



#### Local Agency Formation Commission of Santa Clara County

777 North First Street Suite 410 San Jose, CA 95112

#### SantaClaraLAFCO.org

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Neelima Palacherla

LAFCO MEETING: April 5, 2023

TO: LAFCO

FROM: Neelima Palacherla, Executive Officer

**Dunia Noel, Asst. Executive Officer** 

SUBJECT: Gilroy Urban Service Area Amendment 2021

(Wren Investors & Hewell)

## STAFF RECOMMENDED ACTION

#### **OPTION 1: STAFF RECOMMENDATION**

# **Project Action**

1a. Deny the proposed City of Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell).

## **CEQA** Action

1b. Denial of the project does not require a CEQA Action.

## OTHER OPTION FOR COMMISSION CONSIDERATION

#### **OPTION 2:**

#### **Project Action**

2a. Approve the proposed City of Gilroy Urban Service Area Amendment 2021 (Wren Investors & Hewell).

## **CEQA (California Environmental Quality Act) Action**

- 2b. In order to approve the project, LAFCO as a Responsible Agency under CEQA, must take the following actions regarding the Mitigated Negative Declaration for this project:
  - Find that the Initial Study and Mitigated Negative Declaration approved by the City of Gilroy on January 27, 2021 were completed in compliance with CEQA and are an adequate discussion of the environmental impacts of the project
  - Find that prior to making a decision on this project, LAFCO reviewed and considered the environmental effects of the project as outlined in the Initial Study and Mitigated Negative Declaration.

 Find that the City of Gilroy submitted a mitigation monitoring program and that the monitoring program ensures compliance with the mitigation measures identified in the Mitigated Negative Declaration that would eliminate or reduce significant adverse environmental effects to less than significant levels, associated with the Urban Service Area expansion over which LAFCO has responsibility.

## PROJECT DESCRIPTION

The City of Gilroy is proposing an amendment to its Urban Service Area (USA) in order to include two areas comprising approximately 54.5 acres of unincorporated land located west of US 101 and south of Day Road, in the vicinity of Vickery Avenue, Wren Avenue, Tatum Avenue, and Kern Avenue.

Area A (Wren), approximately 48.9 acres, is located west of Wren Avenue and south of Vickery Avenue and includes 13 parcels (APNs 790- 09- 006, 008, 009, 010, 011; 790- 17- 001, 004, 005, 006, 007, 008, 009 and 010); and

Area B (Hewell), approximately 5.6 acres, is located northeast of Vickery Lane and Kern Avenue and includes two parcels (APNs 790-06-017 and 018).

Wren Investors, LLC and Mark Hewell, the developers for the project site, have included thirteen other parcels under different ownership to create a more logical city boundary. All the property owners are in agreement with the proposed USA application. Area A and Area B are not contiguous to each other; however, they are in close proximity to each other and will be evaluated together as a single USA amendment proposal.

Please see **Attachment A** for maps depicting the proposal area and the various city boundaries, including the current USA boundary and the city limits.

The proposed USA amendment would allow annexation of the property and its future development in the City. The developers have submitted conceptual site plans to the City of Gilroy that show a possible development scenario consisting of primarily residential development (i.e., 307 lots) and a small amount (0.8 acre) of neighborhood commercial development. However, at this time no specific development is proposed for this site.

#### **BACKGROUND**

# **Proposal's History**

According to the City of Gilroy, Wren Investors began processing an USA amendment request for this site in 2000 [USA 00-02]; that request included all the property included in the current request plus one additional parcel. USA 00-02 was not approved by the City Council as part of the 2008 USA amendment request and therefore, not forwarded to LAFCO for consideration. At that time, the City Council expressed the following concerns about USA 00-02: negative fiscal impacts on the Gilroy Unified School District; negative fiscal impacts on the city; inadequate police

and fire response times to the site; undesired environmental impacts resulting from the project; and that no project design details were submitted as part of the CEQA analysis.

The Hewell portion has not been the subject of a prior independent USA amendment request.

In 2012, Wren Investors again submitted USA 12-01 amendment request to the City, and in 2014, Mark Hewell and David Sheedy submitted their USA 14-02 amendment request to the City. Before either of these applications could be processed, a third USA amendment application, USA 14-01, was submitted by Jeffrey Martin c/o Martin Limited Partnership. USA 14-01 encompassed 721 acres north of Gilroy city limits and included both the Wren Investors and Hewell properties. Since Wren Investors and Hewell properties were included in USA 14-01, both applicants agreed to place their application processing on hold while the City Council considered USA 14-01.

On December 7, 2015, the City of Gilroy adopted Resolution No. 2015-63 certifying a Final Environmental Impact Report (EIR) for the North Gilroy Neighborhood District Urban Service Area Amendment and adopted Resolution 2015-64 approving the USA 14-01.

On January 13, 2016, LAFCO filed a lawsuit against the City of Gilroy alleging that the City violated the California Environmental Quality Act (CEQA). LAFCO requested the court to direct the City to vacate its Approvals and comply with CEQA.

On January 25, 2016 the City adopted Resolution 2016-06 rescinding both Resolution No. 2015-63 and Resolution No. 2015-64, and directing the City Administrator to not submit an USA amendment application to LAFCO.

Subsequently, Wren Investors and Hewell properties have requested the City to continue processing their USA amendment requests (USA 12-01 and USA 14-02).

On January 27, 2020, the City of Gilroy adopted Resolution No. 2020-05 approving the submittal of the Wren Investors and Hewell USA amendment application to LAFCO.

#### **LAFCO Staff Review**

The City of Gilroy submitted the Wren Investors and Hewell USA amendment application to LAFCO in early April 2021. LAFCO staff started its review of the application and noted that while the City had adopted its new City of Gilroy 2040 General Plan on November 2, 2020, the application material submitted to LAFCO was based on designations in the City's previous General Plan. In mid-June 2021, LAFCO staff requested that the City provide additional information and clarification regarding the General Plan consistency. In mid-December 2021, the City provided two new documents for LAFCO staff's consideration, an analysis of the proposal's consistency with the City's new General Plan and an updated vacant lands inventory.

LAFCO staff resumed its review of the application and in mid-January 2022 requested further clarification regarding conflicting information on the boundaries of the proposal area. The City responded in early February 2022 and LAFCO staff

once again resumed its review and tentatively scheduled the proposal for LAFCO hearing in June 2022. However, in early May, LAFCO staff found that the City's information regarding the City's plan for providing and funding services to the proposal area was insufficient and/or contained conflicting data which then required LAFCO staff to request necessary data and clarification from the City. LAFCO staff also requested additional supporting information on the City's vacant lands inventory. LAFCO staff met with City staff to discuss this data request. In late October 2022, the City provided for LAFCO staff's consideration certain new information and clarifications and an entirely new vacant lands inventory that was prepared with a different methodology inconsistent with LAFCO's methodology, raising new questions.

In mid-December 2022, LAFCO staff sought further clarification from the City and made the decision to set the LAFCO public hearing date on the proposal for February 2023 and finalize the staff report based on the information received to date from the City.

However, the LAFCO public hearing scheduled for February 1, 2023 was continued at LAFCO Staff's request to April 5, 2023 due to a combination of staffing shortage and unexpected illness. LAFCO staff published the staff report on the LAFCO website before March 15, 2023, in advance of 21 days prior to the new meeting date, to provide ample time for all interested parties to review the report and prepare for the upcoming public hearing.

## **EXISTING LAND USES / DESIGNATIONS**

The subject parcels are located in a rural unincorporated area of the county adjacent to the Gilroy city limits and USA. **Table 1** summarizes the current land use and designations for the proposal area.

The subject parcels consist of primarily undeveloped lands, with some rural residential development.

The subject parcels have a County General Plan designation of Open Space Reserve (OSR). Per the County General Plan, allowable uses on OSR lands consist of agricultural and open space uses.

The subject parcels have a County Zoning designation of A-20 Acre (Agriculture, 20 acres minimum lot size).

Table 1. Existing Land Use and County General Plan & Zoning Designations

Assessor's Parcel No.	Acres	Existing Land Use	County General Plan	County Zoning
790-06-017	1.0	Rural Residential	Open Space Reserve	A-20 Acre
790-06-018	4.2	Undeveloped	Open Space Reserve	A-20 Acre
790-09-006	1.1	Rural Residential	Open Space Reserve	A-20 Acre
790-09-008	3.4	Undeveloped	Open Space Reserve	A-20 Acre
790-09-009	18.4	Undeveloped	Open Space Reserve	A-20 Acre
790-09-010	2.3	Road & Road Median	Open Space Reserve	A-20 Acre
790-09-011	2.9	Undeveloped, hobby farm	Open Space Reserve	A-20 Acre
790-17-001	5.5	Gilroy High School FFA Farm	Open Space Reserve	A-20 Acre
790-17-004	0.3	Rural Residential	Open Space Reserve	A-20 Acre
790-17-005	0.4	Rural Residential	Open Space Reserve	A-20 Acre
790-17-006	0.4	Undeveloped	Open Space Reserve	A-20 Acre
790-17-007	1.2	Rural Residential	Open Space Reserve	A-20 Acre
790-17-008	1.2	Rural Residential	Open Space Reserve	A-20 Acre
790-17-009	2.5	Rural Residential	Open Space Reserve	A-20 Acre
790-17-010	9.2	Rural Residential	Open Space Reserve	A-20 Acre

## PROPOSED GENERAL PLAN DESIGNATIONS AND LAND USES

In November 2020, the Gilroy City Council approved the General Plan 2040 update and associated CEQA. According to the City, the corresponding zoning update including the zoning ordinance and map will be updated by the end of 2023.

The City has applied a General Plan designation of Neighborhood District High to the proposal area, which allows for residential units at a mix of densities and establishes the following percentage of land for each residential category:

60% max: 0-7 DU/ac
5% min: 7-9 DU/ac
25% min: 9-16 DU/ac
10% min: 16-30 DU/ac

The City has not currently applied a pre-zoning designation to the proposal area. However, according to the City, upon annexation, the properties would be zoned "Neighborhood District" consistent with the General Plan designation for the proposal area. Upon LAFCO approval of the USA expansion and the City's annexation of these lands, the City General Plan Land Use and Zoning designations would apply to the subject parcels.

At this time, no development applications have been submitted to the City for the proposal area. For purposes of environmental and fiscal analysis, the developers have submitted conceptual site plans for the proposal area that show a possible development scenario consisting of primarily residential development (i.e. 307 lots) and a small amount (on 0.8 acres) of neighborhood commercial development.

The City has indicated that in the future, a specific plan would be developed for this site as well as for the surrounding area that will determine the actual development plan for the site.

Table 2. Proposed City Land Use Designation and Potential Development

General Plan	Potential Development	Approx.
Designation		Acreage
Neighborhood	Low Density Residential (3-8 DU/ac) 142 units	21 acres
District High (GP 2040)	Medium Density Residential (8-20 DU/ac) 101 units	8 acres
	High Density Residential 20+ DU/ac) 64 units	3 acres
	Total Residential: 307 units	32 acres
	Neighborhood Commercial	0.8 acre
	Streets	16 acres
	Drainage	6 acres

## ADJACENT AND SURROUNDING LAND USES

As seen in **Attachment A**, the proposal is bound on the east, south, and southwest by the Gilroy City Limits. These lands in the city are primarily developed with single-family residences, apartment complexes, and new housing under construction. These lands also include the former Antonio Del Buono Elementary School, which is now the site of the Santa Clara County Office of Education's South County Annex.

The proposal is bound on the north and west by unincorporated lands. These unincorporated lands consist of a mix of rural residential development, vacant lands, and a small hobby farm for livestock.

## **ENVIRONMENTAL ASSESSMENT**

## **Mitigated Negative Declaration**

The City of Gilroy is the Lead Agency under the California Environmental Quality Act (CEQA) for the proposed USA amendment. Per City Resolution No. 2020-04, the City approved a Mitigated Negative Declaration (MND) for the proposal on January 27, 2020. The City is requiring mitigation measures to reduce potential significant environmental effects to a less than significant level for air quality, biological resources, cultural resources, and noise. A mitigation monitoring program, consistent with the MND, was approved by the City. The monitoring program will ensure compliance with the mitigation measures identified in the MND that would mitigate or avoid significant impacts associated with the USA expansion over which LAFCO has responsibility. In order to approve the project, LAFCO as a Responsible Agency under CEQA must rely on the City's MND.

See **Attachment E** for the City's environmental documents.

In October 2019, LAFCO staff submitted a comment letter on the City's Notice of Intent to Adopt a MND for the proposal. LAFCO's letter requested more detailed evaluation of the project's anticipated impacts on existing services, utilities, and facilities and noted that without such information, it is premature for LAFCO to consider an USA amendment proposal or its associated environmental impacts. LAFCO's letter also questioned the timing of the environmental review and the USA amendment application because the City was, at that time, in the process of updating its General Plan, and urged the City to not approve the proposed MND.

The City considered LAFCO's comment letter and prepared a response but made no significant changes to the MND or to their approval process. The City responded that the proposal was consistent with its existing General Plan 2020. In January 2020, the City Council voted to seek LAFCO approval on the USA amendment proposal and the City adopted its new 2040 General Plan in November 2020. The City submitted the USA amendment application to LAFCO in April 2021.

Thus, LAFCO received a conceptual proposal that was analyzed and approved by the City under a General Plan that was no longer current when LAFCO received the proposal. In addition, it appears the City is still in the process of updating its Zoning Ordinance consistent with its current General Plan, and is yet to update its master plans for critical services such as fire, water, sewer, stormwater drainage. All of this has created confusion during application review and required significant time and effort for LAFCO staff to try to reconcile inconsistent information and piece together the applicable information.

Furthermore, the conceptual nature of this proposal and the lack of details on service provision limits a full review of the proposal by LAFCO at this stage. The USA amendment process is the only opportunity for LAFCO to evaluate whether it is appropriate to include the land for urbanization because once the land is included in the City's USA, LAFCO approval is not required for annexing the land to the city. Therefore, if sufficient details are not available at the time of CEQA analysis and USA amendment application, it hinders LAFCO's ability to properly analyze the application. See **Attachment B** for LAFCO's comment letter on the City's Notice of Intent to Adopt a MND and the City's response.

#### CONSISTENCY WITH LAFCO POLICIES

## **Availability of Vacant Lands within Existing Boundaries**

The City of Gilroy seeks to expand its USA in order to annex and develop residential and other related commercial uses in the proposal area.

In order to promote compact infill development; and prevent sprawl and the premature conversion of agricultural land, State law and LAFCO policies encourage the development of vacant or underutilized lands within existing city boundaries and discourage USA expansions when a city has more than a 5-year supply of vacant land within its existing USA. An USA includes lands that a city intends to annex for development and provide with urban services within a period of 5 years.

The amount of vacant land already within the USA and the amount of future growth the land could support is therefore of vital importance in determining whether the addition of more land for urban uses is necessary or premature. Historically and by past practice, the analysis to determine this involves the following three steps:

- Preparation of an inventory of all vacant or underutilized land (i.e., lands that have no active building permit and are undeveloped and/or underutilized) designated for the proposed uses within the city.
- Determination of the number of units that could potentially be built on the land based on the maximum potential buildout permitted by the city's land use and zoning designations for the land.
- Calculation of the rate of absorption of the vacant land or years of supply based on a 10-year average of the city's building permit activity. (vacant acreage divided by number of units per year equals years of supply)

## **City's Residential Vacant Land**

Over the course of this application review, the City of Gilroy has submitted a total of 3 residential vacant lands inventories – the first one (dated 2/3/21) was included in the original application material submittal. In December 2021, the City submitted a second updated inventory (dated 12/7/21) indicating that its inventory has changed as it has permitted a significant number of new units.

In response to LAFCO staff's request for information on acreages of the vacant land identified in the second inventory, the City submitted an entirely new third inventory dated 10/18/22. While the first two inventories were generally in accordance with LAFCO's methodology for inventorying vacant land and used LAFCO's definition for vacant land, the third inventory excluded underutilized land, thus significantly reducing the inventory as seen in **Table 3** below.

Table 3. City of Gilroy's Vacant Lands Inventories

City's Vacant Lands Inventories	# of Vacant residential lots
February 3, 2021	2,828
December 7, 2021	2,480
October 18, 2022	1,728

The City has indicated that it removed underutilized properties from its 10/18/22 vacant land inventory consistent with the California Department of Housing and Community Development's (HCD) definition of vacant land. However, this is inconsistent with LAFCO's methodology for inventorying vacant land which LAFCO has used historically, and that the City itself has used in its first two inventories. The reason LAFCO's definition of vacant land includes underutilized land is to promote more efficient use of such land within the city's current boundaries prior to adding

more lands to the city's boundaries, which is different from HCD's intent and requirements.

LAFCO staff has therefore used the vacant land information submitted by the City in its 12/7/21 inventory as depicted in **Table 4**.

Since the City has not provided acreage information for the identified vacant/underutilized land in its 12/7/21 inventory, it is not possible to calculate the maximum number of housing units that could potentially be developed on these lands. Instead, the City has provided an estimated number of developable lots within each land use designation. The City estimates that approximately 2,480 residential units in total could be built on the vacant or underutilized land designated for residential uses within the City.

**Table 5** includes the number of building permits issued annually by the City of Gilroy over a 10-year period. Based on this information the City has on an average issued 297 building permits for new housing units annually.

Therefore, there is at least an 8-year supply of vacant land designated for residential uses already within the City's USA. (2,480/297= 8.35). That is, the city has adequate land to accommodate future residential growth for approximately 8 years.

Table 4. City of Gilroy Residential Vacant Lands Inventory 12/7/21

Residential Land use Designations	Allowed Density or Units	City Estimated Developable Units
Hillside Residential	<1 - 4 units/acre	172
Low Density Residential	3-8 units/acre	123
Medium Density Residential	8-20 units/acre	78
High Density Residential	20+ units/acre	500
Mixed Use	20-30 units/acre	143
Hecker Pass Specific Plan	Not provided	72
Glen Loma Ranch Specific Plan	1,693*	483
Downtown Gilroy Specific Plan	1,576*	909
Total		2,480

<sup>\*</sup>Per the City's vacant lands inventory, out of the 1,693 units awarded to the Glen Loma Ranch, 792 units are constructed or have building permits; and out of the 1,576 units projected in the Downtown Gilroy Specific Plan, 667 have been constructed

Table 5. City of Gilroy Ten-Year New Residential Building Permit Activity

Year	New Residential
	<b>Building Permits Issued</b>
2012	268
2013	218
2014	241
2015	693
2016	321
2017	445
2018	103
2019	163
2020	243
2021	275
10-year average	297

# City's Rationale for USA Expansion

When a city with a substantial supply of vacant land within its boundaries wants to include more lands, LAFCO policies require the city to explain why expansion is necessary, why infill development is not undertaken first, and how orderly, efficient growth patterns will be maintained.

The City's rationale is included in its cover letter (**Attachment F**). In summary, the City has indicated that it anticipates that much of the current vacant and underutilized land in the City will be entitled over the next five years before the Wren Investors/ Hewell property has completed its lengthy entitlement process. The City states that bringing the Wren Investors/Hewell property into Gilroy's USA is needed to maintain a healthy supply of land in the city to meet future housing needs and accommodate the City's Regional Housing Needs Allocation (RHNA) for the current and upcoming planning period.

# **LAFCO Staff Analysis**

Per the Association of Bay Area Governments (ABAG)'s allotment, Gilroy's RHNA for the 8-year planning period (2023-2031) is 1,773 units which is approximately 222 units/year. RHNA is required to among other things, promote infill development; protect environmental and agricultural resources; encourage efficient development patterns; and achieve greenhouse gas reduction targets – goals that are shared by LAFCO. RHNA must also be consistent with the growth pattern from the region's long-range plan for transportation, known as **Plan Bay Area 2050**, which calls for creating compact, walkable communities by promoting high-density housing and mixed-use development near transit stations and in existing urban areas. The City's proposal to add more rural, largely undeveloped land to the City would divert resources away from areas already within the city such as the downtown area, and

would be in conflict with RHNA's and the Plan Bay Area's objectives of first encouraging development of underutilized lands in urban areas.

Furthermore, lands that the City annexed over 40 years ago have yet to be fully developed, such as the Glen Loma Ranch. The USA is a 5-year boundary.

Based on the vacant lands analysis, it appears that the city can conservatively accommodate at least 297 units annually for the next eight years and satisfy its market absorption rate for new residential development.

#### **Commercial Vacant Land**

The City has stated that there are currently 207.77 acres of vacant commercial land within the city. The City has indicated that over a 10-year period (2009 – 2019), the City has approved 8.73 acres of commercial uses or an average of 0.87 acre per year. Based on this absorption rate, the City has adequate commercial land to serve future growth for 234 years. However, the City has stated that the proposed commercial development is intended to serve residential uses in the Neighborhood District, whereas the existing vacant land does not serve this purpose.

# Impacts to Agricultural Lands and Growth Inducing Impacts

The majority of the proposal area consists of vacant and underutilized lands, with the remaining lands containing some rural residential development. The proposal area includes a small amount (3.5 acres) of prime farmlands (containing Class II soils and/or soil with a rating of 81 through 100 on the Storie Index rating). As seen on the map (**Attachment C**), these prime farmlands are scattered across the proposal area. No farming operations were observed in the proposal area.

The proposal area is located in the "Agricultural Resources Area" (ARA) per the Santa Clara Valley Agricultural Plan, a joint plan to conserve Santa Clara Valley's farmland and ranchlands as an innovative climate mitigation and economic development strategy. The proposal area is also currently zoned for agricultural uses in the County of Santa Clara's Zoning Ordinance. The proposal area does not include any lands that are under a Williamson Act contract.

Adjacent unincorporated lands to the north and west of the proposal area are also zoned for agricultural uses in the County of Santa Clara's Zoning Ordinance. However, these lands include primarily rural residential development and vacant lands.

Extending road, sewer, water and storm drain infrastructure to the proposal area will result in these facilities and infrastructure now being located closer to rural unincorporated lands that are not currently planned for or proposed for urban development. This could increase development pressure on those adjacent unincorporated lands. The proposal will not significantly impact agricultural lands or open space land but could increase development pressures in the surrounding area.

# Logical, Orderly, and Efficient Boundaries

The proposal is bound on the east, south and southwest by the Gilroy City Limits and the City's USA. The proposal would not create any islands, peninsulas, or other irregular boundary configurations which would be illogical and/or difficult to serve due solely to the geography.

# **Annexation of Unincorporated Islands**

In the interest of encouraging orderly growth and development, LAFCO's Island Annexation Policies state that cities should annex urban unincorporated islands existing within their current USAs, before seeking to add new lands to their USAs.

The City of Gilroy has five unincorporated islands within its USA, most of which have existed for over a decade or more. See **Attachment D** for maps of the Gilroy's unincorporated islands. These islands range in size from approx. 1 acre to 76 acres. In 2011, LAFCO staff inquired on the City's plans for islands GR01 through GR04. **Table 6**, summarizes the City's response to that inquiry. The island referred to as GR05 was not known at that time. GR05 was first identified as a potential unincorporated island in 2017 and subsequently verified by LAFCO staff, as part of a County of Santa Clara and LAFCO staff joint review of GIS boundary data discrepancies.

Table 6. Gilroy Unincorporated Islands

County Island ID#	Acres	Land Use	City's position on island per Response Dated 11/8/2011
GR01	76.5	Vacant lands, farming, nursery, rural residential, concrete company	Will wait for property owner(s) to initiate annexation
GR02 <sup>1</sup>	12.5	Single Family Homes, Vacant Lands, and Drainage Channel	Will not annex, exclusion from USA should be considered
GR03	16.5	Farmland and trail/open space	Will wait for property owner(s) to initiate annexation
GR04	1	Single Family Home	Will wait for property owner(s) to initiate annexation
GR05	.1	Vacant Lands	Island was only discovered by LAFCO staff in 2017

Notes: <sup>1</sup>City noted that it does not intend to annex GR02 and that there is not clear purpose for the City to engage in the cost and staff time to amend the USA to delete the property.

# Service Review and Sphere of Influence

The proposal area is located within the City's SOI. LAFCO conducted a service review for the City of Gilroy in 2015. Since then, the City has adopted a new General Plan and an Urban Growth Boundary (UGB). The proposal does not conflict with any specific service review determinations.

# Gilroy Urban Growth Boundary

On November 8, 2016, Gilroy voters approved Measure H, a ballot measure that amended the City of Gilroy General Plan to establish an Urban Growth Boundary (UGB) line and designated almost all land outside the UGB as Open Space. Measure H is in effect through December 31, 2040. The Gilroy UGB includes over 1,000 acres of unincorporated lands that are located outside of the City's current USA boundary, and more than half of these lands were designated as Prime Farmland or Farmland of Statewide Importance by the State Department of Conservation at that time. See **Attachment A** for map of the Gilroy boundaries, including the UGB.

Under the approved Measure H, the City cannot approve development outside the UGB without further action by the voters or by the City Council. However, Measure H does include certain exceptions for public parks, public educational facilities (such as public schools and public colleges), and public wastewater, sewer, storm drain, and water recycling facilities, as well as certain open space uses. Thus, until December 31, 2040, land outside the UGB generally could be redesignated only by a vote of the people. However, under Measure H the City Council could also redesignate land outside the UGB in three limited situations for which the Council would have to make specific findings. These exceptions involve affordable housing, limited acreage for industrial job creation, or to avoid a taking of private property.

The proposal area is located within the City's UGB.

# Consistency with Gilroy General Plan 2040 Policies

On November 2, 2020, the City adopted its new General Plan 2040, which anticipates the addition of approximately 1,177 acres, including the proposal area, into the Gilroy city limits. Prior to the City's adoption of its new General Plan, LAFCO as a Responsible Agency under CEQA reviewed and provided multiple comment letters (February 28, 2020, August 10, 2020, August 12, 2020, and October 26, 2020) on the City of Gilroy 2040 General Plan Environmental Impact Report.

LAFCO's August 2020 comment letters raised concerns about the adequacy of the environmental analysis as it relates to police, fire protection, water, and wastewater services and facilities, and questioned the dated master plans (from 2004). The City referenced these plans in its CEQA analysis and indicated that the City would update these plans after the General Plan Update.

**Policy LU 1.1** calls for the City to ensure an orderly, contiguous pattern of development that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities. **Policy LU 1.2** calls for

the City to encourage new residential development to locate within the existing Urban Service Area prior to considering expansion of the Urban Service Area. **Policy LU 1.3** calls for the City to encourage new commercial and industrial development, assuming available land supply, to first locate within the USA; and to second locate outside of the USA, if a proposed project is too large or properties within the USA are unable to accommodate the proposed development and following approval of a General Plan Amendment (if necessary) and a successful USA amendment. **Policy PFS 1.2** calls for the City to carefully consider the fiscal implications of land use decisions that would result in service expansions to avoid significant negative fiscal impacts unless necessary to achieve other critical City objectives.

The proposal is inconsistent with the first three stated policies, based on the fact that the City already has more than a five-year supply of vacant or underutilized residential lands within its USA; therefore, the proposal does not represent orderly growth at this time. The proposal is inconsistent with the fourth stated policy, as the City has not adequately demonstrated the ability to provide and fund requisite urban services to the proposal area without reducing service levels to residents within its current boundaries. Please see sections below on "City's Ability to Provide Services" and "Fiscal Impact to the City of Gilroy and Affected Agencies" for further information.

# **Consistency with County General Plan Policies**

**Policy C-GD 1** states that most of the future urban growth should be accommodated within the existing urban areas, through infill development, rather than through expansion into hillsides and resource areas. **Policy C-GD7** states that urban expansion should be planned on a staged, orderly basis, consistent with applicable City and County plans and the availability of urban services; and also states that the discouragement of expansion of cities' USAs should be recommended to the LAFCO. **Policy G-GD 8** states that USA proposals should only be approved if the City and school districts have the ability to provide all public services within a five-year period, if the existing USA accommodates no more than five years of planned growth, and if the area is contiguous to existing urbanized areas.

The proposal is inconsistent with all three of these policies, based on the fact that the City already has more than a five-year supply of vacant or underutilized residential lands within its USA; therefore, the proposal does not represent orderly growth at this time. Furthermore, the City has not adequately demonstrated the ability to provide and fund requisite urban services to the proposal area without reducing service levels to residents within its current boundaries. Please see section below on "City's Ability to Provide Services" for further information.

## Consistency with the Regional Transportation Plan

On October 21, 2021, a new Regional Sustainable Communities Strategies – Plan Bay Area 2050 was adopted by ABAG/MTC which continues to call for creating compact, walkable communities by promoting high-density housing and mixed-use development near transit stations and in existing urban areas. The Plan also

supports policies and programs that encourage redevelopment of underutilized land in urban areas.

Plan Bay Area 2050 identifies Growth Geographies (i.e., geographic areas) which are used to guide where future growth in housing and jobs would be focused under the Plan' strategies over the next 30 years. These geographies are identified either by the local jurisdiction or because of their proximity to transit or access to opportunity. Plan Bay Area 2050 has identified some lands in downtown Gilroy as a Priority Development Area and as a Transit-Rich Area. The proposal area and the anticipated residential development is not located within any of the abovementioned targeted growth geographies or within the City's existing urban footprint, as encouraged by Plan Bay Area 2050.

# City's Ability to Provide Services

The City's Fiscal Impact Analysis projects that the annexation and future development of the subject site is expected to result in the development of 307 housing units and an addition of 1,075 persons (based on the City's average household size of 3.5 persons per household) to the City's population which would contribute to a city-wide increase in demand for public services over existing conditions.

However, no specific development of the subject site is proposed at this time and the timeframe for service delivery is unknown. Upon annexation, the City estimates that the entitlement process would take 5 years from the date a specific plan application is submitted.

The following is a summary of service impacts on the City and the City's plan for providing and funding service to the future development.

## Fire Service

The South Santa Clara County Fire Protection District (which contracts with Cal Fire) currently provides fire protection services to the subject area. Upon USA amendment and annexation to the City of Gilroy, the City would provide fire protection services to the subject area.

The City has not established level of service/response time goals for fire service provision. However, according to the <u>Gilroy Fire Department 2019 Master Plan Update</u> (dated November 14, 2019 and available on the City Website), "overall first-due call-to-arrival performance is significantly slower than best practice standards to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies".

The City is currently served by three fire stations and has a development agreement with the Glen Loma Development Group (signed in 2004 and amended in 2018) to fund construction of a 4<sup>th</sup> station in the southwestern part of the City. The City indicates that the timeline for the construction of the 4<sup>th</sup> station is unpredictable as it is tied to the issuance of the 1,100<sup>th</sup> Glen Loma building permit. Per the City's vacant land inventory, only 792 Glen Loma building permits have been issued so far.

As noted in the <u>City of Gilroy's Capital Improvement Plan for FY 2021-2025 (CIP)</u>, adopted on November 16, 2020, the project was delayed for several years due to the Great Recession and due to large increases in construction costs. The City and the developer agreed to wait until construction costs came down or until the City could provide gap funding to assist with constructing the fire station. On November 18, 2019, the City approved an allocation of \$2.9M from its General Fund towards the fire station project, however that amount was reassigned to other needs due to the City's financial situation. The remaining additional fire station construction costs are estimated at \$6,438,100 for a total cost of over \$9 M. The 4th fire station remains unfunded in the FY 2021-2025 Capital Improvement Plan and is expected to be funded beyond FY25, when the Glen Loma development agreement provision is triggered.

As an interim means of providing services, the City has indicated that since mid-2020, it has been operating a part-time fire company with 2-person staffing out of a City facility (TEEC Building) located at Christmas Hill Park. However, this facility lacks the necessary amenities to house a full-time fire crew and the location is not ideal for emergency response. To better meet service demand, on October 17, 2022, the City Council approved a contract in the amount of \$204,908 to fund the construction, installation and a 3-year lease of an interim fire station modular building which is anticipated to be set up by late February or early March 2023. The funding for construction of this temporary station is from the Glen Loma Development which agreed to forgo the construction of McCutchin Park within the Glen Loma Development and transfer what it would cost to construct the park (\$2.3M) to the City's Capital Projects Fund. The City would use that amount to fund the interim fire station and partially fund the future permanent fire station. The City has not provided information on how it plans to fund staffing and station operations at the fire station.

Additionally, as noted in the City's CIP, a 2016 Needs Assessment Report indicated the Las Animas Fire Station and the Chestnut Fire Station both require a significant seismic retrofit/remodel and numerous upgrades to be compliant with the Essential Services Buildings Seismic Safety Act (ESBSSA) – these remain unfunded in the City's CIP.

The proposed USA amendment, annexation and future development would result in an increase in call volume within the City's service area. The City has not prepared analysis on the potential impacts of the anticipated development on fire service provision (such as impact on response times, the need for new or additional facilities, apparatus, and staffing) and has not adequately demonstrated its ability to provide and fund fire protection services to the subject area without reducing service levels to residents within its current boundaries.

The City's Plan for Service noted that the future development on the site would be subject to a development impact fee to fund infrastructure improvements but did not provide any further specifics. The Plan for Service only notes that future staffing of the fire department would be derived from the City's General Fund.

## **Police**

The City of Gilroy Police Department will provide service to the subject area upon USA amendment, annexation and development of the proposed uses. The City has not established measurable standards for level of service goals for police services. The City has indicated that future development of the subject site would increase the number of calls received by the City's police department. The City has indicated that as the number of residences and businesses increase, staff within the police department would need to increase proportionately to maintain adequate service levels, however the City has not provided any specific estimates.

The City's Plan for Service noted that the future development on the site would be subject to a development impact fee to fund equipment and facility upgrades but did not provide any further specifics. The Plan for Service notes that future staffing of the police department would be derived from the City's General Fund.

The City has not prepared specific analysis on the potential impacts of the anticipated development on police service provision (such as the need for additional facilities, apparatus, equipment, and staffing) and has not adequately demonstrated its ability to provide and fund law enforcement services to the subject area without reducing service levels to residents within its current boundaries.

#### Wastewater

Upon inclusion in the USA and annexation, the City of Gilroy would provide wastewater collection and the South County Regional Wastewater Authority (SCRWA), a joint powers authority comprising the cities of Gilroy and Morgan Hill, would provide wastewater treatment to the proposal area.

The proposed project would result in increased wastewater flows and require the development of new wastewater collection lines within the proposal area.

## Capacity at SCRWA

SCRWA's wastewater treatment plant is currently permitted to treat up to 8.5 million gallons per day (mgd) of wastewater average dry weather flow. According to the City, SCRWA's current average dry weather flow is 6 mgd, including flows from both the City of Gilroy and the City of Morgan Hill. The City of Gilroy's allocated share of capacity at SCRWA is 4.9 mgd and the City's current average dry weather wastewater flow to SCRWA is 3.16 mgd. The City estimates that future development of the proposal area may result in 72,000 gpd (.072 mgd) in wastewater flow, a very small increase in the City's flow. However, the City has approved many developments that could be completed within the next few years that will need wastewater service.

The SCRWA staff recently projected that the requisite wastewater treatment plant flow will be 8.42 mg in 2025, 9.26 mgd in 2030, and 10.1 mgd in 2035, based on a 10-year average daily wastewater flow factor using population data; and projected that the wastewater treatment plant flow will be 8.51 mgd in 2025, 9.31 mgd in 2030, and 10.31 mgd in 2035, based on City permit data.

In order to meet those anticipated flows, efforts to expand SCRWA's treatment plant began in 2021 to increase the plant's capacity to 11 mgd average daily wastewater flow. According to the City, the expansion is approximately 37% to 42% complete. The City of Gilroy's 2021-2025 Capital Improvement Program (CIP) states that the total cost of the expansion is estimated at \$69.9 Million, with the City of Gilroy responsible for \$38.4 Million of the total cost and the City of Morgan Hill funding the remaining \$31.5 Million.

The CIP states that the City of Gilroy's share will be funded from the Sewer Impact Fee Fund (\$16.4 Million) and Sewer Enterprise Fund (\$1 Million); and depending on the exact timing of the project and other Sewer Impact Fee funded projects, the City may elect to issue bonds (\$21 Million) to fund it.

#### **Collection Infrastructure**

According to the City's Plan for Services, future development on the project site would connect directly to existing City of Gilroy infrastructure immediately adjacent to the project site, specifically the Joint Morgan Hill-Gilroy Trunk which runs along the eastern boundary of the project site. However, according to the City's 2004 Sewer Master Plan, modeling of the system shows that during wet weather flow conditions, the Trunk becomes deficient when current Morgan Hill flows are introduced. This represents a major existing deficiency in both cities' wastewater treatment service.

The City's Plan for Services indicates that a relief trunk line is being constructed from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass and Renz Land in the City of Gilroy. However, the relief trunk line is only partially constructed at this time, from California Avenue to Highland Avenue. Additionally, the City of Morgan Hill and the City of Gilroy partnered to build the relief trunk line from the wastewater treatment plant to Renz Avenue in Gilroy. However, the relief trunk line between Highland Avenue and Renz Avenue remains incomplete. According to the City of Gilroy's 2004 Sewer Master Plan, the City of Morgan Hill is the responsible entity for funding this remaining reach of relief trunk line.

In response to our recent inquiry on the status of the trunk line, the City of Gilroy reported that the City of Morgan Hill is managing the project and that the design for this section of the relief trunk line is nearly 100% complete. The City of Gilroy informed LAFCO staff that construction of the remaining reach will cost the City of Morgan Hill \$30M and that Morgan Hill has identified the necessary funding through a combination of sewer impacts fees from new development and Morgan Hill ratepayer fees and that it plans to commence construction beginning in the next 2 fiscal years, with approximate completion within the next 5 years.

Until this remaining section of the relief trunkline is complete, the City of Gilroy's ability to provide the necessary wastewater services to future development in the proposal area remains uncertain.

The City has stated that the applicant would be required to participate in the Sewer Development Impact Fees for the construction of the sewer system. The construction and financing of onsite infrastructure for the project site would be the responsibility of the applicant. The City, as owner of the new sewer infrastructure, would be responsible for costs associated with future maintenance. The City has stated that it would establish a Community Facilities District (CFD) for the proposed project to help defray the costs of maintenance and new infrastructure. The City however, has not provided any specifics on the extent of the off-site improvements that would be required to support the anticipated development, including the estimated number of miles, sizes, and locations of the new pipes.

# **Stormwater Drainage**

The City of Gilroy's 2004 Storm Drain Master Plan provides a blueprint for the expansion and maintenance of the City's storm drainage infrastructure. The City's current Capital Improvement Plan for FY 2021-2025 (CIP) identifies various drainage improvements, and storm drain system extension and replacement projects within the city, many of which are recommended in or support the City's 2004 Storm Drain Master Plan. The estimated cost of the storm drain projects identified in the City's CIP totals over \$15M. Many of these projects are eligible for funding through the City's Storm Drain Development Impact Fee which is used to finance the construction of drainage collection and distribution systems and the expansion or improvement of system capacity. The current 5-year CIP funding includes only a few (total cost approximately \$800,000) of the identified storm drain improvement projects; the majority are assigned a low priority within the current 5-year CIP and are unfunded.

The City's Plan for Services notes that future development of the site would result in an increase in storm water runoff and concludes that it would not exceed the capacity of the City's storm drain system infrastructure beyond that already identified in the 2004 Storm Drain Master Plan, and that the existing and planned City infrastructure would be sufficient to accommodate the increase in storm water. However, no detailed information is provided on the estimated increase in runoff to establish the impact on the City's existing infrastructure or need for additional capacity. The City's Plan for Services notes that the developers would be required to participate in the Storm Drain Development Impact Fee program and would be responsible for construction and financing of onsite infrastructure for the project site.

## Water Supply and Service

Upon inclusion in the USA and annexation, the City would provide water service to the proposal area.

## **Projected Water Supply and Demand**

The City's Plan for Services indicates that the water demand from the proposal area would be 142 acre-feet per year (AFY).

According to the City's 2020 Urban Water Management Plan (UWMP), the City currently uses local groundwater as the sole source of water supply. However, the sustainability of the City's groundwater supply is dependent on raw water deliveries negotiated and imported by Santa Clara Valley Water District to the Llagas Subbasin. These deliveries are intended to recharge the groundwater aquifer. Groundwater in the Llagas Subbasin is also shared with the City of Morgan Hill and other users, as presented in the table below.

Table 7. Llagas Subbasin: Projected Water Supply & Demand Acre Feet/Year (AFY)

	2025 (AFY)	2045 (AFY)
Supply	•	
Llagas Subbasin	47,320	48,342
Demand		
Gilroy	8,646	11,645
Morgan Hill	6,301	8,337
Other Users	32,019	27,390
Total Demand (All Users)	46,966	47,372
Difference (Supply-Demand)	354	970

Source: City of Gilroy Final 2020 Urban Water Management Plan (UWMP) October 2021, Page 7-5

From the **Table 7**, the water supply from the Llagas Subbasin will exceed (by a small margin) the average combined demands of Gilroy, Morgan Hill, and other users through 2045.

Table 8. City of Gilroy Projected Water Supply & Demand

	2025	2030	2035	2040	2045
Projected Water Supply	1	1	4	П	1
Normal Year	23,676	24,069	24,464	24,464	24,464
Single Dry Year	19,273	19,669	20,064	20,064	20,064
Multiple Dry 1st Year	18,833	19,229	19,624	19,624	19,624
Multiple Dry 2nd Year	19,933	20,329	20,724	20,724	20,724
Multiple Dry 3rd Year	18,613	19,009	19,404	19,404	19,404
Multiple Dry 4th Year	18,833	19,229	19,624	19,624	19,624
Multiple Dry 5th Year	18,613	19,009	19,404	19,404	19,404
Projected Water Demand					
Normal and Dry Years*	10,319	11,383	12,498	13,273	14,109

Source: City of Gilroy Final 2020 Urban Water Management Plan (UWMP) October 2021, Pages 7-4 and 7-6

From the **Table 8**, groundwater supplies are adequate to meet the City's projected demand needs into the future, regardless of hydrologic conditions. Although by

<sup>\*</sup> includes recycled water demand

2035, demand is expected to exceed 50 percent of the assumed groundwater supplies available to the City under normal conditions and exceed 60 percent of the assumed groundwater supplies available to the City under single dry year and multiple dry years conditions.

## Water Infrastructure

The City extracts groundwater from the Llagas Subbasin for its water supply needs using nine active groundwater wells. The City's UWMP states that as such, the only method available to provide additional supply capacity for growing demand is the construction of new wells.

The City's water system facilities also include 10 potable water storage tanks, six active booster stations, and over 120 miles of pressurized pipes ranging from 4 inches to 30 inches in diameter.

According to the City, future development of the project site would require new onsite water supply infrastructure that would connect directly to existing City of Gilroy water mains adjacent to the project site.

The City has stated that the applicant would participate in the water development impact fee which would offset the project's share of existing and proposed citywide infrastructure improvements that enable delivery to the site, such as new wells. The applicant would also be required to fund and construct the onsite water pipelines/infrastructure and the offsite connecting pipelines and dedicate them to the City. The City, as owner of the new water infrastructure, would be responsible for costs associated with its future maintenance. The City has stated that it would establish a Community Facilities District (CFD) for the proposed project to help defray the costs of maintenance and new infrastructure.

The City however, has not provided any specifics on the extent and costs of the offsite improvements that would be required to support the anticipated development, including the estimated number of miles, sizes, and locations of the new pipes.

#### **Schools**

The subject site is located within the service boundaries of the Gilroy Unified School District. The City's Plan for Services estimates that the USA amendment, annexation, and future development of the subject site would generate a total of 101 students, including 51 students in grades K-5, 20 students in grades 6-8, and 30 students in grades 9-12. The schools nearest the subject site are Antonio Buono Elementary School (closed in 2020 due to declining enrollment), Christopher High School, Brownell Middle School, and Rucker Elementary School.

The City's plan for Service does not indicate whether the school district would require new facilities and staffing to accommodate and serve the increased student population but notes that developers of the new residential development would be responsible for the payment of school impact fees to accommodate the increased number of students. The City's Fiscal Impact Analysis does not include an analysis of potential fiscal impacts on the school district.

The City has not adequately demonstrated the school district's capacity to serve the anticipated increase in student population.

#### Roads

The City's Plan for Service states that new streets, additional lanes on existing streets and new signal lights would be necessary to accommodate new traffic that would be generated by future development upon USA amendment and annexation of the subject site. The project proposes approximately 12.9 acres of new roads.

Farrell Avenue would be extended westward into the project site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. Two additional access points would provide access to the northern portion of the Wren Investors site, one along Wren Avenue, north of Farrell Avenue, and one along Vickery Avenue. St. Clair Avenue would be extended eastward into the project site, forming a four-legged intersection at Kern Avenue, and connecting to Ronan Avenue, just west of Wren Avenue. This new roadway extension, in addition to Tatum Avenue, would provide direct access to the southern portion of the project site and as well as an alternate connection between Wren and Kern Avenues. The following intersections will need to be signalized: Monterey Road and Day Road, Wren Avenue and Welburn Avenue, Monterey Road and Buena Vista Avenue, and US 101 Southbound Ramps and Masten Avenue. Additionally, a second westbound turn lane will be added at Monterey Road and Masten Avenue/Fitzgerald Avenue.

According to the City's Plan for Services, these improvements are planned for in the City's 2004 Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at these intersections.

The City's current Capital Improvement Plan for FY 2021-2025 (CIP) identifies various roads, streets, bridges, traffic signals and related maintenance and improvement projects within the city, many of which are recommended in or support the City's TCMP. The estimated costs of these projects identified in the City's CIP totals approximately \$118M, a small fraction of which (approximately \$25M) are funded in the current CIP; the remaining are unfunded.

#### Park and Recreation Facilities

The City has established a standard of five acres of developed park land per thousand population. The City indicates that it currently meets this goal as there are approximately 371 acres of parkland in the city.

The USA amendment, annexation and future development of the subject site could result in 1,075 new residents. The City indicates that the development would be required to dedicate at least 1.075 acres of parkland within their development.

# **Library Services**

The City of Gilroy is a member of the Santa Clara County Library District Joint Powers Authority which provides library services to 9 cities and the unincorporated county area. The City of Gilroy manages and owns the Gilroy Library facility that is governed by the County Library District. The County Library system is funded through property tax revenues and a special tax levied through a Community Facilities District in the same geographic area included in the Library JPA. The City has indicated that the demand for library services would increase as a result on the USA amendment annexation and future development of the subject site. The City's Plan for Service states that the increased demand could be accommodated within the existing facility. However, it also notes that the City's public facilities impact fee would include a development impact fee for new and upgraded library facilities.

# Lighting

According to the City's Plan for Services, upon annexation, public lighting for future development on the subject site would be provided and maintained by the City of Gilroy. The Plan notes that the City is permitted to establish an assessment district to fund acquisition, construction, and maintenance of public lighting along streets.

#### Solid Waste

The City's Plan for Services notes that future development of the site would result in an increase in waste generation, specifically an increase of approximately 6,270 pounds of solid waste per day, based on a waste generation rate of 5.8 pounds/person/day.

The City of Gilroy has a franchise agreement with Recology South Valley (RSV) to provide solid waste services. RSV also serves the Morgan Hill and the surrounding unincorporated southern Santa Clara County. RSV provides solid waste, recycling, composting, and street sweeping programs for residential customers and solid waste and recycling program for commercial customers.

The City's Plan for Services notes that RSV would continue to provide solid waste pick up upon development of the proposal area.

## Fiscal Impact to the City of Gilroy and Affected Agencies

The City of Gilroy prepared a Fiscal Impact Analysis to determine the fiscal impact of the proposed USA amendment, annexation, and future development of the site on the City of Gilroy and on the County of Santa Clara. The analysis estimates the increased per capita expenditures associated with the future development and the increased revenues resulting from it, and projects that the proposed development would create an annual deficit of \$107,122 initially for the City which would grow over the years to an annual deficit of \$166,681 by Year 10 as seen in **Table 9**.

Similarly, the analysis estimates that annexation and future development of the site would create a negative fiscal impact on the County.

The City has not prepared analysis to evaluate the fiscal impacts on the Gilroy Unified School District.

Table 9. Projected Fiscal Impacts of Future Development

	Year 1 Impacts	Year 5 Impacts	Year 10 Impacts
City Expenditures	\$709,533	\$798,585	\$925,780
City Revenues	\$602,411	\$663,600	\$759,098
City Impacts	(\$107,122)	(\$134,985)	(\$166,681)
County Expenditures	\$858,120	\$965,822	\$1,119,652
County Revenues	\$824,052	\$909,129	\$1,028,481
<b>County Impacts</b>	(\$34,068)	(\$56,693)	(\$91,170)

The City has indicated that it would require the establishment of a Community Facilities District to mitigate the impact of providing services to the project site. In response to LAFCO staff's request for more details about the CFD, the City has indicated that the cost of all services (except landscaping and lighting) such as fire/police facilities and infrastructure, water and sewer system improvements, streets and park facilities would be covered by the CFD. However, the City has not provided an anticipated cost of service provision, or an estimate for revenues to be collected through the CFD. The City anticipates that the property owner/ developer would agree to participate in the CFD prior to selling individual parcels/housing units.

Given the lack of specific information about service needs and the anticipated costs that would be covered by the CFD, it is not possible to evaluate its financial feasibility.

## STAFF RECOMMENDED ACTION

## **OPTION 1: STAFF RECOMMENDATION**

#### **Project Action**

Deny the USA amendment request.

# **Reasons for Staff Recommendation**

The proposed USA amendment would allow annexation of the property and its future development for residential uses in the City. However, at this time no specific development is proposed and there is no estimated timeline for a development proposal.

The USA is a 5-year boundary and includes only those lands that the City plans to annex and has the ability to provide the requisite urban services, infrastructure and facilities within the next five years. Inclusion of lands within a city's USA results in those lands being committed in perpetuity for urban development. Therefore, it is

crucial to ensure that infrastructure, services and funds needed to develop the area are or will be available to the City.

It appears the City currently has some service challenges. For example, the City needs at least one new permanent fire station, without which the City's overall fire and emergency response times will remain significantly slower than best practice standards. Funding for that future station is dependent on the further development of the Glen Loma Ranch development, the timeline for which is uncertain. Additionally, as explained in this report, until the last section of the new sewer relief trunk line (between Highland Avenue and Renz Avenue) is complete, the City of Gilroy's ability to provide the necessary wastewater services to future development in the proposal area remains uncertain.

Based on the City's 2021-2025 CIP, it appears the City currently has a large backlog of deferred maintenance and upgrades of critical infrastructure, such as for roads, bridges, stormwater drains and fire stations, a vast majority of which remain unfunded in the next few years.

During its recent General Plan update process, the City has indicated that it would update its various master plans which date back to 2004 (sewer, water, fire and stormwater). Updating these master plans would provide a better assessment of the City's current and future service needs. However, these updates have yet to occur.

In addition to these current service needs and issues, per the City's Fiscal Impact Analysis, the anticipated development would result in an annual deficit for the City starting at \$107,122 initially and growing to \$166,681 by Year 10. The City indicates that it would create a CFD to address this deficit. It is unclear what specific services and infrastructure would be funded through the CFD and whether this will allow the City to provide the requisite services to the anticipated development without adversely impacting current service levels.

The City has not demonstrated that it has the ability to provide and fund urban services to the proposal area without detracting from current service levels within its existing boundaries. Adding more lands now to the City would increase the City's service needs, hinder the City's efforts to address current service needs, and create a deficit for the City.

The City has enough vacant or underutilized lands to accommodate at least the next 8 years of residential growth and many years of (234 years) of commercial development. The City also has five unincorporated islands within its USA, some of which contain undeveloped lands, which the City has yet to annex and serve. Approving rural lands for new development at the City's edge would likely divert the City's focus and its scarce resources away from facilitating infill development, such as in the City's downtown area. The development of its existing vacant lands will help minimize costs to the City's taxpayers for public infrastructure and services and will allow for more cost-efficient housing opportunities close to existing transit and services.

For all these reasons, the proposed expansion of the USA is premature at this time and does not represent orderly growth and development for the City.

The City should utilize existing lands within its USA and resolve its existing service and infrastructure needs, before seeking to add new lands to its USA.

## OTHER OPTION FOR COMMISSION CONSIDERATION

#### **OPTION 2:**

# **Project Action**

Approve the USA amendment request.

# Reasons for Not Recommending this Option

The proposal area does not significantly impact farmlands is located within the City's UGB, is contiguous to the existing city limits and is a logical future growth area for the City. However, the City already has more than 5 years (i.e., 8 years) of vacant or underutilized lands within its existing USA to meet its growth needs, including its RHNA. There does not appear to be a pressing need to expand the City's USA at this time. The next RHNA cycle will be from 2031- 2039. As the City approaches this cycle, the City will be in a better position to assess its land needs and service abilities. At which time, the City can determine whether an USA amendment is necessary and timely.

There are also significant concerns about the City's ability to provide and fund the requisite services and infrastructure to the proposal area without detracting from current service levels within the City and in areas that the city has already committed to annex and serve. Furthermore, the proposed USA amendment and development would create a fiscal deficit. While the City proposes to address this deficit with a CFD, the City's current service challenges and infrastructure maintenance backlogs will still need to be resolved.

Once the City has resolved its service and infrastructure issues and used more of its existing vacant or underutilized lands, the City will be in a better position to establish a need for expanding its USA and prepare a clearer Plan for Services and establish a means to fund said services. Until that time, the proposal is premature.

#### **ATTACHMENTS**

Attachment A:	Maps Depicting Proposal Area and Various City Boundaries
Attachment B:	LAFCO's Comment Letter on Proposed Mitigated Negative Declaration & City's Response to LAFCO's Letter
Attachment C:	Map of Prime Farmlands in Proposal Area and Surrounding Area
Attachment D:	Maps of Gilroy Unincorporated Islands (2020)

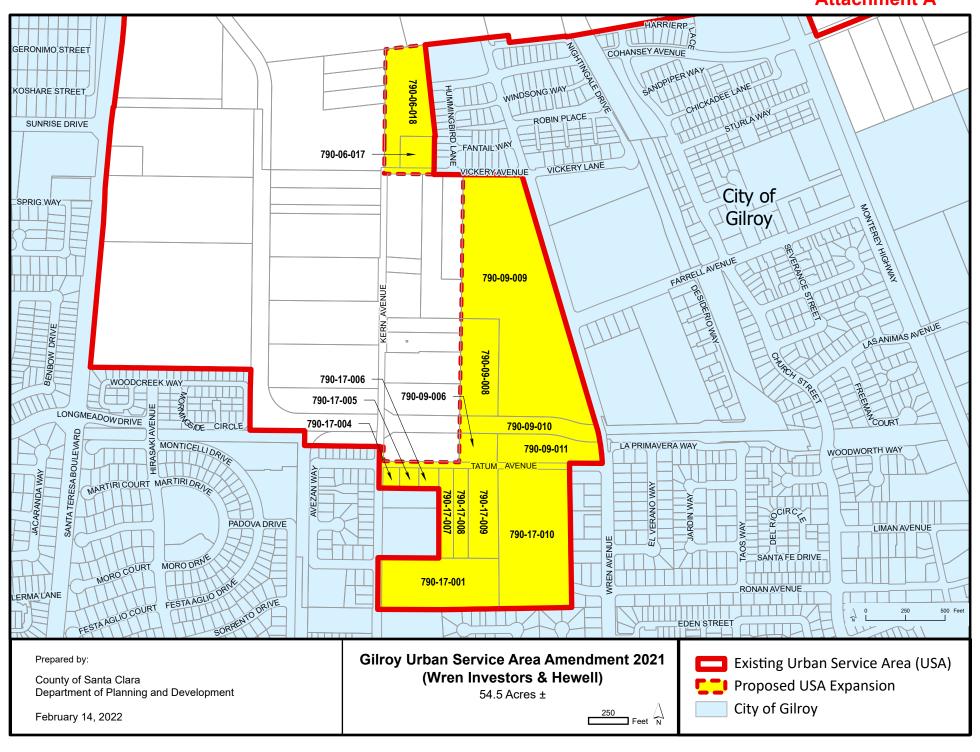
Attachment E: City's Proposed Mitigated Negative Declaration for Wren

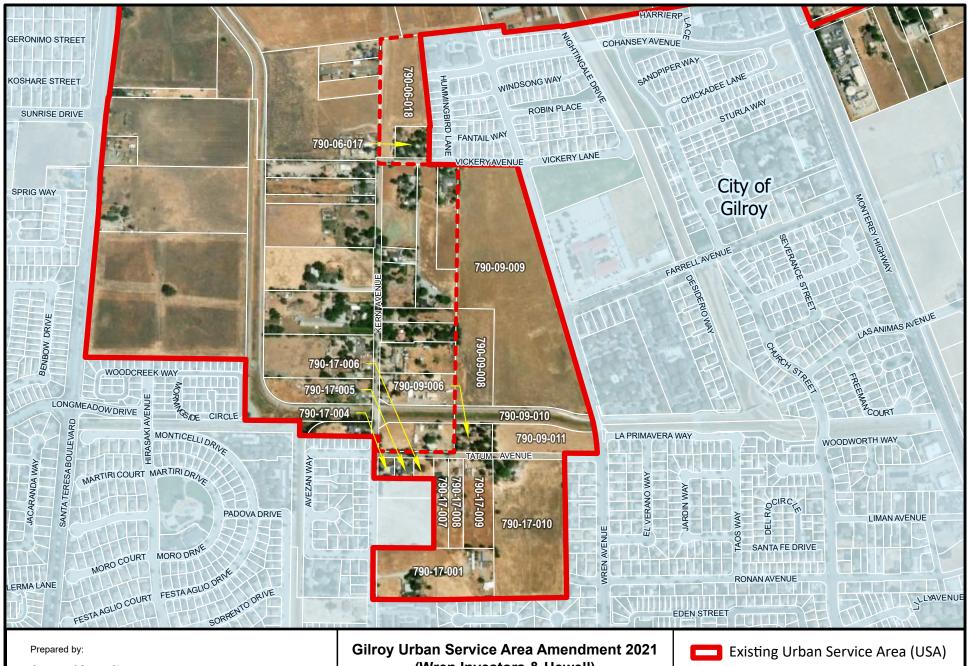
Investors & Hewell Urban Service Area Amendment

Attachment F: Documents Submitted by City of Gilroy, including Cover Letter,

Application Materials, and Follow-up Information

# **Attachment A**





County of Santa Clara Department of Planning and Development

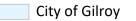
February 14, 2022

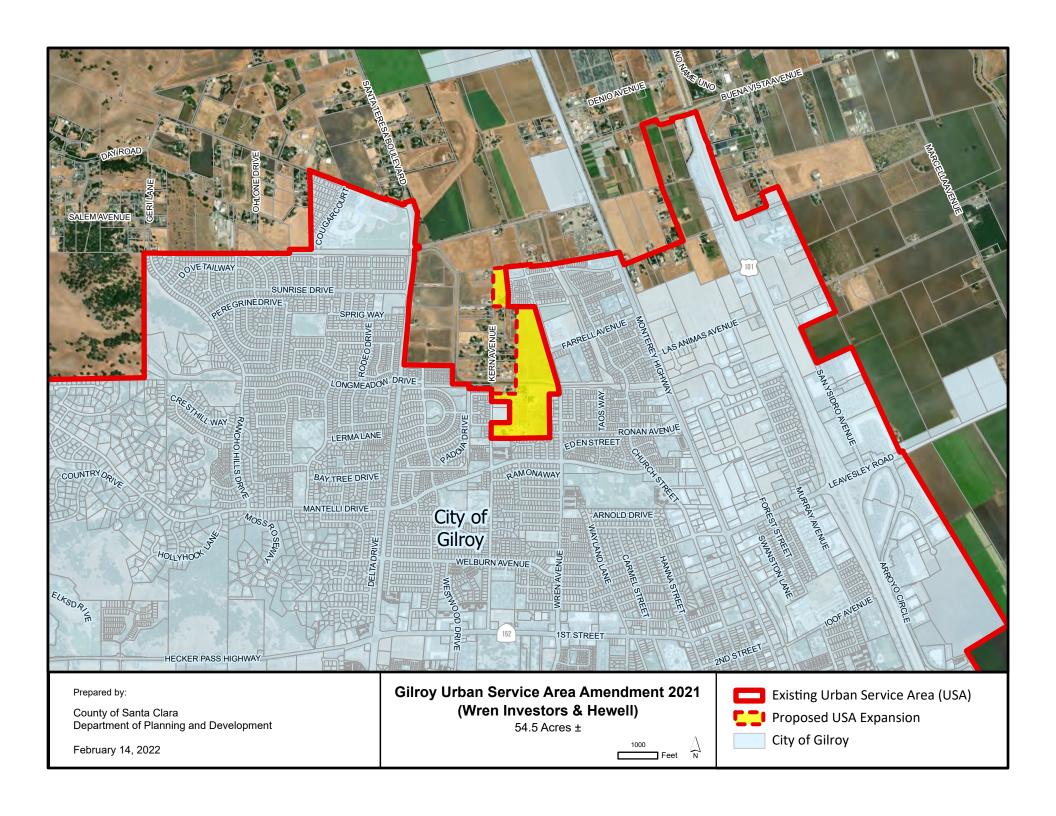
(Wren Investors & Hewell)

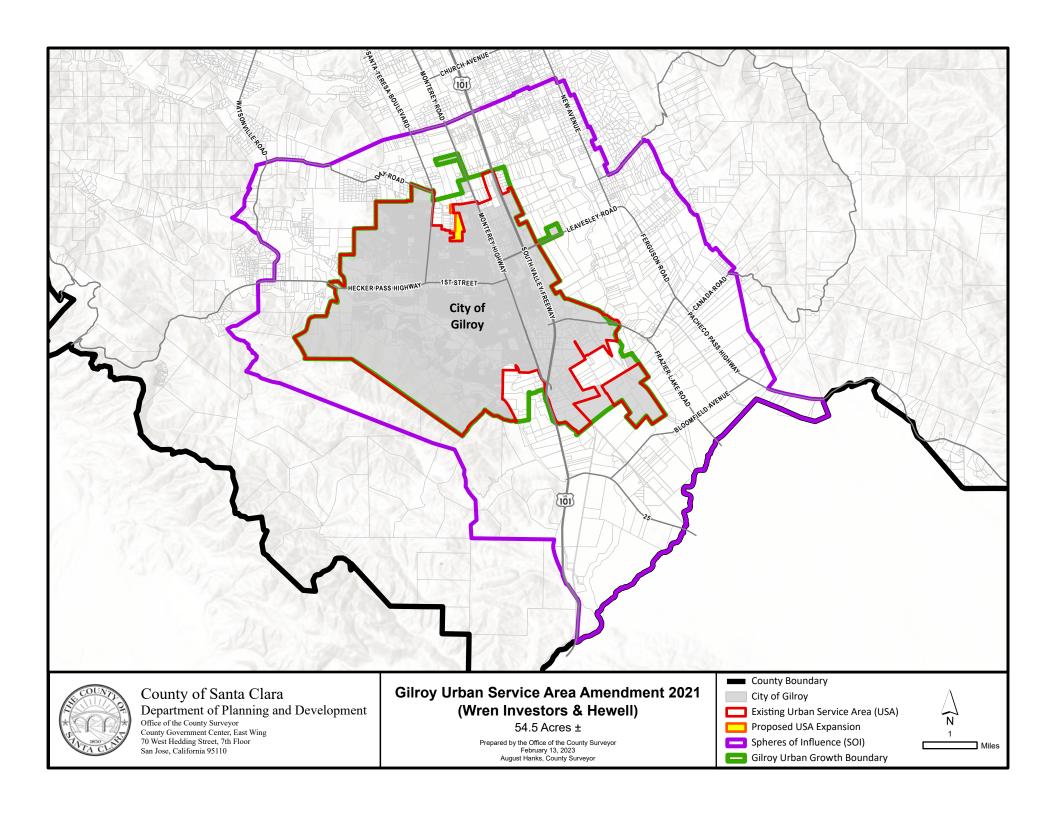
54.5 Acres ±



Proposed USA Expansion









Local Agency Formation Commission of Santa Clara County

777 North First Street Suite 410 San Jose, CA 95112 SantaClaraLAFCO.org Commissioners
Susan Ellenberg
Sequoia Hall
Sergio Jimenez

Linda J. LeZotte

Rob Rennie Mike Wasserman Susan Vicklund Wilson Attachment B

Alternate Commissioners
Cindy Chavez
Maya Esparza
Yoriko Kishimoto
Russ Melton
Terry Trumbull

Executive Officer Neelima Palacherla

# VIA E-MAIL [melissa.durkin@cityofgilroy.org]

Melissa Durkin, Planner II Community Development Department City of Gilroy 7351 Rosanna Street Gilroy, CA 95020

RE: CITY OF GILROY'S NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR WREN INVESTORS AND HEWELL URBAN SERVICE AREA AMENDMENT

Dear Ms. Durkin:

Thank you for providing the Santa Clara LAFCO, a Responsible Agency, the opportunity to review and comment on the City of Gilroy's Initial Study (IS) and proposed adoption of a Mitigated Negative Declaration (MND) for the proposed Wren Investors and Hewell Urban Service Area Amendment.

# **Project Description Concerns & Resulting Analysis Concerns**

As indicated in these documents, the proposed project is a "single urban service area amendment to the City of Gilroy's urban service area (USA) that includes both the previously separate Wren Investors project site and the Hewell project site. The 50.3-acres Wren Investors project site is located north and west of the Gilroy city limits and USA and the 5.36-acre Hewell site is located just outside the northern city limits and outside the USA. Both sites are within the City of Gilroy 2020 General Plan 20-year planning boundary."

According to the City's Notice of Intent, the proposed project "does not include any development at this time." However, in Table 1 of the IS, anticipated buildout for the two sites is presented, including proposed land uses, acreage, and number of residential lots; and a conceptual lot layout for each site is presented in Figure 5 and Figure 6 of the IS. It is unclear what the exact project description is for the proposal and it appears that the project description as written, is not comprehensive enough and would not allow for an adequate environmental analysis to be conducted that meets LAFCO's needs as a Responsible Agency.

In general, the only purpose of including an area within a city's USA is to allow the city to annex and provide urban services to the area because the anticipated

development is imminent, and these lands are pre-zoned for a specific development project. Therefore, the City's environmental analysis must fully disclose and analyze the anticipated development, the timing of that development and the services that the City will provide to the area to support that development.

In order to properly conduct such an analysis, more detailed and specific information on the proposed development must be included. This will allow for a more detailed evaluation of the project's anticipate impacts on existing services, utilities, and facilities and how those impacts will be addressed by the City. Without such information, it is premature for LAFCO to consider an USA amendment proposal or its associated environmental impacts.

# Proposed Mitigated Negative Declaration's Relationship to Prior Uncertified Wren Investors EIR

As was noted on Page 14 of Appendix B of the City's IS & MND, "EMC Planning Group previously completed CEQA and LAFCO documentation for Wren Investors project in 2014. A portion of the environmental analysis for Hewell/Sheedy Urban Service Area Amendment, Pre-zoning, and Annexation project ("Hewell project") was prepared in 2015. However, the environmental impact report (EIR) for the Wren Investors project was never certified and the Hewell project was put on hold before the CEQA documentation could be completed." It is unclear why the City has prepared only a MND for the proposed project at this time, when the City prepared an EIR for substantially the same proposed project in 2014/2015.

# Proposed Project's Relationship to General Plan Update Which is Underway

As noted in the City's MND, "both sites are within the City of Gilroy 2020 General Plan 20-year planning boundary" which was adopted June 2002. We understand that the city is in the process of preparing a new General Plan, which will articulate the vision of the community through the year 2040. As you know, one of the main purposes of any comprehensive general plan update is for a city to analyze future growth scenarios and their associated impacts (e.g. environmental and financial), before approving a specific scenario through the city's adoption of a new General Plan. We also understand that the City Council will soon be considering a Preferred Land Use Alternative for the 2040 General Plan, including a preferred land use alternative for the project area; and that Preferred Land Use Alternative will be analyzed in an upcoming Environmental Impact Report for the 2040 General Plan. Given that the outcome of the update is currently undetermined, it is premature to propose such a USA amendment.

# **Project's Consistency with LAFCO's Policies**

In the Land Use section (p. 67) of the proposed IS, it is stated that the proposed project "would not.... conflict with any applicable land-use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect." However, it does not appear that an analysis was done to evaluate the proposed project for consistency with applicable City policies, County policies or Santa Clara

LAFCO Policies. No specific policies and/or analysis is presented for review, just a summary conclusion. Furthermore, the Land Use section (p. 67) of the IS makes a vague reference to a policy consistency analysis that was prepared for the Wren Investors Draft EIR (2014) and Hewell USA Amendment, Prezone, and Annexation Administrative Draft Initial Study (2015) which was never certified or adopted by the City. The purpose of that reference is unclear.

As part of the USA amendment review process, LAFCO staff will evaluate whether the project is consistent with LAFCO's goals which are as follows:

- Preserve agricultural land and open space resources,
- Discourage urban sprawl, and
- Encourage the efficient provision of services.

LAFCO has adopted local policies based on the above goals. The IS & MND should include an analysis of the proposed project's consistency with applicable LAFCO policies; applicable City policies and County policies.

LAFCO Urban Service Area Policies discourage USA expansions that include agricultural and open space land. These Policies also address issues such as availability of adequate water supply, local and regional impacts, regional housing needs, ability of school districts to provide school facilities, ability of the city to provide urban services to the growth areas without detracting from current service levels, whether the conversion of agricultural and open space lands is premature and if there are other areas into which to channel growth, fiscal impact on other agencies, and consistency with city and county general plans and specific plans. The IS & MND should include an evaluation of whether the project is consistent with all of LAFCO's Urban Service Area Policies.

LAFCO also requires that the City provide information on the current supply of vacant land within its Urban Service Area for the land use categories that the City proposes for the lands within the Urban Service expansion area. If a city has a substantial supply of vacant land within its Urban Service Area and applies for an USA expansion, LAFCO will require an explanation of why the expansion is necessary; why infill development is not undertaken first; and how an orderly, efficient growth pattern, consistent with LAFCO's mandate, will be maintained.

The site of the proposed project includes prime farmlands. Therefore, the IS & MND should include an evaluation of the proposed project's impacts on farmlands.

#### Conclusion

For the foregoing reasons, we urge the City Council to not approve the proposed Mitigated Negative Declaration at this time. As you know, LAFCO is a Responsible Agency for the proposed project and therefore has an independent obligation to review the IS and MND for legal adequacy under CEQA prior to issuing any approvals for the Project (CEQA Guidelines, §15096.) Therefore, we respectfully request that the City prepare revised documents that address the identified

deficiencies and that the City then recirculate new documents to affected agencies and the public for their review and comment, as required by CEQA.

Thank you.

Sincerely,

Neelima Palacherla

Malachenla

LAFCO Executive Officer

Cc: LAFCO Members

Jacqueline Onciano, Director, Santa Clara County Dept. of Planning & Development

## Neelima Palacherla, LAFCO Executive Officer, Santa Clara LAFCO, October 7, 2019

Response to comments to LAFCO staff comments are presented below using the issue sub-headings found in LAFCO's comment letter:

#### Project Description Concerns & Resulting Analysis Concerns

CEQA defines a project as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."

The City has received an application for an Urban Service Area (USA) amendment only. The application did not include any development plans (e.g. tentative subdivision map, use permit etc.). Therefore, the only action before the City of Gilroy, and subsequently, LAFCO as a responsible agency, is consideration of the Urban Service Area amendment.

The USA amendment by itself would result in no direct physical change in the environment. However, with approval of the proposed USA amendment, development of the project site with residential and commercial uses is a *reasonably foreseeable indirect physical change in the environment* and therefore, must be evaluated in the CEQA documentation for the USA amendment.

Therefore, the project description provided in the IS/MND is based on conceptual-level development anticipated when the USA amendment application was received by the City, and is consistent with the City's General Plan land use designation of Neighborhood District.

It appears that the commenter is expecting a specific development project with the USA amendment application (e.g. tentative subdivision map, use permit etc.). However, for purposes of CEQA review, the project description in the IS/MND accurately describes the requested action and the reasonably foreseeable indirect physical changes in the environment (i.e., development consistent with the City's General Plan land use designation of Neighborhood District), and is adequate and detailed enough to identify and evaluate potential environmental impacts. The IS/MND fully discloses and analyzes the anticipated development consistent with the City's General Plan land use designation of Neighborhood District, as well as the public services necessary to serve the anticipated development. The timing of future development is unknown as no

Melissa Durkin City of Gilroy October 16, 2019, Page 3

development application has been submitted; however, it is reasonably foreseeable that an application for development could be submitted upon approval of the USA amendment. This was the assumption in the IS/MND.

Further, the commenter states that they need more detailed and specific information on the proposed development; however, they do not indicate what additional information is needed.

#### Proposed MND's Relationship to Prior Uncertified Wren Investors EIR

The commenter is referring to a background section of a Greenhouse Gas Emissions analysis prepared for the proposed project. This section presented the history of the project site's USA amendment applications. The commenter asks why an MND was prepared for the proposed project and not an EIR.

CEQA requires preparation of an EIR if a proposed project would result in a significant, adverse, unavoidable environmental impact. Otherwise, if all significant impacts can be mitigated to a less than significant level, or if no significant impacts are identified, then an MND is the appropriate CEQA document.

When preparation of the EIR for the Wren Investors site commenced several years ago, 7.5 acres of the project site was designated "Farmland of Statewide Importance," on the 2010 California Department of Conservation Important Farmland Map. The loss of Farmland of Statewide Importance is generally considered significant and unavoidable.

However, when the CEQA process restarted several years later, the California Department of Conservation had updated the map (2014) and changed the designation on the 7.5 acres to Grazing Land, which is not considered important farmland.

Therefore, the loss of farmland on either site is no longer considered significant and unavoidable. The loss of farmland would be considered less than significant. According to the 2014 farmland map, the Hewell site did contain Prime Farmland and Farmland of Statewide Importance but the loss of this farmland was determined to be less than significant (see additional discussion below under "Project's Consistency with LAFCO's Policies"). Therefore, preparation of an EIR was not necessary.

#### Proposed Project's Relationship to General Plan Update Which is Underway

The commenter implies that the City cannot make any land use decisions based upon the existing General Plan because the City is in the process of preparing a new General Plan.

The City of Gilroy is currently in the process of preparing a new General Plan and selecting a "Preferred Land Use Alternative." However, until the new General Plan is adopted, the existing land use designation of Neighborhood District is the applicable land use designation for the project site.

#### Project's Consistency with LAFCO's Policies

The commenter requested that a full consistency analysis of the project with applicable City, County, and LAFCO policies be provided as part of the IS/MND. The City's initial study evaluates whether the proposed project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The initial study evaluates all of the potential environmental effects associated with the development of the project site. The commenter specifically asks if the project is consistent with LAFCO goals to preserve agricultural land and open space resources; discourage urban sprawl; and encourage the efficient provision of services. The following is provided.

#### **Agricultural Land and Open Space Resources**

The IS/MND provides an evaluation (see Section D.2 "Agriculture" starting on page 26 of the initial study) that evaluates potential environmental impacts on lands found within the Hewell site designated as Prime Farmland and Farmland of Statewide Importance by the California Department of Conversation Farmland Map. The Wren Investors site includes no land designated as either. As noted in the initial study, this determination was based on a Land Evaluation and Site Assessment (LESA) model score of 49.9 with a land evaluation subscore of 31.9 and the site assessment score of 18.0. The loss of agricultural land with a LESA score of between 40 and 59 is considered significant if both the land evaluation and the site assessment subcategories have scores of 20 or better. Since the site assessment subcategory is less than 20, future urban development of the parcel would not be considered a significant impact in accordance

Melissa Durkin City of Gilroy October 16, 2019, Page 5

with the City of Gilroy significance criteria. The LESA worksheets and supporting graphics included in the 2015 LESA modelling for the Hewell site are included as Appendix A of the initial study.

Additionally, and as presented in the attached maps, the California Department of Conservation's Important Farmland Map was updated again in 2016 and the Hewell site is no longer designated as Prime Farmland and Farmland of Statewide Importance. The map has not been updated since 2016. Therefore, the proposed project would not result in the conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Impacts to agricultural resources remain less than significant.

Finally, the project site is designated as Neighborhood District and therefore, is not planned for agricultural use or open space uses.

#### Discourage Urban Sprawl

The Wren Investors project site is surrounded by urban development to the north, south, east, and southwest, and by low density rural development on the northwest. The Hewell site is surrounded by urban development to the east, low density rural development on the south and west, and open space to the north. Both sites are immediately adjacent to the existing city limits and Urban Service Area boundary. Surrounding land uses are discussed in the initial study and depicted on Figure 2 of the initial study. Therefore, approval of the USA amendment and the reasonably foreseeable development of the project site would not be considered urban sprawl.

#### **Encourage the Efficient Provision of Services**

The initial study evaluates the provision of public services (fire protection, police protection, schools, recreation, libraries, water, wastewater, and storm drainage) and the environmental impacts associated with the provision of these services. The project site is immediately adjacent to the existing city limits and the existing Urban Service Area boundary and therefore, services can be provided efficiently. Additionally, no significant environmental impacts were identified associated with providing these public services.

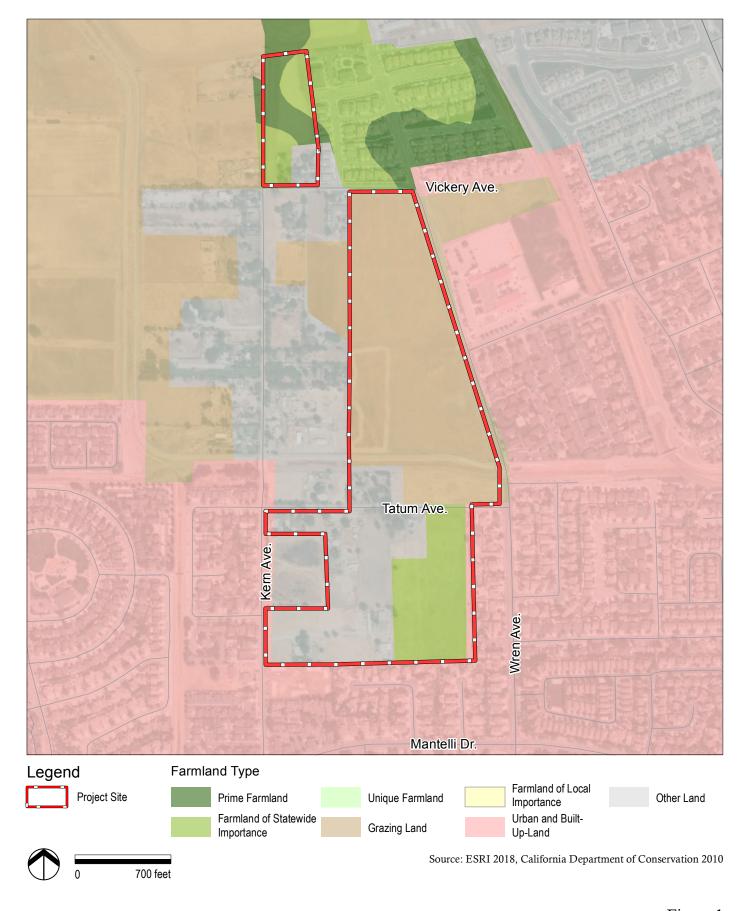


Figure 1









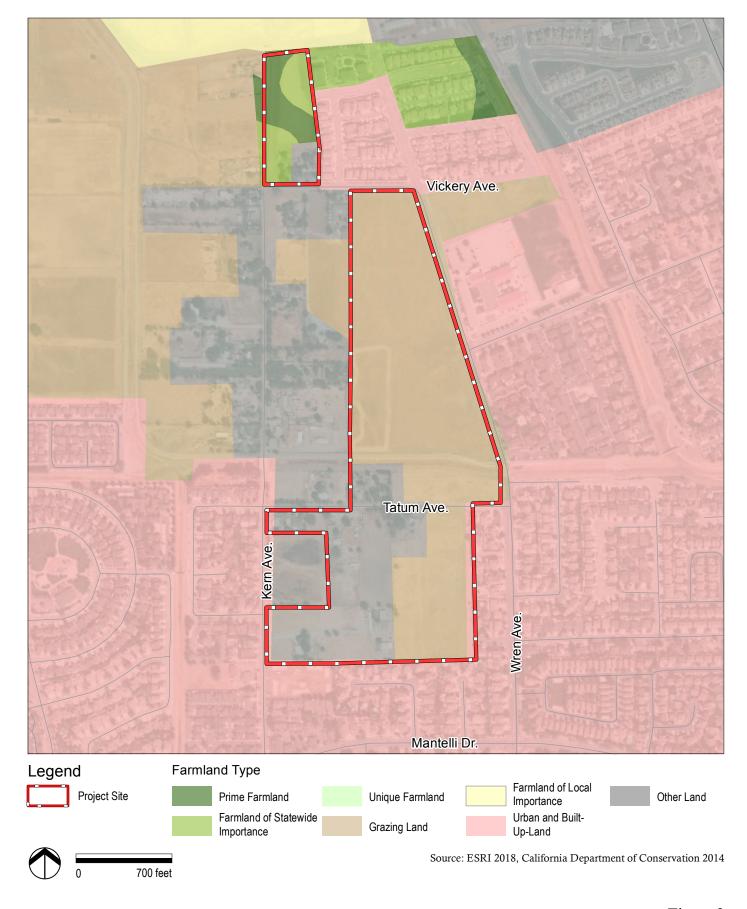


Figure 2

Important Farmland 2014







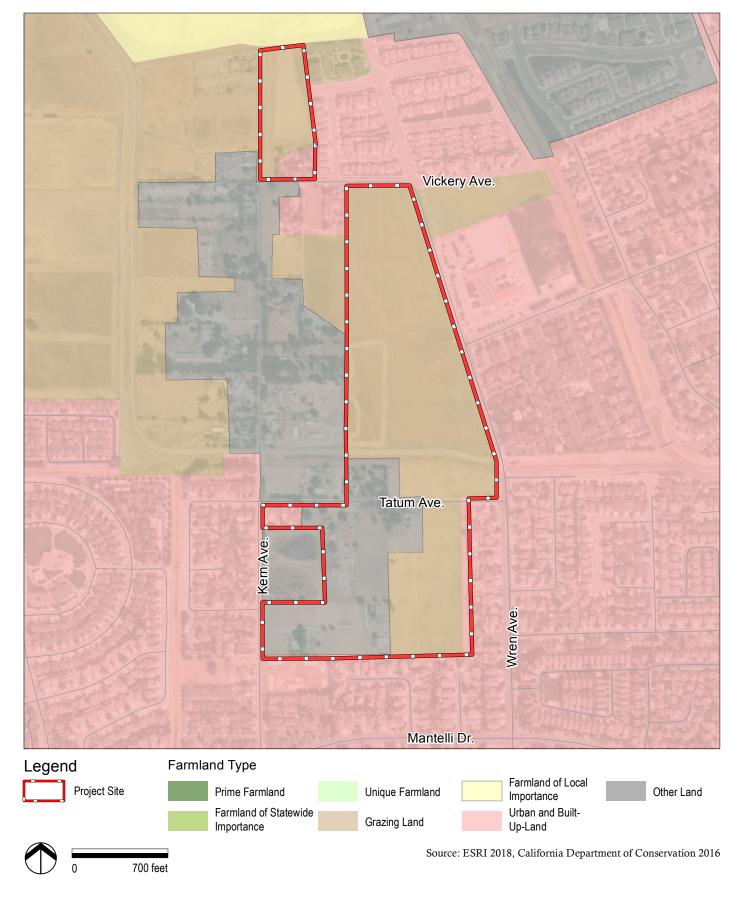


Figure 3

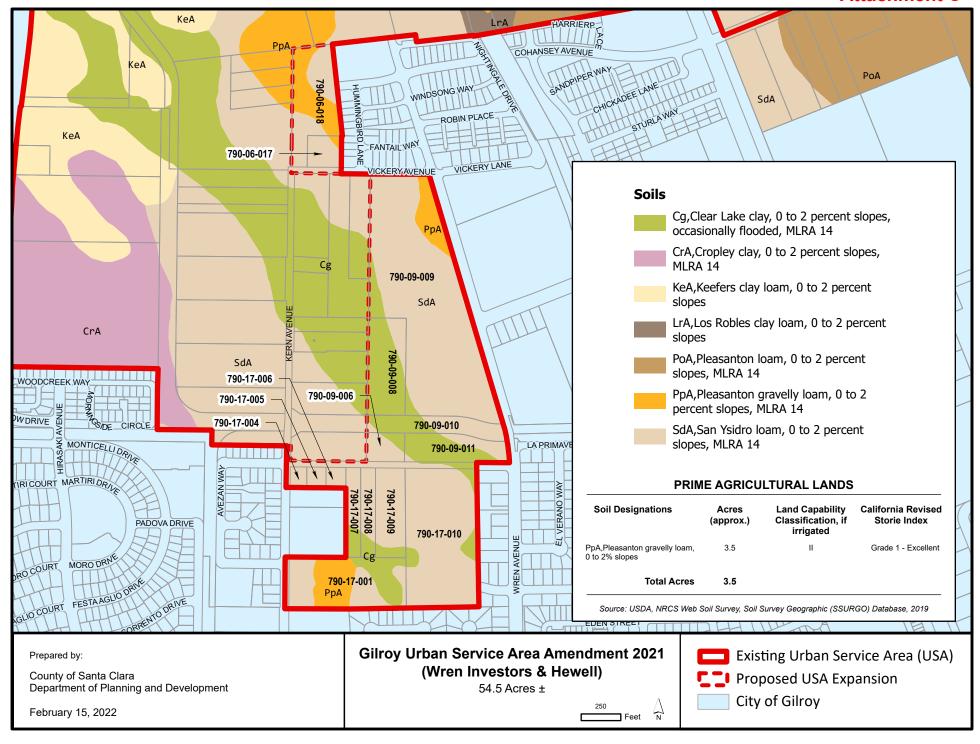
Important Farmland 2016



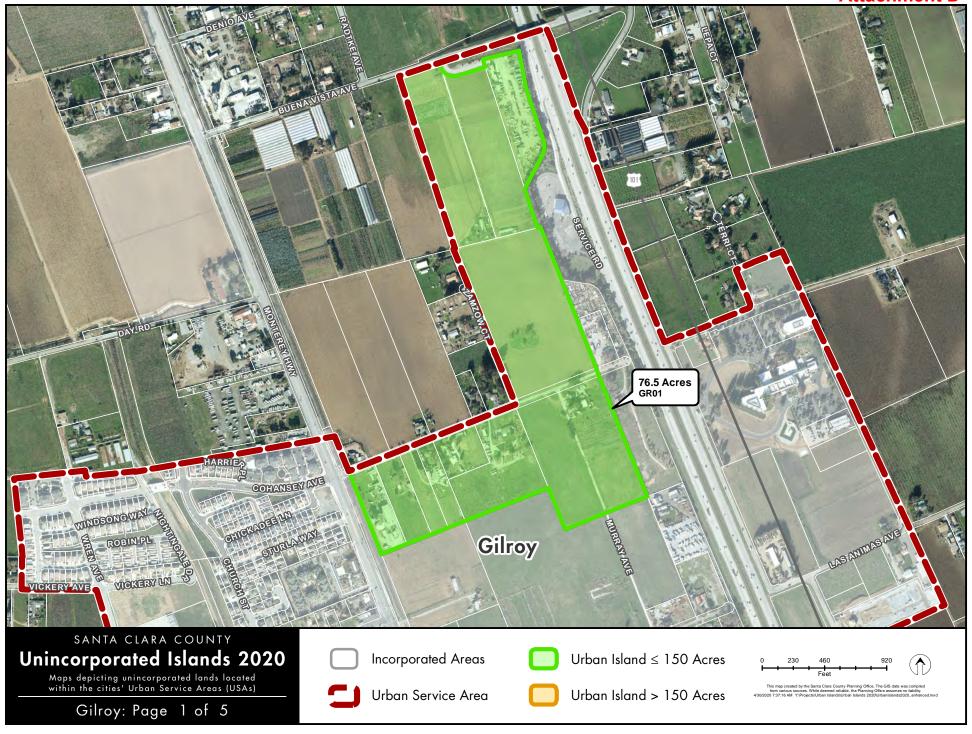


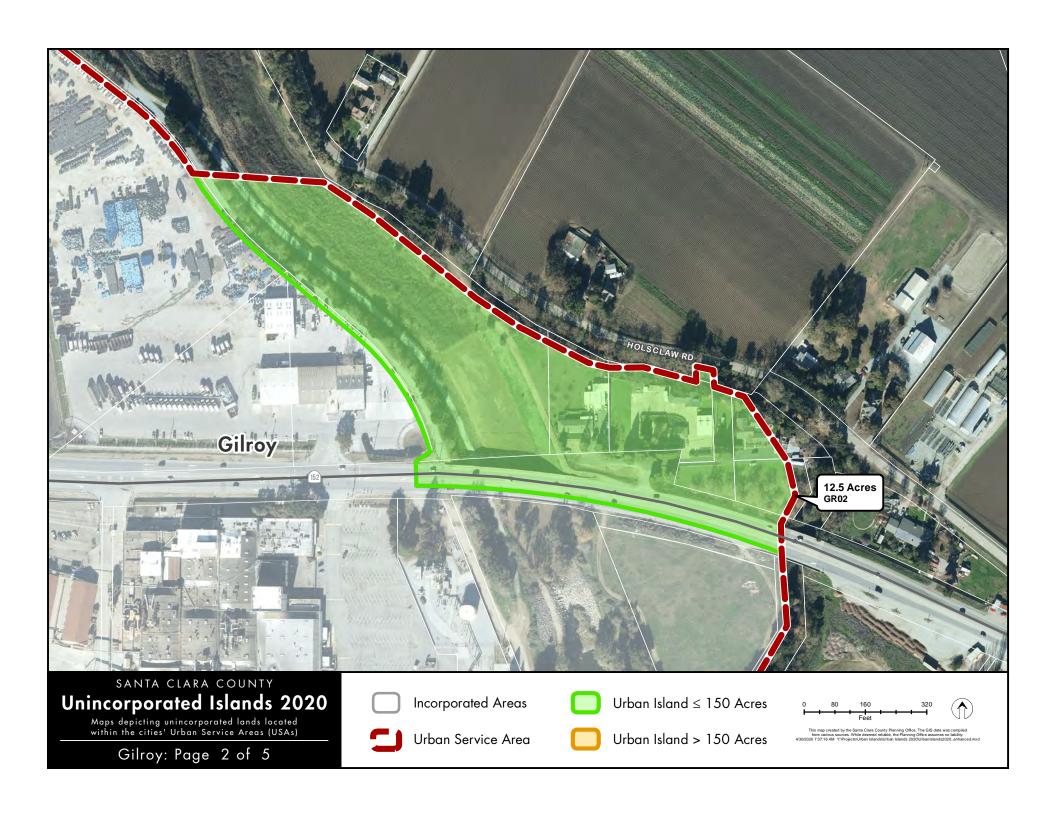


#### **Attachment C**

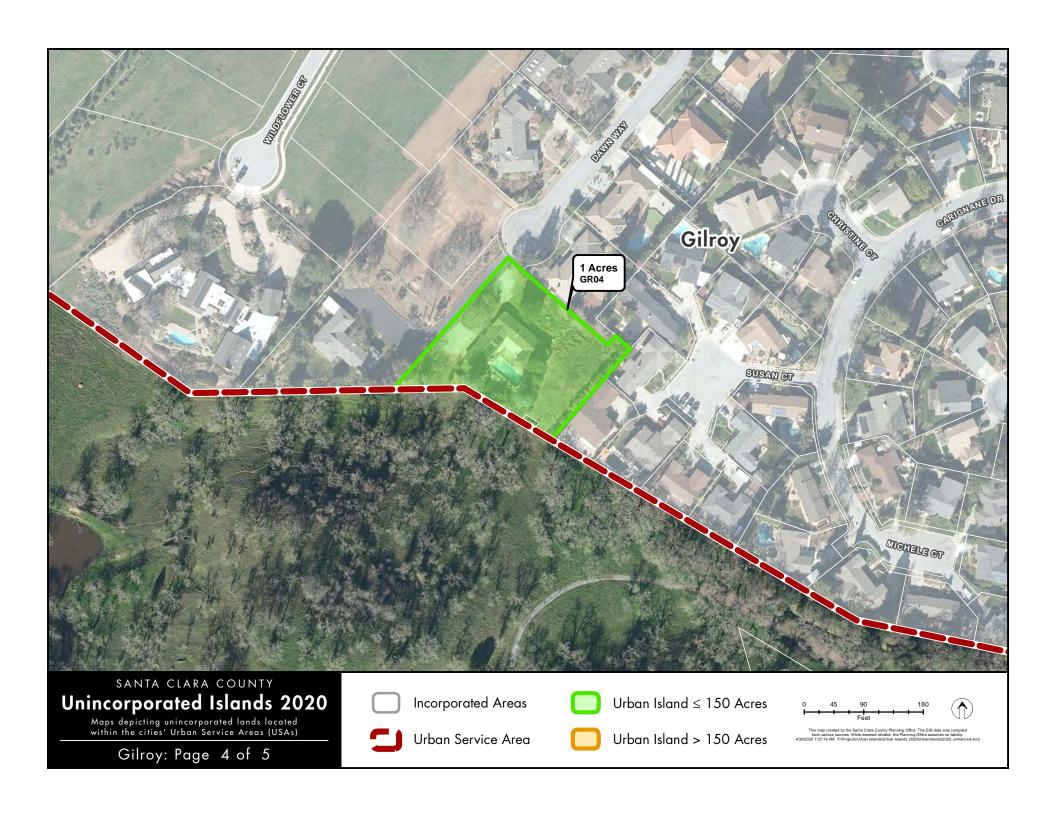


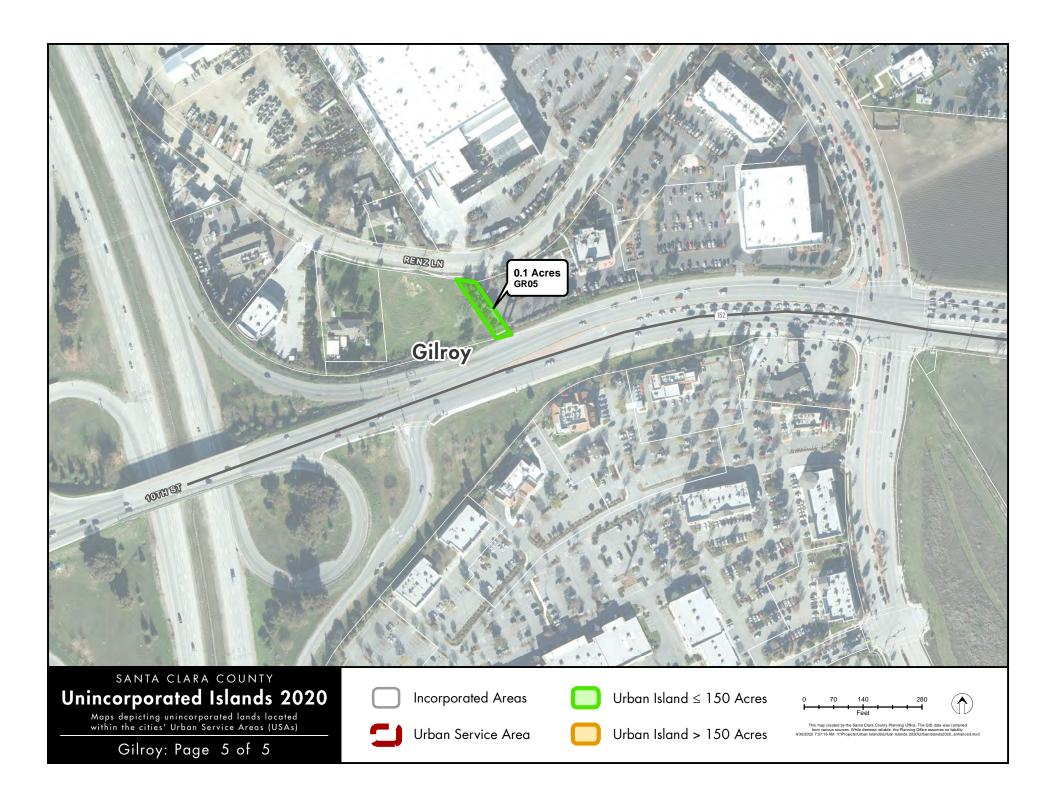
#### **Attachment D**











#### Attachment E

**Proposed Mitigated Negative Declaration** 

## Wren Investors & Hewell Urban Service Area Amendment

USA 12-01 & USA 14-02

**August 28, 2019** 









Prepared by **EMC Planning Group** 



# Community Development Department

Greg Larson
INTERIM DIRECTOR

7351 Rosanna Street, Gilroy, California 95020-6197 Telephone: (408) 846-0440 Fax: (408) 846-0429 http://www.cityofgilroy.org

## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

The City of Gilroy Planning Division has reviewed an application on the following proposal:

Project Title: Wren Investors and Hewell Urban Services Area Amendment

USA 12-01 (#12070023) and USA 14-02 (#14070058): an urban service area amendment to include Assessor Parcel Numbers 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the urban service area of the city of Gilroy. The 50.3-acre Wren Investors project site is generally located west of Wren Avenue, south of Vickery Avenue, and north and south of Tatum Avenue. The 5.36-acre Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. This request is commonly known as the Wren Investors and Hewell Urban Service Area Amendment. The property is mostly undeveloped, although some single-family homes and the Gilroy Unified School District Farm Site are included within the subject site. This request proposes a change to the urban service area boundary to include approximately 56 acres, comprising the subject parcels, and does not include any development at this time. Applications filed by Wren Investors. LLC c/o Dick Oliver, 385 Woodview Avenue, #100, Morgan Hill, CA 95037; and Mark Hewell and David Sheedy, P.O. Box 1901, Gilroy, CA 95021.

In accordance with Section 15070 of the California Code of Regulations, the City of Gilroy Planning Division has determined that there is no substantial evidence that the proposed project would have a significant effect on the environment, and that a mitigated negative declaration (MND) may be adopted. The draft environmental document may be reviewed online, from the City webpage. Go to <a href="https://www.cityofgilroy.org/planning">www.cityofgilroy.org/planning</a>, then "Projects" (on the left side of the page) to select and view the draft document.

Alternatively, the draft environmental document is available for review at the Gilroy Planning Division office (8:00 a.m. - 5:00 p.m., Monday through Fridays, except holidays), and at the Gilroy Public Library, 350 W. Sixth Street (Closed Sunday and Monday, 1:00 p.m. - 9:00 p.m. Tuesday, 10:00 a.m. - 9:00 p.m. Wednesday and Thursday, and 10:00 a.m. - 6:00 p.m. Friday and Saturday).

The public review period begins on September 6, 2019 and ends on October 7, 2019. All comments should be provided in writing and received before 5:00 p.m. on the last day of the review period. Inquiries should be directed to Melissa Durkin, Planner II, at (408) 846-0252 or melissa.durkin@cityofgilroy.org and written comments may be

mailed or faxed (408) 846-0429 to	the City of Gilroy, Planning Division, 7351 Rosanna
Street, Gilroy, CA 95020.	
8/20/19 Date	Juli Work
Date	Julie Wyrick, AICP //

Planning Division Manager

cc: Applicant County Clerk CEQA Distribution List

#### PROPOSED MITIGATED NEGATIVE DECLARATION

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 & USA 14-02

#### PREPARED FOR

City of Gilroy Community Development Department
Julie Wyrick, Planning Division Manager
7351 Rosanna Street
Gilroy, CA 95020
Tel 408.846.0253

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com
www.emcplanning.com

August 28, 2019

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# Community Development Department Planning Division (408) 846-0451

#### MITIGATED NEGATIVE DECLARATION

City of Gilroy 7351 Rosanna St. Gilroy, CA 95020

City File Number:

USA 12-01 & USA 14-02

**Project Description:** 

Name of Project:

Wren Investors and Hewell Urban Service Area Amendment

**Nature of Project:** 

The proposed project is a single urban service area amendment to the City of Gilroy's urban service area (USA) that includes both the previously separate Wren Investors project site and the Hewell project site. The 50.3-acre Wren Investors project site is located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. Both sites are within the City of Gilroy 2020

General Plan 20-year planning boundary.

#### **Project Location:**

Location:

The 50.3-acre Wren Investors site is comprised of 14 parcels, including Lions Creek, a drainage channel parcel owned by the Santa Clara Valley Water District, which bisects the southern portion of the site from east to west, just north of Tatum Avenue. The 5.36-acre Hewell project site consists of two adjacent parcels located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue.

**Assessor's Parcel Number**: 790-09-006, 790-09-008, 790-09-009, 790-09-010, 790-09-011, 790-17-001, 790-17-004, 790-17-005, 790-17-006, 790-17-007, 790-17-008, 790-17-009, 790-17-010; 790-06-17, 790-06-018

#### **Entity or Person(s) Undertaking Project:**

Name: Wren Investors LLC & Mark Hewell

**Address**: 385 Woodview Ave., Suite 100, Morgan Hill, CA 95037 (Wren Investors LLC)

P.O. Box 1901, Gilroy, CA 95021 (Mark Hewell)

Staff Planner: Julie Wyrick, Planning Division Manager

#### **Initial Study:**

An initial study of this project was undertaken and prepared for the purpose of ascertaining whether this project might have a significant effect on the environment. A copy of this study is attached.

#### Findings & Reasons:

The initial study identified potentially significant effects on the environment. However, this project has been mitigated (see Mitigation Measures below which avoid or mitigate the effects) to a point where no significant effects will occur. On the basis of the whole record, there is no substantial evidence the project will have a significant effect on the environment. The following reasons will support these findings:

- The proposal is a logical component of the existing land use of this area.
- ➤ Identified adverse impacts are proposed to be mitigated and a mitigation monitoring and reporting program have been prepared.
- ➤ The proposed project is consistent with the adopted goals and policies of the General Plan of the City of Gilroy.
- ➤ City staff independently reviewed the Initial Study, and this Negative Declaration reflects the independent judgment of the City of Gilroy.
- ➤ With the application of the following Mitigation Measures the proposed project will not have any significant impacts on the environment.
- ➤ The Gilroy Planning Division is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.

#### **Air Quality**

- AQ-1. The following construction equipment parameters shall be included on all grading and building plans, subject to review and approval by the Building Division:
  - a. All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two consecutive days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent that also includes CARB-certified Level 3 Verified Diesel Emission Control Strategies (VDECS) or Diesel Particulate Filters meeting these requirements. Note that U.S. EPA Tier 4 equipment is considered to meet this measure. Applicant and/or construction contractor shall be responsible for submitting an equipment data list and operations timeframes to the Building

Division prior to commencement of grading operations, and updating the information each week that there is a change. For each piece of equipment, the list shall include: CARB identification number, type of equipment (grader, dozer, etc.), emissions classification of equipment (Tier 2, filter type, etc.), compliance or non-compliance with emissions requirements above, and proposed operation schedule.

- b. Include conspicuous signage at the construction site entry and on-site construction office reiterating idle time limits on all diesel-fueled off-road vehicles to five minutes, as required by Title 23, Section 2449, of the California Code of Regulations ("CARB Off-Road Diesel Regulations").
- c. Eliminate the use of portable diesel equipment (e.g., generators) within 200 feet of project boundaries by providing electrical service at the site during the initial construction phase. Alternatively, use propane or natural gas powered equipment if electricity is not available.

Weekly monitoring reports detailing compliance with the measures described above shall be submitted by the applicant to the Building Division during all phases of construction. The Building Division shall ensure this has occurred prior to issuance of an occupancy permit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Building Division

#### **Biological Resources**

BIO-1. If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the project applicant will retain a qualified biologist to conduct a pre-construction survey for nesting birds, including CDFW Fully Protected white-tailed kite. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than one week prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to the City of Gilroy Planning Division Manager for review and approval prior to disturbance and/or construction activities.

If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance will determine and clearly delineate an appropriately sized, temporary protective buffer area around

each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist.

To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-2. The project applicant shall identify protected trees, pursuant to Section 30.38.270 of the City's City Code, on the Tentative Map for residential development and on the Architectural and Site Review plans for commercial development. Protected trees shall be incorporated to the extent feasible into development design.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

- BIO-3. During preparation of site plans, the project applicant shall contract with a certified arborist to prepare a tree assessment report for the project site and submit the report to the City of Gilroy Planning Division for review and approval. The tree assessment report shall include, but not be limited to, the following items:
  - a. identify all protected trees on the project site, pursuant to Section 30.38.270 of the City Code, including those that can be feasibly incorporated into the proposed development (retained), and those proposed for removal;
  - b. recommendations for the size, species, source, location, and number of replacement plantings to mitigate the loss of protected trees; and
  - c. for all trees that are to be retained on the project site, provide tree protection measures necessary to minimize construction activity that could affect tree health, structure, or stability.

All arborist recommendations, including the species and locations of all replacement trees, shall be listed on the final landscape plan, and the arborist shall sign the final landscape plan certifying that it is consistent with the tree assessment report recommendations.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-4. Prior to site disturbance, the project applicant shall fully comply with measures required by Section 30.38.270 of the Gilroy City Code. Pruning and/or removal of protected trees shall be undertaken only under the direction of a certified arborist hired at the applicants' expense, and subject to the review and approval of the Community Development Director. An approved tree removal permit is required prior to removal of any protected tree(s); the project developer shall obtain a tree removal permit, and shall comply with any tree protection measures or replacement plantings stipulated by the city.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-5. Prior to and during construction, the project applicant shall implement all retained tree protection measures recommended for the site by the certified arborist's tree assessment report and permit approvals.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

#### **Cultural Resources**

C-1. Prior to approval of any tentative map for the project site, a historic resource evaluation (HRE) shall be prepared by a qualified professional and at the applicant's expense for the historic-era structures on the following Assessor's Parcels: 790-09-006, 790-17-001, 790-17-004, 790-17-007 and 008, and 790-17-010. At minimum, the HRE shall survey and identify all structures on these parcels that are 50 years or greater at the time of the survey and shall evaluate the identified historic-era structures with NRHP and CRHR eligibility criteria. If the HRE determines that significant historic structures are present on the site, a mitigation plan shall be prepared and submitted to the City of Gilroy Planning Director for review and approval prior to any site disturbing activities. The mitigation plan shall be prepared and implemented by a qualified historic professional and at the applicant's expense, and shall include a strategy for preservation of significant historic structures and a plan for adaptive re-use of the resource that utilizes either preservation in place or relocation to an appropriate receiver site elsewhere on the project site or within the City limit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

#### Noise

N-1. Associated with CEQA compliance for subdivisions and commercial projects at the project site, an acoustical analysis shall be prepared by a qualified acoustical professional. The recommendations in the analysis shall include, but not be

limited to, recommendations for building placement and acoustical design features for new construction adjacent to Wren Avenue in proximity to the Antonio Del Buono Elementary School. The report recommendations shall be incorporated into the plans as part of the Tentative Map and Architectural and Site Review applications for future development, and shall be subject to the review and approval of the Planning Division, prior to approval of the Tentative Map and Architectural and Site Review.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

Julie Wyrick

Planning Division Manager
Julie Wyrick@cityofgilroy.org

#### INITIAL STUDY

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 & USA 14-02

#### PREPARED FOR

City of Gilroy Community Development Department
Julie Wyrick, Planning Division Manager
7351 Rosanna Street
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Tel 408.846.0253

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com
www.emcplanning.com

August 28, 2019

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Group, dated July 2017)

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### A. BACKGROUND

Project Title	Wren Investors and Hewell Urban Service Area Amendment
Lead Agency Contact Person and Phone Number	Julie Wyrick, Planning Division Manager City of Gilroy Community Development Department Planning Division (408) 846-0451
Date Prepared	August 28, 2019
Study Prepared by	EMC Planning Group Inc. 301 Lighthouse Avenue Suite C Monterey, CA 93940 (831) 649-1799 Teri Wissler Adam, Senior Principal Stuart Poulter, AICP, MCRP, Associate Planner Tanya Kalaskar, MS, Associate Planner Emily Malkauskas, Assistant Biologist Shoshana Wangerin, Assistant Planner
Project Location	Wren Investors site - 14 parcels (approximately 50-acres) located west of Wren Avenue, north of Mantelli Drive, east of Kern Avenue, and south of Vickery Avenue (APNs: 790-09-006, 790-09-008, 790-09-009, 790-09-010, 790-09-011, 790-17-001, 790-17-004, 790-17-005, 790-17-006, 790-17-007, 790-17-008, 790-17-009, 790-17-010)  Hewell site – 2 parcels (approximately 5.36 acres), located on the northeast corner of Vickery Avenue and Kern
Project Sponsor Name and Address	Avenue intersection (APNs: 790-06-17 and 790-06-018)  Wren Investors LLC  275 Saratoga Avenue, Suite 105  Santa Clara, CA 95050
	Mark Hewell P.O. Box 1901 Gilroy, CA 95021
General Plan Designation	Neighborhood District (City of Gilroy) Open Space Reserve (County of Santa Clara)
Zoning (Santa Clara County)	A-20Ac-sr – Agriculture, 20 Acre Minimum

#### Setting

The City of Gilroy is situated in south Santa Clara County at the southern tip of the San Francisco Bay area. Located in the San Jose/Silicon Valley sub-region, the City of Gilroy ("city") is an hour's drive from both San Francisco and the Monterey Bay. Gilroy lies at the crossing of US Highway 101 and State Route 152, giving it direct access to the San Francisco Bay area, and San Benito, Monterey, and Santa Cruz counties, as well as to the Central Valley (Gilroy General Plan page 2.7).

The 50.3-acre Wren Investors project site is located north and west of the Gilroy city limit and urban service area (USA), but within the City of Gilroy 2020 General Plan 20-year planning boundary. The existing USA boundary borders nearly the entire site along Vickery Avenue to the north, Wren Avenue to the east, and along the southern boundary of the site and along the west boundary of the site to Tatum Avenue. The site is comprised of 13 parcels, including Lions Creek, a drainage channel parcel owned by the Santa Clara Valley Water District (hereinafter "water district"), which bisects the southern portion of the site from east to west, just north of Tatum Avenue. Surrounding uses include low-density residential to the southeast, south and southwest; very low-density/rural residential uses to the northwest; a medium-density residential development north of Vickery Avenue; and educational (Antonio del Buono Elementary School) and medium to high density residential uses to the northeast. The western boundary of the site adjoins the rear yards of rural residences along Kern Avenue. A number of rural residences are present on both sides of Tatum Avenue within the project site and along Kern Avenue on the southern portion of the site. The remainder of the site is either fallow or supports only small-scale agricultural operations or low-density residential uses. Existing uses include residential development on six parcels accessed by Tatum Avenue and a parcel owned by Gilroy High School at the southern portion of the site off Kern Avenue that is occupied by a school farm laboratory for its Future Farmers of America Club.

The 5.36-acre Hewell project site consists of two adjacent parcels: Assessor's parcel numbers 790-06-017 and 790-06-018 located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. Assessor's parcel number 790-06-017, which makes up the southeast portion of the site, is developed with one home, associated outbuildings, and landscaping; however, the remainder of the project site is a vacant field. Land uses surrounding the project site are agricultural to the north, and rural residential with some small-scale agricultural uses to the south, and west. A residential subdivision (Harvest Park) is located to the east, within the City limits.

The City of Gilroy 2020 General Plan designates the two project sites, with the exception of the water district facility, for Neighborhood District uses which allows a variety of residential densities. The County of Santa Clara ("County") land use designation of the

project sites and the lands to the north, south, and west is Open Space Reserve. The county zoning for the entire area is Agriculture, 20-acre minimum. Figure 1, Regional Location, presents the regional location of the project site and Figure 2, Aerial Photograph, presents the location of the project site in relation to the City of Gilroy city limit and planning boundary. Figure 3, Site Photographs – Wren Investors Site, and Figure 4, Site Photographs – Hewell Site, presents both USA amendment project locations and site photographs documenting the existing conditions of each site from different vantage points.

#### **Project Background**

#### Wren Investors USA (USA 12-01)

In 2000, Wren Investors, LLC ("the applicant") applied for a similar, but smaller in area, USA amendment. An EIR (SCH 2001112070) was prepared in 2002 but was never certified by the City of Gilroy. Therefore, the application was never submitted to LAFCO. In 2009, the applicant applied again for a USA amendment for the 50.3-acre site. A new EIR supplement to the City of Gilroy 2002 General Plan EIR (SCH #2009022053) was prepared for the 2009 proposed urban service area amendment. The Gilroy City Council did not take action on the EIR, and thus could not take action on the project. In July 2012, the applicant submitted another USA application, including a preliminary master plan, which represented the concept of future development that was analyzed in an EIR finalized, though never certified, in late 2014. Supporting LAFCO documentation, including a vacant land inventory, plan for providing services, and fiscal impact analysis, was also prepared at that time.

#### Hewell USA (USA 14-02)

In 2012, Mark Hewell submitted an annexation application to the city. Only conceptual development plans were submitted at the time which showed a proposed 48 single-family residential lot subdivision, with lots ranging from 1,049 square feet to 6,395 square feet. Roadway improvements would include completing the extension of Vickery Avenue west to Kern Avenue, extending Kern Avenue north along the western property boundary, and extending Cohansey Avenue from the project site's eastern edge, west to Kern Avenue. A draft initial study was prepared in 2014 for prezoning and annexation of the Hewell project site. Prior to final completion of the draft, City staff discovered that Santa Clara County LAFCO has no records indicating that the subject property was within the City of Gilroy's Urban Service Area. Consequently, the applicant applied for an USA amendment and the draft initial study was revised to accommodate the project description revision. The following draft LAFCO-required documentation was also prepared: Draft Fiscal Impact Analysis (February 2105); Draft Residential Vacant Land Inventory (March 2015); and Draft Plan for Services (March 2015).

The project was put on hold before the California Environmental Quality Act (CEQA) documentation could be completed and circulated for public review and before the LAFCO documentation was finalized for submission to LAFCO. Nearly four years have passed, requiring the documentation to be updated and finalized.

#### **Description of Project**

The proposed project is a single urban service area amendment to the City of Gilroy's urban service area that includes both the previously separate Wren Investors project site and the Hewell project site (hereinafter referred to as "the proposed project"). Table 1, Wren Investors and Hewell USA Anticipated Development, presents the anticipated buildout for these two sites comprising 55.66 acres and presents proposed land uses, acreage, and number of residential lots. Figure 5, Wren Investors Preliminary Master Plan, presents the conceptual lot layout of the Wren Investors project site. Figure 6, Hewell Conceptual Development Plan, presents the conceptual lot layout proposed for the Hewell project site.

Table 1 Wren Investors and Hewell USA Amendment Anticipated Development

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

SOURCE: Wren Investors (USA 12-01) & Hewell (USA 14-02) USA Amendment Applications

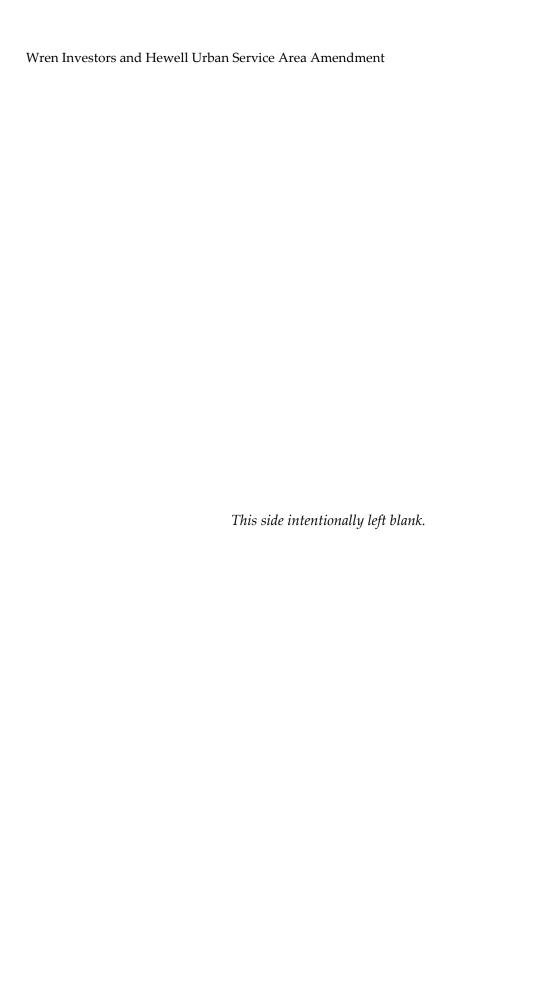
#### Other Public Agencies Whose Approval is Required

- Santa Clara County Local Agency Formation Commission (LAFCO)
- Regional Water Quality Control Board National Pollutant Discharge Elimination System Permit (NPDES)

# Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

The city has not received any requests for consultation from tribes that are traditionally or culturally affiliated with the project area. Therefore, no additional consultation was required under Assembly Bill (AB) 52.



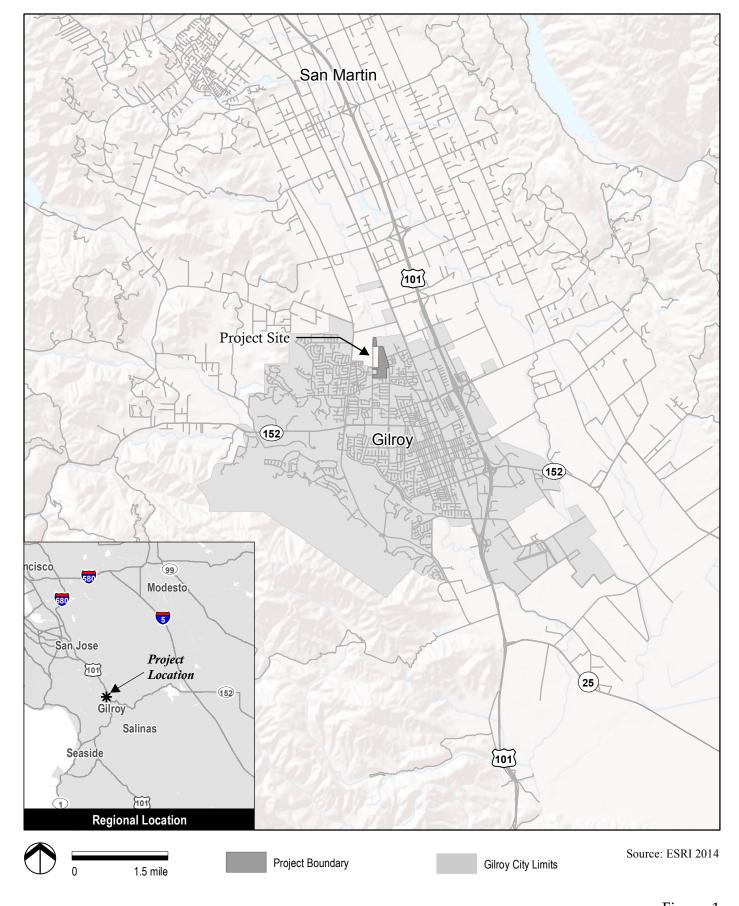
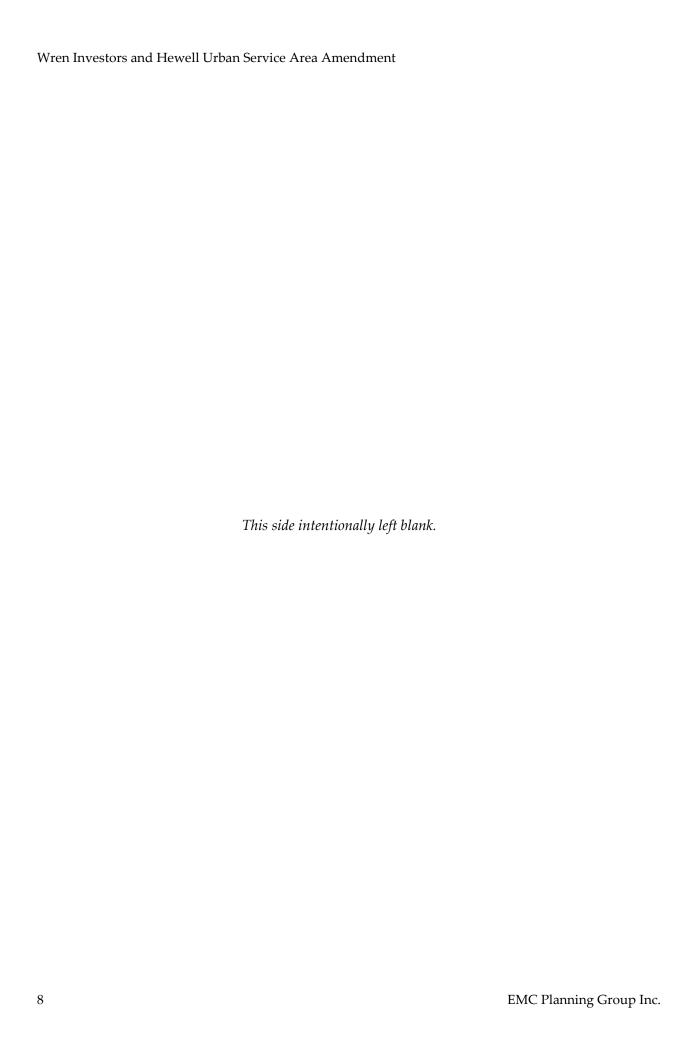


Figure 1 Project Location







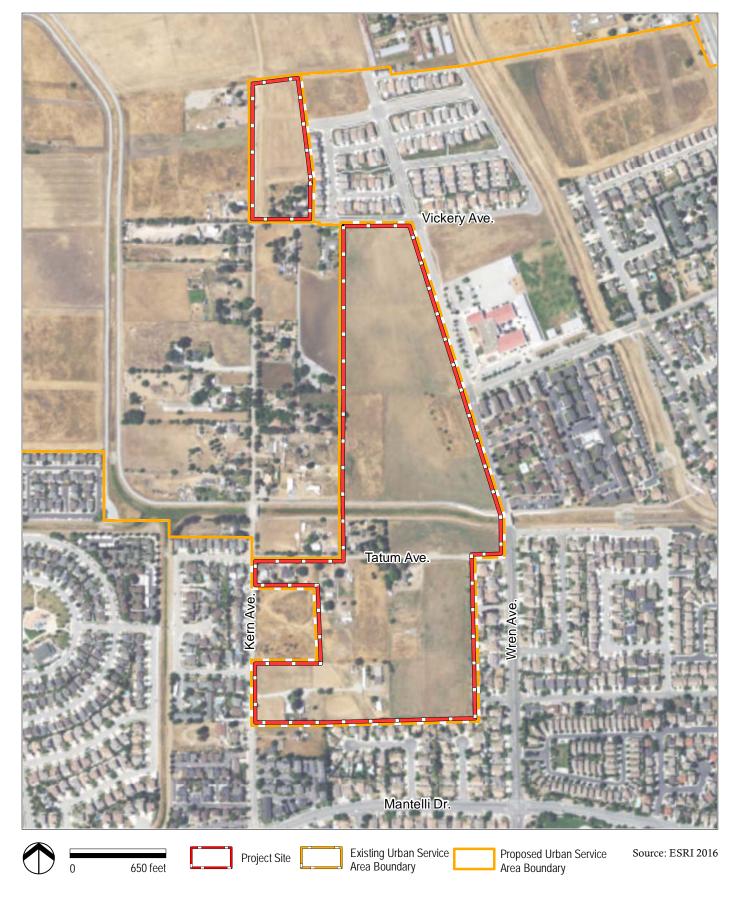


Figure 2

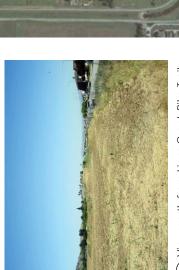
Aerial Photograph



Wren Investors and Hewell Urban Service Area Amendment This side intentionally left blank.



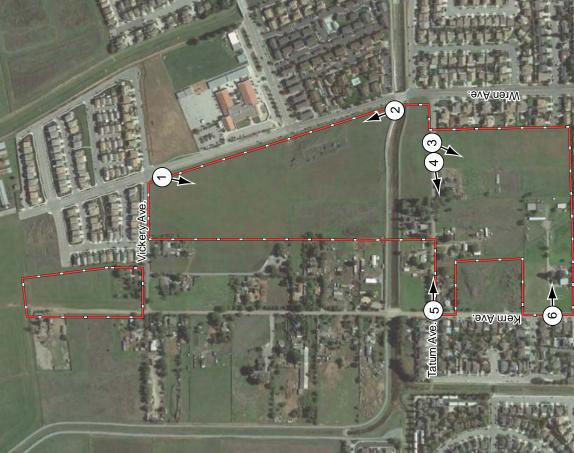
1) View southwest from Vickery Lane and Wren Avenue



 $\underbrace{2} \text{ View north from Lions Creek Bike Trail} \\ \text{and Wren Avenue}$ 



(3) View southwest from Tatum Avenue



Photographs: EMC Planning Group 12/2013

Project Site



4 View west on Tatum Avenue



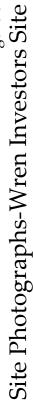
(5) View east from Kern Avenue at Tatum Avenue



(6) View east from Kern Avenue

Source: ESRI 2017

Figure 3







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Wren Investors and Hewell Urban Service Area Amendment



(1) View looking north across the project site



View looking southest across site with Harvest Park

(2) residential subdivision (under construction) seen in background



Project Site 



 $\begin{tabular}{ll} \hline \end{tabular} \begin{tabular}{ll} \end{tabular} Wiew looking southwest across site at primarily vacant field, with single-family home in distance $$ $ (1.5)$ 

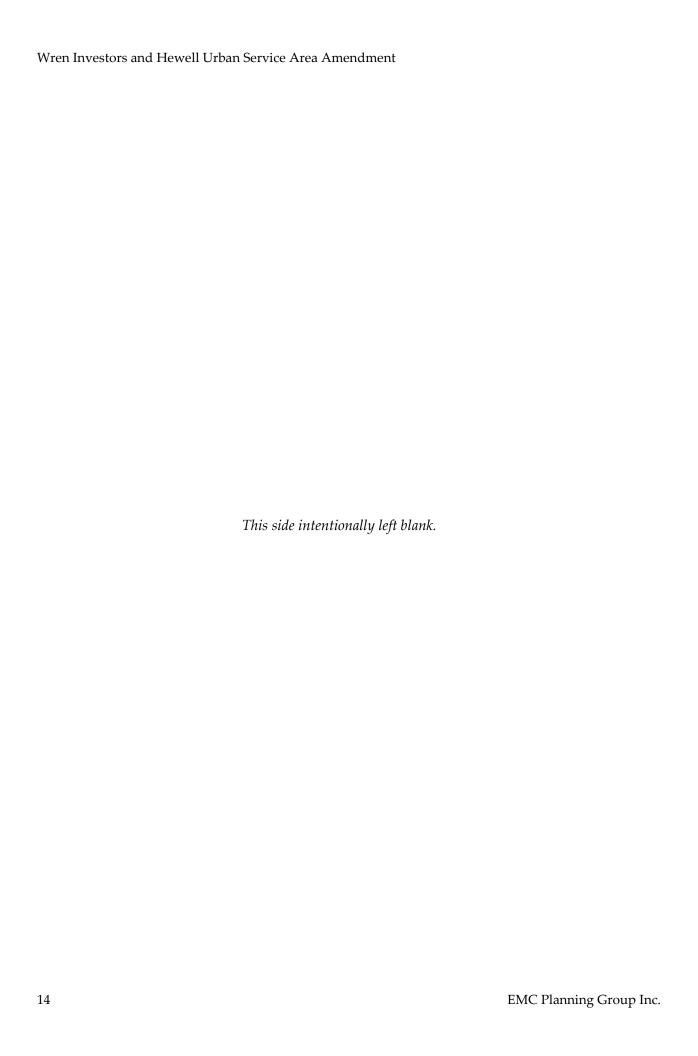


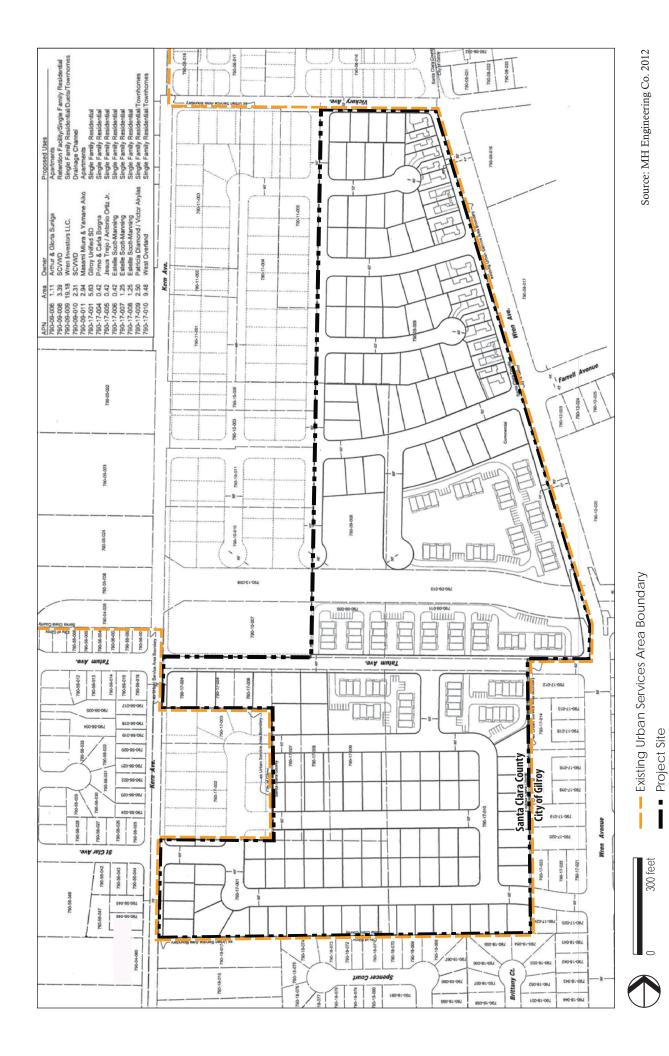
Source: ESRI 2017

Photographs: EMC Planning Group 12/2013









Wren Investors Preliminary Master Plan
Wren Investors and Hewell USA Amendment Initial Study

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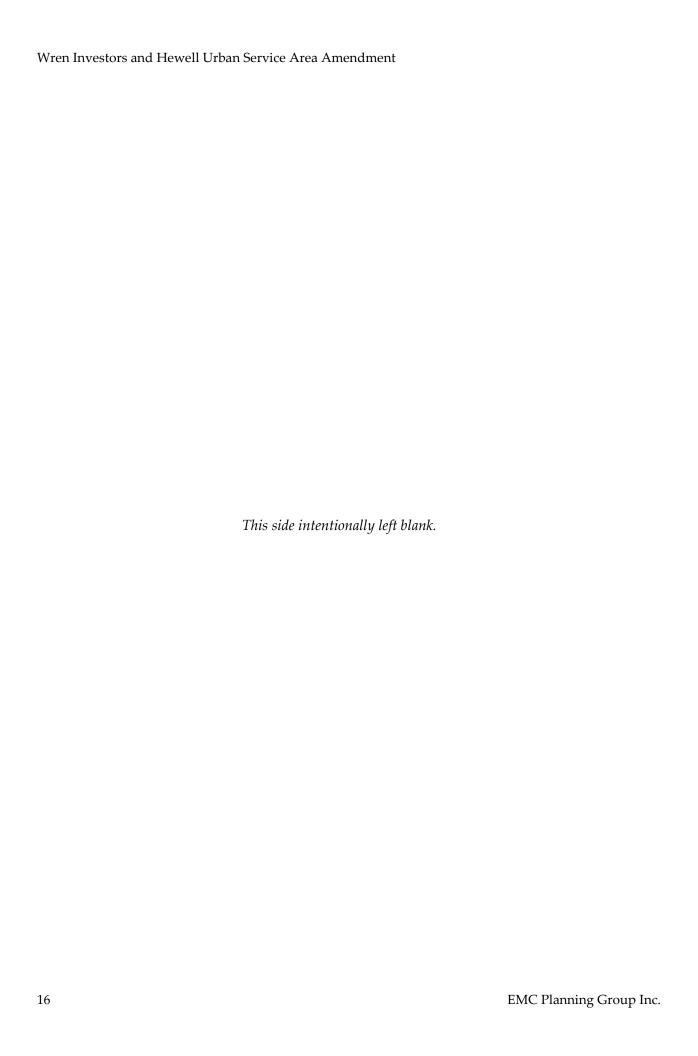




Figure 6

Hewell Conceptual Development Plan





Wren Investors and Hewell Urban Service Area Amendment  $This\ side\ intentionally\ left\ blank.$ 18 EMC Planning Group Inc.

# B. Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Greenhouse Gas Emissions	Population/Housing
Agriculture and Forestry Resources	Hazards & Hazardous Materials	Public Services
Air Quality	Hydrology/Water Quality	Transportation/Traffic
Biological Resources	Land Use/Planning	Tribal Cultural Resources
Cultural Resources	Mineral Resources	Utilities/Service Systems
Geology/Soils	Noise	Mandatory Findings of Significance
None		

# C. DETERMINATION

Julie Wyrick, Planning Division Manager

On the basis of this initial evaluation: I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Date

# D. EVALUATION OF ENVIRONMENTAL IMPACTS

The evaluation of the potential impacts of the proposed project is contained in the following series of checklists and accompanying narratives. The following notes apply to this section.

#### **Notes**

- 1. A brief explanation is provided for all answers except "No Impact" answers that are adequately supported by the information sources cited in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer is explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2. All answers take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4. "Negative Declaration: Less-Than-Significant Impact with Mitigation Measures Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less-Than-Significant Impact." The mitigation measures are described, along with a brief explanation of how they reduce the effect to a less-than-significant level (mitigation measures from section XVII, "Earlier Analyses," may be cross-referenced).
- 5. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier document or negative declaration. [Section 15063(c)(3)(D)] In this case, a brief discussion would identify the following:
  - a. "Earlier Analysis Used" identifies and states where such document is available for review.
  - b. "Impact Adequately Addressed" identifies which effects from the checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.

- c. "Mitigation Measures" For effects that are "Less-Than-Significant Impact with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances, etc.) are incorporated. Each reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated.
- 7. "Supporting Information Sources"—A source list is included in Section E, Sources, at the end of this initial study, and other sources used or individuals contacted are cited in the discussion.
- 8. The explanation of each issue identifies:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any to reduce the impact to less than significant.

# 1. **AESTHETICS**

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Have a substantial adverse effect on a scenic vista or degrade the existing visual character in the Hecker Pass Specific Plan Area (GP Policy 1.07) or the hillside areas (GP Policy 1.16, GP Policy 12.04)? (1, 2, 12, 24, 25)				✓
b.	Substantially damage scenic resources viewed from Hecker Pass Highway or Pacheco Pass Highway (GP Policy 6.01, GP Policy 12.04)? (1, 2, 12, 24, 25)				✓
c.	Substantially damage scenic resources viewed from Uvas Park Drive, Santa Teresa Boulevard, or Miller Avenue from First Street to Mesa Road (GP Policy 6.02)? (1, 2, 12, 24, 25)			✓	
d.	Substantially damage scenic resources (farmland and surrounding hills) viewed from Highway 101 (GP Policy 6.03, Action 1-H)? (1, 2, 12, 24, 25)				✓
e.	Result in unattractive entrances at the principal gateways to the City (north and south Monterey Street, Highway 152/Hecker Pass Highway, Highway 152/Pacheco Pass, north and south Santa Teresa Boulevard, and at the Highway 101 interchanges at Masten, Buena Vista, Leavesley, and Tenth Street) (GP Policy 1.10 and Action 1-H)? (1, 2, 3, 12, 24, 25)				<b>✓</b>
f.	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (1, 2, 3, 12, 24, 25)			<b>√</b>	
g.	Include or require a wall or fence higher than seven feet above the existing grade at the property line? (1, 2, 3, 12, 24, 25)				<b>√</b>

#### **Comments:**

- a. The proposed project is not within the Hecker Pass Highway or hillside areas; therefore, the proposed USA amendments and future development of the proposed project sites would have no impact on scenic vistas or resources within these areas.
- b. The proposed project is not visible from Hecker Pass Highway or Pacheco Pass Highway; therefore, the proposed USA amendment and future development of the proposed project would have no impact on scenic resources viewed from these areas.
- c. The proposed project is not located along Uvas Park Drive, Santa Teresa Boulevard, or Miller Avenue from First Street to Mesa Road. Santa Teresa Boulevard is approximately one third to a half mile west of the project site. The Hewell site would be visible to travelers along Santa Teresa Boulevard south of Day Road (East). However, these vantage points are limited and would require looking to the east, directly at the site, more than a third of a mile away. At this distance, the development at the project site would not be discernible. Scenic resources, primarily the agricultural fields, and rural development along Santa Teresa Boulevard, as viewed from the roadway would not be substantially damaged. Therefore, the impact is less than significant and no mitigation measures are required.
- d. The proposed project sites are nearly one mile west of U.S. Highway 101 and are not discernable from the highway. Therefore, the proposed project would not substantially damage scenic resources (farmland and surrounding hills) viewed from U.S. Highway 101.
- e. Santa Teresa Boulevard at the northern entrance to Gilroy, located approximately a third of a mile west of the proposed project, is considered one of the principal gateways to the City. As identified in item c. above, the proposed project is not located along Santa Teresa Boulevard and would be not be discernible from the roadway. Therefore, the proposed project would not result in an unattractive entrance at this gateway.
- f. The proposed project would introduce new sources of residential lighting that has the potential to create a substantial source of nighttime glare. The proposed project must comply with applicable Gilroy general plan policies and actions and with the City's Lighting Standards which address minimizing light and glare impacts. Applicable general plan policies include the following:
  - Policy 19.13. Outdoor Lighting. Provide appropriate lighting on sidewalks and pathways to protect public safety.

- Policy 19.14 Outdoor Lighting Energy Efficiency. Select outdoor lamps and light fixtures to provide energy efficiency as well as effective lighting. Preference should be given to newer types of light sources such as Low Pressure Sodium, High Pressure Sodium, or Metal Halide lamps that can provide more "lumens per watt" as well as a longer lamp life. Lighting controls (such as timers or photosensors) should be used when possible to turn lights off when they are not needed.
- Policy 19.15 Glare and "Light Pollution." Require that light sources and fixtures be selected, designed, and located to minimize glare and limit light pollution (including "light trespass" and "uplighting"). "Light trespass" is light emitted by a lamp or lighting installation that falls outside the boundaries of the property intended for illumination. "Uplighting" is light that is unnecessarily thrown into the night sky. Such excess lighting can affect adjacent residents, passing drivers or pedestrians, the natural environment, and astronomical observations. Encourage the use of light fixtures that minimize glare and light pollution, specifically using hoods and shields to direct the light beam onto the area intended for illumination.

Future development of the two project sites will require City approval of a master plan or specific plan, a tentative map, and architectural site review. Section 34.31 of the City Code identifies requirements for wall location and height in residential districts, and the future development of the site is subject to these standards. Proposed wall locations, height, and materials are required to be included on landscaping plans submitted as part of the Architectural and Site Review application for future site specific development. Compliance with the City's zoning standards would ensure that all wall heights comply with the City's maximum permitted height.

Compliance with general plan policies and the City's adopted lighting standards and standard conditions of approval that address minimizing light and glare impacts will ensure that future development does not result in excessive light that adversely affect day or nighttime views in the area. Therefore, the impact is less than significant.

g. A significant impact may occur if there is a wall or fence greater than seven feet in height measured from the finished grade on the higher side of the fence, or as allowed by the Gilroy City Code, Section 34. At this time, the Wren Investors and Hewell projects do not propose any walls or fences, as the application before the City of Gilroy is an urban service area amendment request only. Future development of the project sites will require review of proposed fence heights per the Gilroy City Code. Compliance with the City's zoning standards would ensure that all fence heights comply with the City's maximum permitted height.

## 2. AGRICULTURE

In determining whether impacts on agricultural resources are significant environmental effects and in assessing impacts on agriculture and farmland, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (LESA) (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Convert prime farmland or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to an urban use (projects requiring a legislative act, such as zoning changes, annexation to the City, urban service area amendments, etc)? (17, 49)			✓	
b.	Conflict with a Williamson Act contract? (18, 19)				✓
c.	Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use? (17, 18, 19)				<b>√</b>

#### **Comments:**

a. **Wren Investors site.** The 50.3-acre Wren Investors site does not include any land designated "prime farmland" or "farmland of statewide importance." Therefore, there is no impact as a result of converting prime farmland or farmland of statewide importance.

**Hewell site.** The annexation and development of approximately 1.87 acres of "prime farmland", 2.43 acres of "farmland of statewide importance," and approximately 0.89 acres of "other land" located on the Hewell project site would have a less-than-significant impact. This determination was based on a Land Evaluation and Site Assessment (LESA) model score of 49.9 with a land evaluation subscore of 31.9 and the site assessment score of 18.0. The loss of agricultural land with a LESA score of between 40 and 59 is considered significant if both the land evaluation and the site assessment subcategories have scores of 20 or better. Since the site assessment

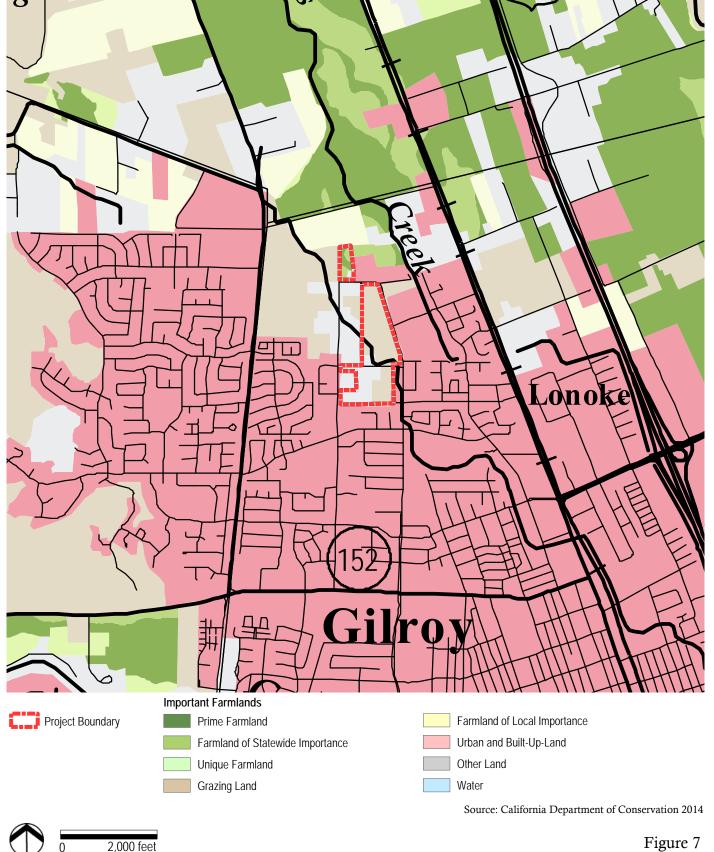
subcategory is less than 20, future urban development of the parcel would not be considered a significant impact in accordance with the City of Gilroy significance criteria.

The LESA worksheets and supporting graphics included in the 2015 LESA modelling for the Hewell site are included as Appendix A of this initial study. The Wren Investors and Hewell site are shown superimposed on the 2014 farmland map in Figure 7, Wren Investors and Hewell Sites – 2014 CDC Important Farmland Map, below.

The City has a policy for agricultural mitigation that was adopted in May 2004 and later revised in January 2016. This policy provides the specific criteria and guidelines, consistent with the City's general plan policies, on agriculture. According to the City's Agricultural Mitigation Policy, the proposed project does not require mitigation and is a considered a less than significant impact because the LESA score considers future development of the project site not a significant impact (discussed previously) and no Williamson Act contracts are in place on the site (further discussed in b) below).

- b. According to current county mapping, these two parcels are not under Williamson Act contract (Santa Clara County 2017). The Hewell project site is not under a Williamson Act contract (California Department of Conservation 2016). Therefore, the proposed project would not conflict with a Williamson Act contract.
- c. Neither the project sites nor other parcels in the surrounding area are zoned for or in use as forest land or commercial timberland. The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land and would not result in the loss of forestland; therefore, there is no impact.

Wren Investors and Hewell Urban Service Area Amendment This side intentionally left blank.



2,000 feet

Wren Investors and Hewell Sites 2014 CDC Important Farmland Map







Wren Investors and Hewell Urban Service Area Amendment  $This\ side\ intentionally\ left\ blank.$ 

## 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Conflict with the Bay Area Air Quality Management District Clean Air Plan (BAAQMD CAP)? (1, 2, 13, 24, 25, 30)		✓		
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? BAAQMD indicates that any project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. (1, 2, 13, 24, 25, 30)			✓	
C.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)? (1, 2, 13, 24, 25, 30)			<b>✓</b>	
d.	Expose sensitive receptors (residential areas, schools, hospitals, nursing homes) to substantial pollutant concentrations (CO and $PM_{10}$ ), as determined in b. above? (13, 24, 25, 30, 34)		✓		
e.	Create objectionable odors affecting a substantial number of people? (13, 24, 25, 30)				✓

#### Comments:

a. Clean Air Plan Consistency. The City of Gilroy is located within the San Francisco Bay Area Air Basin and the boundary of the Bay Area Air Quality Management District (air district). The air district recently adopted the current version of the Clean Air Plan on April 19, 2017. In this 2017 version of the Clean Air Plan, the air district adopted a new methodology for assessing consistency with the Clean Air Plan. The air district's Air Quality CEQA Guidelines ("air district CEQA guidelines") Section 9.1 provides guidance on determining if a development project is consistent with the

Clean Air Plan. Consistency with the Clean Air Plan is based on three inter-related criteria: support for the primary goals of the Clean Air Plan, inclusion of applicable Clean Air Plan air quality control measures, and absence of hindrances to implementation of the Clean Air Plan.

The primary goals of the 2017 Clean Air Plan are to attain air quality standards; to reduce population exposure to pollutants and protect public health in the Bay Area; and to reduce greenhouse gas (GHG) emissions and protect the climate. This is considered to have been accomplished if there are no project-level significant impacts, or if significant impacts are mitigated to a less-than-significant level. As discussed below, the proposed project would eventually lead to the development of residential development with a small neighborhood commercial component which would generate criteria air pollutant and toxic air contaminant emissions, but not to the extent that significant impacts would occur. Therefore, the proposed project, as mitigated, does not result in significant air quality impacts, and therefore, supports the primary goals of the 2017 Clean Air Plan.

Most of the 85 control measures in the 2017 Clean Air Plan are applicable to industrial stationary sources, or are implemented at a regional level, and not applicable to the proposed project (residential and commercial project). Control measures potentially applicable to the proposed project are included below in Table 2, Potentially Applicable Control Measures (2017 Clean Air Plan).

Table 2 Potentially Applicable Control Measures (2017 Clean Air Plan)

Control Measure Number and Name
SS30 Residential Fan-Type Furnaces
SS34 Wood Smoke
SS36 Particulate Matter from Trackout
TR7 Safe Routes to School
TR9 Bicycle and Pedestrian Access and Facilities
TR22 Construction, Freight and Farming Equipment
BL1 Green Buildings
BL4 Urban Heat Island Mitigation
WA3 Green Waste Diversion
WR2 Support Water Conservation
SOURCE: BAAQMD 2017 (see Tables 5-1 through 5-10)

Future applications to develop the project site would be required to implement these control measures as either conditions of approval or mitigation measures in order to ensure consistency with the 2017 Clean Air Plan. The proposed project, therefore, does not have aspects that would interfere with or hinder implementation of the 2017 Clean Air Plan. Plan consistency related to GHG emissions is discussed in Section D.7, Greenhouse Gas Emissions, of this initial study.

b/c. Future development of the project site would generate criteria air pollutant emissions during construction and operations. Ambient air quality is monitored by the air district at eight locations in Santa Clara County. Air pollutants of concern in the air basin are ozone, particulate matter (PM10 and PM25), and toxic air contaminants (Bay Area Air Quality Management District 2017). The ozone attainment status is currently "non-attainment" and the suspended and fine particulate matter (PM10) attainment status is currently "non-attainment," for both state and federal standards. On January 9, 2013, Environmental Protection Agency (EPA) determined that the air district had attained the annual PM25 national standard. However, the air basin continues to be designated as "non-attainment" for the national 24-hour PM25 standard until such time as the air district submits a "re-designation request" and a "maintenance plan" to the EPA and the EPA approves the proposed re-designation (Bay Area Air Quality Management District 2017). The air district remains in non-attainment of the state standard for PM25.

The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating air quality impacts of projects and plans in its air district CEQA guidelines, which were initially adopted in 1999 and subsequently updated in 2010, 2011, 2012, and 2017.

The 2017 air district CEQA guidelines, Table 3, Criteria Air Pollutants and Precursors and GHG Screening Level Sizes, identifies land uses by size that are typically not expected to result in criteria pollutant emissions that would exceed the air district's thresholds. Table 3 provides an indication of when a project's construction and operational emissions should be quantified based on identified size criteria. The proposed project's long-term operational and short-term construction air quality impacts are discussed below.

**Long-Term Operational Impacts.** The proposed project is below the air district's screening levels of 325 dwelling units for "Single-Family Residential" and 451 dwelling units for "Apartments, low-rise" for criteria air pollutant emissions including PM<sub>10</sub> and ozone precursors. As such, the proposed project's anticipated residential buildout would not be expected to generate criteria air pollutant emissions that would exceed air district standards.

Emissions modeling conducted for the purposes of estimating greenhouse gas emissions (refer to Section D.7, Greenhouse Gas Emissions, of this initial study) confirms that the proposed project would not exceed air district thresholds. The modeling results are presented in Table 3, Operational Criteria Pollutant Emissions.

Table 3 Operational Criteria Pollutant Emissions (Pounds per Day)<sup>1</sup>

Emissions	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO <sub>x</sub> )	Suspended Particulate Matter (PM <sub>10</sub> )	Carbon Monoxide (CO)	
Winter (unmitigated)	257.98	19.23	58.57	378.19	
Winter (mitigated) <sup>2</sup>	28.40	17.62	14.35	65.30	
Summer (unmitigated)	258.50	18.61	58.56	378.63	
Summer (mitigated) <sup>2</sup>	28.93	17.00	14.35	65.74	

SOURCE: CalEEMod Results, EMC Planning Group 2017

NOTES:

The modeling results confirm that the proposed project would not exceed air district thresholds for ROG, NO<sub>x</sub>, PM<sub>10</sub>, and CO and therefore, would not result in significant emissions impacts during operations. Operational criteria air pollutants generated by the proposed project would therefore be less than cumulatively considerable and less than significant.

**Short-term Construction Impacts.** The City's standard conditions of approval for reducing short-term construction air quality impacts would reduce any short-term air quality impacts to a less-than-significant level. These standard conditions are as follows:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

<sup>1.</sup> Results may vary due to rounding.

<sup>2.</sup> Mitigated emissions are due to prohibitions on woodburning hearths and use of low VOC paints and solvents on building interiors and exteriors.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Compliance with these standard conditions of approval would reduce project-related construction emissions impacts to a less-than-significant level. No mitigation is required. The project would not violate any air quality standards and would not result in a cumulatively considerable net increase of any criteria pollutants.

d. Sensitive receptors are defined as residential uses, schools; daycares, and health care facilities such as hospitals or retirement and nursing homes. The nearest sensitive receptors to the project site are the occupants of the existing houses and residences under construction adjacent to the project site (to the west, south, and east). While the proposed urban services amendment itself would not lead to any direct air quality impacts to these adjacent homes, any subsequent development of the sites as result of the urban service area amendment has the potential to. The existing homes, and potentially new homes now under construction, could be exposed to dust and equipment exhaust during construction of any future development of the Wren and Hewell sites which would be a significant impact. However, compliance with the City's standard conditions of approval for the control of dust during construction would reduce exposures to construction dust to a less-than-significant level.

Only one existing stationary source of toxic air emissions is located within 1,000 feet of the Wren Investors site. The generator at Antonio del Buono School would operate only during power outages. The generator is listed as having risk factors of 17.32 additional cases per million for cancer and 0.006 and 0.004 for hazards and PM<sub>2.5</sub> respectively. The BAAQMD Diesel Internal Combustion (IC) Engine Distance Multiplier Tool was used to adjust the cancer and PM<sub>2.5</sub> risk factors for 131 feet from the project site (the closest adjustment to the actual minimum distance of 150 feet). At 58 percent of the listed risk factor values, the adjusted risk factors were 9.86 additional cases per million for cancer and 0.00232 for PM<sub>2.5</sub> The air district standards for significance from a single stationary source are an increased cancer risk of greater

than 10.0 in a million, increased non-cancer hazard risk index greater than 1.0, and an ambient PM<sub>2.5</sub> increase greater than 0.3  $\mu$  g/m3 annual average. As adjusted for the minimum distance from the source, the risk factors are below air district standards, and the impact would be less than significant.

In addition, diesel equipment exhaust during construction has the potential to expose nearby sensitive receptors to high levels of toxic air contaminants. The closest sensitive receptors (existing residences) are approximately 150 feet from the south side of the project site. Implementation of the following mitigation measure would reduce this risk to a less-than-significant level.

#### Mitigation Measure

- AQ-1. The following construction equipment parameters shall be included on all grading and building plans, subject to review and approval by the Building Division:
  - a. All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two consecutive days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent that also includes CARB-certified Level 3 Verified Diesel Emission Control Strategies (VDECS) or Diesel Particulate Filters meeting these requirements. Note that U.S. EPA Tier 4 equipment is considered to meet this measure. Applicant and/or construction contractor shall be responsible for submitting an equipment data list and operations timeframes to the Building Division prior to commencement of grading operations, and updating the information each week that there is a change. For each piece of equipment, the list shall include: CARB identification number, type of equipment (grader, dozer, etc.), emissions classification of equipment (Tier 2, filter type, etc.), compliance or non-compliance with emissions requirements above, and proposed operation schedule.
  - b. Include conspicuous signage at the construction site entry and on-site construction office reiterating idle time limits on all diesel-fueled off-road vehicles to five minutes, as required by Title 23, Section 2449, of the California Code of Regulations ("CARB Off-Road Diesel Regulations").
  - c. Eliminate the use of portable diesel equipment (e.g., generators) within 200 feet of project boundaries by providing electrical service at the site during the initial construction phase. Alternatively, use propane or natural gas powered equipment if electricity is not available.

Weekly monitoring reports detailing compliance with the measures described above shall be submitted by the applicant to the Building Division during all phases of construction. The Building Division shall ensure this has occurred prior to issuance of an occupancy permit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Building Division

e. Operations of the proposed project would not result in any objectionable odors. However, construction equipment has the potential to emit objectionable odors during the project construction phase. Implementation of the standard conditions of approval and mitigation measures identified above would reduce objectionable odors that may occur during the construction process to a less-than-significant level.

# 4. BIOLOGICAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service? (1, 36, 37, 38, 39, 40)		•		
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? (1, 36, 37, 38)				✓
c.	Have a substantial adverse effect on federally protected wetlands, as defined by section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), through direct removal, filling, hydrological interruption, or other means? (36, 37)				✓
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (12, 36, 37)			<b>√</b>	
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (3, 36, 37, 41)		✓		
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (36, 37, 42, 43)				<b>√</b>

#### **Comments:**

Updated species database records were reviewed from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB) and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants for the Gilroy, Morgan Hill, Mount Sizer, Mississippi Creek, Mount Madonna, Gilroy Hot Springs, Watsonville East, Chittenden, and San Felipe U.S. Geological Survey (USGS) quadrangles. An updated U.S. Fish and Wildlife Service (USFWS) Endangered Species Program Threatened and Endangered species list for Santa Clara County was also reviewed. For this section, "project site" refers to both the Wren and Hewell project sites combined, unless otherwise specified.

EMC Planning Group biologist Andrea Edwards conducted biological reconnaissance field surveys of the Wren and Hewell project sites on June 3, 2013 and December 27, 2013, respectively. The surveys were performed to document existing habitats and evaluate the potential for special-status species to occur. Prior to conducting the site visits, Ms. Edwards reviewed site maps, aerial photographs, special-status species occurrence database accounts, and scientific literature and reports describing natural resources in the project vicinity. Biological resources were documented in field notes during the surveys, including species observed, dominant plant communities, and significant wildlife habitat characteristics. Qualitative estimations of plant cover, structure, and spatial changes in species composition were used to determine plant communities and wildlife habitats, and habitat quality and disturbance level were noted.

**Wren Investors Site.** This project site is located on the Gilroy USGS quadrangle map. It ranges in elevation from approximately 210 to 220 feet. The site includes mainly fallow agricultural fields, with mechanical disturbance and exposed soil evident at the time of survey; these disturbed fields contain patches of ruderal (weedy) vegetation, including wild radish (*Raphanus sativus*), field bindweed (*Convolvulus arvensis*), and red-stemmed filaree (*Erodium cicutarium*). The site also contains non-native grasslands dominated by wild oat (*Avena* sp.) and several developed rural residences with associated non-native ornamental vegetation (landscaped plantings).

The central portion of the site is traversed by an east-west trending Santa Clara Valley Water District flood control channel (Lions Creek). Vegetation within the channel is regularly removed for flood control purposes and contained mainly low ruderal and non-native grassland species at the time of survey. However, this channel is known to also contain patches of native cattail (*Typha* sp.), willow-herb (*Epilobium ciliatum*), and other vegetation species characteristic of wetland features.

Wildlife habitat on the site is generally of low quality due mainly to its past agricultural use, which requires a high degree of regular disturbance. The on-site habitat areas described

above provide only marginally suitable habitat conditions for common wildlife species, including California ground squirrel (*Otospermophilus beecheyi*), red-tailed hawk (*Buteo jamaicensis*), western fence lizard (*Sceloporus occidentalis*), and nesting birds such as California scrub-jay (*Aphelocoma californica*). The Lions Creek channel in particular can support common wildlife species, including amphibians, during the rainy season when water and vegetation are present.

**Hewell Site.** This project site is also located on the Gilroy USGS quadrangle map and is approximately 220 feet in elevation throughout. It is mainly composed of an open field containing disturbed areas/non-native grassland habitat, but the southeast portion of the site also contains an existing rural residence with accessory structures and a variety of non-native ornamental plants. At the time of survey, the open field had been recently disked and was quite disturbed. Based on small patches of vegetation remaining around the edges of the open field, it appears that the site supports non-native grassland dominated by non-native wild oat (*Avena* sp.), ripgut grass (*Bromus diandrus*), and barley (*Hordeum murinum*). Other common non-native species included English plantain (*Plantago lanceolata*), shortpod mustard (*Hirschfeldia incana*), and curly dock (*Rumex crispus*).

The ornamental area near the rural residence contained about a dozen non-native trees, including pine (*Pinus* sp.), gum (*Eucalyptus* sp.), olive (*Olea europaea*), and pepper (*Schinus molle*). The area also contained one native northern California black walnut (*Juglans hindsii*), which was about 12 inches in diameter at breast height; this tree was in poor health with low aesthetic value, and with its three major branches already removed, consisted merely of a trunk with one remaining branch.

a. **Special-Status Species.** A search of the CNDDB was conducted for the nine aforementioned USGS quadrangles in order to generate a list of potentially occurring special-status species in the project vicinity. Records of occurrence for special-status plants were reviewed for those quadrangles in the CNPS Inventory of Rare and Endangered Plants, and the USFWS Endangered Species Program Threatened and Endangered species list for Santa Clara County was also reviewed. Special-status species in this report are those listed as Endangered, Threatened, or Rare, or as Candidates for listing by the USFWS and/or CDFW; as Species of Special Concern or Fully Protected species by the CDFW; or as Rare Plant Rank 1B or 2B by the CNPS.

Special-status species with low to very low potential to occur on the project site include burrowing owl (*Athene cunicularia*), California red-legged frog (*Rana draytonii*), and white-tailed kite (*Elanus leucurus*). Burrowing owl and California red-legged frog are covered species in the Santa Clara Valley Habitat Plan (Habitat Plan), which is discussed in comment F below. Any potential project impacts to either of these species will be addressed in the Habitat Plan permitting process and therefore,

no mitigation measures are required for these species. White-tailed kite is a nesting bird species covered in Mitigation Measure BIO-1 below. The CNPS Rare Plant Rank 1B Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*) is not expected to occur on the Wren-Hewell project site, since the site is not within its current geographic distribution range.

Nesting birds. Construction activities, including tree/shrub removal and ground disturbance, have potential to impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. The project site and adjacent rural residential and ornamental areas contain trees and/or other suitable habitats with potential to support nesting birds. If protected bird species are nesting in or adjacent to the project site during the bird nesting season (February 1 through August 31), then noise-generating construction activities and/or vegetation removal could result in the loss of fertile eggs or nestlings, or otherwise lead to the abandonment of nests. Implementation of the following mitigation measure would reduce potentially significant impacts to nesting birds to a less-than-significant level.

### Mitigation Measure

BIO-1. If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the project applicant will retain a qualified biologist to conduct a pre-construction survey for nesting birds, including CDFW Fully Protected white-tailed kite. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than one week prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to the City of Gilroy Planning Division Manager for review and approval prior to disturbance and/or construction activities.

If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance will determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist.

To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

Implementation of mitigation measure BIO-1 would ensure impacts to nesting birds are avoided by requiring a pre-construction survey for bird nests (should construction be scheduled during the nesting season) and implementation of avoidance measures should any active nests be found.

- b. **Sensitive Natural Communities.** No sensitive natural communities occur on the site. Although the Lions Creek flood control channel traverses the project site, it is regularly maintained (cleared of vegetation). The proposed project would not impact this man-made waterway feature. Therefore, no impacts to sensitive natural communities associated with the proposed project are anticipated.
- c. Wetlands and Waterways. Lions Creek flood control channel is present on the project site, and would likely fall under the jurisdiction of the U.S. Army Corps of Engineers (USACE), CDFW, and/or Regional Water Quality Control Board (RWQCB). The habitat functions and values of this channel are limited by its temporary hydrological influence, function as municipal flood control infrastructure, presence of adjacent access roads, and regular vegetation disturbance for flood control purposes. The proposed project would not impact this man-made waterway feature.
- d. Wildlife Movement. Wildlife movement corridors provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. The project site is surrounded by existing development. The on-site fallow agricultural/ruderal fields and non-native grasslands contain low quality habitat that would only support limited local movement opportunities for common, urban-adapted wildlife. The existing multi-use trail along Lions Creek channel, and the channel itself, likely facilitate wildlife movement for common, urban-adapted mammals such as Virginia opossum (*Didelphis virginiana*) and raccoon (*Procyon lotor*). Additional, alternate routes for wildlife movement exist to the north and west of the project site. The proposed project would therefore have a less-than-significant impact on wildlife movement and would not impede the use of native nursery sites.

- e. **Local Policies/Ordinances.** The Gilroy City Code Section 30.38.270, Protected Trees, states the following:
  - 1. The community development director shall determine if existing trees qualify as protected trees, a community of protected trees or heritage trees. Refer to section 30.38.270, Protected Tree Removal, for the definitions of "protected trees," "a community of protected trees" or "heritage trees."
  - 2. An arborist report shall be required for any application for discretionary development approval for which the project site includes existing protected trees, as defined in section 30.38.270(b). The arborist report shall include all information specified in section 30.38.270(d). The arborist report shall specify all necessary measures to ensure that protected trees identified to remain are protected throughout the construction process. The cost for preparation of the arborist report and city review of it shall be at the sole expense of the applicant. All arborist recommendations shall be listed on the final landscape plans.
  - 3. The arborist shall sign the final landscape plans certifying that the plan is consistent with the recommendations made in the arborist report.
  - 4. At least three (3) scheduled inspections shall be made by the city and/or the arborist, at the direction of the city, to ensure compliance with the recommendations of the arborist report. The inspections shall, at a minimum, include the following: (a) initial inspection prior to any construction or grading, (b) after completion of rough grading and/or trenching, and (c) completion of all work including planting and irrigation system installation. Other inspections may be conducted as required by the community development director.
  - 5. Unless otherwise permitted by the city, no structure, excavation, or impervious surface areas of any kind shall be constructed or installed within the root zone of any protected tree or heritage tree without mitigating special design, such as post and beam footings that bridge roots. No parking, storing vehicles equipment or other materials shall be permitted within the dripline of any protected tree without special design considerations approved by the community development director.

6. All protected trees, community of protected trees or heritage tree(s) shall be maintained in good health by the property owner, applicant and/or developer until approved for removal by an approved protected tree removal permit or other discretionary planning department application.

Trees may exist on the Wren Investors site that may qualify as Protected Trees based on Section 30.38.270 of the City Code. Therefore, protected trees may be impacted by development of the project site, which would be a significant impact. Project design or construction activities that would result in the loss of or damage to a protected tree would be a significant impact.

The Hewell project site contains one 12-inch diameter native northern California black walnut tree located behind the rural residence. According to the surveying biologist who is also a certified arborist, this tree is in poor health with low aesthetic value. With its three major branches already removed, it consists merely of a trunk with one remaining branch, surrounded by non-native ornamental trees. However, this tree technically qualifies as a Protected Tree.

Removal of any protected tree(s) is subject to the approval of the Planning Division Manager, consistent with the Protected Trees section of the City Code, Section 30.38.270. The City relies on the site-specific recommendations of a certified arborist to mitigate impacts to individual significant trees. Implementation of the following mitigation measures would reduce potential impacts to significant trees to a less-than-significant level.

### Mitigation Measures

BIO-2. The project applicant shall identify protected trees, pursuant to Section 30.38.270 of the City's City Code, on the Tentative Map for residential development and on the Architectural and Site Review plans for commercial development. Protected trees shall be incorporated to the extent feasible into development design.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-3. During preparation of site plans, the project applicant shall contract with a certified arborist to prepare a tree assessment report for the project site and submit the report to the City of Gilroy Planning Division for review and approval. The tree assessment report shall include, but not be limited to, the following items:

- a. identify all protected trees on the project site, pursuant to Section 30.38.270 of the City Code, including those that can be feasibly incorporated into the proposed development (retained), and those proposed for removal;
- b. recommendations for the size, species, source, location, and number of replacement plantings to mitigate the loss of protected trees; and
- c. for all trees that are to be retained on the project site, provide tree protection measures necessary to minimize construction activity that could affect tree health, structure, or stability.

All arborist recommendations, including the species and locations of all replacement trees, shall be listed on the final landscape plan, and the arborist shall sign the final landscape plan certifying that it is consistent with the tree assessment report recommendations.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-4. Prior to site disturbance, the project applicant shall fully comply with measures required by Section 30.38.270 of the Gilroy City Code. Pruning and/or removal of protected trees shall be undertaken only under the direction of a certified arborist hired at the applicants' expense, and subject to the review and approval of the Community Development Director. An approved tree removal permit is required prior to removal of any protected tree(s); the project developer shall obtain a tree removal permit, and shall comply with any tree protection measures or replacement plantings stipulated by the city.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-5. Prior to and during construction, the project applicant shall implement all retained tree protection measures recommended for the site by the certified arborist's tree assessment report and permit approvals.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

f. **Conservation Plans.** The project site is located within the permit area of the Santa Clara Valley Habitat Plan, a combined habitat conservation plan and natural community conservation plan incorporating the southern portion of Santa Clara

County, including the cities of San Jose, Morgan Hill, and Gilroy. Other partners/permittees of the Habitat Plan include the County of Santa Clara, the Santa Clara Valley Water District, and the Santa Clara Valley Transportation Authority.

The Habitat Plan was developed in association with the USFWS and CDFW. The Habitat Plan is intended to provide an effective framework to protect, enhance, and restore natural resources in specific areas of Santa Clara County, while improving and streamlining the environmental permitting process for impacts to threatened and endangered species. Partner agencies began implementation of the Habitat Plan in October 2013.

Regarding the Habitat Plan "Geobrowser" data available online, the project site does not require focused special-status species surveys for any covered plants or wildlife, and is not located in a priority reserve area or special fee zone. The Habitat Plan land cover mapping data is based on interpretation of aerial imagery and therefore requires on-the-ground verification for specific project sites.

According to the Habitat Plan land cover type data, the Wren Investors site is mapped mainly as "Grain, Row-crop, Hay & Pasture," and "Rural-Residential", with a very small area (one residence) mapped as "Urban-Suburban". These conditions were verified as accurate during the biological field survey, in addition to the presence of the Lions Creek channel and ruderal/weedy vegetation scattered throughout the site, as described above. The open field on the Hewell site is mapped as "Grain, Row-crop, Hay and Pasture, Disked/Short-term Fallowed;" and the residence is mapped as "Rural Residential." These land cover conditions were also verified as accurate during the biological field survey.

The proposed project will require a Habitat Plan permit and the payment of applicable fees, but does not conflict with the Habitat Plan reserve system nor preclude the ability to implement aspects of the Habitat Plan conservation strategies. Therefore, the proposed project would not conflict with the Habitat Plan as long as the necessary permit is obtained, which is a standard condition of approval for projects subject to the Habitat Plan.

### 5. CULTURAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5? (1, 2, 9, 20, 21)		✓		
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5? (1, 2, 9, 20, 21)		0	<b>√</b>	
c.	Disturb any human remains, including those interred outside of dedicated cemeteries? (1, 2, 9. 20, 21)			✓	

#### Comments:

The following assessment of potential project impacts on cultural resources is based on information obtained from City's general plan, and the findings contained in two previously completed cultural resources reports prepared for the two sites - *Preliminary Archaeological Reconnaissance Report for the Wren Investors USA Amendment EIR Project in Gilroy, Santa Clara County, California* (Archeological Consulting 2013) and *Preliminary Archaeological Reconnaissance Report for the Hewell Annexation and Prezone Initial Study Project in Gilroy, Santa Clara County, California* (Archaeological Consulting 2014).

a. Wren Investors site. The 2013 cultural resources report prepared for the site previously identified seven parcels on site improved with residences and outbuildings of undetermined age which may be historically significant. Ten structures are indicated on the 1955 USGS Quadrangle Map in proximity to Kern Avenue and Tatum Avenue and at the interior of the project site, south of Tatum Avenue. A comparison of the 1955 map with 2016 Google Earth imagery indicates historic-age structures may still be present on six parcels within the project site: 790-09-006, 790-017-001, 790-017-004, 790-017-007 and 8, and 790-017-010. These and other structures on the site that are 50 years or greater in age would be considered historic resources and may be eligible to be included on the NRHP or CRHR, provided they meet the eligibility criteria listed previously in this section. Structures that are included on a local list of identified historic resources or eligible to be included on the NRHP or CRHR are considered significant historic resources.

Future development of the project site consistent with the preliminary master plan has the potential to affect surviving historic-era structures on the project site, either through modification or demolition in preparation of new residential development. Demolition of or alteration to a historic structure that would make it ineligible for either the NHRP or CRHR would be a significant impact. Implementation of the following mitigation measure would reduce impacts to significant historic resources, if present on the site, to a less-than-significant level.

### Mitigation Measure

CR-1. Prior to approval of any tentative map for the project site, a historic resource evaluation (HRE) shall be prepared by a qualified professional and at the applicant's expense for the historic-era structures on the following Assessor's Parcels: 790-09-006, 790-17-001, 790-17-004, 790-17-007 and 008, and 790-17-010. At minimum, the HRE shall survey and identify all structures on these parcels that are 50 years or greater at the time of the survey and shall evaluate the identified historic-era structures with NRHP and CRHR eligibility criteria. If the HRE determines that significant historic structures are present on the site, a mitigation plan shall be prepared and submitted to the City of Gilroy Planning Director for review and approval prior to any site disturbing activities. The mitigation plan shall be prepared and implemented by a qualified historic professional and at the applicant's expense, and shall include a strategy for preservation of significant historic structures and a plan for adaptive re-use of the resource that utilizes either preservation in place or relocation to an appropriate receiver site elsewhere on the project site or within the City limit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

Hewell project site. As identified in the cultural resources report prepared for the site, no historic resources are listed for the project area in the California Inventory of Historical Resources (March 1976), California Historical Landmarks, and the National Register of Historic Places, the Rancho Las Animas Plat lists nothing within the project area (page 3), and there is no observed evidence of significant historic period cultural resources in any portion of the project area (page 4). In addition, the project site is not listed on the City's list of historic resources. Therefore, the proposed project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5.

b. The two cultural resources reports prepared for the project sites did not identify any known archaeological resources on the sites. Although there is no evidence of

significant prehistoric cultural resources at the sites, the possibility of finding significant cultural (historic or pre-historic) resources during earth moving activities always exists. Adherence to the city standard condition of approval regarding consultation with a professional archaeologist if archeological or cultural resources are discovered during grading, earth-moving, or construction activities would ensure potential impacts to resources accidentally discovered during grading activities would be reduced to a less-than-significant impact. Condition language is as follows:

If archaeological or cultural resources are discovered during earth-moving, grading, or construction activities, all work shall be halted within at least 50 meters (165 feet) of the find and the area shall be staked off immediately. The monitoring professional archaeologist, if one is onsite, shall be notified and evaluate the find. If a monitoring professional archaeologist is not onsite, the City shall be notified immediately and a qualified professional archaeologist shall be retained (at Developer's expense) to evaluate the find and report to the City. If the find is determined to be significant, appropriate mitigation measures shall be formulated by the professional archaeologist and implemented by the responsible party.

c. The Wren Investors and Hewell project sites are not known to contain any human remains; however, the possibility of accidently discovering human remains during earth moving activities always exists. As a standard condition of approval, the following language is included on city-issued permits, including, but not limited to building permits for future development, subject to the review and approval of the Gilroy Planning Division.

In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):

If human remains are found during earth-moving, grading, or construction activities, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of Santa Clara County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person

responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission; b) the descendant identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

# 6. GEOLOGY AND SOILS

Would the project:

			Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	subs	ose people or structures to potential stantial adverse effects, including the risk of injury, or death involving:				
	(1)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (1, 2, 22)				<b>√</b>
	(2)	Strong seismic ground shaking? (1, 2, 22)			✓	
	(3)	Seismic-related ground failure, including liquefaction? (1, 2,)			✓	
	(4)	Landslides? (1, 2)				✓
b.		alt in substantial soil erosion or the loss of soil? (1, 2, 3)			✓	
C.	unst resu or of	ocated on a geologic unit or soil that is table, or that would become unstable as a lt of the project, and potentially result in on- ff-site landslide, lateral spreading, subsidence, efaction, or collapse? (1, 2, 3)			<b>√</b>	
d.	18-1 crea	ocated on expansive soil, as defined in Table -B of the California Building Code (2001), ting substantial risks to life or property? , 3, 22)			✓	

### **Comments:**

- a. Potential impacts from exposure to geologic risk are as follows:
  - (1) Earthquake. The Wren Investors and Hewell sites are located within a seismically active area but are outside the Alquist-Priolo Earthquake Fault Zones as mapped by the State Geologist, and are outside mapped Santa Clara

County fault rupture hazard zones as identified on the County Geologic Hazards Zones map (Santa Clara County 2002). Therefore, the proposed project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault.

(2) Seismic Ground Shaking. The Gilroy Planning Area is within the highest seismic risk zone (Zone 4) designated in the Uniform Building Code (EMC Planning Group 2004). The entire Gilroy Planning Area is subject to strong seismic ground shaking which can lead to structural damage and risk of loss, injury, or death.

The City requires a soils report for all new development applications to assess potential geologic hazards and to determine if these hazards can be adequately mitigated (General Plan Action 25.E). The soils report would identify if impacts are significant and if special design is required in the project.

The effects of seismic activity within the City's planning area were studied in general plan EIR, Section 4.9. The EIR determined that potentially significant impacts due to seismic activity could occur to development within the planning area. The EIR found that the general plan policies and implementing actions including development review regulations, acceptable risks, seismic mapping, compliance with structural standards, and policies requiring soils reports for new development to access geotechnical hazards, in addition to mitigation requiring updated earthquake hazard maps, would adequately mitigate these impacts. The EIR concluded that compliance with these policies and measures combined with standard conditions of approval would reduce the impacts from seismic shaking to a less-than-significant level.

- (3) Liquefaction. Figure 4.9-1a, Liquefaction Hazard Map for Gilroy, contained in the general plan EIR, shows that the proposed project is located in an area with very low hazards from liquefaction. Therefore, the risk from ground failure due to liquefaction is less than significant.
- (4) Landslide. The Wren Investors and Hewell sites do not contain steep slopes that are subject to failure. Therefore, there is no risk of exposure of people or structures to potential substantial adverse effects involving landslides.

b. As identified in the City's general plan EIR, erosion and sedimentation impacts associated with future development can be adequately mitigated by compliance with the general plan policies and implementing actions such as requiring erosion and deposition control (general plan pages 4.9-11 – 4.9-12).

As described in Chapter 27C and 27D of the Gilroy municipal code, all projects disturbing an area of one or more acres, are conditioned to comply with erosion control measures described in the City's NPDES General Permit No. CAS000002 for grading, construction, and post-construction activities.

Future development of the project site is subject to compliance with general plan policies and municipal code requirements for new development. As part of the building permit review, applicants and/or developers are required to prepare erosion control plans that detail appropriate methods to prevent and/or minimize erosion during all phases of a new project. Erosion control plans are subject to review and approval by the City of Gilroy Engineering Division prior to the issuance of building permits.

The Wren Investors and Hewell project sites are flat and the potential for erosion is low. Compliance with general plan policies and standard conditions of project approval ensures that project-related increases in the risks of injury or property damage erosion and/or loss of topsoil is less than significant.

c. As described in item "a(3)" above, the risk of liquefaction at the project site is low, which substantially reduces the potential for lateral spreading.

Future development of the Wren Investors and Hewell project site is subject to compliance with general plan policies and municipal code requirements for new development. As part of the building permit review, the applicants and/or future developers are required to submit a soils investigation prepared by a qualified soils engineer, the recommendations of which, are required to be incorporated into the final building plans subject to the review and approval by the City of Gilroy Engineering Division prior to approval of building permits.

Compliance with general plan policies and standard conditions of project approval ensures that project-related increases in the risks of injury or property damage from unstable soils is less than significant.

d. The City requires a soils report for all new development applications to assess potential geologic hazards and to determine if these hazards can be adequately mitigated (General Plan Action 25.E). The soils report would identify if impacts are significant and if special design is required in the project.

The general plan EIR determined that certain soils within the planning area have shrink-swell characteristics that could present a hazard or limitation to development (p 4.9-10 – 4.9-11), which would be considered a significant impact. The EIR concluded that the general plan policies and implementing actions including standard development review regulations and policies requiring soils reports for new development to access geotechnical hazards would adequately mitigate these impacts to a less-than-significant level. No additional mitigation is necessary and the impact is less than significant.

### 7. GREENHOUSE GAS EMISSIONS

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (16, 23, 24, 2546, 47, 48)			✓	
b.	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (16, 23, 24, 25, 46, 47, 48)			✓	

#### **Comments:**

The analysis in this section includes review of legislative requirements for greenhouse gas emissions goals that apply to the proposed project, describes a methodology for establishing a quantified threshold of significance, and evaluates impacts and mitigation measures related to the threshold of significance.

California Assembly Bill 32 (Global Warming Solutions Act). In September 2006, the Governor signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in greenhouse gas (GHG) emissions. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 is the statewide framework for evaluating the contribution of individual development projects located within the boundaries of individual lead agencies to achieving or hindering the statewide reduction goal. The strategies the state is to implement to achieve the 2020 goal are embedded in scoping plans. The scoping plan was first approved by the California Air Resources Board (CARB) in 2008 and the first update was approved in 2014. With the adoption of AB 32, local and regional agencies began to align their CEQA processes and craft GHG thresholds of significance to be consistent with the year 2020 reduction goal.

California Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit). Senate Bill (SB) 32 was adopted in September 2016. It is the successor to AB 32. It sets a new statewide GHG emissions reduction target of at least 40 percent below 1990 levels by the end of 2030. It represents an interim GHG reduction target designed to ensure that the state continues to adopt rules and regulations that keep the state on track to meet the 2050 statewide GHG reduction goal of 80 percent below 1990 levels by 2050 set forth in Executive

Order S-03-05. The emissions reduction goal set in SB 32 sets expectations for GHG emissions reductions in the state in the post-AB 32 environment given that emissions reduction goals set forth in AB 32 will have been reached by 2020. With SB 32, the Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan. CARB completed a 2017 update to the scoping plan to reflect the 2030 target codified by SB 32.

City of Gilroy Interim Climate Action Plan. The city adopted an interim climate action plan in 2012. The interim climate action plan is not a qualified GHG reduction plan because the city determined that implementation of some of the GHG reduction measures included in the document may not be feasible and potential environmental impacts associated with implementing the interim climate action plan were not evaluated. Because the climate action plan is not a qualifying GHG reduction plan, the city does not have the ability to use the document to streamline the CEQA analysis of GHG impacts pursuant to CEQA Guidelines Section 15130.5.

Bay Area Air Quality Management District. The proposed project is located within the San Francisco Bay Air Basin. The Bay Area Air Quality Management District (air district) is charged with managing air quality within the basin. The air district implements policies and programs designed to ensure that air quality meets standards established under federal and state laws. As described below, the air district has provided guidance for evaluating impacts and mitigation of GHG impacts of proposed projects.

Threshold of Significance. The air district has developed guidance for evaluating the impact of GHG emissions. The air district's GHG thresholds of significance and its GHG screening criteria are contained in its CEQA Air Quality Guidelines and are based on guidance in AB 32 for reducing statewide GHG emissions by the year 2020. The thresholds and screening criteria are not applicable after the year 2020. The project is not expected to build out until 2024. Therefore, the air district's guidance does not consider the deeper emissions cuts needed between 2020 and 2030 to achieve the statewide reduction goal of 40 percent 1990 levels by 2030 as codified in SB 32. In light of these circumstances, a project-specific GHG threshold of significance for the year 2024 has been developed for use in the GHG analysis. The threshold is a quantified emissions efficiency target that is crafted to determine whether or not the rate of GHG emissions from the proposed project would impede the state's ability to achieve the 2030 emissions reduction target of 40 percent below 1990 levels. The project would impede implementation of SB 32 if its rate of emissions exceeds the statewide rate of emissions in 2024 needed for the state to stay on track for meeting the 2030 emissions reduction target.

The threshold of significance is the statewide rate of emissions in 2024. The threshold is derived by calculating the projected statewide land use driven GHG emissions volume in 2024 (the proposed project buildout year) and dividing it by the projected statewide service population in 2024. The 2024 emissions volume is derived by: 1) isolating land use driven emissions sectors out of the 2020 projected statewide emissions inventory, 2) calculating the sum of these emissions, and 3) applying an annual emissions reduction percentage of 5.2 percent to that sum for the years between 2020 and the project build out year of 2024. This process yields a statewide land use driven GHG emissions volume of 231.33 million metric tons (MMT). The statewide service population is the sum of projected statewide year 2024 employment and projected year 2024 population. The projected 2024 statewide population is 42,074,892 (California Department of Finance 2017b). The projected 2024 employment is 19,720,500 (California Employment Development Department 2016). The 2024 statewide service population equals 42,074,892 + 19,720,500, or 61,795,392. Therefore, the statewide 2024 efficiency based threshold of significance is 231.33 MMT CO<sub>2</sub>e/61,795,392 or 3.70 metric tons (MT).

If the proposed project rate of GHG emissions is below the 3.70 MT CO<sub>2</sub>e/service population threshold of significance, the project would not conflict with the state's ability to achieve the 2030 emissions reduction target embedded in SB 32. To make this determination, the project's rate of GHG emissions must be determined. This is done by projecting the annual volume of GHG emissions generated by the project in the project buildout year of 2024 and dividing that volume by the project service population at buildout.

a. **Greenhouse Gas Emissions.** The project site contains existing uses that generate GHG emissions. The proposed project would also have carbon sequestration effects (storage or release of carbon contained in organic matter such as trees and vegetation. Sequestration effects can either contribute to GHG emissions from a project or reduce GHG emissions depending on site specific conditions and features of the project (such as proposed tree planting). The proposed project would generate GHG emissions during its long-term operation. The total annual net project GHG emissions volume is the projected project volume less the existing GHG emissions, and (plus or minus) GHG emissions from sequestration effects. These emission sources are discussed individually below.

**Proposed Project Annual Operational Emissions Estimate.** GHG emissions from the annual operations of the proposed project have been estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1 software. For a detailed discussion of the modeling methodology and CalEEMod inputs and results please refer to the *Wren Investors/Hewell USA Amendments, Gilroy CA Air Quality/Greenhouse Gas Emissions Assessment* memo ("AQ/GHG memo") and results included as Appendix B of this initial study.

Unmitigated annual operational GHG emissions are reported in Table 3, Unmitigated Operational GHG Emissions (MT per year) of the GHG/AQ memo. The proposed project would generate an estimated 3,052.56 MT CO<sub>2</sub>e per year. This emissions volume does not reflect any GHG emissions reduction measures that may be proposed for incorporation into future development projects by the project applicants or emissions reductions that may accrue to GHG reduction measures that may be required for incorporation by the City of Gilroy.

Existing Use GHG Emissions. The project site contains existing residential uses and the Gilroy High School Future Farmers of America Club farm laboratory, all of which would be removed to enable future development of the site. According to the CalEEMod modeling results, GHG emissions produced by existing land uses are projected at 115.95 MT CO<sub>2e</sub> per year. This represents an emissions "credit" that can be deducted from the estimated annual emissions volume for the proposed project.

Annual Carbon Sequestration Offset. The proposed project includes removal of 64 trees and planting of 2,264 new trees for a total of 2,200 net new trees. The carbon sequestration offset from planting 2,200 net new trees is 1,428.30 MT CO<sub>2</sub>e assuming a 20-year life cycle for the trees. That is, the proposed project would have a positive GHG effect by promoting capture and sequestration of CO<sub>2</sub>. For ease of reporting, this amount is averaged over thirty-years to yield an annual positive carbon sequestration volume of 47.61 MT CO<sub>2</sub>e. This represents an emissions "credit" which can be deducted from the proposed project estimated annual emissions volume.

**Net Annual Greenhouse Gas Emissions.** The net project GHG emissions volume is 2,889.00 MT CO<sub>2</sub>e (3,052.56 MT CO<sub>2</sub>e - 115.95 MT CO<sub>2</sub>e - 47.61 MT CO<sub>2</sub>e).

**Project Service Population.** The conceptual plans for the proposed project include 307 new residential units plus neighborhood commercial uses on a 0.4-acre parcel. The proposed project would generate a new residential population of about 1,081 people based on an estimated average of 3.52 persons per household for the City of Gilroy (Department of Finance 2017a). The commercial uses on a 0.4-acre parcel would generate an estimated eight new jobs (Applied Development Economics 2013). Therefore, the project service population is 1,089.

**Project Rate of Emissions.** The annual project GHG emissions volume is 2,889.00 MT CO<sub>2</sub>e. The service population is 1,089. Therefore, the proposed project would generate GHG emissions at a rate of 2.65 MT CO<sub>2</sub>e per service population per year (2,889.00 MT CO<sub>2</sub>e/1,089 service population).

**Conclusion.** The project rate of GHG emissions of 2.65 MT CO2e per service population per year is below the threshold of significance of 3.70 MT CO2e per service population per year. Consequently, the proposed project would have a less-than-significant impact from generation of GHG emissions. No mitigation measures are required.

b. Conflict with SB 32 – the Applicable GHG Reduction Plan. As noted above, the project is not expected to build out until 2024. Therefore, the air district's 2020 thresholds and screening criteria are not applicable, as they do not consider the deeper emissions cuts needed between 2020 and 2030 to achieve the statewide reduction goal of 40 percent 1990 levels by 2030 as codified in SB 32. The city has not adopted a qualified climate action plan. Therefore, there is no local GHG reduction plan against which the project can be assessed for its GHG emissions effects. In the absence of a regional or local GHG reduction plan, SB 32 is the applicable GHG reduction plan.

The efficiency-based threshold developed for the proposed project represents the statewide rate of emissions at or below which the proposed project would not impede the state's ability to achieve the 2030 SB 32 GHG emissions reduction target. The efficiency threshold allows the city to assess whether the project would accommodate projected population and employment growth in a way that is consistent with the emissions limit established under SB 32. Because the project rate of project emissions is below the threshold of significance, the proposed project would not conflict with the applicable GHG reduction plan.

# 8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (24, 25)				✓
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (24, 25)				✓
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (10, 12, 24, 25)				✓
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, create a significant hazard to the public or the environment? (10, 24, 25)				✓
e.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1, 2, 3, 24, 25)				<b>√</b>
f.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands area adjacent to urbanized areas or where residences are intermixed with wildlands? (1, 2, 3, 6, 24, 25, 26, 32, 45)			<b>√</b>	

#### **Comments:**

a/b. The proposed project does not include commercial, industrial or other uses that require the routine transport, use, or disposal of hazardous waste. Nominal amounts of hazardous material in the form of fuels and other construction materials are routinely used during construction processes. These materials do not pose an elevated risk to the public.

- c. Antonio del Buono Elementary School is located directly across Wren Avenue from the Wren Investors site and less than ¼ mile southeast of the Hewell site. Christopher High School is approximately one half mile west of both sites. As described in item "a-b" above, the project would not require the routine transport, use, or disposal of hazardous materials. Therefore, release of acutely hazardous materials would not occur.
- d. Pursuant to Government Code section 65962.5, based on a search of the California Department of Toxic Substances Control Envirostor website, there are no records for the proposed project site or the immediate vicinity. Further, based on a search of the State Water Quality Control Board's "GeoTracker" website, there are no toxic hazard cleanup sites on or within the vicinity of the project site.
- e. The proposed project would result in a USA amendment and eventually two residential developments and a small commercial project, consistent with the general plan, and would not interfere with any adopted emergency response plan or emergency evacuation plan. The proposed project would be required to comply with City's municipal code (503.11 Building and Facilities and 503.2.1 Dimensions) and Fire Department standards for emergency vehicle access.
- f. According to Figure 8-2 of the general plan, the Wren Investors and Hewell sites are not located within a "very high fire hazard" zone; however, only property within the city limits at the time the general plan was prepared and adopted were evaluated for fire hazard potential. The properties within the City south of the site are not within a high fire hazard area. The only areas of the City that are identified as high fire hazard areas are those west of Santa Teresa Boulevard. 2008 county fire maps confirm that the sites are located in a "Non-Very High Fire Hazard Severity Zone."

Water supply infrastructure, including infrastructure sufficient to meet fire flow demand, would be extended into the site from existing City water infrastructure to the south of the project site. With adequate existing fire prevention measures in place and fire prevention protection measures required as a condition of approval, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

# 9. HYDROLOGY AND WATER QUALITY

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Violate any water quality standards or waste discharge requirements? (1, 2, 4, 6, 7, 27)			✓	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., would the production rate of preexisting nearby wells drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1, 2, 6, 7, 27)			✓	
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river in a manner that would result in <i>substantial erosion or siltation on- or off-site</i> ? (1, 2, 4, 6, 7, 27)			✓	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner that would result in <i>flooding on- or off-site</i> ? (1, 2, 4, 6, 7, 27)			✓	
e.	Create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off? (1, 2, 4, 6, 7, 27)			<b>√</b>	
f.	Otherwise substantially degrade water quality? (1, 2, 4, 6, 7, 27)			✓	
g.	Place housing within a 100-year flood hazard area as mapped on Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (28)				✓

h.	Place within a 100-year flood hazard area structures, which would impede or redirect flood flows? (28)			✓
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? (29, 44)		✓	

#### **Comments:**

- a. The proposed project would meet all storm water management requirements adopted by the Central Coast Regional Water Quality Control Board to ensure that no water quality standards are violated. See item "c-f" below.
- b. According to the *Wren Investors and Hewell USA Amendment Draft Plan for Services* (EMC Planning Group 2017) (hereinafter "plan for services") prepared for the proposed project, the City has adequate water supply to serve the City and will have water supply capacity to serve all land uses envisioned within the 20-year planning area (including the proposed project). When the general plan was adopted in 2002, the land use designation for the southern portion of the site was Low Density Residential. In 2002 the City adopted their general plan and in 2004, the *City of Gilroy Water System Master Plan* (Carollo Engineers 2004c) ("water system master plan") was prepared using the land use designations from the general plan.

The City's water system master plan includes the water demand coefficient for all general plan land use designations. Table ES-2 of the water system master plan shows that the water demand coefficients for Neighborhood District is 2,100 gallons per day per acre (gpd/ac) or 2.35 acre feet per year (afy). Using this water demand coefficient, the water demand generated by the proposed project is reflected below in Table 4, Water Demand.

Table 4 Water Demand

Site and General Plan Designation	Site Acreage	Water Demand Coefficient (2,100 (Gallons Per Day Per Acre)	Water Demand Coefficient (2.35 Acre Feet Per Year)
Wren Investors (Neighborhood District)	50.3	105,630 gpd/acre	118.2 afy
Hewell (Neighborhood District)	5.4	11,256 gpd/acre	12.6 afy
Total:	55.7	116,886 gpd/acre	130.8 afy

SOURCE: City of Gilroy 2004; EMC Planning Group 2018

According to the water demand coefficient, development of the proposed project is consistent with the general plan Neighborhood District land use designation may result in water demand of 116,886 gpd, or 130.8 afy. This estimate is based upon future development of 307 dwelling units on the site which is consistent with the USA amendment. The *City of Gilroy Urban Water Management Plan* (Carollo Engineers 2015) indicates that during a normal hydrologic water year (e.g. year 2025), the City will demand a total of 4,379 million gallons of water while its supply of water will be 17,770 million gallons (p. 7-3). The proposed project's total water demand of 130.8 afy (or 42.6 million gallons) would be sufficiently covered by the City's total supply.

Therefore, the proposed future development of the sites with 307 dwelling units consistent with the conceptual development plan would not be greater than that estimated in the water system master plan or the *City of Gilroy Urban Water Management Plan*.

c-f. Most of the proposed project is undeveloped and storm water percolates into the soil. Future development of the site consistent with Neighborhood District zoning would result in an increase in impervious surface area. As a result, storm water runoff volume from the site would increase relative to existing conditions.

The general plan EIR analyzed the impact associated with build out of the general plan on water quality from future construction, grading, and excavation that would cause temporary disturbances to surface soil and removal of vegetative cover. The exposure of disturbed soil to runoff would cause erosion and sediment in the runoff. The general plan EIR concludes that without proper controls and maintenance, increased runoff resulting from future build out of the general plan could contribute to water quality degradation.

In February 2010, the City received its approved National Pollutant Discharge Elimination System General Permit for a small municipal storm water system from the Regional Water Quality Control Board. Under this permit the City is required to implement a Storm Water Management Program to prevent the pollution in storm water and urban runoff from entering the storm drain system. Pursuant to the general permit, all new qualifying development must submit a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP must identify construction and post-construction Best Management Practices to prevent water pollution at the source. As a standard condition of approval, the applicant will be required to submit a SWPPP for review and approval of the City to demonstrate that Best Management Practices are incorporated into the project. Implementation of the SWPPP will ensure that impacts on surface water quality will be less than significant. The land uses proposed were considered in the hydrology design of the project site, including Lions Creek

and West Branch Llagas Creek, which will receive the storm drainage from the site; Lions Creek and West Branch Llagas Creek both have 100-year flow capacity. Compliance with the National Pollutant Discharge Elimination System General Permit and a site design that implements Best Management Practices for storm water treatment will ensure that the project site would not contribute or create substantial surface run-off that would result in flooding on- or off-site.

After March 6, 2014, all projects approved by the City must meet the post-construction storm water management requirements adopted by the Central Coast Regional Water Quality Control Board to ensure storm water is adequately captured, conveyed, and treated. The City also requires a Preliminary Post-Construction Stormwater Quality Report for projects deemed complete after September 13, 2013. Compliance with this policy ensures that the proposed project would not exceed storm water facility capacity or provide additional sources of polluted runoff.

Therefore, future development of the project site would not substantially alter the existing drainage pattern of the site or area, or substantially increase the rate or amount of surface run-off in a manner that would result in flooding on- or off-site; create or contribute run-off water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off; or otherwise substantially degrade water quality.

- g/h. As identified on the most recent flood hazards map prepared by the Federal Emergency Management Agency (2009), the majority of the Wren Investors and Hewell sites are within Flood Zone X (areas determined to be outside the 0.2% annual chance floodplain) with portions of the Wren Investors site within Zone X (area of minimal flood hazard). Therefore, the proposed project would not place people or structures within a 100-year flood hazard area.
- i. The Wren Investors and Hewell project sites are subject to flood flows from failure or collapse of Anderson Dam located approximately 11 miles to the north. The Anderson Dam-break inundation map indicates that most of Gilroy, including the project site would be flooded from a dam failure at Anderson Reservoir. The future residential development consistent with the proposed project would increase the population on the project site and thereby increase the risks of human and property exposure to flooding associated with the Anderson Dam inundation area.

Flood flows released from failure of the Anderson Dam would take approximately two hours to reach the project site. It is the responsibility of the Gilroy Community Services District to provide notification if there is a risk of flood from Anderson Dam inundation, including notification of any falter in integrity of the dam such as a crack.

Each dam in California is inspected at least biannually by the State of California in accordance with state laws, regulations, and Federal Guidelines for Dam Safety under the FEMA National Dam Safety Program. Additional inspections are undertaken in the case of an earthquake or other event that could jeopardize the integrity of a dam. The Anderson Dam is inspected monthly by the Santa Clara Valley Water District, while the California Division of Safety of Dams and the Federal Energy Regulatory Commission inspect the dam once per year. In addition, the Anderson Reservoir is restricted to a storage of 52,553 acre-feet, as compared to a total reservoir capacity of 90,373 acre-feet. The Santa Clara Valley Water District initiated a capital project in 2012 to complete the planning, design and construction of a seismic retrofit of the dam and is currently estimated to begin construction in 2020 (SCVWD 2018). The probability of a catastrophic failure of the dam in the meantime is extremely remote and the reduced water surface elevation ensures an adequate margin of safety for the site and other areas of potential inundation until the dam retrofit is complete. Therefore, inundation from dam failure is not considered a significant hazard.

For the reasons discussed above, increased risks of human harm and property damage from flooding, including flooding as a result of the failure of a levee or dam are less than significant.

### 10. LAND USE AND PLANNING

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Physically divide an established community? (1, 2, 3, 24, 25)				✓
b.	Conflict with any applicable land-use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1, 2, 3, 24, 25)				✓

#### **Comments:**

a/b. The proposed project is a residential project on land designated for residential use consistent with the City's general plan. The project site is adjacent to residential development to the east and west, as well as an existing school site to the east. The proposed project would not physically divide an established community.

A policy consistency analysis was prepared for both the *Wren Investors Draft EIR* (2014) and *Hewell USA Amendment, Prezone, and Annexation Administrative Draft Initial Study* (2015) which were never certified or adopted. The purpose of a consistency analysis is to provide an evaluation of the proposed project for consistency with applicable City policies and Santa Clara Local Agency Formation Commission (LAFCO) USA amendment policies.

Review of the proposed project has not resulted in identification of policies or plans with which it is inconsistent. Therefore, the proposed project would not physically divide an established community or conflict with any applicable land-use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

# 11. MINERAL RESOURCES

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (11)				<b>√</b>

### **Comments:**

a. The project site is located outside of any area designed by the California Department of Mines and Geology as containing known mineral resources.

## 12. Noise

### Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Result in exposure of persons to or generation of noise levels in excess of standards established in the general plan? (1, 2, 15, 31)		<b>√</b>		
b.	Result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels? (1, 2, 15, 31)				✓
C.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (1, 2, 15, 31)			✓	

This section addresses potential noise impacts as a result of the proposed project. Information contained within this section is based on the *Wren Investors/Hewell Property Urban Service Area Amendment Traffic Impact Analysis*, prepared by Hexagon Transportation Consultants (2017), the *City of Gilroy* 2020 *General Plan EIR*, and the noise section of the *Gilroy* 2040 *General Plan Background Report*, *Public Review Draft*, April 2014.

#### **Comments:**

a. **Existing Noise Levels.** Existing noise levels in the vicinity of the project site are taken from Figure 8-12, Existing Traffic Noise Contours for Major Roadways in Gilroy, in the Gilroy 2040 General Plan Background Report, Public Review Draft, April 2014, and are presented in Table 5.

Table 5 Existing Noise Levels in the Project Site Vicinity

Roadway Noise Level dB(A) Ldn			
Wren Avenue, Mantelli Drive to Vickery Lane	55 Just within and along the project site boundaries		
Mantelli Drive, Kern Avenue to Wren Avenue	55 South of the project site boundaries		
Kern Avenue, Mantelli Drive to Vickery Lane	55 Just within and along the project site boundaries		
SOURCE: City of Gilroy 2014			

Noise impacts associated with buildout of the uses envisioned by the general plan, including the project site, were analyzed in the General Plan EIR. The EIR identified potentially significant impacts related to noise exposures and the placement of sensitive receptors near noise sources which could expose residential populations to

unacceptable average ambient noise levels (p 4.7-11). The EIR found that despite general plan policies and implementing actions intended to reduce these effects, additional mitigation is required to reduce the impacts to a less-than-significant level. Compliance with the general plan policies and implementing actions as well as the mitigation measure described in the EIR would reduce the impacts to a less-than-significant level (p 4.7-12).

The EIR also identified a significant and unavoidable impact resulting from an increase in ambient noise levels associated with buildout due to increased levels of traffic and use of commuter rail lines (p 4.7-8). This was determined to be a significant and unavoidable impact, despite general plan policies and implementing actions that reduce vehicle trips and promote alternative modes of transportation, limit maximum noise exposures, provide buffering standards, and require acoustical attenuation such as proper acoustical design, sound walls and earthen berms (p 4.7-11).

The general plan EIR further identified potentially significant temporary and short term impacts resulting from the construction of uses envisioned in the general plan. The EIR determined that compliance with the City's maximum permissible noise levels in addition to identified mitigation measures that limit the duration of exposures, requiring properly muffled equipment, and other noise reduction measures would reduce these impacts to a less-than-significant level.

Noise impacts associated with buildout of the uses envisioned by the general plan, including the project site, were analyzed in the General Plan EIR. The EIR identified potentially significant impacts related to noise exposures and the placement of sensitive receptors near noise sources which could expose residential populations to unacceptable average ambient noise levels (p 4.7-11). The EIR found that despite general plan policies and implementing actions intended to reduce these effects, additional mitigation is required to reduce the impacts to a less-than-significant level. Compliance with the general plan policies and implementing actions as well as the mitigation measure described in the EIR would reduce the impacts to a less-than-significant level (p 4.7-12).

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The general plan EIR further identified potentially significant temporary and short term impacts resulting from the construction of uses envisioned in the general plan. The EIR determined that compliance with the City's maximum permissible noise levels in addition to identified mitigation measures that limit the duration of exposures, requiring properly muffled equipment, and other noise reduction measures would reduce these impacts to a less-than-significant level.

The exterior noise exposure criterion of the general plan is 60 dB Ldn for residential land uses. The general plan provides a description of where the outdoor noise level standards should be applied for residential land uses (i.e., 15 feet outside the rear wall, 20 feet outside front wall, etc.). Outdoor activity areas generally include backyards of single-family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multi-family developments. This modification as to where the exterior noise level standards are to be applied is consistent with most contemporary noise standards. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

The general plan also requires that interior noise levels attributable to exterior sources not exceed 45 dB Ldn. This standard is consistent with interior noise level criteria applied by the State of California and the U.S. Department of Housing and Urban Development. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication and sleep. Additionally, Section 30.41.31 (Specific Provisions-Noise) of the City Code establishes noise level standards for non-transportation noise sources (fixed sources). For residential noise sources, the ordinance establishes an Lmax (maximum) noise level criterion of 60 dB and an L10 statistical performance standard of 70 dB.

**Traffic Noise.** According to the traffic impact analysis, future development of the site would generate 3,105 vehicle trips per day. Traffic noise exposure increases by three decibels for each doubling of the average daily traffic volume, assuming all other factors, such as average vehicle speed, grade, roadway surface, etc., remain constant. The increase in noise associated with future development of the project site could result in significant noise impacts to vicinity sensitive receptors; however, until a development project is designed and an application submitted to the City for processing, actual noise impacts cannot be adequately evaluated. Because development of the site could result in significant noise impacts, the following mitigation measure is required:

### Mitigation Measure

N-1 Associated with CEQA compliance for subdivisions and commercial projects at the project site, an acoustical analysis shall be prepared by a qualified acoustical professional. The recommendations in the analysis shall include, but not be limited to, recommendations for building placement and acoustical design features for new construction adjacent to Wren Avenue in proximity to the Antonio Del Buono Elementary School. The report recommendations shall be incorporated into the plans as part of the Tentative Map and Architectural and Site Review applications for future development, and shall be subject to the review and approval of the Planning Division, prior to approval of the Tentative Map and Architectural and Site Review.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

- b. The use of equipment which produces excessive ground-borne vibration will not be required to construct the proposed project. Therefore, the proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground borne noise levels.
- c. The project site is located in proximity to sensitive receptors and the proposed project could expose new residents to unacceptable noise levels that exceed City standards during construction associated with future development of the project site. Short-term demolition and construction activities associated with implementation of the proposed project, including grading and preparation of the site and construction of the proposed project, could generate significant temporary noise impacts in keeping with the findings of the general plan EIR. The City Code (Section 16.38 Hours of Construction) limits hours of construction to be between 7:00 a.m. and 7:00 p.m., Monday through Friday and 9:00 a.m. to 7:00 p.m. on Saturdays. The city's standard condition of approval below reflects the City Code requirements and would apply to the proposed project. Implementation of this standard condition would reduce any construction-related noise impacts to a less-than-significant level.

To minimize potential construction-related impacts to noise, Developer shall include the following language on any grading, site work, and construction plans issued for the subject site (PL/BL, PL-10):

"During earth-moving, grading, and construction activities, Developer shall implement the following measures at the construction site:

- a. Limit construction activity to weekdays between 7:00 a.m. and 7:00 p.m., and on Saturdays between 9:00 a.m. and 7:00 p.m. Construction noise is prohibited on Sundays and City-observed holidays;
- b. Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area;
- c. Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment;
- d. Prohibit all unnecessary idling of internal combustion engines;
- e. Utilize "quiet" models of air compressors and other stationary noise sources where technology exists; and
- f. Designate a "disturbance coordinator' who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g. bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem."

### 13. POPULATION AND HOUSING

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? (1, 2, 3, 24, 25)			<b>√</b>	
b.	Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere? (1, 2, 3, 24, 25)			<b>√</b>	

#### **Comments:**

- a. With an average of 3.41 person per household and 307 new dwellings proposed, the project would generate a new population of approximately 1,047 people. The proposed project is consistent with the general plan land use designation of Neighborhood Residential and the subsequent density for the site, which is 6 to 12.5 dwelling units per acre. The proposed project's density would fall within this range and therefore, would not induce population growth beyond that planned for in the City's general plan.
- b. There is approximately seven rural residential homes that would be displaced by the proposed project. This would not be considered "displacement of substantial numbers of existing housing or people" and would not necessitate the construction of replacement housing elsewhere. The impact is less than significant.

# 14. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

	Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a. Fire protection? (1, 2, 27, 32)			✓	
b. Police protection? (1, 2, 27)			✓	
c. Schools? (1, 2, 27, 33)			✓	
d. Parks? (1, 2, 27, 35)			✓	
e. Other Public Facilities? (1, 2, 27)				✓

Although specific development of the Wren Investors and Hewell sites are not currently proposed, approval of the proposed project will lead to development of the sites. Future development of the project consistent with the preliminary master plan and conceptual development plan would result in an additional 307 residential dwelling units that would provide housing for approximately 1,067 people and would contribute to a city-wide increase in demand for public services over existing conditions.

#### Comments:

a. Demand increases relative to general plan build out were identified in the general plan EIR as a potentially significant impact (p 4.8-17). The EIR determined that implementation of general plan policies and implementing actions, which include phased growth, mutual aid agreements, maintaining adequate response times and levels of service, maintaining adequate water flows for fire suppression, and requiring development impact fees to fund fire protection upgrades, would reduce these impacts to a less-than-significant level (p 4.8-17).

The project site is located within the 20-year planning area identified in the general plan and would not result in any impacts to the provision of fire protection services that are greater than those studied in the general plan EIR; however, the proposed project would require detachment from the South Santa Clara County Fire District, which requires LAFCO action. The city's ability to provide services within its sphere of influence boundary is reviewed periodically by LAFCO. According to the latest

service review conducted in 2010, LAFCO determined present and planned capacity of infrastructure and response capacity are sufficient to serve projected population growth if stations and apparatus and auto/mutual aid agreements are maintained.

Development of the project site consistent with the uses identified in the preliminary master plan and conceptual development plan would not require the construction of additional fire station or substation facilities beyond those currently planned by the city to provide adequate fire protection. Developers of the project site would participate in the payment of development impact fees to offset the costs of additional equipment and infrastructure improvements necessary to maintain adequate response times across the city. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered fire department facilities.

b. The proposed project would increase the level of demand for police services from current levels. The impact on police protection consistent with the buildout of the general plan was analyzed in the general plan EIR and it was concluded that, with appropriate mitigation measures, impacts would be reduced to a less than significant level. The proposed project is consistent with the general plan and would not result in adverse physical impacts associated with the provision of or need for new or physically altered police facilities (general plan EIR, page 4.8-17 to 4.8-18).

Future developers of the project site would participate in the payment of Public Facilities fees to pay their fair share contribution toward public facility impacts. Therefore, the proposed project would not result in any impacts to the provision of police protection services that are greater than those identified, studied, and mitigated in the general plan EIR. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered police department facilities.

c. The project site is located within the Gilroy Unified School District (GUSD). The GUSD provides service to over 11,000 students in the City of Gilroy and the surrounding areas. There are currently two preschools, eight elementary schools, three middle schools, and four high schools including a continuation school, and one early college academy school in the district. The district office is located in the City at 7810 Arroyo Circle (GUSD 2015).

The general plan contains several policies regarding schools. General Plan Policy 17.03 states that the verifications of the remaining capacities in local schools shall be part of the review process for residential subdivisions, with adequate school capacity being a condition for development approval. When capacity is limited, development

approvals shall be coordinated with the scheduling of capital funds for school expansion and/or improvements. General Plan Policy 17.04 requires developers of new residential subdivisions to dedicate land and/or pay fee to offset the costs of providing new elementary and secondary schools resulting from their developments. Policy 17.06 states that in areas of new residential development, as a condition of development approval, sites shall be identified and dedicated. Action 17.B of the general plan states that school facility impacts shall be included in the review of development proposals to ensure that adequate school facility capacity is a condition for development approval.

Table 6, Estimated Project Student Generation, presents an estimate of the number of students projected to attend public schools resulting from buildout of the 307 residential dwelling units.

 Table 6
 Estimated Project Student Generation

Housing Type (Units)	K-5 students (SF 0.20/MF 0.14)	6-8 students (SF 0.07/MF 0.06)	9-12 students (SF 0.09/MF 0.10)	Total Students Generated
Single-Family (185)	37	13	17	67
Multi-Family (122)	17	7	12	36
TOTAL	54	20	29	103

SOURCE: Alvaro Meza, Gilroy Unified School District, email message August 27, 2019

School impact fees are required as a standard condition of approval to offset the increased demand on school services and for construction of new facilities required to meet demands. Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered school facilities.

d. Projects are required to dedicate land and/or pay fees to offset the demand for park and recreation facilities. Lack of required dedication and fees would constitute a significant impact. Future development of the project site as indicated by the preliminary master plan and conceptual development plan may be required to dedicate parkland. The developer will be required to participate in the city's Public Facilities Impact Fee Program to pay their fair share contribution toward public facility impacts. Dedication of land and construction of pedestrian and bicycle connections (consistent with the city's Trails Master Plan) between future internal streets to the trail facility in compliance with general plan Policy Action 14.A and the city's design specifications and standards would be reviewed once specific development is proposed. The locations of all proposed pedestrian/bicycle/trail improvements are required to be shown on specific plans, master plans, and site plans as part of the Tentative Map and Architectural and Site Review application

- processes. Approval of the proposed project would not result in new impacts or exacerbate impacts that were identified in the general plan EIR and are mitigated by compliance with the General Plan polices 16.01, 16.02, and 16.06.
- e. Future development of the project site consistent with general plan residential land use designations would increase the demand for library services. Approval of future development would be subject to participation in the Public Facilities Impact Fee program to defray the costs of maintaining adequate services. No physical changes to existing library facilities would be required. Additionally, with the increase in use of technology, one does not need to physically visit the facility to be able to use its resources. Therefore, there would be no environmental impact.

## 15. TRANSPORTATION/TRAFFIC

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?(1, 2, 31)			✓	
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?(1, 2, 31)			✓	
c.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (1, 2, 31)			✓	
d.	Result in inadequate emergency access? (1, 2, 31)			✓	
e.	Result in inadequate parking capacity? (1, 2, 31)			✓	
f.	Conflict with any City of Gilroy General Plan Transportation and Circulation Element policies? (1, 2, 31)			✓	

This section is based the *Wren Investors/Hewell Property Urban Service Area Amendment Traffic Impact Analysis* (Hexagon Transportation Consultants 2017) referred to hereinafter as the "traffic impact analysis." The traffic impact analysis is included as Appendix C of this initial study.

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 to 6:00 PM period.

It is during these times that most congested traffic conditions occur on an average day. The traffic impact analysis evaluated the following six existing signalized intersections and nineteen unsignalized intersections.

- 1. Monterey Road and Masten Avenue/Fitzgerald Avenue (signalized);
- 2. Monterey Road and Buena Vista Avenue (unsignalized);
- 3. Monterey Road and Day Road (unsignalized);
- 4. Monterey Road and Cohansey Avenue (unsignalized);
- 5. Monterey Road and Farrell Avenue (signalized);
- 6. Monterey Road and Ronan Avenue (unsignalized);
- 7. Monterey Road and Leavesley Road (SR 152)/Welburn Avenue (signalized);
- 8. Church Street and Farrell Avenue (unsignalized);
- 9. Church Street and Mantelli Drive (unsignalized);
- 10. Wren Avenue and Cohansey Avenue (unsignalized);
- 11. Wren Avenue and Vickery Avenue (unsignalized);
- 12. Wren Avenue and Farrell Avenue (unsignalized);
- 13. Wren Avenue and Tatum Avenue (unsignalized);
- 14. Wren Avenue and Ronan Avenue (unsignalized);
- 15. Wren Avenue and Mantelli Drive (unsignalized);
- 16. Wren Avenue and Welburn Avenue (unsignalized) (*Note: This intersection has been signalized since completion of the traffic impact analysis*);
- 17. Wren Avenue and First Street (signalized);
- 18. Kern Avenue and Vickey Avenue (unsignalized);
- 19. Kern Avenue and Tatum Avenue (unsignalized);
- 20. Kern Avenue and St. Clar Avenue/Ronan Avenue (unsignalized);
- 21. Kern Avenue and Mantelli Drive (unsignalized);
- 22. U.S. 101 Southbound ramps and Masten Avenue (unsignalized);

- 23. U.S. 101 Northbound ramps and Masten Avenue (unsignalized);
- 24. U.S. 101 Southbound ramps and Leavesley Road (SR 152) (signalized); and
- 25. U.S. 101 Northbound ramps and Leavesley Road (SR 152) (signalized).

Each of the study intersection locations are identified on Figure 1, Site Location and Study Intersections, of the traffic impact analysis. The traffic impact analysis also evaluated intersection safety and operations, on-site circulation, and parking. The traffic impact analysis determined that the project would not cause a significant increase in traffic on the freeway segments in the study area, and therefore, a freeway level of service analysis was not required.

#### Comments:

a/b. **Circulation Performance/Level of Service.** The City of Gilroy uses the Santa Clara County CMP level of service analysis procedure, TRAFFIX, for evaluation of signalized intersections. TRAFFIX is based on the 2000 Highway Capacity Manual (2000 HCM) methodology for signalized intersections. TRAFFIX evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection. Control delay is the amount of delay that is attributed to the particular traffic control device at the intersection, and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

The City of Gilroy level of service standard for most signalized intersections located west of US 101 is LOS C or better. For signalized intersections located east of US 101 and those in the commercial area designated in the City of Gilroy General Plan (LOS D Area), the City standard is LOS D or better. The level of service D area includes all areas east of US 101, the Tenth Street corridor from Monterey Street to US 101, the Luchessa corridor east of Monterey Street, and the Monterey Street corridor from Luchessa Avenue to the Monterey Street/US 101 interchange. Three of the study intersections are located within the LOS D area:

- 23. US 101 Northbound ramps and Masten Avenue
- 24. US 101 Southbound ramps and Leavesley Road (SR 152)
- 25. US 101 Northbound Ramps and Leavesley Road (SR 152)

Therefore, the above intersections have a level of service standard of LOS D, based on City of Gilroy level of service standards. The rest of the study intersections are located within the LOS C area and therefore have a LOS C standard.

For unsignalized intersections in the City of Gilroy, an assessment of traffic operations at the intersection is based on two methodologies: (1) peak-hour levels of service are calculated for the entire intersection (intersection average level of service) and for the stop-controlled approach with the highest delay (worst approach level of service) and (2) an assessment is made of the need for signalization of the intersection based on traffic volume levels.

The procedure used to determine the level of service for unsignalized intersections is TRAFFIX and the 2000 Highway Capacity Manual methodology for unsignalized intersection analysis. This method is applicable for both two-way and all-way stop-controlled intersections. For the analysis of stop-controlled intersections, the 2000 HCM methodology evaluates intersection operations on the basis of average control delay time for all vehicles on the stop-controlled approaches.

For the purpose of reporting level of service for stop-controlled intersections, two levels of service are reported. The first is the "overall intersection average" delay and corresponding level of service, which is a measure of the average delay incurred by all motorists at the intersection, including those on the approaches that are not subject to stop control. The second level of service reported is the delay and corresponding level of service for the "highest delay approach", which is a measure of the delay incurred by motorists only on the stop-controlled approach which is most impacted by traffic conditions at the intersection.

The level of service analysis at unsignalized intersections is supplemented with an assessment of the need for signalization of the intersection. This assessment is made on the basis of signal warrant criteria adopted by Caltrans. For this study, the need for signalization is assessed on the basis of the operating conditions at the intersection (i.e., level of service) and on the peak-hour traffic signal warrant, Warrant #3, described in the 2014 California Manual on Uniform Traffic Control Devices for Streets and Highways, Part 4, Highway Traffic Signals. This method provides an indication of whether traffic conditions and peak-hour traffic levels are, or would be, sufficient to justify installation of a traffic signal. Other traffic signal warrants are available; however, they cannot be checked under future conditions (background, project, and cumulative) because they rely on data for which forecasts are not available (such as accidents, pedestrian volume, and four- or eight-hour vehicle volumes).

The City of Gilroy level of service standard for unsignalized intersections has two parts:

The first part indicates that all stop-controlled intersections must operate with an overall intersection average delay of LOS C or better for those intersections located within the LOS C area, and LOS D or better for those intersections located within the LOS D area. The second part indicates that a one-way/two-way stop controlled intersection is considered to exceed the City's standard if the stop-controlled approach with the highest delay operates at LOS E or F and the peak-hour traffic volume level at the intersection is high enough to satisfy the peak-hour volume signal warrant.

One of the unsignalized study intersections is located within the LOS D area:

#### 23. US 101 Northbound Ramps and Masten Avenue

The above intersection was evaluated based on an overall intersection level of service standard of D and a level of service standard of E for the stop-controlled approach with the highest delay. The remaining unsignalized study intersections are located within the LOS C area and, therefore, have an overall intersection level of service standard of C and a level of service standard of D for the stop-controlled approach with the highest delay.

#### **Background Conditions**

Background conditions are defined as conditions just prior to completion of the proposed project. Traffic volumes for background conditions comprise volumes from the existing traffic counts plus traffic generated by approved developments and vacant buildings in the vicinity of the site.

#### Signalized Intersections

The results of the level of service analysis of the signalized study intersections indicate that the following study intersection is projected to operate at unacceptable levels of service under background conditions:

 Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS E – AM and PM peak hours)

The remaining signalized study intersections are projected to operate at acceptable levels of service during the AM and PM peak hours under background conditions.

#### **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under background conditions indicate that three of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- Monterey Road and Day Road (LOS D – AM peak-hour)
- 22. US 101 Southbound Ramps and Masten Avenue (LOS E PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (LOS F AM peak-hour)

The unsignalized intersection analysis results also indicate that the following study intersections are projected to operate with average delays corresponding to LOS E or F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed and the traffic volume during the same peak hour is high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (LOS F/signal warrant met AM and PM)
- 3. Monterey Road and Day Road (LOS F/signal warrant met AM and PM)
- 22. US 101 SB Ramps and Masten Avenue (LOS F/signal warrant met PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (LOS F/signal warrant met AM and PM)

Based on the City of Gilroy level of service standards, unsignalized intersections are considered deficient when both the average delay on the stop-controlled approach with the highest delay operates at an unacceptable level of service and the intersection traffic volumes satisfy the peak-hour volume traffic signal warrant during the same peak-hour.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the peak hours.

## **Background Plus Project Conditions**

Existing plus project conditions were added to background traffic volumes to obtain background plus project traffic volumes.

#### Signalized Intersections

The results of the level of service analysis of the signalized study intersections indicate that the following study intersection is projected to operate at unacceptable levels of service during both peak hours under background plus project conditions:

 Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS E – AM and PM peak hours)

However, the addition of project traffic at the above intersection is not sufficient to cause the average delay to increase by more than 1.0 second. This typically happens when project traffic volumes are low and/or are added to non-critical movements of the intersection. Therefore, based on City of Gilroy intersection impact criteria, the project would not cause a significant level or service impact at this location.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the peak hours under background plus project conditions.

#### **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under background plus project conditions indicate that four of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The above intersections also are projected to operate at unacceptable levels under background conditions, and the addition of project traffic would cause the intersections' average delay to increase beyond the City's delay increase threshold during the deficient peak hours. Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed and the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)

Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F and the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project. Although this condition was met under background conditions (the intersections were identified as being deficient under background conditions), the proposed project would contribute to the projected deficiency at these locations, increasing the delay for the approach with the highest delay. Therefore, this is also considered a project impact.

The significant project impact to the Monterey Road and Buena Vista Avenue, Monterey Road and Day Road, US 101 SB Ramps and Masten Avenue, and US 101 NB Ramps and Masten Avenue unsignalized intersections under background plus project conditions could be mitigated with the installation of a traffic signal. Signalization of the intersections would improve the intersection level of service conditions to acceptable levels of service under background plus project conditions. This improvement has been identified in the City of Gilroy General Plan and in the City's Traffic Impact Fee (TIF) Program. Therefore, payment of the traffic impact fee by the project would constitute a fair-share contribution toward the project's portion of the significant impact and shall be included as a condition of project approval. With implementation of this condition of approval, this impact would be less-than-significant.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the AM and PM peak hours.

#### **Cumulative Conditions**

Cumulative conditions are defined as conditions shortly after completion of the proposed project. Traffic volumes for cumulative conditions comprise volumes from existing traffic counts plus traffic generated by other approved developments in the vicinity of the site, trips generated by the proposed project, and traffic from proposed but not yet approved developments.

#### Signalized Intersections

The results of the level of service analysis for the signalized study intersections indicate that the following study intersection is projected to operate at an unacceptable level of service during both peak hours under cumulative plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (Impact: PM peak-hour)

The level of service calculations show that the addition of project traffic at the above intersections would cause the intersection average delay to increase by more than one second during the PM peak-hour. This constitutes a significant cumulative project impact, based on City of Gilroy signalized intersection level of service impact criteria. The minimum required improvements to mitigate the project impact at this intersection include adding a separate eastbound left-turn lane, a second westbound left-turn lane, and updating the signal phasing to protected left-turns in the eastbound/westbound direction. Implementation of the above improvements would improve the intersection level of service to better than cumulative (no project) conditions, satisfactorily mitigating the project impact. However, the intersection is projected to continue to be deficient (LOS D) during the PM peak-hour.

The above improvements are planned in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Section 4.4.12 of the Development Agreement between the City of Gilroy and Glen Loma Ranch requires the developer of Glen Loma Ranch to construct this improvement, or mitigate the impact by other means. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this condition of project approval, this impact would be less-than-significant.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the AM and PM peak hours under cumulative plus project conditions.

#### **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under cumulative plus project conditions indicate that four of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The above intersections also are projected to operate at unacceptable levels under cumulative conditions, and the addition of project traffic would cause the intersections' average delay to increase beyond the City's delay increase threshold during the deficient peak hours. Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a cumulative project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections (three of which also are listed above) are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed and the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)

Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F and the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project. Although this condition was met under cumulative conditions, the proposed project would contribute to the projected deficiency at these locations, increasing the delay for the approach with the highest delay. Therefore, this is also considered a cumulative project impact.

The significant project impact to the Monterey Road and Buena Vista Avenue, Monterey Road and Day Road, US 101 SB Ramps and Masten Avenue, and US 101 NB Ramps and Masten Avenue unsignalized intersections under cumulative conditions be mitigated with the installation of a traffic signal. Signalization of the intersections would improve the intersection level of service conditions to acceptable levels of service under background plus project conditions. This improvement has been identified in the City of Gilroy General Plan and in the City's Traffic Impact Fee (TIF) Program. Therefore, payment of the traffic impact fee by the project would constitute a fair-share contribution toward the project's portion of the significant impact and shall be included as a condition of project approval. With implementation of this condition of approval, this impact would be less-than-significant.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the AM and PM peak hours.

c. **Transportation Hazards.** The City of Gilroy identifies the addition of vehicles to a vehicle queue in a turn-movement with inadequate queue storage capacity as a significant project impact.

The addition of project traffic to the westbound left-turn movement at the Monterey Road and Masten Avenue/Fitzgerald Avenue intersection would cause the projected 95th percentile vehicle queue to increase by three vehicles (from 24 to 27 vehicles, or 600 to 675 feet) from background to background plus project conditions. This exceeds the existing storage capacity of approximately 340 feet (or 13 vehicles). Based on City of Gilroy definition of significant traffic operations impacts, this is considered a project impact.

The project impact to the westbound left-turn movement of the Monterey Road/Masten Avenue/Fitzgerald Avenue intersection could be mitigated by providing a second westbound left-turn lane. However, it should be noted that the westbound movement of the intersection is operated on a split signal phase (both left and through westbound movements proceed through the intersection simultaneously). With this type of phasing, the situation will never occur where the left-turn movement is stopped while the adjacent through movement is trying to proceed. Additionally, the westbound through movement volume is about the same as the westbound left-turn volume. Therefore, an even split between the left and the through lanes can be expected during most signal cycles at the intersection. Because all movements in the westbound direction proceed through the intersection at the

same time and the left-turn queue would rarely block the through lane or prevent through vehicles from reaching the intersection, this left-turn queue storage deficiency most likely would not create safety or operational problems.

The addition of a second westbound left-turn lane on Master Avenue has been identified in the City of Gilroy General Plan and in the City's TIF Program. Section 4.4.12 of the Development Agreement between the City of Gilroy and Glen Loma Ranch requires the developer of Glen Loma Ranch to construct this improvement, or mitigate the impact by other means. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this condition of project approval, this impact would be less-than-significant.

d. **Emergency Access.** The City of Gilroy considers a project to create a significant adverse impact on emergency access to the project site if the proposed site design does not satisfy the emergency access requirements contained in the City of Gilroy Municipal Code, or if the proposed site design is determined by the City Engineer to provide inadequate emergency access.

As identified under "a-b." above, and as identified in the preliminary master plan for the Wren Investors site and the conceptual development plan for the Hewell site, the project development is accessible from three different access points for the Wren Investors site and at least two different access points for the Hewell site. Therefore, vehicular access to/from the project site should be adequate.

Compliance with the City's standard mitigation measures and conditions of approval for project design and emergency access will ensure that the proposed project would not result in inadequate emergency access.

e. **Parking.** Based on the parking rates found in the City Code (Section 31, Off-street parking requirements), single family residential units must provide a minimum of 2 off-street parking stalls per dwelling unit (one of which should be a covered carport or garage). Multi-family residential units are required to provide 1.5 parking stalls per one to two bedrooms dwelling units, and 2 stalls for each unit having three or more bedrooms or rooms that could be used as bedrooms, plus 1 stall for every four units for guests. One stall for each unit should be covered with a garage or carport. In addition, based on City of Gilroy parking requirements, the retail portion of the project should provide one parking stall for every 250 square feet of gross floor area.

The Americans with Disabilities Act (ADA) requires developments to provide one accessible parking space for every 25 parking spaces provided for the first 100 parking spaces, and one additional parking space for every 50 parking spaces

provided from 100 up to 200 total parking spaces. Accessible parking spaces shall be at least 96 inches (8 feet) wide and shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In addition, one in every 8 accessible spaces, but no less than one, shall be served by an access aisle at least 96 inches wide and shall be designated as "van accessible". It should be noted that the accessible parking spaces are not additional parking spaces, but are part of the minimum parking spaces required. Both the retail and multi-family portions of the project should comply with and satisfy ADA parking requirements.

The proposed project must adhere to these requirements in order to satisfy City of Gilroy standards.

f. **General Plan Consistency.** The proposed project does not conflict with general plan transportation and circulation element policies. Refer to discussion under "a-b." above.

## 16. TRIBAL CULTURAL RESOURCES

Would the project:

			Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	sign in P site, geog scop with	ise a substantial adverse change in the difficance of a tribal cultural resource, defined dublic Resources Code section 21074 as either a feature, place, or cultural landscape that is graphically defined in terms of the size and be of the landscape, sacred place, or object in cultural value to a California Native erican tribe, and that is:				
	(1)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources code section 5020.1(k), or ()				✓
	(2)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. ()				<b>√</b>

#### **Comments:**

a. (1 & 2) As discussed in the Section A, Background, the City of Gilroy did not receive any requests for consultation from tribes traditionally or culturally affiliated with the project area. Therefore, no additional consultation was required under AB 52, which requires lead agencies to conduct tribal consultation if specifically contacted by traditionally or culturally affiliated tribes in the project area.

## 17. UTILITIES AND SERVICE SYSTEMS

Would the project:

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (1, 2, 4, 5, 6)				✓
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 4, 5, 6, 7, 8)			✓	
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (1, 2, 4)			✓	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 6, 7)			✓	
e.	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (1, 2, 4, 5, 6, 7, 8)			<b>✓</b>	
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid-waste disposal needs? (1, 2)			✓	

#### **Comments:**

- a. Future development at the project site would connect to the City's water and wastewater systems and therefore, would not violate any water quality standards or waste discharge requirements.
- b. The City's water master plan includes analysis of the City's water distribution system and concluded that the system was well planned to meet the needs of existing customers and future growth (page ES-9). The master plan states that in anticipation of future growth consistent with the general plan build out, City staff has planned

and constructed water projects in conjunction with new street construction. The master plan includes proposed improvements to enhance the City's storage and supply capacities during emergencies and to service future growth. The proposed project is consistent with the general plan and the water master plan and would not result in a greater demand than has been analyzed in these plans.

The City of Gilroy Sewer Master Plan (Carollo Engineers 2005a) ("sewer master plan") includes analysis of the City's sewer system and concluded that the collection system was well planned to meet the needs of existing customers and that City staff have planned and constructed sewer facilities in conjunction with new street construction in anticipation of future growth. The sewer master plan includes recommended improvements that would provide capacity enhancements to the collection system when they are needed to serve future anticipated development. The proposed project is consistent with the general plan and the sewer master plan and would not result in a demand or require infrastructure greater than what has already been analyzed in these plans.

c. The City of Gilroy Storm Drainage Master Plan (Carollo Engineers 2004b) ("storm drainage master plan") analyzed the City's storm water system and recommended improvements to mitigate existing system deficiencies and to accommodate future growth including maximum development of the project site under the ND general plan land use designation. Future development of the site consistent with the existing general plan land use designation would result in an increase in storm water runoff. As identified in the City's storm drainage master plan, the existing and planned City infrastructure is sufficient to accommodate this increase in storm water.

The proposed USA amendment and future development of the site identified in the Wren Investors preliminary master plan and Hewell conceptual development plan is consistent with the general plan and the water master plan and would not require the construction of storm drainage infrastructure beyond that identified in the master plan.

d. Figure 5-2 of the *City of Gilroy Water System Master* Plan (Carollo Engineers 2004) presents proposed improvements to the City's system including 12-inch mains to the west of the project site along Kern Avenue and along the southern project site boundary along Vickery Avenue.

The proposed USA amendment and future development as identified on the Wren Investors preliminary master plan and Hewell conceptual development plan is consistent with the water system master plan, as well as the urban water

- management plan and would not require the construction of water infrastructure or water provision beyond that identified in the master plan (see also discussion under Section 9, Hydrology and Water Quality).
- e. According to the City's sewer master plan, Neighborhood District land uses generate 1,500 gallons per day per acre of wastewater (Carollo, page ES-9). Therefore, development of the 38.96-acre Neighborhood District development would result in generation of approximately 58,440 gallons per day of wastewater. Future development of the Wren Investors and Hewell sites with Neighborhood District use was anticipated in the City's general plan and sewer master plan. The proposed project is consistent with the sewer master plan and would not require the construction of wastewater infrastructure beyond that identified in the master plan.
- f. The general plan EIR analyzed the solid waste impacts associated with general plan build out and concluded that, with the implementation of mitigation measures, the impact would be less than significant. Recology South Valley would continue to provide solid waste pick up upon development of the project site. The proposed project is consistent with the general plan and would not result in a greater impact than what has already been analyzed in the general plan (general plan EIR, 4.8 20).

## 18. MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less-than-Significant Impact with Mitigation Measures Incorporated	Less-Than- Significant Impact	No Impact
a.	Does the project have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory?  (1, 2, 3, 12, 24, 25, 36, 37, 38, 39, 40)		✓		
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) (1, 2, 13, 15, 24, 25, 27, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40)		✓		
c.	Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? (1, 2, 13, 15, 24, 25, 30, 31, 34)		✓		

#### **Comments:**

a. The project sites are largely undeveloped but are surrounded by residential development, and contain no habitat for special-status plants or wildlife. For the Wren Investors site, six parcels are developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District parcels through which run the Lions Creek channel and a paved community bike path. The Hewell site is developed with one home, associated outbuildings, and landscaping; however, the remainder of the site is a vacant field. Potential impacts to biological resources were identified in this initial study; however, mitigation measures are presented that would ensure significant impact would be reduced to a

less than significant level. Therefore, the proposed project does not have the potential to degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

As discussed in Section 5, Cultural Resources, construction activities associated with the proposed project also have the potential to disturb unknown archaeological resources and/or unknown human remains. However, City of Gilroy standard conditions of approval would ensure these potential impacts would be less than significant. Therefore, the proposed project would not have the potential to eliminate important examples of the major periods of California history or prehistory.

- b. The proposed project does have the potential to result in cumulative impacts in the following areas: air quality, biological resources, noise, public services, traffic and transportation, and utilities and service systems. Each of the potentially cumulatively considerable impacts can be mitigated through implementation of mitigation measures presented herein, and/or conditions of project approval.
- c. The proposed project has the potential to result in short-term air quality and noise impacts to adjacent residents associated with construction activity. However, with implementation of the city's standard conditions of approvals regarding minimizing short-term construction impacts presented in this initial study, as well as mitigation measures AQ-1 and N-1, the project will not have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly.

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All documents indicated with **bold** numbers are available for review at the **City of Gilroy**, **7351 Rosanna Street**, **Gilroy**, **(408) 846-0451** during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.

Wren Investors and Hewell Urban Service Area Amendment This side intentionally left blank.

# **APPENDIX A**

HEWELL USA LESA WORKSHEETS (2015)

Land Evaluation Worksheet 1.

Land Capability Classification (LCC) and Storie Index Scores

Α	В	С	D	Е	F	G	Н
Soil Map	Project	Proportion of	LCC	LCC	LCC	Storie	Storie Index
Unit	Acres	Project Area		Rating	Score	Index	Score
PpA	2.12	0.41	lls	80	32.5	72	29.2
SdA	3.1	0.59	IIIs	60	35.6	51	30.3
		(Must Sum		LCC		Storie	
						Index	
Totals	5.22	to 1.0)		Total	68.1	Total	59.5
				Score		Score	

Project Size Score LCC Class LCC Class LCC Class 1 - 11 Ш IV - VIII 2.12 3.1 2.12 **Total Acres** 0 3.1 Project Size **Scores** Highest Project Size Score

Site Assessment Worksheet 1.

Source: US Department of Agriculture. Soil Survey of Eastern Santa Clara Area, California. 1974.

## **Site Assessment Worksheet 2. Water Resources Availability**

A	В	С	D	E
Project Portion	Water Source	Proportion of Project Area	Water Availability Score	Weighted Availability Score (C x D)
1	Ground water	1	100	100
		(Must Sum to 1.0)	Total Water Resource Score	100

Site Assessment Worksheet 3.

### Surrounding Agricultural Land and Surrounding Protected Resource Land

Α	В	С	D	Е	F	G
			Surrounding			
Total Acres	Acres in Agriculture <sup>2</sup>	Acres of Protected	Percent in Agriculture	Percent Protected	Surrounding Agricultural	Protected Resource
	·	Resource Land	(A/B)	Resource Land (A/C)	Land Score (From Table)	Land Score (From Table)
426.88	205.70	0	48	0	20	0

Source: California Department of Conservation Farmland Mapping & Monterey Program. 2012 Notes:

- 1. Zone of influence: land within one quarter mile (1320 ft) of the project site.
- 2. Area of land in agricultural use estimated using aerial photographs and site investigations.

#### **Final LESA Score Sheet**

#### **Calculation of the Final LESA Score:**

- (1) Multiply each factor score by the factor weight to determine the weighted score and enter in Weighted Factor Scores column.
- (2) Sum the weighted factor scores for the LE factors to determine the total LE score for the project.

#### **NOTES**

- (3) Sum the weighted factor scores for the SA factors to determine the total SA score for the project.
- (4) Sum the total LE and SA scores to determine the Final LESA Score for the project.

Land Evaluation

Site Assessment

	Factor		Factor	Weighted	
		Scores	Weight	Factor Scores	
LE Factors					
Land Capability Classification	<1>	68.1	0.25	17.0	
Storie Index	<2>	59.5	0.25	14.9	
LE Subtotal				31.9	
SA Factors					
Project Size	<3>	0.0	0.15	0.0	
Water Resource Availability	<4>	100.0	0.15	15.0	
Surrounding Agricultural Land	<5>	20.0	0.15	3.0	
Protected Resource Land	<6>	0.0	0.05	0.0	
SA Subtotal				18.0	
			Final LESA	49.9	

Score

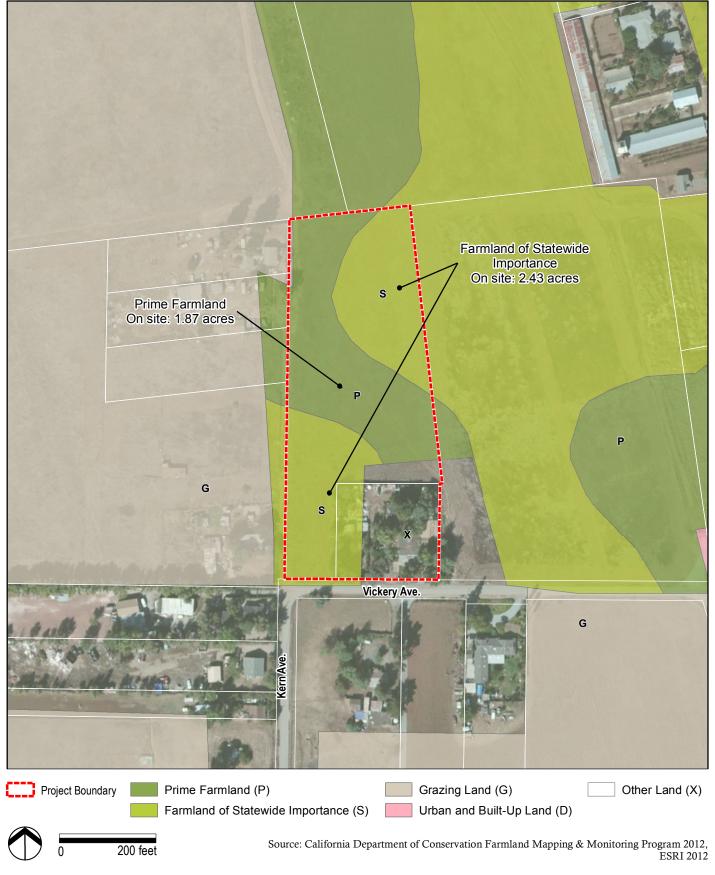


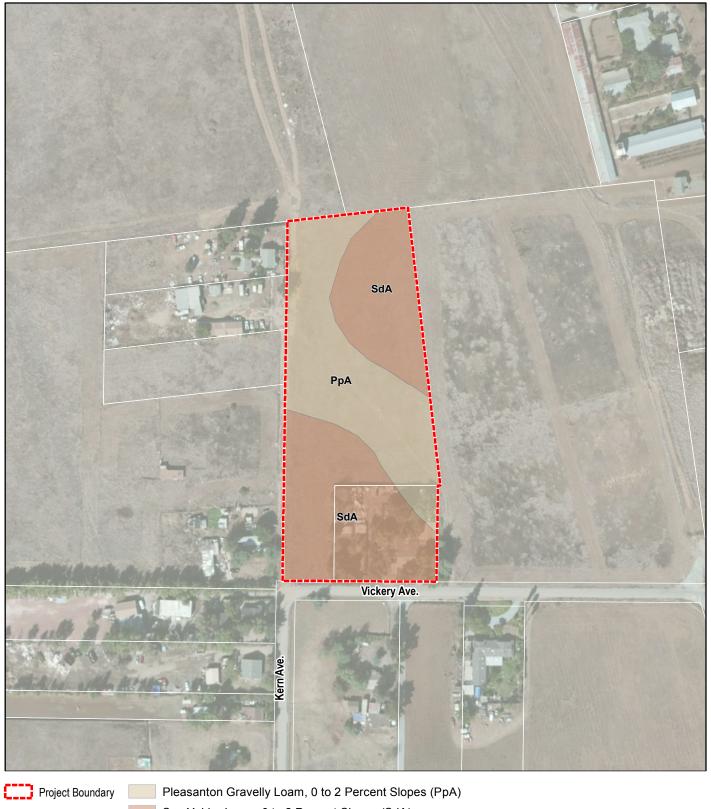
Figure 1

Important Farmlands Map











San Ysidro Loam, 0 to 2 Percent Slopes (SdA)

Source: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture 2014, ESRI 2012

Figure 2

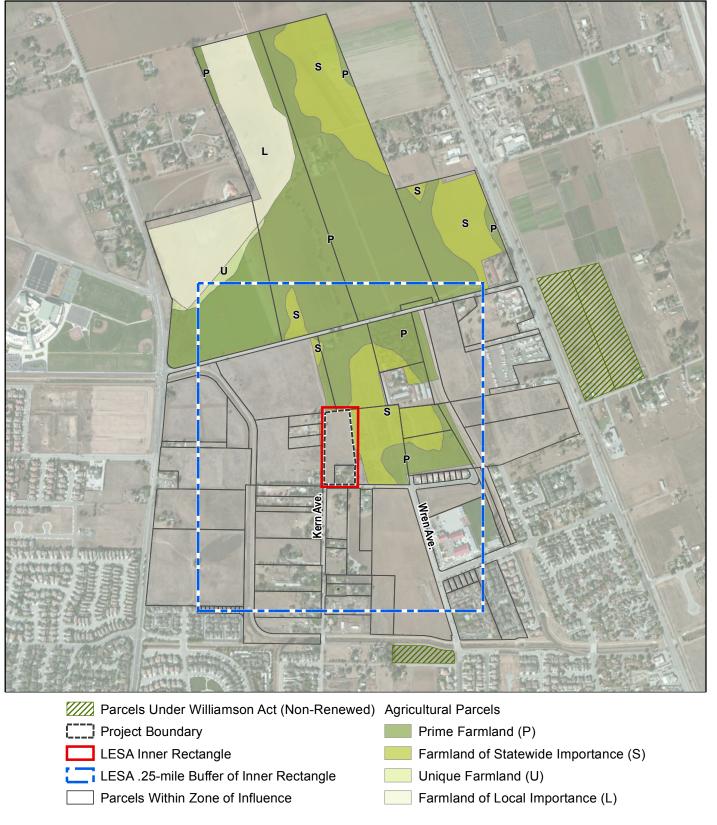
Soils Map







200 feet





Source: California Department of Conservation Farmland Mapping & Monitoring Program 2012, County of Santa Clara 2015, ESRI 2012

Figure 3







# **APPENDIX B**

GHG Analysis Report and CaleEMod Results (Prepared by EMC Planning Group, dated July 2017)

July 25, 2017

Melissa Durkin Planner II City of Gilroy Community Development Department 7351 Rosanna Street Gilroy, CA95020-6197

Re: USA 12-01 (#12070023) Wren Investors, and USA 14-02 (#14070058), Hewell, Greenhouse Gas Analysis

Dear Melissa:

Thank you for the opportunity to prepare a greenhouse gas emissions analysis and to make a determination of impact significance for the Wren Investors and the Hewell projects.

The conclusions of our analysis indicate that the combined operations of future development of both projects would not result in significant greenhouse gas emissions effects. Therefore, no mitigation measures are necessary.

Please contact me or Polaris Kinison Brown, principal planner, in my office if you have any questions.

Tou Wish Adam

Teri Wissler Adam

Senior Principal

## **PROJECT OVERVIEW**

The proposed project consists of an adjustment to the City of Gilroy Urban Service Area (USA) to include two sites totaling approximately 55 acres located north and west of the Gilroy city limit. Both sites are located within the City of Gilroy 2002 General Plan 20-year planning boundary. No development is proposed on either site at this time; however, the applicants have submitted preliminary development plans to the city for purposes of showing how the property could be developed and for use in the forthcoming environmental review process for the project. It is assumed that future development on both sites would occur once the boundary adjustment is approved and the sites are annexed to the City of Gilroy. It is also assumed that both projects would be occupied by 2024.

## **BACKGROUND**

EMC Planning Group previously completed California Environmental Quality Act (CEQA) and Local Agency Formation Commission (LAFCO) documentation for the Wren Investors project in 2014. A portion of the environmental analysis for the Hewell/Sheedy Urban Service Area Amendment, Prezoning, and Annexation project (hereinafter "Hewell project") was prepared in 2015. However the environmental impact report (EIR) for the Wren Investors project was never certified and the Hewell project was put on hold before the CEQA documentation could be completed.

Since the time the prior greenhouse gas (GHG) analyses were prepared for the two projects, expectations of local, regional, and state agencies to advance their analytical and mitigation approaches for addressing climate change in the CEQA process for land use projects have grown. New state legislation and outcomes of GHG related CEQA legal cases have "raised the bar" for how lead agencies analyze and mitigate GHG impacts. There are now additional regulations in place for reducing GHG emissions, and the emissions modeling program (CalEEMod) has been updated to more accurately reflect the GHG emissions accounting for land use projects.

# **PROJECT DESCRIPTION**

The Wren Investors project site is located immediately north of the Gilroy city limits southwest of the intersection of Vickery Avenue and Wren Avenue. The approximately 50.3-acre site consists of six parcels developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District parcels through which run the Lions Creek channel and a paved community bike path. Future development would consist of 137 low-density single-family residential units, 20 medium density (duet) units, 102 townhome/apartment units, 8,000 square feet of neighborhood commercial uses and a 9,000 square foot parking lot on a 0.4-acre parcel, and related infrastructure (MH Engineering Co. 2012).

The Hewell project site is located just outside the northern city limits northeast of the intersection of Vickery Avenue and Kern Avenue. The approximately 5.4-acre project site consists of two parcels. A portion of the site is developed with one single-family residence and the remainder of the site is vacant grassland. The conceptual development plan for the Hewell project identifies development of 28 single-family homes and 20 higher density single-family homes, and related infrastructure (MH Engineering Co. 2013).

This assessment provides an analysis of GHG emissions associated with the combined operations of future development of both projects (hereinafter, "proposed project" or "project").

# **GREENHOUSE GAS LEGISLATIVE GUIDANCE**

This section provides the framework and background and existing legislative guidance that are used in this GHG analysis.

# California Assembly Bill 32 (Global Warming Solutions Act) and the 2008/2014 Scoping Plan Guidance

In September 2006, the Governor signed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. AB 32 establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions. AB 32 requires that

statewide GHG emissions be reduced to 1990 levels by 2020. AB 32 is the statewide framework for evaluating the contribution of individual development projects located within the boundaries of individual lead agencies to achieving or hindering the statewide reduction goal. The strategies the state is to implement to achieve the 2020 goal are embedded in scoping plans. The scoping plan was first approved by the California Air Resources Board in 2008 and the first update was approved in 2014. With the adoption of AB 32, local and regional agencies began to align their CEQA processes and craft GHG thresholds of significance to be consistent with the year 2020 reduction goal.

# California Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Senate Bill (SB) 32 was adopted in September 2016. It sets a new statewide GHG emissions reduction target of at least 40 percent below 1990 levels by the end of 2030. It represents an interim GHG reduction target designed to ensure that the state continues to adopt rules and regulations that keep the state on track to meet the 2050 statewide GHG reduction goal of 80 percent below 1990 levels by 2050 set forth in Executive Order S-03-05. The emissions reduction goal set in SB 32 sets expectations for GHG emissions reductions in the state in the post-AB 32 2020 environment given that emissions reduction goals set forth in AB 32 should will have been reached by 2020. With SB 32, the Legislature passed companion legislation AB 197, which provides additional direction for developing the Scoping Plan. The California Air Resources Board (CARB) has completed an update to the scoping plan to reflect the 2030 target codified by SB 32.

# **City of Gilroy Interim Climate Action Plan**

The city adopted an interim climate action plan in 2012. The interim climate action plan is not a qualified GHG reduction plan because the city determined that implementation of some of the GHG reduction measures included in the document may not be feasible and potential environmental impacts associated with implementing the interim climate action plan were not evaluated. Because the climate action plan is not a qualifying GHG reduction plan, the city does not have the ability to use the document to streamline the CEQA analysis of GHG impacts pursuant to CEQA Guidelines Section 15130.5.

# **GREENHOUSE GAS THRESHOLDS**

This section provides background and methodology for identifying a greenhouse gas threshold of significance for the project. It is noted that the Bay Area Air Quality Management District thresholds are presented to provide background and context only and do not guide the methodology used in this report. The reasons are explained below.

### The Bay Area Air Quality Management District Thresholds

The proposed project is located within the San Francisco Bay Air Basin. The Bay Area Air Quality Management District (air district) is charged with managing air quality within the basin. The air district implements policies and programs designed to ensure that air quality meets standards established under federal and state laws.

The air district is the only agency that, to date, has developed a plan for GHG emissions reductions that can be utilized by the city. The air district has published comprehensive guidance on evaluating, determining significance of, and mitigating GHG impacts of projects and plans. The guidance is contained in the *California Environmental Quality Act Air Quality Guidelines* (Bay Area Air Quality Management District 2017) (air quality guidelines). The 2010 version of the air quality guidelines was the first to include draft thresholds of significance for GHG emissions and screening criteria designed to assess project types and intensities whose GHG emissions would not exceed project-specific GHG standards of significance. These thresholds are included in the most recent update to the air quality guidelines (May 2017).

The air district thresholds are based on GHG reductions needed within the air basin by 2020, including from new land development projects, for the district to contribute its fair share to the statewide reductions identified in AB 32 and the 2014 scoping plan. The thresholds apply only to year 2020 reduction goals; they are not designed to enable the district to meet the reduction target of 40 percent below business-as-usual or 80 percent below business-as-usual as identified SB 32 and Executive Order B-30-15, respectively. The air district is not expected to adopt new CEQA thresholds of significance for post-2020 conditions in the near term.

### **Project Threshold of Significance**

The air district's GHG thresholds of significance and its GHG screening criteria are contained in its CEQA Air Quality Guidelines and are keyed to ensuring that GHG emissions within the air district are reduced by a fair share towards achieving the statewide year 2020 GHG emissions reduction target embedded in the 2007 Scoping Plan by the year 2020. The thresholds and screening criteria are not applicable after the year 2020. The project is not expected to build out until 2024. Therefore, the air district's 2020 thresholds and screening criteria are not applicable, as they do not consider the deeper emissions cuts needed between 2020 and 2030 to achieve the statewide reduction goal of 40 percent 1990 levels by 2030 as codified in SB 32. The city has not adopted a qualified climate action plan. Therefore, there is no local GHG reduction plan against which the project can be assessed for its GHG emissions effects.

In light of these circumstances, a project-specific GHG threshold of significance for the year 2024 must be developed for use in the GHG analysis. The threshold is a quantified emissions efficiency target that is crafted to determine whether or not the proposed project would impede the state's ability to achieve the 2030 emissions reduction target of 40 percent below 1990 levels as mandated in SB 32.

An efficiency-based threshold represents the rate of emissions from land use driven GHG emissions contained in the state GHG emission inventory at or below which it would not impede the state's ability to achieve the SB 32 GHG emissions reduction target. An efficiency threshold allows lead agencies to assess whether any given project or plan would accommodate projected population and employment growth in a way that is consistent with the emissions limit established under SB 32.

# Threshold of Significance Calculation Methodology

The threshold is derived by calculating the projected statewide land use driven GHG emissions volume in 2024 (the proposed project buildout year) and dividing it by projected statewide service population in 2024. The service population is the sum of projected year 2024 employment and year 2024 population.

A volume of GHG emissions at or below which emissions from statewide land use driven GHG sectors would not impede the SB 32 emissions reduction goal is first needed as the numerator of the emissions rate calculation. Land use sector driven emissions

Melissa Durkin City of Gilroy July 25, Page 7

include those from the statewide GHG emissions inventory that are generated by emissions sectors that support land uses which accommodate population growth and employment (e.g. residential and commercial uses).

The year 2024 projected statewide emissions volume is identified by applying an annual emissions reduction rate to the sum of the statewide year 2020 land use driven GHG inventory emission sectors for a period of four years – to the 2024 buildout date for the proposed project. The California Air Resources Board has stated that an average statewide GHG reduction of 5.2 percent per year from the projected 2020 statewide GHG emissions inventory volume (which under AB 32, is to be no greater than the 1990 statewide emissions inventory volume) will be needed to stay on a trajectory to achieve the state reduction targets for 2030 and 2050, respectively (California Air Resources Board 2015, California Air Resources Board 2016). By applying the annual rate of reduction to the 2020 emissions inventory volume for land use driven GHG emissions in particular, a target GHG emissions volume for any particular year after 2020 can be calculated.

Land use driven GHG emissions can be isolated out of the 1990 statewide emissions inventory by eliminating emissions sources that are not land use driven and that would not accommodate projected new population or employment growth. For example, emissions associated with ocean transport or agriculture are not driven by land use development projects. However, emissions associated with on-road transportation, electricity generation from fossil fuels, natural gas combustion, wastewater treatment, and solid waste are land use driven. Table 1, 1990 California Greenhouse Gas Inventory for Land Use Driven Emissions Sectors, on the following page, presents the adjusted land use-driven emissions inventory for 1990 (which also represents the target emissions levels for the year 2020 under AB 32).

As identified in Table 1, total land use driven emissions were projected at 286.71 million metric tons (MMT) carbon dioxide equivalent (CO<sub>2</sub>e) in 1990. Carbon dioxide equivalent describes how much global warming a given type of GHG will cause, with the global warming potential of CO<sub>2</sub> as the base reference of one. It is useful because it allows comparisons of the impact from different GHGs with differing global warming potentials. If a project is a source of several types of GHGs, their individual global warming potentials can be standardized and expressed in terms of CO<sub>2</sub>e.

Table 1 1990 California Greenhouse Gas Inventory for Land Use Driven Emissions Sectors

Land Use Driven Emissions	Emissions (MMT CO <sub>2</sub> e)
On-Road Transportation	
Passenger Cars	63.77
Light Duty Trucks	44.75
Motorcycles	0.43
Heavy Duty Trucks	29.03
Freight	0.02
Subtotal	138.00
Electricity Generation In-State	
Commercial Cogeneration	0.70
Merchant Owned	2.33
Transmission and Distribution	1.56
Utility Owned	29.92
Subtotal	34.51
Electricity Generation	
Specified Imports	29.61
Transmission and Distribution	1.02
Unspecified Imports	30.96
Subtotal	61.59
Commercial	
CHP: Commercial	0.40
Communication	0.07
Domestic Utilities	0.34
Education	1.42
Food Services	1.89
Healthcare	1.32
Hotels	0.67
Not Specified Commercial	5.58
Offices	1.46
Retail and Wholesale	0.68

Transportation Services	0.03
Subtotal	13.86
Residential	
Household Use	29.66
Subtotal	29.66
Industrial	
Landfills	6.26
Domestic Wastewater Treatment	2.83
Subtotal	9.09
Total Emissions	286.71

SOURCE: California Air Resources Board. No Date.

A statewide emissions volume target for 2024 is derived by applying the California Air Resources Board's 5.2 percent annual emissions reduction rate to the 2020 projected state inventory volume of 286.71 MMT CO<sub>2</sub>e for four years (compounded). This calculation results in a projected emissions volume of approximately 232.88 MMT CO<sub>2</sub>e in 2024 ((286.71)(e^((-0.052)(4))).

The statewide 2024 service population is derived from projected 2024 statewide population plus projected statewide 2024 employment. The projected 2024 statewide population is 42,074,892 (California Department of Finance 2017b). The projected 2024 employment is 19,720,500 (California Employment Development Department 2016). The 2024 service population equals 42,074,892 plus 19,720,500, for a total of 61,795,392.

The 2024 threshold of significance is 231.33 MMT CO<sub>2</sub>e/61,795,392 or 3.70 MT CO<sub>2</sub>e/service population. Table 2, 2024 Threshold of Significance, summarizes the factors used to derive the threshold.

The 2024 threshold of significance is only applicable for determining the significance of individual land use projects with a buildout year of 2024. The methodology used reflects the consultant's best current effort to identify a threshold of significance in a GHG analysis environment that is in a state of flux.

Table 2 2024 Threshold of Significance

	Year 2024
Population	42,074,892
Employment	19,720,500
Service Population	61,795,392
Emissions Target	232.88 MMT CO <sub>2</sub> e
2024 Threshold	232.88 MMT CO <sub>2</sub> e/61,795,392 = 3.70 MT CO <sub>2</sub> e/Service Population

SOURCE: EMC Planning Group 2017; California Department of Finance 2017b; California Employment Development Department 2016

## **ANALYSIS**

If the proposed project rate of GHG emissions is below the 3.70 MT CO<sub>2</sub>e/service population threshold of significance, the project would not conflict with the state's ability to achieve the 2030 emissions reduction target embedded in SB 32. To make this determination, the project's rate of GHG emissions must be determined. This is done by projecting the annual volume of GHG emissions generated by the project in the project buildout year of 2024 and dividing that volume by the project service population at buildout.

GHG emissions from the annual operations of the proposed project have been estimated using the California Emissions Estimator Model (CalEEMod) Version 2016.3.1 software. For a detailed discussion of the modeling methodology and CalEEMod inputs and results please refer to the *Wren Investors/Hewell USA Amendments, Gilroy CA Air Quality/Greenhouse Gas Emissions Assessment* memo ("AQ/GHG memo") and results included as an attachment to this report.

# **Proposed Project Annual Operational Emissions Estimate**

Unmitigated annual operational GHG emissions are reported in Table 3, Unmitigated Operational GHG Emissions (MT per year) of the GHG/AQ memo, attached to this report. The proposed project would generate an estimated 3,052.56 MT CO<sub>2</sub>e per year. This emissions volume does not reflect any GHG emissions reduction measures that

may be proposed for incorporation into future development projects by the project applicants or emissions reductions that may accrue to GHG reduction measures that may be required for incorporation by the City of Gilroy.

### **Existing Use GHG Emissions**

The project site contains existing residential uses and the Gilroy High School Future Farmers of America Club farm laboratory, all of which would be removed to enable future development of the site. According to the CalEEMod modeling results, GHG emissions produced by existing land uses are projected at 115.95 MT CO<sub>2</sub>e per year. This represents an emissions "credit" that can be deducted from the proposed project estimated annual emissions volume.

### **Annual Carbon Sequestration Offset**

Modeling for the proposed project included removal of 64 trees and planting of 2,264 new trees for a total 2,200 net new trees. The carbon sequestration offset from planting 2,200 net new trees is 1,428.30 MT CO<sub>2</sub>e assuming a 20-year life cycle for the trees. For ease of reporting, this amount is averaged over thirty-years to yield an annual carbon sequestration offset of 47.61 MT CO<sub>2</sub>e. This represents an emissions "credit" which can be deducted from the proposed project estimated annual emissions volume.

# **Proposed Project Net Annual Greenhouse Gas Emissions**

The total net GHG emission volume attributable to the proposed project is determined by subtracting GHG emissions from existing uses and the carbon sequestration offset emissions volume from the annual operational emissions estimate for the proposed project. The net annual GHG emissions volume is 2,889.00 MT CO<sub>2</sub>e (3,052.56 MT CO<sub>2</sub>e - 115.95 MT CO<sub>2</sub>e - 47.61 MT CO<sub>2</sub>e).

# **Proposed Project Service Population**

The conceptual plans for the proposed project include 307 new residential units plus neighborhood commercial uses on a 0.4-acre parcel. Development of the proposed project is anticipated to generate a new residential population of 1,081 persons based on an estimated average of 3.52 persons per household for the City of Gilroy (Department of Finance 2017a). The commercial uses on a 0.4-acre parcel would generate an estimated

eight new jobs (Applied Development Economics 2013). Therefore, the project service population is 1,089.

#### **Proposed Project Rate of Emissions**

The total annual GHG emissions volume attributable to the project is 2,889.00 MT CO<sub>2</sub>e per year. The service population is 1,089. Therefore, the proposed project would generate GHG emissions at a rate of 2.65 MT CO<sub>2</sub>e per service population per year (2,889.00 MT CO<sub>2</sub>e/1,089 service population).

#### Conclusion

The project rate of GHG emissions of 2.65 MT CO2e per service population per year is below the threshold of significance for this project of 3.70 MT CO2e per service population per year. Consequently, the proposed project would have a less-than-significant impact from generation of GHG emissions. No mitigation measures are required.

# Sources

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  <a href="http://www.dof.ca.gov/Forecasting/Demographics/Projections">http://www.dof.ca.gov/Forecasting/Demographics/Projections</a> (Accessed July 12, 2017).
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#### EMC PLANNING GROUP INC.

A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831·649·1799 Fax 831·649·8399 www.emcplanning.com

To: Teri Wissler Adam, Project Manager

From: Sally Rideout, Principal Planner

Cc: File: ENV 725

Date: July 6, 2017

Re: Wren Investors/Hewell USA Amendments, Gilroy CA

Air Quality/Greenhouse Gas Emissions Assessment

# **Project Description**

The proposed project consist of two urban service area (USA) boundary adjustments on two sites north and west of the Gilroy city limit. Gilroy is located within the San Francisco Bay Area Air Basin, which is within the jurisdiction of the Bay Area Air Quality Management District (air district). Although no development is currently proposed on either site, for the purposes of the emissions modeling it is assumed that future development on both sites would occur once the boundary adjustment is approved and the sites are annexed to the City of Gilroy.

The 50.3-acre Wren Investors project site consists of six parcels developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District (SCVWD) parcels through which run the Lions Creek channel and a paved community bike path. Future development would consist of 137 low-density single-family residential dwelling units, 20 medium density (duets) dwelling units, 102 townhome/apartment units, neighborhood commercial uses on a 0.4-acre parcel, and related infrastructure.

The Hewell project includes development of 28 single-family homes and 20 higher density residential units, and related infrastructure on a 5.4-acre site. Existing sources of emissions on

the project site consist of one single-family residence. The remainder of the site is vacant grassland.

# **Scope of Assessment**

This assessment provides an estimate of criteria air pollutant and greenhouse gas (GHG) emissions associated with the combined operations of future development of both projects. Project-related air and GHG emissions are estimated using California Emissions Estimator Model (CalEEMod) Version 2016.3.1 software. The CalEEMod platform is recommended by the California Air Resources Board (CARB) and accepted by the air district. The air district approach to CEQA analyses for construction air quality and GHG emissions impacts is to emphasize implementation of effective and comprehensive control measures rather than detailed quantification of emissions. Therefore, estimates of construction criteria air pollutant or construction GHG emissions are not included in this assessment.

#### **Emissions Model**

The CalEEMod software utilizes U.S. Environmental Protection Agency (USEPA) AP-42 emission factors, CARB vehicle emission models studies and studies commissioned by other California agencies such as the California Energy Commission and CalRecycle in its emissions calculations. Version 2016.3.1 utilizes 2014 Title 24 building energy efficiency standards. The model calculates indirect emissions from processes "downstream" of the project under evaluation such as GHG emissions from energy use, solid waste disposal, wastewater and water use. CalEEMod also estimates changes in carbon sequestration potential due to changes in vegetation.

# Methodology

This assessment provides an estimate of operational criteria air pollutant and GHG emissions that would be generated by future development of the project sites with proposed land uses described in more detail below. Operational GHG emissions from existing development are also estimated. For modeling purposes, data inputs to the model take into account the type and size of proposed uses utilizing CalEEMod default land uses and size metrics provided by the applicants.

#### **Assumptions**

Unless otherwise noted, data inputs for the project model are based on the following primary assumptions:

- 1. Emissions are estimated for an operational date of 2024.
- 2. Existing operational emissions on the eight parcels with existing uses were estimated using the CalEEMod default land use subtype of single-family Housing. Use of the Gilroy High School Future Farmers of America Club farm Laboratory property is not a source of substantial emissions. For the purposes of this assessment use of this property is expected to generate emissions similar to a single-family use).
- Operational emissions from future development are based on the following CalEEMod default land use subtypes:
  - a. Emissions generated by the proposed single family housing use are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Single Family Housing", which consists of all single-family detached homes on individual lots typical of a suburban subdivision.
  - b. Emissions generated by townhomes are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Condo/Townhouse", which are defined as ownership units that have at least one other owned unit within the same building structure.
  - c. Operational emissions generated by residential apartment uses are assumed to be generally similar to emissions that would be generated by the CalEEMod default residential land use subtype "Apartments, low-rise", which are apartments in rental buildings that have between one and three levels.
  - d. Operational emissions generated by anticipated commercial retail uses are assumed to be generally similar to emissions that would be generated by the CalEEMod default retail land use subtype "Strip Mall", which is considered specialty retail by the Institute of Traffic Engineers (ITE). These specialty retail uses consist of a variety of retail shop types specializing in goods and services, professional uses, and hard goods such as quality apparel, florists and small restaurants.

- e. Emissions from commercial use parking lots are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Parking Lot", which is a single surface parking lot typically covered with asphalt.
- f. Emissions from internal paved roadways and access routes on the commercial site are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Other Asphalt Surfaces", which is described as an asphalt area not used as a parking lot.
- 4. The model's default CO<sub>2</sub> intensity factor of 641 pounds/megawatt hour was reduced to 290 pounds/megawatt hour to reflect Pacific Gas & Electric energy CO<sub>2</sub> intensity projections for 2020, which is the current horizon year for Pacific Gas & Electric projections. The intensity factor has been falling, in significant part due to the increasing percentage of Pacific Gas & Electric's energy portfolio obtained from renewable energy. Emissions intensity data is from Pacific Gas & Electric's Greenhouse Gas Factors: Guidance for PG&E Customers, dated November 2015.
- 5. Within the project site, Lions Creek runs through two parcels (5.7 acres), which are owned and managed by the Santa Clara Valley Water District. This portion of the project site is not a substantial source of existing or proposed emissions. Therefore, this acreage is not included in the emissions calculations for existing or future uses.
- 6. The most common existing vegetation type on vacant areas of the project site is grassland (approximately 35 acres).

### **Operational Emissions Data Inputs**

A modeled estimate of existing operational emissions is provided assuming eight single-family residences. The model results for this estimate are included as attachments to this memorandum. Estimates of operational criteria air pollutant and GHG emissions that would be generated by the land uses identified in Table 1 are derived using the model default land use categories and trip generation rates based on future development of a 50-acre site (does not include waster district parcels). Size metrics are provided by the applicant or are shown on project conceptual plans. The model default for building energy efficiencies (2014 Title 24) was adjusted to reflect a 28 percent increase in Title 24 building energy efficiencies that will be

achieved through compliance with 2016 Title 24 building energy efficiency standards (California Energy Commission 2016).

The characteristics of the proposed project and their respective default land use categories are presented in Table 1, Project Characteristics.

Table 1 Project Characteristics<sup>1</sup>

Project Components	CalEEMod Land Use <sup>2</sup>	Existing	Proposed
Single-family Residential	Single-family Housing <sup>3</sup>	8 Units	185 Units
Apartments	Apartments, Low-rise	-	20 Units
Townhomes/Condos	Townhomes/Condos	-	102 Units
Neighborhood Commercial	Strip Mall	-	8,000 Square Feet
Commercial Parking Lot	Parking Lot	-	9,000 Square Feet
Access Roads	Other Asphalt Surfaces	-	14.5 Acres
Trees <sup>4</sup>	Trees – Miscellaneous Species	61	2,264

SOURCE: MH Engineering Co. 2012, MH Engineering Co. 2013, Oliver 2017, Breeze Software 2016, EMC Planning Group 2017.

- 1. Numbers may vary due to rounding
- 2. CalEEMod default land use subtype. Descriptions of the model default land use categories and subtypes are found in the CalEEMod Version 2016.3.1 User Guide available online at: http://www.aqmd.gov/caleemod/guide.htm.
- 3. Includes duplex (duet) uses.
- 4. Dick Oliver, email communication with consultant June 28, 2017.

#### **Model Baseline**

The baseline for criteria air pollutant emissions that affect air quality are already quantified in air quality management plans. CalEEMod default values for baseline conditions assume new development on a vacant site. For development that replaces existing improvements on specific sites, project-specific contributions to regional GHG emissions are derived by comparing the proposed project GHG emissions to the baseline GHG emissions under existing conditions. The difference between the two would be the project's contribution to operational GHG emissions.

# **Carbon Sequestration Potential**

CalEEMod also estimates a one-time only change in sequestration potential resulting from changes in land use such as replacing vegetation with impervious surfaces and planting new trees. The conversion of approximately 35 acres of fallow agricultural cropland (grasslands) to developed uses is included in the modeling. The model also calculates a one-time only change

in carbon sequestration potential based upon the number of net new trees proposed, averaged over a 20-year growth cycle. The model combines these two inputs to provide an estimate of net losses (from vegetation conversion) or gains (new trees). The model's sequestration potential default (tree plantings) assumes the number of new tree plantings is equal to 1:1 replacement acreage and/or tree replacement as this would result in a "net-zero" steady state. According to the proposed initial study, 61 trees are present on the Wren Investors site and several more are present on the Hewell site. At the time of this modeling, according to information provided by the Wren Investors applicant, approximately 2,264 new trees would be planted by future development (street trees, parks/open space areas, home sites, etc.). Information regarding the extent of future tree planting for the Hewell project was received after modeling, and is not included in the model. Nevertheless, the carbon sequestration potential that would result from the planting of a minimum of 2,200 net new trees is included in this assessment. The model results for changes in vegetation due to a loss of sequestration potential from the conversion of grassland to urban uses and gains in sequestration potential from tree growth are averaged over a 30-year time period "out-of-model" and for ease of reporting is noted as an aggregate annual amount.

### Results

GHG emissions model results are reported on an annual basis in metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). Criteria air pollutant emissions are expressed in pounds per day. Detailed emissions results for existing and proposed annual GHG emissions and operational daily criteria pollutant emissions are attached to this memorandum.

#### Criteria Air Pollutants

The model reports winter and summer emissions based on climate conditions within the air basin. Unmitigated and mitigated operational criteria pollutant emissions resulting from the proposed project's operations are summarized in Table 2, Operational Criteria Pollutant Emissions (Pounds per Day).

Table 2 Operational Criteria Pollutant Emissions (Pounds per Day)<sup>1</sup>

Emissions	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO <sub>x</sub> )	Suspended Particulate Matter (PM <sub>10</sub> )	Carbon Monoxide (CO)
Winter (unmitigated)	257.98	19.23	58.57	378.19
Winter (mitigated) <sup>2</sup>	28.40	17.62	14.35	65.30
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Summer (mitigated) <sup>2</sup>	28.93	17.00	14.35	65.74

SOURCE: CalEEMod Results, EMC Planning Group 2017

NOTES:

#### **Greenhouse Gas Emissions**

The model estimates that the existing land uses on the site generates 115.95 MT CO<sub>2</sub>e per year. The model results for unmitigated operational GHG emissions for the proposed project are summarized in Table 3, Unmitigated Operational GHG Emissions (MT per year).

Table 3 Unmitigated Operational GHG Emissions (MT per year)<sup>1</sup>

Emissions Source	Bio CO <sub>2</sub>	NBio CO <sub>2</sub>	CH₄	N <sub>2</sub> O	CO₂e
Area	29.08	11.78	0.06	<0.01	42.79
Energy <sup>2</sup>	0.00	673.73	0.04	0.01	678.55
Mobile	0.00	2,136.514	0.07	0.00	2,138.19
Waste	58.20	0.00	3.44	0.00	144.18
Water	27.17	20.63	0.67	0.02	48.84
Total	93.81	2,842.65	4.27	0.03	3,052.56

Source: CalEEMod Results, EMC Planning Group 2017

Note:

<sup>1.</sup> Results may vary due to rounding.

<sup>2.</sup> Mitigated emissions are due to prohibitions on woodburning hearths and use of low VOC paints and solvents on building interiors and exteriors.

<sup>1.</sup> Amounts may vary due to rounding.

<sup>2.</sup> Adjusted to include anticipated building energy efficiencies resulting from compliance with 2016 Title 24 building standards (California Energy Commission 2017).

#### **Carbon Sequestration Potential**

Modeled emissions associated with the changes in vegetation (loss of sequestration potential) and planting new trees (gain in sequestration potential) would indicate that lifetime emissions associated with the proposed project would be offset by 1,428.30 MT CO<sub>2</sub>e. For ease of reporting this amount is averaged over thirty-years to yield an annual carbon sequestration potential of 47.61 MT CO<sub>2</sub>e, which is deducted from the proposed project's estimated annual emissions.

### **GHG Emissions Attributable to the Proposed Project**

The total unmitigated GHG emissions attributable to the proposed project (net emissions) are determined by comparing the existing emissions with proposed unmitigated operational emissions. The net unmitigated GHG emissions attributable to the proposed project are presented in Table 4, Net Unmitigated GHG Emissions (MT CO<sub>2</sub>e per Year).

Table 4 Annual Net Unmitigated GHG Emissions (MT CO<sub>2</sub>e per Year)<sup>1</sup>

Operational	Carbon Sequestration	Project	Existing	Estimated Net
Emissions	Potential	Emissions	Emissions	Emissions <sup>2</sup>
3,052.56	<47.61 >	3,004.95	<115.95 >	2,889.00

Source: CalEEMod Results, EMC Planning Group 2017

Notes:

The estimated net unmitigated operational GHG emissions volume attributable to the proposed project is 2,889 MT CO<sub>2</sub>e per year.

#### Energy Efficiency and Energy Demand Reduction Measures

An additional model scenario was created to estimate the extent that GHG emissions would be reduced by increasing building energy efficiencies by five percent beyond 2016 Title 24 building energy efficiency standards and by reducing overall electrical energy demand by 50 percent through the use of an on-site nonrenewable energy source such as solar photo-voltaic (PV) panels. The modeled estimate of mitigated project CO2e emissions with implementation of these measures is 2,876.97 MT CO2e per year, which represents an overall reduction of 175.59 MT CO2e when compared with the model results for operational emissions (3052.56-2,876.97). With

<sup>1.</sup> Results may vary due to rounding.

<sup>2.</sup> Net unmitigated emissions is the difference between existing and project emissions.

implementation of these measures, the net GHG emissions attributable to the proposed project would be reduced to 2,713.41 MT CO<sub>2</sub>e per year (2,889.00-175.59).

#### Sources

- BREEZE Software. A Division of Trinity Consultants. California Emissions Estimator (CalEEMod) Version 2016.3.1. September 2016. Available online at: http://www.aqmd.gov/caleemod.htm.
- 2. BREEZE Software. A Division of Trinity Consultants. CalEEMod User's Guide (Version 20163.1). September 2016. Available online at: http://www.aqmd.gov/caleemod/guide.htm.
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- 4. MH Engineering CO., 2013. Conceptual Development Plan, Vickery Avenue Reorganization 12-01.
- 5. Oliver, Richard. Email Correspondence with Consultant. 28 June 2017.
- 6. Pacific Gas & Electric. November 2015. Greenhouse Gas Factors: Guidance for PG&E Customers. Accessed online March 23, 2017 at: https://www.pge.com/includes/docs/pdfs/shared/environment/calculator/pge\_ghg\_em ission\_factor\_info\_sheet.pdf.
- California Energy Commission. 2017. 2016 Building Energy Efficiency Standards FAQ. Accessed June 28, 2017.
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- 8. MH Engineering Co. 2012. Density Exhibit, dated November 8, 2012.

# **ATTACHMENT**

AQ/GHG MEMO



#### EMC PLANNING GROUP INC.

A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831·649·1799 Fax 831·649·8399 www.emcplanning.com

To: Teri Wissler Adam, Project Manager

From: Sally Rideout, Principal Planner

Cc: File: ENV 725

Date: July 6, 2017

Re: Wren Investors/Hewell USA Amendments, Gilroy CA

Air Quality/Greenhouse Gas Emissions Assessment

# **Project Description**

The proposed project consist of two urban service area (USA) boundary adjustments on two sites north and west of the Gilroy city limit. Gilroy is located within the San Francisco Bay Area Air Basin, which is within the jurisdiction of the Bay Area Air Quality Management District (air district). Although no development is currently proposed on either site, for the purposes of the emissions modeling it is assumed that future development on both sites would occur once the boundary adjustment is approved and the sites are annexed to the City of Gilroy.

The 50.3-acre Wren Investors project site consists of six parcels developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District (SCVWD) parcels through which run the Lions Creek channel and a paved community bike path. Future development would consist of 137 low-density single-family residential dwelling units, 20 medium density (duets) dwelling units, 102 townhome/apartment units, neighborhood commercial uses on a 0.4-acre parcel, and related infrastructure.

The Hewell project includes development of 28 single-family homes and 20 higher density residential units, and related infrastructure on a 5.4-acre site. Existing sources of emissions on

the project site consist of one single-family residence. The remainder of the site is vacant grassland.

# **Scope of Assessment**

This assessment provides an estimate of criteria air pollutant and greenhouse gas (GHG) emissions associated with the combined operations of future development of both projects. Project-related air and GHG emissions are estimated using California Emissions Estimator Model (CalEEMod) Version 2016.3.1 software. The CalEEMod platform is recommended by the California Air Resources Board (CARB) and accepted by the air district. The air district approach to CEQA analyses for construction air quality and GHG emissions impacts is to emphasize implementation of effective and comprehensive control measures rather than detailed quantification of emissions. Therefore, estimates of construction criteria air pollutant or construction GHG emissions are not included in this assessment.

#### **Emissions Model**

The CalEEMod software utilizes U.S. Environmental Protection Agency (USEPA) AP-42 emission factors, CARB vehicle emission models studies and studies commissioned by other California agencies such as the California Energy Commission and CalRecycle in its emissions calculations. Version 2016.3.1 utilizes 2014 Title 24 building energy efficiency standards. The model calculates indirect emissions from processes "downstream" of the project under evaluation such as GHG emissions from energy use, solid waste disposal, wastewater and water use. CalEEMod also estimates changes in carbon sequestration potential due to changes in vegetation.

# Methodology

This assessment provides an estimate of operational criteria air pollutant and GHG emissions that would be generated by future development of the project sites with proposed land uses described in more detail below. Operational GHG emissions from existing development are also estimated. For modeling purposes, data inputs to the model take into account the type and size of proposed uses utilizing CalEEMod default land uses and size metrics provided by the applicants.

#### **Assumptions**

Unless otherwise noted, data inputs for the project model are based on the following primary assumptions:

- 1. Emissions are estimated for an operational date of 2024.
- 2. Existing operational emissions on the eight parcels with existing uses were estimated using the CalEEMod default land use subtype of single-family Housing. Use of the Gilroy High School Future Farmers of America Club farm Laboratory property is not a source of substantial emissions. For the purposes of this assessment use of this property is expected to generate emissions similar to a single-family use).
- Operational emissions from future development are based on the following CalEEMod default land use subtypes:
  - a. Emissions generated by the proposed single family housing use are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Single Family Housing", which consists of all single-family detached homes on individual lots typical of a suburban subdivision.
  - b. Emissions generated by townhomes are assumed to be generally similar to emissions that would be generated by the CalEEMod default land use subtype "Condo/Townhouse", which are defined as ownership units that have at least one other owned unit within the same building structure.
  - c. Operational emissions generated by residential apartment uses are assumed to be generally similar to emissions that would be generated by the CalEEMod default residential land use subtype "Apartments, low-rise", which are apartments in rental buildings that have between one and three levels.
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- 4. The model's default CO<sub>2</sub> intensity factor of 641 pounds/megawatt hour was reduced to 290 pounds/megawatt hour to reflect Pacific Gas & Electric energy CO<sub>2</sub> intensity projections for 2020, which is the current horizon year for Pacific Gas & Electric projections. The intensity factor has been falling, in significant part due to the increasing percentage of Pacific Gas & Electric's energy portfolio obtained from renewable energy. Emissions intensity data is from Pacific Gas & Electric's Greenhouse Gas Factors: Guidance for PG&E Customers, dated November 2015.
- 5. Within the project site, Lions Creek runs through two parcels (5.7 acres), which are owned and managed by the Santa Clara Valley Water District. This portion of the project site is not a substantial source of existing or proposed emissions. Therefore, this acreage is not included in the emissions calculations for existing or future uses.
- 6. The most common existing vegetation type on vacant areas of the project site is grassland (approximately 35 acres).

### **Operational Emissions Data Inputs**

A modeled estimate of existing operational emissions is provided assuming eight single-family residences. The model results for this estimate are included as attachments to this memorandum. Estimates of operational criteria air pollutant and GHG emissions that would be generated by the land uses identified in Table 1 are derived using the model default land use categories and trip generation rates based on future development of a 50-acre site (does not include waster district parcels). Size metrics are provided by the applicant or are shown on project conceptual plans. The model default for building energy efficiencies (2014 Title 24) was adjusted to reflect a 28 percent increase in Title 24 building energy efficiencies that will be

achieved through compliance with 2016 Title 24 building energy efficiency standards (California Energy Commission 2016).

The characteristics of the proposed project and their respective default land use categories are presented in Table 1, Project Characteristics.

Table 1 Project Characteristics<sup>1</sup>

Project Components	CalEEMod Land Use <sup>2</sup>	Existing	Proposed
Single-family Residential	Single-family Housing <sup>3</sup>	8 Units	185 Units
Apartments	Apartments, Low-rise	-	20 Units
Townhomes/Condos	Townhomes/Condos	-	102 Units
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Trees <sup>4</sup>	Trees – Miscellaneous Species	61	2,264

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# **Carbon Sequestration Potential**

CalEEMod also estimates a one-time only change in sequestration potential resulting from changes in land use such as replacing vegetation with impervious surfaces and planting new trees. The conversion of approximately 35 acres of fallow agricultural cropland (grasslands) to developed uses is included in the modeling. The model also calculates a one-time only change

in carbon sequestration potential based upon the number of net new trees proposed, averaged over a 20-year growth cycle. The model combines these two inputs to provide an estimate of net losses (from vegetation conversion) or gains (new trees). The model's sequestration potential default (tree plantings) assumes the number of new tree plantings is equal to 1:1 replacement acreage and/or tree replacement as this would result in a "net-zero" steady state. According to the proposed initial study, 61 trees are present on the Wren Investors site and several more are present on the Hewell site. At the time of this modeling, according to information provided by the Wren Investors applicant, approximately 2,264 new trees would be planted by future development (street trees, parks/open space areas, home sites, etc.). Information regarding the extent of future tree planting for the Hewell project was received after modeling, and is not included in the model. Nevertheless, the carbon sequestration potential that would result from the planting of a minimum of 2,200 net new trees is included in this assessment. The model results for changes in vegetation due to a loss of sequestration potential from the conversion of grassland to urban uses and gains in sequestration potential from tree growth are averaged over a 30-year time period "out-of-model" and for ease of reporting is noted as an aggregate annual amount.

### Results

GHG emissions model results are reported on an annual basis in metric tons of carbon dioxide equivalent (CO<sub>2</sub>e). Criteria air pollutant emissions are expressed in pounds per day. Detailed emissions results for existing and proposed annual GHG emissions and operational daily criteria pollutant emissions are attached to this memorandum.

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Summer (mitigated) <sup>2</sup>	28.93	17.00	14.35	65.74

SOURCE: CalEEMod Results, EMC Planning Group 2017

NOTES:

#### **Greenhouse Gas Emissions**

The model estimates that the existing land uses on the site generates 115.95 MT CO<sub>2</sub>e per year. The model results for unmitigated operational GHG emissions for the proposed project are summarized in Table 3, Unmitigated Operational GHG Emissions (MT per year).

Table 3 Unmitigated Operational GHG Emissions (MT per year)<sup>1</sup>

Emissions Source	Bio CO <sub>2</sub>	NBio CO <sub>2</sub>	CH₄	N <sub>2</sub> O	CO₂e
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Total	93.81	2,842.65	4.27	0.03	3,052.56

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Note:

<sup>1.</sup> Results may vary due to rounding.

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<sup>2.</sup> Adjusted to include anticipated building energy efficiencies resulting from compliance with 2016 Title 24 building standards (California Energy Commission 2017).

#### **Carbon Sequestration Potential**

Modeled emissions associated with the changes in vegetation (loss of sequestration potential) and planting new trees (gain in sequestration potential) would indicate that lifetime emissions associated with the proposed project would be offset by 1,428.30 MT CO<sub>2</sub>e. For ease of reporting this amount is averaged over thirty-years to yield an annual carbon sequestration potential of 47.61 MT CO<sub>2</sub>e, which is deducted from the proposed project's estimated annual emissions.

### **GHG Emissions Attributable to the Proposed Project**

The total unmitigated GHG emissions attributable to the proposed project (net emissions) are determined by comparing the existing emissions with proposed unmitigated operational emissions. The net unmitigated GHG emissions attributable to the proposed project are presented in Table 4, Net Unmitigated GHG Emissions (MT CO<sub>2</sub>e per Year).

Table 4 Annual Net Unmitigated GHG Emissions (MT CO<sub>2</sub>e per Year)<sup>1</sup>

Operational	Carbon Sequestration	Project	Existing	Estimated Net
Emissions	Potential	Emissions	Emissions	Emissions <sup>2</sup>
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Source: CalEEMod Results, EMC Planning Group 2017

Notes:

The estimated net unmitigated operational GHG emissions volume attributable to the proposed project is 2,889 MT CO<sub>2</sub>e per year.

#### Energy Efficiency and Energy Demand Reduction Measures

An additional model scenario was created to estimate the extent that GHG emissions would be reduced by increasing building energy efficiencies by five percent beyond 2016 Title 24 building energy efficiency standards and by reducing overall electrical energy demand by 50 percent through the use of an on-site nonrenewable energy source such as solar photo-voltaic (PV) panels. The modeled estimate of mitigated project CO2e emissions with implementation of these measures is 2,876.97 MT CO2e per year, which represents an overall reduction of 175.59 MT CO2e when compared with the model results for operational emissions (3052.56-2,876.97). With

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- 3. BAAQMD. California Environmental Quality Act Air Quality Guidelines. May 2017. Available online at: <a href="http://www.baaqmd.gov">http://www.baaqmd.gov</a>.
- 4. MH Engineering CO., 2013. Conceptual Development Plan, Vickery Avenue Reorganization 12-01.
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- California Energy Commission. 2017. 2016 Building Energy Efficiency Standards FAQ. Accessed June 28, 2017.
   <a href="http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016 Building">http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016 Building Energy Efficiency Standards FAQ.pdf</a>.
- 8. MH Engineering Co. 2012. Density Exhibit, dated November 8, 2012.

# Wren/Hewell USAs Future Development Mitigated AQ

#### Santa Clara County, Summer

#### 1.0 Project Characteristics

#### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Other Asphalt Surfaces	14.50	Acre	14.50	631,620.00	0
Parking Lot	9.00	1000sqft	0.21	9,000.00	0
Apartments Low Rise	20.00	Dwelling Unit	1.06	20,000.00	57
Condo/Townhouse	102.00	Dwelling Unit	9.93	102,000.00	292
Single Family Housing	185.00	Dwelling Unit	25.41	333,000.00	529
Strip Mall	8.00	1000sqft	0.18	8,000.00	0

(lb/MWhr)

#### 1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58					
Climate Zone	4			Operational Year	2024					
Utility Company	Pacific Gas & Electric Company									
CO2 Intensity	290	CH4 Intensity	0.029	N2O Intensity 0	0.006					

#### 1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 Intensity Factor adjusted per PG&E 2020 Projections

(lb/MWhr)

Land Use - Acreage of residential land uses inferred from information provided by MH Engineering 2012 and 2013

Land Use Change -

Sequestration -

(lb/MWhr)

Energy Mitigation - Adjusted to reflect energy savings from compliance with 2016 Title 24 Standards

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblAreaMitigation	UseLowVOCPaintParkingCheck	False	True
tblLandUse	LotAcreage	1.25	1.06
tblLandUse	LotAcreage	6.38	9.93
tblLandUse	LotAcreage	60.06	25.41
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	OperationalYear	2018	2024
tblSequestration	NumberOfNewTrees	0.00	2,200.00

# 2.0 Emissions Summary

# 2.1 Overall Construction (Maximum Daily Emission) <u>Unmitigated Construction</u>

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day								lb/day							
2017	5.0458	52.3327	24.1599	0.0401	18.2141	2.8796	21.0937	9.9699	2.6492	12.6191	0.0000	4,056.531 8	4,056.5318	1.1987	0.0000	4,083.6145
2018	5.2224	59.5771	37.1264	0.1024	18.2141	2.6348	20.7920	9.9699	2.4240	12.3416	0.0000	10,371.35 98	10,371.359 8	1.9491	0.0000	10,395.213 2
2019	4.6507	39.4156	34.6329	0.1011	4.4405	1.4375	5.8780	1.1991	1.3532	2.5523		36	10,209.023 6			10,232.038 0
2020	4.1406	35.7266	32.5237	0.0997	4.4405	1.2168	5.6573	1.1991	1.1449	2.3441	0.0000	10,035.70 48	10,035.704 8	0.8845	0.0000	10,057.817 6
2021	3.7159	32.3755	30.8717	0.0981	4.4406	1.0111	5.4517	1.1992	0.9507	2.1499	0.0000	9,879.498 0	9,879.4980	0.8585	0.0000	9,900.9607
2022	90.5466	29.7120	29.6097	0.0965	4.4407	0.8570	5.2976	1.1992	0.8063	2.0054			9,721.8484			9,742.8303
2023	90.5170	1.4339	3.6318	9.1200e- 003	0.6983	0.0749	0.7731	0.1852	0.0746	0.2598	0.0000	894.4796	894.4796	0.0290	0.0000	895.2034
Total	203.8390	250.5734	192.5561	0.5471	54.8888	10.1116	64.9434	24.9216	9.4029	34.2721	0.0000	55,168.44 59	55,168.445 9	6.6796	0.0000	55,307.677 7

# 2.2 Overall Operational

## **Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/d	day		
Area	254.6402	5.0924	339.5633	0.5960		44.6129	44.6129		44.6129	44.6129	4,791.235 9	1,640.377 2	6,431.6130	6.1027	0.3382	6,684.9675
Energy	0.2739	2.3405	0.9981	0.0149		0.1892	0.1892		0.1892	0.1892		2,987.432 6	2,987.4326			3,005.1855
Mobile	3.6584	11.7646	38.3175	0.1425	13.7057	0.1051	13.8107	3.6581	0.0978	3.7559		14,392.97 20	14,392.972 0	0.4296		14,403.711 6
Total	258.5724	19.1974	378.8788	0.7534	13.7057	44.9072	58.6129	3.6581	44.8999	48.5580	4,791.235 9	19,020.78 18	23,812.017 7	6.5896	0.3930	24,093.864 5

# **Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/d	day		
Area	25.0645	3.4819	26.6780	0.0217		0.3983	0.3983		0.3983	0.3983	0.0000	4,118.130 1	4,118.1301	0.1218	0.0747	4,143.4254
Energy	0.2052	1.7536	0.7477	0.0112		0.1418	0.1418		0.1418	0.1418		1	2,238.3661			2,251.6676
Mobile	3.6584	11.7646	38.3175	0.1425	13.7057	0.1051	13.8107	3.6581	0.0978	3.7559		14,392.97 20	14,392.972 0	0.4296		14,403.711 6
Total	28.9281	17.0001	65.7432	0.1754	13.7057	0.6451	14.3508	3.6581	0.6378	4.2959	0.0000	20,749.46 82	20,749.468 2	0.5943	0.1157	20,798.804 6

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	88.81	11.45	82.65	76.73	0.00	98.56	75.52	0.00	98.58	91.15	100.00	-9.09	12.86	90.98	70.56	13.68

# 4.0 Operational Detail - Mobile

# **4.1 Mitigation Measures Mobile**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/d	day		
Mitigated	3.6584			0.1425			13.8107	3.6581	0.0978	3.7559		20	14,392.972 0			14,403.711 6

,			,				,		.,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		,	,	,		,		,	.,		4.0
Unmitigated	- ::	3 6584		11 76/16	28 3175	0 1/25	12 7057	: 0 1051	13 8107	3 6581	n ng7g	: 3 7550		: 1/	302 0	7:1/	302 072	. 0 4506	:	11/ /03 711	4
Ullilliligated	- 55	3.0304		11.7040	30.5175	0.1423	10.7007	0.1031	10.0107	0.0001	0.0370	0.7000		; 17	r,002.0	/ ; ! -	,032.372	0.4230		: 14,400.7 1 1	
															20		()			• h	

# **4.2 Trip Summary Information**

	Aver	age Daily Trip Ra	ate	Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	131.80	143.20	121.40	304,736	304,736
Condo/Townhouse	592.62	578.34	493.68	1,331,363	1,331,363
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Single Family Housing	1,761.20	1,833.35	1594.70	4,036,550	4,036,550
Strip Mall	354.56	336.32	163.44	499,974	499,974
Total	2,840.18	2,891.21	2,373.22	6,172,624	6,172,624

# 4.3 Trip Type Information

		Miles			Trip %			Trip Purpos	se %
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Condo/Townhouse	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Other Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Single Family Housing	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.614951	0.035734	0.181842	0.104158	0.013506	0.005015	0.012793	0.021727	0.002177	0.001514	0.005249	0.000632	0.000704

# 5.0 Energy Detail

Historical Energy Use: N

# **5.1 Mitigation Measures Energy**

Title 24 adjusted by 28 percent

Category					lb/day						lb/c	lay	
NaturalGas Mitigated	0.2052	1.7536	0.7477	0.0112		.1418	0.1418	0.1418	0.1418	1	2,238.3661		2,251.6676
NaturalGas Unmitigated	0.2739	2.3405	0.9981	0.0149	0.	.1892	0.1892	0.1892	0.1892		2,987.4326		3,005.1855

# 5.2 Energy by Land Use - NaturalGas

## **Unmitigated**

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					lb/	day							lb/c	day		
Condo/Townhouse	6388.65	0.0689	0.5888	0.2505	3.7600e- 003		0.0476	0.0476		0.0476	0.0476		751.6057	751.6057	0.0144	0.0138	756.0721
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	9	0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Single Family Housing	18222.5	0.1965	1.6793	0.7146	0.0107		0.1358	0.1358		0.1358	0.1358		2,143.8283	2,143.828 3	0.0411	0.0393	2,156.5680
Strip Mall	52.1644	5.6000e- 004	5.1100e- 003	4.3000e- 003	3.0000e- 005		3.9000e- 004	3.9000e- 004		3.9000e- 004	3.9000e- 004		6.1370	6.1370	1.2000e- 004	1.1000e- 004	6.1735
Apartments Low Rise	729.824	7.8700e- 003	0.0673	0.0286	4.3000e- 004		5.4400e- 003	5.4400e- 003		5.4400e- 003	5.4400e- 003		85.8617	85.8617	1.6500e- 003	1.5700e- 003	86.3719
Total		0.2739	2.3405	0.9981	0.0149		0.1892	0.1892		0.1892	0.1892		2,987.4327	2,987.432 7	0.0573	0.0548	3,005.1855

## **Mitigated**

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					lb/	day							lb/d	day		
Condo/Townhouse	4.84669	0.0523	0.4467	0.1901	2.8500e- 003		0.0361	0.0361		0.0361	0.0361		570.1994	570.1994	0.0109	0.0105	573.5878
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Single Family Housing	13.568	0.1463	1.2504	0.5321	7.9800e- 003		0.1011	0.1011		0.1011	0.1011		1,596.2329	1,596.232 9	0.0306	0.0293	1,605.7185
Strip Mall	0.0375584	4.1000e- 004	3.6800e- 003	3.0900e- 003	2.0000e- 005		2.8000e- 004	2.8000e- 004		2.8000e- 004	2.8000e- 004		4.4186	4.4186	8.0000e- 005	8.0000e- 005	4.4449

Apartments Low				3.4000e-		4.2800e-	4.2800e-	4.2800e-	67.5152	67.5152	1.2900e-		67.9164
Rise	003			004	003	003	003	003			003	003	
Total	0.2052	1.7536	0.7478	0.0112	0.1418	0.1418	0.1418	0.1418	2.238.3661	2.238.366	0.0429	0.0410	2.251.6676
	0		• • • • • • • • • • • • • • • • • • • •					011110	_,	1	0.0.0		_,

#### 6.0 Area Detail

## **6.1 Mitigation Measures Area**

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

Use only Natural Gas Hearths

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/c	day							lb/d	day		
ŭ	25.0645					0.3983	0.3983		0.3983			<sup>'</sup> 1	<i>'</i>			4,143.4254
Unmitigated	254.6402	5.0924	339.5633	0.5960		44.6129	44.6129		44.6129	44.6129	4,791.235 9	1,640.377 2	6,431.6130	6.1027	0.3382	6,684.9675

# 6.2 Area by SubCategory

## **Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					lb/c	day							lb/d	day		
Architectural Coating	1.8511					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	10.1351					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	241.8925	4.8007	314.2428	0.5947		44.4726	44.4726		44.4726	44.4726	4,791.235 9	1,594.764 7	6,386.0006	6.0589	0.3382	6,638.2607
Landscaping	0.7615	0.2917	25.3205	1.3400e- 003		0.1403	0.1403		0.1403	0.1403		45.6125	45.6125	0.0438		46.7069
Total	254.6402	5.0924	339.5633	0.5960		44.6129	44.6129		44.6129	44.6129	4,791.235 9	1,640.377 2	6,431.6130	6.1027	0.3382	6,684.9675

#### **Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					lb/c	day							lb/d	day		
Architectural Coating	1.8511					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.0786					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.3733	3.1901	1.3575	0.0204		0.2579	0.2579		0.2579	0.2579	0.0000	4,072.517 7	4,072.5177	0.0781	0.0747	4,096.7186
Landscaping	0.7615	0.2917	25.3205	1.3400e- 003		0.1403	0.1403		0.1403	0.1403		45.6125	45.6125	0.0438	<b></b>	46.7069
Total	25.0645	3.4819	26.6780	0.0217		0.3983	0.3983		0.3983	0.3983	0.0000	4,118.130 1	4,118.1301	0.1218	0.0747	4,143.4254

# Wren/Hewell USAs Future Development Mitigated AQ Santa Clara County, Winter

#### 1.0 Project Characteristics

#### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Other Asphalt Surfaces	14.50	Acre	14.50	631,620.00	0
Parking Lot	9.00	1000sqft	0.21	9,000.00	0
Apartments Low Rise	20.00	Dwelling Unit	1.06	20,000.00	57
Condo/Townhouse	102.00	Dwelling Unit	9.93	102,000.00	292
Single Family Housing	185.00	Dwelling Unit	25.41	333,000.00	529
Strip Mall	8.00	1000sqft	0.18	8,000.00	0

#### 1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58
Climate Zone	4			Operational Year	2024
Utility Company	Pacific Gas & Electric Co	ompany			
CO2 Intensity (lb/MWhr)	290	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity 0 (Ib/MWhr)	.006

#### 1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 Intensity Factor adjusted per PG&E 2020 Projections

Land Use - Acreage of residential land uses inferred from information provided by MH Engineering 2012 and 2013

Land Use Change -

Sequestration -

Energy Mitigation - Adjusted to reflect energy savings from compliance with 2016 Title 24 Standards

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblAreaMitigation	UseLowVOCPaintParkingCheck	False	True
tblLandUse	LotAcreage	1.25	1.06
tblLandUse	LotAcreage	6.38	9.93
tblLandUse	LotAcreage	60.06	25.41
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	OperationalYear	2018	2024
tblSequestration	NumberOfNewTrees	0.00	2,200.00

# 2.0 Emissions Summary

# 2.1 Overall Construction (Maximum Daily Emission)

## **Unmitigated Construction**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year					lb/c	day							lb/d	day		
2017	5.0514	52.3454	24.1214	0.0400	18.2141	2.8796	21.0937	9.9699	2.6492	12.6191	0.0000	4,045.808 0	4,045.8080	1.1984	0.0000	4,072.7352
2018	5.3704	59.5893	36.8661	0.0985	18.2141	2.6348	20.7920	9.9699	2.4240	12.3416		9,973.916 2	9,973.9162			9,998.0112
2019	4.7837	39.8891	34.3445	0.0972	4.4405	1.4394	5.8799	1.1991	1.3550	2.5541	0.0000	6	9,819.3046		0.0000	9,842.5425
2020	4.2632	36.1085	32.2152	0.0959	4.4405	1.2180	5.6585	1.1991	1.1461	2.3452		9,653.715 9	9,653.7159	0.8924	0.0000	9,676.0249
2021	3.8322	32.6813	30.5636	0.0945	4.4406	1.0121	5.4527	1.1992	0.9517	2.1509	0.0000	9,507.935 6	9,507.9356	0.8661	0.0000	9,529.5882
2022	90.5641	29.9780	29.3000	0.0930	4.4407	0.8579	5.2985	1.1992	0.8071	2.0063			9,360.5367			9,381.7000
2023	90.5343	1.4628	3.4783	8.6200e- 003	0.6983	0.0749	0.7731	0.1852	0.0746	0.2598	0.0000	844.7006	844.7006	0.0280	0.0000	845.4009
Total	204.3991	252.0543	190.8891	0.5277	54.8888	10.1166	64.9485	24.9216	9.4077	34.2769	0.0000	53,205.91 76	53,205.917 6	6.7097	0.0000	53,346.002 7

# 2.2 Overall Operational Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/	day		
Area	254.6402	5.0924	339.5633	0.5960		44.6129	44.6129		44.6129	44.6129	4,791.235 9	1,640.377 2	6,431.6130	6.1027	0.3382	6,684.9675
Energy	0.2739	2.3405	0.9981	0.0149		0.1892	0.1892		0.1892	0.1892		2,987.432 6	2,987.4326			3,005.1855
Mobile	3.1334	12.3802	37.8754	0.1329	13.7057	0.1055	13.8111	3.6581	0.0982	3.7563		13,426.73 52	13,426.735 2			13,437.592 8
Total	258.0475	19.8131	378.4368	0.7438	13.7057	44.9076	58.6133	3.6581	44.9003	48.5584	4,791.235 9	18,054.54 50	22,845.780 9	6.5943	0.3930	23,127.745 8

## **Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/d	day		
Area	25.0645	3.4819	26.6780	0.0217		0.3983	0.3983		0.3983	0.3983		<sup>^</sup> 1	4,118.1301			4,143.4254
Energy	0.2052	1.7536	0.7477	0.0112		0.1418	0.1418		0.1418	0.1418			2,238.3661	0.0429		2,251.6676
Mobile	3.1334	12.3802	37.8754	0.1329	13.7057	0.1055	13.8111	3.6581	0.0982	3.7563		13,426.73 52	13,426.735 2	0.4343		13,437.592 8
Total	28.4031	17.6157	65.3011	0.1658	13.7057	0.6455	14.3512	3.6581	0.6382	4.2963	0.0000	19,783.23 15	19,783.231 5	0.5990	0.1157	19,832.685 9

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	88.99	11.09	82.74	77.71	0.00	98.56	75.52	0.00	98.58	91.15	100.00	-9.57	13.41	90.92	70.56	14.25

# 4.0 Operational Detail - Mobile

# **4.1 Mitigation Measures Mobile**

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/c	day		

Mitigated	3.1334	12.3802	37.8754	0.1329	13.7057	0.1055	13.8111	3.6581	0.0982	3.7563	13,426.73 52	13,426.735 2	0.4343	13,437.592 8
Unmitigated	3.1334	12.3802	37.8754	0.1329	13.7057	0.1055	13.8111	3.6581	0.0982	3.7563	13,426.73	13,426.735	0.4343	13,437.592
											52	2		8

# 4.2 Trip Summary Information

	Aver	age Daily Trip Ra	ate	Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	131.80	143.20	121.40	304,736	304,736
Condo/Townhouse	592.62	578.34	493.68	1,331,363	1,331,363
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Single Family Housing	1,761.20	1,833.35	1594.70	4,036,550	4,036,550
Strip Mall	354.56	336.32	163.44	499,974	499,974
Total	2,840.18	2,891.21	2,373.22	6,172,624	6,172,624

# 4.3 Trip Type Information

		Miles			Trip %			Trip Purpos	e %
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Apartments Low Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Condo/Townhouse	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Other Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0
Single Family Housing	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.614951	0.035734	0.181842	0.104158	0.013506	0.005015	0.012793	0.021727	0.002177	0.001514	0.005249	0.000632	0.000704

# 5.0 Energy Detail

Historical Energy Use: N

# **5.1 Mitigation Measures Energy**

Title 24 Adjusted per CEC

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/d	day							lb/d	day		
NaturalGas Mitigated	0.2052	1.7536	0.7477			0.1418			0.1418	0.1418		1	2,238.3661			2,251.6676
NaturalGas Unmitigated	0.2739	2.3405	0.9981	0.0149		0.1892	0.1892		0.1892	0.1892		2,987.432 6	2,987.4326	0.0573		3,005.1855

# 5.2 Energy by Land Use - NaturalGas

## **Unmitigated**

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					lb/	day							lb/d	day		
Condo/Townhouse	6388.65	0.0689	0.5888	0.2505	3.7600e- 003		0.0476	0.0476		0.0476	0.0476		751.6057	751.6057	0.0144	0.0138	756.0721
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Single Family Housing	18222.5	0.1965	1.6793	0.7146	0.0107		0.1358	0.1358		0.1358	0.1358		2,143.8283	2,143.828 3	0.0411	0.0393	2,156.5680
Strip Mall	52.1644	5.6000e- 004	5.1100e- 003	4.3000e- 003	3.0000e- 005		3.9000e- 004	3.9000e- 004		3.9000e- 004	3.9000e- 004		6.1370	6.1370	1.2000e- 004	1.1000e- 004	6.1735
Apartments Low Rise	729.824	7.8700e- 003	0.0673	0.0286	4.3000e- 004		5.4400e- 003	5.4400e- 003		5.4400e- 003	5.4400e- 003		85.8617	85.8617	1.6500e- 003	1.5700e- 003	86.3719
Total		0.2739	2.3405	0.9981	0.0149		0.1892	0.1892		0.1892	0.1892		2,987.4327	2,987.432 7	0.0573	0.0548	3,005.1855

## **Mitigated**

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr					lb/	day							lb/c	day		
Condo/Townhouse		0.0523	0.4467	0.1901	2.8500e- 003		0.0361	0.0361		0.0361	0.0361		570.1994	570.1994		0.0105	573.5878
Other Asphalt Surfaces	0		0.0000	0.0000	0.0000		0.0000			0.0000			0.0000	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Single Family Housing	13.568	0.1463	1.2504	0.5321	7.9800e- 003		0.1011	0.1011		0.1011	0.1011		1,596.2329	1,596.232 9	0.0306	0.0293	1,605.7185

Strip Mall	0.0375584					2.8000e-			2.8000e-	4.4186		8.0000e-		4.4449
		004	003	003	005	004	004	004	004			005	005	
Apartments Low			0.0529		3.4000e-	4.2800e-	4.2800e-	4.2800e-	4.2800e-		67.5152	1.2900e-		
Rise		003			004	003	003	003	003			003	003	
Total		0.2052	1.7536	0.7478	0.0112	0.1418	0.1418	0.1418	0.1418	2,238.3661	2,238.366	0.0429	0.0410	2,251.6676
											1			

#### 6.0 Area Detail

## **6.1 Mitigation Measures Area**

Use Low VOC Paint - Residential Interior

Use Low VOC Paint - Residential Exterior

Use Low VOC Paint - Non-Residential Interior

Use Low VOC Paint - Non-Residential Exterior

Use only Natural Gas Hearths

Use Low VOC Cleaning Supplies

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					lb/c	day							lb/d	day		
Mitigated	25.0645		26.6780			0.3983	0.3983		0.3983	0.3983		1	ŕ			4,143.4254
Unmitigated	254.6402	5.0924	339.5633	0.5960		44.6129	44.6129		44.6129	44.6129	4,791.235 9	1,640.377 2	6,431.6130	6.1027	0.3382	6,684.9675

## 6.2 Area by SubCategory

## **Unmitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					lb/c	lay							lb/c	day		
Architectural Coating	1.8511					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	10.1351					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	241.8925	4.8007	314.2428	0.5947		44.4726	44.4726		44.4726	44.4726	4,791.235 9	1,594.764 7	6,386.0006	6.0589	0.3382	6,638.2607
Landscaping	0.7615	0.2917	25.3205	1.3400e- 003		0.1403	0.1403		0.1403	0.1403		45.6125	45.6125	0.0438		46.7069

Total	254.6402	5.0924	339.5633	0.5960	44.6129	44.6129	44.6129	44.6129	4,791.235	1,640.377	6,431.6130	6.1027	0.3382	6,684.9675
									9	2				

## **Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					lb/c	day							lb/d	day		
Architectural Coating	1.8511					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	22.0786					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Hearth	0.3733	3.1901	1.3575	0.0204		0.2579	0.2579		0.2579	0.2579	0.0000	4,072.517 7	4,072.5177	0.0781	0.0747	4,096.7186
Landscaping	0.7615	0.2917	25.3205	1.3400e- 003		0.1403	0.1403		0.1403	0.1403		45.6125	45.6125	0.0438		46.7069
Total	25.0645	3.4819	26.6780	0.0217		0.3983	0.3983		0.3983	0.3983	0.0000	4,118.130 1	4,118.1301	0.1218	0.0747	4,143.4254

Date: 7/6/2017 2:20 PM

# Wren/Hewell USA Amendments Existing Conditions

Santa Clara County, Annual

## 1.0 Project Characteristics

## 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	8.00	Dwelling Unit	2.60	14,400.00	23

#### 1.2 Other Project Characteristics

Urbanization Urban Wind Speed (m/s) 2.2 Precipitation Freq (Days) 58

Climate Zone 4 Operational Year 2018

Utility Company Pacific Gas & Electric Company

**CO2 Intensity** 641.35 **CH4 Intensity** 0.029 **N20 Intensity** 0.006

(lb/MWhr) (lb/MWhr) (lb/MWhr)

## 2.0 Emissions Summary

# 2.2 Overall Operational

#### **Unmitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e	
Category		tons/yr										MT/yr					
Area	0.1154	1.7300e- 003	0.1284	1.4000e- 004		0.0102	0.0102		0.0102	0.0102	1.0169	0.3467	1.3636	2.0200e- 003	6.0000e- 005	1.4314	
Energy	1.5500e- 003	0.0133	5.6400e- 003	8.0000e- 005		1.0700e- 003	1.0700e- 003		1.0700e- 003	1.0700e- 003	0.0000	35.4986	35.4986	1.2100e- 003	4.7000e- 004	35.6688	
Mobile	0.0249	0.0998	0.2917	7.9000e- 004	0.0649	9.5000e- 004	0.0659	0.0174	8.9000e- 004	0.0183	0.0000	72.0528	72.0528	2.9100e- 003	0.0000	72.1255	
Waste						0.0000	0.0000		0.0000	0.0000	1.9609	0.0000	1.9609	0.1159	0.0000	4.8580	
Water						0.0000	0.0000		0.0000	0.0000	0.1654	1.1551	1.3204	0.0170	4.1000e- 004	1.8691	
Total	0.1418	0.1147	0.4257	1.0100e- 003	0.0649	0.0122	0.0772	0.0174	0.0122	0.0296	3.1431	109.0532	112.1963	0.1391	9.4000e- 004	115.9528	

# 4.0 Operational Detail - Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	√yr		
Unmitigated	0.0249	0.0998	0.2917	7.9000e- 004	0.0649	9.5000e- 004	0.0659	0.0174	8.9000e- 004	0.0183	0.0000	72.0528	72.0528	2.9100e- 003	0.0000	72.1255

# 4.2 Trip Summary Information

	Aver	age Daily Trip R	ate	Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Single Family Housing	76.16	79.28	68.96	174,554	174,554
Total	76.16	79.28	68.96	174,554	174,554

# **4.3 Trip Type Information**

		Miles			Trip %		Trip Purpose %				
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by		
Single Family Housing	10.80 4.80 5.70			31.00 15.00 54.00			86	11	3		

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.596719	0.040200	0.188056	0.111125	0.016796	0.004948	0.012194	0.019466	0.002007	0.001626	0.005410	0.000612	0.000841

# 5.0 Energy Detail

Historical Energy Use: N

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Electricity Unmitigated							0.0000		0.0000	0.0000				004	1.9000e- 004	
NaturalGas Unmitigated	1.5500e- 003		5.6400e- 003			1.0700e- 003			1.0700e- 003	1.0700e- 003	0.0000	15.3485		2.9000e- 004		15.4397

# 6.0 Area Detail

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							MT	/yr		
Unmitigated	0.1154	1.7300e- 003	0.1284	1.4000e- 004		0.0102	0.0102		0.0102	0.0102	1.0169	0.3467	1.3636	2.0200e- 003	6.0000e- 005	1.4314

# 7.0 Water Detail

# 7.1 Mitigation Measures Water

	Total CO2	CH4	N2O	CO2e
Category		MT	/yr	
	1.3204	0.0170	4.1000e- 004	1.8691

#### 8.0 Waste Detail

# Category/Year

	Total CO2	CH4	N2O	CO2e
		MT	/yr	
Unmitigated		0.1159	0.0000	4.8580

# Wren/Hewell USA Amendments Future Development Santa Clara County, Annual

Date: 7/5/2017 4:30 PM

#### 1.0 Project Characteristics

#### 1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Apartments Low Rise	20.00	Dwelling Unit	1.06	20,000.00	57
Condo/Townhouse	102.00	Dwelling Unit	9.93	102,000.00	292
Single Family Housing	185.00	Dwelling Unit	25.41	333,000.00	529
Strip Mall	8.00	1000sqft	0.18	8,000.00	0
Parking Lot	9.00	1000sqft	0.21	9,000.00	0
Other Asphalt Surfaces	14.50	Acre	14.50	631,620.00	0

#### 1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	58
Climate Zone	4			Operational Year	2024
Utility Company	Pacific Gas & Electric	Company			
CO2 Intensity (lb/MWhr)	290	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (Ib/MWhr)	0.006

#### 1.3 User Entered Comments & Non-Default Data

Project Characteristics - CO2 Intensity Factor adjusted per PG&E 2020 Projections

Land Use - Acreage of residential land uses inferred from information provided by MH Engineering 2012 and 2013

Land Use Change -

Sequestration -

Energy Mitigation - Adjusted to reflect energy savings from compliance with 2016 Title 24 Standards

Table Name	Column Name	Default Value	New Value
------------	-------------	---------------	-----------

tblLandUse	LotAcreage	1.25	1.06
tblLandUse	LotAcreage	6.38	9.93
tblLandUse	LotAcreage	60.06	25.41
tblProjectCharacteristics	CO2IntensityFactor	641.35	290
tblProjectCharacteristics	OperationalYear	2018	2024
tblSequestration	NumberOfNewTrees	0.00	2,200.00

# 2.0 Emissions Summary

# 2.2 Overall Operational

**Unmitigated Operational 2016 Title 24 Compliant** 

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	MT/yr										
Area	3.6279	0.0566	4.2520	4.1600e- 003		0.2967	0.2967		0.2967	0.2967	29.0775	11.7825	40.8600	0.0569	1.7100e- 003	42.7928
Energy	0.0375	0.3200	0.1365	2.0400e- 003		0.0259	0.0259		0.0259	0.0259	0.0000	673.7257	673.7257	0.0374	0.0131	678.5548
Mobile	0.5480	2.1016	6.3144	0.0233	2.2951	0.0182	2.3134	0.6143	0.0170	0.6313		2,136.514 4	2,136.5144	0.0668	0.0000	2,138.1845
Waste						0.0000	0.0000		0.0000	0.0000	58.1975	0.0000	58.1975	3.4394	0.0000	144.1819
Water						0.0000	0.0000		0.0000	0.0000	6.5338	20.6317	27.1655	0.6732	0.0163	48.8435
Total	4.2133	2.4783	10.7029	0.0295	2.2951	0.3408	2.6359	0.6143	0.3395	0.9538	93.8088	2,842.654 3	2,936.4631	4.2737	0.0311	3,052.5574

# 2.3 Vegetation

## **Vegetation**

	CO2e
Category	MT
New Trees	1,557.6000
Vegetation Land Change	-129.3000

Total	1,428.3000

# 4.0 Operational Detail - Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category		tons/yr											МТ	/yr		
Unmitigated	0.5480	2.1016	6.3144	0.0233	2.2951	0.0182	2.3134	0.6143	0.0170	0.6313	0.0000	2,136.514 4	2,136.5144	0.0668	0.0000	2,138.1845

# 4.2 Trip Summary Information

	Aver	age Daily Trip Ra	ate	Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Apartments Low Rise	131.80	143.20	121.40	304,736	304,736
Condo/Townhouse	592.62	578.34	493.68	1,331,363	1,331,363
Other Asphalt Surfaces	0.00	0.00	0.00		
Parking Lot	0.00	0.00	0.00		
Single Family Housing	1,761.20	1,833.35	1594.70	4,036,550	4,036,550
Strip Mall	354.56	336.32	163.44	499,974	499,974
Total	2,840.18	2,891.21	2,373.22	6,172,624	6,172,624

# 4.3 Trip Type Information

		Miles			Trip %		Trip Purpose %				
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by		
Apartments Low Rise	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3		
Condo/Townhouse	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3		
Other Asphalt Surfaces	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0		
Parking Lot	9.50	7.30	7.30	0.00	0.00	0.00	0	0	0		
Single Family Housing	10.80	4.80	5.70	31.00	15.00	54.00	86	11	3		
Strip Mall	9.50	7.30	7.30	16.60	64.40	19.00	45	40	15		

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.61495	0.035734	0.181842	0.104158	0.013506	0.005015	0.012793	0.021727	0.002177	0.001514	0.005249	0.000632	0.000704

# 5.0 Energy Detail

## Historical Energy Use: N

## Compliant with Exceed Title 24

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Electricity Compliant						0.0000	0.0000		0.0000	0.0000	0.0000	303.1391	303.1391		6.2700e- 003	
NaturalGas Compliant	0.0375	0.3200		2.0400e- 003		0.0259	0.0259		0.0259	0.0259			370.5866	7.1000e- 003	6.7900e- 003	372.7888

# 5.2 Energy by Land Use - NaturalGas

## **Unmitigated**

	NaturalGa s Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e			
Land Use	kBTU/yr		tons/yr											MT/yr						
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			
Parking Lot	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000			
Single Family Housing	4.95231e+ 006	0.0267	0.2282	0.0971	1.4600e- 003		0.0185	0.0185		0.0185	0.0185	0.0000	264.2743	264.2743	5.0700e- 003	4.8500e- 003	265.8447			
Strip Mall	13708.8	7.0000e- 005	6.7000e- 004	5.6000e- 004	0.0000		5.0000e- 005	5.0000e- 005		5.0000e- 005	5.0000e- 005	0.0000	0.7316	0.7316	1.0000e- 005	1.0000e- 005	0.7359			
Apartments Low Rise	200100	003	9.6500e- 003	4.1100e- 003	6.0000e- 005		7.8000e- 004	7.8000e- 004		7.8000e- 004	7.8000e- 004	0.0000	11.1779	11.1779	2.1000e- 004	2.0000e- 004	11.2443			
Condo/Townhouse	1.76904e+ 006	9.5400e- 003	0.0815	0.0347	5.2000e- 004		6.5900e- 003	6.5900e- 003		6.5900e- 003	6.5900e- 003	0.0000	94.4029	94.4029	1.8100e- 003	1.7300e- 003	94.9639			
Total		0.0374	0.3200	0.1365	2.0400e- 003		0.0259	0.0259		0.0259	0.0259	0.0000	370.5866	370.5866	7.1000e- 003	6.7900e- 003	372.7888			

# 5.3 Energy by Land Use - Electricity

## **Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e					
Land Use	kWh/yr	MT/yr								
Apartments Low Rise	90784	11.9419	1.1900e- 003	2.5000e- 004	12.0454					

Total		303.1391	0.0303	6.2800e- 003	305.7660
Strip Mall	81126.4	10.6715	1.0700e- 003	2.2000e- 004	10.7640
Single Family Housing	1.58265e+ 006	208.1848	0.0208	4.3100e- 003	209.9888
Parking Lot	7920	1.0418	1.0000e- 004	2.0000e- 005	1.0508
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Condo/Townhouse	542026	71.2991	7.1300e- 003	1.4800e- 003	71.9169

# 6.0 Area Detail

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category					ton	s/yr							МТ	/yr		
Unmitigated	3.6279	0.0566	4.2520	4.1600e- 003		0.2967	0.2967		0.2967	0.2967	29.0775	11.7825	40.8600	0.0569	1.7100e- 003	42.7928

# 6.2 Area by SubCategory

#### **Unmitigated**

	ROG	NOx	СО	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory					ton	s/yr					MT/yr					
Architectural Coating	0.3378					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	1.8497					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Hearth	1.3719	0.0304	1.9732	4.0400e- 003		0.2841	0.2841		0.2841	0.2841	29.0775	8.0584	37.1359	0.0534	1.7100e- 003	38.9794
Landscaping	0.0685	0.0263	2.2788	1.2000e- 004		0.0126	0.0126		0.0126	0.0126	0.0000	3.7241	3.7241	3.5700e- 003	0.0000	3.8135
Total	3.6279	0.0566	4.2520	4.1600e- 003	-	0.2967	0.2967		0.2967	0.2967	29.0775	11.7825	40.8600	0.0569	1.7100e- 003	42.7928

# 7.0 Water Detail

	Total CO2	CH4	N2O	CO2e
Category		MT	/yr	
	27.1655	0.6732	0.0163	48.8435

# 7.2 Water by Land Use

# **Unmitigated**

	Indoor/Out door Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal		МТ	Γ/yr	
Apartments Low Rise	1.30308 / 0.821507	1.7191	0.0426	1.0300e- 003	3.0907
Condo/Townhouse	6.64571 / 4.18969	8.7675	0.2172	5.2500e- 003	15.7627
Other Asphalt Surfaces	0/0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0/0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	12.0535 / 7.59894	15.9019	0.3940	9.5200e- 003	28.5893
Strip Mall	0.59258 / 0.363194	0.7770	0.0194	4.7000e- 004	1.4007
Total		27.1655	0.6732	0.0163	48.8435

# 8.0 Waste Detail

## Category/Year

	Total CO2	CH4	N2O	CO2e
		MT	/yr	
Unmitigated	58.1975	3.4394	0.0000	144.1819

# 8.2 Waste by Land Use

# **Unmitigated**

Waste	Total CO2	CH4	N2O	CO2e
Disposed				

Land Use	tons		МТ	√yr	
Apartments Low Rise	9.2	1.8675	0.1104	0.0000	4.6267
Condo/Townhouse	46.92	9.5243	0.5629	0.0000	23.5961
Other Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Parking Lot	0	0.0000	0.0000	0.0000	0.0000
Single Family Housing	222.18	45.1005	2.6654	0.0000	111.7347
Strip Mall	8.4	1.7051	0.1008	0.0000	4.2244
Total		58.1975	3.4394	0.0000	144.1819

# **APPENDIX C**

Wren Investors/Hewell Property Urban Service Area Amendment Traffic Impact Analysis (Prepared by Hexagon Transportation Consultants, dated December 14, 2017)







# Wren Investors/Hewell Property Urban Service Area Amendment



**Traffic Impact Analysis** 

Prepared for:

**EMC Planning Group, Inc.** 



**December 14, 2017** 









# Hexagon Transportation Consultants, Inc.

Hexagon Office: 8070 Santa Teresa Boulevard, Suite 230

Gilroy, CA 95020

Hexagon Job Number: 17GD08

Phone: 408.846.7410

Document Name: Wren-Hewell TIA 2017-12-14



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Areawide Circulation Plans Corridor Studies Pavement Delineation Plans Traffic Handling Plans Impact Fees Interchange Analysis Parking
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# **Executive Summary**

This report presents the results of the Traffic Impact Analysis conducted for the annexation and prezoning of the proposed Wren Investors/Hewell Property Development in unincorporated Santa Clara County, just outside the City of Gilroy city limits. The project proposes to amend the City's Urban Service Area (USA) to include approximately 47 acres of property, generally located south of Vickery Lane between Kern and Wren Avenues, and north of the existing residential units located north of Mantelli Drive (Wren Investors site), plus an additional 4.16 acres of mainly vacant land located at the northeast corner of the Kern Avenue and Vickery Avenue intersection (Hewell Property site). This traffic analysis evaluates the preliminary development plan which includes 137 low-density residential lots, 20 medium-density residential lots, 102 high-density townhome/apartments, and 0.40 acres of neighborhood commercial within the Wren Investors site, and 48 single-family residential units within the Hewell Property site, both of them consistent with the existing General Plan land-use designation on the site (Neighborhood District).

## **Scope of Study**

The traffic impact analysis documents the potential traffic impacts to the surrounding transportation network associated with the proposed project. The purpose of the traffic analysis is to satisfy the requirements of the City of Gilroy, the Congestion Management Program (CMP) of the Santa Clara Valley Transportation Authority (VTA), Caltrans, and the California Environmental Quality Act (CEQA).

The study includes the analysis of 25 intersections. The potential impacts of the project on intersections were evaluated in accordance with City of Gilroy and Caltrans level of service standards and impact criteria.

#### **Study Intersections**

- 1. Monterey Road and Masten Avenue/Fitzgerald Avenue (signalized) SCC
- 2. Monterey Road and Buena Vista Avenue (unsignalized) CofG
- 3. Monterey Road and Day Road (unsignalized) CofG
- 4. Monterey Road and Cohansey Avenue (unsignalized) CofG
- 5. Monterey Road and Farrell Avenue (signalized) CofG
- 6. Monterey Road and Ronan Avenue (unsignalized) CofG
- 7. Monterey Road and Leavesley Road (SR 152)/Welburn Avenue (signalized) CofG, CMP, CT
- 8. Church Street and Farrell Avenue (unsignalized) CofG
- 9. Church Street and Mantelli Drive (unsignalized) CofG
- 10. Wren Avenue and Cohansey Avenue (unsignalized) CofG
- 11. Wren Avenue and Vickery Avenue (unsignalized) CofG
- 12. Wren Avenue and Farrell Avenue (unsignalized) CofG



- 13. Wren Avenue and Tatum Avenue (unsignalized) CofG
- 14. Wren Avenue and Ronan Avenue (unsignalized) CofG
- 15. Wren Avenue and Mantelli Drive (unsignalized) <sup>CofG</sup>
- 16. Wren Avenue and Welburn Avenue (unsignalized) CofG
- 17. Wren Avenue and First Street (signalized) CofG, CT
- 18. Kern Avenue and Vickery Avenue (unsignalized) CofG
- 19. Kern Avenue and Tatum Avenue (unsignalized) CofG
- 20. Kern Avenue and St. Clar Avenue/Ronan Avenue (unsignalized) CofG
- 21. Kern Avenue and Mantelli Drive (unsignalized) CofG
- 22. US 101 Southbound ramps and Masten Avenue (unsignalized) SCC, CT
- 23. US 101 Northbound ramps and Masten Avenue (unsignalized) SCC, CT
- 24. US 101 Southbound ramps and Leavesley Road (SR 152) (signalized) CofG, CT
- 25. US 101 Northbound ramps and Leavesley Road (SR 152) (signalized) CofG, CT
- scc denotes Santa Clara County intersections
- <sup>CofG</sup> denotes City of Gilroy intersections
- CT denotes Caltrans intersections

#### **Study Time Periods**

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 to 6:00 PM period. It is during these times that the most congested traffic conditions occur on an average day.

#### **Study Scenarios**

- **Scenario 1:** Existing Conditions. Existing conditions were represented by existing peak-hour traffic volumes on the existing roadway network.
- **Scenario 2:** Existing Plus Project Conditions. Existing plus Project conditions represent existing peak-hour traffic volumes on the existing roadway network with the addition of traffic generated by the proposed project if the project was open and operating today.
- **Scenario 3:** Background Conditions. Background traffic volumes were estimated by adding to existing peak-hour volumes the projected trips from approved but not yet constructed developments in the City of Gilroy.
- **Scenario 4:** Background Plus Project Conditions. Background plus project conditions were estimated by adding to background traffic volumes the trips associated with the proposed project (or project traffic volumes). Background plus project conditions were evaluated relative to background conditions in order to determine potential project impacts.
- **Scenario 5:** *Cumulative Conditions.* Cumulative conditions represent future traffic volumes on the future transportation network that would result from traffic growth projected to occur due to proposed but-not-yet-approved (pending) development projects.

# **Project Trip Generation**

The magnitude of traffic generated by the proposed project was estimated by applying to the size of the project the appropriate trip generation rates, as published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10<sup>th</sup> Edition, 2017. The trip generation estimates for the proposed



project are based on ITE's trip generation rates for single-family residential units (ITE land use code #210) and shopping center (ITE land use code #826). Additionally, a 15% trip reduction was applied to the project trip generation estimates for internalization between the retail and the residential uses, as prescribed by VTA guidelines, and a 20% PM peak-hour pass-by reduction was applied to the retail portion of the project.

On the basis of the ITE trip generation rates, and after applying the applicable trip reductions, it is estimated that the proposed project would generate 3,105 net new daily trips, with 234 trips (61 inbound and 173 outbound) occurring during the AM peak-hour and 321 trips (199 inbound and 122 outbound) occurring during the PM peak-hour.

## **Background Plus Project Conditions Analysis**

The results of the intersection level of service analysis under background plus project conditions are discussed below and summarized in Table ES 1. The analysis results are presented for all study intersections based on City of Gilroy level of service standard and impact criteria. Caltrans intersections also are evaluated based on Caltrans level of service standards and impact criteria.

#### **City of Gilroy/Santa Clara County Intersections**

#### Signalized Intersections

The results of the level of service analysis of the signalized study intersections indicate that the following study intersection is projected to operate at unacceptable levels of service during both peak hours under background plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS E – AM and PM peak hours)

However, the addition of project traffic at the above intersection is not sufficient to cause the average delay to increase by more than 1.0 second. This typically happens when project traffic volumes are low and/or are added to non-critical movements of the intersection. Therefore, based on City of Gilroy intersection impact criteria, the project would not cause a significant level or service impact at this location.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the peak hours under background plus project conditions.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under background plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

#### **Unsignalized Intersections**

The results of the level of service analysis show that the addition of project traffic to four of the unsignalized study intersections projected to operate with overall average intersection delays corresponding to an unacceptable level would cause the intersections' average delay to increase beyond the City's delay increase threshold during at least one of the peak hours under background plus project conditions:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: PM peak-hour)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)



23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed <u>and</u> the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)

Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F <u>and</u> the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for Caltrans intersections show that two of the Caltrans study intersections are projected to operate at unacceptable levels under background plus project conditions during one of the peak hours analyzed, and the addition of project traffic to would cause the intersection average delay to increase:

- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

This constitutes a significant project impact based on Caltrans intersection level of service impact criteria.

#### **Freeway Segment Analysis**

According to CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is required if the number of project trips added to any freeway segment equals or exceeds one percent of the capacity of the segment. The key freeway segments in the study area were analyzed to determine if the project traffic on each segment would exceed this threshold. A review of the project trip assignment indicates that the number of project trips on the freeway falls below the one-percent threshold. Thus, the project would not cause a significant increase in traffic on the freeway segments in the study area, and a freeway level of service analysis is not required.

#### **Intersection Operations Analysis**

The operations analysis results are summarized in Tables ES 2.

The existing maximum queue length for all of the study intersection movements is estimated to be able to accommodate within the available queue storage capacity for each of the movements during the peak hours, with the exception of the westbound left-turn movement at the intersection of Monterey Road and Masten Avenue/Fitzgerald Avenue.

The maximum queue length for the westbound left-turn movement at the *Monterey Road and Masten Avenue/Fitzgerald Avenue* intersection is estimated to be 22 vehicles (or 550 feet) during the PM peak hour under existing conditions, exceeds the existing storage capacity of approximately 340 feet for this movement. The addition of approved (background) traffic to this movement would cause the projected



queue length to increase by 2 vehicles (to 24 vehicles, or 600 feet) during the PM peak hour. The addition of project traffic to this turn movement would cause the projected vehicle queue to increase by 3 vehicles (from 24 to 27 vehicles, or 600 to 675 feet) during the PM peak-hour under background plus project conditions. Contribution to a vehicle queue in a turn-movement with inadequate queue storage capacity is considered a project impact, according to the City of Gilroy definition of significant traffic operations impacts.

#### **Parking Analysis**

The proposed project must adhere to the City of Gilroy parking requirements (found in the City of Gilroy Zoning Ordinance, Section 31, Off-street parking requirements) and the Americans with Disabilities Act (ADA) requirements in order to satisfy City of Gilroy standards.

#### **Emergency Access Evaluation**

#### **Wren Investors Site**

Based on the review of the Preliminary Master Plan, it was determined that with the preliminary internal roadway layout and dimensions, every proposed single-family residential unit within the project development would be accessible from at least three different access points, making emergency vehicle access and circulation within the project site adequate. Emergency access to the multi-family units must be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design of all access roadways will have to be approved by the City of Gilroy.

#### **Hewell Property Site**

Based on the review of the Conceptual Development Plan, every residential unit within the site would be accessible from at least two different access points, making emergency vehicle access within the project site adequate. However, the design of all new roadways and alleys providing direct access to the proposed residential units must adhere to City of Gilroy design guidelines and standards and should provide adequate turn-radii for emergency vehicles and large trucks to maneuver through the site. With the appropriate roadway widths and turn-radii, on-site circulation for emergency vehicles would be adequate. The final design of all access roadways will have to be approved by the City of Gilroy.

#### **Recommended Mitigation Measures under Background Plus Project Conditions**

Described below are the recommended mitigation measures necessary to maintain the level of service standard and intersection operations under background plus project conditions.

All mitigation measures listed below are planned in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of the mitigation measures, the project impacts would be less-than-significant.

#### 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

Impact: The projected level of service on the highest-delay approach at this unsignalized

intersection is projected to be LOS F during the AM and PM peak hours under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM

and PM peak hours (City of Gilroy Impact).

**Mitigation:** The project impact to this intersection could be mitigated with the installation of a traffic

signal, which would include protected left-turn movements on the southbound approach. Implementation of the above improvements would improve the intersection level of



service to acceptable LOS A during the AM and PM peak hours under background plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 3. Monterey Road and Day Road (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS D during the AM peak hour under background conditions and the addition of project traffic would cause the intersection level of service to deteriorate to unacceptable LOS E and D during the AM and PM peak hours, respectively (City of Gilroy Impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the northbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the PM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include protected left-turn signal phasing on the northbound/southbound approaches and split phasing on the eastbound/westbound approaches. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under background plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS E during the PM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the PM peak hour under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the southbound approach and protected



phasing on the westbound approach. Additionally, a receiving lane in the westbound direction also is needed as an exclusive lane for the southbound right-turn movement volumes. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the AM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under background plus project conditions and the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the northbound approach and protected phasing on the eastbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under background plus project conditions.

In addition to installation of a traffic signal, providing adequate queue storage capacity for the relatively high projected eastbound left-turn movement volumes at this intersection also would be required. In the case providing adequate queue storage capacity for the eastbound left-turn movement is not feasible, a northbound loop on-ramp may be necessary to serve the eastbound on Masten Avenue to northbound US 101 traffic volumes. It should be noted that a loop on-ramp is one of the improvements included in the City's TCMP for this location. The level of analysis to determine the necessary interchange lane configuration would be completed in the interchange's Project Study Report (PSR).

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 1. Monterey Road and Masten Avenue/Fitzgerald Avenue – Westbound Left-Turn

#### Impact:

The addition of project traffic to the westbound left-turn movement at this intersection would cause the projected 95<sup>th</sup> percentile vehicle queue to increase by three vehicles (from 24 to 27 vehicles, or 600 to 675 feet) from background to background plus project conditions. This exceeds the existing storage capacity of approximately 340 feet (or 13 vehicles). Based on City of Gilroy definition of significant traffic operations impacts, this is considered a project impact.

#### Mitigation:

The project impact to the westbound left-turn movement of the Monterey Road/Masten Avenue/Fitzgerald Avenue intersection could be mitigated by providing a second westbound left-turn lane.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.



## **Cumulative Plus Project Conditions Analyses**

The results of the intersection level of service analysis under cumulative plus project conditions are discussed below and summarized in Table ES 1.

#### **City of Gilroy/Santa Clara County Intersections**

#### **Signalized Intersections**

The results of the level of service analysis for the signalized study intersections indicate that the following study intersection is projected to operate at an unacceptable level of service during both peak hours under cumulative plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (Impact: PM peak-hour)

The level of service calculations show that the addition of project traffic at the above intersections would cause the intersection average delay to increase by more than one second during the PM peak-hour. This constitutes a significant cumulative project impact, based on City of Gilroy signalized intersection level of service impact criteria.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under cumulative plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

#### **Unsignalized Intersections**

The results of the level of service analysis show that the addition of project traffic to four of the unsignalized study intersections projected to operate with overall average intersection delays corresponding to an unacceptable level would cause the intersections' average delay to increase beyond the City's delay increase threshold during at least one of the peak hours under cumulative plus project conditions:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: AM and PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a cumulative project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed <u>and</u> the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)

Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F and the



addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for Caltrans intersections show that two of the Caltrans study intersections are projected to operate at unacceptable levels under cumulative plus project conditions during one of the peak hours analyzed, and the addition of project traffic to would cause the intersection average delay to increase:

- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

This constitutes a significant project impact based on Caltrans intersection level of service impact criteria.

#### Recommended Mitigation Measures under Cumulative Plus Project Conditions

Described below are the recommended mitigation measures necessary to maintain the level of service standard and intersection operations under cumulative plus project conditions.

All mitigation measures listed below are planned in the City's TCMP and are included in the City's TIF Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of the mitigation measures, the project impacts would be less-than-significant.

#### 1. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

Impact:

This signalized intersection is projected to operate at unacceptable LOS E and F during the AM and PM peak hours, respectively, under cumulative conditions and the addition of project traffic would cause the intersection average delay to increase by more than 1.0 second (City of Gilroy Impact).

Mitigation:

The minimum required improvements to mitigate the project impact at this intersection include adding a separate eastbound left-turn lane, a second westbound left-turn lane, and updating the signal phasing to protected left-turns in the eastbound/westbound direction. Implementation of the above improvements would improve the intersection level of service to better than cumulative (no project) conditions, satisfactorily mitigating the project impact. However, the intersection is projected to continue to be deficient (LOS D) during the PM peak-hour.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

Impact:

The projected level of service on the highest-delay approach at this unsignalized intersection is projected to be LOS F during the AM and PM peak hours under cumulative plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).

Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS A during the AM and PM peak hours under cumulative plus project conditions.



With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 3. Monterey Road and Day Road (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS E during the AM and PM peak hours under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy Impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under cumulative plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).

#### Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS D and F during the AM and PM peak hours, respectively, under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase beyond the City's delay increase threshold (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the addition of separate left-turn lanes on both the eastbound and westbound approaches, and installation of a traffic signal that would include protected left-turn signal phasing on all approaches of the intersection. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under cumulative plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the PM peak hour under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the PM peak hour under cumulative plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

#### Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.



With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

#### 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

Impact: This unsignalized intersection is projected to operate at un

This unsignalized intersection is projected to operate at unacceptable LOS F during the AM peak hour under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under cumulative plus project conditions and the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

Mitigation: The im

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under cumulative plus project conditions.

With payment of the applicable TIF fee as a fair-share contribution toward improvements at this intersection, this impact would be less-than-significant.

## **Other Transportation Issues**

#### **Freeway Ramp Evaluation**

A review of metered freeway ramps providing access to and from US 101 and the project site was performed to identify the effect of the addition of project traffic on the queues at metered study freeway on-ramps. Uncontrolled freeway on-ramps are typically not evaluated since these ramps do not experience measurable queue lengths. It should be noted that the evaluation of freeway ramps is not required based on the City's transportation impact analysis guidelines. Nor are there adopted methodologies and impact criteria for the analysis of freeway ramps.

#### US 101 Northbound On-Ramp at Masten Avenue

The northbound on-ramp at Masten Avenue consists of a diagonal ramp and includes two mixed-flow lanes and one high occupancy vehicle (HOV) lane. Although a ramp meter is installed, field observations revealed that the ramp meter is continuously green during the AM peak-hour, allowing the ramp to function as an uncontrolled ramp. No measurable vehicular queues were observed at this ramp. Therefore, it can be concluded that the addition of the project traffic to this ramp during the peak hours would not have an effect on existing queue lengths.

#### US 101 Southbound On-Ramp at Leavesley Road

The southbound on-ramp at Leavesley Road consists of a diagonal ramp with two mixed-flow lanes with ramp meter. Field observations revealed that this ramp meter is operational during the PM peak-hour only. Therefore, during the AM peak-hour, when the proposed project would add the most traffic to this on-ramp, the vehicular queues on this ramp are negligible and the project traffic during the AM peak-hour would not have an effect on the existing queue length.

Since the ramp meter at the Leavesley Road southbound on-ramp is operational during the PM peak-hour, and although the project traffic added to this ramp would be minimal during the PM peak-hour, an evaluation of the queue length on this ramp during the PM peak-hour was completed. The existing queue lengths at the ramp were measured in the field during the PM peak-hour.



The maximum observed queue length on the on-ramp during the PM peak-hour was a total of 88 vehicles, or 44 vehicles per lane. The maximum queue length was observed to extend nearly back to its intersection with Leavesley Road, although this only occurred once during the hour-long observation.

The proposed project is projected to add 9 trips to the US 101 southbound on-ramp at Leavesley Road during the PM peak-hour, which represents less than a 1% increase in volume from existing conditions, and equates to potentially one vehicle trip added to the on-ramp approximately every 6.5 minutes. The project could potentially add one or two vehicles to the maximum queue if vehicles were to arrive at just the right moment when the queue is at its maximum. Thus, it can be concluded that the addition of PM project trips to this metered on-ramp would have very little effect on the existing vehicle queues at the ramp.

#### **Bicycle Circulation**

Various bicycle facilities exist in the vicinity of the project site (existing bike lanes are available along segments of Cohansey Avenue, Wren Avenue, Farrell Avenue, Church Street, Welburn Avenue, and Mantelli Drive). In addition, the Bicycle Transportation Plan contained in the City of Gilroy General Plan, the City of Gilroy Bicycle/Pedestrian Transportation Plan, and the City of Gilroy Trails Master Plan indicate that a variety of bicycle facilities are planned in the study area, some of which would benefit the project.

#### **Project's Effect on Bicycle Facilities**

The proposed project would increase the demand on bicycle facilities in the vicinity of the project site. The potential demand could be served by the various bicycle facilities available in the immediate vicinity of the project site. However, along segments with missing bicycle facilities, project-related bicycle traffic would need to share the roadway with auto traffic. The implementation of the above planned bicycle facilities would enhance the existing facilities and provide a continuous bicycle network to serve the project area. Since the above planned bicycle facilities are not fully funded, it is uncertain when these facilities would be open.

#### **Recommended Bicycle Facility Improvements**

The following recommendations are made to promote non-auto modes of transportation in the City and to accommodate bicycle travel near the project site:

<u>Install Bicycle Parking Facilities</u>. It is recommended that the proposed project provide adequate bicycle parking supply, based on VTA's recommends bicycle-parking rates, to serve the multi-family and retail components of the project.

Contribute to Planned Bicycle Facilities in the Project Area. It is recommended that the proposed project contribute to the completion of planned bicycle facilities that would serve the project site directly, in particular those along Kern, Cohansey, and Wren Avenues. The contribution should include striped bike facilities, to the extent practical, along Kern Avenue, and extending the existing bike lane along Cohansey Avenue from the Harvest Park site to Kern Avenue. Additionally, it is recommended that the missing bike lanes along Wren Avenue, approximately 1,000 feet between Farrell Avenue and Vickery Avenue, be installed to provide a continuous bike lane along Wren Avenue.

Ultimately, the contribution, if required, should be determined by the City of Gilroy and it should be based on the project's contribution to the total projected growth in the study area.

#### **Pedestrian Circulation**

Pedestrian facilities in the project area consist primarily of sidewalks along residential streets in the study area. Although most developed areas in the vicinity of the project site have sidewalks along both



sides of the street, some streets within the project area have sidewalks missing along one or both sides of the street, including segments of Wren Avenue, Kern Avenue, Tatum Avenue, Vickery Avenue, and Farrell Avenue. This results in a discontinuous pedestrian facility network in the project area.

#### **Project's Effect on Pedestrian Facilities**

It can be expected that new pedestrian traffic would be generated by the proposed project. Possible pedestrian destinations near the project sites include Antonio Del Buono Elementary School (located adjacent to and east of the Wren Investors site), Las Animas Park (located between one quarter mile to less than one mile south of the project sites along Mantelli Drive), and the bus stops along Monterey Road (located just over half a mile east of the project sites). Rod Kelley Elementary School also is located half a mile to one mile south of the project site (along Kern Avenue), a distance which might be considered too far for some to walk to school. Pedestrians accessing the above pedestrian destinations would mainly utilize Kern, Wren, Cohansey, Vickery, and Farrell Avenues. However, with the missing sidewalks along segments of these roadways, there is currently not a continuous pedestrian connection between the Hewell Property and Wren Investors sites, or between the project sites and other pedestrian facilities/destinations.

The lack of connectivity between the project site and other pedestrian destinations potentially could discourage pedestrian activity or force pedestrians to walk along undeveloped roadway shoulders and/or within the street.

Although it is not feasible for the proposed project to install all missing sidewalks in the vicinity of the project sites, providing sidewalks along both sides of all new roadways within the project sites and along the project's frontage on Kern, Vickery, and Wren Avenues, would greatly improve pedestrian connectivity and circulation in the study area. The new sidewalks would connect to other existing and planned sidewalks along Cohansey Avenue and Wren Avenue, providing a continuous pedestrian connection between the project sites and Wren Avenue, including access to the Antonio Del Buono Elementary School. However, the lack of a continuous pedestrian facility along Kern Avenue would continue, affecting pedestrian connectivity between the project sites and pedestrian destinations along Kern Avenue.

#### **Recommended Pedestrian Circulation Improvements**

<u>Installation of Sidewalks</u>. It is recommended that with the development of the project area, sidewalks along both sides of all new streets on the project site and along existing project frontage streets with missing sidewalks be built. This would provide a continuous sidewalk connection from every proposed residential unit within the project site to existing and planned pedestrian facilities within the study area.

<u>Installation of School Crosswalks on All Legs of Farrell Avenue/Wren Avenue Intersection</u>. The project, in coordination with the City of Gilroy, should consider installing high visibility school crosswalks on all legs of the intersection of Farrell Avenue and Wren Avenue.

<u>Development of a Safe Route to Schools Program</u>. It is recommended that the project developer work with the City of Gilroy to develop a safe route to schools program from the project site to the anticipated school sites serving the project.

#### **Transit Service**

Although the project site is not directly served by a bus route, bus stops serving the project site are located along Wren Avenue (at Ramona Way) and along Monterey Road (at Cohansey Avenue, Farrell Avenue, and Ronan Avenue).



In addition, the Gilroy Caltrain Station (Transit Center) is located in Downtown Gilroy, approximately 3 miles south of the project site, and the San Martin Caltrain Station is located approximately 4.5 miles north of the project site.

#### **Project's Effect on Transit Services**

Although no reduction to the project trip generation estimates was applied due to transit services, it can be assumed that some of the new project development residents could utilize public transportation. Applying an estimated three percent (3%) transit mode share, which is probably the highest that could be expected for the project, equates to approximately 7 to 10 new transit riders during the peak hours. The estimated number of new transit riders for the proposed project could be served by the existing bus line currently serving the project area. Therefore, the additional transit demand generated by the project would not justify additional transit services in the study area, based on the project demand alone. However, as the area surrounding the project site develops, the demand for public transportation could increase.

#### **Recommended Transit Service Improvements**

Expansion of Service. With the development of the project area, VTA should consider expanding Bus Route 19 service area further north to directly serve the project area, or add a new route that would serve the project sites directly. Additionally, with the expansion of the service area, new bus stops could be located along Wren Avenue, Cohansey Avenue, and/or Kern Avenue.

#### **Site Access**

#### **Wren Investors Site**

Every proposed single-family residential unit within the project development would be accessible from at least three different access points, making vehicular access to/from the project site adequate.

#### **Hewell Property Site**

Every residential unit within the site would be accessible from at least two different access points. Therefore, vehicular access to/from the project site should be adequate.

#### **On-Site Circulation**

#### **Wren Investors Site**

Various new access roadways would provide direct access to the residential units and commercial area within the site. All new internal access roadways are shown to be 60 feet wide, with the exception of the cul-de-sacs, which are shown to be 52 feet wide. No dimensions on the multi-family drive aisles are shown.

The City of Gilroy requires 60 feet of right-of-way (ROW) for local streets and 52 feet of ROW for culde-sacs. Thus, the proposed roadway widths satisfy the City of Gilroy street design standards. However, although not specified on the preliminary site plan, design of the multi-family units' access aisles also should adhere to City of Gilroy design guidelines.

Three cul-de-sacs are located on the northern portion of the project site. All other streets within the site would be through streets. With the preliminary internal roadway layout and dimensions, every proposed single-family residential unit within the project development is accessible from at least three different access points, making emergency vehicle access and circulation within the project site adequate. Emergency access to the multi-family units should be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design will have to be approved by the City of Gilroy.



#### **Hewell Property Site**

In addition to extending Cohansey Avenue from its terminus point at the Harvest Park site/eastern Hewell Property site boundary to Kern Avenue, three other access roadways/residential streets also would be constructed within the project site. Lanes 1 and 2 are shown to be 36 feet wide (face of curb to face of curb (FC to FC)) while Alley D is shown to be 20 feet wide. Additionally, the Cohansey Avenue extension through the site is shown to be 54-feet wide and would be consistent with the segment of Cohansey Avenue east of the project site. Both Kern and Vickery Avenues, adjacent to the project site, are shown to be 40 feet wide.

According to City of Gilroy street design guidelines, local public streets must have a 38-foot FC to FC width in order to provide two 12-foot wide travel lanes and two 7-foot wide parking lanes (one on each side of the street). Based on these recommendations, the proposed FC to FC width for Lanes 1 and 2 do not satisfy the street design guidelines prescribed by the City of Gilroy. However, the City may allow exceptions, and ultimately, the final design will have to be approved by the City of Gilroy.

Design of the 20-foot alley providing access to the units located on the north side of the site should adhere to City of Gilroy design guidelines and standards in order to provide adequate turn-radii for emergency vehicles and large trucks, such as garbage trucks, to maneuver through the site. As with the design of the local streets, the final design of the access alley will have to be approved by the City of Gilroy.

## **Neighborhood School Traffic Issues**

Based on field observations conducted in the project area on November and December 2017, it was observed that Wren and Farrell Avenues, in the vicinity of Antonio Del Buono Elementary School, experience considerable traffic activity associated with morning school drop-off and afternoon school pick-up activity. The proposed project is projected to add traffic to these segments of Wren and Farrell Avenues, potentially exacerbating the observed AM peak hour existing conditions.

#### **Project's Effect on Neighborhood School Traffic Issues**

The existing two-way traffic volume on Wren Avenue, north of Farrell Avenue, is 418 vehicles during the AM peak hour and 174 vehicles during the PM peak hour. The existing traffic activity on this segment of Wren Avenue during the AM peak-hour is predominately school-related traffic. The proposed project is projected to add approximately 31 AM peak-hour trips and 44 PM peak-hour trips to the same segment of Wren Avenue. This equates to an increase in traffic associated with the project of approximately 7 percent during the AM peak hour and 25 percent during the PM peak hour. The added traffic will be residential-related traffic, predominantly commute in nature. However, due to the various roadways and access points providing access to the project site, project traffic would have the opportunity to use alternative routes to and from the project site, in particular during the school's peak hours. Nevertheless, the addition of project traffic to this segment of Wren Avenue with existing pedestrian deficiencies and congestion problems would cause the observed existing conditions during the AM peak-hour to worsen and would exacerbate the undesirable condition associated with pedestrians crossing Wren Avenue along this segment. The effect of project traffic to this segment of Wren Avenue during the PM peak-hour would be minimal.

Additionally, the conflict between project traffic and existing traffic will be further exacerbated because the project traffic would be predominately commute in nature whereas the existing traffic is predominately school-related, each with different trip purposes. Commute traffic is focused more on traveling through the neighborhood to commute routes and employment destinations with as little delay as possible. School-related traffic is more locally focused with shorter trips where access to the school and obtaining convenient parking for student loading is the highest priority. The addition of project traffic



to existing traffic on Wren Avenue and the conflict between traffic with different trip purposes has the potential to degrade traffic operations in the corridor.

#### **Possible Improvements**

With the development of the proposed project, the west side of Wren Avenue would be developed and sidewalks would be provided. Therefore, with the proposed improvements along Wren Avenue planned as part of the project, in addition to possible changes to student loading procedures by the school, traffic conditions during the school peak hours along this segment of Wren Avenue potentially could improve.

Other possible improvements that could be implemented to alleviate traffic conditions in the vicinity of Antonio Del Buono Elementary School include:

- With the development of the proposed project, allow parking or loading zones on the west side
  of Wren Avenue, along the entire project frontage, to facilitate student loading during school
  start/end times.
- Design Wren Avenue along the project frontage to accommodate parking, bike lanes, and the necessary vehicular travel lanes.
- Add high visibility school crosswalks at the intersection of Wren Avenue and Farrell Avenue.
- Consider changes to the site plan so homes are not fronting directly onto Wren Avenue or Farrell Avenue, just west of Wren Avenue, as this area is likely to experience school traffic congestion during school start/end times.
- Design the proposed commercial site located on the southwest corner of the Wren Avenue/Farrell Avenue intersection to discourage school-related traffic from parking in the commercial parking lot.
- Encourage the school to develop and enforce a drop-off/pick-up plan in order to minimize midblock crossing and vehicle/pedestrian conflicts as well as illegal turns adjacent to the school grounds.

#### **Recommendations to Alleviate Neighborhood School Traffic Issues**

<u>Contribute to Possible Improvements</u>. The project applicant should work with the City of Gilroy to address the project's contribution to the existing traffic issues and deficiencies and contribute towards the implementation of a feasible improvement.



Table ES 1 Intersection Level of Service Summary

Study								_ 6	Existin	g		isting Proje		Ba	ıckgrou	ınd	_ <u>B</u>	ackgr <u>ou</u>	nd Plus Pro	ject	Cumula	ative No	Projec <u>t</u>	C	umulat <u>iv</u>	e Plus Proj	ect
Int.	. Internation	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Count Date	Avg.		Warrant Met? <sup>3</sup>			Warrant Met? <sup>3</sup>			Warrant		LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	Avg. Delay		Varrant	Avg. Delay	LOS	Delay Change <sup>4</sup>	
Number	Intersection	Jurisuiction	Control	Stanuaru	III.	Houi	Date	Delay	LUS	metr	Delay	LUS	Metr	Delay	LUS	Metr	Delay	LUS	Change	Metr	Delay	LUS	MAL	Delay	LUS	Citalige	Metr
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	scc	Signal	С	Yes	AM PM	1/17/17 1/17/17	30.9 <b>43.3</b>	C <b>D</b>		30.9 <b>43.6</b>	C D	-	59.1 78.4	E+ E-	-	59.4 79.0	E+ E-	+0.3 +0.6	-	63.0 86.7	E F	-	63.4 88.5	E F	+0.4	7 -
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	5/16/17 5/16/17	5.0 2.1	A A+		6.4 2.6	A A+	_	8.1 3.6	A- A		10.9 5.0	B+ A	+2.8 +1.4	-	13.5 8.3	B- A-	_	17.4 11.7	C+ B+	+3.9 +3.4	
			One-Way Stop (Worst Approach)	D		AM PM		69.0 41.4	F E	Yes Yes	93.2 54.5	F	Yes Yes	124.6 <sup>5</sup> 80.1	F	Yes Yes	176.0 116.7	<sup>5</sup> F	+51.4	Yes Yes	234.2 218.5	<sup>ь</sup> F <sup>5</sup> F	Yes Yes	312.2	° F	+78.0 +95.4	Yes Yes
3	Monterey Road and Day Road	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	10/17/17 10/17/17	20.6 11.7	C B+		<b>25.5</b> 16.9	<b>D+</b> C+	-	<b>31.3</b> 23.4	D C-		37.4 31.5	E+ D	+6.1 +8.1	-	48.2 42.8	E- E	-	55.9 55.0	F F	+7.7 +12.2	
			One-Way Stop (Worst Approach)	D		AM PM		141.7 <sup>5</sup> 152.2 <sup>5</sup>	F	Yes Yes	184.9 <sup>5</sup> 231.2 <sup>5</sup>	F	Yes Yes	239.2 <sup>5</sup> 355.9 <sup>5</sup>	F	Yes Yes	299.1 497.0	<sup>5</sup> F	+59.9 +141.1	Yes Yes	409.0 755.9	5 F	Yes Yes	491.5 997.5	° F	+82.5 +241.6	Yes Yes
4	Monterey Road and Cohansey Avenue	CofG	One-Way Stop, Signal <sup>6</sup> (Average Delay)	С	Yes	AM PM	10/17/17 10/17/17	0.3	A+ A+		0.3	A+ A+	-	13.7 9.7	B A		17.7 13.4	B B	+4.0 +3.7		13.8 9.6	B A	-	18.0 14.6	B- B	+4.2 +5.0	
			One-Way Stop (Worst Approach)	D		AM PM		25.2 21.5	D+ C	No No	27.9 24.1	D+ C-	No No														
5	Monterey Road and Farrell Avenue	CofG	Signal	С	No	AM PM	1/17/17 1/17/17	16.0 9.7	B A		16.6 11.4	B B+	-	13.8 7.7	B A		14.5 9.4	B A	+0.7 +1.7		13.8 7.5	B A	_	14.5 9.0	B A	+0.7 +1.5	
6	Monterey Road and Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	10/17/17 10/17/17	1.9 0.8	A+ A+		2.4 1.2	A+ A+	-	1.9 0.8	A+ A+		2.6 1.2	A+ A+	+0.7 +0.4	-	2.1 0.8	A+ A+	_	3.0 1.4	A+ A+	+0.9 +0.6	
			One-Way Stop (Worst Approach)	D		AM PM		17.4 15.8	C+ C+	Yes No	20.1 19.3	C	Yes No	20.3 18.8	C	Yes No	24.0 24.3	C- C-	+3.7 +5.5	Yes No	25.6 24.0	D+ C-	Yes No	32.3 34.0	D- D-	+6.7 +10.0	Yes No
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	Signal	С	No	AM PM	1/17/17 1/17/17	27.1 29.1	C		27.5 29.5	C	-	28.2	C		28.7 31.3	C	+0.5		29.8 33.9	C C-	-	30.4 34.5	C C-	+0.6	
8	Church Street and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	5/16/17 5/16/17	15.8 13.4	C B	No No	23.6 19.0	C	No No	11.3 9.9	B A	No No	12.3 10.7	B B	+1.0 +0.8	No No	12.0 10.5	B B	No No	13.2 11.5	B B	+1.2 +1.0	No No
9	Church Street and Mantelli Drive/Lilly Ave	CofG	All-Way Stop	С	Yes	AM PM	5/18/17 5/18/17	15.8 16.5	C	Yes Yes	16.0 16.8	C	Yes Yes	18.0 20.1	C C	Yes Yes	18.2 20.5	C C	+0.2 +0.4	Yes Yes	18.6 21.3	C C	Yes Yes	18.7 21.7	C C	+0.1 +0.4	Yes Yes
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	AM PM	10/17/17 10/17/17	7.2 7.0	A A	No No	7.1 7.1	A A	No No	8.4 9.3	A A	No No	8.3 8.9	A A	-0.1 -0.4	No No	8.4 9.3	A A	No No	8.3 8.9	A A	-0.1 -0.4	No No
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	AM PM	10/17/17 10/17/17	7.1 7.2	A A	No No	7.2 7.4	A A	No No	8.2 7.8	A A	No No	8.2 7.8	A A	+0.0 +0.0	No No	8.2 7.8	A A	No No	8.2 7.8	A A	+0.0 +0.0	No No
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	5/16/17 5/16/17	10.5 12.8	B B	No No	11.6 14.5	B B	No No	9.8 10.5	A B	No No	10.4 11.3	B B	+0.6 +0.8	No No	10.0 11.3	A B	No No	10.6 12.2	B B	+0.6 +0.9	No No
13	Wren Avenue and Tatum Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	10/17/17 10/17/17	1.2 0.7	A+ A+		1.9 1.3	A+ A+	-	1.2 0.7	A+ A+		1.9 1.3	A+ A+	+0.7 +0.6	-	1.1 0.7	A+ A+	-	1.9 1.2	A+ A+	+0.8 +0.5	
			One-Way Stop (Worst Approach)	D		AM PM		12.3 12.0	B B	No No	13.5 13.5	B- B-	No No	12.3 11.9	B B	No No	13.5 13.3	B- B	+1.2 +1.4	No No	12.7 12.4	B B	No No	14.1 14.1	B- B-	+1.4	No No
14	Wren Avenue and Ronan Avenue	CofG	Two-Way Stop (Average Delay)	С	No	AM PM	10/17/17 10/17/17	1.5	A+ A+		2.4	A+ A+	-	1.5	A+ A+	-	2.4	A+ A+	+0.9 +1.3	-	1.5	A+ A+	-	2.4 2.4	A+ A+	+0.9	
			Two-Way Stop (Worst Approach)	D		AM PM	10/1////	14.3	B- B-	No No	16.4 17.1	C+ C+	No No	14.4	B- B-	No No	16.6 17.2	C+ C+	+2.2	No No	15.2 15.2	C+ C+	No No	17.7	C+ C	+2.5	No No
15	Wren Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	5/16/17 5/16/17	17.7 17.6	C	Yes Yes	18.7	C	Yes	19.5	C	Yes Yes	20.7	C	+1.2	Yes Yes	21.5 22.6	C	Yes Yes	23.1	C	+1.6	Yes Yes
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM PM	5/16/17 5/16/17	20.0	C	Yes Yes	20.8 29.5	C	Yes	29.3 54.0	D	Yes Yes	31.1	D	+1.8	Yes	33.3 65.6	D	Yes Yes	35.4 69.3	E	+2.1	Yes
17	Wren Avenue and First Street	Caltrans	Signal	С	Yes	AM PM	5/16/17 5/16/17	27.9 31.3	C		28.3 31.4	C	-	28.0 31.8	C		28.3 32.0	C	+0.3		29.1 34.5	C C-	-	29.3 34.7	C C-	+0.2	
18	Kern Avenue and Vickery Avenue	CofG	Uncontrolled, AWSC <sup>7</sup>	С	No	AM PM	10/17/17	7.7	A	No No	7.0 6.6	A	No No	7.9 7.4	A B	No No	7.2 8.6	A A	-0.7 +1.2	No No	7.9 7.4	A B	No No	7.2 8.6	A A	-0.7 +1.2	No No
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay)	С	No	AM PM	10/17/17 10/17/17	4.3 5.6	A A		4.2 4.9	A	-	2.9	A+ A+		3.0 2.5	A+ A+	+0.1		2.9	A+ A+	-	3.0 2.5	A+ A+	+0.1	
			Two-Way Stop (Worst Approach)	D		AM PM		9.3 9.1	A- A-	No No	9.4 9.1	A- A-	No No	9.9 9.8	A- A-	No No	10.0 9.9	A- A-	+0.1 +0.1	No No	9.9 9.8	A- A-	No No	10.0 9.9	A- A-	+0.1 +0.1	No No
20	Kern Avenue and St. Clar Avenue/Ronan Avenue	CofG	One-Way Stop	С	No	AM PM	10/17/17	1.2	Α+ Δ+		1.4	A+		0.8 1.0	Α+		1.0 1.0	A+ A+	+0.2		0.8	A+	-	1.0	Α+ Α+	+0.2	
			(Average Delay) One-Way Stop (Worst Approach)	D		AM PM	10/17/17	8.8 8.5	A+ A- A-	No No	9.6 9.3	A+ A- A-	No No	9.1 9.0	A+ A- A-	No No	1.0 10.2 10.2	B+ B+	+0.0 +1.1 +1.2	No No	9.1 9.0	A+ A- A-	No No	1.0 10.2 10.2	B+ B+	+0.0 +1.1 +1.2	No No



### **Table ES 1 (Continued) Intersection Level of Service Summary**

Study									Existin	9		isting F Projec		В	ackgrou	nd	Ва	ackgrou	nd Plus Pro	ject	Cumula	tive No	Project	Cı	umulativ	ve Plus Pro	ject
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Count Date	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Warrant Met? <sup>3</sup>	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>
21	Kern Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	5/16/17 5/16/17	12.1 10.6	В	No No	12.6 11.1	В	No No	13.1 11.3	В	No No	13.7 11.9	В	+0.6 +0.6	No No	13.9 12.1	В	No No	14.6 12.8	В	+0.7 +0.7	No No
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	5/16/17 5/16/17	4.6 11.6	A B+		4.7 13.6	A B-	-	6.7 <b>49.7</b>	A E-	-	7.0 62.9	A- F	+0.3	1 -	7.1 <b>62.1</b>	A- F		7.5 76.2	A-	+0.4 +14.1	
			Two-Way Stop (Worst Approach)	D		AM PM		14.8 18.7	B- C	Yes Yes	15.3 22.1	C+ C-	Yes Yes	20.0 <b>84.6</b>	C <b>F</b>	Yes Yes	21.2 106.9	C <b>F</b>	+1.2 +22.3	Yes Yes	21.2 105.7 <sup>5</sup>	C <b>F</b>	Yes Yes	22.6 129.4 <sup>5</sup>	C- <b>F</b>	+1.4	Yes Yes
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	5/16/17 5/16/17	14.0 6.8	B- A-		18.2 7.2	C+ A-	-	<b>66.3</b> 16.6	F C+	-	<b>84.0</b> 19.7	F C	+17.7 +3.1		<b>82.8</b> 19.9	F C		104.7 <sup>5</sup>	<b>F</b> C-	<b>+21.9</b> +4.0	
			Two-Way Stop (Worst Approach)	D		AM PM		<b>71.2</b> 17.6	F C+	Yes No	<b>105.8</b> <sup>5</sup> 19.5	F C	Yes No	572.6 82.0	F F	Yes Yes	766.6 107.1	F	+194.0 +25.1	Yes Yes	754.0 <sup>5</sup>	F F	Yes Yes	1002.5 <sup>5</sup>		+248.5 +33.0	Yes Yes
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM PM	5/23/17 5/23/17	16.8 27.6	B C		16.7 27.5	B C	-	17.3 28.6	B C	-	17.3 28.7	B C	+0.0 +0.1	_	17.8 31.3	B C	-	17.7 31.5	B C	-0.1 +0.2	-
25	US 101 NB Ramps/San Ysidro Avenue and Leavesley Road	Caltrans	Signal	С	No	AM PM	5/23/17 5/23/17	26.6 28.3	C C		26.6 28.5	C	-	26.9 29.4	C C	-	27.0 29.5	C	+0.1 +0.1	_	27.2 30.0	C C		27.2 30.2	C	+0.0 +0.2	-

<sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

3 Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>4</sup> Change in delay, expressed in seconds, for background plus project conditions is measured relative to background conditions.

Change in delay, expressed in seconds, for cumulative plus project conditions is measured relative to cumulative no project conditions.

<sup>5</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of

quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>6</sup> One-way stop-controlled intersection under existing conditions. Assumed to be signalized under background conditions.
<sup>7</sup> Uncontrolled intersection under existing conditions. Assumed to be all-way stop-controlled with the project.

\* = CMP intersection

Entries denoted in **bold** indicate conditions that exceed the City's current level of service standard.

Denotes significant impact based on City of Gilroy criteria.
 Denotes significant impact based on Caltrans criteria.



Table ES 2 **Intersection Vehicle Queue Analysis Summary** 

		nterey/ asten		terey/ insey³		Monterey Farrell			terey/ esley	Wren/ Farrell	US 101 NB On-Ramps/ Masten		US 101 NB Off-Ramps/ Leavesley	
	WBL	WBL	EB	EB	EB	EB	NBL	SBL	SBL	WBL	EBL	EBL	NBL	
Measurement	AM	PM	AM	PM	AM	PM	PM	AM	PM	РМ	AM	PM	PM	
Existing Conditions														
Cycle/Delay1 (sec)	95	145			75	80	80	80	92	16.2	9.4	8.1	105	
Lanes	1	1			2	2	1	1	1	1	1	1	2	
Volume (vph)	133	387			589	236	58	217	254	371	538	349	370	
Volume (vphpl)	133	387			295	118	58	217	254	371	538	349	185	
Avg. Queue (veh/ln.)	4	16			6	3	1	5	6	2	1	1	5	
Avg. Queue <sup>2</sup> (ft./ln)	88	390			153	66	32	121	162	42	35	20	135	
95th %. Queue (veh/ln.)	7	22			10	6	3	9	11	4	4	2	9	
95th %. Queue (ft./ln)	175	550			250	150	75	225	275	100	100	50	225	
Storage (ft./ In.)	340	340			700	700	325	450	450	250	150	150	350	
Adequate (Y/N)	YES	NO			YES	YES	YES	YES	YES	YES	YES	YES	YES	
. , ,		140							120	120		120	120	
Existing Plus Project Conditions														
Cycle/Delay <sup>1</sup> (sec)	95	145			75	80	80	80	92	20.3	9.7	8.2	105	
Lanes	1	1			2	2	1	1	1	1	1	1	2	
Volume (vph)	151	447			679	299	92	238	269	405	590	386	384	
Volume (vphpl)	151	447			340	150	92	238	269	405	590	386	192	
Avg. Queue (veh/ln.)	4	18			7	3	2	5	7	2	2	1	6	
Avg. Queue <sup>2</sup> (ft./ln)	100	450			177	83	51	132	172	57	40	22	140	
95th %. Queue (veh/ln.)	8	25			12	7	5	9	11	5	4	3	10	
95th %. Queue (ft./ln)	200	625			300	175	125	225	275	125	100	75	250	
Storage (ft./ ln.)	340	340			700	700	325	450	450	250	150	150	350	
Adequate (Y/N)	YES	NO			YES	YES	YES	YES	YES	YES	YES	YES	YES	
Background Conditions														
Cycle/Delay <sup>1</sup> (sec)	95	145	60	60	75	80	80	80	92	12.8	11.7	9.1	105	
Lanes	1	1	1	1	2	2	1	1	1	1	1	1	2	
Volume (vph)	146	431	349	158	325	138	59	247	275	253	832	625	476	
Volume (vphpl)	146	431	349	158	163	69	59	247	275	253	832	625	238	
Avg. Queue (veh/ln.)	4	17	6	3	3	2	1	5	7	1	3	2	7	
Avg. Queue <sup>2</sup> (ft./ln)	96	434	145	66	85	38	33	137	176	22	68	39	174	
95th %. Queue (veh/ln.)	7	24	10	6	7	4	3	10	12	3	6	4	12	
95th %. Queue (ft./ln)	175	600	250	150	175	100	75	250	300	75	150	100	300	
Storage (ft./ In.)	340	340	Future	Future	700	700	325	450	450	250	150	150	350	
Adequate (Y/N)	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	
Background Plus Project Conditions														
Cycle/Delay <sup>1</sup> (sec)	95	145	60	60	75	80	80	80	92	14.3	12.4	9.3	105	
Lanes	1	1	1	1	2	2	1	1	1	1	1	1	2	
Volume (vph)	164	491	397	192	367	167	88	268	290	276	884	662	490	
Volume (vphpl )	164	491	397	192	184	84	88	268	290	276	884	662	245	
Avg. Queue (veh/ln.)	4	20	7	3	4	2	2	6	7	1	3	2	7	
Ava. Queue <sup>2</sup> (ft./ln)	108	494	165	80	96	46	49	149	185	27	76	43	179	
95th %. Queue (veh/ln.)	8	27	11	6	7	40	49	149	12	3	6	43	179	
95th %. Queue (ft./ln)	200	675	275	150	175	100	100	250	300	75	150	100	300	
	340	340	Future	Future	700	700	325	450	450	75 250	150	150	350	
Storage (ft./ ln.)	YES		YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	
Adequate (Y/N)	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	

<sup>&</sup>lt;sup>1</sup> Vehicle queue calculations based on cycle length for signalized intersections and control delay for unsignalized intersections.



<sup>&</sup>lt;sup>2</sup> Assumes 25 feet per vehicle in the queue.

 $<sup>^3</sup>$  Eastbound approach assumed to be completed under background and background plus project conditions. NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, R = Right, T = Through, L = Left.

## 1. Introduction

This report presents the results of the Traffic Impact Analysis conducted for the annexation and prezoning of the proposed Wren Investors/Hewell Property Development in unincorporated Santa Clara County, just outside the City of Gilroy city limits. The project proposes to amend the City's Urban Service Area (USA) to include approximately 47 acres of property, generally located south of Vickery Lane between Kern and Wren Avenues, and north of the existing residential units located north of Mantelli Drive (Wren Investors site), plus an additional 4.16 acres of mainly vacant land located at the northeast corner of the Kern Avenue and Vickery Avenue intersection (Hewell Property site). This traffic analysis evaluates the preliminary development plan which includes 137 low-density residential lots, 20 medium-density residential lots, 102 high-density townhome/apartments, and 0.40 acres of neighborhood commercial within the Wren Investors site, and 48 single-family residential units within the Hewell Property site, both of them consistent with the existing General Plan land-use designation on the site (Neighborhood District).

The traffic impact analysis documents the impacts to the surrounding transportation system associated with the increase in traffic due to the proposed project. The project study area and study intersections are shown on Figure 1. The conceptual site plan for the Wren Investors and Hewell Property projects are shown on Figures 2 and 3, respectively.

## **Scope of Study**

The traffic impact analysis documents the potential traffic impacts to the surrounding transportation network associated with the proposed USA amendment and development of the above two sites. The projects were not analyzed separately, but as a single project. For ease of reference, the proposed development will be referred to as the proposed project and/or proposed Wren/Hewell project throughout this report.

The purpose of the traffic analysis is to satisfy the requirements of the City of Gilroy, the Congestion Management Program (CMP) of the Santa Clara Valley Transportation Authority (VTA), Caltrans, and the California Environmental Quality Act (CEQA). The traffic analysis consists of an evaluation of levels of service at key study intersections. A freeway level of service analysis was not completed since it is not anticipated that the proposed project would add sufficient traffic to US 101 to trigger a project impact. However, per CMP guidelines, an analysis to document the determination that a freeway level of service analysis is not required is included within the following sections.

The study includes the analysis of 25 intersections. The potential impacts of the project on intersections were evaluated in accordance with City of Gilroy and Caltrans level of service standards and impact criteria. The study facilities are identified below and shown on Figure 1.



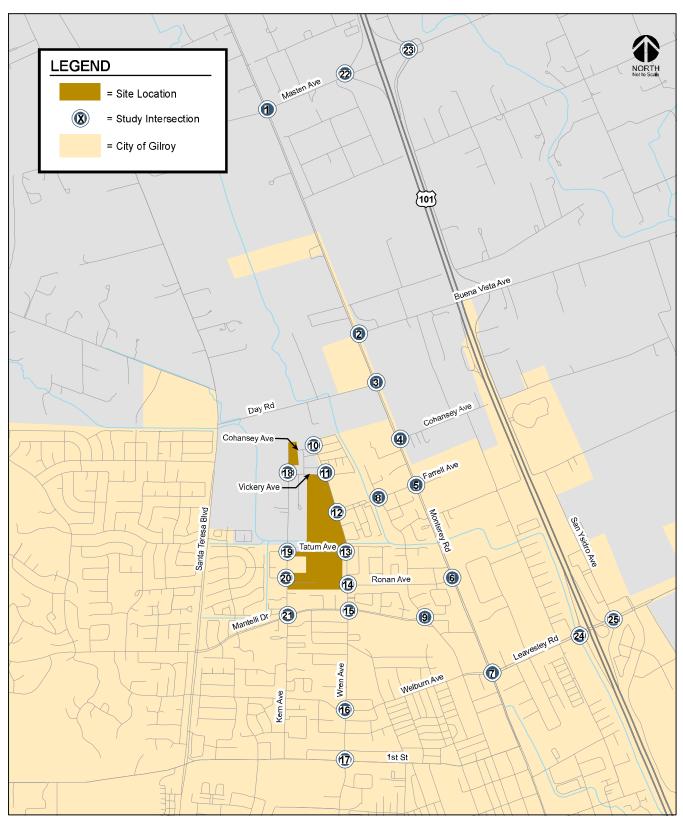


Figure 1 Site Location and Study Intersections



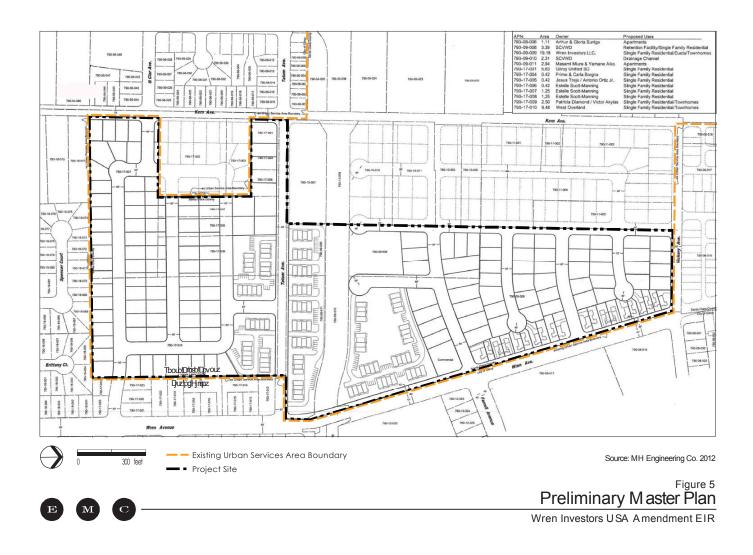


Figure 2
Conceptual Site Plan – Wren Investors Property



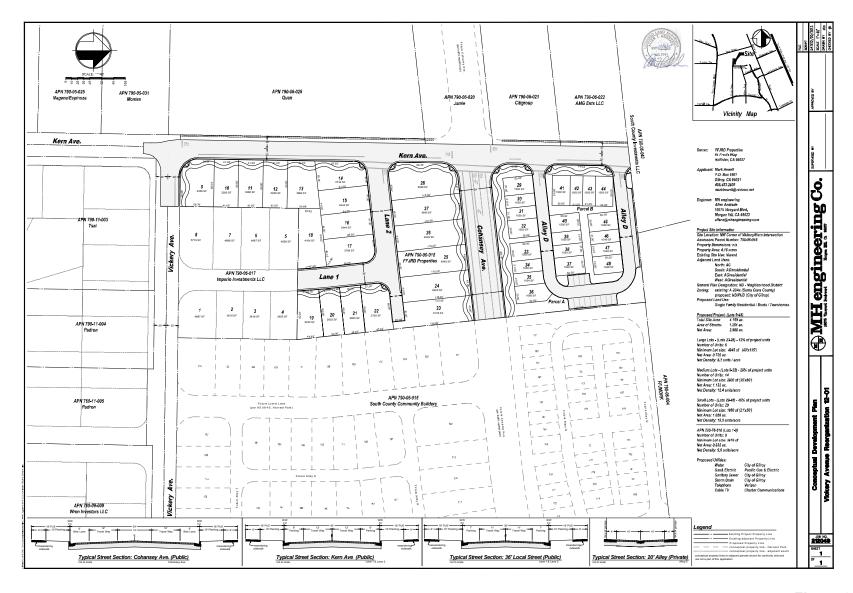


Figure 3
Conceptual Site Plan – Hewell Property



### **Study Intersections**

The study includes the evaluation of traffic conditions at 6 signalized intersections and 19 unsignalized intersections. All but three of the study intersections are located within the City of Gilroy (denoted on the list below with a CofG superscript). The three study intersections outside the City of Gilroy limits are located within unincorporated Santa Clara County (denoted with a SCC superscript). Additionally, six of the study intersections are under the jurisdiction of Caltrans and one study intersection is a CMP designated intersection (denoted with a CT and CMP superscript, respectively). The following key intersections were evaluated:

- 1. Monterey Road and Masten Avenue/Fitzgerald Avenue (signalized) SCC
- 2. Monterey Road and Buena Vista Avenue (unsignalized) CofG
- 3. Monterey Road and Day Road (unsignalized) CofG
- 4. Monterey Road and Cohansey Avenue (unsignalized) CofG
- 5. Monterey Road and Farrell Avenue (signalized) CofG
- 6. Monterey Road and Ronan Avenue (unsignalized) CofG
- 7. Monterey Road and Leavesley Road (SR 152)/Welburn Avenue (signalized) CofG, CMP, CT
- 8. Church Street and Farrell Avenue (unsignalized) CofG
- 9. Church Street and Mantelli Drive (unsignalized) CofG
- 10. Wren Avenue and Cohansey Avenue (unsignalized) CofG
- 11. Wren Avenue and Vickery Avenue (unsignalized) CofG
- 12. Wren Avenue and Farrell Avenue (unsignalized) CofG
- 13. Wren Avenue and Tatum Avenue (unsignalized) CofG
- 14. Wren Avenue and Ronan Avenue (unsignalized) <sup>CofG</sup>
- 15. Wren Avenue and Mantelli Drive (unsignalized) <sup>ĆofG</sup>
- 16. Wren Avenue and Welburn Avenue (unsignalized) CofG
- 17. Wren Avenue and First Street (signalized) CofG, CT
- 18. Kern Avenue and Vickery Avenue (unsignalized) CofG
- 19. Kern Avenue and Tatum Avenue (unsignalized) CofG
- 20. Kern Avenue and St. Clar Avenue/Ronan Avenue (unsignalized) CofG
- 21. Kern Avenue and Mantelli Drive (unsignalized) CofG
- 22. US 101 Southbound ramps and Masten Avenue (unsignalized) SCC, CT
- 23. US 101 Northbound ramps and Masten Avenue (unsignalized) SCC, CT
- 24. US 101 Southbound ramps and Leavesley Road (SR 152) (signalized) CofG, CT
- 25. US 101 Northbound ramps and Leavesley Road (SR 152) (signalized) CofG, CT

#### **Study Time Periods**

Traffic conditions at the study intersections were analyzed for the weekday AM and PM peak hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 to 6:00 PM period. It is during these times that the most congested traffic conditions occur on an average day.

#### **Study Scenarios**

Traffic conditions were evaluated for the following scenarios:

**Scenario 1:** Existing Conditions. Existing conditions were represented by existing peak-hour traffic volumes on the existing roadway network. Existing intersection traffic volumes were obtained from recently conducted traffic studies in the area and new traffic counts conducted in November 2017.



- **Scenario 2:** Existing Plus Project Conditions. Existing plus Project conditions represent existing peak-hour traffic volumes on the existing roadway network with the addition of traffic generated by the proposed project if the project was open and operating today. Existing plus project conditions were evaluated relative to existing conditions in order to determine potential project deficiencies on the existing transportation network attributable to the project only.
- **Scenario 3:** Background Conditions. Background traffic conditions represent future traffic volumes on the existing transportation network. Background traffic volumes were estimated by adding to existing peak-hour volumes the projected trips from approved but not yet constructed developments in the study area. Background conditions represent the baseline conditions to which project conditions are compared for the purpose of determining project impacts.
- **Scenario 4:** Background Plus Project Conditions. Background plus project conditions, or simply referred to as Project Conditions, represent future traffic volumes with the proposed project. Background plus project conditions were estimated by adding to background traffic volumes the trips associated with the proposed project (or project traffic volumes). Background plus project conditions were evaluated relative to background conditions in order to determine potential project impacts.
- Scenario 5: Cumulative Conditions. Cumulative conditions represent future traffic volumes on the future transportation network that would result from traffic growth projected to occur due to proposed but-not-yet-approved (pending) development projects. Traffic volumes from proposed but-not-yet-approved developments were added to background conditions peak-hour volumes to obtain volumes for cumulative without project conditions. Cumulative conditions were evaluated for two scenarios: (1) without the proposed project and (2) with project-generated traffic. The change between these two scenarios illustrates the relative impact the proposed project could have on cumulative conditions.

## Methodology

This section presents the methods used to determine the traffic conditions for each scenario described above. It includes descriptions of the data requirements, the analysis methodologies, and the applicable level of service standards.

#### **Data Requirements**

The data required for the analysis were obtained from new traffic counts, previous traffic studies, the City of Gilroy, and field observations. The following data were collected from these sources:

- existing traffic volumes
- existing lane configurations
- signal timing and phasing (signalized intersections)
- approved and pending developments information (size, use, and location)

#### **Analysis Methodologies and Level of Service Standards**

Traffic conditions at the study intersections were evaluated using level of service (LOS). *Level of Service* is a qualitative description of operating conditions ranging from LOS A, or free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays.



The various analysis methods and level of service standards are described below.

#### **Intersection Analyses**

In summary, the study includes an analysis of a total of twenty-five intersections. Twenty-two of the study intersections are located within the City of Gilroy and three of them are located within unincorporated Santa Clara County. In addition, six of the study intersections are under the jurisdiction of Caltrans and one of them is a CMP designated intersection.

All intersections located within the City of Gilroy are subject to the City of Gilroy Level of Service standards and impact criteria. The County of Santa Clara does not have adopted intersection level of service standards nor significant impact criteria. Per direction from Santa Clara County Roads and Airports staff on previous traffic analyses projects, the Santa Clara County intersections were evaluated based on City of Gilroy standards and impact thresholds. Because the study intersections are either located in the City of Gilroy or its sphere of influence, all study intersections were evaluated based on the City of Gilroy level of service standards and impact criteria.

An evaluation of intersections under the jurisdiction of Caltrans, based Caltrans' intersection level of service standards and impact thresholds, also is included in this report.

#### City of Gilroy and Santa Clara County Signalized Intersections

The City of Gilroy uses the Santa Clara County CMP level of service analysis procedure, TRAFFIX, for evaluation of signalized intersections. TRAFFIX is based on the *2000 Highway Capacity Manual* (2000 HCM) methodology for signalized intersections. TRAFFIX evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection. *Control delay* is the amount of delay that is attributed to the particular traffic control device at the intersection, and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The correlation between average delay and level of service is shown in Table 1.

The City of Gilroy level of service standard for most signalized intersections located west of US 101 is LOS C or better. For signalized intersections located east of US 101 and those in the commercial area designated in the City of Gilroy General Plan (LOS D Area), the City standard is LOS D or better. The level of service D area includes all areas east of US 101, the Tenth Street corridor from Monterey Street to US 101, the Luchessa corridor east of Monterey Street, and the Monterey Street corridor from Luchessa Avenue to the Monterey Street/US 101 interchange. Three of the study intersections are located within the LOS D area:

- 23. US 101 Northbound ramps and Masten Avenue
- 24. US 101 Southbound ramps and Leavesley Road (SR 152)
- 25. US 101 Northbound Ramps and Leavesley Road (SR 152)

Therefore, the above intersections have a level of service standard of LOS D, based on City of Gilroy level of service standards. The rest of the study intersections are located within the LOS C area and therefore have a LOS C standard.

#### CMP Intersections

The study intersection of *Monterey Road and Leavesley Road/Welburn Avenue* is also designated as a CMP intersection by VTA. Since TRAFFIX is the designated level of service analysis procedure for both the CMP and the City of Gilroy, the CMP study intersection is not analyzed separately, but rather is among the City of Gilroy signalized intersections analyzed using TRAFFIX. The only difference between the Gilroy and CMP analyses is that project impacts are determined on the basis of different level of service standards – the CMP level of service standard for signalized intersections is LOS E or better.



Table 1
Signalized Intersection Level of Service Definitions Based on Control Delay

Level of Service	Description	Average Control Delay per Vehicle (sec.)								
А	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	up to 10.0								
В	Operations with low delay occurring with good progression and/or short cycle lengths.	10.1 to 20.0								
С	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1 to 35.0								
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0								
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.1 to 80.0								
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	Greater than 80.0								
Source: Transportation Research Board, 2000 Highway Capacity Manual, (Washington, D.C., 2000).										

#### City of Gilroy and Santa Clara County Unsignalized Intersections

For unsignalized intersections in the City of Gilroy, an assessment of traffic operations at the intersection is based on two methodologies: (1) peak-hour levels of service are calculated for the entire intersection (intersection average level of service) and for the stop-controlled approach with the highest delay (worst approach level of service) and (2) an assessment is made of the need for signalization of the intersection based on traffic volume levels.

The procedure used to determine the level of service for unsignalized intersections is TRAFFIX and the 2000 Highway Capacity Manual methodology for unsignalized intersection analysis. This method is applicable for both two-way and all-way stop-controlled intersections. For the analysis of stop-controlled intersections, the 2000 HCM methodology evaluates intersection operations on the basis of average control delay time for all vehicles on the stop-controlled approaches.

For the purpose of reporting level of service for stop-controlled intersections, two levels of service are reported. The first is the "overall intersection average" delay and corresponding level of service, which is a measure of the average delay incurred by all motorists at the intersection, including those on the approaches that are not subject to stop control. The second level of service reported is the delay and corresponding level of service for the "highest delay approach", which is a measure of the delay incurred by motorists only on the stop-controlled approach which is most impacted by traffic conditions



at the intersection. The correlation between average control delay and level of service for unsignalized intersections is shown in Table 2.

The level of service analysis at unsignalized intersections is supplemented with an assessment of the need for signalization of the intersection. This assessment is made on the basis of signal warrant criteria adopted by Caltrans. For this study, the need for signalization is assessed on the basis of the operating conditions at the intersection (i.e., level of service) and on the peak-hour traffic signal warrant, Warrant #3, described in the 2014 California Manual on Uniform Traffic Control Devices for Streets and Highways, Part 4, Highway Traffic Signals. This method provides an indication of whether traffic conditions and peak-hour traffic levels are, or would be, sufficient to justify installation of a traffic signal. Other traffic signal warrants are available; however, they cannot be checked under future conditions (background, project, and cumulative) because they rely on data for which forecasts are not available (such as accidents, pedestrian volume, and four- or eight-hour vehicle volumes).

The City of Gilroy level of service standard for unsignalized intersections has two parts:

- The first part indicates that all stop-controlled intersections must operate with an overall
  intersection average delay of LOS C or better for those intersections located within the LOS C
  area, and LOS D or better for those intersections located within the LOS D area.
- The second part indicates that a one-way/two-way stop controlled intersection is considered to
  exceed the City's standard if the stop-controlled approach with the highest delay operates at
  LOS E or F <u>and</u> the peak-hour traffic volume level at the intersection is high enough to satisfy
  the peak-hour volume signal warrant.

One of the unsignalized study intersections is located within the LOS D area:

23. US 101 Northbound Ramps and Masten Avenue

The above intersection was evaluated based on an overall intersection level of service standard of D and a level of service standard of E for the stop-controlled approach with the highest delay. The remaining unsignalized study intersections are located within the LOS C area and, therefore, have an overall intersection level of service standard of C and a level of service standard of D for the stop-controlled approach with the highest delay.

#### State (Caltrans) Intersections

Intersections under the State (Caltrans) jurisdiction also were evaluated based on the HCM methodology for signalized and unsignalized intersections, as recommended in the Caltrans *Guide for the Preparation of Traffic Impact Studies*, December 2002. Since Caltrans does not have an adopted level of service analysis procedure, the study Caltrans intersections were evaluated based on the Santa Clara County CMP procedures, TRAFFIX. The Caltrans study intersections were evaluated based on the average delay for the intersection and applying the Caltrans level of service standards and impact thresholds.

The Caltrans level of service standard for intersections is LOS C or better. However, Caltrans acknowledges that a LOS C standard may not always be feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS. If an existing Caltrans facility is operating at less than the appropriate target level of service, the existing level of service should be maintained.

For the purposed of this study, and for consistency with previous traffic studies, all study Caltrans intersections were evaluated based on a LOS C standard.



Table 2
Unsignalized Intersection Level of Service Definitions Based on Control Delay

Level of Service	Description	Average Control Delay per Vehicle (sec.)							
А	Operations with very low delays occurring with favorable progression.	up to 10.0							
В	Operations with low delays occurring with good progression.	10.1 to 15.0							
С	Operations with average delays resulting from fair progression.	15.1 to 25.0							
D	Operation with longer delays due to a combination of unfavorable progression of high V/C ratios.	25.1 to 35.0							
Е	Operation with high delay values indicating poor progression and high V/C ratios. This is considered to be the limited of acceptable delay.	35.1 to 50.0							
F	Operation with delays unacceptable to most drivers occurring due to oversaturation and poor progression.	Greater than 50.0							
Source: Transportation Research Board, 2000 Highway Capacity Manual, (Washington, D.C., 2000).									

#### **Freeway Segment Analysis**

An analysis of freeway levels of service was not conducted since the project would not add enough traffic to the freeway segments near the site to warrant a freeway analysis.

According to CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is required if the number of project trips added to any freeway segment equals or exceeds one percent of the capacity of the segment. The key freeway segments in the study area were evaluated to determine if the project traffic on each segment would exceed this threshold. US 101 has three mixed flow lanes in each direction in the vicinity of the project site. The CMP specifies that a mixed-flow lane capacity of 2,300 vehicles per hour per lane (vphpl) be used for segments six lanes or wider in both directions and a capacity of 2,200 vphpl be used for segments with less than six lanes. Thus, the three lanes on US 101 near the project site have a capacity of 6,900 vph. Using the CMP's one-percent threshold, a freeway level of service analysis for US 101 would be needed if the project adds 69 or more peak-hour trips to the freeway segments near the site. A review of the project trip assignment indicates that the greatest number of project trips in any direction on the subject freeway segments would be no more than 60 trips (US 101 freeway segments north of Masten Avenue) during both the AM and PM peak hours. Since the number of project trips on the freeway segments are less than the one-percent threshold, the project would not cause a significant increase in traffic on the freeway segments in the study area, and a freeway level of service analysis is not required. The freeway capacity analysis is summarized on Table 3.



Table 3
Freeway Segment Capacity Evaluation

Freeway	Segment	Direction	Peak Hour	# of Lanes <sup>1</sup>	Capacity <sup>2</sup> (vph)	1% of Capacity	Existing LOS <sup>1</sup>	Project Trips Added	LOS Analysis Required?
US 101	from Bloomfield Avenue (SR 25) to Monterey Road	NB NB	AM PM	2 2	4,400 4,400	44 44	C C	4 14	No No
US 101	from Monterey Road to Pacheco Pass Highway	NB NB	AM PM	3 3	6,900 6,900	69 69	C B	4 14	No No
US 101	from Pacheco Pass Highway to Leavesley Road	NB NB	AM PM	3 3	6,900 6,900	69 69	C C	4 14	No No
US 101	from Leavesley Road to Masten Avenue	NB NB	AM PM	3 3	6,900 6,900	69 69	C B	0 0	No No
US 101	from Masten Avenue to San Martin Avenue	NB NB	AM PM	3 3	6,900 6,900	69 69	C B	52 37	No No
US 101	from San Martin Avenue to Tennant Avenue	NB NB	AM PM	3 3	6,900 6,900	69 69	<b>F</b> B	52 37	No No
US 101	from Tennant Avenue to East Dunne Avenue	NB NB	AM PM	3 3	6,900 6,900	69 69	<b>F</b> C	52 37	No No
US 101	from East Dunne Avenue to Cochrane Road	NB NB	AM PM	3 3	6,900 6,900	69 69	E C	52 37	No No
	from Cochrane Road to East Dunne Avenue	SB SB	AM PM	3 3	6,900 6,900	69 69	B E	18 60	No No
US 101	from East Dunne Avenue to Tennant Avenue	SB SB	AM PM	3 3	6,900 6,900	69 69	B E	18 60	No No
US 101	from Tennant Avenue to San Martin Avenue	SB SB	AM PM	3 3	6,900 6,900	69 69	B E	18 60	No No
US 101	from San Martin Avenue to Masten Avenue	SB SB	AM PM	3 3	6,900 6,900	69 69	B D	18 60	No No
US 101	from Masten Avenue to Leavesley Road	SB SB	AM PM	3 3	6,900 6,900	69 69	B D	0 0	No No
US 101	from Leavesley Road to Pacheco Pass Highway	SB SB	AM PM	3 3	6,900 6,900	69 69	B C	12 9	No No
US 101	from Pacheco Pass Highway to Monterey Road	SB SB	AM PM	3 3	6,900 6,900	69 69	A E	12 9	No No
US 101	from Monterey Road to Bloomfield Avenue (SR 25)	SB SB	AM PM	2 2	4,400 4,400	44 44	В <b>F</b>	12 9	No No

<sup>&</sup>lt;sup>1</sup> Information obtained from the Santa Clara Valley Transportation Authority Congestion Management Program Monitoring Study, 2016.

#### **Intersection Operations**

The analysis of project intersection levels of service was supplemented with an analysis of intersection operations for selected locations. The intersection operations analysis is an important component of the process to evaluate traffic conditions at an intersection. Although calculated levels of service may appear adequate at some locations, traffic operations problems caused by inadequate storage space for vehicle queues could prevent the intersection from ever realizing the calculated level of service. When inadequate storage space becomes an issue, queues in one turn movement might spill into an adjacent lane and block traffic in that lane from proceeding through the intersection.

The operations analysis is based on vehicle queuing for high-demand movements at intersections. Vehicle queues were estimated using a Poisson probability distribution, which estimates the probability of "n" vehicles in the queue for a vehicle movement using the following formula:

P (x=n) = 
$$\frac{\lambda^n e^{-(\lambda)}}{\lambda^n}$$



<sup>&</sup>lt;sup>2</sup> Based on a capacity of 2,300 vehicles per hour per lane (vphpl) for freeway sections with six or more lanes, and 2,200 vphpl for freeway sections with four lanes. **Bold** indicates unacceptable LOS.

n!

Where:

P(x=n) = probability of "n" vehicles in queue per lane

n = number of vehicles in the queue per lane

 $\lambda$  = Average number of vehicles in the queue per lane (vehicles per hour per lane/signal cycles per hour)

The basis of the analysis is as follows: (1) the Poisson probability distribution is used to estimate the 95<sup>th</sup> percentile maximum number of queued vehicles per signal cycle for a particular movement; (2) the estimated maximum number of vehicles in the queue is translated into a queue length, assuming 25 feet per vehicle; and (3) the estimated maximum queue length is compared to the existing or planned available storage capacity for the movement. This analysis thus provides a basis for identifying locations where potential problems may arise in the future and for estimating future storage requirements at intersections.

## **Report Organization**

The remainder of this report is divided into seven chapters. Chapter 2 describes existing conditions in terms of the existing roadway network, transit service, and existing bicycle and pedestrian facilities. Chapter 3 describes the method used to estimate project traffic and the resulting traffic conditions expected under existing plus project conditions. Chapter 4 presents the intersection levels of service under background conditions with the addition of traffic from approved development projects in the city. Chapter 5 presents traffic conditions, potential project impacts, and recommended mitigation measures under background plus project conditions. Chapter 6 presents the traffic conditions in the study area under cumulative conditions with the addition of traffic from development projects that are not yet approved. Chapter 7 contains an evaluation of other transportation-related issues than may not be considered environmental issues, and may not be evaluated in the environmental assessment, but have been included in the traffic study to meet the requirements of the local jurisdiction. Chapter 8 presents the summary and conclusions of the traffic study.



# 2. **Existing Conditions**

This chapter describes the existing conditions for all of the major transportation facilities in the vicinity of the site, including the roadway network, transit service, and bicycle and pedestrian facilities. Also included are the existing levels of service of the key intersections in the study area.

## **Existing Roadway Network**

Regional access to the project site is provided via US 101. Local access to the project site is provided by a variety of roadways, as described below.

**US 101** is a six-lane freeway north of the Monterey Road interchange and transitions to a four-lane freeway south of that point. US 101 extends northward through San Jose and southward into Salinas. This freeway serves as the primary roadway connection between Gilroy and Morgan Hill and other Santa Clara County communities to the north and between Gilroy and Salinas to the south. Access to the project site to and from US 101 is provided via full-access interchanges at Masten Avenue and Leavesley Road.

**Monterey Road** is a four-lane north-south roadway in the vicinity of the project site. It begins at its interchange with US 101 in the southern part of Gilroy and extends northward to San Jose. Monterey Road currently provides access to the project site via Farrell Avenue, and will provide access via the planned Cohansey Avenue extension.

**Church Street** is a two-lane north-south roadway that begins in the southern part of Gilroy at Luchessa Avenue and extends northward just beyond Farrell Avenue where it currently terminates at Sturia Way.

**Wren Avenue** is a two- to four-lane, north-south roadway that begins in the southern part of Gilroy at Uvas Park Drive and extends northward to north of Cohansey Avenue, where it currently terminates. Wren Avenue provides direct access to the project site.

**Kern Avenue** is a two-lane, north-south roadway. It begins at its intersection with First Street/Hecker Pass Highway (SR 152) and extends northward to north of Vickery Avenue where it currently terminates. Kern Avenue would provide direct access to the project site.

**Masten Avenue/Fitzgerald Avenue** is a two-lane, east-west roadway that begins at Center Avenue as Masten Avenue and extends westward to Monterey Street where it changes designation to Fitzgerald Avenue and continues to Santa Teresa Boulevard. Masten Avenue provides direct access to US 101 via a full interchange.



**Cohansey Avenue** is a two-lane, east-west undivided roadway that extends from Monterey Road eastward terminating west of US 101. East of US 101, Cohansey Avenue continues eastward from No Name Uno for approximately 2,000 feet, providing access to residences and undeveloped parcels. Cohansey Avenue is currently being extended from Monterey Road to the eastern Hewell Property site boundary as part of the Harvest Park Phase I and II projects. Additionally, with the development of the proposed project, Cohansey Avenue would be extended through the Hewell Property site to Kern Avenue, providing direct access to the project site. The Cohansey Avenue extension would provide an alternative access route to the project site and surrounding land uses (both existing and future) to/from the north.

**Vickery Avenue** is a two-lane, east-west roadway that extends from Kern Avenue to east of Wren Avenue. Vickery Avenue would provide direct access to the project site.

**Farrell Avenue** is a two-lane east-west roadway that extends between Wren Avenue and Monterey Road. Farrell Avenue currently provides the main access route to the project site and surrounding land uses to/from the north. Farrell Avenue is proposed to be extended into the Wren Investors site and provide direct access to the northern portion of the site.

**Mantelli Drive** is an east-west roadway that begins east of Church Street and extends westward into the west foothills of Gilroy. Mantelli Drive is a four-lane facility between Church Street and Santa Teresa Boulevard.

**Welburn Avenue/Leavesley Road** is a two-lane east-west roadway that begins at Monterey Road as a transition from Leavesley Road and extends westward beyond Santa Teresa Boulevard, where it terminates at Mantelli Drive. Leavesley Road provides direct access to US 101 via a full interchange.

## **Existing Bicycle Facilities**

Bicycle facilities are divided into three classes of relative significance:

- Class I Bikeways (Bike Path). Class I bikeways are bike paths that are physically separated from motor vehicles and offer two-way bicycle travel on a separate path.
- Class II Bikeways (Bike Lane). Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings.
- Class III Bikeways (Bike Route). Class III bikeways are bike routes and only have signs to help guide bicyclists on recommended routes to certain locations.

Within the project study area, Class II bikeways are available on the following roadways:

- Wren Avenue, between Farrell Avenue and Uvas Creek Trail and north of Vickery Avenue,
- Cohansey Avenue, between Hummingbird Lane and Nightingale Drive,
- Farrell Avenue, between Wren Avenue and Church Street
- Church Street, between Welburn Avenue and Farrell Avenue.
- Welburn Avenue, between Wren Avenue and Santa Teresa Boulevard, and
- Mantelli Drive, along the entire length of the street

Lions Creek Trail provides a Class I bicycle/pedestrian trail which runs east/west parallel to (north of) Tatum Avenue from Kern Avenue to west of Church Street, then northward to the intersection of Church Street/Farrell Avenue.

The existing bicycle facilities in the study area are presented on Figure 4.



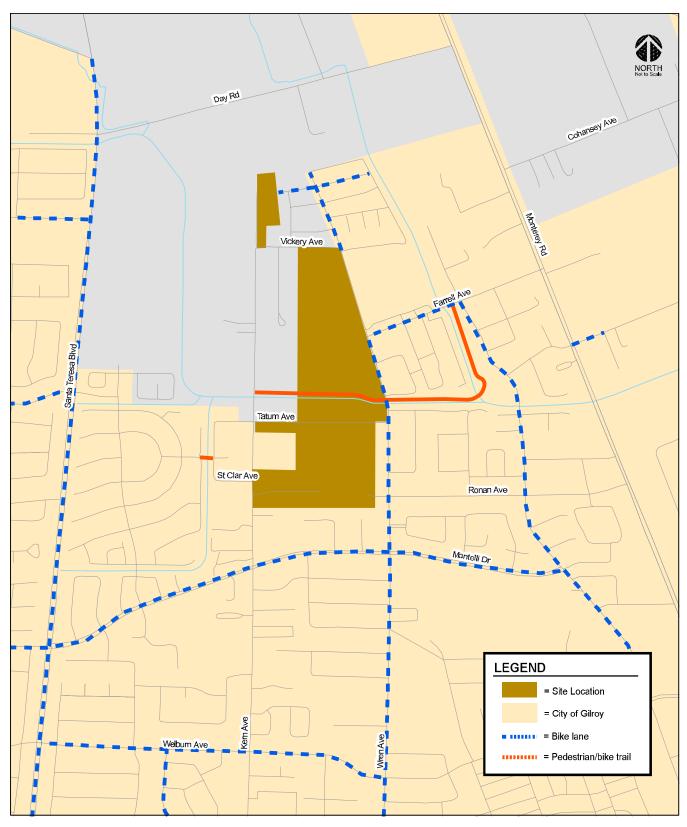


Figure 4 Existing Bicycle Facilities



The Bicycle Transportation Plan contained in the City of Gilroy General Plan, the City of Gilroy Bicycle/Pedestrian Transportation Plan, and the City of Gilroy Trails Master Plan indicate that a variety of bicycle facilities are planned in the study area. These are listed below.

The following bicycle paths and bicycle/pedestrian trails (Class I bikeways) are planned:

- Monterey Road Trail a countywide route proposed to extend south from Morgan Hill to Buena Vista Avenue in Gilroy.
- Day Road Trail along Day Road west of Santa Teresa Boulevard, then eastward across to Buena Vista Avenue and ending at New Avenue.
- Lions Creek Trail along the Santa Clara Valley Water District channel, Lions Creek Trail would extend from west of Christopher High School to Day Road (East), parallel to (east of) Santa Teresa Boulevard and (north of) Tatum Avenue, to Church Street.
- Ronan Channel/Llagas Creek Trail along the Ronan Channel linking residential areas in the northwest area of the City with commercial and industrial areas to the east and southeast.
- Las Animas Trail along Las Animas Avenue, this trail would extend east from Monterey Road to Murray Avenue.
- North Santa Teresa Trail located northwest of the project site, this trail will link the Lions Creek Trail to the regional Santa Teresa trail north of Fitzgerald Avenue;
- Creek Trail from Fitzgerald Avenue to Cohansey Avenue between Santa Teresa Boulevard and Monterey Road

#### Bike lanes (Class II bikeways) are planned for:

- Farrell Avenue, between Wren Avenue and Monterey Road
- Cohansey Avenue
- Wren Avenue, between Farrell Avenue and Vickery Avenue
- Monterey Road, between Farrell Avenue and Leavesley Road

#### Bicycle routes are planned for:

Welburn Avenue, between Wren Avenue and Monterey Road.

## **Existing Pedestrian Facilities**

Pedestrian facilities in the project area consist primarily of sidewalks along residential streets in the study area. Most developed areas in the vicinity of the project site currently have sidewalks along both sides of the street. However, some of the streets within the project area have sidewalks missing along one or both sides of the street, in particular streets along undeveloped areas. In the immediate vicinity of the project area, sidewalks are missing along the following streets:

- Wren Avenue, between Tatum Avenue and Vickery Avenue, there are no sidewalks on the west side of the street
- Kern Avenue, north of Tatum Avenue, unimproved roadway with no sidewalks or paved shoulders, and between Creekside Court and Tatum Avenue, missing sidewalks on the east side of the street
- Tatum Avenue, unimproved roadway with no sidewalks or paved shoulders
- Vickery Avenue, missing sidewalks along the south side of the street and along a short segment on the north side of the street
- Farrell Avenue, between Church Street and Monterey Road, missing sidewalks along the north side
  of the street
- Monterey Road, north of Welburn Avenue on the east side of the street and north of Farrell Avenue on the west side of the street, there are only short segments of sidewalks at bus stops locations



Currently, main access to the project sites (both vehicular and pedestrian) is provided via Kern and Wren Avenues. Pedestrians accessing nearby schools (Antonio Del Buono and Rod Kelley Elementary schools) and other pedestrian facilities/destinations (such as pedestrian trails, existing transit facilities, commercial areas, and others) would utilize both Kern and Wren Avenues. However, with the missing sidewalks along segments of both Kern and Wren Avenues in the vicinity of the project site, there is currently not a continuous pedestrian connection between the Hewell Property and Wren Investors sites, or between the project sites and other pedestrian facilities/destinations.

Other pedestrian facilities in the project area include crosswalks and pedestrian push buttons along at least two of the legs at all study intersections. The existing pedestrian facilities in the study area are shown on Figure 5.

## **Existing Transit Service**

Existing transit service in Gilroy is provided primarily by Santa Clara County VTA buses. The transit services that currently operate within the study area are described below and shown on Figure 6.

#### Santa Clara County VTA Bus Service

Although no existing bus routes currently serve the project site directly, several bus routes serve the project's general area.

- Community Bus Route 19 provides service between the Gilroy Transit Center and First Street/Kern Avenue via Wren Avenue, Mantelli Drive, and Kern Avenue with approximately 40 to 50-minute headways during commute hours. The nearest bus stop served by Route 19 is located along Wren Avenue, south of Mantelli Drive.
- Route 68 provides service between the Gilroy Transit Center and the San Jose Diridon Transit Center via Monterey Road with approximately 15 to 20-minute headways during commute hours. The nearest bus stops served by Route 68 buses are located near the intersections of Monterey Road with Cohansey Avenue, Farrell Avenue, and Ronan Avenue.

The project area is served by express bus Routes 121 and 168. *Route 121* provides northbound service during the morning commute period and southbound service during the evening commute period between the Gilroy Transit Center and the Lockheed Martin Transit Center via Monterey Road with approximately 15- to 30-minute headways. *Route 168* provides northbound service during the morning commute period and southbound service during the evening commute period between the Gilroy Transit Center and the San Jose Diridon Transit Center via Monterey Road with approximately 15- to 30-minute headways. Both of these express bus routes have scheduled stops at the Gilroy Transit Center and the San Martin Caltrain Station.

#### Caltrain

Caltrain provides commuter rail service between Gilroy and San Francisco. The Gilroy Caltrain Station (Transit Center) is located in Downtown Gilroy, approximately 3 miles south of the project site, and the San Martin Caltrain Station is located approximately 4.5 miles north of the project site.

## **Existing Intersection Lane Configurations**

The existing lane configurations at the study intersections were determined by observations in the field and are shown on Figure 7.



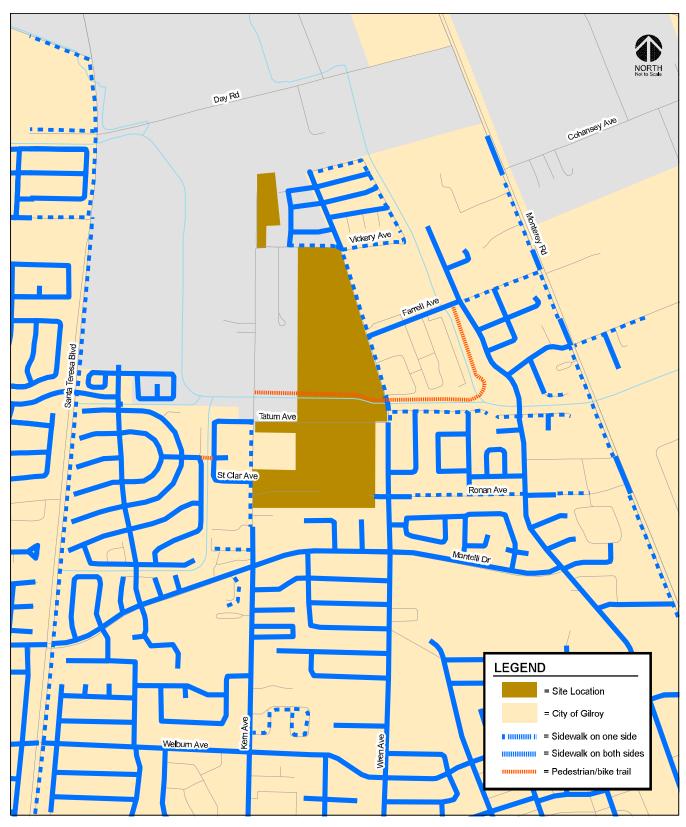


Figure 5 Existing Pedestrian Facilities



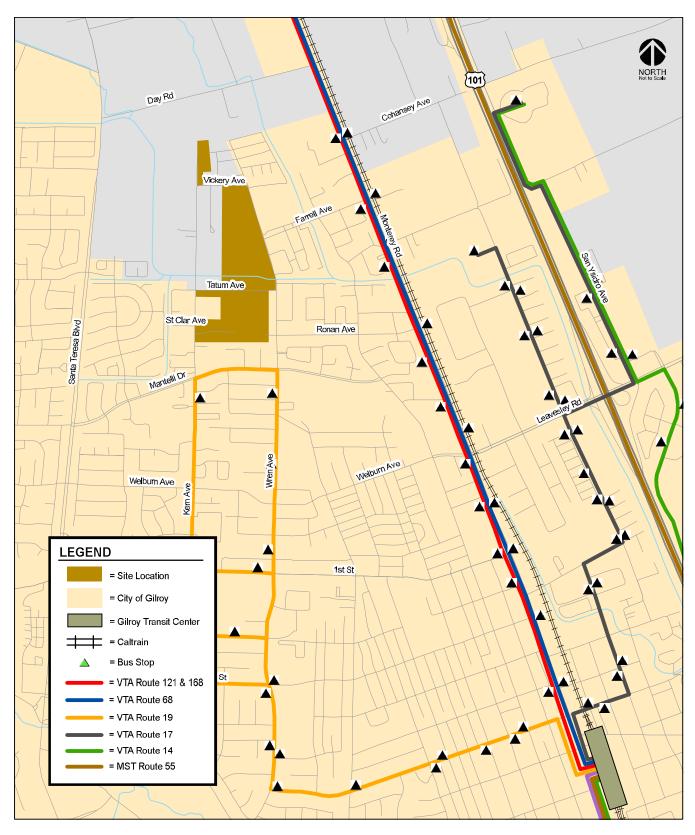


Figure 6 Existing Transit Facilities



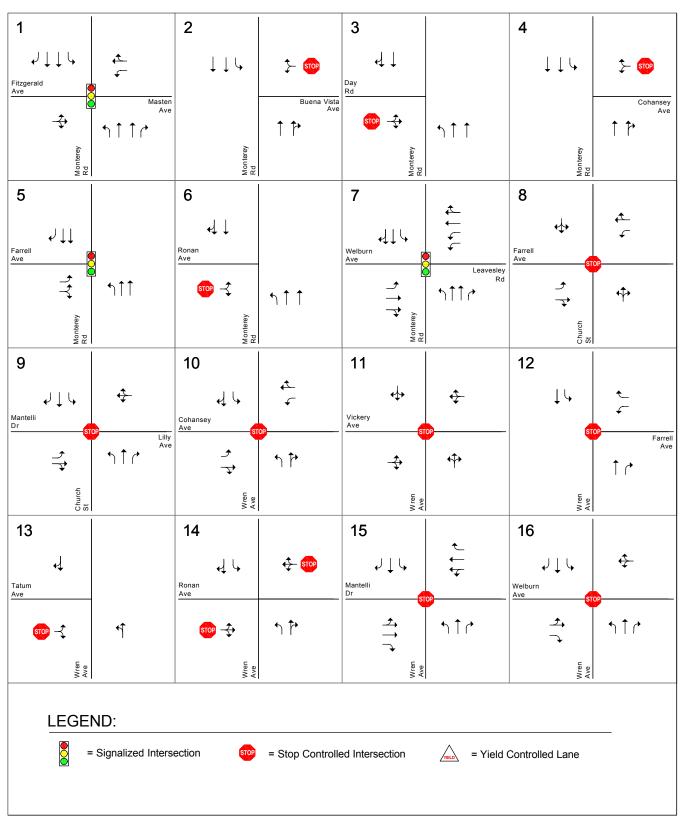


Figure 7 Existing Lane Configurations



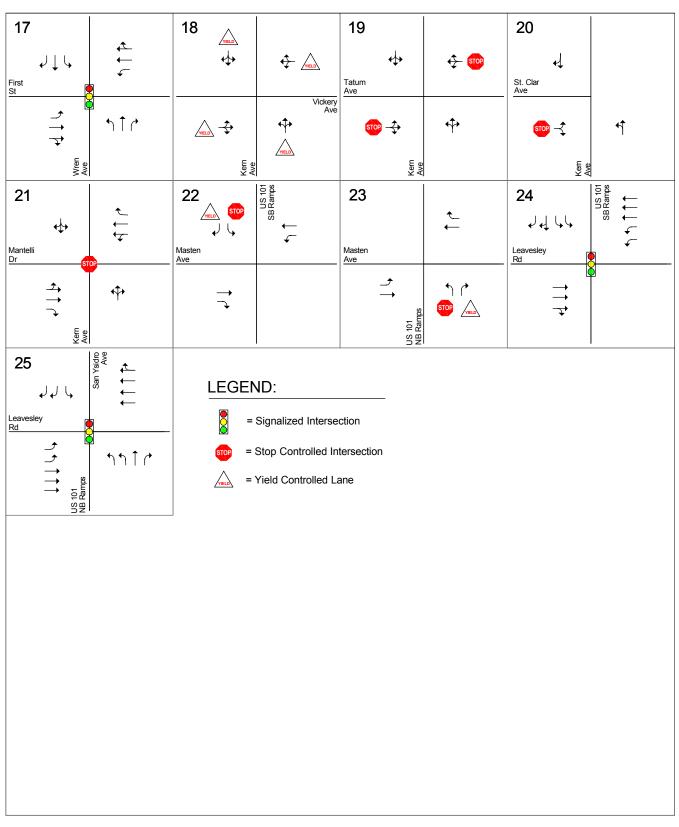


Figure 7 (Continued) Existing Lane Configurations



## **Existing Traffic Volumes**

Existing weekday AM and PM peak-hour traffic volumes were obtained from recently conducted traffic studies in the area and new peak-hour turning movement counts conducted in October 2017. The existing peak-hour intersection volumes are shown on Figure 8. The traffic count data are included in Appendix A. Peak-hour intersection turning movement volumes for all intersections and study scenarios are tabulated in Appendix B.

## **Existing Intersection Levels of Service**

The results of the intersection level of service analysis under existing conditions are discussed below and summarized in Table 4. The analysis results are presented for all study intersections based on City of Gilroy level of service standard and impact criteria. Caltrans intersections also were evaluated based on Caltrans level of service standards and impact criteria.

The level of service calculation sheets are included in Appendix C.

#### City of Gilroy/Santa Clara County Intersections

#### **Signalized Intersections**

The results of the level of service analysis of the signalized study intersections under existing conditions indicate that the study intersection of Monterey Road and Masten Avenue/Fitzgerald Avenue (#1) currently operates at an unacceptable LOS D during the PM peak-hour.

The remaining signalized study intersections currently operate at acceptable levels of service during the AM and PM peak hours.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under existing conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) currently operates at an acceptable LOS C during the AM and PM peak hours.

#### **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under existing conditions indicate that the unsignalized study intersection of Wren Avenue and Welburn Avenue (#16) currently operates with overall average intersection delays corresponding to an unacceptable LOS D during the PM peak-hour.

The unsignalized intersection analysis results also indicate that the following study intersection currently operates with average delays corresponding to LOS E or F on its stop-controlled approach with the highest delay <u>and</u> the traffic volume is high enough to satisfy the peak-hour volume warrant during the same peak-hour:

- 2. Monterey Road and Buena Vista Avenue (LOS F/signal warrant met AM peak-hour, LOS E/signal warrant met PM peak-hour)
- 3. Monterey Road and Day Road (LOS F/signal warrant met AM and PM peak hours)
- 23. US 101 NB Ramps and Masten Avenue (LOS F/signal warrant met AM peak-hour)

Based on the City of Gilroy level of service standards, unsignalized intersections are considered deficient when both the average delay on the stop-controlled approach with the highest delay operates



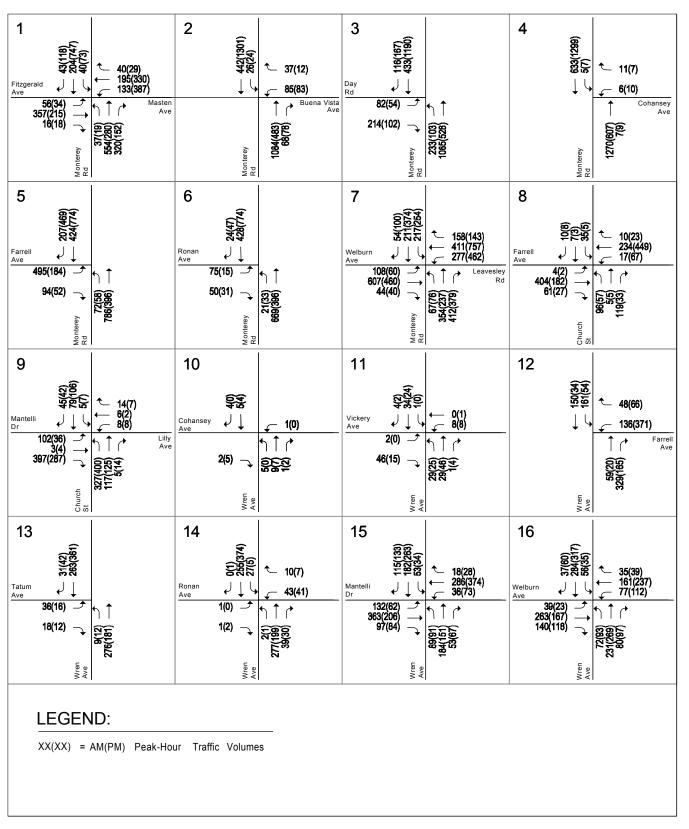


Figure 8 Existing Traffic Volumes



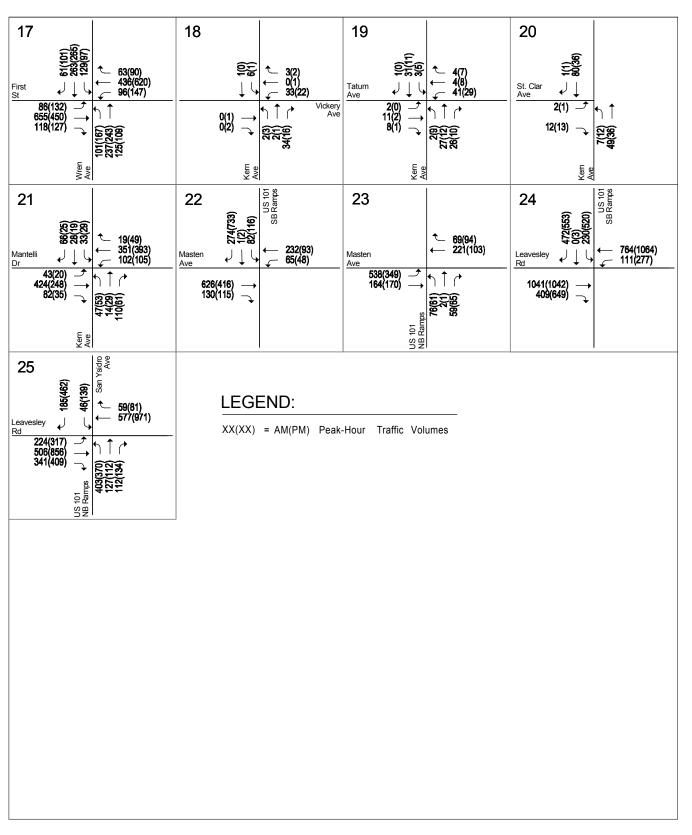


Figure 8 (Continued) Existing Traffic Volumes



Table 4
Existing Intersection Level of Service Results

Study Int.			Intersection	LOS	TIF	Peak	Count	Avg.		Warrant
Number	Intersection	Jurisdiction <sup>1</sup>	Control	Standard	Int. <sup>2</sup>	Hour	Date	Delay	LOS	Met? <sup>3</sup>
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	scc	Signal	С	Yes	AM	1/17/17	30.9	С	
						PM	1/17/17	43.3	D	
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop	С	Yes	AM	5/16/17	5.0	Α	
			(Average Delay)	D		PM AM	5/16/17	2.1 <b>69.0</b>	A+ F	 Yes
			One-Way Stop (Worst Approach)	D		PM		41.4	E	Yes
3	Monterey Road and Day Road	CofG	One-Way Stop	С	Yes	AM	10/17/17	20.6	С	
-			(Average Delay)	_		PM	10/17/17	11.7	B+	
			One-Way Stop	D		AM		141.7	⁴ F	Yes
			(Worst Approach)			PM		152.2	⁴ F	Yes
4	Monterey Road and Cohansey Avenue	CofG	One-Way Stop	С	Yes	AM	10/17/17	0.3	A+	
			(Average Delay)			PM	10/17/17	0.2	A+	
			One-Way Stop	D		AM		25.2	D+	No
_			(Worst Approach)	_		PM		21.5	С	No
5	Monterey Road and Farrell Avenue	CofG	Signal	С	No	AM	1/17/17	16.0	В	
6	Montarov Road and Ronan Avenue	CofG	One-Way Stop	С	No	PM AM	1/17/17 10/17/17	9.7 1.9	A A+	
O	Monterey Road and Ronan Avenue	Cold	(Average Delay)	C	NO	PM	10/17/17	0.8	A+	
			One-Way Stop	D		AM	10/11/11	17.4	C+	Yes
			(Worst Approach)			PM		15.8	C+	No
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	Signal	С	No	AM	1/17/17	27.1	С	
						PM	1/17/17	29.1	С	
8	Church Street and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM	5/16/17	15.8	С	No
						PM	5/16/17	13.4	В	No
9	Church Street and Mantelli Drive/Lilly Ave	CofG	All-Way Stop	С	Yes	AM	5/18/17	15.8	С	Yes
						PM	5/18/17	16.5	С	Yes
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	AM	10/17/17	7.2	A	No
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	PM AM	10/17/17 10/17/17	7.0 7.1	A A	No No
""	Wien Avenue and Vickery Avenue	Cold	All-Way Stop	C	NO	PM	10/17/17	7.1	A	No
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM	5/16/17	10.5	В	No
						PM	5/16/17	12.8	В	No
13	Wren Avenue and Tatum Avenue	CofG	Two-Way Stop	С	No	AM	10/17/17	1.2	A+	
			(Average Delay)			РМ	10/17/17	0.7	A+	
			Two-Way Stop	D		AM		12.3	В	No
			(Worst Approach)			PM		12.0	В	No
14	Wren Avenue and Ronan Avenue	CofG	Two-Way Stop	С	No	AM	10/17/17	1.5	Α+	
			(Average Delay)			PM	10/17/17	1.1	A+	
			Two-Way Stop (Worst Approach)	D		AM PM		14.3 14.1	B- B-	No No
15	Wren Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM	5/16/17	17.7	C	Yes
10	Wien / Wende and Martein Bive	0010	7 iii VVay Otop	Ü	100	PM	5/16/17	17.6	С	Yes
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM	5/16/17	20.0	С	Yes
						PM	5/16/17	27.6	D	Yes
17	Wren Avenue and First Street	Caltrans	Signal	С	Yes	AM	5/16/17	27.9	С	
						PM	5/16/17	31.3	С	
18	Kern Avenue and Vickery Avenue	CofG	Uncontrolled	С	No	AM	10/17/17	7.7	Α	No
40	Many Avanua and Tahum Av	0.70	T 14/2 01	_		PM	10/17/17	6.9	A	No
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop	С	No	AM	10/17/17	4.3	A	
			(Average Delay) Two-Way Stop	D		PM AM	10/17/17	5.6 9.3	A A-	No
			(Worst Approach)	U		PM		9.3	A-	No
20	Kern Avenue and St. Clar Avenue/Ronan Avenue	CofG	One-Way Stop	С	No	AM	10/17/17	1.2	A+	
			(Average Delay)	ŭ		PM	10/17/17	2.1	A+	
			One-Way Stop	D		AM		8.8	A-	No
			(Worst Approach)			PM		8.5	A-	No
	Kern Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM	5/16/17	12.1	В	No
21	Nem Avenue and Mantelli Dilve	0010	7 m Way Otop	Ū	. 00					



## Table 4 (Continued) Existing Intersection Level of Service Results

Study Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Count Date	Avg. Delay	LOS	Warrant Met? <sup>3</sup>
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	5/16/17 5/16/17	4.6 11.6	A B+	- -
			Two-Way Stop (Worst Approach)	D		AM PM		14.8 18.7	B- C	Yes Yes
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	5/16/17 5/16/17	14.0 6.8	B- A-	
			Two-Way Stop (Worst Approach)	D		AM PM		<b>71.2</b> 17.6	<b>F</b> C+	Yes No
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM PM	5/23/17 5/23/17	16.8 27.6	B C	-
25	US 101 NB Ramps/San Ysidro Avenue and Leavesley Road	Caltrans	Signal	С	No	AM PM	5/23/17 5/23/17	26.6 28.3	C C	 

#### Notes:

Entries denoted in **bold** indicate conditions that exceed the City's current level of service standard.

at an unacceptable level of service <u>and</u> the intersection traffic volumes satisfy the peak-hour volume traffic signal warrant during the same peak-hour.

The remaining unsignalized study intersections do not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards.

The peak-hour signal warrant sheets are contained in Appendix D.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for the Caltrans intersections under existing conditions show that all of the Caltrans study intersections currently operate at an acceptable LOS C or better during the AM and PM peak hours.

## **Existing Freeway Levels of Service**

As discussed in Chapter 1 of this report, a freeway level of service analysis was not conducted since the number of project trips added to the freeway segments near the site does not equal or exceed one percent of the capacity of those segments. Based on CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is not required.



<sup>&</sup>lt;sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>&</sup>lt;sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

<sup>&</sup>lt;sup>3</sup> Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>&</sup>lt;sup>4</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>\* =</sup> CMP intersection

# 3.

# **Existing Plus Project Conditions**

This chapter describes existing traffic conditions with the addition of the traffic that would be generated by the proposed project if the project was complete and operating today. Existing plus project conditions were evaluated relative to existing conditions in order to determine potential project deficiencies on the existing transportation network attributable to the project only. Existing plus project conditions are presented per CEQA requirements to disclose the project's effect on existing conditions.

Included within this chapter is the description of the procedure of estimating project-generated traffic and the resulting traffic conditions under existing plus project conditions.

# **Transportation Network under Existing Plus Project Conditions**

It is assumed in this analysis that the transportation network under existing plus project conditions would be the same as the existing transportation network, with the exception of the following project improvements:

Cohansey Avenue – the proposed project would construct the segment of Cohansey Avenue from the Harvest Park Phase I western site boundary to Kern Avenue. Cohansey Avenue would connect the project site to Wren Avenue under existing plus project conditions.

Kern Avenue – the proposed project would develop Kern Avenue, along the Hewell Property western site boundary, and the east side of the street (project's frontage) to conform to City of Gilroy standards and the adjacent developed segment of Kern Avenue.

*Vickery Avenue* – the proposed project would develop Vickery Avenue, along the Hewell Property southern site boundary, and the north side of the street (project's frontage) to conform to City of Gilroy standards and the rest of Vickery Avenue. The remaining segment of Vickery Avenue is planned to be improved by others.

Kern Avenue and Vickery Avenue Intersection – this intersection is currently an undeveloped/uncontrolled intersection (mainly a two-legged intersection without any posted traffic control signs/pavement legend). With implementation of the proposed project both Kern and Vickery Avenues would be improved along the Hewell Property frontage, consequently improving the intersection. It was assumed in the analysis that the intersection of Kern Avenue/Vickery Avenue would operate as an all-way stop controlled intersection with implementation of the proposed project.



Farrell Avenue – Farrell Avenue would be extended westward into the project site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. This intersection is assumed to continue to be all-way stop controlled.

St. Clar Avenue/Ronan Avenue – St. Clar Avenue would be extended eastward into the project site, forming a four-legged intersection at Kern Avenue, and connect to Ronan Avenue, just west of Wren Avenue. This new roadway extension would provide direct access to the southern portion of the Wren Investors site and provide an alternate connection between Wren and Kern Avenues.

# **Project Description**

The project proposes to amend the City's Urban Service Area (USA) to include a total of approximately 51.2 acres of property within two sites (Wren Investors and Hewell Properties). The Wren Investors Property site (approximately 47 acres) is generally located south of Vickery Lane between Kern and Wren Avenues, and north of the existing residential units located north of Mantelli Drive. The Hewell Property site (approximately 4.16 acres) is located at the northeast corner of the Kern Avenue and Vickery Avenue intersection. Both sites are currently mainly vacant.

The preliminary development plans for the project sites include 137 low-density residential lots, 20 medium-density residential lots, 102 high-density townhome/apartments, and 0.40 acres of neighborhood commercial within the Wren Investors site; and 48 single-family residential units within the Hewell Property site. The proposed development is consistent with the existing General Plan landuse designation on the sites (Neighborhood District). Direct access to the project sites would be provided via Cohansey Avenue, Kern Avenue, Vickery Avenue, Wren Avenue, Farrell Avenue, Tatum Avenue, and St. Clar/Ronan Avenue.

The projects were not analyzed separately, but as a single project. For ease of reference, the proposed development will be referred to as the proposed project and/or proposed Wren/Hewell project throughout this report.

# **Project Trip Estimates**

The magnitude of traffic produced by a new development and the locations where that traffic would appear are estimated using a three-step process: (1) trip generation, (2) trip distribution, and (3) trip assignment. In determining project trip generation, the magnitude of traffic entering and exiting the site is estimated for the AM and PM peak hours. As part of the project trip distribution step, an estimate is made of the directions to and from which the project trips would travel. In the project trip assignment step, the project trips are assigned to specific streets and intersections in the study area based on the trip distribution pattern. These procedures are described further in the following sections.

#### **Trip Generation**

The magnitude of traffic generated by the proposed project was estimated by applying to the size of the project the appropriate trip generation rates, as published by the Institute of Transportation Engineers (ITE) in *Trip Generation Manual*, 10<sup>th</sup> Edition, 2017. The trip generation estimates for the proposed project are based on ITE's trip generation rates for single-family residential units (ITE land use code #210) and shopping center (ITE land use code #820). Although the proposed project consists of a combination of single-family and townhome/apartment units, the City of Gilroy implements the use of ITE trip generation rates for single-family units for the evaluation of all residential projects within the City.

A 15-percent (%) trip reduction was applied to the project trip generation estimates for internalization between the retail and the residential uses, as prescribed by VTA guidelines. According to VTA



guidelines, the percent reduction must be based on the smaller trip generator, in this case the retail component, and the resulting number of trips also must be reduced from the larger trip generator, or the residential component of the project. The internalization reduction was applied to the proposed residential units located within Wren Investors site only, since this is the site were the retail component of the proposed project also would be located. In addition, a 20% PM peak-hour pass-by reduction was applied to the retail portion of the project. The pass-by reduction was derived based on information contained in the ITE *Trip Generation Handbook*, Third Edition, regarding pass-by trip percentages obtained from surveys conducted at retail sites in California, as well as pass-by reductions typically used for projects in Santa Clara County. Pass-by-trips are trips that would already be on the adjacent roadways (and are therefore already counted in the existing traffic) but would turn into the site while passing by. Justification for applying the pass-by-trip reduction is founded on the observation that such retail traffic is not actually generated by the retail development, but is already part of the ambient traffic levels. Pass-by-trips are therefore excluded from the traffic projections to yield net new project trips generated by the project. However, at intersections providing direct access to the retail sites, all project-generated traffic is included, including pass-by trips.

On the basis of the ITE trip generation rates, and after applying the above trip reductions, it is estimated that the proposed project would generate 3,105 net new daily trips, with 234 trips (61 inbound and 173 outbound) occurring during the AM peak-hour and 321 trips (199 inbound and 122 outbound) occurring during the PM peak-hour. The project trip generation estimates are presented in Table 5.

#### **Trip Distribution**

The trip distribution pattern for project-generated traffic was estimated based information from previous traffic studies, on traffic patterns in the study area, and on the locations of complementary land uses. The project trip distribution pattern is shown graphically on Figure 9.

#### **Trip Assignment**

The peak-hour trips generated by the proposed development were assigned to the roadway system in accordance with the trip distribution patterns discussed above. The project trip assignment is presented graphically on Figure 10. A tabular summary of project traffic at each study intersection is contained in Appendix B.

# **Existing Plus Project Traffic Volumes**

Project trips, as presented in the above project trip assignment, were added to existing traffic volumes to obtain existing plus project traffic volumes. The existing plus project traffic volumes are shown on Figure 11.



Table 5
Project Trip Generation Estimates

						AM	Peak	Houi				PM	Peak	Hour		
			Daily	Daily	Pk-Hr	Sp	lits		Trip	s	Pk-Hr	Sp	olits		Trip	s
Proposed Land Uses	ITE Land Use	Size	Trip Rate	Trips	Rate	In	Out	In	Out	Total	Rate	In	Out	In	Out	Total
Wren Investors																
Retail	# 820 - Shopping Center	8,000 s.f.	37.75	302	0.94	62%	38%	5	3	8	3.81	48%	52%	14	16	30
15% housing-retail reduction 1	· · · ·			-45				-1	0	-1				-2	-2	-4
20% PM pass-by reduction <sup>2</sup>				-5										-2	-3	-5
Net Retail Project Trips				252				4	3	7				10	11	21
Single-Family Homes <sup>3</sup>	# 210 - Single Family Detached	259 d.u.	9.44	2,445	0.74	25%	75%	48	144	192	0.99	63%	37%	161	95	256
15% housing-retail reduction 1				-45				0	-1	-1				-2	-2	-4
Net Residential Project Trips				2,400				48	143	191				159	93	252
Net Wren Investors Project Trip	s (Residential + Retail)			2,652				52	146	198				169	104	273
Hewell Property																
Single-Family Homes	# 210 - Single Family Detached	48 d.u.	9.44	453	0.74	25%	75%	9	27	36	0.99	63%	37%	30	18	48
Wren Investors + Hewell Pro	pertv															
Total Net Project Trips	<del>1</del>			3,105				61	173	234				199	122	321

Source of proposed trip generation rates: ITE *Trip Generation Manual*, 10th Edition 2017. Trip generation estimates are based on average trip generation rates for residential and retail land uses. Source of pass-by rates: ITE *Trip Generation Handbook*, 2nd Edition 2004.



s.f. = square feet; d.u. = dwelling units

<sup>&</sup>lt;sup>1</sup> A reduction of 15% was applied to the retail and residential land uses for internalization between the two uses. Reduction was based on the smaller trip generator, as prescribed by VTA Guidelines.

<sup>&</sup>lt;sup>2</sup> A pass-by trip reduction is typically applied during the PM peak-hour to retail development within Santa Clara County. The 20% reduction is based on ITE surveys conducted at retail sites in California, contained in their *Trip Generation Handbook*, and is consistent with pass-by reductions typically used for projects in Santa Clara County.

<sup>&</sup>lt;sup>3</sup> Although the proposed project consists of single-family and townhome/apartments residential units, as a conservative approach, the City of Gilroy utilizes ITE trip generation rates for single-family units for the evaluation of all residential projects.

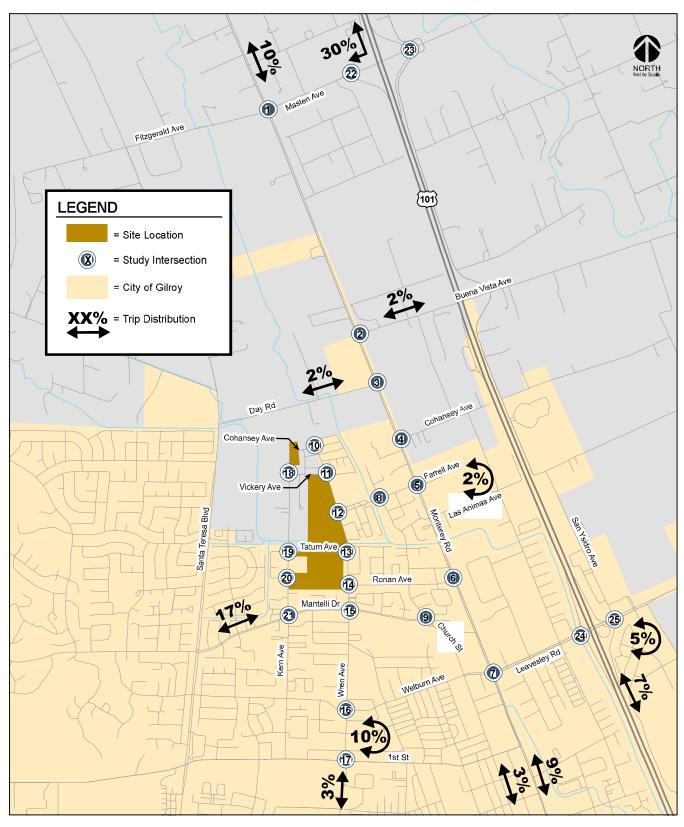


Figure 9 Proposed Project Trip Distribution



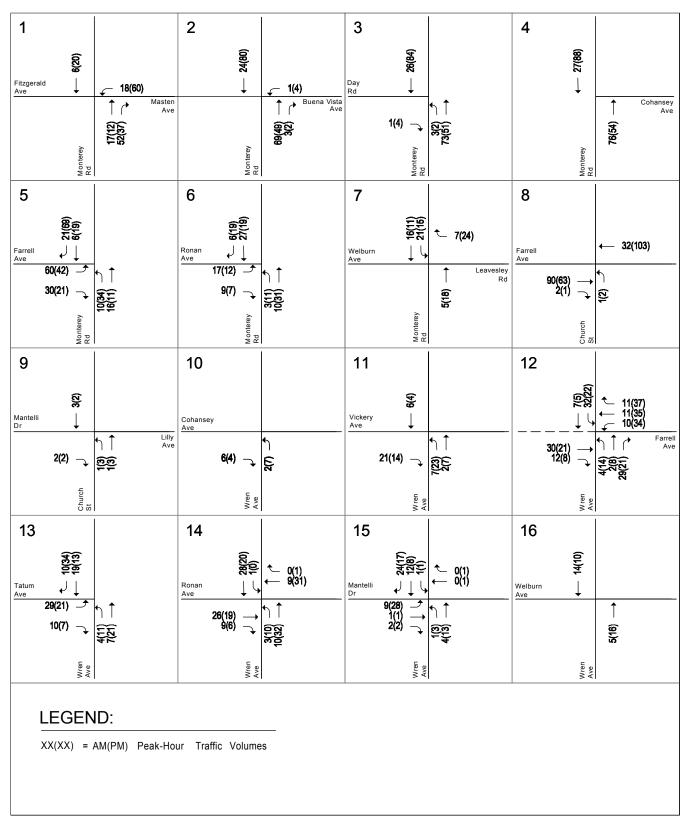


Figure 10 Project Trip Assignment – Existing Roadway Network



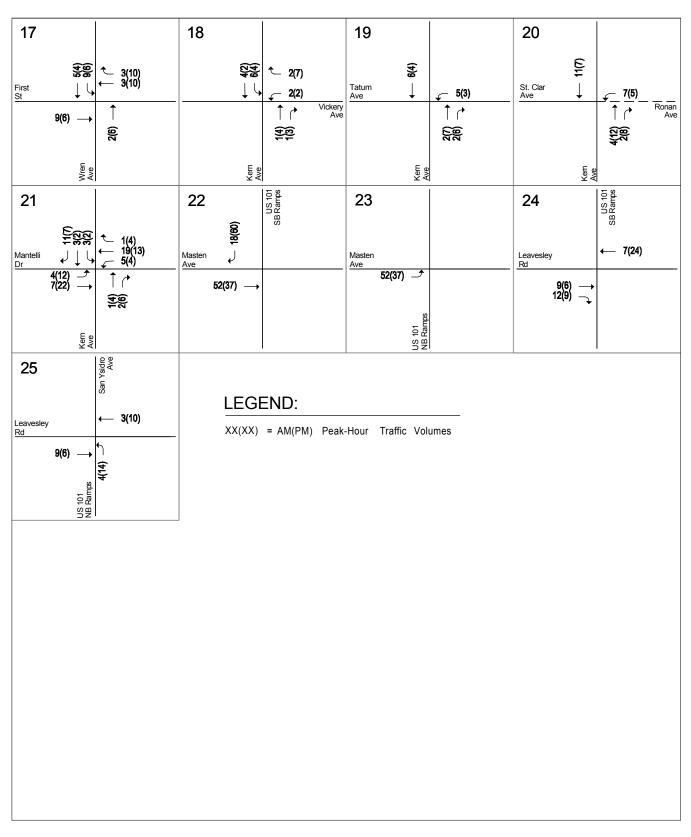


Figure 10 (Continued)
Project Trip Assignment – Existing Roadway Network



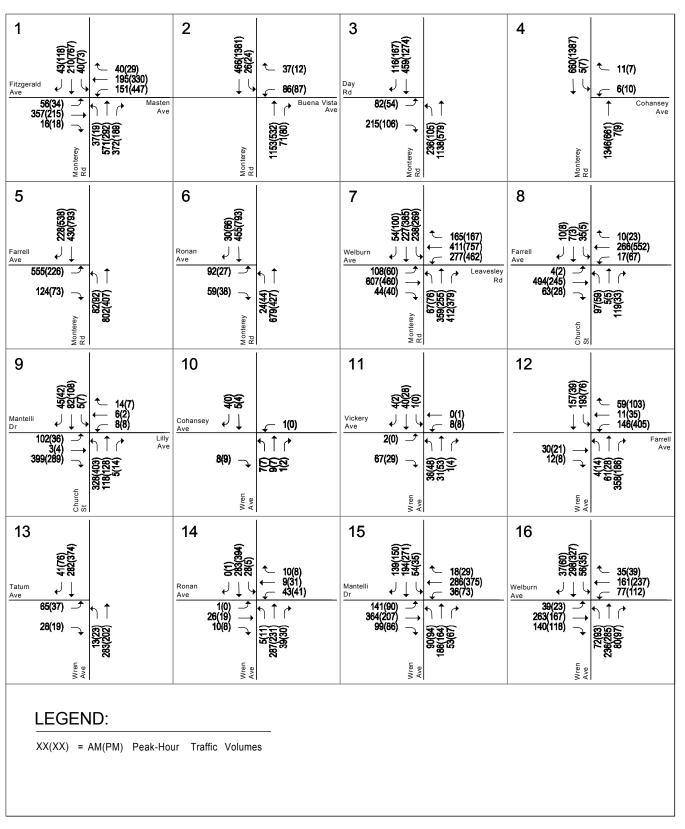


Figure 11 Existing Plus Project Traffic Volumes



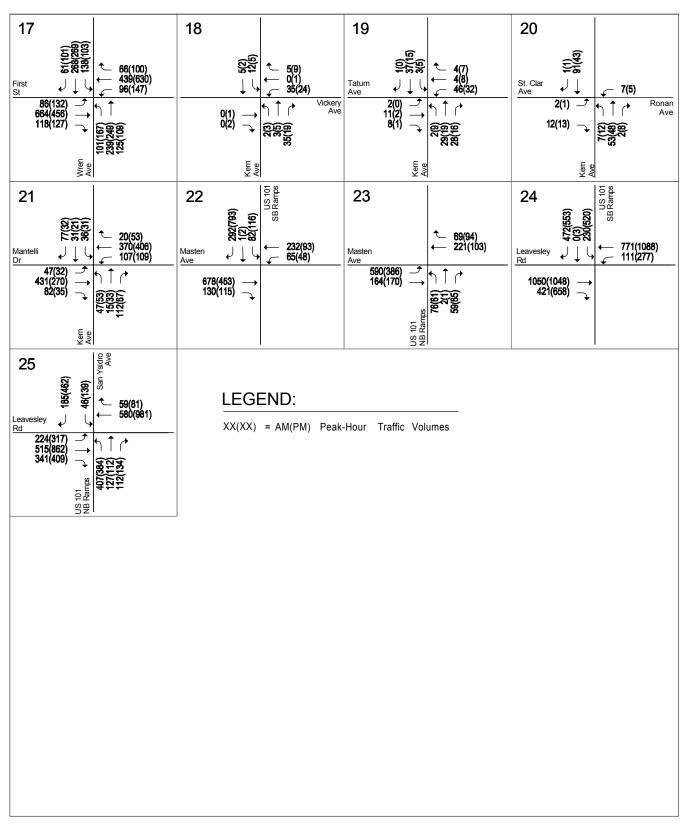


Figure 11 (Continued) Existing Plus Project Traffic Volumes



# **Existing Plus Project Intersection Levels of Service**

The results of the intersection level of service analysis under existing plus project conditions are discussed below and summarized in Table 6. The analysis results are presented for all study intersections based on City of Gilroy level of service standard. Caltrans intersections also were evaluated based on Caltrans level of service standards.

The level of service calculation sheets are included in Appendix C.

#### City of Gilroy/Santa Clara County Intersections

## **Signalized Intersections**

The results of the level of service analysis of the signalized study intersections under existing plus project conditions indicate that one of the study intersections is projected to operate at an unacceptable LOS D during the PM peak-hour:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS D – PM peak-hour)

Based on City of Gilroy level of service standards, the above intersection would be deficient under existing plus project conditions.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the AM and PM peak hours under existing plus project conditions.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under existing plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

#### <u>Unsignalized Intersections</u>

The results of the level of service analysis of the unsignalized intersections under existing plus project conditions indicate that two of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D during one of the peak hours:

- 3. Monterey Road and Day Road (LOS D AM peak-hour)
- 16. Wren Avenue and Welburn Avenue (LOS D PM peak-hour)

Based on City of Gilroy level of service standards, the above intersections would be deficient under existing plus project conditions.

Additionally, the unsignalized intersection analysis results indicate that the following study intersection would operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay <u>and</u> the traffic volume would be high enough to satisfy the peak-hour volume warrant during the same peak-hour:

- 2. Monterey Road and Buena Vista Avenue (LOS F/signal warrant met AM and PM)
- 3. Monterey Road and Day Road (LOS F/signal warrant met AM and PM peak hours)
- 23. US 101 NB ramps and Masten Avenue (LOS F/signal warrant met AM peak-hour)

Based on the City of Gilroy level of service standards, unsignalized intersections are considered deficient when both the average delay on the stop-controlled approach with the highest delay operates at an unacceptable level of service <u>and</u> the intersection traffic volumes satisfy the peak-hour volume



Table 6
Existing Plus Project Intersection Level of Service Results

Study								Existing			isting P Project	
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	LOS	Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Warrant Met? <sup>3</sup>
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	SCC	Signal	С	Yes	AM PM	30.9 <b>43.3</b>	С <b>D</b>		30.9 <b>43.6</b>	C <b>D</b>	
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	5.0 2.1	A A+	 	6.4 2.6	A A+	- -
3	Monterey Road and Day Road	CofG	One-Way Stop (Worst Approach) One-Way Stop	D C	Yes	AM PM AM	<b>69.0</b> <b>41.4</b> 20.6	<b>F E</b> C	Yes Yes	93.2 54.5 25.5	F F D+	Yes Yes
			(Average Delay) One-Way Stop (Worst Approach)	D		AM PM	11.7 141.7 152.2	B+ F	Yes Yes	16.9 184.9 <sup>4</sup> 231.2 <sup>4</sup>	C+ F	Yes Yes
4	Monterey Road and Cohansey Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	0.3 0.2	A+ A+	 	0.3 0.2	A+ A+	 
5	Monterey Road and Farrell Avenue	CofG	One-Way Stop (Worst Approach) Signal	D C	No	AM PM AM	25.2 21.5 16.0	D+ C B	No No	27.9 24.1 16.6	D+ C- B	No No
6	Monterey Road and Ronan Avenue	CofG	One-Way Stop	С	No	PM AM	9.7 1.9	A A+		11.4 2.4	B+ A+	
			(Average Delay) One-Way Stop (Worst Approach)	D		AM PM	0.8 17.4 15.8	A+ C+ C+	Yes No	1.2 20.1 19.3	A+ C C	Yes No
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	Signal	С	No	AM PM	27.1 29.1	C C		27.5 29.5	C C	
9	Church Street and Farrell Avenue  Church Street and Mantelli Drive/Lilly Ave	CofG CofG	All-Way Stop	С	Yes	AM PM AM	15.8 13.4 15.8	C B C	No No Yes	23.6 19.0 16.0	C C	No No Yes
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	PM AM	16.5 7.2	C A	Yes No	16.8 7.1	C A	Yes No
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	PM AM PM	7.0 7.1 7.2	A A A	No No No	7.1 7.2 7.4	A A A	No No No
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	10.5 12.8	B B	No No	11.6 14.5	B B	No No
13	Wren Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay) Two-Way Stop	C D	No	AM PM AM	1.2 0.7 12.3	A+ A+ B	  No	1.9 1.3 13.5	A+ A+ B-	  No
14	Wren Avenue and Ronan Avenue	CofG	(Worst Approach) Two-Way Stop (Average Delay)	С	No	PM AM PM	12.0 1.5 1.1	B A+ A+	No  	13.5 2.4 2.4	B- A+ A+	No  
			Two-Way Stop (Worst Approach)	D		AM PM	14.3 14.1	B- B-	No No	16.4 17.1	C+ C+	No No
15 16	Wren Avenue and Mantelli Drive  Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM PM AM	17.7 17.6 20.0	C C	Yes Yes Yes	18.7 18.9 20.8	C C	Yes Yes Yes
17	Wren Avenue and First Street	Caltrans	Signal	С	Yes	PM AM	<b>27.6</b> 27.9	<b>D</b>	Yes 	<b>29.5</b> 28.3	<b>D</b> C	Yes
18	Kern Avenue and Vickery Avenue	CofG	Uncontrolled	С	No	PM AM PM	31.3 7.7 6.9	C A A	No No	31.4 7.0 6.6	C A A	No No
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay) Two-Way Stop	C D	No	AM PM AM	4.3 5.6 9.3	A A	  No	4.2 4.9 9.4	A A	  No
20	Kem Avenue and St. Clar Avenue/Ronan Avenue	CofG	(Worst Approach) One-Way Stop (Average Delay) One-Way Stop	C	No	PM AM PM AM	9.1 1.2 2.1 8.8	A- A+ A+	No   No	9.1 1.4 1.9 9.6	A- A+ A+	No   No
21	Kern Avenue and Mantelli Drive	CofG	(Worst Approach) All-Way Stop	С	Yes	PM AM	8.5 12.1	A- B	No No	9.3 12.6	A- B	No No
						PM	10.6	В	No	11.1	В	No



# Table 6 (Continued) Existing Plus Project Intersection Level of Service Results

Study Int.			Intersection	LOS	TIF	Peak	Avg.	Existing	y Warrant		sting P Project	
Number	Intersection	Jurisdiction <sup>1</sup>	Control	Standard	Int. <sup>2</sup>	Hour	Delay	LOS	Met? <sup>3</sup>	Delay	LOS	Met? <sup>3</sup>
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	4.6	Α		4.7	A	
			(Average Delay) Two-Way Stop (Worst Approach)	D		AM PM	11.6 14.8 18.7	B+ C	Yes Yes	13.6 15.3 22.1	B- C+ C-	Yes Yes
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	14.0 6.8	B- A-		18.2 7.2	C+ A-	
			Two-Way Stop (Worst Approach)	D		AM PM	<b>71.2</b> 17.6	F C+	Yes No	<b>105.8</b> <sup>4</sup> 19.5	<b>F</b> C	Yes No
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM PM	16.8 27.6	B C	-	16.7 27.5	B C	-
25	US 101 NB Ramps/San Ysidro Avenue and Leavesley Road	Caltrans	Signal	С	No	AM PM	26.6 28.3	C C		26.6 28.5	C C	

#### Notes:

Entries denoted in bold indicate conditions that exceed the City's current level of service standard

traffic signal warrant during the same peak-hour.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards under existing plus project conditions.

The peak-hour signal warrant sheets are contained in Appendix D.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for the Caltrans intersections under existing plus project conditions show that all of the Caltrans study intersections are projected to operate at an acceptable LOS C or better during the AM and PM peak hours.

# **Freeway Segment Analysis**

As discussed in Chapter 1 of this report, a freeway level of service analysis was not conducted since the number of project trips added to the freeway segments near the site does not equal or exceed one percent of the capacity of those segments. Based on CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is not required.



<sup>&</sup>lt;sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>&</sup>lt;sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

<sup>&</sup>lt;sup>3</sup> Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>&</sup>lt;sup>4</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>\* =</sup> CMP intersection

# 4.

# **Background Conditions**

This chapter describes background traffic conditions. Background conditions are defined as conditions just prior to completion of the proposed project. Traffic volumes for background conditions comprise volumes from the existing traffic counts plus traffic generated by approved developments in the City of Gilroy. This chapter describes the procedure used to determine background traffic volumes and the resulting traffic conditions. Any planned and funded transportation improvements in the study area are included in background conditions.

# **Background Transportation Network**

It is assumed in the analysis that the transportation network under background conditions would be the same as described under existing conditions with the exception of the following improvements:

Cohansey Avenue Extension – Currently, west of US 101, Cohansey Avenue consists of two segments: one from Monterey Road to west of US 101, and the second one, a short segment located within the Harvest Park Phase I project site that extends from the west side of the Santa Clara Valley Water District channel to the eastern Hewell Property boundary. The approved Harvest Park Phase II project, which is currently under construction, will extend Cohansey Avenue from its terminus point west of the water channel, over the water channel via a new bridge, across the Harvest Park II site, to Monterey Road. The Cohansey Avenue extension will provide an alternative access route to the surrounding land uses (both existing and future) to/from the north.

Signalization of the Monterey Road/Cohansey Avenue Intersection. With the Cohansey Avenue extension, the existing T-intersection of Monterey Road/Cohansey Avenue would become a full (four-legged) intersection. The new full intersection would be signalized to serve the anticipated additional traffic demand from existing and new development in the area.

# **Approved Developments**

Table 7 lists the latest approved but not-yet-completed developments in the City of Gilroy, which are assumed to add traffic to the roadway network under background conditions. The list of approved projects was provided by the City staff in August 2017. The traffic associated with these developments is discussed below.



Table 7
Approved Development Projects in the City of Gilroy

#	Project Name/Applicant	Project Location/Address	Project Description
1	Bolsa Road (Zen Nursery)	5350 Bolsa Rd	17 Industrial lots, 1 open space preserve, 1 private road, 20 ac parcel
2	Cannery Apartments	111 Lewis St	104 apartments
3	Country Estates, Phase 1-3	West end of Mantelli Dr, west of Santa Teresa Blvd	SFDUs: 123 sf lots {phase 1-A}, 30 sf lots {phase 1-B}, 87 sf lots {phase 2}, 63 sf lots {phase 3} (22 units remaining)
4	The Fresh Group	Northeast corner of Forest St and Leavesley Rd	113,100 square foot full-service hotel and 43,100 square foot extended stay hotel
5	Gilroy Hampton Inn	Monterey Rd and Travel Park Cir	105-room hotel
6	Golden State Brewery	7560 Monterey St	10,336 s.f. brew pub with an eating establishment
7	Imwalle Properties (Santa Teresa Townhouses)	First St and Santa Teresa Blvd	217 townhouses
8	Jan Hochhauser/San Ysidro Ct	199 Banes Ln (Tenth St and Alexander St)	5-story, 265 unit apartment complex
9	Las Animas Residential Subdivision (GUSD)	8450 Wren Ave	70 SFR subdivision w/ private streets
10	McCarthy Business Park (Wellington)	South side of Hwy. 152 East, east of Silacci Wy	145,715 sf Highway Commercial Shopping Center & 73.4 ac Industrial Park
11	Melia (Martin Industrial)	Southeast corner of Las Animas Ave and Monterey St.	9-lot industrial subdivision - 40,904 s.f. total
12	Monterey Gateway	Monterey at Ervin Ct	75 Affordable Senior Family Units
13	Murray/Forest Industrial	Between Murray Ave and Forest St, south of Kishimura Dr	14 Industrial lots on 7.3 ac.
14	Noah Concrete	5717 Obata Wy	12,600 s.f. office building (no longer 12,600 sq ft building but a small modular)
15	Performance Food Group	5480 Monterey Rd	350,000 s.f. distribution center on a 29 acre lot
16	PSI Development Co Inc.	9070 Kern Ave	40-unit apartment complex
17	San Ysidro Storage	9080 San Ysidro Ave	114,035 self storage
18	Sports Complex	Monterey Frontage Road, S. of West Luchessa Ave	3-phase sports park with 7 multi-use ball fields, picnic areas, volley ball courts, bocce ball courts, skate facility, tot lot play area, bike/pedestrian trail, parking and offices
19	Syngenta Flowers	2280 Hecker Pass Highway	Greenhouses: 6,878 s.f; Hoop Houses: 2,400 s.f.; Potting Shed: 1,875 s.f.; Shade Structure: 75 s.f.
20	Harvest Park II / James Suner	West of Monterey Rd, north and south of Cohansey Ave	57-lot single-family residential subdivision
21	SV Affordable Investors, LLC	Harvest Park, Monterey Rd at Cohansey Ave	66 Unit 3-Story Apt Complex at Harvest Park 2
22	SV Affordable Investors, LLC	Harvest Park, Monterey Rd at Cohansey Ave	32 Unit 3-Story Apt Complex at Harvest Park
23	Vince Fortino (Monterey Road Commercial)	5400 Monterey Rd	122.51 ksf commercial space, 137.21 ksf industrial space, 24.5 ksf office space
24	Zhongmin Feng	300 Obata Wy	Plastic Sheeting Recycling Plan, 10,500 s.f. factory building w/ 1000 s.f. office
25	Glen Loma Ranch Specific Plan	Santa Teresa Blvd, between Third St and Thomas Rd	1,690 residential units and 155,550 s.f. of commercial (273 units completed)
26	Hecker Pass Specific Plan	North and South of Hecker Pass Hwy, west of Santa Teresa Blvd	554 homes, 91.91 ksf agri-commercial, 3ksf convenience market, 29.19 ksf agriculture (300 units completed)
	Source: City of Gilroy Planning Department, Augu	st 2017	



# **Background Traffic Volumes**

Background peak-hour traffic volumes were estimated by adding to existing volumes the estimated traffic from approved but not yet constructed developments. The traffic added to the study intersections from approved developments was estimated by distributing and assigning trips generated by these developments to the roadway network using the same procedure of trip generation, distribution, and assignment as described in the previous chapter (Chapter 3 – Existing Plus Project Conditions). The traffic from approved developments includes both new trip productions and attractions on the local transportation system. The traffic associated with residential uses would be considered new productions, which would be going to commercial and employment areas. The traffic associated with non-residential land uses would be considered new trip attractions. In some cases, the new trips added by approved developments could be double counted since some trips generated by the new residential developments would be attracted to the new commercial land uses. Therefore, to account for this double counting and to be consistent with the procedures used for all other traffic studies in the City of Gilroy, trips from new residential projects were not assigned to the areas where new commercial development is planned to occur.

Additionally, as a result of the planned Cohansey Avenue Extension (from Monterey Road to the Harvest Park Phase I project site), travel patterns associated with existing and future traffic in the vicinity of the Cohansey Avenue Extension would change. Traffic volumes from the project area traveling to/from the north on Monterey Road would have an alternative route. For this reason, a reassignment of existing and approved traffic volumes was performed to account for the change in travel pattern associated with the Cohansey Avenue Extension (future roadway network) under background conditions.

Background traffic volumes are shown on Figure 12. Traffic volumes for all components of traffic are tabulated in Appendix B.



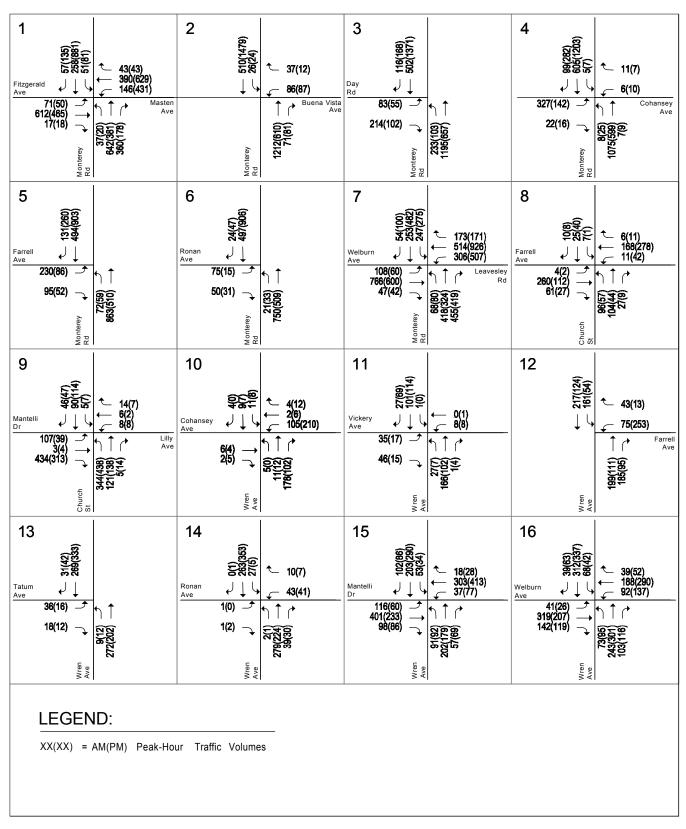


Figure 12 Background Traffic Volumes



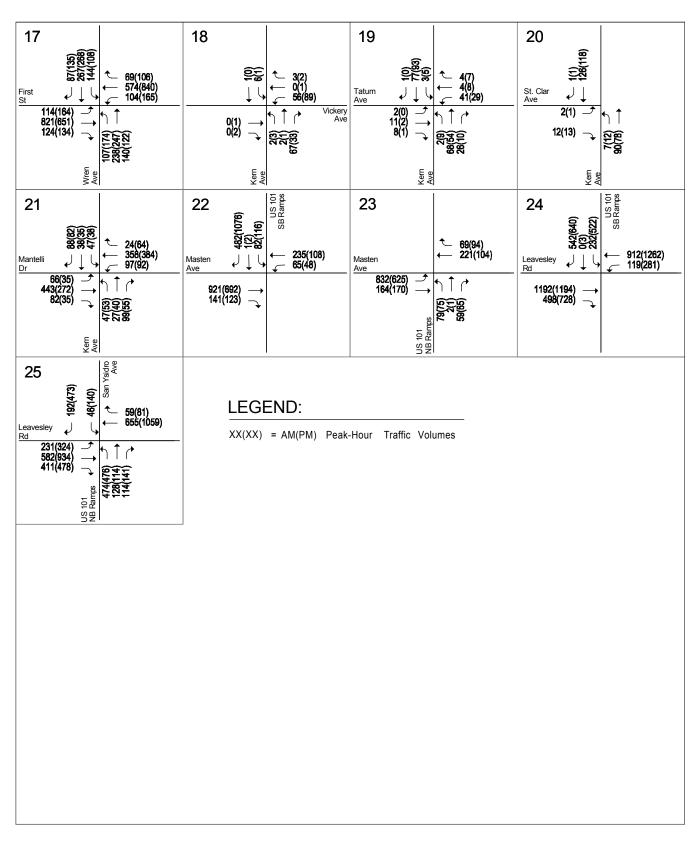


Figure 12 (Continued) Background Traffic Volumes



# **Background Intersection Levels of Service**

The results of the intersection level of service analysis under background conditions are discussed below and summarized in Table 8. The analysis results are presented for all study intersections based on City of Gilroy level of service standard and impact criteria. Caltrans intersections also are evaluated based on Caltrans level of service standards and impact criteria.

The level of service calculation sheets are included in Appendix C.

#### City of Gilroy/Santa Clara County Intersections

#### **Signalized Intersections**

The results of the level of service analysis of the signalized study intersections indicate that the following study intersection is projected to operate at unacceptable levels of service under background conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS E – AM and PM peak hours)

The remaining signalized study intersections are projected to operate at acceptable levels of service during the AM and PM peak hours under background conditions.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under background conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) would continue to operate at an acceptable LOS C during the AM and PM peak hours.

#### **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under background conditions indicate that four of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- 3. Monterey Road and Day Road (LOS D AM peak-hour)
- 16. Wren Avenue and Welburn Avenue (LOS D AM, LOS F PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (LOS E PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (LOS F AM peak-hour)

The unsignalized intersection analysis results also indicate that the following study intersections are projected to operate with average delays corresponding to LOS E or F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed <u>and</u> the traffic volume during the same peak hour is high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (LOS F/signal warrant met AM and PM)
- 3. Monterey Road and Day Road (LOS F/signal warrant met AM and PM)
- 22. US 101 SB Ramps and Masten Avenue (LOS F/signal warrant met PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (LOS F/signal warrant met AM and PM)

Based on the City of Gilroy level of service standards, unsignalized intersections are considered deficient when both the average delay on the stop-controlled approach with the highest delay operates at an unacceptable level of service <u>and</u> the intersection traffic volumes satisfy the peak-hour volume traffic signal warrant during the same peak-hour.



**Table 8 Background Conditions Intersection Level of Service Results** 

Study								Existing			ackgrou	
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	LOS	Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Warrant Met? <sup>3</sup>
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	SCC	Signal	С	Yes	AM PM	30.9 <b>43.3</b>	C D	-	59.1 78.4	E+ E-	
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	5.0 2.1	A A+	- -	8.1 3.6	A- A	-
			One-Way Stop (Worst Approach)	D		AM PM	69.0 41.4	F E	Yes Yes	124.6 <sup>4</sup> 80.1	F	Yes Yes
3	Monterey Road and Day Road	CofG	One-Way Stop (Average Delay) One-Way Stop	C D	Yes	AM PM AM	20.6 11.7 <b>141.7</b>	C B+	  Yes	31.3 23.4 239.2	C- F	  Yes
4	Monterey Road and Cohansey Avenue	CofG	(Worst Approach) One-Way Stop, Signal <sup>5</sup>	С	Yes	PM AM	<b>152.2</b> 0.3	A+	Yes 	<b>355.9</b> <sup>4</sup> 13.7	В	Yes 
			(Average Delay) One-Way Stop (Worst Approach)	D		AM PM	0.2 25.2 21.5	A+ D+ C	No No	9.7	A	-
5	Monterey Road and Farrell Avenue	CofG	Signal	С	No	AM PM	16.0 9.7	B A	-	13.8 7.7	B A	
6	Monterey Road and Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	1.9 0.8	A+ A+	- -	1.9 0.8	A+ A+	 
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	One-Way Stop (Worst Approach) Signal	D C	No	AM PM AM	17.4 15.8 27.1	C+ C+	Yes No 	20.3 18.8 28.2	C C	Yes No
8	Church Street and Farrell Avenue	CofG	All-Way Stop	С	Yes	PM AM	29.1 15.8	C	 No	30.8 11.3	C B	 No
9	Church Street and Mantelli Drive/Lilly Ave	CofG	All-Way Stop	С	Yes	PM AM PM	13.4 15.8 16.5	B C C	No Yes	9.9 18.0 20.1	A C C	No Yes
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	AM PM	7.2 7.0	A	Yes No No	8.4 9.3	A	Yes No No
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	AM PM	7.1 7.2	A A	No No	8.2 7.8	A A	No No
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	10.5 12.8	B B	No No	9.8 10.5	A B	No No
13	Wren Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay) Two-Way Stop	C D	No	AM PM AM	1.2 0.7 12.3	A+ A+ B	  No	1.2 0.7 12.3	A+ A+ B	  No
14	Wren Avenue and Ronan Avenue	CofG	(Worst Approach) Two-Way Stop	С	No	PM AM	12.0	B A+	No -	11.9	B A+	No 
			(Average Delay) Two-Way Stop (Worst Approach)	D		AM PM	1.1 14.3 14.1	A+ B- B-	No No	1.1 14.4 14.2	A+ B- B-	No No
15	Wren Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	17.7 17.6	C C	Yes Yes	19.5 20.6	C C	Yes Yes
16 17	Wren Avenue and Welburn Avenue  Wren Avenue and First Street	CofG Caltrans	All-Way Stop	С	Yes	AM PM	20.0 27.6	C <b>D</b>	Yes Yes	<b>29.3</b> <b>54.0</b> 28.0	D F	Yes Yes
18	Kem Avenue and Vickery Avenue	Califaris	Signal Uncontrolled	С	Yes	AM PM AM	27.9 31.3 7.7	C C A	 No	31.8 7.9	C C A	 No
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop	С	No	PM AM	6.9 4.3	A A	No 	7.4 2.9	B A+	No 
			(Average Delay) Two-Way Stop (Worst Approach)	D		AM PM	9.3 9.1	A- A-	No No	9.9 9.8	A+ A- A-	No No
20	Kern Avenue and St. Clar Avenue/Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	1.2 2.1	A+ A+		0.8 1.0	A+ A+	
			One-Way Stop (Worst Approach)	D		AM PM	8.8 8.5	A- A-	No No	9.1 9.0	A- A-	No No
21	Kem Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	12.1 10.6	B B	No No	13.1 11.3	B B	No No



# Table 8 (Continued) Background Conditions Intersection Level of Service Results

Study								Existinç		Ва	ckgrou	nd
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	LOS	Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Warrant Met? <sup>3</sup>
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	4.6 11.6	A B+		6.7 <b>49.7</b>	A <b>E</b> -	
			Two-Way Stop (Worst Approach)	D		AM PM	14.8 18.7	B- C	Yes Yes	20.0 <b>84.6</b>	C <b>F</b>	Yes Yes
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	14.0 6.8	B- A-	-	<b>66.3</b> 16.6	F C+	
			Two-Way Stop (Worst Approach)	D		AM PM	<b>71.2</b> 17.6	F C+	Yes No	572.6 <sup>4</sup> 82.0	F F	Yes Yes
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM PM	16.8 27.6	B C	-	17.3 28.6	B C	
25	US 101 NB Ramps/San Ysidro Avenue and Leavesley Road	Caltrans	Signal	С	No	AM PM	26.6 28.3	C C	 	26.9 29.4	C C	

#### Notes:

Entries denoted in **bold** indicate conditions that exceed the City's current level of service standard.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the peak hours.

The peak-hour signal warrant sheets are contained in Appendix D.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for the Caltrans intersections under background conditions show that the following Caltrans study intersections are projected to operate at unacceptable levels of service, based on Caltrans level of service standards, during one of the peak hours analyzed:

- 22. US 101 Southbound Ramps and Masten Avenue (LOS E PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (LOS F AM peak-hour)

The remaining Caltrans intersections are projected to operate at acceptable levels of service during the peak hours.



<sup>&</sup>lt;sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>&</sup>lt;sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

<sup>&</sup>lt;sup>3</sup> Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>&</sup>lt;sup>4</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>&</sup>lt;sup>5</sup> One-way stop-controlled intersection under existing conditions. Assumed to be signalized under background conditions.

<sup>\* =</sup> CMP intersection

# 5. Background Plus Project Conditions

This chapter describes background plus project traffic conditions, significant project impacts, and measures that are recommended to mitigate significant project impacts. Included are descriptions of the significance criteria that define an impact, estimates of project-generated traffic, identification of the impacts, and descriptions of the mitigation measures and recommended changes in the study area needed to address these impacts. Background plus project conditions are represented by background traffic conditions (existing plus approved traffic) with the addition of traffic generated by the proposed project.

Although some of the information provided below has already been described in Chapter 3 – Existing Plus Project Conditions, it is presented again within this chapter for the reader's convenience.

# **Significant Impact Criteria**

Significance criteria are used to define what constitutes an impact. For this analysis, impacts on intersections are based on the City of Gilroy, CMP, and Caltrans Level of Service standards.

# City of Gilroy and Santa Clara County Definition of Significant Signalized Intersection Level of Service Impacts

The City of Gilroy uses two sets of impact criteria, one for intersections located west of US 101 and another set for intersections located in the LOS D commercial area designated in the City of Gilroy General Plan, primarily east of US 101.

Three of the signalized study intersections are located within the LOS D area. The rest of the signalized study intersections are located in the LOS C area and are subject to the LOS C standard.

#### **LOS C Area**

For intersections located west of US 101 in the LOS C areas, the project is said to create a significant adverse impact on traffic conditions at a signalized intersection if for any peak hour:

- The level of service at the intersection degrades from an acceptable LOS C or better under background conditions to an unacceptable LOS D or worse under background plus project conditions, or
- 2. If the intersection is already operating at an unacceptable LOS D and the addition of project traffic causes the average delay to increase by two (2) second or more, or



3. If the intersection is already operating at an unacceptable LOS E or F and the addition of project traffic causes the average delay to increase by one (1) second or more.

#### **LOS D Area**

For intersections located in the LOS D area, primarily east of US 101 and in the Tenth Street corridor, the project is said to create a significant adverse impact on traffic conditions at a signalized intersection if for any peak hour:

- The level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under background plus project conditions, or
- 2. If the intersection is already operating at an unacceptable LOS E or F and the addition of project traffic causes the average delay to increase by one (1) second or more.

A significant impact is said to be satisfactorily mitigated when measures are implemented that would restore intersection levels of service to background (no-project) conditions or better.

# City of Gilroy and Santa Clara County Definition of Significant Unsignalized Intersection Impacts

One of the unsignalized study intersections is located within the LOS D area.

The project is said to create a significant adverse impact on traffic conditions at an unsignalized intersection if for any peak hour:

- 1. <u>For intersections in the LOS C areas:</u> The average overall level of service at the intersection degrades from an acceptable LOS C or better under background conditions to an unacceptable LOS D or worse under background plus project conditions, or
  - If the average overall intersection level of service is already at an unacceptable LOS D and the addition of project traffic causes the average overall delay to increase by two (2) second or more, or
- 2. <u>For intersections in the LOS D areas:</u> The average overall intersection level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under background plus project conditions, or
  - If the average overall intersection level of service is already at an unacceptable LOS E or F and the addition of project traffic causes the overall average delay to increase by one (1) second or more,  $\underline{or}$
- 3. If the worst approach at a one- or two-way stop-controlled intersection is projected to operate at an unacceptable LOS E or F under background plus project conditions <u>and</u> the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant adopted by Caltrans.

A significant impact is said to be satisfactorily mitigated when measures are implemented that would restore intersection levels of service to background (no-project) conditions or better.

#### **CMP Definition of Significant Intersection Impacts**

The definition of a significant impact at a CMP intersection is the same as for the City of Gilroy, except that the CMP standard for acceptable level of service at a CMP intersection is LOS E or better. A significant impact by CMP standards is said to be satisfactorily mitigated when measures are implemented that would restore intersection operations to LOS E or better.



#### **Caltrans Facilities Level of Service Standards and Impact Criteria**

Caltrans identifies a level of service standard of LOS C for its facilities, including intersections and freeway facilities. Based on Caltrans' level of service impact criteria, the project is said to create a significant adverse impact on traffic conditions at a Caltrans facility if for either peak-hour:

- The level of service at the study facility degrades from an acceptable LOS C or better under noproject conditions to an unacceptable LOS D or worse under project conditions, or
- The project results in the increase in delay at facilities that are already operating at unacceptable levels (LOS D or worse).

#### **Definition of Significant Operations Impacts**

The City of Gilroy considers a project to create a significant adverse impact on operations if:

- The 95<sup>th</sup> percentile vehicle queue in a critical turn movement at a study intersection is projected to be less than the available or planned storage length for that movement under background conditions and the addition of projected traffic to that turn movement causes the projected 95<sup>th</sup> percentile vehicle queue to exceed the available or planned storage length, or
- 2. The 95<sup>th</sup> percentile vehicle queue in a critical turn movement at a study intersection is projected to exceed the available or planned storage length for that movement under background conditions and the addition of projected traffic to that turn movement causes the projected 95<sup>th</sup> percentile vehicle queue to grow by at least one vehicle.

#### **Definition of Significant Parking Impacts**

The City of Gilroy considers a project to create a significant adverse impact on parking conditions if:

1. The proposed on-site parking supply does not satisfy the parking requirement contained in the City of Gilroy Municipal Code.

#### **Definition of Significant Emergency Access Impacts**

The City of Gilroy considers a project to create a significant adverse impact on emergency access to the project site if:

 The proposed site design does not satisfy the emergency access requirements contained in the City of Gilroy Municipal Code, or if the proposed site design is determined by the City Engineer to provide inadequate emergency access.

# **Transportation Network Under Background Plus Project Conditions**

It is assumed in the analysis that the transportation network under background plus conditions would be the same as described under background conditions, in addition to the following improvements:

Cohansey Avenue – the proposed project would construct the segment of Cohansey Avenue from the Harvest Park Phase I western site boundary to Kern Avenue. Cohansey Avenue would connect the project site to Wren Avenue and Monterey Road under background plus project conditions.

*Kern Avenue* – the proposed project would develop Kern Avenue, along the Hewell Property western site boundary, and the east side of the street (project's frontage) to conform to City of Gilroy standards and the adjacent developed segment of Kern Avenue.



*Vickery Avenue* – the proposed project would develop Vickery Avenue, along the Hewell Property southern site boundary, and the north side of the street (project's frontage) to conform to City of Gilroy standards and the rest of Vickery Avenue. The remaining segment of Vickery Avenue is planned to be improved by others.

Kern Avenue and Vickery Avenue Intersection – this intersection is currently an undeveloped/uncontrolled intersection (mainly a two-legged intersection without any posted traffic control signs/pavement legend). With implementation of the proposed project both Kern and Vickery Avenues would be improved along the Hewell Property frontage, consequently improving the intersection. It was assumed in the analysis that the intersection of Kern Avenue/Vickery Avenue would operate as an all-way stop controlled intersection with implementation of the proposed project.

Farrell Avenue – Farrell Avenue would be extended westward into the Wren Investors site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. This intersection is assumed to continue to be all-way stop controlled.

St. Clar Avenue/Ronan Avenue – St. Clar Avenue would be extended eastward into the project site, forming a four-legged intersection at Kern Avenue, and connect to Ronan Avenue, just west of Wren Avenue. This new roadway extension would provide direct access to the southern portion of the Wren Investors site and provide an alternate connection between Wren and Kern Avenues.

# **Project Description**

A full project description is presented in Chapter 3, Existing Plus Project Conditions. A brief project description is provided below.

The preliminary development plans for the project sites include 137 low-density residential lots, 20 medium-density residential lots, 102 high-density townhome/apartments, and 0.40 acres of neighborhood commercial within the Wren Investors site; and 48 single-family residential units within the Hewell Property site. Direct access to the project sites would be provided via Cohansey Avenue, Kern Avenue, Vickery Avenue, Wren Avenue, Farrell Avenue, Tatum Avenue, and St. Clar/Ronan Avenue.

# **Project Trip Generation, Distribution, and Assignments**

A detailed description of the procedures used to estimate project trip generation is presented in Chapter 3. A summary of the trip generation estimates for the proposed project are described below. The trip distribution and assignment under background plus project conditions also are described below.

# **Trip Generation**

On the basis of the ITE trip generation rates, and after applying the applicable trip reductions, it is estimated that the proposed project would generate 3,105 net new daily trips, with 234 trips (61 inbound and 173 outbound) occurring during the AM peak-hour and 321 trips (199 inbound and 122 outbound) occurring during the PM peak-hour. The project trip generation estimates are presented in Table 5, in Chapter 3.

# **Trip Distribution**

The project trip distribution pattern is shown graphically on Figure 9, Chapter 3.



#### **Trip Assignment**

The peak-hour trips generated by the proposed development were assigned to the roadway system in accordance with the trip distribution pattern discussed above and the anticipated freeway interchanges serving the project site. The planned (and currently under construction) Cohansey Avenue extension will provide a secondary access point to the project sites, as well as other existing uses, to/from the north. This alternative access is reflected in the assignment of project traffic under background plus project conditions. The project trip assignment under the future roadway network is presented graphically on Figure 13.

# **Background Plus Project Traffic Volumes**

The project trips were added to background traffic volumes to obtain background plus project traffic volumes. The background plus project traffic volumes are shown graphically on Figure 14. Traffic volumes for all components of traffic are tabulated in Appendix B.

# **Background Plus Project Intersection Levels of Service**

The results of the intersection level of service analysis under background plus project conditions are discussed below and summarized in Table 9. The analysis results are presented for all study intersections based on City of Gilroy level of service standard and impact criteria. Caltrans intersections also are evaluated based on Caltrans level of service standards and impact criteria.

The level of service calculation sheets are included in Appendix C.

#### **City of Gilroy/Santa Clara County Intersections**

#### **Signalized Intersections**

The results of the level of service analysis of the signalized study intersections indicate that the following study intersection is projected to operate at unacceptable levels of service during both peak hours under background plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (LOS E – AM and PM peak hours)

However, the addition of project traffic at the above intersection is not sufficient to cause the average delay to increase by more than 1.0 second. This typically happens when project traffic volumes are low and/or are added to non-critical movements of the intersection. Therefore, based on City of Gilroy intersection impact criteria, the project would not cause a significant level or service impact at this location.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the peak hours under background plus project conditions.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under background plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.



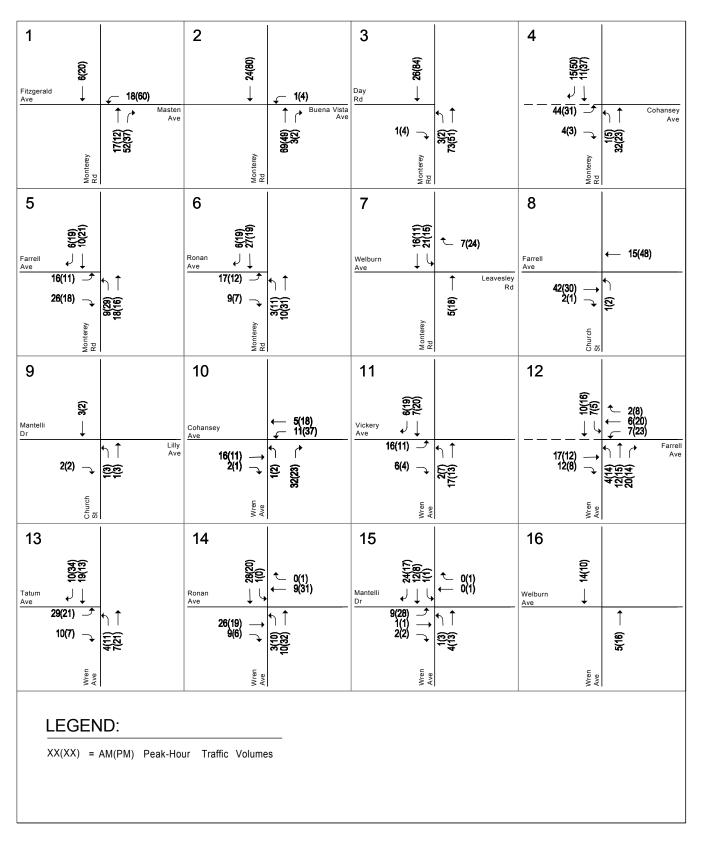


Figure 13
Project Trip Assignment – Future Roadway Network



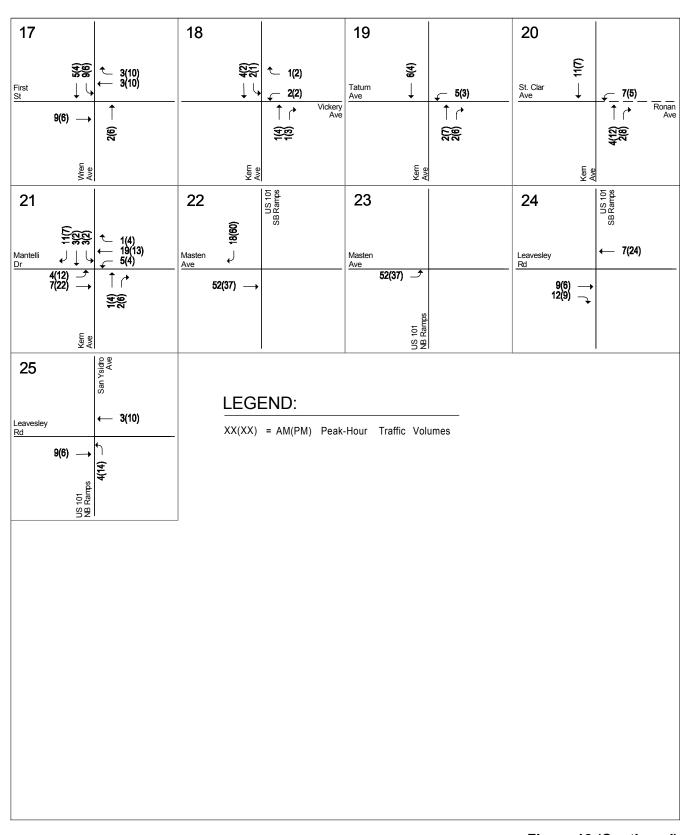


Figure 13 (Continued)
Project Trip Assignment – Future Roadway Network



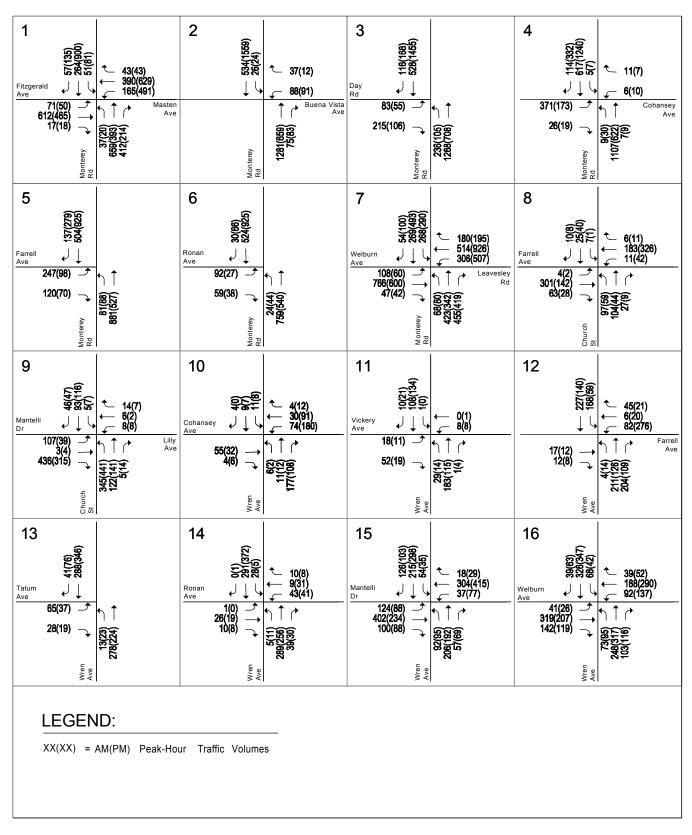


Figure 14 Background Plus Project Traffic Volumes



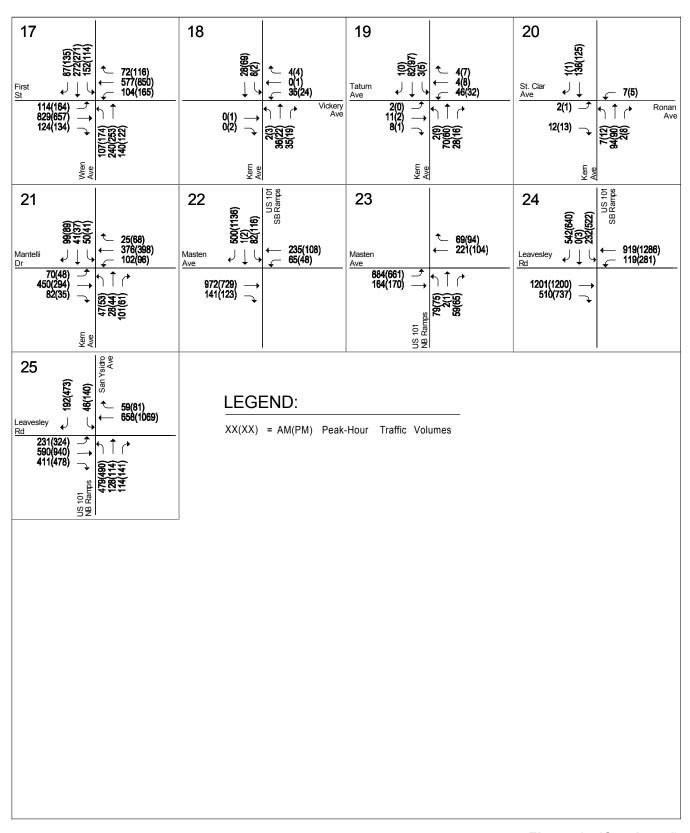


Figure 14 (Continued) Background Plus Project Traffic Volumes



Table 9
Background Plus Project Conditions Intersection Level of Service Results

Study							Ва	ckgrou	nd	Ва	ackgrou	nd Plus Pro	ject
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	SCC	Signal	С	Yes	AM PM	59.1 78.4	E+ E-		59.4 79.0	E+ E-	+0.3 +0.6	<u>-</u>
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	8.1 3.6	A- A	-	10.9	B+ A	+2.8	
			One-Way Stop	D		AM	124.6 <sup>5</sup>	F	Yes	176.0	F	+51.4	Yes
3	Monterey Road and Day Road	CofG	(Worst Approach) One-Way Stop	С	Yes	PM AM	80.1 31.3	F D	Yes 	37.4	F E+	+36.6 +6.1	Yes 
			(Average Delay) One-Way Stop	D		PM AM	23.4 239.2 <sup>5</sup>	C-	Yes	31.5 299.1	D F	+8.1 +59.9	 Yes
4	Monterey Road and Cohansey Avenue	CofG	(Worst Approach) Signal	С	Yes	PM AM	<b>355.9</b> <sup>5</sup> 13.7	F B	Yes 	<b>497.0</b> 17.7	Б <b>F</b>	+141.1	Yes
						PM	9.7	Α	-	13.4	В	+3.7	
5	Monterey Road and Farrell Avenue	CofG	Signal	С	No	AM PM	13.8 7.7	B A	-	14.5 9.4	B A	+0.7 +1.7	
6	Monterey Road and Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	1.9 0.8	A+ A+	-	2.6 1.2	A+ A+	+0.7 +0.4	
			One-Way Stop (Worst Approach)	D		AM PM	20.3	C C	Yes No	24.0 24.3	C- C-	+3.7 +5.5	Yes No
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	Signal	С	No	AM PM	28.2 30.8	C C		28.7 31.3	C C	+0.5 +0.5	
8	Church Street and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM	11.3	В	No	12.3	В	+1.0	No
9	Church Street and Mantelli Drive/Lilly Ave	CofG	All-Way Stop	С	Yes	PM AM	9.9 18.0	A C	No Yes	10.7 18.2	B C	+0.8 +0.2	No Yes
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	PM AM	20.1 8.4	C A	Yes No	20.5 8.3	C A	+0.4 -0.1	Yes No
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	PM AM	9.3 8.2	A A	No No	8.9 8.2	A A	-0.4 +0.0	No No
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	PM AM	7.8 9.8	A A	No No	7.8 10.4	A B	+0.0 +0.6	No No
13	Wren Avenue and Tatum Avenue	CofG	Two-Way Stop	С	No	PM AM	10.5 1.2	B A+	No 	11.3 1.9	B A+	+0.8 +0.7	No
13	Wiell Avelue and Tatulii Avelue	Colo	(Average Delay)		140	PM	0.7	A+	-	1.3	A+	+0.6	-
			Two-Way Stop (Worst Approach)	D		AM PM	12.3 11.9	B B	No No	13.5 13.3	B- B	+1.2 +1.4	No No
14	Wren Avenue and Ronan Avenue	CofG	Two-Way Stop (Average Delay)	С	No	AM PM	1.5 1.1	A+ A+	_	2.4 2.4	A+ A+	+0.9 +1.3	 
			Two-Way Stop	D		AM	14.4	B-	No	16.6	C+	+2.2	No
15	Wren Avenue and Mantelli Drive	CofG	(Worst Approach) All-Way Stop	С	Yes	PM AM	14.2 19.5	B- C	No Yes	17.2 20.7	C+ C	+3.0 +1.2	No Yes
						PM	20.6	С	Yes	22.6	С	+2.0	Yes
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM PM	29.3 54.0	D F	Yes Yes	31.1 57.5	D F	+1.8	Yes Yes
17	Wren Avenue and First Street	Caltrans	Signal	С	Yes	AM PM	28.0 31.8	C C		28.3 32.0	C C	+0.3 +0.2	
18	Kern Avenue and Vickery Avenue	CofG	Uncontrolled, AWSC <sup>6</sup>	С	No	AM PM	7.9 7.4	A B	No No	7.2 8.6	A A	-0.7 +1.2	No No
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop	С	No	AM	2.9	A+		3.0	A+	+0.1	
			(Average Delay) Two-Way Stop	D		AM	2.6 9.9	A+ A-	No	2.5 10.0	A+ A-	-0.1 +0.1	No
20	Kern Avenue and St. Clar Avenue/Ronan Avenue	CofG	(Worst Approach) One-Way Stop	С	No	PM AM	9.8	A- A+	No 	9.9 1.0	A- A+	+0.1	No 
20	Non Avenue and St. Glar Avenue/Rollan Avenue	Colo	(Average Delay)		INU	PM	1.0	A+ A+		1.0	A+ A+	+0.2	
			One-Way Stop	D		AM	9.1	A-	No	10.2	B+	+1.1	No
21	Kern Avenue and Mantelli Drive	CofG	(Worst Approach) All-Way Stop	С	Yes	PM AM	9.0 13.1	A- B	No No	10.2 13.7	B+ B	+1.2	No No
						PM	11.3	В	No	11.9	В	+0.6	No



# Table 9 (Continued) Background Plus Project Conditions Intersection Level of Service Results

Study							Ва	ickgrou	nd	В	ackgrou	ınd Plus Pro	ject
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	6.7	Α		7.0	A-	+0.3	
			(Average Delay)			PM	49.7	E-		62.9	F	+13.2	
			Two-Way Stop	D		AM	20.0	С	Yes	21.2	С	+1.2	Yes
			(Worst Approach)			PM	84.6	F	Yes	106.9	<sup>5</sup> F	+22.3	Yes
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	66.3	F		84.0	F	+17.7	-
			(Average Delay)			PM	16.6	C+	-	19.7	С	+3.1	-
			Two-Way Stop	D		AM	572.6	F	Yes	700.0	<sup>5</sup> F	+194.0	Yes
			(Worst Approach)			PM	82.0	F	Yes	107.1	<sup>5</sup> F	+25.1	Yes
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM	17.3	В	-	17.3	В	+0.0	
						PM	28.6	С		28.7	С	+0.1	-
25	US 101 NB Ramps/San Ysidro Avenue	Caltrans	Signal	С	No	AM	26.9	С		27.0	С	+0.1	
	and Leavesley Road					PM	29.4	С		29.5	С	+0.1	
	Notes:  1 SCC = Santa Clara County; CofG = City of Gilroy 2 TIF Int. = City of Gilroy Traffic Impact Fee intersec 3 Signal warrant analysis based on the Peak Hour of 4 Change in delay, expressed in seconds, for backs 5 The HCM methodology for intersection analysis of exceeds 100+ seconds. Once an intersection is the intersection delay exponentially, resulting in the purpose of quantifying the projected increase 6 Uncontrolled intersection under existing condition * = CMP intersection Entries denoted in <b>bold</b> indicate conditions that ex	ction.  Signal Warrant #3, Fig ground plus project co ose not accurately cal calculated to operate unrealistic excessive c in delay due to the pr. s. Assumed to be all-	nditions is measured re iculate actual intersection with delays exceeding idelays that most likely oposed project, all calc way stop-controlled with	elative to backgon operating or 100 seconds, a would never be ulated delays a n the project.	round condition any add experie	onditions. s once the itional traff enced at a	e calculated fic to the in n actual int	I interse tersectio ersectio	ction delay on will incre n. Howeve	/ ease r, for	ctions.		

# **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under background plus project conditions indicate that four of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: PM peak-hour)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The above intersections also are projected to operate at unacceptable levels under background conditions, and the addition of project traffic would cause the intersections' average delay to increase beyond the City's delay increase threshold during the deficient peak hours. Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the peak hours analyzed <u>and</u> the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)



Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F <u>and</u> the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project. Although this condition was met under background conditions (the intersections were identified as being deficient under background conditions), the proposed project would contribute to the projected deficiency at these locations, increasing the delay for the approach with the highest delay. Therefore, this is also considered a project impact.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the AM and PM peak hours.

The peak-hour signal warrant sheets are contained in Appendix D.

#### **Caltrans Intersections**

The results of the intersection level of service analysis for the Caltrans intersections under background plus project conditions show that the following Caltrans study intersections are projected to operate at unacceptable levels of service, based on Caltrans level of service standards, during one of the peak hours analyzed:

- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The level of service calculations show that the addition of project traffic to the above intersections would cause the intersection average delay to increase. This constitutes a significant project impact based on Caltrans intersection level of service impact criteria.

The remaining Caltrans study intersections would continue to operate at acceptable levels of service during the AM and PM peak hours under background plus project conditions.

# **Freeway Segment Analysis**

As discussed in Chapter 1 of this report, a freeway level of service analysis was not conducted since the number of project trips added to the freeway segments near the site does not equal or exceed one percent of the capacity of those segments. Based on CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is not required.

# **Intersection Operations Analysis**

The analysis of the intersection levels of service was supplemented with an analysis of intersection operations for selected intersections. The intersection operations analysis is an important component of the process to evaluate traffic conditions at an intersection. Although calculated levels of service may appear adequate at some locations, traffic operations problems caused by inadequate storage space for vehicle gueues could prevent the intersection from ever realizing the calculated level of service.



When inadequate storage space becomes an issue, queues in one turn movement might spill into an adjacent lane and block traffic in that lane from proceeding through the intersection.

#### **Analysis Procedures and Assumptions**

The operations analysis is based on vehicle queuing for high-demand movements at intersections. Vehicle queues were estimated using a Poisson probability distribution. For this analysis, the average length of a vehicle in a queue is assumed to be 25 feet (20 feet vehicle length plus 5-foot headway space). This is a value typically used in traffic engineering practice (including most jurisdictions in the Santa Clara County) for the evaluation of vehicle queues.

Key intersections where the project is anticipated to add more than 10 peak-hour trips per lane to the left-turn movement were selected for evaluation. The adequacy of the queue storage capacity for the following intersection movements was evaluated in this analysis:

- 1. Monterey Road and Masten Avenue/Fitzgerald Avenue Westbound left-turn movement
- 4. Monterey Road and Cohansey Avenue Eastbound approach
- 5. Monterey Road and Farrell Avenue Eastbound approach and northbound left-turn movement
- 7. Monterey Road and Leavesley Road/Welburn Avenue Southbound left-turn movement
- 12. Wren Avenue and Farrell Avenue Westbound left-turn movement
- 23. US 101 NB Ramps and Masten Avenue Eastbound left-turn movement
- 25. US 101 NB Off-Ramp/San Ysidro Avenue and Leavesley Road Northbound left-turn movement

The operations analysis results under background plus project are summarized in Table 10. The intersection queue calculation sheets are included in Appendix E.

#### **Operations Analysis Results**

The existing maximum queue length for all of the above movements is estimated to be able to accommodate within the available queue storage capacity for each of the movements during the peak hours, with the exception of the westbound left-turn movement at the intersection of Monterey Road and Masten Avenue/Fitzgerald Avenue.

The maximum queue length for the westbound left-turn movement at the *Monterey Road and Masten Avenue/Fitzgerald Avenue* intersection is estimated to be 22 vehicles (or 550 feet) during the PM peak hour under existing conditions. This exceeds the existing storage capacity of approximately 340 feet (or 13 vehicles) for this movement by approximately 9 vehicles. The addition of approved (background) traffic to this movement would cause the projected queue length to increase by 2 vehicles (to 24 vehicles, or 600 feet) during the PM peak hour under background conditions. The addition of project traffic to this turn movement would cause the projected 95<sup>th</sup> percentile vehicle queue to increase by 3 vehicles (from 24 to 27 vehicles, or 600 to 675 feet) under background plus project conditions. Contribution to a vehicle queue in a turn-movement with inadequate queue storage capacity is considered a project impact, according to the City of Gilroy definition of significant traffic operations impacts.

The remaining study intersection movements would continue to provide adequate queue storage to serve the projected queue lengths under project conditions.



Table 10 **Intersection Vehicle Queue Analysis** 

		iterey/ isten		terey/ nsey <sup>3</sup>		Monterey/ Farrell			erey/ esley	Wren/ Farrell	On-Ra	01 NB amps/ sten	US 101 NB Off-Ramps Leavesley
	WBL	WBL	EB	EB	EB	EB	NBL	SBL	SBL	WBL	EBL	EBL	NBL
Measurement	AM	PM	AM	PM	AM	PM	PM	AM	PM	PM	AM	PM	PM
Existing Conditions													
Cycle/Delay <sup>1</sup> (sec)	95	145			75	80	80	80	92	16.2	9.4	8.1	105
Lanes	1	1			2	2	1	1	1	1	1	1	2
Volume (vph)	133	387			589	236	58	217	254	371	538	349	370
Volume (vphpl)	133	387			295	118	58	217	254	371	538	349	185
Avg. Queue (veh/ln.)	4	16			6	3	1	5	6	2	1	1	5
Avg. Queue <sup>2</sup> (ft./ln)	88	390			153	66	32	121	162	42	35	20	135
95th %. Queue (veh/ln.)	7	22			10	6	3	9	11	4	4	2	9
95th %. Queue (ft./ln)	175	550			250	150	75	225	275	100	100	50	225
Storage (ft./ In.)	340	340			700	700	325	450	450	250	150	150	350
Adequate (Y/N)	YES	NO			YES	YES	YES	YES	YES	YES	YES	YES	YES
Existing Plus Project Conditions													
Cycle/Delay <sup>1</sup> (sec)	95	145			75	80	80	80	92	20.3	9.7	8.2	105
Lanes	1	1			2	2	1	1	1	1	1	1	2
Volume (vph)	151	447			679	299	92	238	269	405	590	386	384
Volume (vphpl)	151	447			340	150	92	238	269	405	590	386	192
Avg. Queue (veh/ln.)	4	18			7	3	2	5	7	2	2	1	6
Avg. Queue <sup>2</sup> (ft./ln)	100	450			177	83	51	132	172	57	40	22	140
95th %. Queue (veh/ln.)	8	25			12	7	5	9	11	5	4	3	10
95th %. Queue (ft./ln)	200	625			300	175	125	225	275	125	100	75	250
Storage (ft./ In.)	340	340			700	700	325	450	450	250	150	150	350
Adequate (Y/N)	YES	NO			YES	YES	YES	YES	YES	YES	YES	YES	YES
Background Conditions													
Cycle/Delay <sup>1</sup> (sec)	95	145	60	60	75	80	80	80	92	12.8	11.7	9.1	105
Lanes	1	1	1	1	2	2	1	1	1	1	1	1	2
Volume (vph)	146	431	349	158	325	138	59	247	275	253	832	625	476
Volume (vphpl )	146	431	349	158	163	69	59	247	275	253	832	625	238
Avg. Queue (veh/ln.)	4	17	6	3	3	2	1	5	7	1	3	2	7
Avg. Queue <sup>2</sup> (ft./ln)	96	434	145	66	85	38	33	137	176	22	68	39	174
95th %. Queue (veh/ln.)	7	24	10	6	7	4	3	10	12	3	6	4	12
95th %. Queue (ft./ln)	175	600	250	150	175	100	75	250	300	75	150	100	300
Storage (ft./ ln.)	340	340	Future	Future	700	700	325	450	450	250	150	150	350
Adequate (Y/N)	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Background Plus Project Conditions													
Cycle/Delay <sup>1</sup> (sec)	95	145	60	60	75	80	80	80	92	14.3	12.4	9.3	105
Lanes	1	1	1	1	2	2	1	1	1	1	1	1	2
Volume (vph)	164	491	397	192	367	167	88	268	290	276	884	662	490
Volume (vphpl )	164	491	397	192	184	84	88	268	290	276	884	662	245
Avg. Queue (veh/ln.)	4	20	7	3	4	2	2	6	7	1	3	2	7
Avg. Queue <sup>2</sup> (ft./ln)	108	494	165	80	96	46	49	149	185	27	76	43	179
95th %. Queue (veh/ln.)	8	27	11	6	7	4	4	10	12	3	6	4	12
95th %. Queue (ft./ln)	200	675	275	150	175	100	100	250	300	75	150	100	300
Storage (ft./ ln.)	340	340	Future	Future	700	700	325	450	450	250	150	150	350
Adequate (Y/N)	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

<sup>&</sup>lt;sup>1</sup> Vehicle queue calculations based on cycle length for signalized intersections and control delay for unsignalized intersections.



<sup>&</sup>lt;sup>2</sup> Assumes 25 feet per vehicle in the queue.

<sup>&</sup>lt;sup>3</sup> Eastbound approach assumed to be completed under background and background plus project conditions. NB = Northbound, SB = Southbound, EB = Eastbound, WB = Westbound, R = Right, T = Through, L = Left.

# **Parking Analysis**

Based on the parking rates found in the City of Gilroy Zoning Ordinance (Section 31, Off-street parking requirements), single family residential units must provide a minimum of 2 off-street parking stalls per dwelling unit (one of which should be a covered carport or garage). Multi-family residential units are required to provide 1.5 parking stalls per one to two bedrooms dwelling units, and 2 stalls for each unit having three or more bedrooms or rooms that could be used as bedrooms, plus 1 stall for every four units for guests. One stall for each unit should be covered with a garage or carport. In addition, based on City of Gilroy parking requirements, the retail portion of the project should provide one parking stall for every 250 square feet of gross floor area.

The Americans with Disabilities Act (ADA) requires developments to provide one accessible parking space for every 25 parking spaces provided for the first 100 parking spaces, and one additional parking space for every 50 parking spaces provided from 100 up to 200 total parking spaces. Accessible parking spaces shall be at least 96 inches (8 feet) wide and shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In addition, one in every 8 accessible spaces, but no less than one, shall be served by an access aisle at least 96 inches wide and shall be designated as "van accessible". It should be noted that the accessible parking spaces are not additional parking spaces, but are part of the minimum parking spaces required. Both the retail and multi-family portions of the project should comply with and satisfy ADA parking requirements.

The proposed project must adhere to these requirements in order to satisfy City of Gilroy standards.

# **Emergency Access Evaluation**

A review of the Preliminary Master Plan for the Wren Investors site and the Conceptual Development Plan for the Hewell Property site for adequacy of site access and on-site circulation is presented in Chapter 7 (Other Transportation Issues).

#### **Wren Investors Site**

Based on the review of the Preliminary Master Plan, it was determined that with the preliminary internal roadway layout and dimensions, every proposed single-family residential unit within the project development would be accessible from at least three different access points, making emergency vehicle access and circulation within the project site adequate. Emergency access to the multi-family units must be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design of all access roadways will have to be approved by the City of Gilroy.

#### **Hewell Property Site**

Based on the review of the Conceptual Development Plan, every residential unit within the site would be accessible from at least two different access points, making emergency vehicle access within the project site adequate. However, the design of all new roadways and alleys providing direct access to the proposed residential units must adhere to City of Gilroy design guidelines and standards and should provide adequate turn-radii for emergency vehicles and large trucks to maneuver through the site. With the appropriate roadway widths and turn-radii, on-site circulation for emergency vehicles would be adequate. The final design of all access roadways will have to be approved by the City of Gilroy.



# Recommended Mitigation Measures under Background Plus Project Conditions

Described below are the intersection impacts under background plus project conditions and recommended mitigation measures necessary to maintain the level of service standard and acceptable intersection operations under background plus project conditions. The resulting levels of service with implementation of the proposed mitigation measures are summarized in Table 11.

#### 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

#### Impact:

The projected level of service on the highest-delay approach at this unsignalized intersection is projected to be LOS F during the AM and PM peak hours under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the southbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS A during the AM and PM peak hours under background plus project conditions.

The above improvements are planned in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

#### 3. Monterey Road and Day Road (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS D during the AM peak hour under background conditions and the addition of project traffic would cause the intersection level of service to deteriorate to unacceptable LOS E and D during the AM and PM peak hours, respectively (City of Gilroy Impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the northbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.



Table 11
Mitigated Background Plus Project Intersection Level of Service Results

Study							Ва	ckgrou	nd Plus Proj	ect	Mitig	ated
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	Avg. Delay	LOS
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop	С	Yes	AM	10.9	B+	+2.8	-	9.0	Α
			(Average Delay)			PM	5.0	Α	+1.4		8.4	Α
			One-Way Stop	D		AM	176.0 <sup>5</sup>		+51.4	Yes		
			(Worst Approach)			PM	116.7 <sup>5</sup>	F	+36.6	Yes		
3	Monterey Road and Day Road	CofG	One-Way Stop	С	Yes	AM	37.4	E+	+6.1		13.8	В
			(Average Delay)			PM	31.5	D	+8.1	-	11.1	B+
			One-Way Stop	D		AM	<b>299</b> .1 <sup>5</sup>	F	+59.9	Yes		
			(Worst Approach)			PM	<b>497.0</b> <sup>5</sup>	F	+141.1	Yes		
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM	31.1	D	+1.8	Yes	29.6	С
						PM	57.5	F	+3.5	Yes	33.7	C-
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	7.0	A-	+0.3	-	11.2	B+
			(Average Delay)			PM	62.9	F	+13.2	]	10.9	B+
			Two-Way Stop	D		AM	21.2	С	+1.2	Yes		
			(Worst Approach)			PM	106.9 <sup>5</sup>	F	+22.3	Yes		
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	84.0	F	+17.7		21.7	C+
			(Average Delay)			PM	19.7	С	+3.1		13.9	В
			Two-Way Stop	D		AM	<b>766.6</b> <sup>5</sup>	F	+194.0	Yes		
			(Worst Approach)			PM	107.1 <sup>5</sup>	F	+25.1	Yes		

#### Notes:

Entries denoted in **bold** indicate conditions that exceed the City's current level of service standard.

- Denotes significant impact based on City of Gilroy criteria.
- Denotes significant impact based on Caltrans criteria.



<sup>&</sup>lt;sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>&</sup>lt;sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

<sup>&</sup>lt;sup>3</sup> Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>&</sup>lt;sup>4</sup> Change in delay, expressed in seconds, for background plus project conditions is measured relative to background conditions. Change in delay, expressed in seconds, for cumulative plus project conditions is measured relative to cumulative no project conditions.

<sup>&</sup>lt;sup>5</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>\* =</sup> CMP intersection

# 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

# Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the PM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy Impact).

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include protected left-turn signal phasing on the northbound/southbound approaches and split phasing on the eastbound/westbound approaches. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under background plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

# Impact:

This unsignalized intersection is projected to operate at unacceptable LOS E during the PM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the PM peak hour under background plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

#### Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the southbound approach and protected phasing on the westbound approach. Additionally, a receiving lane in the westbound direction also is needed as an exclusive lane for the southbound right-turn movement volumes. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

# Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the AM peak hour under background conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under background plus project conditions and the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the northbound approach and protected



phasing on the eastbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under background plus project conditions.

In addition to installation of a traffic signal, providing adequate queue storage capacity for the relatively high projected eastbound left-turn movement volumes at this intersection also would be required. In the case providing adequate queue storage capacity for the eastbound left-turn movement is not feasible, a northbound loop on-ramp may be necessary to serve the eastbound on Masten Avenue to northbound US 101 traffic volumes. It should be noted that a loop on-ramp is one of the improvements included in the City's TCMP for this location. The level of analysis to determine the necessary interchange lane configuration would be completed in the interchange's Project Study Report (PSR).

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 1. Monterey Road and Masten Avenue/Fitzgerald Avenue – Westbound Left-Turn

# Impact:

The addition of project traffic to the westbound left-turn movement at this intersection would cause the projected 95<sup>th</sup> percentile vehicle queue to increase by three vehicles (from 24 to 27 vehicles, or 600 to 675 feet) from background to background plus project conditions. This exceeds the existing storage capacity of approximately 340 feet (or 13 vehicles). Based on City of Gilroy definition of significant traffic operations impacts, this is considered a project impact.

# Mitigation:

The project impact to the westbound left-turn movement of the Monterey Road/Masten Avenue/Fitzgerald Avenue intersection could be mitigated by providing a second westbound left-turn lane. However, it should be noted that the westbound movement of the intersection is operated on a split signal phase (both left and through westbound movements proceed through the intersection simultaneously). With this type of phasing, the situation will never occur where the left-turn movement is stopped while the adjacent through movement is trying to proceed. Additionally, the westbound through movement volume is about the same as the westbound left-turn volume. Therefore, an even split between the left and the through lanes can be expected during most signal cycles at the intersection. Because all movements in the westbound direction proceed through the intersection at the same time and the left-turn queue would rarely block the through lane or prevent through vehicles from reaching the intersection, this left-turn queue storage deficiency most likely would not create safety or operational problems.

The addition of a second westbound left-turn lane on Master Avenue has been identified in the City of Gilroy General Plan and in the City's TIF Program. Section 4.4.12 of the Development Agreement between the City of Gilroy and Glen Loma Ranch requires the developer of Glen Loma Ranch to construct this improvement, or mitigate the impact by other means. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.



# 6. Cumulative Conditions

This chapter presents a summary of the traffic conditions that would occur under cumulative conditions with the proposed project. Cumulative conditions are defined as conditions shortly after completion of the proposed project. Traffic volumes for cumulative conditions comprise volumes from existing traffic counts plus traffic generated by other approved developments in the vicinity of the site, trips generated by the proposed project, and traffic from proposed but not yet approved developments. This chapter describes the procedure used to determine cumulative traffic volumes and the resulting traffic conditions.

# **Cumulative Transportation Network**

It is assumed in this analysis that the transportation network under cumulative conditions would be the same as described under background conditions. Under cumulative plus project conditions, the transportation network would be the same as described under background plus project conditions.

# **Proposed Developments**

The latest list of proposed but not yet approved (pending) developments in the City of Gilroy was provided by City staff in August 2017. Table 12 lists the pending developments in the City of Gilroy, which are assumed to add traffic to the roadway network under cumulative conditions. Traffic associated with proposed developments is discussed below.

# **Cumulative Conditions Traffic Volumes**

Baseline cumulative peak-hour traffic volumes (without project traffic) were calculated by adding to background volumes the estimated traffic from proposed but not yet approved (pending) development projects. The added traffic from proposed developments was estimated based on the location, size, and use of each proposed development, and applying the process of trip generation, distribution, and assignment described in Chapter 3. The same assumptions utilized to estimate approved project traffic, as discussed in Chapter 4 (Background Conditions), were applied to estimate pending project traffic. The baseline cumulative conditions traffic volumes are presented graphically on Figure 15.

Cumulative plus project traffic volumes were calculated by adding project-generated trips to baseline cumulative volumes. The cumulative plus project peak-hour traffic volumes are shown on Figure 16. Peak-hour intersection turning movement volumes for all intersections and study scenarios are tabulated in Appendix B.



Table 12 Pending Development Projects in the City of Gilroy

#	Project Name/Applicant	Project Location/Address	Project Description
1	Downtown Specific Plan	Downtown Gilroy	560ksf retail, 312ksf office space, 1,276 residential units
2	Eagle Ridge: Bellavista	Eagle Ridge Dr	16-lot single-family homes
3	First & Kern Apartments	First St and Kern Ave	120-unit apartments
4	First & Kelton Commercial	First St and Kelton Dr	12,000 s.f. commercial complex
5	Gary Carnes	Miller Pond	15 lots subdivision
6	Gilroy Crossing - Regency Phase II Industrial Only	Southeast corner of Camino Arroyo and Hwy 152	Industrial (5.64 acres remaining)
7	Gilroy Self-Storage	6500 & 6700 Cameron Blvd	39,751 SF self-storage additions
8	Glen Loma Elementary School (GUSD)	N/e corner of Santa Teresa Blvd and Club Drive	800-student K-5 elementary school
9	Greenfield Drive Subdivision	Thomas Ln	14 lots development on 8 acres
10	Hwy 152 Retail Cntr-Newman (Industrial)	Easterly terminus of Renz Ln	Industrial Park (12.84 acres)
11	Intex Building Tenant Improvements	8425 Monterey Rd	11,186-square foot warehouse tenant space converts to auto repair use space
12	Jan Hochhauser	Royal Way	65-unit condominium
13	Larson Steel	5747 Obata Wy	10,500 s.f. industrial building with warehouse and steel fabrication shop
14	Leavesley Road Chevron	Northwest quadrant of Murray Ave and Leavesley Rd	Two new fuel pumps (4 fueling stations) with an overhead canopy
15	Mayock Industrial Addition	205 Mayock Rd	10,000 s.f. addition to an existing industrial building
16	Monterey Apartments	8955 Monterey Rd	78-unit apartment with new 4,600 s.f. commercial
17	Silacci Way	6705 Silacci Wy	91,045 s.f. for contractor truck parking and equipment yard
18	Wren Investor	Vickery Ln between Kern Ave and Wren Ave	137 low-density residential lots, 20 medium-density residential lots, 102 high-density townhome/apartments, and 0.40 acres of neighborhood commercial
	Source: City of Gilroy Planning Department, Augus	it 2017	



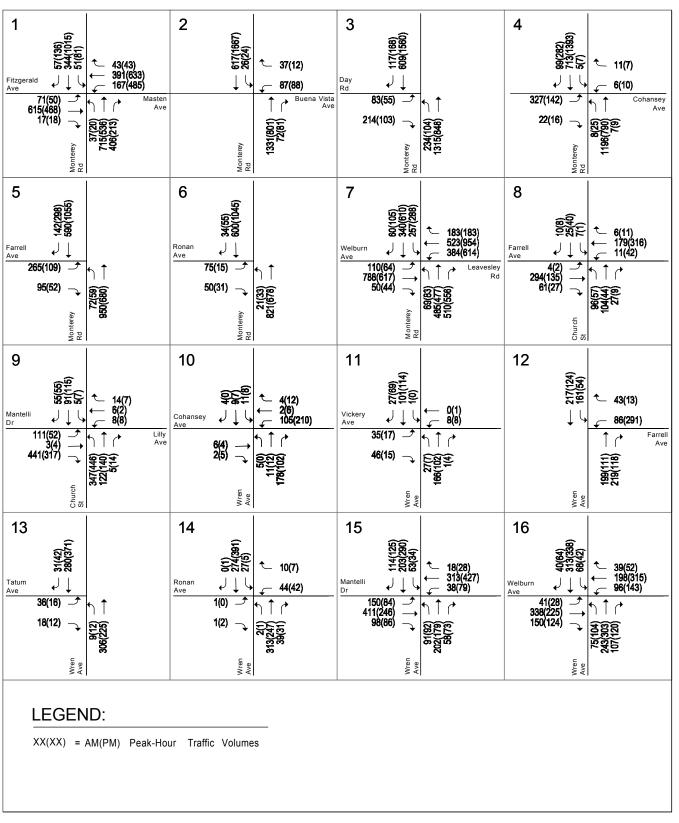


Figure 15 Cumulative Traffic Volumes



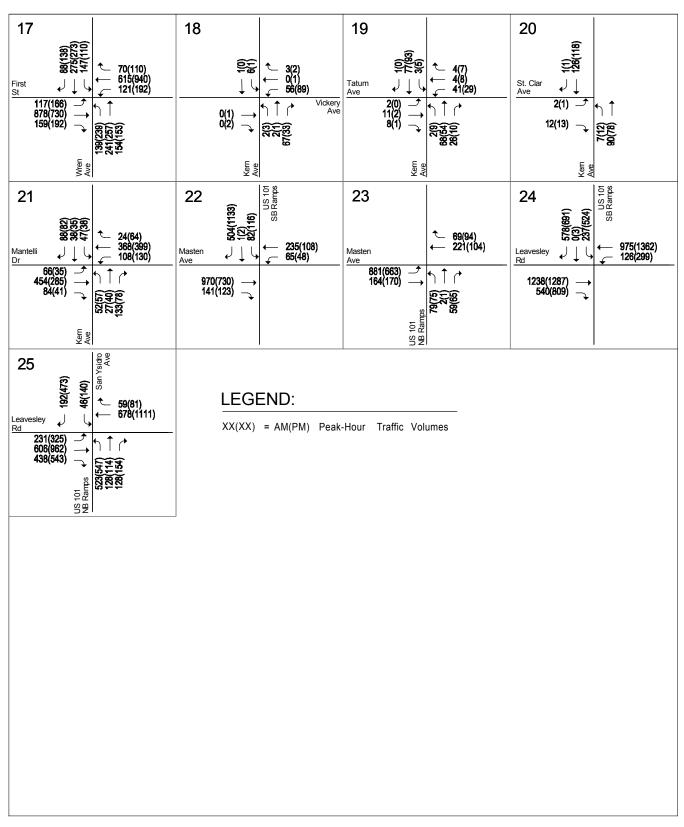


Figure 15 (Continued)
Cumulative Traffic Volumes



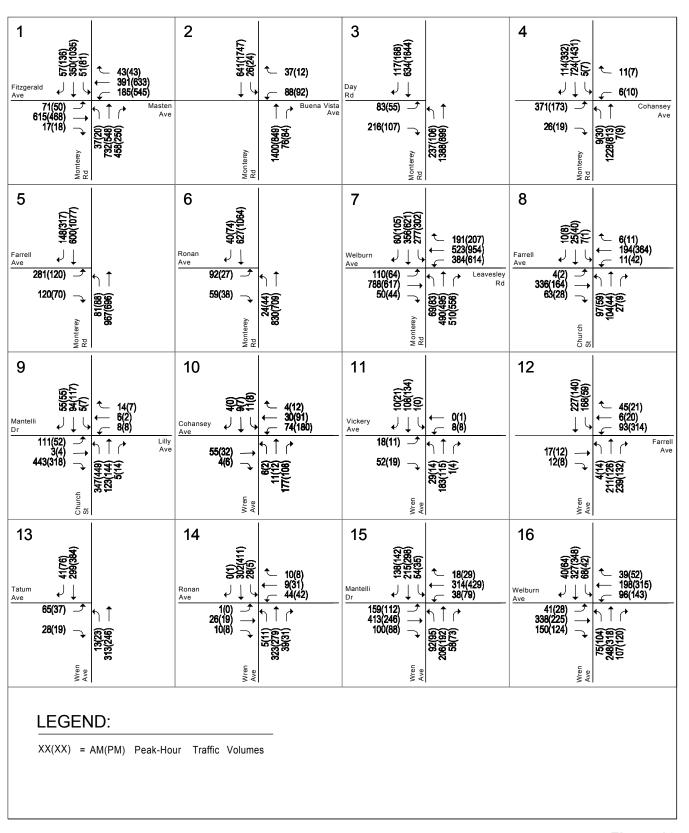


Figure 16 Cumulative Plus Project Traffic Volumes



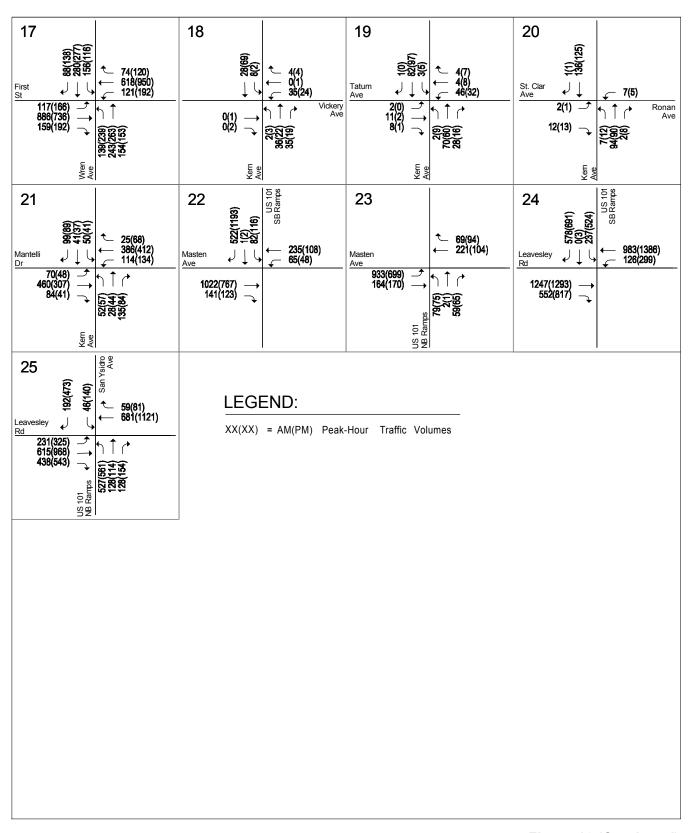


Figure 16 (Continued)
Cumulative Plus Project Traffic Volumes



# **Cumulative Conditions Intersection Levels of Service**

The results of the intersection level of service analysis under cumulative plus project conditions are discussed below and summarized in Table 13. The analysis results are presented for all study intersections based on City of Gilroy level of service standard and impact criteria. Caltrans intersections also are evaluated based on Caltrans level of service standards and impact criteria.

The level of service calculation sheets are included in Appendix C.

# **City of Gilroy/Santa Clara County Intersections**

# **Signalized Intersections**

The results of the level of service analysis for the signalized study intersections indicate that the following study intersection is projected to operate at an unacceptable level of service during both peak hours under cumulative plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (Impact: PM peak-hour)

The level of service calculations show that the addition of project traffic at the above intersections would cause the intersection average delay to increase by more than one second during the PM peak-hour. This constitutes a significant cumulative project impact, based on City of Gilroy signalized intersection level of service impact criteria.

The remaining signalized study intersections would continue to operate at acceptable levels of service during the AM and PM peak hours under cumulative plus project conditions.

# **CMP Intersection**

The results of the level of service analysis for the CMP intersection under cumulative plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

# **Unsignalized Intersections**

The results of the level of service analysis of the unsignalized intersections under cumulative plus project conditions indicate that four of the unsignalized study intersections are projected to operate with overall average intersection delays corresponding to an unacceptable LOS D or worse during at least one of the peak hours analyzed:

- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: AM and PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The above intersections also are projected to operate at unacceptable levels under cumulative conditions, and the addition of project traffic would cause the intersections' average delay to increase beyond the City's delay increase threshold during the deficient peak hours. Based on City of Gilroy unsignalized intersection level of service impact criteria, this is considered a cumulative project impact.

Additionally, the unsignalized intersection analysis results indicate that the following four unsignalized study intersections (three of which also are listed above) are projected to operate with average delays corresponding to LOS F on its stop-controlled approach with the highest delay during at least one of the



Table 13 Cumulative Plus Project Intersection Level of Service Results

Study							Cumula	tive No	Project	C	umulati	ve Plus Proi	Plus Project	
Int.	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay		Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	scc	Signal	С	Yes	AM PM	63.0 86.7	E		63.4 88.5	E F	+0.4	 1	
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	13.5	B- A-	-	17.4 11.7	C+ B+	+3.9	 	
			One-Way Stop (Worst Approach)	D		AM PM	234.2 <sup>5</sup> 218.5 <sup>5</sup>		Yes Yes	312.2 313.9	5 F	+78.0 +95.4	Yes Yes	
3	Monterey Road and Day Road	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	48.2 42.8	E- E		55.9 55.0	F F	+7.7 +12.2		
			One-Way Stop (Worst Approach)	D		AM PM	409.0 <sup>5</sup> 755.9 <sup>5</sup>	•	Yes Yes	491.5 997.5	5 F	+82.5 +241.6	Yes Yes	
4	Monterey Road and Cohansey Avenue	CofG	Signal	С	Yes	AM PM	13.8 9.6	B A	-	18.0 14.6	B- B	+4.2 +5.0		
5	Monterey Road and Farrell Avenue	CofG	Signal	С	No	AM PM	13.8 7.5	B A	-	14.5 9.0	B A	+0.7 +1.5	 	
6	Monterey Road and Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	2.1 0.8	A+ A+	-	3.0 1.4	A+ A+	+0.9 +0.6	 	
			One-Way Stop (Worst Approach)	D		AM PM	25.6 24.0	D+ C-	Yes No	32.3 34.0	D- D-	+6.7 +10.0	Yes No	
7	Monterey Road and Leavesley Road/Welburn Avenue*	Caltrans	Signal	С	No	AM PM	29.8 33.9	C C-		30.4 34.5	C C-	+0.6 +0.6		
8	Church Street and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	12.0 10.5	B B	No No	13.2 11.5	B B	+1.2 +1.0	No No	
9	Church Street and Mantelli Drive/Lilly Ave	CofG	All-Way Stop	С	Yes	AM PM	18.6 21.3	C C	Yes Yes	18.7 21.7	C C	+0.1 +0.4	Yes Yes	
10	Wren Avenue and Cohansey Avenue	CofG	All-Way Stop	С	Yes	AM PM	8.4 9.3	A A	No No	8.3 8.9	A A	-0.1 -0.4	No No	
11	Wren Avenue and Vickery Avenue	CofG	All-Way Stop	С	No	AM PM	8.2 7.8	A A	No No	8.2 7.8	A A	+0.0 +0.0	No No	
12	Wren Avenue and Farrell Avenue	CofG	All-Way Stop	С	Yes	AM PM	10.0 11.3	A B	No No	10.6 12.2	B B	+0.6 +0.9	No No	
13	Wren Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay)		No	AM PM	0.7	A+ A+ B	-	1.9	A+ A+	+0.8		
			Two-Way Stop (Worst Approach)			AM PM	12.7 12.4	В	No No	14.1 14.1	B- B-	+1.4 +1.7	No No	
14	Wren Avenue and Ronan Avenue	CofG	Two-Way Stop (Average Delay)	С	No	AM PM	1.5 1.1	A+ A+	-	2.4	A+ A+	+0.9 +1.3		
			Two-Way Stop (Worst Approach)	D		AM PM	15.2 15.2	C+ C+	No No	17.7 18.8	C+ C	+2.5 +3.6	No No	
15	Wren Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	21.5 22.6	C C	Yes Yes	23.1 24.9	C C	+1.6	Yes Yes	
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM PM	33.3 65.6	D F	Yes Yes	35.4 69.3	E F	+2.1	Yes Yes	
17	Wren Avenue and First Street	Caltrans	Signal	С	Yes	AM PM	29.1 34.5	C C-	-	29.3 34.7	C C-	+0.2 +0.2		
18	Kern Avenue and Vickery Avenue	CofG	Uncontrolled, AWSC <sup>6</sup>	С	No	AM PM	7.9 7.4	A B	No No	7.2 8.6	A A	-0.7 +1.2	No No	
19	Kern Avenue and Tatum Avenue	CofG	Two-Way Stop (Average Delay)	С	No	AM PM	2.9 2.6	A+ A+	-	3.0 2.5	A+ A+	+0.1 -0.1		
			Two-Way Stop (Worst Approach)	D		AM PM	9.9 9.8	A- A-	No No	10.0 9.9	A- A-	+0.1 +0.1	No No	
20	Kern Avenue and St. Clar Avenue/Ronan Avenue	CofG	One-Way Stop (Average Delay)	С	No	AM PM	0.8 1.0	A+ A+		1.0 1.0	A+ A+	+0.2 +0.0	 	
			One-Way Stop (Worst Approach)	D		AM PM	9.1 9.0	A- A-	No No	10.2 10.2	B+ B+	+1.1 +1.2	No No	
21	Kern Avenue and Mantelli Drive	CofG	All-Way Stop	С	Yes	AM PM	13.9 12.1	B B	No No	14.6 12.8	B B	+0.7 +0.7	No No	



# Table 13 (Continued) Cumulative Plus Project Intersection Level of Service Results

Study							Cumulat	ive No	Project	Cumulative Plus Project				
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	Los	Warrant Met? <sup>3</sup>	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	7.1	A-	-	7.5	A-	+0.4		
			(Average Delay)			PM	62.1	F		76.2	F	+14.1		
			Two-Way Stop	D		AM	21.2	С	Yes	22.6	C-	+1.4	Yes	
			(Worst Approach)			PM	<b>105.7</b> <sup>5</sup>	F	Yes	129.4	5 F	+23.7	Yes	
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop	С	Yes	AM	82.8	F		104.7	F	+21.9		
			(Average Delay)			PM	19.9	С		23.9	C-	+4.0		
			Two-Way Stop	D		AM	<b>754.0</b> <sup>5</sup>	F	Yes	1002.5	F	+248.5	Yes	
			(Worst Approach)			PM	108.7 <sup>5</sup>	F	Yes	141.7	F	+33.0	Yes	
24	US 101 SB Ramps and Leavesley Road	Caltrans	Signal	С	No	AM	17.8	В	-	17.7	В	-0.1		
						PM	31.3	С		31.5	С	+0.2		
25	US 101 NB Ramps/San Ysidro Avenue	Caltrans	Signal	С	No	AM	27.2	С		27.2	С	+0.0		
	and Leavesley Road					PM	30.0	С		30.2	С	+0.2		
	Notes:  1 SCC = Santa Clara County; CofG = City of Gilroy 2 TIF Int. = City of Gilroy Traffic Impact Fee intersect 3 Signal warrant analysis based on the Peak Hour S 4 Change in delay, expressed in seconds, for cumuli 5 The HCM methodology for intersection analysis do exceeds 100+ seconds. Once an intersection is of the intersection delay exponentially, resulting in u the purpose of quantifying the projected increase if 6 Uncontrolled intersection under existing conditions * = CMP intersection Entries denoted in <b>bold</b> indicate conditions that exc	ignal Warrant #3, Fig ative plus project con es not accurately cal alculated to operate nrealistic excessive on delay due to the pro- Assumed to be all-	ditions is measured reliculate actual intersection with delays exceeding telays that most likely oposed project, all calculate way stop-controlled with	ative to cumular on operating con operating con 100 seconds, a would never be ulated delays and the project.	tive no p inditions iny addit experier	oroject cor once the tional traffi nced at ar	nditions. calculated in to to the intental calculation actual intental	nterseo	tion delay will incre	ase , for	tions.			

peak hours analyzed <u>and</u> the traffic volume during the same peak hour would be high enough to satisfy the peak-hour volume warrant:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 22. US 101 SB Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 NB Ramps and Masten Avenue (Impact: AM and PM peak hours)

Based on the unsignalized intersection level of service impact criteria, intersections where both the average delay on the stop-controlled approach with the highest delay operates at LOS E or F <u>and</u> the addition of project traffic causes the traffic volumes at the intersection to satisfy the peak-hour volume traffic signal warrant, are considered to be impacted by the project. Although this condition was met under cumulative conditions, the proposed project would contribute to the projected deficiency at these locations, increasing the delay for the approach with the highest delay. Therefore, this is also considered a cumulative project impact.

The remaining unsignalized study intersections would not have traffic volume and level of service conditions that exceed the City of Gilroy level of service standards during the AM and PM peak hours.

The peak-hour signal warrant sheets are contained in Appendix D.

# **Caltrans Intersections**

The results of the intersection level of service analysis for the Caltrans intersections under cumulative plus project conditions show that the following Caltrans study intersections are projected to operate at unacceptable levels of service, based on Caltrans level of service standards, during one of the peak hours analyzed:



- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

The level of service calculations show that the addition of project traffic to the above intersections would cause the intersection average delay to increase. This constitutes a significant cumulative project impact based on Caltrans intersection level of service impact criteria.

The remaining Caltrans study intersections would continue to operate at acceptable levels of service during the AM and PM peak hours under cumulative plus project conditions.

# Recommended Mitigation Measures under Cumulative Plus Project Conditions

Described below are the intersection impacts under cumulative plus project conditions and recommended mitigation measures necessary to maintain the City's level of service standard and acceptable intersection operations. The resulting levels of service with implementation of the proposed mitigation measures are summarized in Table 14.

# 1. Monterey Road and Masten Avenue/Fitzgerald Avenue (Santa Clara County Intersection)

Impact:

This signalized intersection is projected to operate at unacceptable LOS E and F during the AM and PM peak hours, respectively, under cumulative conditions and the addition of project traffic would cause the intersection average delay to increase by more than 1.0 second (City of Gilroy Impact).

Mitigation:

The minimum required improvements to mitigate the project impact at this intersection include adding a separate eastbound left-turn lane, a second westbound left-turn lane, and updating the signal phasing to protected left-turns in the eastbound/westbound direction. Implementation of the above improvements would improve the intersection level of service to better than cumulative (no project) conditions, satisfactorily mitigating the project impact. However, the intersection is projected to continue to be deficient (LOS D) during the PM peak-hour.

The above improvements are planned in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Section 4.4.12 of the Development Agreement between the City of Gilroy and Glen Loma Ranch requires the developer of Glen Loma Ranch to construct this improvement, or mitigate the impact by other means. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

Impact:

The projected level of service on the highest-delay approach at this unsignalized intersection is projected to be LOS F during the AM and PM peak hours under cumulative plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy Impact).



**Table 14 Mitigated Cumulative Plus Project Intersection Levels of Service** 

Study							Cu	ımulativ	ve Plus Proj	ect	Mitig	ated
Int. Number	Intersection	Jurisdiction <sup>1</sup>	Intersection Control	LOS Standard	TIF Int. <sup>2</sup>	Peak Hour	Avg. Delay	LOS	Delay Change <sup>4</sup>	Warrant Met? <sup>3</sup>	Avg. Delay	LOS
1	Monterey Road and Masten Avenue/Fitzgerald Avenue	SCC	Signal	С	Yes	AM PM	63.4 88.5	E F	+0.4	- 1 -	32.5 46.9	C- D
2	Monterey Road and Buena Vista Avenue	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	17.4 11.7	C+ B+	+3.9 +3.4	 	9.4 8.8	A A
			One-Way Stop (Worst Approach)	D		AM PM	312.2 <sup>5</sup> 313.9 <sup>5</sup>	Г	+78.0 +95.4	Yes Yes		
3	Monterey Road and Day Road	CofG	One-Way Stop (Average Delay)	С	Yes	AM PM	55.9 55.0	F F	+7.7 +12.2		13.8 12.7	B B
			One-Way Stop (Worst Approach)	D		AM PM	491.5 <sup>5</sup>		+82.5 +241.6	Yes Yes		
16	Wren Avenue and Welburn Avenue	CofG	All-Way Stop	С	Yes	AM PM	35.4 69.3	E F	+2.1	Yes Yes	24.9 24.7	C C
22	US 101 SB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	7.5 <b>76.2</b>	A-	+0.4	 1	12.0 11.0	B+ B+
			Two-Way Stop (Worst Approach)	D		AM PM	22.6 129.4 <sup>5</sup>	C-	+1.4	Yes Yes	11.0	
23	US 101 NB Ramps and Masten Avenue	Caltrans	Two-Way Stop (Average Delay)	С	Yes	AM PM	<b>104.7</b> <sup>5</sup> 23.9	<b>F</b> C-	<b>+21.9</b> +4.0	-	23.4 14.0	C B
			Two-Way Stop (Worst Approach)	D		AM PM	1002.5 <sup>5</sup>		+248.5 +33.0	Yes Yes		

#### Notes:

Entries denoted in **bold** indicate conditions that exceed the City's current level of service standard.

- Denotes significant impact based on City of Gilroy criteria.
- Denotes significant impact based on Caltrans criteria.



<sup>&</sup>lt;sup>1</sup> SCC = Santa Clara County; CofG = City of Gilroy

<sup>&</sup>lt;sup>2</sup> TIF Int. = City of Gilroy Traffic Impact Fee intersection.

<sup>&</sup>lt;sup>3</sup> Signal warrant analysis based on the Peak Hour Signal Warrant #3, Figure 4C Caltrans MUTCD, 2014. Signal warrant analysis is not applicable to signalized intersections.

<sup>&</sup>lt;sup>4</sup> Change in delay, expressed in seconds, for cumulative plus project conditions is measured relative to cumulative no project conditions.

<sup>&</sup>lt;sup>5</sup> The HCM methodology for intersection analysis does not accurately calculate actual intersection operating conditions once the calculated intersection delay exceeds 100+ seconds. Once an intersection is calculated to operate with delays exceeding 100 seconds, any additional traffic to the intersection will increase the intersection delay exponentially, resulting in unrealistic excessive delays that most likely would never be experienced at an actual intersection. However, for the purpose of quantifying the projected increase in delay due to the proposed project, all calculated delays are reported, including those exceeding 100 seconds.

<sup>\* =</sup> CMP intersection

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the southbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS A during the AM and PM peak hours under cumulative plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 3. Monterey Road and Day Road (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS E during the AM and PM peak hours under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under cumulative plus project conditions <u>and</u> the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant during both the AM and PM peak hours (City of Gilroy impact).

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the northbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS D and F during the AM and PM peak hours, respectively, under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase beyond the City's delay increase threshold (City of Gilroy Impact).

# Mitigation:

The project impact to this intersection could be mitigated with the addition of separate left-turn lanes on both the eastbound and westbound approaches, and installation of a traffic signal that would include protected left-turn signal phasing on all approaches of the intersection. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under cumulative plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.



# 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the PM peak hour under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the PM peak hour under cumulative plus project conditions and the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the southbound approach and protected phasing on the westbound approach. Additionally, a receiving lane in the westbound direction also is needed as an exclusive lane for the southbound right-turn movement volumes. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.

# 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

#### Impact:

This unsignalized intersection is projected to operate at unacceptable LOS F during the AM peak hour under cumulative conditions and the addition of project traffic would cause the overall intersection delay to increase by more than 1.0 second (City of Gilroy and Caltrans impact). Additionally, the projected level of service on the highest-delay approach would be LOS F during the AM and PM peak hours under cumulative plus project conditions and the traffic volume levels at the intersection would be high enough to satisfy the peak-hour volume traffic signal warrant (City of Gilroy Impact).

# **Mitigation:**

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the northbound approach and protected phasing on the eastbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under cumulative plus project conditions.

In addition to installation of a traffic signal, providing adequate queue storage capacity for the relatively high projected eastbound left-turn movement volumes at this intersection also would be required. In the case providing adequate queue storage capacity for the eastbound left-turn movement is not feasible, a northbound loop on-ramp may be necessary to serve the eastbound on Masten Avenue to northbound US 101 traffic volumes. It should be noted that a loop on-ramp is one of the improvements included in the City's TCMP for this location. The level of analysis to determine the necessary interchange lane configuration would be completed in the interchange's Project Study Report (PSR).

The above improvements are planned in the City's TCMP and are included in the City's TIF Program. The developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of this mitigation measure, this impact would be less-than-significant.



# 7.

# **Other Transportation Issues**

Other issues related to transportation were evaluated to determine if any deficiencies would exist under project conditions that are not specifically linked to environmental impact reporting. These are not considered environmental issues, and may not be evaluated in an environmental assessment, but have been included in the traffic study to meet the requirements of the local jurisdiction and Caltrans. The other transportation issues considered in this chapter include:

- Freeway ramp operations
- Potential impacts to bicycle, pedestrian, transit facilities
- Site access and circulation evaluation
- · Neighborhood traffic issues

Unlike the level of service impact methodology, which is adopted by the City Council, the analyses in this chapter are based on professional judgment in accordance with the standards and methods employed by the traffic engineering community.

# **Freeway Ramp Evaluation**

A review of metered freeway ramps providing access to and from US 101 and the project site was performed to identify the effect of the addition of project traffic on the queues at metered study freeway on-ramps. Uncontrolled freeway on-ramps are typically not evaluated since these ramps do not experience measurable queue lengths. It should be noted that the evaluation of freeway ramps is not required based on the City's transportation impact analysis guidelines. Nor are there adopted methodologies and impact criteria for the analysis of freeway ramps.

# **Study Freeway On-Ramps**

It is projected that the project will result in the addition of peak hour trips to two freeway interchanges: (1) US 101 at Masten Avenue, (2) and US 101 at Leavesley Road. The study on-ramps are evaluated during the peak-period when the proposed project would have the greatest effect on the existing queue lengths. The majority of the proposed project traffic that is projected to utilize the freeway on-ramps will occur during the AM peak-hour at both the northbound on-ramp at Masten Avenue and the southbound on-ramp at Leavesley Road. Ramps at each of the interchanges are metered in the northbound direction only during the AM peak-hour and in the southbound direction only during the PM peak-hour (direction of commute traffic).

# US 101 Northbound On-Ramp at Masten Avenue

The northbound on-ramp at Masten Avenue consists of a diagonal ramp and includes two mixed-flow lanes and one high occupancy vehicle (HOV) lane. Although a ramp meter is installed, field



observations revealed that the ramp meter is continuously green during the AM peak-hour, allowing the ramp to function as an uncontrolled ramp. No measurable vehicular queues were observed at this ramp. Therefore, it can be concluded that the addition of the project traffic to this ramp during the peak hours would not have an effect on existing queue lengths.

# US 101 Southbound On-Ramp at Leavesley Road

The southbound on-ramp at Leavesley Road consists of a diagonal ramp with two mixed-flow lanes with ramp meter. Field observations revealed that this ramp meter is operational during the PM peak-hour only. Therefore, during the AM peak-hour, when the proposed project would add the most traffic to this on-ramp, the vehicular queues on this ramp are negligible and the project traffic during the AM peak-hour would not have an effect on the existing queue length.

Since the ramp meter at the Leavesley Road southbound on-ramp is operational during the PM peak-hour, and although the project traffic added to this ramp would be minimal during the PM peak-hour, an evaluation of the queue length on this ramp during the PM peak-hour was completed. The existing queue lengths at the ramp were measured in the field during the PM peak-hour.

The maximum observed queue length on the on-ramp during the PM peak-hour was a total of 88 vehicles, or 44 vehicles per lane. The maximum queue length was observed to extend nearly back to its intersection with Leavesley Road, although this only occurred once during the hour-long observation.

The proposed project is projected to add 9 trips to the US 101 southbound on-ramp at Leavesley Road during the PM peak-hour, which represents less than a 1% increase in volume from existing conditions, and equates to potentially one vehicle trip added to the on-ramp approximately every 6.5 minutes. The project could potentially add one or two vehicles to the maximum queue if vehicles were to arrive at just the right moment when the queue is at its maximum. Thus, it can be concluded that the addition of PM project trips to this metered on-ramp would have very little effect on the existing vehicle queues at the ramp.

# **Bicycle Circulation**

Various bicycle facilities exist in the vicinity of the project site (existing bike lanes are available along segments of Cohansey Avenue, Wren Avenue, Farrell Avenue, Church Street, Welburn Avenue, and Mantelli Drive). In addition, the Bicycle Transportation Plan contained in the City of Gilroy General Plan, the City of Gilroy Bicycle/Pedestrian Transportation Plan, and the City of Gilroy Trails Master Plan indicate that a variety of bicycle facilities are planned in the study area, some of which would benefit the project. Of the planned facilities, the following are relevant to the project:

# Bicycle paths, bicycle/pedestrian trails are planned for:

- Monterey Road Trail located east of the project site, this trail is a countywide route proposed to extend south from Morgan Hill to Buena Vista Avenue in Gilroy;
- Day Road Trail located north of the project site, this trail runs along Day Road west of Santa Teresa Boulevard, then eastward across to Buena Vista Avenue and ending at New Avenue;
- Lions Creek Trail along the Santa Clara Valley Water District channel, Lions Creek Trail would extend from west of Christopher High School to Day Road (East), parallel to (east of) Santa Teresa Boulevard and (north of) Tatum Avenue, to Church Street;
- Ronan Channel/Llagas Creek Trail located south of the project site, this trail will link
  residential areas in the northwest area of the City with commercial and industrial areas to the
  east and southeast;
- Las Animas Trail along Las Animas Avenue, this trail would extend east from Monterey Road to Murray Avenue.



- North Santa Teresa Trail located northwest of the project site, this trail will link the Lions Creek Trail to the regional Santa Teresa trail north of Fitzgerald Avenue;
- Creek Trail from Fitzgerald Avenue to Cohansey Avenue between Santa Teresa Boulevard and Monterey Road; and

# Bike lanes are planned for:

- Farrell Avenue, between Wren Avenue and Monterey Road
- Cohansey Avenue
- Wren Avenue, between Farrell Avenue and Vickery Avenue
- Monterey Road, between Farrell Avenue and Leavesley Road

# Bicycle routes are planned for:

• Welburn Avenue, between Wren Avenue and Monterey Road.

Additionally, the VTA *Valley Transportation Plan 2040* (VTP2040) identifies various bicycle projects in the Gilroy area, some of which are also listed above. The VTP2040 is a long-range transportation planning document, which is the first step in the development and eventual construction of the projects. The bicycle projects identified in the VTP2040 located in the Gilroy area are summarized in Table 15.

# **Project's Effect on Bicycle Facilities**

The proposed project would increase the demand on bicycle facilities in the vicinity of the project site. The potential demand could be served by the various bicycle facilities available in the immediate vicinity of the project site. However, along segments with missing bicycle facilities, project-related bicycle traffic would need to share the roadway with auto traffic. The implementation of the above planned bicycle facilities would enhance the existing facilities and provide a continuous bicycle network to serve the project area. Since the above planned bicycle facilities are not fully funded, it is uncertain when these facilities would be open.

Although the City of Gilroy currently does not have requirements for bicycle parking, VTA recommends bicycle-parking rates for new developments in *Bicycle Technical Guidelines*, December 2007. According to VTA's recommended rates, multi-family residential developments (such as apartments, condominiums, and townhouses) should strive to supply one Class I (bike lockers) bike parking space for every 3 units plus one Class II (bike racks) bike parking space for every 15 units. Additionally, VTA also recommends to supply one Class I bike parking for every 30 employees plus one Class II bike parking for every 6,000 s.f. of retail space. Based on these rates, the multi-family residential component of the proposed project (102 units) should provide a total of 34 Class I and 7 Class II bicycle parking spaces, while the retail component (8,000 square feet) should provide 1 Class I and 1-2 Class II bicycle parking spaces.

# **Recommended Bicycle Facility Improvements**

The following recommendations are made to promote non-auto modes of transportation in the City and to accommodate bicycle travel near the project site:

<u>Install Bicycle Parking Facilities</u>. It is recommended that the proposed project provide adequate bicycle parking supply, based on VTA's recommends bicycle-parking rates, to serve the multi-family and retail components of the project.

<u>Contribute to Planned Bicycle Facilities in the Project Area</u>. It is recommended that the proposed project contribute to the completion of planned bicycle facilities that would serve the project site directly, in particular those along Kern, Cohansey, and Wren Avenues. The contribution should include striped



Table 15
VTP2040 Bicycle Improvement Projects in Gilroy

VTP ID	Project Title	Description
Bicycle I	Projects in Gilroy	
B4	Lions Creek Santa Clara Valley Water District (SCVWD) Service Rd. Trail: West of Kern Ave. between Kern and Day	Construct 12-foot-wide bicycle/pedestrian trail to follow the existing SCVWD service road elevation and alignment
B5	Lions Creek SCVWD Service Road Trail: West of Santa Teresa Blvd./Day Rd. East (between Tapestry and Day Rd. East)	Install 12-foot-wide bicycle/pedestrian trail segment, to connect Christopher High School to surrounding neighborhoods, on Santa Teresa Blvd. to the bicycle/pedestrian bridge across Lions Creek.
В6	Northern Uvas Creek SCVWD Service Road Trail (Gilroy Gardens Extension Trail)	Construct a 12-foot wide bicycle/pedestrian trail, to connect and expand the existing Uvas Creek trail system, on Santa Teresa Blvd. at Third St. to Burchell Creek Bridge.
В7	Western Ronan Channel SCVWD Service Road Trail	Convert an existing unpaved creek-side maintenance road that is closed to the public to a multi-use public trail for use by bicyclists and pedestrians.
B50	Santa Teresa Boulevard Bicycle Delineation and Shoulder Widening	Project provides bicycle delineation at eight intersections between SR-152 and Castro Valley Rd.; provides bike slots and shoulder widening as needed through intersections with acceleration/deceleration lanes and free running right-turn lanes allowing for safer transitions for through traveling bicyclists.
B77	Gilroy Sports Park Trail: Santa Teresa Boulevard/Mesa Road to Sports Park Ticket Booth	Construct a 12-foot-wide bicycle/pedestrian trail to connect Gavilan College and planned future residential development in Southern Gilroy to the Sports Park.
B78	Lions Creek Trail West: Gap Closure from Santa Teresa Blvd. at Day Road East to Just East of Kern Avenue Bridge	Construct a paved 4,100-foot-extension of an all-weather 12-foot wide bicycle trail on Lions Creek connecting existing Lions Creek Trail East to Santa Teresa Blvd., area schools, public transit, regional transit centers, and to existing on-street bicycle facilities.
B115	Fitzgerald Avenue Bicycle Shoulder widening from Santa Teresa Boulevard to Monterey Highway	Install shoulders on Fitzgerald Ave. to support safe operations for bicycles.
B116	Watsonville Road shoulders from Santa Teresa Boulevard to SR 152	Improve paved shoulder for bicycle use, add center lane and right-turn enhancements at select locations to accommodate vehicular turning such that shoulders remain unobstructed for bicyclists.
Source: V	TA's Valley Transportation Plan 2040 (VTP 2040).	

bike facilities, to the extent practical, along Kern Avenue, and extending the existing bike lane along Cohansey Avenue from the Harvest Park site to Kern Avenue. Additionally, it is recommended that the missing bike lanes along Wren Avenue, approximately 1,000 feet between Farrell Avenue and Vickery Avenue, be installed to provide a continuous bike lane along Wren Avenue.

Ultimately, the contribution, if required, should be determined by the City of Gilroy and it should be based on the project's contribution to the total projected growth in the study area.

# **Pedestrian Circulation**

As discussed in Chapter 2 (Existing Conditions), pedestrian facilities in the project area consist primarily of sidewalks along residential streets in the study area. Although most developed areas in the vicinity of the project site have sidewalks along both sides of the street, some streets within the project area have sidewalks missing along one or both sides of the street, including segments of Wren Avenue,



Kern Avenue, Tatum Avenue, Vickery Avenue, and Farrell Avenue. This results in a discontinuous pedestrian facility network in the project area.

# **Project's Effect on Pedestrian Facilities**

It can be expected that new pedestrian traffic would be generated by the proposed project. Possible pedestrian destinations near the project sites include Antonio Del Buono Elementary School (located adjacent to and east of the Wren Investors site), Las Animas Park (located between one quarter mile to less than one mile south of the project sites along Mantelli Drive), and the bus stops along Monterey Road (located just over half a mile east of the project sites). Rod Kelley Elementary School also is located half a mile to one mile south of the project site (along Kern Avenue), a distance which might be considered too far for some to walk to school. Pedestrians accessing the above pedestrian destinations would mainly utilize Kern, Wren, Cohansey, Vickery, and Farrell Avenues. However, with the missing sidewalks along segments of these roadways, there is currently not a continuous pedestrian connection between the Hewell Property and Wren Investors sites, or between the project sites and other pedestrian facilities/destinations.

Existing bus stops on Monterey Road could be accessed from the project site via Cohansey Avenue (with the Cohansey Avenue extension), Farrell Avenue, and Ronan Avenue. Continuous sidewalks would be available along Cohansey Avenue, however, both Farrell and Ronan Avenues currently have segments with missing sidewalks along at least one side of the street. The existing/future traffic signals at the intersections of Cohansey and Farrell Avenues with Monterey Road would facilitate crossing Monterey Road to access the northbound bus stops, located on the east side of Monterey Road. However, no pedestrian crossing of Monterey Road is located at Ronan Avenue, forcing pedestrians to walk northward approximately one-third of a mile to the signalized intersection of Monterey Road/Las Animas Avenue, where the next northbound bus stop is located.

The lack of connectivity between the project site and other pedestrian destinations potentially could discourage pedestrian activity or force pedestrians to walk along undeveloped roadway shoulders and/or within the street.

Although it is not feasible for the proposed project to install all missing sidewalks in the vicinity of the project sites, providing sidewalks along both sides of all new roadways within the project sites and along the project's frontage on Kern, Vickery, and Wren Avenues, would greatly improve pedestrian connectivity and circulation in the study area. The new sidewalks would connect to other existing and planned sidewalks along Cohansey Avenue and Wren Avenue, providing a continuous pedestrian connection between the project sites and Wren Avenue, including access to the Antonio Del Buono Elementary School. However, the lack of a continuous pedestrian facility along Kern Avenue would continue, affecting pedestrian connectivity between the project sites and pedestrian destinations along Kern Avenue.

Antonio Del Buono Elementary School is located in the northeast quadrant of the Wren Avenue/Farrell Avenue intersection, east of the Wren Investors site. The intersection of Wren Avenue/Farrell Avenue, a T-intersection, is currently controlled by stop signs on all approaches of the intersection. A single high-visibility crosswalk is currently striped along the east leg of the intersection, providing a pedestrian connection between the school and the neighborhoods south of Farrell Avenue. With the proposed project, Farrell Avenue would be extended into the Wren Investors site and this intersection would become a four-legged intersection. In addition to providing vehicular access to the project site, the intersection would provide the main pedestrian access between the project site and Antonio Del Buono school. As such, marked pedestrian crosswalks on Wren Avenue at Farrell Avenue should be provided.

A discussion of the project's effect on traffic conditions in the vicinity of the Antonio Del Buono Elementary School is provided in the following sections.



# **Recommended Pedestrian Circulation Improvements**

<u>Installation of Sidewalks</u>. It is recommended that with the development of the project area, sidewalks along both sides of all new streets on the project site and along existing project frontage streets with missing sidewalks be built. This would provide a continuous sidewalk connection from every proposed residential unit within the project site to existing and planned pedestrian facilities within the study area.

<u>Installation of School Crosswalks on All Legs of Farrell Avenue/Wren Avenue Intersection</u>. The project, in coordination with the City of Gilroy, should consider installing high visibility school crosswalks on all legs of the intersection of Farrell Avenue and Wren Avenue.

<u>Development of a Safe Route to Schools Program</u>. It is recommended that the project developer work with the City of Gilroy to develop a safe route to schools program from the project site to the anticipated school sites serving the project.

# **Transit Service**

Although the project site is not directly served by a bus route, bus stops serving the project site are located along Wren Avenue (at Ramona Way) and along Monterey Road (at Cohansey Avenue, Farrell Avenue, and Ronan Avenue).

In addition, Caltrain provides commuter rail service between Gilroy and San Francisco. The Gilroy Caltrain Station (Transit Center) is located in Downtown Gilroy, approximately 3 miles south of the project site, and the San Martin Caltrain Station is located approximately 4.5 miles north of the project site.

One of the planned transit projects in the City of Gilroy is the future High Speed Rail (HSR) project. The HSR line is planned to extend through Gilroy. Two alignments for this project are currently proposed: the first alignment would run parallel to the existing train tracks east of Monterey Road with a new station located near the existing Gilroy Caltrain Station; the second alignment would run east of US 101 with a new station located north of Leavesley Road.

Additionally, the VTA *Valley Transportation Plan 2040* (VTP2040) identifies two transit projects in Gilroy. These are described in Table 16 below.

# **Project's Effect on Transit Services**

Although no reduction to the project trip generation estimates was applied due to transit services, it can be assumed that some of the new project development residents could utilize public transportation. Applying an estimated three percent (3%) transit mode share, which is probably the highest that could be expected for the project, equates to approximately 7 to 10 new transit riders during the peak hours. The estimated number of new transit riders for the proposed project could be served by the existing bus line currently serving the project area. Therefore, the additional transit demand generated by the project would not justify additional transit services in the study area, based on the project demand alone. However, as the area surrounding the project site develops, the demand for public transportation could increase.

# **Recommended Transit Service Improvements**

Expansion of Service. With the development of the project area, VTA should consider expanding Bus Route 19 service area further north to directly serve the project area, or add a new route that would serve the project sites directly. Additionally, with the expansion of the service area, new bus stops could be located along Wren Avenue, Cohansey Avenue, and/or Kern Avenue.



Table 16 VTP2040 Transit Projects in Gilroy

VTP ID	Project Title	Description
Transit	Projects in Gilroy	
T14	Caltrain: South County	Double track segment on the Caltrain line between San Jose and Gilroy.
T15	Caltrain/HSR Station Improvements: San Jose Diridon and Gilroy Stations	Provide station improvements needed to accommodate and support the high-speed train service.
Source: \	/TA's Valley Transportation Plan 2040 (VTP 2040).	

# Site Access and On-Site Circulation

This analysis is based on a review of the Preliminary Master Plan for the Wren Investors site, dated October 23, 2012, by MH Engineering Co., and the Conceptual Development Plan for the Hewell Property site, dated December 20, 2013, also by MH Engineering Co. The plans are presented on Figures 2 and 3 of this report.

#### **Site Access**

#### Wren Investors Site

Access to the Wren Investors site would be provided via existing/new intersections along Vickery Avenue, Wren Avenue, and Kern Avenue. New internal roadways would connect to existing roadways and existing intersections, creating new or four-legged intersections. Farrell Avenue would be extended westward into the project site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. Two additional access points would provide access to the northern portion of the Wren Investors site, one along Wren Avenue, north of Farrell Avenue, and one along Vickery Avenue.

St. Clar Avenue would be extended eastward into the project site, forming a four-legged intersection at Kern Avenue, and connecting to Ronan Avenue, just west of Wren Avenue. This new roadway extension, in addition to Tatum Avenue, would provide direct access to the southern portion of the project site and as well as an alternate connection between Wren and Kern Avenues.

#### **Hewell Property Site**

The project site plan shows Cohansey Avenue, Kern Avenue, and Vickery Avenue to be the access roadways to the project site. The extension of Cohansey Avenue from the Harvest Park Phase site, through the project site, to Kern Avenue, would provide a direct connection from the project site to Monterey Road.

Every residential unit within the site would be accessible from at least two different access points. Therefore, vehicular access to/from the project site should be adequate.

#### **On-Site Circulation**

#### **Wren Investors Site**

Various new access roadways would provide direct access to the residential units and commercial area within the site. The Santa Clara Valley Water District channel runs east-west just north of Tatum Avenue splitting the project site in two, with no on-site direct connection between the northern and



southern parts of the site. The multi-family units are shown to be served by their own internal drive aisles/alleys, which have driveways along Tatum Avenue and along the new roadways both north and south of Tatum Avenue. All new internal access roadways are shown to be 60 feet wide, with the exception of the cul-de-sacs, which are shown to be 52 feet wide. No dimensions on the multi-family drive aisles are shown.

The City of Gilroy requires 60 feet of right-of-way (ROW) for local streets, which includes 11 feet of sidewalk/landscape on each side of the street, two 12-foot travel lanes, and two 7-foot parking lanes. The required ROW for cul-de-sacs is 52 feet, and includes 7 feet of sidewalk/landscape on each side of the street, two 12-foot travel lanes, and two 7-foot parking lanes. Thus, the proposed roadway widths satisfy the City of Gilroy street design standards. However, although not specified on the preliminary site plan, design of the multi-family units' access aisles also should adhere to City of Gilroy design quidelines.

Three cul-de-sacs are located on the northern portion of the project site. All other streets within the site would be through streets. With the preliminary internal roadway layout and dimensions, every proposed single-family residential unit within the project development is accessible from at least three different access points, making emergency vehicle access and circulation within the project site adequate. Emergency access to the multi-family units should be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design will have to be approved by the City of Gilroy.

# **Hewell Property Site**

In addition to extending Cohansey Avenue from its terminus point at the Harvest Park site/eastern Hewell Property site boundary to Kern Avenue, three other access roadways/residential streets also would be constructed within the project site (labeled as Lane 1, Lane 2, and Alley D in the site plan on Figure 2). The new access roadways would connect to the existing roadway network and provide direct access to the proposed residential units. Lanes 1 and 2 are shown to be 36 feet wide (face of curb to face of curb (FC to FC)) and would consist of two 11-foot travel lanes and two 7-foot parking lanes. Alley D is shown to be 20 feet wide and would consist of two 10-foot travel lanes (with no on-street parking). Additionally, the Cohansey Avenue extension through the site is shown to be 54-feet wide (consisting of two 12-foot travel lanes, two 8-foot bike lanes, and a 14-foot center median) and would be consistent with the segment of Cohansey Avenue east of the project site. Both Kern and Vickery Avenues, adjacent to the project site, are shown to be 40 feet wide and consist of two 12-foot travel lanes and two 8-foot parking lanes.

According to City of Gilroy street design guidelines, local public streets must have a 38-foot FC to FC width in order to provide two 12-foot wide travel lanes and two 7-foot wide parking lanes (one on each side of the street). Based on these recommendations, the proposed FC to FC width for Lanes 1 and 2 do not satisfy the street design guidelines prescribed by the City of Gilroy. However, the City may allow exceptions, and ultimately, the final design will have to be approved by the City of Gilroy.

Design of the 20-foot alley providing access to the units located on the north side of the site should adhere to City of Gilroy design guidelines and standards in order to provide adequate turn-radii for emergency vehicles and large trucks, such as garbage trucks, to maneuver through the site. As with the design of the local streets, the final design of the access alley will have to be approved by the City of Gilroy.

# **Neighborhood School Traffic Issues**

Based on field observations conducted in the project area on November and December 2017, it was observed that Wren and Farrell Avenues, in the vicinity of Antonio Del Buono Elementary School,



experience considerable traffic activity associated with morning school drop-off and afternoon school pick-up activity. The proposed project is projected to add traffic to these segments of Wren and Farrell Avenues, potentially exacerbating the observed AM peak hour existing conditions.

It was observed that during both the morning drop-off time and afternoon pick-up time, the east side of Wren Avenue is heavily parked along the entire school frontage and extending north of the school. Additionally, the undeveloped west side of Wren Avenue, across from the school and along the project site frontage, also is used for parent parking during both peak times. Parent parking along the west side of Wren Avenue was observed to be the heaviest during the afternoon school pick-up time, when parents show prior to the end of the school day, park and wait for their children. Parents park on the west side of Wren Avenue and walk their children to/from the school across the street. Consequently, school children that are dropped-off or picked-up on the west side of Wren Avenue will cross Wren Avenue at a mid-block location without the benefit of a crosswalk, a stop sign to control vehicles, or a crossing guard.

A few times during the morning drop-off time, parents were observed double parking in the northbound travel lane to drop-off their children. This required other northbound vehicles to use the center median lane to drive around the double parked vehicles, which became problematic when vehicles on the west side of the road were parked partially in the southbound lane. Additionally, the majority of the vehicles parked on either side of Wren Avenue were observed to complete a U-turn along this segment of Wren Avenue either after dropping-off their student on the east side of the street or prior to parking on the west side of the street.

The observed parked vehicles along the west side of Wren Avenue, in combination with the constant U-turn movements, contributed to the congestion and obstruction of traffic flow along Wren Avenue as well as created a significant amount of mid-block pedestrian crossings on Wren Avenue in an area where traffic patterns and activity are challenging. The combination of high pedestrian and vehicular volumes on this segment of Wren Avenue, in addition to the lack of sidewalks or paved shoulder on the west side of Wren Avenue, creates an undesirable condition for pedestrians.

No parking problems were observed along Farrell Avenue during either peak school time. The traffic activity on Farrell Avenue mainly consisted of parents driving into the on-site student loading lane (with entrance driveway on Farrell Avenue), then exiting the site on Wren Avenue. During the afternoon pick-up time, the on-site student loading lane backed out of the school site and onto Farrell Avenue. However, the vehicles queued on Farrell Avenue were able to store next to the curb in the westbound direction without affecting westbound traffic flow along Farrell Avenue.

# **Project's Effect on Neighborhood School Traffic Issues**

The existing two-way traffic volume on Wren Avenue, north of Farrell Avenue, is 418 vehicles during the AM peak hour and 174 vehicles during the PM peak hour. The existing traffic activity on this segment of Wren Avenue during the AM peak-hour is predominately school-related traffic. The proposed project is projected to add approximately 31 AM peak-hour trips and 44 PM peak-hour trips to the same segment of Wren Avenue. This equates to an increase in traffic associated with the project of approximately 7 percent during the AM peak hour and 25 percent during the PM peak hour. The added traffic will be residential-related traffic, predominantly commute in nature. However, due to the various roadways and access points providing access to the project site, project traffic would have the opportunity to use alternative routes to and from the project site, in particular during the school's peak hours. Nevertheless, the addition of project traffic to this segment of Wren Avenue with existing pedestrian deficiencies and congestion problems would cause the observed existing conditions during the AM peak-hour to worsen and would exacerbate the undesirable condition associated with pedestrians crossing Wren Avenue along this segment. The effect of project traffic to this segment of Wren Avenue during the PM peak-hour would be minimal.



Additionally, the conflict between project traffic and existing traffic will be further exacerbated because the project traffic would be predominately commute in nature whereas the existing traffic is predominately school-related, each with different trip purposes. Commute traffic is focused more on traveling through the neighborhood to commute routes and employment destinations with as little delay as possible. School-related traffic is more locally focused with shorter trips where access to the school and obtaining convenient parking for student loading is the highest priority. The addition of project traffic to existing traffic on Wren Avenue and the conflict between traffic with different trip purposes has the potential to degrade traffic operations in the corridor.

# **Possible Improvements**

The long-term improvements needed to alleviate the pedestrian deficiencies along Wren Avenue include widening Wren Avenue, across from the school, to provide a suitable parking area for parents to be able to park without blocking the through lanes. Additionally, a sidewalk along this segment of Wren Avenue, on the west side of the street, would be needed in order for school children that are dropped off or picked up on the west side of Wren Avenue to be able to walk to/from the intersection of Wren Avenue/Farrell Avenue and safely cross the street at that location. A new crosswalk across Wren Avenue (on the north leg of the Wren/Farrell intersection) also would be needed. These improvements would address the mid-block pedestrian crossings and the blockage of the travel lanes on Wren Avenue by inadequately parked vehicles on the west side of the street.

With the development of the proposed project, the west side of Wren Avenue would be developed and sidewalks would be provided. Therefore, with the proposed improvements along Wren Avenue planned as part of the project, in addition to possible changes to student loading procedures by the school, traffic conditions during the school peak hours along this segment of Wren Avenue potentially could improve.

Other possible improvements that could be implemented to alleviate traffic conditions in the vicinity of Antonio Del Buono Elementary School include:

- With the development of the proposed project, allow parking or loading zones on the west side
  of Wren Avenue, along the entire project frontage, to facilitate student loading during school
  start/end times.
- Design Wren Avenue along the project frontage to accommodate parking, bike lanes, and the necessary vehicular travel lanes.
- Add high visibility school crosswalks at the intersection of Wren Avenue and Farrell Avenue.
- Consider changes to the site plan so homes are not fronting directly onto Wren Avenue or Farrell Avenue, just west of Wren Avenue, as this area is likely to experience school traffic congestion during school start/end times.
- Design the proposed commercial site located on the southwest corner of the Wren Avenue/Farrell Avenue intersection to discourage school-related traffic from parking in the commercial parking lot.
- Encourage the school to develop and enforce a drop-off/pick-up plan in order to minimize midblock crossing and vehicle/pedestrian conflicts as well as illegal turns adjacent to the school grounds.

# **Recommendations to Alleviate Neighborhood School Traffic Issues**

<u>Contribute to Possible Improvements</u>. The project applicant should work with the City of Gilroy to address the project's contribution to the existing traffic issues and deficiencies and contribute towards the implementation of a feasible improvement.



# 7. Conclusions

The traffic impact analysis documents the potential traffic impacts to the surrounding transportation network associated with the proposed project. The purpose of the traffic analysis is to satisfy the requirements of the City of Gilroy, the Congestion Management Program (CMP) of the Santa Clara Valley Transportation Authority (VTA), Caltrans, and the California Environmental Quality Act (CEQA).

The study includes the analysis of 25 intersections. The potential impacts of the project on intersections were evaluated in accordance with City of Gilroy and Caltrans level of service standards and impact criteria.

# **Background Plus Project Conditions Analysis**

# **City of Gilroy/Santa Clara County Intersections**

#### **Signalized Intersections**

The results of the intersection level of service analysis indicate that, based on City of Gilroy signalized intersection level of service impact criteria, none of the signalized study intersections would be significantly impacted by the proposed project under background plus project conditions.

#### **CMP Intersection**

The results of the level of service analysis for the CMP intersection under background plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

# **Unsignalized Intersections**

The results of the level of service analysis show that the following unsignalized study intersections are projected to be impacted by the proposed project under background plus project condition, based on the City of Gilroy overall average intersection delay impact criteria, and/or the worst approach delay and signal warrant impact criteria:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: PM peak-hour)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)



# **Caltrans Intersections**

The results of the intersection level of service analysis for Caltrans intersections show that two of the Caltrans study intersections are projected to be impacted by the proposed project under background plus project conditions, based on Caltrans intersection level of service impact criteria:

- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

# **Freeway Segment Analysis**

According to CMP Traffic Impact Analysis Guidelines, a freeway level of service analysis is required if the number of project trips added to any freeway segment equals or exceeds one percent of the capacity of the segment. The key freeway segments in the study area were analyzed to determine if the project traffic on each segment would exceed this threshold. A review of the project trip assignment indicates that the number of project trips on the freeway falls below the one-percent threshold. Thus, the project would not cause a significant increase in traffic on the freeway segments in the study area, and a freeway level of service analysis is not required.

# **Intersection Operations Analysis**

The existing maximum queue length for all of the study intersection movements is estimated to be able to accommodate within the available queue storage capacity for each of the movements during the peak hours, with the exception of the westbound left-turn movement at the intersection of Monterey Road and Masten Avenue/Fitzgerald Avenue.

The maximum queue length for the westbound left-turn movement at the *Monterey Road and Masten Avenue/Fitzgerald Avenue* intersection is estimated to be 22 vehicles (or 550 feet) during the PM peak hour under existing conditions, exceeds the existing storage capacity of approximately 340 feet for this movement. The addition of approved (background) traffic to this movement would cause the projected queue length to increase by 2 vehicles (to 24 vehicles, or 600 feet) during the PM peak hour. The addition of project traffic to this turn movement would cause the projected vehicle queue to increase by 3 vehicles (from 24 to 27 vehicles, or 600 to 675 feet) during the PM peak-hour under background plus project conditions. Contribution to a vehicle queue in a turn-movement with inadequate queue storage capacity is considered a project impact, according to the City of Gilroy definition of significant traffic operations impacts.

# **Parking Analysis**

The proposed project must adhere to the City of Gilroy parking requirements (found in the City of Gilroy Zoning Ordinance, Section 31, Off-street parking requirements) and the Americans with Disabilities Act (ADA) requirements in order to satisfy City of Gilroy standards.

# **Emergency Access Evaluation**

# **Wren Investors Site**

Based on the review of the Preliminary Master Plan, it was determined that with the preliminary internal roadway layout and dimensions, every proposed single-family residential unit within the project development would be accessible from at least three different access points, making emergency vehicle access and circulation within the project site adequate. Emergency access to the multi-family units must be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design of all access roadways will have to be approved by the City of Gilroy.



# **Hewell Property Site**

Based on the review of the Conceptual Development Plan, every residential unit within the site would be accessible from at least two different access points, making emergency vehicle access within the project site adequate. However, the design of all new roadways and alleys providing direct access to the proposed residential units must adhere to City of Gilroy design guidelines and standards and should provide adequate turn-radii for emergency vehicles and large trucks to maneuver through the site. With the appropriate roadway widths and turn-radii, on-site circulation for emergency vehicles would be adequate. The final design of all access roadways will have to be approved by the City of Gilroy.

# **Recommended Mitigation Measures under Background Plus Project Conditions**

Described below are the recommended mitigation measures necessary to maintain the level of service standard and intersection operations under background plus project conditions.

All mitigation measures listed below are planned in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of the mitigation measures, the project impacts would be less-than-significant.

# 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the southbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS A during the AM and PM peak hours under background plus project conditions.

# 3. Monterey Road and Day Road (City of Gilroy Intersection)

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal, which would include protected left-turn movements on the northbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.

# 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include protected left-turn signal phasing on the northbound/southbound approaches and split phasing on the eastbound/westbound approaches. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under background plus project conditions.

# 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

# Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the southbound approach and protected phasing on the westbound approach. Additionally, a receiving lane in the westbound direction also is needed as an exclusive lane for the southbound right-turn movement volumes. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under background plus project conditions.



# 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

Mitigation:

The project impact to this intersection could be mitigated with the installation of a traffic signal that would include split signal phasing on the northbound approach and protected phasing on the eastbound approach. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under background plus project conditions.

# 1. Monterey Road and Masten Avenue/Fitzgerald Avenue – Westbound Left-Turn

Mitigation:

The project impact to the westbound left-turn movement of the Monterey Road/Masten Avenue/Fitzgerald Avenue intersection could be mitigated by providing a second westbound left-turn lane.

# **Cumulative Plus Project Conditions Analyses**

# City of Gilroy/Santa Clara County Intersections

# Signalized Intersections

The results of the level of service analysis for the signalized study intersections indicate that the following study intersection is projected to be impacted by the proposed project, based on City of Gilroy signalized intersection level of service impact criteria, under cumulative plus project conditions:

1. Monterey Road and Masten Avenue/Fitzgerald Avenue (Impact: PM peak-hour)

# **CMP Intersection**

The results of the level of service analysis for the CMP intersection under cumulative plus project conditions show that, measured against the CMP level of service standards, the CMP study intersection of Monterey Road and Leavesley Road/Welburn Avenue (#7) is projected to operate at an acceptable LOS C during the AM and PM peak hours.

# **Unsignalized Intersections**

The results of the level of service analysis show that the following unsignalized study intersections are projected to be impacted by the proposed project under cumulative plus project condition, based on the City of Gilroy overall average intersection delay impact criteria, and/or the worst approach delay and signal warrant impact criteria:

- 2. Monterey Road and Buena Vista Avenue (Impact: AM and PM peak hours)
- 3. Monterey Road and Day Road (Impact: AM and PM peak hours)
- 16. Wren Avenue and Welburn Avenue (Impact: AM and PM peak hours)
- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)

#### **Caltrans Intersections**

The results of the intersection level of service analysis for Caltrans intersections show that two of the Caltrans study intersections are projected to be impacted by the proposed project under cumulative plus project conditions, based on Caltrans intersection level of service impact criteria:

- 22. US 101 Southbound Ramps and Masten Avenue (Impact: PM peak-hour)
- 23. US 101 Northbound Ramps and Masten Avenue (Impact: AM peak-hour)



# **Recommended Mitigation Measures under Cumulative Plus Project Conditions**

Described below are the recommended mitigation measures necessary to maintain the level of service standard and intersection operations under cumulative plus project conditions.

All mitigation measures listed below are planned in the City's TCMP and are included in the City's TIF Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at this intersection. With implementation of the mitigation measures, the project impacts would be less-than-significant.

# 1. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

#### Mitigation:

The minimum required improvements to mitigate the project impact at this intersection include adding a separate eastbound left-turn lane, a second westbound left-turn lane, and updating the signal phasing to protected left-turns in the eastbound/westbound direction. Implementation of the above improvements would improve the intersection level of service to better than cumulative (no project) conditions, satisfactorily mitigating the project impact. However, the intersection is projected to continue to be deficient (LOS D) during the PM peak-hour.

# 2. Monterey Road and Buena Vista Avenue (City of Gilroy Intersection)

# Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS A during the AM and PM peak hours under cumulative plus project conditions.

# 3. Monterey Road and Day Road (City of Gilroy Intersection)

#### Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

# 16. Wren Avenue and Welburn Avenue (City of Gilroy Intersection)

# Mitigation:

The project impact to this intersection could be mitigated with the addition of separate left-turn lanes on both the eastbound and westbound approaches, and installation of a traffic signal that would include protected left-turn signal phasing on all approaches of the intersection. Implementation of the above improvements would improve the intersection level of service to LOS C during the AM and PM peak hours under cumulative plus project conditions.

# 22. US 101 SB Ramps and Masten Avenue (Caltrans Intersection)

# Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS B during the AM and PM peak hours under cumulative plus project conditions.

# 23. US 101 NB Ramps and Masten Avenue (Caltrans Intersection)

# Mitigation:

The improvements necessary to mitigate the project impact at this intersection are the same as described in the background plus project conditions section. Implementation of the above improvements would improve the intersection level of service to acceptable LOS C or better under cumulative plus project conditions.



# **Other Transportation Issues**

# **Freeway Ramp Evaluation**

A review of metered freeway ramps providing access to and from US 101 and the project site was performed to identify the effect of the addition of project traffic on the queues at metered study freeway on-ramps. Uncontrolled freeway on-ramps are typically not evaluated since these ramps do not experience measurable queue lengths. It should be noted that the evaluation of freeway ramps is not required based on the City's transportation impact analysis guidelines. Nor are there adopted methodologies and impact criteria for the analysis of freeway ramps.

#### US 101 Northbound On-Ramp at Masten Avenue

The northbound on-ramp at Masten Avenue consists of a diagonal ramp and includes two mixed-flow lanes and one high occupancy vehicle (HOV) lane. Although a ramp meter is installed, field observations revealed that the ramp meter is continuously green during the AM peak-hour, allowing the ramp to function as an uncontrolled ramp. No measurable vehicular queues were observed at this ramp. Therefore, it can be concluded that the addition of the project traffic to this ramp during the peak hours would not have an effect on existing queue lengths.

# US 101 Southbound On-Ramp at Leavesley Road

The southbound on-ramp at Leavesley Road consists of a diagonal ramp with two mixed-flow lanes with ramp meter. Field observations revealed that this ramp meter is operational during the PM peak-hour only. Therefore, during the AM peak-hour, when the proposed project would add the most traffic to this on-ramp, the vehicular queues on this ramp are negligible and the project traffic during the AM peak-hour would not have an effect on the existing queue length.

Since the ramp meter at the Leavesley Road southbound on-ramp is operational during the PM peak-hour, and although the project traffic added to this ramp would be minimal during the PM peak-hour, an evaluation of the queue length on this ramp during the PM peak-hour was completed. The existing queue lengths at the ramp were measured in the field during the PM peak-hour.

The maximum observed queue length on the on-ramp during the PM peak-hour was a total of 88 vehicles, or 44 vehicles per lane. The maximum queue length was observed to extend nearly back to its intersection with Leavesley Road, although this only occurred once during the hour-long observation.

The proposed project is projected to add 9 trips to the US 101 southbound on-ramp at Leavesley Road during the PM peak-hour, which represents less than a 1% increase in volume from existing conditions, and equates to potentially one vehicle trip added to the on-ramp approximately every 6.5 minutes. The project could potentially add one or two vehicles to the maximum queue if vehicles were to arrive at just the right moment when the queue is at its maximum. Thus, it can be concluded that the addition of PM project trips to this metered on-ramp would have very little effect on the existing vehicle queues at the ramp.

# **Bicycle Circulation**

#### **Recommended Bicycle Facility Improvements**

The following recommendations are made to promote non-auto modes of transportation in the City and to accommodate bicycle travel near the project site:

<u>Install Bicycle Parking Facilities</u>. It is recommended that the proposed project provide adequate bicycle parking supply, based on VTA's recommends bicycle-parking rates, to serve the multi-family and retail components of the project.



Contribute to Planned Bicycle Facilities in the Project Area. It is recommended that the proposed project contribute to the completion of planned bicycle facilities that would serve the project site directly, in particular those along Kern, Cohansey, and Wren Avenues. The contribution should include striped bike facilities, to the extent practical, along Kern Avenue, and extending the existing bike lane along Cohansey Avenue from the Harvest Park site to Kern Avenue. Additionally, it is recommended that the missing bike lanes along Wren Avenue, approximately 1,000 feet between Farrell Avenue and Vickery Avenue, be installed to provide a continuous bike lane along Wren Avenue.

Ultimately, the contribution, if required, should be determined by the City of Gilroy and it should be based on the project's contribution to the total projected growth in the study area.

# **Pedestrian Circulation**

# **Recommended Pedestrian Circulation Improvements**

<u>Installation of Sidewalks</u>. It is recommended that with the development of the project area, sidewalks along both sides of all new streets on the project site and along existing project frontage streets with missing sidewalks be built. This would provide a continuous sidewalk connection from every proposed residential unit within the project site to existing and planned pedestrian facilities within the study area.

<u>Installation of School Crosswalks on All Legs of Farrell Avenue/Wren Avenue Intersection</u>. The project, in coordination with the City of Gilroy, should consider installing high visibility school crosswalks on all legs of the intersection of Farrell Avenue and Wren Avenue.

<u>Development of a Safe Route to Schools Program</u>. It is recommended that the project developer work with the City of Gilroy to develop a safe route to schools program from the project site to the anticipated school sites serving the project.

#### **Transit Service**

# **Recommended Transit Service Improvements**

Expansion of Service. With the development of the project area, VTA should consider expanding Bus Route 19 service area further north to directly serve the project area, or add a new route that would serve the project sites directly. Additionally, with the expansion of the service area, new bus stops could be located along Wren Avenue, Cohansey Avenue, and/or Kern Avenue.

# **Site Access**

# **Wren Investors Site**

Every proposed single-family residential unit within the project development would be accessible from at least three different access points, making vehicular access to/from the project site adequate.

# **Hewell Property Site**

Every residential unit within the site would be accessible from at least two different access points. Therefore, vehicular access to/from the project site should be adequate.

#### On-Site Circulation

#### **Wren Investors Site**

The proposed roadway widths satisfy the City of Gilroy street design standards. However, although not specified on the preliminary site plan, design of the multi-family units' access aisles also should adhere to City of Gilroy design guidelines.



Emergency access to the multi-family units should be verified to ensure that the widths and turn radii of the access aisles comply with City requirements. The final design will have to be approved by the City of Gilroy.

# **Hewell Property Site**

Based on City of Gilroy street design guidelines, the proposed FC to FC width for Lanes 1 and 2 do not satisfy the recommended local public street width of 38 feet (FC to FC width). However, the City may allow exceptions, and ultimately, the final design will have to be approved by the City of Gilroy.

Design of the 20-foot alley providing access to the units located on the north side of the site should adhere to City of Gilroy design guidelines and standards in order to provide adequate turn-radii for emergency vehicles and large trucks, such as garbage trucks, to maneuver through the site. As with the design of the local streets, the final design of the access alley will have to be approved by the City of Gilroy.

# **Neighborhood School Traffic Issues**

# **Possible Improvements**

With the development of the proposed project, the west side of Wren Avenue would be developed and sidewalks would be provided. Therefore, with the proposed improvements along Wren Avenue planned as part of the project, in addition to possible changes to student loading procedures by the school, traffic conditions during the school peak hours along this segment of Wren Avenue potentially could improve.

Other possible improvements that could be implemented to alleviate traffic conditions in the vicinity of Antonio Del Buono Elementary School include:

- With the development of the proposed project, allow parking or loading zones on the west side
  of Wren Avenue, along the entire project frontage, to facilitate student loading during school
  start/end times.
- Design Wren Avenue along the project frontage to accommodate parking, bike lanes, and the necessary vehicular travel lanes.
- Add high visibility school crosswalks at the intersection of Wren Avenue and Farrell Avenue.
- Consider changes to the site plan so homes are not fronting directly onto Wren Avenue or Farrell Avenue, just west of Wren Avenue, as this area is likely to experience school traffic congestion during school start/end times.
- Design the proposed commercial site located on the southwest corner of the Wren Avenue/Farrell Avenue intersection to discourage school-related traffic from parking in the commercial parking lot.
- Encourage the school to develop and enforce a drop-off/pick-up plan in order to minimize midblock crossing and vehicle/pedestrian conflicts as well as illegal turns adjacent to the school grounds.

#### Recommendations to Alleviate Neighborhood School Traffic Issues

<u>Contribute to Possible Improvements</u>. The project applicant should work with the City of Gilroy to address the project's contribution to the existing traffic issues and deficiencies and contribute towards the implementation of a feasible improvement.



# **APPENDIX D**

MITIGATION MONITORING AND REPORTING PROGRAM

# MITIGATION MONITORING AND REPORTING PROGRAM

## Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

## **MONITORING PROGRAM**

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached checklist is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the mitigated negative declaration.

## MONITORING PROGRAM PROCEDURES

The City of Gilroy shall use the attached monitoring checklist for the proposed project. The monitoring program should be implemented as follows:

- 1. The Gilroy Planning Division should be responsible for coordination of the monitoring program, including the monitoring checklist. The Gilroy Planning Division should be responsible for completing the monitoring checklist and distributing the checklist to the responsible individuals or agencies for their use in monitoring the mitigation measures.
- 2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring checklist have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring checklist to the Gilroy Planning Division to be placed in the project file. If the mitigation measure has not been complied with, the monitoring checklist should not be returned to the Gilroy Planning Division.
- 3. The Gilroy Planning Division will review the checklist to ensure that appropriate mitigation measures and additional conditions of project approval included in the monitoring checklist have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals.
- 4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Gilroy Planning Division, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Gilroy.

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## MONITORING CHECKLIST

## Step 1 - Prior to Approval of Tentative Map and Architectural and Site Review

The following mitigation measure shall be implemented:

Party Party Party with a few land and authorized Project Applicant

#### Mitigation Measure BIO-2.

The project applicant shall identify protected trees, pursuant to Section 30.38.270 of the City's City Code, on the Tentative Map for residential development and on the Architectural and Site Review plans for commercial development. Protected trees shall be incorporated to the extent feasible into development design.

Party Responsible for implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:

## Mitigation Measure BIO-3.

During preparation of site plans, the project applicant shall contract with a certified arborist to prepare a tree assessment report for the project site and submit the report to the City of Gilroy Planning Division for review and approval. The tree assessment report shall include, but not be limited to, the following items:

a. identify all protected trees on the project site, pursuant to Section 30.38.270 of the City Code, including those that can be feasibly incorporated into the proposed development (retained), and those proposed for removal;

- b. recommendations for the size, species, source, location, and number of replacement plantings to mitigate the loss of protected trees; and
- c. for all trees that are to be retained on the project site, provide tree protection measures necessary to minimize construction activity that could affect tree health, structure, or stability.

All arborist recommendations, including the species and locations of all replacement trees, shall be listed on the final landscape plan, and the arborist shall sign the final landscape plan certifying that it is consistent with the tree assessment report recommendations.

Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:

## Mitigation Measure C-1.

Prior to approval of any tentative map for the project site, a historic resource evaluation (HRE) shall be prepared by a qualified professional and at the applicant's expense for the historic-era structures on the following Assessor's Parcels: 790-09-006, 790-17-001, 790-17-004, 790-17-007 and 008, and 790-17-010. At minimum, the HRE shall survey and identify all structures on these parcels that are 50 years or greater at the time of the survey and shall evaluate the identified historic-era structures with NRHP and CRHR eligibility criteria. If the HRE determines that significant historic structures are present on the site, a mitigation plan shall be prepared and submitted to the City of Gilroy Planning Director for review and approval prior to any site disturbing activities. The mitigation plan shall be prepared and implemented by a qualified historic professional and at the applicant's expense, and shall include a strategy for preservation of significant historic structures and a plan for adaptive re-use of the resource that utilizes either preservation in place or relocation to an appropriate receiver site elsewhere on the project site or within the City limit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

Monitoring Notes:
Mitigation Measure N-1.
Associated with CEQA compliance for subdivisions and commercial projects at the project site an acoustical analysis shall be prepared by a qualified acoustical professional. The recommendations in the analysis shall include, but not be limited to, recommendations for building placement and acoustical design features for new construction adjacent to Wren Avenue in proximity to the Antonio Del Buono Elementary School. The report recommendations shall be incorporated into the plans as part of the Tentative Map and Architectural and Site Review applications for future development, and shall be subject to the review and approval of the Planning Division, prior to approval of the Tentative Map and Architectural and Site Review.
Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:
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## Step 2 - Prior to Issuance of Grading and Building Permits

The following mitigation measure shall be implemented:

## Mitigation Measure AQ-1.

The following construction equipment parameters shall be included on all grading and building plans, subject to review and approval by the Building Division:

- a. All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two consecutive days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent that also includes CARB-certified Level 3 Verified Diesel Emission Control Strategies (VDECS) or Diesel Particulate Filters meeting these requirements. Note that U.S. EPA Tier 4 equipment is considered to meet this measure. Applicant and/or construction contractor shall be responsible for submitting an equipment data list and operations timeframes to the Building Division prior to commencement of grading operations, and updating the information each week that there is a change. For each piece of equipment, the list shall include: CARB identification number, type of equipment (grader, dozer, etc.), emissions classification of equipment (Tier 2, filter type, etc.), compliance or non-compliance with emissions requirements above, and proposed operation schedule.
- b. Include conspicuous signage at the construction site entry and on-site construction office reiterating idle time limits on all diesel-fueled off-road vehicles to five minutes, as required by Title 23, Section 2449, of the California Code of Regulations ("CARB Off-Road Diesel Regulations").
- c. Eliminate the use of portable diesel equipment (e.g., generators) within 200 feet of project boundaries by providing electrical service at the site during the initial construction phase. Alternatively, use propane or natural gas powered equipment if electricity is not available.

Weekly monitoring reports detailing compliance with the measures described above shall be submitted by the applicant to the Building Division during all phases of construction. The Building Division shall ensure this has occurred prior to issuance of an occupancy permit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Building Division
Monitoring Notes:

#### Mitigation Measure BIO-1.

If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the project applicant will retain a qualified biologist to conduct a pre-construction survey for nesting birds, including CDFW Fully Protected white-tailed kite. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than one week prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to the City of Gilroy Planning Division Manager for review and approval prior to disturbance and/or construction activities.

If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance will determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist.

To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.

Party Responsible for Implementation: Project Applicant

## Mitigation Measure BIO-4.

Prior to site disturbance, the project applicant shall fully comply with measures required by Section 30.38.270 of the Gilroy City Code. Pruning and/or removal of protected trees shall be undertaken only under the direction of a certified arborist hired at the applicants' expense, and subject to the review and approval of the Community Development Director. An approved tree removal permit is required prior to removal of any protected tree(s); the project developer shall obtain a tree removal permit, and shall comply with any tree protection measures or replacement plantings stipulated by the city.

Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:
Mitigation Measure BIO-5.
Prior to and during construction, the project applicant shall implement all retained tree protection measures recommended for the site by the certified arborist's tree assessment report and permit approvals.
Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:

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#### Attachment F



# Community Development Department

Karen L. Garner DIRECTOR

7351 Rosanna Street, Gilroy, California 95020-6197 Telephone: (408) 846-0451 Fax: (408) 846-0429 http://www.cityofgilroy.org

April 7, 2021

Neelima Palacherla, Executive Officer SANTA CLARA COUNTY LAFCO 70 West Hedding Street 8th Floor, East Wing San Jose. CA 95110

SUBJECT: GILROY 2021 URBAN SERVICE AREA AMENDMENT REQUEST

Good Afternoon Ms. Palacherla,

The City of Gilroy respectfully submits the attached application requesting an amendment to the Gilroy urban service area boundary to include an approximate 55.66-acre area commonly referred to as the Wren Investors/Hewell property. The proposed boundary adjustment and ultimate development of the Wren Investors/Hewell property has been contemplated since 2002 when the 2020 General Plan was adopted and the Wren Investors/Hewell property was added to the City's 20-year growth boundary. Since that time, the City has adopted a new General Plan.

The Wren Investors/Hewell property is <u>not</u> designated as Prime Farmland or Farmland of Statewide Importance under the Farmlands Mapping and Monitoring Program, is <u>not</u> located in the agricultural preservation area identified in the South County Joint Area Plan, and is <u>not</u> subject to a Williamson Act contract.

**Common Goals**: The City of Gilroy and LAFCO share many of the same goals and policies with respect to orderly growth and development, preserving agricultural lands, efficient delivery of services, and fiscal sustainability. These policies have been, are currently, and will continue to be considered throughout the development process for the Wren Investors/Hewell property and the entire Neighborhood District High area within which this property is included. Expansion of the urban service area is only the first step in a very long and involved process.

The attached analysis of consistency with LAFCO's USA Amendment Policies provides further insight on these common goals.

**CEQA Review**: In accordance with the California Environmental Quality Act (CEQA), an initial study was prepared to evaluate any potentially significant adverse effects of the proposed project on the environment. The initial study identified potentially significant impacts in four separate areas; Air Quality, Biological Resources, Cultural Resources, and Noise. The initial study identified eight mitigation measures that would reduce the potentially significant impacts to a less-than-significant level. A mitigated negative declaration (MND) was adopted by the City of Gilroy and the applicants have agreed to the Mitigation Monitoring Program.

An Environmental Impact Report (EIR) will also be provided as part of the annexation process, the required specific plan, and any future development of the USA expansion area. The EIR will, among other things, consider the impacts to public services, utilities, and service systems. As an example, it is anticipated that the required formation of a Community Facilities District for future development will mitigate the fiscal impacts related to the provision public services, utilities, and service systems.

**Specific Plan Requirement**. Prior to submitting an annexation application to LAFCO, the City will require the preparation of a Specific Plan, pursuant to the City's General Plan and Zoning Code. The Specific Plan will be developed in compliance with the Neighborhood District Zoning District and the Neighborhood District Policy, which provide further guidance on topics including phasing of development, location and mix of uses, site and architectural design, affordable housing, circulation, and open space.

**Plan for Services**: The City has anticipated and planned for eventual development of the Wren Investors/Hewell property and the larger Neighborhood District area by including it in Gilroy's infrastructure master plans to ensure adequate service to the area. The updates to the City's water system, sewer system, and storm drainage Master Plans will be complete In July 2021. Furthermore, the enclosed Plan for Services report demonstrates that existing and planned City infrastructure is sufficient to accommodate this increased demand for services.

Forward Thinking: It is the responsibility of local leaders to be forward thinking and plan for the needs of the future. The time has come when expansion of the Gilroy urban service area is needed to maintain a healthy supply of land in the city to meet future housing needs and accommodate the City's Regional Housing Needs Allocation (RHNA) for the current and upcoming planning period. The areas within Gilroy city limits abutting the Wren Investors/Hewell property are largely developed, allowing for an efficient extension of city infrastructure and services. The North Gilroy Neighborhood District area, which includes the Wren Investors/Hewell property, was included in the 20-year growth boundary nearly 20 years ago, and the reason why it is being proposed for inclusion in the urban service area boundary today.

The City of Gilroy anticipates that much of the vacant and underutilized land in the City will be entitled over the next five years, as Gilroy's Urban Growth boundary significantly limits Gilroy's expansion potential. Coupled with the current demand for housing at a local and regional level, staff expects that much of Gilroy's developable infill property

will have developed before the Wren Investors/Hewell property has completed its lengthy entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future residential growth requirements.

We appreciate LAFCO's involvement in the urban service area amendment proposal to date, including providing comments on the Mitigated Negative Declaration and meeting with City staff prior to the submission of this application. We respectfully request that a copy of this letter with attachments be distributed to the LAFCO Commissioners as part of the agenda packet for the upcoming LAFCO hearing. As discussed in the attached consistency analysis and the enclosed application materials, the City of Gilroy City Council finds that the proposed urban service area amendment is consistent with the policies shared by Gilroy and LAFCO.

If you have any questions or require additional information, please contact me directly at (408) 846-0253 or <a href="mailto:cindy.mccormick@cityofgilroy.org">cindy.mccormick@cityofgilroy.org</a>.

The City of Gilroy looks forward to working with you on this much needed request.

Respectfully,

Cindy McCormick, Senior Planner

#### **Enclosures:**

Application Form

- 1. List of associated Assessor's Parcel Numbers
- 2. Proposed USA expansion boundary map
- 3. Party Disclosure Forms
- 4. Lobbying Disclosure Forms
- 5. Staff's analysis of consistency with LAFCO's USA Amendment Policies
- 6. Certified copy of City Council resolution
- 7. Copy of the Gilroy City Council Staff Report
- 8. Copy of the Gilroy Planning Commission Staff Report
- 9. Initial Study and Mitigated Negative Declaration
- 10. Vacant Land Inventory
- 11. Plan for Services
- 12. Fiscal Impact Analysis
- 13. Important Farmlands Map
- 14. Important Farmland Classifications
- 15.1995 Gilroy General Plan land use diagram
- 16.2040 Gilroy General Plan land use diagram
- 17. USB drive with copies of this Letter of Request and the associated documents
- 18. LAFCO Filing Fees (2 separate checks, totaling \$13,758



## APPLICATION FOR URBAN SERVICE AREA (USA) OR SPHERE OF INFLUENCE (SOI) AMENDMENT PROPOSALS

#### I. APPLICANT INFORMATION

Agency seeking USA / SOI amendment: City of Gilroy

Contact Person: Cindy McCormick Phone: 408-846-0253

Address: 7351 Rosanna Street, Gilroy, CA 95020

Private citizen seeking SOI amendment: Wren Investors, LLC, and Mark Hewell & David Sheedy

Phone: See Supplemental Sheet

Assessor's Parcel Number(s): See Supplemental Sheet

Property Address: See Supplemental Sheet

Mailing Address: See Supplemental Sheet

#### II. PROPOSAL INFORMATION

Please provide the following information. You may attach additional sheets as needed and indicate so.

Project Description: Request for ✓ inclusion to/ exclusion from ✓ USA / SOI of the
 ✓ City / District of Gilroy for year 2021 .

- 3. Number of application areas: Two
- 4. Number of acres and parcels in each application area: Wren Investors: 50.3+/-; Hewell & Sheedy: 5.
- 5. For USA amendment, is proposal contiguous to existing USA and agency boundaries?

Yes, the land proposed for inclusion into Gilroy's USA boundary is contiguous to the northern limits of Gilroy's current USA boundary.

6. What is the relationship of the proposed boundaries to any adopted urban growth boundaries, or greenlines?

The land proposed for inclusion into Gilroy's USA boundary is located within Gilroy's Urban Growth Boundary.

7. Please explain agency's plans, policies or guidelines relating to USA and / or SOI amendments.

Gilroy's General Plan contains several policies related to urban service area expansions. A copy of the staff report analyzing those policies is attached to this application form.

## Check the appropriate section to indicate status of compliance with CEQA. Identify the CEQA Lead Agency for the project: City of Gilroy As Lead Agency for environmental review of the project, in compliance with CEQA, the city council of the City of Gilroy (name of City / District), has determined that the proposal: is statutorily exempt from the provisions of CEQA pursuant to CEQA Guidelines Section (cite class exemption section) because is categorically exempt from provisions of CEQA pursuant to CEQA Guidelines Section will have no significant environmental impacts and has completed an Initial Study and Negative Declaration for the proposal may have significant adverse impacts and in accordance with Section 15070 of the CEQA Guidelines, a Mitigated Negative Declaration (MND) has been certified. List impact areas in the MND that propose mitigation measures to: Air Quality, Biological Resources, Cultural Resources, and Noise will have significant adverse environmental impacts and has completed a final Environmental Impact Report (EIR) for the proposal. List impact areas for which any statement of Overriding Considerations was adopted. I hereby certify that the statements made in this application are to the best of my knowledge accurate. Cindy McCormick PRINT name of person completing this application 04/05/2021 Signature Date

III. ENVIRONMENTAL STATUS OF APPLICATION

Address

408-846-0253

Phone Number

cindy.mccormick@cityofgilroy.org

Email

#### **DISCLOSURE REQUIREMENTS**

Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the Fair Political Practices Commission: <a href="www.fppc.ca.gov">www.fppc.ca.gov</a>. Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).

## Wren Investors and Hewell & Sheedy USA Amendment Application Supplemental Information

Private Citizen Seeking USA Amendment:

Wren Investors, LLC, and Mark Hewell & David Sheedy

Phone: Wren Investors: 408-779-5900

Mark Hewell & David Sheedy: 408-483-2400

Assessor's Parcel Numbers:

Wren Investors: 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006,

007, 008, 009, 010;

Mark Hewell & David Sheedy: 790-06-017 and 790-06-018

Mailing Address:

Wren Investors Mark Hewell & David Sheedy

385 Woodview Ave #100 PO Box 1901 Morgan Hill, CA 95037 Gilroy, CA 95021

#### RESOLUTION NO. 2020-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY APPROVING THE WREN INVESTORS AND HEWELL URBAN SERVICE AREA APPLICATION, USA 12-01 AND 14-02, INCLUSION OF ASSESSOR PARCEL NUMBERS 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, GERALLY LOCATED WEST OF WREN AVENUE, SOUTH OF VICKERY AVENUE, AND NORTH AND SOUTH OF TATUM AVENUE; AND OUTSIDE THE NORTHERN CITY LIMITS NORTHEAST OF THE INTERSECTION OF VICKERY LANE AND KERN AVENUE, INTO THE CITY OF GILROY URBAN SERVICE AREA

WHEREAS, the Gilroy 2020 General Plan was adopted by the Gilroy City Council on June 13, 2002 and designates the subject property with a Neighborhood District land use designations; and

WHEREAS, Dick Oliver, representing Wren Investors, LLC, submitted Urban Service Area Amendment application USA12-01 requesting that the city of Gilroy incorporate approximately 50.3 acres of land into its Urban Service Area; and Mark Hewell and David Sheedy submitted USA 14-02 requesting that the city of Gilroy incorporate approximately 5.36 acres of land into its Urban Service Area; and

WHEREAS, the Wren Investors project site is generally located west of Wren Avenue, south of Vickery Avenue, and north and south of Tatum Avenue and the Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue; and

WHEREAS, In reviewing Urban Service Area Amendment applications, the City generally considers (1) whether there is currently an adequate supply of land to meet development needs within the next five years, (2) whether services can be provided to the site within the next five years, (3) the fiscal impacts of allowing the property to annex and develop, and (4) consistency with local policies, including LAFCO policies.

WHEREAS, the City Council of the City of Gilroy has considered the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02, in accordance with the Gilroy 2020 General Plan and other applicable standards and regulations; and

WHEREAS, City staff referred the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02, to various public agencies and City departments; and

WHEREAS, the City Council of the City of Gilroy has considered the Vacant Land Inventory, Fiscal Impact Analysis, Local Agency Formation Commission policy analysis, and

Plan for Services prepared for the Wren Investors and Hewell Urban Service Area Amendment application, USA, 12-01 and 14-02USA; and

WHEREAS, the Planning Commission considered the Initial Study/Mitigated Negative Declaration (MND) for the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02 (MND), at a special meeting on October 17, 2019, and unanimously approved a motion to recommend adoption of the Mitigated Negative Declaration; and

WHEREAS, the Planning Commission of the City of Gilroy considered the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02, at a special meeting on October 17, 2019, and unanimously approved a motion to recommend approval of the Wren Investors and Hewell Urban Service Area Amendment application, 12-01 and 14-02, and the City Council of the City of Gilroy has considered that recommendation; and

WHEREAS, the City Council of the City of Gilroy held a duly noticed public hearing on January 27, 2020; and

WHEREAS, the City Council of the City of Gilroy has duly found that the MND was completed for this project in compliance with the California Environmental Quality Act, has made the appropriate findings and has adopted the Wren Investors & Hewell Urban Service Area Amendment Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program at a regular meeting on January 27, 2020.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy finds, after due study, deliberation, and public hearing, makes the following findings:

- A. The Urban Service Area Amendment application is for property located within the City's 20-year Growth Boundary;
- B. The Urban Service Area Amendment application is on the whole consistent with Gilroy General Plan policies and goals regarding the pattern of development, the location of growth, the rate and timing of growth, and expansion of the City's Urban Service Area, and is consistent with LAFCO policies;
- C. Annexation and adoption of a specific plan will be required prior to consideration of development entitlements;
- D. The Urban Service Area Amendment will promote comprehensive planning for land use, storm water drainage, utilities, and circulation, and future development within the Urban Service Area request will be phased in accordance with 2020 General Plan Policies, Neighborhood District Policy, the Residential Development Ordinance and adopted Specific Plan. The Plan for Services demonstrates that services will be available in a timely manner for development of the site;

- E. The City currently has an approximate 11-year supply of vacant residential land suitable for the types of housing envisioned in the Wren Investors and Hewell development area and, in light of the protracted process to prepare a specific plan and annex land, increasing the land supply at this time by expanding the City's Urban Service Area boundary is needed to accommodate projected growth for the next five years, even though development of this site may take more than five years; and
- F. Although the Urban Service Area Amendment will create a negative fiscal impact on the city, the City will initiate financing district(s) to offset excess costs.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Gilroy hereby approves the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02, adding 56 acres of land to the City's Urban Service Area, and directs the City Administrator to submit the Wren Investors and Hewell Urban Service Area Amendment application, USA 12-01 and 14-02, to the Local Agency Formation Commission.

PASSED AND ADOPTED this 27th day of January, 2020 by the following roll call vote:

AYES: COUNCILMEMBERS:

BLANKLEY,

BRACCO,

MARQUES, TOVAR, TUCKER and VELASCO

NOES: COUNCILMEMBERS:

NONE

ABSTAIN: COUNCILMEMBERS:

LEROE-MUÑOZ

APPROVED:

Roland Velasco, Mayor

ATTEST:

Shawna Freels, City Clerk

I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Resolution No. 2020-05 is an original resolution, or true and correct copy of a city Resolution, duly adopted by the Council of the City of Gilroy at a regular meeting of said held on Council held on the 27<sup>h</sup> day of January, 2020, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 29<sup>th</sup> day of January, 2020.

Shawna Freels, MMC

City Clerk of the City of Gilroy

(Seal)

#### **RESOLUTION NO. 2020-04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GILROY ADOPTING THE WREN INVESTORS/HEWELL USA AMENDMENT MITIGATED NEGATIVE DECLARATION, USA 12-01 AND 14-02, INCLUSION OF ASSESSOR PARCEL NUMBERS 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, GENERALLY LOCATED WEST OF WREN AVENUE, SOUTH OF VICKERY AVENUE, AND NORTH AND SOUTH OF TATUM **AVENUE**; AND **OUTSIDE** THE **NORTHERN** CITY NORTHEAST OF THE INTERSECTION OF VICKERY LANE AND KERN AVENUE, INTO THE CITY OF GILROY URBAN SERVICE AREA

WHEREAS, the Gilroy 2020 General Plan was adopted by the Gilroy City Council on June 13, 2002 and designates the subject property with a Neighborhood District land use designations; and

WHEREAS, Dick Oliver, representing Wren Investors, LLC, submitted Urban Service Area Amendment application USA12-01 requesting that the city of Gilroy incorporate approximately 50.3 acres of land into its Urban Service Area; and Mark Hewell and David Sheedy submitted USA 14-02 requesting that the city of Gilroy incorporate approximately 5.36 acres of land into its Urban Service Area; and

WHEREAS, the Wren Investors project site is generally located west of Wren Avenue, south of Vickery Avenue, and north and south of Tatum Avenue and the Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue; and

WHEREAS, City staff referred the Wren Investors and Hewell Urban Service Area Amendment, USA 12-01 and 14-02, to various public agencies and City departments; and

WHEREAS, the Planning Commission considered the Mitigated Negative Declaration for the Wren Investors and Hewell Urban Service Area Amendment, USA 12-01 and 14-02 (MND), at a special meeting on October 17, 2019, and unanimously approved a motion to recommend adoption of the MND; and

WHEREAS, the Planning Commission of the City of Gilroy considered the Wren Investors and Hewell Urban Service Area Amendment, USA 12-01 and 14-02, at a special meeting on October 17, 2019, and unanimously approved a motion to recommend approval of the Urban Service Area Amendment, and the City Council of the City of Gilroy has considered that recommendation; and

WHEREAS, the City Council of the City of Gilroy held a duly noticed public hearing on January 27, 2020; and

WHEREAS, the City Council of the City of Gilroy has considered the MND together with all comments received during the public review process and the responses thereto and finds that the MND was completed in compliance with the California Environmental Quality Act; and

WHEREAS, the City Council finds on the basis of the whole record before it (including the initial study and all comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the City's independent judgment and analysis; and

WHEREAS, the location of the documents or other material which constitute the record of proceedings upon which its decision is based is the Office of the City Clerk, 7351 Rosanna St., Gilroy, CA 95020, and the custodian of such documents or other material is the City Clerk.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Gilroy hereby adopts the Mitigated Negative Declaration for the Wren Investors and Hewell Urban Service Area Amendment, USA 12-01 and 14-02, and the associated Mitigation Monitoring and Reporting Program.

PASSED AND ADOPTED this 27th day of January, 2020 by the following roll call vote:

AYES: COUNCILMEMBERS:

BLANKLEY,

BRACCO,

MARQUES, TOVAR, TUCKER and VELASCO

NOES: COUNCILMEMBERS:

NONE

ABSTAIN: COUNCILMEMBERS:

LEROE-MUÑOZ

APPROVED:

Roland Velasco, Mayor

ATTEST:

Shawna Freels, City Clerk

# MITIGATION MONITORING AND REPORTING PROGRAM

## INTRODUCTION

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

## **MONITORING PROGRAM**

The basis for this monitoring program is the mitigation measures included in the project mitigated negative declaration. These mitigation measures are designed to eliminate or reduce

significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached checklist is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the mitigated negative declaration.

## MONITORING PROGRAM PROCEDURES

The City of Gilroy shall use the attached monitoring checklist for the proposed project. The monitoring program should be implemented as follows:

- 1. The Gilroy Planning Division should be responsible for coordination of the monitoring program, including the monitoring checklist. The Gilroy Planning Division should be responsible for completing the monitoring checklist and distributing the checklist to the responsible individuals or agencies for their use in monitoring the mitigation measures.
- 2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring checklist have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring checklist to the Gilroy Planning Division to be placed in the project file. If the mitigation measure has not been complied with, the monitoring checklist should not be returned to the Gilroy Planning Division.
- 3. The Gilroy Planning Division will review the checklist to ensure that appropriate mitigation measures and additional conditions of project approval included in the monitoring checklist have been complied with at the appropriate time, e.g. prior to issuance of a use permit, etc. Compliance with mitigation measures is required for project approvals.
- 4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Gilroy Planning Division, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period of time, construction may be halted and fines may be imposed at the discretion of the City of Gilroy.

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### MONITORING CHECKLIST

## Mao and Step 1 – Prior to Approval of Tentative Map and Architectural and Site Review

The following mitigation measure shall be implemented:

Party Responsible for Implementation: Project Applicant

#### Mitigation Measure BIO-2.

The project applicant shall identify protected trees, pursuant to Section 30.38.270 of the City's City Code, on the Tentative Map for residential development and on the Architectural and Site Review plans for commercial development. Protected trees shall be incorporated to the extent feasible into development design.

Party Responsible for Monitoring: Gilroy Planning Division

Monitoring Notes:

### Mitigation Measure BIO-3.

During preparation of site plans, the project applicant shall contract with a certified arborist to prepare a tree assessment report for the project site and submit the report to the City of Gilroy Planning Division for review and approval. The tree assessment report shall include, but not be limited to, the following items:

a. identify all protected trees on the project site, pursuant to Section 30.38.270 of the City Code, including those that can be feasibly incorporated into the proposed development (retained), and those proposed for removal;

- b. recommendations for the size, species, source, location, and number of replacement plantings to mitigate the loss of protected trees; and
- c. for all trees that are to be retained on the project site, provide tree protection measures necessary to minimize construction activity that could affect tree health, structure, or stability.

All arborist recommendations, including the species and locations of all replacement trees, shall be listed on the final landscape plan, and the arborist shall sign the final landscape plan certifying that it is consistent with the tree assessment report recommendations.

Party Responsible fo	or Implementation	n: Project Applicant	
Party Responsible for Monitoring: Gilroy Planning Division		profession of the second	
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## Mitigation Measure C-1.

Prior to approval of any tentative map for the project site, a historic resource evaluation (HRE) shall be prepared by a qualified professional and at the applicant's expense for the historic-era structures on the following Assessor's Parcels: 790-09-006, 790-17-001, 790-17-004, 790-17-007 and 008, and 790-17-010. At minimum, the HRE shall survey and identify all structures on these parcels that are 50 years or greater at the time of the survey and shall evaluate the identified historic-era structures with NRHP and CRHR eligibility criteria. If the HRE determines that significant historic structures are present on the site, a mitigation plan shall be prepared and submitted to the City of Gilroy Planning Director for review and approval prior to any site disturbing activities. The mitigation plan shall be prepared and implemented by a qualified historic professional and at the applicant's expense, and shall include a strategy for preservation of significant historic structures and a plan for adaptive re-use of the resource that utilizes either preservation in place or relocation to an appropriate receiver site elsewhere on the project site or within the City limit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

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Mitigation Measure N-1.	a +
building placement and acoustical design features for ray Avenue in proximity to the Antonio Del Buono Elementary Shall be incorporated into the plans as part of the Tenta Review applications for future development, and shall be sthe Planning Division, prior to approval of the Tentative Mararty Responsible for Implementation: Project Applicant Party Responsible for Monitoring: Gilroy Planning Division	School. The report recommendations tive Map and Architectural and Site subject to the review and approval of ap and Architectural and Site Review.
Monitoring Notes:	
	Tar Programme
Step 2 – Prior to Issuance of Grading	and Building Permits
The following mitigation measure shall be implemented:	
Mitigation Measure AQ-1.	

The following construction equipment parameters shall be included on all grading and building plans, subject to review and approval by the Building Division:

- a. All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two consecutive days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent that also includes CARB-certified Level 3 Verified Diesel Emission Control Strategies (VDECS) or Diesel Particulate Filters meeting these requirements. Note that U.S. EPA Tier 4 equipment is considered to meet this measure. Applicant and/or construction contractor shall be responsible for submitting an equipment data list and operations timeframes to the Building Division prior to commencement of grading operations, and updating the information each week that there is a change. For each piece of equipment, the list shall include: CARB identification number, type of equipment (grader, dozer, etc.), emissions classification of equipment (Tier 2, filter type, etc.), compliance or non-compliance with emissions requirements above, and proposed operation schedule.
- b. Include conspicuous signage at the construction site entry and on-site construction office reiterating idle time limits on all diesel-fueled off-road vehicles to five minutes, as required by Title 23, Section 2449, of the California Code of Regulations ("CARB Off-Road Diesel Regulations").
- c. Eliminate the use of portable diesel equipment (e.g., generators) within 200 feet of project boundaries by providing electrical service at the site during the initial construction phase. Alternatively, use propane or natural gas powered equipment if electricity is not available.

Weekly monitoring reports detailing compliance with the measures described above shall be submitted by the applicant to the Building Division during all phases of construction. The Building Division shall ensure this has occurred prior to issuance of an occupancy permit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Building Division
Monitoring Notes:

#### Mitigation Measure BIO-1.

If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the project applicant will retain a qualified biologist to conduct a pre-construction survey for nesting birds, including CDFW Fully Protected white-tailed kite. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than one week prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to the City of Gilroy Planning Division Manager for review and approval prior to disturbance and/or construction activities.

If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance will determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed disturbance and/or construction activities. The protective buffer area around an active bird nest is typically 75-250 feet, determined at the discretion of the qualified biologist.

To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:

## Mitigation Measure BIO-4.

Prior to site disturbance, the project applicant shall fully comply with measures required by Section 30.38.270 of the Gilroy City Code. Pruning and/or removal of protected trees shall be undertaken only under the direction of a certified arborist hired at the applicants' expense, and subject to the review and approval of the Community Development Director. An approved tree removal permit is required prior to removal of any protected tree(s); the project developer shall obtain a tree removal permit, and shall comply with any tree protection measures or replacement plantings stipulated by the city.

Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:
Mitigation Measure BIO-5.
Prior to and during construction, the project applicant shall implement all retained tree protection measures recommended for the site by the certified arborist's tree assessmen report and permit approvals.
Party Responsible for Implementation: Project Applicant
Party Responsible for Monitoring: Gilroy Planning Division
Monitoring Notes:

# Community Development Department Planning Division (408) 846-0451

## MITIGATED NEGATIVE DECLARATION

City of Gilroy 7351 Rosanna St. Gilroy, CA 95020

City File Number:

USA 12-01 & USA 14-02

Project Description:

Name of Project:

Wren Investors and Hewell Urban Service Area Amendment

Nature of Project:

The proposed project is a single urban service area amendment to the City of Gilroy's urban service area (USA) that includes both the previously separate Wren Investors project site and the Hewell project site. The 50.3-acre Wren Investors project site is located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. Both sites are within the City of Gilroy 2020

General Plan 20-year planning boundary.

#### Project Location:

Location:

The 50.3-acre Wren Investors site is comprised of 14 parcels, including Lions Creek, a drainage channel parcel owned by the Santa Clara Valley Water District, which bisects the southern portion of the site from east to west, just north of Tatum Avenue. The 5.36-acre Hewell project site consists of two adjacent parcels located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue.

Assessor's Parcel Number: 790-09-006, 790-09-008, 790-09-009, 790-09-010, 790-09-011, 790-17-001, 790-17-004, 790-17-005, 790-17-006, 790-17-007, 790-17-008, 790-17-009, 790-17-010; 790-06-17, 790-06-018

#### **Entity or Person(s) Undertaking Project:**

Name: Wren Investors LLC & Mark Hewell

Address: 385 Woodview Ave., Suite 100, Morgan Hill, CA 95037 (Wren Investors LLC)

P.O. Box 1901, Gilroy, CA 95021 (Mark Hewell)

Staff Planner: Julie Wyrick, Planning Division Manager

#### **Initial Study:**

An initial study of this project was undertaken and prepared for the purpose of ascertaining whether this project might have a significant effect on the environment. A copy of this study is attached.

#### **Findings & Reasons:**

The initial study identified potentially significant effects on the environment. However, this project has been mitigated (see Mitigation Measures below which avoid or mitigate the effects) to a point where no significant effects will occur. On the basis of the whole record, there is no substantial evidence the project will have a significant effect on the environment. The following reasons will support these findings:

- The proposal is a logical component of the existing land use of this area.
- ➤ Identified adverse impacts are proposed to be mitigated and a mitigation monitoring and reporting program have been prepared.
- ➤ The proposed project is consistent with the adopted goals and policies of the General Plan of the City of Gilroy.
- ➤ City staff independently reviewed the Initial Study, and this Negative Declaration reflects the independent judgment of the City of Gilroy.
- ➤ With the application of the following Mitigation Measures the proposed project will not have any significant impacts on the environment.
- > The Gilroy Planning Division is the custodian of the documents and other material that constitute the record of proceedings upon which this decision is based.

#### Air Quality

- AQ-1. The following construction equipment parameters shall be included on all grading and building plans, subject to review and approval by the Building Division:
  - a. All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two consecutive days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent that also includes CARB-certified Level 3 Verified Diesel Emission Control Strategies (VDECS) or Diesel Particulate Filters meeting these requirements. Note that U.S. EPA Tier 4 equipment is considered to meet this measure. Applicant and/or construction contractor shall be responsible for submitting an equipment data list and operations timeframes to the Building

Division prior to commencement of grading operations, and updating the information each week that there is a change. For each piece of equipment, the list shall include: CARB identification number, type of equipment (grader, dozer, etc.), emissions classification of equipment (Tier 2, filter type, etc.), compliance or non-compliance with emissions requirements above, and proposed operation schedule.

- b. Include conspicuous signage at the construction site entry and on-site construction office reiterating idle time limits on all diesel-fueled off-road vehicles to five minutes, as required by Title 23, Section 2449, of the California Code of Regulations ("CARB Off-Road Diesel Regulations").
- c. Eliminate the use of portable diesel equipment (e.g., generators) within 200 feet of project boundaries by providing electrical service at the site during the initial construction phase. Alternatively, use propane or natural gas powered equipment if electricity is not available.

Weekly monitoring reports detailing compliance with the measures described above shall be submitted by the applicant to the Building Division during all phases of construction. The Building Division shall ensure this has occurred prior to issuance of an occupancy permit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Building Division

#### Biological Resources

BIO-1. If noise generation, ground disturbance, vegetation removal, or other construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the project applicant will retain a qualified biologist to conduct a pre-construction survey for nesting birds, including CDFW Fully Protected white-tailed kite. The survey will be performed within suitable nesting habitat areas on and adjacent to the site to ensure that no active nests would be disturbed during project implementation. This survey will be conducted no more than one week prior to the initiation of disturbance and/or construction activities. A report documenting survey results and plan for active bird nest avoidance (if needed) will be completed by the qualified biologist and submitted to the City of Gilroy Planning Division Manager for review and approval prior to disturbance and/or construction activities.

If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance will determine and clearly delineate an appropriately sized, temporary protective buffer area around

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To ensure that no inadvertent impacts to an active bird nest will occur, no disturbance and/or construction activities will occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the qualified biologist.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-2. The project applicant shall identify protected trees, pursuant to Section 30.38.270 of the City's City Code, on the Tentative Map for residential development and on the Architectural and Site Review plans for commercial development. Protected trees shall be incorporated to the extent feasible into development design.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

- BIO-3. During preparation of site plans, the project applicant shall contract with a certified arborist to prepare a tree assessment report for the project site and submit the report to the City of Gilroy Planning Division for review and approval. The tree assessment report shall include, but not be limited to, the following items:
  - identify all protected trees on the project site, pursuant to Section 30.38.270 of the City Code, including those that can be feasibly incorporated into the proposed development (retained), and those proposed for removal;
  - b. recommendations for the size, species, source, location, and number of replacement plantings to mitigate the loss of protected trees; and
  - c. for all trees that are to be retained on the project site, provide tree protection measures necessary to minimize construction activity that could affect tree health, structure, or stability.

All arborist recommendations, including the species and locations of all replacement trees, shall be listed on the final landscape plan, and the arborist shall sign the final landscape plan certifying that it is consistent with the tree assessment report recommendations.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-4. Prior to site disturbance, the project applicant shall fully comply with measures required by Section 30.38.270 of the Gilroy City Code. Pruning and/or removal of protected trees shall be undertaken only under the direction of a certified arborist hired at the applicants' expense, and subject to the review and approval of the Community Development Director. An approved tree removal permit is required prior to removal of any protected tree(s); the project developer shall obtain a tree removal permit, and shall comply with any tree protection measures or replacement plantings stipulated by the city.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

BIO-5. Prior to and during construction, the project applicant shall implement all retained tree protection measures recommended for the site by the certified arborist's tree assessment report and permit approvals.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

#### Cultural Resources

C-1. Prior to approval of any tentative map for the project site, a historic resource evaluation (HRE) shall be prepared by a qualified professional and at the applicant's expense for the historic-era structures on the following Assessor's Parcels: 790-09-006, 790-17-001, 790-17-004, 790-17-007 and 008, and 790-17-010. At minimum, the HRE shall survey and identify all structures on these parcels that are 50 years or greater at the time of the survey and shall evaluate the identified historic-era structures with NRHP and CRHR eligibility criteria. If the HRE determines that significant historic structures are present on the site, a mitigation plan shall be prepared and submitted to the City of Gilroy Planning Director for review and approval prior to any site disturbing activities. The mitigation plan shall be prepared and implemented by a qualified historic professional and at the applicant's expense, and shall include a strategy for preservation of significant historic structures and a plan for adaptive re-use of the resource that utilizes either preservation in place or relocation to an appropriate receiver site elsewhere on the project site or within the City limit.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

#### Noise

N-1. Associated with CEQA compliance for subdivisions and commercial projects at the project site, an acoustical analysis shall be prepared by a qualified acoustical professional. The recommendations in the analysis shall include, but not be

limited to, recommendations for building placement and acoustical design features for new construction adjacent to Wren Avenue in proximity to the Antonio Del Buono Elementary School. The report recommendations shall be incorporated into the plans as part of the Tentative Map and Architectural and Site Review applications for future development, and shall be subject to the review and approval of the Planning Division, prior to approval of the Tentative Map and Architectural and Site Review.

Party Responsible for Implementation: Project Applicant

Party Responsible for Monitoring: Gilroy Planning Division

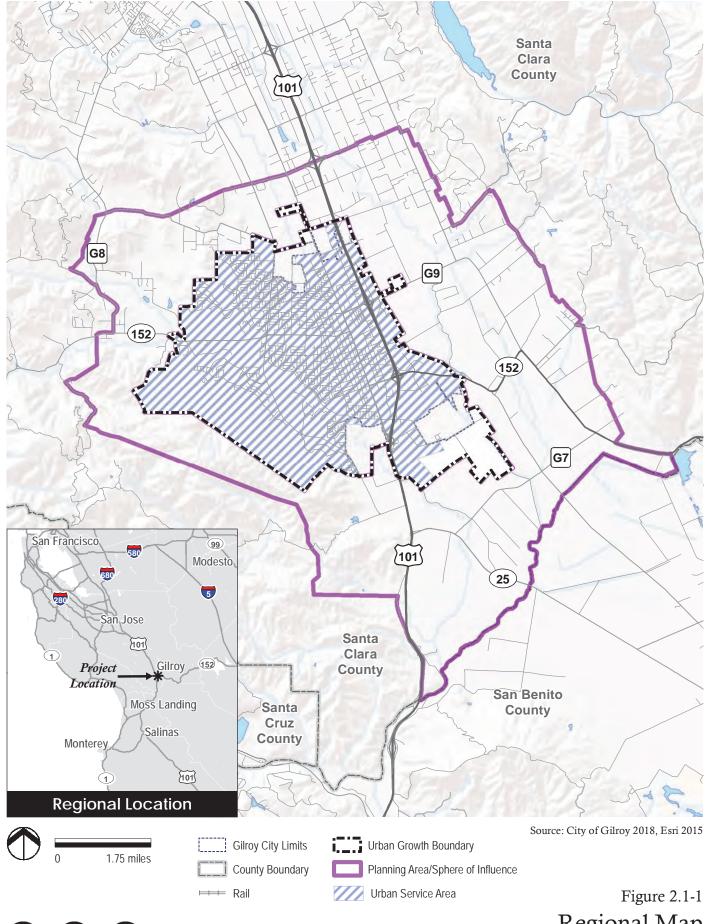
Julie Wyrick Planning Division Manager Julie. Wyrick@cityofgilroy.org I, SHAWNA FREELS, City Clerk of the City of Gilroy, do hereby certify that the attached Resolution No. 2020-04 is an original resolution, or true and correct copy of a city Resolution, duly adopted by the Council of the City of Gilroy at a regular meeting of said held on Council held on the 27<sup>h</sup> day of January, 2020, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Official Seal of the City of Gilroy this 29<sup>th</sup> day of January, 2020.

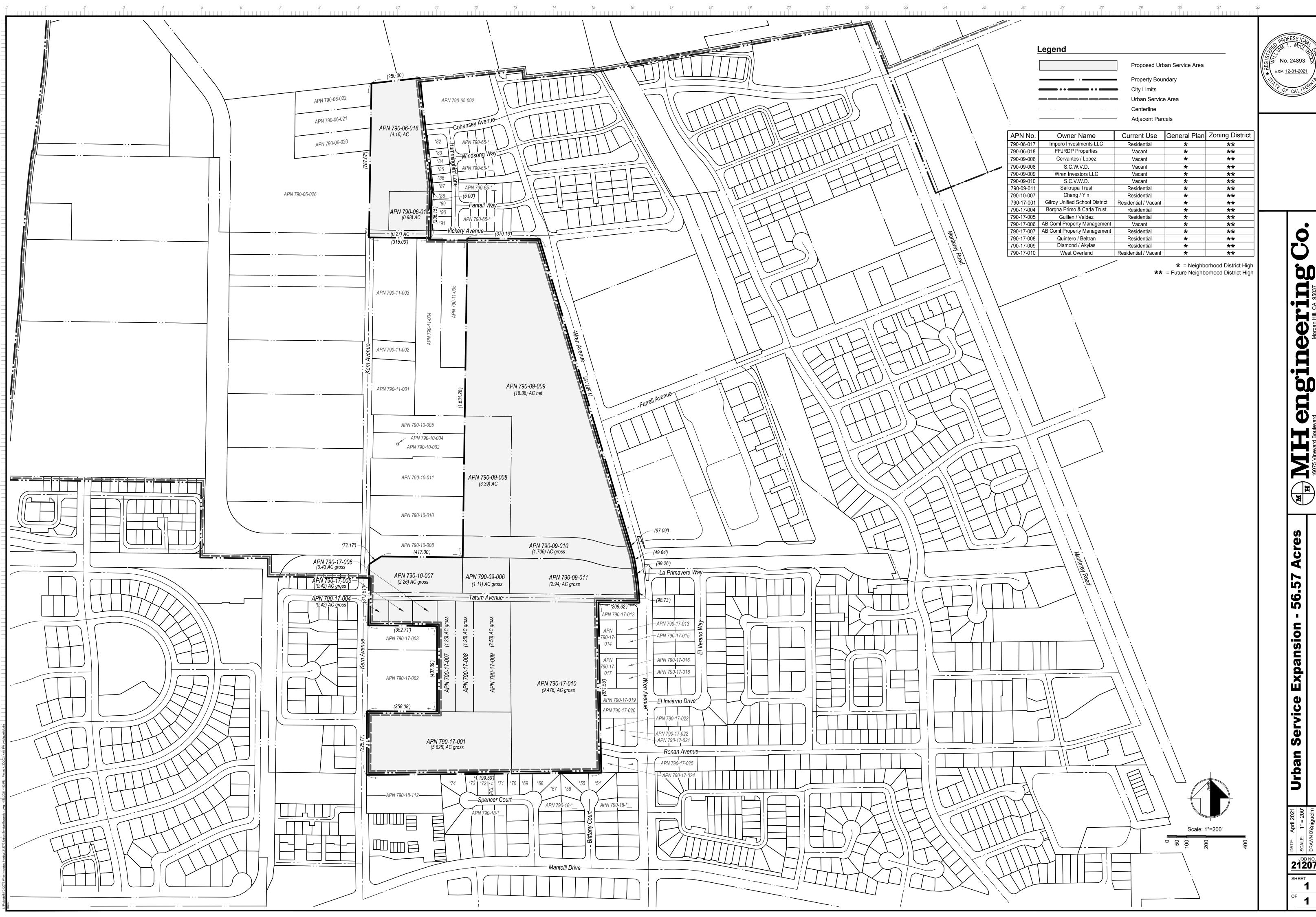
Shawna Freels, MMC

City Clerk of the City of Gilroy

(Seal)



Regional Map



EXP. <u>12-31-2021</u>

**C**0 engineering

56.57 **Urban Service Expansion** 

212073

SHEET 1

## **Gilroy USA Amendment Application (Wren Investors & Hewell)**

Assessor Parcel Number	Property Owner	City General Plan Designation	County General Plan Designation	Future Zoning Designation	Existing land use
790-06-017	Impero	Neighborhood	open space	(Future) Neighborhood	Residential
	Investments LLC	District High	reserve	District High	
790-06-018	FFJRDP Properties	Neighborhood	open space	(Future) Neighborhood	Vacant
		District High	reserve	District High	
790-09-006	Cervantes / Lopez	Neighborhood	open space	(Future) Neighborhood	Vacant
		District High	reserve	District High	
790-09-008	S.C.W.V.D.	Neighborhood	open space	(Future) Neighborhood	Vacant
		District High	reserve	District High	
790-09-009	Wren Investors	Neighborhood	open space	(Future) Neighborhood	Vacant
	LLC	District High	reserve	District High	
790-09-010	S.C.V.W.D	Neighborhood	open space	(Future) Neighborhood	Vacant
		District High	reserve	District High	
790-09-011	Saikrupa Trust	Neighborhood	open space	(Future) Neighborhood	Residential
		District High	reserve	District High	
790-10-007	Chang / Yin	Neighborhood	open space	(Future) Neighborhood	Residential
		District High	reserve	District High	
790-17-001	Gilroy Unified	Neighborhood	open space	(Future) Neighborhood	Residential / Vacant
	School District	District High	reserve	District High	
790-17-004	Borgna Primo &	Neighborhood	open space	(Future) Neighborhood	Residential
	Carla Trust	District High	reserve	District High	
790-17-005	Guillen / Valdez	Neighborhood	open space	(Future) Neighborhood	Residential
		District High	reserve	District High	
790-17-006	AB Coml Property	Neighborhood	open space	(Future) Neighborhood	Vacant
	Management	District High	reserve	District High	
790-17-007	AB Coml Property	Neighborhood	open space	(Future) Neighborhood	Residential
	Management	District High	reserve	District High	
790-17-008	Quintero /	Neighborhood	open space	(Future) Neighborhood	Residential
	Beltran	District High	reserve	District High	
790-17-009	Diamond / Akylas	Neighborhood	open space	(Future) Neighborhood	Residential
		District High	reserve	District High	
790-17-010	West Overland	Neighborhood	open space	(Future) Neighborhood	Residential / Vacant
		District High	reserve	District High	

**Residential and Commercial Vacant Land Inventory** 

# Wren Investors & Hewell Urban Service Area Amendment

USA 12-01 & USA 14-02

Prepared October 3, 2019, Revised February 23, 2021









Prepared by EMC Planning Group Revised by City of Gilroy

#### RESIDENTIAL AND COMMERCIAL VACANT LAND INVENTORY

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 & USA 14-02

# City of Gilroy Community Development Department Melissa Durkin, Planner II 7351 Rosanna Street

Gilroy, CA 95020 Tel 408.846.0253

PREPARED FOR

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799

Fax 831.649.8399

Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com www.emcplanning.com

October 3, 2019

This document was produced on recycled paper.



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### Attachments

Attachment A City of Gilroy Impact Fee and Mapping Revenue Projections

#### 1.0 BACKGROUND

In Santa Clara County, jurisdictional boundary changes, including urban service area (USA) amendments, are reviewed and acted upon by the Santa Clara County Local Agency Formation Commission (LAFCO). A city's urban service area (USA) is defined by LAFCO as that area to which the city provides urban services such as water and sewer, or expects to provide these services within five years of inclusion within the Urban Service Area boundary. Therefore, the USA is expected to accommodate approximately five years of urban development.

The City of Gilroy is considering an amendment to its existing USA for the addition of the 50.3-acre Wren Investors project site, located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site, located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue.

In acting upon a USA amendment request, LAFCO requires the preparation of an appropriate environmental review document, a fiscal analysis, and an analysis of the remaining vacant land within the existing USA. LAFCO utilizes the vacant land analysis in assessing the need for expansion of the USA, based on a goal of maintaining an approximate five-year supply of developable land within the USA. This vacant land analysis has been prepared to provide this information to the City and LAFCO for use in their decisions on this proposed USA amendment.

This vacant land analysis focuses on the current supply of vacant land with a residential General Plan land use designation of Rural Residential, Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood District. The vacant land analysis also focuses on lands with specific plan designations, including the Hecker Pass Special Use District, and the Glen Loma Ranch Specific Plan, and takes into account residential development opportunities in the downtown.

#### 2.0 RESIDENTIAL VACANT LAND SUPPLY

#### Defining Vacant Land

For purposes of this report, residential land is considered vacant if it is substantially underutilized and has a residential General Plan land use designation. The survey identifies land as vacant (or not vacant) as of September 2019. Physically vacant land may have approved

entitlements that make the land more readily developable. In many cases, the City approves concurrent residential subdivision maps and architectural and site approvals. However, where subdivided residential land is expected to be sold as individual lots for later development, land is considered vacant until a building permit is granted for development of the lot.

### Currently Vacant Residential Land

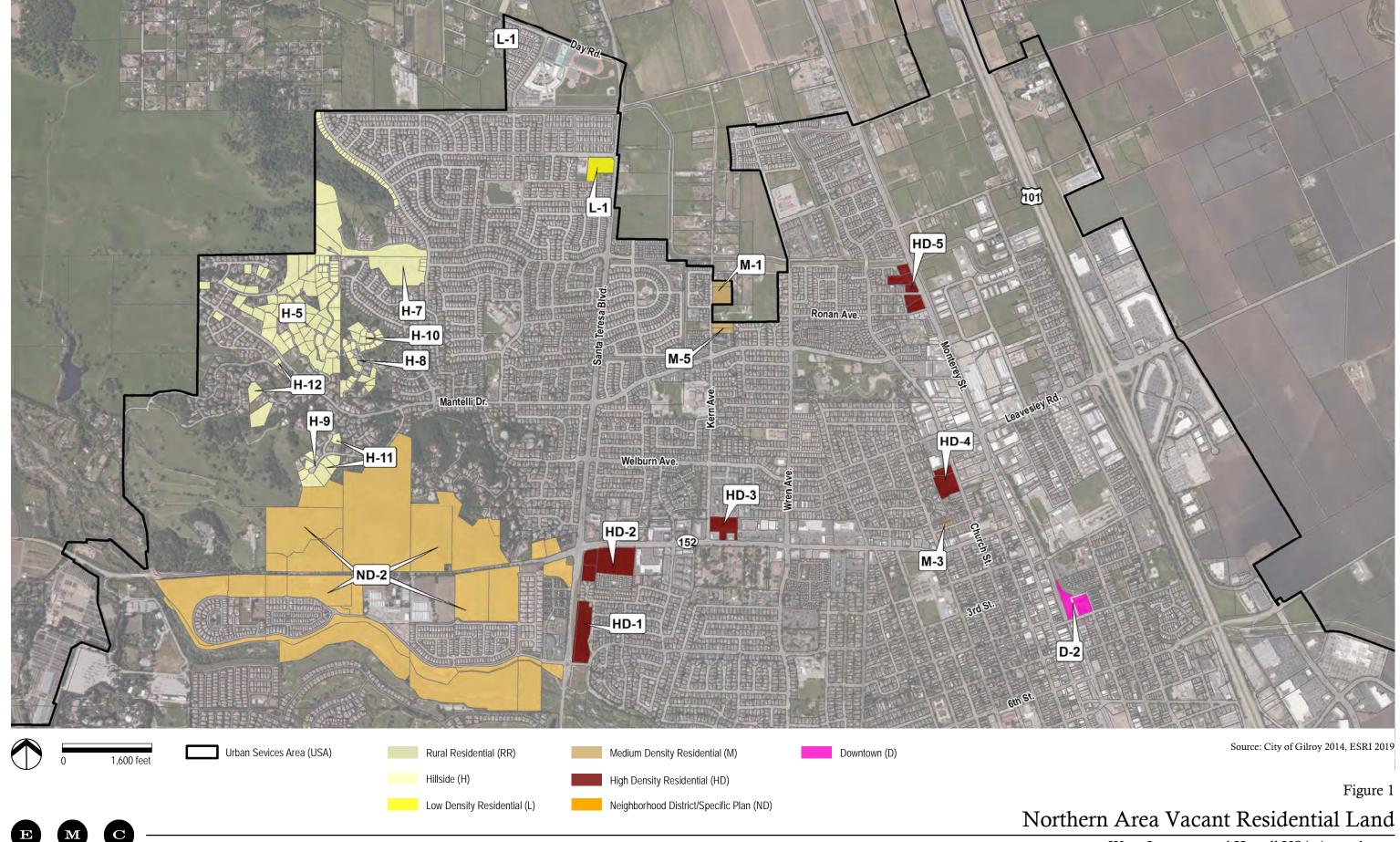
Quantifying the existing supply of residentially-designated vacant land within the Gilroy USA involved mapping land thought to be potentially vacant, and then eliminating those parcels for which building permits had been obtained. For areas with an approved final subdivision map, potential for development is based on the number of subdivided lots, equating to one dwelling unit per lot. In areas without an approved final subdivision map, including land in the Medium and High Density and Neighborhood District General Plan designations, the build-out is assumed to follow the density provided as a development target in the General Plan, as indicated in Table 1, Building Density Targets for Quantifying Residential Capacity, below:

Table 1 Building Density Targets for Quantifying Residential Capacity

General Plan designation	Density Target
Rural Residential	0.4 units/acre
Hillside Residential	2.0 units/acre
Low Density Residential	5.0 units/acre
Medium Density Residential	16.0 units/acre
High Density Residential –	20.0 units/acre

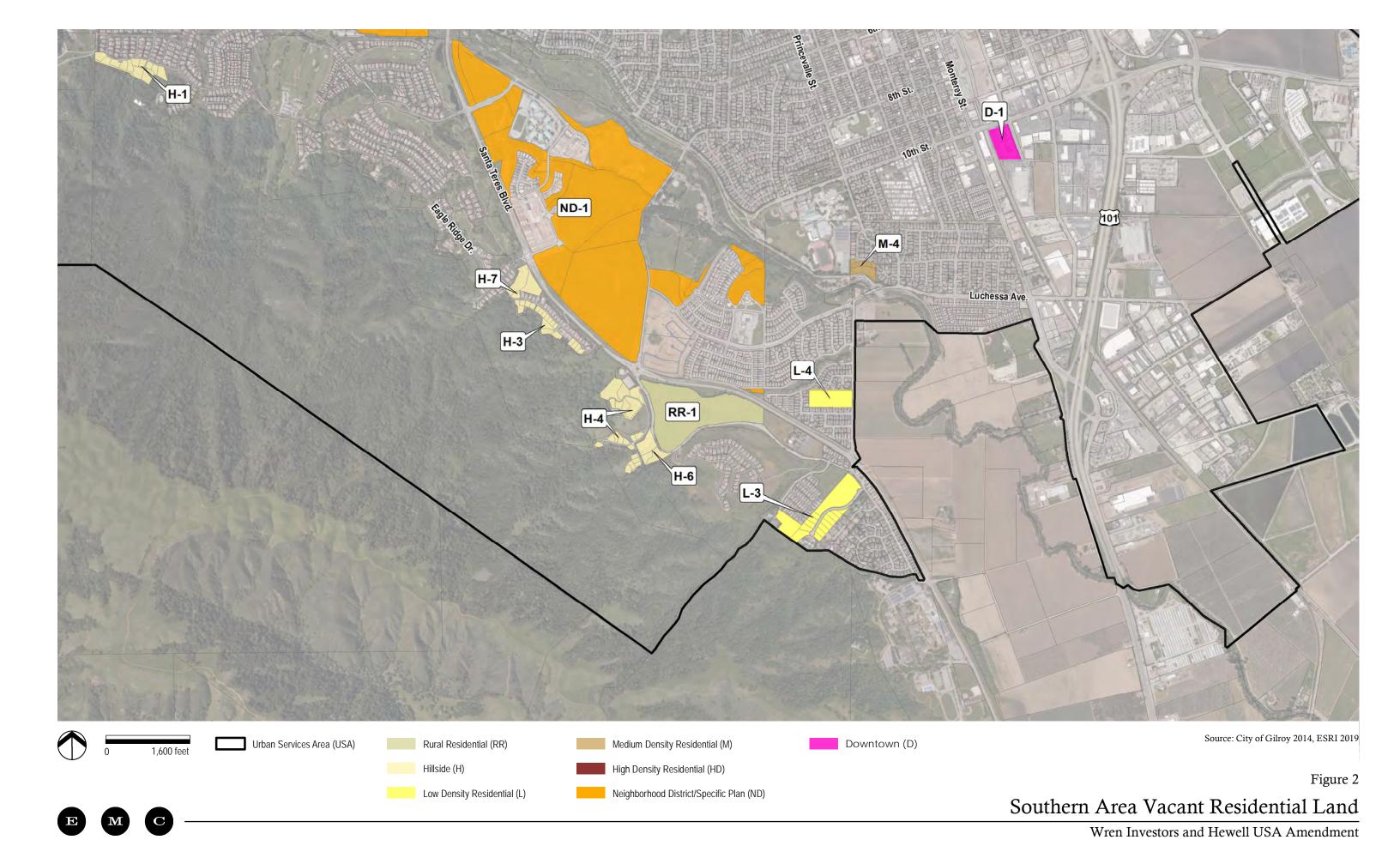
Source: City of Gilroy 2019

Figure 1, Northern Area Vacant Land, and Figure 2, Southern Area Vacant Land, show the location of residential parcels determined to be vacant. Table 2, Vacant Residential Land Inventory, provides a list of estimated developable lots within each land use designation. As the table shows, approximately 2,394 residential units could be developed on vacant land.



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EMC PLANNING GROUP INC.



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Table 2 Vacant Residential Land Inventory

Location	Lots/Units
Rural Residential - (1.0 dwelling unit/2.5 ac.) (RR)	
RR-1 Miller Pond	14
Rural Residential Subtotal	14
Hillside Residential - 0.5 – 4.0 dwelling units/acre (H)	
H-1 Eagle Ridge Subdivision – Berwick Lane	12
H-3 Eagle Ridge Subdivision - Portmarnock Way	14
H-4 Eagle Ridge Subdivision – Eagle Ridge Court	24
H-5 Portrush Lane, Southerland Court, Walton Heath Court West of Miller	19
Avenue	
H-6 6385, 6389, 6395 Miller	3
H-7 Eagle Ridge Kroeger	6
H-8 Country Estates Subdivision (Phase II) [9120 and 9121 Gunnera;	10
2333, 2363, 2373 and 2393 Banyan; 2391 Mantelli; 2311, 2331 and 2361	
Hoya]	
H-9 Country Estates Subdivision (Phase III) [8951, 8962, 8970, 8971,	40
8981, 9010, 9025, 9030, 9035, 9045, 9050, 9145, 9175 Tea Tree; 8950,	
8955, 8983, 9005 Mimosa; 2161, 2201, 2202, 2241, 2242, 2262	
Columbine; 2203, 2204, 2224, 2244, 2243, 2273, 2281, 2283, 2291	
Banyan; 9210, 9211, 9250 Mahogany; 1810, 1820, 1830, 1870, 1881	
Carob]	
H-8 Country Estates Subdivision (Phase IV)	95
H-9 Schaal Subdivision	1
H-10 Cambridge at Carriage Hills Subdivision [1955, 1975 Saffron; 1920,	14
1950, 1980, 1981, 1986 Lavender; 8735, 8745, 8755, 8760, 8775 Wild Iris;	
8762, 8772 Foxglove]	
H-11 Hollyhock Hills Subdivision [8530 Shooting Star; 2140, 2150, 2160,	6
2170, 2185 Hollyhock)	
H-12 Miscellaneous lots South of Mantelli Drive (2225 Country Drive; 2320	2
Wildrose;	
H-13 Rancho Hills/Deer Park Phase II [1681 Longmeadow]	1

Location	Lots/Units
H-14 The Forest [8340, 8341, 8350, 8351, 8361 Wintergreen Court; 8325	6
Pepper Grass]	
Hillside Residential Subtotal	253
Low Density Residential - 3.0 – 7.5 dwelling units/acre (L)	
L-1 Santa Teresa Boulevard South of Sunrise Drive	19
L-2 Miller Avenue at Thomas Road (Chappel/Sargenti Subdivision)	14
L-3 Miller Avenue at Thomas Road (Christopher Subdivision)	12
L-4 West of Thomas Road	31
L-5 Greenfield Drive Subdivision	14
Low Density Residential Subtotal	90
Medium Density Residential – 8.0 – 16.0 dwelling units/ac. (M)	
M-1 East of Kern Avenue/South of Tatum Avenue	56
M-3 Gurries Drive	8
M-4 Royal Way	65
M-5 North of Village Green	40
Medium Density Residential Subtotal	169
High Density Residential – 16.0 – 30.0 dwelling units/ac. (HD)	
HD-1 East of Santa Teresa Boulevard	140
HD-2 Southeast Corner of Santa Teresa Boulevard/Hecker Pass	202
HD-3 Northeast Corner of Hecker Pass/Kern Avenue	120
HD-4 West Church Street/Howson Street	87
HD-5 Northwest of Monterey Road/Ronan Avenue	119
High Density Residential Subtotal	668
Neighborhood District/Specific Plan Areas (ND)	
ND-1 Glen Loma Ranch Specific Plan (Santa Teresa Boulevard)	667
ND-2 Hecker Pass Specific Plan	72
Neighborhood District/Specific Plan Subtotal	739
TOTAL	1,919

 $\textit{Source:} \quad \text{Google Earth 2018, Property information provided by the City of Gilroy 2019}$ 

#### Residential Units in Downtown

One thousand five hundred seventy-six (1,576) units were projected to develop in Gilroy's Downtown as part of the revitalization identified in the Downtown Gilroy Specific Plan. As shown in Table 3, Recently Built or Under Construction Downtown Residential Projects, of the 1,576 units available, 667 have been constructed or have been issued permits, leaving a balance of 909 units remaining for entitlement.

Table 3 Recently-Built or Under Construction Downtown Residential Projects

Location	Lots/Units
Downtown (D)	
Prior Projects that have been Constructed	225
D-1 Alexander Station	263
D-2 Alexis Gevorgian/ Gateway Apartments (Monterey Street)	75
D-3 The Cannery at Lewis Street Apartments	104
Total Granted	667
Remaining Downtown Specific Plan Units	909

Source: Google Earth 2018; Property information provided by the City of Gilroy 2019

It is anticipated that some of the residential units would be built as part of mixed-use (commercial/retail/residential) projects, and/or on land that is currently, or has previously, been developed (i.e. land that is not vacant). The Gilroy General Plan contains direction regarding residential redevelopment of the downtown. A key strategy for managing growth and minimizing costs is to focus new development in areas that are already serviced by roads, sewers, and other infrastructure. The General Plan supports development on these lands before extending the City outward. It also supports intensification of development in the Downtown area to discourage sprawl and strengthen the Downtown core. However, redevelopment in the Downtown on parcels that require demolition of existing structures presents additional cost constraints as it can be expensive to demolish old buildings. Coupled with the demise of redevelopment agencies in California, financing redevelopment projects is more complicated.

Furthermore, residential development in the Downtown differs from the housing types developed in the rest of the city, as Downtown units are likely to be constructed as part of mixed-use buildings. Residential units in mixed-use buildings have a less-predictable market than traditional housing types, such that the timing of development Downtown is correspondingly unpredictable and expected to occur over the course of decades. Because of

this, the city cannot apply an annual rate of development Downtown. Therefore, the Vacant Land Inventory considers residential development Downtown separately from residential development elsewhere in the city.

#### 3.0 Residential Growth Projections

Over the next 10 years (20/21 to 29/30), the City of Gilroy expects to issue 3,045 residential building permits for projects outside of the Downtown. This is an average of 305 permits per year. This is based upon the City of Gilroy Impact Fee and Mapping Revenue Projections, included as Attachment A. Note that these projections exclude development in the Downtown, except for projects that are already in the entitlement process. The reason is that the 909 remaining Downtown units are expected to build out over the course of decades, such that the amount of development in any given year is not easily predictable.

Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land outside of the Downtown to build 1,919 units (see Table 2), Gilroy has adequate land for approximately 6.29 years of residential development (1,919/305=6.29).

If the 909 units of residential development opportunity in the downtown (see Table 3) are added to this total, Gilroy has the land capacity to build up to 2,828 units (1,919 + 909). Applying the same average build out for units located in and out of Downtown, this allows for about 9.27 years of residential development (2,828/305 = 9.27).

#### 4.0 COMMERCIAL VACANT LAND SUPPLY

#### Defining Commercial Land

For purposes of this report, land is considered vacant if it is substantially underutilized and has a commercial zoning designation. The survey identifies land as vacant (or not vacant) as of September 30, 2019. Physically vacant land may have approved entitlements that make the land more readily developable.

The commercial districts and commercial zoning designations analyzed for purposes of this report include: Downtown Historic District (DHD); Downtown Expansion District (DED); Highway Commercial District (HC); Shopping Center Commercial District (C3); Planned Unit Development Combining District (PUD); Cannery District (CD); Commercial Industrial District (CM); Gateway District (GD); and General Industrial District (M2).

Inclusion of commercial land in the Wren/Hewell Urban Service Amendment project is intended to satisfy the 2020 General Plan and zoning ordinance requirements for Neighborhood Districts to include a mix of service uses within close proximity to residential areas. As noted in the City's zoning ordinance, the Neighborhood Commercial designation encourages "areas in the city suitable for commercial uses of a low intensity and of a neighborhood character, which cater directly to residents of the immediate neighborhood only, rather than to the entire city. The uses in this district are intended to be of low intensity in order to be compatible with residential living" (City of Gilroy Zoning Ordinance Article X, 30.13.10).

#### Commercial Absorption Rate

An average annual absorption rate was determined based on approvals granted for the commercial zoning designations during the prior 10 years (2009-2019). During this period, a total of 8.73 acres of commercial uses was approved, or an average of 0.87 acres per year. Table 4, Commercial Approvals 2009-2019, summarizes commercial approvals during the 10-year period.

Table 4 Commercial Approvals 2009-2019

Project Name/Location	Year	Zoning	Acres
770 First Street	2019	C-3	0.87
6807 Automall Parkway	2019	CM	3.04
8050 Santa Teresa Boulevard	2019	C-3	1.42
6901 Cameron Boulevard Gas Station	2017	HC-M2/PUD (a portion of McCarthy Business Park)	0.65
800 1st Street CVS Pharmacy	2015	C-3	1.58
De La Torre Mixed-Use – Monterey Street and Tenth Street	2011	Expansion District (Downtown Gilroy Specific Plan)	1.17
Total			8.73
Average per Year			0.87

Source: City of Gilroy 2019; Google Earth 2018

# Currently Vacant Commercial Land

Table 5, Vacant Commercial Land Inventory, provides a list of vacant commercial lots within each zoning designation. As the table shows, approximately 136.02 acres of commercial land is vacant. Figure 3, Northern Area Vacant Commercial Land, and Figure 4, Southern Area Vacant Commercial Land, show the location of commercial parcels that are vacant.

Table 5 Vacant Commercial Land Inventory

Location	APN	Zoning	Acres
C-1 North of First Street east of Kelton Dr.	790-39-019	C-3	0.97
C-2 Forest Street at Leavesley Road	835-01-050 835-01-064	C-3	5.64
C-3 San Ysidro Road north of Outlets	835-04-064	C-3	11.05
C-4 Renz Lane east of WalMart Supercenter	841-18-080 841-18-081	C3-M2/PUD	12.63
C-5 Holloway Road west of Camino Arroyo	841-70-037	Regency/Newman Center PUD	2.16
C-6 Monterey Street at West Tenth Street	799-34-036	C-3	0.87
C-7 East side of Monterey Street south of West Tenth Street	841-14-011	Gateway District (Downtown Gilroy Specific Plan)	1.89
C-8 Automall Parkway south of East Tenth Street	841-16-117	CM	9.11
C-9 Travel Park Circle	841-75-011	CM	1.73
C-10 Railroad Street & 6th Street	841-08-044	Cannery District	0.25
C-11 Alexander Street & 7th Street	841-13-022	Cannery District	3.62
C-12 Eigleberry Street, North of 4th Street	799-04-016	DED	0.18

Location	APN	Zoning	Acres
C-13 Swanston Lane & Wheeler Street	841-02-055	CM	0.75
C-14 Monterey Street, South of Howson Street	790-37-003	Gateway District	1.95
C-15 Chestnut Street & 9th Street	841-12-047 841-12-057	CM	1.96
C-16 Monterey Street & 9th Street	841-14-001	DED	0.55
C-17 McCarthy Commercial	841-84-005 841-84-007 841-84-008 841-84-009 841-17-100	HC-M2/PUD (a portion of McCarthy Business Park)	4.35
C-18 Machado Commercial	841-18-082 (portion)	C3-M2/PUD	28.2
C-19 Land Capital Group	841-70-049	C3-H2-M2/PUD (Gilroy Crossing Shopping Center)	10.18
C-20 7840 Monterey Street	841-02-058	DED	0.41
C-21 7634 Monterey Street	841-04-008	DHD	0.16
C-22 Monterey Street	799-09-056	DHD	0.16
C-23 2740 Hecker Pass Highway	810-20-006	Hecker Pass Special District (Hecker Pass Specific Plan)	6.00
C-24 Northeast of Bolsa Road	841-31-003 841-31-019 841-31-022	CM	103
Total	1		207.77

*Source:* City of Gilroy 2019; Google Earth 2018

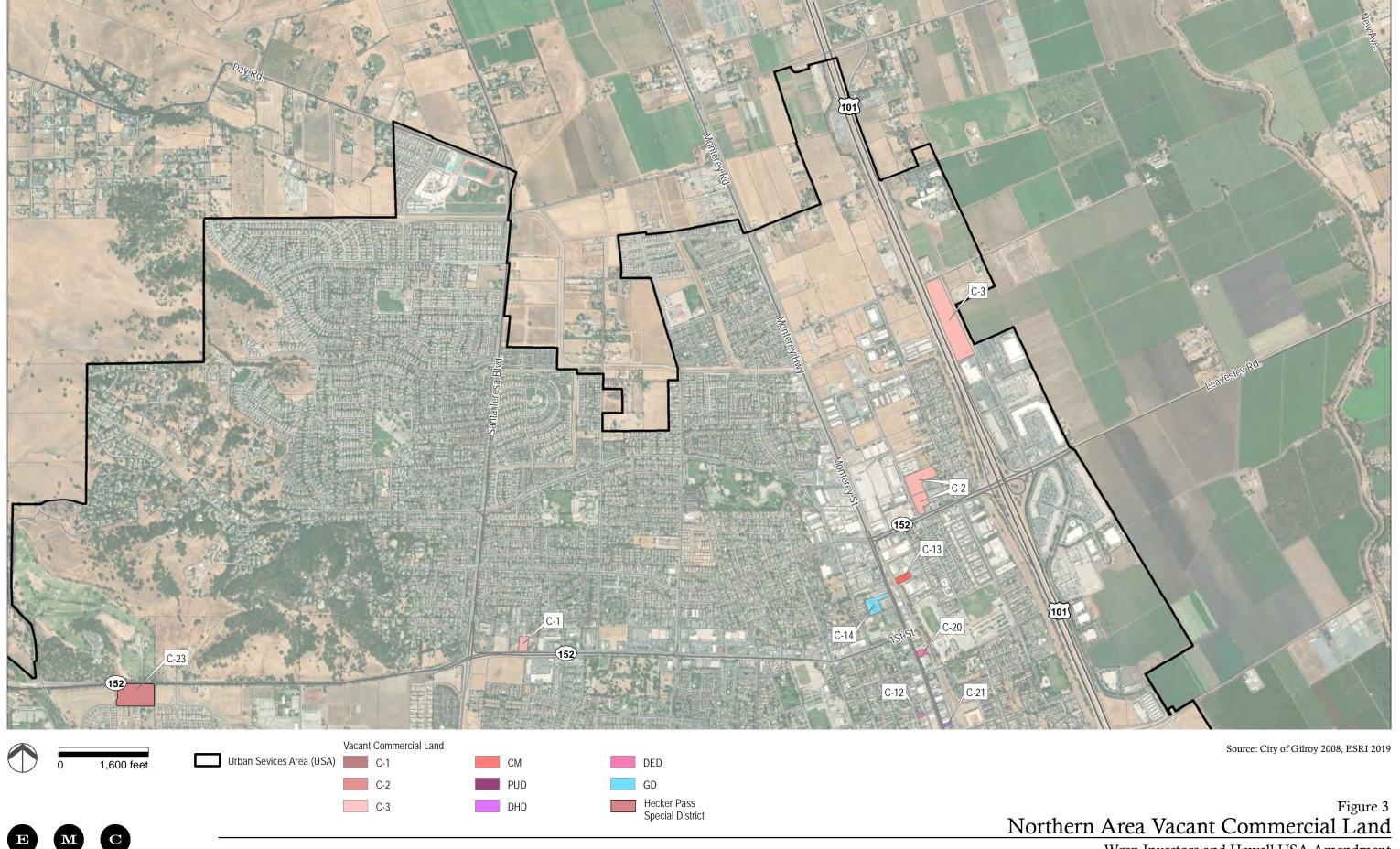
Note:

 $\hbox{C--}23: APN: 810-20-006 \ (Hecker\ Pass\ Specific\ Plan)\ was\ approved\ for\ an\ agricultural\ commercial\ development\ in\ 2018\ but\ the\ Arch\ \&\ Site\ approval\ has\ since\ expired$ 

 $\hbox{C-}24\hbox{: APNs 841-}31\hbox{-}003\hbox{, }019\hbox{, and }022\hbox{ (totaling approximately }103\hbox{ acres) were recently rezoned to Commercial Industrial (CM)}\\$ 

### Available Commercial Land Supply

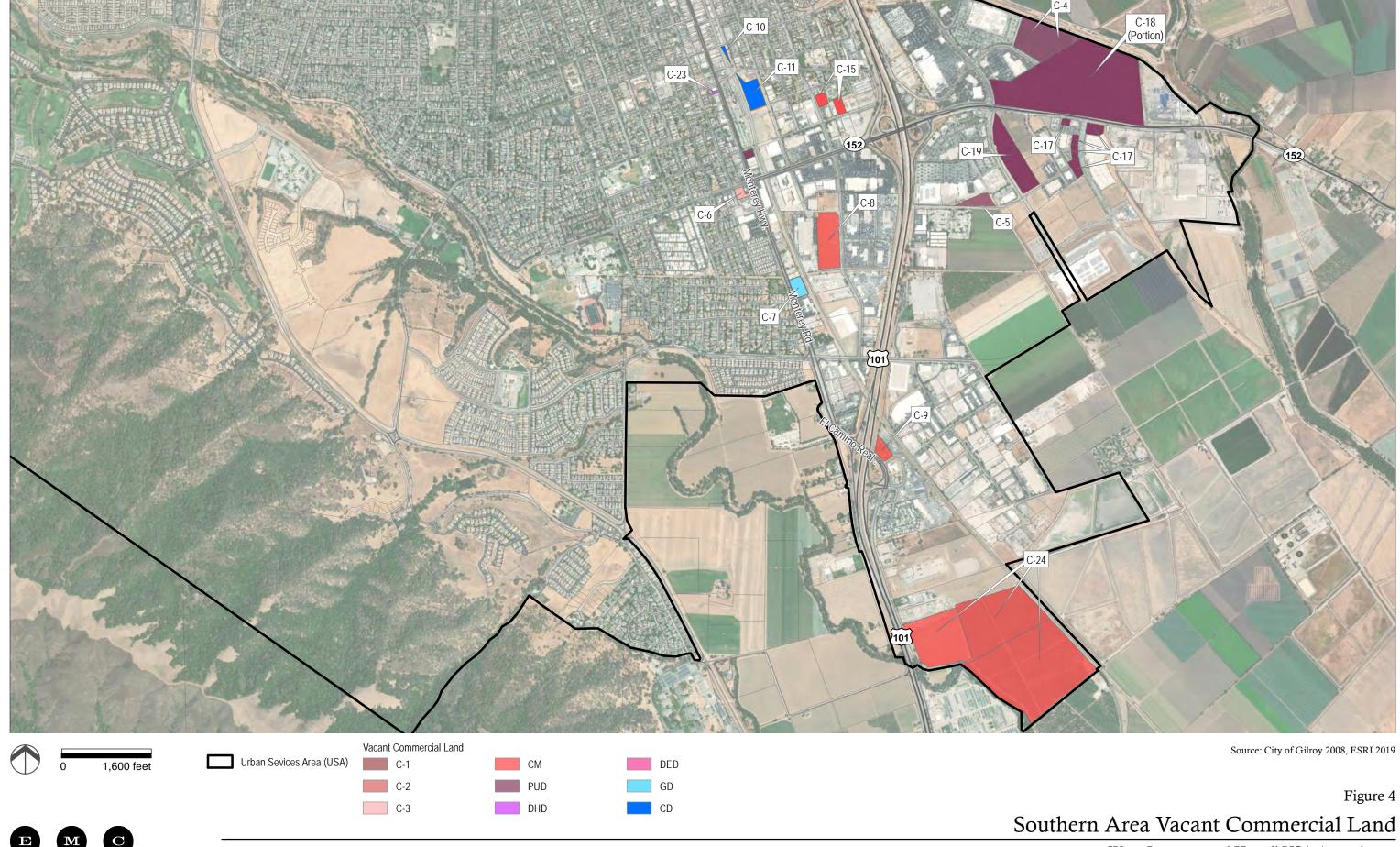
There are currently 207.77 acres of vacant commercial land within the city. Based on an annual absorption rate of about 0.87 acres per year, the city has adequate commercial land to serve future growth for about 239 years. The City estimates that the territory currently proposed for inclusion in the USA will not be available for development for at least four to five years, at which time the supply of vacant commercial land would be about 234 years. The 0.4 acres of commercial uses within the USA proposal are intended to serve the residential uses within the residential uses also included in the USA proposal. Most of the City's vacant commercial land does not serve this purpose. The USA amendment area is estimated to build out over a 15 to 20 year period, which would result in an average commercial development rate within the USA amendment area of about to 1.9 to 2.5 acres per year.







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Planning for Success.

#### PLAN FOR SERVICES

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 and USA 14-02

PREPARED FOR

City of Gilroy

October 4, 2019

#### PLAN FOR SERVICES

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 and USA 14-02

# PREPARED FOR City of Gilroy Community Development Department Melissa Durkin, Planner II 7351 Rosanna Street

Gilroy, CA 95020 Tel 408.846.0451

#### PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com

October 4, 2019

www.emcplanning.com

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# Introduction

# **EXECUTIVE SUMMARY**

The City of Gilroy (hereinafter "City") has prepared this plan for providing services (hereinafter "plan") as part of the City's application to the Local Agency Formation Commission of Santa Clara County (hereinafter "LAFCO").

The plan is required by LAFCO for urban service area (USA) amendments as an enumeration and description of how services will be provided and which entities would provide the services to the affected territory (project site). This plan addresses how the City and other agencies would provide services to the project site upon annexation and development of the site including water, wastewater, storm drainage, solid waste, fire, police, lighting, library services, roads, schools, and hospitals.

# **CORTESE KNOX ACT REQUIREMENTS**

As a mandatory component of a USA Amendment application, LAFCO requires the submittal of a plan for providing services prepared in compliance with Government Code Section 56653 that describes how services will be provided and the level and range of those services, including detailed information on the extent, size, location and capacity of existing infrastructure.

The Cortese Knox Act requires the preparation of a plan for providing services when an annexation or similar boundary change is requested. Government Code Section 56653 sets forth the requirements as follows:

- 56653 (a) If a proposal for a change of organization or reorganization is submitted pursuant to this part, the applicant shall submit a plan for providing services within the affected territory.
- (b) The plan for providing services shall include all of the following information and any additional information required by the commission or the executive officer:
  - (1) An enumeration and description of the services to be extended to the affected territory.
  - (2) The level and range of those services.

- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.
- (d) This section shall not preclude a local agency formation commission from considering any other options or exercising its powers under Section 56375.
- (e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed (California State Assembly 2016).

Pursuant to the Cortese-Knox Act, LAFCO has issued guidance for the preparation of plans for services that expand on the requirements listed above (LAFCO 2013).

The plan for services must address the following:

- (a) The capacity of existing infrastructure including:
  - The total capacity / service units of the system
  - Number of service units already allocated
  - Number of service units within current boundaries anticipating future service
  - Number of service units within the system available after providing service to areas within current boundaries that anticipate future service
  - Number of service units required to serve the proposed project
  - Number of service units proposed to be added to meet the demand
- (b) In the event there are not enough service units available to serve the proposed project, the applicant shall provide a plan for obtaining the capacity necessary to provide service which must include the following information:
  - A description of any required facility or infrastructure expansions or other necessary capital improvements.
  - The likely schedule for completion of the expanded capacity project, the viability of the needed project, and the relation of the subject project to the overall project and project time line.

- A list of required administrative and legislated processes, such as CEQA review or State Water Resources Board allocation permits, including assessment of likelihood of approval of any permits and existence of pending or threatened legal or administrative challenges if known.
- The planned total additional capacity.
- The size and location of needed capital improvements.
- The proposed project cost, financing plan and financing mechanisms including a description of the persons or properties expected to bear project costs.
- Any proposed alternative projects if the preferred project cannot be completed.
- (c) The estimated time frame for service delivery.
- (e) A statement indicating any capital improvements, or upgrading of structures, roads, sewer or water facilities or other conditions the agency would impose or require within the affected territory prior to providing service if proposal is approved.
- (f) A description of how the services will be financed.
- (g) Agency's general statement of intent to provide services to the affected territory, indicating the agency's capability of providing the necessary services in a timely manner to the affected territory while being able to serve all areas within its current boundaries and without lowering the level of service provided to areas currently being served by the agency.

In accordance with the Cortese-Knox Act and LAFCO's guidance on preparing plans for services, this plan addresses water, wastewater, storm drainage, solid waste, fire, police, lighting, library services, roads, schools, and hospitals. This plan identifies the City's planned capital improvements for the project area, notes the adequacy or deficiency of the City's planned capital improvements and policy goals based upon the project description, and identifies the responsibilities and funding mechanisms for the provision of services to the site, based upon the level of future development anticipated by the conceptual development plan.

# **PRIMARY INFORMATION SOURCES**

The following documents were the primary sources of information for this plan for services.

• The Fiscal Impact Analysis of the Wren Investors-Hewell USA to the City of Gilroy and the County of Santa Clara provides a description of the existing fiscal conditions of the

#### 1.0 Introduction

- City and County, an estimate of the fiscal impacts of the proposed USA amendment area at buildout and in a subsequent 10 year time frame from development completion (Applied Development Economics 2015).
- The *Cities Service Review Final Report* is a municipal service review which is a comprehensive study of services within designated geographic areas that are completed to obtain information about service delivery, evaluate the provision of services, and recommend actions to promote the provisions of those services (Management Partners 2015).
- Gilroy 2040 General Plan Background Report- Public Review Draft Chapter 9: Public Facilities, Services, and Infrastructure presents an overview of public and community services provided by the City of Gilroy and other agencies including water supply and delivery, wastewater collection and disposal, storm water drainage and flood control, solid and hazardous waste, utilities, law enforcement, fire protection, emergency medical services, and schools (Mintier Harnish 2014).
- Gilroy 2040 General Plan Background Report- Public Review Draft Chapter 4: Economics
  and Demographics, describes the economic and demographic characteristics of the
  City of Gilroy to identify trends and changes in the make-up and composition and
  demands of Gilroy's future population (Mintier Harnish 2014).

# **Proposed USA Amendment**

# SUMMARY

The City received and is processing an application for an approximately 55-acre Urban Service Area (USA) amendment in the northern portion of its 20-year Growth Boundary. Most of the proposed USA amendment is designated Neighborhood District, with a small portion designated Park/Recreation Facility in the general plan.

#### **BACKGROUND**

The USA Amendment request is consistent with general plan land uses and densities, and is included within the planned services areas of the City's master utility plans. The City has indicated its intent to eventually provide services to the project site, and elsewhere within the 20-year Growth Boundary, in a timely manner without lowering the level of services provided within the existing USA. The City has adopted a number of programs and infrastructure master plans to implement its general plan policies for the provision of public services. Master plans have been adopted for police and fire protection, water, recycled water, wastewater, storm drainage, parks and recreation services. Adopted programs and policies include cooperative agreements with other agencies to provide services including fire protection, recreation programs, library services, recycled water, and wastewater treatment. The City must weigh the extension of services to new areas of development against the cost of those extensions, and consider general plan policy guidance regarding services extensions. The City assesses development impact fees for water, sewer, traffic, and storm drainage, as well as for public facilities such as police, fire, library, and parks and recreation. The Gilroy Unified School District also assesses Level I development impact fees for school facilities. These fees assist in funding extensions to services to accommodate new development and population increases. General plan action 18.B states that an impact fee schedule shall be updated on a regular basis to ensure that public safety facilities and services required by new development are paid for by those developments (page 7-20). Gilroy City Code Section 21.162 states that approval of any development project by the City shall be conditioned upon the payment of public facilities impact fees in amounts in effect at the time of payment of the fees. All fees collected pursuant to this provision shall be placed in a separate public facilities impact fee fund in a manner to avoid any commingling of the fees with other revenues and funds. The fees collected, and any earnings thereon, shall be

expended solely for the acquisition and development of public facilities and the repayment of any indebtedness incurred by the City. Table 2-1, Public Facilities and Utilities Fees, lists the development impact fees for various facilities.

# PROJECT LOCATION AND SETTING

The project includes two adjacent sites the Wren Investors site and the Hewell site. The 50.3-acre Wren Investors site is located north and west of the Gilroy city limit and USA, but within the City of Gilroy 2020 General Plan 20-year planning boundary. The existing USA boundary borders nearly the entire site along Vickery Avenue to the north, Wren Avenue to the east, and along the southern boundary of the site and along the west boundary of the site to Tatum Avenue. The site is comprised of 14 parcels total. Six parcels are developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District parcels through which run the Lions Creek channel and a paved community bike path.

The 5.46-acre Hewell project site consists of two adjacent parcels: assessor's parcel numbers 790-06-017 and 790-06-018 located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. Assessor's parcel number 790-06-017, which makes up the southeast portion of the site, is developed with one home, associated outbuildings, and landscaping; however, the remainder of the project site is a vacant field. Land uses surrounding the project site are agricultural to the north, and rural residential with some small-scale agricultural uses to the south, and west. A residential subdivision (Harvest Park) is located to the east, within the City limits.

The *City of Gilroy 2020 General Plan* designates the two project sites, with the exception of the SCVWD facility, for Neighborhood District uses which allows a variety of residential densities. The County of Santa Clara ("County") land use designation of the project sites and the lands to the north, south, and west is Open Space Reserve. Figure 1, Existing and Proposed USA Boundaries, presents the general plan land use designation, as well as the City limits and existing and proposed USA boundaries.

# **PROJECT DESCRIPTION**

The proposed project is a single urban service area amendment that includes both the previously separate Wren Investors project site and the Hewell project site (hereinafter referred to as "the proposed project"). Table 2-2, Wren Investors and Hewell USA Amendment Anticipated Development, presents the anticipated buildout for these two sites comprising 55.66 acres and presents proposed land uses, acreage, and number of residential lots.

**Table 2-1** Public Facilities and Utilities Fees

	FY1 Adopted 11- Adopted 12-	21-11	Adopted 1 Adopted 2	-21-11	FY Adopted 11 Adopted 12	-21-11	FY Adopted 12 Adopted 12	1-21-11	FY Adopted 11 Adopted 12	1-21-11	FY Adopted 11 Adopted 12	-21-11	FY: Adopted 11 Adopted 12	-21-11	
FEE	Effect		Effect 7-1-		Effec 7-1-		Effect 7-1-	50 E	Effect 7-1	70000	Effec 7-1-	0.00	Effect 7-1-		Average % Change
FUND 420: STORM												- 550			
Residential - Low Density	564	0.0%	564	0.0%	564	0.0%	584	0.0%	564	#.0%	564	0.0%	564	0.0%	-9.99
Residential - High Density	886	0.0%	886	0.0%		0.0%		0.0%	886	1.0%	886	0.0%	886	0.0%	-9.95
Commercial - Low Traffic + High Traffic	1,528	0.0%	1,528	0.0%	1,528	0.0%	1,528	0.0%	1,528	#.0%	1,528	0.0%	1,528	0.0%	-9.99
Commercial - Assembly Hall	564	0.0%	564	0.0%	564	0.0%	564	0.0%	564	#.0%	584	0.0%	564	0.0%	-9.95
Industrial	1,128	0.0%	1,128	0.0%	1,128	0.0%	1,128	0.0%	1,128	#.0%	1,128	0.0%	1,128	0.0%	-9.99
FUND 435: SEWER			5——(37/3US	2557		15301	00 75 77								
Residential - Low Density	10,686	4.0%	11,113	4.0%	11,558	4.0%	12,020	4.0%	12.501	4.0%	12,501	0.0%	12,501	0.0%	9.69
Residential - High Dessity	5,782	4.0%	6,013	4.0%	6.254	4.0%	6.504	4.0%	6,764	4.0%	6,764	0.0%	6,764	0.0%	9.6%
Commercial	3.382	4.0%	3,517	4.0%		4.05	3,804	4.0%	3,956	4.0%		0.0%	3,956	0.0%	9.69
Industrial	3,382	4.0%	3,517	4.0%	3,658	4.0%	3,804	4.0%	3,956	4.0%	3,956	0.0%	3,956	0.0%	9.69
FUND 436: WATER									A 7 1 1 1 1		M			=3000000	- No. 10
Residential - Low Density	4,294	0.0%	4,294	0.0%	4,294	0.09	4.294	0.0%	4.294	#.0%	4.294	0.0%	4.294	0.0%	23.99
Residential - High Dessity	1,737	0.0%		0.0%		0.09		0.0%		8.0%		0.0%	1,737	0.0%	24.09
Commercial	6,731	0.0%	-	0.0%		0.0%		0.0%		#.0%		0.0%	6,731	0.0%	23.95
Industrial	6,731	0.0%	77.7	0.0%		0.09		0.0%	6,731	#.0%	6,731	0.0%	6,731	0.0%	23.99
FUND 440: PUBLIC FACILITIES			-			-							THE COURT OF THE C	22,000,00	0.000
Residential - Low Density	16.848	4.0%	17,522	4.0%	18,223	4.0%	18,952	4.0%	19,710	4.0%	20,498	4.0%	21,318	4.0%	8.59
Residential - High Dessity	14,175	4.0%	14,742	4.0%	15,332	4.05	15,945	4.0%	16,583	4.0%	17,246	4.0%	17,936	4.0%	7.89
Commercial	2,538	4.0%	2,640	4.0%	2,746	4.05	2,856	4.0%	2,970	4.0%		4.0%	1.213	4.0%	12.59
Industrial	1,123	4.0%	1,168	4.0%	1,215	4.09	1,264	4.0%	1,315	4.0%	1,368	4.0%	1,423	4.0%	12.29
FUND 433: TRAFFIC															<u> </u>
Residential - Low Density	9,973	3.0%	10.272	3.0%	10,580	3.09	10,897	3.0%	11,224	3.0%	11,561	3.0%	11,561	0.0%	26.99
Residential - High Dessity	8,084	3.0%	8,327	3.0%	8,577	3.07	8,834	3.0%	9,099	3.0%	9,372	3.0%	9,372	0.0%	26.99
Commercial - Low Traffic + Assembly Hall	11,034	3.0%	11,365	3.0%	11,706	3.09	12,057	3.0%	12,419	3.0%		3.0%	12,792	0.0%	27.09
Commercial - High Traffic	22,289	3.0%	22,958	3.0%	23,647	3.09	24,356	3.0%	25,087	3.0%	25,840	3.0%	25,840	0.0%	27.09
Industrial - General	4,373	3.0%	4,504	3.0%	4,639	3.0%	-	3.0%		3.0%		3.0%	5,069	0.0%	26.99
Industrial - Warehous:	3,169	3.0%	3,264	3.0%	3,362	3.0%	3,463	3.0%	3,567	1.0%	3,674	3.0%	3,674	0.0%	26.95
SINGLE FAMILY RESIDENTIAL-LO	w										<i>II</i>				
Total Development Impact Fee per unit	41,914		43,314		44,768	\$/unit	46,276	_	47,842		48,967	411111111111111111111111111111111111111	49,787	\$/unit	
	*No ENR CC adjustment	3	*Check for adjustment	-	*Check for adjustment	ENR CCI	*Check for adjustment		*Check for adjustment		'Check for adjustment	-	*Check for adjustment		
	"Automatic Traffic and P increases re	FIF	"Automatic Traffic and increases re	PFIF	**Automatic Traffic and increases n	PFIF	"Automatic Traffic and increases r	PFIF	"Automati Traffic and increases	PFIF	"Automatic and PFIF is resulting for	creases	**Automatic increase re from City ar	sulting	
	from City and Cost Analysi	ALR b	from City ar Cost Analys	nd RJA	from City ar Cost Analys	nd RJA	from City a Cost Analy		from City a Cost Analy		and RJA C Analysis	ost	Cost Analy	sis	

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Table 2-2 Wren Investors and Hewell USA Amendment Anticipated Development

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

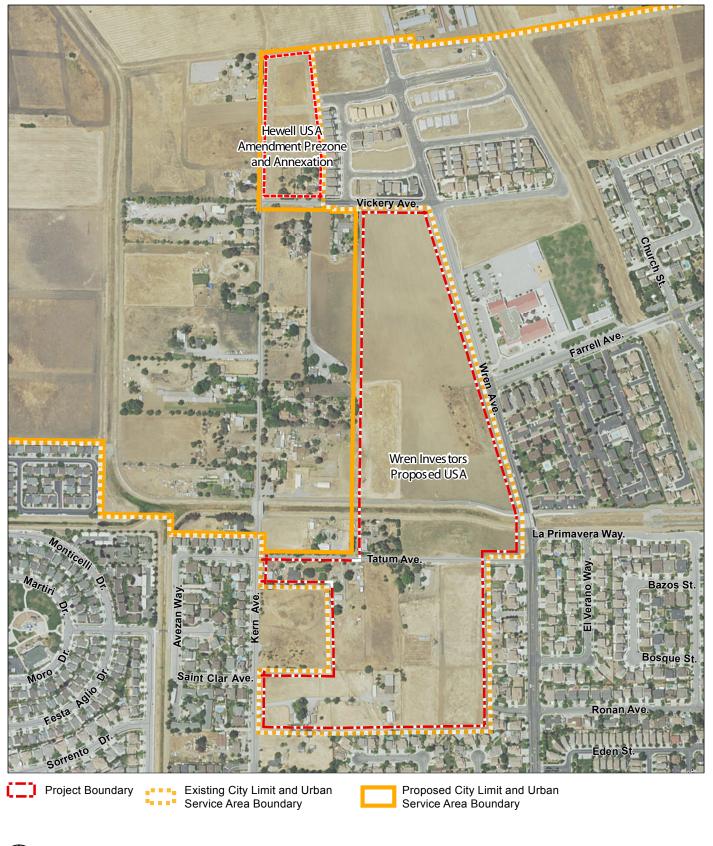
SOURCE: Wren Investors (USA 12-01) & Hewell (USA 14-02) USA Amendment Applications

#### ANTICIPATED APPROVALS

Approval of the USA amendment by LAFCO would lead to annexation into the City of Gilroy and future development of the site. Future development of the site would require preparation of a master plan or specific plan and, dependent upon project-specific characteristics, may require supplemental environmental review once specific development plans are proposed and submitted to the City. Future actions are expected to include, but may not be limited to, the following: annexation, pre-zoning/zoning, residential development ordinance (RDO) allocation, specific or master plan approval, tentative and final subdivision map approval, architectural and site review approval, development agreements, Community Facilities District initiation, habitat permits, right-of-way abandonments and dedication acceptances, and encroachment permits for work within City rights-of-way.

# ANTICIPATED TIME FRAME FOR SERVICE DELIVERY

An accurate estimate of the time frame for delivery of services cannot be made until specific development of the site is proposed; however, a general estimate can be made based upon City of Gilroy staff experience with similar projects. Assuming the USA amendment is approved, the entitlement process is expected to take about five years from the date a specific plan application is submitted. The City anticipates that a community task force would be assembled to assist with guiding future development plans. Assembling a task force and preparation of a specific plan as well as project-specific CEQA review, would likely take the City a minimum of two years to process. Subdivision maps and architectural and site review would follow. A more accurate time frame for the delivery of services could be developed once specific development of the site is proposed.

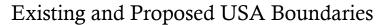






Source: Esri 2016

Figure 1









2.0 Proposed USA Amendment

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# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- The *City of Gilroy Water System Master Plan* (hereinafter "Water Master Plan") analyzes the water system for build out conditions with the 20-year Growth Boundary and provides recommendations for capital improvements (Carollo Engineers 2004).
- The City of Gilroy 2015 Urban Water Management Plan (hereinafter "Urban Water Management Plan") implements and maintains the reliability of urban water supplies, ensures that future beneficial use can be complemented by sufficient water supply, continues to promote policies and programs that benefit water conservation, and provides a means for response during water supply shortages and drought conditions. The Urban Water Management Plan is required in accordance with the California Water Code requirements, and updates are typically submitted to the Department of Water Resources every five years (AKEL Engineering Group 2016).
- The Santa Clara Valley Water District/South County Regional Wastewater Authority's South County Recycled Water Master Plan identifies opportunities to expand the use of tertiary treated recycled water within areas served by the plan, including the City (Carollo Engineering 2004d).
- Santa Clara Valley Water District's Stream Maintenance Program Update 2012-2022 Final Subsequent Impact Report addresses potential environmental impacts to the proposed Stream Maintenance Program Update and describes flood management goals to maintain appropriate conveyance capacity and functional integrity of Santa Clara Valley Water District facilities (Horizon Water and Environment 2011).
- The Santa Clara Valley Water District's Water Supply and Infrastructure Master Plan discusses the District's plan to ensure a sustainable water supply for Santa Clara County's future needs through 2035 (2012).

- The Santa Clara Valley Water District's Groundwater Management Plan characterizes the District's groundwater activities in terms of basin management objectives, strategies, and outcome measures so that the District may respond to risks and uncertainties that may impact the quality and quantity of groundwater supplies such as increased demand, regulatory changes, constituents of emerging concern, recharge limitations due to dam restrictions, reduced availability of imported water or other supplies, climate change, and intensified land development (2016).
- The Santa Clara Valley Water District's Annual Groundwater Report for Calendar Year 2016 describes the groundwater use, storage, land subsidence, and groundwater quality in the Llagas Subbasin for the 2016 year.
- The Central Coast Hydrologic Region; Gilroy-Hollister Groundwater Basin, California's Groundwater Bulletin 118 Interim Update 2016 Data explains the hydrology and basin boundaries of the Gilroy-Hollister Basin (California Department of Water Resources 2016).
- The CASEGM Groundwater Basin Prioritization Results Groundwater Reliance Sorted by Basin Name illustrates the basin prioritization which is used to align resources in the implementation of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program (California Department of Water Resource's 2014).

# **EXISTING CONDITIONS**

#### **Groundwater Source**

The City utilizes local groundwater as its main source of supply and uses recycled water as a supplemental supply. The City's municipal water system extracts its water supply from underground aquifers through nine active groundwater wells, which vary in depth and are located throughout the City (City of Gilroy 2016a). The City pays a groundwater extraction fee to the Santa Clara Valley Water District, which is the principal groundwater management agency in the Santa Clara Valley. The groundwater basin underlying Gilroy is the Santa Clara Valley groundwater basin, which is divided into three interconnected subbasins that transmit, filter, and store water. These basins consist of the Santa Clara Valley and Coyote Subbasins to the north of Gilroy, and the Llagas Subbasin, which is the southernmost subbasin. Gilroy is located within the Llagas Subbasin.

Recharge to the Llagas Subbasin comes from a variety of sources including natural recharge from streams; percolations of precipitation and surplus irrigation waters; seepage along canals; subsurface inflow; and artificial recharge, including imported water from the Central Valley Project. The amount of water recharged to the basin varies widely from year to year dependent upon the amount of precipitation and imported water deliveries. Natural

recharge to the basin occurs from a variety of sources including Uvas Creek and Llagas Creek as well as percolation of precipitation. Further, a number of artificial recharge facilities enhance natural recharge to the Llagas Subbasin and have successfully offset historic water-level declines including the Madrone Channel, Main Avenue Percolation Ponds, and a number of percolation ponds along Uvas Creek and Llagas Creek (AKEL Engineering Group 2011 and 2016). Demand for groundwater from the Llagas Subbasin is comprised of pumping for the City of Gilroy, the City of Morgan Hill, and agricultural uses. In 2016, groundwater pumping from the Llagas Subbasin was estimated at about 41,820 acre-feet with 16,560 acre-feet used for residential and industrial uses, 2,010 acre-feet for domestic uses, and 23,250 acre-feet for agricultural uses (Santa Clara Valley Water District 2017). The Santa Clara Valley Water District has an annual average pumping value of approximately 8,300 acre-feet and a 2015 value of 6,968 acre-feet. The District monitors groundwater conditions and adjusts its management to maintain adequate reserves. District-wide short-term water use reductions of up to 50 percent would be required to maintain aquifer balance during an extended drought.

# Water Treatment and Delivery Infrastructure

In addition to the nine active groundwater wells, the City's water system facilities include 10 potable water storage tanks, six active booster stations, and over 120 miles of pressurized pipes ranging from four inches through 30 inches in diameter. The wells have a total pumping capacity of approximately 18.8 million gallons per day (mgd). The City provides service to three separate pressure zones, defined by the elevation ranges they serve. Zone 1 has a pressure zone hydraulic grade line elevation of 374 feet and a service elevation range of 140 to 280 feet, and serves most of Gilroy. Zones 2 and 3 serve higher elevation in the hills at the western edge of the City (AKEL Engineering Group 2011; Carollo Engineers 2004d). The City has been constructing water transmission main facilities and storage reservoirs in accordance with the 2004 Water Supply Master Plan and 2015 South County Recycled Water Master Plan Update. For enhanced City-wide reliability to the water supply, the City added a storage reservoir with three million gallon (MG) capacity.

# **Recycled Water**

In addition to using groundwater, the City also participates in an agreement with the City of Morgan Hill and the Santa Clara Valley Water District to reclaim and purify wastewater at the South County Recycled Water System operated by the South County Regional Wastewater Authority. The use of recycled water offsets use of potable water for agricultural, industrial, municipal and fire suppression uses. Specifically, recycled water is currently being used for landscape irrigation at Christmas Hill Ranch Site, Christmas Hill Park, Gilroy Golf Course, Gilroy Sports Park, Gilroy Shooting Range, McCarthy Business Park, Eagle Ridge Development and Golf Course, and for agricultural irrigation on Obata

Farms and South County Regional Wastewater Authority-owned agricultural buffer lands. The Calpine-Gilroy Energy Center Peaker Plant and Cogeneration Plant use recycled water for cooling. Additionally, two customers will be online and receiving recycled water in the near-term – C&E Farms and Obata Farms (new turnout). The wastewater treatment plant has a recycled water production capacity of 6.5 million gallons per day (mgd) or 19.9 acre feet per day and a demand of 5.2 mgd or 15.9 acre feet per day. According to the 2017 Urban Water Management Plan, the Gilroy's annual recycled water demand is approximately 2,000 acre-feet per year. Several alternatives to expand the recycled water system are being considered to accelerate and optimize recycled water supplies. The existing recycled water distribution system consists of approximately 14.6 miles of 8- to 36-inch diameter pipelines extending from the South County Regional Water Authority wastewater treatment plant to the western edge of Gilroy along Hecker Pass Highway. The system is comprised of two primary distribution systems, the North System and South System, which operate independently of each other.

The Urban Water Management Plan estimated future recycled water supply availability to increase by 555 million gallons (MG) by 2030. With this increased use of recycled water, total supply within the Llagas Subbasin is estimated at 18,800 MG/Y (per year) by 2040 (AKEL Engineering Group 2016 a). Per the Santa Clara Valley Water District, groundwater pumping within the Llagas Subbasin is approximately 44,000 acre-feet (based on average groundwater pumping between 2003 and 2012). In addition to groundwater, approximately 2,000 acre-feet of recycled water is used in areas overlying the Llagas Subbasin (based on 2018 use data). Recycled water use within the Llagas Subbasin projected to increase to 3,700 acre-feet by year 2040 (Santa Clara Valley Water District 2019).which is approximately 6000 acre-feet less than the estimate of 18,800 million gallons (57695 acre-feet) used by the City.

# **Existing Site Water Service**

The City of Gilroy provides potable water service to customers within the City limits. The existing water system near the project site includes a 24-inch line in Santa Teresa Boulevard south of Sunrise Drive, a 16-inch line in Santa Teresa Boulevard north of Sunrise Drive to Day Road, a 16-inch lines in Wren Avenue, Cohansey Avenue, and Monterey Road south of Cohansey Avenue, a 12-inch lines in Hirasaki Avenue, Kern Avenue, Vickery Avenue Farrell Avenue, and eight-inch lines in Church Street, Tatum Avenue, and Ronan Avenue. There are existing City of Gilroy water mains adjacent to the site on Wren Avenue and Monterey Road.

# PROJECT DEMAND AND INFRASTRUCTURE EXPANSION Project Water Demand

Future development of the project site would increase the demand for potable water on the project site, and would contribute to increased City-wide and subbasin-wide groundwater

demand. Using the water demand coefficient identified in the City's *Water System Master Plan* for Neighborhood Districts of 2,100 gallons per day per acre (gpd/ac) or 2.35 acre feet per year (afy), future water demand of the proposed project would be 116,886 gdp or 130.81 acre-feet. Table 3-1, Water Demand presents the projects projected water demand.

Table 3-1 Water Demand

Site and General Plan Designation	Site Acreage	Water Demand Coefficient (2,100 (Gallons Per Day Per Acre)	Water Demand Coefficient (2.35 Acre Feet Per Year)
Wren Investors (Neighborhood District)	50.30	105,630 gpd/acre	118.21 afy
Hewell (Neighborhood District)	5.36	11,256 gpd/acre	12.60 afy
Total:	55.66	116,886 gpd/acre	130.81 afy

SOURCE: City of Gilroy 2004

The projected water supply available through 2040 during normal years, including recycled water sources, is 18,800 MG/Y. While the projected City-wide demand is only 5,822 MG/Y, the City of Morgan Hill and other uses are projected to have a demand of 13,658 MG/Y for a total demand of 18,478 MG/Y. This leaves 322 MG/Y projected excess water supply. In order to meet water supply goals for normal, single dry and multiple dry years, the Urban Water Management Plan recommends enhanced conservation to the maximum extent possible. In the event of an emergency supply shortfall, the City will rely on the contingency plan to reduce the rate of consumption and limit overdraft of the groundwater aquifer. A mitigation measure was included in the initial study that will require new development to include storm water capture for outdoor watering to help meet the 130 acre-feet additional supply needed for the new development.

#### **Water Infrastructure**

The project site is within an area that can be served by Zone 1, since the highest proposed service elevation is approximately 246 feet. Future development on the site would connect directly to existing City of Gilroy water infrastructure adjacent to the project site. According to Figure 4-2 of the Water System Master Plan, existing water system infrastructure adjacent to the project site includes 12-inch water mains that run along portions of the western project boundary along Kern Avenue, and to the south and the east of the project site along Cohansey Avenue and Wren Avenue. Water mains are also present in the residential neighborhood located directly south of the site between Mantelli Drive and the southern site boundary. Figure 5-2 of the Water Supply Master Plan presents proposed improvements to

the City's system including 12-inch mains to the west of the project site along Kern Avenue and along the northern and eastern project site boundaries along Vickery Avenue and Wren Avenue, respectively. Future water supply infrastructure within the project site would be connected to existing City of Gilroy water mains adjacent to the site on Wren Avenue and Cohansey Avenue.

On-site water infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards. New development is subject to compliance with the design requirements and standard conditions of approval of the City's Urban Water Management Plan and Water System Master Plan.

#### **FINANCING**

The Water Supply Master Plan includes a Capital Improvement Program to assist the City in planning and constructing the proposed improvements to the water system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options.

Future developers would be responsible for constructing all on-site water pipelines and off-site connecting pipelines. The City will reimburse the developer for construction of oversized mains (that will serve other future development) according to City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. Additional improvements that are included in the Capital Improvement Plan would also be subject to reimbursement. The construction and financing of on-site infrastructure serving the project site would be the responsibility of the applicant.

Future developers of the site would participate in the water development impact fee program, which provides a mechanism to offset the project's share of existing and proposed City-wide infrastructure improvements that enable delivery to the site, such as the new wells required to serve the project. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/ apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees.

On-site water infrastructure would be constructed by the applicant and dedicated to the City. As owner of the water infrastructure, the City will be responsible for costs associated with future maintenance of the water infrastructure unless a Community Facilities District is established. This financing approach could help defray costs for associated with the new water infrastructure (see Section 15.0 for further discussion).

# **CONCLUSION**

Future development of the site consistent with the existing general plan land use designation would result in an increased demand for water and required treatment. The existing and planned City infrastructure is sufficient to accommodate this increased demand for water service. Developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the increased tax base would not offset the costs of the financial impacts (see Fiscal Impact Analysis prepared by ADE) and the City will require formation of a Community Facilities District for the proposed project. As outlined in the Water System Master Plan and the Urban Water Management Plan, the City is able to deliver water to all customers within the city limits, and the City's water supply and water system planning documents provide for expansion of water production and delivery infrastructure to supply all areas within the USA and 20-year Growth Boundary. Water demand associated with development of the project site is within the City's water supplies and the planned water system infrastructure beyond that already identified in the City of Gilroy Water System Master Plan and Urban Water Management Plan.

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# **Wastewater**

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

The City of Gilroy Sewer System Master Plan (hereinafter "Sewer System Master Plan") analyzes the sewer system for build out conditions with the 20-year Growth Boundary, and provides recommendations for capital improvements (Carollo Engineers 2004b).

# **EXISTING CONDITIONS**

The project site is within the 20-year Growth Boundary and therefore was accounted for in the Sewer System Master Plan. However, at the time the Sewer System Master Plan was prepared, the project site was designated Low-Density Residential in the general plan. As previously discussed, the general plan land use designation for the site was changed to Neighborhood District in 2002 as part of a general plan amendment process. The amount of wastewater generated by build out of the site with Neighborhood District uses remains consistent with the Sewer System Master Plan.

The City operates and maintains its own sewer infrastructure and serves customers within the City limits. The City's existing sewer collection system consists of a network of pipes ranging in size from six to 33 inches in diameter. The wastewater is directed to the South County wastewater treatment plant operated by the South County Regional Wastewater Authority, a joint agency consisting of the City of Gilroy and the City of Morgan Hill. Wastewater is conveyed through main trunk lines generally 10 inches or greater in size (Carollo 2004b, page 4-1). The wastewater treatment plant treats wastewater from the City of Gilroy and the City of Morgan Hill, with plant capacity and finances split at 58 percent and 42 percent respectively. The wastewater treatment plant has an average dry weather treatment capacity of approximately 8.5 million gallons per day (mgd), with approximately 4.9 mgd available for Gilroy and 3.6 mgd available for Morgan Hill. The wastewater treatment plant processed an average dry weather flow of 6.5 mgd in 2010 (AKEL Engineering Group 2015). The City's share of the average 2010 wastewater flow was measured at 3.58 mgd (Ruggeri Jensen Azar 2015b). A portion of the wastewater is dispersed

to percolation ponds and a portion is recycled. The water recycling facilities were upgraded to increase output capacity from 3 mgd to 9 mgd (*Gilroy 2040 General Plan Background Report - Public Review Draft* Chapter 9: Public Facilities, Services, and Infrastructure 2014).

# **Existing Site Sewer Service**

The Morgan Hill Trunk conveys wastewater from Morgan Hill to Gilroy. The line passes through the project site as a combination of 27- to 30-inch pipes and continues southward on Wren Avenue to a merger with the Mantelli Sub-trunk at Mantelli Drive. The Morgan Hill Trunk also collects wastewater flows from within Gilroy. Wastewater flow is then conveyed in a 33-inch main east and south to the wastewater treatment plant. Sewer system modeling conducted for the Sewer Master Plan shows that during wet weather flow conditions, the Morgan Hill Trunk becomes deficient through the City (Carollo Engineers 2004b).

# PROJECT WASTEWATER GENERATION AND INFRASTRUCTURE EXPANSION

#### **Estimated Wastewater Generation**

The proposed project would result in increased wastewater flows and the development of new wastewater collection lines within the project site. The City would apply the Sewer Development Impact Fees to the construction of the sewer system upon annexation and development of the site. According to the sewer generation estimates outlined for each land use in the Sewer System Master Plan, future development of the site consistent with the Neighborhood District land use designation may result in 72,000 gpd. At the time the Sewer System Master Plan was prepared, the site was designated Low-Density Residential; which is a lower intensity residential use and would generate less wastewater than Neighborhood District uses. However, as discussed previously, the land use designation for the site was changed to Neighborhood District in 2005 as part of a general plan amendment process that modified the distribution of residential land uses city-wide, but did not substantial change the overall amount of lands designated for low to high density residential uses. As such, the wastewater that would be generated by build out of the site consistent with existing general plan land use designations has been evaluated in the Sewer System Master Plan, which concluded that there is adequate capacity to serve the 20-year planning area, including the project site.

#### **Collection Infrastructure**

Future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site. As depicted in the Sewer System Master Plan, Figure 4.2, the closest sewer main to the site is the Joint Morgan Hill-Gilroy

Trunk, which runs along the eastern boundary of the project site. The Joint Morgan Hill-Gilroy Trunk conveys flows from the City of Morgan Hill as well as flows from the northwest and northeast portions of Gilroy.

Along Wren Avenue, east of the project site, the Joint Morgan Hill-Gilroy Trunk consists of a 30-inch main, which decreases in size to a 27-inch main along the south-eastern project boundary between Tatum Avenue to Mantelli Drive, where it merges with the Mantelli Subtrunk at the intersection of Wren Avenue and Mantelli Drive. Wastewater flow is then conveyed in a 33-inch main east and south of Gilroy to the wastewater treatment plant. A 18-inch main is also located on Santa Teresa Boulevard, west of the site.

According to the Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Joint Morgan Hill-Gilroy Trunk becomes deficient when Morgan Hill flows are introduced.

# **Treatment Plant Expansion**

A relief line along Monterey Road is included in the City of Morgan Hill's and the wastewater authority's capital improvement plan, and is partially constructed. The City of Morgan Hill is the responsible entity for funding the new relief trunk from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass Road and Renz Lane in the City of Gilroy. The City will maintain 50 percent capacity allocation in the new relief trunk that continues from Pacheco Pass Road to the waste water treatment plant outfall, and as a result, will be responsible for half of the funding for this reach of new sewer pipe (Carollo Engineers 2004b). According to the City of Morgan Hill, completion of the relief line is based on funding and it is unknown when adequate funds will be available to complete the construction of the relief line (Gittleson 2018). On-site wastewater infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards.

# **FINANCING**

General plan action 19.A requires developers to pay fees to offset the costs of expanding the sewer system to accommodate their development. These fees will be paid in relation to the capacity demanded, and will reflect the total fees for improvements. The Sewer System Master Plan estimates average day sewer flows based on the land uses specified in the general plan. According to the Sewer System Master Plan, sewer flows are estimated to be 770 and 1,500 gallons per day per acre (gpda) for Low Density Residential and Medium Density Residential land uses respectively (page ES-9). Low -density residential development would pay City development fees at the low-density level. Development in the medium-density and high-density land uses would pay City development fees at the high-

#### 4.0 Wastewater

density level. The City would apply the sewer development impact fees to the construction of the sewer system upon annexation and development of the site. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

The Sewer System Management Plan includes a capital improvement plan to assist the City in planning and constructing the proposed improvements to the sewer system through the build out of the general plan. The capital improvement plan includes cost estimates for the proposed improvements and a capital improvement budget that outlines funding and financing options. Future developers would be responsible for constructing all sewer pipelines. The City will reimburse the developer for construction of oversized mains according to the City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. The construction and financing of onsite infrastructure for the project site would be the responsibility of the applicant.

As discussed in Section 15.0, Community Facilities District, with the establishment of Mello Roos Community Facilities Districts, Gilroy permits the imposition of "special taxes" to fund maintenance of facilities which may help offset costs associated with wastewater infrastructure.

# CONCLUSION

Future development of the site consistent with existing general plan land use designations would result in an increase in sewer generation and required treatment. The existing and planned City and South County Regional Wastewater Authority infrastructure is sufficient to accommodate this increase in sewer generation and required treatment. Sewer generation associated with development of the project site would not exceed the capacity of the City's or South County Regional Wastewater Authority sewer system infrastructure beyond that already identified in the City of Gilroy Sewer System Master Plan. Improvements that are included in the Capital Improvement Plan would also be subject to reimbursement.

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- The City of Gilroy Storm Drainage System Master Plan (hereinafter "Storm Drainage Master Plan") analyzes the storm drain system for build out conditions with the 20year Growth Boundary, and provides recommendations for capital improvements (Carollo Engineers 2004a).
- The Technical Support Document for Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region provides background, explanation, and justification for the Post-Construction requirements that establish performance criteria and implementation measures that municipalities utilize to implement post-construction storm management actions. (Central Coast Water Quality Control Board 2013).
- The Revised Regional Storm Water Management Plan includes the efforts of Gilroy, Morgan Hill, and unincorporated Santa Clara County in meeting the Phase II Storm Water Permit requirements for "small municipal separate storm sewer systems (MS4s)" (City of Gilroy, City of Morgan Hill, and County of Santa Clara (2010).

# **Existing Conditions**

The City storm drainage system consists of a combination of curb and gutter facilities, curb inlets, and underground pipelines draining to the nearest creek (Llagas Creek or Uvas Creek) or to a manmade channel. The City's system discharges to existing channels and creeks owned or overseen by the Santa Clara Valley Water District. The City lies within two major watersheds: the Uvas Creek Watershed and the Llagas Watershed. These watersheds are divided into several hydrologically distinct drainage areas. Several major flood control projects have been completed that have improved drainage in the City

The City requires new development to pay storm development impact fees. Low density residential development would pay City development fees at the low-density level. Medium and high-density residential development would pay City development fees at the high-density level.

The project site is located in the Llagas Watershed (SDSMP, Figure 4.1) and the Ronan Channel Drainage Basin (SDSMP, Figure 4.3). Lions Creek or flows through the Wren USA area.

# **CAPACITY AND INFRASTRUCTURE**

# **Expanded Infrastructure and Capacity**

The Storm Drain Master Plan (Carollo Engineers 2004a), provides a blueprint for expansion and maintenance of the City's storm drainage infrastructure. The Storm Drain Master Plan establishes storm drainage system design and planning criteria, presents the results of a watershed model hydrologic analysis, evaluates the existing storm drainage system using computer hydraulic modeling, proposes system improvements, and is the basis for capital improvement programming (Carollo Engineers 2004a). Other than the Ronan Channel, the SDSMP identifies only one storm drain facility in the vicinity of the project site: a 30-inch storm pipe that drains to the Llagas Creek from Wren Avenue east of the site (SDSMP Figure 4.4). The SDSMP does not identify any deficiencies for the storm drain infrastructure that abuts the project site, nor does the SDSMP Figure 5.1, Proposed Improvements, identify any new storm drain infrastructure needed to serve future development within the 20-year planning area in the vicinity of the project site. The storm drainage flows that would result from build out of this site consistent with the Neighborhood District land use designation have already been evaluated in the SDSMP and necessary improvements to the existing system have been identified in the SDSMP.

On-site and adjacent off-site storm water infrastructure would be constructed by the applicant and dedicated to the City or Santa Clara Valley Water District upon inspection and confirmation of conformance to City or Santa Clara Valley Water District standards. It is anticipated that at least the low-flow channel in West Branch Llagas Creek would be dedicated to the Santa Clara Valley Water District which would also maintain floodway portions of the channel.

# **FINANCING**

The Storm Drain Master Plan includes a Capital Improvement Plan to assist the City in planning and constructing the proposed improvements to the storm drain system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options. Future developers would be responsible for constructing all storm water pipelines). The City will reimburse the developer for construction of oversized mains according to the City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. The construction and financing of onsite infrastructure for the project site would be the responsibility of the applicant.

Future developers of the site would participate in the storm drain system development impact fee program. Project-level impact on the existing storm drain system in the vicinity of the project site would be evaluated when specific development proposals are submitted. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density and high-density residential development would pay City development fees at the high-density level. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

# **CONCLUSION**

Future development of the site consistent with existing general plan land use designation would result in an increase in storm water runoff. The existing and planned City infrastructure is sufficient to accommodate this increase in storm water; and the proposed on-site drainage improvements will accommodate 100-year storm flows. Developers would be responsible for paying impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Increases in storm water runoff associated with development of the project site would not exceed the capacity of the City's or storm drain system infrastructure beyond that already identified in the Storm Drain Master Plan

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# **EXISTING CONDITIONS**

Recology South Valley provides solid waste pick up service to the cities of Gilroy and Morgan Hill (Recology South Valley 2017). Recology provides solid waste, recycling, composting, and street sweeping programs for residential customers and solid waste and recycling programs for commercial customers. They also provide special collection and debris box services. Recology implements resource recovery practices by collecting organic and recyclable materials and diverting them from disposal at area landfills.

According the CalRecycle website, beginning with reporting year 2007 jurisdiction annual reports, diversion rates are no longer determined. With the passage of Senate Bill 1016, the Per Capita Disposal Measurement System, only per capita disposal rates are measured. For 2007 and subsequent years, CalRecycle compares reported disposal tons to population to calculate per capita disposal expressed in pounds/person/day (CalRecycle 2017).

In 2006, the last year that diversion rates were determined, the City diverted 52 percent of solid waste generated within the City limit (CalRecycle 2017). The most recent estimate of per capita or per unit waste generation (per capita disposal expressed in pounds/person/day) approved by CalRecycle for the City is from 2015 in which solid waste disposal generation factors for the City are listed as 5.8 pounds per resident per day and 14.8 pounds per employee per day for commercial uses. The most recent approved annual disposal information was from 2015, when the County disposed of 48,324 tons of solid waste (CalRecycle 2017).

# **WASTE GENERATION**

Development of the site will result in 307 new residential units and is anticipated to generate a new population of 1,081 persons. According to the waste generation rate of 5.8 pounds per day, future residential development of the site would result in an increased solid waste generation of 6,270 pounds of solid waste per day.

# **CONCLUSION**

Recology South Valley would continue to provide solid waste pick up upon development of the project site. Future development of the site consistent with existing general plan land use designations would result in an increase in solid waste, but not beyond that identified and planned for in the general plan.

# **Fire Services**

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- E-mail correspondence with Interim Fire Chief, Jeff Clet, dated September 10, 2019.
- The *Update of the Fire Services Master Plan of August 2000 for the City of Gilroy Fire Department Final Report* assesses the Gilroy Fire Department's needs for build out conditions with the 20-year Growth Boundary and provides recommendations for improvements (City of Gilroy 2004).
- The 2016 South Santa Clara County Annual Report discusses the budget and finances, operations, training programs, equipment and apparatus available, and a description and location of all fire stations of the South Santa Clara County Fire District (South Santa Clara County Fire District 2017).
- The City of Gilroy's online website consists of a Fire Department webpage that was used for the descriptions of the staff on duty, apparatus available, statistics from recent years, and the locations of the three existing fire stations within the City limits (City of Gilroy 2017a and City of Gilroy 2017b).
- The Fire Chiefs Online website is a free service for Fire Officials with information and features that can help a city improve their Insurance Service Office rating (Fire Chiefs Online 2017).

# **EXISTING CONDITIONS**

The City of Gilroy Fire Department serves the residents of Gilroy from three strategically located fire stations within the current City limits and is anticipating the construction of a fourth developer-funded fire station within the Glen Loma Ranch, Santa Teresa residential development area. The Las Animas Station located on 8383 Wren Avenue is located less than one mile from the project site. This station is equipped with a Type I fire engine and staffed daily by a minimum three-person crew. It also houses an additional reserve Type I fire engine and a reserve Type III fire engine. The Sunrise Station at 880 Sunrise Drive is located

approximately two miles from the project site. The Sunrise Station is equipped with a Type I fire engine staffed daily with a three-person crew, an additional reserve Type I fire engine, and a Type VI reserve fire engine. The Sunrise Station is the newest of the City's three fire stations and was designed and constructed to essential facilities standards (Facilities Standards for the Public Buildings Service (P-100)). The Chestnut Station at 7070 Chestnut Street is located approximately two and a half miles from the project site. The offices of the Fire Chief are located here. The command staff consists of the Fire Chief and three Division Chiefs. Administrative support staff consists of one Administrative Captain, one Management Analyst, and a Management Assistant. The Chestnut Station is equipped with a Type I fire engine and staffed daily by a minimum three-person crew. It also houses a Truck with a 75-foot aerial ladder, a Type IV engine and a County-approved transport ambulance. The fire department has received approval to respond the ambulance and can performance patient transports when their condition meets specific conditions stipulated with a contract with Santa Clara County. The Gilroy Fire Department in its entirety has 35 personnel on staff, with a daily minimum of 10 field personnel. (Interim Chief Jeff Clet, email message, September 10, 2019).

According to the Gilroy Interim Fire Chief, Jeff Clet, the City is under contract with the Santa Clara County Emergency Medical Service (EMS) Agency to respond to Code 3 (Lights and Sirens) EMS calls within 7:59 minutes 90% of the time. They must respond to Code 2 (non-life threatening emergency medical calls) within 11:59 minutes (Interim Chief Jeff Clet, e-mail message, September 10, 2019).

In 2018, the Gilroy Fire Department responded to 5,137 calls for service (City of Gilroy 2017b) The unincorporated areas of Gilroy pay for and receive fire protection and emergency medical services from the South Santa Clara County Fire District (fire district). However, a "Boundary Drop" agreement with the City results in the response of the closest fire resource. The majority of fire district 9-1-1 requests in these areas were responded to by Gilroy Fire Department.

The fire district has one fire station within the current City limits. However, the fire districts Masten Fire Station 2 at 10810 No Name Uno Avenue is approximately three miles northeast of the project site and is staffed by a minimum three-person crew. Apparatus at the station include a Type I fire engine, water tender, Type I reserve engine, and an air support trailer. While owned by the City, the district's Treehaven Station 3, located at 3050 Hecker Pass Highway, is also approximately three miles from the project site. The Treehaven Station is staffed by a minimum of a three-person crew and apparatus at the station are similar to the Masten Station in that it includes one Type 1 fire engine, one reserve engine, one utility vehicle, and one technical rescue trailer. The fire district also utilizes other regional fire resources, via the County mutual-aid agreements, to respond to calls, which includes two other stations located in Morgan Hill.

According to the 2016 South Santa Clara County Annual Report, the City of Gilroy provided 524 aid responses to the fire district and the fire district provided 359 aid responses to the City of Gilroy (South Santa Clara County Fire District 2017).

Since the project site is not within the City limits, data can only be drawn from the surrounding areas of the site. The more common incidents occurring in bordering areas to the project area, according to the *Update of the Fire Services Master Plan of August 2000 for the City of Gilroy Fire Department Final Report* (fire master plan), included rescue and emergency medical services and fires.

The response time for the incidents surrounding the project site ranged from four to eight minutes (City of Gilroy 2004). Every city is required to receive an Insurance Services Office (ISO) Report that evaluates a list of features that rate a community's fire protection levels. The ISO Report rates a city by ten class categorizations, with Class One being the best. The three components investigated in the ISO's grading are: the city's fire department, the city's water supply, and the city's communications (City of Gilroy 2004). On September 29, 2014 the City of Gilroy received an ISO rating of 3 (Alan Anderson, email message, November 16, 2017).

According to Alan Anderson, the development agreement between the City of Gilroy and the Glen Loma Corporation indicates that a new fire station on the South-west side of the City shall be ready for occupancy prior to the issuance of the 1,100th building permit. This agreement was signed in 2004 and appended on August 6, 2018. Project Impact Analysis

In light of existing boundary agreement between the district and the City, the Gilroy Fire Department would continue to respond into the project site and potentially adjacent streets, depending on their proximity to the Treehaven station and the availability of Gilroy Fire Department resources, thereby increasing service demand for fire department resources. The increased service demand created by the project site would also likely result in service demand increases for district resource. When the Las Animas resource is committed to an incident in the project area and a service request occurs within Gilroy and the Treehaven resource is the closest fire resource, the boundary drop agreement would result in the dispatch of a district resource into Gilroy.

Fire stations in urban settings are typically sited so that responding apparatus are within 2.0 to 2.5 road miles or have a four to five minute travel time (assuming an average travel speed of 30 mph) to the structures within the station's "first due" station district. (Fire Chiefs Online 2017). However, since response time is dependent on travel speed it travel time can be affected by the circulation system layout, traffic calming devices, traffic conditions, temporary street routing during construction, calls in progress (including out-of-district calls), and similar factors.

When call volume increases within the south Santa Clara County area, it will impact all regional departments as a result of the boundary drop agreement. In order to maintain service levels within a region, the existing staff and facilities must have the ability to accommodate or absorb the increase in service demand.

The Gilroy fire master plan suggests that the project site would receive fire protection and emergency medical services through an eight-minute travel street network by four different fire stations (City of Gilroy 2004, p. V-31). However, project access and street design elements that restrict emergency vehicle access into the project site, such as those found in the Heartlands Development, could significantly increase response times to addresses and facilities within the project site.

With adequate surface street access into the project site and the inclusion of Emergency Vehicle Accesses (EVAs) where necessary, the project site would continue to be sufficiently served by the current staffing levels and facilities of the Gilroy Fire Department. In addition, incident volume and resource availability analysis recently completed for a Regional Standards of Coverage being performed by Citygate Associates and presented to the Gilroy City Council indicated that the current facilities could accommodate the increase incident volume created by the population increase of the proposed project (Gilroy Fire Department).

Based on additional mapping within the Fire Master Plan, the project site would be within a three mile radius of the five Gilroy and fire district stations, mentioned previously, when project buildout is completed. The fire master plan also indicates that the project site is within a four minute travel time from the City's Sunrise, Las Animas, and Chestnut Stations (City of Gilroy 2004, p.IV-5) and within an eight minute travel time from the fire district Treehaven and Masten Stations (City of Gilroy 2004, p. V-31). As reflected in the *Cities Service Review Final Report*, the city would likely have the capability to maintain current levels of service as well as meeting any infrastructure needs through 2020 as a result of population increase (LAFCO 2015).

# **FINANCING**

According to the City's impact fee program, future anticipated low density residential development would pay City development fees at the low-density level. Medium and high-density residential development would pay City development fees at the high-density level. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

Future development of the site would increase the City's tax base and general fund revenues, which the City may use at its discretion to fund programs and staffing. However, tax revenues from the proposed project would not be sufficient to fund additional staffing needs for services that the City would provide to the site. Funding for future staffing of the fire department would be derived from the General Fund or some other funding source.

### **CONCLUSION**

Future development of the site, consistent with existing land use designations would result in an increase in service demand but would also expand the tax base and correspondingly, available funding opportunities for increased staffing levels. Future development would also be responsible for the payment of a proportionate share of impact fees for infrastructure improvements. The proposed project would not require a level of service beyond that identified in the general plan and *Gilroy Fire Services Master Plan Master Plan Update*.

The developers would be required to notify new homeowners of Section 4291 of the California Public Resources Code requiring that property owners and/or occupants maintain a defensible space of 100 feet from each side of a structure to protect against a fire (California Legislative Information 2010). Additionally, the developers of the site would be required to pay all development impact fees applicable at the time of issuance of a building permit.

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# **Police Services**

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- The *Gilroy Police Department Strategic Plan Update* 2016-2019 provides documentation of the department's records, performance measures, budget and goals (City of Gilroy 2016b).
- The Santa Clara County Sheriff website offers a page dedicated to the enforcement operations. All of the County's headquarters, sub-stations, and patrol locations are listed with contact information (County of Santa Clara 2017).
- The CrimeReports website is a compilation of data from a national coalition of police departments and sheriff's offices which choose to share data with their communities (CrimeReports 2019).

# **EXISTING CONDITIONS**

The City of Gilroy Police Department serves the residents within the City of Gilroy while the Santa Clara County Sheriff's Office manages the incidents in the unincorporated areas surrounding the city (County of Santa Clara 2017). The City of Gilroy Police Department is located at 7301 Hanna Street, approximately two miles from the southeast corner of the Wren Investors Proposed USA boundary line. The Santa Clara County Sheriff's Office consists of a South County enforcement division which is located in San Martin, approximately four miles from the northeast corner of the Hewell USA Amendment Prezone and Annexation.

Police response is usually by officers on patrol in the field, so proximity to police office buildings is not critical. The Department is currently staffed with 105 sworn/non-sworn officers in total; the Department is authorized to have 69 sworn officers (Gilroy Human Resources Department, e-mail message, September 13, 2019). The need for officers is determined by the amount of available patrol time, which is based on the number of calls for service, processing evidence, report writing, and other administrative duties. Captain Joseph Deras of the Gilroy Police Department stated the patrol officers should have a minimum of

33 percent of their time available to do proactive police work, but the department is not currently meeting this standard due to the needs of responding to community generated calls for service (Joseph Deras, email message, May 10, 2018). The Department currently collaborates with the Morgan Hill Police Department, as they have a regional Special Weapons and Tactics (SWAT) and negotiations team (Joseph Deras, email message, November 28, 2017).

The response times of the Police Department ranges depending on the type of priority the call has. Table 8-1, Police Response Times, provides the breakdown of what the response times were for the 2017 fiscal year.

**Table 8-1** Police Response Times

2019 Fiscal Year Response Times (7/1/2018 – 6/30/2019)						
Priority	1	2	3	4	5	6
Seconds	307	552	1527	2186	2516	2359
Minutes	5:08	9:13	25:28	36:26	41:56	39:20

SOURCE: David Boles, email message, October 8, 2019

According to the Gilroy Police Department Policy Manual, Section 802.3.3, Priority 1 calls are defined as calls for service that are in-progress, life threatening or have threat to life; Priority 2 calls are for service where something has occurred or is occurring and it needs an immediate public safety response; Priority 3 calls are in-progress property calls where service is needed in a location that has threat to a property; Priority 4 calls are calls for service that involve people and/or property or both and that occurred within the last five to ten minutes; Priority 5 calls are calls that involve people and/or property or both and that occurred over 20 minutes ago; and Priority 6 calls are calls for service that are initiated by Public Safety Personnel in the field or could be in-progress or prior that do not need a Public Safety Response within a certain time or calls that are created for documentation purposes only (City of Gilroy 2017).

During the fiscal year 2014/2015, the Gilroy Police Department received 37,720 calls for service, 7,293 of these calls were Priority One calls, which require immediate assistance. The Department responded to these Priority One calls in five minutes or less 27 percent of the time (City of Gilroy 2016b). Due to the proposed project not currently within the City limits, crime reports could only be found in the surrounding area. During the months of April to October 2019, there were a total of 14 incidents that involved police response; 12 of these responses were considered quality of life incidents, which include disturbances such as loud noises (CrimeReports 2019).

According to the Police Dispatch Map, the officers patrol within four response areas. The project site is located within the Police Response Area 3, which covers the City limits that fall north of First Street and west of Monterey Road (Joseph Deras, email message, December 4, 2017).

# **PROJECT IMPACT ANALYSIS**

Buildout of the project site consistent with the conceptual development plan would result in 307 new dwelling units, with a population of approximately 1,000 new residents. This increase in the population would increase the number of calls received by the department. As the number of residences and businesses increase, staff within the police department would need to increase proportionately to maintain adequate service levels (Joseph Deras, email message, May 10, 2018). The area of responsibility would expand to include the project site and potentially adjacent streets, thereby reducing the demand on the Santa Clara County Sheriff's Office. While the project site would be served by the Gilroy Police Department, the Sherriff's Office would respond if mutual aid is necessary.

According to the Local Agency Formation Commission of Santa Clara County, Gilroy's General Fund routinely operates at a surplus; therefore, the City of Gilroy would have the capability of meeting future service needs in the event of an economic downturn. Additionally, it was determined that the City contains adequate financial assets to aid in the expansion or replacement of infrastructure if recommended by capital improvement plans (LAFCO 2015).

# **FINANCING**

Equipment and facility upgrades and needs brought about by the proposed project would be partially paid for by the collection of development impact fees, collected as a standard condition of approval, when specific development of the project site is approved in the future. Refer back to Table 2-1, Public Facilities and Utilities Fees, to see the fees required by the City. A Community Facilities District would be required within the project site, and could augment fire services funding (see Section 15.0 for further discussion).

Future development of the site would increase the City's tax base and General Fund revenues, which the City may use at its discretion to fund programs and staffing. However, tax revenues from the proposed project would not be sufficient to fund additional staffing needs for all services that the City would provide to the site and revenues attributable to the project would result in a net decrease in the General fund. Funding for future staffing of the police department would be derived from the General Fund.

### **CONCLUSION**

Upon annexation, the City would become the primary provider of police protection services for the project site, while the current mutual aid agreements remain in place. Future development of the project site, consistent with the conceptual development plans, would result in an increase in service demand with the addition of approximately 1,000 people. Mr. Deras states a concern that the increased demand for police services would not be fully offset by revenue generated for residential development (Joseph Deras, email message, May 10, 2018).

The developers of the project site would be required to pay all development impact fees applicable at the time of issuance of a building permit.

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

• The 2014 City of Gilroy General Guidelines present design criteria and minimum standards for the City of Gilroy.

#### LIGHTING

Most of the proposed project would have lighting typical of residential and neighborhood-serving commercial uses. The City requires that new development include light emitting diode (LED) street lighting luminaires. Eectrolier ownership is dedicated to the City of Gilroy (City of Gilroy General Guidelines 2014). The streets would have standard lighting per the City's street lighting standards and the commercial areas would have parking lot and exterior building light. Lighting will be provided and maintained by the City.

# **FINANCING**

The Landscape and Lighting Act of 1972 permits the establishment of assessment districts to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets. Proposition 218 in 1996 imposed a condition on all assessment districts that the assessment must relate to a special benefit provided to each parcel in the district. The rule is that "general enhancement of property value does not constitute a special benefit". In accordance with provisions of Proposition 218, the duration of the assessment is specified at the time the District is initially established, along with an annual escalation clause, to reduce the possibility of rescissions by property owner votes at the required annual hearing. There are no examples in California of a successful majority property owner protest of a lighting and landscaping district once it has been established.

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# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- The Santa Clara County Library District provides a webpage with the entire history of the District from 1914 when it was first established to present day (Santa Clara County Library District 2017a).
- The Santa Clara County Library District offers a timeline specific to the history of the Gilroy Branch, beginning in 1878 when book services were first established in Gilroy and ending with a description in regards to the present day Gilroy Library Branch (Santa Clara County Library District 2017b).

# **EXISTING CONDITIONS**

The City is an affiliate of a Joint Powers Authority with the Santa Clara County Library District where the City manages a Gilroy Library Branch (Gilroy Library) that is overseen by the Santa Clara County Public Library District. The Gilroy Library is a special district meaning that it is not funded by Santa Clara County. One source of funding comes from the residents within the Santa Clara County Library District service area who pay a special tax to support and help maintain library hours and services. This special tax retains qualified staff, supports the continuance of available programs, funds the purchases of essential books and present-day research materials (Santa Clara County Library District 2013). Additional funding, approximately 40 percent, comes from a parcel tax within the City (Lani Yoshimura, telephone interview, November 17, 2017).

The Gilroy Library primarily serves the residents within the City limits, but is also available to the unincorporated areas surrounding the City as well as the residents of San Martin, San Benito, Salinas, and Santa Cruz (Lani Yoshimura, telephone interview, November 17, 2017).

The Gilroy Library was originally established in 1910 within City Hall and was opened into the building recognized today at 350 W. Sixth Street in 2012 (Santa Clara County Library District 2017a); this location is approximately a mile and a half from the project site. The

Gilroy library has expanded to 150,000 volumes including 400 periodicals and the largest Spanish Language collection in the Santa Clara Public Library District. A unique 200 phonographic record collection from the former KFAT radio station is also stored at the Gilroy Library. Services include internet access, electronic databases, and word processors as well as bookmobiles, free delivery services to residences, museum passes, reading programs, braille and talking book devices, and countless other services (Santa Clara County Library District 2017b).

The Gilroy Library has a total of approximately 30 staff, which includes full-time, part-time, and grant employees. The grant employees are not employees of the Gilroy Library because they are the employees of the English Speaking and Listening (ESL) and Literacy programs that are funded by grants (Lani Yoshimura, telephone interview, November 17, 2017).

# **DEMAND AND INFRASTRUCTURE**

The demand of the current library facility would increase with the development buildout of the project site as a result of the population increase of approximately 1,000 people. However, the Gilroy Community Librarian, Lani Yoshimura, indicated that the existing facility has the potential to expand within its own building footprint to accommodate the increase in demand of the facility. The librarian also stated that with the increase in use of technology, the Gilroy Library is currently underused in comparison to past years because one does not need to physically visit the facility to be able to use its resources. As aforementioned, the Gilroy Library allows access to its resources through the bookmobile program and the home delivery program; an additional feature such as the mobile app allows its users to search and explore electronic resources, music, and magazines (Santa Clara County Library District 2017c).

# **FINANCING**

The development impact fee for new and upgraded library facilities is included in a public facilities impact fee. According to the fee program, future anticipated low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

### **CONCLUSION**

Upon annexation of the project site to the City, consistent with the conceptual development plans, the project site would result in an increase in service demand with the growth in population. Future development of the site would also result in the increase in property tax revenues, some of which are allocated to the Santa Clara County Public Library District.

The City will be required to provide support for the library services in the form of development impact fees paid by the project developers and perhaps other funding mechanisms to provide additional capital facilities, on-going operations, and maintenance.

All development impact fees applicable at the time of issuance of a building permit are also required by the project developers.

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# **INFORMATION SOURCES**

This section includes information from the *Traffic Impact Analysis for the Wren Investors and Hewell Urban Service Area Amendment, Gilroy, California,* prepared by Hexagon Transportation Consultants dated December 14, 2017.

# **EXISTING CONDITIONS**

The proposed project is generally located south of Vickery Lane between Kern Avenue and Wren Avenue, and north of the existing residential units located north of Mantelli Drive.

US 101 is a six-lane freeway north of the Monterey Road interchange and transitions to a four-lane freeway south of that point. US 101 extends northward through San Jose and southward into Salinas. This freeway serves as the primary roadway connection between Gilroy and Morgan Hill and other Santa Clara County communities to the north and between Gilroy and Salinas to the south. Access to the project site to and from US 101 is provided via full-access interchanges at Masten Avenue and Leavesley Road.

**Monterey Road** is a four-lane north-south roadway in the vicinity of the project site. It begins at its interchange with US 101 in the southern part of Gilroy and extends northward to San Jose. Monterey Road currently provides access to the project site via Farrell Avenue and Cohansey Avenue.

**Church Street** is a two-lane north-south roadway that begins in the southern part of Gilroy at Luchessa Avenue and extends northward just beyond Farrell Avenue where it currently terminates at Sturia Way.

**Wren Avenue** is a two- to four-lane, north-south roadway that begins in the southern part of Gilroy at Uvas Park Drive and extends northward to north of Cohansey Avenue, where it currently terminates. Wren Avenue provides direct access to the project site.

**Kern Avenue** is a two-lane, north-south roadway. It begins at its intersection with First Street/Hecker Pass Highway (SR 152) and extends northward to north of Vickery Avenue where it currently terminates. Kern Avenue would provide direct access to the project site.

**Masten Avenue/Fitzgerald Avenue** is a two-lane, east-west roadway that begins at Center Avenue as Masten Avenue and extends westward to Monterey Street where it changes designation to Fitzgerald Avenue and continues to Santa Teresa Boulevard. Masten Avenue provides direct access to US 101 via a full interchange.

Cohansey Avenue is a two-lane, east-west undivided roadway that extends from Monterey Road eastward terminating west of US 101. East of US 101, Cohansey Avenue continues eastward from No Name Uno for approximately 2,000 feet, providing access to residences and undeveloped parcels. Cohansey Avenue extends westward from Monterey Road to the Hewell property. Additionally, with the development of the proposed project, Cohansey Avenue would be extended through the Hewell Property site to Kern Avenue, providing direct access to the project site. The Cohansey Avenue extension would provide an alternative access route to the project site and surrounding land uses (both existing and future) to/from the north.

**Vickery Avenue** is a two-lane, east-west roadway that extends from Kern Avenue to east of Wren Avenue. Vickery Avenue would provide direct access to the project site.

**Farrell Avenue** is a two-lane east-west roadway that extends between Wren Avenue and Monterey Road. Farrell Avenue currently provides the main access route to the project site and surrounding land uses to/from the north. Farrell Avenue is proposed to be extended into the Wren Investors site and provide direct access to the northern portion of the site.

**Mantelli Drive** is an east-west roadway that begins east of Church Street and extends westward into the west foothills of Gilroy. Mantelli Drive is a four-lane facility between Church Street and Santa Teresa Boulevard.

**Welburn Avenue/Leavesley Road** is a two-lane east-west roadway that begins at Monterey Road as a transition from Leavesley Road and extends westward beyond Santa Teresa Boulevard, where it terminates at Mantelli Drive. Leavesley Road provides direct access to US 101 via a full interchange.

# INFRASTRUCTURE EXPANSION

New streets, additional lanes on existing streets, and new signal lights would be necessary to accommodate the new traffic that would be generated by development on the site. The project proposes approximately 12.9 acres of new roads. Farrell Avenue would be extended westward into the project site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. Two additional access points would provide access to the northern portion of the Wren Investors site, one along Wren Avenue, north of Farrell Avenue, and one along Vickery Avenue. St. Clair Avenue would be extended eastward into the project site, forming a four-legged intersection

at Kern Avenue, and connecting to Ronan Avenue, just west of Wren Avenue. This new roadway extension, in addition to Tatum Avenue, would provide direct access to the southern portion of the project site and as well as an alternate connection between Wren and Kern Avenues. The following intersections will need to be signalized: Monterey Road and Day Road, Wren Avenue and Welburn Avenue, Monterey Road and Buena Vista Avenue, and US 101 Southbound Ramps and Masten Avenue. Additionally, a second westbound turn lane will be added at Monterey Road and Masten Avenue/Fitzgerald Avenue. These improvements are planned for in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at these intersections. Various bicycle facilities exist in the vicinity of the project site (existing bike lanes are available along segments of Cohansey Avenue, Wren Avenue, Farrell Avenue, Church Street, Welburn Avenue, and Mantelli Drive). In addition, the Bicycle Transportation Plan contained in the City of Gilroy General Plan, the City of Gilroy Bicycle/Pedestrian Transportation Plan, and the City of Gilroy Trails Master Plan indicate that a variety of bicycle facilities are planned in the study area, some of which would benefit the project. . Bicycle paths are planned for the Llagas Creek Corridor and the remainder of the Lions Creek Corridor.

Bike lanes are planned for Monterey Road and for Cohansey Avenue and Wren Avenue, north of Mantelli Drive. Bicycle routes also are planned for Wren Avenue between Mantelli Drive and Lawrence Drive and on Welburn Avenue between Wren Avenue and Monterey Road.

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# **School Facilities**

# **INFORMATION SOURCE**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- Gilroy Unified School District Developer Fee Justification Study, Gilroy Unified School District 2014.
- Gilroy Unified School District website: https://www.gilroyunified.org/

#### **EXISTING CONDITIONS**

The project site is located within service boundaries of the Gilroy Unified School District (school district). The school district provides service to over 11,000 students in the Gilroy area. There are currently eight elementary schools, three middle schools, and four high schools including a continuation school and one early college academy school in the District. The school district also provides early childhood/pre-school services. The schools nearest the project site are Antonio Del Buono Elementary School, located directly across Wren Avenue from the project site, Christopher High School, located directly across Santa Teresa Boulevard from the project site, Brownell Middle School, located at 7800 Carmel Street, south of First Street, and Rucker Elementary School, to the east of Monterey Road. In September 2019, the school district announced the closure of Antonio Del Buono Elementary School due to declining enrollment. The elementary school is set to close in the summer of 2020 (Gilroy Unified School District 2019). The main school district office is located in the City at 7810 Arroyo Circle (Gilroy Unified School District 2017).

The general plan contains several policies regarding schools. General plan policy 17.03 states that the verifications of the remaining capacities in local schools shall be part of the review process for residential subdivisions, with adequate school capacity being a condition for development approval. When capacity is limited, development approvals shall be coordinated with the scheduling of capital funds for school expansion and/or improvements. General plan policy 17.04 requires developers of new residential subdivisions to dedicate land and/or pay a fee to offset the costs of providing new elementary and secondary schools resulting from their developments. Policy 17.06 states that in areas of new residential

development, as a condition of development approval, sites shall be identified and dedicated. Action 17.B of the general plan states that school facility impacts shall be included in the review of development proposals to ensure that adequate school facility capacity is a condition for development approval. Action 17.C states the representatives of the GUSD be included in discussions regarding the implementation of the new Neighborhood Districts to ensure that new school facilities are successfully integrated as a visual and functional focal point in new neighborhoods.

#### CAPACITY

#### **Estimated Demand**

Table 12-1, Estimated Student Generation, presents the anticipated number of students generated by the proposed project.

student Generatior	l
)	tudent Generatior

Housing Type (Units)	K-5 students (SF 0.20/MF 0.14)	6-8 students (SF 0.07/MF 0.06)	9-12 students (SF 0.09/MF 0.10)	Total Students Generated
Single-Family (185)	37	13	17	67
Multi-Family (122)	17	7	12	36
TOTAL	54	20	29	103

SOURCE: Alvaro Meza, Gilroy Unified School District, email message August 27, 2019 NOTE: Amounts may vary due to rounding.

Development of the site based on these student generation factors would be as follows: the single-family residences would result in 67 K-12 students and multi-family residences would result in 36 K-12 students.

# **FINANCING**

Senate Bill 50 (1998) established standard fees for mitigation of schools impacts. The payment of the development fees authorized by Education Code section 17620 is full and complete mitigation of the impacts on the provision of adequate school facilities resulting from any legislative or adjudicative act. California Education Code section 17620 et seq. authorizes the collection of developer fees; California Government Code section 65995 et seq. establishes the types of fees and rates; California Government Code section 66000 sets the process for justifying fees and appealing or challenging fees.

The school district collects Level I fees in accordance with the legislatively set fees and the school district's fee justification study (Gilroy Unified School District 2018). The State

Allocation Board determines the amount of maximum statutory school fees. The justification report justifies residential fees per square foot which are higher than the state in order to fund the cost of providing school facilities to students from new residential development. The fees are \$3.36 per square foot for single-family residential units and multi-family residential units. Fees are assessed when building permit are approved.

### **CONCLUSION**

Future development of the site consistent with existing general plan land use designations would increase the number of students within the District and as such, developers of the project site would be responsible for the payment of facility impact fees to accommodate the increased number of students.

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# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- "The Effects of the Proposed Changed in Governance and Control of Ownership & Operation of the Daughters of Charity Healthcare System to Prime Healthcare Services Inc.", prepared for the Attorney General, analyzes financial, utilization, and service information of the St. Louise Regional Hospital.
- St. Louise Regional Hospital website.

#### **EXISTING CONDITIONS**

Gilroy is served by the Saint Louise Regional Hospital which has been purchased by the County of Santa Clara in March 2019. Located at 9400 No Name Uno, the hospital opened in 1989 in Morgan Hill and relocated to Gilroy in 1999. The hospital is currently a 93 bed acute care hospital and 24-hour emergency care department offering a wide range of services to residents in both Santa Clara and San Benito counties. The hospital has eight licensed emergency treatment stations and five surgical operating rooms for inpatient and outpatient surgical procedures. The hospital has 93 licensed beds and 247 attending physicians. The current average occupancy rate of the hospital is approximately 33 percent. In 2018, the hospital had 3,021 inpatient admissions with 10,948 inpatient days and performed 2,294 surgeries. (St. Louise Regional Hospital website 2019).

# **CAPACITY**

Future development of the site would result in an increased demand on services at the hospital. However, due to the low average occupancy rate of 33 percent, the hospital currently has excess capacity to sufficiently accommodate the increased demand created by a population increase of 10,000. The increased demand is not expected to exceed capacity rates such that expansion of its facilities would be required.

# **CONCLUSION**

Future development of the site, consistent with existing general plan land use designations would increase the demand for acute care and emergency services; however, this increase can be accommodated by the existing capacity of the hospital.

# Park and Recreation Facilities

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

The City of Gilroy Parks and Recreation System Master Plan (park master plan) was developed by the City concurrently with the general plan update in 2002 and the two documents are consistent. In 2004, the park master plan was updated to be consistent with new general plan build out projections, new park standards, updated facilities inventories, updated implementation plans for infrastructure and programs, and new recommendations. The park master plan timeframe extends through general plan build out (Bellinger Foster Steinmetz Landscape Architecture 2004).

# **EXISTING CONDITIONS**

The City requires that for every thousand in population, there shall be five acres of developed open parkland. This includes mini-parks, neighborhood/school parks, community and community/school parks, sports parks, trails/linear parkways, and special use facilities. Golf courses, non-accessible open spaces, and private recreational facilities are not included in this standard. Policy 16.06 of the City's general plan states that park facilities shall be offered within walking distance of all residents. "Walking distance" is defined as the distance of half of a mile (City of Gilroy 2002).

The project site is within the "walking distance" and geographical service area standard of one half of a mile to a park, as reflected in the parks master plan (Bellinger Foster Steinmetz Landscape Architecture 2004, p. 33). The nearest parks to the project site are Las Animas Community Park located less than one quarter of a mile to the southeast. The primary purpose of a community park is to provide a recreational area that meets the needs of the community-at-large and usually includes special facilities such as lit sports fields, amphitheaters, and gymnasiums that serve the entire community. Restrooms, off-street parking, night lighting of facilities and other active recreation facilities are typical community park elements (City of Gilroy 2002, page 7-24).

#### **DEMAND AND INFRASTRUCTURE**

Future development of the site consistent with existing general plan land use designations could result in approximately 1,000 new residents in the City, which according to City standards, would require approximately five acres of parkland.

The park master plan proposes capital improvements to meet the City's parks service area and acreage standards. Planned infrastructure improvements include, but are not limited to, renovations and improvements at existing parks, completion of the Gilroy Sports Park, design and completion of underdeveloped park sites, and identification, design and acquisition of new public parklands to meet the City's demand for parks.

#### **FINANCING**

Future development of the site would increase the City's tax base and General Fund revenues, which the City may use at its discretion to provide financing for additional programs and staffing. The parks master plan includes a capital improvement plan that assists the City in planning and financing the proposed capital improvements. The capital improvement plan includes a capital improvement budget that outlines existing and alternative funding sources. New and/or upgraded equipment and facilities brought about by an increase in demand from new development would be paid for by a public facilities impact fee. Land dedication can be used as a partial alternative to, or in combination with, impact fees for the acquisition and development of recreation facilities. Refer back to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

# **CONCLUSION**

Future development of the site consistent with existing general plan land use designations would increase the service demand but also would expand the tax base and correspondingly, available funding opportunities for increased programming and staffing levels. Future development would also be responsible for the payment of a proportionate share of impact fees for new facilities and equipment. The proposed project would not require a level of service beyond that identified in the general plan and park master plan.

# **Community Facilities District**

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- NBS. Special Financing Districts: An Introduction to Special Assessments and Special Taxes. July 2015.
- NBS. Community Facilities Districts: A Robust Funding and Financing Tool for Local Governments in California. 2018.

# **OVERVIEW OF CFDs**

Community Facilities Districts (CFD), sometimes known as "Mello-Roos Districts" (State Senators Henry Mello and Assemblyman Mike Roos were the original authors of the legislation – see California Government Code, Section 53311 et seq., entitled "Mello-Roos Community Facilities Act of 1982"), can fund certain large infrastructure capital projects as well as public services on an annual basis.

Capital projects with a useful life of at least five years that may be funded with a CFD include:

- Park, recreation, and open space facilities;
- School facilities;
- Libraries;
- Child care facilities; and
- Infrastructure needs including streets, water systems, library facilities, purchasing of open space, and economic development investments including parking garages.

The services that may be funded include:

- Police protection;
- Fire protection and suppression, and ambulance and paramedic services;

- Recreation program services, library services, and maintenance services for elementary and secondary school sites and structures, and the operation and maintenance of museums and cultural facilities;
- Maintenance and lighting of parks, parkways, streets, roads and open space;
- Flood and storm protection services;
- Services with respect to removal or remedial action for the cleanup of any hazardous substance; and
- Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency.

Any public agency with the authority to provide the types of services and facilities may form a CFD. Cities, counties, school districts, and special districts are common users of this tool. A formation process is required, including appropriate financial analysis and planning. A Special Tax Consultant will develop a Special Tax Formula and Report. There will be public hearings and either a mailed ballot process to property owners or a regular election if there are 12 or more voters in the proposed district.

The City of Gilroy has adopted a citywide Community Facilities District to fund landscape maintenance, primarily for streetscapes and drainage basins. The Community Facilities District has four zones, to account for differences in maintenance costs for different neighborhoods in the City.

# FORMATION AND FINANCING OF CFD

The proposed project will be required by the City to form a CFD as a means to finance all applicable services (noted above). Future developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the expanded tax base created by the proposed project is not anticipated to generate adequate funds to cover the costs of necessary services.

Through CFDs, the City is permitted to impose "special taxes" to fund maintenance of facilities. Establishment of the CFD may be done by the owners of a majority of the property within the proposed CFD, while the approval of special taxes requires a two-thirds vote. Because of the two-thirds vote requirement for funding, these districts are typically formed

by developers in coordination with the city or county prior to development of the subdivisions. Once established, a CFD is made irrevocable through a lien on the property.

The general timeline for the successful implementation of a new CFD is six to 12 months, but often the process can take more than a year. Bringing all the interested parties into accord can take a very long time, and this part of the process must be taken into consideration. A well-managed and orderly process involves various meetings, forms of analysis, and consensus building.

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#### REPORT PREPARERS

#### **EMC Planning Group**

**Teri Wissler Adam, Senior Principal** Principal-in-charge

Richard James, AICP, MUP, Principal Editing

Stuart Poulter, AICP, MCRP, Associate Planner Project Manager

Rachel Hawkins, JD, Associate Planner Report Preparation

Shoshana Wangerin, Assistant Planner Report Preparation This side intentionally left blank.



## **September 30, 2019**

# FISCAL IMPACT ANALYSIS OF THE WREN INVESTORS AND HEWELL URBAN SERVICE AREA AMENDMENT TO THE CITY OF GILROY AND THE COUNTY OF SANTA CLARA

Prepared for the City of Gilroy

Prepared by

#### APPLIED DEVELOPMENT ECONOMICS, INC.

3527 Mt. Diablo Blvd. #248 ■ Lafayette, CA 94549 925.934.8712 ■ www.adeusa.com



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### **EXECUTIVE SUMMARY**

The City of Gilroy has an application from Wren Investors and the Hewell project sponsors to amend the City's Urban Service Area (USA). No development is proposed at this time; however, conceptual development plans have been submitted for purposes of showing how the property could be developed, consistent with the City General Plan land use designation of Neighborhood District. This report analyzes and describes the fiscal impacts to both the City of Gilroy and the County of Santa Clara of future development of the properties.

#### **LAFCO REQUIREMENTS**

California law governs the process for land annexation and government reorganizations for local governments in the state. Each California County maintains their own Local Agency Formation Commission (LAFCO) and, as such, the Santa Clara County LAFCO will oversee the Wren Investors and Hewell Annexation USA amendment process. Under state law and Santa Clara County LAFCO regulations is a requirement that during the application process a detailed fiscal impact analysis be completed in order to determine the fiscal and service impacts to the City and the County as a result of a proposed annexation.

Specifically, LAFCO requires that the proposed amendments be evaluated to determine;

- the ability of the City to provide urban services to the growth areas without detracting from current service levels,
- the impacts of the proposed City expansion upon the County as a provider of services, and
- the fiscal impacts of the proposed projects to the City and County.

The Santa Clara County LAFCO also takes into consideration impacts to school district and special district service provision, regional housing needs, environmental impacts, and water availability. The Santa Clara County LAFCO also further defines the precise estimates to be included in the fiscal impacts to County government services, which are: projecting resident and employee generation, projecting revenue and expenditure estimates for the base year after development completion, then at five and ten years thereafter, and projecting the net County General Fund impact for the new service population.

This analysis adheres to LAFCO requirements for the completion of the fiscal impacts of the proposed USA amendment. In particular, this analysis provides a description of the existing fiscal conditions of the City and County, an estimate of the fiscal impacts of the proposed USA amendment area at buildout and in a subsequent 10 year time frame from development completion. The Public Services Plan prepared by EMC Planning Group, Inc. has estimated the public service impacts resulting from the proposed project, and is used in this analysis to determine whether service cost deficiencies exist for the proposed project. In addition to impacts to the City of Gilroy, the Public Service Plan addresses impacts to the school district and the Santa Clara Valley Medical Center. Taken together, these two reports address the analyses required under LAFCO USA amendment guidelines.

At anticipated build-out, future development of the two project areas would create an additional 307 residential units, with an estimated 1,036 new City of Gilroy residents.

The projects would have a negative fiscal impact for both the City of Gilroy and the County of Santa Clara (Table 1). Much of this result is dependent on the home values eventually attained for the project, as the property tax for both the City and the County represents the largest single revenue source from the project. Based on current market data, ADE estimates the units to sell within a range of \$521,800 for multi-family units to \$882,300 for the low density single family units. The analysis is conservative in that it uses an average cost methodology which assumes the projects would require the same level of service and cost expenditure as existing development in the City and the County.

The City impact can be mitigated through imposition of a Community Facilities District or other similar financing mechanism.

TABLE: 1 SUMMARY OF ANNUAL FISCAL IMPACTS OF WREN INVESTORS AND HEWELL USA AMENDMENT								
Fiscal Effects Total at Buildout								
CITY OF GI	LROY							
Wren Investors								
Revenues	500,163							
Expenditures	598,929							
Net Fiscal Impact	(\$98,766)							
Hewell								
Revenues	\$102,248							
Expenditures	\$110,604							
Net Fiscal Impact	(\$8,356)							
SANTA CLARA	COUNTY							
Revenues	\$824,052							
Expenditures	\$858,120							
Net Fiscal Impact	(\$34,068)							

Source: ADE, Inc.

# CITY AND COUNTY EXISTING FISCAL CONDITIONS

The operating budgets of the City of Gilroy and the County of Santa Clara reflect the current fiscal condition of the respective agencies, including existing fiscal constraints, the prioritization of service objectives by management and elected officials, and the allocation of public resources. The historical nature of physical development within a City and County's boundaries is one significant factor contributing to a local government's fiscal condition. The imposition of statewide tax and service delivery policies also constrains local communities' abilities to generate revenue necessary to pay for basic services. In addition, as was recently the case, external economic factors like the regional and national economy greatly impact revenue generation, which in turn affects funding of existing public services. This section provides a description of the operating budgets for the City of Gilroy and the County of Santa Clara.

#### CITY OF GILROY BUDGET<sup>1</sup>

California local governments are financed through a complex variety of revenue sources such as property and sales taxes, state and federal intergovernmental transfers, and fees. The total City budget consists of the general fund, enterprise funds (water and sewer), debt service funds, capital projects funds, internal service funds, special revenue funds, and select trust and agency funds. The general fund is the focus of analysis in this report, since it must provide services that are dependent on general tax revenues, while most other funds have dedicated revenue sources for specific services.

The City, like nearly every other local government in the nation, experienced significant negative impacts during the recent economic downturn. The impacts included unprecedented numbers of foreclosures, plummeting real estate values and, as a result, reduced property tax revenues. The downturn in the U.S. economy also impacted the City through the decrease in sales tax revenue as consumers spent less on taxable discretionary retail goods. The City reduced staffing levels and service levels during this time. However, for the past eight years, the City has had a balanced budget and has met or exceeded its General Fund Reserve policies. The City has also increased staffing levels over the past few years.

For this analysis, certain adjustments have been made to both revenues and expenditures in order to focus the analysis on the net cost of providing services with local revenues. On the revenue side, the adjustments are in part state and federal grant funds that are not based on development or population in the City. Additional adjustments are made for one-time building permit or entitlement fees that are only paid at the time a building project is approved and do not fund ongoing operation of City services.

On the expenditure side, these revenue adjustments are subtracted from the respective departmental service costs to calculate the net cost of providing ongoing services supported by annual local revenue sources. Expenditure adjustments also include capital expenditures, since the focus of this part of the analysis is on annual operating costs for City services.

<sup>&</sup>lt;sup>1</sup> City of Gilroy budget figures and analysis are derived from the City's FY 2019-2020 Budget.

TABLE: 2							
CITY OF GILROY GENERAL FU	ND BUDGET  2016-2017 Budget						
REVENUES							
Property Tax	\$14,977,689						
Doc Transfer tax	\$496,287						
Sales Tax	\$20,558,683						
Transient Occupancy Tax	\$1,402,699						
Utility Users Tax	\$4,643,909						
Franchise Tax	\$1,724,598						
Motor Vehicle Tax	\$32,462						
Business Licenses	\$710,435						
Building Permits	\$2,889,783						
Other Licenses & Permits	\$54,000						
Fines & Forfeitures	\$262,730						
Intergovernmental	\$141,500						
Charges for Services	\$5,669,485						
Use of Money & Property	\$475,334						
Other Revenues	\$1,463,849						
Other Financing Sources	\$142,000						
Use of Fund Balance	\$2,178,141						
Total General Fund Revenues	\$ 57,823,584						
EXPENDITURES							
General Administration	\$7,495,023						
Police	\$23,935,803						
Fire	\$11,859,279						
Public Works	\$5,524,790						
Recreation	\$3,835,082						
Community Development	\$4,881,988						
Total General Fund Expenditures	\$57,531,965						
NET SURPLUS/(DEFICIT)	\$291,619						

Source: City of Gilroy FY 2020 and FY 2022 Biennial Budget

#### **COUNTY OF SANTA CLARA FY 2019-20 BUDGET**

Counties face many challenges in providing services to local residents. As an administrative arm of the state, the county is mandated to provide certain services and receives both state and federal funding for this purpose. However, these funding sources often times are unpredictable and subject to fluctuations during difficult economic periods. Some county services such as criminal justice, public health, and the assessor benefit the entire unincorporated and incorporated community. Other services such as plan check and sheriff's patrol are provided only to the unincorporated population. The County must use its locally-generated discretionary revenues to meet local service priorities.

The total County of Santa Clara Proposed FY 19-20 Budget is \$8.1 billion<sup>2</sup>, of which the General Fund budget is approximately \$3.7 billion (Table 3). The General Fund budget excludes those funding categories that are

<sup>&</sup>lt;sup>2</sup> All fund categories including the County general fund.

used for enterprise funds, special revenue, capital programs, and internal service funds. The County's estimated \$353 million General Fund deficit will be funded from prior year revenues.

TABLE: 3 COUNTY OF SANTA CLARA GENERAL FUND BUDGET FY 19-20								
REVENUES								
Taxes-Current Property	\$1,108,200,000							
Sales Tax	\$114,585,335							
Licenses, Permits, & Franchises	\$9,946,613							
Fines, Forfeitures, & Penalties	\$10,077,500							
Use of Money & Property	\$43,001,871							
Aid from Govt. Agencies-State	\$753,726,944							
Aid from Govt. Agencies-Federal	\$560,545,908							
Revenue from Other Govt. Agencies	\$3,783,498							
Charges for Services	\$116,412,667							
Other Financing Sources	\$680,903,309							
Revenue Total	\$ 3,401,183,645							
EXPENDITURES								
Finance and Government	\$1,049,078,736							
Public Safety and Justice	\$887,811,965							
Children, Seniors, and Families	\$1,006,343,634							
Santa Clara Valley Health/Hospital	\$773,999,964							
Housing, Land Use, Environ., and Transportation	\$36,725,215							
<b>Expenditures Total</b>	\$ 3,753,959,514							
NET SURPLUS/(DEFICIT)	(\$352,775,869)							

Source: County of Santa Clara, FY 2019-20 Recommended Budget

# **FISCAL IMPACT ANALYSIS**

#### PROJECT DESCRIPTION

The project sites are located northeast of the intersection of Vickery Lane and Kern Avenue. The total project sites include 16 parcels totaling approximately 55.66 acres, with a land use designation of Neighborhood District.

The sites will be developed in a combination of low, medium and high density residential housing, with a small retail building in the Wren Investors project. The State Department of Finance indicates that Gilroy has an average household size of 3.5 persons and a 3.6 percent vacancy rate. Using these factors, the projects will house an estimated additional 1,036 residents when fully developed (Table 4). The projects will have a total estimated assessed value of \$228.7 million when fully developed (\$2019). The basis for the estimated real estate values is discussed in the section below.

TABLE: 4 WREN INVESTORS AND HEWELL SOI AMENDMENT: PROJECT CHARACTERISTICS										
			Asses	sed Value						
LAND USE	Units	Population	Per Unit	Total						
Wren Investors										
Low Density (8 Du/AC)	137	462	\$882,300	\$120,875,100						
Medium Density	20	67	\$663,500	\$13,270,000						
High Density	102	344	\$521,800	\$53,226,200						
Retail	3,485 Sq. Ft.	6 jobs	\$260.00	\$906,100						
Hewell										
Low Density (11 Du/AC)	48	162	\$842,700	\$40,449,600						
Total	307	1,036		\$228,727,000						

Source: ADE, Inc.

#### **REAL ESTATE VALUES**

The two projects would include single family houses at 8 DU/AC and 11 DU/AC as well as medium density and high density units. The two single family densities translate to approximately 4,000 and 5,400 sq. ft. lots. Using assessor data records accessed from CoreLogic, ADE has compiled residential sales transactions over the past two years in these lot size and unit type categories, as shown in Table 5. The single family prices have fluctuated over this time frame but not appreciably increased. We have used the two-year average for each density level to project property taxes in the fiscal analysis. For the high density units, we have averaged the per sq. ft. of building space figures for the condos and the apartments, and assumed an average size of 1,300 sq. ft. per unit. This results in an average value of \$521,800 per high density unit.

TABLE 5: SELECTED HOME SALES PRICES IN GILROY, 2018-2019									
	Single Family High Density								
Units	5,400	4,000	2,200	Condos	Apts				
Per Unit	\$882,300	\$842,700	\$663,500	\$477,700					
Per Sq. Ft. Bldg.	\$330.62	\$332.84	\$384.12	\$372.51	\$430.29				
Per Sq. Ft. Lot	\$172.50	\$228.71	\$305.20	\$373.90	\$162.41				

Source: ADE, Inc., based on data obtained from CoreLogic.

#### PROJECT IMPACTS: CITY OF GILROY

Annexation and development of the Wren Investors and Hewell sites will generate a number of revenues for the City of Gilroy, including property taxes, indirect sales taxes, and a variety of other taxes and fees. With the exception of the property tax, most of the revenues included in the analysis have been projected using a per capita basis, which reflects the average revenue generation by households in Gilroy. The development of the sites will also increase demand for City services as discussed further below.

#### PROPERTY TAX SHIFT AND PROPERTY TAX REVENUE

The base property tax paid by property owners, equal to one percent of assessed value under Proposition 13, is allocated to a wide range of local taxing agencies, including City and County government, special service districts, school districts, and other agencies. The parcels in the proposed USA amendment had an assessed value of \$4,961,579 in 2017 and generated \$49,616 in base property tax. Property tax from the existing parcels is distributed based on the percentages shown for the Tax Rate Area (TRA) 67-007 shown in Table 6.

The initial fiscal effect after annexation of the land in the plan would be a shift in property tax distribution from the County General Fund and the South County Fire Protection District (SSCCFPD) to the City. It is not known currently what the new distribution would be, but staff in the Property Tax Division of the County of Santa Clara Controller-Treasurer's Department indicated that it would be similar to TRA 02-001 due to the mix of taxing agencies that would serve the site after annexation. The SSCCFPD currently gets \$4,900 in annual property tax from the site, which would shift to the City along with fire protection jurisdiction.

Table: 6									
CURRENT AND ESTIMATED FUTURE PROPERTY TAX DISTRIBUTION									
Taxing Agency	Current Distribution (TRA 67-007)	Estimated Future Distribution (TRA 02-001)							
City of Gilroy	0.00%	9.63%							
County General Fund	14.20%	13.60%							
County Library	2.59%	2.48%							
Gilroy Unified	49.26%	47.80%							
Gavilan Community College	5.63%	5.46%							
County School Service	3.34%	3.24%							
South S.C. County Fire Dist.	9.88%	0.00%							
S.C. Valley Water Dist-South Zone 1	1.59%	1.53%							
S.C. Valley Water Dist-General	0.74%	0.71%							
South S.C. Valley Memorial Dist.	0.14%	0.13%							
Bay Area Air Quality Mgmt. Dist.	0.19%	0.18%							
Loma Prieta Resource Conserv.	0.05%	0.05%							
S.C. Co. Importation Water-Misc. Dist.	0.50%	0.47%							
ERAF	11.91%	14.72%							
Total	100.00%	100.00%							

Source: ADE, based on data provided by the Santa Clara County Office of the Controller-Treasurer.

At full buildout, the City would receive about \$215,400 per year in base property taxes. In addition, local jurisdictions receive property tax in lieu of motor vehicle license fees as part of the Proposition 1A legislation from the Schwarzenegger administration. These revenues are allocated based on the increase in assessed value annually for the jurisdiction and are estimated at about \$117,800 per year at buildout of the proposed projects.

#### SALES TAX

Residents in the project would purchase retail items at Gilroy stores and thereby generate sales taxes. Based on the income levels anticipated for the proposed project, the residents are projected to spend about \$9.1 million per year on taxable sales. Detailed estimates of household expenditures for each unit type may be found in the Appendix. It is estimated that 20 percent of this spending does not occur in Gilroy, either from out-commuters making purchases at their place of employment, through comparison shopping for major items at competing retail centers, or spending on business and leisure trips. This leaves \$7.3 million for spending at Gilroy stores, a small amount of which would be spent at the new retail store in the Wren Investors project. The City receives one percent of these sales in the form of sales taxes.

#### **OTHER REVENUES**

The City collects a number of other revenues listed in Tables 7 and 8 either in the form of local taxes or as fees or charges for service. The utility users taxes and franchise taxes are collected on utility bills. The motor vehicle tax is the current City share of vehicle registration fees. As discussed above under property taxes, cities used to receive a higher share but that has been replaced by additional property taxes as part of a previous state budget agreement.

A small amount of business license revenue is shown for residences to account for home based businesses that often occur in residential neighborhoods. The other licenses and permits mainly cover things like animal and bicycle licenses. Building permits and plan check fees are not included, since those are only paid once when the development is constructed. The planning and engineering services supported by those fees have also been deducted from the cost analysis below.

Fines and forfeitures are mainly the City share of traffic fines and parking fines that are levied in Gilroy. Charges for service include recreation program fees as well as miscellaneous charges for direct customer services provided at City Hall.

Overall, the two projects combined are projected to generate about \$602,400 per year in operating revenue for Gilroy.

#### **CITY COSTS**

City service costs have generally been allocated on a per capita basis. The cost factors take into account both the resident population in Gilroy and also service demands generated by the business base, as represented by the number of workers with jobs in Gilroy.

As mentioned above, service costs for the fire department, the public works departments and the community development departments have been adjusted to remove the revenue received from plan check and building permit fees, since the analysis is focused on the annual impact of the project after it is built.

The cost factors for all departments have been adjusted to remove department head expenses, in order to better reflect the direct impact of the project on City service needs. Similarly City Council costs are not included in the calculations. The General Administration costs are calculated as an overhead percentage of the other direct service costs. With the adjustments mentioned above, the General Administration departments, which include the City Administrator, the Finance and Human Resource Departments, Information Technology and the City Clerk, represent 2.2 percent of General Fund expenditures.

Aside from these adjustments, the cost factors represent the full average cost of the project to the City. In the case of fire protection, the City is already incurring expenses for the fire station that would serve this project, so the incremental cost of the project would possibly be less than shown in Tables 7 and 8. In total, the projects are projected to generate about \$709,500 in annual costs for the City at buildout.

	TABLE: 7 WREN INVESTORS USA AMENDMENT CITY IMPACTS-10 YEAR ANNUAL PROJECTION										
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	
Property Tax	\$177,374	\$180,921	\$184,540	\$188,231	\$191,995	\$196,987	\$202,109	\$207,364	\$212,755	\$218,287	
VLF Property Tax	\$98,191	\$100,155	\$102,158	\$104,201	\$106,285	\$109,049	\$111,884	\$114,793	\$117,777	\$120,840	
Sales Tax	\$60,304	\$62,114	\$63,977	\$65,896	\$67,873	\$69,909	\$72,007	\$74,167	\$76,392	\$78,684	
Utility Users Tax	\$58,453	\$60,207	\$62,013	\$63,874	\$65,790	\$67,763	\$69,796	\$71,890	\$74,047	\$76,268	
Franchise Tax	\$22,327	\$22,996	\$23,686	\$24,397	\$25,129	\$25,883	\$26,659	\$27,459	\$28,283	\$29,131	
Motor Vehicle Tax	\$420	\$433	\$446	\$459	\$473	\$487	\$502	\$517	\$532	\$548	
Business Licenses	\$1,281	\$1,320	\$1,359	\$1,400	\$1,442	\$1,486	\$1,530	\$1,576	\$1,623	\$1,672	
Other Lic. & Permits	\$699	\$720	\$742	\$764	\$787	\$810	\$835	\$860	\$886	\$912	
Fines and Forfeitures	\$3,401	\$3,503	\$3,608	\$3,717	\$3,828	\$3,943	\$4,061	\$4,183	\$4,309	\$4,438	
Charges for Services	\$73,397	\$75,599	\$77,867	\$80,203	\$82,609	\$85,087	\$87,640	\$90,269	\$92,977	\$95,766	
Use of Money & Prop.	\$4,314	\$4,444	\$4,577	\$4,714	\$4,856	\$5,002	\$5,152	\$5,306	\$5,465	\$5,629	
Total Revenue	\$500,163	\$512,412	\$524,974	\$537,856	\$551,067	\$566,406	\$582,174	\$598,383	\$615,046	\$632,176	
General Administration	\$55,162	\$56,816	\$58,521	\$60,276	\$62,085	\$63,947	\$65,866	\$67,842	\$69,877	\$71,973	
Police	\$294,581	\$303,419	\$312,521	\$321,897	\$331,554	\$341,501	\$351,746	\$362,298	\$373,167	\$384,362	
Fire	\$147,454	\$151,877	\$156,434	\$161,127	\$165,961	\$170,939	\$176,068	\$181,350	\$186,790	\$192,394	
Public Works	\$51,353	\$52,894	\$54,481	\$56,115	\$57,799	\$59,533	\$61,319	\$63,158	\$65,053	\$67,005	
Recreation	\$45,847	\$47,222	\$48,639	\$50,098	\$51,601	\$53,149	\$54,743	\$56,386	\$58,077	\$59,820	
Community Dev.	\$4,532	\$4,667	\$4,808	\$4,952	\$5,100	\$5,253	\$5,411	\$5,573	\$5,740	\$5,913	
Total Expenditures	\$598,929	\$616,896	\$635,403	\$654,465	\$674,099	\$694,322	\$715,152	\$736,607	\$758,705	\$781,466	
NET SURPLUS/ (DEF)	(\$98,766)	(\$104,484)	(\$110,430)	(\$116,610)	(\$123,032)	(\$127,916)	(\$132,978)	(\$138,223)	(\$143,658)	(\$149,290)	

Source: ADE, Inc.

	TABLE: 8  HEWELL USA AMENDMENT CITY IMPACTS-10 YEAR ANNUAL PROJECTION										
Duamantu / Tay	\$38,079	\$38,840	\$39,617	\$40,410	\$41,218	\$42,042	\$42,883	\$43,741	\$44,615	<b>Year 10</b> \$45,508	
Property Tax	\$38,079	\$38,840	\$39,017	\$22,366	\$41,218	\$23,270	\$42,863	\$24,210	\$24,694	\$25,188	
VLF Property Tax											
Sales Tax	\$12,700	\$13,081	\$13,474	\$13,878	\$14,294	\$14,723	\$15,165	\$15,620	\$16,089	\$16,571	
Utility Users Tax	\$10,794	\$11,118	\$11,451	\$11,795	\$12,149	\$12,513	\$12,889	\$13,275	\$13,673	\$14,084	
Franchise Tax	\$4,123	\$4,246	\$4,374	\$4,505	\$4,640	\$4,779	\$4,923	\$5,071	\$5,223	\$5,379	
Motor Vehicle Tax	\$78	\$80	\$82	\$85	\$87	\$90	\$93	\$95	\$98	\$101	
Business Licenses	\$206	\$212	\$218	\$225	\$232	\$238	\$246	\$253	\$261	\$268	
Other Lic. & Permits	\$129	\$133	\$137	\$141	\$145	\$150	\$154	\$159	\$164	\$168	
Fines and Forfeitures	\$628	\$647	\$666	\$686	\$707	\$728	\$750	\$772	\$796	\$820	
Charges for Services	\$13,553	\$13,960	\$14,379	\$14,810	\$15,254	\$15,712	\$16,183	\$16,669	\$17,169	\$17,684	
Use of Money & Prop.	\$882	\$908	\$936	\$964	\$993	\$1,022	\$1,053	\$1,085	\$1,117	\$1,151	
Total Revenue	\$102,248	\$104,724	\$107,262	\$109,865	\$112,533	\$115,269	\$118,074	\$120,950	\$123,899	\$126,922	
General Administration	\$10,187	\$10,492	\$10,807	\$11,131	\$11,465	\$11,809	\$12,163	\$12,528	\$12,904	\$13,291	
Police	\$54,397	\$56,029	\$57,710	\$59,441	\$61,224	\$63,061	\$64,953	\$66,901	\$68,909	\$70,976	
Fire	\$27,229	\$28,046	\$28,887	\$29,753	\$30,646	\$31,565	\$32,512	\$33,488	\$34,492	\$35,527	
Public Works	\$9,489	\$9,774	\$10,067	\$10,369	\$10,680	\$11,001	\$11,331	\$11,671	\$12,021	\$12,381	
Recreation	\$8,466	\$8,720	\$8,982	\$9,251	\$9,529	\$9,814	\$10,109	\$10,412	\$10,724	\$11,046	
Community	\$837	\$862	\$888	\$914	\$942	\$970	\$999	\$1,029	\$1,060	\$1,092	
Total Expenditures	\$110,604	\$113,923	\$117,340	\$120,860	\$124,486	\$128,221	\$132,067	\$136,029	\$140,110	\$144,314	
NET SURPLUS/ (DEF)	(\$8,356)	(\$9,199)	(\$10,078)	(\$10,996)	(\$11,953)	(\$12,952)	(\$13,994)	(\$15,080)	(\$16,212)	(\$17,391)	

Source: ADE, Inc.

#### **NET FISCAL IMPACT**

The net impact of the project is estimated to be an annual deficit of \$98,766 for the Wren Investors project and \$8,356 for the Hewell project. This is not necessarily unexpected, given the fiscal structure under which cities operate in California. As shown in Tables 7 and 8, the cost/revenue gap widens over time, assuming costs and revenues escalate at about the same rate, estimated here to be three percent per year, except for property taxes which escalate at two percent per year. This is somewhat conservative, because re-sales of the houses will tend to increase property taxes at a faster rate, but not enough to address the overall project deficit.

There are a number of potential mitigation measures that could reduce or eliminate this fiscal impact, as discussed below.

#### POTENTIAL MITIGATION OF PROJECTS IMPACTS

Various potential options would be available to mitigate these impacts on the City of Gilroy, including establishment of Community Facilities Districts or other assessment districts to supplement the cost of providing certain services to the projects; increased service levels provided by Homeowners Associations or similar organizational mechanisms; or reductions in service levels. Each of these options is described briefly below.

COMMUNITY FACILITIES DISTRICT (CFD). Authorized by the Mello Roos Act of 1982, these districts permit the imposition of "special taxes" to fund construction costs for infrastructure and facilities, maintenance of facilities and operation costs for public services such as police and fire protection. Gilroy has adopted a CFD ordinance and has existing CFDs in place in the City. Establishment of the CFD may be done by the owners of a majority of the property within the proposed district, while the approval of special taxes requires a two-thirds vote. Because of the two-thirds vote requirement for funding, these districts are typically formed by developers in coordination with the city or county prior to development of the subdivisions. Once established, they are made irrevocable through a lien on the property. They have most often been used to fund infrastructure construction, but a number of cities and counties have also required special taxes to help pay for services as well. This could help defray costs for police, fire, and recreation services.

The fiscal deficit would be \$381 per unit for the Wren Investors project. If the entire deficit were recouped through CFD special taxes, it would increase the tax burden on the units by about 0.055 percent of assessed value. The existing total tax rate for the 02-001 TRA is 1.26706 percent.<sup>3</sup> At most, the Wren special tax would raise the total tax rate to 1.32206 percent. Effective tax rates below 2 percent are generally considered feasible and acceptable for most homeowners.

**LANDSCAPE AND LIGHTING DISTRICT (LLD).** The Landscape and Lighting Act of 1972 permits the establishment of assessment districts to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets. It also permitted similar activities related to parks and open space and recreation facilities and equipment, but Proposition 218 in 1996 imposed a condition on all assessment districts that the assessment must relate to a special benefit provided to each parcel in the district. The rule is that, "General enhancement of property value does not constitute a special benefit".

<sup>3</sup> County of Santa Clara Compilation of Tax Rates and Information, Fiscal Year 2017-2018. Santa Clara County Controller-Treasurer.

This makes LLDs harder to apply to parks and recreation facilities but they are still used for maintenance of streets, lighting, and landscaping within subdivisions. In accordance with provisions of Proposition 218, the duration of the assessment is specified at the time the District is initially established, along with an annual escalation clause, to reduce the possibility of rescissions by property owner votes at the required annual hearing. There are no examples in California of a successful majority property owner protest of an LLD once it has been established. This funding mechanism, along with the MAD & HOA discussed below, could help pay for some of the Public Works costs shown in Tables 7 and 8.

MAINTENANCE ASSESSMENT DISTRICT (MAD). This is a broader form of assessment district (authorized under a variety of Acts) that allows for maintenance of storm drain facilities, water and sewer facilities and other public facilities and infrastructure not covered by LLDs. All such assessment districts must follow Proposition 218 information and election procedures. An engineer's report is required to establish the special benefit to all parcels in the district and the establishment of the district can be defeated by majority protest of the property owners. Once the district is established and operating, an annual engineer's report is prepared to verify that the assessments continue to meet the special benefit provision of Proposition 218. As mentioned above for the LLDs, the duration of the assessment should be specified at the outset, as well as the index to be used for annual inflationary escalations, to reduce the likelihood of property owner protests at the annual public hearing.

**HOMEOWNERS ASSOCIATIONS (HOA).** These associations are often formed to pay for maintenance of internal amenities within subdivisions or planned unit developments. Cities sometimes require HOAs to fund maintenance of streets and related public infrastructure as well. One difficulty with HOAs is that they are self governing and cities have had some difficulty enforcing proper maintenance of public facilities if the HOA fails to vote sufficient funds to do an adequate job. For this reason, this approach is not widely used currently.

**DEVELOPER EXACTIONS.** Cities may require developers to pay for mitigation of fiscal impacts. One approach has been to calculate the dollar cost impact to certain services, such as police or fire protection, and create a capitalized fee amount that reflects the present value of projected deficits the project would create for those services, for example over a five year period. This is different than a development impact fee, which can only be used to fund capital improvements. This approach can help to augment regular City revenues for help pay for services when it is clear that development projects will create unfunded services impacts. However, compared to the CFDs or other assessment districts described above, this type of developer exaction usually only covers the fiscal costs of a project for a limited time and it must be calculated and imposed on each development project individually, although the City may adopt an ordinance describing the general basis and formula for the fee.

Further discussion with City staff is necessary to determine what mitigation measures are most appropriate for this annexation.

#### PROJECT IMPACTS: COUNTY OF SANTA CLARA

Since this project involves an annexation process, LAFCO requires an analysis of the impact of the development on the County of Santa Clara. The recommended methodology for the analysis involves an average cost approach similar to that used for the City analysis in the previous section, including similar

assumptions about the relative impact of residential vs. non-residential development. The revenues and service costs relate to countywide services provided to all residents of Santa Clara County.

#### **PROPERTY TAX**

The property tax shift was discussed earlier in terms of the change in jurisdiction. The County would lose less than one percent in property tax share. However, with development of the properties, the County would experience a substantial gain in property tax revenues from the sites, estimated at about \$426,000 per year. About 40 percent of this is due to the vehicle license in lieu property tax.

#### **SALES TAX REVENUE**

This analysis focuses on the County's General Fund budget, of which sales tax is a revenue component. This project is estimated to generate about \$45,200 per year in sales tax revenues for the County General Fund. The County receives a 0.50 percent portion of the 8.75 percent sales tax rate in Santa Clara County. This represents an "incremental return" of a portion of the State's Local Public Safety Fund (Public Safety Sales Tax-PSST) to the County. The 0.50 percent PSST is not distributed based on the location where the sales transaction was completed (i.e., not situs-based). Rather, it is taken at the state level, then after an analysis of sales tax revenue generation by county is completed by the State of California Controller's Office, a distribution to the County is made as an "incremental return" of sales tax revenue.

In addition, voters of the County approved Measure A in 2012, from which the County gets 0.125 percent of taxable sales.

#### **OTHER REVENUES**

In addition to the major property and sales tax revenues, County residents pay a variety of user fees and charges for service to the County. In this analysis, estimates of these fees and user charges are limited to services provided to all County residents and not those provided in the unincorporated area only. City residents also help to form the population base by which the County receives a variety of revenues from Federal, State and other local government agencies. However, due to the uncertain nature of these grant formulas, these funds are not estimated directly, but rather are deducted from the service costs to which they apply.

#### **COUNTY COSTS**

The County provides certain services to all County residents, regardless of the jurisdiction of their residence. These include the County jail system, health care, social services, and a variety of general government functions such as the Assessor, County Auditor and others. The analysis also factors in the Fund Balance Allocation, which reduces current effective cost levels nearly 19 percent. With this adjustment, the costs for County services are estimated on a per capita basis in Table 9 and total about \$824,000 for the Wren Investors and Hewell USA Amendment.

#### PROJECTED NET FISCAL IMPACT

The property tax and other revenues generated by the project would not be sufficient to fund service costs expected to be incurred by Santa Clara County, unless project residents' demand for County social and health services is substantially below average. The project would generate a net loss of about \$34,100 in the first year, about 4.0 percent over costs. However, County costs are likely to escalate more rapidly than revenues due to limitations on the increases in property tax revenues and the project's net deficit is projected to increase to 8.1 percent of costs in ten years (Table 9).

	TABLE: 9 COMBINED WREN INVESTORS AND HEWELL USA AMENDMENTS COUNTY IMPACTS-10 YEAR ANNUAL PROJECTION											
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10		
	REVENUES											
Taxes-Current Property	\$425,957	\$434,476	\$443,166	\$452,029	\$461,070	\$470,291	\$479,697	\$489,291	\$499,077	\$509,058		
Sales Tax	\$45,213	\$46,570	\$47,967	\$49,406	\$50,888	\$52,414	\$53,987	\$55,606	\$57,275	\$58,993		
Fines, Forfeitures, & Penalties	\$4,192	\$4,317	\$4,447	\$4,580	\$4,718	\$4,859	\$5,005	\$5,155	\$5,310	\$5,469		
Use of Money & Property	\$17,053	\$17,564	\$18,091	\$18,634	\$19,193	\$19,769	\$20,362	\$20,972	\$21,602	\$22,250		
Charges for Services	\$48,421	\$49,874	\$51,370	\$52,911	\$54,498	\$56,133	\$57,817	\$59,552	\$61,338	\$63,178		
Other Financing Sources	\$283,216	\$291,713	\$300,464	\$309,478	\$318,763	\$328,325	\$338,175	\$348,320	\$358,770	\$369,533		
Total Revenue	\$824,052	\$844,514	\$865,504	\$887,038	\$909,129	\$931,792	\$955,043	\$978,897	\$1,003,371	\$1,028,481		
				EXP	<b>ENDITURES</b>							
Finance and Government	\$325,277	\$335,036	\$345,087	\$355,439	\$366,102	\$377,085	\$388,398	\$400,050	\$412,051	\$424,413		
Public Safety and Justice	\$287,548	\$296,175	\$305,060	\$314,212	\$323,638	\$333,347	\$343,347	\$353,648	\$364,257	\$375,185		
Children, Seniors, and Families	\$202,586	\$208,663	\$214,923	\$221,371	\$228,012	\$234,853	\$241,898	\$249,155	\$256,630	\$264,329		
Santa Clara Valley Health/Hospital	\$178,968	\$184,337	\$189,867	\$195,563	\$201,430	\$207,473	\$213,697	\$220,108	\$226,712	\$233,513		
Housing, Land Use, Environ. & Transp.	\$10,475	\$10,789	\$11,113	\$11,446	\$11,790	\$12,143	\$12,508	\$12,883	\$13,269	\$13,667		
Fund Balance Allocation	(\$146,734)	(\$151,136)	(\$155,670)	(\$160,341)	(\$165,151)	(\$170,105)	(\$175,209)	(\$180,465)	(\$185,879)	(\$191,455)		
Total Expenditures	\$858,120	\$883,864	\$910,379	\$937,691	\$965,822	\$994,796	\$1,024,640	\$1,055,379	\$1,087,041	\$1,119,652		
NET SURPLUS/ (DEFICIT) GENERAL FUND	(\$34,068)	(\$39,350)	(\$44,875)	(\$50,653)	(\$56,693)	(\$63,004)	(\$69,597)	(\$76,482)	(\$83,670)	(\$91,170)		

Source: ADE, Inc.

## **APPENDIX**

#### **TAXABLE SALES ESTIMATES**

The following tables show the estimates of retail/services spending and taxable sales for each of the four income levels modeled for the project. The figures reflect the aggregate total spending from the number of households in each density category, not per household values.

Table A-1: Taxable Household Spending, Lower Density Single Family Units

				<del></del>	
137 Households with Average Income of \$183,000	TOTAL			TOTAL SALES	TAXABLE SALES AS
	HOUSEHOLD	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
Sana Carrenny					
STORE CATEGORY	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$328,132	\$328,132	100.0%	1.3%	1.3%
General Merchandise Group	\$982,347	\$661,086	67.3%	3.9%	2.6%
Department Stores/Other General					
Merch.	\$230,280	\$208,749	90.7%	0.9%	0.8%
Other General Merchandise	\$615,897	\$397,869	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$136,170	\$54,468	40.0%	0.5%	0.2%
Specialty Retail Group	\$274,499	\$274,499	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$1,894,983	\$1,255,961	66.3%	7.6%	5.0%
Grocery Stores	\$822,612	\$205,653	25.0%	3.3%	0.8%
Specialty Food Stores	\$27,039	\$6,760	25.0%	0.1%	0.0%
Liquor Stores	\$42,450	\$40,668	95.8%	0.2%	0.2%
Eating Places	\$1,002,880	\$1,002,880	100.0%	4.0%	4.0%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$387,304	\$387,304	100.0%	1.5%	1.5%
Automotive Group	\$1,684,333	\$1,633,356	93.3%	6.7%	6.5%
Sub-Total Retail	\$5,551,597	\$4,540,338	81.8%	22.1%	18.1%
SERVICES					
Rental Services	\$46,107	\$0	0.0%	0.2%	0.0%
Professional Services	\$15,502	\$0	0.0%	0.1%	0.0%
Medical Services	' '	,			
Eyecare	\$143,763	\$71,882	50.0%	0.6%	0.3%
Other Medical	\$428,652	\$0	0.0%	1.7%	0.0%
Repair Services	7,	7-			
Auto Repair	\$105,294	\$42,118	40.0%	0.4%	0.2%
Other Repair	\$49,830	\$0	0.0%	0.2%	0.0%
Personal Services	ψ 15/050	Ψ0	0.070	0.270	0.070
Personal Care Services	\$99,400	\$9,940	10.0%	0.4%	0.0%
Other Personal	\$62,828	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	ψ02,020	Ψ0	0.070	0.570	0.070
Movie, Theater, Opera, Ballet	\$96,211	\$9,621	10.0%	0.4%	0.0%
Sporting Events	\$29,447	\$2,945	10.0%	0.1%	0.0%
Other Entertainment	\$204,168	\$2,343 \$0	0.0%	0.1%	0.0%
Sub-Total Services	\$1,281,202	\$136,505	10.7%	5.1%	0.5%
GRAND TOTAL			68.4%	27.3%	
GRAND IVIAL	\$6,832,799	\$4,676,843	08.4%	27.5%	18.7%

Table A-2: Taxable Household Spending, Higher Density Single Family Units

				ie railily offic	
48 Households with Average					TAXABLE
INCOME OF \$175,300	TOTAL			TOTAL SALES	SALES AS
	HOUSEHOLD	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
Sana Carrony					
STORE CATEGORY	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL	1111 555				
Apparel Store Group	\$111,625	\$111,625	100.0%	1.3%	1.3%
General Merchandise Group	\$334,275	\$224,998	67.3%	4.0%	2.7%
Department Stores/Other General	470 220	471 014	00.70/	0.00/	0.00/
Merch.	\$78,339	\$71,014	90.7%	0.9%	0.8%
Other General Merchandise	\$209,793	\$135,526	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$46,144	\$18,458	40.0%	0.5%	0.2%
Specialty Retail Group	\$93,453	\$93,453	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$645,141	\$427,318	66.2%	7.7%	5.1%
Grocery Stores	\$280,400	\$70,100	25.0%	3.3%	0.8%
Specialty Food Stores	\$9,222	\$2,306	25.0%	0.1%	0.0%
Liquor Stores	\$14,440	\$13,833	95.8%	0.2%	0.2%
Eating Places	\$341,079	\$341,079	100.0%	4.1%	4.1%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$131,956	\$131,956	100.0%	1.6%	1.6%
Automotive Group	\$569,734	\$552,392	93.3%	6.8%	6.6%
Sub-Total Retail	\$1,886,184	\$1,541,741	81.7%	22.4%	18.3%
SERVICES					
Rental Services	\$15,475	\$0	0.0%	0.2%	0.0%
Professional Services	\$5,203	\$0	0.0%	0.1%	0.0%
Medical Services					
Eyecare	\$48,250	\$24,125	50.0%	0.6%	0.3%
Other Medical	\$143,865	\$0	0.0%	1.7%	0.0%
Repair Services					
Auto Repair	\$35,339	\$14,136	40.0%	0.4%	0.2%
Other Repair	\$16,724	\$0	0.0%	0.2%	0.0%
Personal Services					
Personal Care Services	\$33,361	\$3,336	10.0%	0.4%	0.0%
Other Personal	\$21,086	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	' '	'			
Movie, Theater, Opera, Ballet	\$32,291	\$3,229	10.0%	0.4%	0.0%
Sporting Events	\$9,883	\$988	10.0%	0.1%	0.0%
Other Entertainment	\$68,523	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$430,001	\$45,814	10.7%	5.1%	0.5%
GRAND TOTAL	\$2,316,184	\$1,587,555	68.5%	27.5%	18.9%

Table A-3: Taxable Household Spending, Medium Density Units

Tuble A 31	Taxable nouse	mora Spenam	g, riculain DC	ilisity Offics	
20 Households with Average					T
INCOME OF \$140,800				<b>T</b>	TAXABLE
	TOTAL	_	_	TOTAL SALES	SALES AS
	Household	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
STORE CATEGORY	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$31,606	\$31,606	100.0%	1.1%	1.1%
General Merchandise Group	\$112,516	\$74,634	66.3%	4.0%	2.7%
Department Stores/Other General					
Merch.	\$24,279	\$22,008	90.7%	0.9%	0.8%
Other General Merchandise	\$70,449	\$45,510	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$17,789	\$7,115	40.0%	0.6%	0.3%
Specialty Retail Group	\$32,155	\$32,155	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$223,224	\$148,028	66.3%	7.9%	5.3%
Grocery Stores	\$96,818	\$24,205	25.0%	3.4%	0.9%
Specialty Food Stores	\$3,164	\$791	25.0%	0.1%	0.0%
Liquor Stores	\$4,964	\$4,755	95.8%	0.2%	0.2%
Eating Places	\$118,277	\$118,277	100.0%	4.2%	4.2%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$44,181	\$44,181	100.0%	1.6%	1.6%
Automotive Group	\$217,812	\$211,828	93.3%	7.7%	7.5%
Sub-Total Retail	\$661,493	\$542,432	82.0%	23.5%	19.3%
SERVICES					
Rental Services	\$5,181	\$0	0.0%	0.2%	0.0%
Professional Services	\$1,741	\$0	0.0%	0.1%	0.0%
Medical Services					
Eyecare	\$16,148	\$8,074	50.0%	0.6%	0.3%
Other Medical	\$48,147	\$0	0.0%	1.7%	0.0%
Repair Services	, ,	,			
Auto Repair	\$11,827	\$4,731	40.0%	0.4%	0.2%
Other Repair	\$5,597	\$0	0.0%	0.2%	0.0%
Personal Services	' '	,			
Personal Care Services	\$11,165	\$1,116	10.0%	0.4%	0.0%
Other Personal	\$7,057	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	7.,557	Ψ*	2.370	3.3 70	2.070
Movie, Theater, Opera, Ballet	\$10,806	\$1,081	10.0%	0.4%	0.0%
Sporting Events	\$3,308	\$331	10.0%	0.1%	0.0%
Other Entertainment	\$22,932	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$143,908	\$15,332	10.7%	5.1%	0.5%
GRAND TOTAL	\$805,402	\$557,765	69.3%	28.6%	19.8%
Source: ADE Inc.: retail demand model der					

Table A-4: Taxable Household Spending, High Density Units

Table A-4: Taxable Household Spending, High Density Units					
102 HOUSEHOLDS WITH AVERAGE INCOME OF \$113,500	TOTAL			TOTAL SALES	TAXABLE SALES AS
	Household	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
STORE CATEGORY	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$130,316	\$130,316	100.0%	1.1%	1.1%
General Merchandise Group	\$464,850	\$308,318	66.3%	4.0%	2.7%
Department Stores/Other					
General Merch.	\$100,208	\$90,839	90.7%	0.9%	0.8%
Other General Merchandise	\$291,150	\$188,083	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$73,493	\$29,397	40.0%	0.6%	0.3%
Specialty Retail Group	\$132,896	\$132,896	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$922,633	\$611,710	66.3%	8.0%	5.3%
Grocery Stores	\$400,331	\$100,083	25.0%	3.5%	0.9%
Specialty Food Stores	\$13,085	\$3,271	25.0%	0.1%	0.0%
Liquor Stores	\$20,509	\$19,648	95.8%	0.2%	0.2%
Eating Places	\$488,709	\$488,709	100.0%	4.2%	4.2%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$182,602	\$182,602	100.0%	1.6%	1.6%
Automotive Group	\$899,299	\$874,575	93.3%	7.8%	7.6%
Sub-Total Retail	\$2,732,596	\$2,240,417	82.0%	23.6%	19.4%
SERVICES					
Rental Services	\$21,280	\$0	0.0%	0.2%	0.0%
Professional Services	\$7,158	\$0	0.0%	0.1%	0.0%
Medical Services		·			
Eyecare	\$66,385	\$33,193	50.0%	0.6%	0.3%
Other Medical	\$197,938	\$0	0.0%	1.7%	0.0%
Repair Services		·			
Auto Repair	\$48,622	\$19,449	40.0%	0.4%	0.2%
Other Repair	\$23,010	\$0	0.0%	0.2%	0.0%
Personal Services		·			
Personal Care Services	\$45,900	\$4,590	10.0%	0.4%	0.0%
Other Personal	\$29,012	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	' '	·			
Movie, Theater, Opera, Ballet	\$44,427	\$4,443	10.0%	0.4%	0.0%
Sporting Events	\$13,598	\$1,360	10.0%	0.1%	0.0%
Other Entertainment	\$94,278	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$591,608	\$63,034	10.7%	5.1%	0.5%
GRAND TOTAL	\$3,324,204	\$2,303,450	69.3%	28.7%	19.9%



# Community Development

Department

7351 Rosanna Street, Gilroy, California 95020-61197 Telephone: (408) 846-0451 Fax (408) 846-0429 http://www.cityofgilroy.org

DATE:

October 17, 2019

TO:

Planning Commission

FROM:

Julie Wyrick, Planning Manager

SUBJECT:

USA 12-01 (#12070023) and USA 14-02 (#14070058); an urban service area amendment to include Assessor Parcel Numbers 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the urban service area of the City of Gilroy. The 50.3-acre Wren Investors project site is generally located west of Wren Avenue, south of Vickery Avenue. and north and south of Tatum Avenue. The 5.36-acre Hewell site is located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. This request is commonly known as the Wren Investors and Hewell Urban Service Area Amendment. The property is mostly undeveloped, although some single-family homes and the Gilroy Unified School District Farm Site are included within the subject site. This request proposes a change to the urban service area boundary to include approximately 56 acres, comprising the subject parcels, and does not include any development at this time. Applications filed by Wren Investors, LLC c/o Dick Oliver, 385 Woodview Avenue, #100. Morgan Hill, CA 95037; and Mark Hewell and David Sheedy, P.O.

Box 1901, Gilroy, CA 95021.

#### Request:

Staff has analyzed the proposed project and recommends that the Planning Commission (Roll Call Vote):

- a) Consider and recommend that the City Council adopt the mitigated negative declaration prepared for the project, based on findings required by the California Environmental Quality Act (CEQA); and
- b) Adopt a resolution recommending that the City Council approve the Wren Investors and Mark Hewell and David Sheedy Urban Service Area Amendments (USA 12-01 and USA 14-02).

#### **EXECUTIVE SUMMARY:**

Wren Investors and Mark Hewell request inclusion of 55.66+/- acres into Gilroy's Urban Service Area (USA). City staff has prepared a vacant land survey (attached) that determined there is currently at least an eight-year supply of vacant residential land within the city's USA; there would be at least a nine-year supply of vacant residential land if the USA amendment request were approved. The local agency formation commission (LAFCO) has ultimate approval authority over USA amendment requests, and generally will not approve a USA amendment if a city has more than a five-year supply of vacant land.

Although the city currently has more than a five-year supply of vacant residential land, the Wren Investors/Hewell property will have a lengthy entitlement process, one that could span several years. Staff anticipates that most of Gilroy's vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

Incorporating the Wren Investors/Hewell property into Gilroy's USA boundary would allow the property to potentially be annexed and developed. According to the fiscal impact analysis prepared for this project (attached), annexing and developing the property would cause the city to incur a loss of general fund revenue. After ten years, the general fund revenue loss would be \$166,681 per year. The loss of revenue could be offset by requiring the property developers to establish a community facilities district (CFD) and/or other funding mechanisms to provide services to this property. The CFD would require future property owners to bear the cost of providing City services to their properties.

If this Urban Service Area amendment is approved, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a preannexation agreement. In accordance with the City's Neighborhood District Policy, a Specific plan will be required for this property and other properties within this Neighborhood District area.

#### **BACKGROUND:**

Urban Service Area Amendment Requests

Gilroy's USA is a five-year planning boundary that the city uses to identify property suitable for annexation and development within a five-year horizon. City staff processes USA amendment requests and sends them to the Planning Commission for review and City Council for approval. However, the City Council's approval of a USA request allows an application only to be filed with the Santa Clara County Local Agency Formation Commission (LAFCO) for consideration of the request. LAFCO has the ultimate authority to approve or deny all USA amendment requests, such that amendment requests that are approved by the Gilroy City Council are not effective unless and until also approved by LAFCO.

In considering USA requests, the city considers whether there is currently an adequate supply of land to meet development needs within the next five years; whether services can be proved to the site within the next five years; and the fiscal impacts of allowing the property to annex and develop. In addition, the city considers the application's consistency with LAFCO's USA amendment policies. These issues are discussed below in the analysis section of this staff report.

Wren Investors began processing an USA request for this site in 2000 [Ref: USA 00-02]; that request included all of the property included in the current request plus one additional parcel. USA 00-02 proceeded to the Gilroy Planning Commission and City Council as part of the 2008 USA request. USA 00-02 was ultimately not approved by the City Council and, therefore, not forwarded to LAFCO for consideration. The Council expressed the following concerns about USA 00-02:

#### That there would be:

- Negative fiscal impacts on the Gilroy Unified School District;
- Negative fiscal impacts on the city;
- Inadequate police and fire response times to the site;
- Undesired environmental impacts resulting from the project; and
- That no project design details were submitted as part of the CEQA analysis.

The Hewell site has not been the subject of a prior independent USA request.

Wren Investors submitted the USA 12-01 amendment request in 2012, and Mark Hewell and David Sheedy submitted USA 14-02 in 2014. Both applicants agreed to place application processing on hold while the City Council considered the proposed 721-acre Rancho 101 Urban Service Area (USA 14-01; Project # 14070057). The Wren Investors and Hewell USA requests were contained within the Rancho 101 USA request. The Gilroy City Council ultimately denied the Rancho 101 USA request, so it was not submitted to LAFCO for consideration. At this time, Wren Investors, Mark Hewell and David Sheedy request to continue processing their USA requests.

#### Measure H

On November 8, 2016, Gilroy voters approved Measure H, a ballot measure that added an urban growth boundary to Gilroy's general plan area. The urban growth boundary prevents development of land outside its limits, unless voters specifically approve the development. The Wren Investors and Hewell properties are located inside the urban growth boundary, and therefore could be annexed and developed, if the USA amendment request is approved.

**Subject Property and Surrounding Land Uses:** The subject site is mostly undeveloped, although some parcels contain rural single-family homes and associated accessory structures, as well as small-scale agricultural operations.

#### Surrounding Properties and Land Uses:

LOCATION	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Undeveloped; Single- Family Homes; Drainage Channel; Small-scale Agricultural uses; GUSD Farm Site	Neighborhood District; Park/Recreation Facility	N/A
North	Single-Family Home; agricultural land	Neighborhood District	ND/PUD; N/A
South	Single-Family Homes	Low Density Residential	R1
East	Undeveloped park land; Antonio del Buono School; Apartments; Single-Family Homes	Park/Recreation Facility; Educational Facility; High Density Res.; Low Density Res.; Neighborhood District	PF; R3; R1; ND/PUD
West	Rural Residential; Agricultural uses; and single-family homes	Neighborhood District; Low Density Residential; Medium Density Residential	N/A; R1/PUD; and R3/PUD

**Environmental Assessment:** In accordance with the California Environmental Quality Act (CEQA), an initial study was prepared to evaluate any potentially significant adverse effects of the proposed project on the environment. The initial study identified potentially significant impacts in four separate areas, summarized below. The entire MND/initial study document is available at the following link:

http://www.cityofgilroy.org/298/Development-Activity-Projects

#### Air Quality

The adjacent residences could be exposed to dust and equipment exhaust during construction of any future development of the Wren and Hewell sites, which would be a significant impact. However, compliance with the City's standard conditions of approval for the control of dust during construction would reduce exposures to construction dust to a less-than-significant level.

#### Biological Resources

Construction activities, including tree/shrub removal and ground disturbance, have the potential to impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting in or adjacent to the project site during the bird nesting season (February 1 through August 31), then noise-generating construction activities and/or vegetation removal could result in the loss of fertile eggs or nestlings, or otherwise lead to the abandonment of nests.

Trees may exist on the Wren Investors site that may quanty as Protected Trees based on Section 30.38.270 of the City Code. The Hewell project site contains one 12-inch diameter native northern California black walnut tree located behind the rural residence. Removal of any protected tree(s) is subject to the approval of the Planning Division Manager, consistent with the Protected Trees section of the City Code, Section 30.38.270. The City relies on the site-specific recommendations of a certified arborist to mitigate impacts to individual significant trees.

#### Cultural Resources

Future development of the project site has the potential to affect surviving historicera structures on the project site, either through modification or demolition in preparation of new residential development.

#### Noise

The increase in noise associated with future development of the project site could result in significant noise impacts to vicinity sensitive receptors; however, until a development project is designed and an application submitted to the City for processing, actual noise impacts cannot be adequately evaluated.

The initial study identifies eight mitigation measures that would reduce the potentially significant impacts to a less-than-significant level. These mitigation measures are proposed for adoption through the mitigated negative declaration (MND), attached to this staff report.

On August 29, 2019 (Wren Investors) and September 2, 2019 (Hewell), the applicants agreed to the recommended mitigation measures to address the identified adverse effects. The initial study/MND was circulated and made available for public review at the Gilroy Public Library, the Planning Division public counter, and on the Planning Division webpage (www.cityofgilroy.org/planning) for the requisite comment period, from September 6, 2019 through October 7, 2019.

As of this report's date, staff received comments from the Gilroy Bicycle Pedestrian Commission (BPC), Santa Clara County LAFCO and Valley Water. The BPC comments related to future development of the site that is not contemplated as part of this application; LAFCO's comments related to consistency with LAFCO policy issues and other clarifying information; Valley Water comments related to the need for access to the channel that is within the boundaries of the site and mitigating runoff. None of the comments would change the conclusions of the MND. As such, no significant adverse effects are expected to result from the proposed project, and the Planning Commission can make findings to recommend adoption of the MND.

#### **ANALYSIS:**

**General Plan Consistency:** The City's General Plan designates the subject site for Neighborhood District uses, but the proposed USA amendment request does not include any development at this time. Thus, the following analysis reviews the project's conformance with General Plan policies related to Urban Service Area expansions, rather than the potential future development of this property. Key goals and policies,

which pertain to the proposed project, are discussed below:

POLICY#	TITLE AND SUMMARY	ANALYSIS
1.01	Pattern of Development.  Ensure orderly, contiguous pattern of development that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.	The proposed Urban Service Area amendment would provide a contiguous pattern of development because it logically extends Gilroy's Urban Service Area boundary along Tatum Avenue, Vickery Avenue, and Wren Avenue. Future development on this site would need to comply with the "Neighborhood District Policy," which encourages compact and efficient development. As part of a larger future Specific Plan that would be developed for this area, this site would be developed to preserve open spaces and avoid land use incompatibilities.
		Like all Urban Service Area requests, this property is on the fringe of Gilroy, such that future development on this site would result in greenfield development (i.e. development of previously undeveloped land), rather than infill development. However, the Specific Plan and entitlement process required prior to development of this site is expected to take several years. Gilroy currently has an approximate eight-year supply of undeveloped residential land, so Gilroy's existing vacant land inventory would be largely depleted by the time the Wren Investors/Hewell property is poised for development. Furthermore, this property is located within Gilroy's Urban Growth Boundary, so development of this site would not negatively impact open space lands.  Staff Determination of Consistency: Consistent
2.01	Location of Growth.  Maximize existing infrastructure and service investments by directing new growth to vacant and underutilized lands within the	The city currently has an approximate eight- year supply of undeveloped residential land (11 years, if properties Downtown are included). The commercial component of the USA request is minor and has little impact on the city's supply of vacant

POLICY#	TITLE AND SUMMARY	ANALYSIS		
	Urban Service Area. As a second-tier priority, direct new development to areas	commercial land.		
	that border on existing urban development or are immediately adjacent to the Urban Service Area.	Much of the vacant land within the city is entitled as part of the Glen Loma Ranch Specific Plan development, and would develop before the Wren Investors/Hewell property has completed its entitlement process. The proposed USA amendment area does border on existing urban development and the existing USA boundary, such that approval of this USA amendment would not create "leap frog" development.		
		Greenfield development is significantly easier and cost effective for developers than infill sites. With a limited investment pool and limited market absorption rates for new housing in Gilroy, facilitation of greenfield development (such as that proposed with the subject USA amendment) disincentivizes infill development in the downtown, on 1st Street, 10th Street, Leavesley Road, and other infill areas. Infill development offers more positive fiscal, environmental, and quality of life outcomes than greenfield development for the community.		
		Gilroy's Urban Growth boundary significantly limits Gilroy's expansion potential. Coupled with the requirement to build housing in compliance with the state's Regional Housing Needs Allocation (RHNA), staff expects that much of Gilroy's developable infill property will have developed before the Wren Investors/Hewell property has completed its entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future		

POLICY#	TITLE AND SUMMARY	ANALYSIS
		residential growth requirements.
		Staff Determination of Consistency: Consistent
2.02	Rate and Timing of Growth.  Ensure that the rate of growth is controlled such that resource and system capacity constraints are not exceeded and necessary urban services are funded, implemented and completed prior to occupation of new buildings.	While infrastructure would be in place prior to occupancy of buildings within this development, according to this project's fiscal impact analysis, development of this site would result in an initial net negative fiscal impact of \$107,122. This deficit would grow each year, as property tax revenue does not increase commensurately with the costs of providing services. After ten years, the annual revenue loss would be \$166,681.  Similarly, Santa Clara County would incur lost revenue with development of this project.  The result of the proposed USA would be increased service needs with <i>reduced</i> funding for the provision of services. For example, the Police Department has expressed concerns about the need for additional officers as the city boundaries expand; however, the \$107,122 annual deficit could mean the city would need to <i>reduce</i> service levels in the larger
	= ×	organization. If this USA amendment request is approved, staff recommends that the developer be required to place these properties in a community facilities District (CFD) which would pay for the city's cost to serve this site.  Staff Determination of Consistency: Consistent, with the requirement to enter
		into a CFD
2.04	Growth Management Tools and Process.  Utilize the RDO, Urban Service Area, 20-Year	The subject property is within the 20-Year Planning Boundary; adequate sewer treatment and disposal capacities exist to serve this site; and development of the site would be subject to obtaining USA

POLICY#	TITLE AND SUMMARY	ANALYSIS
	Planning Boundary, sewer treatment and disposal capacities, and natural resource management policies as tools for managing the rate, location and extent of growth.	amendment approval and RDO allocations (If applicable). A Specific Plan for the larger area would need to evaluate how the proposed development will achieve the city's natural resource management objectives; however, the proposal would result in the reduction of agricultural and open space lands surrounding the city.
	Α.	Staff Determination of Consistency: Consistent
2.07	Urban Service Area.  Establish and maintain an Urban Service Area that indicates the area of land that could potentially be developed in the next 5 years and to which the City is committed to providing basic infrastructure and services.	The city currently has an approximate eight- year supply of undeveloped residential land at this time (11 years, if properties Downtown are included). Expanding the USA boundary to include this property would result in the city having an approximate nine-year supply of undeveloped residential land (12 years, if properties Downtown are included), assuming the property would create 307 residential units.
		Although the city currently has more than a five-year supply of residential land, staff anticipates that most of that land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.
		Staff Determination of Consistency: Consistent
4.03	Urban Containment.  Contain urbanization within an area large enough to meet foreseeable need but	The proposed USA amendment request would expand the city's Urban Service Area to meet foreseeable residential development needs.

POLICY#	TITLE AND SUMMARY	ANALYSIS
	which will not intrude unnecessarily on, cause premature conversion of, or impair the productivity of agricultural lands.	Staff Determination of Consistency: Consistent
17.02	New Residential Development.  Control the timing and location of new residential development in a way that allows the Gilroy Unified School District to plan and finance facilities in an orderly fashion.	New residential development within this area will be required to pay impacts fees to the GUSD to build new schools for the students generated by such development.  Staff Determination of Consistency: Consistent
17.03	Development Approvals and School Capacity.  Verify the remaining capacity in local schools as part of the review process for residential subdivisions, with adequate school capacity being a condition for development approval.  When capacity is limited, coordinate development approvals with the scheduling of capital funds for school expansion and/or improvements.	Students within this subdivision will be assigned to schools once the residential units are constructed. Given the recent decline in school populations, it is likely that adequate school capacity will exist to serve future students.  Staff Determination of Consistency: Consistent

The City of Gilroy is in the process of creating the Gilroy 2040 General Plan. The General Plan expresses the community's long-term vision of city growth and development. The plan establishes public policy for the distribution of future land uses, both public and private, and addresses a wide range of policies, including economic development, transportation, safety, infrastructure, housing, parks, recreation and open space, historic preservation and the environment.

The City Council is expected to select a preferred land use alternative for analysis in the General Plan Environmental Impact Report before the end of this year. Staff expects to present the General Plan Environmental Impact Report and 2040 General Plan to the Planning Commission and City Council for adoption by late 2020.

Analysis of Urban Service Area Request: Wren Investors, LLC and Mark Hewell request inclusion of 55.66+/- acres into Gilroy's Urban Service Area. The developers have included thirteen parcels not under their ownership. This is necessary to create a logical city boundary and to prevent the creation of unincorporated (county) islands within city limits. All thirteen of the other property owners are in agreement with the proposed USA application. The following analysis examines the issues pertinent to this USA amendment request.

Conceptual Site Plan: The developers have submitted conceptual site plans for this property that show a possible development scenario (see initial study/MND figures 5 and 6). The environmental analysis relies on these conceptual plans to determine the maximum development potential for this site. However, this property is a component of the "North Central, South of Buena Vista Avenue Extension" neighborhood district area. This neighborhood district area consists of 366 acres and 136 parcels, all of which will be included in a future comprehensive specific plan. In accordance with the "Neighborhood District Policy," the specific plan would be developed with input from an advisory committee selected by the City Council. The specific plan will be required to meet all tenets of the "Neighborhood District Policy," including the provision of residential units at a mix of densities; reservation of land at prominent intersections for commercial uses; provision of open space for passive and active recreational uses; and provision of affordable housing. The actual land development plan site will be determined through that process.

The conceptual site plans show the following development within the USA amendment boundary:

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

The site plan also shows a possible development scenario for property surrounding the project site for the purpose of comprehensive planning. At this time, no development is proposed for this site and no development applications have been submitted. The conceptual site plan has not been vetted or endorsed by staff; it is simply a plan that shows a potential development scenario for purposes of

environmental analysis. The conceptual design does not vest the developer or neighboring properties with any design approvals.

Fiscal Impact Analysis: A fiscal impact analysis has been prepared for the proposed USA request by Applied Development Economics in accordance with state law and LAFCO policies [see attachment]. The purpose of this analysis is to determine the economic impact that development of the 55.66+/- acres included in the Wren Investors application will have on both the city of Gilroy and the county of Santa Clara. This analysis is required at the USA amendment level to provide decision makers with the information needed to determine whether the city and county can provide urban services to the site without detracting from current service levels, and to identify the fiscal impacts inherent in expanding the USA boundary to include the subject site.

The fiscal impact analysis estimates the project will create an initial deficit of \$107,122 per year. This cost/revenue gap will continue to widen over time. Pages 13 and 14 of the fiscal impact analysis, summarized here, show the ten-year cost/revenue projections for this project, which grows to \$166,681 by Year 10:

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Annual Deficit	(\$107,222)	(\$113,683)	(\$120,508)	(\$127,606)	(\$134,985)

Year	Year 6	Year 7	Year 8	Year 9	Year 10
Annual Deficit	(\$139,984)	(\$146,972)	(\$153,303)	(\$159,870)	(\$166,681)

The fiscal impact analysis proposes some potential alternative funding methods that could defray some of the costs of providing services to this site. These alternatives include a community facilities district (CFD), which would fund construction costs for infrastructure and facilities, maintenance of facilities, and operation costs for public services such as police and fire protection; a landscaping and lighting district (LLD), which could fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets; a maintenance assessment district (MAD), which can fund maintenance of storm drain facilities, water and sewer facilities and other public facilities and infrastructure not covered by LLDs; a homeowners' association (HOA), which can fund maintenance of internal amenities and property within subdivisions or planned unit developments; and developer exactions, which may be able to be used to fund police and fire service. Staff would need to evaluate each of these possible funding methods to determine their legal and financial feasibility.

The city currently uses CFDs to fund maintenance and operation costs related to landscaping and soundwalls. Using CFDs, or any of the other potential funding

mechanisms, to fund other operations and/or staffing would need to be fully vetted to determine whether these are viable sources of long-term revenue that could be used to offset project costs.

As the fiscal impact analysis notes, general tax revenues are insufficient to fund the full costs of services to this site. If the city approves development on this site and is unable to use an alternative method of funding the ongoing provision of services, the city would need to either reduce services to the residents of Gilroy or use General Fund revenues earmarked for other purposes to serve this site, which could have the net effect of reducing services elsewhere. The fiscal impact analysis also projects that Santa Clara County will incur a revenue deficit if this property is incorporated into the city's USA and is developed.

If this Urban Service Area amendment is approved, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a pre-annexation agreement.

Vacant Land Inventory: Residential and commercial vacant land inventories have been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. These surveys inventoried all of the undeveloped residential and commercial land within city limits, including land approved for development, such as the Glen Loma Ranch and Hecker Pass specific plan areas. The surveys next determined the number of units that could be built on each lot, based on either actual project plans or maximum potential buildout determined by dividing land area by permitted densities. The commercial component of this project is only 0.4 acres, and is incidental to the development. The addition of this property to Gilroy's commercial inventory has an insignificant impact on the amount of commercial land available, but has been included in the analysis to meet LAFCO requirements. This analysis, therefore, focuses on the residential portion of the vacant land inventory.

The residential vacant land inventory determined the total number of potential units outside of the Downtown is 2,394 units; the total number of remaining units that could be built Downtown, based upon the of approved "Downtown Gilroy Specific plan," is 909 units.

The survey next determined how long it would take to develop available land based on the city's buildout projections. Over the next 10 years, the city of Gilroy projects to issue 3,045 residential building permits for projects outside of the Downtown. This is an average of 305 permits per year. Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land adequate to build 2,394 units, the city has adequate land to serve future residential growth for approximately eight years (2,394/305 = 7.85).

If the 909 Downtown units are added to this total, Gilroy has the land capacity to build up to 3,303 units (2,394 + 909). Applying the same average build out for units

located in and out or Downtown, this allows for about 11 years of residential development (3,303/305 = 10.83). Expanding the USA boundary to include the Wren Investors and Hewell properties would add 307 units to the vacant land inventory, resulting in land that could produce 3,610 residential units. Using a development rate of 305 units per year, the proposed USA expansion would increase the city's supply of undeveloped residential land to about 12 years (3,610/305=11.8), if Downtown development is included.

Although the city currently has more than a five-year supply of residential land, the Wren Investors/Hewell property will have a lengthy entitlement process, one that could span several years. Staff anticipates that most of the vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process.

The city also has more than a five-year supply of commercial land, but the commercial component of the Wren Investors/Hewell property, proposed as 0.4 acres, is incidental to the residential component, and would be developed to support residents living in the area. Further, the commercial component of the Wren Investors/Hewell property has a negligible impact on the availability of commercial land in the city, and therefore should not be a determining factor in this USA amendment request.

Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

**Plan for Services:** A plan for services has been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. The plan addresses how the city would provide services to the project site upon annexation, and how other agencies would provide services upon development of the site.

**School District Impacts:** Future development of the amendment areas consistent with the existing general plan would result in additional students and increase the demand for school services. The cumulative student generation estimates include a total of 103 new students (54 Kindergartengrade five; 20 grade six-eight; and 29 high school students). New students would attend schools within the Gilroy Unified School District, which assesses its own development impact fee to address facility and infrastructure needs.

General Plan Educational Policy 17.02 directs the timing and location of new residential development to occur in a way that allows the Gilroy Unified School District (GUSD) to plan and finance facilities in an orderly fashion. Policy 17.03 states that development approvals and school capacity should be coordinated with the GUSD, with adequate capacity being a condition of approval.

City Facilities and Services: The City's ability to provide public services and facilities required by new growth is a fundamental policy consideration for all USA amendments. Future development of this site consistent with the existing Neighborhood District General Plan land use designation would be expected to generate cumulative incremental increases in demand for City services and facilities. General Plan Policy 2.02, "Rate and Timing of Growth" states that the city should "ensure that the rate of growth is controlled such that resource and system capacity constraints are not exceeded (e.g., water supply, police, and schools), are funded, implemented and completed prior to occupation of new buildings." Overall, the future development within the amendment area is consistent with existing General Plan land use designations. Facility and infrastructure master plans have been prepared by the City to support the adopted General Plan. The development anticipated would not require major infrastructure beyond that identified in the General Plan and subsequent implementing master plans. The developer will fund all infrastructure needed to serve this site and pay required development impact fees.

However, funding for emergency response and public safety resources is provided by the general fund, and is not supported by development impact fees. As discussed above, the fiscal impact analysis projects that the future residential development will result in an overall negative fiscal impact after buildout, with the deficit increasing over time. The fiscal impact analysis only projects the deficit out for a ten-year period. However, this deficit will continue to increase every year because the increases in tax revenue are not expected to increase as fast as the cost to serve this site. Funding for necessary staff to support future growth in the amendment area will be a continuing challenge for the City. This funding issue could be offset by the use of a CFD to pay for services provided to this area.

Timing of Urban Service area Requests: The Local Agency Formation Commission (LAFCO) will consider Urban Service Area requests one time each year from each city in Santa Clara County. A city may not submit additional Urban Service Area amendment applications until LAFCO has heard and acted upon any pending applications from that city. LAFCO may make an exception to the once-a-year limitation when an amendment is needed to carry out a special institutional development or activity that is in the public interest. Such exceptions do not normally apply to proposed residential, commercial, or industrial development.

Gilroy currently has no other USA requests in process.

**Conclusions:** Due to the need to prepare a Specific plan for this property, it is likely that it will be several years before the applicants have entitlements to develop this site. By the time the developer has land entitlements, it is likely that the city will have only a few years of vacant residential land. Further, the subject property is located within Gilroy's urban growth boundary, and is therefore eligible for development.

Furthermore, staff recommends that the city explore avenues to ensure that projects will be at least revenue neutral prior to expanding the USA boundary, such that the city, county, and school district can ensure that it can adequately provide services to future residents.

Due to the diminishing availability of land to satisfy RHNA requirements, inclusion with Gilroy's urban growth boundary, the ability to require a CFD on this site, and consistency with current General Plan policies and goals, staff recommends approval of this USA request.

**Technical Advisory Committee (TAC):** Project plans were routed to Engineering, Building, Police, Finance and Fire representatives for internal review and comment. The TAC considered the project on February 8, 2018. Recommendations of the TAC members have been incorporated into the project plans and/or are included as recommended conditions in attached resolution(s).

**Bicycle Pedestrian Committee (BPC):** This USA amendment request was not presented to the Bicycle Pedestrian Committee (BPC) as no development is currently proposed. Plans will be forwarded to the BPC for review when city staff receives a development proposal. However, the BPC provided staff with comments via the initial study/MND review process. These comments will be incorporated into future development plans.

Gilroy Unified School District (GUSD): The GUSD farm site is one of the properties included in this Urban Service Area request, and the GUSD supports the USA amendment. However, the farm site hosts the GUSD's Future Farmers of America (FFA) program, and is very important to the district. The GUSD opposes development of the school farm site unless the farm operation is relocated to another site acceptable to the GUSD.

As no development is currently proposed, there are no plans to develop the farm site. The GUSD would be signatory to any future development of its property. In addition, if the GUSD elects not to develop its farm site, staff would recommend that future residential developments surrounding the site disclose to buyers that the GUSD has the right to continue the farming operation.

**Noticing:** Property owner information (i.e. list, labels, and map) within 500 feet of the subject site were generated by First American Title Company using current ownership data. Prior to October 6, notices of this Planning Commission meeting were mailed to the property owners along within other interested parties. In addition, the property has been posted with on-site signage notifying passersby of pending development, and the Planning Commission public hearing packets are available through the City's webpage.

**Appeal Procedure:** The Planning Commission's action is not final, but rather a recommendation. As such, the matter will be considered by the City Council at a later date.

**Next Steps:** 

Should the Planning Commission make a recommendation to the City Council, the next step in this process would be to present the proposed Urban Service Area amendment request to the City Council. If the City Council approves the request, the City will submit a USA amendment application to LAFCO for consideration. It is expected that the application would be submitted to LAFCO by spring of 2020.

#### Attachments:

- 1. Vicinity Map
- 2. Initial Study MND Link
- 3. Fiscal Impact Analysis
- 4. Wren Investors and Hewell Vacant Land Survey October 2019
- 5. USA 1201\_1402\_PC\_ Reso
- 6. Wren Hewell Plan for Services





## **CITY COUNCIL**

## MAYOR Roland Velasco

# AGENDA CITY OF GILROY

CITY COUNCIL CHAMBERS, CITY HALL 7351 ROSANNA STREET GILROY, CA 95020

> REGULAR MEETING 6:00 P.M. MONDAY, JANUARY 27, 2020

#### **COUNCIL MEMBERS**

Marie Blankley Dion Bracco

Peter Leroe-Muñoz Carol Marques

Fred Tovar

Cat Tucker

CITY COUNCIL PACKET MATERIALS ARE AVAILABLE ONLINE AT <a href="www.cityofgilroy.org">www.cityofgilroy.org</a> AGENDA CLOSING TIME IS 5:00 P.M. THE TUESDAY PRIOR TO THE MEETING

COMMENTS BY THE PUBLIC WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. Persons wishing to address the Council are requested, but not required, to complete a Speaker's Card located at the entrances. Public testimony is subject to reasonable regulations, including but not limited to time restrictions for each individual speaker. A minimum of 12 copies of materials should be provided to the City Clerk for distribution to the Council and Staff. Please limit your comments to 3 minutes.

In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the City Clerk a minimum of 72 hours prior to the meeting at (408) 846-0204. A sound enhancement system is also available for use in the City Council Chambers. If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

A Closed Session may be called during this meeting pursuant to Government Code Section 54956.9 (d)(2) if a point has been reached where, in the opinion of the legislative body of the City on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection with the agenda packet in the lobby of Administration at City Hall, 7351 Rosanna Street during normal business hours. These materials are also available with the agenda packet on the City website at <a href="https://www.cityofgilroy.org">www.cityofgilroy.org</a> subject to Staff's ability to post the documents before the meeting.

The City Council meets regularly on the first and third Monday of each month, at 6:00 p.m. If a holiday, the meeting will be rescheduled to the following Monday, with the exception of the single meeting in July which lands on the first day of the month not a holiday, Friday, Saturday or Sunday.

## KNOW YOUR RIGHTS UNDER THE GILROY OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, task forces, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE, TO RECEIVE A FREE COPY OF THE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION STAFF AT (408) 846-0204 or

shawna.freels@cityofgilroy.org

- I. OPENING
- A. Call to Order
  - 1. Pledge of Allegiance
  - 2. Invocation
  - 3. City Clerk's Report on Posting the Agenda
  - 4. Roll Call
- B. Orders of the Day
- C. Employee Introductions
- II. CEREMONIAL ITEMS
- A. Proclamations, Awards, and Presentations
- III. PRESENTATIONS TO THE COUNCIL

PUBLIC COMMENT BY MEMBERS OF THE PUBLIC ON ITEMS NOT ON THE AGENDA BUT WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY

COUNCIL (This portion of the meeting is reserved for persons desiring to address the Council on matters not on this agenda. The law does not permit Council action or extended discussion of any item not on the agenda except under special circumstances. If Council action is requested, the Council may place the matter on a future agenda. Written material provided by public members for Council agenda item "public comment by Members of the Public on items not on the agenda" will be limited to 10 pages in hard copy. An unlimited amount of material may be provided electronically.)

#### IV. REPORTS OF COUNCIL MEMBERS

**Council Member Bracco** – Gilroy Downtown Business Association Board (alternate), Gilroy Sister Cities Association (alternate), Santa Clara Co. Library JPA, SCVWD Joint Council-SCRWA-Board Water Resources Committee, South County Joint Planning Advisory Committee (alternate), South County Regional Wastewater Authority Board, South County Youth Task Force Policy Team (alternate), Street Naming Committee

**Council Member Tucker** –CalTrain Policy Group, Cities Association of Santa Clara Co. Board of Directors, General Plan Advisory Committee, Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, Street Naming Committee, Visit Gilroy Board

**Council Member Blankley** - ABAG (alternate), Cities Association of Santa Clara Co. Board of Directors (alternate), Economic Development Corporation Board, Gilroy Sister Cities Association, Gilroy Youth Task Force (alternate), SCVWD Joint Council-SCRWA-Board Water Resources Committee, South County Regional Wastewater Authority Board, VTA Board of Directors Alternate, VTA Policy Advisory Committee, VTA South County City Group

**Council Member Marques -** Gilroy Downtown Business Association Board, Gilroy Gardens Board of Directors, Santa Clara Valley Habitat Agency Governing Board (alternate), Santa Clara Valley Habitat Agency Implementation Board (alternate), Silicon Valley Clean Energy JPA Board (alternate), URM Task Force Sub-Committee, VTA Committee for Transit Accessibility (alternate)

**Council Member Tovar** –Santa Clara Co. Expressway Plan 2040 Policy Advisory Board, Recycling and Waste Reduction Commission, Santa Clara Co. Library JPA (alternate), SCVWD Water Commission (alternate), Silicon Valley Clean Energy JPA Board, South County Regional Wastewater Authority Board, South County United for Health, Street Naming Committee, VTA Committee for Transit Accessibility, VTA Policy Advisory Committee (alternate)

**Council Member Leroe-Muñoz -** ABAG, CalTrain Policy Group (alternate), Gilroy Youth Task Force, Historic Heritage Committee, SCVWD Water Commission, Silicon Valley Regional Interoperability Authority Board, South County Youth Task Force Policy Team, VTA Mobility Partnership

Mayor Velasco - Economic Development Corporation Board, General Plan Advisory Committee, Historic Heritage Committee (alternate), Santa Clara Valley Habitat Agency Governing Board, Santa Clara Valley Habitat Agency Implementation Board, South County Joint Planning Advisory Committee, South County Regional Wastewater Authority Board (alternate), URM Task Force Sub-Committee, VTA Mobility Partnership, VTA South County City Group (alternate)

#### V. FUTURE COUNCIL INITIATED AGENDA ITEMS

#### VI. CONSENT CALENDAR (ROLL CALL VOTE)

All matters listed under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a request is made by a member of the City Council or a member of the public. <u>Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar prior to the time the Council votes to approve.</u> If removed, the item will be discussed in the order in which it appears.

- A. Minutes of the January 6, 2020 Regular Meeting
- B. Notice of Acceptance of Completion for the Citywide Pavement Maintenance Phase II Project No. 19-PW-252
- C. Adoption of a Resolution of the City Council of the City of Gilroy to Declare Weeds and Refuse a Public Nuisance to Begin the Annual Weed and Refuse Abatement Process
- D. Certificates in Recognition of the 2020 Chamber of Commerce Spice of Life Awardees
- E. Approval of a Letter of Opposition to Senate Bill 50 (Wiener) That if Signed into Law Would Greatly Undermine Gilroy's Local General Planning Efforts by Allowing Developers to Make Local Planning and Zoning Decisions
- VII. BIDS AND PROPOSALS NONE
- VIII. PUBLIC HEARINGS
- A. Consideration of an Urban Service Area Request to Incorporate Approximately 55.66 Acres Located West of Wren Avenue, South of Vickery Avenue, and North and South of Tatum Avenue; and Just Outside the Northern City Limits Northeast of the Intersection of Vickery Lane and Kern Avenue, APNs 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the Urban Service Area of the City of Gilroy; Applicants Wren Investors, LLC c/o Dick Oliver and Mark Hewell and David Sheedy (USA 12-01 and USA 14-02)
  - 1. Staff Report: Karen Garner, Community Development Director
  - 2. Disclosure of Ex-Parte Communications
  - 3. Open Public Hearing
  - 4. Close Public Hearing
  - 5. Possible Action:

Adopt a resolution of the City Council of the City of Gilroy approving the Wren Investors and Hewell Urban Service Area Amendment mitigated negative declaration and mitigation monitoring and reporting program and approving urban service area applications USA 12-01 and USA 14-02, incorporating approximately 56 acres into Gilroy's urban service area, Assessor Parcel 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, filed by Wren Investors, LLC and Mark Hewell and David Sheedy.

#### IX. UNFINISHED BUSINESS

A. Amendment to the Fiscal Year 2019-2020 General Fund Budget by Appropriating \$5.825 Million of Unassigned Fund Balance to Projects Identified by the City Council

- 1. Staff Report: Jimmy Forbis, Finance Director
- 2. Public Comment
- 3. Possible Action:

Adopt a resolution of the City Council of the City of Gilroy amending the fiscal year 2019-2020 budget by \$5,825,000 in the general fund and appropriating those funds to projects identified by the City Council.

## X. INTRODUCTION OF NEW BUSINESS

- A. Introduction of an Ordinance of the City Council of the City of Gilroy Amending Chapter 16 of the Gilroy City Code Entitled "Offenses Miscellaneous" Adding New Sections 16.24 and 16.25 Pertaining to Imitation Weapons
  - 1. Staff Report: Scot Smithee, Police Chief
  - 2. Public Comment
  - 3. Possible Action:
  - a) Motion to read the ordinance by title only and waive further reading.
  - b) Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 16 of the Gilroy City Code entitled "Offenses Miscellaneous" adding new sections 16.24 and 16.25 pertaining to imitation weapons.
- B. Request to Waive Permit and Service Fees by the Gilroy Memorial Day Events Committee and Determination that the Waiving of Fees for the 2020 Memorial Day Parade and Activities Constitutes a Public Purpose
  - 1. Staff Report: Gabriel Gonzalez, City Administrator
  - 2. Public Comment
  - 3. Possible Action:

Declare that the Memorial Day parade and activities constitute a public purpose and approve an estimated \$11,341 fee waiver request by the Gilroy Memorial Day Events Committee for the 2020 Memorial Day parade and activities

#### XI. CITY ADMINISTRATOR'S REPORTS

- A. Presentation on Pavement Management and the Pavement Condition of City of Gilroy Streets
  - 1. Staff Report: Girum Awoke, Public Works Director
  - 2. Public Comment
  - 3. Possible Action:

Receive report.

- XII. CITY ATTORNEY'S REPORTS
- XIII. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9, and Gilroy City Code Section 17A.11 (3) (b) One (1) Case as Defendant
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec.17A.8 (a) (2); Properties:10th Street Bridge: APNs 808-19-007, 799-30-006, 799-30-007, 808-19-020, 808-50-999, Thomas Luchessa Bridge: APNs 808-21-025, 808-21-023, 808-21-021, 808-21-018, New Fire Station: APNs 808-18-003, 808-19-029

Negotiators: Gabriel Gonzalez, City Administrator; Other Party to Negotiations: Glen Loma Corporation, John M. Filice, Jr.; Negotiating Price and terms of payment regarding purchase, sale, exchange or lease

- 1. Public Comment on Closed Session Items
- 2. City Attorney's Advice Re: Entering into Closed Session
- 3. Adjourn to Closed Session

#### ADJOURN TO OPEN SESSION

Report of any action taken in Closed Session and vote or abstention of each Councilmember if required by Government Code Section 54957.1 and Gilroy Code Section 17A.13 (a); Public Report of the vote to continue in closed session if required under Gilroy Code Section 17A.11 (5)

#### **ADJOURNMENT**

## **MEETING DATES**

#### **JANUARY. 2020**

27\* Regular Meeting - 6:00 p.m., City Council Chambers

#### FEBRUARY, 2020

- 3\* Regular Meeting 6:00 p.m., City Council Chambers
- 10\* Special Meeting/Study Session 6:00 p.m., City Council Chambers
- 24\* Regular Meeting 6:00 p.m., City Council Chambers

## **MARCH, 2020**

- 2\* Regular Meeting 6:00 p.m., City Council Chambers
- 16\* Regular Meeting 6:00 p.m., City Council Chambers

<sup>\*</sup> meeting is webstreamed and televised



## City of Gilroy

STAFF REPORT

Agenda Item Title: Consideration of an Urban Service Area Request to Incorporate

Approximately 55.66 Acres Located West of Wren Avenue, South of Vickery Avenue, and North and South of Tatum Avenue; and Just Outside the Northern City Limits Northeast of the Intersection of Vickery Lane and Kern Avenue, APNs 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the Urban Service Area of the City of Gilroy; Applicants Wren Investors, LLC c/o Dick Oliver and Mark

Hewell and David Sheedy (USA 12-01 and USA 14-02)

Meeting Date: January 27, 2020

From: Gabriel Gonzalez, City Administrator

Department: Community Development Department

Submitted By: Karen Garner Prepared By: Karen Garner

Melissa Durkin



☐ Fiscal Stability



☐ Downtown
Revitalization



☐ Economic

Development

## Strategic Plan Goals



☐ Neighborhood Services



☐ Enhanced Public Safety



☐ Workforce Stability



☐ Public Engagement

## RECOMMENDATION

Adopt a resolution of the City Council of the City of Gilroy approving the Wren Investors and Hewell Urban Service Area Amendment mitigated negative declaration and mitigation monitoring and reporting program and approving urban service area applications USA 12-01 and USA 14-02, incorporating approximately 56 acres into Gilroy's urban service area, Assessor Parcel 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, filed by Wren

Investors, LLC and Mark Hewell and David Sheedy.

## **EXECUTIVE SUMMARY**

The proposed urban service area (USA) request would incorporate +/-55.66 acres into Gilroy's USA. Although the city currently has more than a five-year supply of vacant residential land, the Wren Investors/Hewell property will have a lengthy entitlement process, one that could span several years. Staff anticipates that most of Gilroy's vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

Incorporating the Wren Investors/Hewell property into Gilroy's USA boundary would allow the property to potentially be annexed and developed. According to the fiscal impact analysis for this project, prepared by Applied Development Economics, annexing and developing the property would cause the City to incur future general fund net expenditures<sup>1</sup>. After ten years, the annual general fund net expenditures would be \$166,681. These net expenditures could be offset by requiring the property developers to establish a community facilities district (CFD) and/or other funding mechanisms to provide services to this property. The CFD would require future property owners to bear the cost of providing ongoing City services to their properties.

## **POLICY DISCUSSION**

## **Policy Question**

Should the City Council approve an urban service area (USA) amendment?

#### Con

Given the City Council's strategic goal to ensure financial stability, this USA amendment would increase City net expenses and add to the operational capacity deficit, if not carefully mitigated.

<sup>&</sup>lt;sup>1</sup> Net expenditures are the increased per capita expenditures associated with the project minus increased revenues resulting from the project.

#### Pro

The USA would increase the City's ability to meet the Regional Housing Needs Allocation (RHNA) requirements.

## **BACKGROUND**

## **Urban Service Area Amendment Requests**

Gilroy's USA is a planning boundary that the City uses to identify property suitable for annexation and development within a five-year horizon. City staff processes USA amendment requests and sends them to the Planning Commission for review and to the City Council for approval. However, the City Council's approval of a USA request only allows an application to be filed with the Santa Clara County Local Agency Formation Commission (LAFCO) for consideration of the request. LAFCO has the ultimate authority to approve or deny all USA amendment requests, such that amendment requests that are approved by the Gilroy City Council are not effective unless and until they are also approved by LAFCO.

In reviewing USA requests, the City considers (1) whether there is currently an adequate supply of land to meet development needs within the next five years, (2) whether services can be provided to the site within the next five years, and (3) the fiscal impacts of allowing the property to annex and develop. In addition, the City considers the application's consistency with LAFCO's USA amendment policies. These issues are discussed below in the analysis section of this staff report.

## **Project Background**

Wren Investors began processing a USA request for a portion of this site in 2000 [Ref: USA 00-02]; that request encompassed all of the property included in the current Wren Investors request plus one additional parcel. USA 00-02 proceeded to the Gilroy Planning Commission and City Council as part of the 2008 USA request. USA 00-02 was ultimately not approved by the City Council and, therefore, not forwarded to LAFCO for consideration. The Council expressed the following concerns about USA 00-02:

- Negative fiscal impacts on the Gilroy Unified School District;
- Negative fiscal impacts on the City;
- Inadequate police and fire response times to the site;
- Undesired environmental impacts resulting from the project; and
- That no project design details were submitted as part of the CEQA analysis.

The Hewell portion of this site has not been the subject of a prior independent USA request.

Wren Investors submitted the USA 12-01 amendment request in 2012, and Mark Hewell and David Sheedy submitted USA 14-02 in 2014. Before either of these applications could be processed, a third USA application, USA 14-01, was submitted by Jeffrey Martin c/o Martin Limited Partnership. USA 14-01 encompassed 721 acres north of Gilroy City limits, and included both the Wren Investors and Hewell properties. The Wren Investors and Hewell properties had to be included in USA 14-01 to avoid creating an unincorporated island.

Since both the Wren Investors and Hewell properties were included in USA 14-01, the applicants agreed to place processing of USA 12-01 and USA 14-02 on hold while the City Council considered USA 14-01. The Gilroy City Council ultimately denied USA 14-01, so it was not submitted to LAFCO for consideration. Since the Wren Investors and Hewell properties were not incorporated into the urban service area via USA 14-01, both applicants request to continue processing their USA applications at this time.

#### Measure H

On November 8, 2016, Gilroy voters approved Measure H, a ballot measure that added an urban growth boundary to Gilroy's general plan area. The urban growth boundary prevents development of land outside the boundary's limits, unless voters specifically approve the development. The Wren Investors and Hewell properties are located inside the urban growth boundary, and therefore could be annexed and developed, if the USA amendment request is approved.

#### **Planning Commission Action**

The Planning Commission recommended approval of Urban Service Area Amendment applications USA 12-01 and USA 14-02 by a vote of 6-0-1 at their October 17, 2019 meeting. The Commission's primary concerns related to potential fiscal impacts to the City if the sites ultimately annex and develop. There was no public comment related to these applications.

## **Initial Study/Mitigated Negative Declaration Comments**

Staff received comments from the Gilroy Bicycle Pedestrian Commission (BPC), Santa Clara County LAFCO and Valley Water. The BPC comments related to future development of the site that is not contemplated as part of this application. This letter did not raise any environmental issues; therefore no response was needed. However, the BPC's comments will be incorporated into future project design. LAFCO staff's comments related to the project's consistency with LAFCO policies and clarification of other issues addressed in the initial study/mitigated negative declaration. The response letter addresses each of LAFCO staff's comments. Valley Water staff's comments related to the need for access to a Valley Water channel and mitigating storm water runoff. These issues would be addressed as part of future development entitlements.

The comment letters and staff's responses to them are included as an attachment to this staff report. None of the comments would change the conclusions of the MND. As such, no significant adverse effects are expected to result from the proposed project, and the City Council can make findings to adopt the MND.

## **ANALYSIS**

## **Conceptual Site Plan**

The developers have submitted conceptual site plans for this property that show a possible development scenario (see initial study/MND figures 5 and 6). The conceptual site plans show the following development within the USA amendment boundary:

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Total	55.66	307

At this time, no development is proposed for this site and no development applications have been submitted. The conceptual site plan has not been vetted or endorsed by staff; it is simply a plan that shows a potential development scenario for purposes of environmental analysis. The conceptual design does not vest the developer or neighboring properties with any design approvals.

## **Fiscal Impact Analysis**

A fiscal impact analysis has been prepared for the proposed USA request by Applied Development Economics in accordance with state law and LAFCO policies [see attachment]. The fiscal impact analysis estimates the project will create an initial deficit of \$107,122 per year. This cost/revenue gap will continue to widen over time. Pages 13 and 14 of the fiscal impact analysis, summarized here, show the ten-year cost/revenue projections for this project, which grows to \$166,681 by Year 10:

Year	Year 1	Year 2	Year 3	Year 4	Year 5
<b>Annual Deficit</b>	(\$107,222)	(\$113,683)	(\$120,508)	(\$127,606)	(\$134,985)

Year	Year 6	Year 7	Year 8	Year 9	Year 10
Annual Deficit	(\$139,984)	(\$146,972)	(\$153,303)	(\$159,870)	(\$166,681)

The fiscal impact analysis proposes some potential alternative funding methods that could defray some of the costs of providing services to this site. These alternatives include a community facilities district (CFD), which would fund maintenance of facilities and operation costs for public services such as police and fire protection. The City currently uses CFDs to fund maintenance and operation costs related to landscaping and sound walls. Using CFDs, or any of the other potential funding mechanisms, to fund other operations and/or staffing would need to be fully vetted to determine whether these are viable sources of long-term revenue that could be used to offset project costs.

## **Vacant Land Inventory**

Residential and commercial vacant land inventories have been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. The residential vacant land inventory determined the total number of potential units outside of the Downtown is 2,394 units; the total number of remaining units that could be built Downtown, based upon the of approved "Downtown Gilroy Specific plan," is 909 units.

Over the next 10 years, the City of Gilroy projects to issue 3,045 residential building permits for projects outside of the Downtown. This is an average of 305 permits per year. Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land adequate to

build 2,394 units, the city has adequate land to serve future residential growth for approximately eight years (2,394/305 = 7.85). If the 909 Downtown units are added to this total, Gilroy has the land capacity to build up to 3,303 units (2,394 + 909), or about 11 years of residential development (3,303/305 = 10.83). Expanding the USA boundary to include the Wren Investors and Hewell properties would add 307 units to the vacant land inventory, resulting in land that could produce 3,610 residential units. Using a development rate of 305 units per year, the proposed USA expansion would increase the city's supply of undeveloped residential land to about 12 years (3,610/305=11.8), if Downtown development is included.

Although the city currently has more than a five-year supply of residential land, the Wren Investors/Hewell property would have a lengthy entitlement process, one that could span several years. Staff anticipates that most of the vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs and Regional Housing Needs Allocation (RHNA) requirements.

#### Plan for Services

A plan for services has been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. The plan addresses how the City would provide services to the project site upon annexation, and how other agencies would provide services upon development of the site. If Gilroy does not expand its USA boundary, the City might have to re-zone job-producing lands to residential zones to meet RHNA requirements.

School District Impacts: Future development of the amendment areas consistent with the existing general plan would result in additional students and increase the demand for school services. The cumulative student generation estimates include a total of 103 new students, of which 54 would be Kindergarten–5<sup>th</sup> grade students, 20 would be 6<sup>th</sup>–8<sup>th</sup> grade students, and 29 would be high school students. New students would attend schools within the Gilroy Unified School District (GUSD). GUSD assesses its own development impact fee to address facility and infrastructure needs. It is anticipated that GUSD has adequate capacity to accommodate students that would be generated by development of the property involved in this application.

<u>City Facilities and Services</u>: The City's ability to provide public services and facilities required by new growth is a fundamental policy consideration for all USA amendments. Future development of this site, consistent with the existing General Plan land use designation of Neighborhood District, would be expected to generate cumulative incremental increases in demand for City services and facilities. Overall, the future development within the amendment area is consistent with existing General Plan land use designations. Facility and infrastructure master plans have been prepared by the City to support the adopted General Plan. The development

anticipated would not require major infrastructure beyond that identified in the General Plan and subsequent implementing master plans. The developer will fund all infrastructure needed to serve this site and pay required development impact fees.

However, funding for emergency response and public safety resources is provided by the general fund, and is not supported by development impact fees. Funding for necessary staff to support future growth in the amendment area will be a continuing challenge for the City. This funding issue could be offset by the use of a CFD to pay for services provided to this area.

General Plan Update: The City of Gilroy is in the process of creating the Gilroy 2040 General Plan. The General Plan expresses the community's long-term vision of city growth and development. The plan establishes public policy for the distribution of future land uses, both public and private, and addresses a wide range of policies, including economic development, transportation, safety, infrastructure, housing, parks, recreation and open space, historic preservation, and the environment.

The property involved in this application is located within the Gilroy 2040 General Plan Focus Area 1. Four potential land use concepts are identified for consideration in this area. Concepts 1 and 2 reflect two different mixes of residential density (Neighborhood District Low and Neighborhood District High). Concepts 3 and 4 comprise these two alternate residential densities, together with an Employment Center designation applied to the eastern portion of the area. Employment Center provides a wide range of employment land uses, including manufacturing, light industrial, research and development, office and regional retail commercial, and allows more intense development, resulting in greater potential employment capacity.

The General Plan Advisory Committee and the Planning Commission selected Neighborhood District High and Employment Center for Focus Area 1. On November 18, 2019, the City Council affirmed this land use alternative. The General Plan will reflect the Neighborhood District High and Employment Center land use and the General Plan EIR will analyze impacts of that land use.

The conceptual development plan contained in the Wren Investors & Hewell initial study/MND reflects the current General Plan Neighborhood District land use densities. The Neighborhood District High designation requires a higher density than the current land use designation. This new designation will not take effect until adoption of the General Plan, expected in winter 2021. The developer will design a new land use plan that reflects the land use densities in effect at the time the property obtains entitlements.

#### **ALTERNATIVES**

- 1. The proposed USA request complies with City goals and policies, and generally complies with LAFCO policies. Therefore, the City Council could adopt a resolution approving urban service area applications USA 12-01 and USA 14-02. STAFF RECOMMENDS THIS OPTION because it would allow Gilroy to continue meeting its RHNA obligations. If the City Council elects this option, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a pre-annexation agreement.
- 2. The City Council could deny this urban service area request if the Council determines that incorporating the subject property is not in Gilroy's best interest. A denial would leave this property in the County without the ability to annex into Gilroy City limits. STAFF DOES NOT RECOMMEND THIS OPTION because Gilroy's supply of available residential land is rapidly diminishing.

## FISCAL IMPACT/FUNDING SOURCE

The applicants paid all costs associated with processing these USA amendment requests. The future costs of the LAFCO process and annexation and entitlement applications will also be paid by the applicants.

If this USA amendment request is approved, staff recommends that the City explore avenues to ensure that projects will be at least General Fund neutral prior to annexation, to ensure the City can adequately provide services to future residents. This is very important given the City's existing operational capacity deficit.

#### **CONCLUSION**

Due to the need to prepare a Specific Plan for this property, it is likely that it will be several years before the applicants have entitlements to develop this site. By the time the developers have land entitlements, it is likely that the city will have only a few years of vacant residential land. Further, the subject property is located within Gilroy's urban growth boundary, and is therefore eligible for development.

If this USA amendment is approved, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a pre-annexation agreement. In accordance with the City's Neighborhood District Policy, a Specific plan will be required for this property and other properties within this Neighborhood District area.

Staff recommends approval of this USA request because (1) there is a diminishing availability of land to satisfy State RHNA requirements, (2)the property is within Gilroy's urban growth boundary, (3) the City has the ability to mitigate the negative fiscal impact with a CFD or alternative funding mechanism on this site, and (4) it is consistent with current General Plan policies and goals.

## **NEXT STEPS**

If the City Council approves the request, the City will submit a USA amendment application to LAFCO for consideration. It is expected that the application would be submitted to LAFCO by spring of 2020.

## **PUBLIC OUTREACH**

Property owner information (i.e. list, labels, and map) within 500 feet of the subject site were generated by First American Title Company using current ownership data. On January 15, 2020 notices of this meeting were mailed to the property owners along with other interested parties. In addition, the property has been posted with on-site signage notifying passersby of pending development, and the City Council public hearing packets are available through the City's webpage.

#### **Attachments:**

- 1. Vicinity Map
- 2. Planning Commission Staff Report
- 3. Fiscal Impact Analysis
- 4. Wren Investors and Hewell Vacant Land Survey October 2019
- 5. Wren Hewell\_Plan for Services
- 6. Letters and Response to Comments
- 7. Resolution USA 12-01 and 14-02
- 8. Resolution Exhibit A Mitigated Negative Declaration
- 9. Resolution Exhibit B Mitigation Monitoring and Reporting Program
- 10. Public Comments USA 12-01 USA 14-02



Figure 2

## Aerial Photograph







## Community Development

Greg Larson

## Department

7351 Rosanna Street, Gilroy, California 95020-61197 Telephone: (408) 846-0451 Fax (408) 846-0429 http://www.cityofgilroy.org

DATE: October 17, 2019

TO: Planning Commission

FROM: Julie Wyrick, Planning Manager

SUBJECT: USA 12-01 (#12070023) and USA 14-02 (#14070058): an urban

service area amendment to include Assessor Parcel Numbers 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the urban service area of the City of Gilroy. The 50.3-acre Wren Investors project site is generally located west of Wren Avenue, south of Vickery Avenue, and north and south of Tatum Avenue. The 5.36-acre Hewell site is

located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. This request is commonly known as the Wren Investors and Hewell Urban Service Area Amendment. The property is mostly undeveloped, although some single-family homes and the Gilroy Unified School District Farm Site are included within the subject site. This request

approximately 56 acres, comprising the subject parcels, and does not include any development at this time. Applications filed by Wren Investors, LLC c/o Dick Oliver, 385 Woodview Avenue, #100, Morgan Hill, CA 95037; and Mark Hewell and David Sheedy, P.O.

proposes a change to the urban service area boundary to include

Box 1901, Gilroy, CA 95021.

## Request:

Staff has analyzed the proposed project and recommends that the Planning Commission (Roll Call Vote):

- a) Consider and recommend that the City Council adopt the mitigated negative declaration prepared for the project, based on findings required by the California Environmental Quality Act (CEQA); and
- b) Adopt a resolution recommending that the City Council approve the Wren Investors and Mark Hewell and David Sheedy Urban Service Area Amendments (USA 12-01 and USA 14-02).

#### **EXECUTIVE SUMMARY:**

Wren Investors and Mark Hewell request inclusion of 55.66+/- acres into Gilroy's Urban Service Area (USA). City staff has prepared a vacant land survey (attached) that determined there is currently at least an eight-year supply of vacant residential land within the city's USA; there would be at least a nine-year supply of vacant residential land if the USA amendment request were approved. The local agency formation commission (LAFCO) has ultimate approval authority over USA amendment requests, and generally will not approve a USA amendment if a city has more than a five-year supply of vacant land.

Although the city currently has more than a five-year supply of vacant residential land, the Wren Investors/Hewell property will have a lengthy entitlement process, one that could span several years. Staff anticipates that most of Gilroy's vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

Incorporating the Wren Investors/Hewell property into Gilroy's USA boundary would allow the property to potentially be annexed and developed. According to the fiscal impact analysis prepared for this project (attached), annexing and developing the property would cause the city to incur a loss of general fund revenue. After ten years, the general fund revenue loss would be \$166,681 per year. The loss of revenue could be offset by requiring the property developers to establish a community facilities district (CFD) and/or other funding mechanisms to provide services to this property. The CFD would require future property owners to bear the cost of providing City services to their properties.

If this Urban Service Area amendment is approved, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a preannexation agreement. In accordance with the City's Neighborhood District Policy, a Specific plan will be required for this property and other properties within this Neighborhood District area.

## **BACKGROUND:**

Urban Service Area Amendment Requests

Gilroy's USA is a five-year planning boundary that the city uses to identify property suitable for annexation and development within a five-year horizon. City staff processes USA amendment requests and sends them to the Planning Commission for review and City Council for approval. However, the City Council's approval of a USA request allows an application only to be filed with the Santa Clara County Local Agency Formation Commission (LAFCO) for consideration of the request. LAFCO has the ultimate authority to approve or deny all USA amendment requests, such that amendment requests that are approved by the Gilroy City Council are not effective unless and until also approved by LAFCO.

In considering USA requests, the city considers whether there is currently an adequate supply of land to meet development needs within the next five years; whether services can be proved to the site within the next five years; and the fiscal impacts of allowing the property to annex and develop. In addition, the city considers the application's consistency with LAFCO's USA amendment policies. These issues are discussed below in the analysis section of this staff report.

Wren Investors began processing an USA request for this site in 2000 [Ref: USA 00-02]; that request included all of the property included in the current request plus one additional parcel. USA 00-02 proceeded to the Gilroy Planning Commission and City Council as part of the 2008 USA request. USA 00-02 was ultimately not approved by the City Council and, therefore, not forwarded to LAFCO for consideration. The Council expressed the following concerns about USA 00-02:

#### That there would be:

- Negative fiscal impacts on the Gilroy Unified School District;
- Negative fiscal impacts on the city;
- Inadequate police and fire response times to the site;
- Undesired environmental impacts resulting from the project; and
- That no project design details were submitted as part of the CEQA analysis.

The Hewell site has not been the subject of a prior independent USA request.

Wren Investors submitted the USA 12-01 amendment request in 2012, and Mark Hewell and David Sheedy submitted USA 14-02 in 2014. Both applicants agreed to place application processing on hold while the City Council considered the proposed 721-acre Rancho 101 Urban Service Area (USA 14-01; Project # 14070057). The Wren Investors and Hewell USA requests were contained within the Rancho 101 USA request. The Gilroy City Council ultimately denied the Rancho 101 USA request, so it was not submitted to LAFCO for consideration. At this time, Wren Investors, Mark Hewell and David Sheedy request to continue processing their USA requests.

#### Measure H

On November 8, 2016, Gilroy voters approved Measure H, a ballot measure that added an urban growth boundary to Gilroy's general plan area. The urban growth boundary prevents development of land outside its limits, unless voters specifically approve the development. The Wren Investors and Hewell properties are located inside the urban growth boundary, and therefore could be annexed and developed, if the USA amendment request is approved.

**Subject Property and Surrounding Land Uses:** The subject site is mostly undeveloped, although some parcels contain rural single-family homes and associated accessory structures, as well as small-scale agricultural operations.

## **Surrounding Properties and Land Uses:**

LOCATION	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Undeveloped; Single- Family Homes; Drainage Channel; Small-scale Agricultural uses; GUSD Farm Site	Neighborhood District; Park/Recreation Facility	N/A
North	Single-Family Home; agricultural land	Neighborhood District	ND/PUD; N/A
South	Single-Family Homes	Low Density Residential	R1
East	Undeveloped park land; Antonio del Buono School; Apartments; Single-Family Homes	Park/Recreation Facility; Educational Facility; High Density Res.; Low Density Res.; Neighborhood District	PF; R3; R1; ND/PUD
West	Rural Residential; Agricultural uses; and single-family homes	Neighborhood District; Low Density Residential; Medium Density Residential	N/A; R1/PUD; and R3/PUD

**Environmental Assessment:** In accordance with the California Environmental Quality Act (CEQA), an initial study was prepared to evaluate any potentially significant adverse effects of the proposed project on the environment. The initial study identified potentially significant impacts in four separate areas, summarized below. The entire MND/initial study document is available at the following link:

http://www.cityofgilroy.org/298/Development-Activity-Projects

## Air Quality

The adjacent residences could be exposed to dust and equipment exhaust during construction of any future development of the Wren and Hewell sites, which would be a significant impact. However, compliance with the City's standard conditions of approval for the control of dust during construction would reduce exposures to construction dust to a less-than-significant level.

#### Biological Resources

Construction activities, including tree/shrub removal and ground disturbance, have the potential to impact nesting birds protected under the federal Migratory Bird Treaty Act and California Fish and Game Code, should nesting birds be present during construction. If protected bird species are nesting in or adjacent to the project site during the bird nesting season (February 1 through August 31), then noise-generating construction activities and/or vegetation removal could result in the loss of fertile eggs or nestlings, or otherwise lead to the abandonment of nests.

Trees may exist on the Wren Investors site that may qualify as Protected Trees based on Section 30.38.270 of the City Code. The Hewell project site contains one 12-inch diameter native northern California black walnut tree located behind the rural residence. Removal of any protected tree(s) is subject to the approval of the Planning Division Manager, consistent with the Protected Trees section of the City Code, Section 30.38.270. The City relies on the site-specific recommendations of a certified arborist to mitigate impacts to individual significant trees.

#### Cultural Resources

Future development of the project site has the potential to affect surviving historicera structures on the project site, either through modification or demolition in preparation of new residential development.

#### Noise

The increase in noise associated with future development of the project site could result in significant noise impacts to vicinity sensitive receptors; however, until a development project is designed and an application submitted to the City for processing, actual noise impacts cannot be adequately evaluated.

The initial study identifies eight mitigation measures that would reduce the potentially significant impacts to a less-than-significant level. These mitigation measures are proposed for adoption through the mitigated negative declaration (MND), attached to this staff report.

On August 29, 2019 (Wren Investors) and September 2, 2019 (Hewell), the applicants agreed to the recommended mitigation measures to address the identified adverse effects. The initial study/MND was circulated and made available for public review at the Gilroy Public Library, the Planning Division public counter, and on the Planning Division webpage (www.cityofgilroy.org/planning) for the requisite comment period, from September 6, 2019 through October 7, 2019.

As of this report's date, staff received comments from the Gilroy Bicycle Pedestrian Commission (BPC), Santa Clara County LAFCO and Valley Water. The BPC comments related to future development of the site that is not contemplated as part of this application; LAFCO's comments related to consistency with LAFCO policy issues and other clarifying information; Valley Water comments related to the need for access to the channel that is within the boundaries of the site and mitigating runoff. None of the comments would change the conclusions of the MND. As such, no significant adverse effects are expected to result from the proposed project, and the Planning Commission can make findings to recommend adoption of the MND.

## **ANALYSIS:**

**General Plan Consistency:** The City's General Plan designates the subject site for Neighborhood District uses, but the proposed USA amendment request does not include any development at this time. Thus, the following analysis reviews the project's conformance with General Plan policies related to Urban Service Area expansions, rather than the potential future development of this property. Key goals and policies,

which pertain to the proposed project, are discussed below:

POLICY #	TITLE AND SUMMARY	ANALYSIS
1.01	Pattern of Development.  Ensure orderly, contiguous pattern of development that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.	The proposed Urban Service Area amendment would provide a contiguous pattern of development because it logically extends Gilroy's Urban Service Area boundary along Tatum Avenue, Vickery Avenue, and Wren Avenue. Future development on this site would need to comply with the "Neighborhood District Policy," which encourages compact and efficient development. As part of a larger future Specific Plan that would be developed for this area, this site would be developed to preserve open spaces and avoid land use incompatibilities.
		Like all Urban Service Area requests, this property is on the fringe of Gilroy, such that future development on this site would result in greenfield development (i.e. development of previously undeveloped land), rather than infill development. However, the Specific Plan and entitlement process required prior to development of this site is expected to take several years. Gilroy currently has an approximate eight-year supply of undeveloped residential land, so Gilroy's existing vacant land inventory would be largely depleted by the time the Wren Investors/Hewell property is poised for development. Furthermore, this property is located within Gilroy's Urban Growth Boundary, so development of this site would not negatively impact open space lands.
		Staff Determination of Consistency: Consistent
2.01	Location of Growth.  Maximize existing infrastructure and service investments by directing new growth to vacant and underutilized lands within the	The city currently has an approximate eight- year supply of undeveloped residential land (11 years, if properties Downtown are included). The commercial component of the USA request is minor and has little impact on the city's supply of vacant

POLICY#	TITLE AND SUMMARY	ANALYSIS
	Urban Service Area. As a second-tier priority, direct new development to areas	commercial land.
	that border on existing urban development or are immediately adjacent to the Urban Service Area.	Much of the vacant land within the city is entitled as part of the Glen Loma Ranch Specific Plan development, and would develop before the Wren Investors/Hewell property has completed its entitlement process. The proposed USA amendment area does border on existing urban development and the existing USA boundary, such that approval of this USA amendment would not create "leap frog" development.
		Greenfield development is significantly easier and cost effective for developers than infill sites. With a limited investment pool and limited market absorption rates for new housing in Gilroy, facilitation of greenfield development (such as that proposed with the subject USA amendment) disincentivizes infill development in the downtown, on 1st Street, 10th Street, Leavesley Road, and other infill areas. Infill development offers more positive fiscal, environmental, and quality of life outcomes than greenfield development for the community.
		Gilroy's Urban Growth boundary significantly limits Gilroy's expansion potential. Coupled with the requirement to build housing in compliance with the state's Regional Housing Needs Allocation (RHNA), staff expects that much of Gilroy's developable infill property will have developed before the Wren Investors/Hewell property has completed its entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future

Rate and Timing of Growth.	residential growth requirements.  Staff Determination of Consistency: Consistent  While infrastructure would be in place prior
	Consistent
	While infrastructure would be in place prior
Ensure that the rate of growth is controlled such that resource and system capacity constraints are not exceeded and necessary urban services are funded, implemented and completed prior to occupation of new buildings.	to occupancy of buildings within this development, according to this project's fiscal impact analysis, development of this site would result in an initial net negative fiscal impact of \$107,122. This deficit would grow each year, as property tax revenue does not increase commensurately with the costs of providing services. After ten years, the annual revenue loss would be \$166,681. Similarly, Santa Clara County would incur lost revenue with development of this project.  The result of the proposed USA would be increased service needs with <i>reduced</i> funding for the provision of services. For example, the Police Department has expressed concerns about the need for additional officers as the city boundaries expand; however, the \$107,122 annual deficit could mean the city would need to <i>reduce</i> service levels in the larger organization. If this USA amendment request is approved, staff recommends that the developer be required to place these properties in a community facilities District (CFD) which would pay for the city's cost to serve this site.
	Staff Determination of Consistency: Consistent, with the requirement to enter into a CFD
Growth Management Tools and Process.  Utilize the RDO, Urban Service Area, 20-Year	The subject property is within the 20-Year Planning Boundary; adequate sewer treatment and disposal capacities exist to serve this site; and development of the site would be subject to obtaining USA
	growth is controlled such that resource and system capacity constraints are not exceeded and necessary urban services are funded, implemented and completed prior to occupation of new buildings.  Growth Management Tools and Process.

POLICY#	TITLE AND SUMMARY	ANALYSIS
	Planning Boundary, sewer treatment and disposal capacities, and natural resource management policies as tools for managing the rate, location and extent of growth.	amendment approval and RDO allocations (If applicable). A Specific Plan for the larger area would need to evaluate how the proposed development will achieve the city's natural resource management objectives; however, the proposal would result in the reduction of agricultural and open space lands surrounding the city.
		Staff Determination of Consistency: Consistent
2.07	Urban Service Area.  Establish and maintain an Urban Service Area that indicates the area of land that could potentially be developed in the next 5 years and to which the City is committed to providing basic infrastructure and services.	The city currently has an approximate eight- year supply of undeveloped residential land at this time (11 years, if properties Downtown are included). Expanding the USA boundary to include this property would result in the city having an approximate nine-year supply of undeveloped residential land (12 years, if properties Downtown are included), assuming the property would create 307 residential units.
		Although the city currently has more than a five-year supply of residential land, staff anticipates that most of that land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.
		Staff Determination of Consistency: Consistent
4.03	Urban Containment.  Contain urbanization within an area large enough to meet foreseeable need but	The proposed USA amendment request would expand the city's Urban Service Area to meet foreseeable residential development needs.

POLICY #	TITLE AND SUMMARY	ANALYSIS
	which will not intrude unnecessarily on, cause premature conversion of, or impair the productivity of agricultural lands.	Staff Determination of Consistency: Consistent
17.02	New Residential Development.  Control the timing and location of new residential development in a way that allows the Gilroy Unified School District to plan and finance facilities in an orderly fashion.	New residential development within this area will be required to pay impacts fees to the GUSD to build new schools for the students generated by such development.  Staff Determination of Consistency: Consistent
17.03	Development Approvals and School Capacity.  Verify the remaining capacity in local schools as part of the review process for residential subdivisions, with adequate school capacity being a condition for development approval.  When capacity is limited, coordinate development approval approvals with the scheduling of capital funds for school expansion and/or improvements.	Students within this subdivision will be assigned to schools once the residential units are constructed. Given the recent decline in school populations, it is likely that adequate school capacity will exist to serve future students.  Staff Determination of Consistency: Consistent

The City of Gilroy is in the process of creating the Gilroy 2040 General Plan. The General Plan expresses the community's long-term vision of city growth and development. The plan establishes public policy for the distribution of future land uses, both public and private, and addresses a wide range of policies, including economic development, transportation, safety, infrastructure, housing, parks, recreation and open space, historic preservation and the environment.

The City Council is expected to select a preferred land use alternative for analysis in the General Plan Environmental Impact Report before the end of this year. Staff expects to present the General Plan Environmental Impact Report and 2040 General Plan to the Planning Commission and City Council for adoption by late 2020.

Analysis of Urban Service Area Request: Wren Investors, LLC and Mark Hewell request inclusion of 55.66+/- acres into Gilroy's Urban Service Area. The developers have included thirteen parcels not under their ownership. This is necessary to create a logical city boundary and to prevent the creation of unincorporated (county) islands within city limits. All thirteen of the other property owners are in agreement with the proposed USA application. The following analysis examines the issues pertinent to this USA amendment request.

Conceptual Site Plan: The developers have submitted conceptual site plans for this property that show a possible development scenario (see initial study/MND figures 5 and 6). The environmental analysis relies on these conceptual plans to determine the maximum development potential for this site. However, this property is a component of the "North Central, South of Buena Vista Avenue Extension" neighborhood district area. This neighborhood district area consists of 366 acres and 136 parcels, all of which will be included in a future comprehensive specific plan. In accordance with the "Neighborhood District Policy," the specific plan would be developed with input from an advisory committee selected by the City Council. The specific plan will be required to meet all tenets of the "Neighborhood District Policy," including the provision of residential units at a mix of densities; reservation of land at prominent intersections for commercial uses; provision of open space for passive and active recreational uses; and provision of affordable housing. The actual land development plan site will be determined through that process.

The conceptual site plans show the following development within the USA amendment boundary:

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

The site plan also shows a possible development scenario for property surrounding the project site for the purpose of comprehensive planning. At this time, no development is proposed for this site and no development applications have been submitted. The conceptual site plan has not been vetted or endorsed by staff; it is simply a plan that shows a potential development scenario for purposes of

environmental analysis. The conceptual design does not vest the developer or neighboring properties with any design approvals.

Fiscal Impact Analysis: A fiscal impact analysis has been prepared for the proposed USA request by Applied Development Economics in accordance with state law and LAFCO policies [see attachment]. The purpose of this analysis is to determine the economic impact that development of the 55.66+/- acres included in the Wren Investors application will have on both the city of Gilroy and the county of Santa Clara. This analysis is required at the USA amendment level to provide decision makers with the information needed to determine whether the city and county can provide urban services to the site without detracting from current service levels, and to identify the fiscal impacts inherent in expanding the USA boundary to include the subject site.

The fiscal impact analysis estimates the project will create an initial deficit of \$107,122 per year. This cost/revenue gap will continue to widen over time. Pages 13 and 14 of the fiscal impact analysis, summarized here, show the ten-year cost/revenue projections for this project, which grows to \$166,681 by Year 10:

Year	Year 1	Year 2	Year 3	Year 4	Year 5
Annual Deficit	(\$107,222)	(\$113,683)	(\$120,508)	(\$127,606)	(\$134,985)

Year	Year 6	Year 7	Year 8	Year 9	Year 10
Annual Deficit	(\$139,984)	(\$146,972)	(\$153,303)	(\$159,870)	(\$166,681)

The fiscal impact analysis proposes some potential alternative funding methods that could defray some of the costs of providing services to this site. These alternatives include a community facilities district (CFD), which would fund construction costs for infrastructure and facilities, maintenance of facilities, and operation costs for public services such as police and fire protection; a landscaping and lighting district (LLD), which could fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets; a maintenance assessment district (MAD), which can fund maintenance of storm drain facilities, water and sewer facilities and other public facilities and infrastructure not covered by LLDs; a homeowners' association (HOA), which can fund maintenance of internal amenities and property within subdivisions or planned unit developments; and developer exactions, which may be able to be used to fund police and fire service. Staff would need to evaluate each of these possible funding methods to determine their legal and financial feasibility.

The city currently uses CFDs to fund maintenance and operation costs related to landscaping and soundwalls. Using CFDs, or any of the other potential funding

mechanisms, to fund other operations and/or staffing would need to be fully vetted to determine whether these are viable sources of long-term revenue that could be used to offset project costs.

As the fiscal impact analysis notes, general tax revenues are insufficient to fund the full costs of services to this site. If the city approves development on this site and is unable to use an alternative method of funding the ongoing provision of services, the city would need to either reduce services to the residents of Gilroy or use General Fund revenues earmarked for other purposes to serve this site, which could have the net effect of reducing services elsewhere. The fiscal impact analysis also projects that Santa Clara County will incur a revenue deficit if this property is incorporated into the city's USA and is developed.

If this Urban Service Area amendment is approved, staff recommends that appropriate funding mechanisms be vetted, and that the developer be required to contractually agree to implement appropriate funding mechanisms prior to annexation, via a pre-annexation agreement.

Vacant Land Inventory: Residential and commercial vacant land inventories have been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. These surveys inventoried all of the undeveloped residential and commercial land within city limits, including land approved for development, such as the Glen Loma Ranch and Hecker Pass specific plan areas. The surveys next determined the number of units that could be built on each lot, based on either actual project plans or maximum potential buildout determined by dividing land area by permitted densities. The commercial component of this project is only 0.4 acres, and is incidental to the development. The addition of this property to Gilroy's commercial inventory has an insignificant impact on the amount of commercial land available, but has been included in the analysis to meet LAFCO requirements. This analysis, therefore, focuses on the residential portion of the vacant land inventory.

The residential vacant land inventory determined the total number of potential units outside of the Downtown is 2,394 units; the total number of remaining units that could be built Downtown, based upon the of approved "Downtown Gilroy Specific plan," is 909 units.

The survey next determined how long it would take to develop available land based on the city's buildout projections. Over the next 10 years, the city of Gilroy projects to issue 3,045 residential building permits for projects outside of the Downtown. This is an average of 305 permits per year. Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land adequate to build 2,394 units, the city has adequate land to serve future residential growth for approximately eight years (2,394/305 = 7.85).

If the 909 Downtown units are added to this total, Gilroy has the land capacity to build up to 3,303 units (2,394 + 909). Applying the same average build out for units

located in and out of Downtown, this allows for about 11 years of residential development (3,303/305 = 10.83). Expanding the USA boundary to include the Wren Investors and Hewell properties would add 307 units to the vacant land inventory, resulting in land that could produce 3,610 residential units. Using a development rate of 305 units per year, the proposed USA expansion would increase the city's supply of undeveloped residential land to about 12 years (3,610/305=11.8), if Downtown development is included.

Although the city currently has more than a five-year supply of residential land, the Wren Investors/Hewell property will have a lengthy entitlement process, one that could span several years. Staff anticipates that most of the vacant residential land would develop before the Wren Investors/Hewell property has completed its entitlement process.

The city also has more than a five-year supply of commercial land, but the commercial component of the Wren Investors/Hewell property, proposed as 0.4 acres, is incidental to the residential component, and would be developed to support residents living in the area. Further, the commercial component of the Wren Investors/Hewell property has a negligible impact on the availability of commercial land in the city, and therefore should not be a determining factor in this USA amendment request.

Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

**Plan for Services:** A plan for services has been prepared for the proposed USA request by EMC Planning Group in accordance with LAFCO policies [see attachment]. The plan addresses how the city would provide services to the project site upon annexation, and how other agencies would provide services upon development of the site.

**School District Impacts:** Future development of the amendment areas consistent with the existing general plan would result in additional students and increase the demand for school services. The cumulative student generation estimates include a total of 103 new students (54 Kindergartengrade five; 20 grade six-eight; and 29 high school students). New students would attend schools within the Gilroy Unified School District, which assesses its own development impact fee to address facility and infrastructure needs.

General Plan Educational Policy 17.02 directs the timing and location of new residential development to occur in a way that allows the Gilroy Unified School District (GUSD) to plan and finance facilities in an orderly fashion. Policy 17.03 states that development approvals and school capacity should be coordinated with the GUSD, with adequate capacity being a condition of approval.

City Facilities and Services: The City's ability to provide public services and facilities required by new growth is a fundamental policy consideration for all USA amendments. Future development of this site consistent with the existing Neighborhood District General Plan land use designation would be expected to generate cumulative incremental increases in demand for City services and facilities. General Plan Policy 2.02, "Rate and Timing of Growth" states that the city should "ensure that the rate of growth is controlled such that resource and system capacity constraints are not exceeded (e.g., water supply, police, and schools), are funded, implemented and completed prior to occupation of new buildings." Overall, the future development within the amendment area is consistent with existing General Plan land use designations. Facility and infrastructure master plans have been prepared by the City to support the adopted General Plan. The development anticipated would not require major infrastructure beyond that identified in the General Plan and subsequent implementing master plans. The developer will fund all infrastructure needed to serve this site and pay required development impact fees.

However, funding for emergency response and public safety resources is provided by the general fund, and is not supported by development impact fees. As discussed above, the fiscal impact analysis projects that the future residential development will result in an overall negative fiscal impact after buildout, with the deficit increasing over time. The fiscal impact analysis only projects the deficit out for a ten-year period. However, this deficit will continue to increase every year because the increases in tax revenue are not expected to increase as fast as the cost to serve this site. Funding for necessary staff to support future growth in the amendment area will be a continuing challenge for the City. This funding issue could be offset by the use of a CFD to pay for services provided to this area.

Timing of Urban Service area Requests: The Local Agency Formation Commission (LAFCO) will consider Urban Service Area requests one time each year from each city in Santa Clara County. A city may not submit additional Urban Service Area amendment applications until LAFCO has heard and acted upon any pending applications from that city. LAFCO may make an exception to the once-a-year limitation when an amendment is needed to carry out a special institutional development or activity that is in the public interest. Such exceptions do not normally apply to proposed residential, commercial, or industrial development.

Gilroy currently has no other USA requests in process.

**Conclusions:** Due to the need to prepare a Specific plan for this property, it is likely that it will be several years before the applicants have entitlements to develop this site. By the time the developer has land entitlements, it is likely that the city will have only a few years of vacant residential land. Further, the subject property is located within Gilroy's urban growth boundary, and is therefore eligible for development.

Furthermore, staff recommends that the city explore avenues to ensure that projects will be at least revenue neutral prior to expanding the USA boundary, such that the city, county, and school district can ensure that it can adequately provide services to future residents.

Due to the diminishing availability of land to satisfy RHNA requirements, inclusion with Gilroy's urban growth boundary, the ability to require a CFD on this site, and consistency with current General Plan policies and goals, staff recommends approval of this USA request.

**Technical Advisory Committee (TAC):** Project plans were routed to Engineering, Building, Police, Finance and Fire representatives for internal review and comment. The TAC considered the project on February 8, 2018. Recommendations of the TAC members have been incorporated into the project plans and/or are included as recommended conditions in attached resolution(s).

**Bicycle Pedestrian Committee (BPC):** This USA amendment request was not presented to the Bicycle Pedestrian Committee (BPC) as no development is currently proposed. Plans will be forwarded to the BPC for review when city staff receives a development proposal. However, the BPC provided staff with comments via the initial study/MND review process. These comments will be incorporated into future development plans.

Gilroy Unified School District (GUSD): The GUSD farm site is one of the properties included in this Urban Service Area request, and the GUSD supports the USA amendment. However, the farm site hosts the GUSD's Future Farmers of America (FFA) program, and is very important to the district. The GUSD opposes development of the school farm site unless the farm operation is relocated to another site acceptable to the GUSD.

As no development is currently proposed, there are no plans to develop the farm site. The GUSD would be signatory to any future development of its property. In addition, if the GUSD elects not to develop its farm site, staff would recommend that future residential developments surrounding the site disclose to buyers that the GUSD has the right to continue the farming operation.

**Noticing:** Property owner information (i.e. list, labels, and map) within 500 feet of the subject site were generated by First American Title Company using current ownership data. Prior to October 6, notices of this Planning Commission meeting were mailed to the property owners along within other interested parties. In addition, the property has been posted with on-site signage notifying passersby of pending development, and the Planning Commission public hearing packets are available through the City's webpage.

**Appeal Procedure:** The Planning Commission's action is not final, but rather a recommendation. As such, the matter will be considered by the City Council at a later date.

#### **Next Steps:**

Should the Planning Commission make a recommendation to the City Council, the next step in this process would be to present the proposed Urban Service Area amendment request to the City Council. If the City Council approves the request, the City will submit a USA amendment application to LAFCO for consideration. It is expected that the application would be submitted to LAFCO by spring of 2020.

#### **Attachments:**

- 1. Vicinity Map
- 2. Initial Study MND Link
- 3. Fiscal Impact Analysis
- 4. Wren Investors and Hewell Vacant Land Survey October 2019
- 5. USA 1201 1402 PC Reso
- 6. Wren Hewell\_Plan for Services



# **September 30, 2019**

# FISCAL IMPACT ANALYSIS OF THE WREN INVESTORS AND HEWELL URBAN SERVICE AREA AMENDMENT TO THE CITY OF GILROY AND THE COUNTY OF SANTA CLARA

Prepared for the City of Gilroy

Prepared by

#### APPLIED DEVELOPMENT ECONOMICS, INC.

3527 Mt. Diablo Blvd. #248 ■ Lafayette, CA 94549 925.934.8712 ■ www.adeusa.com



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# **EXECUTIVE SUMMARY**

The City of Gilroy has an application from Wren Investors and the Hewell project sponsors to amend the City's Urban Service Area (USA). No development is proposed at this time; however, conceptual development plans have been submitted for purposes of showing how the property could be developed, consistent with the City General Plan land use designation of Neighborhood District. This report analyzes and describes the fiscal impacts to both the City of Gilroy and the County of Santa Clara of future development of the properties.

#### LAFCO REQUIREMENTS

California law governs the process for land annexation and government reorganizations for local governments in the state. Each California County maintains their own Local Agency Formation Commission (LAFCO) and, as such, the Santa Clara County LAFCO will oversee the Wren Investors and Hewell Annexation USA amendment process. Under state law and Santa Clara County LAFCO regulations is a requirement that during the application process a detailed fiscal impact analysis be completed in order to determine the fiscal and service impacts to the City and the County as a result of a proposed annexation.

Specifically, LAFCO requires that the proposed amendments be evaluated to determine;

- the ability of the City to provide urban services to the growth areas without detracting from current service levels,
- the impacts of the proposed City expansion upon the County as a provider of services, and
- the fiscal impacts of the proposed projects to the City and County.

The Santa Clara County LAFCO also takes into consideration impacts to school district and special district service provision, regional housing needs, environmental impacts, and water availability. The Santa Clara County LAFCO also further defines the precise estimates to be included in the fiscal impacts to County government services, which are: projecting resident and employee generation, projecting revenue and expenditure estimates for the base year after development completion, then at five and ten years thereafter, and projecting the net County General Fund impact for the new service population.

This analysis adheres to LAFCO requirements for the completion of the fiscal impacts of the proposed USA amendment. In particular, this analysis provides a description of the existing fiscal conditions of the City and County, an estimate of the fiscal impacts of the proposed USA amendment area at buildout and in a subsequent 10 year time frame from development completion. The Public Services Plan prepared by EMC Planning Group, Inc. has estimated the public service impacts resulting from the proposed project, and is used in this analysis to determine whether service cost deficiencies exist for the proposed project. In addition to impacts to the City of Gilroy, the Public Service Plan addresses impacts to the school district and the Santa Clara Valley Medical Center. Taken together, these two reports address the analyses required under LAFCO USA amendment guidelines.

At anticipated build-out, future development of the two project areas would create an additional 307 residential units, with an estimated 1,036 new City of Gilroy residents.

The projects would have a negative fiscal impact for both the City of Gilroy and the County of Santa Clara (Table 1). Much of this result is dependent on the home values eventually attained for the project, as the property tax for both the City and the County represents the largest single revenue source from the project. Based on current market data, ADE estimates the units to sell within a range of \$521,800 for multi-family units to \$882,300 for the low density single family units. The analysis is conservative in that it uses an average cost methodology which assumes the projects would require the same level of service and cost expenditure as existing development in the City and the County.

The City impact can be mitigated through imposition of a Community Facilities District or other similar financing mechanism.

TABLE SUMMARY OF ANNUAL FIS INVESTORS AND HEWE	SCAL IMPACTS OF WREN
Fiscal Effects	Total at Buildout
CITY OF GI	LROY
Wren Investors	
Revenues	500,163
Expenditures	598,929
Net Fiscal Impact	(\$98,766)
Hewell	
Revenues	\$102,248
Expenditures	\$110,604
Net Fiscal Impact	(\$8,356)
SANTA CLARA	COUNTY
Revenues	\$824,052
Expenditures	\$858,120
Net Fiscal Impact	(\$34,068)

Source: ADE, Inc.

# CITY AND COUNTY EXISTING FISCAL CONDITIONS

The operating budgets of the City of Gilroy and the County of Santa Clara reflect the current fiscal condition of the respective agencies, including existing fiscal constraints, the prioritization of service objectives by management and elected officials, and the allocation of public resources. The historical nature of physical development within a City and County's boundaries is one significant factor contributing to a local government's fiscal condition. The imposition of statewide tax and service delivery policies also constrains local communities' abilities to generate revenue necessary to pay for basic services. In addition, as was recently the case, external economic factors like the regional and national economy greatly impact revenue generation, which in turn affects funding of existing public services. This section provides a description of the operating budgets for the City of Gilroy and the County of Santa Clara.

#### CITY OF GILROY BUDGET<sup>1</sup>

California local governments are financed through a complex variety of revenue sources such as property and sales taxes, state and federal intergovernmental transfers, and fees. The total City budget consists of the general fund, enterprise funds (water and sewer), debt service funds, capital projects funds, internal service funds, special revenue funds, and select trust and agency funds. The general fund is the focus of analysis in this report, since it must provide services that are dependent on general tax revenues, while most other funds have dedicated revenue sources for specific services.

The City, like nearly every other local government in the nation, experienced significant negative impacts during the recent economic downturn. The impacts included unprecedented numbers of foreclosures, plummeting real estate values and, as a result, reduced property tax revenues. The downturn in the U.S. economy also impacted the City through the decrease in sales tax revenue as consumers spent less on taxable discretionary retail goods. The City reduced staffing levels and service levels during this time. However, for the past eight years, the City has had a balanced budget and has met or exceeded its General Fund Reserve policies. The City has also increased staffing levels over the past few years.

For this analysis, certain adjustments have been made to both revenues and expenditures in order to focus the analysis on the net cost of providing services with local revenues. On the revenue side, the adjustments are in part state and federal grant funds that are not based on development or population in the City. Additional adjustments are made for one-time building permit or entitlement fees that are only paid at the time a building project is approved and do not fund ongoing operation of City services.

On the expenditure side, these revenue adjustments are subtracted from the respective departmental service costs to calculate the net cost of providing ongoing services supported by annual local revenue sources. Expenditure adjustments also include capital expenditures, since the focus of this part of the analysis is on annual operating costs for City services.

<sup>&</sup>lt;sup>1</sup> City of Gilroy budget figures and analysis are derived from the City's FY 2019-2020 Budget.

Table: 2	
CITY OF GILROY GENERAL FUI	ND BUDGET
	2016-2017 Budget
REVENUES	
Property Tax	\$14,977,689
Doc Transfer tax	\$496,287
Sales Tax	\$20,558,683
Transient Occupancy Tax	\$1,402,699
Utility Users Tax	\$4,643,909
Franchise Tax	\$1,724,598
Motor Vehicle Tax	\$32,462
Business Licenses	\$710,435
Building Permits	\$2,889,783
Other Licenses & Permits	\$54,000
Fines & Forfeitures	\$262,730
Intergovernmental	\$141,500
Charges for Services	\$5,669,485
Use of Money & Property	\$475,334
Other Revenues	\$1,463,849
Other Financing Sources	\$142,000
Use of Fund Balance	\$2,178,141
Total General Fund Revenues	\$ 57,823,584
EXPENDITURES	
General Administration	\$7,495,023
Police	\$23,935,803
Fire	\$11,859,279
Public Works	\$5,524,790
Recreation	\$3,835,082
Community Development	\$4,881,988
Total General Fund Expenditures	\$57,531,965
NET SURPLUS/(DEFICIT)	\$291,619

Source: City of Gilroy FY 2020 and FY 2022 Biennial Budget

#### **COUNTY OF SANTA CLARA FY 2019-20 BUDGET**

Counties face many challenges in providing services to local residents. As an administrative arm of the state, the county is mandated to provide certain services and receives both state and federal funding for this purpose. However, these funding sources often times are unpredictable and subject to fluctuations during difficult economic periods. Some county services such as criminal justice, public health, and the assessor benefit the entire unincorporated and incorporated community. Other services such as plan check and sheriff's patrol are provided only to the unincorporated population. The County must use its locally-generated discretionary revenues to meet local service priorities.

The total County of Santa Clara Proposed FY 19-20 Budget is \$8.1 billion<sup>2</sup>, of which the General Fund budget is approximately \$3.7 billion (Table 3). The General Fund budget excludes those funding categories that are

<sup>&</sup>lt;sup>2</sup> All fund categories including the County general fund.

used for enterprise funds, special revenue, capital programs, and internal service funds. The County's estimated \$353 million General Fund deficit will be funded from prior year revenues.

TABLE: 3  COUNTY OF SANTA CLAR  GENERAL FUND BUDGET FY 1	
REVENUES	
Taxes-Current Property	\$1,108,200,000
Sales Tax	\$114,585,335
Licenses, Permits, & Franchises	\$9,946,613
Fines, Forfeitures, & Penalties	\$10,077,500
Use of Money & Property	\$43,001,871
Aid from Govt. Agencies-State	\$753,726,944
Aid from Govt. Agencies-Federal	\$560,545,908
Revenue from Other Govt. Agencies	\$3,783,498
Charges for Services	\$116,412,667
Other Financing Sources	\$680,903,309
Revenue Total	\$ 3,401,183,645
EXPENDITURES	<del>,</del>
Finance and Government	\$1,049,078,736
Public Safety and Justice	\$887,811,965
Children, Seniors, and Families	\$1,006,343,634
Santa Clara Valley Health/Hospital	\$773,999,964
Housing, Land Use, Environ., and Transportation	\$36,725,215
Expenditures Total	\$ 3,753,959,514
NET SURPLUS/(DEFICIT)	(\$352,775,869)

Source: County of Santa Clara, FY 2019-20 Recommended Budget

## FISCAL IMPACT ANALYSIS

#### PROJECT DESCRIPTION

The project sites are located northeast of the intersection of Vickery Lane and Kern Avenue. The total project sites include 16 parcels totaling approximately 55.66 acres, with a land use designation of Neighborhood District.

The sites will be developed in a combination of low, medium and high density residential housing, with a small retail building in the Wren Investors project. The State Department of Finance indicates that Gilroy has an average household size of 3.5 persons and a 3.6 percent vacancy rate. Using these factors, the projects will house an estimated additional 1,036 residents when fully developed (Table 4). The projects will have a total estimated assessed value of \$228.7 million when fully developed (\$2019). The basis for the estimated real estate values is discussed in the section below.

WREN INVES	TORS AND HE	ABLE: 4 WELL SOI AN		PROJECT
			Asses	sed Value
LAND USE	Units	Population	Per Unit	Total
Wren Investors				
Low Density (8 Du/AC)	137	462	\$882,300	\$120,875,100
Medium Density	20	67	\$663,500	\$13,270,000
High Density	102	344	\$521,800	\$53,226,200
Retail	3,485 Sq. Ft.	6 jobs	\$260.00	\$906,100
Hewell				
Low Density (11 Du/AC)	48	162	\$842,700	\$40,449,600
Total	307	1,036		\$228,727,000

Source: ADE, Inc.

#### **REAL ESTATE VALUES**

The two projects would include single family houses at 8 DU/AC and 11 DU/AC as well as medium density and high density units. The two single family densities translate to approximately 4,000 and 5,400 sq. ft. lots. Using assessor data records accessed from CoreLogic, ADE has compiled residential sales transactions over the past two years in these lot size and unit type categories, as shown in Table 5. The single family prices have fluctuated over this time frame but not appreciably increased. We have used the two-year average for each density level to project property taxes in the fiscal analysis. For the high density units, we have averaged the per sq. ft. of building space figures for the condos and the apartments, and assumed an average size of 1,300 sq. ft. per unit. This results in an average value of \$521,800 per high density unit.

SELECT	ED HOME SAI	TABLE 5: LES PRICES I	N GILROY, 20	18-2019	
		Single Fami	ly	High De	ensity
Units	5,400	4,000	2,200	Condos	Apts
Per Unit	\$882,300	\$842,700	\$663,500	\$477,700	
Per Sq. Ft. Bldg.	\$330.62	\$332.84	\$384.12	\$372.51	\$430.29
Per Sq. Ft. Lot	\$172.50	\$228.71	\$305.20	\$373.90	\$162.41

Source: ADE, Inc., based on data obtained from CoreLogic.

#### PROJECT IMPACTS: CITY OF GILROY

Annexation and development of the Wren Investors and Hewell sites will generate a number of revenues for the City of Gilroy, including property taxes, indirect sales taxes, and a variety of other taxes and fees. With the exception of the property tax, most of the revenues included in the analysis have been projected using a per capita basis, which reflects the average revenue generation by households in Gilroy. The development of the sites will also increase demand for City services as discussed further below.

#### PROPERTY TAX SHIFT AND PROPERTY TAX REVENUE

The base property tax paid by property owners, equal to one percent of assessed value under Proposition 13, is allocated to a wide range of local taxing agencies, including City and County government, special service districts, school districts, and other agencies. The parcels in the proposed USA amendment had an assessed value of \$4,961,579 in 2017 and generated \$49,616 in base property tax. Property tax from the existing parcels is distributed based on the percentages shown for the Tax Rate Area (TRA) 67-007 shown in Table 6.

The initial fiscal effect after annexation of the land in the plan would be a shift in property tax distribution from the County General Fund and the South County Fire Protection District (SSCCFPD) to the City. It is not known currently what the new distribution would be, but staff in the Property Tax Division of the County of Santa Clara Controller-Treasurer's Department indicated that it would be similar to TRA 02-001 due to the mix of taxing agencies that would serve the site after annexation. The SSCCFPD currently gets \$4,900 in annual property tax from the site, which would shift to the City along with fire protection jurisdiction.

TABL  CURRENT AND ESTIMATED FUTUR		DISTRIBUTION
Taxing Agency	Current Distribution (TRA 67-007)	Estimated Future Distribution (TRA 02-001)
City of Gilroy	0.00%	9.63%
County General Fund	14.20%	13.60%
County Library	2.59%	2.48%
Gilroy Unified	49.26%	47.80%
Gavilan Community College	5.63%	5.46%
County School Service	3.34%	3.24%
South S.C. County Fire Dist.	9.88%	0.00%
S.C. Valley Water Dist-South Zone 1	1.59%	1.53%
S.C. Valley Water Dist-General	0.74%	0.71%
South S.C. Valley Memorial Dist.	0.14%	0.13%
Bay Area Air Quality Mgmt. Dist.	0.19%	0.18%
Loma Prieta Resource Conserv.	0.05%	0.05%
S.C. Co. Importation Water-Misc. Dist.	0.50%	0.47%
ERAF	11.91%	14.72%
Total	100.00%	100.00%

Source: ADE, based on data provided by the Santa Clara County Office of the Controller-Treasurer.

At full buildout, the City would receive about \$215,400 per year in base property taxes. In addition, local jurisdictions receive property tax in lieu of motor vehicle license fees as part of the Proposition 1A legislation from the Schwarzenegger administration. These revenues are allocated based on the increase in assessed value annually for the jurisdiction and are estimated at about \$117,800 per year at buildout of the proposed projects.

#### SALES TAX

Residents in the project would purchase retail items at Gilroy stores and thereby generate sales taxes. Based on the income levels anticipated for the proposed project, the residents are projected to spend about \$9.1 million per year on taxable sales. Detailed estimates of household expenditures for each unit type may be found in the Appendix. It is estimated that 20 percent of this spending does not occur in Gilroy, either from out-commuters making purchases at their place of employment, through comparison shopping for major items at competing retail centers, or spending on business and leisure trips. This leaves \$7.3 million for spending at Gilroy stores, a small amount of which would be spent at the new retail store in the Wren Investors project. The City receives one percent of these sales in the form of sales taxes.

#### **OTHER REVENUES**

The City collects a number of other revenues listed in Tables 7 and 8 either in the form of local taxes or as fees or charges for service. The utility users taxes and franchise taxes are collected on utility bills. The motor vehicle tax is the current City share of vehicle registration fees. As discussed above under property taxes, cities used to receive a higher share but that has been replaced by additional property taxes as part of a previous state budget agreement.

A small amount of business license revenue is shown for residences to account for home based businesses that often occur in residential neighborhoods. The other licenses and permits mainly cover things like animal and bicycle licenses. Building permits and plan check fees are not included, since those are only paid once when the development is constructed. The planning and engineering services supported by those fees have also been deducted from the cost analysis below.

Fines and forfeitures are mainly the City share of traffic fines and parking fines that are levied in Gilroy. Charges for service include recreation program fees as well as miscellaneous charges for direct customer services provided at City Hall.

Overall, the two projects combined are projected to generate about \$602,400 per year in operating revenue for Gilroy.

#### **CITY COSTS**

City service costs have generally been allocated on a per capita basis. The cost factors take into account both the resident population in Gilroy and also service demands generated by the business base, as represented by the number of workers with jobs in Gilroy.

As mentioned above, service costs for the fire department, the public works departments and the community development departments have been adjusted to remove the revenue received from plan check and building permit fees, since the analysis is focused on the annual impact of the project after it is built.

The cost factors for all departments have been adjusted to remove department head expenses, in order to better reflect the direct impact of the project on City service needs. Similarly City Council costs are not included in the calculations. The General Administration costs are calculated as an overhead percentage of the other direct service costs. With the adjustments mentioned above, the General Administration departments, which include the City Administrator, the Finance and Human Resource Departments, Information Technology and the City Clerk, represent 2.2 percent of General Fund expenditures.

Aside from these adjustments, the cost factors represent the full average cost of the project to the City. In the case of fire protection, the City is already incurring expenses for the fire station that would serve this project, so the incremental cost of the project would possibly be less than shown in Tables 7 and 8. In total, the projects are projected to generate about \$709,500 in annual costs for the City at buildout.

\$218,	1	\$120,	\$78,	\$76, <b>=</b>	\$29,	<del>v)</del>	\$1,	<b>₩</b>	\$4,	\$95,	\$5,	\$632,	\$71,	\$384,	\$192,	\$67,	\$59,	\$5,	\$781,	(\$149,2	l
Year 1					-		00				16					00					
Year 9	\$212,755	\$117,777	\$76,392	\$74,047	\$28,283	\$532	\$1,623	\$88\$	\$4,309	\$92,977	\$5,465	\$615,046	<b>4</b> 28′69\$	\$373,167	\$186,790	\$65,053	\$58,077	\$5,740	\$758,705	(\$143,658)	
Year 8	\$207,364	\$114,793	\$74,167	\$71,890	\$27,459	\$517	\$1,576	\$860	\$4,183	\$90,269	\$5,306	\$598,383	\$67,842	\$362,298	\$181,350	\$63,158	\$56,386	\$5,573	\$736,607	(\$138,223)	
Year 7	\$202,109	\$111,884	\$72,007	\$69,796	\$26,659	\$502	\$1,530	\$835	\$4,061	\$87,640	\$5,152	\$582,174	998′59\$	\$351,746	\$176,068	\$61,319	\$54,743	\$5,411	\$715,152	(\$132,978)	
Year 6	\$196,987	\$109,049	606'69\$	\$67,763	\$25,883	\$487	\$1,486	\$810	\$3,943	\$85,087	\$5,002	\$566,406	\$63,947	\$341,501	\$170,939	\$59,533	\$53,149	\$5,253	\$694,322	(\$127,916)	
Year 5	\$191,995	\$106,285	\$67,873	\$65,790	\$25,129	\$473	\$1,442	\$787	\$3,828	\$82,609	\$4,856	\$551,067	\$62,085	\$331,554	\$165,961	\$57,799	\$51,601	\$5,100	\$674,099	(\$123,032)	
Year 4	\$188,231	\$104,201	\$65,896	\$63,874	\$24,397	\$459	\$1,400	\$764	\$3,717	\$80,203	\$4,714	\$537,856	\$60,276	\$321,897	\$161,127	\$56,115	\$50,098	\$4,952	\$654,465	(\$116,610)	
Year 3	\$184,540	\$102,158	\$63,977	\$62,013	\$23,686	\$446	\$1,359	\$742	\$3,608	\$77,867	\$4,577	\$524,974	\$58,521	\$312,521	\$156,434	\$54,481	\$48,639	\$4,808	\$635,403	(\$110,430)	
Year 2	\$180,921	\$100,155	\$62,114	\$60,207	\$22,996	\$433	\$1,320	\$720	\$3,503	\$75,599	\$4,444	\$512,412	\$56,816	\$303,419	\$151,877	\$52,894	\$47,222	\$4,667	\$616,896	(\$104,484)	
Year 1	\$177,374	\$98,191	\$60,304	\$58,453	\$22,327	\$420	\$1,281	669\$	\$3,401	\$73,397	\$4,314	\$500,163	\$55,162	\$294,581	\$147,454	\$51,353	\$45,847	\$4,532	\$598,929	(\$98,766)	
	Property Tax	VLF Property Tax	Sales Tax	Utility Users Tax	Franchise Tax	Motor Vehicle Tax	Business Licenses	Other Lic. & Permits	Fines and Forfeitures	Charges for Services	Use of Money & Prop.	Total Revenue	General Administration	Police	Fire	Public Works	Recreation	Community Dev.	Total Expenditures	NET SURPLUS/ (DEF)	Source: ADE, Inc.

Attachment: Fiscal Impact Analysis (2563: USA 12-01 and USA 14-02)

		HEWEL	L USA AMENDI	HENT CITY IM	IABLE: 8 HEWELL USA AMENDMENT CITY IMPACTS-10 YEAR ANNUAL PROJECTION	R ANNUAL PR	DJECTION			
	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10
Property Tax	\$38,079	\$38,840	\$39,617	\$40,410	\$41,218	\$42,042	\$42,883	\$43,741	\$44,615	\$45,508
VLF Property Tax	\$21,076	\$21,498	\$21,928	\$22,366	\$22,813	\$23,270	\$23,735	\$24,210	\$24,694	\$25,188
Sales Tax	\$12,700	\$13,081	\$13,474	\$13,878	\$14,294	\$14,723	\$15,165	\$15,620	\$16,089	\$16,571
Utility Users Tax	\$10,794	\$11,118	\$11,451	\$11,795	\$12,149	\$12,513	\$12,889	\$13,275	\$13,673	\$14,08
Franchise Tax	\$4,123	\$4,246	\$4,374	\$4,505	\$4,640	\$4,779	\$4,923	\$5,071	\$5,223	\$5,379
Motor Vehicle Tax	\$78	\$80	\$85	\$85	\$87	06\$	\$93	\$95	86\$	\$101
Business Licenses	\$206	\$212	\$218	\$225	\$232	\$238	\$246	\$253	\$261	\$268
Other Lic. & Permits	\$129	\$133	\$137	\$141	\$145	\$150	\$154	\$159	\$164	\$168
Fines and Forfeitures	\$628	\$647	\$999	\$686	\$707	\$728	\$750	\$772	\$796	\$820
Charges for Services	\$13,553	\$13,960	\$14,379	\$14,810	\$15,254	\$15,712	\$16,183	\$16,669	\$17,169	\$17,68
Use of Money & Prop.	\$882	\$908	\$936	\$964	\$993	\$1,022	\$1,053	\$1,085	\$1,117	\$1,151
Total Revenue	\$102,248	\$104,724	\$107,262	\$109,865	\$112,533	\$115,269	\$118,074	\$120,950	\$123,899	\$126,927
General Administration	\$10,187	\$10,492	\$10,807	\$11,131	\$11,465	\$11,809	\$12,163	\$12,528	\$12,904	\$13,29
Police	\$54,397	\$56,029	\$57,710	\$59,441	\$61,224	\$63,061	\$64,953	\$66,901	\$68,909	\$70,976
Fire	\$27,229	\$28,046	\$28,887	\$29,753	\$30,646	\$31,565	\$32,512	\$33,488	\$34,492	\$35,527
Public Works	\$9,489	\$9,774	\$10,067	\$10,369	\$10,680	\$11,001	\$11,331	\$11,671	\$12,021	\$12,381
Recreation	\$8,466	\$8,720	\$8,982	\$9,251	\$9,529	\$9,814	\$10,109	\$10,412	\$10,724	\$11,046
Community	\$837	\$862	\$888	\$914	\$942	\$970	666\$	\$1,029	\$1,060	\$1,092
Total Expenditures	\$110,604	\$113,923	\$117,340	\$120,860	\$124,486	\$128,221	\$132,067	\$136,029	\$140,110	\$144,31
NET SURPLUS/ (DEF)	(\$8,356)	(\$9,199)	(\$10,078)	(\$10,996)	(\$11,953)	(\$12,952)	(\$13,994)	(\$15,080)	(\$16,212)	(\$17,391)
Source: ADE, Inc.										

Attachment: Fiscal Impact Analysis (2563: USA 12-01 and USA 14-02)

#### **NET FISCAL IMPACT**

The net impact of the project is estimated to be an annual deficit of \$98,766 for the Wren Investors project and \$8,356 for the Hewell project. This is not necessarily unexpected, given the fiscal structure under which cities operate in California. As shown in Tables 7 and 8, the cost/revenue gap widens over time, assuming costs and revenues escalate at about the same rate, estimated here to be three percent per year, except for property taxes which escalate at two percent per year. This is somewhat conservative, because re-sales of the houses will tend to increase property taxes at a faster rate, but not enough to address the overall project deficit.

There are a number of potential mitigation measures that could reduce or eliminate this fiscal impact, as discussed below.

#### POTENTIAL MITIGATION OF PROJECTS IMPACTS

Various potential options would be available to mitigate these impacts on the City of Gilroy, including establishment of Community Facilities Districts or other assessment districts to supplement the cost of providing certain services to the projects; increased service levels provided by Homeowners Associations or similar organizational mechanisms; or reductions in service levels. Each of these options is described briefly below.

COMMUNITY FACILITIES DISTRICT (CFD). Authorized by the Mello Roos Act of 1982, these districts permit the imposition of "special taxes" to fund construction costs for infrastructure and facilities, maintenance of facilities and operation costs for public services such as police and fire protection. Gilroy has adopted a CFD ordinance and has existing CFDs in place in the City. Establishment of the CFD may be done by the owners of a majority of the property within the proposed district, while the approval of special taxes requires a two-thirds vote. Because of the two-thirds vote requirement for funding, these districts are typically formed by developers in coordination with the city or county prior to development of the subdivisions. Once established, they are made irrevocable through a lien on the property. They have most often been used to fund infrastructure construction, but a number of cities and counties have also required special taxes to help pay for services as well. This could help defray costs for police, fire, and recreation services.

The fiscal deficit would be \$381 per unit for the Wren Investors project. If the entire deficit were recouped through CFD special taxes, it would increase the tax burden on the units by about 0.055 percent of assessed value. The existing total tax rate for the 02-001 TRA is 1.26706 percent.<sup>3</sup> At most, the Wren special tax would raise the total tax rate to 1.32206 percent. Effective tax rates below 2 percent are generally considered feasible and acceptable for most homeowners.

**LANDSCAPE AND LIGHTING DISTRICT (LLD).** The Landscape and Lighting Act of 1972 permits the establishment of assessment districts to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets. It also permitted similar activities related to parks and open space and recreation facilities and equipment, but Proposition 218 in 1996 imposed a condition on all assessment districts that the assessment must relate to a special benefit provided to each parcel in the district. The rule is that, "General enhancement of property value does not constitute a special benefit".

<sup>3</sup> County of Santa Clara Compilation of Tax Rates and Information, Fiscal Year 2017-2018. Santa Clara County Controller-Treasurer.

This makes LLDs harder to apply to parks and recreation facilities but they are still used for maintenance of streets, lighting, and landscaping within subdivisions. In accordance with provisions of Proposition 218, the duration of the assessment is specified at the time the District is initially established, along with an annual escalation clause, to reduce the possibility of rescissions by property owner votes at the required annual hearing. There are no examples in California of a successful majority property owner protest of an LLD once it has been established. This funding mechanism, along with the MAD & HOA discussed below, could help pay for some of the Public Works costs shown in Tables 7 and 8.

MAINTENANCE ASSESSMENT DISTRICT (MAD). This is a broader form of assessment district (authorized under a variety of Acts) that allows for maintenance of storm drain facilities, water and sewer facilities and other public facilities and infrastructure not covered by LLDs. All such assessment districts must follow Proposition 218 information and election procedures. An engineer's report is required to establish the special benefit to all parcels in the district and the establishment of the district can be defeated by majority protest of the property owners. Once the district is established and operating, an annual engineer's report is prepared to verify that the assessments continue to meet the special benefit provision of Proposition 218. As mentioned above for the LLDs, the duration of the assessment should be specified at the outset, as well as the index to be used for annual inflationary escalations, to reduce the likelihood of property owner protests at the annual public hearing.

**HOMEOWNERS ASSOCIATIONS (HOA).** These associations are often formed to pay for maintenance of internal amenities within subdivisions or planned unit developments. Cities sometimes require HOAs to fund maintenance of streets and related public infrastructure as well. One difficulty with HOAs is that they are self governing and cities have had some difficulty enforcing proper maintenance of public facilities if the HOA fails to vote sufficient funds to do an adequate job. For this reason, this approach is not widely used currently.

**DEVELOPER EXACTIONS.** Cities may require developers to pay for mitigation of fiscal impacts. One approach has been to calculate the dollar cost impact to certain services, such as police or fire protection, and create a capitalized fee amount that reflects the present value of projected deficits the project would create for those services, for example over a five year period. This is different than a development impact fee, which can only be used to fund capital improvements. This approach can help to augment regular City revenues for help pay for services when it is clear that development projects will create unfunded services impacts. However, compared to the CFDs or other assessment districts described above, this type of developer exaction usually only covers the fiscal costs of a project for a limited time and it must be calculated and imposed on each development project individually, although the City may adopt an ordinance describing the general basis and formula for the fee.

Further discussion with City staff is necessary to determine what mitigation measures are most appropriate for this annexation.

#### PROJECT IMPACTS: COUNTY OF SANTA CLARA

Since this project involves an annexation process, LAFCO requires an analysis of the impact of the development on the County of Santa Clara. The recommended methodology for the analysis involves an average cost approach similar to that used for the City analysis in the previous section, including similar

assumptions about the relative impact of residential vs. non-residential development. The revenues and service costs relate to countywide services provided to all residents of Santa Clara County.

#### **PROPERTY TAX**

The property tax shift was discussed earlier in terms of the change in jurisdiction. The County would lose less than one percent in property tax share. However, with development of the properties, the County would experience a substantial gain in property tax revenues from the sites, estimated at about \$426,000 per year. About 40 percent of this is due to the vehicle license in lieu property tax.

#### SALES TAX REVENUE

This analysis focuses on the County's General Fund budget, of which sales tax is a revenue component. This project is estimated to generate about \$45,200 per year in sales tax revenues for the County General Fund. The County receives a 0.50 percent portion of the 8.75 percent sales tax rate in Santa Clara County. This represents an "incremental return" of a portion of the State's Local Public Safety Fund (Public Safety Sales Tax-PSST) to the County. The 0.50 percent PSST is not distributed based on the location where the sales transaction was completed (i.e., not situs-based). Rather, it is taken at the state level, then after an analysis of sales tax revenue generation by county is completed by the State of California Controller's Office, a distribution to the County is made as an "incremental return" of sales tax revenue.

In addition, voters of the County approved Measure A in 2012, from which the County gets 0.125 percent of taxable sales.

#### **OTHER REVENUES**

In addition to the major property and sales tax revenues, County residents pay a variety of user fees and charges for service to the County. In this analysis, estimates of these fees and user charges are limited to services provided to all County residents and not those provided in the unincorporated area only. City residents also help to form the population base by which the County receives a variety of revenues from Federal, State and other local government agencies. However, due to the uncertain nature of these grant formulas, these funds are not estimated directly, but rather are deducted from the service costs to which they apply.

#### **COUNTY COSTS**

The County provides certain services to all County residents, regardless of the jurisdiction of their residence. These include the County jail system, health care, social services, and a variety of general government functions such as the Assessor, County Auditor and others. The analysis also factors in the Fund Balance Allocation, which reduces current effective cost levels nearly 19 percent. With this adjustment, the costs for County services are estimated on a per capita basis in Table 9 and total about \$824,000 for the Wren Investors and Hewell USA Amendment.

#### PROJECTED NET FISCAL IMPACT

The property tax and other revenues generated by the project would not be sufficient to fund service costs expected to be incurred by Santa Clara County, unless project residents' demand for County social and health services is substantially below average. The project would generate a net loss of about \$34,100 in the first year, about 4.0 percent over costs. However, County costs are likely to escalate more rapidly than revenues due to limitations on the increases in property tax revenues and the project's net deficit is projected to increase to 8.1 percent of costs in ten years (Table 9).

Year 1         Year 2           Taxes-Current Property Sales Tax Fines, Forfeitures, & \$45,213         \$434,4'           Penalties Use of Money & \$17,053         \$17,50           Property Property Charges for Services Other Financing Sources         \$283,216         \$291,7'           Total Revenue \$824,052         \$844,51	\$434,476 \$46,570 \$4,317 \$17,564 \$49,874 \$291,713	\$443,166 \$47,967 \$4,447 \$18,091 \$51,370 \$300,464	Year 4 RE \$452,029 \$49,406 \$4,580	Year 5	Vear 6	Year 7	Year 8	0 700	
\$425,957 \$ \$44,192 \$17,053 \$48,421 \$283,216 \$ \$824,052 \$8	\$4,476 \$46,570 \$4,317 \$17,564 \$49,874 \$291,713	\$443,166 \$47,967 \$4,447 \$18,091 \$51,370	\$452,029 \$49,406 \$4,580	SALINEY:	- Cal O			ו כמו	Year 10
\$425,957 \$ \$45,213 \$4,192 \$17,053 \$48,421 \$283,216 \$ \$824,052 \$8	\$44,476 \$46,570 \$4,317 \$17,564 \$49,874 291,713	\$443,166 \$47,967 \$4,447 \$18,091 \$51,370 \$300,464	\$452,029 \$49,406 \$4,580	VENCES					
\$45,213 \$4,192 \$17,053 \$48,421 \$283,216 \$ <b>\$224,052 \$8</b>	\$46,570 \$4,317 \$17,564 \$49,874 291,713	\$47,967 \$4,447 \$18,091 \$51,370 \$300,464	\$49,406	\$461,070	\$470,291	\$479,697	\$489,291	\$499,077	\$206'02\$
\$4,192 \$17,053 \$48,421 \$283,216 \$ <b>824,052 \$8</b>	\$4,317 \$17,564 \$49,874 291,713	\$4,447 \$18,091 \$51,370 \$300,464	\$4,580	\$50,888	\$52,414	\$53,987	\$55,606	\$57,275	\$58,993
\$17,053 \$48,421 \$283,216 \$ <b>824,052 \$8</b>	\$17,564 \$49,874 291,713	\$18,091 \$51,370 \$300,464		\$4,718	\$4,859	\$2,005	\$5,155	\$5,310	\$5,469
\$48,421 \$283,216 \$824,052 \$8 \$325,277	\$49,874 291,713 <b>44,514</b>	\$51,370 \$300,464	\$18,634	\$19,193	\$19,769	\$20,362	\$20,972	\$21,602	\$22,250
\$283,216 \$824,052 \$	291,713	\$300,464	\$52,911	\$54,498	\$56,133	\$57,817	\$59,552	\$61,338	\$63,178
<b>\$824,052 \$</b>	44,514		\$309,478	\$318,763	\$328,325	\$338,175	\$348,320	\$358,770	\$369,533
\$325,277		\$865,504	\$887,038	\$909,129	\$931,792	\$955,043	\$978,897	\$1,003,371	\$1,028,481
\$325,277			EXPI	EXPENDITURES					
	\$335,036	\$345,087	\$355,439	\$366,102	\$377,085	\$388,398	\$400,050	\$412,051	\$424,413
Public Safety and \$287,548 \$296, Justice	\$296,175	\$305,060	\$314,212	\$323,638	\$333,347	\$343,347	\$353,648	\$364,257	\$375,185
Children, Seniors, \$202,586 \$208, and Families	\$208,663	\$214,923	\$221,371	\$228,012	\$234,853	\$241,898	\$249,155	\$256,630	\$264,329
Santa Clara Valley #178,968 #184	\$184,337	\$189,867	\$195,563	\$201,430	\$207,473	\$213,697	\$220,108	\$226,712	\$233,513
Housing, Land Use, Environ. & Transp.	\$10,789	\$11,113	\$11,446	\$11,790	\$12,143	\$12,508	\$12,883	\$13,269	\$13,667
Fund Balance (\$146,734) (\$151,1	(\$151,136)	(\$155,670)	(\$160,341)	(\$165,151)	(\$170,105)	(\$175,209)	(\$180,465)	(\$185,879)	(\$191,455)
Total Expenditures \$858,120 \$883,	\$883,864	\$910,379	\$937,691	\$965,822	\$994,796	\$1,024,640	\$1,055,379	\$1,087,041	\$1,119,652
NET SURPLUS/   (DEFICIT) (\$34,068) (\$39,3   GENERAL FUND	(\$39,350)	(\$44,875)	(\$50,653)	(\$26,693)	(\$63,004)	(\$69,597)	(\$76,482)	(\$83,670)	(\$91,170)

Attachment: Fiscal Impact Analysis (2563: USA 12-01 and USA 14-02)

# **APPENDIX**

#### **TAXABLE SALES ESTIMATES**

The following tables show the estimates of retail/services spending and taxable sales for each of the four incomlevels modeled for the project. The figures reflect the aggregate total spending from the number of households in each density category, not per household values.

Table A-1: Taxable Household Spending, Lower Density Single Family Units

	e nousellold S	Jenanig, Lowe	or Demonty Citi	gie ranniy en	
137 Households with Average					T.,,,,,,
INCOME OF \$183,000	<b>T</b>			T C	TAXABLE
	TOTAL	_	_	TOTAL SALES	SALES AS
	Household	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
STORE CATEGORY	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$328,132	\$328,132	100.0%	1.3%	1.3%
General Merchandise Group	\$982,347	\$661,086	67.3%	3.9%	2.6%
Department Stores/Other General					
Merch.	\$230,280	\$208,749	90.7%	0.9%	0.8%
Other General Merchandise	\$615,897	\$397,869	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$136,170	\$54,468	40.0%	0.5%	0.2%
Specialty Retail Group	\$274,499	\$274,499	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$1,894,983	\$1,255,961	66.3%	7.6%	5.0%
Grocery Stores	\$822,612	\$205,653	25.0%	3.3%	0.8%
Specialty Food Stores	\$27,039	\$6,760	25.0%	0.1%	0.0%
Liquor Stores	\$42,450	\$40,668	95.8%	0.2%	0.2%
Eating Places	\$1,002,880	\$1,002,880	100.0%	4.0%	4.0%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$387,304	\$387,304	100.0%	1.5%	1.5%
Automotive Group	\$1,684,333	\$1,633,356	93.3%	6.7%	6.5%
Sub-Total Retail	\$5,551,597	\$4,540,338	81.8%	22.1%	18.1%
SERVICES					
Rental Services	\$46,107	\$0	0.0%	0.2%	0.0%
Professional Services	\$15,502	\$0	0.0%	0.1%	0.0%
Medical Services					
Eyecare	\$143,763	\$71,882	50.0%	0.6%	0.3%
Other Medical	\$428,652	\$0	0.0%	1.7%	0.0%
Repair Services	, ,	,			
Auto Repair	\$105,294	\$42,118	40.0%	0.4%	0.2%
Other Repair	\$49,830	\$0	0.0%	0.2%	0.0%
Personal Services	, ,	, ,			
Personal Care Services	\$99,400	\$9,940	10.0%	0.4%	0.0%
Other Personal	\$62,828	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	, ,	·			
Movie, Theater, Opera, Ballet	\$96,211	\$9,621	10.0%	0.4%	0.0%
Sporting Events	\$29,447	\$2,945	10.0%	0.1%	0.0%
Other Entertainment	\$204,168	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$1,281,202	\$136,505	10.7%	5.1%	0.5%
GRAND TOTAL	\$6,832,799	\$4,676,843	68.4%	27.3%	18.7%

Source: ADE, Inc.; retail demand model derived from U.S. Economic Census, Bureau of Labor Statistics Consumer Expenditure Survey and PUMS database.

48 Households with Average Income of \$175,300	TOTAL			TOTAL SALES	TAXABLE SALES AS
	HOUSEHOLD	TAXABLE	TAXABLE	AS PERCENT	PERCENT OF
Store Category	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$111,625	\$111,625	100.0%	1.3%	1.3%
General Merchandise Group	\$334,275	\$224,998	67.3%	4.0%	2.7%
Department Stores/Other General					
Merch.	\$78,339	\$71,014	90.7%	0.9%	0.8%
Other General Merchandise	\$209,793	\$135,526	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$46,144	\$18,458	40.0%	0.5%	0.2%
Specialty Retail Group	\$93,453	\$93,453	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$645,141	\$427,318	66.2%	7.7%	5.1%
Grocery Stores	\$280,400	\$70,100	25.0%	3.3%	0.8%
Specialty Food Stores	\$9,222	\$2,306	25.0%	0.1%	0.0%
Liquor Stores	\$14,440	\$13,833	95.8%	0.2%	0.2%
Eating Places	\$341,079	\$341,079	100.0%	4.1%	4.1%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$131,956	\$131,956	100.0%	1.6%	1.6%
Automotive Group	\$569,734	\$552,392	93.3%	6.8%	6.6%
Sub-Total Retail	\$1,886,184	\$1,541,741	81.7%	22.4%	18.3%
SERVICES					
Rental Services	\$15,475	\$0	0.0%	0.2%	0.0%
Professional Services	\$5,203	\$0	0.0%	0.1%	0.0%
Medical Services					
Eyecare	\$48,250	\$24,125	50.0%	0.6%	0.3%
Other Medical	\$143,865	\$0	0.0%	1.7%	0.0%
Repair Services		·			
Auto Repair	\$35,339	\$14,136	40.0%	0.4%	0.2%
Other Repair	\$16,724	\$0	0.0%	0.2%	0.0%
Personal Services		·			
Personal Care Services	\$33,361	\$3,336	10.0%	0.4%	0.0%
Other Personal	\$21,086	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	. ,	'			
Movie, Theater, Opera, Ballet	\$32,291	\$3,229	10.0%	0.4%	0.0%
Sporting Events	\$9,883	\$988	10.0%	0.1%	0.0%
Other Entertainment	\$68,523	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$430,001	\$45,814	10.7%	5.1%	0.5%

GRAND TOTAL \$2,316,184 \$1,587,555 68.5% 27.5% 18.9

Source: ADE, Inc.; retail demand model derived from U.S. Economic Census, Bureau of Labor Statistics Consumer Expenditure Survey and PUMS database.

Table A-3: Taxable Household Spending, Medium Density Units

TOTAL HOUSEHOLD SPENDING	Tuble A 51	axable nouse	mora openam	g, riculain De		
STORE CATEGORY   SPENDING   SALES   PERCENT   OF INCOME   INCOME		TOTAL			TOTAL SALES	TAXABLE SALES AS
RETAIL		Household	TAXABLE			Percent of
Apparel Store Group   \$31,606   \$31,606   \$100.0%   1.1%   1.1	Store Category	SPENDING	SALES	PERCENT	OF INCOME	INCOME
General Merchandise Group   \$112,516   \$74,634   66.3%   4.0%   2.0	RETAIL					
Department Stores/Other General Merch.   \$24,279   \$22,008   90.7%   0.9%   0.0		\$31,606	\$31,606			1.1%
Merch.         \$24,279         \$22,008         90.7%         0.9%         0.           Other General Merchandise         \$70,449         \$45,510         64.6%         2.5%         1.           Drug & Proprietary Stores         \$17,789         \$7,115         40.0%         0.6%         0.           Specialty Retail Group         \$32,155         \$32,155         100.0%         1.1%         1.           Food, Eating and Drinking Group         \$223,224         \$148,028         66.3%         7.9%         5.           Grocery Stores         \$96,818         \$24,205         25.0%         3.4%         0.           Specialty Food Stores         \$3,164         \$791         25.0%         3.4%         0.           Liquor Stores         \$4,964         \$4,755         95.8%         0.2%         0.           Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.           Building Materials And         \$0         0.0%         0.0%         0.0%         0.0%           Automotive Group         \$44,181         \$44,181         100.0%         1.5%         1.           Automotive Group         \$217,812         \$211,828         93.3%         7.7%         7.		\$112,516	\$74,634	66.3%	4.0%	2.7%
Other General Merchandise         \$70,449         \$45,510         64.6%         2.5%         1.           Drug & Proprietary Stores         \$17,789         \$7,115         40.0%         0.6%         0.           Specialty Retail Group         \$32,155         \$32,155         100.0%         1.1%         1.           Food, Eating and Drinking Group         \$223,224         \$148,028         66.3%         7.9%         5.           Grocery Stores         \$96,818         \$24,205         25.0%         3.4%         0.           Specialty Food Stores         \$3,164         \$791         25.0%         0.1%         0.           Liquor Stores         \$4,964         \$4,755         95.8%         0.2%         0.           Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.           Building Materials And         \$0         \$0         0.0%         0.0%         0.         0.           Homefurnishings Group         \$44,181         \$44,181         100.0%         1.6%         1.           Automotive Group         \$217,812         \$211,828         93.3%         7.7%         7.           Sub-Total Retail         \$661,493         \$542,432         82.0%         23.5% <td>·</td> <td></td> <td></td> <td></td> <td></td> <td></td>	·					
Drug & Proprietary Stores         \$17,789         \$7,115         40.0%         0.6%         0.           Specialty Retail Group         \$32,155         \$32,155         100.0%         1.1%         1.           Food, Eating and Drinking Group         \$223,224         \$148,028         66.3%         7.9%         5.           Grocery Stores         \$96,818         \$24,205         25.0%         3.4%         0.           Specialty Food Stores         \$3,164         \$791         25.0%         0.1%         0.           Liquor Stores         \$4,964         \$4,755         95.8%         0.2%         0.           Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.           Building Materials And         \$0         \$0         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         1.6%         1.         1.         4.4,181         100.0%         0.0%         1.6%         1.         1.         2.         5.21,182         93.3%         7.7%         7.         7.         5.         2.         5.58         1.         1.<		' '	' '			0.8%
Specialty Retail Group						1.6%
Food, Eating and Drinking Group   \$223,224   \$148,028   66.3%   7.9%   5. Grocery Stores   \$96,818   \$24,205   25.0%   3.4%   0. Specialty Food Stores   \$4,964   \$791   25.0%   0.1%   0.1%   0. Eating Places   \$4,964   \$4,755   95.8%   0.2%   0. Eating Places   \$118,277   \$118,277   100.0%   4.2%   4. Eating Places   \$118,277   \$118,277   100.0%   4.2%   4. Eating Places   \$118,277   \$118,277   100.0%   4.2%   4. Eating Places   \$118,277   \$118,277   100.0%   0.0%		1 ' ' '				0.3%
Grocery Stores         \$96,818         \$24,205         25.0%         3.4%         0.           Specialty Food Stores         \$3,164         \$791         25.0%         0.1%         0.           Liquor Stores         \$4,964         \$4,755         95.8%         0.2%         0.           Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.           Building Materials And         \$0         \$0         0.0%         0.0%         0.0%           Homefurnishings Group         \$44,181         \$44,181         100.0%         1.6%         1.           Automotive Group         \$217,812         \$211,828         93.3%         7.7%         7.           Sub-Total Retail         \$661,493         \$542,432         82.0%         23.5%         19.           SERVICES           Rental Services         \$5,181         \$0         0.0%         0.2%         0.           Medical Services         \$16,148         \$8,074         50.0%         0.6%         0.           Eyecare         \$16,148         \$8,074         50.0%         0.6%         0.           Other Medical         \$448,147         \$0         0.0%         0.2%         0.     <	·					1.1%
Specialty Food Stores         \$3,164         \$791         25.0%         0.1%         0.           Liquor Stores         \$4,964         \$4,755         95.8%         0.2%         0.           Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.           Building Materials And         \$0         0.0%         0.0%         0.0%           Homefurnishings Group         \$44,181         \$44,181         100.0%         1.6%         1.           Automotive Group         \$217,812         \$211,828         93.3%         7.7%         7.           Sub-Total Retail         \$661,493         \$542,432         82.0%         23.5%         19.           SERVICES           Rental Services         \$5,181         \$0         0.0%         0.2%         0.           Professional Services         \$1,741         \$0         0.0%         0.1%         0.           Eyecare         \$16,148         \$8,074         50.0%         0.6%         0.           Gyeriar Services         \$11,827         \$4,731         40.0%         0.4%         0.           Auto Repair         \$1,827         \$4,731         40.0%         0.4%         0.			. ,			5.3%
Liquor Stores	· · · · · · · · · · · · · · · · · · ·					0.9%
Eating Places         \$118,277         \$118,277         100.0%         4.2%         4.8           Building Materials And         \$0         \$0         0.0%         0.0%         0.0%           Homefurnishings Group         \$44,181         \$44,181         100.0%         1.6%         1.           Automotive Group         \$217,812         \$211,828         93.3%         7.7%         7.           Sub-Total Retail         \$661,493         \$542,432         82.0%         23.5%         19.           SERVICES           Rental Services         \$5,181         \$0         0.0%         0.2%         0.           Professional Services         \$1,741         \$0         0.0%         0.1%         0.           Medical Services         \$16,148         \$8,074         50.0%         0.6%         0.           Eyecare         \$16,148         \$8,074         50.0%         0.6%         0.           Other Medical         \$48,147         \$0         0.0%         0.4%         0.           Repair Services         \$11,827         \$4,731         40.0%         0.4%         0.           Personal Services         \$11,165         \$1,116         10.0%         0.4%         0.	· · · · · · · · · · · · · · · · · · ·		· ·			0.0%
Building Materials And	•	\$4,964	\$4,755			0.2%
Homefurnishings Group		' '	. ,			4.2%
Automotive Group \$217,812 \$211,828 93.3% 7.7% 7. Sub-Total Retail \$661,493 \$542,432 82.0% 23.5% 19.  SERVICES  Rental Services \$5,181 \$0 0.0% 0.2% 0.1% 0.0% Medical Services Eyecare \$16,148 \$8,074 50.0% 0.6% 0.6% 0.0% 0.0% 1.7% 0.0% 0.0% 0.1% 0.0% 0.0% 0.0% 0.0% 0.0	Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Sub-Total Retail         \$661,493         \$542,432         82.0%         23.5%         19.5           SERVICES         Rental Services         \$5,181         \$0         0.0%         0.2% <td>Homefurnishings Group</td> <td>\$44,181</td> <td>\$44,181</td> <td>100.0%</td> <td>1.6%</td> <td>1.6%</td>	Homefurnishings Group	\$44,181	\$44,181	100.0%	1.6%	1.6%
SERVICES         \$5,181         \$0         0.0%         0.2%         0.0%           Professional Services         \$1,741         \$0         0.0%         0.1%         0.0%           Medical Services         \$16,148         \$8,074         50.0%         0.6%         0.0%           Eyecare         \$16,148         \$8,074         50.0%         0.6%         0.0%           Other Medical         \$48,147         \$0         0.0%         1.7%         0.0%           Repair Services         40.0%         0.0%         0.4%         0.0%         0.4%         0.0%           Other Repair         \$5,597         \$0         0.0%         0.2%         0.0%         0.2%         0.0%           Personal Services         \$11,165         \$1,116         10.0%         0.4%         0.0%         0.4%         0.0%         0.4%         0.0%         0.3%         0.0%         0.3%         0.0%         0.0%         0.3%         0.0%		\$217,812	\$211,828			7.5%
Rental Services       \$5,181       \$0       0.0%       0.2%       0.0%         Professional Services       \$1,741       \$0       0.0%       0.1%       0.0%         Medical Services       \$16,148       \$8,074       50.0%       0.6%       0.0%         Eyecare       \$16,148       \$8,074       50.0%       0.6%       0.0%         Other Medical       \$48,147       \$0       0.0%       1.7%       0.0%         Repair Services       \$11,827       \$4,731       40.0%       0.4%       0.4%       0.0%         Other Repair       \$5,597       \$0       0.0%       0.2%       0.0%       0.2%       0.0%         Personal Services       \$11,165       \$1,116       10.0%       0.4%       0.0%       0.3%       0.0%       0.3%       0.0%       0.3%       0.0%       0.3%       0.0%       0.3%       0.0%       0.4%       0.0%       0.4%       0.0%       0.4%       0.0%       0.4%       0.0%       0.4%       0.0%       0.0%       0.1%       0.0%       0.1%       0.0%       0.1%       0.0%       0.0%       0.1%       0.0%       0.0%       0.0%       0.0%       0.0%       0.0%       0.0%       0.0%       0.0%	Sub-Total Retail	\$661,493	\$542,432	82.0%	23.5%	19.3%
Professional Services         \$1,741         \$0         0.0%         0.1%         0.0%           Medical Services         \$16,148         \$8,074         50.0%         0.6%         0.0%           Eyecare         \$16,148         \$8,074         50.0%         0.6%         0.0%           Other Medical         \$48,147         \$0         0.0%         1.7%         0.0%           Repair Services         \$11,827         \$4,731         40.0%         0.4%         0.4%         0.0%           Other Repair         \$5,597         \$0         0.0%         0.2%         0.0%         0.2%         0.0%           Personal Services         \$11,165         \$1,116         10.0%         0.4%         0.0%         0.3%         0.0%         0.3%         0.0%         0.3%         0.0%         0.3%         0.0%         0.3%         0.0%         0.4%         0.0%         0.4%         0.0%         0.4%         0.0%         0.4%         0.0%         0.0%         0.4%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0%         0.0% <th>SERVICES</th> <th></th> <th></th> <th></th> <th></th> <th></th>	SERVICES					
Medical Services         \$16,148         \$8,074         50.0%         0.6%         0.0%           Other Medical         \$48,147         \$0         0.0%         1.7%         0.0%           Repair Services         \$11,827         \$4,731         40.0%         0.4%         0.0%           Auto Repair         \$11,827         \$4,731         40.0%         0.4%         0.0%           Other Repair         \$5,597         \$0         0.0%         0.2%         0.0%           Personal Services         \$11,165         \$1,116         10.0%         0.4%         0.0%           Other Personal         \$7,057         \$0         0.0%         0.3%         0.0%           Entertainment/Recreation         \$10,806         \$1,081         10.0%         0.4%         0.4%           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.1%	Rental Services	\$5,181	\$0	0.0%	0.2%	0.0%
Eyecare       \$16,148       \$8,074       50.0%       0.6%       0.         Other Medical       \$48,147       \$0       0.0%       1.7%       0.         Repair Services       \$11,827       \$4,731       40.0%       0.4%       0.         Auto Repair       \$11,827       \$4,731       40.0%       0.4%       0.         Other Repair       \$5,597       \$0       0.0%       0.2%       0.         Personal Services       \$11,165       \$1,116       10.0%       0.4%       0.         Other Personal       \$7,057       \$0       0.0%       0.3%       0.         Entertainment/Recreation       \$10,806       \$1,081       10.0%       0.4%       0.         Movie, Theater, Opera, Ballet       \$3,308       \$331       10.0%       0.1%       0.	Professional Services	\$1,741	\$0	0.0%	0.1%	0.0%
Other Medical         \$48,147         \$0         0.0%         1.7%         0.0%           Repair Services         4uto Repair         \$11,827         \$4,731         40.0%         0.4%         0.0%           Other Repair         \$5,597         \$0         0.0%         0.2%         0.2%           Personal Services         Personal Care Services         \$11,165         \$1,116         10.0%         0.4%         0.0%           Other Personal         \$7,057         \$0         0.0%         0.3%         0.           Entertainment/Recreation         Movie, Theater, Opera, Ballet         \$10,806         \$1,081         10.0%         0.4%         0.4%           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.1%	Medical Services		•			
Repair Services       40.0%       0.4%       0.0%         Auto Repair       \$11,827       \$4,731       40.0%       0.4%       0.0%         Other Repair       \$5,597       \$0       0.0%       0.2%       0.0%         Personal Services       \$11,165       \$1,116       10.0%       0.4%       0.0%         Other Personal       \$7,057       \$0       0.0%       0.3%       0.3%       0.0%         Entertainment/Recreation       Wovie, Theater, Opera, Ballet       \$10,806       \$1,081       10.0%       0.4%       0.4%       0.5         Sporting Events       \$3,308       \$331       10.0%       0.1%       0.1%       0.0%	Eyecare	\$16,148	\$8,074	50.0%	0.6%	0.3%
Auto Repair       \$11,827       \$4,731       40.0%       0.4%       0.         Other Repair       \$5,597       \$0       0.0%       0.2%       0.         Personal Services       \$11,165       \$1,116       10.0%       0.4%       0.         Other Personal       \$7,057       \$0       0.0%       0.3%       0.         Entertainment/Recreation       \$10,806       \$1,081       10.0%       0.4%       0.         Sporting Events       \$3,308       \$331       10.0%       0.1%       0.	Other Medical	\$48,147	\$0	0.0%	1.7%	0.0%
Other Repair         \$5,597         \$0         0.0%         0.2%         0.2%           Personal Services         \$11,165         \$1,116         10.0%         0.4%         0.0%           Personal Care Services         \$11,165         \$1,116         10.0%         0.4%         0.0%           Other Personal         \$7,057         \$0         0.0%         0.3%         0.           Entertainment/Recreation         Wovie, Theater, Opera, Ballet         \$10,806         \$1,081         10.0%         0.4%         0.           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.	Repair Services		•			
Personal Services       \$11,165       \$1,116       10.0%       0.4%       0.         Other Personal       \$7,057       \$0       0.0%       0.3%       0.         Entertainment/Recreation       \$10,806       \$1,081       10.0%       0.4%       0.         Sporting Events       \$3,308       \$331       10.0%       0.1%       0.	Auto Repair	\$11,827	\$4,731	40.0%	0.4%	0.2%
Personal Care Services         \$11,165         \$1,116         10.0%         0.4%         0.           Other Personal         \$7,057         \$0         0.0%         0.3%         0.           Entertainment/Recreation         \$10,806         \$1,081         10.0%         0.4%         0.           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.	Other Repair	\$5,597	\$0	0.0%	0.2%	0.0%
Other Personal         \$7,057         \$0         0.0%         0.3%         0.           Entertainment/Recreation         Movie, Theater, Opera, Ballet         \$10,806         \$1,081         10.0%         0.4%         0.           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.	Personal Services		•			
Other Personal         \$7,057         \$0         0.0%         0.3%         0.           Entertainment/Recreation         **10,806         \$1,081         10.0%         0.4%         0.           Movie, Theater, Opera, Ballet         \$10,806         \$1,081         10.0%         0.4%         0.           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.	Personal Care Services	\$11,165	\$1,116	10.0%	0.4%	0.0%
Entertainment/Recreation         \$10,806         \$1,081         \$10.0%         0.4%         0.           Sporting Events         \$3,308         \$331         10.0%         0.1%         0.	Other Personal	\$7,057		0.0%	0.3%	0.0%
Movie, Theater, Opera, Ballet       \$10,806       \$1,081       10.0%       0.4%       0.         Sporting Events       \$3,308       \$331       10.0%       0.1%       0.	Entertainment/Recreation		'			
Sporting Events \$3,308 \$331 10.0% 0.1% 0.	·	\$10,806	\$1,081	10.0%	0.4%	0.0%
	the state of the s			10.0%		0.0%
Other Entertainment   \$22,932   \$0   0.0%   0.8%   0.	Other Entertainment	\$22,932	\$0	0.0%	0.8%	0.0%
	Sub-Total Services	' '	· ·		5.1%	0.5%
					28.6%	19.8%

Source: ADE, Inc.; retail demand model derived from U.S. Economic Census, Bureau of Labor Statistics Consumer Expenditure Survey and PUMS database.

Table A-4: Taxable Household Spending, High Density Units					
102 Households with Average Income of \$113,500	TOTAL			TOTAL SALES	TAXABLE SALES AS
	Household	TAXABLE	TAXABLE	AS PERCENT	Percent of
Store Category	SPENDING	SALES	PERCENT	OF INCOME	INCOME
RETAIL					
Apparel Store Group	\$130,316	\$130,316	100.0%	1.1%	1.1%
General Merchandise Group	\$464,850	\$308,318	66.3%	4.0%	2.7%
Department Stores/Other					
General Merch.	\$100,208	\$90,839	90.7%	0.9%	0.8%
Other General Merchandise	\$291,150	\$188,083	64.6%	2.5%	1.6%
Drug & Proprietary Stores	\$73,493	\$29,397	40.0%	0.6%	0.3%
Specialty Retail Group	\$132,896	\$132,896	100.0%	1.1%	1.1%
Food, Eating and Drinking Group	\$922,633	\$611,710	66.3%	8.0%	5.3%
Grocery Stores	\$400,331	\$100,083	25.0%	3.5%	0.9%
Specialty Food Stores	\$13,085	\$3,271	25.0%	0.1%	0.0%
Liquor Stores	\$20,509	\$19,648	95.8%	0.2%	0.2%
Eating Places	\$488,709	\$488,709	100.0%	4.2%	4.2%
Building Materials And	\$0	\$0	0.0%	0.0%	0.0%
Homefurnishings Group	\$182,602	\$182,602	100.0%	1.6%	1.6%
Automotive Group	\$899,299	\$874,575	93.3%	7.8%	7.6%
Sub-Total Retail	\$2,732,596	\$2,240,417	82.0%	23.6%	19.4%
SERVICES					
Rental Services	\$21,280	\$0	0.0%	0.2%	0.0%
Professional Services	\$7,158	\$0	0.0%	0.1%	0.0%
Medical Services	7 . /	т-			
Eyecare	\$66,385	\$33,193	50.0%	0.6%	0.3%
Other Medical	\$197,938	\$0	0.0%	1.7%	0.0%
Repair Services	4257,7555	40	0.070	217 70	0.070
Auto Repair	\$48,622	\$19,449	40.0%	0.4%	0.2%
Other Repair	\$23,010	\$0	0.0%	0.2%	0.0%
Personal Services	4=0,0=0	4.5	5.575	5.275	0.070
Personal Care Services	\$45,900	\$4,590	10.0%	0.4%	0.0%
Other Personal	\$29,012	\$0	0.0%	0.3%	0.0%
Entertainment/Recreation	Ψ23,312	Ψ0	3.3 70	3.3 70	3.070
Movie, Theater, Opera, Ballet	\$44,427	\$4,443	10.0%	0.4%	0.0%
Sporting Events	\$13,598	\$1,360	10.0%	0.1%	0.0%
Other Entertainment	\$94,278	\$0	0.0%	0.8%	0.0%
Sub-Total Services	\$591,608	\$63,034	10.7%	5.1%	0.5%
GRAND TOTAL	\$3,324,204	\$2,303,450	69.3%	28.7%	19.9%
Source: ADE Inc. retail demand model					

Source: ADE, Inc.; retail demand model derived from U.S. Economic Census, Bureau of Labor Statistics Consumer Expenditure Survey and PUMS database.

**Residential and Commercial Vacant Land Inventory** 

# Wren Investors & Hewell Urban Service Area Amendment

USA 12-01 & USA 14-02

**October 3, 2019** 









Prepared by EMC Planning Group

#### RESIDENTIAL AND COMMERCIAL VACANT LAND INVENTORY

# WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 & USA 14-02

#### PREPARED FOR

City of Gilroy Community Development Department

Melissa Durkin, Planner II

7351 Rosanna Street

Gilroy, CA 95020

Tel 408.846.0253

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com
www.emcplanning.com

October 3, 2019

This document was produced on recycled paper.



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#### **Attachments**

Attachment A City of Gilroy Impact Fee and Mapping Revenue Projections

#### 1.0 BACKGROUND

In Santa Clara County, jurisdictional boundary changes, including urban service area (USA) amendments, are reviewed and acted upon by the Santa Clara County Local Agency Formation Commission (LAFCO). A city's urban service area (USA) is defined by LAFCO as that area to which the city provides urban services such as water and sewer, or expects to provide these services within five years of inclusion within the Urban Service Area boundary. Therefore, the USA is expected to accommodate approximately five years of urban development.

The City of Gilroy is considering an amendment to its existing USA for the addition of the 50.3-acre Wren Investors project site, located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site, located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue.

In acting upon a USA amendment request, LAFCO requires the preparation of an appropriate environmental review document, a fiscal analysis, and an analysis of the remaining vacant land within the existing USA. LAFCO utilizes the vacant land analysis in assessing the need for expansion of the USA, based on a goal of maintaining an approximate five-year supply of developable land within the USA. This vacant land analysis has been prepared to provide this information to the City and LAFCO for use in their decisions on this proposed USA amendment.

This vacant land analysis focuses on the current supply of vacant land with a residential General Plan land use designation of Rural Residential, Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, and Neighborhood District. The vacant land analysis also focuses on lands with specific plan designations, including the Hecker Pass Special Use District, and the Glen Loma Ranch Specific Plan, and takes into account residential development opportunities in the downtown.

#### 2.0 RESIDENTIAL VACANT LAND SUPPLY

## Defining Vacant Land

For purposes of this report, residential land is considered vacant if it is substantially underutilized and has a residential General Plan land use designation. The survey identifies land as vacant (or not vacant) as of September 2019. Physically vacant land may have approved

1

entitlements that make the land more readily developable. In many cases, the City approves concurrent residential subdivision maps and architectural and site approvals. However, where subdivided residential land is expected to be sold as individual lots for later development, land is considered vacant until a building permit is granted for development of the lot.

## Currently Vacant Residential Land

Quantifying the existing supply of residentially-designated vacant land within the Gilroy USA involved mapping land thought to be potentially vacant, and then eliminating those parcels for which building permits had been obtained. For areas with an approved final subdivision map, potential for development is based on the number of subdivided lots, equating to one dwelling unit per lot. In areas without an approved final subdivision map, including land in the Medium and High Density and Neighborhood District General Plan designations, the build-out is assumed to follow the density provided as a development target in the General Plan, as indicated in Table 1, Building Density Targets for Quantifying Residential Capacity, below:

Table 1 Building Density Targets for Quantifying Residential Capacity

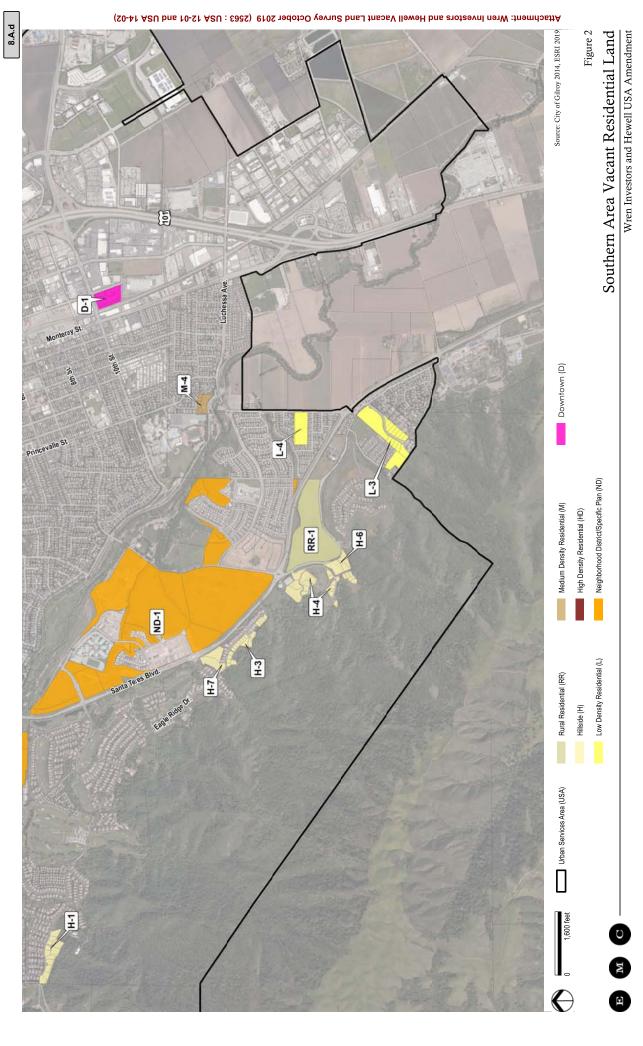
General Plan designation	Density Target
Rural Residential	0.4 units/acre
Hillside Residential	2.0 units/acre
Low Density Residential	5.0 units/acre
Medium Density Residential	16.0 units/acre
High Density Residential –	20.0 units/acre

Source: City of Gilroy 2019

Figure 1, Northern Area Vacant Land, and Figure 2, Southern Area Vacant Land, show the location of residential parcels determined to be vacant. Table 2, Vacant Residential Land Inventory, provides a list of estimated developable lots within each land use designation. As the table shows, approximately 2,394 residential units could be developed on vacant land.

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Table 2 Vacant Residential Land Inventory

Location	Lots/Units
Rural Residential - (1.0 dwelling unit/2.5 ac.) (RR)	
RR-1 Miller Pond	14
Rural Residential Subtotal	14
Hillside Residential - 0.5 – 4.0 dwelling units/acre (H)	
H-1 Eagle Ridge Subdivision – Berwick Lane	12
H-3 Eagle Ridge Subdivision - Portmarnock Way	14
H-4 Eagle Ridge Subdivision – Eagle Ridge Court	24
H-5 Portrush Lane, Southerland Court, Walton Heath Court West of Miller Avenue	19
H-6 6385, 6389, 6395 Miller	3
H-7 Eagle Ridge Kroeger	6
H-8 Country Estates Subdivision (Phase II) [9120 and 9121 Gunnera; 2333, 2363, 2373 and 2393 Banyan; 2391 Mantelli; 2311, 2331 and 2361 Hoya]	10
H-9 Country Estates Subdivision (Phase III) [8951, 8962, 8970, 8971, 8981, 9010, 9025, 9030, 9035, 9045, 9050, 9145, 9175 Tea Tree; 8950, 8955, 8983, 9005 Mimosa; 2161, 2201, 2202, 2241, 2242, 2262 Columbine; 2203, 2204, 2224, 2244, 2243, 2273, 2281, 2283, 2291 Banyan; 9210, 9211, 9250 Mahogany; 1810, 1820, 1830, 1870, 1881 Carob]	40
H-8 Country Estates Subdivision (Phase IV)	95
H-9 Schaal Subdivision	1
H-10 Cambridge at Carriage Hills Subdivision [1955, 1975 Saffron; 1920, 1950, 1980, 1981, 1986 Lavender; 8735, 8745, 8755, 8760, 8775 Wild Iris; 8762, 8772 Foxglove]	14
H-11 Hollyhock Hills Subdivision [8530 Shooting Star; 2140, 2150, 2160, 2170, 2185 Hollyhock)	6
H-12 Miscellaneous lots South of Mantelli Drive (2225 Country Drive; 2320 Wildrose;	2
H-13 Rancho Hills/Deer Park Phase II [1681 Longmeadow]	1

Location	Lots/Units
H-14 The Forest [8340, 8341, 8350, 8351, 8361 Wintergreen Court; 8325	6
Pepper Grass]	
Hillside Residential Subtotal	253
Low Density Residential - 3.0 – 7.5 dwelling units/acre (L)	
L-1 Santa Teresa Boulevard South of Sunrise Drive	19
L-2 Miller Avenue at Thomas Road (Chappel/Sargenti Subdivision)	14
L-3 Miller Avenue at Thomas Road (Christopher Subdivision)	12
L-4 West of Thomas Road	31
L-5 Greenfield Drive Subdivision	14
Low Density Residential Subtotal	90
Medium Density Residential – 8.0 – 16.0 dwelling units/ac. (M)	
M-1 East of Kern Avenue/South of Tatum Avenue	56
M-3 Gurries Drive	8
M-4 Royal Way	65
M-5 North of Village Green	40
Medium Density Residential Subtotal	169
High Density Residential – 16.0 – 30.0 dwelling units/ac. (HD)	
HD-1 East of Santa Teresa Boulevard	140
HD-2 Southeast Corner of Santa Teresa Boulevard/Hecker Pass	202
HD-3 Northeast Corner of Hecker Pass/Kern Avenue	120
HD-4 West Church Street/Howson Street	87
HD-5 Northwest of Monterey Road/Ronan Avenue	119
High Density Residential Subtotal	668
Neighborhood District/Specific Plan Areas (ND)	
ND-1 Glen Loma Ranch Specific Plan (Santa Teresa Boulevard)	1,095
ND-2 Hecker Pass Specific Plan	105
Neighborhood District/Specific Plan Subtotal	1,200
TOTAL	2,394

*Source:* Google Earth 2018, Property information provided by the City of Gilroy 2019

#### Residential Units in Downtown

One thousand five hundred seventy-six (1,576) units were projected to develop in Gilroy's Downtown as part of the revitalization identified in the Downtown Gilroy Specific Plan. As shown in Table 3, Recently Built or Under Construction Downtown Residential Projects, of the 1,576 units available, 667 have been constructed or have been issued permits, leaving a balance of 909 units remaining for entitlement.

Table 3 Recently-Built or Under Construction Downtown Residential Projects

Location	Lots/Units
Downtown (D)	
Prior Projects that have been Constructed	225
D-1 Alexander Station	263
D-2 Alexis Gevorgian/ Gateway Apartments (Monterey Street)	75
D-3 The Cannery at Lewis Street Apartments	104
Total Granted	667
Remaining Downtown Specific Plan RDO Exemption Units	909

Source: Google Earth 2018; Property information provided by the City of Gilroy 2019

It is anticipated that some of the residential units would be built as part of mixed-use (commercial/retail/residential) projects, and/or on land that is currently, or has previously, been developed (i.e. land that is not vacant). The Gilroy General Plan contains direction regarding residential redevelopment of the downtown. A key strategy for managing growth and minimizing costs is to focus new development in areas that are already serviced by roads, sewers, and other infrastructure. The General Plan supports development on these lands before extending the City outward. It also supports intensification of development in the Downtown area to discourage sprawl and strengthen the Downtown core. However, redevelopment in the Downtown on parcels that require demolition of existing structures presents additional cost constraints as it can be expensive to demolish old buildings. Coupled with the demise of redevelopment agencies in California, financing redevelopment projects is more complicated.

Furthermore, residential development in the Downtown differs from the housing types developed in the rest of the city, as Downtown units are likely to be constructed as part of mixed-use buildings. Residential units in mixed-use buildings have a less-predictable market than traditional housing types, such that the timing of development Downtown is correspondingly unpredictable and expected to occur over the course of decades. Because of

this, the city cannot apply an annual rate of development Downtown. Therefore, the Vacant Land Inventory considers residential development Downtown separately from residential development elsewhere in the city.

## 3.0 Residential Growth Projections

Over the next 10 years (20/21 to 29/30), the City of Gilroy expects to issue 3,045 residential building permits for projects outside of the Downtown. This is an average of 305 permits per year. This is based upon the City of Gilroy Impact Fee and Mapping Revenue Projections, included as Attachment A. Note that these projections exclude development in the Downtown, except for projects that are already in the entitlement process. The reason is that the 909 remaining Downtown units are expected to build out over the course of decades, such that the amount of development in any given year is not easily predictable.

Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land outside of the Downtown to build 2,394 units (see Table 2), Gilroy has adequate land for approximately 7.8 years of residential development (2,394/305=7.85).

If the 909 units of residential development opportunity in the downtown (see Table 3) are added to this total, Gilroy has the land capacity to build up to 3,303 units (2,394 + 909). Applying the same average build out for units located in and out of Downtown, this allows for about 10.8 years of residential development (3,303/305 = 10.83).

## 4.0 COMMERCIAL VACANT LAND SUPPLY

## Defining Commercial Land

For purposes of this report, land is considered vacant if it is substantially underutilized and has a commercial zoning designation. The survey identifies land as vacant (or not vacant) as of September 30, 2019. Physically vacant land may have approved entitlements that make the land more readily developable.

The commercial districts and commercial zoning designations analyzed for purposes of this report include: Downtown Historic District (DHD); Downtown Expansion District (DED); Highway Commercial District (HC); Shopping Center Commercial District (C3); Planned Unit Development Combining District (PUD); Cannery District (CD); Commercial Industrial District (CM); Gateway District (GD); and General Industrial District (M2).

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Inclusion of commercial land in the Wren/Hewell Urban Service Amendment project is intended to satisfy the 2020 General Plan and zoning ordinance requirements for Neighborhood Districts to include a mix of service uses within close proximity to residential areas. As noted in the City's zoning ordinance, the Neighborhood Commercial designation encourages "areas in the city suitable for commercial uses of a low intensity and of a neighborhood character, which cater directly to residents of the immediate neighborhood only, rather than to the entire city. The uses in this district are intended to be of low intensity in order to be compatible with residential living" (City of Gilroy Zoning Ordinance Article X, 30.13.10).

## Commercial Absorption Rate

An average annual absorption rate was determined based on approvals granted for the commercial zoning designations during the prior 10 years (2009-2019). During this period, a total of 8.73 acres of commercial uses was approved, or an average of 0.87 acres per year. Table 4, Commercial Approvals 2009-2019, summarizes commercial approvals during the 10-year period.

Table 4 Commercial Approvals 2009-2019

Project Name/Location	Year	Zoning	Acres
770 First Street	2019	C-3	0.87
6807 Automall Parkway	2019	CM	3.04
8050 Santa Teresa Boulevard	2019	C-3	1.42
6901 Cameron Boulevard Gas Station	2017	HC-M2/PUD (a portion of McCarthy Business Park)	0.65
800 1st Street CVS Pharmacy	2015	C-3	1.58
De La Torre Mixed-Use – Monterey Street and Tenth Street	2011	Expansion District (Downtown Gilroy Specific Plan)	1.17
Total			8.73
Average per Year			0.87

Source: City of Gilroy 2019; Google Earth 2018

## Currently Vacant Commercial Land

Table 5, Vacant Commercial Land Inventory, provides a list of vacant commercial lots within each zoning designation. As the table shows, approximately 136.02 acres of commercial land is vacant. Figure 3, Northern Area Vacant Commercial Land, and Figure 4, Southern Area Vacant Commercial Land, show the location of commercial parcels that are vacant.

Table 5 Vacant Commercial Land Inventory

Location	APN	Zoning	Acres
C-1 North of First Street east of Kelton Dr.	790-39-019	C-3	0.97
C-2 Forest Street at Leavesley Road	835-01-050 835-01-064	C-3	5.64
C-3 San Ysidro Road north of Outlets	835-04-064	C-3	11.05
C-4 Renz Lane east of WalMart Supercenter	841-18-080 841-18-081	C3-M2/PUD	12.63
C-5 Holloway Road west of Camino Arroyo	841-70-037	Regency/Newman Center PUD	2.16
C-6 Monterey Street at West Tenth Street	799-34-036	C-3	0.87
C-7 East side of Monterey Street south of West Tenth Street	841-14-011	Gateway District (Downtown Gilroy Specific Plan)	1.89
C-8 Automall Parkway south of East Tenth Street	841-16-117	CM	9.11
C-9 Travel Park Circle	841-75-011	CM	1.73
C-10 Railroad Street & 6th Street	841-08-044	Cannery District	0.25
C-11 Alexander Street & 7th Street	841-13-022	Cannery District	3.62
C-12 Eigleberry Street, North of 4th Street	799-04-016	DED	0.18

Location	APN	Zoning	Acres
C-13 Swanston Lane & Wheeler Street	841-02-055	CM	0.75
C-14 Monterey Street, South of Howson Street	790-37-003	Gateway District	1.95
C-15 Chestnut Street	841-12-047	CM	1.96
& 9th Street	841-12-057		
C-16 Monterey Street & 9th Street	841-14-001	DED	0.55
C-17 McCarthy Commercial	841-84-005	HC-M2/PUD	4.35
	841-84-007	(a portion of	
	841-84-008	McCarthy Business	
	841-84-009	Park)	
	841-17-100		
C-18 Machado Commercial	841-18-082	C3-M2/PUD	28.2
	(portion)		
C-19 Land Capital Group	841-70-049	C3-H2-M2/PUD (Gilroy Crossing Shopping Center)	10.18
C-20 7840 Monterey Street	841-02-058	DED	0.41
C-21 7634 Monterey Street	841-04-008	DHD	0.16
C-22 Monterey Street	799-09-056	DHD	0.16
C-23 2740 Hecker Pass Highway	810-20-006	Hecker Pass Special District (Hecker Pass	6.00
<del></del>		Specific Plan)	
C-24 Northeast of Bolsa	841-31-003	CM	103
Road	841-31-019		
	841-31-022		
Total	'		207.77

**Source:** City of Gilroy 2019; Google Earth 2018

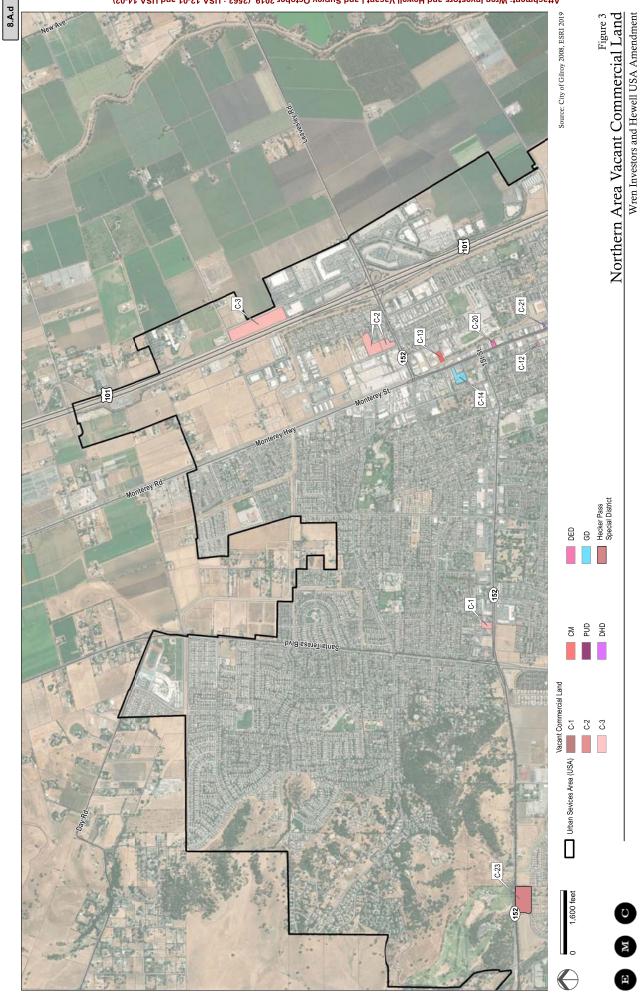
Note:

C-23: APN: 810-20-006 (Hecker Pass Specific Plan) was approved for an agricultural commercial development in 2018 but the Arch & Site approval has since expired

C-24: APNs 841-31-003, 019, and 022 (totaling approximately 103 acres) were recently rezoned to Commercial Industrial (CM)

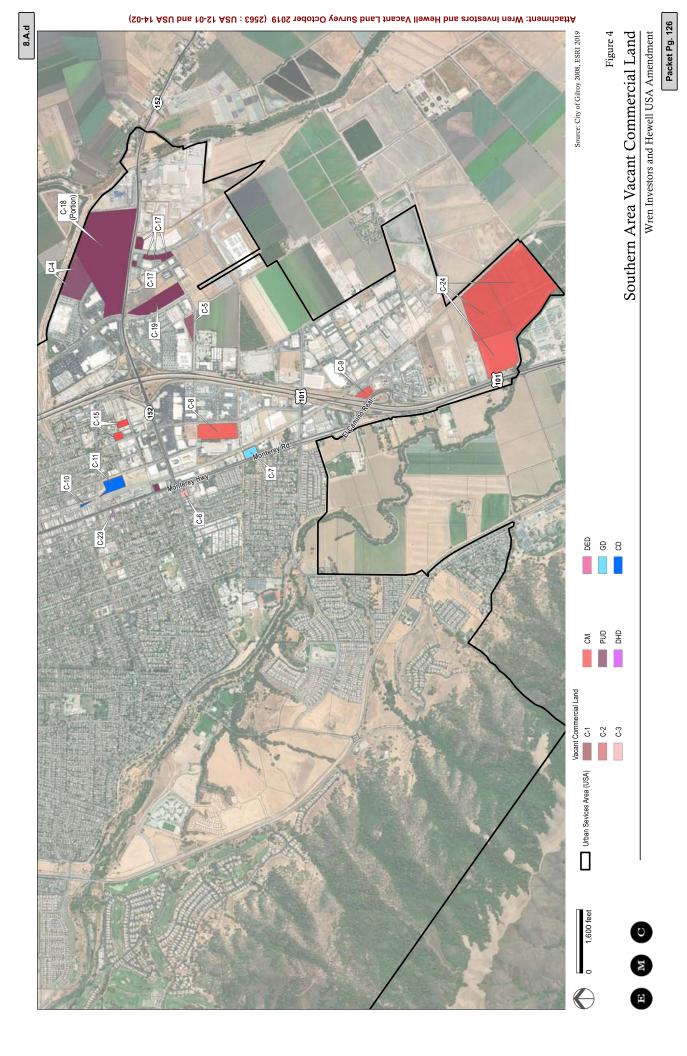
## Available Commercial Land Supply

There are currently 207.77 acres of vacant commercial land within the city. Based on an annual absorption rate of about 0.87 acres per year, the city has adequate commercial land to serve future growth for about 239 years. The City estimates that the territory currently proposed for inclusion in the USA will not be available for development for at least four to five years, at which time the supply of vacant commercial land would be about 234 years. The 0.4 acres of commercial uses within the USA proposal are intended to serve the residential uses within the residential uses also included in the USA proposal. Most of the City's vacant commercial land does not serve this purpose. The USA amendment area is estimated to build out over a 15 to 20 year period, which would result in an average commercial development rate within the USA amendment area of about to 1.9 to 2.5 acres per year.



Attachment: Wren Investors and Hewell Vacant Land Survey October 2019 (2563 : USA 12-01 and USA 14-02)

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Planning for Success.

#### PLAN FOR SERVICES

# Wren Investors & Hewell Urban Service Area Amendment

USA 12-01 and USA 14-02

PREPARED FOR

City of Gilroy

October 4, 2019

#### PLAN FOR SERVICES

## WREN INVESTORS & HEWELL URBAN SERVICE AREA AMENDMENT

USA 12-01 and USA 14-02

#### PREPARED FOR

City of Gilroy Community Development Department

Melissa Durkin, Planner II

7351 Rosanna Street

Gilroy, CA 95020

Tel 408.846.0451

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
Stuart Poulter, AICP, MCRP, Associate Planner poulter@emcplanning.com
www.emcplanning.com

October 4, 2019

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## 1.0 Introduction

## **EXECUTIVE SUMMARY**

The City of Gilroy (hereinafter "City") has prepared this plan for providing services (hereinafter "plan") as part of the City's application to the Local Agency Formation Commission of Santa Clara County (hereinafter "LAFCO").

The plan is required by LAFCO for urban service area (USA) amendments as an enumeration and description of how services will be provided and which entities would provide the services to the affected territory (project site). This plan addresses how the City and other agencies would provide services to the project site upon annexation and development of the site including water, wastewater, storm drainage, solid waste, fire, police, lighting, library services, roads, schools, and hospitals.

## **CORTESE KNOX ACT REQUIREMENTS**

As a mandatory component of a USA Amendment application, LAFCO requires the submittal of a plan for providing services prepared in compliance with Government Code Section 56653 that describes how services will be provided and the level and range of those services, including detailed information on the extent, size, location and capacity of existing infrastructure.

The Cortese Knox Act requires the preparation of a plan for providing services when an annexation or similar boundary change is requested. Government Code Section 56653 sets forth the requirements as follows:

- 56653 (a) If a proposal for a change of organization or reorganization is submitted pursuant to this part, the applicant shall submit a plan for providing services within the affected territory.
- (b) The plan for providing services shall include all of the following information and any additional information required by the commission or the executive officer:
  - (1) An enumeration and description of the services to be extended to the affected territory.
  - (2) The level and range of those services.

#### 1.0 Introduction

- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.
- (d) This section shall not preclude a local agency formation commission from considering any other options or exercising its powers under Section 56375.
- (e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed (California State Assembly 2016).

Pursuant to the Cortese-Knox Act, LAFCO has issued guidance for the preparation of plans for services that expand on the requirements listed above (LAFCO 2013).

The plan for services must address the following:

- (a) The capacity of existing infrastructure including:
  - The total capacity / service units of the system
  - Number of service units already allocated
  - Number of service units within current boundaries anticipating future service
  - Number of service units within the system available after providing service to areas within current boundaries that anticipate future service
  - Number of service units required to serve the proposed project
  - Number of service units proposed to be added to meet the demand
- (b) In the event there are not enough service units available to serve the proposed project, the applicant shall provide a plan for obtaining the capacity necessary to provide service which must include the following information:
  - A description of any required facility or infrastructure expansions or other necessary capital improvements.
  - The likely schedule for completion of the expanded capacity project, the viability of the needed project, and the relation of the subject project to the overall project and project time line.

#### Wren Investors and Hewell Urban Service Area Amendment Plan for Services

- A list of required administrative and legislated processes, such as CEQA review or State Water Resources Board allocation permits, including assessment of likelihood of approval of any permits and existence of pending or threatened legal or administrative challenges if known.
- The planned total additional capacity.
- The size and location of needed capital improvements.
- The proposed project cost, financing plan and financing mechanisms including a description of the persons or properties expected to bear project costs.
- Any proposed alternative projects if the preferred project cannot be completed.
- (c) The estimated time frame for service delivery.
- (e) A statement indicating any capital improvements, or upgrading of structures, roads, sewer or water facilities or other conditions the agency would impose or require within the affected territory prior to providing service if proposal is approved.
- (f) A description of how the services will be financed.
- (g) Agency's general statement of intent to provide services to the affected territory, indicating the agency's capability of providing the necessary services in a timely manner to the affected territory while being able to serve all areas within its current boundaries and without lowering the level of service provided to areas currently being served by the agency.

In accordance with the Cortese-Knox Act and LAFCO's guidance on preparing plans for services, this plan addresses water, wastewater, storm drainage, solid waste, fire, police, lighting, library services, roads, schools, and hospitals. This plan identifies the City's planned capital improvements for the project area, notes the adequacy or deficiency of the City's planned capital improvements and policy goals based upon the project description, and identifies the responsibilities and funding mechanisms for the provision of services to the site, based upon the level of future development anticipated by the conceptual development plan.

## **PRIMARY INFORMATION SOURCES**

The following documents were the primary sources of information for this plan for services.

• The Fiscal Impact Analysis of the Wren Investors-Hewell USA to the City of Gilroy and the County of Santa Clara provides a description of the existing fiscal conditions of the

#### 1.0 Introduction

City and County, an estimate of the fiscal impacts of the proposed USA amendment area at buildout and in a subsequent 10 year time frame from development completion (Applied Development Economics 2015).

- The *Cities Service Review Final Report* is a municipal service review which is a comprehensive study of services within designated geographic areas that are completed to obtain information about service delivery, evaluate the provision of services, and recommend actions to promote the provisions of those services (Management Partners 2015).
- Gilroy 2040 General Plan Background Report- Public Review Draft Chapter 9: Public Facilities, Services, and Infrastructure presents an overview of public and community services provided by the City of Gilroy and other agencies including water supply and delivery, wastewater collection and disposal, storm water drainage and flood control, solid and hazardous waste, utilities, law enforcement, fire protection, emergency medical services, and schools (Mintier Harnish 2014).
- *Gilroy 2040 General Plan Background Report- Public Review Draft* Chapter 4: Economics and Demographics, describes the economic and demographic characteristics of the City of Gilroy to identify trends and changes in the make-up and composition and demands of Gilroy's future population (Mintier Harnish 2014).

2.0

## **Proposed USA Amendment**

## **SUMMARY**

The City received and is processing an application for an approximately 55-acre Urban Service Area (USA) amendment in the northern portion of its 20-year Growth Boundary. Most of the proposed USA amendment is designated Neighborhood District, with a small portion designated Park/Recreation Facility in the general plan.

## **BACKGROUND**

The USA Amendment request is consistent with general plan land uses and densities, and is included within the planned services areas of the City's master utility plans. The City has indicated its intent to eventually provide services to the project site, and elsewhere within the 20-year Growth Boundary, in a timely manner without lowering the level of services provided within the existing USA. The City has adopted a number of programs and infrastructure master plans to implement its general plan policies for the provision of public services. Master plans have been adopted for police and fire protection, water, recycled water, wastewater, storm drainage, parks and recreation services. Adopted programs and policies include cooperative agreements with other agencies to provide services including fire protection, recreation programs, library services, recycled water, and wastewater treatment. The City must weigh the extension of services to new areas of development against the cost of those extensions, and consider general plan policy guidance regarding services extensions. The City assesses development impact fees for water, sewer, traffic, and storm drainage, as well as for public facilities such as police, fire, library, and parks and recreation. The Gilroy Unified School District also assesses Level I development impact fees for school facilities. These fees assist in funding extensions to services to accommodate new development and population increases. General plan action 18.B states that an impact fee schedule shall be updated on a regular basis to ensure that public safety facilities and services required by new development are paid for by those developments (page 7-20). Gilroy City Code Section 21.162 states that approval of any development project by the City shall be conditioned upon the payment of public facilities impact fees in amounts in effect at the time of payment of the fees. All fees collected pursuant to this provision shall be placed in a separate public facilities impact fee fund in a manner to avoid any commingling of the fees with other revenues and funds. The fees collected, and any earnings thereon, shall be

2.0

expended solely for the acquisition and development of public facilities and the repayment of any indebtedness incurred by the City. Table 2-1, Public Facilities and Utilities Fees, lists the development impact fees for various facilities.

## PROJECT LOCATION AND SETTING

The project includes two adjacent sites the Wren Investors site and the Hewell site. The 50.3-acre Wren Investors site is located north and west of the Gilroy city limit and USA, but within the City of Gilroy 2020 General Plan 20-year planning boundary. The existing USA boundary borders nearly the entire site along Vickery Avenue to the north, Wren Avenue to the east, and along the southern boundary of the site and along the west boundary of the site to Tatum Avenue. The site is comprised of 14 parcels total. Six parcels are developed with low-density residential uses, one parcel that is occupied by the Gilroy High School Future Farmers of America Club farm laboratory, vacant land (grassland) and two vacant Santa Clara Valley Water District parcels through which run the Lions Creek channel and a paved community bike path.

The 5.46-acre Hewell project site consists of two adjacent parcels: assessor's parcel numbers 790-06-017 and 790-06-018 located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. Assessor's parcel number 790-06-017, which makes up the southeast portion of the site, is developed with one home, associated outbuildings, and landscaping; however, the remainder of the project site is a vacant field. Land uses surrounding the project site are agricultural to the north, and rural residential with some small-scale agricultural uses to the south, and west. A residential subdivision (Harvest Park) is located to the east, within the City limits.

The *City of Gilroy 2020 General Plan* designates the two project sites, with the exception of the SCVWD facility, for Neighborhood District uses which allows a variety of residential densities. The County of Santa Clara ("County") land use designation of the project sites and the lands to the north, south, and west is Open Space Reserve. Figure 1, Existing and Proposed USA Boundaries, presents the general plan land use designation, as well as the City limits and existing and proposed USA boundaries.

## **PROJECT DESCRIPTION**

The proposed project is a single urban service area amendment that includes both the previously separate Wren Investors project site and the Hewell project site (hereinafter referred to as "the proposed project"). Table 2-2, Wren Investors and Hewell USA Amendment Anticipated Development, presents the anticipated buildout for these two sites comprising 55.66 acres and presents proposed land uses, acreage, and number of residential lots.

Table 2-1 Public Facilities and Utilities Fees

	Adopted 11-21-11 Adopted 12-10-12	Adopted 1-21-11 Adopted 2-10-12	FY15 ed 1-21-11	FY16 Adopted 11-21-11 Adopted 12-10-12		FY17 Adopted 11-21-11 Adopted 12-10-12	- 5	FY18 Adopted 11-21-11 Adopted 12-10-12	165.53	FY19 Adopted 11-21-11 Adopted 12-10-12	177-17	FY20 Adopted 11-21-11 Adopted 12-10-12	21-11	
FEE	Effective	Effe	Effective	Effective		Effective	1	Effective	-	Effective	9	Effective	live	Average
	7.1-13	7-	7-1-14	7-1-15		7-1-16		7-1-17		7-1-18	-	7-1-19	19	% Change
FUND 420: STORM					- 12	100	77.	TAU WILLIAM		1000	The state of	100000	STATES	
Residential - Low Density	564 0.0%			564	3,00	564 0.	0.0%		%0°#	564	0.0%	264	0.0%	-9.9%
Residential - High Dessity		886		988	9,00		%0.0	988	*0.0	886	0.0%	388	%0.0	-9.9%
Commercial - Low Traffic + High Traffic			%000	1,528	95.0.0		%0.0		%0%	1,528	0.0%	1,528	2,000	-8.6
Commercial - Assembly Hall	564 0.0%			564	0.0%		0.0%	564	%0%	584	20.0	564	0.0%	.9.9%
Industrial		+		1,128	3,070		%0		%0'8	1,128	0.0%	1,128	0.0%	-9.9%
FUND 435: SEWER		13000			- Donnor	100000								
Desidential I was Dans (the	40 656 4 0%	1		11 558	4.0%	12.020 4.	ľ	12 501	7.0%	12,501	200	12,501	0.0%	9.6
Confidence - Cow Description		L	40%	6.254	4.0%		4.0%	6.754	7.0%	6,764	0.0%	6,764	2,000	9.6%
Commencial	L	L	I	3.658	4,0%	H	4.0%	3,956	4.0%	3,956	0.0%	3,956	%0.0	9.6%
Industrial	3,382 4,0%	3,511		3,658	4.0.4	3,804 4.	4.0%	3,956	%0+	3,956	0.0%	3,956	%0'0	9.6
FUND 436: WATER														
Recidential - I not Dansily	L	4.294		4.294	1.0%		0.0%	4,294	**0.#	4,294	20.0%	4,294	%0.0	23.9
Residential - High Descity	L	L	2,000	1,737	%0.0		0.0%	-	8.0%	1,737	0.0%	1,737	0.0%	24.0
Commercial	6,731 0.0%	6,731		6,731	0.0%	6,731 0.	%0.0		%0"	6,731	0.0%	6.731	%0.0	23.9%
industrial			%0.0	6,731	0.0%		0.0%	6,731	%0.#	6,731	0.0%	6,731	0.0%	23.9
FUND 440; PUBLIC FACILITIES												Saldana	ALC: NO.	
Residential - Low Density	16,848 4,0%	17,522	B	18,223			4.0%	19,710	1.0%	20,498	4.0%	21,318	4.0%	8.5%
Residential - High Density			H	46,332			4.0%		*.0.*	17,246	4.0%	17,936	4.0%	7.8%
Commercial	2,538 4.0%	2,640	4.0%	2,746		ı	4.0%	2,970	*0%	3,089	4.0%	3213	4.0%	12.5%
Industrial			١	1,215	4.0%	1,264 4,	4.0%	1,315	1.0%	1,368	4.0%	1423	4.0%	12.2
FUND 433: TRAFFIC												VS U		
Residential - Low Density	9,973 3,0%		R	10,580		В	П	11,224	3.0%	136,11	3.0%		0.0%	26.9%
Residential - High Dessity				8,577		8,834 3.	8	9.099	1.0%	9,372	3.0%		%0.0	26.9%
Commercial - Low Treffic + Assembly Hall	11,034 3.0%	11,365	3.0%	11,706	3.0%	L		12,419	1.0%	12,792	3.0%	12,792	0.0%	27.0%
Commercial - High Traffic	ı	8	H	23,647		ı		25.087	7.0%	25,840	3.0%		0.0%	0.72
Industrial - General	(rh			4,639	3.0%	4.778 3	2,60	4,921	3.0%	5,069	3.0%		0.0%	26.978
Industrial - Warehous	3,169 3.0%	3,264	3.0%	3,362	3.0%	ı	3.0%	3,567	1.0%	3,674	3.0%	3,574	0.0%	6.03
SINGLE FAMILY RESIDENTIAL-Low				100	Ŷ			100						
Total Development Impact Fee per unit	41,914 Sunit	43,314	\$/unit	44,768 S/unit	_	46,276 \$/unit		47,842 SA		48,967 \$/unit		48,787	S/unit	
	*No ENR CCI	*Check for	*Check for ENR CCI	*Check for ENR CCI		*Check for ENF CCI		"Check for ENR CCI		*Check for ENR CC adjustment		*Check for ENR CC adjustment	INRCCI	
	and a section	autocolous		· · · · · · · · · · · · · · · · · · ·										
	**Automatic Sewer, Traffic and PFI <sup>E</sup> increases resulting from City and RJA	**Automatic Sewer Traffic and PFIF Increases resulting from City and RJA	"Automatic Sewer, Traffic and PF1F increases resulting from City and RJA,	**Automatic Sewer, Traffic and PFIF increases resulting from City and RJA		"Automatic Sever, Traffic and PFIF Increases resulting from City and FUA		"Automatic Sever, Traffic and PFIF Increases resulting from City and R.A.	Yel lante-sa	"Automatic Traffic and PFIF iscreases resulting from City and RJA Cost	. 0	"Automatic PFIF increase resulting from City and RuA Cost Analysis	PFIF sulfing d RJA is	
	Parent de annual a	Once A section	- margar	Post Angelesie	1	Parent A newhork	Prop.	Prest Amaholio	0	Analysis				

Packet Pg. 144

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Table 2-2 Wren Investors and Hewell USA Amendment Anticipated Development

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	33.6	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

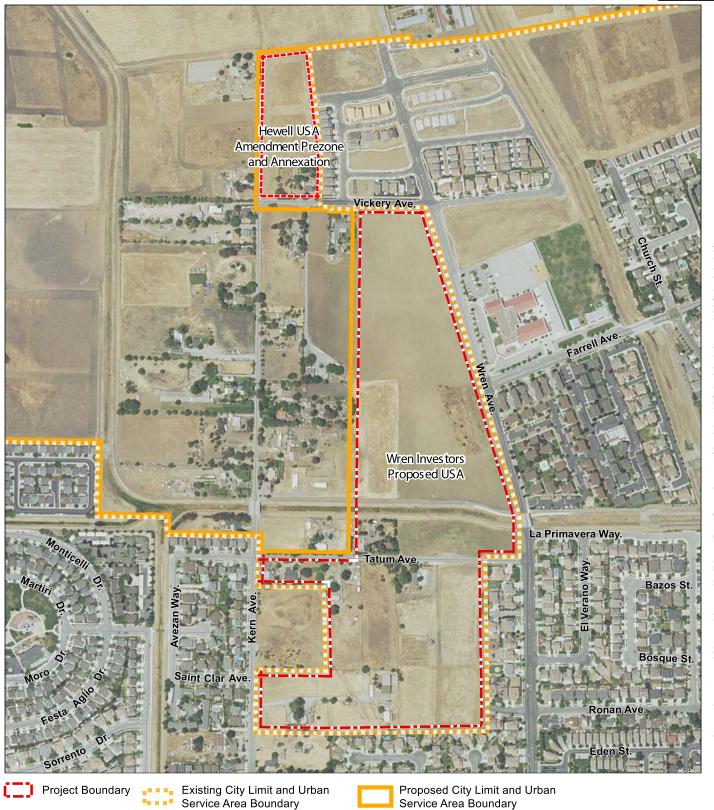
SOURCE: Wren Investors (USA 12-01) & Hewell (USA 14-02) USA Amendment Applications

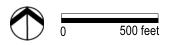
## **ANTICIPATED APPROVALS**

Approval of the USA amendment by LAFCO would lead to annexation into the City of Gilroy and future development of the site. Future development of the site would require preparation of a master plan or specific plan and, dependent upon project-specific characteristics, may require supplemental environmental review once specific development plans are proposed and submitted to the City. Future actions are expected to include, but may not be limited to, the following: annexation, pre-zoning/zoning, residential development ordinance (RDO) allocation, specific or master plan approval, tentative and final subdivision map approval, architectural and site review approval, development agreements, Community Facilities District initiation, habitat permits, right-of-way abandonments and dedication acceptances, and encroachment permits for work within City rights-of-way.

## ANTICIPATED TIME FRAME FOR SERVICE DELIVERY

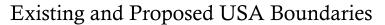
An accurate estimate of the time frame for delivery of services cannot be made until specific development of the site is proposed; however, a general estimate can be made based upon City of Gilroy staff experience with similar projects. Assuming the USA amendment is approved, the entitlement process is expected to take about five years from the date a specific plan application is submitted. The City anticipates that a community task force would be assembled to assist with guiding future development plans. Assembling a task force and preparation of a specific plan as well as project-specific CEQA review, would likely take the City a minimum of two years to process. Subdivision maps and architectural and site review would follow. A more accurate time frame for the delivery of services could be developed once specific development of the site is proposed.





Source: Esri 2016

Figure 1









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## 3.0 Water

## **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- The City of Gilroy Water System Master Plan (hereinafter "Water Master Plan") analyzes the water system for build out conditions with the 20-year Growth Boundary and provides recommendations for capital improvements (Carollo Engineers 2004).
- The City of Gilroy 2015 Urban Water Management Plan (hereinafter "Urban Water Management Plan") implements and maintains the reliability of urban water supplies, ensures that future beneficial use can be complemented by sufficient water supply, continues to promote policies and programs that benefit water conservation, and provides a means for response during water supply shortages and drought conditions. The Urban Water Management Plan is required in accordance with the California Water Code requirements, and updates are typically submitted to the Department of Water Resources every five years (AKEL Engineering Group 2016).
- The Santa Clara Valley Water District/South County Regional Wastewater Authority's South County Recycled Water Master Plan identifies opportunities to expand the use of tertiary treated recycled water within areas served by the plan, including the City (Carollo Engineering 2004d).
- Santa Clara Valley Water District's Stream Maintenance Program Update 2012-2022 Final Subsequent Impact Report addresses potential environmental impacts to the proposed Stream Maintenance Program Update and describes flood management goals to maintain appropriate conveyance capacity and functional integrity of Santa Clara Valley Water District facilities (Horizon Water and Environment 2011).
- The Santa Clara Valley Water District's Water Supply and Infrastructure Master Plan discusses the District's plan to ensure a sustainable water supply for Santa Clara County's future needs through 2035 (2012).

- The Santa Clara Valley Water District's Groundwater Management Plan characterizes the District's groundwater activities in terms of basin management objectives, strategies, and outcome measures so that the District may respond to risks and uncertainties that may impact the quality and quantity of groundwater supplies such as increased demand, regulatory changes, constituents of emerging concern, recharge limitations due to dam restrictions, reduced availability of imported water or other supplies, climate change, and intensified land development (2016).
- The Santa Clara Valley Water District's Annual Groundwater Report for Calendar Year 2016 describes the groundwater use, storage, land subsidence, and groundwater quality in the Llagas Subbasin for the 2016 year.
- The Central Coast Hydrologic Region; Gilroy-Hollister Groundwater Basin, California's Groundwater Bulletin 118 Interim Update 2016 Data explains the hydrology and basin boundaries of the Gilroy-Hollister Basin (California Department of Water Resources 2016).
- The CASEGM Groundwater Basin Prioritization Results Groundwater Reliance Sorted by Basin Name illustrates the basin prioritization which is used to align resources in the implementation of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program (California Department of Water Resource's 2014).

## **EXISTING CONDITIONS**

## **Groundwater Source**

The City utilizes local groundwater as its main source of supply and uses recycled water as a supplemental supply. The City's municipal water system extracts its water supply from underground aquifers through nine active groundwater wells, which vary in depth and are located throughout the City (City of Gilroy 2016a). The City pays a groundwater extraction fee to the Santa Clara Valley Water District, which is the principal groundwater management agency in the Santa Clara Valley. The groundwater basin underlying Gilroy is the Santa Clara Valley groundwater basin, which is divided into three interconnected subbasins that transmit, filter, and store water. These basins consist of the Santa Clara Valley and Coyote Subbasins to the north of Gilroy, and the Llagas Subbasin, which is the southernmost subbasin. Gilroy is located within the Llagas Subbasin.

Recharge to the Llagas Subbasin comes from a variety of sources including natural recharge from streams; percolations of precipitation and surplus irrigation waters; seepage along canals; subsurface inflow; and artificial recharge, including imported water from the Central Valley Project. The amount of water recharged to the basin varies widely from year to year dependent upon the amount of precipitation and imported water deliveries. Natural

recharge to the basin occurs from a variety of sources including Uvas Creek and Llagas Creek as well as percolation of precipitation. Further, a number of artificial recharge facilities enhance natural recharge to the Llagas Subbasin and have successfully offset historic water-level declines including the Madrone Channel, Main Avenue Percolation Ponds, and a number of percolation ponds along Uvas Creek and Llagas Creek (AKEL Engineering Group 2011 and 2016). Demand for groundwater from the Llagas Subbasin is comprised of pumping for the City of Gilroy, the City of Morgan Hill, and agricultural uses. In 2016, groundwater pumping from the Llagas Subbasin was estimated at about 41,820 acre-feet with 16,560 acre-feet used for residential and industrial uses, 2,010 acre-feet for domestic uses, and 23,250 acre-feet for agricultural uses (Santa Clara Valley Water District 2017). The Santa Clara Valley Water District has an annual average pumping value of approximately 8,300 acre-feet and a 2015 value of 6,968 acre-feet. The District monitors groundwater conditions and adjusts its management to maintain adequate reserves. District-wide short-term water use reductions of up to 50 percent would be required to maintain aquifer balance during an extended drought.

## Water Treatment and Delivery Infrastructure

In addition to the nine active groundwater wells, the City's water system facilities include 10 potable water storage tanks, six active booster stations, and over 120 miles of pressurized pipes ranging from four inches through 30 inches in diameter. The wells have a total pumping capacity of approximately 18.8 million gallons per day (mgd). The City provides service to three separate pressure zones, defined by the elevation ranges they serve. Zone 1 has a pressure zone hydraulic grade line elevation of 374 feet and a service elevation range of 140 to 280 feet, and serves most of Gilroy. Zones 2 and 3 serve higher elevation in the hills at the western edge of the City (AKEL Engineering Group 2011; Carollo Engineers 2004d). The City has been constructing water transmission main facilities and storage reservoirs in accordance with the 2004 Water Supply Master Plan and 2015 South County Recycled Water Master Plan Update. For enhanced City-wide reliability to the water supply, the City added a storage reservoir with three million gallon (MG) capacity.

## **Recycled Water**

In addition to using groundwater, the City also participates in an agreement with the City of Morgan Hill and the Santa Clara Valley Water District to reclaim and purify wastewater at the South County Recycled Water System operated by the South County Regional Wastewater Authority. The use of recycled water offsets use of potable water for agricultural, industrial, municipal and fire suppression uses. Specifically, recycled water is currently being used for landscape irrigation at Christmas Hill Ranch Site, Christmas Hill Park, Gilroy Golf Course, Gilroy Sports Park, Gilroy Shooting Range, McCarthy Business Park, Eagle Ridge Development and Golf Course, and for agricultural irrigation on Obata

Farms and South County Regional Wastewater Authority-owned agricultural buffer lands. The Calpine-Gilroy Energy Center Peaker Plant and Cogeneration Plant use recycled water for cooling. Additionally, two customers will be online and receiving recycled water in the near-term – C&E Farms and Obata Farms (new turnout). The wastewater treatment plant has a recycled water production capacity of 6.5 million gallons per day (mgd) or 19.9 acre feet per day and a demand of 5.2 mgd or 15.9 acre feet per day. According to the 2017 Urban Water Management Plan, the Gilroy's annual recycled water demand is approximately 2,000 acre-feet per year. Several alternatives to expand the recycled water system are being considered to accelerate and optimize recycled water supplies. The existing recycled water distribution system consists of approximately 14.6 miles of 8- to 36-inch diameter pipelines extending from the South County Regional Water Authority wastewater treatment plant to the western edge of Gilroy along Hecker Pass Highway. The system is comprised of two primary distribution systems, the North System and South System, which operate independently of each other.

The Urban Water Management Plan estimated future recycled water supply availability to increase by 555 million gallons (MG) by 2030. With this increased use of recycled water, total supply within the Llagas Subbasin is estimated at 18,800 MG/Y (per year) by 2040 (AKEL Engineering Group 2016 a). Per the Santa Clara Valley Water District, groundwater pumping within the Llagas Subbasin is approximately 44,000 acre-feet (based on average groundwater pumping between 2003 and 2012). In addition to groundwater, approximately 2,000 acre-feet of recycled water is used in areas overlying the Llagas Subbasin (based on 2018 use data). Recycled water use within the Llagas Subbasin projected to increase to 3,700 acre-feet by year 2040 (Santa Clara Valley Water District 2019).which is approximately 6000 acre-feet less than the estimate of 18,800 million gallons (57695 acre-feet) used by the City.

## **Existing Site Water Service**

The City of Gilroy provides potable water service to customers within the City limits. The existing water system near the project site includes a 24-inch line in Santa Teresa Boulevard south of Sunrise Drive, a 16-inch line in Santa Teresa Boulevard north of Sunrise Drive to Day Road, a 16-inch lines in Wren Avenue, Cohansey Avenue, and Monterey Road south of Cohansey Avenue, a 12-inch lines in Hirasaki Avenue, Kern Avenue, Vickery Avenue Farrell Avenue, and eight-inch lines in Church Street, Tatum Avenue, and Ronan Avenue. There are existing City of Gilroy water mains adjacent to the site on Wren Avenue and Monterey Road.

## PROJECT DEMAND AND INFRASTRUCTURE EXPANSION Project Water Demand

Future development of the project site would increase the demand for potable water on the project site, and would contribute to increased City-wide and subbasin-wide groundwater

demand. Using the water demand coefficient identified in the City's *Water System Master Plan* for Neighborhood Districts of 2,100 gallons per day per acre (gpd/ac) or 2.35 acre feet per year (afy), future water demand of the proposed project would be 116,886 gdp or 130.81 acre-feet. Table 3-1, Water Demand presents the projects projected water demand.

Table 3-1 Water Demand

Site and General Plan Designation	Site Acreage	Water Demand Coefficient (2,100 (Gallons Per Day Per Acre)	Water Demand Coefficient (2.35 Acre Feet Per Year)
Wren Investors (Neighborhood District)	50.30	105,630 gpd/acre	118.21 afy
Hewell (Neighborhood District)	5.36	11,256 gpd/acre	12.60 afy
Total:	55.66	116,886 gpd/acre	130.81 afy

SOURCE: City of Gilroy 2004

The projected water supply available through 2040 during normal years, including recycled water sources, is 18,800 MG/Y. While the projected City-wide demand is only 5,822 MG/Y, the City of Morgan Hill and other uses are projected to have a demand of 13,658 MG/Y for a total demand of 18,478 MG/Y. This leaves 322 MG/Y projected excess water supply. In order to meet water supply goals for normal, single dry and multiple dry years, the Urban Water Management Plan recommends enhanced conservation to the maximum extent possible. In the event of an emergency supply shortfall, the City will rely on the contingency plan to reduce the rate of consumption and limit overdraft of the groundwater aquifer. A mitigation measure was included in the initial study that will require new development to include storm water capture for outdoor watering to help meet the 130 acre-feet additional supply needed for the new development.

## **Water Infrastructure**

The project site is within an area that can be served by Zone 1, since the highest proposed service elevation is approximately 246 feet. Future development on the site would connect directly to existing City of Gilroy water infrastructure adjacent to the project site. According to Figure 4-2 of the Water System Master Plan, existing water system infrastructure adjacent to the project site includes 12-inch water mains that run along portions of the western project boundary along Kern Avenue, and to the south and the east of the project site along Cohansey Avenue and Wren Avenue. Water mains are also present in the residential neighborhood located directly south of the site between Mantelli Drive and the southern site boundary. Figure 5-2 of the Water Supply Master Plan presents proposed improvements to

the City's system including 12-inch mains to the west of the project site along Kern Avenue and along the northern and eastern project site boundaries along Vickery Avenue and Wren Avenue, respectively. Future water supply infrastructure within the project site would be connected to existing City of Gilroy water mains adjacent to the site on Wren Avenue and Cohansey Avenue.

On-site water infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards. New development is subject to compliance with the design requirements and standard conditions of approval of the City's Urban Water Management Plan and Water System Master Plan.

#### **FINANCING**

The Water Supply Master Plan includes a Capital Improvement Program to assist the City in planning and constructing the proposed improvements to the water system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options.

Future developers would be responsible for constructing all on-site water pipelines and offsite connecting pipelines. The City will reimburse the developer for construction of oversized mains (that will serve other future development) according to City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. Additional improvements that are included in the Capital Improvement Plan would also be subject to reimbursement. The construction and financing of on-site infrastructure serving the project site would be the responsibility of the applicant.

Future developers of the site would participate in the water development impact fee program, which provides a mechanism to offset the project's share of existing and proposed City-wide infrastructure improvements that enable delivery to the site, such as the new wells required to serve the project. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/ apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees.

On-site water infrastructure would be constructed by the applicant and dedicated to the City. As owner of the water infrastructure, the City will be responsible for costs associated with future maintenance of the water infrastructure unless a Community Facilities District is established. This financing approach could help defray costs for associated with the new water infrastructure (see Section 15.0 for further discussion).

#### **CONCLUSION**

Future development of the site consistent with the existing general plan land use designation would result in an increased demand for water and required treatment. The existing and planned City infrastructure is sufficient to accommodate this increased demand for water service. Developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the increased tax base would not offset the costs of the financial impacts (see Fiscal Impact Analysis prepared by ADE) and the City will require formation of a Community Facilities District for the proposed project. As outlined in the Water System Master Plan and the Urban Water Management Plan, the City is able to deliver water to all customers within the city limits, and the City's water supply and water system planning documents provide for expansion of water production and delivery infrastructure to supply all areas within the USA and 20-year Growth Boundary. Water demand associated with development of the project site is within the City's water supplies and the planned water system infrastructure beyond that already identified in the City of Gilroy Water System Master Plan and Urban Water Management Plan.

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# 4.0 Wastewater

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

The City of Gilroy Sewer System Master Plan (hereinafter "Sewer System Master Plan") analyzes the sewer system for build out conditions with the 20-year Growth Boundary, and provides recommendations for capital improvements (Carollo Engineers 2004b).

#### **EXISTING CONDITIONS**

The project site is within the 20-year Growth Boundary and therefore was accounted for in the Sewer System Master Plan. However, at the time the Sewer System Master Plan was prepared, the project site was designated Low-Density Residential in the general plan. As previously discussed, the general plan land use designation for the site was changed to Neighborhood District in 2002 as part of a general plan amendment process. The amount of wastewater generated by build out of the site with Neighborhood District uses remains consistent with the Sewer System Master Plan.

The City operates and maintains its own sewer infrastructure and serves customers within the City limits. The City's existing sewer collection system consists of a network of pipes ranging in size from six to 33 inches in diameter. The wastewater is directed to the South County wastewater treatment plant operated by the South County Regional Wastewater Authority, a joint agency consisting of the City of Gilroy and the City of Morgan Hill. Wastewater is conveyed through main trunk lines generally 10 inches or greater in size (Carollo 2004b, page 4-1). The wastewater treatment plant treats wastewater from the City of Gilroy and the City of Morgan Hill, with plant capacity and finances split at 58 percent and 42 percent respectively. The wastewater treatment plant has an average dry weather treatment capacity of approximately 8.5 million gallons per day (mgd), with approximately 4.9 mgd available for Gilroy and 3.6 mgd available for Morgan Hill. The wastewater treatment plant processed an average dry weather flow of 6.5 mgd in 2010 (AKEL Engineering Group 2015). The City's share of the average 2010 wastewater flow was measured at 3.58 mgd (Ruggeri Jensen Azar 2015b). A portion of the wastewater is dispersed

to percolation ponds and a portion is recycled. The water recycling facilities were upgraded to increase output capacity from 3 mgd to 9 mgd (*Gilroy 2040 General Plan Background Report - Public Review Draft* Chapter 9: Public Facilities, Services, and Infrastructure 2014).

# **Existing Site Sewer Service**

The Morgan Hill Trunk conveys wastewater from Morgan Hill to Gilroy. The line passes through the project site as a combination of 27- to 30-inch pipes and continues southward on Wren Avenue to a merger with the Mantelli Sub-trunk at Mantelli Drive. The Morgan Hill Trunk also collects wastewater flows from within Gilroy. Wastewater flow is then conveyed in a 33-inch main east and south to the wastewater treatment plant. Sewer system modeling conducted for the Sewer Master Plan shows that during wet weather flow conditions, the Morgan Hill Trunk becomes deficient through the City (Carollo Engineers 2004b).

# PROJECT WASTEWATER GENERATION AND INFRASTRUCTURE EXPANSION

#### **Estimated Wastewater Generation**

The proposed project would result in increased wastewater flows and the development of new wastewater collection lines within the project site. The City would apply the Sewer Development Impact Fees to the construction of the sewer system upon annexation and development of the site. According to the sewer generation estimates outlined for each land use in the Sewer System Master Plan, future development of the site consistent with the Neighborhood District land use designation may result in 72,000 gpd. At the time the Sewer System Master Plan was prepared, the site was designated Low-Density Residential; which is a lower intensity residential use and would generate less wastewater than Neighborhood District uses. However, as discussed previously, the land use designation for the site was changed to Neighborhood District in 2005 as part of a general plan amendment process that modified the distribution of residential land uses city-wide, but did not substantial change the overall amount of lands designated for low to high density residential uses. As such, the wastewater that would be generated by build out of the site consistent with existing general plan land use designations has been evaluated in the Sewer System Master Plan, which concluded that there is adequate capacity to serve the 20-year planning area, including the project site.

#### **Collection Infrastructure**

Future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site. As depicted in the Sewer System Master Plan, Figure 4.2, the closest sewer main to the site is the Joint Morgan Hill-Gilroy

Trunk, which runs along the eastern boundary of the project site. The Joint Morgan Hill-Gilroy Trunk conveys flows from the City of Morgan Hill as well as flows from the northwest and northeast portions of Gilroy.

Along Wren Avenue, east of the project site, the Joint Morgan Hill-Gilroy Trunk consists of a 30-inch main, which decreases in size to a 27-inch main along the south-eastern project boundary between Tatum Avenue to Mantelli Drive, where it merges with the Mantelli Subtrunk at the intersection of Wren Avenue and Mantelli Drive. Wastewater flow is then conveyed in a 33-inch main east and south of Gilroy to the wastewater treatment plant. A 18-inch main is also located on Santa Teresa Boulevard, west of the site.

According to the Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Joint Morgan Hill-Gilroy Trunk becomes deficient when Morgan Hill flows are introduced.

# **Treatment Plant Expansion**

A relief line along Monterey Road is included in the City of Morgan Hill's and the wastewater authority's capital improvement plan, and is partially constructed. The City of Morgan Hill is the responsible entity for funding the new relief trunk from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass Road and Renz Lane in the City of Gilroy. The City will maintain 50 percent capacity allocation in the new relief trunk that continues from Pacheco Pass Road to the waste water treatment plant outfall, and as a result, will be responsible for half of the funding for this reach of new sewer pipe (Carollo Engineers 2004b). According to the City of Morgan Hill, completion of the relief line is based on funding and it is unknown when adequate funds will be available to complete the construction of the relief line (Gittleson 2018). On-site wastewater infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards.

# **FINANCING**

General plan action 19.A requires developers to pay fees to offset the costs of expanding the sewer system to accommodate their development. These fees will be paid in relation to the capacity demanded, and will reflect the total fees for improvements. The Sewer System Master Plan estimates average day sewer flows based on the land uses specified in the general plan. According to the Sewer System Master Plan, sewer flows are estimated to be 770 and 1,500 gallons per day per acre (gpda) for Low Density Residential and Medium Density Residential land uses respectively (page ES-9). Low -density residential development would pay City development fees at the low-density level. Development in the medium-density and high-density land uses would pay City development fees at the high-

density level. The City would apply the sewer development impact fees to the construction of the sewer system upon annexation and development of the site. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

The Sewer System Management Plan includes a capital improvement plan to assist the City in planning and constructing the proposed improvements to the sewer system through the build out of the general plan. The capital improvement plan includes cost estimates for the proposed improvements and a capital improvement budget that outlines funding and financing options. Future developers would be responsible for constructing all sewer pipelines. The City will reimburse the developer for construction of oversized mains according to the City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. The construction and financing of onsite infrastructure for the project site would be the responsibility of the applicant.

As discussed in Section 15.0, Community Facilities District, with the establishment of Mello Roos Community Facilities Districts, Gilroy permits the imposition of "special taxes" to fund maintenance of facilities which may help offset costs associated with wastewater infrastructure.

# CONCLUSION

Future development of the site consistent with existing general plan land use designations would result in an increase in sewer generation and required treatment. The existing and planned City and South County Regional Wastewater Authority infrastructure is sufficient to accommodate this increase in sewer generation and required treatment. Sewer generation associated with development of the project site would not exceed the capacity of the City's or South County Regional Wastewater Authority sewer system infrastructure beyond that already identified in the City of Gilroy Sewer System Master Plan. Improvements that are included in the Capital Improvement Plan would also be subject to reimbursement.

# 5.0 Storm Drainage

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- The City of Gilroy Storm Drainage System Master Plan (hereinafter "Storm Drainage Master Plan") analyzes the storm drain system for build out conditions with the 20year Growth Boundary, and provides recommendations for capital improvements (Carollo Engineers 2004a).
- The Technical Support Document for Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region provides background, explanation, and justification for the Post-Construction requirements that establish performance criteria and implementation measures that municipalities utilize to implement post-construction storm management actions. (Central Coast Water Quality Control Board 2013).
- The *Revised Regional Storm Water Management Plan* includes the efforts of Gilroy, Morgan Hill, and unincorporated Santa Clara County in meeting the Phase II Storm Water Permit requirements for "small municipal separate storm sewer systems (MS4s)" (City of Gilroy, City of Morgan Hill, and County of Santa Clara (2010).

# **Existing Conditions**

The City storm drainage system consists of a combination of curb and gutter facilities, curb inlets, and underground pipelines draining to the nearest creek (Llagas Creek or Uvas Creek) or to a manmade channel. The City's system discharges to existing channels and creeks owned or overseen by the Santa Clara Valley Water District. The City lies within two major watersheds: the Uvas Creek Watershed and the Llagas Watershed. These watersheds are divided into several hydrologically distinct drainage areas. Several major flood control projects have been completed that have improved drainage in the City

The City requires new development to pay storm development impact fees. Low density residential development would pay City development fees at the low-density level. Medium and high-density residential development would pay City development fees at the high-density level.

5.0

The project site is located in the Llagas Watershed (SDSMP, Figure 4.1) and the Ronan Channel Drainage Basin (SDSMP, Figure 4.3). Lions Creek or flows through the Wren USA area.

## **CAPACITY AND INFRASTRUCTURE**

# **Expanded Infrastructure and Capacity**

The Storm Drain Master Plan (Carollo Engineers 2004a), provides a blueprint for expansion and maintenance of the City's storm drainage infrastructure. The Storm Drain Master Plan establishes storm drainage system design and planning criteria, presents the results of a watershed model hydrologic analysis, evaluates the existing storm drainage system using computer hydraulic modeling, proposes system improvements, and is the basis for capital improvement programming (Carollo Engineers 2004a). Other than the Ronan Channel, the SDSMP identifies only one storm drain facility in the vicinity of the project site: a 30-inch storm pipe that drains to the Llagas Creek from Wren Avenue east of the site (SDSMP Figure 4.4). The SDSMP does not identify any deficiencies for the storm drain infrastructure that abuts the project site, nor does the SDSMP Figure 5.1, Proposed Improvements, identify any new storm drain infrastructure needed to serve future development within the 20-year planning area in the vicinity of the project site. The storm drainage flows that would result from build out of this site consistent with the Neighborhood District land use designation have already been evaluated in the SDSMP and necessary improvements to the existing system have been identified in the SDSMP.

On-site and adjacent off-site storm water infrastructure would be constructed by the applicant and dedicated to the City or Santa Clara Valley Water District upon inspection and confirmation of conformance to City or Santa Clara Valley Water District standards. It is anticipated that at least the low-flow channel in West Branch Llagas Creek would be dedicated to the Santa Clara Valley Water District which would also maintain floodway portions of the channel.

# **FINANCING**

The Storm Drain Master Plan includes a Capital Improvement Plan to assist the City in planning and constructing the proposed improvements to the storm drain system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options. Future developers would be responsible for constructing all storm water pipelines). The City will reimburse the developer for construction of oversized mains according to the City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. The construction and financing of onsite infrastructure for the project site would be the responsibility of the applicant.

Future developers of the site would participate in the storm drain system development impact fee program. Project-level impact on the existing storm drain system in the vicinity of the project site would be evaluated when specific development proposals are submitted. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density and high-density residential development would pay City development fees at the high-density level. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

#### **CONCLUSION**

Future development of the site consistent with existing general plan land use designation would result in an increase in storm water runoff. The existing and planned City infrastructure is sufficient to accommodate this increase in storm water; and the proposed on-site drainage improvements will accommodate 100-year storm flows. Developers would be responsible for paying impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Increases in storm water runoff associated with development of the project site would not exceed the capacity of the City's or storm drain system infrastructure beyond that already identified in the Storm Drain Master Plan

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# 6.0 Solid Waste

## **EXISTING CONDITIONS**

Recology South Valley provides solid waste pick up service to the cities of Gilroy and Morgan Hill (Recology South Valley 2017). Recology provides solid waste, recycling, composting, and street sweeping programs for residential customers and solid waste and recycling programs for commercial customers. They also provide special collection and debris box services. Recology implements resource recovery practices by collecting organic and recyclable materials and diverting them from disposal at area landfills.

According the CalRecycle website, beginning with reporting year 2007 jurisdiction annual reports, diversion rates are no longer determined. With the passage of Senate Bill 1016, the Per Capita Disposal Measurement System, only per capita disposal rates are measured. For 2007 and subsequent years, CalRecycle compares reported disposal tons to population to calculate per capita disposal expressed in pounds/person/day (CalRecycle 2017).

In 2006, the last year that diversion rates were determined, the City diverted 52 percent of solid waste generated within the City limit (CalRecycle 2017). The most recent estimate of per capita or per unit waste generation (per capita disposal expressed in pounds/person/day) approved by CalRecycle for the City is from 2015 in which solid waste disposal generation factors for the City are listed as 5.8 pounds per resident per day and 14.8 pounds per employee per day for commercial uses. The most recent approved annual disposal information was from 2015, when the County disposed of 48,324 tons of solid waste (CalRecycle 2017).

# **WASTE GENERATION**

Development of the site will result in 307 new residential units and is anticipated to generate a new population of 1,081 persons. According to the waste generation rate of 5.8 pounds per day, future residential development of the site would result in an increased solid waste generation of 6,270 pounds of solid waste per day.

# **CONCLUSION**

Recology South Valley would continue to provide solid waste pick up upon development of the project site. Future development of the site consistent with existing general plan land use designations would result in an increase in solid waste, but not beyond that identified and planned for in the general plan.

# 7.0 Fire Services

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- E-mail correspondence with Interim Fire Chief, Jeff Clet, dated September 10, 2019.
- The *Update of the Fire Services Master Plan of August 2000 for the City of Gilroy Fire Department Final Report* assesses the Gilroy Fire Department's needs for build out conditions with the 20-year Growth Boundary and provides recommendations for improvements (City of Gilroy 2004).
- The 2016 South Santa Clara County Annual Report discusses the budget and finances, operations, training programs, equipment and apparatus available, and a description and location of all fire stations of the South Santa Clara County Fire District (South Santa Clara County Fire District 2017).
- The City of Gilroy's online website consists of a Fire Department webpage that was used for the descriptions of the staff on duty, apparatus available, statistics from recent years, and the locations of the three existing fire stations within the City limits (City of Gilroy 2017a and City of Gilroy 2017b).
- The Fire Chiefs Online website is a free service for Fire Officials with information and features that can help a city improve their Insurance Service Office rating (Fire Chiefs Online 2017).

## **EXISTING CONDITIONS**

The City of Gilroy Fire Department serves the residents of Gilroy from three strategically located fire stations within the current City limits and is anticipating the construction of a fourth developer-funded fire station within the Glen Loma Ranch, Santa Teresa residential development area. The Las Animas Station located on 8383 Wren Avenue is located less than one mile from the project site. This station is equipped with a Type I fire engine and staffed daily by a minimum three-person crew. It also houses an additional reserve Type I fire engine and a reserve Type III fire engine. The Sunrise Station at 880 Sunrise Drive is located

approximately two miles from the project site. The Sunrise Station is equipped with a Type I fire engine staffed daily with a three-person crew, an additional reserve Type I fire engine, and a Type VI reserve fire engine. The Sunrise Station is the newest of the City's three fire stations and was designed and constructed to essential facilities standards (Facilities Standards for the Public Buildings Service (P-100)). The Chestnut Station at 7070 Chestnut Street is located approximately two and a half miles from the project site. The offices of the Fire Chief are located here. The command staff consists of the Fire Chief and three Division Chiefs. Administrative support staff consists of one Administrative Captain, one Management Analyst, and a Management Assistant. The Chestnut Station is equipped with a Type I fire engine and staffed daily by a minimum three-person crew. It also houses a Truck with a 75-foot aerial ladder, a Type IV engine and a County-approved transport ambulance. The fire department has received approval to respond the ambulance and can performance patient transports when their condition meets specific conditions stipulated with a contract with Santa Clara County. The Gilroy Fire Department in its entirety has 35 personnel on staff, with a daily minimum of 10 field personnel. (Interim Chief Jeff Clet, email message, September 10, 2019).

According to the Gilroy Interim Fire Chief, Jeff Clet, the City is under contract with the Santa Clara County Emergency Medical Service (EMS) Agency to respond to Code 3 (Lights and Sirens) EMS calls within 7:59 minutes 90% of the time. They must respond to Code 2 (non-life threatening emergency medical calls) within 11:59 minutes (Interim Chief Jeff Clet, e-mail message, September 10, 2019).

In 2018, the Gilroy Fire Department responded to 5,137 calls for service (City of Gilroy 2017b) The unincorporated areas of Gilroy pay for and receive fire protection and emergency medical services from the South Santa Clara County Fire District (fire district). However, a "Boundary Drop" agreement with the City results in the response of the closest fire resource. The majority of fire district 9-1-1 requests in these areas were responded to by Gilroy Fire Department.

The fire district has one fire station within the current City limits. However, the fire districts Masten Fire Station 2 at 10810 No Name Uno Avenue is approximately three miles northeast of the project site and is staffed by a minimum three-person crew. Apparatus at the station include a Type I fire engine, water tender, Type I reserve engine, and an air support trailer. While owned by the City, the district's Treehaven Station 3, located at 3050 Hecker Pass Highway, is also approximately three miles from the project site. The Treehaven Station is staffed by a minimum of a three-person crew and apparatus at the station are similar to the Masten Station in that it includes one Type 1 fire engine, one reserve engine, one utility vehicle, and one technical rescue trailer. The fire district also utilizes other regional fire resources, via the County mutual-aid agreements, to respond to calls, which includes two other stations located in Morgan Hill.

According to the 2016 South Santa Clara County Annual Report, the City of Gilroy provided 524 aid responses to the fire district and the fire district provided 359 aid responses to the City of Gilroy (South Santa Clara County Fire District 2017).

Since the project site is not within the City limits, data can only be drawn from the surrounding areas of the site. The more common incidents occurring in bordering areas to the project area, according to the *Update of the Fire Services Master Plan of August 2000 for the City of Gilroy Fire Department Final Report* (fire master plan), included rescue and emergency medical services and fires.

The response time for the incidents surrounding the project site ranged from four to eight minutes (City of Gilroy 2004). Every city is required to receive an Insurance Services Office (ISO) Report that evaluates a list of features that rate a community's fire protection levels. The ISO Report rates a city by ten class categorizations, with Class One being the best. The three components investigated in the ISO's grading are: the city's fire department, the city's water supply, and the city's communications (City of Gilroy 2004). On September 29, 2014 the City of Gilroy received an ISO rating of 3 (Alan Anderson, email message, November 16, 2017).

According to Alan Anderson, the development agreement between the City of Gilroy and the Glen Loma Corporation indicates that a new fire station on the South-west side of the City shall be ready for occupancy prior to the issuance of the 1,100th building permit. This agreement was signed in 2004 and appended on August 6, 2018. Project Impact Analysis

In light of existing boundary agreement between the district and the City, the Gilroy Fire Department would continue to respond into the project site and potentially adjacent streets, depending on their proximity to the Treehaven station and the availability of Gilroy Fire Department resources, thereby increasing service demand for fire department resources. The increased service demand created by the project site would also likely result in service demand increases for district resource. When the Las Animas resource is committed to an incident in the project area and a service request occurs within Gilroy and the Treehaven resource is the closest fire resource, the boundary drop agreement would result in the dispatch of a district resource into Gilroy.

Fire stations in urban settings are typically sited so that responding apparatus are within 2.0 to 2.5 road miles or have a four to five minute travel time (assuming an average travel speed of 30 mph) to the structures within the station's "first due" station district. (Fire Chiefs Online 2017). However, since response time is dependent on travel speed it travel time can be affected by the circulation system layout, traffic calming devices, traffic conditions, temporary street routing during construction, calls in progress (including out-of-district calls), and similar factors.

When call volume increases within the south Santa Clara County area, it will impact all regional departments as a result of the boundary drop agreement. In order to maintain service levels within a region, the existing staff and facilities must have the ability to accommodate or absorb the increase in service demand.

The Gilroy fire master plan suggests that the project site would receive fire protection and emergency medical services through an eight-minute travel street network by four different fire stations (City of Gilroy 2004, p. V-31). However, project access and street design elements that restrict emergency vehicle access into the project site, such as those found in the Heartlands Development, could significantly increase response times to addresses and facilities within the project site.

With adequate surface street access into the project site and the inclusion of Emergency Vehicle Accesses (EVAs) where necessary, the project site would continue to be sufficiently served by the current staffing levels and facilities of the Gilroy Fire Department. In addition, incident volume and resource availability analysis recently completed for a Regional Standards of Coverage being performed by Citygate Associates and presented to the Gilroy City Council indicated that the current facilities could accommodate the increase incident volume created by the population increase of the proposed project (Gilroy Fire Department).

Based on additional mapping within the Fire Master Plan, the project site would be within a three mile radius of the five Gilroy and fire district stations, mentioned previously, when project buildout is completed. The fire master plan also indicates that the project site is within a four minute travel time from the City's Sunrise, Las Animas, and Chestnut Stations (City of Gilroy 2004, p.IV-5) and within an eight minute travel time from the fire district Treehaven and Masten Stations (City of Gilroy 2004, p. V-31). As reflected in the *Cities Service Review Final Report*, the city would likely have the capability to maintain current levels of service as well as meeting any infrastructure needs through 2020 as a result of population increase (LAFCO 2015).

# **FINANCING**

According to the City's impact fee program, future anticipated low density residential development would pay City development fees at the low-density level. Medium and high-density residential development would pay City development fees at the high-density level. Refer to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

Future development of the site would increase the City's tax base and general fund revenues, which the City may use at its discretion to fund programs and staffing. However, tax revenues from the proposed project would not be sufficient to fund additional staffing needs for services that the City would provide to the site. Funding for future staffing of the fire department would be derived from the General Fund or some other funding source.

#### **CONCLUSION**

Future development of the site, consistent with existing land use designations would result in an increase in service demand but would also expand the tax base and correspondingly, available funding opportunities for increased staffing levels. Future development would also be responsible for the payment of a proportionate share of impact fees for infrastructure improvements. The proposed project would not require a level of service beyond that identified in the general plan and *Gilroy Fire Services Master Plan Master Plan Update*.

The developers would be required to notify new homeowners of Section 4291 of the California Public Resources Code requiring that property owners and/or occupants maintain a defensible space of 100 feet from each side of a structure to protect against a fire (California Legislative Information 2010). Additionally, the developers of the site would be required to pay all development impact fees applicable at the time of issuance of a building permit.

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# 8.0 Police Services

# **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- The Gilroy Police Department Strategic Plan Update 2016-2019 provides documentation of the department's records, performance measures, budget and goals (City of Gilroy 2016b).
- The Santa Clara County Sheriff website offers a page dedicated to the enforcement operations. All of the County's headquarters, sub-stations, and patrol locations are listed with contact information (County of Santa Clara 2017).
- The CrimeReports website is a compilation of data from a national coalition of police departments and sheriff's offices which choose to share data with their communities (CrimeReports 2019).

# **EXISTING CONDITIONS**

The City of Gilroy Police Department serves the residents within the City of Gilroy while the Santa Clara County Sheriff's Office manages the incidents in the unincorporated areas surrounding the city (County of Santa Clara 2017). The City of Gilroy Police Department is located at 7301 Hanna Street, approximately two miles from the southeast corner of the Wren Investors Proposed USA boundary line. The Santa Clara County Sheriff's Office consists of a South County enforcement division which is located in San Martin, approximately four miles from the northeast corner of the Hewell USA Amendment Prezone and Annexation.

Police response is usually by officers on patrol in the field, so proximity to police office buildings is not critical. The Department is currently staffed with 105 sworn/non-sworn officers in total; the Department is authorized to have 69 sworn officers (Gilroy Human Resources Department, e-mail message, September 13, 2019). The need for officers is determined by the amount of available patrol time, which is based on the number of calls for service, processing evidence, report writing, and other administrative duties. Captain Joseph Deras of the Gilroy Police Department stated the patrol officers should have a minimum of

33 percent of their time available to do proactive police work, but the department is not currently meeting this standard due to the needs of responding to community generated calls for service (Joseph Deras, email message, May 10, 2018). The Department currently collaborates with the Morgan Hill Police Department, as they have a regional Special Weapons and Tactics (SWAT) and negotiations team (Joseph Deras, email message, November 28, 2017).

The response times of the Police Department ranges depending on the type of priority the call has. Table 8-1, Police Response Times, provides the breakdown of what the response times were for the 2017 fiscal year.

**Table 8-1** Police Response Times

2019 Fiscal Year Response Times (7/1/2018 – 6/30/2019)								
Priority	1	2	3	4	5	6		
Seconds	307	552	1527	2186	2516	2359		
Minutes	5:08	9:13	25:28	36:26	41:56	39:20		

SOURCE: David Boles, email message, October 8, 2019

According to the Gilroy Police Department Policy Manual, Section 802.3.3, Priority 1 calls are defined as calls for service that are in-progress, life threatening or have threat to life; Priority 2 calls are for service where something has occurred or is occurring and it needs an immediate public safety response; Priority 3 calls are in-progress property calls where service is needed in a location that has threat to a property; Priority 4 calls are calls for service that involve people and/or property or both and that occurred within the last five to ten minutes; Priority 5 calls are calls that involve people and/or property or both and that occurred over 20 minutes ago; and Priority 6 calls are calls for service that are initiated by Public Safety Personnel in the field or could be in-progress or prior that do not need a Public Safety Response within a certain time or calls that are created for documentation purposes only (City of Gilroy 2017).

During the fiscal year 2014/2015, the Gilroy Police Department received 37,720 calls for service, 7,293 of these calls were Priority One calls, which require immediate assistance. The Department responded to these Priority One calls in five minutes or less 27 percent of the time (City of Gilroy 2016b). Due to the proposed project not currently within the City limits, crime reports could only be found in the surrounding area. During the months of April to October 2019, there were a total of 14 incidents that involved police response; 12 of these responses were considered quality of life incidents, which include disturbances such as loud noises (CrimeReports 2019).

According to the Police Dispatch Map, the officers patrol within four response areas. The project site is located within the Police Response Area 3, which covers the City limits that fall north of First Street and west of Monterey Road (Joseph Deras, email message, December 4, 2017).

## **PROJECT IMPACT ANALYSIS**

Buildout of the project site consistent with the conceptual development plan would result in 307 new dwelling units, with a population of approximately 1,000 new residents. This increase in the population would increase the number of calls received by the department. As the number of residences and businesses increase, staff within the police department would need to increase proportionately to maintain adequate service levels (Joseph Deras, email message, May 10, 2018). The area of responsibility would expand to include the project site and potentially adjacent streets, thereby reducing the demand on the Santa Clara County Sheriff's Office. While the project site would be served by the Gilroy Police Department, the Sherriff's Office would respond if mutual aid is necessary.

According to the Local Agency Formation Commission of Santa Clara County, Gilroy's General Fund routinely operates at a surplus; therefore, the City of Gilroy would have the capability of meeting future service needs in the event of an economic downturn. Additionally, it was determined that the City contains adequate financial assets to aid in the expansion or replacement of infrastructure if recommended by capital improvement plans (LAFCO 2015).

# **FINANCING**

Equipment and facility upgrades and needs brought about by the proposed project would be partially paid for by the collection of development impact fees, collected as a standard condition of approval, when specific development of the project site is approved in the future. Refer back to Table 2-1, Public Facilities and Utilities Fees, to see the fees required by the City. A Community Facilities District would be required within the project site, and could augment fire services funding (see Section 15.0 for further discussion).

Future development of the site would increase the City's tax base and General Fund revenues, which the City may use at its discretion to fund programs and staffing. However, tax revenues from the proposed project would not be sufficient to fund additional staffing needs for all services that the City would provide to the site and revenues attributable to the project would result in a net decrease in the General fund. Funding for future staffing of the police department would be derived from the General Fund.

### **CONCLUSION**

Upon annexation, the City would become the primary provider of police protection services for the project site, while the current mutual aid agreements remain in place. Future development of the project site, consistent with the conceptual development plans, would result in an increase in service demand with the addition of approximately 1,000 people. Mr. Deras states a concern that the increased demand for police services would not be fully offset by revenue generated for residential development (Joseph Deras, email message, May 10, 2018).

The developers of the project site would be required to pay all development impact fees applicable at the time of issuance of a building permit.

# 9.0 Lighting

#### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

• The 2014 City of Gilroy General Guidelines present design criteria and minimum standards for the City of Gilroy.

#### LIGHTING

Most of the proposed project would have lighting typical of residential and neighborhood-serving commercial uses. The City requires that new development include light emitting diode (LED) street lighting luminaires. Eectrolier ownership is dedicated to the City of Gilroy (City of Gilroy General Guidelines 2014). The streets would have standard lighting per the City's street lighting standards and the commercial areas would have parking lot and exterior building light. Lighting will be provided and maintained by the City.

# **FINANCING**

The Landscape and Lighting Act of 1972 permits the establishment of assessment districts to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets. Proposition 218 in 1996 imposed a condition on all assessment districts that the assessment must relate to a special benefit provided to each parcel in the district. The rule is that "general enhancement of property value does not constitute a special benefit". In accordance with provisions of Proposition 218, the duration of the assessment is specified at the time the District is initially established, along with an annual escalation clause, to reduce the possibility of rescissions by property owner votes at the required annual hearing. There are no examples in California of a successful majority property owner protest of a lighting and landscaping district once it has been established.

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# 10.0 Libraries

### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- The Santa Clara County Library District provides a webpage with the entire history of the District from 1914 when it was first established to present day (Santa Clara County Library District 2017a).
- The Santa Clara County Library District offers a timeline specific to the history of the Gilroy Branch, beginning in 1878 when book services were first established in Gilroy and ending with a description in regards to the present day Gilroy Library Branch (Santa Clara County Library District 2017b).

# **EXISTING CONDITIONS**

The City is an affiliate of a Joint Powers Authority with the Santa Clara County Library District where the City manages a Gilroy Library Branch (Gilroy Library) that is overseen by the Santa Clara County Public Library District. The Gilroy Library is a special district meaning that it is not funded by Santa Clara County. One source of funding comes from the residents within the Santa Clara County Library District service area who pay a special tax to support and help maintain library hours and services. This special tax retains qualified staff, supports the continuance of available programs, funds the purchases of essential books and present-day research materials (Santa Clara County Library District 2013). Additional funding, approximately 40 percent, comes from a parcel tax within the City (Lani Yoshimura, telephone interview, November 17, 2017).

The Gilroy Library primarily serves the residents within the City limits, but is also available to the unincorporated areas surrounding the City as well as the residents of San Martin, San Benito, Salinas, and Santa Cruz (Lani Yoshimura, telephone interview, November 17, 2017).

The Gilroy Library was originally established in 1910 within City Hall and was opened into the building recognized today at 350 W. Sixth Street in 2012 (Santa Clara County Library District 2017a); this location is approximately a mile and a half from the project site. The

Gilroy library has expanded to 150,000 volumes including 400 periodicals and the largest Spanish Language collection in the Santa Clara Public Library District. A unique 200 phonographic record collection from the former KFAT radio station is also stored at the Gilroy Library. Services include internet access, electronic databases, and word processors as well as bookmobiles, free delivery services to residences, museum passes, reading programs, braille and talking book devices, and countless other services (Santa Clara County Library District 2017b).

The Gilroy Library has a total of approximately 30 staff, which includes full-time, part-time, and grant employees. The grant employees are not employees of the Gilroy Library because they are the employees of the English Speaking and Listening (ESL) and Literacy programs that are funded by grants (Lani Yoshimura, telephone interview, November 17, 2017).

## **DEMAND AND INFRASTRUCTURE**

The demand of the current library facility would increase with the development buildout of the project site as a result of the population increase of approximately 1,000 people. However, the Gilroy Community Librarian, Lani Yoshimura, indicated that the existing facility has the potential to expand within its own building footprint to accommodate the increase in demand of the facility. The librarian also stated that with the increase in use of technology, the Gilroy Library is currently underused in comparison to past years because one does not need to physically visit the facility to be able to use its resources. As aforementioned, the Gilroy Library allows access to its resources through the bookmobile program and the home delivery program; an additional feature such as the mobile app allows its users to search and explore electronic resources, music, and magazines (Santa Clara County Library District 2017c).

# **FINANCING**

The development impact fee for new and upgraded library facilities is included in a public facilities impact fee. According to the fee program, future anticipated low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

#### **CONCLUSION**

Upon annexation of the project site to the City, consistent with the conceptual development plans, the project site would result in an increase in service demand with the growth in population. Future development of the site would also result in the increase in property tax revenues, some of which are allocated to the Santa Clara County Public Library District.

The City will be required to provide support for the library services in the form of development impact fees paid by the project developers and perhaps other funding mechanisms to provide additional capital facilities, on-going operations, and maintenance.

All development impact fees applicable at the time of issuance of a building permit are also required by the project developers.

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# 11.0 Roads

# **INFORMATION SOURCES**

This section includes information from the *Traffic Impact Analysis for the Wren Investors and Hewell Urban Service Area Amendment, Gilroy, California,* prepared by Hexagon Transportation Consultants dated December 14, 2017.

#### **EXISTING CONDITIONS**

The proposed project is generally located south of Vickery Lane between Kern Avenue and Wren Avenue, and north of the existing residential units located north of Mantelli Drive.

**US 101** is a six-lane freeway north of the Monterey Road interchange and transitions to a four-lane freeway south of that point. US 101 extends northward through San Jose and southward into Salinas. This freeway serves as the primary roadway connection between Gilroy and Morgan Hill and other Santa Clara County communities to the north and between Gilroy and Salinas to the south. Access to the project site to and from US 101 is provided via full-access interchanges at Masten Avenue and Leavesley Road.

**Monterey Road** is a four-lane north-south roadway in the vicinity of the project site. It begins at its interchange with US 101 in the southern part of Gilroy and extends northward to San Jose. Monterey Road currently provides access to the project site via Farrell Avenue and Cohansey Avenue.

**Church Street** is a two-lane north-south roadway that begins in the southern part of Gilroy at Luchessa Avenue and extends northward just beyond Farrell Avenue where it currently terminates at Sturia Way.

**Wren Avenue** is a two- to four-lane, north-south roadway that begins in the southern part of Gilroy at Uvas Park Drive and extends northward to north of Cohansey Avenue, where it currently terminates. Wren Avenue provides direct access to the project site.

**Kern Avenue** is a two-lane, north-south roadway. It begins at its intersection with First Street/Hecker Pass Highway (SR 152) and extends northward to north of Vickery Avenue where it currently terminates. Kern Avenue would provide direct access to the project site.

Masten Avenue/Fitzgerald Avenue is a two-lane, east-west roadway that begins at Center Avenue as Masten Avenue and extends westward to Monterey Street where it changes designation to Fitzgerald Avenue and continues to Santa Teresa Boulevard. Masten Avenue provides direct access to US 101 via a full interchange.

Cohansey Avenue is a two-lane, east-west undivided roadway that extends from Monterey Road eastward terminating west of US 101. East of US 101, Cohansey Avenue continues eastward from No Name Uno for approximately 2,000 feet, providing access to residences and undeveloped parcels. Cohansey Avenue extends westward from Monterey Road to the Hewell property. Additionally, with the development of the proposed project, Cohansey Avenue would be extended through the Hewell Property site to Kern Avenue, providing direct access to the project site. The Cohansey Avenue extension would provide an alternative access route to the project site and surrounding land uses (both existing and future) to/from the north.

**Vickery Avenue** is a two-lane, east-west roadway that extends from Kern Avenue to east of Wren Avenue. Vickery Avenue would provide direct access to the project site.

**Farrell Avenue** is a two-lane east-west roadway that extends between Wren Avenue and Monterey Road. Farrell Avenue currently provides the main access route to the project site and surrounding land uses to/from the north. Farrell Avenue is proposed to be extended into the Wren Investors site and provide direct access to the northern portion of the site.

**Mantelli Drive** is an east-west roadway that begins east of Church Street and extends westward into the west foothills of Gilroy. Mantelli Drive is a four-lane facility between Church Street and Santa Teresa Boulevard.

**Welburn Avenue/Leavesley Road** is a two-lane east-west roadway that begins at Monterey Road as a transition from Leavesley Road and extends westward beyond Santa Teresa Boulevard, where it terminates at Mantelli Drive. Leavesley Road provides direct access to US 101 via a full interchange.

## INFRASTRUCTURE EXPANSION

New streets, additional lanes on existing streets, and new signal lights would be necessary to accommodate the new traffic that would be generated by development on the site. The project proposes approximately 12.9 acres of new roads. Farrell Avenue would be extended westward into the project site, providing direct access to the northern portion of the Wren Investors site and forming a four-legged intersection with Wren Avenue. Two additional access points would provide access to the northern portion of the Wren Investors site, one along Wren Avenue, north of Farrell Avenue, and one along Vickery Avenue. St. Clair Avenue would be extended eastward into the project site, forming a four-legged intersection

at Kern Avenue, and connecting to Ronan Avenue, just west of Wren Avenue. This new roadway extension, in addition to Tatum Avenue, would provide direct access to the southern portion of the project site and as well as an alternate connection between Wren and Kern Avenues. The following intersections will need to be signalized: Monterey Road and Day Road, Wren Avenue and Welburn Avenue, Monterey Road and Buena Vista Avenue, and US 101 Southbound Ramps and Masten Avenue. Additionally, a second westbound turn lane will be added at Monterey Road and Masten Avenue/Fitzgerald Avenue. These improvements are planned for in the City's Traffic Circulation Master Plan (TCMP) and are included in the City's Traffic Impact Fee (TIF) Program. Thus, the developer will be required to pay the applicable TIF fee as a fair-share contribution toward improvements at these intersections. Various bicycle facilities exist in the vicinity of the project site (existing bike lanes are available along segments of Cohansey Avenue, Wren Avenue, Farrell Avenue, Church Street, Welburn Avenue, and Mantelli Drive). In addition, the Bicycle Transportation Plan contained in the City of Gilroy General Plan, the City of Gilroy Bicycle/Pedestrian Transportation Plan, and the City of Gilroy Trails Master Plan indicate that a variety of bicycle facilities are planned in the study area, some of which would benefit the project. . Bicycle paths are planned for the Llagas Creek Corridor and the remainder of the Lions Creek Corridor.

Bike lanes are planned for Monterey Road and for Cohansey Avenue and Wren Avenue, north of Mantelli Drive. Bicycle routes also are planned for Wren Avenue between Mantelli Drive and Lawrence Drive and on Welburn Avenue between Wren Avenue and Monterey Road.

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# 12.0 School Facilities

### INFORMATION SOURCE

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- Gilroy Unified School District Developer Fee Justification Study, Gilroy Unified School District 2014.
- Gilroy Unified School District website: https://www.gilroyunified.org/

#### **EXISTING CONDITIONS**

The project site is located within service boundaries of the Gilroy Unified School District (school district). The school district provides service to over 11,000 students in the Gilroy area. There are currently eight elementary schools, three middle schools, and four high schools including a continuation school and one early college academy school in the District. The school district also provides early childhood/pre-school services. The schools nearest the project site are Antonio Del Buono Elementary School, located directly across Wren Avenue from the project site, Christopher High School, located directly across Santa Teresa Boulevard from the project site, Brownell Middle School, located at 7800 Carmel Street, south of First Street, and Rucker Elementary School, to the east of Monterey Road. In September 2019, the school district announced the closure of Antonio Del Buono Elementary School due to declining enrollment. The elementary school is set to close in the summer of 2020 (Gilroy Unified School District 2019). The main school district office is located in the City at 7810 Arroyo Circle (Gilroy Unified School District 2017).

The general plan contains several policies regarding schools. General plan policy 17.03 states that the verifications of the remaining capacities in local schools shall be part of the review process for residential subdivisions, with adequate school capacity being a condition for development approval. When capacity is limited, development approvals shall be coordinated with the scheduling of capital funds for school expansion and/or improvements. General plan policy 17.04 requires developers of new residential subdivisions to dedicate land and/or pay a fee to offset the costs of providing new elementary and secondary schools resulting from their developments. Policy 17.06 states that in areas of new residential

development, as a condition of development approval, sites shall be identified and dedicated. Action 17.B of the general plan states that school facility impacts shall be included in the review of development proposals to ensure that adequate school facility capacity is a condition for development approval. Action 17.C states the representatives of the GUSD be included in discussions regarding the implementation of the new Neighborhood Districts to ensure that new school facilities are successfully integrated as a visual and functional focal point in new neighborhoods.

#### **CAPACITY**

#### **Estimated Demand**

Table 12-1, Estimated Student Generation, presents the anticipated number of students generated by the proposed project.

Table 12-1 Estimated Student Generation

Housing Type (Units)	K-5 students (SF 0.20/MF 0.14)	6-8 students (SF 0.07/MF 0.06)	9-12 students (SF 0.09/MF 0.10)	Total Students Generated
Single-Family (185)	37	13	17	67
Multi-Family (122)	17	7	12	36
TOTAL	54	20	29	103

SOURCE: Alvaro Meza, Gilroy Unified School District, email message August 27, 2019 NOTE: Amounts may vary due to rounding.

Development of the site based on these student generation factors would be as follows: the single-family residences would result in 67 K-12 students and multi-family residences would result in 36 K-12 students.

# **FINANCING**

Senate Bill 50 (1998) established standard fees for mitigation of schools impacts. The payment of the development fees authorized by Education Code section 17620 is full and complete mitigation of the impacts on the provision of adequate school facilities resulting from any legislative or adjudicative act. California Education Code section 17620 et seq. authorizes the collection of developer fees; California Government Code section 65995 et seq. establishes the types of fees and rates; California Government Code section 66000 sets the process for justifying fees and appealing or challenging fees.

The school district collects Level I fees in accordance with the legislatively set fees and the school district's fee justification study (Gilroy Unified School District 2018). The State

Allocation Board determines the amount of maximum statutory school fees. The justification report justifies residential fees per square foot which are higher than the state in order to fund the cost of providing school facilities to students from new residential development. The fees are \$3.36 per square foot for single-family residential units and multi-family residential units. Fees are assessed when building permit are approved.

#### **CONCLUSION**

Future development of the site consistent with existing general plan land use designations would increase the number of students within the District and as such, developers of the project site would be responsible for the payment of facility impact fees to accommodate the increased number of students.

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## 13.0 Hospitals

#### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

- "The Effects of the Proposed Changed in Governance and Control of Ownership & Operation of the Daughters of Charity Healthcare System to Prime Healthcare Services Inc.", prepared for the Attorney General, analyzes financial, utilization, and service information of the St. Louise Regional Hospital.
- St. Louise Regional Hospital website.

#### **EXISTING CONDITIONS**

Gilroy is served by the Saint Louise Regional Hospital which has been purchased by the County of Santa Clara in March 2019. Located at 9400 No Name Uno, the hospital opened in 1989 in Morgan Hill and relocated to Gilroy in 1999. The hospital is currently a 93 bed acute care hospital and 24-hour emergency care department offering a wide range of services to residents in both Santa Clara and San Benito counties. The hospital has eight licensed emergency treatment stations and five surgical operating rooms for inpatient and outpatient surgical procedures. The hospital has 93 licensed beds and 247 attending physicians. The current average occupancy rate of the hospital is approximately 33 percent. In 2018, the hospital had 3,021 inpatient admissions with 10,948 inpatient days and performed 2,294 surgeries. (St. Louise Regional Hospital website 2019).

#### **CAPACITY**

Future development of the site would result in an increased demand on services at the hospital. However, due to the low average occupancy rate of 33 percent, the hospital currently has excess capacity to sufficiently accommodate the increased demand created by a population increase of 10,000. The increased demand is not expected to exceed capacity rates such that expansion of its facilities would be required.

#### **CONCLUSION**

Future development of the site, consistent with existing general plan land use designations would increase the demand for acute care and emergency services; however, this increase can be accommodated by the existing capacity of the hospital.

14.0

#### Park and Recreation Facilities

#### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following source was used for this section:

The City of Gilroy Parks and Recreation System Master Plan (park master plan) was developed by the City concurrently with the general plan update in 2002 and the two documents are consistent. In 2004, the park master plan was updated to be consistent with new general plan build out projections, new park standards, updated facilities inventories, updated implementation plans for infrastructure and programs, and new recommendations. The park master plan timeframe extends through general plan build out (Bellinger Foster Steinmetz Landscape Architecture 2004).

#### **EXISTING CONDITIONS**

The City requires that for every thousand in population, there shall be five acres of developed open parkland. This includes mini-parks, neighborhood/school parks, community and community/school parks, sports parks, trails/linear parkways, and special use facilities. Golf courses, non-accessible open spaces, and private recreational facilities are not included in this standard. Policy 16.06 of the City's general plan states that park facilities shall be offered within walking distance of all residents. "Walking distance" is defined as the distance of half of a mile (City of Gilroy 2002).

The project site is within the "walking distance" and geographical service area standard of one half of a mile to a park, as reflected in the parks master plan (Bellinger Foster Steinmetz Landscape Architecture 2004, p. 33). The nearest parks to the project site are Las Animas Community Park located less than one quarter of a mile to the southeast. The primary purpose of a community park is to provide a recreational area that meets the needs of the community-at-large and usually includes special facilities such as lit sports fields, amphitheaters, and gymnasiums that serve the entire community. Restrooms, off-street parking, night lighting of facilities and other active recreation facilities are typical community park elements (City of Gilroy 2002, page 7-24).

#### **DEMAND AND INFRASTRUCTURE**

Future development of the site consistent with existing general plan land use designations could result in approximately 1,000 new residents in the City, which according to City standards, would require approximately five acres of parkland.

The park master plan proposes capital improvements to meet the City's parks service area and acreage standards. Planned infrastructure improvements include, but are not limited to, renovations and improvements at existing parks, completion of the Gilroy Sports Park, design and completion of underdeveloped park sites, and identification, design and acquisition of new public parklands to meet the City's demand for parks.

#### **FINANCING**

14.0

Future development of the site would increase the City's tax base and General Fund revenues, which the City may use at its discretion to provide financing for additional programs and staffing. The parks master plan includes a capital improvement plan that assists the City in planning and financing the proposed capital improvements. The capital improvement plan includes a capital improvement budget that outlines existing and alternative funding sources. New and/or upgraded equipment and facilities brought about by an increase in demand from new development would be paid for by a public facilities impact fee. Land dedication can be used as a partial alternative to, or in combination with, impact fees for the acquisition and development of recreation facilities. Refer back to Table 2-1, Public Facilities and Utilities Fees to see the fees required by the City.

#### **CONCLUSION**

Future development of the site consistent with existing general plan land use designations would increase the service demand but also would expand the tax base and correspondingly, available funding opportunities for increased programming and staffing levels. Future development would also be responsible for the payment of a proportionate share of impact fees for new facilities and equipment. The proposed project would not require a level of service beyond that identified in the general plan and park master plan.

# 15.0 Community Facilities District

#### **INFORMATION SOURCES**

In addition to the primary sources listed in Section 1.0 Introduction, the following sources were used for this section:

- NBS. Special Financing Districts: An Introduction to Special Assessments and Special Taxes. July 2015.
- NBS. Community Facilities Districts: A Robust Funding and Financing Tool for Local Governments in California. 2018.

#### **OVERVIEW OF CFDs**

Community Facilities Districts (CFD), sometimes known as "Mello-Roos Districts" (State Senators Henry Mello and Assemblyman Mike Roos were the original authors of the legislation – see California Government Code, Section 53311 et seq., entitled "Mello-Roos Community Facilities Act of 1982"), can fund certain large infrastructure capital projects as well as public services on an annual basis.

Capital projects with a useful life of at least five years that may be funded with a CFD include:

- Park, recreation, and open space facilities;
- School facilities:
- Libraries;
- Child care facilities; and
- Infrastructure needs including streets, water systems, library facilities, purchasing of open space, and economic development investments including parking garages.

The services that may be funded include:

- Police protection;
- Fire protection and suppression, and ambulance and paramedic services;

#### Recreation program services, library services, and maintenance services for elementary and secondary school sites and structures, and the operation and maintenance of museums and cultural facilities;

- Maintenance and lighting of parks, parkways, streets, roads and open space;
- Flood and storm protection services;

Community Facilities District

- Services with respect to removal or remedial action for the cleanup of any hazardous substance; and
- Maintenance and operation of any real property or other tangible property with an estimated useful life of five or more years that is owned by the local agency or by another local agency.

Any public agency with the authority to provide the types of services and facilities may form a CFD. Cities, counties, school districts, and special districts are common users of this tool. A formation process is required, including appropriate financial analysis and planning. A Special Tax Consultant will develop a Special Tax Formula and Report. There will be public hearings and either a mailed ballot process to property owners or a regular election if there are 12 or more voters in the proposed district.

The City of Gilroy has adopted a citywide Community Facilities District to fund landscape maintenance, primarily for streetscapes and drainage basins. The Community Facilities District has four zones, to account for differences in maintenance costs for different neighborhoods in the City.

#### FORMATION AND FINANCING OF CFD

The proposed project will be required by the City to form a CFD as a means to finance all applicable services (noted above). Future developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the expanded tax base created by the proposed project is not anticipated to generate adequate funds to cover the costs of necessary services.

Through CFDs, the City is permitted to impose "special taxes" to fund maintenance of facilities. Establishment of the CFD may be done by the owners of a majority of the property within the proposed CFD, while the approval of special taxes requires a two-thirds vote. Because of the two-thirds vote requirement for funding, these districts are typically formed

15.0

by developers in coordination with the city or county prior to development of the subdivisions. Once established, a CFD is made irrevocable through a lien on the property.

The general timeline for the successful implementation of a new CFD is six to 12 months, but often the process can take more than a year. Bringing all the interested parties into accord can take a very long time, and this part of the process must be taken into consideration. A well-managed and orderly process involves various meetings, forms of analysis, and consensus building.

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# 16.0 Sources

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- Boles, David, Crime Analysis, Records, and Property & Evidence Manager, Gilroy Police Department. Email message to consultant, 8 October 2019.
- Deras, Joseph, Captain, Gilroy Police Department. Email message to consultant, 28 November 2017 and December 4, 2017.
- Gittleson, David. City of Morgan Hill Associate Engineer. Telephone interview with consultant, 4 January 2018.Meza, Alvaro, Assistant Superintendent, Gilroy Unified School District. Email message to consultant, 27 August 2019.
- Wu, Pamela, City of Gilroy Senior Planner. Email message to consultant, 10 May 2018.
- Yoshimura, Lani, Gilroy Community Librarian, City of Gilroy. Telephone interview with consultant, 17 November 2017; e-mail correspondence with consultant, 27 September 2019.

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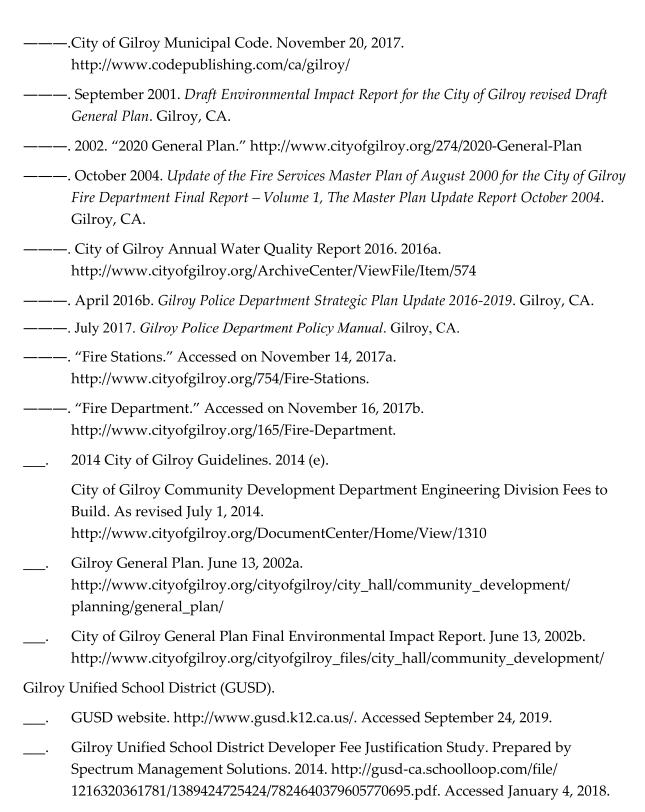
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#### REPORT PREPARERS

#### **EMC Planning Group**

**Teri Wissler Adam, Senior Principal** Principal-in-charge

Richard James, AICP, MUP, Principal Editing

Stuart Poulter, AICP, MCRP, Associate Planner Project Manager

Rachel Hawkins, JD, Associate Planner Report Preparation

Shoshana Wangerin, Assistant Planner Report Preparation This side intentionally left blank.







#### Planning for Success.

October 16, 2019

Melissa Durkin Planner II City of Gilroy 7351 Rosanna Street Gilroy, CA 95020

Re: Wren Investors and Hewell Urban Service Area Amendment (USA 12-01 & USA 14-02) Initial Study/Mitigated Negative Declaration, Response to Public Comments

Dear Melissa,

The public comment period for the above reference mitigated negative declaration (MND) ended on October 7, 2019. The following three (3) comment letters were received: Gilroy Bicycle Pedestrian Commission; Local Agency Formation Commission (LAFCO) of Santa Clara County; and the Santa Clara Valley Water District (Valley Water). Copies of the three comment letters are attached to this response letter. Responses to comments are as follows:

#### Zachary Hilton, Chair, Gilroy Bicycle Pedestrian Commission, September 25, 2019

Based on the analysis contained in the traffic impact analysis prepared by Hexagon Transportation Consultants, the Gilroy Bicycle Pedestrian Commission recommends a total of 34 Class I and 7 Class II bicycle parking spaces for the 102 residential units proposed. The letter further recommends the proposed project contribute to the completion of planned bicycle facilities that would serve the project site directly as well as continuous sidewalk connections throughout the project area that connect to existing pedestrian and bicycle facilities.

No environmental issues were raised.

# Neelima Palacherla, LAFCO Executive Officer, Santa Clara LAFCO, October 7, 2019

Response to comments to LAFCO staff comments are presented below using the issue sub-headings found in LAFCO's comment letter:

#### Project Description Concerns & Resulting Analysis Concerns

CEQA defines a project as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."

The City has received an application for an Urban Service Area (USA) amendment only. The application did not include any development plans (e.g. tentative subdivision map, use permit etc.). Therefore, the only action before the City of Gilroy, and subsequently, LAFCO as a responsible agency, is consideration of the Urban Service Area amendment.

The USA amendment by itself would result in no direct physical change in the environment. However, with approval of the proposed USA amendment, development of the project site with residential and commercial uses is a *reasonably foreseeable indirect physical change in the environment* and therefore, must be evaluated in the CEQA documentation for the USA amendment.

Therefore, the project description provided in the IS/MND is based on conceptual-level development anticipated when the USA amendment application was received by the City, and is consistent with the City's General Plan land use designation of Neighborhood District.

It appears that the commenter is expecting a specific development project with the USA amendment application (e.g. tentative subdivision map, use permit etc.). However, for purposes of CEQA review, the project description in the IS/MND accurately describes the requested action and the reasonably foreseeable indirect physical changes in the environment (i.e., development consistent with the City's General Plan land use designation of Neighborhood District), and is adequate and detailed enough to identify and evaluate potential environmental impacts. The IS/MND fully discloses and analyzes the anticipated development consistent with the City's General Plan land use

designation of Neighborhood District, as well as the public services necessary to serve the anticipated development. The timing of future development is unknown as no development application has been submitted; however, it is reasonably foreseeable that an application for development could be submitted upon approval of the USA amendment. This was the assumption in the IS/MND.

Further, the commenter states that they need more detailed and specific information on the proposed development; however, they do not indicate what additional information is needed.

#### Proposed MND's Relationship to Prior Uncertified Wren Investors EIR

The commenter is referring to a background section of a Greenhouse Gas Emissions analysis prepared for the proposed project. This section presented the history of the project site's USA amendment applications. The commenter asks why an MND was prepared for the proposed project and not an EIR.

CEQA requires preparation of an EIR if a proposed project would result in a significant, adverse, unavoidable environmental impact. Otherwise, if all significant impacts can be mitigated to a less than significant level, or if no significant impacts are identified, then an MND is the appropriate CEQA document.

When preparation of the EIR for the Wren Investors site commenced several years ago, 7.5 acres of the project site was designated "Farmland of Statewide Importance," on the 2010 California Department of Conservation Important Farmland Map. The loss of Farmland of Statewide Importance is generally considered significant and unavoidable.

However, when the CEQA process restarted several years later, the California Department of Conservation had updated the map (2014) and changed the designation on the 7.5 acres to Grazing Land, which is not considered important farmland.

Therefore, the loss of farmland on either site is no longer considered significant and unavoidable. The loss of farmland would be considered less than significant. According to the 2014 farmland map, the Hewell site did contain Prime Farmland and Farmland of Statewide Importance but the loss of this farmland was determined to be less than significant (see additional discussion below under "Project's Consistency with LAFCO's Policies"). Therefore, preparation of an EIR was not necessary.

#### Proposed Project's Relationship to General Plan Update Which is Underway

The commenter implies that the City cannot make any land use decisions based upon the existing General Plan because the City is in the process of preparing a new General Plan.

The City of Gilroy is currently in the process of preparing a new General Plan and selecting a "Preferred Land Use Alternative." However, until the new General Plan is adopted, the existing land use designation of Neighborhood District is the applicable land use designation for the project site.

#### Project's Consistency with LAFCO's Policies

The commenter requested that a full consistency analysis of the project with applicable City, County, and LAFCO policies be provided as part of the IS/MND. The City's initial study evaluates whether the proposed project would conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. The initial study evaluates all of the potential environmental effects associated with the development of the project site. The commenter specifically asks if the project is consistent with LAFCO goals to preserve agricultural land and open space resources; discourage urban sprawl; and encourage the efficient provision of services. The following is provided.

#### **Agricultural Land and Open Space Resources**

The IS/MND provides an evaluation (see Section D.2 "Agriculture" starting on page 26 of the initial study) that evaluates potential environmental impacts on lands found within the Hewell site designated as Prime Farmland and Farmland of Statewide Importance by the California Department of Conversation Farmland Map. The Wren Investors site includes no land designated as either. As noted in the initial study, this determination was based on a Land Evaluation and Site Assessment (LESA) model score of 49.9 with a land evaluation subscore of 31.9 and the site assessment score of 18.0. The loss of agricultural land with a LESA score of between 40 and 59 is considered significant if both the land evaluation and the site assessment subcategories have scores of 20 or better. Since the site assessment subcategory is less than 20, future urban development of the parcel would not be considered a significant impact in accordance

with the City of Gilroy significance criteria. The LESA worksheets and supporting graphics included in the 2015 LESA modelling for the Hewell site are included as Appendix A of the initial study.

Additionally, and as presented in the attached maps, the California Department of Conservation's Important Farmland Map was updated again in 2016 and the Hewell site is no longer designated as Prime Farmland and Farmland of Statewide Importance. The map has not been updated since 2016. Therefore, the proposed project would not result in the conversion of Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Impacts to agricultural resources remain less than significant.

Finally, the project site is designated as Neighborhood District and therefore, is not planned for agricultural use or open space uses.

#### Discourage Urban Sprawl

The Wren Investors project site is surrounded by urban development to the north, south, east, and southwest, and by low density rural development on the northwest. The Hewell site is surrounded by urban development to the east, low density rural development on the south and west, and open space to the north. Both sites are immediately adjacent to the existing city limits and Urban Service Area boundary. Surrounding land uses are discussed in the initial study and depicted on Figure 2 of the initial study. Therefore, approval of the USA amendment and the reasonably foreseeable development of the project site would not be considered urban sprawl.

#### **Encourage the Efficient Provision of Services**

The initial study evaluates the provision of public services (fire protection, police protection, schools, recreation, libraries, water, wastewater, and storm drainage) and the environmental impacts associated with the provision of these services. The project site is immediately adjacent to the existing city limits and the existing Urban Service Area boundary and therefore, services can be provided efficiently. Additionally, no significant environmental impacts were identified associated with providing these public services.

# Yvonne Arroyo, Associate Engineer, Community Project Reviews Unit, Valley Water, October 7, 2019

The commenter notes that any future development within the proposed urban service area should not propose any development within Valley Water lands. Valley Water requests the City provide public street access to Valley Water-owned parcels so that a secondary means of ingress/egress can be provided.

The commenter also notes that increased storm water runoff due to proposed high density residential development (which was not previously accounted for in the water district's hydrology analysis for the Lions Creek and West Branch Llagas Creek) will need to be mitigated so as not to exceed the design capacity of either creek.

Future development proposals for the project site will be evaluated for increased runoff and will be required to mitigate for any increase for the 100-year event due to increase in land use density. Future development review will also ensure no development is proposed on Valley Water land.

Please let me know if you have any questions or need additional clarification on any of the responses provided.

Sincerely,

Stuart Poulter, AICP, MCRP

Associate Planner

Attachment A California Department of Conservation Important Farmland Maps (2010, 2014, and 2016)

Attachment B Comment Letters Received during Public Review Period:

- 1. Gilroy Bicycle Pedestrian Commission, September 25, 2019
- 2. Santa Clara LAFCO, October 7, 2019
- 3. Valley Water, October 7, 2019

#### **ATTACHMENT A**

California Department of Conservation Important Farmland Maps (2010, 2014, and 2016)



Wren Investors and Hewell USA





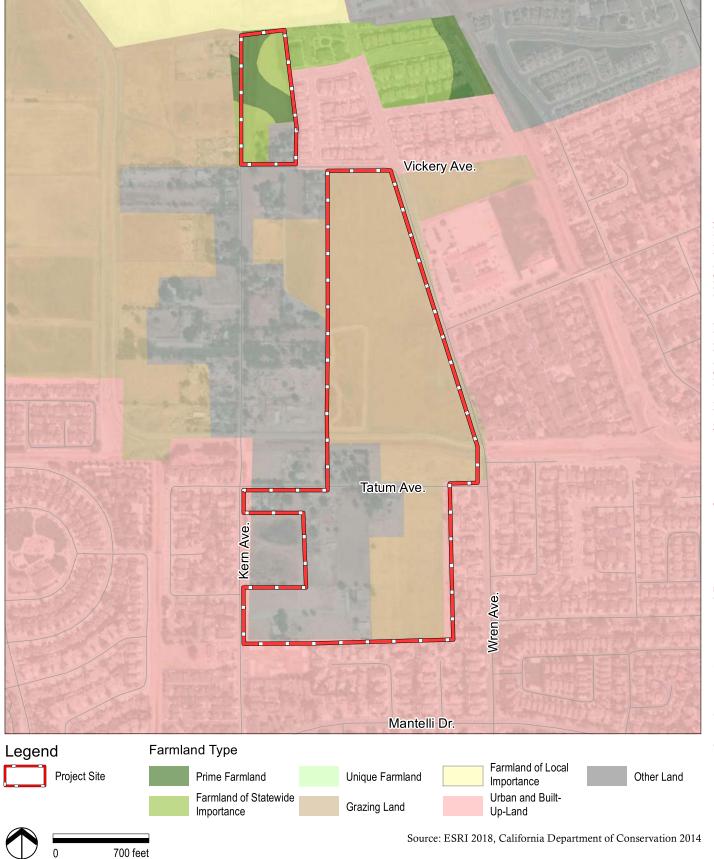


Figure 2

### Important Farmland 2014

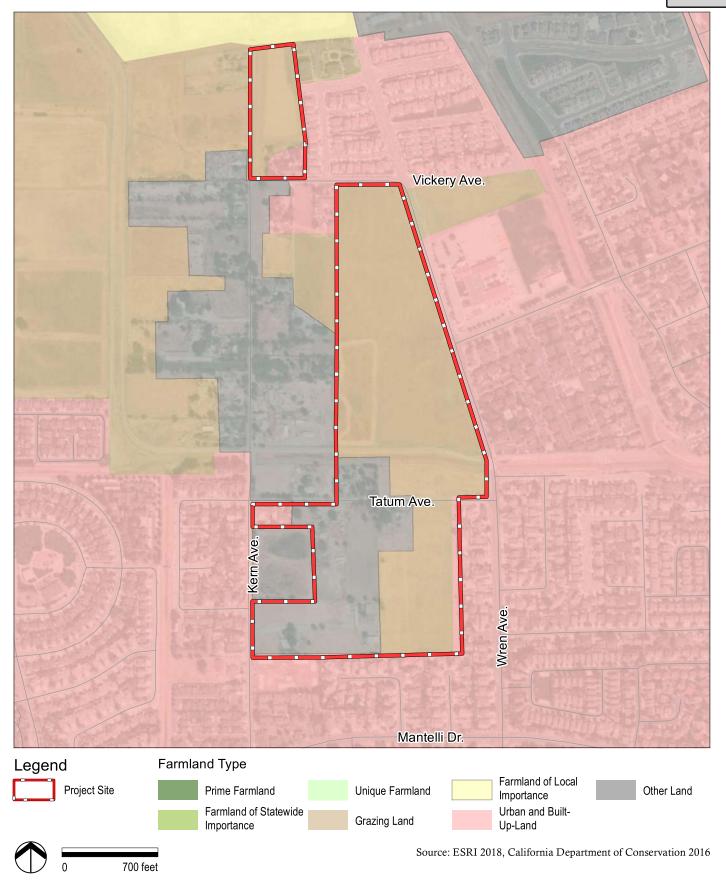


Figure 3

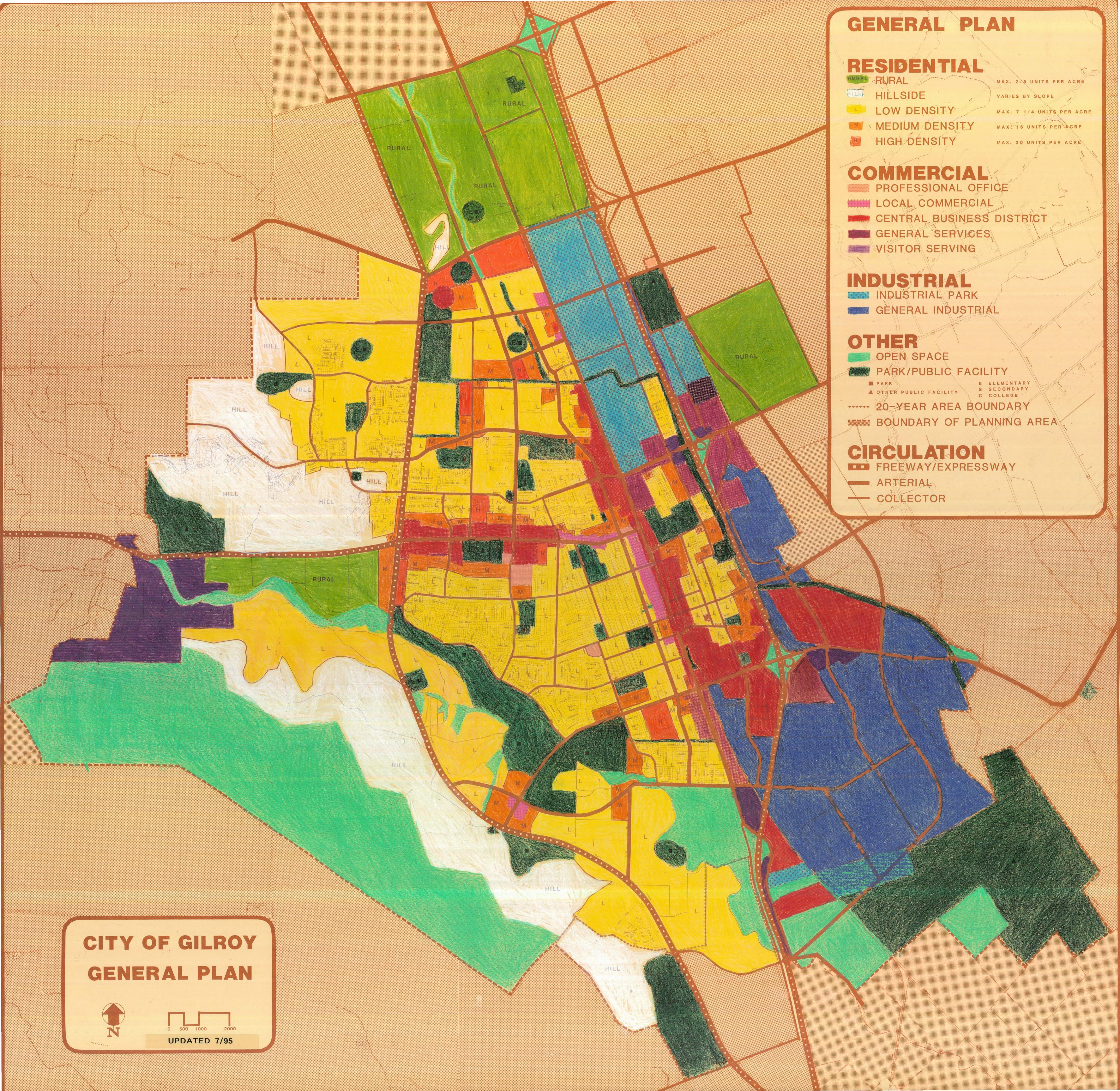
### Important Farmland 2016

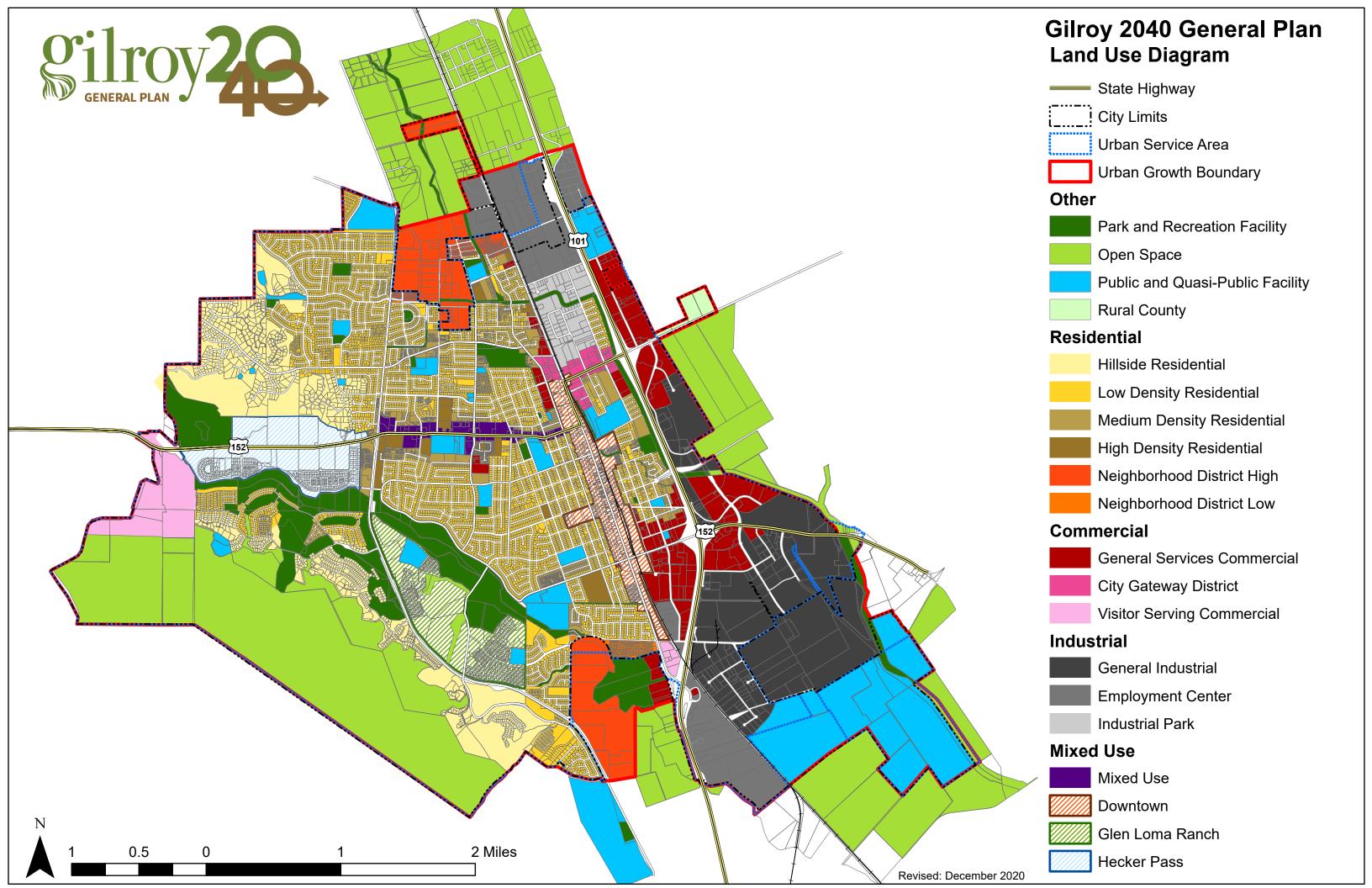
Wren Investors and Hewell USA

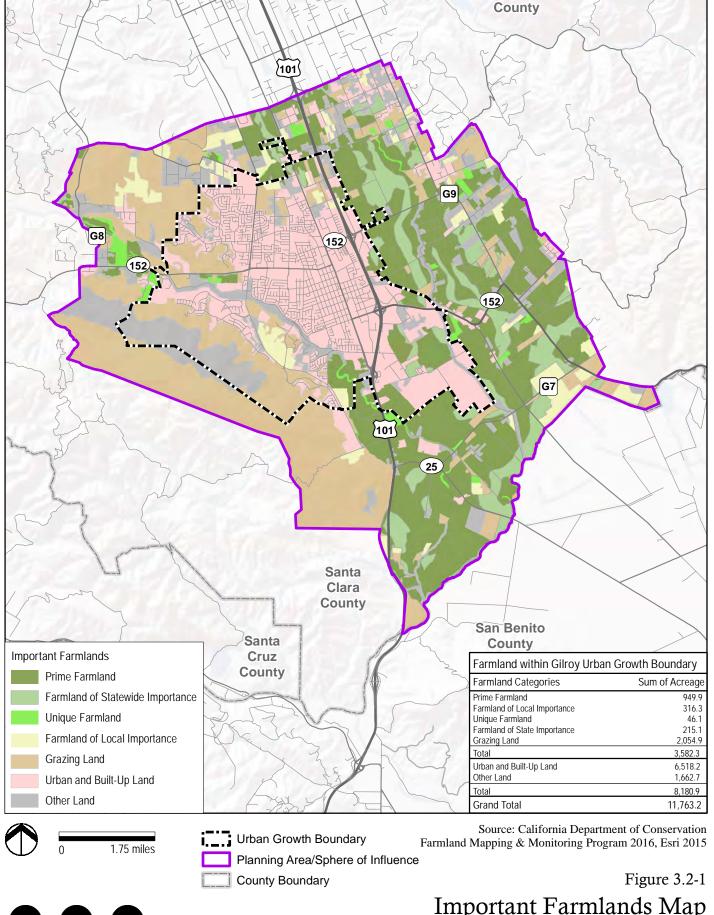












Important Farmlands Map



**Table 3.2-1 Important Farmland Classifications** 

Farmland Designation	Acres	Percent of Urban Growth Boundary
Prime Farmland	949.9	8.1
Farmland of Statewide Importance	215.1	1.8
Farmland of Local Importance	316.3	2.7
Unique Farmland	46.1	0.4
Grazing Land	2,054.9	17.5
Important Farmland Subtotal	3,582.3	30.5
Other Land	1,662.7	14.1
Urban and Built-up Land	6,518.2	55.4
Total Land	11,763.2	100.0

Source: California Department of Conservation 2016; Esri 2020

**Notes:** Totals may vary due to rounding

#### Soils

The United States Department of Agriculture, Soil Conservation Service, identifies over fifty soils types within the Urban Growth Boundary. The locations of all soils types within the project site are presented in Figure 3.2-3, Soils Map. These soils types and their characteristics are listed and described in Section 3.6, Geologic Hazards.

Natural plant communities present in the 2040 Gilroy General Plan Planning Area/Sphere of Influence mainly include non-native grassland, oak woodland, and riparian forest. None of the lands supporting these communities are located within an area zoned for forestland, timberland, or timberland production by either the County of Santa Clara or the City of Gilroy. Natural plant communities of oak woodlands and riparian forest areas within the Urban Growth Boundary meet the state definition for their resource value to aesthetics, fish and wildlife, biodiversity, water quality, and recreation as discussed elsewhere in this document. Oak woodlands are present within the southwestern portion of the Urban Growth Boundary in the open space area adjacent to the Eagle Ridge community. Several additional pockets are also found within the Urban Growth Boundary near its northwestern boundary between Hecker Pass Highway and Day Road. Few riparian forests are present within the Urban Growth Boundary; however, significant linear corridors of high-quality riparian forest and scrub vegetation are found within the central and eastern portions of the Urban Growth Boundary along Uvas Creek and Llagas Creek.

The naturally-occurring native oak woodlands and riparian forest provide habitat for wildlife and aesthetic value thus qualifying as forestland resources. These forestland resources are located within the Gilroy 2040 General Plan Urban Growth Boundary Hillside Residential, Parks and Recreation, and Open Space land use designations. Threats to forest

# ATTACHMENT A Consistency with LAFCO's Urban Service Area Amendment Policies

LAFCO has adopted 11 policies related to the review of urban service area amendment requests. The following analysis identifies how the proposed request is consistent with these policies.

# <u>Policy 1</u>. LAFCO will require application of an appropriate general plan designation to territory proposed for inclusion in an Urban Service Area.

The USA amendment application is consistent with this policy for the following reasons: The area proposed for inclusion in the Urban Service Area has had an urban land use designation since 2002 with adoption of the Gilroy 2020 General Plan. The recently adopted 2040 General Plan land use designation for the Wren Investors/Hewell property is Neighborhood District High, which is discussed further in this memo.

# <u>Policy 2</u>. LAFCO encourages contractual agreements and/or plans between the cities and the County which define:

- a. Growth at the urban fringe; and
- b. Potential new growth areas.

The USA amendment application is consistent with this policy for the following reasons: In order to maintain the long-term viability of agriculture, a multi-jurisdictional approach was established to preserve agricultural land in the southern Santa Clara Valley. This approach led to adoption of <u>Strategies to Balance Planned Growth and Agricultural Viability in the areas south and east of Gilroy</u> ("Agricultural Viability Strategy") in 1996. The purpose of the joint effort between the City, County, and LAFCO was to "identify ways to ensure the long-term maintenance of agriculture as a viable land use in the area south and east of Gilroy". The Agricultural Viability Strategy contains four basic elements: Strategy 1: Plan for Responsible, Sustainable Development; Strategy 2: Support agricultural viability; Strategy 3: Promote City/County cooperation; and Strategy 4: Monitor Implementation.

The Agricultural Viability Strategy recognized that the City's 20-year growth boundary "is one tool that the City of Gilroy uses to plan the timing and location of new development in a responsible and sustainable way". In 2016, a more restrictive Urban Growth Boundary ("UGB") initiative was approved by the voters to protect agriculture and open space, drawing a line beyond which urban development is not allowed. Gilroy's UGB reflects a commitment to prevent development into the agriculturally and environmentally important areas surrounding the City.

The Agricultural Viability Strategy recommended that if the 20-year growth boundary was strengthened, then "LAFCO should re-examine its policies regarding requests for expansions to Gilroy's USA". That time has come and the City respectfully requests that

LAFCO honor that recommendation and allow the proposed USA expansion which is solely contained within the UGB.

<u>Policy 3</u>. LAFCO will consider factors included in Government Code section 56668 as well as factors such as the following to determine the local and regional impacts of a proposed Urban Service Area amendment:

a. The ratio of lands planned for residential use to lands planned for employment-producing use.

The USA amendment application is consistent with this policy for the following reasons: The Gilroy 2040 General Plan Economic Prosperity Element contains goals, policies, and programs that aim to improve the balance between jobs and Gilroy's workforce, grow businesses within Gilroy, and attract new businesses and industries. The Alternatives Report for the 2040 General Plan estimated that the city had 1.55 employed persons per housing unit, and a jobs/housing ratio of 0.83 (fewer jobs than housing units). This estimate considered the currently high unemployment rate and is significantly lower than a 2007 Association of Bay Area Governments estimate which placed Gilroy's jobs/housing ratio at 1.35. The development potential of the Gilroy 2040 General Plan includes up to 6,477 new housing units (single-family and multi-family), an additional population of 19,756, and 21,434 new jobs. This development potential could be reached assuming all under-utilized land is redeveloped and vacant land is developed, all consistent with the land use designations in the proposed Gilroy 2040 General Plan Land Use Diagram.

b. The existence of adequate regional and local transportation capabilities to support the planned city growth;

The USA amendment application is consistent with this policy for the following reasons: The Gilroy 2040 General Plan Mobility Element provides the framework for decisions in Gilroy concerning the citywide transportation system. It seeks to create a balanced transportation network that supports and encourages walking, bicycling, and transit ridership. The goals and policies address a variety of topics, including multimodal transportation, complete streets, pedestrian facilities, bikeways, public transit, vehicular transportation, parking, and goods movement. The Wren Investors/Hewell property would be served regionally by US 101, Caltrain passenger train service, Santa Clara Valley Transportation Authority express bus service, and eventually by high speed rail. Locally, the proposed project would be served by Santa Teresa Boulevard, Monterey Road, Wren Avenue, Church Street, Buena Vista Avenue, Fitzgerald Avenue, other local streets, local bus service, and a bicycle/pedestrian pathway system. New local streets and paths would be constructed within the Wren Investors/Hewell property to serve the new development and connect it to the existing transportation system.

# c. Ability of the city to provide urban services to the growth areas without detracting from current service levels;

The USA amendment application is consistent with this policy for the following reasons: The Gilroy 2040 General Plan Public Facilities and Services Element establishes goals and policies to guide the overall provision of public facilities and services in Gilroy. Implementing the policies will help to ensure Gilroy's public facilities and services are efficient and adequate for today and tomorrow. The proposed urban service area and ultimate development of the Wren Investors/Hewell property has been contemplated since 2002 when the 2020 General Plan was adopted, and the Wren Investors/Hewell property was added to the City's 20-year growth boundary.

As analyzed in the attached Plan for Services, existing and planned City infrastructure is sufficient to accommodate the increased demand from future development of the Wren Investors/Hewell property for certain public services such as water and sewer service (Attachment 12, Plan for Services). However, the anticipated increase in property tax and sales tax associated with this development would not offset the full costs of providing City services such as police and fire. Therefore, the City will require formation of a Community Facilities District to mitigate financial impacts from future development of the Wren Investors/Hewell property. In addition, developers would be responsible for financing on-site improvements, and for paying a proportionate share of impact fees for any necessary off-site infrastructure improvements. With the funding sources in place, the city would be able to serve the project without detracting from existing levels of service.

Furthermore, an update to the City's Infrastructure Master Plans (Water, Sewer, and Storm Drainage) will be complete in July 2021. As part of this effort, the Consultant is updating the design, planning, and performance criteria intended to sustain and enhance current service levels, and to judge the capacity adequacy for future development.

#### d. The ability of school districts to provide school facilities;

The USA amendment application is consistent with this policy for the following reasons: The city of Gilroy is served by the Gilroy Unified School District (GUSD), which has elementary, middle, and high schools within the Gilroy Planning Area when the General Plan was completed in 2020. General Plan policies support the development of new schools to serve both established and new neighborhoods. Per PFS 11.6 (School Sites), the City would coordinate with the developer and GUSD to ensure that sites are identified as a condition of development approval and incorporated as part of the Neighborhood District planning process. Site location considerations include adjacency to planned open-space corridors, neighborhood park sites, and bike and pedestrian pathways. The developer would also be responsible for the payment of school fees, which are considered by SB 50 to fully mitigate growth impacts to schools.

e. Whether the conversion of agricultural and other open space lands is premature, or if there are other areas into which to channel growth;

The USA amendment application is consistent with this policy for the following reasons: The proposed USA expansion area is located within the City's existing Urban Growth Boundary. The Urban Growth Boundary, approved by initiative in 2016 by the voters in Gilroy, has the purpose of protecting the unique character of Gilroy and the agriculture and open space character of the surrounding areas.

The proposed USA expansion area is also located outside the area designated as Rural County (Attachment 17, 2040 General Plan Land Use Diagram). The purpose of the City's Rural County designation is to preserve rural residential, hillside, and productive agricultural land uses located outside areas planned for urban development. While the Santa Clara County General Plan designates the proposed USA expansion area as "open space reserve", the 1995 County General Plan is 25 years old and does not take into account the housing crisis that has prompted the state legislature to require cities and counties to make it easier for developers to build housing. The open space reserve designation makes little sense given the surrounding residential uses.

Existing uses include a drainage channel parcel, a vacant field, several residential uses and associated outbuildings and landscaping, and a parcel owned by Gilroy High School that is occupied by a school farm laboratory for its Future Farmers of America Club. Land uses surrounding the Hewell property are agricultural to the north, and rural residential with some small-scale agricultural uses to the south, and west. A residential subdivision (Harvest Park) is located to the east, within the City limits. A portion of the Wren property is either fallow or supports only small-scale agricultural operations. The remainder of the Wren site is surrounded by low-density residential to the southeast, south and southwest; very low-density/rural residential uses to the west and northwest; a medium-density residential development north of Vickery Avenue; and medium to high density residential uses to the northeast. The Antonio del Buono Elementary School is also located to the northeast.

For these reasons, City staff believes that it would not be premature to approve the USA expansion and allow development of Wren Investors/Hewell property within the area currently designated as Open Space Reserve by Santa Clara County.

#### f. The role of special districts in providing services;

The USA amendment application is consistent with this policy for the following reasons: City staff maintains a close collaboration with Valley Water, and the South County Wastewater Authority. Valley Water is the principal groundwater management agency in the Santa Clara Valley, and the City currently pays a groundwater user fee to Valley Water. The fee serves as a source of funding for operating costs associated with the District's groundwater recharge program, as well as the District's imported water program, which contributes water to the recharge program in the South County. South County Regional Wastewater Authority (SCRWA) is a joint powers authority representing the

cities of Morgan Hill and Gilroy; managing the treatment and disposal of wastewater collected in the two cities. Additionally, SCRWA and Valley Water partner together to deliver recycled water to customers in the City of Gilroy. SCRWA is governed by a Board of Directors, which comprises representatives from both the City of Gilroy and the City of Morgan Hill. While the wastewater treatment facility is operated by SCRWA, Santa Clara Valley Water District owns and operates the recycled water transmission system which delivers recycled wastewater to customers within the City of Gilroy. Both of these regional stakeholders, in conjunction with the City, work to maintain and enhance the levels of service for existing customers, while effectively planning for future growth.

#### g. Environmental considerations which may apply;

The USA amendment application is consistent with this policy for the following reasons: In accordance with the California Environmental Quality Act (CEQA), an initial study was prepared to evaluate any potentially significant adverse effects of the proposed project on the environment. The initial study identified potentially significant impacts in four separate areas; Air Quality, Biological Resources, Cultural Resources, and Noise. The initial study identified eight mitigation measures that would reduce the potentially significant impacts to a less-than-significant level (Attachment 10, Initial Study/MND). A mitigated negative declaration (MND) was adopted by the City of Gilroy and the applicants have agreed to the Mitigation Monitoring Program (Attachment 7, Council Resolution).

Staff received comments from the Gilroy Bicycle Pedestrian Commission (BPC), Santa Clara County LAFCO and Valley Water. While the BPC comments did not raise any environmental issues, comments related to future development of the Wren Investors/Hewell property will be considered as part of the future project design. Valley Water staff's comments related to the need for access to a Valley Water channel and mitigating storm water runoff would be addressed as part of future development entitlements.

LAFCO also submitted comments on the initial study/mitigated negative declaration, as discussed below:

LAFCO's first comment related to the conceptual nature of the applicant's plans for future development of the property, stating that "more detailed and specific information on the proposed development must be included" to "allow for a more detailed evaluation of the project's anticipate impacts on existing services, utilities, and facilities". LAFCO further states that "[w]ithout such information, it is premature for LAFCO to consider an USA amendment proposal or its associated environmental impacts." However, the USA amendment is only the first step in a very lengthy process that will involve much more detailed plans that would be provided to LAFCO as part of an Annexation application. The urban service area amendment would be followed by a lengthy environmental and development review process. LAFCO will have another opportunity to ensure that adequate services are provided when a more comprehensive and detailed annexation application is submitted. Development cannot occur without future LAFCO approval of an annexation.

LAFCO's second comment questioned the preparation of an MND rather than an EIR, such as the one prepared for a similar application in 2014. Unlike the 2014 application, the current application does not "convert prime farmland or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency." The California Department of Conservation had since updated the map (2014) for the property. and removed the prime farmland and farmland of statewide importance designations from the property. There are no significant and unavoidable environmental impacts associated with the project. All significant impacts can be mitigated to a less than significant level. Therefore, an MND is the appropriate CEQA document.

LAFCO's third comment questioned the timing of the USA amendment application because the City was, at that time, in the process of updating Gilroy's General Plan. The City adopted the Gilroy 2040 General Plan in November 2020.

LAFCO's final comment was regarding the project's consistency with LAFCO's goals which include preserve agricultural land and open space resources, discourage urban sprawl, and encourage the efficient provision of services. An analysis of the project as it relates to LAFCO's USA Policy is provided throughout this memo.

## h. The impacts of proposed city expansion upon the County as a provider of services;

The USA amendment application is consistent with this policy for the following reasons: Upon annexation of the Wren Investors/Hewell property to the city, most services would be provided by the City of Gilroy. However, some services will continue to be provided by the county, as the County has historically done for all county residents whether in an incorporated city or unincorporated area. These services include the County jail system, health care, social services, and a variety of general government functions such as the Assessor, County Auditor and others.

Moreover, given the state legislature push for more regional housing and more housing services, there will be an increased pressure on the County to provide these housing related services. Santa Clara County has indicated that housing needs to be concentrated in the cities and the City of Gilroy has an opportunity to do just that through this USA expansion and future development of housing for all income levels.

The property tax and other revenues generated by the project would not be sufficient to fund service costs expected to be incurred by Santa Clara County, unless project residents' demand for County social and health services is substantially below average. Per the attached fiscal Impact analysis, the project would generate a net loss of about \$34,100 in the first year, about 4.0 percent over costs. However, County costs are likely to escalate more rapidly than revenues due to limitations on the increases in property tax revenues and the project's net deficit is projected to increase to 8.1 percent of costs in ten years.

#### i. Regional housing needs;

The USA amendment application is consistent with this policy for the following reasons: California is experiencing a housing supply crisis, with housing demand far outstripping supply. In 2018, California ranked 49th out of the 50 states in housing units per capita. The housing crisis has particularly exacerbated the need for affordable homes at prices below market rates. According to the State Legislature, the housing crisis harms families across California and has resulted in increased poverty and homelessness. Furthermore, the State has found that the excessive cost of the state's housing supply is partially caused by activities and policies that limit the approval of housing.

It is well known that cities do not build housing; developers do. The City of Gilroy has a developer who is ready and willing to build needed housing. Furthermore, the provision of affordable housing will be a requirement for any future development of the property. The City's Neighborhood District Policy requires that 15 percent of housing units be affordable to Very Low-, Low- and Moderate-Income households. The neighborhood district is currently the only area in the City that requires affordable housing since the City of Gilroy does not have a city-wide inclusionary policy.

The neighborhood district policy helps to ensure that Neighborhood District developments meet General Plan Housing Element objectives. The purpose of Neighborhood Districts is to create neighborhoods that are attractive, safe, diverse, and healthy, containing housing that is affordable to a variety of income groups, thereby enhancing the quality of life for all Gilroy residents. Through the Neighborhood District General Plan designation, the City hopes to promote a more integrative, comprehensive, and creative approach to neighborhood planning. As discussed later in this memo, the proposal will also affirmatively further fair housing goals by taking meaningful action to replace segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity.

#### j. Availability of adequate water supply;

The USA amendment application is consistent with this policy for the following reasons: As outlined in the Water System Master Plan and the Urban Water Management Plan, the City is able to deliver water to all customers within the city limits. Furthermore, the City's water supply and water system planning documents provide for expansion of water production and delivery infrastructure to supply all areas within the USA and the larger 20-year Growth Boundary. Water demand associated with development of the Wren Investors/Hewell property is within the City's water supplies and the planned water system infrastructure.

**Existing Water Service**: The City of Gilroy provides potable water service to customers within the City limits. The existing water system near the project site includes a 24-inch line in Santa Teresa Boulevard south of Sunrise Drive, a 16-inch line in Santa Teresa Boulevard north of Sunrise Drive to Day Road, a 16-inch lines in Wren Avenue, Cohansey Avenue, and Monterey Road south of Cohansey Avenue, a 12-inch lines in Hirasaki

Avenue, Kern Avenue, Vickery Avenue Farrell Avenue, and eight-inch lines in Church Street, Tatum Avenue, and Ronan Avenue. There are existing City of Gilroy water mains adjacent to the site on Wren Avenue and Monterey Road.

Future Development: Future development on the site would connect directly to existing City of Gilroy water infrastructure adjacent to the project site. Existing water system infrastructure adjacent to the project site includes 12-inch water mains that run along portions of the western project boundary along Kern Avenue, and to the south and the east of the project site along Cohansey Avenue and Wren Avenue. Water mains are also present in the residential neighborhood located directly south of the site between Mantelli Drive and the southern site boundary. Proposed improvements to the City's system including 12-inch mains to the west of the project site along Kern Avenue and along the northern and eastern project site boundaries along Vickery Avenue and Wren Avenue, respectively. Future water supply infrastructure within the project site would be connected to existing City of Gilroy water mains adjacent to the site on Wren Avenue and Cohansey Avenue.

On-site water infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards. New development is subject to compliance with the design requirements and standard conditions of approval of the City's Urban Water Management Plan and Water System Master Plan. Furthermore, a mitigation measure was included in the initial study that will require new development to include storm water capture for outdoor watering to help meet the 130 acre-feet additional supply needed for the new development. Future development will also be subject to the California Model Water Efficient Landscape Ordinance (MWELO) provisions which aim to gain large water savings through efficient landscape design, installation, and maintenance. Finally, the City will require a Community Facilities District for future development in order to mitigate the fiscal impacts related to the provision public services, utilities, and service systems.

#### k. Consistency with city or county general and specific plans.

The following General Plan policies relate to Urban Service Area amendments and to the City's growth and change. The proposed USA expansion does not require any amendments to the text, policies, or land uses in the 2040 General Plan. A new Specific Plan will be required for the Wren Investors/Hewell property prior to submitting an annexation application to LAFCO.

**Land Use Goal LU 1**: Protect and enhance Gilroy's quality of life and unique identity while continuing to grow and change.

<u>USA Consistency</u>: The Wren Investors/Hewell property has been designated for residential uses since 1995 (**Attachment 16, 1995 Land Use Map**). When the Urban Growth Boundary initiative was drafted and adopted in 2016, the voters of Gilroy recognized the need to accommodate future growth and develop the Wren Investors/Hewell property and the larger Neighborhood District North area. The

neighborhood district policy and development of a specific plan for the Wren Investors/Hewell property will ensure that future development of the area will protect and enhance Gilroy's quality of life and unique identity.

**LU 1.1**: **Pattern of Development**. Ensure an orderly, contiguous pattern of development that prioritizes infill development, phases new development, encourages compactness and efficiency, preserves surrounding open space and agricultural resources, and avoids land use incompatibilities.

USA Consistency: The proposed Urban Service Area amendment would provide a contiguous pattern of development because it logically extends Gilroy's Urban Service Area boundary along Tatum Avenue, Vickery Avenue, and Wren Avenue (Attachment 3, USA Boundary Map). Per the 2040 General Plan, the Neighborhood District will consist of compact, complete, neighborhood-style development with a mix of single-family, medium- to high-density residential uses, and commercial uses. Commercial and medium- to high-density residential uses will be clustered to form neighborhood centers that will be centrally located to be convenient to as many residents as possible. Residents can access neighborhood centers easily by walking, biking, or driving. Neighborhoodserving amenities such as schools, parks, open space, and neighborhood commercial will be integrated in the neighborhood design in a manner that provides the greatest benefit to the community. Prior to approval of annexation and other land use entitlements, a Specific Plan shall be prepared for the entire Neighborhood District area. The Neighborhood District Policy provides further guidance on topics including phasing of development, location and mix of uses, site and architectural design, affordable housing, circulation, and open space.

**LU 1.2**: **Residential Growth**. Encourage new residential development to locate within the existing Urban Service Area prior to considering expansion of the Urban Service Area.

<u>USA Consistency</u>: The city currently has an approximate 6.27-year supply of vacant and underdeveloped residential land (9.27 years, if properties Downtown are included), given an average of 305 permits per year. The Vacant Land Inventory estimates that the city's vacant and underutilized land could accommodate up to 1,919 units if the maximum density were permitted. As provided on pages 7 and 8 of **Attachment 11, Vacant Land Survey**, 253 of 1,919 units are estimated in the City's Hillside Residential area which are more costly and difficult to build. The Hillside Residential area is considered Wildland Urban Interface and has a higher risk area for fire. Another 739 out of 1,919 units are located in the Glen Loma Ranch and Hecker Pass Specific Plan areas, which are expected to be built out over the next five years. This leaves an estimated 927 units in the inventory. However, it is important for LAFCO to know that some of the parcels identified in the inventory are currently being proposed for fewer units than shown in the Inventory. For example, an application has been submitted for the parcel identified as "M-1" in the table on page 8 of the Inventory. However, only 29 units are actually proposed, as opposed to the estimated 56 units illustrated in the table.

The City of Gilroy anticipates that much of the vacant and underutilized land in the City

will be entitled over the next five years, as Gilroy's Urban Growth boundary significantly limits Gilroy's expansion potential. Coupled with the current demand for housing at a local and regional level, staff expects that much of Gilroy's developable infill property will have developed before the Wren Investors/Hewell property has completed its lengthy entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future residential growth requirements.

**LU 1.5**: **Uses East of U.S. 101**. Prohibit all residential uses on lands east of U.S. 101 and designate the area for industrial and agricultural uses, employment centers, compatible commercial development, and public and quasi-public facilities.

USA Consistency: The USA expansion area is located west of US 101.

**LU 1.6**: **Areas with Fragmented Property Ownership**. Encourage coordinated development in areas where a fragmentation of property ownership poses potential impediments for orderly and efficient development (e.g., layout of streets, lots, utilities). Projects where such impediments are identified shall demonstrate good faith effort to acquire and consolidate adjacent parcels in cases where to do so would improve the development potential of the project, consistent with the General Plan policies and other City development standards.

<u>USA Consistency</u>: All property owners of the 15 parcels located in the proposed USA expansion area have entered into an agreement to proceed with the USA and annexation application. Per the agreement, all 15 parcels will be owned by a single property owner in order to ensure an orderly and efficient process.

**LU 1.8**: **Vacant and Underutilized Sites**. Monitor vacant and underutilized residential and non-residential land to encourage infill development on those sites.

<u>USA Consistency</u>: The most recent city survey of vacant and underutilized residential and non-residential land was completed in February 2021. A discussion on the findings from that survey is provided on the previous page under LU 1.2.

**LU 1.10**: **Urban Service Area Amendments**. Accept and evaluate applications for inclusion in the Urban Service Area annually in light of General Plan policies promoting infill development and efficient and cost-effective provision of urban services.

<u>USA Consistency</u>: The Wren Investors/Hewell property is located at the northern city limit boundary. While future development would result in some greenfield development (i.e. development of previously undeveloped land), much of the land is currently occupied with various uses, included single-family homes. The Wren Investors/Hewell property is also surrounded by residential uses within the City limits. Per the City's 2040 General Plan land use implementation measure #5, the City has considered this USA expansion application in light of the need to accommodate projected future growth, especially in light of the demand for housing and state mandate for accelerating housing production.

Furthermore, inclusion of the Wren Investors/Hewell property within the City's USA has been contemplated since 1995, including planning for the service needs of the entire Neighborhood District north area. The City has consolidated two applications into a single application to LAFCO for consideration, further allowing for the efficient provision of services.

**LU 1.11**: **Contiguous Development**. Strongly discourage development that is not contiguous with existing urban development.

<u>USA Consistency</u>: The proposed USA amendment area borders on existing urban development, such that approval of this USA amendment would be contiguous with the existing USA boundary.

**LU 1.12**: **Interagency Coordination for Growth Management**. Work with Santa Clara County and other South Valley communities to ensure a regional approach to growth management. Also work with the County to discourage land subdivision and development activities in areas outside the Urban Service Area but within the sphere-of-influence that might undermine the future urban development potential of those lands. The 1990 South County Joint Area Plan, adopted by Santa Clara County, the City of Gilroy, and the City of Morgan Hill shall serve as a reference of recommended policies and approaches to continue this work.

<u>USA Consistency</u>: The USA expansion proposal would not undermine the future urban development potential of lands within the City's sphere of influence because multiple landowners have agreed to work together to bring forward an application that would allow urban growth to occur in an orderly and contiguous pattern. Furthermore, the City of Gilroy has the capacity to provide a full array of urban services and facilities, such as sewer capacity, water, transportation, schools, public safety and other urban services, consistent with Policy 1.08 of the South County Joint Area Plan. Future residents would be required to pay all the incremental public service costs which it generates, while the developers would be required to construct or pay to offset the costs relating to the provision and expansion of public services and facilities. (Policy 5.01). Furthermore, the City's Urban Growth Boundary will ensure that "the South County includes a variety of open space areas, including the valley floor, stream corridors, lands around reservoirs, foothills, inter-mountain valleys, and mountain areas beyond the foothills" (Policy 16.01).

The South County Joint Area Plan was adopted in 1990 and had a 15-year planning horizon, through 2005. The authors recognized that Santa Clara County is a fast-growing region and the pressures for growth are likely to continue beyond 2005 (Policy SC 1.0). Per Policy SC 1.3, conditions of population/employment growth and land development should be regularly monitored to assess the demand for additional urban development, and to determine when it would be appropriate to plan for more extensive urban development in the South County. A lot has happened since the last time the South County Joint Planning Advisory Committee met on October 17, 2017 and the Plan was adopted in 1990. The State has declared that California is in a housing crisis and that

local governments must do more to accelerate housing production and remove constraints that hinder housing development.

The City of Gilroy is open to continuing work with Santa Clara County and other South Valley communities to ensure a regional approach to growth management, especially in light of regional housing needs.

**LU 1.16**: **Urban Growth Boundary Implementation**. Until December 31, 2040, the General Plan provisions, as adopted by the Gilroy Urban Growth Boundary Initiative, may not be amended or repealed except by a vote of the people.

<u>USA Consistency</u>: The USA expansion area is entirely within the Urban Growth Boundary and is consistent with General Plan policies as discussed throughout this memo.

**LU 8.8**: **Clustered Development**. Encourage clustered development as a strategy for achieving desired densities while protecting fragile environmental habitats or natural features creating amenity open spaces and achieving other community design goals.

<u>USA Consistency</u>: The City's General Plan land use designation for the Wren Investors/Hewell property is Neighborhood District High. Neighborhood-serving amenities such as schools, parks, open space, and neighborhood commercial will be integrated in the neighborhood design in a manner that provides the greatest benefit to the community. Prior to approval of annexation and other land use entitlements, a Specific Plan shall be prepared. The Specific Plan shall be consistent with the Neighborhood District Zoning District and the Neighborhood District Policy, which provide further guidance on topics including phasing of development, location and mix of uses, site and architectural design, affordable housing, circulation, and open space.

**LU 2.1**: **Specific Plans**. Require the development of specific plans for new development on land designated Neighborhood District North and Neighborhood District South.

<u>USA Consistency</u>: The applicant will be required to prepare a comprehensive Specific Plan in accordance with State Planning Law (Government Code 65450) and the City's General Plan and Zoning Ordinance.

<u>Policy 4</u>. LAFCO will consider the applicable service reviews and discourage urban service area amendments that undermine adopted service review determinations or recommendations.

The USA amendment application is consistent with this policy for the following reasons: LAFCO's most recent municipal service review for Gilroy was approved by LAFCO in December 2015. At that time, LAFCO found that core municipal services are mainly delivered by City staff. LAFCO also noted that the City of Gilroy does not anticipate obstacles to maintaining existing service levels or meeting immediate infrastructure needs, given the growth and population increases projected.

<u>Policy 5</u>. When a city with a substantial supply of vacant land within its Urban Service Area applies for an Urban Service Area expansion, LAFCO will require an explanation of why the expansion is necessary, why infill development is not undertaken first, and how an orderly, efficient growth pattern, consistent with LAFCO mandates, will be maintained.

The USA amendment application is consistent with this policy for the following reasons: Although the city currently has more than a five-year supply of residential land, staff anticipates that most of that land would develop before the Wren Investors/Hewell property has completed its entitlement process. Approval of the proposed USA amendment request would allow the city to replenish the diminishing supply of residential land to meet foreseeable residential development needs.

Based on the most recent Vacant Land Inventory (**Attachment 11**), the City could theoretically accommodate 1,919 new units over the next six (6) years, given the City's vacant or underutilized land. However, as provided on pages 7 and 8 of the Vacant Land Inventory, 253 of 1,919 units are estimated in the City's Hillside Residential area which are more costly and difficult to build. The Hillside Residential area is considered Wildland Urban Interface and has a higher risk area for fire. Another 739 out of 1,919 units are located in the Glen Loma Ranch and Hecker Pass Specific Plan areas, which are expected to be built out over the next five years. This leaves an estimated 927 units in the inventory. While it may be theoretically possible to accommodate these units entirely through "infill development", such an action is realistically infeasible. In fact, the City has already experienced that theory does not always translate to reality. For example, an application has been submitted for the parcel identified as "M-1" in the table on page 8 of the Inventory. However, only 29 units are actually proposed, as opposed to the estimated 56 units illustrated in the table.

Finally, California is currently in the midst of a housing supply and affordability crisis. The California legislature and Governor have responded to the crisis in part by requiring more actions by local government, including making suitable lands available for new housing. Determining the amount of underutilized land in the city that will be suitable for accommodating regional housing needs has become increasingly challenging due to state legislation regarding housing element updates. The Association of Bay Area Governments (ABAG) has recommended that the City of Gilroy accommodate 1,773 housing units between January 2023 through January 2031 in order to meet the regional housing needs allocation for the bay area. The City will almost certainly need all available vacant and underutilized sites within the urban growth boundary, which includes the Wren Investors/Hewell property.

The Urban Growth Boundary initiative intended, in part, to designate sufficient land for housing growth. The Urban Growth Boundary strikes a balance between environmental, economic, and social needs. The growth areas included within the UGB and the proposed USA expansion area are key to achieving that community vision and need, and are essential for accommodating projected population and employment growth. The area proposed for USA expansion is included in the City's Urban Growth Boundary (UGB). The

UGB sponsors were very concerned about urban sprawl and agricultural land preservation, but also acknowledged the need for the City to assure there were sufficient housing and job opportunities in the city. The UGB Initiative Text explicitly states that it "will not limit Gilroy's ability to continue to meet the housing needs of all economic segments of the population, including lower- and moderate-income households".

The City of Gilroy anticipates that much of the vacant and underutilized land in the City will be entitled over the next five years. Coupled with the current demand for housing at a local and regional level, staff expects that much of Gilroy's developable infill property will have developed before the Wren Investors/Hewell property has completed its lengthy entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future residential growth requirements.

<u>Policy 6</u>. The Commission will discourage Urban Service Area expansions which include agricultural or other open space land unless the city has accomplished one of the following:

- a. Demonstrated to LAFCO that effective measures have been adopted for protecting the open space or agricultural status of the land. Such measures may include, but not limited to, the establishment of agricultural preserves pursuant to the California Land Conservation Act, the adoption of city/County use agreements or applicable specific plans, the implementation of clustering or transfer-of-development-rights policies; evidence of public acquisition; or
- b. Demonstrated to LAFCO that conversion of such lands to other than open space uses is necessary to promote the planned, orderly, efficient development of the city.

The USA amendment application is consistent with this policy for the following reasons: Because the Wren Investors/Hewell property is unincorporated territory, it includes a Santa Clara County General Plan land use designation, which is Open-Space Reserve. For Open Space Reserve lands adjacent to Gilroy, Policy R-LU-49 states that the city and county should resolve areas to be reserved for future urban growth; areas to be reserved for long term agricultural use; and other planning objectives identified within the South County Joint Area Plan.

While the Santa Clara County General Plan designates the proposed USA expansion area as "open space reserve", the 1995 County General Plan is 25 years old and does not take into account the housing crisis that has prompted the state legislature to require cities and counties to make it easier for developers to build housing.

Per Santa Clara County General Plan Policy R-LU-45, the Open Space Reserve designation was applied to land "for which no permanent land use designation was applied pending future joint studies by affected jurisdictions of desired long-term land use

patterns." The proposed USA expansion area is located outside the area designated by the City of Gilroy as "Rural County" and "Open Space" (Reference 2040 General Plan Land Use Diagram). The purpose of the City's Rural County designation is to preserve rural residential, hillside, and productive agricultural land uses located outside areas planned for urban development, while the Open Space designation is applied to areas where urban development is either inappropriate or undesirable. Specifically, it is intended to preserve and protect lands that are considered environmentally unsuitable for development, including natural resource areas such as the Uvas Creek and Llagas Creek corridors and the southwestern foothills and hazardous areas such as fault zones and floodways. The County's Open Space Reserve designation would be better suited for larger areas and for land that cannot accommodate needed housing

The Wren Investors/Hewell property is outside the agricultural preservation area identified in the South County Joint Area Plan. The city has designated the Wren Investors/Hewell property for Neighborhood District since 2002 and has applied an urban land use designation on the site since 1968. Therefore, the proposed USA expansion is consistent with the intent of the Santa Clara County General Plan.

<u>Policy 7</u>. The Commission will consider whether an Urban Service Area amendment leading to the conversion of agricultural or other open space land, will adversely affect the agricultural or open space resources of the County. Factors to be studied include, but are not limited to:

- a. The agricultural significance of the amendment area relative to other agricultural lands in the region (soil, climate, water-related problems, parcel size, current land use, crop value, Williamson Act contracts, etc.)
- b. The economic viability of use of the land for agriculture;
- c. Whether public facilities, such as roads, would be extended through or adjacent to other agricultural lands in order to provide services to anticipated development in the amendment area or whether the public facilities would be sized or situated to impact other agricultural lands in the area
- d. Whether the amendment area is adjacent to or surrounded by existing urban or residential development.

The USA amendment application is consistent with this policy for the following reasons: The property proposed for an urban service area expansion is not designated agricultural land, as illustrated in the attachments described below. Furthermore, none of the parcels within the Wren Investors/Hewell property are viable for agriculture per the California Farmlands Mapping and Monitoring Program. The Wren Investors/Hewell property is located between other residential uses and can be easily serviced by new utilities that would not extend through any designated agricultural land.

Farmlands Mapping Program: Under the Farmlands Mapping and Monitoring Program, established pursuant to California Government Code section 65570, the California Department of Conservation publishes a map of important farmlands and a list of soil types that qualify for determination as important farmlands. The 2016 Important Farmlands Map for Santa Clara County provides an inventory of agricultural resources in the county. The Farmland Mapping and Monitoring Program defines Prime Farmland as land with the best combination of physical and chemical characteristics able to sustain long-term production of agricultural crops. Farmland of Statewide Importance is land with a good combination of physical and chemical characteristics for agricultural production, having only minor shortcomings, such as less ability to store soil moisture, compared to Prime Farmland. Unique Farmland is farmland of lesser quality soils but used for production of some of the state's leading agricultural crops. This land is usually irrigated but can include some non-irrigated orchards or vineyards appropriate in certain climatic zones of California. Attachment 14, Important Farmlands Map, shows the locations of each farmland designation within the City's Urban Growth Boundary. The 2040 General Plan Urban Growth Boundary consists of approximately 11,763 acres, much of which had historically been for agricultural production, like much of Santa Clara County. About 30 percent of the area within the Urban Growth Boundary is classified on the Important Farmlands map as Prime Farmland, Farmland of Statewide Importance, Farmland of Local Importance, Grazing Land or Unique Farmland. Attachment 15, Important Farmland Classifications, shows acreage of each classification within the Urban Growth Boundary.

**Williamson Act Contracts**: No parcels within the proposed USA expansion area, or within the Urban Growth Boundary are subject to Williamson Act contract.

<u>Policy 8</u>. If an Urban Service Area proposal includes the conversion of open space lands or agricultural lands, LAFCO strongly encourages the city to develop effective mitigation measures to address the loss of the agricultural and open space lands. LAFCO will require an explanation of why the inclusion of agricultural and open space lands is necessary and how the loss of such lands will be mitigated.

Mitigation measures include, but are not limited to: the acquisition and dedication of farmland, development rights, open space and conservation easements to permanently protect adjacent and other agricultural lands within the county, participation in other development programs such as transfer or purchase of development rights, payments to recognized government and non-profit organizations for such purposes, and establishment of buffers to shield agricultural operations from the effects of development.

The USA amendment application is consistent with this policy for the following reasons: While the City has an adopted Agricultural Mitigation Policy, the Wren Investors/Hewell property is not subject to the Policy because the property is not considered by the State of California to be Prime Farmland or Farmland of Statewide Importance.

# <u>Policy 9</u>. Where appropriate, LAFCO will consider adopted policies advocating maintenance of greenbelts or other open space around cities in reviewing Urban Service Area amendments.

The USA amendment application is consistent with this policy for the following reasons: Measure H, which was adopted by a majority of Gilroy voters, amended the City of Gilroy General Plan to establish an urban growth boundary (UGB) line on the General Plan Land Use Plan Map and designate almost all land outside the UGB as Open Space. Certain areas previously shown as developable were placed outside the UGB, including land in North Gilroy and land east of the Outlets. Except for public parks, public educational facilities (such as public schools and public colleges), and public wastewater, sewer, storm drain, and water recycling facilities, as well as certain open space uses, development outside the UGB is not allowed without further action by the voters or by the City Council. Measure H was found to support the goals of the Housing Element, while resulting in an overall decrease in the level of future urban development within Gilroy's 20-year Planning Boundary. Per the Measure H Report, Measure H resulted in:

- Less potential residential development (reductions of 2,929 units compared to the 2020 General Plan and 4,344 compared to the previously considered 2040 Draft Plan).
- Less potential non-residential development (reductions of 8,313,344 square feet compared to the 2020 General Plan and 4,002,197 square feet compared to the previously considered 2040 Draft Plan).
- A decline in potential jobs, labor income, and economic output (reductions of 45% compared to the 2020 General Plan and 13-14% compared to the previously considered 2040 Draft Plan).
- A decline in potential construction jobs, labor income, and economic output from construction (reductions of 30% compared to the 2020 General Plan and 25% compared to the previously considered 2040 Draft Plan).
- Roadway network changes that would increase the City's Traffic Impact Fee by approximately 40% over current fees.
- Less General Fund revenue, including reductions in sales and property tax revenues.
  However, lower service populations would lead to reduced expenditures for City
  services. In comparing revenue loss to expenditure reductions, the Report concluded
  that Measure H would result in a lower net positive fiscal impact of development under
  each General Plan scenario.

<u>Policy 10</u>. LAFCO will require evidence that an adequate water supply is available to the amendment areas and that water proposed to be provided to new areas does not include supplies needed for unserved properties already within the city, the city's Urban Service Area or other properties already charged for city water

services. In determining water availability, LAFCO will evaluate, review and consider:

- a. The city's plan for water service to the area and statement of existing water supply in terms of number of service units available; service units currently allocated; number of service units within city (and current USA) boundaries that are anticipating future service and service units needed for amendment area.
- b. Whether the city is able to provide adequate water supply to the amendment area in the next 5 years, including drought years, while reserving capacity for areas within the city and Urban Service Area that have not yet developed.
- c. Whether the city is capable of providing adequate services when needed to areas already in the city, in the city's Urban Service Area or to other properties entitled to service.
- d. If capacity is not reserved for unserved property within the city and its Urban Service Area boundary, the current estimate of potential unserved properties and related water supply needs
- e. Whether additional infrastructure and or new water supplies are necessary to accommodate future development or increases in service demand. If so, whether plans, permits and financing plans are in place to ensure that infrastructure and supply are available when necessary including compliance with required administrative and legislated processes, such as CEQA review, CEQA mitigation monitoring plans, or State Water Resources Board allocation permits. If permits are not current or in process, or allocations approved, whether approval is expected.
- f. Whether facilities or services comply with environmental and safety standards so as to permit acquisition, treatment, and distribution of necessary water.

The USA amendment application is consistent with this policy for the following reasons:

As further discussed in the attached Plan for Services (**Attachment 12**), future development of the project site would increase the demand for potable water on the project site, and would contribute to increased City-wide and subbasin-wide groundwater demand. Using the water demand coefficient identified in the City's Water System Master Plan for Neighborhood Districts of 2,100 gallons per day per acre (gpd/ac) or 2.35 acre feet per year (afy), future water demand of the proposed project would be 116,886 gdp or 130.81 acre-feet.

Site and General Plan Designation	Site Acreage	Water Demand Coefficient (2,100 (Gallons Per Day Per Acre)	Water Demand Coefficient (2.35 Acre Feet Per Year)
Wren Investors (Neighborhood District)	50.30	105,630 gpd/acre	118.21 afy
Hewell (Neighborhood District)	5.36	11,256 gpd/acre	12.60 afy
Total:	55.66	116,886 gpd/acre	130.81 afy

The projected water supply available through 2040 during normal years, including recycled water sources, is 18,800 MG/Y. While the projected City-wide demand is only 5,822 MG/Y, the City of Morgan Hill and other uses are projected to have a demand of 13,658 MG/Y for a total demand of 18,478 MG/Y. This leaves 322 MG/Y projected excess water supply. In order to meet water supply goals for normal, single dry and multiple dry years, the Urban Water Management Plan recommends enhanced conservation to the maximum extent possible. In the event of an emergency supply shortfall, the City will rely on the contingency plan to reduce the rate of consumption and limit overdraft of the groundwater aquifer. A mitigation measure was included in the initial study that will require new development to include storm water capture for outdoor watering to help meet the 130 acre-feet additional supply needed for the new development.

Future development on the site would connect directly to existing City of Gilroy water infrastructure adjacent to the project site. According to the Water System Master Plan, existing water system infrastructure adjacent to the project site includes 12-inch water mains that run along portions of the western project boundary along Kern Avenue, and to the south and the east of the project site along Cohansey Avenue and Wren Avenue. Water mains are also present in the residential neighborhood located directly south of the site between Mantelli Drive and the southern site boundary. The Water Supply Master Plan also presents proposed improvements to the City's system including 12-inch mains to the west of the project site along Kern Avenue and along the northern and eastern project site boundaries along Vickery Avenue and Wren Avenue, respectively. Future water supply infrastructure within the project site would be connected to existing City of Gilroy water mains adjacent to the site on Wren Avenue and Cohansey Avenue. On-site water infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards. New development is subject to compliance with the design requirements and standard conditions of approval of the City's Urban Water Management Plan and Water System Master Plan.

The Water Supply Master Plan includes a Capital Improvement Program to assist the City in planning and constructing the proposed improvements to the water system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options. Future developers would be responsible for constructing all on-site water pipelines and offsite connecting pipelines. The City will reimburse the developer for construction of oversized mains (that will serve other future development) according to

City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. Additional improvements that are included in the Capital Improvement Plan would also be subject to reimbursement. The construction and financing of on-site infrastructure serving the project site would be the responsibility of the applicant. Future developers of the site would participate in the water development impact fee program. which provides a mechanism to offset the project's share of existing and proposed Citywide infrastructure improvements that enable delivery to the site, such as the new wells required to serve the project. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/ apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees. On-site water infrastructure would be constructed by the applicant and dedicated to the City. As owner of the water infrastructure, the City will be responsible for costs associated with future maintenance of the water infrastructure unless a Community Facilities District is established. This financing approach could help defray costs for associated with the new water infrastructure.

Future development of the site consistent with the existing general plan land use designation would result in an increased demand for water and required treatment. The existing and planned City infrastructure is sufficient to accommodate this increased demand for water service. Developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the increased tax base would not offset the costs of the financial impacts (see Fiscal Impact Analysis prepared by ADE) and the City will require formation of a Community Facilities District for the proposed project. As outlined in the Water System Master Plan and the Urban Water Management Plan, the City is able to deliver water to all customers within the city limits, and the City's water supply and water system planning documents provide for expansion of water production and delivery infrastructure to supply all areas within the USA and 20-year Growth Boundary. Water demand associated with development of the project site is within the City's water supplies and the planned water system infrastructure beyond that already identified in the City of Gilroy Water System Master Plan and Urban Water Management Plan.

<u>Policy 11</u>. LAFCO will discourage proposals that undermine regional housing needs plans, reduce affordable housing stock, or propose additional urbanization without attention to affordable housing needs. LAFCO will consider:

a. Whether the proposal creates conditions that promote local and regional policies and programs intended to remove or minimize impediments to fair housing including city/ county general plan housing elements, Analysis of Impediments to Fair Housing or Consolidated Plans for Housing and Community Development and ABAG's regional housing needs assessment and related policies. According to Government Code Section 65584(e), "affirmatively further fair housing" means: "Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws."

The neighborhood district policy helps to ensure that Neighborhood District developments meet General Plan Housing Element objectives. The purpose of Neighborhood Districts is to create neighborhoods that are attractive, safe, diverse, and healthy, containing housing that is affordable to a variety of income groups, thereby enhancing the quality of life for all Gilroy residents. Through the Neighborhood District General Plan designation, the City hopes to promote a more integrative, comprehensive, and creative approach to neighborhood planning. Therefore, the proposal would also affirmatively further fair housing goals by taking meaningful action to replace segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity.

The USA expansion will also help the City accommodate its Regional Housing Needs Allocation, as the Neighborhood District Policy requires a minimum of 15 percent of proposed homes to be affordable. Therefore, it is anticipated that the project, as conceptually proposed, would include 46 affordable units (15% of 307 units).

b. Whether the proposal introduces urban uses into rural areas thus increasing the value of currently affordable rural area housing and reducing regional affordable housing supply.

The USA amendment application is consistent with this policy for the following reasons: The proposal will introduce urban uses into rural areas and increase the value of housing in the area. The conceptual plans indicate the potential for approximately 307 residential units, including 185 low density units, 20 medium density duets, and 102 high density residential townhomes or apartments. The Neighborhood District Policy requires a minimum of 15 percent of proposed homes to be affordable. Therefore, under this scenario, the project would include 46 affordable units (15% of 307). This equates to approximately 3 affordable units per each of the 15 parcels that would be included in the proposed USA. This should minimize the impact of increasing the value of currently affordable rural area housing, while also providing homeowners outside the proposed USA expansion area to realize an increase in equity of their investment in the area.

c. Whether the proposal directs growth away from agricultural / open space lands towards infill areas and encourages development of vacant land adjacent to existing urban areas thus decreasing infrastructure costs and

#### potentially housing construction costs.

#### The USA amendment application is consistent with this policy for the following reasons:

As discussed throughout this document, the Wren Investors/Hewell property is <u>not</u> designated as Prime Farmland or Farmland of Statewide Importance under the Farmlands Mapping and Monitoring Program, is <u>not</u> located in the agricultural preservation area identified in the South County Joint Area Plan, and is <u>not</u> subject to a Williamson Act contract. The Wren Investors/Hewell property is outside the agricultural preservation area identified in the South County Joint Area Plan. The proposed USA expansion area is also located outside the area designated by the City of Gilroy as "Rural County" and "Open Space"

The City of Gilroy anticipates that much of the vacant and underutilized land in the City will be entitled over the next five years, as Gilroy's Urban Growth boundary significantly limits Gilroy's expansion potential. Coupled with the current demand for housing at a local and regional level, staff expects that much of Gilroy's developable infill property will have developed before the Wren Investors/Hewell property has completed its lengthy entitlement process. Therefore, staff believes that bringing the Wren Investors/Hewell property into Gilroy's urban service area now will allow Gilroy to have adequate residential land to meet future residential growth requirements.

Finally, the Wren Investors/Hewell property is located at the current USA boundary and can easily be serviced by new utilities.

### Planning Commission Special Meeting of OCTOBER 17, 2019

#### I. PLEDGE OF ALLEGIANCE

#### II. REPORT ON POSTING THE AGENDA AND ROLL CALL

Attendee Name	Title	Status	Arrived
Rebeca Armendariz	Planning Commissioner	Present	6:18 PM
Peter Fleming	Planning Commissioner	Present	6:21 PM
Amanda Rudeen	Planning Commissioner	Present	6:21 PM
Casey Estorga	Vice Chair	Present	6:26 PM
Sam Kim	Planning Commissioner	Present	6:30 PM
Susan Rodriguez	Planning Commissioner	Absent	
Tom Fischer	Chair	Present	6:19 PM

#### III. PUBLIC COMMENTS

#### IV. CONSENT AGENDA

1. October 3, 2019 Regular Planning Commission Meeting Minutes

#### V. PUBLIC HEARINGS

A. Staff has analyzed the proposed project and recommends that the Planning Commission (Roll Call Vote):

Consider and recommend that the City Council adopt the mitigated negative declaration prepared for the project, based on findings required by the California Environmental Quality Act (CEQA); and

Adopt a resolution recommending that the City Council approve the Wren Investors and Mark Hewell and David Sheedy Urban Service Area Amendments (USA 12-01 and USA 14-02).

- 1. Staff Report: Julie Wyrick, Planning Manager
- 2. Public Comment
- 3. Planning Commission Disclosure of Ex-Parte Communications
- 4. Possible Action:

Melissa Durkin, Planner II presented the report.

Chair Fischer opened public comment.

Applicant's Mark Hewell and Dick Oliver spoke.

Chair Fischer closed public comment.

Disclosure of Ex-Parte Communication:

Chair Fischer disclosed that he did meet with Gilroy Growing Smarter this week but has no new information that is not already provided on the staff report.

Motion was made by Commissioner Kim, second by Commissioner Armendariz to recommend to the City Council the adoption of the mitigated negative declaration.

Vote: Motion carried 6-0-0-1

Yes: Estorga, Armendariz, Kim, Fleming, Rudeen, Fischer

No: None

Abstain: None

Absent: Rodriguez

Motion was made by Commissioner Fleming, second by Commissioner Armendariz to recommend to the City Council the adoption of the Urban Service Amendment, Wren Investors and Hewell to add 56 acres to the Urban Service Area.

Vote: Motion carried 6-0-0-1

Yes: Estorga, Armendariz, Kim, Fleming, Rudeen, Fischer

No: None

Abstain: None

Absent: Rodriguez

RESULT: APPROVE [UNANIMOUS]

MOVER: Sam Kim, Planning Commissioner

SECONDER: Rebeca Armendariz, Planning Commissioner

**AYES:** Armendariz, Fleming, Rudeen, Estorga, Kim, Fischer

**ABSENT:** Rodriguez

#### VI. NEW BUSINESS

# A. Approval of the 2020 Schedule of Regular and Special Planning Commission Meetings.

- 1. Staff Report: Christina Ruiz, Management Assistant
- 2. Public Comment
- 3. Possible Action:

Julie Wyrick, Planning Manager presented the 2020 Schedule of Regular and Special Planning Commission Meetings schedule.

Motion was made by Commissioner Rudeen, second by Commissioner Fleming to approve the revised 2020 Schedule of Regular and Special Planning Commission Meetings.

Motion carried 6-0-0-1.

RESULT: APPROVE [UNANIMOUS]

MOVER: Amanda Rudeen, Planning Commissioner SECONDER: Peter Fleming, Planning Commissioner

AYES: Armendariz, Fleming, Rudeen, Estorga, Kim, Fischer

**ABSENT:** Rodriguez

#### VII. INFORMATIONAL ITEMS

#### VIII. PRESENTATION BY MEMBERS OF THE PLANNING COMMISSION

#### IX. REPORTS BY COMMISSION MEMBERS

Commissioner Estorga requested staff to produce a report on housing legislation and agenize for the next scheduled Planning Commission meeting.

Commissioner Kim requested staff to provide project comment letters to the commissioner's prior to the meeting date.

#### X. PLANNING MANAGER REPORT

#### XI. ASSISTANT CITY ATTORNEY REPORT

Andy Faber, City Attorney presented the Assistant City Attorney's report.

XII. ADJOURNMENT to the Next Meeting of November 7, 2019 at 6:30 P.M.

Christina Ruiz, Management Assistant

# City of Gilroy City Council Meeting Minutes January 27, 2020

#### I. OPENING

#### A. Call to Order

The meeting was called to order at 6:00 PM by

#### 1. Pledge of Allegiance

The pledge of allegiance was led by Council Member Marques.

#### 2. Invocation

There was none.

#### 3. City Clerk's Report on Posting the Agenda

City Clerk Shawna Freels announced that the agenda had been posted on January 23, 2020 at 10:30 a.m.

Attendee Name	Title	Status	Arrived
Roland Velasco	Mayor	Present	6:00 PM
Marie Blankley	Council Member	Present	5:45 PM
Dion Bracco	Council Member	Present	5:47 PM
Peter Leroe-Muñoz	Council Member	Present	5:54 PM
Carol Marques	Council Member	Present	5:48 PM
Fred Tovar	Council Member	Present	5:45 PM
Cat Tucker	Council Member	Present	5:47 PM

#### B. Orders of the Day

Council Member Marques asked to move the state of the streets presentation up the agenda.

The Council agreed to move item following Bids and Proposals.

#### C. Employee Introductions

Community Development Director Garner introduced newly hired Senior Planner Cindy McCormick and Planner I Kyle Jordan.

Recreation Director De Leon introduced newly hired Recreation Facilities Attendant Mario Gutierrez and newly promoted Recreation Specialist Basillio Diego.

Captain Espinosa introduced Police Records Technician Renee Hammer and Police Officer Miguel Martin Del Campo.

IT Director Golden introduced newly promoted IT Applications Analyst Nathan Hand.

#### II. CEREMONIAL ITEMS

#### A. Proclamations, Awards, and Presentations

There were none.

#### III. PRESENTATIONS TO THE COUNCIL

Mathew Tinsley of the Santa Clara County Office of Education presented information on the Strong Start access to preschool program.

Mark Turner spoke on the Chamber of Commerce and Economic Development Corporation partnership describing the six month plan to work on economic development activities, and he then detailed work in progress.

Jan Berstein Chargin spoke on the work of the South Valley Homeless Task Force and described the funding available for emergency shelters for the homeless through the HEAP funding. She then explained that when the winter shelters closed, there would be no place for the homeless requesting that the City consider other options.

Janessa Villarreal spoke on the Compassion Center describing the need for financial aide for the unsheltered, and asked that a local state of emergency declaration be made to allow the City to apply for state funding. of

Dennis Klima spoke on the loss of his belongings that had been stored at the creekside and further described the community of homeless that lived in the area.

Public comment was then closed.

#### IV. REPORTS OF COUNCIL MEMBERS

Council Member Bracco reported on the Library Joint Powers Authority meeting highlighting the information on the website including information on the Silicon Valley reads series. He then reported that the satisfaction survey of the County Library.

Mayor Tempore Tucker spoke on the Santa Clara Valley Habitat Agency meetings describing the endowment fund to purchase land with habitat, and spoke on the monitoring of endangered species in the County. She concluded by reporting that the Visit Gilroy Board had approved the strategic marketing plan and goals for the year.

Council Member Blankley reported on the work of the local representatives for VTA bus route improvements for south county, highlighted the train station dedication, and then spoke on the Historic Society annual luncheon.

Council Member Marques detailed on the Downtown Business Association retreat and goals to create a brand for downtown. She reported on the Gilroy Gardens Board meeting announcing the February 18th joint meeting of Gilroy Gardens and the City Council, and spoke on the movie theater remodel.

Council Member Tovar reported on the VTA Policy Advisory Committee meeting detailing funding for projects, and spoke on the adoption of the express bus partnership program. He then thanked the people involved in the local safe

routes to school program and concluded by sharing highlights of the train station plaque dedication.

Council Member Leroe-Muñoz spoke on the Silicon Valley Regional Interoperability meeting and work on public safety communication improvements, and then reported on the Valley Water Commission meeting describing the calculations for water in Gilroy. He concluded by detailing the Garlic Festival Association annual dinner and described the sense of hope for a successful event in 2020.

Mayor Velasco spoke on the Water District rates and the lower agriculture water costs that protected agriculture. He reported on the Santa Clara Valley Habitat Agency meeting and announced that the General Plan Advisory Committee held it's final meeting. He then reported on his meeting with Gilroy Unified School District announcing that they continued to have reduced enrollment in the schools. He thanked everyone who attended the train station plaque dedication and detailed the annual Historical Society meeting. Mayor Velasco concluded by announcing that he would not be running for Mayor in 2020.

#### V. FUTURE COUNCIL INITIATED AGENDA ITEMS

Council Member Marques asked when the homeless report update would be presented.

Council Member Tovar asked that a bike parking ordinance that the Bicycle Pedestrian Commission was working on could come to the Council.

Council Member Blankley asked to agendize an item to form two Council ad-hoc committees; one to dive into the budget to propose funding to staff the 4th fire station, and one to participate in the Sharks negotiations.

The Council agreed to agendize the items.

#### VI. CONSENT CALENDAR (ROLL CALL VOTE)

RESULT: APPROVE [UNANIMOUS]
MOVER: Fred Tovar, Council Member

SECONDER: Peter Leroe-Muñoz. Council Member

AYES: Velasco, Blankley, Bracco, Leroe-Muñoz, Marques, Tovar, Tucker

- A. Minutes of the January 6, 2020 Regular Meeting
- B. Notice of Acceptance of Completion for the Citywide Pavement Maintenance Phase II Project No. 19-PW-252
- C. Adoption of a Resolution of the City Council of the City of Gilroy to Declare Weeds and Refuse a Public Nuisance to Begin the Annual Weed and Refuse Abatement Process
- D. Certificates in Recognition of the 2020 Chamber of Commerce Spice of Life Awardees
- E. Approval of a Letter of Opposition to Senate Bill 50 (Wiener) That if Signed into Law Would Greatly Undermine Gilroy's Local General Planning Efforts by Allowing Developers to Make Local Planning and Zoning Decisions
- VII. BIDS AND PROPOSALS

There were none.

#### VIII. PUBLIC HEARINGS

A. Consideration of an Urban Service Area Request to Incorporate Approximately 55.66 Acres Located West of Wren Avenue, South of Vickery Avenue, and North and South of Tatum Avenue; and Just Outside the Northern City Limits Northeast of the Intersection of Vickery Lane and Kern Avenue, APNs 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the Urban Service Area of the City of Gilroy; Applicants Wren Investors, LLC c/o Dick Oliver and Mark Hewell and David Sheedy (USA 12-01 and USA 14-02)

Council Member Leroe-Muñoz announced that he lived within 500 feet of the subject site and would be recusing from deliberations on the item. He then left the Council chambers.

The staff report was presented by Planner II Durkin.

Council Members Bracco and Blankley each disclosed that they had individually met with applicant Dick Oliver.

Mayor Velasco disclosed that he had spoken with the project engineer.

The public hearing was opened.

Dick Oliver, applicant, described the development and the history of the mapping of the project and described land use

Mark Hewell spoke on the properties that were contiguous explaining the improvements that would be afforded with the annexation into the City.

Victor Akylas stated that he was owner of a small portion of the project area and was in support of the proposal.

The public hearing was then closed.

Resolution 2020-04 with the additional condition that the applicant indemnify the City.

#### **Possible Action:**

Adopt a resolution of the City Council of the City of Gilroy approving the Wren Investors and Hewell Urban Service Area Amendment mitigated negative declaration and mitigation monitoring and reporting program and approving urban service area applications USA 12-01 and USA 14-02, incorporating approximately 56 acres into Gilroy's urban service area, Assessor Parcel 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, filed by Wren Investors, LLC and Mark Hewell and David Sheedy.

RESULT: APPROVE [6 TO 0]

MOVER: Marie Blankley, Council Member SECONDER: Dion Bracco, Council Member

AYES: Velasco, Blankley, Bracco, Marques, Tovar, Tucker

**ABSTAIN:** Peter Leroe-Muñoz

Consideration of an Urban Service Area Request to Incorporate Approximately 55.66 Acres Located West of Wren Avenue, South of Vickery Avenue, and North and South of Tatum Avenue; and Just Outside the Northern City Limits Northeast of the Intersection of Vickery Lane and Kern Avenue, APNs 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018 into the Urban Service Area of the City of Gilroy; Applicants Wren Investors, LLC c/o Dick Oliver and Mark Hewell and David Sheedy (USA 12-01 and USA 14-02)

New resolution - time line and indemnification by applicant.

#### **Possible Action:**

Adopt a resolution of the City Council of the City of Gilroy approving the Wren Investors and Hewell Urban Service Area Amendment mitigated negative declaration and mitigation monitoring and reporting program and approving urban service area applications USA 12-01 and USA 14-02, incorporating approximately 56 acres into Gilroy's urban service area, Assessor Parcel 790-09-006, 008, 009, 010, 011; 790-17-001, 004, 005, 006, 007, 008, 009, 010; 790-06-017 and 790-06-018, filed by Wren Investors, LLC and Mark Hewell and David Sheedy.

#### IX. UNFINISHED BUSINESS

A. Amendment to the Fiscal Year 2019-2020 General Fund Budget by Appropriating \$5.825 Million of Unassigned Fund Balance to Projects Identified by the City Council

The staff report was presented by Finance Manager Atkins.

There were no public comments.

Resolution 2020-06

#### **Possible Action:**

Adopt a resolution of the City Council of the City of Gilroy amending the fiscal year 2019-2020 budget by \$5,825,000 in the general fund and appropriating those funds to projects identified by the City Council.

RESULT: APPROVE [UNANIMOUS]
MOVER: Marie Blankley, Council Member
SECONDER: Dion Bracco. Council Member

**AYES:** Velasco, Blankley, Bracco, Leroe-Muñoz, Margues, Tovar,

Tucker

#### X. INTRODUCTION OF NEW BUSINESS

A. Introduction of an Ordinance of the City Council of the City of Gilroy Amending Chapter 16 of the Gilroy City Code Entitled "Offenses - Miscellaneous" Adding New Sections 16.24 and 16.25 Pertaining to Imitation Weapons

The staff report was introduced by Police Captain Espinosa.

There were no public comments.

#### Possible Action:

- a) Motion to read the ordinance by title only and waive further reading.
- b) Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 16 of the Gilroy City Code entitled "Offenses Miscellaneous" adding new sections 16.24 and 16.25 pertaining to imitation weapons.

RESULT: APPROVE [UNANIMOUS]
MOVER: Dion Bracco, Council Member
SECONDER: Cat Tucker, Council Member

AYES: Velasco, Blankley, Bracco, Leroe-Muñoz, Margues, Tovar,

Tucker

Introduction of an Ordinance of the City Council of the City of Gilroy Amending Chapter 16 of the Gilroy City Code Entitled "Offenses - Miscellaneous" Adding New Sections 16.24 and 16.25 Pertaining to Imitation Weapons

#### **Possible Action:**

- a) Motion to read the ordinance by title only and waive further reading.
- b) Introduce an ordinance of the City Council of the City of Gilroy amending Chapter 16 of the Gilroy City Code entitled "Offenses Miscellaneous" adding new sections 16.24 and 16.25 pertaining to imitation weapons.

RESULT: APPROVE [6 TO 0]

MOVER: Cat Tucker, Council Member SECONDER: Fred Tovar. Council Member

AYES: Velasco, Bracco, Leroe-Muñoz, Marques, Tovar, Tucker

**AWAY:** Marie Blankley

#### B. Request to Waive Permit and Service Fees by the Gilroy Memorial Day Events Committee and Determination that the Waiving of Fees for the 2020 Memorial Day Parade and Activities Constitutes a Public Purpose

The staff report was presented by City Administrator Gonzalez.

Public comment was opened.

Christine West of the committee spoke in support of the honoring of the Veterans who were celebrated during the events.

Geneve Flores also spoke in support of the request describing the benefit of the event to the community.

Public comment was then closed.

#### **Possible Action:**

Declare that the Memorial Day parade and activities constitute a public purpose and approve an estimated \$11,341 fee waiver request by the Gilroy Memorial Day Events Committee for the 2020 Memorial Day parade and activities

RESULT: APPROVE [UNANIMOUS]
MOVER: Cat Tucker, Council Member
SECONDER: Fred Tovar, Council Member

**AYES:** Velasco, Blankley, Bracco, Leroe-Muñoz, Margues, Tovar,

Tucker

#### XI. CITY ADMINISTRATOR'S REPORTS

off agenda report - what streets were paved over the last 3 years:

# A. Presentation on Pavement Management and the Pavement Condition of City of Gilroy Streets

The staff report was presented by Public Works Director Awoke and further presented by Engineer Than.

Public comment was opened.

Ron Kirkish spoke on the deteriorating streets explaining that the ballot measure that was proposed in 2016 would have helped to fund the repairs, but the voters had not approved the funding.

Gary Walton spoke on the deterioration of city streets.

Public comment was then closed

Possible Action:

Receive report.

RESULT: APPROVE [UNANIMOUS]
MOVER: Dion Bracco, Council Member

SECONDER: Peter Leroe-Muñoz. Council Member

**AYES:** Velasco, Blankley, Bracco, Leroe-Muñoz, Marques, Tovar,

Tucker

#### XII. CITY ATTORNEY'S REPORTS

There was none.

#### XIII. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant Exposure to Litigation Pursuant to Paragraph (2) of Subdivision (d) of Government Code Section 54956.9, and Gilroy City Code Section 17A.11 (3) (b) One (1) Case as Defendant
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to GC Sec. 54956.8 and GCC Sec.17A.8 (a) (2); Properties:10th Street Bridge: APNs 808-19-007, 799-30-006, 799-30-007, 808-19-020, 808-50-999, Thomas Luchessa Bridge: APNs 808-21-025, 808-21-023, 808-21-021, 808-21-018, New Fire Station: APNs 808-18-003, 808-19-029

Negotiators: Gabriel Gonzalez, City Administrator; Other Party to Negotiations: Glen Loma Corporation, John M. Filice, Jr.; Negotiating Price and terms of payment regarding purchase, sale, exchange or lease

#### **ADJOURNMENT**

City Attorney Faber explained that discussion of item XIII.A. in open session would unavoidably prejudice the city's position in the case.

The meeting adjourned at 9:19 p.m.

/s/ Shawna Freels, MMC

City Clerk

first year of	Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014	Total
Income	e Level	RHNA Allocation by Income Level	Year 1	Year Year Year Year Year Year 2 3 4 5 6 7 8		Units to Date (all years)					
. Vor. I ou	Deed Restricted	210	0	0	0	0	0	26	0	0	26
Very Low	Non-deed restricted	319	3	0	0	0	0	0	0	0	3
ı Low	Deed Restricted	217	13	0	8	0	0	24	0	3	48
LOW	Non-deed restricted	217	10	12	0	0	0	0	0	0	22
ı Moderate	Deed Restricted	271	3	0	0	0	0	0	0	0	3
Wioderate	Non-deed restricted	2/1	48	0	0	0	0	0	0	14	62
Above Mode	erate	808	215	21	19	88	211	218	218	224	1,214
Total RHNA Enter alloca	by COG. tion number:	1,615	292	33	27	88	211	268	218	241	1,378
Total Units I	<b>&gt; &gt; &gt;</b>										•

Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	Total Units to Date (all years)
	Deed Restricted	236	26			37		76	139
Very Low	Non-Deed Restricted	230							139
	Deed Restricted	160	247		202	38		80	567
Low	Non-Deed Restricted	100							307
	Deed Restricted	217							66
Moderate	Non-Deed Restricted	217	14			27	10	15	00
Above Moderate		475	406	321	243	1	153	72	1196
Total RHNA		1088	_	-		·			
Total Units			693	321	445	103	163	243	1968

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Thursday, June 17, 2021 4:40 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

**Subject:** [EXTERNAL] Gilroy USA Amendment Application density questions

#### Neelima -

– here is the answer to your last question. The reports were analyzed under the 2020 Gen Plan densities, where the .xx represents the min/max percent ranges. You can see the difference below.

2040	<u>0-7 du/ac</u>	<u>7-9</u>	<u>9-16</u>	<u>16-30</u>
2040	0.82 max	0.05 min	0.10 min	0.03 min

	SF (3-7.25			
2020	<u>du/ac</u>	R2 (8-16)	R3 (8-16)	R4 (16-30)
	0.70 max	0.10 min	0.15 min	0.05 min

#### Cindy

From: Palacherla, Neelima [mailto:Neelima.Palacherla@ceo.sccgov.org]

**Sent:** Monday, June 14, 2021 11:15 AM

**To:** Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

**Subject:** EXTERNAL - Gilroy USA Amendment Application questions

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

#### Hi Cindy,

Hope you are doing well.

We are reviewing the Gilroy USA amendment application. I have a few initial questions.

- 1. What is the status of the Gilroy GP update?
- 2. Is my understanding correct that the land use designation for the proposal area will likely change after the GP update?
- 3. Please provide the number of annual building permits (for new residences) issued by the City

- in the last 10 years 2010 to 2020.
- 4. Please provide minutes of the PC and CC meetings where this item was heard.
- 5. The application notes that the proposed designation for the proposal area is Neighborhood District High. The Fiscal Impact Report notes Neighborhood District. What are the density targets for each of these designations. Could you please clarify which one it is and provide a link to the applicable section in the General Plan.

It is likely I will have follow up questions following receipt of your response and as we continue to review the application. Thanks in advance.

Best, Neelima.

NOTE: In light of COVID-19 response measures from the Governor of the State of California and the Santa Clara County Public Health Department, commencing March 17, all staff of Santa Clara LAFCO are under a "Shelter in Place" directive, working remotely from home. If you have an inquiry, we encourage you to contact us by email at <u>LAFCO@ceo.sccgov.org</u>.

Neelima Palacherla, Executive Officer LAFCO of Santa Clara County 777 North First Street, Suite 410 San Jose, CA 95112 (408) 993-4713 (408) 618-4225 (cell) www.SantaClaraLAFCO.org

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From:

Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent:

Thursday, December 16, 2021 12:59 PM

To: Subject: Noel, Dunia; Palacherla, Neelima; Abello, Emmanuel [EXTERNAL] Wren/Hewell USA amendment documents

**Attachments:** 

Vacant Land Survey\_final\_12\_07\_2021\_sm.pdf; 2040 General Plan Consistency\_Wren Hewell USA

Applications\_Final Report.pdf

Good afternoon -

Hope all is well with you all.

Please find attached two documents:

- 1) General Plan 2040 Consistency Analysis
- 2) Updated Land Inventory through November 18th 2021

Please note that the Inventory has changed quite a bit over the past year, as we have permitted a significant number of new units.

We would like to request to be placed on the February 2022 LAFCO agenda.

Thank you! Cindy 408-613-9580 cell

## **Final Report**

## **Wren Hewell USA Amendment**

CONSISTENCY WITH THE 2040 GILROY GENERAL PLAN AND THE 2019 REPORT ASSUMPTIONS

**December 7, 2021** 

Prepared by **EMC Planning Group** 

#### FINAL REPORT

## WREN HEWELL USA AMENDMENT

Consistency with the 2040 General Plan and the 2019 Report Assumptions

PREPARED FOR
City of Gilroy
Cindy McCormick, Senior Planner
7350 Rosanna Street
Gilroy, CA 95020
Tel 408.846.0253

PREPARED BY

EMC Planning Group Inc.

301 Lighthouse Avenue, Suite C

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

December 7, 2021



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# 1.0 Introduction

### 1.1 SCOPE OF WORK

EMC Planning Group was engaged by the City of Gilroy to determine if the following documentation prepared for the Wren and Hewell Urban Service Area amendments (Applications USA 12-01 and USA 14-02), with their associated residential densities and conceptual buildout, is adequate for consideration by LAFCO under the *City of Gilroy 2040 General Plan* which was adopted November 2, 2020 (hereinafter "2040 General Plan"):

- Wren Investors and Hewell Urban Service Area Amendment Mitigated Negative
   Declaration, Applications USA 12-01 and USA 14-02 (August 28, 2019), adopted by
   the Gilroy City Council on January 27, 2020;
- Wren Investors and Hewell Urban Service Area Amendment Plan for Services (October 4, 2019);
- Fiscal Impact Analysis of the Wren Investors and Hewell Urban Service Area Amendment to the City of Gilroy and the County of Santa Clara (September 30, 2019); and
- Wren Investors and Hewell Urban Service Area Amendment Residential and Commercial Vacant Land Inventory (October 3, 2019).

# 1.2 Project Description and History

The urban service area amendment includes both the Wren Investors application and the Hewell application. Table 1-1, Wren Investors and Hewell USA Anticipated Development, presents the anticipated buildout for these two sites comprising approximately 55 acres and presents proposed land uses, acreage, and number of residential lots. This is the anticipated development that was evaluated in the CEQA initial study and mitigated negative declaration, as well as the plan for services and the fiscal impact analysis.

Table 1-1 Wren/Hewell USA Amendment Anticipated Development (2019)

Land Use	Acreage	Residential Lots
Low Density Residential	26.86	185
Medium Density Residential Duets	2.2	20
High Density Residential (Townhomes/Apartments)	9.9	102
Subtotal Residential	38.96	307
Streets	12.9	
Drainage	3.4	
Neighborhood Commercial	0.4	
Totals	55.66	307

SOURCE: Wren Investors (USA 12-01) & Hewell (USA 14-02) USA Amendment Applications

#### **Neighborhood District (2020 General Plan)**

At the time the project documentation was prepared (2019), the *Gilroy* 2002/2020 *General Plan* (adopted in 2002) (hereinafter "2020 General Plan"), was the guiding planning document for Gilroy. The 2020 General Plan land use designation was "Neighborhood District" and the project proposed development consistent with the densities allowed by this designation. Page 4-8 of the 2020 General Plan provides the following definition for the Neighborhood District:

Density: 6 to 12.5 dwelling units per acre

Zoning: Zoning districts that are consistent with the Neighborhood District Residential designation include:

- All of the residential zoning districts
- PO Professional Office
- C1 Neighborhood Commercial

The Planned Unit Development (PUD) Combining District should be encouraged as an overlay designation in neighborhood district areas.

#### General Plan 2020 Description:

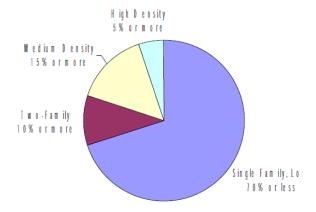
This is a new residential category to encourage a mix of housing types in new areas of development. The intent is to create new neighborhoods that reflect a similar mix of housing throughout the City, avoiding concentrations of specific housing types in some areas. These new neighborhoods will be predominantly single family in character, with duplexes, townhomes, condominiums and apartments interspersed. Higher density housing types will be sited and designed in accordance with the City's zoning and development regulations. Neighborhood-serving amenities such as schools, parks, open space, and neighborhood commercial (subject to strict siting, design and use controls) will be integrated in the neighborhood design.

#### Target Mix:

The target mix for residential land uses in the Neighborhood District (excluding land required for streets, schools, parks, resource protection, neighborhood commercial, or other infrastructure and/ or amenities) shall provide for at least:

- 10 percent two-family (duplex) uses (R2)
- 15 percent medium density residential uses (R3)
- 5 percent high density residential uses (R4)

The remainder of the residential land will be allocated for single family homes.



Target Mix of Residential Densities

#### Minimum Mix

The actual mix in any particular development will vary based on site constraints and opportunities. However, developers will be encouraged to achieve or exceed the target mix (while retaining the predominantly single family character of the neighborhood) through an incentives program that might include priority ranking in the Residential Development Ordinance competition and/ or density bonuses. The exact incentives to be used will be established through the Neighborhood District Implementation Strategy (Action 1.C).

To ensure adequate land for development of higher density housing types, a minimum mix for residential land use in the Neighborhood District (again, excluding land required for streets, schools, parks, resource protection, neighborhood commercial, or other infrastructure and/or amenities) shall provide for at least:

- 5 percent two-family (duplex) uses (R2)
- 10 percent medium density residential uses (R3)
- 3 percent high density residential uses (R4)

#### 1.0 Introduction

Local-serving commercial uses and small-scale professional offices are also encouraged, when limited in scope and scale and sited and designed in accordance with the City's zoning and development regulations. Other compatible non-residential uses include religious facilities, day care and group care facilities, schools, and parks.

#### **Application Approval**

The Gilroy City Council approved the urban service area amendment application on January 29, 2020 and directed staff to submit the application to the Santa Clara County Local Agency Formation Commission (LAFCO) for review and approval. LAFCO has not taken action on the project.

# **2019 Report Conclusions**

The conclusions of each of the associated reports are provided below. Each of the reports are available under separate cover.

# 2.1 2019 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The Wren Investors and Hewell Urban Service Area Amendment Mitigated Negative Declaration (August 28, 2019) identified potentially significant effects on the environment. However, this project has been mitigated to a point where no significant effects will occur. On the basis of the whole record, the Gilroy City Council found that there is no substantial evidence the project will have a significant effect on the environment, with implementation of mitigation measures addressing air quality construction impacts, impacts to nesting birds, protected trees, cultural resources, and noise.

# 2.2 2019 PLAN FOR SERVICES

The Wren Investors and Hewell Urban Service Area Amendment Plan for Services (October 4, 2019) plan addresses how the City and other agencies would provide services to the project site upon annexation and development of the site including water, wastewater, storm drainage, solid waste, fire, police, lighting, library services, roads, schools, and hospitals. The report conclusions indicate that the City, as well as other service agencies, could adequately provide public services.

### 2.3 2019 FISCAL IMPACT ANALYSIS

The Fiscal Impact Analysis of the Wren Investors and Hewell Urban Service Area Amendment to the City of Gilroy and the County of Santa Clara (September 30, 2019) report analyzes and describes the fiscal impacts to both the City of Gilroy and the County of Santa Clara of future development of the properties. The analysis concluded that the projects would have a negative fiscal impact of \$107,122 to the City and \$34,068 to the County. Much of this result is dependent on the home values eventually attained for the project, as the property tax for

both the City and the County represents the largest single revenue source from the project. Based on 2019 market data, Applied Development Economics estimates the units to sell within a range of \$521,800 for multi-family units to \$882,300 for the low-density single-family units. The analysis is conservative in that it uses an average cost methodology which assumes the projects would require the same level of service and cost expenditure as existing development in the City and the County.

The City impact can be mitigated through imposition of a Community Facilities District or other similar financing mechanism including a Community Facilities District, Landscape and Lighting District, Maintenance Assessment District, Homeowner Associations, and Homeowner Extractions.

# 2.4 2019 RESIDENTIAL AND COMMERCIAL VACANT LAND INVENTORY

The Wren Investors and Hewell Urban Service Area Amendment Residential and Commercial Vacant Land Inventory (October 3, 2019) report addressed the amount of vacant land available within the City's existing urban service area to accommodate both residential and commercial land.

The 2019 report concluded the following regarding vacant residential land:

Based on the average development of 305 units per year, excluding development in the Downtown, and an approximate current availability of vacant land outside of the Downtown to build 2,394 units, Gilroy had adequate land for approximately 7.8 years of residential development (2,394/ 305= 7.85), as of October, 2019.

When the 909 units of residential development opportunity in the downtown were added to this total, Gilroy had the land capacity to build up to 3,303 units (2,394 + 909), as of October 2019. Applying the same average build out for units located in and out of Downtown, this allowed for about 10.8 years of residential development (3,303/305 = 10.83), as of October, 2019.

The 2019 report concluded the following regarding vacant commercial land:

In 2019, there were 207.77 acres of vacant commercial land within the city. Based on an annual absorption rate of about 0.87 acres per year, the city had adequate commercial land to serve future growth for about 239 years, as of October 2019. The City estimated that the territory currently proposed for inclusion in the USA would not be available for development for at least four to five years, at which time the supply of vacant commercial land would be about 234 years. The 0.4 acres of commercial uses within the USA proposal are intended to serve the

residential uses within the residential uses also included in the USA proposal. Most of the City's vacant commercial land does not serve this purpose.

#### **December 2021 Residential Vacant Land Inventory Update**

The residential vacant land inventory was updated in December 2021, based upon building permits issued through November 19, 2021. The report concluded:

#### Residential Growth Projections Including Constrained Downtown Residential

If the 909 units of residential development opportunity (primarily redevelopment – not vacant land) in the downtown are included in the total, Gilroy has the land capacity to build up to 2,480 units (1,571 + 909). Applying the average development of 328 units per year this allows for approximately 7.5 years of residential development (2,480/328 = 7.56).

While the land in the Downtown Specific Plan is considered underutilized, the Specific Plan area is generally not "vacant"; therefore, the amount of development (909 units) in any given year is not easily predictable. Therefore, the following scenario is also presented.

#### Residential Growth Projections Not Including Constrained Downtown

Based on the average development of 328 units per year, excluding development in the Downtown, Gilroy has adequate land for approximately five (5) years of residential development (1,571/328 = 4.8).

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# Consistency with the 2040 General Plan and the 2019 Report Assumptions

The project site's current general plan designation is Neighborhood District High. A discussion of the Neighborhood District High, as well as the Neighborhood District Low, is presented below.

# 3.1 NEIGHBORHOOD DISTRICT HIGH AND LOW (2040 GENERAL PLAN)

The purpose of these designations is to encourage compact, complete, neighborhood-style development. Traditional single-family uses will comprise a substantial portion of these districts. Commercial and medium- to high-density residential uses should be clustered to form neighborhood centers. Neighborhood centers would be centrally located to be convenient to as many residents as possible. Residents can access neighborhood centers easily by walking, biking, or driving. Neighborhood-serving amenities such as schools, parks, open space, and neighborhood commercial will be integrated in the neighborhood design in a manner that provides the greatest benefit to the community. Neighborhood District High and Low may use a Neighborhood Commercial (NC) designation to designate land in neighborhood centers to encourage low-intensity commercial uses that cater directly to residents in the immediate neighborhood.

Prior to approval of annexation and other land use entitlements, a Specific Plan shall be prepared for the entire Neighborhood District area. The Specific Plan will be implemented by the Neighborhood District Zoning District and the Neighborhood District Policy, which provide further guidance on topics including phasing of development, location and mix of uses, site and architectural design, affordable housing, circulation, and open space. Neighborhood Districts High and Low designations have different housing density requirements, as shown in the table from the 2040 General Plan below.

# **Density Ranges**

Table 2-1: Densi	ity Ranges			
	0-7 du/ac	7-9 du/ac	9-16 du/ac	16-30 du/ac
Neighborhood District Low	82% max.	5% min.	10% min.	3% min.
Neighborhood	60% max.	5% min.	25% min.	10% min
District High	Note: Neight on land area.		t percentages a	are based

The Neighborhood District Low retains the density ranges from the prior General Plan. The Neighborhood District High establishes an average density to be achieved for each category. Density is calculated excluding land required for streets, parks, schools, resource protection, neighborhood commercial, or other infrastructure and/or amenities. The percentages in Table 2-1 specify the amount of residential land area to be designated for each density category. The 0-7 du/ac category is intended for single family detached dwellings with varying lot sizes. The 7-9 du/ac (average neighborhood density) category is intended for a combination of two-family and some single-family detached dwellings. The 9-16 du/ac category is intended to accommodate a combination of small-lot and attached single-family dwellings, as well as multi-family dwelling options. The 16-30du/ac category is intended to provide a variety of attached single-family and multi-family residential styles of development.

### **Density Based on Net Acreage**

Standards of building density for residential uses are stated as a range (i.e., minimum and maximum) of allowable number of dwelling units per net acre in the 2040 General Plan (Page LU-4). A gross acre is an acre of land, including streets and rights-of-way, designated for a specific use. A net acre is the remaining land excluding streets, public rights-of-way, non-residential land uses and other public facilities. In urban areas net acreage is normally 20 to 25 percent less for a given area than gross acreage.

# 3.2 NEIGHBORHOOD DISTRICT HIGH APPLIED TO THE PROPOSED PROJECT

The applicant has submitted the following exhibits in support of the project's consistency with the 2040 General Plan. These three exhibits are included as Appendix A.

- Residential Unit Count, presenting the number of units that could be accommodated on each parcel and the associated dwelling units per acre;
- Exhibit Map of the Urban Service Area Expansion Area; and
- Master Plan Concept of how the property could be developed.

Table 3-1, Land Use/Density, presents the land uses for the proposed residential neighborhood for the project. Table 3-2, Residential Density (Neighborhood District High), presents the various residential density categories, with the associated acreage and percent for each category, consistent with the density requirements of the Neighborhood District High land use designation.

Table 3-1 Proposed Land Use and Density

Acres	Percent	Description
6.339	12%	Open Space Parcels – parks/trails/drainage
16.084	29%	Streets
0.802	1%	Neighborhood Commercial
31.783	58%	Residential (Neighborhood District High)
55.007	100%	Total

SOURCE: MH Engineering Co.

Table 3-2 Proposed Residential Density (Neighborhood District High)

Area (Acres)	Percent	Description
18.968	60%	0-7 dwelling units/acre (127 units)
1.831	5%	7-9 dwelling units/acre (15 units)
7.853	25%	9-16 dwelling units/acre (101 units)
3.131	10%	16-30 dwelling units/acre (64 units)
31.783	100%	Total Residential

SOURCE: MH Engineering

# 3.3 COMPARISON

This section compares the 2019 assumed development of the USA amendment property against the requirements of the 2040 General Plan.

Table 3-3, Comparison (Project Evaluated in 2019 Documents and Project Consistent with 2040 General Plan), show that the total number of residential units (307) is consistent; however, the density breakdown between low, medium, and high density has changed. Additionally, the streets, parks/trails/drainage, and commercial acreage are somewhat different.

3.0

Table 3-3 Comparison (Project Evaluated in 2019 Documents and Project Consistent with 2040 General Plan)

Pro	Project Evaluated in 2019 Documents				ct Consistent w	rith 2040 General F	Plan
Land Use <sup>1</sup>	Acreage	Dwelling Units (Du/net ac)	Percentage	Land Use	Acreage	Dwelling Units (Du/net ac)	Percentage
LDR	26.86	185 (6.89 du/ac)	69.0%	LDR	18.968 1.831	127 (0-7 du/ac) 15 (7-9 du/ac)	60% 5%
MDR	2.2	20 (9.09 du/ac)	5.2%	MDR	7.853	101 (9 – 16 du/ac)	25%
HDR	9.9	102 (10.3 du/ac)	25.4	HDR	3.131	64 (16 – 30 du/ac)	10%
Residential Subtotal	38.96	307	70% of 55.66 <sup>2</sup>	Residential Subtotal	31.783	307	58% of 55.007 <sup>2</sup>
Streets	12.9		23.2	Streets	16.084		29%
Drainage (Parks, Trails, Drainage)	3.4		6.1	Drainage (Parks, Trails, Drainage)	6.339		12%
Neighborhood Commercial	0.4		0.72	Neighborhood Commercial	0.802		1%
Totals	55.66 <sup>2</sup>	307	100%	Totals	55.007 <sup>2</sup>	307	100%

SOURCE: MH Engineering and USA Amendment Applications

NOTE: Numbers are rounded.

1. Land Use Designation from 2040 General Plan:

General Plan Low Density 3-8 du/ac General Plan Medium Density 8 - 20 du/ac General Plan High Density 20 plus du/ac

<sup>2.</sup> The acreages were updated over the years as the use of actual recorded survey maps were incorporated to define the boundaries. The acreages on the assessor's maps used in 2019 did not correlate with the actual boundaries sufficiently enough to account for portions of right-of-way and aligning all parcels to a common horizontal control such that it would truly represent an actual acreage that would be expected to be measured should one perform a field survey.

Table 3-4, Comparison Summary, shows that there is a reduction of low density and high density residential units, with a corresponding significant increase in the medium density category, with a net difference of one (1) unit. Additionally, the acreage for streets, parks/trails/drainage, and commercial increased by approximately 6.5 acres.

Table 3-4 Comparison Summary

Land Use	2019 Assumptions	2040 General Plan
Residential Units		
Low Density Residential	185	142
Medium Density Residential Duets	20	101
High Density Residential (Townhomes/Apartments)	102	64
Total Residential	307	307
Non-Residential Improvements		
Streets	12.9 ac	16.084 ac
Drainage	3.4 ac	6.339 ac
Neighborhood Commercial	0.4 ac	0.802 ac
Total Non-Residential Acreage	16.7 ac	23.225

SOURCE: MH Engineering and EMC Planning Group

# **Initial Study/Mitigated Negative Declaration**

The project site itself is not changing substantially and therefore, there would be no change in environmental impacts associated with the following categories: aesthetics, agricultural resources, biological resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, water demand, sewer generation, and tribal cultural resources.

However, the change in densities and housing types could result in a different level of impact for the following issues: transportation (trips and vehicle miles traveled), air quality, greenhouse gas emissions, water demand, and sewer generation. These categories are addressed below.

# **Transportation**

#### 2019 Document

The transportation report prepared for the 2019 initial study/mitigated negative declaration used an ITE land use of single-family detached for all 307 dwelling units, and 8,000 sf of

shopping center commercial. Trip reductions were taken for "housing-retail" (90 trips) and "pass-by" PM (5 trips). The total trip generation was 3,105 (refer to Table 5, Hexagon Transportation Consultants 2017).

#### 2040 General Plan

This analysis for the project consistent with the 2040 General Plan assumes that low and medium density residential are attached and detached single-family homes (243 homes) and that the high density residential are condo/townhouses (64 homes) using the 9th Generation ITE Trip Generation Rates. The trip generation for the neighborhood commercial component was doubled because the proposed commercial acreage is now double that which was evaluated in 2019 (0.4 acres to 0.802 acres). The total trip generation would be 2,795. This decrease from the trip generation of 3,105 in 2019 was primarily due to the significantly lower trip rate for condo/townhouses (5.81) compared to the 9.44 rate used in 2019 for the single-family homes. While the 2019 transportation analysis slightly overestimates the impacts under the General Plan 2040 densities, the difference is negligible for the purposes of LAFCO review.

#### Air Quality and Greenhouse Gas Emissions

The majority of air quality pollutants and greenhouse gas emissions are associated with vehicle trips. Because vehicle trips would be reduced, air pollutants and greenhouse gas emissions would also be reduced. While the 2019 air quality and greenhouse gas emissions analysis overestimate these impacts under the General Plan 2040 densities, the difference is negligible for the purposes of LAFCO review.

### **Plan for Services**

The project, as revised under the 2040 General Plan would have no change to water demand and sewer generation, as the number of residential units and associated population would not change. There would also be no measurable change in impacts to storm drainage, solid waste, fire or police services, lighting, libraries, road, hospitals, and parks and recreational facilities.

The only change in the Plan for Services analysis is regarding schools. The 2019 Plan for Services identified 103 new students. The 2040 General Plan required increase in multifamily homes would result in two fewer students under the 2040 General Plan, utilizing the student general rates for single-family and multi-family homes from the 2040 General Plan EIR as presented in Table 3-5, Student Generation, 2040 General Plan:

Table 3-5 Student Generation, 2040 General Plan

Housing Type (Units)	K-5 students (SF 0.20/MF 0.14)	6-8 students (SF 0.07/MF 0.06)	9-12 students (SF 0.09/MF 0.10)	Total Students Generated
Single-Family (142)	(142 x 0.20) = 28	(142 x 0.07) = 10	(142 x 0.09) = 13	51
Multi-Family (165)	(165 x 0.14) = 23	(165 x 0.06) = 10	(165 x 0.10) = 17	50
TOTAL	51	20	30	101

SOURCE: Gilroy Unified School District (Student Generation Rates)

# **Fiscal Impact Analysis**

The 2019 project buildout assumptions and data in the 2019 fiscal impact analysis was compared with buildout under the 2040 General Plan.

Based upon the changes in the residential density mix and the doubling of neighborhood commercial acreage under the 2040 General Plan, the project would have a 0.53 percent reduction in the assessed value of the project. Based upon the population remaining the same, it can be assumed that the net fiscal deficit costs to provide city and county services would somewhat greater, although negligible for the purposes of LAFCO review. The City's fiscal impact could still be mitigated through imposition of a Community Facilities District or other similar financing mechanism including a Community Facilities District, Landscape and Lighting District, Maintenance Assessment District, Homeowner Associations, and Homeowner Extractions.

Given these minor differences under the 2040 General Plan, the 2019 fiscal impact analysis should be sufficient for LAFCO to act on the proposed USA amendment request.

The following tables present the assessed value of the project under both scenarios.

TABLE: 4 (2019) WREN INVESTORS AND HEWELL USA AMENDMENT: PROJECT CHARACTERISTICS							
			Asses	sed Value			
LAND USE	Units	Population	Per Unit	Total			
Wren Investors							
Low Density (8 Du/AC)	137	462	\$882,300	\$120,875,100			
Medium Density	20	67	\$663,500	\$13,270,000			
High Density	102	344	\$521,800	\$53,226,200			
Retail	3,485 Sq. Ft.	6 jobs	\$260.00	\$906,100			
Hewell							
Low Density (11 Du/AC)	48	162	\$842,700	\$40,449,600			
Total	307	1,036		\$228,727,000			

Source: ADE, Inc.

REVISED TABLE: 4 (2040 General Plan) WREN INVESTORS AND HEWELL USA AMENDMENT: PROJECT CHARACTERISTICS							
			Asses	sed Value			
LAND USE	LAND USE Units Population Per Unit Total						
Low Density	142	479	\$882,300	\$125,286,600			
Medium Density	101	341	\$663,500	\$67,013,500			
High Density	64	216	\$521,800	\$33,395,200			
Retail 6,988 Sq. Ft. 12 jobs \$260.00 \$1,816,880							
Total	307	1,036		\$227,512,180			

Source: ADE, Inc., EMC Planning Group

# **Vacant Land Inventory**

The change in residential densities has no effect on the results of the vacant land inventory, as the vacant land inventory only addresses land that is currently within the Urban Service Area.

# 4.0 Sources

- Applied Development Economics. 2019. Fiscal Impact Analysis of the Wren Investors and Hewell Urban Service Area Amendment to the City of Gilroy and the County of Santa Clara. Lafayette, CA.
- EMC Planning Group. 2019. Wren Investors and Hewell Urban Service Area Amendment Mitigated Negative Declaration, Applications USA 12-01 and USA 14-02. Monterey, CA.
- EMC Planning Group. 2019. Wren Investors and Hewell Urban Service Area Amendment Plan for Services. Monterey, CA.
- EMC Planning Group. 2019. Wren Investors and Hewell Urban Service Area Amendment Residential and Commercial Vacant Land Inventory. Monterey, CA.
- Gilroy, City of. 2002. Gilroy 2002/2020 General Plan. Gilroy, CA.
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- Hexagon Transportation Consultants. 2017. Wren Investors/Hewell Property Urban Service Area Amendment Traffic Impact Analysis. Gilroy, CA.

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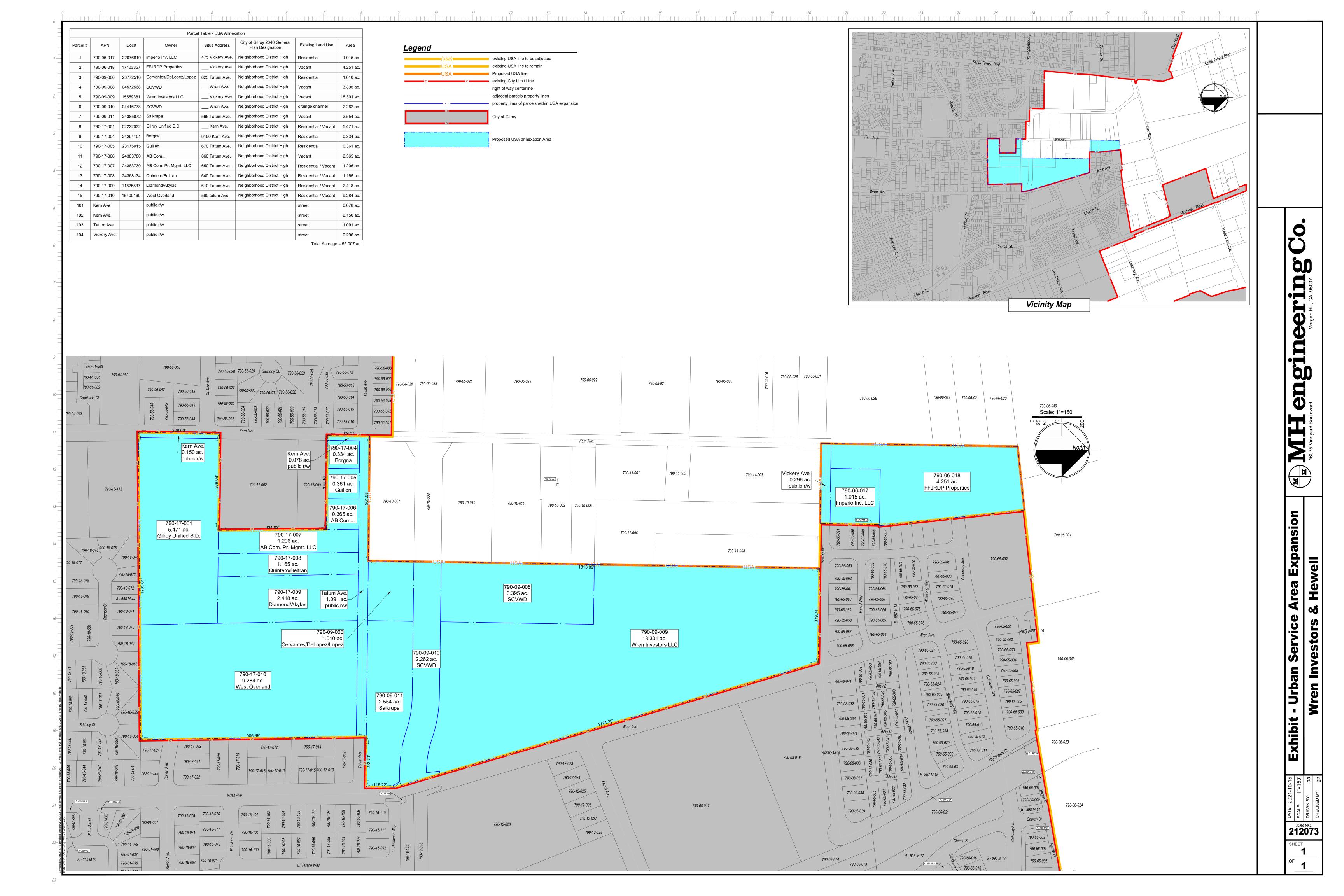
# **APPENDIX A**

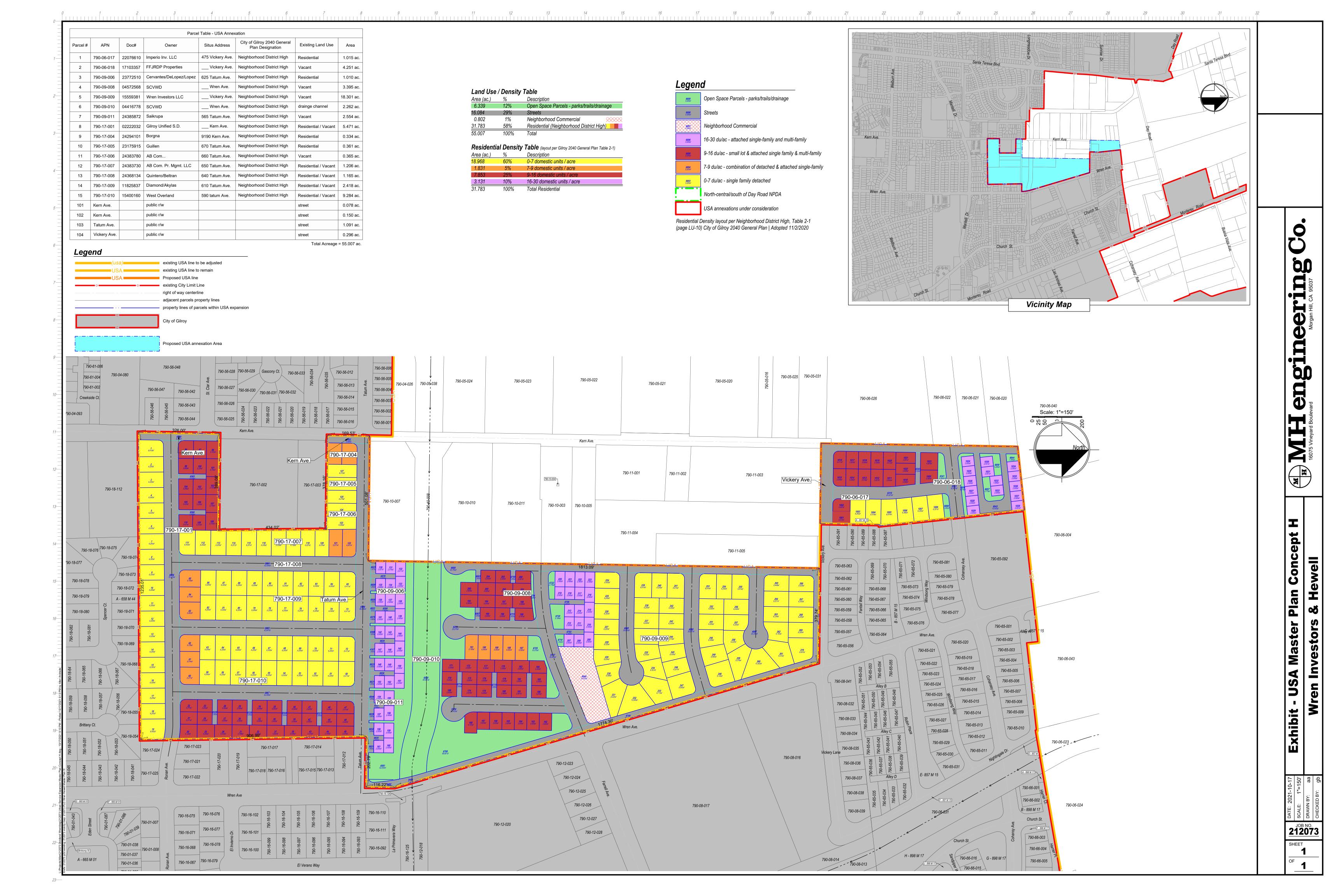
**EXHIBITS** 



# MH engineering Co. 16075 Vineyard Blvd., Morgan Hill, CA 95037 - (408) 779-7381

Assessor's Parcel Number		City General Plan Designation	Existing Land Use	Area (Ac.)	Total Dwelling Units	0-7 du/ac	7-9 du/ac	9-16 du/ac	16-32 du/ac
790-06-017	Impero	Neighborhood District High	open space reserve	1.015	8	2	0	6	0
790-06-018	FFJRDP Properties	Neighborhood District High	open space reserve	4.251	30	4	0	11	15
790-09-006	Cervantes / Lopez	Neighborhood District High	open space reserve	1.010	12	0	0	0	12
790-09-008		Neighborhood District High	open space reserve	3.395	28	0	0	14	14
790-09-009		Neighborhood District High	open space reserve	18.301	80	47	5	25	3
790-09-010		Neighborhood District High	open space reserve	2.262	0	0	0	0	0
790-09-011	I Salvri ina i ri let	Neighborhood District High	open space reserve	2.554	20	0	0	0	20
790-17-001		Neighborhood District High	open space reserve	5.471	35	17	3	15	0
790-17-004		Neighborhood District High	open space reserve	0.334	2	0	2	0	0
790-17-005	II - I IIII AN / V/2I/4A7	Neighborhood District High	open space reserve	0.361	3	3	0	0	0
790-17-006		Neighborhood District High	open space reserve	0.365	2	2	0	0	0
790-17-007	AB Coml Property Management	Neighborhood District High	open space reserve	1.206	9	7	2	0	0
790-17-008	II IIIIntero / Reitran	Neighborhood District High	open space reserve	1.165	0	0	0	0	0
790-17-009	II liamond / Akviae	Neighborhood District High	open space reserve	2.418	18	18	0	0	0
790-17-010	IVV ACT I IVARIANA	Neighborhood District High	open space reserve	9.284	60	27	3	30	0
streets				1.615					
total				55.007	307	127	15	101	64





# **Final**

# City of Gilroy Residential Vacant Land Inventory

**December 7, 2021** 

Prepared by **EMC Planning Group** 

#### FINAL

# CITY OF GILROY RESIDENTIAL VACANT LAND INVENTORY

#### PREPARED FOR

City of Gilroy Community Development Department
Cindy McCormick, Senior Planner
7351 Rosanna Street
Gilroy, CA 95020
Tel 408.846.0440

PREPARED BY

EMC Planning Group Inc.
301 Lighthouse Avenue, Suite C
Monterey, CA 93940
Tel 831.649.1799
Fax 831.649.8399
www.emcplanning.com

December 7, 2021



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#### 1.0 BACKGROUND

In Santa Clara County, jurisdictional boundary changes, including urban service area (USA) amendments, are reviewed and acted upon by the Santa Clara County Local Agency Formation Commission (LAFCO). A city's USA is defined by LAFCO as that area to which the city provides urban services such as water and sewer, or expects to provide these services within five years of inclusion within the USA boundary. Therefore, the USA is expected to accommodate approximately five years of urban development.

In acting upon a USA amendment request, LAFCO requires the preparation of an appropriate environmental review document, a fiscal analysis, and an analysis of the remaining vacant land within the existing USA. LAFCO utilizes the vacant land analysis in assessing the need for expansion of the USA, based on a goal of maintaining an approximate five-year supply of developable land within the USA. The City of Gilroy approved an USA amendment for the addition of the 50.3—acre Wren Investors project site, located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site, located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. This residential vacant land analysis update has been prepared to provide this information to LAFCO for use in their decision on this USA amendment. This residential vacant land inventory updates the vacant land inventory prepared on October 3, 2019 and reflects additional residential development in the City of Gilroy through November 19, 2021.

This vacant land analysis focuses on the current supply of vacant land within the existing USA with a residential General Plan land use designation of Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, and Specific Plans - Hecker Pass, and Glen Loma Ranch. The vacant land analysis also takes into account residential development opportunities in the downtown.

#### 2.0 RESIDENTIAL VACANT LAND SUPPLY

# **Defining Vacant Land**

The survey identifies land as vacant (or not vacant) as of November 19, 2021. Physically vacant land may have approved entitlements that make the land more readily developable. In many cases, the City approves concurrent residential subdivision maps and architectural and site approvals. For purposes of this report, residential land is considered vacant if it is substantially underutilized and has a residential General Plan land use designation. Subdivided residential

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lots are considered vacant until a building permit is granted for development of the lot. The report considers land available for primary dwellings, and does not consider the potential for accessory dwelling units that could be constructed on lots with an existing primary dwelling.

#### **Currently Vacant and Underutilized Residential Land**

Quantifying the existing supply of residentially-designated vacant land within the Gilroy USA involved mapping land thought to be potentially vacant, and then eliminating those parcels for which building permits had been obtained or on which substantial residential development existed. For areas with an approved final subdivision map, potential for development is based on the number of subdivided lots, equating to one dwelling unit per lot. In areas without an approved final subdivision map, including land in the Medium and High Density designations, the build-out is assumed to follow the density provided as a development target in the General Plan.

The City's 2040 General Plan (adopted in November 2020) now designates much of the First Street corridor as a Mixed-Use District, allowing residential development in that area that has been historically commercial. The 2040 General Plan EIR estimated development potential for the Mixed-Use designation (table 2.2-1, p. 2-8) at 143 units spread across 19 acres of vacant or underutilized land. The residential component of a mixed-use project must be between 20 and 30 dwelling units per net acre. The General Plan Land Use Element encourages development of a Specific Plan to more precisely direct redevelopment within the area. Much like the Downtown housing, the mixed-use housing will consist of incorporation of residential units within redeveloped commercial areas, and the transition to mixed uses could take decades.

Table 1, Building Density Targets for Quantifying Residential Capacity, presents density targets for each applicable land use designation.

 Table 1
 Building Density Targets for Quantifying Residential Capacity

General Plan Designation	Density Target
Hillside Residential	<1 - 4 units/acre
Low Density Residential	3 - 8 units/acre
Medium Density Residential	8 - 20 units/acre
High Density Residential	20 + units/acre
Mixed-Use District	20 to 30 units/acre

Source: City of Gilroy 2021

Table 2, Vacant Residential Land Inventory, provides a list of estimated developable lots within each land use designation.

Table 2 Vacant Residential Land Inventory

Location	Lots/Units	
Hillside Residential - <1 - 4.0 dwelling units/acre (H) (average 2 units/acre)		
H-1 Eagle Ridge Subdivision – Berwick Avenue	10	
H-2 Miller Pond (CTS Breeding Habitat – Development Constrained)	14	
H-3 Eagle Ridge Subdivision – Eagle Ridge Court	18	
6505, 6515, 6525, 6525, 6585, 6595, 6605, 6615, 6625, 6635, 6645, 6651,		
6655, 6671, 6675, 6685, 6695, 6699		
H-4 Eagle Ridge Subdivision - Portrush Lane and Southerland Court	13	
H-5 Massey Thomas, 6385 Miller Ave	1	
H-6 Eagle Ridge Subdivision - Walton Heath Court	7	
H-7 Rancho Hills Estates Subdivision	2	
APNs 78375082 and 78321065		
H-8 Country Estates Subdivision (Phase II)	11	
9120 and 9121 Gunnera;		
2333, 2354, 2363, 2373 and 2393 Banyan;		
2391 Mantelli;		
2311, 2331 and 2361 Hoya		
H-9 Country Estates Subdivision (Phase III)	25	
8951, 8962, 8970, 8971, 8981, 9025, 9030, 9035, 9045, 9145 Tea Tree;		
8950, 8983, 9005, 9025 Mimosa;		
2162, 2202, 2262 Columbine;		
2203, 2204, 2244, 2273, 2281, 2283, 2291 Banyan;		
9210, 9211, 9250 Mahogany;		
1810, 1881 Carob		
2282 Gunnera		
H-10 Country Estates (Phase IV) Property	611	
H-11 Carriage Hills Subdivision	4	
1920, 1986 Lavender;		
8745, 8760 Wild Iris;		
H-12 Hollyhock Hills Subdivision	3	
2150 & 2160 Hollyhock		
8530 Shooting Star Ct		

Location	Lots/Units
H-13 Misc. lots South of Mantelli Dr	3
(2225 Country Drive; 2320 Wildrose Ct; 2280 Coral Bell Ct.)	
Hillside Residential Subtotal	172
Low Density Residential - 3.0 – 8.0 dwelling units/acre (L)	
(average 5.5 units per acre)	
L-1 Santa Teresa Boulevard South of Sunrise Drive Property	19
820 Sunrise Dr	
L-2 Christopher Subdivision (Wildflower Court)	12
L-3 West of Thomas Road Property,	31
6151 Thomas Rd (APN 80839066)	
L-4 Chappel-Sargenti Property (3.32 acres)	14
L-5 Presbyterian Church Property (6 acres)	33
L-6 Greenfield Drive Subdivision	14
Low Density Residential Subtotal	123
Medium Density Residential – 8.0 – 20.0 dwelling units/ac. (M)	
(average 14 units per acre)	
M-1 East of Kern Avenue/South of Tatum Avenue	29 <sup>2</sup>
9130 and 9160 Kern	
M-3 Gurries Drive	$4^3$
265, 275, 285 Gurries Dr and APN 79035053	
M-4 Royal Way	45 <sup>4</sup>
Medium Density Residential Subtotal	78
High Density Residential – 20+ dwelling units/ac. (HD) <sup>5</sup>	
HD-1 East of Santa Teresa Boulevard	140
Ponderosa Dr (APN 80801024)	
HD-2 Southeast Corner of Santa Teresa Boulevard/Hecker Pass	2026
1410 and 1490 1st St; 7890 Santa Teresa Blvd	
HD-3 West Church Street/Howson Street	87
Church St (APNs 79035001 and 79036002)	
HD-4 Northwest of Monterey Road/Ronan Avenue	71
8877 Monterey Rd (APN 79015036) (3.53 acres)	
High Density Residential Subtotal	500
Specific Plans (SP)	
SP-1 Glen Loma Ranch Specific Plan (Santa Teresa Boulevard)	4837
SP-2 Hecker Pass Specific Plan	728
-	

Location		Lots/Units
Specific Plan Subtotal		555
Mixed Use District (MU)		
Mixed Use District along First Street (SR 152)		143
Mixed Use Subtotal		143
	TOTAL	1,571

Source: Google Earth 2021, Property information provided by the City of Gilroy for Building Permits through November 19, 2021 (Appendix A)

*Notes:* 1. Site H-10 – Previous subdivision application denied. No application currently on file.

- 2. Site M-1 The City has processed a pre-application for 29 single-family detached homes at 9130/9160 Kern.
- 3. Site M-3 Tentative map (4 lots) was submitted in September 2021 for 265/275/285 Gurries Dr. and a request for a building permit was submitted in September 2021 for APN 790-35-053.
- 4. Site M-4 Planning entitlement request for 45 townhomes was submitted in September 2021.
- 5. HDR Assumes 20 units per acre
- 6. Site HD-2 A request for a building permit was submitted in 2019 and is currently on hold pending a resubmittal.
- 7. Site SP-1 See Appendix B for building permit documentation.
- 8. Site SP-2 Grading permits have been issued and building permits are expected to be issued in March 2022.

As the table shows, approximately 1,571 residential units could be developed on vacant land. The actual built density for the low-density residential district was surveyed for comparison to the General Plan development density. The low-density residential area bounded by Santa Teresa Boulevard, Longmeadow Drive, Rancho Hills Drive, and the northern City Limits/Christopher High School was measured at 252 acres. Netting out vacant site L-1 (about 5 acres), the area measures 247 acres. Assuming net is 75 percent of gross, the net acres would be 185. The area has been developed with 1,070 single-family residences, for a development density of 5.78 units per net acre. With a range of 3 – 8 units per acre, the average General Plan density is 5.5 units per acre, or about 0.2 fewer units per net acre compared to actual development in the sampled low-density residential area.

Figure 1, Northern Area Vacant Residential Land, and Figure 2, Southern Area Vacant Residential Land, show the location of residential parcels determined to be vacant.

#### **Residential Units in Downtown**

The Downtown Gilroy Specific Plan was adopted by the City Council in 2005. One thousand five hundred seventy-six (1,576) units were projected to develop in Gilroy's Downtown as part of the revitalization identified in the Downtown Gilroy Specific Plan. Of the 1,576 units available, 667 have been constructed, leaving a balance of 909 units remaining for entitlement, as presented in Table 3, Downtown Residential Projects.

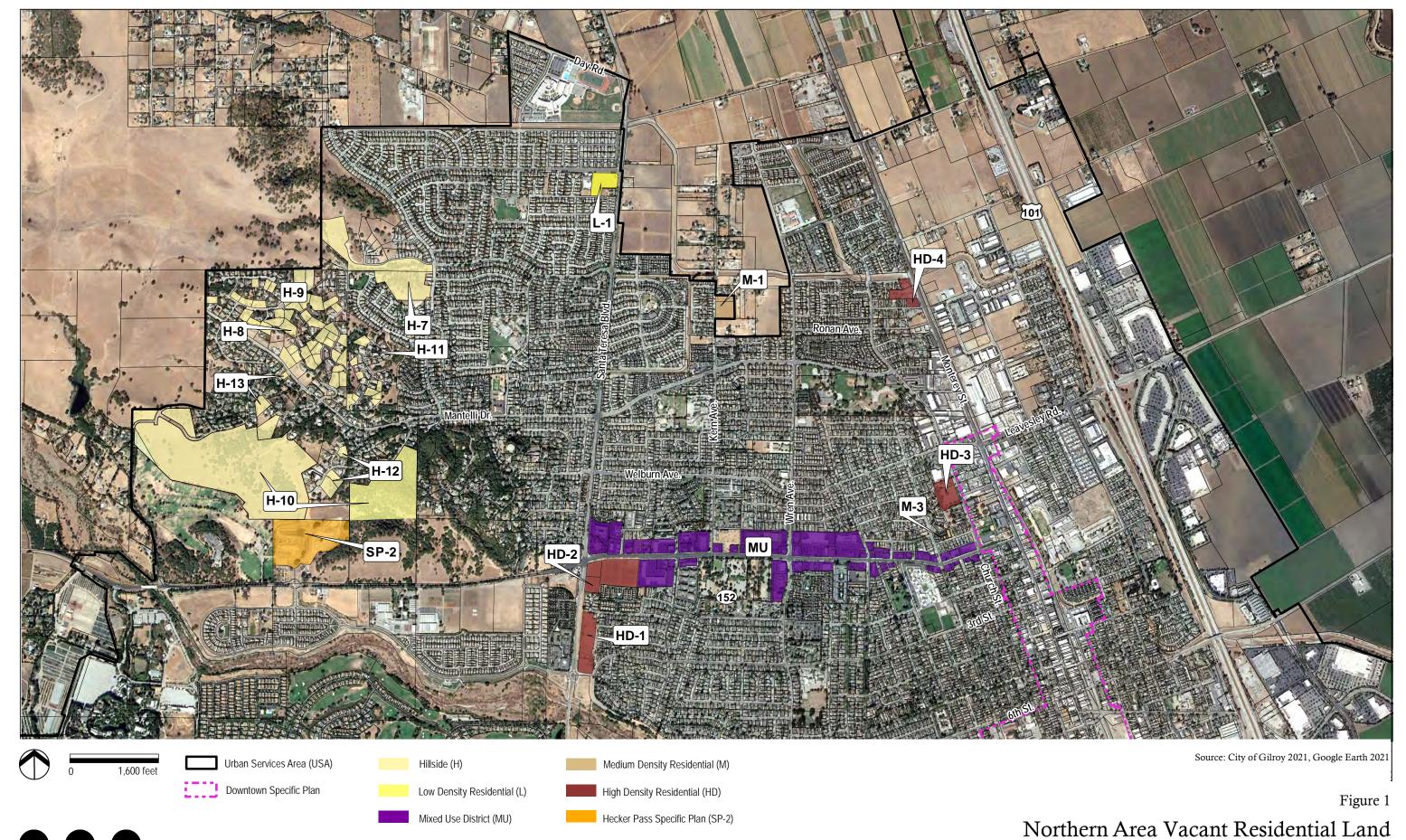
It is anticipated that some of the residential units would be built as part of mixed-use (commercial/retail/residential) projects, and/or on land that is currently, or has previously, been developed (i.e., land that is not vacant). The Gilroy General Plan contains direction regarding residential redevelopment of the downtown. The General Plan's second Guiding Principle calls for cultivation of a Downtown renaissance, including vibrant commercial uses and residential development. The General Plan supports intensification of development in the Downtown area to discourage sprawl and strengthen the Downtown core. However, redevelopment in the Downtown on parcels that require demolition of existing structures presents additional cost constraints as it can be expensive to demolish old buildings. Coupled with the demise of redevelopment agencies in California, financing redevelopment projects is more complicated. Furthermore, many of the downtown buildings are listed on the City's Historic Resource Inventory and therefore have limitations on any building intensification that would jeopardize the historic character of those buildings.

Table 3 Downtown Residential Projects

Location	Lots/Units
Units Allowed in Downtown Specific Plan	1,576
Units Constructed in Downtown	•
Various Prior Projects	225
Alexander Station	263
Alexis Gevorgian/ Gateway Apartments (Monterey Street)	75
The Cannery at Lewis Street Apartments	104
Total Constructed	667
Remaining Downtown Specific Plan RDO Exemption Units	909

Source: Google Earth 2021; Property information provided by the City of Gilroy 2021

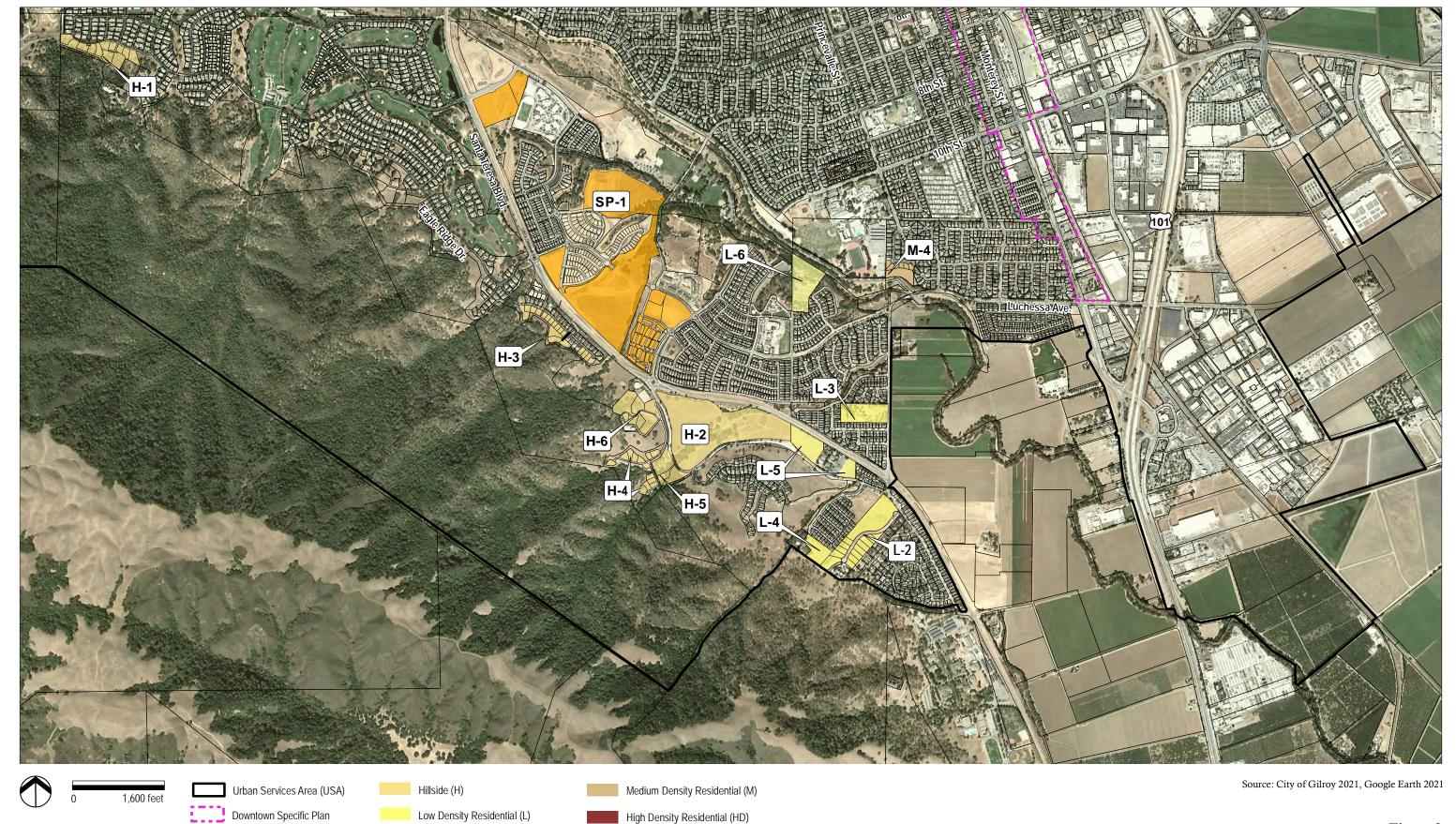
Residential development in the Downtown differs from the housing types developed in the rest of the city, as Downtown units are likely to be constructed as part of mixed-use buildings. Residential units in mixed-use buildings have a more constrained market than traditional housing types, such that the timing of development Downtown is correspondingly unpredictable and expected to occur over the course of decades. Because of this, the city cannot apply an annual rate of development Downtown. Therefore, the Vacant Land Inventory considers residential development Downtown separately from residential development elsewhere in the city.



City of Gilroy Residential Vacant Land Inventory

CITY OF GILROY RESIDENTIAL VACANT LAND INVENTORY

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Glen Loma Ranch Specific Plan



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## 3.0 Residential Growth Projections

Over the next 10 years (22/23 to 32/33), the City of Gilroy expects to issue an average of 328 permits per year. This is based upon the City of Gilroy Annual Element Housing Report, Housing Element Implementation, reporting year 2020, presenting the number of units built from 2015 to 2020. This report is available by contacting the City of Gilroy Community Development Department, Planning Division. The housing growth target established by the Association of Bay Area Governments (ABAG) for the City of Gilroy is approximately 222 per year residential units based on the Regional Housing Needs Assessment (RHNA) total for Gilroy for the 2023-2031 planning period (1,773 units divided by eight years).

### Residential Growth Projections Including Constrained Downtown Residential

If the 909 units of residential development opportunity (primarily redevelopment – not vacant land) in the downtown are included in the total, Gilroy has the land capacity to build up to 2,480 units (1,571 + 909). Applying the average development of 328 units per year this allows for approximately 7.5 years of residential development (2,480/328 = 7.56).

While the land in the Downtown Specific Plan is considered underutilized, the Specific Plan area is generally not "vacant"; therefore, the amount of development (909 units) in any given year is not easily predictable. Therefore, the following scenario is also presented.

### Residential Growth Projections Not Including Constrained Downtown

Based on the average development of 328 units per year, excluding development in the Downtown, Gilroy has adequate land for approximately five (5) years of residential development (1,571/328 = 4.8).

#### 4.0 REFERENCES

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# **APPENDIX A**

CITY OF GILROY HISTORICAL BUILDING PERMITS

# **Bu ilding Permits Report**

#### 1/1/2019 - 12/31/2019

Permits Submitted:

381

Permit Type	Addres	is .	<b>APN</b>	1	Name	Permit No	Apply Date	Issue Date F	inal Date	Units
BNEWMFR	200 E 1	IOTH ST	841 1	6 029	GILROY PACIFIC ASSO	15030181	3/25/15	7/30/15	9/13/19	262
BNEWMFR	111 LE	WIS ST STE A	841 0	4 006	GILROY LEWIS STREET	16110161	11/23/16	9/7/17	9/23/19	0
BNEWMFR	111 LE	WIS ST	841 0	4 006	GILROY LEWIS STREET	16110160	11/23/16	9/7/17	9/20/19	104
Permit Type	Addres	SS	APN		Name	Permit	Apply Date	Issue Date	Final Date	Units
						No				
Count	56	Number of Th	is Permit Type	9			56	3	3	621
BNEWMFR-AF		9070 KERN	AVE	790 18 017	BURCH, ROGER A. TRU	18050168	5/31/18	6/20/18	5/2/19	1
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080032	8/13/19			4
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080025	8/13/19			8
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080030	8/13/19			72
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080028	8/13/19			8
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080027	8/13/19			8
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080031	8/13/19			2
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080022	8/13/19			16
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080023	8/13/19			16
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080024	8/13/19			16
BNEWMFR-AF		NO SITE AD	DRESS	808 19 024	TRIPOINTE HOMES, INC	19080026	8/13/19			8
Count	11	Number of Th	is Permit Type	9			11	1	1	159
BNEWRES		9115 TEA TE	REE WY	783 72 021	BIGELOW BRITTON	12090076	9/20/12	6/24/13	9/30/19	1
BNEWRES		1138 VIOGN	IIER WAY	808 52 026	CALATLANTIC HOMES	15040213	4/23/15	8/20/15	2/26/19	1
BNEWRES		1158 VIOGN	IIER WAY	808 52 027	CALATLANTIC HOMES	15040214	4/23/15	8/20/15	2/26/19	1
BNEWRES		2261 MANT	ELLI DR	783 72 067	TRUONG, TAN AND TIE	17020086	2/21/17	7/14/17	11/5/19	1
BNEWRES		772 BAXTER	R WY	790 25 106	LENNAR HOMES	17060028	6/6/17	8/10/17	9/30/19	1
BNEWRES		760 BAXTER	R WY	790 25 104	LENNAR HOMES	17060030	6/7/17	8/10/17	9/30/19	1
BNEWRES		754 BAXTER	R WY	790 25 103	LENNAR HOMES	17060031	6/7/17	8/10/17	11/26/19	1
BNEWRES		766 BAXTER	R WY	790 25 105	LENNAR HOMES	17060029	6/7/17	8/10/17	9/18/19	1

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BNEWRES	7211 EAGLE RIDGE DR	810	56 013	LEAL DAVID M & KELLY	17100080	10/16/17	1/10/18	10/21/19	1
BNEWRES	735 EINSTEIN PLACE	790	25 043	MA WANLI	17110061	11/9/17	12/18/17	4/9/19	1
BNEWRES	7224 CHURCH ST	799	09 042	MACHADO STEPHEN J	17110174	11/27/17	5/30/18	4/8/19	1
BNEWRES	8750 EVERGREEN CT	783	36 072	WEST ANSON LLC	18020017	2/5/18	3/20/19	12/11/19	1

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DNEWDEC	0700 EVEDODEEN OT	702.20.072	WEST ANCONULS	10000010	0/5/40	2/20/40	40/44/40
BNEWRES	8760 EVERGREEN CT	783 36 073	WEST ANSON LLC WEST ANSON LLC	18020016	2/5/18	3/20/19	12/11/19
BNEWRES	8751 EVERGREEN CT	783 36 069		18020015	2/5/18	3/20/19	12/11/19
BNEWRES	8761 EVERGREEN CT	783 36 070	WEST ANSON LLC	18020014	2/5/18	3/20/19	12/11/19
BNEWRES	8740 EVERGREEN CT	783 36 071	WEST ANSON LLC	18020018	2/5/18	3/20/19	12/11/19
BNEWRES	8741 EVERGREEN CT	783 36 068	WEST ANSON LLC	18020013	2/5/18	3/20/19	12/11/19
BNEWRES	719 SULLIVAN WAY	790 25 073	CALATLANTIC GROUP I	18030041	3/8/18	4/16/18	2/4/19
BNEWRES	726 SULLIVAN WAY	790 25 076	CALATLANTIC GROUP I	18030044	3/8/18	4/16/18	2/19/19
BNEWRES	8955 MIMOSA CT	783 72 036	SR BUILDING BLOCKS L	18030142	3/30/18	3/5/19	
BNEWRES	1820 CAROB CT	783 72 017	ZHANG SHELING	18040085	4/16/18	3/13/19	
BNEWRES	2140 HOLLYHOCK LN	783 70 015	LEMIEUX NORMAN	18040102	4/18/18	1/11/19	
BNEWRES	732 SULLIVAN WAY	790 25 077	CALATLANTIC GROUP I	18040140	4/25/18	7/18/18	2/13/19
BNEWRES	738 SULLIVAN WAY	790 25 078	CALATLANTIC GROUP I	18040141	4/25/18	7/18/18	1/30/19
BNEWRES	744 SULLIVAN WAY	790 25 079	CALATLANTIC GROUP I	18040142	4/25/18	7/18/18	1/30/19
BNEWRES	750 SULLIVAN WAY	790 25 080	CALATLANTIC GROUP I	18040143	4/25/18	7/18/18	2/13/19
BNEWRES	712 BAXTER WAY	790 25 096	LENNAR	18050016	5/2/18	7/18/18	5/2/19
BNEWRES	718 BAXTER WAY	790 25 097	LENNAR	18050017	5/2/18	7/18/18	4/25/19
BNEWRES	706 BAXTER WAY	790 25 095	LENNAR	18050015	5/2/18	7/18/18	3/18/19
BNEWRES	700 BAXTER WAY	79025 094	LENNAR	18050014	5/2/18	7/18/18	3/18/19
BNEWRES	724 BAXTER WAY	790 25 098	LENNAR	18050018	5/2/18	7/18/18	4/22/19
BNEWRES	723 BAXTER WAY	790 25 091	LENNAR	18050011	5/2/18	7/18/18	3/22/19
BNEWRES	250 GURRIES DR	790 35 023	MEDRANO CARMEN	18060050	6/11/18	4/25/19	
BNEWRES	735 BAXTER WAY	790 25 089	LENNAR	18070043	7/11/18	8/13/18	3/22/19
BNEWRES	736 BAXTER WAY	790 25 100	LENNAR	18070046	7/11/18	8/13/18	5/20/19
BNEWRES	742 BAXTER WY	790 25 101	LENNAR	18070047	7/11/18	8/13/18	7/15/19
BNEWRES	729 BAXTER WAY	790 25 090	LENNAR	18070044	7/11/18	8/13/18	4/26/19
<b>BNEWRES</b>	741 BAXTER WAY	790 25 088	LENNAR	18070042	7/11/18	8/13/18	4/17/19
<b>BNEWRES</b>	747 BAXTER WAY	790 25 087	LENNAR	18070041	7/11/18	8/13/18	4/25/19
BNEWRES	730 BAXTER WY	790 25 099	LENNAR	18070045	7/11/18	8/13/18	6/7/19
<b>BNEWRES</b>	761 SULLIVAN WAY	790 25 069	LENNAR	18070125	7/26/18	8/24/18	7/8/19
BNEWRES	762 SULLIVAN WAY	790 25 082	LENNAR	18070128	7/26/18	8/24/18	5/28/19
BNEWRES	755 SULLIVAN WAY	790 25 070	LENNAR	18070126	7/26/18	8/24/18	5/23/19
BNEWRES	767 SULLIVAN WAY	790 25 068	LENNAR	18070124	7/26/18	8/24/18	5/28/19
BNEWRES	768 SULLIVAN WAY	790 25 083	LENNAR	18070129	7/26/18	8/24/18	6/7/19
BNEWRES	765 BAXTER WY	790 25 085	LENNAR	18100102	10/22/18	12/7/18	8/28/19
BNEWRES	759 BAXTER WY	790 25 086	LENNAR	18100103	10/22/18	12/7/18	9/9/19
BNEWRES	748 BAXTER WY	790 25 102	LENNAR	18100104	10/22/18	12/7/18	9/26/19
BNEWRES	771 BAXTER WY	790 25 084	CAMBRIDGE PLACE CO	18100101	10/22/18	12/7/18	9/9/19

BNEWRES	1581 VINSANTO CT	808 54 028	LENNAR	18110014	11/2/18	12/7/18	9/25/19	1
BNEWRES	1591 VINSANTO CT	808 54 029	LENNAR	18110015	11/2/18	12/7/18	12/20/19	1
BNEWRES	1601 VINSANTO CT	808 54 030	LENNAR	18110016	11/2/18	12/7/18	9/25/19	1
BNEWRES	1571 VINSANTO CT	808 54 027	LENNAR	18110013	11/2/18	12/7/18	9/25/19	1
BNEWRES	1611 VINSANTO CT	808 54 031	LENNAR	18110017	11/2/18	12/7/18	9/30/19	1

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BNEWRES	7210 SPUMANTE CT	808 54 022	LENNAR	18110050	11/7/18	12/7/18	10/18/19	1
BNEWRES	7190 SPUMANTE CT	808 54 024	LENNAR	18110052	11/7/18	12/7/18	10/29/19	1
BNEWRES	7171 SPUMANTE CT	808 54 007	LENNAR	18110045	11/7/18	12/7/18	10/10/19	1
BNEWRES	7180 SPUMANTE CT	808 54 025	LENNAR	18110053	11/7/18	12/7/18	10/14/19	1
BNEWRES	7161 SPUMANTE CT	808 54 006	LENNAR	18110044	11/7/18	12/7/18	10/11/19	1
BNEWRES	7201 SPUMANTE CT	808 54 010	LENNAR	18110048	11/7/18	12/7/18	10/24/19	1
BNEWRES	7170 SPUMANTE CT	808 54 026	LENNAR	18110054	11/7/18	12/7/18	10/11/19	1
BNEWRES	7200 SPUMANTE CT	808 54 023	LENNAR	18110051	11/7/18	12/7/18	10/29/19	1
BNEWRES	7031 SPUMANTE WY	808 56 041	RODRIGUEZ ABRAHAM	18110223	11/21/18	1/10/19		1
BNEWRES	6999 GRENACHE WY	808 55 028	HIGHT JONATHAN P	18110216	11/21/18	1/15/19	11/6/19	1
BNEWRES	6993 GRENACHE WY	808 55 029	LEONG IRENE K AND L	18110217	11/21/18	1/15/19	11/6/19	1
BNEWRES	7010 SPUMANTE WY	808 56 064	LENNAR	18110227	11/21/18	1/10/19	10/31/19	1
BNEWRES	7039 SPUMANTE WY	808 56 039	LENNAR	18110221	11/21/18	1/10/19	1/2/20	1
BNEWRES	7035 SPUMANTE WY	808 56 040	LENNAR	18110222	11/21/18	1/10/19	2/7/20	1
BNEWRES	7047 SPUMANTE WY	808 56 043	LENNAR	18110225	11/21/18	1/10/19	11/15/19	1
BNEWRES	1559 ZEPHYR PL	808 55 001	LENNAR	18110194	11/21/18	12/21/18	9/24/19	1
BNEWRES	7007 SPUMANTE WY	808 56 035	LENNAR	18110230	11/21/18	1/10/19	1/16/20	1
BNEWRES	7011 SPUMANTE WY	808 56 034	LENNAR	18110229	11/21/18	1/10/19		1
BNEWRES	6987 GRENACHE WY	808 55 030	CALATLANTIC GROUP I	18110218	11/21/18	1/15/19	11/6/19	1
BNEWRES	1571 ZEPHYR PL	808 55 004	LENNAR	18110210	11/21/18	12/21/18	10/18/19	1
BNEWRES	7051 SPUMANTE WY	808 56 044	LENNAR	18110226	11/21/18	1/10/19	12/18/19	1
BNEWRES	7000 SPUMANTE WY	808 56 065	LENNAR	18110228	11/21/18	1/10/19	11/15/19	1
BNEWRES	6980 SPUMANTE WY	808 56 067	LENNAR	18110235	11/21/18	1/10/19	1/17/20	1
BNEWRES	7220 SPUMANTE CT	808 54 021	LENNAR	18110207	11/21/18	12/21/18	11/14/19	1
BNEWRES	7015 SPUMANTE WY	808 56 033	LENNAR	18110122	11/21/18	1/10/19		1
BNEWRES	7221 SPUMANTE CT	808 54 012	LENNAR	18110198	11/21/18	12/21/18	11/14/19	1
BNEWRES	7231 SPUMANTE CT	808 54 013	LENNAR	18110199	11/21/18	12/21/18	11/14/19	1
BNEWRES	7241 SPUMANTE CT	808 54 014	LENNAR	18110200	11/21/18	12/21/18	12/10/19	1
BNEWRES	6960 SPUMANTE WY	808 56 069	LENNAR	18110237	11/21/18	1/10/19		_ 1
BNEWRES	7019 SPUMANTE WY	808 56 036	LENNAR	18110231	11/21/18	1/10/19	2/7/20	1
BNEWRES	7023 SPUMANTE WY	808 56 037	LENNAR	18110232	11/21/18	1/10/19	2/7/20	1
BNEWRES	6970 SPUMANTE WY	808 56 068	LENNAR	18110236	11/21/18	1/10/19	1/16/20	1
BNEWRES	7027 SPUMANTE WY	808 56 038	LENNAR	18110233	11/21/18	1/10/19	1/16/20	1
BNEWRES	6990 SPUMANTE WY	808 56 066	LENNAR	18110234	11/21/18	1/10/19		1
BNEWRES	7043 SPUMANTE WY	808 56 042	LENNAR	18110224	11/21/18	1/10/19	11/15/19	1
BNEWRES	1550 ZEPHYR PL	808 55 027	LENNAR	18110215	11/21/18	12/21/18	10/18/19	1
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BNEWRES	1555 ZEPHYR PL	808 55 002	LENNAR	18110208	11/21/18	12/21/18	10/18/19	1
BNEWRES	6981 GRENACHE CT	808 55 046	BLACKFORD BRIANNE	18110220	11/21/18	1/15/19	11/1/19	1
BNEWRES	1551 CASTLEWOOD PL	808 55 031	LENNAR	18110219	11/21/18	1/15/19	11/6/19	1
BNEWRES	1570 ZEPHYR PL	808 55 025	LENNAR	18110213	11/21/18	12/21/18	9/24/19	1
BNEWRES	1563 ZEPHYR PL	808 55 006	LENNAR	18110212	11/21/18	12/21/18	10/18/19	1
BNEWRES	1560 ZEPHYR PL	808 55 026	LENNAR	18110214	11/21/18	12/21/18	10/18/19	1

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BNEWRES	1567 ZEPHYR PL	808 55 005	LENNAR	18110211	11/21/18	12/21/18	10/18/19	1
BNEWRES	1551 ZEPHYR PL	808 55 003	LENNAR	18110209	11/21/18	12/21/18	10/14/19	1
BNEWRES	7090 SPUMANTE WY	808 56 057	LENNAR	18120080	12/3/18	1/10/19		1
BNEWRES	7070 SPUMANTE WY	808 56 059	LENNAR	18120082	12/3/18	1/10/19		1
BNEWRES	1620 ZEPHYR PL	808 55 020	LENNAR	18120077	12/3/18	1/10/19		1
BNEWRES	1610 ZEPHYR PL	808 55 021	LENNAR	18120078	12/3/18	1/10/19		1
BNEWRES	1630 ZEPHYR PL	808 55 019	LENNAR	18120076	12/3/18	1/10/19		1
BNEWRES	7080 SPUMANTE WY	808 56 058	LENNAR	18120081	12/3/18	1/10/19		1
BNEWRES	7150 KIRIGIN WY	808 56 001	LENNAR	18120079	12/3/18	1/10/19		1
BNEWRES	1836 THYME CT	810 84 076	MERITAGE HOMES	18120110	12/7/18	2/8/19	7/19/19	1
BNEWRES	1830 THYME CT	810 84 077	MERITAGE HOMES	18120111	12/7/18	2/8/19	7/17/19	1
BNEWRES	1841 THYME CT	810 84 078	MERITAGE HOMES	18120112	12/7/18	2/8/19	8/22/19	1
BNEWRES	1847 THYME CT	810 84 079	MERITAGE HOMES	18120113	12/7/18	2/8/19	8/22/19	1
BNEWRES	1842 THYME CT	810 84 075	MERITAGE HOMES	18120109	12/7/18	2/8/19	7/30/19	1
BNEWRES	1853 THYME CT	810 84 080	MERITAGE HOMES	18120114	12/7/18	2/8/19		1
BNEWRES	1860 THYME CT	810 84 072	MERITAGE HOMES	18120106	12/7/18	2/8/19		1
BNEWRES	1854 THYME CT	810 84 073	MERITAGE HOMES	18120107	12/7/18	2/8/19	8/22/19	1
BNEWRES	1848 THYME CT	810 84 074	MERITAGE HOMES	18120108	12/7/18	2/8/19	8/22/19	1
BNEWRES	6999 SPUMANTE WY	808 56 031	LENNAR	18120090	12/13/18	1/15/19	2/5/20	1
BNEWRES	6971 SPUMANTE WY	808 56 024	LENNAR	18120083	12/13/18	1/15/19		1
BNEWRES	6975 SPUMANTE WY	808 56 025	LENNAR	18120084	12/13/18	1/15/19		1
BNEWRES	6979 SPUMANTE WY	808 56 026	LENNAR	18120085	12/13/18	1/15/19		1
BNEWRES	1560 CASTLEWOOD PL	808 55 044	LENNAR	18120104	12/13/18	1/10/19	12/19/19	1
BNEWRES	6991 SPUMANTE WY	808 56 029	LENNAR	18120088	12/13/18	1/15/19	2/10/20	1
BNEWRES	6950 SPUMANTE WY	808 56 070	LENNAR	18120092	12/13/18	1/15/19	12/23/19	1
BNEWRES	1581 CASTLEWOOD PL	808 55 034	BOUREAU DARLENE	18120100	12/13/18	1/10/19		1
BNEWRES	6995 SPUMANTE WY	808 56 030	LENNAR	18120089	12/13/18	1/15/19	1/17/20	1
BNEWRES	6987 SPUMANTE WY	808 56 028	LENNAR	18120087	12/13/18	1/15/19	1/24/20	1
BNEWRES	6983 SPUMANTE WY	808 56 027	GURUSAMY VIJAYAVAS	18120086	12/13/18	1/15/19		1
BNEWRES	1591 CASTLEWOOD PL	808 55 035	LENNAR	18120101	12/13/18	1/10/19	2/7/20	1
BNEWRES	1550 CASTLEWOOD PL	808 55 045	LENNAR	18120105	12/13/18	1/10/19	1/10/20	1
BNEWRES	1561 CASTLEWOOD PL	808 55 032	LENNAR	18120098	12/13/18	1/10/19	2/7/20	1
BNEWRES	1571 CASTLEWOOD PL	808 55 033	ASADIZADEH ARASH	18120099	12/13/18	1/10/19		1
BNEWRES	7003 SPUMANTE WY	808 56 032	LENNAR	18120091	12/13/18	1/15/19		1
BNEWRES	1570 CASTLEWOOD PL	808 55 043	AKELLA BHASKARA S	18120103	12/13/18	1/10/19		1
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BNEWRES	1580 CASTLEWOOD PL	808 55 042	LENNAR	18120102	12/19/18	1/10/19	1/15/20	1
BNEWRES	2243 BANYON CT	783 72 043	WANG, LEO & DIAN H.	19010060	1/15/19	5/21/19		1
BNEWRES	8775 WILD IRIS DR	783 52 029	KOLLAREDDY SRIDHAR	19010165	1/29/19			1
BNEWRES	6960 KIRIGIN WY	808 56 018	LENNAR	19020098	1/31/19	3/1/19		1
BNEWRES	6961 KIRIGIN WY	808 56 072	LENNAR	19020113	1/31/19	3/1/19		1
BNEWRES	1451 OLIVE GROVE CT	808 54 043	LENNAR	19020096	1/31/19	3/1/19	12/20/19	1
BNEWRES	1521 OLIVE GROVE CT	808 54 036	AVENA MARY	19020088	1/31/19	3/1/19		1

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BNEWRES	1501 OLIVE GROVE CT	808 54 038	KOEHN ROBERT	19020077	1/31/19	3/1/19		1
BNEWRES	6950 KIRIGIN WY	808 56 020	ABRIAM-STEWART GER	19020107	1/31/19	3/1/19		1
BNEWRES	1601 CASTLEWOOD PL	808 55 036	MARISCAL MARISA I	19020038	1/31/19	3/1/19		1
BNEWRES	6940 KIRIGIN WY	808 56 019	FERDINAND ARTHUR	19020100	1/31/19	3/1/19		1
BNEWRES	1611 CASTLEWOOD PL	808 55 037	LENNAR	19020039	1/31/19	3/1/19	1/15/20	1
BNEWRES	1590 CASTLEWOOD PL	808 55 041	LENNAR	19020043	1/31/19	3/1/19	1/21/20	1
BNEWRES	1600 CASTLEWOOD PL	808 55 040	LENNAR	19020042	1/31/19	3/1/19	1/10/20	1
BNEWRES	1621 CASTLEWOOD PL	808 55 038	LENNAR	19020040	1/31/19	3/1/19	1/15/20	1
BNEWRES	1471 OLIVE GROVE CT	808 54 041	LENNAR	19020093	1/31/19	3/1/19		1
BNEWRES	1481 OLIVE GROVE CT	808 54 040	LENNAR	19020092	1/31/19	3/1/19	11/20/19	1
BNEWRES	1491 OLIVE GROVE CT	808 54 039	LENNAR	19020091	1/31/19	3/1/19	11/18/19	1
BNEWRES	1511 OLIVE GROVE CT	808 54 037	LENNAR	19020090	1/31/19	3/1/19		1
BNEWRES	1531 OLIVE GROVE CT	808 54 035	LENNAR	19020089	1/31/19	3/1/19		1
BNEWRES	6967 SPUMANTE WY	808 56 023	LENNAR	19020111	1/31/19	3/1/19		1
BNEWRES	6963 SPUMANTE WY	808 56 022	LENNAR	19020109	1/31/19	3/1/19		1
BNEWRES	6959 SPUMANTE WY	808 56 021	LENNAR	19020108	1/31/19	3/1/19		1
BNEWRES	1610 CASTLEWOOD PL	808 55 039	LENNAR	19020041	1/31/19	3/1/19	1/15/20	1
BNEWRES	6951 KIRIGIN WY	808 56 071	LENNAR	19020112	1/31/19	3/1/19		1
BNEWRES	6970 KIRIGIN WY	808 56 017	LENNAR	19020097	1/31/19	3/1/19		1
BNEWRES	1461 OLIVE GROVE CT	808 54 042	LENNAR	19020094	2/11/19	4/11/19	11/20/19	1
BNEWRES	6981 KIRIGIN WY	808 56 074	LENNAR	19020204	2/14/19	3/21/19		1
BNEWRES	7001 KIRIGIN WY	808 56 076	LENNAR	19020207	2/14/19	3/21/19		1
BNEWRES	7011 KIRIGIN WY	808 56 077	LENNAR	19020208	2/14/19	3/21/19		1
BNEWRES	6980 KIRIGIN WY	808 56 016	LENNAR	19020202	2/14/19	3/21/19		1
BNEWRES	6969 GRENACHE CT	808 55 048	LENNAR	19020175	2/14/19	3/21/19		1
BNEWRES	6991 KIRIGIN WY	808 56 075	LENNAR	19020206	2/14/19	3/21/19		1
BNEWRES	6971 KIRIGIN WY	808 56 073	LENNAR	19020203	2/14/19	3/21/19		1
BNEWRES	7000 KIRIGIN WY	808 56 014	LENNAR	19020197	2/14/19	3/21/19		1
BNEWRES	6990 KIRIGIN WY	808 56 015	LENNAR	19020198	2/14/19	3/21/19		1
BNEWRES	6975 GRENACHE CT	808 55 047	LENNAR	19020174	2/14/19	3/21/19		1
BNEWRES	7010 KIRIGIN WY	808 56 013	LENNAR	19020194	2/14/19	3/21/19		1
BNEWRES	6945 GRENACHE CT	808 55 052	LENNAR	19020193	2/14/19	3/21/19		1
BNEWRES	6951 GRENACHE CT	808 55 051	LENNAR	19020192	2/14/19	3/21/19		1
BNEWRES	6957 GRENACHE CT	808 55 050	LENNAR	19020191	2/14/19	3/21/19		1
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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date Fin	nal Date	Units
BNEWRES	6963 GRENACHE CT	808 55 049	LENNAR	19020176	2/14/19	3/21/19		1
BNEWRES	1981 LAVENDER WY	783 52 042	TAKACS JO A	19020171	2/20/19	9/19/19		1
BNEWRES	1579 ZEPHYR PL	808 55 008	LENNAR	19030072	3/6/19	4/12/19		1
BNEWRES	1590 ZEPHYR PL	808 55 023	LENNAR	19030090	3/6/19	4/12/19		1
BNEWRES	1587 ZEPHYR PL	808 55 012	LENNAR	19030089	3/6/19	4/12/19		1
BNEWRES	1591 ZEPHYR PL	808 55 011	LENNAR	19030082	3/6/19	4/12/19		1
BNEWRES	1580 ZEPHYR PL	808 55 024	LENNAR	19030093	3/6/19	4/12/19		1
BNEWRES	1583 ZEPHYR PL	808 55 009	LENNAR	19030074	3/6/19	4/12/19		1

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BNEWRES	1575 ZEPHYR PL	808 55 007	LENNAR	19030071	3/6/19	4/12/19		1
BNEWRES	1595 ZEPHYR PL	808 55 010	LENNAR	19030077	3/6/19	4/12/19		1
BNEWRES	2291 BANYON CT	783 72 053	VICKY C HARRIS	19030021	3/7/19			1
BNEWRES	6370 GODANI ST	808 57 061	TRIPOINTE HOMES, INC	19030161	3/12/19	4/22/19	12/27/19	1
BNEWRES	1285 HERNANDEZ WY	808 57 005	TRIPOINTE HOMES, INC	19030181	3/12/19	4/11/19	1/14/20	1
BNEWRES	1250 BOURET CT	808 57 113	TRIPOINTE HOMES, INC	19030171	3/12/19	4/22/19	1/30/20	1
BNEWRES	1240 BOURET CT	808 57 112	TRIPOINTE HOMES, INC	19030170	3/12/19	4/22/19		1
BNEWRES	6395 GODANI ST	808 57 110	TRIPOINTE HOMES, INC	19030166	3/12/19	4/22/19	12/30/19	1
BNEWRES	1265 HERNANDEZ WY	808 57 007	HUNDAL NUVOTE K	19030192	3/12/19	4/11/19		1
BNEWRES	6375 GODANI ST	808 57 108	TRIPOINTE HOMES, INC	19030164	3/12/19	4/22/19	12/26/19	1
BNEWRES	6380 GODANI ST	808 57 060	TRIPOINTE HOMES, INC	19030158	3/12/19	4/22/19	1/29/20	1
BNEWRES	6390 GODANI ST	808 57 059	TRIPOINTE HOMES, INC	19030156	3/12/19	4/22/19	1/29/20	1
BNEWRES	1270 HERNANDEZ WY	808 57 019	EDOK EDO	19030194	3/12/19	4/11/19		1
BNEWRES	1280 HERNANDEZ WY	808 57 020	TRIPOINTE HOMES, INC	19030204	3/12/19	4/11/19	1/14/20	1
BNEWRES	1230 BOURET CT	808 57 111	TRIPOINTE HOMES, INC	19030169	3/12/19	4/22/19	12/27/19	1
BNEWRES	1300 HERNANDEZ WY	808 57 022	TRIPOINTE HOMES, INC	19030207	3/12/19	4/11/19		1
BNEWRES	6385 GODANI ST	808 57 109	TRIPOINTE HOMES, INC	19030165	3/12/19	4/22/19	12/26/19	1
BNEWRES	1290 HERNANDEZ WY	808 57 021	KIM DONGHYUN	19030206	3/12/19	4/11/19		1
BNEWRES	1255 HERNANDEZ WY	808 57 008	TRIPOINTE HOMES, INC	19030193	3/12/19	4/11/19		1
BNEWRES	1275 HERNANDEZ WY	808 57 006	TRIPOINTE HOMES, INC	19030190	3/12/19	4/11/19		1
BNEWRES	6400 GODANI ST	808 57 058	TRIPOINTE HOMES, INC	19030155	3/12/19	4/22/19	12/26/19	1
BNEWRES	7140 SPUMANTE CT	808 54 034	LENNAR	19030101	3/14/19	4/12/19		1
BNEWRES	7150 SPUMANTE CT	808 54 033	LENNAR	19030100	3/14/19	4/18/19		1
BNEWRES	7160 SPUMANTE CT	808 54 032	LENNAR	19030099	3/14/19	4/12/19		1
BNEWRES	7090 KIRIGIN WY	808 56 007	LENNAR	19030238	3/21/19	5/2/19		1
BNEWRES	1599 ZEPHYR PL	808 55 013	LENNAR	19030213	3/21/19	5/2/19		1
BNEWRES	1619 ZEPHYR PL	808 55 016	LENNAR	19030217	3/21/19	5/2/19		1
BNEWRES	7120 KIRIGIN WY	808 56 004	LENNAR	19030235	3/21/19	5/2/19		1
BNEWRES	1611 ZEPHYR PL	808 55 018	LENNAR	19030219	3/21/19	5/2/19		1
BNEWRES	7080 KIRIGIN WY	808 56 008	LENNAR	19030244	3/21/19	5/2/19		1
BNEWRES	1615 ZEPHYR PL	808 55 017	LENNAR	19030218	3/21/19	5/2/19		1
BNEWRES	1603 ZEPHYR PL	808 55 014	LENNAR	19030214	3/21/19	5/2/19		1
BNEWRES	7091 KIRIGIN WY	808 56 084	LENNAR	19030246	3/21/19	5/2/19		1
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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date 1	Final Date	Units
BNEWRES	7140 KIRIGIN WY	808 56 002	LENNAR	19030232	3/21/19	5/2/19		1
BNEWRES	1607 ZEPHYR PL	808 55 015	LENNAR	19030216	3/21/19	5/2/19		1
BNEWRES	7130 KIRIGIN WY	808 56 003	LENNAR	19030233	3/21/19	5/2/19		1
BNEWRES	7100 KIRIGIN WY	808 56 006	LENNAR	19030237	3/21/19	5/2/19		1
BNEWRES	7081 KIRIGIN WY	808 56 083	LENNAR	19030245	3/21/19	5/2/19		1
BNEWRES	7110 KIRIGIN WY	808 56 005	LENNAR	19030236	3/21/19	5/2/19		1
BNEWRES	1325 HERNANDEZ WY	808 57 001	TRIPOINTE HOMES, INC	19040160	4/16/19	5/13/19	12/23/19	1
BNEWRES	6445 JURISTAC WY	808 57 047	TUN AUNG K	19040165	4/16/19	5/13/19	1/31/20	1
BNEWRES	1295 HERNANDEZ WY	808 57 004	TRIPOINTE HOMES, INC	19040163	4/16/19	5/13/19	1/29/20	1

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<b>BNEWRES</b>	1315 HERNANDEZ WY	808 57 002		TRIPOINTE HOMES, INC	19040161	4/16/19	5/13/19	1/29/20	1
BNEWRES	6435 JURISTAC WY	808 57 046		TUN AUNG K	19040164	4/16/19	5/13/19		1
BNEWRES	6455 JURISTAC WY	808 57 048		TUN AUNG K	19040166	4/16/19	5/13/19	1/30/20	1
BNEWRES	6465 JURISTAC WY	808 57 049		TUN AUNG K	19040167	4/16/19	5/13/19		1
BNEWRES	1305 HERNANDEZ WY	808 57 003		TRIPOINTE HOMES, INC	19040162	4/16/19	5/13/19	12/27/19	1
BNEWRES	250 GURRIES DR, B	790 35 023		MEDRANO CARMEN	19040141	4/25/19	4/25/19		1
BNEWRES	250 GURRIES DR, A	790 35 023		MEDRANO CARMEN	19040140	4/25/19	4/25/19		1
BNEWRES	6330 GODANI ST	808 57 065		TRIPOINTE HOMES, INC	19040171	4/26/19	5/31/19	12/30/19	1
BNEWRES	6360 GODANI ST	808 57 062		TRIPOINTE HOMES, INC	19040168	4/26/19	5/31/19	2/4/20	1
BNEWRES	6310 GODANI ST	808 57 067		TRIPOINTE HOMES, INC	19040173	4/26/19	5/31/19	12/30/19	1
BNEWRES	6340 GODANI ST	808 57 064		TRIPOINTE HOMES, INC	19040170	4/26/19	5/31/19	2/5/20	1
BNEWRES	6350 GODANI ST	808 57 063		TRIPOINTE HOMES, INC	19040169	4/26/19	5/31/19	12/30/19	1
BNEWRES	6320 GODANI ST	808 57 066		TRIPOINTE HOMES, INC	19040172	4/26/19	5/31/19	2/10/20	1
BNEWRES	7041 KIRIGIN WY	808 56 079		LENNAR	19050109	5/2/19	6/3/19		1
BNEWRES	7050 KIRIGIN WY	808 56 011		LENNAR	19050106	5/2/19	6/3/19		1
BNEWRES	7051 KIRIGIN WY	808 56 080		LENNAR	19050110	5/2/19	6/3/19		1
BNEWRES	7070 KIRIGIN WY	808 56 009		LENNAR	19050104	5/2/19	6/3/19		1
BNEWRES	7061 KIRIGIN WY	808 56 081		LENNAR	19050111	5/2/19	6/3/19		1
BNEWRES	7071 KIRIGIN WY	808 56 082		LENNAR	19050112	5/2/19	6/3/19		1
BNEWRES	7040 KIRIGIN WY	808 56 012		LENNAR	19050107	5/2/19	6/3/19		1
BNEWRES	7031 KIRIGIN WY	808 56 078		LENNAR	19050108	5/2/19	6/3/19		1
BNEWRES	7060 KIRIGIN WY	808 56 010		LENNAR	19050105	5/2/19	6/3/19		1
BNEWRES	1320 QUALTERI WY	808 57 043		TRIPOINTE HOMES, INC	19050186	5/15/19	9/30/19		1
BNEWRES	1330 QUALTERI WY			TRIPOINTE HOMES, INC	19050187	5/15/19	9/30/19		1
BNEWRES	1340 QUALTERI WY	808 57 045		TRIPOINTE HOMES, INC	19050188	5/15/19	9/30/19		1
BNEWRES	1305 QUALTERI WY	808 57 023		TRIPOINTE HOMES, INC	19050181	5/15/19	9/30/19		1
BNEWRES	1295 QUALTERI WY	808 57 024		TRIPOINTE HOMES, INC	19050182	5/15/19	9/30/19		1
BNEWRES	1290 QUALTERI WY	808 57 040		TRIPOINTE HOMES, INC	19050183	5/15/19	9/30/19		1
BNEWRES	1310 QUALTERI WY	808 57 042		TRIPOINTE HOMES, INC	19050185	5/15/19	9/30/19		1
BNEWRES	1300 QUALTERI WY	808 57 041		TRIPOINTE HOMES, INC	19050184	5/15/19	9/30/19		1
BNEWRES	7040 SPUMANTE WY	808 56 062		LENNAR	19060081	6/3/19			1
BNEWRES	7030 SPUMANTE WY	808 56 063		LENNAR	19060082	6/3/19			1
Permit Type	Address	APN		Name	Permit No	Apply Date	Issue Date	Final Date	Units
BNEWRES	7059 SPUM	ANTE WY	808 56 046	LENNAR	19060075	6/3/19			1
BNEWRES	7055 SPUM	ANTE WY	808 56 047	LENNAR	19060076	6/3/19			1
BNEWRES	7067 SPUM	ANTE WY	808 56 048	LENNAR	19060077	6/3/19			1
BNEWRES	7071 SPUM	ANTE WY	808 56 049	LENNAR	19060078	6/3/19			1
BNEWRES	7063 SPUM	ANTE WY	808 56 045	LENNAR	19060074	6/3/19			1
BNEWRES	7075 SPUM	ANTE WY	808 56 050	LENNAR	19060079	6/3/19			1
BNEWRES	7050 SPUM	ANTE WY	808 56 061	LENNAR	19060080	6/3/19			1
BNEWRES	1255 MICHA		808 57 075	TRIPOINTE HOMES, INC	19060116	6/12/19	9/30/19		1
BNEWRES	1205 MICHA		808 57 080	TRIPOINTE HOMES, INC	19060121	6/12/19	9/30/19		1
BNEWRES	1215 MICHA		808 57 079	TRIPOINTE HOMES, INC	19060120	6/12/19	9/30/19		1
BNEWRES	1225 MICHA		808 57 078	TRIPOINTE HOMES, INC	19060119	6/12/19	9/30/19		1
BNEWRES	1235 MICHA		808 57 077	TRIPOINTE HOMES, INC	19060118	6/12/19	9/30/19		1
BNEWRES			808 57 076	TRIPOINTE HOMES, INC	19060117	6/12/19	9/30/19		1
BNEWRES	1245 MICHAEL BO LN 808 57 076 8565 STRAWBERRY LN 783 46 079		WATSON MARCUS	19060072	6/14/19			1	
BNEWRES	8762 FOXGL		783 52 018	CORIA EFRAIN	19080092	8/14/19			2
BNEWRES		R GREEN CT	783 03 078	CLAYTON JOHNSON EN	19090002	9/3/19			1
BNEWRES	8950 MIMOS		783 72 035	PHAM LAN	19090102	9/25/19			1

1	/1	/201	19	 12/3	1/20	119

<b>BNEWRES</b>		1975 SAFFRON CT	783 52 050	SCOTT & VICKY BRUNS	19090111	9/25/19			1
BNEWRES		1315 MICHAEL BO LN	808 57 069	TRIPOINTE HOMES, INC	19090148	9/30/19			1
<b>BNEWRES</b>		1285 MICHAEL BO LN	808 57 072	TRIPOINTE HOMES, INC	19090151	9/30/19			1
<b>BNEWRES</b>		1235 QUALTERI WY	808 57 030	TRIPOINTE HOMES, INC	19090140	9/30/19			1
<b>BNEWRES</b>		1225 QUALTERI WY	808 57 031	TRIPOINTE HOMES, INC	19090141	9/30/19			1
BNEWRES		1295 MICHAEL BO LN	808 57 071	TRIPOINTE HOMES, INC	19090150	9/30/19			1
BNEWRES		1240 QUALTERI WY	808 57 036	TRIPOINTE HOMES, INC	19090146	9/30/19			1
BNEWRES		1245 QUALTERI WY	808 57 029	TRIPOINTE HOMES, INC	19090139	9/30/19			1
BNEWRES		1305 MICHAEL BO LN	808 57 070	TRIPOINTE HOMES, INC	19090149	9/30/19			1
<b>BNEWRES</b>		1325 MICHAEL BO LN	808 57 068	TRIPOINTE HOMES, INC	19090147	9/30/19			1
BNEWRES		1265 MICHAEL BO LN	808 57 074	TRIPOINTE HOMES, INC	19090153	9/30/19			1
<b>BNEWRES</b>		1275 MICHAEL BO LN	808 57 073	TRIPOINTE HOMES, INC	19090152	9/30/19			1
<b>BNEWRES</b>		1210 QUALTERI WY	808 57 033	TRIPOINTE HOMES, INC	19090143	9/30/19			1
<b>BNEWRES</b>		1215 QUALTERI WY	808 57 032	TRIPOINTE HOMES, INC	19090142	9/30/19			1
BNEWRES		1220 QUALTERI WY	808 57 034	TRIPOINTE HOMES, INC	19090144	9/30/19			1
BNEWRES		1230 QUALTERI WY	808 57 035	TRIPOINTE HOMES, INC	19090145	9/30/19			1
BNEWRES		7151 SPUMANTE CT	808 54 005	LENNAR	19100142	10/16/19	12/5/19		1
BNEWRES		7141 SPUMANTE CT	808 54 004	LENNAR	19100143	10/16/19	12/5/19		1
BNEWRES		9005 MIMOSA CT	783 72 038	DARRYL SMITH	19120102	12/20/19			1
Count	290	Number of This Permit Type				290	138	138	292
BRES2UNIT		9115 TEA TREE WY	783 72 021	BIGELOW BRITTON	12090092	9/21/12	6/24/13	9/30/19	1
BRES2UNIT		2261 MANTELLI DR	783 72 067	TRUONG, TAN AND TIE	17020087	2/21/17	7/21/17	12/2/19	1
BRES2UNIT		605 JOHNSON WY	799 40 066	NGUYEN HUNG QUOC	18040013	4/3/18	9/21/18	10/3/19	1
BRES2UNIT		240 RONAN AVE	790 53 028	ABILA ABEL	18080041	8/9/18	1/15/19		1
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	BRES2UNIT	560 ARNOLD DR	790 29 026	SINGH, SATWANT	18110140	11/20/18	1/31/19		1
I	BRES2UNIT	1820 CAROB CT	783 72 017	ZHANG SHELING	19030092	3/13/19	3/13/19		1
	BRES2UNIT	1420 BRIARBERRY LN ST	783 50 077	ARTIGA CESAR A	19030173	3/22/19	1/28/20		1
	BRES2UNIT	7851 EIGLEBERRY ST	799 01 058	ADOLFO RODRIGUEZ	19040112	4/19/19			
I	BRES2UNIT	490 ADAMS CT	841 62 052	TAPIA, JESUS	19060133	6/25/19			1
	BRES2UNIT	461 W 10 ST	799 13 047	ESCALERA, SAMUEL	19070009	7/3/19	10/18/19		1
Count	10	Number of This Permit Type				10	3	3	9
1	BRESADU	991 WOODCREEK WAY	790 55 005	RAEE, NAJEED	18030087	3/15/18	8/22/18	6/26/19	1
	BRESADU	9122 SEVERANCE ST STE	790 47 034	GONZALEZ, ELOY G & T	18070020	7/6/18	2/8/19		1
	BRESADU	8118 OAK CT STE A	790 33 003	ATKINSON JAMES/ MEK	18070145	7/30/18	10/9/18	3/29/19	1
	BRESADU	620 LA SIERRA WY STE B	790 31 044	PEMBERTON, SHEENA	18080110	8/24/18	2/11/19		1
ı	BRESADU	199 W 8 ST	799 09 074	MORENO MARIBEL	18090018	9/5/18	4/1/19	10/28/19	1
	BRESADU	8831 MOREY AVE UNIT B	790 62 015	SEGURA GUILLERMO/G	18120132	12/21/18	11/14/19		1
	BRESADU	1450 FALCON CT	783 42 039	HUSTED, BRIAN & ANYI	19040020	4/3/19	9/24/19		1
	BRESADU	894 FESTA AGLIO DR	790 52 089	HIPOLITO & VERONICA	19050119	5/16/19	7/26/19		1
ı	BRESADU	1853 THYME CT	810 84 080	SOHAIL AKHTER	19090011	9/5/19	11/26/19		1
	BRESADU	7341 MAPLE ST STE B	841 09 030	GOMEZ, LEONCIO & MA	19090103	9/25/19	1/28/20		1

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			1095			<b>Apply</b>	<b>Issued</b>	Finaled	
<b>Total Numl</b>	ber of Records:	381			Count	381	280	148	
Count	14	Number of This Permit Type				14	3	3	14
	BRESADU	7850 MILLER AVE	799 21 032	MILLER STEPHEN C/BE	19120055	12/11/19			1
	BRESADU	7411 DOWDY ST	799 18 011	CARPENTER DENNIS J	19120051	12/10/19			1
	BRESADU	7625 EL ROBLE CT	808 07 080	KEVIN DUFAULT / BERT	19120050	12/10/19			1
	BRESADU	490 GRANT CT	841 62 038	MENDOZA MARIBEL A	19100127	10/15/19			1

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ļ	43831 permit_type	44196 p_adrs	251 parcel_id	Text55	permit_no	TABLE A APPLIED		TABLE A2 ISSUED	TABLE A2 FINALED		nbr_units	
							<del>-</del>					
E	BNEWMFR	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 16050115	5/13/16		4/4/2018	3/23/20		6	
E	BNEWMFR	6500 MONTEREY RD	841 14 011	COUNTY OF SANTA CLA	R/18020026	2/6/18 Text46:	2	9/6/2018	9/17/20 Text45:	2	75 _units2:	81
E	BNEWMFR-AF	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 18050165	5/31/18		6/20/2018	3/23/20		6	
E	BNEWMFR-AF	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 18050166	5/31/18		6/20/2018	3/23/20		2	
E	BNEWMFR-AF	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 18050168	5/31/18		6/20/2018	10/7/20		1	
E	BNEWMFR-AF	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 18050164	5/31/18		6/20/2018	3/23/20		6	
E	BNEWMFR-AF	9070 KERN AVE	790 18 017	BURCH, ROGER A. TRUS	ST 18050167	5/31/18	=	6/20/2018	3/23/20		2	
ſ	BNEWMFR-AF	1319 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080030	8/13/19	Need to show in both places	6/11/2020	8/26/20		72	
i	BNEWMFR-AF	1315 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080032	8/13/19		6/11/2020			4	
i	BNEWMFR-AF	1345 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080022	8/13/19		6/11/2020			16	
i	BNEWMFR-AF	1311 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080023	8/13/19		6/11/2020			16	
i	BNEWMFR-AF	1331 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080024	8/13/19		6/11/2020			16	
i	BNEWMFR-AF	1301 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080025	8/13/19		6/11/2020			8	
i	BNEWMFR-AF	1321 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080026	8/13/19		6/11/2020			8	
E	BNEWMFR-AF	1341 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080027	8/13/19		6/11/2020			8	
i	BNEWMFR-AF	1339 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080028	8/13/19		6/11/2020			8	
Ē	BNEWMFR-AF	1325 W LUCHESSA AVE	808 19 023	COMMUNITY RESOURCE	ES 19080031	8/13/19		6/11/2020			2	
E	BNEWMFR-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTN	NE 20100125	10/27/20					20	

BNEWMFR-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTNI	E 20100129	10/27/20				20	
BNEWMFR-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTNI	E 20100127	10/27/20				20	
BNEWMFR-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTNI	E 20100124	10/27/20				20	
BNEWMFR-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTNI	E 20100128	10/27/20				20	
					Text46:	20	Text45:	6	_units2:	275
BNEWRES	2201 COLUMBINE CT	783 72 062	JAMES GROUP	16120062	12/12/16	8/24/2017	9/18/20		1	
BNEWRES	1830 CAROB CT	783 72 016	ARAKELIAN, ELIZA	16120132	12/22/16	7/19/2017	7/20/20		1	
BNEWRES	2242 COLUMBINE CT	783 72 059	ELELLEH VAN AND JOSEI	P 17070103	7/19/17	12/7/2018	7/15/20		1	
BNEWRES	9175 TEA TREE WY	783 72 019	GREGORY E MILTON	18060120	6/22/18	10/9/2018	2/21/20		1	
BNEWRES	7131 SPUMANTE CT	808 54 003	LENNAR	18110012	11/2/18	12/7/2018	11/20/20		1	
BNEWRES	7121 SPUMANTE CT	808 54 002	LENNAR	18110011	11/2/18	12/7/2018	10/5/20		1	
BNEWRES	7111 SPUMANTE CT	808 54 001	LENNAR	18110010	11/2/18	12/7/2018	10/5/20		1	
BNEWRES	7191 SPUMANTE CT	808 54 009	LENNAR	18110047	11/7/18	12/7/2018	1/15/20		1	
BNEWRES	7250 SPUMANTE CT	808 54 018	LENNAR	18110204	11/21/18	12/21/2018	2/18/20		1	
BNEWRES	6970 SPUMANTE WY	808 56 068	LENNAR	18110236	11/21/18	1/10/2019	1/16/20		1	
BNEWRES	7230 SPUMANTE CT	808 54 020	LENNAR	18110206	11/21/18	12/21/2018	1/9/20		1	
BNEWRES	7015 SPUMANTE WY	808 56 033	LENNAR	18110122	11/21/18	1/10/2019	2/24/20		1	
BNEWRES	7039 SPUMANTE WY	808 56 039	LENNAR	18110221	11/21/18	1/10/2019	1/2/20		1	
BNEWRES	7035 SPUMANTE WY	808 56 040	LENNAR	18110222	11/21/18	1/10/2019	2/7/20		1	
BNEWRES	7011 SPUMANTE WY	808 56 034	LENNAR	18110229	11/21/18	1/10/2019	2/26/20		1	
BNEWRES	7007 SPUMANTE WY	808 56 035	LENNAR	18110230	11/21/18	1/10/2019	1/16/20		1	
BNEWRES	7240 SPUMANTE CT	808 54 019	LENNAR	18110205	11/21/18	12/21/2018	5/8/20		1	
BNEWRES	7023 SPUMANTE WY	808 56 037	LENNAR	18110232	11/21/18	1/10/2019	2/7/20		1	
BNEWRES	7261 SPUMANTE CT	808 54 016	LENNAR	18110202	11/21/18	12/21/2018	2/18/20		1	
BNEWRES	6980 SPUMANTE WY	808 56 067	LENNAR	18110235	11/21/18	1/10/2019	1/17/20		1	
BNEWRES	7019 SPUMANTE WY	808 56 036	LENNAR	18110231	11/21/18	1/10/2019	2/7/20		1	

BNEWRES	7260 SPUMANTE CT	808 54 017	LENNAR	18110203	11/21/18	12/21/2018	2/6/20	1
BNEWRES	6990 SPUMANTE WY	808 56 066	LENNAR	18110234	11/21/18	1/10/2019	2/25/20	1
BNEWRES	7027 SPUMANTE WY	808 56 038	LENNAR	18110233	11/21/18	1/10/2019	1/16/20	1
BNEWRES	1225 HERNANDEZ WY	808 57 011	GLEN LOMA RANCH MAS	T 18110154	11/27/18	12/17/2018	11/20/20	1
BNEWRES	1215 HERNANDEZ WY	808 57 012		18110155	11/27/18	12/17/2018	11/20/20	1
			·					
BNEWRES	6991 SPUMANTE WY	808 56 029	LENNAR	18120088	12/13/18	1/15/2019	2/10/20	1
BNEWRES	1591 CASTLEWOOD PL	808 55 035	LENNAR	18120101	12/13/18	1/10/2019	2/7/20	1
BNEWRES	6999 SPUMANTE WY	808 56 031	LENNAR	18120090	12/13/18	1/15/2019	2/5/20	1
BNEWRES	6971 SPUMANTE WY	808 56 024	LENNAR	18120083	12/13/18	1/15/2019	3/10/20	1
BNEWRES	1561 CASTLEWOOD PL	808 55 032	LENNAR	18120098	12/13/18	1/10/2019	2/7/20	1
BNEWRES	6995 SPUMANTE WY	808 56 030	LENNAR	18120089	12/13/18	1/15/2019	1/17/20	1
BNEWRES	6975 SPUMANTE WY	808 56 025	LENNAR	18120084	12/13/18	1/15/2019	3/2/20	1
BNEWRES	1550 CASTLEWOOD PL	808 55 045	LENNAR	18120105	12/13/18	1/10/2019	1/10/20	1
BNEWRES	6979 SPUMANTE WY	808 56 026	LENNAR	18120085	12/13/18	1/15/2019	2/27/20	1
BNEWRES	6987 SPUMANTE WY	808 56 028	LENNAR	18120087	12/13/18	1/15/2019	1/24/20	1
BNEWRES	1580 CASTLEWOOD PL	808 55 042	LENNAR	18120102	12/19/18	1/10/2019	1/15/20	1
BNEWRES	8775 WILD IRIS DR	783 52 029	KOLLAREDDY SRIDHAR	19010165	1/29/19	11/17/2020		1
BNEWRES	1511 OLIVE GROVE CT	808 54 037	LENNAR	19020090	1/31/19	3/1/2019	2/25/20	1
BNEWRES	1471 OLIVE GROVE CT	808 54 041	LENNAR	19020093	1/31/19	3/1/2019	5/8/20	1
BNEWRES	1610 CASTLEWOOD PL	808 55 039	LENNAR	19020041	1/31/19	3/1/2019	1/15/20	1
BNEWRES	1531 OLIVE GROVE CT	808 54 035	LENNAR	19020089	1/31/19	3/1/2019	3/5/20	1
BNEWRES	1621 CASTLEWOOD PL	808 55 038	LENNAR	19020040	1/31/19	3/1/2019	1/15/20	1
BNEWRES	6961 KIRIGIN WY	808 56 072	LENNAR	19020113	1/31/19	3/1/2019	5/13/20	1
BNEWRES	6951 KIRIGIN WY	808 56 071	LENNAR	19020112	1/31/19	3/1/2019	3/3/20	1
BNEWRES	6967 SPUMANTE WY	808 56 023	LENNAR	19020111	1/31/19	3/1/2019	3/10/20	1

BNEWRES	6963 SPUMANTE WY	808 56 022	LENNAR	19020109	1/31/19	3/1/2019	5/8/20	1
BNEWRES	6959 SPUMANTE WY	808 56 021	LENNAR	19020108	1/31/19	3/1/2019	5/8/20	1
BNEWRES	1590 CASTLEWOOD PL	808 55 041	LENNAR	19020043	1/31/19	3/1/2019	1/21/20	1
BNEWRES	1611 CASTLEWOOD PL	808 55 037	LENNAR	19020039	1/31/19	3/1/2019	1/15/20	1
BNEWRES	1600 CASTLEWOOD PL	808 55 040	LENNAR	19020042	1/31/19	3/1/2019	1/10/20	1
BNEWRES	6957 GRENACHE CT	808 55 050	LENNAR	19020191	2/14/19	3/21/2019	2/24/20	1
BNEWRES	6951 GRENACHE CT	808 55 051	LENNAR	19020192	2/14/19	3/21/2019	2/24/20	1
BNEWRES	6945 GRENACHE CT	808 55 052	LENNAR	19020193	2/14/19	3/21/2019	2/24/20	1
BNEWRES	6963 GRENACHE CT	808 55 049	LENNAR	19020176	2/14/19	3/21/2019	2/25/20	1
BNEWRES	6969 GRENACHE CT	808 55 048	LENNAR	19020175	2/14/19	3/21/2019	2/25/20	1
BNEWRES	6980 KIRIGIN WY	808 56 016	LENNAR	19020202	2/14/19	3/21/2019	4/8/20	1
BNEWRES	6990 KIRIGIN WY	808 56 015	LENNAR	19020198	2/14/19	3/21/2019	5/14/20	1
BNEWRES	6971 KIRIGIN WY	808 56 073	LENNAR	19020203	2/14/19	3/21/2019	5/13/20	1
BNEWRES	7010 KIRIGIN WY	808 56 013	LENNAR	19020194	2/14/19	3/21/2019	2/24/20	1
BNEWRES	7011 KIRIGIN WY	808 56 077	LENNAR	19020208	2/14/19	3/21/2019	5/6/20	1
BNEWRES	6981 KIRIGIN WY	808 56 074	LENNAR	19020204	2/14/19	3/21/2019	5/18/20	1
BNEWRES	7000 KIRIGIN WY	808 56 014	LENNAR	19020197	2/14/19	3/21/2019	5/11/20	1
BNEWRES	6975 GRENACHE CT	808 55 047	LENNAR	19020174	2/14/19	3/21/2019	2/25/20	1
BNEWRES	1595 ZEPHYR PL	808 55 010	LENNAR	19030077	3/6/19	4/12/2019	5/6/20	1
BNEWRES	1587 ZEPHYR PL	808 55 012	LENNAR	19030089	3/6/19	4/12/2019	6/1/20	1
BNEWRES	1583 ZEPHYR PL	808 55 009	LENNAR	19030074	3/6/19	4/12/2019	5/6/20	1
BNEWRES	1590 ZEPHYR PL	808 55 023	LENNAR	19030090	3/6/19	4/12/2019	4/8/20	1
BNEWRES	1579 ZEPHYR PL	808 55 008	LENNAR	19030072	3/6/19	4/12/2019	5/18/20	1
BNEWRES	1280 HERNANDEZ WY	808 57 020	TRIPOINTE HOMES, INC	19030204	3/12/19	4/11/2019	1/14/20	1
BNEWRES	1285 HERNANDEZ WY	808 57 005	TRIPOINTE HOMES, INC	19030181	3/12/19	4/11/2019	1/14/20	1
BNEWRES	6390 GODANI ST	808 57 059	TRIPOINTE HOMES, INC	19030156	3/12/19	4/22/2019	1/29/20	1

BNEWF	RES	6380 GODANI ST	808 57 060	TRIPOINTE HOMES, INC	19030158	3/12/19	4/22/2019	1/29/20	1
BNEWF	RES	1250 BOURET CT	808 57 113	TRIPOINTE HOMES, INC	19030171	3/12/19	4/22/2019	1/30/20	1
BNEWF	RES	7140 SPUMANTE CT	808 54 034	LENNAR	19030101	3/14/19	4/12/2019	3/4/20	1
BNEWF	RES	7150 SPUMANTE CT	808 54 033	LENNAR	19030100	3/14/19	4/18/2019	3/2/20	1
BNEWF	RES	7160 SPUMANTE CT	808 54 032	LENNAR	19030099	3/14/19	4/12/2019	4/8/20	1
BNEWF	RES	1607 ZEPHYR PL	808 55 015	LENNAR	19030216	3/21/19	5/2/2019	9/18/20	1
BNEWF	RES	1603 ZEPHYR PL	808 55 014	LENNAR	19030214	3/21/19	5/2/2019	9/18/20	1
BNEWF	RES	1599 ZEPHYR PL	808 55 013	LENNAR	19030213	3/21/19	5/2/2019	9/18/20	1
BNEWF	RES	7110 KIRIGIN WY	808 56 005	LENNAR	19030236	3/21/19	5/2/2019	12/3/20	1
BNEWF	RES	1619 ZEPHYR PL	808 55 016	LENNAR	19030217	3/21/19	5/2/2019	10/12/20	1
BNEWF	RES	1611 ZEPHYR PL	808 55 018	LENNAR	19030219	3/21/19	5/2/2019	10/22/20	1
BNEWF	RES	7100 KIRIGIN WY	808 56 006	LENNAR	19030237	3/21/19	5/2/2019	12/3/20	1
BNEWF	RES	7130 KIRIGIN WY	808 56 003	LENNAR	19030233	3/21/19	5/2/2019	11/5/20	1
BNEWF	RES	1295 HERNANDEZ WY	808 57 004	TRIPOINTE HOMES, INC	19040163	4/16/19	5/13/2019	1/29/20	1
BNEWF	RES	6435 JURISTAC WY	808 57 046	TUN AUNG K	19040164	4/16/19	5/13/2019	2/12/20	1
BNEWF	RES	6445 JURISTAC WY	808 57 047	TUN AUNG K	19040165	4/16/19	5/13/2019	1/31/20	1
BNEWF	RES	6455 JURISTAC WY	808 57 048	TUN AUNG K	19040166	4/16/19	5/13/2019	1/30/20	1
BNEWF	RES	1315 HERNANDEZ WY	808 57 002	TRIPOINTE HOMES, INC	19040161	4/16/19	5/13/2019	1/29/20	1
BNEWF	RES	250 GURRIES DR, STE A	790 35 023	MEDRANO CARMEN	19040140	4/25/19	4/25/2019	4/29/20	1
BNEWF	RES	250 GURRIES DR, STE B	790 35 023	MEDRANO CARMEN	19040141	4/25/19	4/25/2019	4/29/20	1
BNEWF	RES	6360 GODANI ST	808 57 062	TRIPOINTE HOMES, INC	19040168	4/26/19	5/31/2019	2/4/20	1
BNEWF	RES	6340 GODANI ST	808 57 064	TRIPOINTE HOMES, INC	19040170	4/26/19	5/31/2019	2/5/20	1
BNEWF	RES	6320 GODANI ST	808 57 066	TRIPOINTE HOMES, INC	19040172	4/26/19	5/31/2019	2/10/20	1
BNEWF	RES	1330 QUALTERI WY	808 57 044	TRIPOINTE HOMES, INC	19050187	5/15/19	9/30/2019	9/2/20	1
BNEWF	RES	1340 QUALTERI WY	808 57 045	TRIPOINTE HOMES, INC	19050188	5/15/19	9/30/2019	8/31/20	1
BNEWF	RES	1320 QUALTERI WY	808 57 043	TRIPOINTE HOMES, INC	19050186	5/15/19	9/30/2019	9/2/20	1

BNEWRES	1310 QUALTERI WY	808 57 042	TRIPOINTE HOMES, INC	19050185	5/15/19		9/30/2019	9/4/20	1
BNEWRES	1300 QUALTERI WY	808 57 041	TRIPOINTE HOMES, INC	19050184	5/15/19		9/30/2019	9/17/20	1
BNEWRES	1295 QUALTERI WY	808 57 024	TRIPOINTE HOMES, INC	19050182	5/15/19		9/30/2019	11/13/20	1
BNEWRES	1305 QUALTERI WY	808 57 023	TRIPOINTE HOMES, INC	19050181	5/15/19		9/30/2019	9/24/20	1
BNEWRES	1290 QUALTERI WY	808 57 040	TRIPOINTE HOMES, INC	19050183	5/15/19		9/30/2019	9/17/20	1
BNEWRES	7067 SPUMANTE WY	808 56 048	LENNAR	19060077	6/3/19		7/30/2020		1
BNEWRES	7030 SPUMANTE WY	808 56 063	LENNAR	19060082	6/3/19		10/29/2020		1
BNEWRES	7063 SPUMANTE WY	808 56 045	LENNAR	19060074	6/3/19		7/30/2020		1
BNEWRES	7050 SPUMANTE WY	808 56 061	LENNAR	19060080	6/3/19		10/29/2020		1
BNEWRES	7055 SPUMANTE WY	808 56 047	LENNAR	19060076	6/3/19		7/30/2020		1
BNEWRES	7071 SPUMANTE WY	808 56 049	LENNAR	19060078	6/3/19		7/30/2020		1
BNEWRES	7075 SPUMANTE WY	808 56 050	LENNAR	19060079	6/3/19		7/30/2020		1
BNEWRES	7040 SPUMANTE WY	808 56 062	LENNAR	19060081	6/3/19		10/29/2020		1
BNEWRES	7059 SPUMANTE WY	808 56 046	LENNAR	19060075	6/3/19		7/30/2020		1
BNEWRES	1205 MICHAEL BO LN	808 57 080	TRIPOINTE HOMES, INC	19060121	6/12/19		9/30/2019	8/7/20	1
BNEWRES	1215 MICHAEL BO LN	808 57 079	TRIPOINTE HOMES, INC	19060120	6/12/19		9/30/2019	8/13/20	1
BNEWRES	1235 MICHAEL BO LN	808 57 077	TRIPOINTE HOMES, INC	19060118	6/12/19		9/30/2019	8/20/20	1
BNEWRES	1245 MICHAEL BO LN	808 57 076	TRIPOINTE HOMES, INC	19060117	6/12/19		9/30/2019	8/21/20	1
BNEWRES	1255 MICHAEL BO LN	808 57 075	TRIPOINTE HOMES, INC	19060116	6/12/19		9/30/2019	8/21/20	1
BNEWRES	1285 MICHAEL BO LN	808 57 072	TRIPOINTE HOMES, INC	19090151	9/30/19	Need to show in	3/9/2020		1
BNEWRES	1215 QUALTERI WY	808 57 032	TRIPOINTE HOMES, INC	19090142	9/30/19	both places	3/9/2020	12/29/20	1
BNEWRES	1210 QUALTERI WY	808 57 033	TRIPOINTE HOMES, INC	19090143	9/30/19	Nood to about in	3/9/2020	1/20/21	1
BNEWRES	1265 MICHAEL BO LN	808 57 074	TRIPOINTE HOMES, INC	19090153	9/30/19	Need to show in both places Need to show in	3/9/2020	11/20/20	1
BNEWRES	1275 MICHAEL BO LN	808 57 073	TRIPOINTE HOMES, INC	19090152	9/30/19	both places	3/9/2020	11/20/20	1
BNEWRES	1240 QUALTERI WY	808 57 036	TRIPOINTE HOMES, INC	19090146	9/30/19		3/9/2020	2/1/21	1
BNEWRES	1235 QUALTERI WY	808 57 030	TRIPOINTE HOMES, INC	19090140	9/30/19		3/9/2020		1

BNEWRES	1220 QUALTERI WY	808 57 034	TRIPOINTE HOMES, INC	19090144	9/30/19	No esta abassia l	3/9/2020	1/26/21	1
BNEWRES	1325 MICHAEL BO LN	808 57 068	TRIPOINTE HOMES, INC	19090147	9/30/19	Need to show in both places	3/9/2020	12/13/20	1
BNEWRES	S 1225 QUALTERI WY	808 57 031	TRIPOINTE HOMES, INC	19090141	9/30/19		3/9/2020		1
BNEWRES	S 1245 QUALTERI WY	808 57 029	TRIPOINTE HOMES, INC	19090139	9/30/19		3/9/2020	1/12/21	1
BNEWRES	1295 MICHAEL BO LN	808 57 071	TRIPOINTE HOMES, INC	19090150	9/30/19	Need to show in both places	3/9/2020	12/7/20	1
BNEWRES	3 1305 MICHAEL BO LN	808 57 070	TRIPOINTE HOMES, INC	19090149	9/30/19	•	3/9/2020		1
BNEWRES	315 MICHAEL BO LN	808 57 069	TRIPOINTE HOMES, INC	19090148	9/30/19		3/9/2020	12/13/20	1
BNEWRES	S 1230 QUALTERI WY	808 57 035	TRIPOINTE HOMES, INC	19090145	9/30/19	'	3/9/2020	2/1/21	1
BNEWRES	7151 SPUMANTE CT	808 54 005	LENNAR	19100142	10/16/19		12/5/2019	8/26/20	1
BNEWRES	S 7141 SPUMANTE CT	808 54 004	LENNAR	19100143	10/16/19		12/5/2019	8/26/20	1
BNEWRES	S 1235 MIRASSOU LN	808 57 106	TRIPOINTE HOMES, INC	20030056	3/3/20	Need to show in both places	6/29/2020		1
BNEWRES		808 57 028	TRIPOINTE HOMES, INC	20030061	3/3/20	Need to show in both places	6/23/2020		1
BNEWRES		808 57 037	TRIPOINTE HOMES, INC	20030062	3/3/20	Need to show in both places	6/23/2020	2/11/21	1
BNEWRES		808 57 027	TRIPOINTE HOMES, INC	20030060	3/3/20	Need to show in both places	6/23/2020	2/11/21	1
			·			Need to show in			
BNEWRES		808 57 025	TRIPOINTE HOMES, INC	20030058	3/3/20	both places Need to show in	6/23/2020		1
BNEWRES	S 1225 MIRASSOU LN	808 57 107	TRIPOINTE HOMES, INC	20030057	3/3/20	both places Need to show in	6/29/2020		1
BNEWRES	1270 QUALTERI WY	808 57 039	TRIPOINTE HOMES, INC	20030064	3/3/20	both places Need to show in	6/23/2020		1
BNEWRES	1260 QUALTERI WY	808 57 038	TRIPOINTE HOMES, INC	20030063	3/3/20	both places	6/23/2020	2/11/21	1
BNEWRES	3 1275 QUALTERI WY	808 57 026	TRIPOINTE HOMES, INC	20030059	3/3/20	ALL THREE places	6/23/2020	12/2/20	1
BNEWRES	S 1250 MIRASSOU LN	808 57 085	TRIPOINTE HOMES, INC	20030054	3/3/20	Need to show in both places	6/29/2020		1
BNEWRES	S 1240 MIRASSOU LN	808 57 084	TRIPOINTE HOMES, INC	20030053	3/3/20	Need to show in both places	6/29/2020		1
BNEWRES		808 57 083	TRIPOINTE HOMES, INC	20030052	3/3/20	Need to show in both places	6/29/2020		1
			·			Need to show in			
BNEWRES	5 1220 MIRASSOU LN	808 57 082	TRIPOINTE HOMES, INC	20030051	3/3/20	both places Need to show in	6/29/2020		1
BNEWRES	1210 MIRASSOU LN	808 57 081	TRIPOINTE HOMES, INC	20030050	3/3/20	both places Need to show in	6/29/2020		1
BNEWRES	1245 MIRASSOU LN	808 57 105	TRIPOINTE HOMES, INC	20030055	3/3/20	both places	6/29/2020		1
BNEWRES	3 1600 ZEPHYR PL	808 55 022	LENNAR	20050010	5/4/20	Need to show in both places	6/18/2020		1

BNEWRES	7560 MILLER AVE	799 24 024	BERRY 1991 FAMILY	TRUS 20050014	5/6/20	Need to show in both places	8/28/2020		1
BNEWRES	6585 EAGLE RIDGE CT	810 72 026	NGUYEN DEBI	20050106	5/21/20				1
BNEWRES	7087 SPUMANTE WY	808 56 051	LENNAR	20070103	6/15/20	Need to show in both places	7/30/2020		1
BNEWRES	7095 SPUMANTE WY	808 56 055	LENNAR	20070107	6/15/20	Need to show in both places	7/30/2020		1
BNEWRES	7091 SPUMANTE WY	808 56 054	LENNAR	20070106	6/15/20	Need to show in both places	7/30/2020		1
BNEWRES	7099 SPUMANTE WY	808 56 056	LENNAR	20070108	6/15/20	Need to show in both places	7/30/2020		1
BNEWRES	7079 SPUMANTE WY	808 56 053	LENNAR	20070105	6/15/20	Need to show in both places Need to show in	7/30/2020		1
BNEWRES	7083 SPUMANTE WY	808 56 052	LENNAR	20070104	6/15/20	both places	7/30/2020		1
BNEWRES	9025 MIMOSA CT	783 72 027	KOLLAREDDY USHA	PANI/ 20070110	7/27/20				1
BNEWRES	1240 HERNANDEZ WY	808 57 016	TRIPOINTE HOMES,		7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1250 HERNANDEZ WY	808 57 017	TRIPOINTE HOMES,		7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1255 MIRASSOU LN	808 57 104	TRIPOINTE HOMES,		7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1210 HERNANDEZ WY	808 57 013	TRIPOINTE HOMES,		7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1260 HERNANDEZ WY	808 57 018	TRIPOINTE HOMES,	INC 20070182	7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1220 HERNANDEZ WY	808 57 014	TRIPOINTE HOMES,	INC 20070178	7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1235 HERNANDEZ WY	808 57 010	TRIPOINTE HOMES,	INC 20070176	7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1245 HERNANDEZ WY	808 57 009	TRIPOINTE HOMES,	INC 20070175	7/31/20	Need to show in both places	9/18/2020		1
BNEWRES	1275 MIRASSOU LN	808 57 102	TRIPOINTE HOMES,	INC 20070172	7/31/20	Need to show in both places Need to show in	9/18/2020		1
BNEWRES	1290 MIRASSOU LN	808 57 089	TRIPOINTE HOMES,	INC 20070171	7/31/20	both places Need to show in	9/18/2020		1
BNEWRES	1280 MIRASSOU LN	808 57 088	TRIPOINTE HOMES,	INC 20070170	7/31/20	both places Need to show in	9/18/2020		1
BNEWRES	1265 MIRASSOU LN	808 57 103	TRIPOINTE HOMES,	INC 20070173	7/31/20	both places Need to show in	9/18/2020		1
BNEWRES	1270 MIRASSOU LN	808 57 087	TRIPOINTE HOMES,	INC 20070169	7/31/20	both places Need to show in	9/18/2020	2/11/21	1
BNEWRES	1260 MIRASSOU LN	808 57 086	TRIPOINTE HOMES,	INC 20070168	7/31/20	both places Need to show in	9/18/2020		1
BNEWRES	1230 HERNANDEZ WY	808 57 015	TRIPOINTE HOMES,	INC 20070179	7/31/20	both places	9/18/2020		1
BNEWRES	311 LEWIS ST	841 03 070	RODRIGUEZ QUIRIN	O V &\20080147	9/10/20				1

BNEWRES	1870 CAROB CT	783 72 012	OMER M. SYEDA	20090014	9/10/20		1/11/2021	1		1	
BNEWRES	7060 SPUMANTE WY	808 56 060	LENNAR	20100074	10/15/20	Need to show in both places	11/6/2020			1	
BNEWRES	8772 FOXGLOVE CT	783 52 019	SAULAN KIMCHAU	20100148	10/30/20			1		1	
BNEWRES	1300 MIRASSOU LN	808 57 090	TRIPOINTE HOMES, INC	20110016	11/3/20	Need to show in both places	12/18/2020			1	
BNEWRES	1310 MIRASSOU LN	808 57 091	TRIPOINTE HOMES, INC	20110017	11/3/20	Need to show in both places	12/18/2020			1	
BNEWRES	1320 MIRASSOU LN	808 57 092	TRIPOINTE HOMES, INC	20110018	11/3/20	Need to show in both places	12/18/2020			1	
BNEWRES	1335 MIRASSOU LN	808 57 094	TRIPOINTE HOMES, INC	20110020	11/3/20	Need to show in both places	12/18/2020			1	
BNEWRES	1325 MIRASSOU LN	808 57 095	TRIPOINTE HOMES, INC	20110021	11/3/20	Need to show in both places	12/18/2020			1	
BNEWRES	1305 MIRASSOU LN	808 57 097	TRIPOINTE HOMES, INC	20110023	11/3/20	Need to show in both places Need to show in	12/18/2020			1	
BNEWRES	1315 MIRASSOU LN	808 57 096	TRIPOINTE HOMES, INC	20110022	11/3/20	both places Need to show in	12/18/2020			1	
BNEWRES	1330 MIRASSOU LN	808 57 093	TRIPOINTE HOMES, INC	20110019	11/3/20	both places	12/18/2020			1	
BNEWRES	6360 CARSEY WY	808 51 101	TRIPOINTE HOMES, INC	20110067	11/12/20		2/2/2021			1	
BNEWRES	6370 CARSEY WY	808 57 100	TRIPOINTE HOMES, INC	20110066	11/12/20		2/2/2021			1	
BNEWRES	6380 CARSEY WY	808 57 099	TRIPOINTE HOMES, INC	20110065	11/12/20		2/2/2021			1	
BNEWRES	6430 GODANI ST	808 57 055	TRIPOINTE HOMES, INC	20110061	11/12/20		2/2/2021			1	
BNEWRES	6450 GODANI ST	808 57 053	TRIPOINTE HOMES, INC	20110059	11/12/20		2/2/2021			1	
BNEWRES	6440 GODANI ST	808 57 054	TRIPOINTE HOMES, INC	20110060	11/12/20		2/2/2021			1	
BNEWRES	6420 GODANI ST	808 57 056	TRIPOINTE HOMES, INC	20110062	11/12/20		2/2/2021			1	
BNEWRES	6410 GODANI ST	808 57 057	TRIPOINTE HOMES, INC	20110063	11/12/20		2/2/2021			1	
BNEWRES	6390 CARSEY WY	808 57 098	TRIPOINTE HOMES, INC	20110064	11/12/20		2/2/2021			1	
					Text46:	195		Text45:	124	_units2:	195
BNEWRES-AF	971 1ST ST	790 21 041	FRISONE FAMILY PARTN	E 20100126	10/27/20 Text46:	1		Text45:	0	20 _units2:	20
BRES2UNIT	441 LEWIS ST	841 03 066	DOMINIC J & AUDREY L [	DE 18070064	7/16/18	_	11/2/2018	1/24/20	-	1	
BRES2UNIT	240 RONAN AVE	790 53 028	ABILA ABEL	18080041	8/9/18		1/15/2019	7/17/20		1	
BRES2UNIT	1420 BRIARBERRY LN ST		ARTIGA CESAR A	19030173	3/22/19		1/28/2020			1	
BRES2UNIT	461 W 10 ST	799 13 047	ESCALERA, SAMUEL	19070009	7/3/19		10/18/2019	8/3/20		1	
			<u> </u>		-						

BRES2UNIT	452 MADISON CT	835 03 064	PINEDA, ENRIQUE L.	20010100	1/29/20	Need to show in both places	10/28/2020			1	
BRES2UNIT	90 BENNETT ST	790 47 093	DIMAS LEON-RAZO	20020037	2/7/20						
BRES2UNIT	8410 TARYN LN	783 29 024	FORTIN	20070094	7/22/20	Need to show in both places	11/18/2020			1	
BRES2UNIT	787 LA ALONDRA WY	790 25 029	ENIT V REBATTA	20080030	8/10/20	Need to show in both places	12/2/2020			1	
BRES2UNIT	311 LEWIS ST	841 03 070	RODRIGUEZ QUIRINO V 8	&\ 20080148	9/10/20					1	
BRES2UNIT	7530 FILICE DR	808 30 024	ALEJO MARTHA	20100036	10/9/20					1	
BRES2UNIT	7530 FILICE DR	808 30 024	ALEJO MARTHA	20100037	10/9/20					1	
BRES2UNIT	7307 CHESTNUT ST	841 09 011	ALBANESE GIOVANNI JR	/A 20100034	10/9/20					1	
BRES2UNIT	7284 CHURCH ST	799 09 049	SINGH, SATWANT	20110089	11/16/20		2/1/2021			1	
BRES2UNIT	7420 HANNA ST	799 18 056	KWONG, SHUN H.	20110138	11/30/20						
BRES2UNIT	8407 WAYLAND LN	790 25 015	ROSEMARY ESPARZA	20120017	12/10/20					1	
					Text46:	15		Text45:	3	_units2:	13
BRESADU	8058 SWANSTON LN	841 64 089	BENTSON MEL	17090213	9/29/17		12/17/2020				
BRESADU	171 TRIMBLE CT	790 07 025	GARCIA, JOHN AND PATE	RI 18020122	2/27/18		4/23/2018	8/20/20		1	
BRESADU	620 LA SIERRA WY STE B	790 31 044	PEMBERTON, SHEENA R	. 18080110	8/24/18		2/11/2019	7/28/20		1	
BRESADU	7851 EIGLEBERRY ST, ST	E 799 01 058	ADOLFO RODRIGUEZ	19040112	4/19/19		11/20/2020			0	
BRESADU	894 FESTA AGLIO DR	790 52 089	HIPOLITO & VERONICA C	L 19050119	5/16/19		7/26/2019	6/9/20		1	
BRESADU	1853 THYME CT STE B	810 84 080	SOHAIL AKHTER	19090011	9/5/19		11/26/2019	9/9/20		0	
BRESADU	7341 MAPLE ST STE B	841 09 030	GOMEZ, LEONCIO & MAG	GA 19090103	9/25/19		1/28/2020			1	
BRESADU	7850 MILLER AVE	799 21 032	MILLER STEPHEN C/BER	N 19120055	12/11/19		12/15/2020			1	
BRESADU	9750 BUNTING CT	783 61 045	ZERTUCHE RALPH & LISA	A 20010099	1/29/20		8/5/2020			1	
BRESADU	7285 FOWLER ST STE B	808 35 026	TAFF DANIEL	20020025	2/6/20		6/3/2020			1	
BRESADU	7725 WREN AVE STE B	808 27 023	TATLA HARDEEP S/RAVII	NI 20020112	2/24/20		11/20/2020			1	
BRESADU	7831 SANTA THERESA DR	8 808 13 030	CHILDRESS JUANITA C	20030033	3/9/20		3/9/2020			1	
BRESADU	8410 WAYLAND LN	790 30 004	GILBERT P & REBECCA C	120060019	6/4/20		1/13/2021			1	
BRESADU	7515 ROGERS LN	841 53 003	PALOMO, ARMANDO	20070070	7/20/20					1	

1/1/2020 - 12/31/2020

BRESADU	7289 DOWDY ST, STE #B	799 16 027	BILL SCOZZOLA	20070084	7/21/20		11/2/2020			1	
BRESADU	311 LEWIS ST	841 03 070	RODRIGUEZ QUIRINO	V &\20080159	9/10/20					11	
BRESADU	7280 CHURCH ST	799 09 049	SINGH, SATWANT	20110082	11/16/20		1/29/2021			1	
BRESADU	7284 CHURCH ST	799 09 049	SINGH, SATWANT	20110087	11/16/20		2/1/2021			1	
					Text46:	18		Text45:	4	_units2:	25
					Text48:	251	232	Text79:	139	r_units:	609

permit_issue	permit_no	Address	status	apply_date		permit_typ	Contractor	appl_valu	calc_valu
	21030093	6675 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	811,800.00	0
	21030086	6615 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	791,200.00	0
4/7/2021	21030079	400 GARFIELD CT	0	3/22/2021		ВРНОТО	FREEDOM FOREVER LLC	25,877.00	0
	21030087	6625 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	800,600.00	0
	21030088	6635 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	791,200.00	0
	21030089	6645 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	800,600.00	0
	21030090	6651 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	791,200.00	0
	21030092	6671 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	816,000.00	0
3/23/2021	21030085	996 HOWARD AVE	0	3/22/2021		BWTRHTR(	ERNIE'S PLUMBING & REPAIR SERV	1,900.00	0
	21030091	6655 EAGLE RIDGE CT	0	3/22/2021		BNEWRES	DO BUILDER & DESIGN INC.	800,600.00	0
4/7/2021	21030075	142 LUSITANO WY	0	3/22/2021		ВРНОТО	SUNRUN INSTALLATION SERVICES I	21,916.00	0
3/23/2021	21030084	8561 AMANDA AVE	С	3/22/2021	3/25/2021	BWTRHTR(	ERNIE'S PLUMBING & REPAIR SERV	2,200.00	0

#### Permit Description

TRACT 9563 - LOT 36, PLAN 1, NEW 4059 SQ.FT. TWO STORY SFR, 4 BEDROOMS, 4.5 BATH, WITH 913 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

TRACT 9563 - LOT 29, PLAN 3, NEW 3956 SQ.FT. TWO STORY SFR, 4 BDRM, 5 BATH, WITH 928 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

INSTALL NEW PV SYSTEM, 21 MODULES, COMP ROOF, MICRO INVERTERS AT 6.615 KW, EXISTING 125 AMP MAIN SERVICE PANEL & ADDING 100AMP SUB-PANEL.

TRACT 9563 - LOT 30, PLAN 4, NEW 4003 SQ.FT. TWO STORY SFR, 5 BDRM, 5.5 BATH, WITH 881 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

TRACT 9563 - LOT 31, PLAN 3, NEW 3956 SQ.FT. TWO STORY SFR, 4 BDRM, 5 BATH, WITH 928 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

TRACT 9563 - LOT 32, PLAN 4, NEW 4003 SQ.FT. TWO STORY SFR, 5 BDRM, 5.5 BATH, WITH 881 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

TRACT 9563 - LOT 33, PLAN 3, NEW 3956 SQ.FT. TWO STORY SFR, 4 BDRM, 5 BATH, WITH 928 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

TRACT 9563 - LOT 35, PLAN 2R, NEW 4018 SQ.FT. TWO STORY SFR, 4 BEDROOMS, 4.5 BATHS, WITH 727 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

REPLACE 40 GAL WATER HEATER, LIKE FOR LIKE.

TRACT 9563 - LOT 34, PLAN 4, NEW 4003 SQ.FT. TWO STORY SFR, 5 BDRM, 5.5 BATH, WITH 881 SQ.FT., BASEMENT LEVEL, 3 CAR GARAGE. SITE INCLUDES RETAINING WALLS.

INSTALL NEW PV SYSTEM, 24 MODULES, TILE ROOF, MICRO INVERTER AT 8.64 KW, INSTALL (1)LG ESS 9.8KWH, EXISTING 200 AMP MAIN SERVICE PANEL.

REPLACE 40 GAL WATER HEATER, LIKE FOR LIKE.

				1/1/2021 -	0/11/2021				
permit_issue	permit_no	Address	status	apply_date	c_o_issue	permit_typ	Contractor	appl_valu	calc_valu
5/20/2021	21050003	1485 WINZER PL	0	5/3/2021		BNEWRES	KB HOME SOUTH BAY, INC.	220,696.00	337679
5/20/2021	21050010	6377 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	243,240.00	309622
		_							
5/20/2021	21050009	6373 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	218,160.00	278591
5/20/2021	21050008	6369 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	218,160.00	278591
5/20/2021	21050007	6365 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	243,240.00	309622
5/20/2021	21050006	6361 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	141,360.00	295931
5/20/2021	21050004	1470 HURKA WY	0	5/3/2021		BNEWRES	KB HOME SOUTH BAY, INC.	216,482.00	331235
5/20/2021	21050002	1495 WINZER PL	0	5/3/2021		BNEWRES	KB HOME SOUTH BAY, INC.	181,888.00	282360
·									·
5/5/2021	21050001	864 PUEBLO ST	0	5/3/2021		BWTRHTR(	BENJAMIN FRANKLIN PLUMBING	3,400.00	0
5/20/2021	21050011	6381 PAYSAR LN	0	5/3/2021		BNEWCON	KB HOME SOUTH BAY, INC.	183,360.00	237446
5/20/2021	21050005	1480 HURKA WY	0	5/3/2021		BNEWRES	KB HOME SOUTH BAY, INC.	187,670.00	289971

#### Permit Description

MALVASIA, TRACT 10520: NEW 2,252 SQ.FT. SFR WITH 423 SQ.FT. GARAGE, 61 SQ.FT. PORCHES, 1 STORY, 5 BEDROOMS, 3 BATHROOMS.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 505, PLAN 4ALT: NEW 2,027 SQ.FT, 3 STORY CONDO WITH 496 SQ.FT. GARAGE, 108 SQ.FT. PORCH, 94 SQ.FT DECK, 3 BEDROOMS, 2 FULL & 2 HALF BATHROOMS.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 504, PLAN 3ALT: NEW 1,818 SQ.FT, 3 STORY CONDO WITH 463 SQ.FT. GARAGE, 120 SQ.FT. PORCH, 108 SQ.FT DECK, 3 BEDROOMS, 2.5 HALF BATHROOMS.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 503, PLAN 3R: NEW 1,818 SQ.FT, 3 STORY CONDO WITH 463 SQ.FT. GARAGE, 120 SQ.FT. PORCH, 108 SQ.FT DECK, 3 BEDROOMS, 2.5 BATHROOMS.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 502, PLAN 4R: NEW 2,027 SQ.FT, 3 STORY CONDO WITH 496 SQ.FT. GARAGE, 108 SQ.FT. PORCH, 94 SQ.FT DECK, 2 BEDROOMS, 2 FULL & 2 HALF BATHROOMS.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 501, PLAN 1: NEW 1,178 SQ.FT, 1 STORY CONDO WITH 262 SQ.FT. GARAGE, 215 SQ.FT. PORCH, 2 BEDROOMS, 2 BATHROOMS.

NEBIOLLO, TRACT 10520: NEW 2,209 SQ.FT. SFR WITH 415 SQ.FT. GARAGE, 125 SQ.FT. PORCH, 1 STORY, 4 BEDROOMS, 3 BATHROOMS.

MALVASIA, TRACT 10520: NEW 1,856 SQ.FT. SFR WITH 431 SQ.FT. GARAGE, 157 SQ.FT. PORCH, 1 STORY, 4 BEDROOMS, 2.5 BATHROOMS.

REPLACE 50 GALLON WATER HEATER, LIKE FOR LIKE, SAME LOCATION.

TOWN CENTER, BLDG 5 (FARMHOUSE), UNIT 506, PLAN 2ALT-R: NEW 1,528 SQ.FT, 2 STORY CONDO WITH 456 SQ.FT. GARAGE, 215 SQ.FT. PORCH, 3 BEDROOMS, 2 BATHROOMS.

NEBIOLLO, TRACT 10520: NEW 1,915 SQ.FT. SFR WITH 417 SQ.FT. GARAGE, 90 SQ.FT. PORCH, 1 STORY, 4 BEDROOMS, 2 BATHROOMS.

				1/1/2021 - 6					
permit_issue	-	Address	status	apply_date	c_o_issue	permit_typ		appl_valu	calc_valu
	21060071	7780 MONTEREY ST	0	6/10/2021		SPECEVENT	NA	0.00	0
6/10/2021	21060070	7901 PRINCEVALLE ST	0	6/10/2021		BALTRES	RENEWAL BY ANDERSEN OF SAN F	4,185.00	0
	21060060	6682 ADARE CT	0	6/10/2021		BMASTER	NA	435,000.00	465125
	2400000	0306 BANGUO HILLE BB		6/40/2024		DEOLD	A4 HEATING AND COOLING INC	4.4.000.00	0
	21060068	9296 RANCHO HILLS DR	0	6/10/2021		BEQIP	A1 HEATING AND COOLING, INC	14,000.00	0
	21060059	6685 ADARE CT	О	6/10/2021		BMASTER	NA	435,000.00	368320
		T				1[			
	21060061	6685 ADARE CT	0	6/10/2021		BNEWRES	NA	435,000.00	368320
	21060062	6681 ADARE CT	0	6/10/2021		BNEWRES	NA	435,000.00	368320
								,	
	21060063	6677 ADARE CT	О	6/10/2021		BNEWRES	NA	435,000.00	368320
	24000004	CC72 ADADE CT		6/10/2021		DAIFIA/DEC	NIA .	435 000 00	260220
	21060064	6673 ADARE CT	0	6/10/2021		BNEWRES	NA	435,000.00	368320
	21060065	6682 ADARE CT	0	6/10/2021		BNEWRES	NA	435,000.00	465125
	21060066	6678 ADARE CT	0	6/10/2021		BNEWRES	NA	435,000.00	465125
	21060067	6682 ADARE CT		6/10/2021		DCDADE	NΙΔ	0.00	0
	21000007	0002 ADARE CI	0	6/10/2021		BGRADE	NA	0.00	U
	21060076	7771 CHURCH ST	О	6/10/2021		ВРНОТО	NRG CLEAN POWER, INC.	8,205.00	0
	21060005	700 DADDS CREEK DR		6/11/2021		DALTRE	ANACDICANI VICIONI VAINDOVAIC INIC	4 000 00	
	21060085	790 BABBS CREEK DR	О	6/11/2021		BALTRES	AMERICAN VISION WINDOWS INC	4,000.00	0

#### Permit Description

SPECIAL EVENT DOWNTOWN CRAFT & VENDOR FAIR ON THE LAWN AT GILROY CENTER FOR THE ARTS FROM 10 AM TO 3 PM.

APPLICANT NANCY MACIEL WITH THE DOWNTOWN BUSINESS ASSOCIATION, CONTACT: 408-842-0005 REC'D EVENT MAP & APPLICATION NEED INSURANCE, ENDORSEMENT, HEALTH PERMITS AND NOTIFICATION SHEET

REMOVE AND REPLACE 1 RETROFIT WINDOW; LIKE FOR LIKE. LIC #972702

TRACT 10401, MASTER PLAN - NEW 2,954 SQ.FT. TWO STORY SFR, 581 SQ.FT. GARAGE, 324 SQ.FT. PORCH, 4 BDRM, 2.5 BATH.

REPLACE EXISTING FURNACE (80% AFUE) (110,000 BTUS) SAME LOCATION; REPLACE EXISTING AC (16 SEER)5 TON; SAME LOCATION, LIKE FOR LIKE. LIC #966809

TRACT 10401, MASTER PLAN - NEW 2,419 SQ.FT. ONE STORY SFR, 535 SQ.FT. GARAGE, 33 SQ.FT. PORCH, 4 BDRM, 3.5 BATH.

TRACT 10401, LOT #3 - NEW 2,419 SQ.FT. ONE STORY SFR, 535 SQ.FT. GARAGE, 33 SQ.FT. PORCH, 4 BDRM, 3.5 BATH.

TRACT 10401, LOT #4 - NEW 2,419 SQ.FT. ONE STORY SFR, 535 SQ.FT. GARAGE, 33 SQ.FT. PORCH, 4 BDRM, 3.5 BATH.

TRACT 10401, LOT #5 - NEW 2,419 SQ.FT. ONE STORY SFR, 535 SQ.FT. GARAGE, 33 SQ.FT. PORCH, 4 BDRM, 3.5 BATH.

TRACT 10401, LOT #6 - NEW 2,419 SQ.FT. ONE STORY SFR, 535 SQ.FT. GARAGE, 33 SQ.FT. PORCH, 4 BDRM, 3.5 BATH.

TRACT 10401, LOT #1 - NEW 2,954 SQ.FT. TWO STORY SFR, 681 SQ.FT. GARAGE, 324 SQ.FT. PORCH, 4 BDRM, 2.5 BATH.

TRACT 10401, LOT #2 - FOR NEW 2,954 SQ.FT. TWO STORY SFR, 681 SQ.FT. GARAGE, 324 SQ.FT. PORCH, 4 BDRM, 2.5 BATH.

TRACT 10401 - GRADING HOLD FOR 6 SFR DEVELOPMENT NEED APPLICATION

INSTALL PV SYSTEM (13) MODULES; ON COMP SHINGLE ROOF; 4.745KW; FLUSHED MOUNTED CENTRAL INVERTER; EXISTING 100AMP MAIN ELECTRICAL PANEL. LIC #1026181

GARDEN WINDOW, LIKE FOR LIKE.

**Building Permits Report** 6-12-21 - 11/18/2021

# Permits Submitted: 240

Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BNEWMFR	305 GURRIES DR	790 35 053	TRINCHERO GERAD AN	21090038	9/9/21			2
BNEWMFR	305 GURRIES DR	790 35 053	TRINCHERO GERAD AN	21090039	9/9/21			2
BNEWMFR	7888 MONTEREY ST	841 02 009	CORIA EFRAIN/ CLAUDI	21090102	9/22/21			12
Count	3 Number of This Po	ermit Type			3	0	0	16
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100128	10/27/20	4/21/21		0
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100129	10/27/20	4/21/21		0
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100126	10/27/20	4/21/21		0
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100124	10/27/20	4/21/21		0
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100125	10/27/20	4/21/21		0
BNEWMFR-AF	975 1ST ST, APT #100	790 21 041	1ST & KERN AFFORDAB	20100127	10/27/20	4/21/21		0
BNEWMFR-AF	1520 HECKER PASS HWY	810 66 012	VILLAGE GREEN CUST	21060020	6/2/21			20
BNEWMFR-AF	1520 HECKER PASS HWY	810 66 012	VILLAGE GREEN CUST	21060017	6/2/21			20
BNEWMFR-AF	1520 HECKER PASS HWY	810 66 012	VILLAGE GREEN CUST	21060021	6/2/21			20
BNEWMFR-AF	1520 HECKER PASS HWY	810 66 012	VILLAGE GREEN CUST	21060019	6/2/21			20
BNEWMFR-AF	1520 HECKER PASS HWY	810 66 012	VILLAGE GREEN CUST	21060018	6/2/21			20
Count	11 Number of This Po	ermit Type			11	0	0	100
BNEWRES	1980 LAVENDER WY	783 52 038	RENELLA, MARCO	16120001	12/1/16	2/15/17	1/13/21	1
BNEWRES	1830 CAROB CT	783 72 016	ARAKELIAN, ELIZA	16120132	12/22/16	7/19/17	7/13/21	1
BNEWRES	2241 COLUMBINE CT	783 72 060	KENNEDY JOHN	17040120	4/19/17	11/13/17	8/23/21	1
BNEWRES	2185 HOLLYHOCK LN	783 70 009	TOGNETTI, GARY	17100038	10/6/17	1/31/18	2/17/21	1
BNEWRES	9010 TEA TREE WY	783 72 028	SHAH, DUSHYANT JIVA	18010044	1/11/18	6/7/18	5/18/21	1
BNEWRES	8735 WILD IRIS DR	783 52 033	KAUR M FAMILY TRUST	18030015	3/2/18	10/11/18	7/16/21	1
BNEWRES	7558 CHESTNUT ST	841 07 038	LY, PHU	18030032	3/7/18	9/27/18	1/12/21	1
BNEWRES	9050 TEA TREE WY	783 72 024	PAWLICKI, AGNIESZKA	18030063	3/12/18	4/30/18	3/12/21	1
BNEWRES	2140 HOLLYHOCK LN	783 70 015	LEMIEUX, NORMAN & S	18040102	4/18/18	1/11/19	1/25/21	1
BNEWRES	6470 GODANI ST	808 57 051	TRIPOINTE HOMES, INC	18110157	11/28/18	12/17/18	4/4/21	1
BNEWRES	6460 GODANI ST	808 57 052	TRIPOINTE HOMES, INC	18110158	11/28/18	12/17/18	3/25/21	1
BNEWRES	7090 SPUMANTE WY	808 56 057	KB HOME SOUTH BAY, I	18120080	12/3/18	1/10/19	4/22/21	1
BNEWRES	7080 SPUMANTE WY	808 56 058	KB HOME SOUTH BAY, I	18120081	12/3/18	1/10/19	4/22/21	1
BNEWRES	7070 SPUMANTE WY	808 56 059	KB HOME SOUTH BAY, I	18120082	12/3/18	1/10/19	9/14/21	1
BNEWRES	7091 KIRIGIN WY	808 56 084	KB HOME SOUTH BAY, I	19030246	3/21/19	5/2/19	1/26/21	1
BNEWRES	7080 KIRIGIN WY	808 56 008	KB HOME SOUTH BAY, I	19030244	3/21/19	5/2/19	1/19/21	1
BNEWRES	7090 KIRIGIN WY	808 56 007	KB HOME SOUTH BAY, I	19030238	3/21/19	5/2/19	1/19/21	1
BNEWRES	7081 KIRIGIN WY	808 56 083	KB HOME SOUTH BAY, I	19030245	3/21/19	5/2/19	1/26/21	1
BNEWRES	7031 KIRIGIN WY	808 56 078	KB HOME SOUTH BAY, I	19050108	5/2/19	6/3/19	3/11/21	1
BNEWRES	7051 KIRIGIN WY	808 56 080	KB HOME SOUTH BAY, I	19050110	5/2/19	6/3/19	3/1/21	1
BNEWRES	7040 KIRIGIN WY	808 56 012	KB HOME SOUTH BAY, I	19050107	5/2/19	6/3/19	3/4/21	1
E N	ham 10, 2021				D <sub>c</sub>	as 1 of 7		

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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BNEWRES	7041 KIRIGIN WY	808 56 079	KB HOME SOUTH BAY,	I 19050109	5/2/19	6/3/19	3/11/21	1
BNEWRES	7071 SPUMANTE WY	808 56 049	KB HOME SOUTH BAY,	I 19060078	6/3/19	7/30/20	5/17/21	1
BNEWRES	7055 SPUMANTE WY	808 56 047	KB HOME SOUTH BAY,	I 19060076	6/3/19	7/30/20	4/29/21	1
BNEWRES	7059 SPUMANTE WY	808 56 046	KB HOME SOUTH BAY,	I 19060075	6/3/19	7/30/20	4/26/21	1
BNEWRES	7063 SPUMANTE WY	808 56 045	KB HOME SOUTH BAY,	I 19060074	6/3/19	7/30/20	4/25/21	1
BNEWRES	7067 SPUMANTE WY	808 56 048	KB HOME SOUTH BAY,	I 19060077	6/3/19	7/30/20	5/17/21	1
BNEWRES	8762 FOXGLOVE CT	783 52 018	<b>CORIA EFRAIN</b>	19080092	8/14/19	6/29/21		2
BNEWRES	8950 MIMOSA CT	783 72 035	PHAM LAN	19090102	9/25/19	9/30/21		1
BNEWRES	1975 SAFFRON CT	783 52 050	SCOTT & VICKY BRUNS	3 19090111	9/25/19	5/26/21		1
BNEWRES	1210 QUALTERI WY	808 57 033	TRIPOINTE HOMES, INC	C 19090143	9/30/19	3/9/20	1/20/21	1
BNEWRES	1230 QUALTERI WY	808 57 035	TRIPOINTE HOMES, INC	C 19090145	9/30/19	3/9/20	2/1/21	1
BNEWRES	1220 QUALTERI WY	808 57 034	TRIPOINTE HOMES, INC	19090144	9/30/19	3/9/20	1/26/21	1
BNEWRES	1245 QUALTERI WY	808 57 029	TRIPOINTE HOMES, INC	C 19090139	9/30/19	3/9/20	1/12/21	1
BNEWRES	1240 QUALTERI WY	808 57 036	TRIPOINTE HOMES, INC	19090146	9/30/19	3/9/20	2/1/21	1
BNEWRES	9005 MIMOSA CT	783 72 038	DARRYL SMITH	19120102	12/20/19	6/25/21		1
BNEWRES	1260 QUALTERI WY	808 57 038	TRIPOINTE HOMES, INC	20030063	3/3/20	6/23/20	2/11/21	1
BNEWRES	1230 MIRASSOU LN	808 57 083	TRIPOINTE HOMES, INC		3/3/20	6/29/20	3/11/21	1
BNEWRES	1275 QUALTERI WY	808 57 026	TRIPOINTE HOMES, INC	20030059	3/3/20	6/23/20	2/25/21	1
BNEWRES	1255 QUALTERI WY	808 57 028	TRIPOINTE HOMES, INC	20030061	3/3/20	6/23/20	2/25/21	1
BNEWRES	1225 MIRASSOU LN	808 57 107	TRIPOINTE HOMES, INC	20030057	3/3/20	6/29/20	3/30/21	1
BNEWRES	1250 QUALTERI WY	808 57 037	TRIPOINTE HOMES, INC	20030062	3/3/20	6/23/20	2/11/21	1
BNEWRES	1220 MIRASSOU LN	808 57 082	TRIPOINTE HOMES, INC	20030051	3/3/20	6/29/20	3/5/21	1
BNEWRES	1250 MIRASSOU LN	808 57 085	TRIPOINTE HOMES, INC		3/3/20	6/29/20	3/22/21	1
BNEWRES	1210 MIRASSOU LN	808 57 081	TRIPOINTE HOMES, INC	20030050	3/3/20	6/29/20	3/5/21	1
BNEWRES	1265 QUALTERI WY	808 57 027	TRIPOINTE HOMES, INC	20030060	3/3/20	6/23/20	2/25/21	1
BNEWRES	1245 MIRASSOU LN	808 57 105	TRIPOINTE HOMES, INC	20030055	3/3/20	6/29/20	4/8/21	1
BNEWRES	7560 MILLER AVE	799 24 024	BERRY 1991 FAMILY TF	R 20050014	5/6/20	8/28/20	5/17/21	1
BNEWRES	6585 EAGLE RIDGE CT	810 72 026	NGUYEN DEBI	20050106	5/21/20	5/14/21		1
BNEWRES	7087 SPUMANTE WY	808 56 051	KB HOME SOUTH BAY,	I 20070103	6/15/20	7/30/20	6/23/21	1
BNEWRES	7095 SPUMANTE WY	808 56 055	KB HOME SOUTH BAY,	I 20070107	6/15/20	7/30/20	6/29/21	1
BNEWRES	7099 SPUMANTE WY	808 56 056	KB HOME SOUTH BAY,	I 20070108	6/15/20	7/30/20	7/6/21	1
BNEWRES	7091 SPUMANTE WY	808 56 054	KB HOME SOUTH BAY,	I 20070106	6/15/20	7/30/20	6/29/21	1
BNEWRES	7083 SPUMANTE WY	808 56 052	KB HOME SOUTH BAY,	I 20070104	6/15/20	7/30/20	6/23/21	1
BNEWRES	9025 MIMOSA CT	783 72 027	KOLLAREDDY USHARA	20070119	7/27/20	9/30/21		1
BNEWRES	1255 MIRASSOU LN	808 57 104	TRIPOINTE HOMES, IN	20070174	7/31/20	9/18/20	5/19/21	1
BNEWRES	1275 MIRASSOU LN	808 57 102	TRIPOINTE HOMES, INC	20070172	7/31/20	9/18/20	9/14/21	1
BNEWRES	1260 HERNANDEZ WY	808 57 018	TRIPOINTE HOMES, INC		7/31/20	9/18/20	4/8/21	1
BNEWRES	1220 HERNANDEZ WY	808 57 014	TRIPOINTE HOMES, IN	C 20070178	7/31/20	9/18/20	4/19/21	1
BNEWRES	1265 MIRASSOU LN	808 57 103	TRIPOINTE HOMES, INC		7/31/20	9/18/20	5/26/21	1
BNEWRES	1250 HERNANDEZ WY	808 57 017	TRIPOINTE HOMES, INC	20070181	7/31/20	9/18/20	4/12/21	1
BNEWRES	1210 HERNANDEZ WY	808 57 013	TRIPOINTE HOMES, INC		7/31/20	9/18/20	4/22/21	1

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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BNEWRES	1260 MIRASSOU LN	808 57 086	TRIPOINTE HOMES, INC	20070168	7/31/20	9/18/20	5/6/21	1
BNEWRES	1280 MIRASSOU LN	808 57 088	TRIPOINTE HOMES, INC	20070170	7/31/20	9/18/20	5/13/21	1
BNEWRES	1235 HERNANDEZ WY	808 57 010	TRIPOINTE HOMES, INC	20070176	7/31/20	9/18/20	4/25/21	1
BNEWRES	1270 MIRASSOU LN	808 57 087	TRIPOINTE HOMES, INC	20070169	7/31/20	9/18/20	3/8/21	1
BNEWRES	1230 HERNANDEZ WY	808 57 015	TRIPOINTE HOMES, INC	20070179	7/31/20	9/18/20	4/19/21	1
BNEWRES	1240 HERNANDEZ WY	808 57 016	TRIPOINTE HOMES, INC	20070180	7/31/20	9/18/20	4/12/21	1
<b>BNEWRES</b>	1870 CAROB CT	783 72 012	OMER M. SYEDA	20090014	9/10/20	1/11/21		1
<b>BNEWRES</b>	8772 FOXGLOVE CT	783 52 019	SAULAN KIMCHAU	20100148	10/30/20	10/8/21		1
BNEWRES	1300 MIRASSOU LN	808 57 090	TRIPOINTE HOMES, INC	20110016	11/3/20	12/18/20	6/3/21	1
BNEWRES	1320 MIRASSOU LN	808 57 092	TRIPOINTE HOMES, INC	20110018	11/3/20	12/18/20	6/14/21	1
BNEWRES	1325 MIRASSOU LN	808 57 095	TRIPOINTE HOMES, INC	20110021	11/3/20	12/18/20	7/13/21	1
BNEWRES	1305 MIRASSOU LN	808 57 097	TRIPOINTE HOMES, INC	20110023	11/3/20	12/18/20	6/29/21	1
BNEWRES	1315 MIRASSOU LN	808 57 096	TRIPOINTE HOMES, INC	20110022	11/3/20	12/18/20	6/25/21	1
BNEWRES	1335 MIRASSOU LN	808 57 094	TRIPOINTE HOMES, INC	20110020	11/3/20	12/18/20	7/13/21	1
BNEWRES	1310 MIRASSOU LN	808 57 091	TRIPOINTE HOMES, INC	20110017	11/3/20	12/18/20	6/14/21	1
BNEWRES	6440 GODANI ST	808 57 054	TRIPOINTE HOMES, INC	20110060	11/12/20	2/2/21		1
BNEWRES	6390 CARSEY WY	808 57 098	TRIPOINTE HOMES, INC	20110064	11/12/20	2/2/21		1
BNEWRES	6380 CARSEY WY	808 57 099	TRIPOINTE HOMES, INC	20110065	11/12/20	2/2/21		1
BNEWRES	6430 GODANI ST	808 57 055	TRIPOINTE HOMES, INC	20110061	11/12/20	2/2/21		1
BNEWRES	6370 CARSEY WY	808 57 100	TRIPOINTE HOMES, INC	20110066	11/12/20	2/2/21		1
BNEWRES	6420 GODANI ST	808 57 056	TRIPOINTE HOMES, INC	20110062	11/12/20	2/2/21		1
BNEWRES	6360 CARSEY WY	808 51 101	TRIPOINTE HOMES, INC	20110067	11/12/20	2/2/21		1
BNEWRES	6450 GODANI ST	808 57 053	TRIPOINTE HOMES, INC	20110059	11/12/20	2/2/21		1
BNEWRES	6410 GODANI ST	808 57 057	TRIPOINTE HOMES, INC	20110063	11/12/20	2/2/21		1
BNEWRES	6675 EAGLE RIDGE CT	810 60 018	DO & PARTNERS LLC	21030093	3/22/21			1
BNEWRES	6655 EAGLE RIDGE CT	810 72 034	DO & PARTNERS LLC	21030091	3/22/21			1
BNEWRES	6625 EAGLE RIDGE CT	810 72 030	DO & PARTNERS LLC	21030087	3/22/21			1
BNEWRES	6615 EAGLE RIDGE CT	810 72 029	DO & PARTNERS LLC	21030086	3/22/21			1
BNEWRES	6651 EAGLE RIDGE CT	810 72 033	DO & PARTNERS LLC	21030090	3/22/21			1
BNEWRES	6645 EAGLE RIDGE CT	810 72 032	DO & PARTNERS LLC	21030089	3/22/21			1
BNEWRES	6635 EAGLE RIDGE CT	810 72 031	DO & PARTNERS LLC	21030088	3/22/21			1
BNEWRES	6671 EAGLE RIDGE CT	810 72 035	DO & PARTNERS LLC	21030092	3/22/21			1
BNEWRES	1470 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21050004	5/3/21	5/20/21		1
BNEWRES	1495 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21050002	5/3/21	5/20/21		1
BNEWRES	1485 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21050003	5/3/21	5/20/21		1
BNEWRES	1480 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21050005	5/3/21	5/20/21		1
<b>BNEWRES</b>	6681 ADARE CT	TR10401 LOT 4	THIRD MILLENNIUM	21060062	6/10/21	11/5/21		1
BNEWRES	6685 ADARE CT	TR10401 LOT 3	THIRD MILLENNIUM	21060061	6/10/21	11/5/21		1 1 1
BNEWRES	6677 ADARE CT	TR10401 LOT 5	THIRD MILLENNIUM	21060063	6/10/21	11/5/21		1
BNEWRES	6682 ADARE CT	810 88 001	THIRD MILLENNIUM	21060065	6/10/21	11/5/21		1
BNEWRES	6678 ADARE CT	TR10401 LOT 2	THIRD MILLENNIUM	21060066	6/10/21	11/5/21		1

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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date F	inal Date	Units
BNEWRES	6673 ADARE CT	TR10401 LOT 6	THIRD MILLENNIUM	21060064	6/10/21	11/5/21		1
BNEWRES	2202 COLUMBINE CT	783 72 061	KRUPA STANISLAW TR	21060139	6/21/21			1
BNEWRES	2030 PORTMARNOCK WY		KEVIN ESSARY AND IN		7/8/21			1
BNEWRES	1465 WINZER PL		KB HOME SOUTH BAY,		8/27/21	10/1/21		1
BNEWRES	1545 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	I 21080139	8/27/21	10/1/21		1
BNEWRES	1540 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	I 21080136	8/27/21	10/1/21		1
BNEWRES	1430 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	I 21080145	8/27/21	10/1/21		1
BNEWRES	1455 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	I 21080141	8/27/21	10/1/21		1
BNEWRES	1565 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21080137	8/27/21	10/1/21		1
BNEWRES	1520 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	I 21080134	8/27/21	10/1/21		1
BNEWRES	1440 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	I 21080146	8/27/21	10/1/21		1
BNEWRES	1555 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21080138	8/27/21	10/1/21		1
BNEWRES	1435 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21080143	8/27/21	10/1/21		1
BNEWRES	1510 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21080133	8/27/21	10/1/21		1
BNEWRES	1530 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21080135	8/27/21	10/1/21		1
BNEWRES	1420 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21080144	8/27/21	10/1/21		1
BNEWRES	1445 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21080142	8/27/21	10/1/21		1
BNEWRES	2331 HOYA LN	783 64 022	REISINGER FAMILY TR	J 21100011	10/4/21			1
BNEWRES	2031 PORTMARNOCK WY	810 57 024	GRAGG GARY/CASHME	21100061	10/11/21			1
BNEWRES	1455 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100134	10/22/21	11/18/21		1
BNEWRES	1395 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100128	10/22/21	11/18/21		1
BNEWRES	1470 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100137	10/22/21	11/18/21		1
BNEWRES	1550 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21100147	10/22/21	11/18/21		1
BNEWRES	1415 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100126	10/22/21	11/18/21		1
BNEWRES	1480 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100138	10/22/21	11/18/21		1
BNEWRES	1575 HURKA WY		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1580 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21100142	10/22/21	11/18/21		1
BNEWRES	1465 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100133	10/22/21	11/18/21		1
BNEWRES	1545 SAWANA WY		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1570 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	I 21100149	10/22/21	11/18/21		1
BNEWRES	1570 HURKA WY		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1475 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY,	l 21100132	10/22/21	11/18/21		1
BNEWRES	1425 WINZER PL		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1595 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	l 21100143	10/22/21	11/18/21		1
BNEWRES	1460 VINADOR PL		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1560 HURKA WY		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1390 WINZER PL		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1585 HURKA WY		KB HOME SOUTH BAY,		10/22/21	11/18/21		1
BNEWRES	1400 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	I 21100130	10/22/21	11/18/21		1
BNEWRES	1410 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY,	I 21100131	10/22/21	11/18/21		1
BNEWRES	1555 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY,	I 21100150	10/22/21	11/18/21		1

Friday, November 19, 2021

Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BNEWRES	1405 WINZER PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100127	10/22/21	11/18/21		<u>1</u>
<b>BNEWRES</b>	1540 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100146	10/22/21	11/18/21		1
<b>BNEWRES</b>	1560 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100148	10/22/21	11/18/21		1
<b>BNEWRES</b>	1535 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100152	10/22/21	11/18/21		1
<b>BNEWRES</b>	1550 HURKA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100139	10/22/21	11/18/21		1
<b>BNEWRES</b>	1445 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100135	10/22/21	11/18/21		1
<b>BNEWRES</b>	7021 VINTNER CT	TR10520 THE G	KB HOME SOUTH BAY, I	21100216	10/27/21	11/17/21		1
<b>BNEWRES</b>	1435 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100195	10/27/21			1
<b>BNEWRES</b>	1500 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100208	10/27/21			1
<b>BNEWRES</b>	6861 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100206	10/27/21			1
BNEWRES	6851 VINTNER ST	TR 10520 MALV	KB HOME SOUTH BAY, I	21100205	10/27/21			1
BNEWRES	6871 VINTNER ST	TR 10520 MALV	KB HOME SOUTH BAY, I	21100207	10/27/21			1
<b>BNEWRES</b>	1415 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100197	10/27/21			1
<b>BNEWRES</b>	7011 VINTNER CT	TR10520 THE G	KB HOME SOUTH BAY, I	21100215	10/27/21	11/17/21		<b>1</b>
BNEWRES	1405 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100198	10/27/21			1
BNEWRES	1425 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100196	10/27/21			1
<b>BNEWRES</b>	7031 VINTNER CT	TR10520 THE G	KB HOME SOUTH BAY, I	21100217	10/27/21	11/17/21		<u>1</u>
<b>BNEWRES</b>	7001 VINTNER CT	TR10520 THE G	KB HOME SOUTH BAY, I	21100214	10/27/21	11/17/21		1
BNEWRES	1515 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100213	10/27/21			1
BNEWRES	6831 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100203	10/27/21			1
BNEWRES	6811 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100201	10/27/21			1
BNEWRES	6821 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100202	10/27/21			1
BNEWRES	1520 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100210	10/27/21			1
BNEWRES	6841 VINTNER ST		KB HOME SOUTH BAY, I	21100204	10/27/21			1
BNEWRES	1525 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100212	10/27/21			1
BNEWRES	1510 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100209	10/27/21			1
BNEWRES	1450 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100200	10/27/21			1
BNEWRES	1530 SAWANA WY	TR10520 NEBBI	KB HOME SOUTH BAY, I	21100211	10/27/21			1
BNEWRES	1440 VINADOR PL	TR10520 MALVA	KB HOME SOUTH BAY, I	21100199	10/27/21			1
BNEWRES	6891 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100228	10/29/21			1
BNEWRES	6901 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100229	10/29/21			1
BNEWRES	6911 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100230	10/29/21			1
BNEWRES	6881 VINTNER ST	TR10520 MALVA	KB HOME SOUTH BAY, I	21100227	10/29/21			1
BNEWRES	7231 EAGLE RIDGE DR	810 56 015	SMITH 2019 TRUST	21110012	11/2/21			1
BNEWRES	2320 WILDROSE CT	783 46 039	AMIN FAMILY TRUST	21110010	11/2/21			
BNEWRES	2320 WILDROSE CT	783 46 039	AMIN FAMILY TRUST	21110064	11/12/21			1
Count	180 Number of This				180	69	69	180
BRES2UNIT	490 ADAMS CT STE B	841 62 052	TAPIA, JESUS	19060133	6/25/19	10/6/21		2
BRES2UNIT	452 MADISON CT	835 03 064	PINEDA, ENRIQUE L.	20010100	1/29/20	10/28/20	4/2/21	1
BRES2UNIT	8410 TARYN LN	783 29 024	FORTIN	20070094	7/22/20	11/18/20	10/14/21	1
BRES2UNIT	787 LA ALONDRA WY	790 25 029	ENIT V REBATTA	20080030	8/10/20	12/2/20	4/9/21	1
<b></b>			· · · · · · · · · · · · · · · · · · ·		5 <b>5. 25</b>	, _, _		•

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Permit Type	Address	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BRES2UNIT	7307 CHESTNUT ST	841 09 011	ALBANESE GIOVANNI J	20100034	10/9/20	10/20/21		1
BRES2UNIT	7530 FILICE DR	808 30 024	LIZARRAGA MARTHA	20100036	10/9/20	7/9/21		1
BRES2UNIT	7530 FILICE DR	808 30 024	LIZARRAGA MARTHA	20100037	10/9/20	7/9/21	10/12/21	1
BRES2UNIT	7284 CHURCH ST	799 09 049	SINGH, SATWANT	20110089	11/16/20	2/1/21		1
BRES2UNIT	469 MADISON CT	835 03 068	JIMENEZ JOMAIRA	21020004	2/1/21	5/24/21		1
BRES2UNIT	7671 DOWDY ST	799 05 046	KRAKOW, KATRINA	21020029	2/5/21	4/14/21		1
BRES2UNIT	6331 SNOWBERRY CT	808 40 055	ALVITO & JUDY R VIEG	21020030	2/5/21			1
BRES2UNIT	6361 RASPBERRY CT	808 40 070	MORTENSEN FAMILY T	21040121	4/26/21			1
BRES2UNIT	7640 CARMEL ST	799 05 059	PATRICIA FILICE INC	21060084	6/11/21	6/21/21		
BRES2UNIT	1240 WELBURN AVE	790 02 080	JEZ JAROSLAW & MARI	21070035	7/6/21	11/18/21		1
BRES2UNIT	481 EDEN ST	790 53 001	CATALAN HENRY	21070073	7/13/21			1
BRES2UNIT	500 BIRDSONG ST	790 01 078	FREITAS CHRISTOPHE	21090030	9/9/21			1
Count	16 Number of This Pe	ermit Type			16	4	4	16
BRESADU	6750 A GARDEN CT	799 33 023	FRANCISCO J RODRIGU	18010136	1/31/18	9/19/18	4/22/21	1
BRESADU	7558 CHESTNUT ST STE B	8 841 07 038	LY, PHU	18030033	3/7/18	9/27/18	1/12/21	0
BRESADU	8831 MOREY AVE UNIT B	790 62 015	SEGURA GUILLERMO/G	18120132	12/21/18	11/14/19	8/13/21	1
BRESADU	7411 DOWDY ST	799 18 011	CARPENTER DENNIS J	19120051	12/10/19	4/14/21		1
BRESADU	7831 SANTA THERESA DR	808 13 030	CHILDRESS JUANITA C	20030033	3/9/20	3/9/20	7/19/21	1
BRESADU	8410 WAYLAND LN	790 30 004	GILBERT P & REBECCA	20060019	6/4/20	1/13/21		1
BRESADU	7289 DOWDY ST, STE #B	799 16 027	BILL SCOZZOLA	20070084	7/21/20	11/2/20	11/15/21	1
BRESADU	7284 CHURCH ST	799 09 049	SINGH, SATWANT	20110087	11/16/20	2/1/21	3/25/21	1
BRESADU	7280 CHURCH ST	799 09 049	SINGH, SATWANT	20110082	11/16/20	1/29/21	3/25/21	1
BRESADU	1160 3RD ST	808 06 063	STURLA, MARY	21010043	1/14/21	3/31/21		1
BRESADU	861 WELBURN AVE	790 40 010	GUZMAN-ALARCON GIA	21010148	1/29/21	10/4/21		1
BRESADU	8927 CHURCH ST	790 16 039	BARAJAS JUAN	21020007	2/2/21			1
BRESADU	441 EL CERRITO WY	790 34 017	JOHN A GIANCOLA AND	21020025	2/4/21			1
BRESADU	7664 LAUREL DR	808 04 072	MUSY-VERDEL AMAND	21030027	3/4/21	4/23/21		1
BRESADU	7776 CHURCH ST	799 03 074	NGUYEN HUNG QUOC A	21030129	3/29/21			1
BRESADU	7591 MILLER AVE	808 15 046	JOHN W SPENCER	21040110	4/22/21	9/13/21		1
BRESADU	1297 CHESBRO WY	790 03 046	MALVIDO MAURICIO	21040126	4/26/21	7/13/21		1
BRESADU	7595 PRINCEVALLE ST	799 24 052	LAWRENCE S & LORI D	21060150	6/22/21			1
BRESADU	1099 WELBURN AVE	790 42 011	TATLA FAMILY TRUST,	21070130	7/28/21			1
BRESADU	8411 DIANE CT	790 30 075	SPENCE DENNIS G	21070136	7/29/21			1
BRESADU	145 3 ST	799 03 035	RICKS FINE HOMES	21080103	8/25/21			1
BRESADU	7273 EIGLEBERRY ST	799 09 029	SANDEEP KAUR AND S	21090009	9/1/21			1
BRESADU	7273 EIGLEBERRY ST	799 09 029	SANDEEP KAUR AND S	21090010	9/1/21			1
BRESADU	305 GURRIES DR	790 35 053	TRINCHERO GERAD AN	21090041	9/9/21			1
BRESADU	305 GURRIES DR	790 35 053	TRINCHERO GERAD AN	21090040	9/9/21			1
BRESADU	7640 CARMEL ST	799 05 059	PATRICIA FILICE INC	21090115	9/24/21	9/28/21		
BRESADU	816 WELBURN AVE	790 22 045	HUANG JACK H	21090125	9/27/21			1
BRESADU	7150 HARVARD PL	799 37 060	PENALOZA RIGOBERTO		10/7/21			1

Friday, November 19, 2021

#### 6-12-21 - 11/18/2021

Permit Type	Addres	'S	APN	Name	Permit No	Apply Date	Issue Date	Final Date	Units
BRESADU	2320 W	ILDROSE CT	783 46 039	AMIN FAMILY TRUST	21110011	11/2/21			
BRESADU	2320 W	ILDROSE CT	783 46 039	AMIN FAMILY TRUST	21110063	11/12/21			1
Count	30	Number of This	s Permit Type			30	7	7	27
Total Number o	f Records	: 240			Count	240	175	80	
			339			Apply	Issued	Finaled	

### **APPENDIX B**

GLEN LOMA RANCH SPECIFIC PLAN BUILDING PERMITS

#### Glen Loma Ranch Remaining Unit Estimate for VLI Purposes (1)

#### 11/23/2021

	GLR La	ands - Lot	s/Units	For VLI Uni	t Count
Neighborhood		Multi-F	amily	Built Lots	Remaining
	SFD	TH	Apts.	or BP's pulled	for VLI
Lands Owned by Filice/Christopher:					
Petite Sirah	77			77	-
Luchessa	49			49	-
The Grove	64			64	-
Vista Bella	146			146	-
Mataro	51			51	-
Home Ranch	52			52	-
Wild Chestnut	43			43	-
Montonico	84			84	-
Town Center BMR Apartments			158	158	-
Town Center M-F		124		18	106 <sup>(2)</sup>
Nebbiolo	102			23	79 <sup>(2)</sup>
The Glen	23			4	19 <sup>(2)</sup>
Malvasia I	46			23	23 <sup>(2)</sup>
Malvasia II		42			42
Palomino	33				33
McCutchin Creek	26				26
Canyon Creek	40				40
Rocky Knoll		41			41
Town Center M-F Future		70			70
North Comm. Reserve Prop.	4				4
Totals Filice/Christopher Land	ls: 840	277	158	792	483

Filice / Christopher Lands - Est. Units Remaining: 483

#### Other Lands in GLR:

Olive Grove - GUSD Property for a School (3)

#### Notes:

- (1) GLR was awarded 1693 max. RDO units and the Specific Plan mid-range unit count for the Neighborhoods was designed to equal 1693 max. units. The project will not build to its maximum allowed number of units. The numbers above are based on actual Vesting Tentative Maps and Final Maps for each of the neighborhoods.
- (2) The number of building permits for these partially-built neighborhoods have been confirmed with the builder.
- (3) The Grove was sold to the GUSD for a School. Per the SP this Neighborhood mid-point 192 units. If the City added these to the vacant land inventory, the GLR total would be 675 units remaining.

#### Abello, Emmanuel

**Subject:** FW: Wren/Hewell USA amendment documents

From: Palacherla, Neelima

Sent: Tuesday, January 11, 2022 9:54 AM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>> **Subject:** RE: Wren/Hewell USA amendment documents

Hi Cindy

Yes, please. Could you please give me a call this afternoon. I am available between 3 and 5 PM. Thanks.

Neelima.

**Neelima Palacherla**, Executive Officer LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Monday, January 10, 2022 2:57 PM

**To:** Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org > **Subject:** [EXTERNAL] RE: Wren/Hewell USA amendment documents

Hi Neelima -

Just following up on this. Do you still need to meet?

Cindy

From: Cindy McCormick

Sent: Tuesday, December 21, 2021 4:20 PM

To: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org >

Subject: RE: EXTERNAL - RE: Wren/Hewell USA amendment documents

Neelima-

Are you referring to your June email that asks:

1. Please confirm if the Fiscal Impact Analysis report and the Plan for Service include analysis based on the correct GP designation and densities.

Please review page 3-6 of the attached document sent to you.

#### **Plan for Services**

The project, as revised under the 2040 General Plan would have no change to water demand and sewer generation, as the number of residential units and associated population would not change. There would also be no measurable change in impacts to storm drainage, solid waste, fire or police services, lighting, libraries, road, hospitals, and parks and recreational facilities. The only change in the Plan for Services analysis is regarding schools. The 2019 Plan for Services identified 103 new students. The 2040 General Plan required increase in multi[1]family homes would result in two fewer students under the 2040 General Plan, utilizing the student general rates for single-family and multi-family homes from the 2040 General Plan EIR as presented in Table 3-5, Student Generation, 2040 General Plan.

 From:
 Cindy McCormick

 To:
 Noel, Dunia

 Cc:
 Palacherla, Neelima

Subject: [EXTERNAL] FW: Wren/Hewell USA amendment documents

**Date:** Wednesday, January 12, 2022 2:18:58 PM

Hello and Happy new Year Dunia -

Yes. These are the 15 APNs that are part of this application.

If you found a discrepancy, please disclose it.

Thank you!

Cindy

From: Noel, Dunia <Dunia.Noel@ceo.sccgov.org>
Sent: Wednesday, January 12, 2022 12:25 PM

To: Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us>
Cc: Palacherla, Neelima <Neelima.Palacherla@ceo.sccgov.org>
Subject: EXTERNAL - FW: Wren/Hewell USA amendment documents

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hello Cindy,

Thank you for these documents. As we restart our work on this project, I want to confirm the APNs and boundaries of the proposed USA amendment. Appendix A of the General Plan 2040 Consistency Analysis document that you emailed to us includes a list of APNs and map of the proposed USA expansion. Please confirm that these are the APNs in the project area and that the map represents the boundaries of the proposal area. Thank you.

Best,

-Dunia

From: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent: Thursday, December 16, 2021 12:59 PM

To: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>; Palacherla, Neelima

< Neelima.Palacherla@ceo.sccgov.org >; Abello, Emmanuel < Emmanuel.Abello@ceo.sccgov.org >

**Subject:** [EXTERNAL] Wren/Hewell USA amendment documents

Good afternoon –

Hope all is well with you all.

Please find attached two documents:

- 1. General Plan 2040 Consistency Analysis
- 2. Updated Land Inventory through November 18<sup>th</sup> 2021

Please note that the Inventory has changed quite a bit over the past year, as we have permitted a significant number of new units.

We would like to request to be placed on the February 2022 LAFCO agenda.

Thank you!

Cindy

408-613-9580 cell

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Sent: Monday, December 20, 2021 1:06 PM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Subject: EXTERNAL - RE: Wren/Hewell USA amendment documents

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Cindy,

All is well here and hope the same with you.

Thank you for the email and the attached information.

Before I begin an in depth review of this new information and the application, it would be very helpful to chat briefly so you can provide an overview of these new documents and how they address the questions that I raised back in July/August. Is there any new or additional information on the Plan for Services – I recall there were some significant gaps and questions.

I am generally available in the next couple of weeks for a call, let me know what is a convenient time for you.

Thanks again and best wishes for the holidays.

Neelima.

**Neelima Palacherla**, Executive Officer LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Thursday, December 16, 2021 12:59 PM

To: Noel, Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia.Noel@ceo.sccgov.org</a>; Palacherla, Neelima < <a href="mailto:Neelima.Palacherla@ceo.sccgov.org">Neelima.Palacherla@ceo.sccgov.org</a>; Abello,

Emmanuel < Emmanuel. Abello@ceo.sccgov.org >

Subject: [EXTERNAL] Wren/Hewell USA amendment documents

Good afternoon -

Hope all is well with you all.

Please find attached two documents:

- 1) General Plan 2040 Consistency Analysis
- 2) Updated Land Inventory through November 18<sup>th</sup> 2021

Please note that the Inventory has changed quite a bit over the past year, as we have permitted a significant number of new units.

We would like to request to be placed on the February 2022 LAFCO agenda.

Thank you! Cindy 408-613-9580 cell

#### Abello, Emmanuel

**Subject:** FW: EXTERNAL - RE: Wren Hewell

From: Palacherla, Neelima

Sent: Monday, January 31, 2022 3:50 PM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Subject: RE: EXTERNAL - RE: Wren Hewell

Sure. Thank you, Cindy.

Neelima Palacherla, Executive Officer

**LAFCO of Santa Clara County** 

From: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent: Monday, January 31, 2022 3:47 PM

**To:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

Cc: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

Subject: [EXTERNAL] RE: EXTERNAL - RE: Wren Hewell

I'm working on it. Had to get data first.

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Monday, January 31, 2022 3:46 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

Cc: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

Subject: EXTERNAL - RE: Wren Hewell

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

#### Hi Cindy,

Checking in with you, as we have not heard back on this and other information requested. Please let us know when you expect to have this information ready so we can plan accordingly. We are unable to proceed without confirmation of the basic information on the proposal requested by Dunia on 1/12.

Thank you. Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Palacherla, Neelima

Sent: Tuesday, January 11, 2022 4:46 PM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us >

Subject: Wren Hewell

Hi Cindy,

Thanks for the meeting today.

As we discussed, I would appreciate the following information –

1. # of building permits (residential) issued in each of the last 10 years (2012 through 2021)

Cindy McCormick
Palacherla, Neelima From: To: Cc: Noel, Dunia

[EXTERNAL] - RE: Wren Hewell Subject: Date: Tuesday, February 1, 2022 5:03:44 PM

#### Neelima -

#### Here are your answers.

City of Gilroy												
Year	2012	2013	<u>2014</u>	<u>2015</u>	<u>2016</u>	2017	2018	2019	2020	* 2021		
Net New												
Residential Bldg				693								
Permits Issued	268	218	241		321	445	103	163	243	275		
*2021 is preliminary	data										Total Units	2970
											Average Units	297

2.

			<u>0-7 Du/net</u>				
			<u>acre</u>	7-9 Du/net acre	9-16 Du/net acre	16-30 Du/ne	t acre
Π	Neighborhood Distric	t High	60% max	5% min	25% min	10% min	

<sup>3.</sup> The inventory consists of vacant/underutilized land that does not have an "issued" building permit associated with it.

Note: There are notations in the report that indicate where some of the land may have planning entitlements issued and/or land where a building permit has been applied for, but have not yet been issued. However, we haven't removed these from the Inventory. Those notes are for future tracking reference only.

From: Palacherla, Neelima

Sent: Tuesday, January 11, 2022 4:46 PM

To: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Subject: Wren Hewell

Hi Cindy,

Thanks for the meeting today.

As we discussed, I would appreciate the following information -

- 1. # of building permits (residential) issued in each of the last 10 years (2012 through 2021)
- 2. Maximum density allowed under each of the proposed General Plan designations in the proposal area.
- 3. Please confirm that the definition used for inventorying the vacant land includes vacant or underutilized land without building permits.

#### Thank you.

Neelima.

#### Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

777 North First Street, Suite 410

San Jose, CA 95112

(408) 993-4713 (408) 618-4225 (cell)

#### www.SantaClaraLAFCO.org

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 From:
 Cindy McCormick

 To:
 Noel, Dunia

 Cc:
 Palacherla, Neelima

Subject: [EXTERNAL] RE: EXTERNAL - RE: Wren/Hewell USA amendment documents

**Date:** Friday, February 4, 2022 10:05:55 AM

Attachments: 212073 Residential unit count by APN Concept H (2021-10-17).pdf

#### Dunia/Neelima –

We've chatted about these questions before, but to reiterate:

Gilroy does not "pre-zone". However, once annexed, these properties would be zoned to be consistent with our General Plan and therefore have a zoning designation of "Neighborhood District".

As provided in the consistency document I sent you, there are 15 APNs. See attached which is pulled out of the consistency document.

Cindy

**From:** Noel, Dunia [mailto:Dunia.Noel@ceo.sccgov.org]

Sent: Wednesday, January 12, 2022 2:22 PM

To: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>
Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>
Subject: EXTERNAL - RE: Wren/Hewell USA amendment documents

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#### Hi Cindy,

Just to expand further on why I am sending this request for clarification of proposal APNs and boundaries... As you may recall when we met back in the summer, we noted that different documents (Application, List of APNs, Resolutions, and CEQA documents) provided by the city listed different APNs or showed different boundaries for the proposal area. For example, APN 790-10-007 (Chang/Yin) was shown in the list of APNs, but not in the City's Resolutions; and some maps included all of Tatum Avenue and all of Vickery Avenue, but others did not. We'll need final clarification from you on the APNs and boundaries, including street segments, before we resume our work.

Lastly, has the City pre-zoned the affected area yet? If so, what it the pre-zoning(s)? If not, when is pre-zoning expected to occur? Thanks.

-Dunia

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

**Sent:** Wednesday, January 12, 2022 2:19 PM **To:** Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

**Subject:** [EXTERNAL] FW: Wren/Hewell USA amendment documents

Hello and Happy new Year Dunia –

Yes. These are the 15 APNs that are part of this application.

If you found a discrepancy, please disclose it.

Thank you!

Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>
Sent: Wednesday, January 12, 2022 12:25 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

Cc: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org >

**Subject:** EXTERNAL - FW: Wren/Hewell USA amendment documents

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Hello Cindy,

Thank you for these documents. As we restart our work on this project, I want to confirm the APNs and boundaries of the proposed USA amendment. Appendix A of the General Plan 2040 Consistency Analysis document that you emailed to us includes a list of APNs and map of the proposed USA expansion. Please confirm that these are the APNs in the project area and that the map represents the boundaries of the proposal area. Thank you.

Best,

-Dunia

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

Sent: Thursday, December 16, 2021 12:59 PM

**To:** Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>; Palacherla, Neelima

< Neelima.Palacherla@ceo.sccgov.org>; Abello, Emmanuel < Emmanuel.Abello@ceo.sccgov.org>

**Subject:** [EXTERNAL] Wren/Hewell USA amendment documents

Good afternoon –

Hope all is well with you all.

Please find attached two documents:

- 1) General Plan 2040 Consistency Analysis
- 2) Updated Land Inventory through November 18<sup>th</sup> 2021

Please note that the Inventory has changed quite a bit over the past year, as we have permitted a significant number of new units.

We would like to request to be placed on the February 2022 LAFCO agenda.

Thank you!

Cindy

408-613-9580 cell



# MH engineering Co. 16075 Vineyard Blvd., Morgan Hill, CA 95037 - (408) 779-7381

Assessor's Parcel Number		City General Plan Designation	Existing Land Use	Area (Ac.)	Total Dwelling Units	0-7 du/ac	7-9 du/ac	9-16 du/ac	16-32 du/ac
790-06-017	Impero	Neighborhood District High	open space reserve	1.015	8	2	0	6	0
790-06-018	FFJRDP Properties	Neighborhood District High	open space reserve	4.251	30	4	0	11	15
790-09-006	Cervantes / Lopez	Neighborhood District High	open space reserve	1.010	12	0	0	0	12
790-09-008		Neighborhood District High	open space reserve	3.395	28	0	0	14	14
790-09-009		Neighborhood District High	open space reserve	18.301	80	47	5	25	3
790-09-010		Neighborhood District High	open space reserve	2.262	0	0	0	0	0
790-09-011	I Salvri ina i ri let	Neighborhood District High	open space reserve	2.554	20	0	0	0	20
790-17-001		Neighborhood District High	open space reserve	5.471	35	17	3	15	0
790-17-004		Neighborhood District High	open space reserve	0.334	2	0	2	0	0
790-17-005	II - I IIII AN / V/2I/4A7	Neighborhood District High	open space reserve	0.361	3	3	0	0	0
790-17-006		Neighborhood District High	open space reserve	0.365	2	2	0	0	0
790-17-007	AB Coml Property Management	Neighborhood District High	open space reserve	1.206	9	7	2	0	0
790-17-008	II IIIIntero / Reitran	Neighborhood District High	open space reserve	1.165	0	0	0	0	0
790-17-009	II liamond / Akviae	Neighborhood District High	open space reserve	2.418	18	18	0	0	0
790-17-010	IVV ACT I IVARIANA	Neighborhood District High	open space reserve	9.284	60	27	3	30	0
streets				1.615					
total				55.007	307	127	15	101	64

- 2. Maximum density allowed under each of the proposed General Plan designations in the proposal area.
- 3. Please confirm that the definition used for inventorying the vacant land includes vacant or underutilized land without building permits.

Thank you. Neelima.

Neelima Palacherla, Executive Officer LAFCO of Santa Clara County 777 North First Street, Suite 410 San Jose, CA 95112 (408) 993-4713 (408) 618-4225 (cell) www.SantaClaraLAFCO.org

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From: <u>Cindy McCormick</u>

To: <u>Noel, Dunia</u>; <u>Palacherla, Neelima</u>

Cc: <u>Jon Biggs</u>

Subject: [EXTERNAL] RE: Wren/Hewell Gilroy

Date: Wednesday, June 22, 2022 9:46:09 AM

Attachments: <u>image001.png</u>

Hi Dunia –

Please give me a call

408-846-0253

Cindy

From: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

**Sent:** Tuesday, June 21, 2022 11:13 AM

To: Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us>; Jon Biggs <Jon.Biggs@ci.gilroy.ca.us>

Cc: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org>

Subject: RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Hello Cindy and Jon,

Checking-in with you on when we can expect to receive that requested information from you. We really want to take this application to LAFCO in August. So, the sooner we get that information, the more likely that is to happen. Thanks.

-Dunia

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

**Sent:** Wednesday, May 25, 2022 4:38 PM

To: Noel, Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia.Noel@ceo.sccgov.org</a>; Jon Biggs < <a href="mailto:Jon.Biggs@ci.gilroy.ca.us">Jon.Biggs@ci.gilroy.ca.us</a></a>

**Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>> **Subject:** [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Hi Dunia-

We should have most of the requested info to you sometime next week.

I'll update you again next week.

Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Sent:** Tuesday, May 24, 2022 3:40 PM

**To:** Cindy McCormick < <a href="mailto:cindy.McCormick@ci.gilroy.ca.us">ci.gilroy.ca.us</a>; Jon Biggs < <a href="mailto:Jon.Biggs@ci.gilroy.ca.us">Jon.Biggs@ci.gilroy.ca.us</a>>

**Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

**Subject:** RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Hello Cindy and Jon,

Before too much time passes, I wanted to check-in with you both on the expected turn-around time for the City's response to our clarifying questions. Any news? Thanks.

-Dunia

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

**Sent:** Friday, May 6, 2022 2:38 PM

To: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>; Jon Biggs < <u>Jon.Biggs@ci.gilrov.ca.us</u>>

**Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>> **Subject:** [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Thank you Dunia –

We may have a better idea of turn-around after next week.

Thank you for your time today

Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Sent:** Friday, May 6, 2022 2:13 PM

To: Jon Biggs < Jon.Biggs@ci.gilroy.ca.us >; Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us >

**Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

**Subject:** RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

#### Hello Jon and Cindy,

Thank you for meeting with me this morning. I hope I was able to give you some insight into how our review is going and what information we still need and why. I understand that you will need some more time to respond to our information request and that the June 1, 2022 meeting is not feasible. Therefore, we will target the August 3, 2022 LAFCO meeting. With that date in mind, do you think you can have something to us by mid/late June (the earlier the better)? This time-frame would allow for some back and forth, if necessary.

In the meantime I will contact San Luis Obispo LAFCO about CSDs in their County. And I appreciate the feedback that you gave me on the need for more guidance from LAFCO on how to prepare the vacant lands analysis. Hope you both have a great weekend.

-Dunia

**From:** Jon Biggs < <u>Jon.Biggs@ci.gilroy.ca.us</u>>

**Sent:** Thursday, May 5, 2022 2:01 PM

**To:** Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Cc:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>; Palacherla, Neelima

<Neelima.Palacherla@ceo.sccgov.org>

**Subject:** [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Thank you Dunia.

We are available tomorrow morning at 8:30.

Thank you.

Jon

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Sent:** Thursday, May 5, 2022 12:37 PM **To:** Jon Biggs < Jon.Biggs@ci.gilrov.ca.us>

Cc: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>; Palacherla, Neelima

<Neelima.Palacherla@ceo.sccgov.org>

Subject: EXTERNAL - RE: RE: Wren/Hewell Gilroy

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#### Hello Jon and Cindy,

We would still like to take this application to LAFCO at its June 1, 2022 meeting. We plan to send out public hearing notices next week. We have requested this information in order complete our analysis and finalize our staff report. We wanted to give the City some time to prepare a response and were hoping to receive that response by May 16<sup>th</sup> or 17<sup>th</sup>. We must release our staff report by May 27<sup>th</sup> @ Noon.

I agree that we should meet and recommend that we do this as soon as possible to see if we are all on the same page in terms of remaining steps. My schedule is fairly open tomorrow, Friday. I am happy to send you both a Zoom invite for this Friday, just let me know what time works best for the both of you.

BTW, I think what Neelima meant concerning "barring any unforeseen circumstances" is if critical staff were unavailable due to illness or a family crisis (we are a small staff of three with no back-up staff).

-Dunia

#### **Dunia Noel, AICP**

#### **Assistant Executive Officer**

Local Agency Formation Commission of Santa Clara County (LAFCO) 408.993.4704

777 North First Street, Suite 410

San Jose, CA 95112

Twitter: <u>@SantaClaraLAFCO</u> www.SantaClaraLAFCO.org

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are prohibited from using, delivering, distributing, printing, copying, or disclosing the message or its content to others and must delete the message from your computer. If you have received this message in error, please notify the sender by return email.

From: Jon Biggs < Jon.Biggs@ci.gilroy.ca.us> Sent: Thursday, May 5, 2022 8:58 AM

To: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Cc:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

**Subject:** [EXTERNAL] RE: Wren/Hewell Gilroy

Hello Dunia –

Thank you for your email and yes we did receive it. My name is Jon Biggs and I am serving as Interim Director for the Community Development Department here in Gilroy until the new Director comes on board.

I'm trying to help the City on some of their projects and thought I would reply to your email. We will begin collecting the information you have requested and get it to you; however, I notice in a February 10, 2022 email from the Executive Director of the Santa Clara County LAFCO, Neelima Palacheria, she stated that barring any unforeseen circumstance, LAFCO staff will be ready to take this application to the Commission at its June meeting.

Given the extent of your latest request for information, is there an unforeseen circumstance or issue that has come up with the application that we should be aware of? We are happy to meet in person at your office and discuss this with you so we can have a better understanding of the reasons for the requested information and better be able to address/provide them in order to keep this project moving forward.

Is there a deadline that we can provide the information by in order to keep this on the June Commission hearing?

Thank you for your time and attention to this.

Jon Biggs, City of Gilroy

Interim Community Development Director

From: "Noel, Dunia" < >

**Date:** May 3, 2022 at 6:30:52 PM PDT

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>, Cindy McCormick

<Cindy.McCormick@ci.gilroy.ca.us>

**Cc:** "Palacherla, Neelima" < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

#### Subject: FW: EXTERNAL - RE: RE: Wren/Hewell Gilroy

#### Hello Cindy,

Just confirming that you received my email below. I think our request is pretty clear. If not, always happy to discuss further by phone or Zoom. Thanks.

-Dunia

From: Noel, Dunia

**Sent:** Monday, May 2, 2022 7:28 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>> **Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

**Subject:** RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

#### Hello Cindy,

Thank you for your patience as we continue to review the City's USA Amendment Application and for your quick response to our prior clarifying questions. We have a few remaining questions and have included some introductory text to provide some context. Please see below:

#### VACANT LANDS

We have reviewed the City's Vacant Lands Inventory and request the following information in order to complete our analysis:

 How many acres of land designated for residential purposes, within each of these residential land use designations, remains vacant?

Residential Land use Designations	Vacant land (acres)
Hillside Residential	
Low Density Residential	
Medium Density Residential	
High Density Residential	
Mixed Use	
Hecker Pass Specific Plan	
Glen Loma Ranch Specific Plan	
Downtown Gilroy Specific Plan	
Total	

Additionally, we have reviewed the City's Plan for Service and Fiscal Impact Analysis and have a few clarifying questions, as we prepare our staff report.

#### CFD AND OTHER FINANCIAL MECHANISMS

The Plan for Services says that "the proposed project will be required by the City to form a CFD as a means to finance all applicable services." However, no details have been

provided about the CFD.

- What services will be funded through the CFD?
- What infrastructure and/or facilities will be funded through the CFD?
- How much revenue is anticipated to be collected through the CFD?
- When will the City create the CFD?
- What process will the City use to create the CFD and accompanying special taxes?
- We understand that forming a CFD to fund many services is complex. Does the City have any policies specific to this?

#### PLAN FOR SERVICES

#### WATER

Page 3-5 of the Plan for Services in the paragraph below Table 3 -1 discusses water supply (including recycled water) availability through 2040 and provides projected water demand for the City of Gilroy, City of Morgan Hill and other uses for the same period. The Plan for Service then concludes that there is an excess supply in the amount of 322 MG/Y. However, upon review the numbers provided in this paragraph do not total a surplus of 322 MG/Y, but rather a deficit of 680 MG/Y. Below is the calculation:

5,822 MG/Y (Gilroy Demand) + 13,658 MG/Y (Morgan Hill and other uses Demand) = 19,480 MG/Y (Total Projected Demand) and not the 18,478 MG/Y total demand which is stated in the text on Page 3-5.

18,800 MG/Y (Total Projected Supply) – 19,480 MG/Y (Total Projected Demand) = -680 (a deficit in supply) and not the 322 MG/Y projected excess supply.

Most likely there is some sort of mix-up in the numbers and resultant calculation. I was able to confirm that the figures of  $18,800 \, \text{MG/Y}$  and  $5,822 \, \text{MG/Y}$  were sourced from the Gilroy UWMP. However, I could not find the source(s) for the  $13,658 \, \text{MG/Y}$  or  $18,478 \, \text{MG/Y}$ .

Please review this information closely and revise it, as necessary. Please provide the source for these figures and a link to the source document(s) and page number(s). If I am misinterpreting this information, please help me understand how to arrive at the numbers presented in the Plan for Services.

#### WASTEWATER

#### **SCRWA Capacity**

Please provide more recent information on wastewater treatment capacity at SCRWA, as the information cited in the Plan for Services is over 10 years old (2004 and 2010). Additionally, we like to know about SCRWA's plans to increase its capacity and any resultant impact on Gilroy. Please see our questions below:

- What is the current capacity of SCRWA?
- What is SCRWA's current average dry weather flow? What is the City of Gilroy's share of that flow in mgd?
- What is SCRWA's projected wastewater plant flow for the next 5, 10, 15 years?

• What is the current status of SCRWA's expansion plans? What has been completed in terms of additional capacity and what is the final anticipated capacity?

#### **Relief Trunk Line**

The Plan for Services states that future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site (i.e. Joint Morgan Hill-Gilroy Trunk). However, according to the City's Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Trunk becomes deficient when Morgan Hill flows are introduced. The Plan for Services indicates that a relief trunk line is being constructed from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass and Renz Lane in the City of Gilroy. However, the relief trunk line is only partially constructed at this time.

Given the anticipated increase in wastewater flow resulting from development of the proposal area and the importance of the relief trunk line to addressing wastewater service deficiencies in the City of Gilroy, please clarify the following:

- How much of the relief trunk line has been constructed? From what physical point to what physical point?
- How much additional funding is required by the City of Morgan Hill and City of Gilroy in order to complete the full construction of the relief trunk line?
- What is the anticipated timeline for completing the full construction of the relief line?

#### FIRE SERVICES

The Plan for Service appears to be based on information from the City's 2004 Update of the Fire Service Master Plan. However, a more recent Master Plan was prepared in November 2019 that notes several deficiencies in the City's fire service. The 2019 Master Plan found that "overall first-due call-to-arrival performance is significantly slower than best practices to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies." The Plan noted deficiencies at all stations, particularly in call processing/dispatch, first-due travel, first-due-call-to arrival, and ERF call-to-travel. The identified deficiencies at the Las Animas were only slightly less that at the other stations. The Plan also noted that simultaneous incidents requiring at least two of the City's three staff fire units occurs on average at least once per day, leaving only one unit for subsequent emergency response.

The 2019 Master Plan identified three primary challenges for the City in terms of the provision of fire services, given increasing annual service demand and the fact that the City is continuing to grow: daily staffing capacity, fire station locations, and fire dispatch services. Given the above information,

- Why is the Plan for Service not based on the 2019 Fire Master Plan?
- What is the status of the proposed Glen Loma fire station? When is it expected to be constructed and occupied?

#### LIGHTING

The Plan for Services notes that "the proposed project would have lighting typical of residential and neighborhood serving commercial uses" and that "lighting will be provided and maintained by the City." The Plan mentions the ability to establish an assessment district relating to lighting and landscaping.

• Will the City be establishing an assessment district to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets? If so, why, how and when will this occur?

#### PARKS AND RECREATION FACILITIES

The Plan for Services notes that "the City requires that for every thousand in population, there shall be five acres of developed open parkland." Given the above requirement,

- Is the City currently meeting this requirement? If not, why and what steps is the City taking to meet this requirement in the near term?
- Is the City able to meet this requirement when factoring in the anticipated development? If not, why and what steps is the City taking to meet this requirement in the near term?

Thanks in advance for your assistance.

Best,

-Dunia

**Dunia Noel, AICP** 

#### **Assistant Executive Officer**

Local Agency Formation Commission of Santa Clara County (LAFCO) 408.993.4704

777 North First Street, Suite 410

San Jose, CA 95112

Twitter: <a href="mailto:@SantaClaraLAFCO">@SantaClaraLAFCO</a>.org

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**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

Sent: Wednesday, April 6, 2022 12:48 PM

**To:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>; Noel, Dunia

<<u>Dunia.Noel@ceo.sccgov.org</u>>

**Subject:** [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Thank you!

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Sent: Wednesday, April 6, 2022 12:47 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>; Noel, Dunia

<<u>Dunia.Noel@ceo.sccgov.org</u>>

Subject: EXTERNAL - RE: RE: Wren/Hewell Gilroy

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Cindy,

There is no change in the status of the application since my last email. I will let you know if we have additional questions or need more information.

Thank you for checking in with us.

Best,

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent: Wednesday, April 6, 2022 11:50 AM

**To:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>

**Subject:** [EXTERNAL] RE: RE: Wren/Hewell Gilroy

Good morning

Just checking on the status of this application.

Thank you!

Cindy

**From:** Cindy McCormick

Sent: Wednesday, March 23, 2022 2:14 PM

**To:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>
Subject: RE: Wren/Hewell Gilroy

Good afternoon

Just checking on the status of this application.

Thank you!

#### Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

**Sent:** Tuesday, March 1, 2022 4:34 PM

To: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy.McCormick@ci.gilroy.ca.us</a>; Noel, Dunia

<<u>Dunia.Noel@ceo.sccgov.org</u>>

**Subject:** EXTERNAL - RE: Wren/Hewell Gilroy

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Hi Cindy,

We continue to work on the application but it likely will not be ready for the April meeting. We will let you know if we have any additional questions or need more information as we continue our review. Barring any unforeseen circumstances, we will be ready to take this application to the Commission at their June meeting.

Thank you.

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

Sent: Monday, February 28, 2022 7:43 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>

**Subject:** [EXTERNAL] Wren/Hewell Gilroy

Hi Neelima -

I'm checking in on the progress of this project. We would like to get on the April agenda.

Thank you!

Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Thursday, February 10, 2022 5:15 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>
Subject: EXTERNAL - RE: Gilroy

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hi Cindy,

Thank you for checking in.

We have resumed our review of the application this week, following receipt of your responses last week.

We will keep you posted with any additional requests for information or clarification as we proceed with the review.

Best,

Neelima.

#### Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < <a href="mailto:cindy.McCormick@ci.gilroy.ca.us">ci.gilroy.ca.us</a>>

Sent: Thursday, February 10, 2022 4:32 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>
Subject: [EXTERNAL] Gilroy

Afternoon -

Just wondering how your review is going? I'd like to give the Wren/Hewell folks an update.

#### Thank you!

Cindy

#### Respectfully,

#### CINDY MCCORMICK

CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning 7351 Rosanna Street | Gilroy | CA 95020



From:

Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent:

Tuesday, October 18, 2022 1:10 PM Noel, Dunia; Abello, Emmanuel

To: Cc:

Palacherla, Neelima

**Subject:** 

[EXTERNAL] Wren/Hewell Gilroy

**Attachments:** 

LAFCO data request 10-18-22.docx; VLI 10-18-22.pdf; Wren Hewell\_PFS\_revised\_Water.pdf

Hi Dunia -

I've finally been able to gather all of the remaining data you requested. Please see attached. We would like to get on the December agenda.

Thanks!

Cindy

From: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

Sent: Monday, May 2, 2022 7:28 PM

**To:** Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us> **Cc:** Palacherla, Neelima <Neelima.Palacherla@ceo.sccgov.org>

Subject: RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

#### Hello Cindy,

Thank you for your patience as we continue to review the City's USA Amendment Application and for your quick response to our prior clarifying questions. We have a few remaining questions and have included some introductory text to provide some context. Please see below:

#### VACANT LANDS

We have reviewed the City's Vacant Lands Inventory and request the following information in order to complete our analysis:

• How many acres of land designated for residential purposes, within each of these residential land use designations, remains vacant?

Residential Land use Designations	Vacant land (acres)
Hillside Residential	
Low Density Residential	
Medium Density Residential	
High Density Residential	
Mixed Use	
Hecker Pass Specific Plan	
Glen Loma Ranch Specific Plan	

Downtown Gilroy Specific Plan	
Total	

Additionally, we have reviewed the City's Plan for Service and Fiscal Impact Analysis and have a few clarifying questions, as we prepare our staff report.

#### CFD AND OTHER FINANCIAL MECHANISMS

The Plan for Services says that "the proposed project will be required by the City to form a CFD as a means to finance all applicable services." However, no details have been provided about the CFD.

- What services will be funded through the CFD?
- What infrastructure and/or facilities will be funded through the CFD?
- How much revenue is anticipated to be collected through the CFD?
- When will the City create the CFD?
- What process will the City use to create the CFD and accompanying special taxes?
- We understand that forming a CFD to fund many services is complex. Does the City have any policies specific to this?

#### PLAN FOR SERVICES

#### **WATER**

Page 3-5 of the Plan for Services in the paragraph below Table 3-1 discusses water supply (including recycled water) availability through 2040 and provides projected water demand for the City of Gilroy, City of Morgan Hill and other uses for the same period. The Plan for Service then concludes that there is an excess supply in the amount of 322 MG/Y. However, upon review the numbers provided in this paragraph do not total a surplus of 322 MG/Y, but rather a deficit of 680 MG/Y. Below is the calculation:

5,822 MG/Y (Gilroy Demand) + 13,658 MG/Y (Morgan Hill and other uses Demand) = 19,480 MG/Y (Total Projected Demand) and not the 18,478 MG/Y total demand which is stated in the text on Page 3-5.

18,800 MG/Y (Total Projected Supply) – 19,480 MG/Y (Total Projected Demand) = -680 (a deficit in supply) and not the 322 MG/Y projected excess supply.

Most likely there is some sort of mix-up in the numbers and resultant calculation. I was able to confirm that the figures of 18,800 MG/Y and 5,822 MG/Y were sourced from the Gilroy UWMP. However, I could not find the source(s) for the 13,658 MG/Y or 18,478 MG/Y.

Please review this information closely and revise it, as necessary. Please provide the source for these figures and a link to the source document(s) and page number(s). If I am misinterpreting this information, please help me understand how to arrive at the numbers presented in the Plan for Services.

#### **WASTEWATER**

#### **SCRWA Capacity**

Please provide more recent information on wastewater treatment capacity at SCRWA, as the information cited in the Plan for Services is over 10 years old (2004 and 2010). Additionally, we like to know about SCRWA's plans to increase its capacity and any resultant impact on Gilroy. Please see our questions below:

- What is the current capacity of SCRWA?
- What is SCRWA's current average dry weather flow? What is the City of Gilroy's share of that flow in mgd?

- What is SCRWA's projected wastewater plant flow for the next 5, 10, 15 years?
- What is the current status of SCRWA's expansion plans? What has been completed in terms of additional capacity and what is the final anticipated capacity?

#### **Relief Trunk Line**

The Plan for Services states that future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site (i.e. Joint Morgan Hill-Gilroy Trunk). However, according to the City's Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Trunk becomes deficient when Morgan Hill flows are introduced. The Plan for Services indicates that a relief trunk line is being constructed from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass and Renz Lane in the City of Gilroy. However, the relief trunk line is only partially constructed at this time.

Given the anticipated increase in wastewater flow resulting from development of the proposal area and the importance of the relief trunk line to addressing wastewater service deficiencies in the City of Gilroy, please clarify the following:

- How much of the relief trunk line has been constructed? From what physical point to what physical point?
- How much additional funding is required by the City of Morgan Hill and City of Gilroy in order to complete the full construction of the relief trunk line?
- What is the anticipated timeline for completing the full construction of the relief line?

#### **FIRE SERVICES**

The Plan for Service appears to be based on information from the City's 2004 Update of the Fire Service Master Plan. However, a more recent Master Plan was prepared in November 2019 that notes several deficiencies in the City's fire service. The 2019 Master Plan found that "overall first-due call-to-arrival performance is significantly slower than best practices to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies." The Plan noted deficiencies at all stations, particularly in call processing/dispatch, first-due travel, first-due-call-to arrival, and ERF call-to-travel. The identified deficiencies at the Las Animas were only slightly less that at the other stations. The Plan also noted that simultaneous incidents requiring at least two of the City's three staff fire units occurs on average at least once per day, leaving only one unit for subsequent emergency response.

The 2019 Master Plan identified three primary challenges for the City in terms of the provision of fire services, given increasing annual service demand and the fact that the City is continuing to grow: daily staffing capacity, fire station locations, and fire dispatch services. Given the above information,

- Why is the Plan for Service not based on the 2019 Fire Master Plan?
- What is the status of the proposed Glen Loma fire station? When is it expected to be constructed and occupied?

#### **LIGHTING**

The Plan for Services notes that "the proposed project would have lighting typical of residential and neighborhood serving commercial uses" and that "lighting will be provided and maintained by the City." The Plan mentions the ability to establish an assessment district relating to lighting and landscaping.

 Will the City be establishing an assessment district to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets? If so, why, how and when will this occur?

#### PARKS AND RECREATION FACILITIES

The Plan for Services notes that "the City requires that for every thousand in population, there shall be five acres of developed open parkland." Given the above requirement,

- Is the City currently meeting this requirement? If not, why and what steps is the City taking to meet this requirement in the near term?
- Is the City able to meet this requirement when factoring in the anticipated development? If not, why and what steps is the City taking to meet this requirement in the near term?

Thanks in advance for your assistance.

Best.

-Dunia

**Dunia Noel, AICP** 

**Assistant Executive Officer** 

Local Agency Formation Commission of Santa Clara County (LAFCO)

408.993.4704

777 North First Street, Suite 410

San Jose, CA 95112

Twitter: <u>@SantaClaraLAFCO</u> <u>www.SantaClaraLAFCO.org</u>

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From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Wednesday, April 6, 2022 12:48 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia.Noel@ceo.sccgov.org>

Subject: [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Thank you!

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Wednesday, April 6, 2022 12:47 PM

To: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy McCormick@ci.gilroy.ca.us</a>; Noel, Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia.Noel@ceo.sccgov.org</a>

Subject: EXTERNAL - RE: RE: Wren/Hewell Gilroy

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Hi Cindy,

There is no change in the status of the application since my last email. I will let you know if we have additional questions or need more information.

Thank you for checking in with us.

Best,

Neelima.

**Neelima Palacherla**, Executive Officer LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Wednesday, April 6, 2022 11:50 AM

To: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

Subject: [EXTERNAL] RE: RE: Wren/Hewell Gilroy

Good morning

Just checking on the status of this application.

Thank you! Cindy

From: Cindy McCormick

Sent: Wednesday, March 23, 2022 2:14 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia.Noel@ceo.sccgov.org>

**Subject:** RE: Wren/Hewell Gilroy

Good afternoon

Just checking on the status of this application.

Thank you! Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Sent: Tuesday, March 1, 2022 4:34 PM

To: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy McCormick@ci.gilroy.ca.us</a>; Noel, Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia.Noel@ceo.sccgov.org</a>

Subject: EXTERNAL - RE: Wren/Hewell Gilroy

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Hi Cindy,

We continue to work on the application but it likely will not be ready for the April meeting. We will let you know if we have any additional questions or need more information as we continue our review. Barring any unforeseen circumstances, we will be ready to take this application to the Commission at their June meeting. Thank you.

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Monday, February 28, 2022 7:43 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia.Noel@ceo.sccgov.org>

Subject: [EXTERNAL] Wren/Hewell Gilroy

Hi Neelima -

I'm checking in on the progress of this project. We would like to get on the April agenda.

#### Thank you! Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Thursday, February 10, 2022 5:15 PM

To: Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us>; Noel, Dunia <Dunia.Noel@ceo.sccgov.org>

Subject: EXTERNAL - RE: Gilroy

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Hi Cindy,

Thank you for checking in.

We have resumed our review of the application this week, following receipt of your responses last week.

We will keep you posted with any additional requests for information or clarification as we proceed with the review.

Best,

Neelima.

**Neelima Palacherla**, Executive Officer LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Thursday, February 10, 2022 4:32 PM

To: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

**Subject:** [EXTERNAL] Gilroy

Afternoon -

Just wondering how your review is going? I'd like to give the Wren/Hewell folks an update.

#### Thank you!

Cindy

#### Respectfully,

## CINDY MCCORMICK CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning 7351 Rosanna Street | Gilroy | CA 95020





# Community Development Department

7351 Rosanna Street, Gilroy, California 95020-6197 Telephone: (408) 846-0451 Fax: (408) 846-0429 <a href="http://www.cityofgilroy.org">http://www.cityofgilroy.org</a>

**TO:** Santa Clara County LAFCO staff **FROM:** Cindy McCormick, City of Gilroy

**DATE:** October 18, 2022

**SUBJECT:** Response to LAFCO staff questions

LAFCO staff,

Our response to your questions (shown in italics) are provided below:

#### **VACANT LANDS**

We have reviewed the City's Vacant Lands Inventory and request the following information in order to complete our analysis:

• How many acres of land designated for residential purposes, within each of these residential land use designations, remains vacant?

Residential Land use Designations	Vacant land (acres)
Hillside Residential	
Low Density Residential	
Medium Density Residential	
High Density Residential	
Mixed Use	
Hecker Pass Specific Plan	
Glen Loma Ranch Specific Plan	
Downtown Gilroy Specific Plan	
Total	

**CITY RESPONSE:** See attached updated vacant land inventory

Additionally, we have reviewed the City's Plan for Service and Fiscal Impact Analysis and have a few clarifying questions, as we prepare our staff report.

#### CFD AND OTHER FINANCIAL MECHANISMS

The Plan for Services says that "the proposed project will be required by the City to form a CFD as a means to finance all applicable services." However, no details have been provided about the CFD.

- What services will be funded through the CFD?
- What infrastructure and/or facilities will be funded through the CFD?
- How much revenue is anticipated to be collected through the CFD?
- When will the City create the CFD?
- What process will the City use to create the CFD and accompanying special taxes?
- We understand that forming a CFD to fund many services is complex. Does the City have any policies specific to this?

**CITY RESPONSE:** Per the Plan for Services document submitted to LACO in April 2021, the applicant would construct the required infrastructure and dedicate it to the City, as applicable, upon inspection and confirmation of conformance to City standards. Off-site improvements would be fully funded or partially funded through the CFD depending on the availability of other funding sources such as the City's Traffic Impact Fee (TIF) fund, subject to the City's TIF Reimbursement Policy which outlines specific improvements that are eligible for reimbursement.

With the exception of landscaping and lighting as discussed later in the City's overall response to LAFCO staff questions, the CFD would fund all applicable services, potentially including, but not limited to police/fire facilities and infrastructure (including vehicles and equipment), water and sewer system improvements, streets, and park facilities.

The CFD would be formed as part of the development process with the developer/land owners agreeing to place the CFD special tax on the property, and would generally occur as follows, with some exceptions since it is anticipated that the developer/current property owners would join the CFD prior to selling individual parcels/housing units. Subsequent owners would then be subject to the CFD:

- At the time of final design, a CFD design professional will prepare a CFD plan that includes a scope of work for items to be included in the CFD, yearly maintenance costs, and a cost breakdown of management costs.
- A petition to form a CFD is submitted to the City Council by the owner or by the owner legally authorized representative (developer). This document describes the work to be financed (the public facilities and services), and the rate and method of expenses and revenues for the Special Tax formation (CFD formation).
- City Council holds a public meeting to hear the owners petition to form a CFD, approve intent of the rate and method of expenses and revenues for the special tax formation (CFD formation), directs the appropriate staff to prepare a CFD report, and sets a subsequent public hearing on the question of establishing a CFD.

- At the second council hearing, Council hears any protest to the formation of the CFD. Council also passes a resolution approving the CFD report which summarizes the services to be financed and their initial costs. Council also passes a resolution calling for special elections by the residents of the CFD to approve the levy of the special taxes on the proposed CFD and the appropriations limit on the CFD.
- A unanimous Approval document, approved by all future CFD users, is recorded in the office of the County Recorder.

#### PLAN FOR SERVICES

#### WATER

Page 3-5 of the Plan for Services in the paragraph below Table 3-1 discusses water supply (including recycled water) availability through 2040 and provides projected water demand for the City of Gilroy, City of Morgan Hill and other uses for the same period. The Plan for Service then concludes that there is an excess supply in the amount of 322 MG/Y. However, upon review the numbers provided in this paragraph do not total a surplus of 322 MG/Y, but rather a deficit of 680 MG/Y. Below is the calculation:

5,822~MG/Y~(Gilroy~Demand) + 13,658~MG/Y~(Morgan~Hill~and~other~uses~Demand) = 19,480~MG/Y~(Total~Projected~Demand)~and~not~the~18,478~MG/Y~total~demand~which~is~stated~in~the~text~on~Page~3-5.

18,800 MG/Y (Total Projected Supply) -19,480 MG/Y (Total Projected Demand) = -680 (a deficit in supply) and not the 322 MG/Y projected excess supply.

Most likely there is some sort of mix-up in the numbers and resultant calculation. I was able to confirm that the figures of 18,800 MG/Y and 5,822 MG/Y were sourced from the Gilroy UWMP. However, I could not find the source(s) for the 13,658 MG/Y or 18,478 MG/Y.

Please review this information closely and revise it, as necessary. Please provide the source for these figures and a link to the source document(s) and page number(s). If I am misinterpreting this information, please help me understand how to arrive at the numbers presented in the Plan for Services.

**CITY RESPONSE:** Section 3 of the Plan for Services document has been updated and attached.

#### WASTEWATER

#### **SCRWA Capacity**

Please provide more recent information on wastewater treatment capacity at SCRWA, as the information cited in the Plan for Services is over 10 years old (2004 and 2010). Additionally, we like to know about SCRWA's plans to increase its capacity and any resultant impact on Gilroy. Please see our questions below:

• What is the current capacity of SCRWA?

- What is SCRWA's current average dry weather flow? What is the City of Gilroy's share of that flow in mgd?
- What is SCRWA's projected wastewater plant flow for the next 5, 10, 15 years?
- What is the current status of SCRWA's expansion plans? What has been completed in terms of additional capacity and what is the final anticipated capacity?

### **CITY RESPONSE**: (response in blue below)

- What is the current capacity of SCRWA? 8.5 mgd ADWF design rated
- What is SCRWA's current average dry weather flow? 6.00 mgd (Jun-Sep 2022)
- What is the City of Gilroy's share of that flow in mgd? 3.16 mgd
- What is SCRWA's projected wastewater plant flow for the next 5, 10, 15 years? 8.42 mgd 2025, 9.26 mgd 2030, 10.1 mgd 2035, based on a 10-yr ADWF flow factor using population data & 8.51 mgd 2025, 9.31 mgd 2030, 10.31 mgd 2035, based on permit data
- What is the current status of SCRWA's expansion plans? In construction, broke ground in 2021
- What has been completed in terms of additional capacity and what is the final anticipated capacity? Construction ~37 to 42% complete, based upon time lapse to date / cost & anticipated expanded capacity = 11 mgd ADWF

#### **Relief Trunk Line**

The Plan for Services states that future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site (i.e. Joint Morgan Hill-Gilroy Trunk). However, according to the City's Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Trunk becomes deficient when Morgan Hill flows are introduced. The Plan for Services indicates that a relief trunk line is being constructed from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass and Renz Lane in the City of Gilroy. However, the relief trunk line is only partially constructed at this time.

Given the anticipated increase in wastewater flow resulting from development of the proposal area and the importance of the relief trunk line to addressing wastewater service deficiencies in the City of Gilroy, please clarify the following:

- How much of the relief trunk line has been constructed? From what physical point to what physical point?
- How much additional funding is required by the City of Morgan Hill and City of Gilroy in order to complete the full construction of the relief trunk line?
- What is the anticipated timeline for completing the full construction of the relief line?

CITY RESPONSE: Construction from California to Highland is complete. Additionally, Morgan Hill and Gilroy previously partnered to build the line from the plant to Renz Avenue in Gilroy. Morgan Hill is managing the project and states that the design is nearly 100% complete. All funding has been identified through sewer impact fees and rate studies to fund the project beginning in the next 2 Fiscal Years. Approximate completion is within the next 5 years.

#### FIRE SERVICES

The Plan for Service appears to be based on information from the City's 2004 Update of the Fire Service Master Plan. However, a more recent Master Plan was prepared in November 2019 that notes several deficiencies in the City's fire service. The 2019 Master Plan found that "overall first-due call-to-arrival performance is significantly slower than best practices to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies." The Plan noted deficiencies at all stations, particularly in call processing/dispatch, first-due travel, first-due-call-to arrival, and ERF call-to-travel. The identified deficiencies at the Las Animas were only slightly less that at the other stations. The Plan also noted that simultaneous incidents requiring at least two of the City's three staff fire units occurs on average at least once per day, leaving only one unit for subsequent emergency response.

The 2019 Master Plan identified three primary challenges for the City in terms of the provision of fire services, given increasing annual service demand and the fact that the City is continuing to grow: daily staffing capacity, fire station locations, and fire dispatch services. Given the above information,

- Why is the Plan for Service not based on the 2019 Fire Master Plan?
- What is the status of the proposed Glen Loma fire station? When is it expected to be constructed and occupied?

CITY RESPONSE: Currently, the City is in negations with Glen Loma to finalize transfer of designated land to the City for the purpose of building a permanent fire station. In the meantime, an interim fire station will be built. On October 17, 2022 the City Council approved a Contract for the construction, installation, and leasing of an interim fire station located on the corner of 10th Street & DeAnza Place. The interim fire station will house a three-person fire crew and fire apparatus, providing better emergency access, response times, and essential services to the Santa Teresa Fire Response District. The interim fire station is anticipated to be set-up by February 28, 2023. It will be replaced three years later when the permanent fire station is anticipated to be built. In the meantime, the City continues to provide staffing for a part-time fire company at the City-owned TEEC building located at Christmas Hill Park, approximately one mile from the site of the proposed permanent fire station.

### **LIGHTING**

The Plan for Services notes that "the proposed project would have lighting typical of residential and neighborhood serving commercial uses" and that "lighting will be provided and maintained by the City." The Plan mentions the ability to establish an assessment district relating to lighting and landscaping.

• Will the City be establishing an assessment district to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets? If so, why, how and when will this occur?

**CITY RESPONSE:** The City has an existing Citywide Landscape and Lighting Community Facilities District (CFD). The property owners would need to elect to join this CFD. It is anticipated that the developer/current property owners would join the Citywide CFD prior to selling individual parcels/housing units.

#### PARKS AND RECREATION FACILITIES

The Plan for Services notes that "the City requires that for every thousand in population, there shall be five acres of developed open parkland." Given the above requirement,

- Is the City currently meeting this requirement? If not, why and what steps is the City taking to meet this requirement in the near term?
- Is the City able to meet this requirement when factoring in the anticipated development? If not, why and what steps is the City taking to meet this requirement in the near term?

CITY RESPONSE: As provided in the attached excerpt from the City's Recreation Activity Guide, there are approximately 371 acres of parkland in the city. The census estimates the July 2021 population in Gilroy to be 58,101. At 5 acres per 1,000 residents, the City should have approximately 300 acres of parkland. The 371 acres of existing parkland meets this requirement. Furthermore, the proposed project will be required to dedicate parkland within their development. Per the census, the average number of persons per household in Gilroy was 3.5 in 2020, which equates to 1,074 new residents when multiplied by the 307 proposed units. The development will be required to dedicate at least 1.075 acres of parkland within their development.

## **Final**

# City of Gilroy Residential Vacant Land Inventory

**October 18, 2022** 

Prepared by **EMC Planning Group** 

#### FINAL

# CITY OF GILROY RESIDENTIAL VACANT LAND INVENTORY

#### PREPARED FOR

City of Gilroy Community Development Department
Cindy McCormick, Customer Service Manager
7351 Rosanna Street
Gilroy, CA 95020
Tel 408.846.0253

PREPARED BY

EMC Planning Group Inc.
601 Abrego Street

Monterey, CA 93940

Tel 831.649.1799

Fax 831.649.8399

www.emcplanning.com

October 11, 2022



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# 1.0 **Purpose and Need**

In Santa Clara County, jurisdictional boundary changes, including urban service area (USA) amendments, are reviewed and acted upon by the Santa Clara County Local Agency Formation Commission (LAFCO). A city's USA is defined by LAFCO as that area to which the city provides urban services such as water and sewer, or expects to provide these services within five years of inclusion within the USA boundary. Therefore, the USA is expected to accommodate approximately five years of urban development.

In acting upon a USA amendment request, LAFCO requires the preparation of an appropriate environmental review document, a fiscal analysis, and an analysis of the remaining vacant land within the existing USA. LAFCO utilizes the vacant land analysis in assessing the need for expansion of the USA, based on a goal of maintaining an approximate five-year supply of developable land within the USA. The City of Gilroy approved an USA amendment for the addition of the 50.3—acre Wren Investors project site, located north and west of the Gilroy city limit and USA and the 5.36-acre Hewell site, located just outside the northern city limits northeast of the intersection of Vickery Lane and Kern Avenue. This residential vacant land analysis update has been prepared to provide this information to LAFCO for use in their decision on this USA amendment. This residential vacant land inventory updates the vacant land inventory prepared on December 7, 2021 and reflects additional residential development in the City of Gilroy through September 9, 2022.

This vacant land analysis focuses on the current supply of vacant land within the existing USA with a residential General Plan land use designation of Hillside Residential, Low Density Residential, Medium Density Residential, High Density Residential, Mixed-Use, and Specific Plans - Hecker Pass, Glen Loma Ranch, and Downtown.

# **Residential Vacant Land Supply**

# 2.1 Defining Vacant Land

The survey identifies residentially-designated vacant land with the Gilroy USA as of September 9, 2022. The City is currently undergoing an update of its Housing Element. As part of that effort, the City reviewed vacant residential land that could be included in the City's Housing Element Sites Inventory. To help in this effort, the California Department of Housing and Community Development (HCD) prepared a Housing Element Sites Inventory Guidebook. The Guidebook provides a definition of a vacant site as "a site without any houses, offices, buildings, or other significant improvements on it. Improvements are generally defined as development of the land (such as a paved parking lot, or income production improvements such as crops, high voltage power lines, oil-wells, etc.) or structures on a property that are permanent and add significantly to the value of the property." This vacant land inventory has been prepared to include vacant property that conforms to the HCD definition of "vacant land" and exclude properties that the Guidebook further defines as "not vacant" including "underutilized sites," "sites with blighted improvements," and "sites with abandoned or unoccupied uses" (California Department of Housing and Community Development 2020).

Physically vacant land may have approved entitlements that make the land more readily developable. In many cases, the City approves concurrent residential subdivision maps and architectural and site approvals. Subdivided residential lots are considered vacant until a building permit is granted for development of the lot. The report considers land available for primary dwellings, and does not consider the potential for accessory dwelling units that could be constructed on lots with an existing primary dwelling.

# 2.2 Vacant Residential Land Supply

## **Density Target Assumptions**

Quantifying the existing supply of residentially-designated vacant land within the Gilroy USA involved mapping residentially-designated vacant land, and then eliminating those parcels for which building permits have been obtained. For areas with an approved final subdivision map, potential for development is based on the number of subdivided lots, equating to one dwelling unit per lot. In areas without an approved final subdivision map, including land in the Medium- and High-Density

designations, the build-out is assumed to follow the density provided as a development target in the General Plan. Table 2-1, Building Density Targets for Quantifying Residential Capacity, presents density targets for each applicable land use designation.

Table 2-1 Building Density Targets for Quantifying Residential Capacity

General Plan Designation	Density Target
Hillside Residential	<1 - 4 units/acre
Low Density Residential	3 - 8 units/acre
Medium Density Residential	8 - 20 units/acre
High Density Residential	20 + units/acre
Mixed-Use District	20 to 30 units/acre

Source: City of Gilroy 2021

The *Downtown Gilroy Specific Plan* was adopted by the City Council in 2005. Table 2-2, Downtown Residential Projects, presents an overview of high-density residential projects built within the last five (5) years, including their average density.

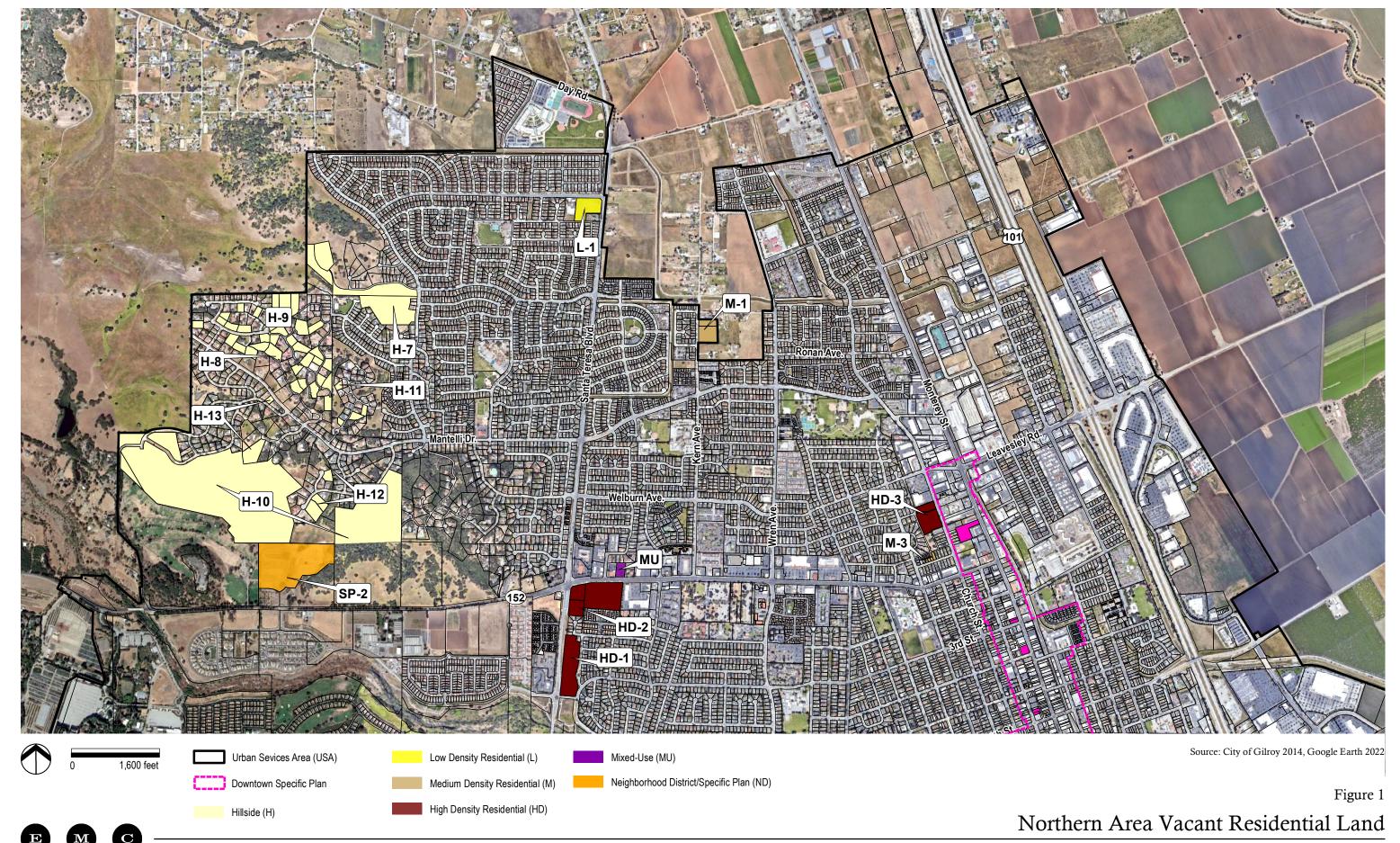
Table 2-2 Downtown High-Density Residential Projects

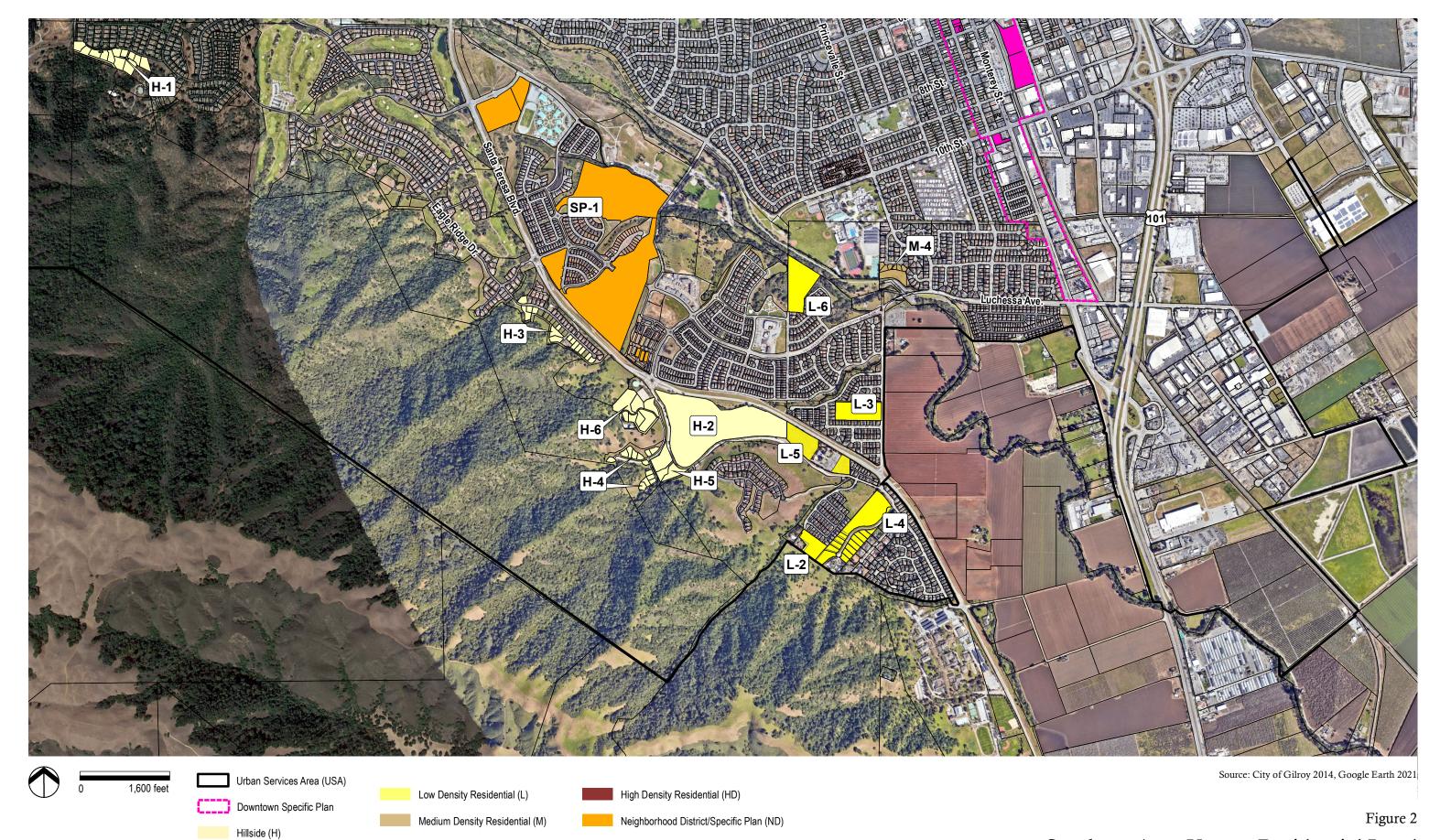
Name, Location, and Density	Units	Density (Units/Acre)
The Cannery Apartments	104	21.1
Cantera Commons Mixed-Use Apartments	10	34.5
Alexander Station Apartments	263	38.7
Monterey/Gilroy Gateway Apartments	75	40.3
Average Density		33.65

Source: Downtown Gilroy Specific Plan 2005, Development information provided by the City of Gilroy 2021, 2022

## **Vacant Residential Land Inventory**

Table 2-3, Vacant Residential Land Inventory, provides a list of estimated developable lots within each land use designation, including Assessor's parcel numbers and acreage. Approximately 1,728 residential units could be developed on vacant land with the Gilroy USA. Figure 2-1, Northern Area Vacant Residential Land, and Figure 2-2, Southern Area Vacant Residential Land, show the location of residential parcels determined to be vacant.





Southern Area Vacant Residential Land

Table 2-3 Vacant Residential Land Inventory

Location	APN	Acreage	Potential Lots/Units
Hillside Residential - <1 – 4.0 dwelling units/acre (H) (ave	rage 2 units/acre)		
H-1 Eagle Ridge Subdivision – Berwick Avenue	81067051 81067055 81067057 81067056 81067054 81067049 81067060 81067052 81067053 81067050 81067059 81067058	8.01	12
H-2 Miller Pond – Babbs Canyon (CTS Breeding Habitat – Development Constrained)	81023005	37.54	53¹
H-3 Eagle Ridge Subdivision – Eagle Ridge Court	81060019 81060020 81060021 81060026 81072018 81072019 81072021 81072023 81072024 81072025 81072027 81072028 81072031	4.89	13
H-4 Eagle Ridge Subdivision - Portrush Lane and Southerland Court	81074001 81074002 81074006 81074004 81074005 81074007 81074003 81074008 81074011 81074009 81074012 81074010 81074013	3.37	13
H-5 Massey Thomas, 6385 Miller Avenue	81023008 81023011 81023010	4.75	3
H-6 Eagle Ridge Subdivision - Walton Heath Court	81075003 81075005 81075006 81075002 81075004 81075007 81075001	8.65	7
H-7 Rancho Hills Estates Subdivision	78375082, 78321065	22.06	2
H-8 Country Estates Subdivision (Phase II) Gunnera Lane Banyan Court Mantelli Drive Hoya Lane	78372051 78365022 78364028 78364032 78364029 78365027 78365024 78364021 78364024 78364001 78364022	6.93	11
H-9 Country Estates Subdivision (Phase III) Tea Tree Way Mimosa Court; Columbine Court Banyan Court Mahogany Court Carob Court Gunnera Lane	78372039 78372040 78372054 78372052 78364035 78372053 78372044 78372018 78372011 78372057 78372063 78372055 78372049 78372047 78372045 78372037 78372032 78372026 78372031 78372030	19.69	23

Location	APN	Acreage	Potential Lots/Units
	78372023 78372025 78372034		
H-10 Country Estates (Phase IV) Property	78304007 78346026 78347003	119.37	612
H-11 Carriage Hills Subdivision Lavender Way Wild Iris Drive	78352020 78352032 78352023 78352039	1.81	4
H-12 Hollyhock Hills Subdivision Hollyhock Lane Shooting Star Court	78370003 78370013 78370014	3.54	3
H-13 Misc. lots South of Mantelli Drive Country Drive Coral Bell Court	78346017 78346026 78346938	4.48	3
Hillside Residential Subtotal		245.09	208
Low Density Residential - 3.0 - 8.0 dwelling units/acre (L) (	average 5.5 units per ac	cre)	
L-1 Santa Teresa Boulevard South of Sunrise Drive	78320049	3.75	20
L-2 Christopher Subdivision (Wildflower Court)	81028037 81028036 81028035 81028026 81028034 81028027 81028033 81028028 81028032 81028029 81028031 81028030	13.72	123
L-3 West of Thomas Road	80839066	6.37	31
L-4 Chappel-Sargenti Property	81028039	3.32	14
L-5 Presbyterian Church Property	81023007	7.02	33
L-6 Greenfield Drive Subdivision	80820008	8.62	144
Low Density Residential Subtotal		42.8	124
Medium Density Residential – 8.0 – 20.0 dwelling units/ac.	(M) (average 14 units po	er acre)	
M-1 East of Kern Avenue/South of Tatum Avenue	79017003 79017002	3.51	295
M-3 Gurries Drive	79035053 79035039 79035040 79035038	0.42	5 <sup>6</sup>
M-4 Royal Way	79944095 79944109 79944093 79944098 79944096 79944097 79944094	3.23	457
Medium Density Residential Subtotal		7.16	79
High Density Residential – 20+ dwelling units/ac. (HD) <sup>8</sup>			
<b>HD-1</b> East of Santa Teresa Boulevard Ponderosa Drive	80801024	7.21	144
<b>HD-2</b> Southeast Corner of Santa Teresa Boulevard/First Street	80801022 80801023 80801021	7.73	2029

Location	APN	Acreage	Potential Lots/Units
HD-3 West Church Street/Howson Street	79036002 79035001	4.45	89
High Density Residential Subtotal		19.39	435
Mixed Use District (MU)			
Mixed Use District along First Street (SR 152)	79039019	0.99	1910
Mixed-Use District Subtotal		0.99	19
Specific Plans (SP)			-
SP-1 Glen Loma Ranch Specific Plan	80818031 80818032 80843002 80843003 80858005 80859015 80859020 80859021 80859024	84.88	33211
SP-2 Hecker Pass Specific Plan	78304023	22.34	<b>72</b> <sup>12</sup>
Specific Plan Subtotal		107.22	404
Downtown Specific Plan <sup>13</sup>			
Downtown Expansion District	79907072 79907073 79903054 79903055 79934036	1.47	51
Gateway District	79037003	1.99	69
Downtown Historic District	79904008 79908048 79908047 79908046 79908049 79908045	1.35	47
Cannery District	84113021 84113022	8.36	292
Downtown Subtotal		13.17	459
TOTALS		435.82	1,728

Source: Google Earth 2021, Property information provided by the City of Gilroy for Building Permits through September 9, 2022 (Appendix A) Notes:

- 1. Planning entitlement request for a 53-unit subdivision was submitted in March 2022.
- 2. Site H-10 Previous subdivision application denied. No application currently on file.
- 3. Site L-2 12-lot subdivision Approved
- 4. A building permit application for one home was submitted for this parcel; however, the site could develop with up to 14 lots per TM 16-02.
- 5. Site M-1 The City has approved a project for a 29-lot subdivision at 9130/9160 Kern.
- 6. Site M-3 The City has approved a project for a 4-lot subdivision at 265/275/285 Gurries Dr. and a request for a building permit was submitted in September 2021 for APN 790-35-053.
- 7. Site M-4 Planning entitlement request for 45 townhomes was submitted in September 2021 and is scheduled for review/decision by the Council in November 2022 and was recommended for approval by the Planning Commission in October 2022.
- 8. High Density Residential (HDR) Assumes 20 units per acre
- 9. Site HD-2 The applicant has applied for an extension of the final map which expires at the end of 2022...
- 10. Site MU General Plan density for mixed-use is 20-30 du/net acre. Therefore, 25 (average) x 0.75 (net) = 19.
- 11. Site SP-1 Based upon review of the specific plan, residential building permits issued, and GoogleEarth.
- 12. Site SP-2 Grading permits have been issued. As of September 9, 2022, building permits had not been issued.
- 13. Downtown Assumes 35 dwelling units per acre, based upon the average density of 33.65 units per acre, for the four high-density projects already developed in the downtown and presented in Table 2.1.

# **Residential Growth Projections**

# 3.1 Regional Housing Needs Allocation

The housing growth target established by the Association of Bay Area Governments (ABAG) for the City of Gilroy is approximately 222 residential units per year based on the Regional Housing Needs Assessment (RHNA) total for Gilroy for the 2023-2031 planning period (1,773 units / by 8 years).

# 3.2 Seven-Year Permit History

The Gilroy Annual Element Progress Report, Housing Element Implementation Reporting Year 2021, shows that 2,367 housing units have been constructed over the past seven years (2015 to 2021). Therefore, based upon this permit history, the City of Gilroy could expect to issue an average of 338 permits per year (2,367 units / 7 years) over the next five years.

# 3.3 Rate of Absorption

Table 2-3, Vacant Residential Land Inventory, shows a capacity of 1,728 housing units of varying densities could be developed within the residentially-designated vacant land in the existing Gilroy USA. Assuming an average of 338 permits are issued per year, the existing Gilroy USA can accommodate approximately 5.1 years of residential growth.

# 4.0 References

California Department of Housing and Community Development. 2020, page 4. www.hcd.ca.gov/community-development/housingelement/docs/sites\_inventory\_memo\_final06102020.pdf City of Gilroy. 2020. City of Gilroy 2040 General Plan. https://www.cityofgilroy.org/274/2040-General-Plan . 2015. Hecker Pass Specific Plan. https://www.cityofgilroy.org/277/Hecker-Pass-Specific-Plan . 2005. Downtown Gilroy Specific Plan. https://www.cityofgilroy.org/271/Downtown-Specific-Plan —. 2021. Gilroy Annual Element Progress Report, Housing Element Implementation Reporting Year 2021. ——. 2021-22. Gilroy Building Permit Reports. Google Earth. Imagery Date, September 2021. Santa Clara County Department of Planning and Development. Interactive Property Profile Map. Accessed August 2022. https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=fb3af8ce73b6407 c939e1ac5f092bb30 Santa Clara Local Agency Formation Commission (LAFCO) website. Accessed August 31, 2021 at:

https://santaclaralafco.org

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## **INFORMATION SOURCES**

The following sources were used for this section:

- The City of Gilroy Water System Master Plan (hereinafter "Water Master Plan") analyzes the water system for build out conditions with the 20-year Growth Boundary and provides recommendations for capital improvements (Carollo Engineers 2004).
- The City of Gilroy 2015 Urban Water Management Plan (hereinafter "Urban Water Management Plan") implements and maintains the reliability of urban water supplies, ensures that future beneficial use can be complemented by sufficient water supply, continues to promote policies and programs that benefit water conservation, and provides a means for response during water supply shortages and drought conditions. The Urban Water Management Plan is required in accordance with the California Water Code requirements, and updates are typically submitted to the Department of Water Resources every five years (AKEL Engineering Group 2016)
  - https://www.cityofgilroy.org/DocumentCenter/View/5908/2015-UWMP?bidId=.
- The City of Gilroy 2020 Urban Water Management Plan (AKEL Engineering Group 2021). <a href="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/DocumentCenter/View/12538/FINAL-2020-Urban-Water-Management-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Plan?bidId="https://www.cityofgilroy.org/Document-Pla
- The Santa Clara Valley Water District/South County Regional Wastewater Authority's South County Recycled Water Master Plan identifies opportunities to expand the use of tertiary treated recycled water within areas served by the plan, including the City (Carollo Engineering 2004d).
- Santa Clara Valley Water District's Stream Maintenance Program Update 2012-2022 Final Subsequent Impact Report addresses potential environmental impacts to the proposed Stream Maintenance Program Update and describes flood management goals to

- maintain appropriate conveyance capacity and functional integrity of Santa Clara Valley Water District facilities (Horizon Water and Environment 2011).
- The Santa Clara Valley Water District's Water Supply and Infrastructure Master Plan discusses the District's plan to ensure a sustainable water supply for Santa Clara County's future needs through 2035 (2012).
- The Santa Clara Valley Water District's Groundwater Management Plan characterizes the District's groundwater activities in terms of basin management objectives, strategies, and outcome measures so that the District may respond to risks and uncertainties that may impact the quality and quantity of groundwater supplies such as increased demand, regulatory changes, constituents of emerging concern, recharge limitations due to dam restrictions, reduced availability of imported water or other supplies, climate change, and intensified land development (2016).
- The Santa Clara Valley Water District's Annual Groundwater Report for Calendar Year 2016 describes the groundwater use, storage, land subsidence, and groundwater quality in the Llagas Subbasin for the 2016 year.
- The Central Coast Hydrologic Region; Gilroy-Hollister Groundwater Basin, California's Groundwater Bulletin 118 Interim Update 2016 Data explains the hydrology and basin boundaries of the Gilroy-Hollister Basin (California Department of Water Resources 2016).
- The CASEGM Groundwater Basin Prioritization Results Groundwater Reliance Sorted by Basin Name illustrates the basin prioritization which is used to align resources in the implementation of the California Statewide Groundwater Elevation Monitoring (CASGEM) Program (California Department of Water Resource's 2014).

## **EXISTING CONDITIONS**

### **Groundwater Source**

The City utilizes local groundwater as its main source of supply and uses recycled water as a supplemental supply. The City's municipal water system extracts its water supply from underground aquifers through nine active groundwater wells, which vary in depth and are located throughout the City (City of Gilroy 2016a). The City pays a groundwater extraction fee to the Santa Clara Valley Water District, which is the principal groundwater management agency in the Santa Clara Valley. The groundwater basin underlying Gilroy is the Santa Clara Valley groundwater basin, which is divided into three interconnected subbasins that transmit, filter, and store water. These basins consist of the Santa Clara Valley and Coyote Subbasins to the north of Gilroy, and the Llagas Subbasin, which is the southernmost subbasin. Gilroy is located within the Llagas Subbasin.

Recharge to the Llagas Subbasin comes from a variety of sources including natural recharge from streams; percolations of precipitation and surplus irrigation waters; seepage along canals; subsurface inflow; and artificial recharge, including imported water from the Central Valley Project. The amount of water recharged to the basin varies widely from year to year dependent upon the amount of precipitation and imported water deliveries. Natural recharge to the basin occurs from a variety of sources including Uvas Creek and Llagas Creek as well as percolation of precipitation. Further, a number of artificial recharge facilities enhance natural recharge to the Llagas Subbasin and have successfully offset historic waterlevel declines including the Madrone Channel, Main Avenue Percolation Ponds, and a number of percolation ponds along Uvas Creek and Llagas Creek (AKEL Engineering Group 2011 and 2016). Demand for groundwater from the Llagas Subbasin is comprised of pumping for the City of Gilroy, the City of Morgan Hill, and agricultural uses. In 2016, groundwater pumping from the Llagas Subbasin was estimated at about 41,820 acre-feet with 16,560 acre-feet used for residential and industrial uses, 2,010 acre-feet for domestic uses, and 23,250 acre-feet for agricultural uses (Santa Clara Valley Water District 2017). The Santa Clara Valley Water District has an annual average pumping value of approximately 8,300 acre-feet and a 2015 value of 6,968 acre-feet. The District monitors groundwater conditions and adjusts its management to maintain adequate reserves. District-wide shortterm water use reductions of up to 50 percent would be required to maintain aquifer balance during an extended drought.

## Water Treatment and Delivery Infrastructure

In addition to the nine active groundwater wells, the City's water system facilities include 10 potable water storage tanks, six active booster stations, and over 120 miles of pressurized pipes ranging from four inches through 30 inches in diameter. The wells have a total pumping capacity of approximately 18.8 million gallons per day (mgd). The City provides service to three separate pressure zones, defined by the elevation ranges they serve. Zone 1 has a pressure zone hydraulic grade line elevation of 374 feet and a service elevation range of 140 to 280 feet, and serves most of Gilroy. Zones 2 and 3 serve higher elevation in the hills at the western edge of the City (AKEL Engineering Group 2011; Carollo Engineers 2004d). The City has been constructing water transmission main facilities and storage reservoirs in accordance with the 2004 Water Supply Master Plan and 2015 South County Recycled Water Master Plan Update. For enhanced City-wide reliability to the water supply, the City added a storage reservoir with three million gallon (MG) capacity.

# **Recycled Water**

In addition to using groundwater, the City also participates in an agreement with the City of Morgan Hill and the Santa Clara Valley Water District to reclaim and purify wastewater at the South County Recycled Water System operated by the South County Regional

Wastewater Authority. The use of recycled water offsets use of potable water for agricultural, industrial, municipal and fire suppression uses. Specifically, recycled water is currently being used for landscape irrigation at Christmas Hill Ranch Site, Christmas Hill Park, Gilroy Golf Course, Gilroy Sports Park, Gilroy Shooting Range, McCarthy Business Park, Eagle Ridge Development and Golf Course, and for agricultural irrigation on Obata Farms and South County Regional Wastewater Authority-owned agricultural buffer lands. The Calpine-Gilroy Energy Center Peaker Plant and Cogeneration Plant use recycled water for cooling. Additionally, two customers will be online and receiving recycled water in the near-term – C&E Farms and Obata Farms (new turnout). The wastewater treatment plant has a recycled water production capacity of 6.5 million gallons per day (mgd) or 19.9 acre feet per day and a demand of 5.2 mgd or 15.9 acre feet per day. According to the 2017 Urban Water Management Plan, the Gilroy's annual recycled water demand is approximately 2,000 acre-feet per year. Several alternatives to expand the recycled water system are being considered to accelerate and optimize recycled water supplies. The existing recycled water distribution system consists of approximately 14.6 miles of 8- to 36-inch diameter pipelines extending from the South County Regional Water Authority wastewater treatment plant to the western edge of Gilroy along Hecker Pass Highway. The system is comprised of two primary distribution systems, the North System and South System, which operate independently of each other.

The Urban Water Management Plan estimated future recycled water supply availability to increase by 555 million gallons (MG) by 2030. With this increased use of recycled water, total supply within the Llagas Subbasin is estimated at 18,800 MG/Y (per year) by 2040 (AKEL Engineering Group 2016 a). Per the Santa Clara Valley Water District, groundwater pumping within the Llagas Subbasin is approximately 44,000 acre-feet (based on average groundwater pumping between 2003 and 2012). In addition to groundwater, approximately 2,000 acre-feet of recycled water is used in areas overlying the Llagas Subbasin (based on 2018 use data). Recycled water use within the Llagas Subbasin projected to increase to 3,700 acre-feet by year 2040 (Santa Clara Valley Water District 2019), which is approximately 6000 acre-feet less than the estimate of 18,800 million gallons (57695 acre-feet) used by the City.

## **Existing Site Water Service**

The City of Gilroy provides potable water service to customers within the City limits. The existing water system near the project site includes a 24-inch line in Santa Teresa Boulevard south of Sunrise Drive, a 16-inch line in Santa Teresa Boulevard north of Sunrise Drive to Day Road, a 16-inch lines in Wren Avenue, Cohansey Avenue, and Monterey Road south of Cohansey Avenue, a 12-inch lines in Hirasaki Avenue, Kern Avenue, Vickery Avenue Farrell Avenue, and eight-inch lines in Church Street, Tatum Avenue, and Ronan Avenue. There are existing City of Gilroy water mains adjacent to the site on Wren Avenue and Monterey Road.

# PROJECT DEMAND AND INFRASTRUCTURE EXPANSION Project Water Demand

Future development of the project site would increase the demand for potable water on the project site, and would contribute to increased City-wide and subbasin-wide groundwater demand. Two methods for projecting water demand for the project are provided: 2004 Water System Master Plan and the 2020 Urban Water Management Plan.

### 2004 Water System Master Plan

Using the water demand coefficient identified in the City's *Water System Master Plan* for Neighborhood Districts of 2,100 gallons per day per acre (gpd/ac) or 2.35 acre feet per year (afy), future water demand of the proposed project would be 116,886 gdp or 130.81 acre-feet. Table 3-1, Water Demand presents the projects projected water demand, using the water demand coefficient from the *Water System Master Plan*.

Table 3-1 Water Demand (2004 Water System Master Plan)

Site and General Plan Designation	Site Acreage	Water Demand Coefficient (2,100 (Gallons Per Day Per Acre)	Water Demand Coefficient (2.35 Acre Feet Per Year)
Wren Investors (Neighborhood District)	50.30	105,630 gpd/acre	118.21 afy
Hewell (Neighborhood District)	5.36	11,256 gpd/acre	12.60 afy
Total:	55.66	116,886 gpd/acre	130.81 afy

SOURCE: City of Gilroy 2004

#### 2020 Urban Water Management Plan

Using the water demand coefficient from the *City of Gilroy 2020 Urban Water Management Plan* (Akel Engineering Group 2021) of 133 gallons per capita per day (gpcd), future demand of the proposed project would be 142 acre feet per year. Table 3-2, Water Demand (2020 Urban Water Management Plan) presents the project projected water demand using the water demand projection per capita from the *City of Gilroy 2020 Urban Water Management Plan*.

Population (Number of Households x Persons per Household)	Water Demand Per Capita	Water Demand per Day	Water Demand Acre Feet Per Year
952 (307 x 3.1)	133	126,576 gpd	142 afy

Table 3-2 Water Demand (2020 Urban Water Management Plan)

SOURCE: Gilroy 2020 General Plan EIR, page 2-8 (Neighborhood District High) City of Gilroy 2020 Urban Water Management Plan, page 7-5

The projected water supply available through 2045 during normal years, including recycled water sources, is 49,574 afy. As shown in Table 7-2A Projected Supply vs Demand Comparison (Llagas) of the *City of Gilroy 2020 Urban Water Management Plan*, the projected City-wide demand is 11,645 afy and the City of Morgan Hill and other uses are projected to have a demand of 35,727 afy for a total demand of 47,372 afy. This leaves 970 afy projected excess water supply. In order to meet water supply goals for normal, single dry and multiple dry years, the Urban Water Management Plan recommends enhanced conservation to the maximum extent possible. In the event of an emergency supply shortfall, the City will rely on the contingency plan to reduce the rate of consumption and limit overdraft of the groundwater aquifer. A mitigation measure was included in the initial study that will require new development to include storm water capture for outdoor watering to help meet the additional supply needed for the new development.

The proposed project is consistent with the *Gilroy 2040 General Plan*, which was used in the *City of Gilroy2020 Urban Water Management Plan* to project future water demand. Therefore, because the *City of Gilroy 2020 Urban Water Management Plan* shows there is sufficient water supply projected for buildout of the general plan, there is sufficient water to serve the project.

### Water Infrastructure

The project site is within an area that can be served by Zone 1, since the highest proposed service elevation is approximately 246 feet. Future development on the site would connect directly to existing City of Gilroy water infrastructure adjacent to the project site. According to Figure 4-2 of the Water System Master Plan, existing water system infrastructure adjacent to the project site includes 12-inch water mains that run along portions of the western project boundary along Kern Avenue, and to the south and the east of the project site along Cohansey Avenue and Wren Avenue. Water mains are also present in the residential neighborhood located directly south of the site between Mantelli Drive and the southern site boundary. Figure 5-2 of the Water Supply Master Plan presents proposed improvements to the City's system including 12-inch mains to the west of the project site along Kern Avenue

and along the northern and eastern project site boundaries along Vickery Avenue and Wren Avenue, respectively. Future water supply infrastructure within the project site would be connected to existing City of Gilroy water mains adjacent to the site on Wren Avenue and Cohansey Avenue.

On-site water infrastructure would be constructed by the applicant and dedicated to the City upon inspection and confirmation of conformance to City standards. New development is subject to compliance with the design requirements and standard conditions of approval of the City's Water System Master Plan.

## **FINANCING**

The Water Supply Master Plan includes a Capital Improvement Program to assist the City in planning and constructing the proposed improvements to the water system through the build out of the general plan. The Capital Improvement Plan includes cost estimates for the proposed improvements and a Capital Improvement Budget that outlines funding and financing options.

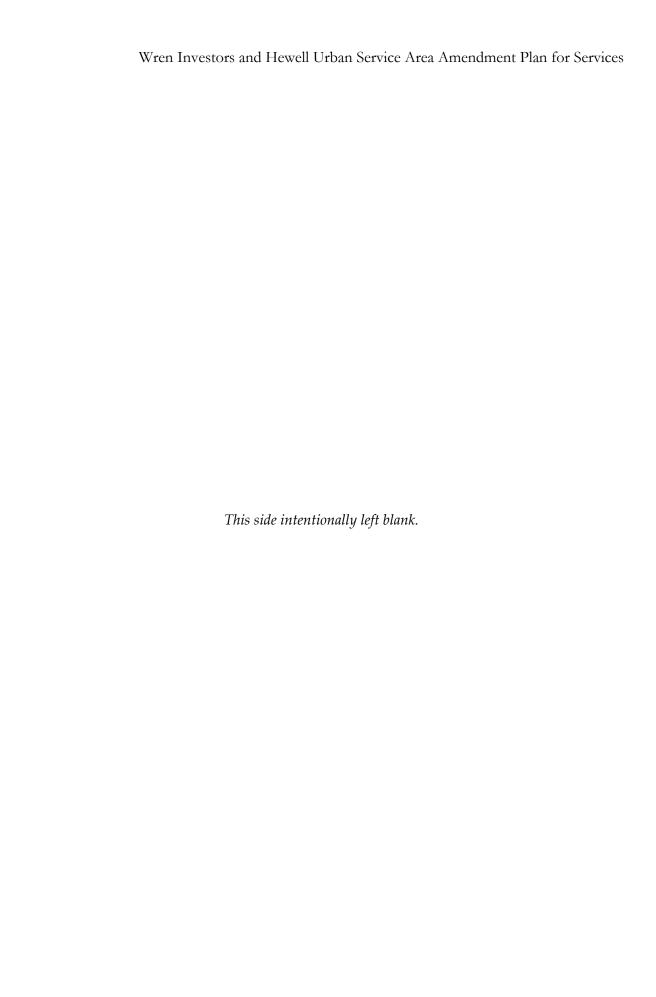
Future developers would be responsible for constructing all on-site water pipelines and off-site connecting pipelines. The City will reimburse the developer for construction of oversized mains (that will serve other future development) according to City reimbursement policy and comprehensive fee schedule in effect at the time of reimbursement. Additional improvements that are included in the Capital Improvement Plan would also be subject to reimbursement. The construction and financing of on-site infrastructure serving the project site would be the responsibility of the applicant.

Future developers of the site would participate in the water development impact fee program, which provides a mechanism to offset the project's share of existing and proposed City-wide infrastructure improvements that enable delivery to the site, such as the new wells required to serve the project. According to the fee program, future low density residential development would pay City development fees at the low-density level. Medium-density (duets) and high-density (townhome/ apartment) residential development would pay City development fees at the high-density level. Refer back to Table 2-1, Public Facilities and Utilities Fees.

On-site water infrastructure would be constructed by the applicant and dedicated to the City. As owner of the water infrastructure, the City will be responsible for costs associated with future maintenance of the water infrastructure unless a Community Facilities District is established. This financing approach could help defray costs for associated with the new water infrastructure (see Section 15.0 for further discussion).

# **CONCLUSION**

Future development of the site consistent with the existing general plan land use designation would result in an increased demand for water and required treatment. The existing and planned City infrastructure is sufficient to accommodate this increased demand for water service. Developers would be responsible for paying a proportionate share of impact fees for the necessary off-site infrastructure improvements and would be responsible for financing on-site improvements. Future development of the site would also expand the City's tax base and correspondingly, increase available opportunities to provide funding for additional staffing if required. However, the increased tax base would not offset the costs of the financial impacts (see Fiscal Impact Analysis prepared by ADE) and the City will require formation of a Community Facilities District for the proposed project. As outlined in the Water System Master Plan and the Urban Water Management Plan, the City is able to deliver water to all customers within the city limits, and the City's water supply and water system planning documents provide for expansion of water production and delivery infrastructure to supply all areas within the USA and 20-year Growth Boundary. Water demand associated with development of the project site is within the City's water supplies and the planned water system infrastructure beyond that already identified in the City of Gilroy Water System Master Plan and Urban Water Management Plan.



From: Palacherla, Neelima

**Sent:** Friday, December 16, 2022 11:18 AM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Cc: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

**Subject:** RE: Gilroy application

Hi Cindy,

We are reviewing the application and would like to request some clarification on the VLIs that the City has submitted.

The City has submitted a new VLI (dated 10-18-22) using the HCD definition for vacant land. LAFCO does not use that definition.

In comparing the 12/7/21 VLI with the 10/18/22 VLI, we found some discrepancies.

Could you please provide an explanation for why the following sites identified in the 12/7/21 VLI are removed from the 10/18/22 VLI, including -

- 1. HD4
- 2. Various parcels in MU
- 3. Various lands in SP1
- 4. It is not clear if some parcels are removed in the Downtown Specific Plan Area. If so, why? Additionally, would you please let us know what is the General Plan development density within the Downtown Specific Plan area. To determine potential development capacity, LAFCO uses the General Plan development density rather than the actual building density of completed projects.

Overall, the 10/18/22 VLI shows that there is potential for 752 fewer units in comparison to the 12/7/21 VLI submitted 10 months ago— it is unlikely the city issued so many building permits in that time period...

It would be most helpful if you could directly respond to these specific questions.

We look forward to receiving your response as soon as possible.

We are continuing with our review of rest of the application material recently submitted and may have questions for you.

Thank you.

Neelima.

From: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

**Sent:** Monday, December 12, 2022 1:46 PM **To:** Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Abello, Emmanuel

<<u>Emmanuel.Abello@ceo.sccgov.org</u>>

**Subject:** [EXTERNAL] RE: EXTERNAL - RE: - RE: Gilroy application

Thank you! Looking forward to hearing back from you.

Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>
Sent: Monday, December 12, 2022 11:05 AM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us >

Cc: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org >; Abello, Emmanuel

<Emmanuel.Abello@ceo.sccgov.org>

**Subject:** EXTERNAL - RE: - RE: Gilroy application

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Hello Cindy,

-Dunia

We are in the process of reviewing the new information now. Should we have any further questions we will let you know as soon as possible. We hope that the City's responses to those questions will be timely, allowing us to take the application to LAFCO in February. Please feel free to check back with all of us on the status of the application over the next few weeks. Thanks.

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Monday, December 12, 2022 8:11 AM

To: Abello, Emmanuel < Emmanuel. Abello@ceo.sccgov.org>; Noel, Dunia

<Dunia.Noel@ceo.sccgov.org>

**Cc:** Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

**Subject:** [EXTERNAL] RE: - RE: Gilroy application

Good morning,

I'm checking on the progress of this application. We would like to get on the February agenda.

### Thank you for your time to respond!

Cindy

**From:** Cindy McCormick

**Sent:** Thursday, December 8, 2022 8:11 AM **To:** 'Noel, Dunia' < <u>Dunia.Noel@ceo.sccgov.org</u>>

**Cc:** Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Subject: - RE: Gilroy application

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Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>
Sent: Monday, November 14, 2022 12:49 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>> **Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

**Subject:** EXTERNAL - RE: Gilroy application

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#### Hello Cindy,

Thanks for checking in with us. We've completed a cursory review of the new information that you submitted and noticed that a brand new vacant lands inventory (using a different methodology) has also been provided. We need to take a much closer look at this and see if we having any questions.

We expect to have a better sense of things after the December 7<sup>th</sup> LAFCO meeting.

-Dunia

**From:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>>

**Sent:** Monday, November 14, 2022 8:32 AM **To:** Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

Subject: [EXTERNAL] Gilroy application

Good morning Dunia –

I am checking on the status of this application. Please confirm the February hearing date.

Thank you!

Respectfully,

CINDY MCCORMICK
CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning 7351 Rosanna Street | Gilroy | CA 95020 From: Palacherla, Neelima

**Sent:** Friday, December 16, 2022 11:18 AM

To: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy.McCormick@ci.gilroy.ca.us</a>>

Cc: Noel, Dunia < Dunia. Noel@ceo.sccgov.org>

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Thank you.

Neelima.

**Neelima Palacherla**, Executive Officer LAFCO of Santa Clara County

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Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >; Abello, Emmanuel < Emmanuel.Abello@ceo.sccgov.org >

Subject: [EXTERNAL] RE: EXTERNAL - RE: - RE: Gilroy application

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Sent: Monday, December 12, 2022 11:05 AM

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Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Abello, Emmanuel < Emmanuel.Abello@ceo.sccgov.org>

Subject: EXTERNAL - RE: - RE: Gilroy application

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Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

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Thank you!

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CINDY MCCORMICK
CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning 7351 Rosanna Street | Gilroy | CA 95020



From:

Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent:

Wednesday, January 18, 2023 2:44 PM

To:

Noel, Dunia

**Subject:** 

[EXTERNAL] RE: EXTERNAL - RE: Wren/Hewell Gilroy

The zoning ordinance (and map) will be updated by the end of 2023. The ND Ordinance was last updated in 2013. The ND policy was last updated in 2012.

From: Noel, Dunia < Dunia.Noel@ceo.sccgov.org> Sent: Wednesday, January 18, 2023 2:39 PM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Subject: FW: EXTERNAL - RE: Wren/Hewell Gilroy

### Hi Cindy,

Following-up on my earlier inquiry below and also requesting to know when the City completed its Zoning Ordinance Update to implement the 2040 General Plan, and when the most recent version of the Neighborhood District Zoning Ordinance (consistent with the 2040 General Plan) was adopted. Thanks.

-Dunia

From: Noel, Dunia

Sent: Tuesday, January 10, 2023 10:49 AM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Subject: RE: EXTERNAL - RE: Wren/Hewell Gilroy

### Hello Cindy,

Thanks for that clarification. Also seeking more information on the relief trunk line, particularly the remaining section which is yet to be built. Can you clarify what city is (or if both cities are) responsible for funding the remaining section? What the cost will be for the cities? How it will be funded by the cities? I trying to determine which agency or agencies are funding this section, how much funding is needed, and how the funding will be obtain. Thanks.

-Dunia

From: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy.McCormick@ci.gilroy.ca.us</a>>

Sent: Monday, January 9, 2023 9:28 AM

To: Noel, Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia < <a href="mailto:Dunia.Noel@ceo.sccgov.org">Dunia.Noel@ceo.sccgov.org</a>>

Subject: [EXTERNAL] RE: EXTERNAL - RE: Wren/Hewell Gilroy

I obtained this information from Saeid Vaziry – senior civil engineer and the manager of SCRWA

Respectfully,

CINDY MCCORMICK

CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning

7351 Rosanna Street | Gilroy | CA 95020



From: Noel, Dunia [mailto:Dunia.Noel@ceo.sccgov.org]

Sent: Friday, January 6, 2023 3:16 PM

To: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us >

Subject: EXTERNAL - RE: Wren/Hewell Gilroy

**CAUTION:** This email originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

#### Hi Cindy,

Reviewing the supplemental information that you provided on wastewater service and projected future flow rates/capacity at SCRWA. Can you tell me the source of those flow rates for the different years? Are they from a published document(s) or analysis recently done by the City/consultant based on certain documents? If so, we'd like to know where we can find those documents. Thanks.

-Dunia

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us>

Sent: Tuesday, October 18, 2022 1:10 PM

To: Noel, Dunia < Dunia.Noel@ceo.sccgov.org>; Abello, Emmanuel < Emmanuel.Abello@ceo.sccgov.org>

Cc: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Subject: [EXTERNAL] Wren/Hewell Gilroy

Hi Dunia -

I've finally been able to gather all of the remaining data you requested. Please see attached. We would like to get on the December agenda.

Thanks!

Cindy

From: Noel, Dunia < <u>Dunia.Noel@ceo.sccgov.org</u>>

Sent: Monday, May 2, 2022 7:28 PM

**To:** Cindy McCormick < <u>Cindy.McCormick@ci.gilroy.ca.us</u>> **Cc:** Palacherla, Neelima < <u>Neelima.Palacherla@ceo.sccgov.org</u>>

Subject: RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

### Hello Cindy,

Thank you for your patience as we continue to review the City's USA Amendment Application and for your quick response to our prior clarifying questions. We have a few remaining questions and have included some introductory text to provide some context. Please see below:

### VACANT LANDS

We have reviewed the City's Vacant Lands Inventory and request the following information in order to complete our analysis:

• How many acres of land designated for residential purposes, within each of these residential land use designations, remains vacant?

Residential Land use Designations	Vacant land (acres)
Hillside Residential	
Low Density Residential	
Medium Density Residential	
High Density Residential	
Mixed Use	
Hecker Pass Specific Plan	
Glen Loma Ranch Specific Plan	
Downtown Gilroy Specific Plan	
Total	

Additionally, we have reviewed the City's Plan for Service and Fiscal Impact Analysis and have a few clarifying questions, as we prepare our staff report.

# CFD AND OTHER FINANCIAL MECHANISMS

The Plan for Services says that "the proposed project will be required by the City to form a CFD as a means to finance all applicable services." However, no details have been provided about the CFD.

- What services will be funded through the CFD?
- What infrastructure and/or facilities will be funded through the CFD?
- How much revenue is anticipated to be collected through the CFD?
- When will the City create the CFD?
- What process will the City use to create the CFD and accompanying special taxes?
- We understand that forming a CFD to fund many services is complex. Does the City have any policies specific to this?

# **PLAN FOR SERVICES**

#### WATER

Page 3-5 of the Plan for Services in the paragraph below Table 3-1 discusses water supply (including recycled water) availability through 2040 and provides projected water demand for the City of Gilroy, City of Morgan Hill and other uses for the same period. The Plan for Service then concludes that there is an excess supply in the amount of 322 MG/Y. However, upon review the numbers provided in this paragraph do not total a surplus of 322 MG/Y, but rather a deficit of 680 MG/Y. Below is the calculation:

5,822 MG/Y (Gilroy Demand) + 13,658 MG/Y (Morgan Hill and other uses Demand) = 19,480 MG/Y (Total Projected Demand) and not the 18,478 MG/Y total demand which is stated in the text on Page 3-5.

 $18,800 \, \text{MG/Y}$  (Total Projected Supply) –  $19,480 \, \text{MG/Y}$  (Total Projected Demand) = -680 (a deficit in supply) and not the  $322 \, \text{MG/Y}$  projected excess supply.

Most likely there is some sort of mix-up in the numbers and resultant calculation. I was able to confirm that the figures of 18,800 MG/Y and 5,822 MG/Y were sourced from the Gilroy UWMP. However, I could not find the source(s) for the 13,658 MG/Y or 18,478 MG/Y.

Please review this information closely and revise it, as necessary. Please provide the source for these figures and a link to the source document(s) and page number(s). If I am misinterpreting this information, please help me understand how to arrive at the numbers presented in the Plan for Services.

### **WASTEWATER**

# **SCRWA Capacity**

Please provide more recent information on wastewater treatment capacity at SCRWA, as the information cited in the Plan for Services is over 10 years old (2004 and 2010). Additionally, we like to know about SCRWA's plans to increase its capacity and any resultant impact on Gilroy. Please see our questions below:

- What is the current capacity of SCRWA?
- What is SCRWA's current average dry weather flow? What is the City of Gilroy's share of that flow in mgd?
- What is SCRWA's projected wastewater plant flow for the next 5, 10, 15 years?
- What is the current status of SCRWA's expansion plans? What has been completed in terms of additional capacity and what is the final anticipated capacity?

### **Relief Trunk Line**

The Plan for Services states that future development on the site would connect directly to existing City of Gilroy sewer infrastructure immediately adjacent to the project site (i.e. Joint Morgan Hill-Gilroy Trunk). However, according to the City's Sewer System Master Plan, modeling of the system shows that during wet weather flow conditions, the Trunk becomes deficient when Morgan Hill flows are introduced. The Plan for Services indicates that a relief trunk line is being constructed from the intersection of California Avenue and Monterey Road in Morgan Hill to the intersection of Pacheco Pass and Renz Lane in the City of Gilroy. However, the relief trunk line is only partially constructed at this time.

Given the anticipated increase in wastewater flow resulting from development of the proposal area and the importance of the relief trunk line to addressing wastewater service deficiencies in the City of Gilroy, please clarify the following:

- How much of the relief trunk line has been constructed? From what physical point to what physical point?
- How much additional funding is required by the City of Morgan Hill and City of Gilroy in order to complete the full construction of the relief trunk line?
- What is the anticipated timeline for completing the full construction of the relief line?

## **FIRE SERVICES**

The Plan for Service appears to be based on information from the City's 2004 Update of the Fire Service Master Plan. However, a more recent Master Plan was prepared in November 2019 that notes several deficiencies in the City's fire service. The 2019 Master Plan found that "overall first-due call-to-arrival performance is significantly slower than best practices to achieve desired outcomes to keep small fires small and to provide lifesaving care in serious medical emergencies." The Plan noted deficiencies at all stations, particularly in call processing/dispatch, first-due travel, first-due-call-to arrival, and ERF call-to-travel. The identified deficiencies at the Las Animas were only slightly less that at the other stations. The Plan also noted that simultaneous incidents requiring at least two of the City's three staff fire units occurs on average at least once per day, leaving only one unit for subsequent emergency response.

The 2019 Master Plan identified three primary challenges for the City in terms of the provision of fire services, given increasing annual service demand and the fact that the City is continuing to grow: daily staffing capacity, fire station locations, and fire dispatch services. Given the above information,

- Why is the Plan for Service not based on the 2019 Fire Master Plan?
- What is the status of the proposed Glen Loma fire station? When is it expected to be constructed and occupied?

#### LIGHTING

The Plan for Services notes that "the proposed project would have lighting typical of residential and neighborhood serving commercial uses" and that "lighting will be provided and maintained by the City." The Plan mentions the ability to establish an assessment district relating to lighting and landscaping.

 Will the City be establishing an assessment district to fund acquisition, construction, and maintenance of public landscaping and lighting, typically along streets? If so, why, how and when will this occur?

#### PARKS AND RECREATION FACILITIES

The Plan for Services notes that "the City requires that for every thousand in population, there shall be five acres of developed open parkland." Given the above requirement,

- Is the City currently meeting this requirement? If not, why and what steps is the City taking to meet this requirement in the near term?
- Is the City able to meet this requirement when factoring in the anticipated development? If not, why and what steps is the City taking to meet this requirement in the near term?

Thanks in advance for your assistance.

Best,

-Dunia

Dunia Noel, AICP
Assistant Executive Officer
Local Agency Formation Con

Local Agency Formation Commission of Santa Clara County (LAFCO) 408.993.4704

777 North First Street, Suite 410 San Jose, CA 95112

Twitter: <u>@SantaClaraLAFCO</u> www.SantaClaraLAFCO.org

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From: Cindy McCormick < <a href="mailto:cindy.McCormick@ci.gilroy.ca.us">cindy.McCormick@ci.gilroy.ca.us</a>>

Sent: Wednesday, April 6, 2022 12:48 PM

To: Palacherla, Neelima <Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia <Dunia.Noel@ceo.sccgov.org>

Subject: [EXTERNAL] RE: EXTERNAL - RE: RE: Wren/Hewell Gilroy

Thank you!

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Wednesday, April 6, 2022 12:47 PM

To: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>; Noel, Dunia < Dunia.Noel@ceo.sccgov.org>

Subject: EXTERNAL - RE: RE: Wren/Hewell Gilroy

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Hi Cindy,

There is no change in the status of the application since my last email. I will let you know if we have additional questions or need more information.

Thank you for checking in with us.

Best,

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy.McCormick@ci.gilroy.ca.us</a>>

Sent: Wednesday, April 6, 2022 11:50 AM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >; Noel, Dunia < Dunia.Noel@ceo.sccgov.org >

Subject: [EXTERNAL] RE: RE: Wren/Hewell Gilroy

Good morning

Just checking on the status of this application.

Thank you! Cindy

From: Cindy McCormick

Sent: Wednesday, March 23, 2022 2:14 PM

To: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org >; Noel, Dunia < Dunia. Noel@ceo.sccgov.org >

Subject: RE: Wren/Hewell Gilroy

Good afternoon

Just checking on the status of this application.

Thank you! Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org >

Sent: Tuesday, March 1, 2022 4:34 PM

To: Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us>; Noel, Dunia <Dunia.Noel@ceo.sccgov.org>

Subject: EXTERNAL - RE: Wren/Hewell Gilroy

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Hi Cindy,

We continue to work on the application but it likely will not be ready for the April meeting. We will let you know if we have any additional questions or need more information as we continue our review. Barring any unforeseen circumstances, we will be ready to take this application to the Commission at their June meeting. Thank you.

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < Cindy. McCormick@ci.gilroy.ca.us >

Sent: Monday, February 28, 2022 7:43 PM

To: Palacherla, Neelima < Neelima. Palacherla@ceo.sccgov.org >; Noel, Dunia < Dunia. Noel@ceo.sccgov.org >

Subject: [EXTERNAL] Wren/Hewell Gilroy

Hi Neelima -

I'm checking in on the progress of this project. We would like to get on the April agenda.

Thank you! Cindy

From: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>

Sent: Thursday, February 10, 2022 5:15 PM

To: Cindy McCormick <Cindy.McCormick@ci.gilroy.ca.us>; Noel, Dunia <Dunia.Noel@ceo.sccgov.org>

Subject: EXTERNAL - RE: Gilroy

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Hi Cindy,

Thank you for checking in.

We have resumed our review of the application this week, following receipt of your responses last week.

We will keep you posted with any additional requests for information or clarification as we proceed with the review.

Best,

Neelima.

Neelima Palacherla, Executive Officer

LAFCO of Santa Clara County

From: Cindy McCormick < <a href="mailto:Cindy.McCormick@ci.gilroy.ca.us">Cindy.McCormick@ci.gilroy.ca.us</a>>

Sent: Thursday, February 10, 2022 4:32 PM

To: Palacherla, Neelima < Neelima.Palacherla@ceo.sccgov.org>; Noel, Dunia < Dunia.Noel@ceo.sccgov.org>

Subject: [EXTERNAL] Gilroy

Afternoon -

Just wondering how your review is going? I'd like to give the Wren/Hewell folks an update.

Thank you!

Cindy

### Respectfully,

CINDY MCCORMICK
CUSTOMER SERVICE MANAGER

Direct 408.846.0253 | Cindy.McCormick@cityofgilroy.org Main 408.846.0440 | www.cityofgilroy.org/planning 7351 Rosanna Street | Gilroy | CA 95020



From: Cindy McCormick < Cindy.McCormick@ci.gilroy.ca.us>

Sent: Thursday, January 19, 2023 7:55 AM

To: Noel, Dunia

**Subject:** [EXTERNAL] RE: relief trunk line

FYI – info confirmed with Morgan Hill via our public works team

seeking more information on the relief trunk line, particularly the remaining section which is yet to be built.

- Can you clarify what city is (or if both cities are) responsible for funding the remaining section? Morgan Hill only
- What the cost will be for the cities? Estimated at \$30 million
- How it will be funded by the cities? A combination of impact fees for new development in Morgan Hill and Morgan Hill Ratepayer fees. Majority of funding is already collected and the City of MH plans to commence construction in the 1-2 years.

I trying to determine which agency or agencies are funding this section, how much funding is needed, and how the funding will be obtain. Thanks.