

MEMORANDUM

June 10, 2009

To: Jay Eastman From: Kristin L. Keeling

City of Fullerton Senior Project Manager

Subject: Fullerton Transportation Center Specific Plan Draft Program EIR

FTC SPECIFIC PLAN SCOPING SESSION JUNE 3, 2009 4:30 PM AND 7:00 PM SESSIONS

The City of Fullerton held scoping meetings for the Fullerton Transportation Center (FTC) Specific Plan Draft Program Environmental Impact Report (EIR) on June 3, 2009 at 4:30 PM (public agency scoping meeting) and 7:00 PM (public scoping meeting) at the City of Fullerton City Council chambers. The purpose of the meetings was to receive input on the issues that should be addressed in the EIR. There were no agency representatives present at either scoping meeting. A total of 4 individuals attended the 4:30 PM public agency scoping meeting and 3 individuals attended the 7:00 PM public scoping meeting. The Initial Study/Notice of Preparation (IS/NOP) was available at the meeting. The sign in sheets are attached.

Mr. Eastman opened the meetings with an introduction of the project team and then provided an overview of the proposed project with a PowerPoint visual presentation. Ms. Keeling discussed the EIR process and the topical issues identified through the IS/NOP process to be evaluated in the EIR. Staff clarified during the presentation and prior to taking questions that the FTC Specific Plan document itself is being developed, and therefore details on the FTC Specific Plan are not available. The information available on the FTC Specific Plan are "big picture" factors and estimates of maximum development potential.

The purpose of the EIR Scoping Session is to discuss the process of creating an EIR document and to solicit input on what should be included in the environmental analysis. Following the presentation, the meeting was opened up for public comments and questions. Questions were encouraged that related to the environmental analysis. Following is a summary of the questions/issues raised at the meetings.

PUBLIC AGENCY SCOPING MEETING (4:30 PM)

QUESTIONS/ANSWERS

1. Will the parking garage remain? It is not known at this time if the "Fender" garage will remain. It is a consideration. One of the options in the Framework Plan was to demolish the existing garage. The FTC Specific Plan will analyze the physical impacts of demolition of the existing parking garage and construction of a new parking garage.

- 2. If the parking structure is demolished, will the parking be provided in the new garage? If the Fender parking structure is demolished, the objective is to add the number of existing garage spaces to the new parking structure. The FTC Specific Plan is being developed and the exact number of parking spaces is not currently known.
- 3. **Doesn't the new parking structure accommodate parking requirements of the transit users?** The existing parking garage was designed to accommodate public parking needs, which would need to be relocated to the FTC Specific Plan Phase I parking garage. Some of the parking near the train depot is used by transit patrons; therefore, it is anticipated that the new structure would accommodate transit users. However, the City is currently in the process of designing a parking garage on the west side of Harbor Blvd. to accommodate existing and future transit parking demands. The parking garage west of Harbor is not part of the FTC Specific Plan, and is an approved project.
- 4. **Will bicycle parking be included on-site?** Yes, the FTC Specific Plan will include a bicycle circulation plan as well as amenities for bicycle users.
- 5. Property owner of 340 E. Commonwealth Avenue is concerned with his property and adjacent property he wants to buy. Will this affect his uses? Does the City have an architect and developer who will come in and develop his property? Will the plan use eminent domain? The property at 340 E. Commonwealth is presently allowed to have commercial uses. The proposed FTC Specific Plan would allow mixed-use construction, which conceptually allows retail on the ground floor and residential or office above. The FTC Specific Plan would provide for a broader range of uses and more development than currently allowed. The intent of the FTC Specific Plan is to provide orderly development of properties in a manner that achieves the vision of a transit oriented, mixed-use community. It is expected that the increased value and certainty provided by the vision will provide adequate incentive for the private market to support the plans development, without the need to use eminent domain. The City and Redevelopment Agency will to work to establish criteria in the FTC Specific Plan that allow property owners to maintain existing uses without feeling pressured to relocate as a result of the new plan.
- 6. Concerns were raised regarding traffic impacts and what it will do to Commonwealth and other streets. As part of the EIR, the City is preparing a traffic analysis to consider the impacts the project will have on the surrounding roadways. The development of residential around transit nodes, such as the train depot and OCTA bus transfer facility, are key considerations for accommodating population growth while minimizing overall traffic problems for the City and region. These types of developments are referred to as "transit oriented developments" (TOD). It is anticipated that vehicle "trips" created by residents in the FTC Specific Plan area will be less than a non-TOD.
- 7. Where will the funds come from for this project? Are there funds? The preparation of the Specific Plan and EIR are being funded through the Redevelopment Agency. The plans being prepared at this time are "zoning" documents, and are not a site building proposal. There are no funds set aside at this time to acquire properties or construction improvements. The FTC Specific Plan will need to identify funding mechanisms for installing infrastructure. The Redevelopment Agency is working to find grant funding that could be applicable to the project area, should the FTC Specific Plan be approved. Currently, the City is pursuing a transit oriented development (TOD) grant from the State, which could provide up to \$17M. Most of the funding for future building construction would be from private parties.

- 8. How did we define the project area? Why not the properties east of Lawrence Avenue, including the old MG Disposal site and bicycle shop property? The project area was defined by a number of factors, including properties which the City or Redevelopment Agency currently own, or where interested property owners asked to be included. As a TOD, there are considerations as to reasonable walking distances to the train depot. Ultimately, the City had to determine a reasonable boundary. The MG Disposal site was not included because the property owner was not interested in participating in the plan at the time, and the property is not contiguous with the other properties in the FTC specific plan boundary.
- 9. Will the plan include a crossing over the railroad to connect the residential uses on the north and south side of the railroad tracks? The Framework Plan showed a pedestrian crossing east of Lemon St., similar to the crossing at the train depot. The details of the FTC Specific Plan proposal are still being considered, but at this time a connection is not anticipated. However, more information on the FTC Specific Plan is anticipated in July or August, when the draft plan is available.
- 10. What are the heights of the buildings? How many stories? The FTC Specific Plan anticipates mostly 5 and 6 story buildings as a maximum. Some areas of the plan are anticipated to accommodate up to 9 stories and 100 feet as a maximum. These heights are mostly located on the parcels north of Santa Fe Avenue, central in the plan area.
- 11. Comment: I think development should be encouraged in this area and I'm supportive of the project. Development should be encouraged near transportation centers. I think that development should be further encouraged westward towards Euclid.
- 12. Comment: I like "round-abouts" and it would be great if one could be included in the project.

PUBLIC SCOPING MEETING (7:00 PM)

QUESTIONS/ANSWERS

- 13. How does the project accommodate the proposed high speed rail? The high speed rail is presently only a concept. The rail authority is still visualizing its system, with the current thought being to use existing railroad routes. The Redevelopment Agency has been in conversations with the California High Speed Rail Authority, but nothing is known for sure at this time. The high speed rail may never be built, therefore the City is moving forward with our planning efforts, and will work with the Rail Authority to integrate their system into the City when a more definitive concept is developed.
- 14. Where is the location of the "Turn-back" track, and is that being considered? The MetroLink turn back track is located on the south side of the railroad tracks and will stop east of the pedestrian bridge. The County's MetroLink planning efforts are currently underway and are separate from the FTC Specific Plan. However, the location of the turn-back track is known and will be considered in the FTC Specific Plan and EIR.

- 15. Given that the Specific Plan is not yet complete, how will it be determined if the EIR does not adequately assess the project? At what point would a re-circulation be required of the EIR. A Program EIR will be prepared for the FTC Specific Plan, rather than a project-level EIR. The EIR will analyze impacts from the implementation of the FTC Specific Plan assuming a "worst-case" scenario for impacts. The FTC Specific Plan will identify the maximum development allowed and the EIR will analyze impacts accordingly, even though it is highly likely that the actual development on the site will be less than the maximum allowed.
- 16. What is the difference between a Program EIR and a "regular" EIR? A Program Environmental Impact Report (EIR) is a big picture document that is prepared when there are multiple smaller projects or phases that will be constructed at a later date. (CEQA defines a Program EIR as "an EIR that may be prepared on a series of actions that can be characterized as one large project..."). Because individual developments within the FTC Specific Plan are not known at this time, a Program EIR can specify that additional analysis on specific issues be conducted when the details of the future development proposal are defined. A Program EIR is the best tool for considering comprehensive and cumulative impacts as it relates to a series of projects.
- 17. What are the notification requirements for CEQA? Notification requirements for the California Environmental Quality Act (CEQA) vary depending on the documents prepared and the phase of the analysis. CEQA is specific on notification requirements. The City is maintaining a list of parties interested in being notified of the FTC Specific Plan, and will provide notification to anyone asking to be placed on that list (contact Jay Eastman at jaye@ci.fullerton.ca.us)
- 18. Who is on the mailing list for CEQA? The City mails notices as required by CEQA, which is specific and identifies local, regional and state agencies. The City also notifies the local papers, and advertises in the Fullerton Tribute. Anyone who has asked to be on the Cities mailing list will be notified.
- 19. What will the Zoning for the area be? The existing area includes industrial, public and commercial zones. The adoption of the FTC Specific Plan will create its own zoning designation, with its own regulations.
- 20. Are we using the existing or future General Plan? City staff is monitoring the direction of the General Plan update and is conscious of the General Plan issues currently under development. Parts of the FTC Specific Plan are being developed within anticipated policy changes (for instance, creating a TOD with bicycle linkages and features, consistent with the new Bicycle Element being developed). However, with the exception of the Housing Element, the General Plan Update will likely not be adopted before the FTC Specific Plan. The City is legally bound to consider the FTC Specific Plan pursuant to the adopted General Plan; therefore any General Plan revisions will amend the General Plan adopted in 1996. Conflicts between the 1996 and forthcoming General Plans are not anticipated.
- 21. How did we come up with the dwelling unit numbers if we don't have a "site plan" project? The maximum development numbers identified in the Initial Study, which are to be considered in the EIR, were based on the size of the property and the concept building envelopes. Height of buildings and construction type create certain assumptions, from which the Redevelopment Agency's development partners (JMI/Morgan) estimated development potential to have a market driven project. The Planning staff added

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residential units to accommodate additional growth based on factors such as State mandated affordable housing density bonuses and required RHNA numbers. The numbers of units identified in the Initial Study are for impact analysis purposes, and therefore are based on assumptions of the maximum potential should optimum development conditions be met.

- 22. **Will affordable housing be included?** It is the Planning staff's position that affordable housing should be included in the FTC Specific Plan. The concept is under discussions with the development partners. The Redevelopment Agency is attempting to obtain TOD grant funds, which would require affordable housing as a portion of the plan.
- 23. Will the affordable housing be mixed with market rate housing? Is it the intent to allocate affordable housing to one location, or will it be intermingled throughout? The details of the FTC Specific Plan have not been worked out; therefore it is not known if there will be criteria for distributing affordable housing. Because building construction is to be funded mostly by market driven projects, affordable criteria associated with funding assistance are not known. Affordable units could potentially be proposed to the City as a single affordable housing project, or as a percentage of one. Planning staff does not intend to create regulations that isolate affordable housing or discourage its distribution throughout the project site.

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