: Second Planning Commission public hearing on Specific Plan and related documents. The Planning Commission recommended by a 5-0 vote that the City Council certify the EIR, adopt the Specific Plan, and approve the General Plan amendment and zoning changes.
- March 24, 2009: City Council Study session on Specific Plan.
- April 14, 2009: Scheduled date for City Council action to certify the Final EIR, adopt the Specific Plan, and approve appropriate General Plan Amendments, Rezoning and other related actions.

C. Procedural Background

Pursuant to CEQA and the CEQA Guidelines, the City determined that an EIR would be required for the Project. On June 2, 2008, the City issued a Notice of Preparation for the EIR and an Initial Study, which was circulated to responsible agencies and interested groups and individuals for review and comment. An environmental scoping meeting was held by the City on June 18, 2008.

The Hillcrest Station Area Specific Plan Draft Environmental Impact Report (referred to as the "Draft EIR" or the "DEIR") was published for public review and comment on January 21, 2009 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2008052128. The DEIR was made available for review and comment by interested persons and public agencies through March 7, 2009.

The City prepared written responses to the comments received during the comment period and included these responses in a separate volume entitled "Hillcrest Station Area Specific Plan: Final Environmental Impact Report (the "Final EIR" or "FEIR"). The Final EIR consists of: Summary of Changes, List of Agencies and Persons Commenting, Comments and Responses, a water supply assessment for the Project prepared pursuant to SB 610. The Final EIR and Specific Plan are structured in such a manner as to be "self mitigating", with any measures identified as necessary to address potential environmental impacts in the FEIR proposed as policies in the Specific Plan. While most of the potential impacts can be mitigated

to a less than significant level, the exceptions are traffic and noise impacts, which therefore require findings of "Overriding Considerations".

The Final EIR was made available for public review on April 3, 2009. The Draft EIR, the Final EIR and all appendices thereto constitute the "EIR" referenced in these findings.

D. Record of Proceedings and Custodian of Record

The record, upon which all findings and determinations related to the approval of the Project are based, includes the following:

1. The EIR and all documents referenced in or relied upon by the EIR.
2. All information (including written evidence and testimony) provided by City staff to the City Council relating to the EIR, the approvals, and the Project.
3. All information (including written evidence and testimony) presented to the City Council by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the City Council.
4. All information (including written evidence and testimony) presented to the City from other public agencies related to the Project or the EIR.
5. All applications, letters, testimony and presentations relating to the Project.
6. All information (including written evidence and testimony) presented at any City hearing or City workshop related to the Project and the EIR.
7. All City-adopted or City-prepared land use plans, ordinances, including without limitation general plans, specific plans, and ordinances, together with environmental review documents, findings, mitigation monitoring programs, and other documents relevant to planned growth within the area.
8. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is Victor Carniglia, Deputy Director, Economic Development Department, or his designee. Such documents and other material are located at Antioch City Hall, Third and H Streets, P.O. Box 5007, Antioch, CA 94531-5007.

E. Consideration and Certification of the EIR

In accordance with CEQA, the City Council certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR. The EIR and these

findings represent the independent judgment and analysis of the City and the City Council. The City Council recognizes the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The City Council certifies that the EIR is adequate to support the approval of the action that is the subject of the staff report to which these CEQA findings are attached. The City Council certifies that the EIR is adequate to support approval of the Project described in the EIR, each component and phase of the Project described in the EIR.

F. Absence of Significant New Information

The City Council recognizes the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the EIR contains additions, clarifications, and modifications. The City Council has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required. The City Council finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

G. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Reorganization Project, shall continue in full force and effect unless amended or modified by the City.

H. Findings and Recommendations Regarding Significant and Unavoidable Impacts

According to CEQA Guidelines 15126(b), an EIR must discuss any significant environmental impacts that cannot be avoided under full implementation of the proposed program. The proposed policies of the Hillcrest Station Area Specific Plan described in Chapter 3 in the EIR would avoid or eliminate most potentially significant impacts. However, two impacts classified as significant and unavoidable have been identified in the issue areas of circulation and noise. The Hillcrest Station Area Plan is being proposed because it achieves many goals for the City and the East County area that outweigh the potential significant and unavoidable impacts on traffic and noise. These goals include:

- Construction of the eBART line to provide transit service to East County;

- Location of residential and employment near the Hillcrest eBART station to generate ridership that supports the operation of eBART;
- Provision of a range of housing types not currently available in Antioch, which increases the diversity and affordability of housing in Antioch;
- The creation of pedestrian-oriented centers with shops, retail, and restaurants, and entertainment uses, which serve the entire City and improve the quality of life for all residents; and
- Creation of jobs in Antioch through the provision of large office development sites in close proximity to the freeway and eBART.

a. Circulation

1. Intersection Operations

Implementation of the proposed Hillcrest Station Area Specific Plan would result in two intersections operating at less than the adopted standard: Hillcrest Avenue at East Tregallas Drive/Larkspur Avenue intersection and Hillcrest Avenue at SR 4 Eastbound Ramp intersection. The City has considered additional measures to comply with the LOS criteria at these two intersections. Measures considered include realigning Tregallas Drive and Larkspur Avenue to the south to improve vehicle storage between this intersection and the SR 4 eastbound off-ramp intersection. This change was determined to be infeasible during the planning horizon because it would require the acquiring and demolition of active and viable commercial properties, residential properties, and a church south of the Planning Area. Other measures considered, such as realigning the Hillcrest Avenue corridor and/or constructing new/modified ramps to/from SR 4 eastbound, would have similar right-of-way impacts.

Two other intersections have the potential to have significant and unavoidable impacts: the Hillcrest Avenue/East 18th Street intersection and the Neroly Road/Oakley Road intersection. Both of these intersections are outside the Planning Area and beyond the scope of the defined project. The proposed Specific Plan includes policies to support improving the operations of these intersections, but if improvements are not made then these two intersections would also operate at unacceptable LOS E or F conditions in 2035 with buildout of the Specific Plan. No feasible mitigation is available for increases in circulation impacts to intersection operations beyond those already incorporated into the Specific Plan.

Findings for Overriding Considerations: The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting from impacts to intersection operations..

2. Freeway Operations

There are also potential significant and unavoidable impacts to freeway operations due to the implementation of the eBART project, regional growth, and the Hillcrest Station Area Specific Plan. By 2035, due to the eBART project and regional growth, it is projected that freeway traffic will experience delay indexes of up to 3.3, traveling at 21 miles per hour average speed. The

addition of development in the Hillcrest Station Area would exacerbate this congestion even further.

The construction of the SR 4/Phillips Lane Interchange has been identified by the City as the most feasible solution. If a new interchange is implemented, the delay index would remain the same or improve in the AM peak hours, and worsen only slightly in PM peak hours. This mitigation would allow the freeway to operate within the adopted standards.

The City has considered measures to address the severe traffic congestion at the Hillcrest Avenue Interchange beyond those identified in the SR 4 East Widening Project including additional ramp widening, alternative interchange configurations, and realigning local roads to improve interchange efficiency. These changes would all require the acquiring and demolition of active and viable commercial properties, residential properties, and a church south of the Planning Area. The alternatives were considered infeasible given the substantial impact to the right-of-way. No feasible mitigation is available for increases in circulation impacts to freeway operations beyond those already incorporated into the Specific Plan.

Findings for Overriding Considerations: The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting from impacts to freeway operations.

b. Noise

The current City standards state that development near SR 4, the SR 4 Bypass, and the eBART project may not result in increases greater than five CNEL above existing noise levels. Four locations within the Planning Area exceed this standard. Each of these locations is adjacent to the Union Pacific Mococo railroad, and freight rail will be the primary noise source. If Union Pacific resumes freight rail service on the Mococo line, and if no grade separation is provided at Hillcrest Avenue, the noise impacts are significant. However this impact is due to the resumption of rail service, and is not an impact of the Specific Plan.

There are mitigation actions that could reduce the noise levels to a less than significant level. The grade separation at Hillcrest Avenue and the Union Pacific rail line, and a grade separation lowering the elevation of the rail line itself into a below-grade channel, would mitigate the noise impact. However since those projects are not within City control, and there is no identified funding source, these cannot be assumed as mitigations. Therefore the impacts of the railroad line noise on the proposed development under the Specific Plan are significant and unavoidable. The policies of the Specific Plan ensure that noise impacts are mitigated to the maximum extent feasible, and that in areas where exterior noise levels cannot be met, interior noise levels are reduced below the minimum standard in order to compensate for the noise in exterior spaces. No feasible mitigation is available for increases in noise levels above required standards beyond those already incorporated into the Specific Plan.

Findings for Overriding Considerations. The environmental, economic, social and other benefits of the Project as described in Section 8(a) override any remaining significant adverse impacts of the Project resulting the increase in noise levels beyond required standards.

I. Impacts Found Not to be Significant

Chapter 3 of the EIR discusses all potential impacts, regardless of their magnitude. A similar level of analysis is provided for impacts found to be less than significant as impacts found to be significant. Significance of an impact is assessed in relation to the significance criteria provided in each section in Chapter 3. A summary of all impacts is provided in the Executive Summary of the EIR.

J. Growth-Inducing Impacts

CEQA Guidelines require that the EIR “discuss the ways in which the proposed Plan could foster economic or population growth, or the construction of additional housing, either directly or indirectly” (CEQA Guidelines §15126.2(d)). This analysis must also consider the removal of obstacles to population growth, such as improvements in the regional transportation system.

a. Projected Growth

Growth-inducing impacts over an extended time period are difficult to assess with precision, since future economic and population trends may be influenced by unforeseeable events, such as natural disasters, and business and development cycles. The Association of Bay Area Governments (ABAG) is responsible for making long-term, realistic forecasts of population, households, and employment which are based on historic trends, as well as emerging trends in markets, demographics, and local policies (ABAG, 2007). Regional and local jurisdictions and agencies use ABAG projections to guide planning efforts. The current ABAG 2007 Projections indicate that in 2035 the population could be 128,400 in 43,270 households. The projected employment is 40,800 jobs.

Table 5.1-1 City of Antioch Projected Growth

Year	Population		Households		Employment		Jobs/ Household
	Number	Percent Growth	Number	Percent Growth	Number	Percent Growth	
2005	101,500	12%	32,760	12%	20,510	4%	0.63
2010	106,000	4%	34,560	5%	22,680	11%	0.66
2015	110,400	4%	36,360	5%	25,930	14%	0.71
2020	115,000	4%	38,090	5%	29,350	13%	0.77
2025	119,600	4%	39,890	5%	33,000	12%	0.83
2030	124,000	4%	41,580	4%	36,750	11%	0.88
2035	128,400	4%	43,270	4%	40,800	11%	0.94
2005-2035 Annual Growth Rate	0.8%		0.9%		2.3%		

Source: ABAG Projections 2007; Dyett & Bhatia, 2008

K. Irreversible Impacts:

CEQA Guidelines require the EIR to consider whether “uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely” (CEQA Guidelines §15126.2(c)). “Nonrenewable resource” refers to the physical features of the natural environment, such as land, waterways, etc.

- Water Consumption: New development under the proposed Specific Plan will increase the demand for public water. The pace of the City of Antioch’s growth is in large part dependent on its ability to provide adequate public facilities and services. Additional development and the resulting population and employment increases will result in a permanent increase of water consumption, which represents an irreversible environmental change.
- Energy Resources: New development under the proposed Specific Plan would result in the commitment of existing and planned sources of energy, which would be necessary for the construction and daily use of new buildings and for transportation. Buildings use electricity, natural gas, and petroleum products for power, lighting, heating, and other indoor and outdoor services, while transportation induced by development uses both oil and gas. Use of these types of energy for new development even with the proposed energy conservation and green building policies would result in the overall increased use of nonrenewable energy resources. This represents an irreversible environmental change.
- Construction-Related Impacts: Irreversible environmental changes could also occur during the course of constructing development projects made possible by the proposed Specific Plan. Beyond the energy, fuel and water consumption impacts of construction described separately above, new construction would also result in the consumption of building materials, many of which are still made from non-renewable resources. This represents an irreversible environmental change.

L. Cumulative Impacts

CEQA requires that the EIR examine cumulative impacts. As discussed in CEQA Guidelines §15130(a)(1), a cumulative impact “consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts.” The analysis of cumulative impacts need not provide the level of detail required of the analysis of impacts from the project itself, but shall “reflect the severity of the impacts and their likelihood of occurrence” (CEQA Guidelines §15130(b)).

In order to assess cumulative impacts, the EIR must analyze either a list of past, present, and probable future projects or a summary of projections contained in an adopted general plan or related planning document. In conducting the analysis for this EIR, ABAG population and employment projections for the City of Antioch were reviewed. (See above.)

It is important to note that the proposed Hillcrest Station Area Specific Plan is essentially a set of projects, representing the cumulative development scenario for the reasonably foreseeable future in the Planning Area. Therefore, the analysis presented in Chapter 3 represents a cumulative analysis of the Planning Area as a whole, over the next 26 years.

The air quality, circulation, climate change, and noise analyses evaluate the future development scenario as a whole, with the projected Specific Plan development and proposed transportation system applied to projected future growth in the region. Therefore, for these four issue areas,

analysis of the proposed Specific Plan contained in Chapter 3 of this EIR represents both the project impacts and cumulative effects. Refer to sections 3.4 Circulation and Traffic, 3.2 Air Quality, 3.5 Climate Change and Energy Use, and 3.11 Noise. In addition, Section 3.3 Biological Resources and Section 3.9 Hydrology and Water Quality include separate discussions of the cumulative effects in these issue areas. Other cumulative impacts would include:

- ***Aesthetics and Visual Resources.*** Buildout under the proposed Plan would change the existing visual character of the Planning Area. New development under the Specific Plan will change the Planning Area's existing undeveloped condition by replacing open grassland and hillsides with new transit-oriented development. In the final built condition of the project, extensive landscaping and public spaces will be added, and key natural features will be preserved. There are not any other probable future projects that are planned in the Planning Area or adjacent areas that will detract from aesthetics and visual resources. Vacant sites adjacent to the Planning Area are zoned for single-family home development. As such, cumulative impacts to visual resources would be less than significant.
- ***Cultural Resources.*** A records search verified that there are no known or listed cultural resources in the Planning Area. Proposed Specific Plan policies require additional research to evaluate the eligibility of, and subsequent mitigation of, potential historic resources. Adopted General Plan policies require protocols that ensure that cultural or paleontological resources would be mitigated should accidental discovery of such resources occur. Significant resources that could be affected by construction activities would be avoided, or if this is not possible, recovered for scientific value. Research about cultural resources did not indicate any additional projects that remove or alter cultural resources in the surrounding area or the City of Antioch, such that historical, archeological, or paleontological resources would be permanently lost. Therefore, the cumulative impacts to significant cultural or paleontological resources are expected to be less than significant.
- ***Geological and Seismic Hazards.*** All future projects considered under the proposed Plan would be required to comply with seismic requirements contained in the California Building Code, the City of Antioch Municipal Code, adopted General Plan and proposed Specific Plan policies. Implementation of the proposed Plan is not expected to result in an increase in seismic impacts, including those impacts related to emergency services, or geological hazards. In addition, future projects in the Planning Area would be required to comply with NPDES General Construction Permit requirements, so erosion impacts should be less than significant. Overall cumulative impacts pertaining to geology, soils and seismic hazards would be less than significant.
- ***Hazardous Materials and Safety.*** Future development of the Planning Area, as proposed by the Hillcrest Station Area Specific Plan, could improve existing issues associated with soil and groundwater contamination. Any necessary remediation would be completed prior to construction and, by law, future land uses must abide with the most recent laws and regulations regarding hazardous material use, generation, transport, storage, and disposal. In addition, development within the Planning Area is likely to reduce the risk of wildland fires for the surrounding area by providing improved access and circulation throughout the Study Area.

Compliance with adopted General Plan policies and proposed Specific Plan policies would ensure that fire and emergency services would be adequate to meet the demand created by

new development. Therefore there would not be a contribution to a deficit in emergency services for the City of Antioch. In addition, compliance with proposed Specific Plan policies would reduce the risks inherent in allowing construction and development near high-pressure petroleum pipelines. As such, cumulative impacts pertaining to hazardous materials and safety would be less than significant.

- **Land Use.** The proposed Plan would result in less than significant land use impacts, and all future projects under regional and proposed Plan buildout would be required to mitigate their respective land use impacts. Therefore, the incremental impact of the proposed Plan, when considered in combination with buildout of the region would not result in cumulatively significant impacts related to land use.
- **Public Services and Facilities.** The public services and facilities components of the Hillcrest Station Area Specific Plan have cumulative effects but these are not significant, as they respond to the City's adopted standards.
 - **Fire and Emergency Services.** There is no existing fire station that could serve the projected development within the Planning Area and meet the response time standard. Compliance with adopted General Plan policies and proposed Specific Plan policies ensure that a new fire station, or improved access to an existing fire station will be constructed to provide adequate fire and emergency services. The addition of a new fire station or improved access to existing stations will benefit the surrounding Study Area, in addition to serving the Planning Area. Thus the impact on fire facilities resulting from the Hillcrest Station Area Specific Plan and other projects in this region would not create a significant cumulative impact. The Fire District collects impact fees for new facilities, which will ensure that this project and projects in the surrounding area pay their fair share of the costs for the needed capital improvements.
 - **Police Services.** Based on the population projections for 2035, the City of Antioch will require a police force of at least 154 officers, which entails hiring approximately 10 new officers. Of these 10, approximately six would be needed to serve the Planning Area. Proposed Plan policies ensure that the tax revenues from planned development would support the cost of new police services or an additional funding source is identified. Therefore, the cumulative impact on police services would be less than significant.
 - **Schools.** New housing in the City combined with residential development in the Planning Area may require the construction or expansion of an elementary school. However, the General Plan and City regulations require that new development provide necessary funding and/or capital improvements to mitigate projected impacts on school facilities. Antioch Unified School District policies require that developers pay school impact fees for new construction of residential units and commercial space. Therefore, the cumulative impact on public schools will be less than significant.
 - **Parks.** New development would provide required park-land to serve its residents and as such there would be adequate parks and recreation facilities provided. Thus there will be no significant cumulative impact. Moreover, the trail facilities proposed in the Specific Plan would be available to all City residents, and would provide an extension of the citywide trail system, and thus there is a beneficial cumulative impact as a result of the project.
 - **Community Center Space.** Compliance with General Plan and proposed Specific Plan policies will ensure that the City adopted standard of 750 square feet of

community space per 1,000 residents is met or exceeded for projects within the Planning Area. Therefore, the cumulative impact is less than significant.

- **Utilities.** Future development projects resulting from the proposed Specific Plan will cause an increase in population and density of development, with a resultant increase in sewer flows, water demands, stormwater runoff, and solid waste generation. Infrastructure improvements, including water mains, sewer mains, and storm drainage lines, will alleviate deficiencies in distribution and collection capacity brought on by new development. Further, future development projects in Antioch would be required to mitigate impacts on utilities and service systems on a project-by-project basis. As such, overall cumulative impacts pertaining to utilities systems would be less than significant.

M. Project Alternatives:

CEQA mandates consideration and analysis of alternatives to the proposed General Plan. According to CEQA Guidelines, the range of alternatives "shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant impacts" (Section 15126(d)(2)). The alternatives may result in new impacts that do not result from the proposed Specific Plan.

The following Alternatives were considered:

- a. **Alternative Plan:** The Alternative Plan is based on the BART Proposed Project, which includes one eBART station in the SR 4 median close to Hillcrest Avenue at the Median Station location. The assumed 2035 circulation network is the same as the proposed Plan, with two key exceptions. The Alternative Plan does not include the construction of a Phillips Lane interchange within the planning period; and does not include a potential second station in the eastern portion of the Planning Area. Because the Phillips Lane interchange is not assumed to be built, the Phillips Lane extension would be constructed as a 2-lane collector rather than as a 4-lane arterial.

The Alternative Plan assumes a much lower intensity of development than the proposed Plan. The Phillips Lane Interchange is not assumed to be built, and there will be major traffic and circulation constraints. Lower intensity development is assumed in the eastern portion of the site that is further from freeway interchanges. Very little development is expected to occur in the southeast quadrant in the area where there are steep hills. The PG&E electrical transmission towers and lines that cross north-south in the eastern Planning Area would remain in their current location, rather than being relocated as in the proposed Plan.

Findings: This plan was rejected as it did not offer the same amount of development potential, both for housing and for job creation, as the proposed plan, nor did it provide the flexibility of multiple station locations as provided by the Proposed Plan.

- b. **No Project:**
The no project scenario is based on the current General Plan, which was updated in 2003. The Zoning Ordinance was updated to implement the General Plan in 2005.

Therefore, this scenario illustrates the expected development if the Planning Area's existing policies and land use regulations were to remain in place, and planned circulation improvements were to be constructed, including BART service.

Findings: This alternative was rejected as it did not meet the City's goal of transit oriented development around the eBART station area. This alternative did not address the changed circumstance of the eBART extension being located in the Hwy 4 median, as opposed to in the Union Pacific right of way as depicted under the "No Project" plan.