



COMMUNITY DEVELOPMENT DEPARTMENT

Council Meeting Date: October 21, 2003

Staff Report #: 03-150

Agenda Item #: D-4

CONSENT CALENDAR: Authorization of the City Manager to Execute Contracts with Consultants for Work on the 110 and 175 Linfield Drive Project Involving the Demolition of Two Office Buildings and the Construction of 59 New Residential Units as Follows:

1) Amend the Contract with DKS Associates for an Additional \$9,700, Resulting in a Total Contract Amount of \$28,700, for the Preparation of a Traffic Study; and

2) Enter into a Contract with Impact Sciences Inc. for a Total Contract Amount of \$134,175, for the Preparation of an Environmental Impact Report.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute contracts with consultants for work on the 110 and 175 Linfield Drive Project involving the demolition of two office buildings and the construction of 59 new residential units as follows:

- 1) Amend the contract with DKS Associates for an additional \$9,700, resulting in a total contract amount of \$28,700, for the preparation of a traffic study in accordance with Attachments A and B; and
- 2) Enter into a contract with Impact Sciences Inc. for a total contract amount of \$134,175, for the preparation of an Environmental Impact Report (EIR) in accordance with Attachment C.

BACKGROUND

Olive Hill Development and Taylor Woodrow Homes have submitted applications for the demolition of two office buildings and the construction of 59 new residential units at 110 and 175 Linfield Drive. The applications involve the following specific requests: General Plan Amendment, Rezoning, Conditional Development Permit, Tentative Subdivision Map, Heritage Tree Review, Abandonment of portions of Linfield Drive and Homewood Place, and Environmental Review.

Prior to submitting an application, the applicant held a series of meetings with members of the Linfield Oaks neighborhood and attended a City Council study session on August 27, 2002. After submitting an application, the City held a community meeting on February 27, 2003 to allow the public to learn more about the proposed project and to obtain feedback from the community. In addition, the Planning Commission, Housing Commission, Environmental Quality Commission, and Transportation Commission all held meetings to review components of the project during March 2003. On March 25, 2003, the City Council provided direction on the policy issues related to the residential development proposal and adopted a Resolution of Intention to abandon a portion of Linfield Drive and Homewood Place along the property located at 110 and 175 Linfield Drive.

Preliminary investigations indicated that the project would require the preparation of a traffic study. The City entered into a contract with DKS Associates to prepare a traffic study for \$19,000 with the cost paid by the applicant pursuant to the attached scope of work (Attachment A). In April 2003, the preliminary results of the traffic study indicated that the proposed project would exceed the significance thresholds established in the City's Transportation Impact Analysis (TIA) Guidelines for impacts on nearby roadway segments. Due to the significant impacts and no readily apparent mitigations, the project triggers the need to prepare an EIR. Recent Council direction for changes to the TIA Guidelines would not change the outcome of the staff recommendation that an EIR be prepared given the size and location of the properties, number of units and other environmental impacts such as aesthetics and air quality.

ANALYSIS

Staff mailed a Request for Proposals on June 2, 2002 to five environmental consulting firms and subsequently received two proposals: one from David J. Powers & Associates for \$74,680 and one from Impact Sciences, Inc. for \$120,814, excluding contingencies. Staff reviewed the proposals for the following: understanding of the proposed project, thoroughness of the proposal, timing, and cost. Staff is recommending the use of Impact Sciences for preparation of the EIR. Impact Sciences scored better on project understanding and proposal thoroughness and the timeline was comparable. The cost of the proposal was greater, but staff believes that the proposed budget for the EIR is appropriate given the scope of work.

After selecting Impact Sciences, staff worked with the firm to refine the proposed scope of services to more accurately reflect the work to be completed as part of the EIR. The scope of work for the EIR is included as Attachment C. Of the total \$134,175 budget amount, \$19,600 is for contingencies related to preparing response to comments and a focused Biological Resources Section of the EIR. The applicant would need to deposit \$114,575 upon contract signing. Identifying the contingency allows the City Manager to authorize applicable contract amendments without returning to the City Council for approval, thereby streamlining the process.

DKS Associates has prepared a scope of work (Attachment B) to revise the traffic study for inclusion as an Appendix in the EIR. The revised traffic study will include a cumulative analysis and a quantified analysis of the following alternatives:

- No Project: existing buildings occupied with general office uses;
- Alternative 1: residential project at reduced density; and
- Alternative 2: existing buildings occupied with medical office uses.

The applicant supports the selection of Impact Sciences for the preparation of the EIR for a total of \$134,175 and the revised scope with DKS for \$28,700.

IMPACT ON CITY RESOURCES

The applicant will bear the entire cost of the EIR, including the traffic study, for a grand total of \$162,875. In addition, all planning related fees will be covered by the applicant based on the current Master Fee Schedule, which requires payment on a time and materials basis. The City will incur no costs during the EIR preparation and application review, and there would be no direct impact on City resources associated with the action recommended in this staff report.

POLICY ISSUES

The recommended action is consistent with existing City policies. However, the City Council should be aware of a policy issue that would likely arise with the preparation of an EIR. Due to a potentially significant traffic impact, as identified in the preliminary traffic study, and a probable lack of feasible mitigation measures for this impact, the City Council will likely need to consider a Statement of Overriding Considerations in order to approve the proposed development project. A Statement of Overriding Considerations allows the decision-making body (City Council in this case) to balance economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental impact when determining whether to approve the project. If the specific benefits of a project outweigh the unavoidable significant environmental impacts, the adverse environmental impact may be considered “acceptable.” The City has previously adopted a Statement of Overriding Considerations for the approval of the Land Use and Circulation and Transportation Elements in the General Plan on December 1, 1994.

ENVIRONMENTAL REVIEW

The contracts are not deemed a project under the California Environmental Quality Act (CEQA), but they will enable the completion of the necessary environmental documents for the project in accordance with the current CEQA Guidelines.

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Report Author

Arlinda Heineck
Community Development Director

PUBLIC NOTICE: Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting.

ATTACHMENTS

- A. Original scope of work prepared by DKS Associates for the 110 & 175 Linfield Drive Project Traffic Study, dated September 13, 2002
- B. Revised scope of work prepared by DKS Associates for the 110 & 175 Linfield Drive Project Traffic Study, dated August 20, 2003
- C. Scope of work prepared by Impact Sciences for the 110 & 175 Linfield Drive Project EIR, dated August 20, 2003

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