

EXHIBIT D

FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS ENVIRONMENTAL IMPACT REPORT FOR THE STONERIDGE DRIVE SPECIFIC PLAN AMENDMENT/STAPLES RANCH EIR

INTRODUCTION

The Alameda County Surplus Property Authority (ACSPA or “Project Sponsor”) proposes to amend the 1989 Stoneridge Drive Specific Plan to revise land use designations, circulation improvements, and financial obligations for the Staples Ranch site as outlined in an April 2006 Memorandum of Understanding (MOU) between the Project Sponsor and the City of Pleasanton. The City of Pleasanton is the lead agency under the California Environmental Quality Act (CEQA) and has prepared an environmental impact report (EIR) for the proposed project.

Section 15091 of the CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require the lead agency to adopt findings for each potentially significant environmental impact disclosed in an EIR. Specifically, for each significant impact, the lead agency must make one or more of the following three findings:

- Changes or alterations have been incorporated into the project to avoid or substantially lessen the significant environmental effects identified in the EIR;
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and should be adopted by that agency; or
- Specific economic, social, legal, technological, or other considerations make the mitigation measures or alternatives identified in the EIR infeasible.

In addition to making a finding for each potentially significant impact, if the lead agency approves a project without mitigating all of the significant impacts, it must prepare a statement of overriding considerations, in which it balances the benefits of the project against the unavoidable environmental risks. The statement of overriding considerations must explain the social, economic, or other reasons for approving the project despite its environmental impacts (14 CCR 15093, Pub. Res. Code 21081).

This document contains the findings and statement of overriding considerations for the approval of the project and reflects the City’s independent judgment.

This document incorporates by reference the project EIR. The EIR and other portions of the administrative record are available for review at:

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PROPOSED PROJECT

The Alameda County Surplus Property Authority (ACSPA or “Project Sponsor”) proposes to amend the 1989 Stoneridge Drive Specific Plan to revise land use designations, circulation improvements, and financial obligations for the Staples Ranch site, as outlined in an April 2006 Memorandum of Understanding (MOU) between the Project Sponsor and the City of Pleasanton. Staples Ranch, owned by the ACSPA, is an approximately 124-acre site of undeveloped land within the 293-acre Stoneridge Drive Specific Plan area. The Project Sponsor seeks to modify the land use plan for the Staples Ranch site to allow for an auto mall, a senior continuing care community, a commercial center, a community park, and a neighborhood park/stormwater detention facility. The proposed project also includes annexation of approximately 165 acres to Pleasanton, consisting of the unincorporated portion of Staples Ranch and adjacent road and flood control right of way, and receiving additional entitlements including, but not limited to, planned unit development (PUD) rezoning and PUD development plans for each of the project developments, a tentative map and final subdivision map(s), public improvement plans, and a development agreement between the ACSPA and the City of Pleasanton.

The Specific Plan circulation improvements would also be modified so that Stoneridge Drive would only be extended from its current easterly terminus at Trevor Parkway as a two-lane road over the Arroyo Mocho, providing access to the proposed senior continuing care community, neighborhood park, and the western entrance to the community park. Access to the auto mall, commercial center, and the eastern entrance to the community park would be provided by a new four-lane road off El Charro Road, identified as Auto Mall Place in the conceptual site plans. El Charro Road improvements would be modified to eliminate the quarry truck tunnels called for in the 1989 Specific Plan, and the road improvements would reflect the improvements described in the September 2007 Cooperation Agreement between Livermore, Pleasanton, Alameda County, the ACSPA, and Vulcan Materials.

The proposed project would not provide a through-connection between Stoneridge Drive and Auto Mall Place to El Charro Road, except for emergency vehicles and (potentially) buses. However, the proposed project would preserve a four-lane Stoneridge Drive extension right-of-way through the Staples Ranch site, permitting a

future extension of Stoneridge Drive to El Charro Road, as currently shown in the City's General Plan. The City would have the final say as to when or if Stoneridge Drive would be completely extended to El Charro Road.

Because many of the original Specific Plan infrastructure requirements have either been constructed or will be funded by other sources, the proposed amendment to the Specific Plan would also modify the list of infrastructure improvements and funding sources. As proposed, the Project Sponsor would be responsible for several public improvements:

- the two-lane extension of Stoneridge Drive to serve the senior continuing care community and parks, including a two-lane bridge over the Arroyo Mocho;
- the four-lane Auto Mall Place to serve the auto mall and commercial center;
- dedication of 17 acres to the City for the community park; and
- dedication of right-of-way for future Stoneridge Drive, El Charro Road and I-580 interchange improvements to accommodate General Plan-contemplated designs.

PUBLIC REVIEW PROCESS

The City distributed an initial Notice of Preparation (NOP) for an environmental impact report (EIR) on June 13, 2006, for agency and public review. The purpose of the NOP was to announce the City's intention to prepare and distribute a Draft EIR on the proposed project and to solicit comments on the scope and issues that should be considered in preparing the EIR. The initial NOP comment period closed on August 7, 2006. The NOP was subsequently updated and redistributed on March 26, 2007. The updated NOP comment period closed on April 30, 2007.

A public scoping meeting was also held by the City on April 11, 2007. The scoping meeting provided the public with an opportunity to orally present their concerns about the proposed project. Comments were received through the combined NOP and public scoping process.

Based partially on the NOP and public scoping process, the City prepared a Draft EIR (DEIR) that was published on April 16, 2008. The CEQA-mandated 45-day public review period began on April 16, 2008 and ended on June 4, 2008. In addition to the comments received at a public hearing conducted by the City Planning Commission on May 14, 2008, comment letters were submitted by various public agencies and organizations.

Responses to all comments received were prepared and included in the Final EIR (Responses to Comments document), which was prepared in accordance with CEQA and the guidelines for implementation of CEQA.

FINDINGS FOR ALTERNATIVES EVALUATED IN THE EIR

During the preparation of the EIR for the proposed Project, the City evaluated several alternatives. A description and a finding for each alternative are presented below.

No Project Alternative (No Build)

Description

The existing Project Area would remain as it currently exists. None of the project components (i.e., auto mall, senior continuing care community, commercial center, community park, and neighborhood park/detention basin) would be constructed. With the No Project Alternative, the existing Project Area would remain undeveloped, thereby failing to satisfy the project objective to develop the site with economically beneficial land uses. It is unlikely that the Project Area would remain undeveloped far into the future, since development of the area has already been approved as part of the 1989 Stoneridge Drive Specific Plan; however, in the short term for the purposes of this alternative, the area would remain unbuilt.

Finding: Infeasible

By preventing development of the Project Area, the No Project Alternative would avoid or substantially reduce the significant and unavoidable impacts of the proposed project to aesthetics and visual quality, air quality, and traffic.

This alternative is infeasible, however, because it is inconsistent with the City's planning goals. A no development alternative would fail to make responsible use of a site that has previously been planned by the City for urban uses for almost 20 years. It would not comply with the direction of Pleasanton's General Plan for urban uses of the project site and would fail to implement a Specific Plan that has already been approved by the City.

The No Project Alternative is also infeasible because it is inconsistent with the objectives of the proposed project, which include, among others, guiding the development of the Staples Ranch site with a mix of economically beneficial uses, retaining existing auto sales businesses within the City, providing senior continuing care amenities, and providing community recreational facilities.

Existing Specific Plan Alternative

Description

Under the Existing Specific Plan Alternative, the land uses that were approved as part of the 1989 Stoneridge Drive Specific Plan (1989 Specific Plan) for the Project Area would be developed. Of the 124 acres that comprise the Staples Ranch site, 1.5 acres that lie within the City of Pleasanton would remain zoned as PUD-Medium Density

Residential, but this area would be developed with a portion of the community park. No residential units would be constructed under this alternative. The remaining 122.5 acres of undeveloped land in unincorporated Alameda County would be annexed into the City. The land use designations for this area, according to the 1989 Specific Plan, include Service Commercial and Light Industrial, Retail and Service Commercial, and Community Park.

This alternative differs from the proposed project in that it would not include the senior continuing care community, it does not specify the development of an auto mall, and does not include the joint neighborhood park/storm water detention facility.

Finding: Infeasible

As indicated in the EIR, the environmental impacts of the Existing Specific Plan Alternative would have slightly greater impacts than the proposed project. This alternative would result in substantially more traffic than projected for the proposed project and cause additional significant impacts not identified for the proposed project. In particular:

Air: This alternative would result in considerably more vehicular trips than the proposed project (roughly twice as much), and exceed the BAAQMD thresholds for criteria air pollutants. The resultant emissions would be a significant and unavoidable air quality impact, with air emissions substantially greater than predicted for the proposed project.

Hazards: Because the Existing Specific Plan Alternative would have the potential to accommodate more retail, service commercial, and light industrial uses, which typically involve greater amounts of hazardous materials and waste, than the proposed project, there may be a slightly greater potential for an accidental release of hazardous materials. Nevertheless, this greater potential for accidental releases would be mitigable following the same procedures, protocols, and regulations that were identified for the proposed project.

Noise: The Existing Specific Plan Alternative would result in almost double the number of daily trips as the proposed project. The Existing Specific Plan Alternative would increase noise levels above existing noise levels by a maximum of 8 dBA along El Charro Road, and would result in significant noise level increases. The Existing Specific Plan Alternative's contribution to this increase would be 3.6 dBA over future noise levels without the project. This would be a new significant impact of this alternative.

Traffic: Overall trip generation would increase substantially with the Existing Specific Plan Alternative. Under the Existing plus Approved Conditions plus the Existing Specific Plan Alternative, one additional intersection—

Santa Rita Road at Stoneridge Drive--would degrade to an unacceptable level of service compared to conditions with the proposed project. Similarly, during the future cumulative conditions, this alternative would adversely affect one additional intersection compared to cumulative conditions with the proposed project; namely, the intersection of Johnson Drive at Stoneridge Drive would need additional mitigations beyond that identified for the proposed project. The impacts at both of these intersections, however, can be mitigated to a less-than-significant level.

On the other hand, because this alternative would not include a residential component, impacts identified in the EIR related to residents (e.g., exposure to sensitive receptors to TACs, and exposure of persons to, or generation of, noise levels in excess of standards) would not occur.

Moreover, as indicated in the EIR, the Existing Specific Plan Alternative would not avoid or substantially lessen the proposed project's significant and unavoidable impacts to aesthetics and visual quality, air quality, and traffic. These impacts would remain significant and unavoidable if the Existing Specific Plan Alternative were adopted by the City.

The Existing Specific Plan Alternative is infeasible because it is inconsistent with the objectives of the proposed project to provide a site for a senior continuing care community that will help meet the City's and the surrounding community's expanding need for elderly assisted living opportunities, retain existing auto sales within the City by providing for an auto mall site, and provide for a joint neighborhood park/storm water detention facility.

The Existing Specific Plan Alternative is also inconsistent with the objective of the proposed project to acknowledge substantial changes in land use conditions infrastructure improvements and agreements that were unknown at the time the 1989 Specific Plan was adopted. Specifically, this alternative would *not*:

- Reflect changes in surrounding land uses not contemplated in 1989, including cessation of the Kaiser/Hanson quarry operations, establishment of the Livermore Airport Protection Area, and adoption/implementation of the Eastern Dublin Specific Plan to the north and the El Charro Specific Plan to the east.
- Reflect changes to the timing, funding, and specific design of major infrastructure improvements since the adoption of the 1989 Specific Plan, including completion of the Arroyo Mocho improvements in 2004, the El Charro Road Cooperation and funding agreements of 2007, and the City of Dublin's I-580 interchange improvements scheduled to begin in 2008.
- Reflect the MOU executed by Pleasanton and the Project Sponsor that now serves as a "roadmap" for the future development of the Staples Ranch site. In part, the MOU was created in an effort to accommodate the relocation and

expansion of existing Pleasanton auto dealerships to Staples Ranch, provide Pleasanton control of when (or if) Stoneridge Drive would be extended to El Charro Road due to concerns within the City regarding “cut through traffic,” and provide assurances to the Project Sponsor that the entire property could be comprehensively developed and that required infrastructure improvements would be limited, if approved and annexed to the City.

Ice Center Alternative

Description

The Ice Center Alternative is identical to the proposed project, except that it would include an approximately 138,500-square-foot ice center on a portion of the proposed community park. The ice center site, like the remainder of the community park, would be pre-zoned PUD-P. The facility, including related parking, would use about 8 acres of the proposed 17-acre community park. The ice center would be approximately 45 feet tall and contain up to four National Hockey League-size ice rinks. The rinks are intended for amateur ice hockey leagues (adult and youth), figure skating, broomball, curling, speed skating, ice dancing, as well as public skating. This analysis assumes that the ice center would have seating for up to 2,200 spectators and could employ approximately 29 full-time-equivalent staff; however, the ice center developers have indicated that they may reduce seating to 1,400. The ice center facility would feature an in-house pro shop, large meeting and party spaces, and a full service restaurant/bar. The entrance to the facility would be primarily accessible by vehicles from Auto Mall Place. While the vast majority of parking spaces would be accessible from Auto Mall Place, the facility would also be accessible by vehicles from Stoneridge Drive using a shared parking lot with the community park. It is anticipated that approximately 90 percent of the vehicle trips will access the site from Auto Mall Place and 10 percent will access the site from Stoneridge Drive. It is anticipated that the ice center may have approximately six special events a year which may require shuttle bus service to the site. In all other site plan, development program, access, and open space/amenity features, the Ice Center Alternative would mirror that of the proposed project.

Finding: Feasible

The EIR identified several differences in the environmental effects of the Ice Center Alternative compared to the Project as described below. However, these differences do not provide a sufficient basis to conclude that the Ice Center Alternative presents significantly greater environmental impacts than the proposed project.

Visual: Visually, the Ice Center Alternative would increase the number of buildings and pavement at the Staples Ranch site and reduce the amount of landscaped open space. However, similar to the proposed project, development that would occur under the Ice Center Alternative would not affect scenic vistas or damage scenic resources, and this impact would be less than significant.

The ice center would likely involve lighting for the parking and circulation areas, for patron security, and for signage. Thus, this portion of the Staples Ranch site would be relatively well lit. If this portion of the park were intended primarily for passive recreational uses and not an ice center as part of the proposed project, then the Ice Center Alternative would likely result in additional light and glare sources, compared to the proposed project. On the other hand, if this portion of the community park were intended for lighted facilities, such as ballfields, the unmitigated impacts under proposed project could be greater than under the Ice Center Alternative. Regardless, implementation of Mitigation Measures VQ-3.1 through VQ-3.4 identified for the proposed project would reduce this impact for the Ice Center Alternative to less than significant, similar to the proposed project.

Air Quality: Development under the Ice Center Alternative would generate approximately 3,300 daily trips. The ice center would also potentially generate additional stationary source emissions associated with cooling and other mechanical equipment associated with the ice center operations. The proposed project would exceed the BAAQMD threshold of 80 pounds/day for ROG, NO_x, and PM₁₀; therefore, this alternative with more vehicular trips attributed to the addition of the ice center would also exceed the BAAQMD thresholds. Because no mitigation measures would be sufficient to reduce the alternative's air emissions to a less-than-significant level, the resultant emissions would also result in a significant and unavoidable air quality impact but to a greater magnitude than the proposed project.

Hazards: The Staples Ranch site is located outside and therefore is compatible with ALUC's Airport Land Use Policy Plan (ALUPP) safety zones under both the Proposed Project and the Ice Center Alternative. The Project site is located within Caltrans' recommended Safety Zones 4 and 6 of the California Airport Land Use Planning Handbook, as shown on Figure 3.4-2 of the DEIR. The ALUC has not adopted the safety zones recommended by Caltrans, but ALUC staff has prepared a draft revision of its ALUPP that would adopt the safety zones recommended by Caltrans. The project would be compatible with the land uses allowed within these Caltrans safety zones; however, development of the Ice Center Alternative would not, because of the number of spectators the ice center would be able to accommodate. The projection of the 2,200 spectators was based on previous estimates of spectators for the ice center from potential developers of the ice center. As noted in Response to Comment 13.4 of the FEIR, if the ice center alternative were chosen, the ice center would be designed for a capacity of 1,475 spectators instead of the previous estimate of 2,200. This revised design would also not be compatible with the Caltrans safety zones. Only the following assembly-related land uses

would be allowed within the Caltrans safety zones identified in the Draft Airport Land Use Compatibility Plan:

- Medium to Large indoor assembly room (greater than 300 people and less than 1,000 people)
- Low Capacity indoor assembly room (less than 300 people)
- Medium outdoor assembly area (greater than 300 people and less than 999 people)
- Small outdoor assembly area (greater than 50 people and less than 300 people)

The safety zones recommended by Caltrans suggest the Ice Center Alternative may have the potential to create safety risks at the project site due to its proximity to the Livermore Airport. However, as stated on page 3.4-19 of the DEIR, an assessment of the potential for aircraft accidents at the Staples Ranch site was conducted in 1994 by Charles Salter Associates. Data was applied to the Livermore Municipal Airport taking into account the airport's projected volume of operations and proximity to the Staples Ranch site. The report determined that there would be a low potential frequency of aircraft crashes on the site (identified as once every 712 years). Consequently, the report concluded that the risk of death or injury on the ground would be considered less than significant. This same conclusion applies to the Ice Center Alternative.

Traffic: The EIR determined that the environmental impacts of the Ice Center would be slightly greater than the proposed project, because of additional trips particularly during the PM peak hour; however, these additional trips did not result in additional intersection or roadway impacts beyond those identified for the proposed project.

Water Quality: The increase in runoff and conversion of land use from parks under the proposed project to the ice center under this alternative would increase mean annual runoff from the site and slightly alter the amount of pollutants in stormwater runoff. Changing pollutant loads and increased runoff would result in a higher mean annual pollutant load for the Ice Center Alternative compared to the proposed project. The Ice Center Alternative would have a potentially substantial increase in pollutant loads compared to the proposed project. Even slight increases (more than 5 percent) are considered potentially substantial because the proposed project already increases pollutant loads substantially compared to existing conditions. Nevertheless, implementation of Mitigation Measures HY-1.1 and HY-1.2 recommended for the proposed

project would reduce potential impacts of the Ice Center Alternative to essentially the same level as for the proposed project.

The Ice Center Alternative is feasible because it is consistent with the proposed project objectives of providing economically beneficial uses to the City and of providing for a community park site that offers a variety of active and/or passive recreational uses.

The Ice Center Alternative is feasible because it is consistent with the planning goals and policies of the City represented in the conceptual Staples Ranch Park Master Plan for the Community Park adopted by the City Council on June 10, 2008, which contemplates the development of an ice center

The Ice Center Alternative is also feasible because, while it does not present significantly greater environmental impacts than the proposed project, it does provide significantly greater social and economical benefits to the City through the provision of an ice skating facility. The additional economic and social benefits of the Ice Center Alternative include:

- A City sales tax revenue increase when visitors come from out of town to ice center special events and do business at local hotels, stores, and restaurants.
- Retail sales tax dollars would be generated by the ice center restaurant and retail shop.
- The ice center developer has offered to contribute to and construct a substantial share of the remainder of the 17 acre Community Park.
- Social benefits resulting from the Ice Center Alternative would include the introduction of many activities to the community relating to health, education, recreation, family life, and special needs provided by a variety of ice skating activities, including:
 - Public skating sessions
 - Public school physical education classes and possible future competitive team practices and games
 - City Park and Recreation Department programs
 - Private class skating lessons
 - Youth and adult hockey practices and games for men, women, boys, and girls
 - Figure skating
 - Speed skating
 - Curling
 - Synchronized skating
 - Ice dancing
 - Olympic level figure skating instruction and practice

- Approximately six annual weekend special events such as hockey tournaments and figure skating competitions
- Special needs programs for physically and developmentally disabled children
- Disabled hockey program providing sled hockey for disabled persons
- Lessons and programs for community organizations
- Birthday and company parties
- Ice reservation booking priority and Pleasanton resident discount fees (similar to the City's Callippe Preserve Golf Course offerings currently extended by the City to Pleasanton residents)

Open Space Alternative

Description

The Open Space Alternative is identical to the proposed project, except that the community park would be primarily open space and would not include lighted sports fields, tennis courts, and similar features. The community park in the Open Space Alternative would contain open space with native landscaping, trails, and possibly related amenities such as staging area parking, restrooms, benches, picnic areas, informational kiosks and signage, and decorative water features such as wetlands or a fountain/pond designed as public art. It is anticipated that the trails could be multi-use trails for dog walkers, bicyclists, joggers, and others, and the open space could be used for activities such as picnics, kite flying, and playing catch. The site would be pre-zoned PUD-P. The location of trails and related features have not been determined and it should be assumed that they could be anywhere on the community park site. In all other site plan, development program, access, and open space/amenity features, the Open Space Alternative would mirror that of the proposed project.

Finding: Infeasible

As identified in the EIR, the Open Space Alternative would have slightly fewer water supply, water quality, visual, noise, air quality and traffic impacts, and would likely create more opportunities for wildlife habitat than the proposed project. The majority of the proposed Project's impacts in these categories, however, will be avoided or substantially lessened by mitigation measures. Moreover, as indicated in the EIR, the Open Space Alternative would not avoid or substantially lessen the proposed Project's significant and unavoidable impacts to aesthetics and visual quality, air quality, and traffic. These impacts would remain significant and unavoidable if the Open Space Alternative were adopted by the City.

The Open Space Alternative is infeasible because it is inconsistent with the City's goals and policies regarding the Community Park. On June 10, 2008, the City Council

approved a conceptual Staples Ranch Park Master plan for the Community Park. The master plan represented the results of an extensive community planning process begun in October 2006. On September 2, 2008, the City adopted core objectives concerning the proposed uses of the Community Park. The master plan and the core objectives contemplate active recreational uses of the Community Park, including sports fields, tennis courts, and an ice skating facility. The Open Space Alternative is infeasible because it conflicts with the active recreation goals and policies of the City by limiting the Community Park to passive uses that do not include sports fields, tennis courts or an ice skating facility.

Alternative Project Site

An alternative location was not assessed because such an analysis is not warranted for a specific plan project, and, as stated in the EIR, the Project Sponsor does not own other properties within the City of Pleasanton's sphere of influence.

Environmentally Superior Alternative

Section 15126(e)(2) of the State CEQA Guidelines requires identification of the environmentally superior alternative.

Generally, impacts identified for the Existing Specific Plan and the Ice Center Alternatives would be similar, but slightly greater than those of the proposed project. These slightly greater impacts include contribution to an existing or projected air quality violation, potential construction and post-construction impacts on water quality, contribution to a jobs/housing imbalance, and impacts to the water supply and water treatment and distribution systems. Because the Existing Specific Plan Alternative would not include development of residential uses on the Staples Ranch site, the Existing Specific Plan Alternative would reduce, as compared to the proposed project, potential impacts for residential uses, such as exposure to sensitive receptors to TACs, and exposure of persons to, or generation of, noise levels in excess of standards. However, the Existing Specific Plan Alternative would also result in a new significant and unavoidable impact to ambient noise levels in the project area due to the increase in vehicle traffic as a result of development under this alternative.

The impacts of the Open Space Alternative would be similar to those of the proposed project but slightly less than those of the proposed project. The Open Space Alternative would have slightly fewer water supply, water quality, visual, noise, air quality, and traffic impacts, and would likely create more opportunities for wildlife habitat than the proposed project.

The No Project (No Build) Alternative is considered a no project, and CEQA requires the identification of an alternative other than the No Project Alternative as the environmentally superior alternative (see CEQA Guidelines, Section 15126.6(e)(2)).

The Open Space Alternative would result in slightly fewer impacts than the proposed project. Therefore, the Open Space Alternative would be considered environmentally superior to the proposed project and to the other alternatives.

FINDINGS FOR SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR

This section presents the project's significant environmental impacts and feasible mitigation measures. Section 15091 of the State CEQA Guidelines (14 California Code of Regulations [CCR]) and Section 21081 of the Public Resources Code require a lead agency to adopt findings for each significant environmental impact disclosed in an EIR. These requirements are set forth on page 1 of this document.

Below are the findings for the significant impacts identified in the EIR for the proposed project. Because the City adopts all of the mitigation measures recommended in the EIR for each significant environmental impact and the EIR concludes that they will avoid or substantially lessen each of the identified significant impacts, with the exception of aesthetic and visual resources, air quality and traffic impacts, the significant and unavoidable impacts of which are also discussed in the EIR, thorough descriptions of each impact and each associated mitigation measure can be obtained from the EIR and, therefore, are not repeated below.

Aesthetic and Visual Resources

1. Effect on scenic resources and visual character of the site

Finding. Development of the proposed land uses within the Project Area would have a significant and unavoidable impact on the existing visual character by changing the site from rural open space to urban development.

There are no measures available to mitigate the loss of the rural character of the Project Area, short of leaving large portions of the area undeveloped, which would be incompatible with the project objectives. A statement of overriding considerations for this impact is made in the following section.

DEIR, p. 3.1-11

2. Light and/or glare effects

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the Mitigation Monitoring and Reporting Plan (MMRP), thereby mitigating the impact to a less-than-significant level:

- Refer a conceptual lighting plan to the Alameda County ALUC for its review prior to consideration of all PUD development plans, per MM VQ-3.1.
- Refer a conceptual lighting plan to the FAA, if requested by the FAA, prior to consideration of all PUD development plans, per MM VQ-3.1.

- Prepare a Lighting Plan, which shall include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior areas. The light fixtures and their locations shall be subject to review and approval of the Community Development Director prior to the issuance of a building permit, per MM VQ-3.1.
- Design the lighting system of the auto mall to minimize light and glare impacts, per MM VQ-3.2.
- Ensure that all interior lighting in all buildings without residences be turned off during non-operational evening hours, with the exception of lighting needed for security reasons, per MM VQ-3.3.
- Prepare a lighting plan and specifications for the community and neighborhood parks to minimize light and glare impacts, per MM VQ-3.4.
DEIR, p. 3.1-24, and FEIR, p. 4-8

Air Quality

1. Generation of construction related emissions

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Implement dust control measures, per AQ-2.1.

DEIR, p. 3.2-12

2. Impacts on an existing regional air quality problem

Finding. The proposed project would result in operational emissions of ROG, NO_x, and PM₁₀ that exceed the significance threshold of 80 pounds/day. This would have a significant impact on existing regional air quality. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP; however, even with implementation, the impact would remain significant and unavoidable. A statement of overriding considerations for this impact is made in the following section.

Develop and implement a plan including both mobile and stationary measures to reduce operational air emissions to the maximum extent practicable, per MM AQ-3.1.

DEIR, p. 3.2-13

3. Potential to expose future on-site residents to substantial Toxic Air Contaminants (TACs)

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Conduct a health risk assessment for persons who would occupy the proposed residential units within 500 feet of the closest ultimate travel lane adjacent to the Staples Ranch site as such travel lane is assumed under Caltrans' ultimate freeway expansion plans for I-580, per MM AQ-5.1.

DEIR, p. 3.2-17

Biological Resources

1. Impact on the California red-legged frog

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Conduct preconstruction surveys for the California red-legged frog, per MM BIO-2.1.
- Implement ground disturbance restrictions associated with construction near the Arroyo Mocho, per MM BIO-2.2.
- Conduct construction monitoring for the California red-legged frog, per MM BIO-2.3.
- Conduct Worker Environmental Awareness Program (WEAP) training for construction crews before construction activities within the Arroyo Mocho begin, per MM BIO-2.4.

DEIR, p. 3.3-17

2. Impact on the California tiger salamander

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Complete ongoing California tiger salamander surveys and, if salamanders are found, comply with USFWS mitigation measures, per MM BIO-3.1.
- Provide construction monitoring for the California tiger salamander, if surveys identify salamanders on the Staples Ranch site, per MM BIO-3.2.

DEIR, p. 3.3-20

3. Impact on the western pond turtle or their habitat

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Conduct preconstruction surveys for the western pond turtle, per MM BIO-4.1.

- Provide exclusion fencing for the western pond turtle, per MM BIO-4.2.
DEIR, p. 3.3-20

4. Impacts on nesting birds or their habitat

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Preconstruction nesting bird surveys shall be conducted by a qualified biologist. If active nests are found within the construction footprint, delay construction activities within a specified distance from the nest, as determined by the biologist, per MM BIO-5.1.

DEIR, p. 3.3-21

5. Impact on riparian vegetation in the Arroyo Mocho

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Obtain a Streambed Alteration Agreement from the CDFG prior to any construction activities that may result in any disturbance to stream corridors, per MM BIO-6.1.
- Erect exclusion fencing around the spearscale mitigation area on the north bank of the Arroyo Mocho, per MM BIO-6.2.
- Replace the vegetation within the Arroyo Mocho that is removed during construction in accordance with a revegetation plan to be prepared, per MM BIO-6.3.

DEIR, p. 3.3-22

6. Impact waters of the State and the U.S.

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Compensate for impacts to jurisdictional waters to ensure no net loss of habitat function and values, per MM BIO-7.1.

DEIR, p. 3.3-24

7. Interference with the movement of native or migratory terrestrial wildlife

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Minimize light spillover with devices that will direct lighting away from the Arroyo Mocho, per MM BIO-8.1.

- Incorporate wildlife habitat into landscaping plans for community and neighborhood parks, per MM BIO-8.2.

DEIR, p. 3.3-25

8. Potential to conflict with the provisions of the City of Pleasanton tree preservation policies or ordinances

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Conduct a tree appraisal using a City-approved arborist prior to consideration of all PUD development plans, per MM BIO-9.1.
- Provide tree replacement and submit a proposed tree preservation plan that indicates how the loss of affected heritage trees shall be mitigated and how heritage trees will be preserved, per MM BIO-9.2.

DEIR, p. 3.3-26

Hazards and Hazardous Materials

1. Impacts relating to the accidental release of unknown hazardous materials

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Prevent the disruption of on-site utilities by contacting the Underground Service Alert (USA), identifying the location of natural gas pipelines, and developing an emergency response plan prior to construction, per MM HZ-2.1.

DEIR, p. 3.4-16

2. Impacts from new hazards, associated with light and glare at the Staples Ranch site, to aircraft utilizing the Livermore Municipal Airport

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Implementation of Mitigation Measures VQ-3.1 through VQ-3.4 [see mitigation measures listed above for Aesthetics and Visual Resources, Impact 2 – Light and Glare], which would require preparation of a lighting plan for the Staples Ranch site, and would reduce the potential for safety impacts from light and glare at the Staples Ranch site.

DEIR, p. 3-4-18

Hydrology and Water Quality

1. Potential degradation of surface water quality from runoff during construction and operation of the project

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impacts to a less-than-significant level:

- Implement a site-specific Water Quality Management Plan with targeted pollutant removal rates, per MM HY-1.1.
- Implement an Integrated Pest Management Plan and Pesticide Management Program to minimize the risk of pollutants associated with landscape establishment and maintenance practices in surface water runoff and infiltration to groundwater, per MM HY-1.2.

DEIR, p. 3.5-25

2. Potential to alter runoff characteristics, leading to more erosion

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Maintain the detention basin and performance goals covering system inspections, maintenance, technical training of staff, and funding mechanisms, per MM HY-3.1.

DEIR, p. 3.5-36

3. Construction of residences and structures within a FEMA 100-year flood hazard area

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impacts to a less-than-significant level:

- Prior to construction, obtain flood hazard areas updates from FEMA (Conditional Letter of Map Revision) , per MM HY-4.1.
- Defer certificates of occupancy until implementation of the Livermore Flood Protection Improvements, as defined by the FEMA Conditional Letter of Map Revision (as part of El Charro Specific Plan), per MM HY-4.2.

DEIR, p. 3.5-39

Land Use and Planning

1. Potential to exceed the average density for commercial uses

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than- significant level:

Provide additional amenities, such as enhancements to a neighborhood or community park, or an enhancement of trails in the Project Area, per MM LU-4.1.

DEIR, p. 3.6-24

2. Potential to result in more complaints about the Livermore Airport aircraft operations

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than- significant level:

- Require continuing care community airport disclosures, deed riders, and noise complaint procedures, per MM LU-5.1
- Require a deed rider or aviation easement on other development projects, per MM LU-5.2.
- Require that deed riders/disclosures about the Livermore Municipal Airport be consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353, per MM LU-5.1 and LU 5.2.

DEIR, p. 3.6-26, and FEIR, p. 4-11

Noise

1. Noise levels in excess of standards established in the Pleasanton General Plan

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impacts to a less-than-significant level:

- Provide exterior-to-interior noise reduction features for residential, retail, and commercial structures to meet City interior noise level standards of 45 dBA, per MM NO-1.1.
- Provide exterior-to-interior noise reduction features to meet single-event noise level standards (L_{max}), below 50 dBA in all rooms where people will sleep and 55 dBA in all other habitable rooms, per MM NO-1.2.
- Provide exterior noise reduction features by I-580 to meet the City's exterior noise level standard of 60 Ldn at the senior continuing care community villas and outdoor recreation areas. Prior to approval of PUD plans, the developer of the senior continuing care community shall submit a noise analysis prepared by a qualified acoustical consultant to the City

that demonstrates, to the extent feasible, that all proposed outdoor recreation areas will meet the City's standard of 60 Ldn. Noise reduction features may include wrapping of the proposed soundwall by the western and eastern property lines, and an increase in the I-580 soundwall height to compensate for the decrease in berm height by the western boundary, per MM NO-1.3.

- In the community park, limit areas within the 65 CNEL contour to open space and trails. The use of trails shall be limited within the 65 CNEL contour, per MM NO-1.4.
- Limit noise levels from auto mall car wash stations to 60 dBA at the continuing care community facility. At the auto mall, all car washes shall be located and designed such that noise from the car washes, including the vacuuming areas, shall not exceed 60 dBA at any habitable structure, per MM NO-1.5.

DEIR, p. 3.7-21

2. Potential for groundborne vibration due to project construction activities

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Reduce potential pile driving vibration effects on nearby structures below the structural damage threshold. To mitigate potential pile-driving vibration impacts, a site-specific engineering assessment shall be completed under the supervision of a qualified vibration consultant to assure that there would be no potential for structural damage to nearby existing buildings, based on a vibration damage threshold for a peak particle velocity (PPV) of 0.20 inches per second. This plan shall be submitted for review and approval of the City Engineer prior to approval of the bridge plans to ensure that maximum feasible vibration reduction is achieved, per MM NO-2.1.
- Notify neighbors within 300 feet of the bridge project construction area at least 30 days in advance of any pile-driving activities about the estimated duration of the activity and prepare a list of measures to track and respond to complaints pertaining to bridge construction, per MM NO-2.2.

DEIR, p. 3.7-29

3. Potential for substantial temporary or periodic increase in ambient noise levels during project construction.

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impacts to a less-than-significant level:

Require project developers to implement construction best management practices to reduce construction noise, per MM NO-3.1.

DEIR, p. 3.7-29

4. Potential for substantial permanent increase in ambient noise levels

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Provide noise attenuating pavement to new portions of Stoneridge Drive, per MM NO-4.1

DEIR, p. 3.7-35

Population and Housing

1. Potential to exceed the annual limit for residential uses under the City's Growth Management Ordinance

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Phase construction of residential units at the continuing care community based on the City's Growth Management Ordinance, unless otherwise exempted by the development agreement, per MM PH-1.1.

DEIR, p. 3.8-7

Transportation and Traffic

1. Increased traffic and unacceptable levels of service at five Pleasanton intersections

Finding. The City finds that the following mitigation measures identified for these five intersections are feasible and have been incorporated into the MMRP, thereby mitigating the impacts to a less-than-significant level:

- Improve Hopyard Road at I-580 eastbound off-ramp (#9), per MM TR-1.1.
[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]
- Improve Hopyard Road at Owens Drive (#10), per MM TR-1.2.
[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]
- Improve Hopyard Road at Stoneridge Drive (#11), per MM TR-1.3.

[The proposed mitigation is signal retiming. The City of Pleasanton shall be responsible for this mitigation.]

- Improve Santa Rita Road at Valley Avenue (#34), per MM TR-1.4.

[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]

- Improve El Charro/ I-580 eastbound off-ramp (#51), per MM TR-1.5.

[As stipulated in the 2007 Cost-Sharing Agreement, the City of Livermore is obligated to widen this intersection to accommodate two left and two right turn lanes prior to the occupancy of any portion of the El Charro Specific Plan. The Agreement also provides that if this intersection is not improved by Livermore then the City of Pleasanton will make the improvements prior to occupancy of any development on Staples Ranch.]

DEIR, p. 3.9-28

2. Increased traffic and unacceptable levels of service at two intersections not within Pleasanton

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP; however, because these impacts occur outside the City's jurisdiction, unless the intersection improvements are implemented by the governing jurisdiction where the intersections are located, the impact would remain significant and unavoidable. A statement of overriding considerations for this impact is made in the following section.

- Improve Fallon Road at Dublin Boulevard (#56), per MM TR-2.1.
- Improve Murrieta/East Jack London (EC #13), per MM TR-2.2.
- Seek an Interagency Cooperative Agreement to fund and complete traffic mitigation measures in other jurisdictions, per MM TR-2.3.

DEIR, pp. 3.9-28; 3.9-36

3. Potential to conflict with future expansion of I-580

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than- significant level:

Maintain adequate I-580 frontage setbacks, based on current knowledge of Caltrans' plans to expand I-580 toward the project as part of the PUD development plan process, per MM TR-5.1.

DEIR, p. 3.9-40

4. Potential to result in inadequate emergency access

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Provide adequate emergency vehicle access consistent with the City of Pleasanton's Circulation Element, per MM TR-7.1.

DEIR, p. 3.9-42

5. Conflicts with adopted policies, plans, or programs supporting alternative transportation

Finding. The City finds that the following mitigation measures are feasible and have been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

- Provide acceptable bicycle and pedestrian access, per MM TR-9.1.
- Provide adequate bus and paratransit access, per MM TR-9.2.

DEIR, p. 3.9-43

6. Potential to result in an increase in construction traffic that could impact existing Pleasanton neighborhoods

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Develop a construction access plan to be reviewed and approved by the City's Engineering Department, per MM TR-12.1.

DEIR, p. 3.9-46

Water Supply

1. Potentially significant impact on the proposed project's demand for water

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Verify water supply prior to tentative map approval. The water supply verification must include documentation of historical water deliveries for the previous 20 years, as well as a description of reasonably foreseeable impacts of the proposed project on the availability of water resources in the region, per MM WS-1.1.

DEIR, p. 3.10-22

Cultural Resources

1. Potential disturbance of unknown archaeological resources.

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Each project developer and the Project Sponsor shall retain the services of a qualified archaeological consultant having expertise in California prehistoric archaeology, per MM CR-1.

DEIR, p. 4-33, FEIR, p. 4-12

Geology, Soils, and Seismicity

1. Potential impacts from geoseismic risks and soil limitations.

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

The Project Sponsor shall submit a master geotechnical report for the entire Staples Ranch site.

All buildings shall be set back a minimum of 20 feet from the top of the arroyo bank, in case there is a seismically induced bank failure, per MM TR-2.1.

DEIR, p. 4-35

Utilities

1. Increased demand for water.

Finding. The City finds that the following mitigation measure is feasible and has been incorporated into the MMRP, thereby mitigating the impact to a less-than-significant level:

Irrigation plans shall incorporate low-flow irrigation head and/or drip irrigation with electric controllers set to water after 7:00 p.m. and before 10:00 a.m., and proper soil preparation for landscaped areas that includes a minimum of two inches of mulch and two inches of organic soil amendment, as recommended by a qualified landscape architect, per MM UT-1.

DEIR, p. 4-38

Cumulative Impacts

1. Cumulative Aesthetics and Visual Quality impacts with the project and other foreseeable development.

Finding. The City finds that there are no measures available to mitigate this impact. A statement of overriding considerations for this impact is made in the following section.

DEIR, p. 4-6

2. Cumulative Air Quality impacts with the project and other foreseeable development.

Finding. The City finds that implementation of the project level mitigation would reduce cumulative impacts; however, this would not reduce cumulative impacts to less than significant. A statement of overriding considerations for this impact is made in the following section.

DEIR, p. 4-7

3. Cumulative Biological Resources impacts with the project and other foreseeable development.

Finding. The City finds that implementation of project level mitigation would reduce cumulative impacts to less than significant.

DEIR, p. 4-9

4. Cumulative Hazards and Hazardous Materials impacts with the project and other foreseeable development.

Finding. The City finds that implementation of project level mitigation would reduce cumulative impacts to less than significant.

DEIR, p. 4-11

5. Cumulative Hydrology and Water Quality impacts with the project and other foreseeable development.

Finding. The City finds that implementation of project level mitigation would reduce cumulative impacts to less than significant.

DEIR, p. 4-12

6. Cumulative Noise impacts with the project and other foreseeable development.

Finding. The City finds that implementation of project level mitigation would reduce cumulative impacts to less than significant.

DEIR, p. 4-15

7. Cumulative Transportation impacts with the project and other foreseeable development.

Finding. The City finds that the following mitigation measures identified for these six intersections are feasible and have been incorporated into the MMRP, thereby mitigating the cumulative impacts to a less-than-significant level:

- Improve Hopyard Road at Owens Drive (#10), per MM TR-1C.

[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]

- Improve Hopyard Road at Stoneridge Drive (#11), per MM TR-2C.

[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]

- Improve Santa Rita Road at I-580 Eastbound off-ramp/Pimlico Road (#26), per MM TR-3C.

[This improvement is not currently included in the City's Traffic Development Fee. The City's Traffic Development Fee is currently being updated and this improvement will be included in a new traffic fee study. Because it is anticipated that the fee update will be completed prior to the payment of fees by project developers, the payment of the revised Traffic Development Fee will mitigate this impact. If the City's Traffic Development Fee has not been updated when building permits for the proposed project are sought, the City will pay for this mitigation.]

- Improve West Las Positas at Stoneridge Drive (#30), per MM TR-4C.

[This improvement is not currently included in the City's Traffic Development Fee. The City's Traffic Development Fee is currently being updated and this improvement will be included in a new traffic fee study. Because it is anticipated that the fee update will be completed prior to the payment of fees by project developers, the payment of the revised Traffic Development Fee will mitigate this impact. If the City's Traffic Development Fee has not been updated when building permits for the proposed project are sought, the City will pay for this mitigation.]

- Improve Santa Rita Road at Valley Avenue (#34), per MM TR-5C.

[The improvements are included as projects in the City's Traffic Development Fee. The project developers shall pay the traffic fees to address this mitigation.]

- Improve El Charro at I-580 EB Off (#51), per MM TR-6C.

[This project is not included in the Phase 1 Interchange Improvements to be constructed by the City of Dublin. This improvement has been identified in the City of Livermore's El Charro Specific Plan EIR. As provided in the Cost Sharing Agreement dated September 4, 2007 between the Cities of Pleasanton and Livermore and the Surplus Property Authority of Alameda County, if the City of Livermore has not constructed the modification to the Caltrans I-580/Fallon Road Interchange Modification (Project #04-257604) that is identified in this EIR, the City of

Pleasanton will be responsible to construct the modification. With the construction of these improvements, this impact will be mitigated.]

- Improve El Charro at Stoneridge, per MM TR-7C (#53).
- Seek an Interagency Cooperative Agreement to fund and complete traffic mitigation measures in other jurisdictions, per MM TR-11C.

DEIR, p. 4-18

8. Increased traffic and unacceptable levels of service at three intersections not within Pleasanton.

Finding. The City finds that mitigation measures identified for two of the intersections noted below, Fallon Road at Dublin Boulevard (#56) and Tassajara Road at Central Parkway (#60), are feasible and have been incorporated into the MMRP; however, unless the intersection improvements are implemented by the governing jurisdiction where the intersections are located, the impact would remain significant and unavoidable. A statement of overriding considerations for this impact is made in the following section. The mitigation measures for the Dublin Boulevard at Dougherty Road intersection (#D1) are infeasible and a statement of overriding considerations for this impact is made in the following section.

- Improve Fallon Road at Dublin Boulevard (#56), per MM TR-8C.
- Improve Tassajara Road at Central Parkway (#60), per MM TR-9C.
- Improve Dublin Boulevard at Dougherty Road (#D1), per MM TR-10C.
- Seek an Interagency Cooperative Agreement to fund and complete traffic mitigation measures in other jurisdictions, per MM TR-11C.

DEIR, p. 4-18 and FEIR, p. 3-69

STATEMENT OF OVERRIDING CONSIDERATIONS

The City has determined to approve the Ice Center Alternative because it provides greater social and economic benefits than the Proposed Project without creating significantly greater environmental impacts. This statement of overriding considerations presents the City's determination that the Ice Center Alternative's broader public and environmental objectives outweigh the anticipated significant and unavoidable environmental impacts of the alternative, as identified in the previous section and the EIR.

Significant and Unavoidable Environmental Impacts of the Proposed Project

The previous section and the EIR identify the following significant and unavoidable impacts of the Ice Center Alternative, which are substantially the same as those of the Proposed Project:

- Aesthetics and Visual Quality - as a result of conversion of the Staples Ranch site from undeveloped to developed land and the loss of the rural character of the Project Area.
- Air Quality - as a result of emissions of ozone precursors (reactive organic gases and oxides of nitrogen) and particulate matter from mobile and stationary sources, above thresholds used by the Bay Area Air Quality Management District (BAAQMD).
- Traffic - as a result of increased project trips at two study area intersections outside the jurisdiction of Pleasanton under project conditions, and three intersections outside the jurisdiction of Pleasanton under cumulative conditions, if other jurisdictions decide not to implement the proposed mitigation measures.

Required Statement of Overriding Considerations

The City will mitigate the impacts described above to the extent feasible (see previous section). However, these measures will not reduce the above impacts to less-than-significant levels.

The City has examined reasonable project alternatives, including the proposed project. The City has found that the Existing Specific Plan Alternative, the No Project Alternative and the Open Space Alternative would not achieve the core project objectives and/or would not significantly reduce the significant and unavoidable impacts identified for the Project and/or be consistent with City planning policies and goals. Each alternative is discussed briefly above. The proposed project and the Ice Center Alternative are considered viable options; however, the proposed project does not achieve the same level of community benefit as the Ice Center Alternative.

The City has determined to approve the Ice Center Alternative. In preparing this statement of overriding considerations, the City has balanced the benefits of the Ice Center Alternative against its unavoidable environmental impacts. Although implementation of the Ice Center Alternative would result in significant and unavoidable impacts related to the loss of the rural character of the project, air emissions above the thresholds used by the BAAQMD, and increased traffic congestion at intersections outside Pleasanton, the City finds that the benefits of the project to the community are overriding considerations when weighed against the environmental impacts listed above. Adoption of the Ice Center Alternative will allow the following community goals to be achieved, and, thus, the City finds that the potential benefits outweigh the environmental risks of the Ice Center Alternative:

1. Retain existing auto sales businesses within the City of Pleasanton by providing a large, convenient and highly visible site for an auto mall that will facilitate newer and larger facilities necessary to meet automobile franchise requirements.
2. Provide a site for a senior continuing care community that will help meet Pleasanton's and the surrounding community's expanding need for elderly assisted living opportunities, while providing a buffer between the adjacent

existing residential neighborhoods to the west and the planned auto mall to the east.

3. Provide a convenient, flexible, and efficient location for additional commercial development that can take advantage of excellent freeway access and the developing El Charro Road commercial corridor.
4. Provide a 17-acre community park site to the City that may be used for a variety of active and/or passive recreational uses, may offer multiple potential access points, and takes advantage of the adjacent Arroyo Mocho, which offers opportunities for regional trail connections and passive nature-based recreation.
5. Provide a 5-acre neighborhood park that offers both recreational opportunities and on-site stormwater detention to meet State and local hydro-modification requirements.
6. Develop a circulation system that provides convenient vehicular, bicycle, and pedestrian access to and through the Staples Ranch site, in substantial conformance with the General Plan, without adversely affecting existing residential neighborhoods in the City.
7. Design landscaping to create an attractive eastern entrance to the City, enhance the pedestrian environment, provide buffers between potentially incompatible land uses, and provide on-site stormwater treatment to reduce environmental impacts.
8. A City sales tax revenue increase when visitors come from out of town to ice center special events and do business at local hotels, stores, and restaurants.
9. Retail sales tax dollars would be generated by the ice center restaurant and retail shop.
10. The ice center developer has offered to contribute to and construct a substantial share of the remainder of the 17 acre Community Park.
11. Social benefits resulting from the Ice Center Alternative would include the introduction of many activities to the community relating to health, education, recreation, family life, and special needs provided by a variety of ice skating activities, including:
 - Public skating sessions
 - Public school physical education classes and possible future competitive team practices and games
 - City Park and Recreation Department programs
 - Private class skating lessons
 - Youth and adult hockey practices and games for men, women, boys, and girls
 - Figure skating
 - Speed skating

- Curling
- Synchronized skating
- Ice dancing
- Olympic level figure skating instruction and practice
- Approximately six annual weekend special events such as hockey tournaments and figure skating competitions
- Special needs programs for physically and developmentally disabled children
- Disabled hockey program providing sled hockey for disabled persons
- Lessons and programs for community organizations
- Birthday and company parties
- Ice reservation booking priority and Pleasanton resident discount fees (similar to the City's Callippe Preserve Golf Course offerings currently extended by the City to Pleasanton residents)

{end}