

# Draft Environmental Impact Report

# Tapo-Alamo School Project

PD-S-1045/TP-S-685/AHA-R-061  
SCH# 2018051058



PREPARED FOR:

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June 2019

# **TAPO-ALAMO STREET PROJECT**

**DRAFT ENVIRONMENTAL IMPACT REPORT  
PD-S-1045/TP-S-685/AHA-R-061  
SCH #2018051058**

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JUNE 2019

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**VOLUME II (On CD)****APPENDICES**

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**ACRONYMNS**

AAQS	National Ambient Air Quality Standards
AB	Assembly Bill
ACM	Asbestos Containing Material
ADA	Americans with Disabilities Act
ADT	average daily trips
AFY	acre-feet per year
AIM	Advance Infrastructure Mitigation
AMR	American Medical Response
APs	alternative planning strategies
AQMP	Air Quality Management Plans
ARB	Air Resources Board
BMP	best management practices
CAA	Federal Clean Air Act
CAAQS	California ambient air quality standards
CAFE	Corporate Average Fuel Economy
Cal EPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Regulation
Cal/EPA	California Environmental Protection Agency
CalARP	California Accidental Release Prevention
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAMUTCD	California Manual of Uniform Traffic Control Devices
CAP	City's Climate Action Plan
CARB	California Air Resources Board
CAT	California Climate Action Team
CBIA v. BAAQMD	<i>California Building Industry Association v. Bay Area Air Quality Management District</i>
CCAA	California Clean Air Act
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation,
CFR	Code of Federal Regulations
CGC	California Government Code
CH <sub>4</sub>	methane
CMA	Congestion Management Agency
CMP	Congestion Management Plan
CMWD	Calleguas Municipal Water District
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	carbon dioxide equivalents
CPD	Commercial Planned Development
CRA	Colorado River Aqueduct
CUPA	Certified Unified Program Agencies
CURB	City Urban Restriction Boundary
dB	Decibel
dBA	A-weighted decibel, a measure of sound

DOF	California Department of Finance
EIR	Environmental Impact Report
EO	executive order
EOA	Exclusive Operating Area
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
FEMA	Federal Emergency Management Agency
FHSZ	Fire Hazard Severity Zones
GHG	greenhouse gas
gpd/acre	gallons per day per acre
GWP	global warming potential
HCM	Highway Capacity Manual
HFCs	hydrofluorocarbons
HMGP	Hazard Mitigation Grant Program
HMIS	Hazardous Materials Inventory Statement
HVAC	Heating, Ventilated, and Air Conditioning
ICU	Intersection Capacity Utilization
in/sec	inches per second
IPCC	Intergovernmental Panel on Climate Change
ITE	Institution of Transportation Engineers
LBP	Lead-Based Paint
Ldn	Day-Night Average Level
Leq	Equivalent Noise Level
LOS	Level of Service
LRA	Local Responsibility Area
MLD	Most Likely Descendant
MMT	million metric tons
MND	Mitigated Negative Declaration
Mpg	miles per gallon
mph	Miles Per Hour
MPOs	metropolitan planning organizations
MU	Mixed Use
MWD	Metropolitan Water District
N <sub>2</sub> O	nitrous oxide
NAAQS	national ambient air quality standards
NAHC	California Native American Heritage Commission
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NEVs	neighborhood electric vehicles
NF <sub>3</sub>	nitrogen trifluoride
NHPA	National Historic Preservation Act of 1966
NO <sub>2</sub>	nitrogen dioxide
NOC	Notice of Completion
NOP	Notice of Preparation
NOX	nitrogen oxides
O <sub>3</sub>	Ozone
OES	Office of Emergency Services
OHP	California Office of Historic Preservation
OSFM	Office of the State Fire Marshal
OSHA	Federal-Occupational Safety and Health Administration
PA	participating agencies

Pb	lead
PFCs	perfluorocarbons
PM-10	Particulate Matter
PM-2.5	Fine Particulate Matter
ppm	parts per million
ppv	peak particle velocity
PRC	Public Resources Code
PUC	Public Utilities Commission
PV	photovoltaic
RCRA	Resource Conservation and Recovery Act
RFP	Reasonable Further Progress
RMP	Risk Management Plan
RMS	Root Mean Squared
ROG	reactive organic gases
RPS	California's Renewable Portfolio Standard
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RTPs	Regional Transportation Plans
RVH	Residential Very High
RWQCB	Regional Water Quality Control Board
SCAG	Southern California Association of Governments
SCCIC	South Central Coastal Information Center
SCSs	sustainable communities' strategies
SF <sub>6</sub>	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SO <sub>2</sub>	Sulfur Dioxide
SR-118	State Route 118
STC	Sound Transmission Class
SVMC	Simi Valley Municipal Code
SVPD	Simi Valley Police Department
SVTAM	Simi Valley Transportation Analysis Model
SVUSD	Simi Valley Unified School District
SWITRS	Statewide Integrated Traffic Records System
SWP	State Water Project
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TIPs	Transportation Improvement Plans
tsf	thousand square feet
U.S. EPA	U.S. Environmental Protection Agency
USEPA	United State Environmental Protection Agency
UST	underground storage tank
UWMP	Urban Water Management Plan
VCAPCD	Ventura County Air Pollution Control District
VCEHD	Ventura County Health Division
VCFD	Ventura County Fire Department
VCOG	Ventura Council of Governments
VCTC	Ventura County Transportation Commission
VEC	Vapor Encroachment Condition



VMT	Vehicle Miles Travelled
ZEV	zero-emission vehicles
ZNE	zero net energy

## 1.0 INTRODUCTION

This Draft Program Environmental Impact Report (“Draft EIR,” or EIR) has been prepared by the City of Simi Valley (“City”) to assess the environmental consequences of the proposed Tapo-Alamo Project (project). The City is the lead agency for the proposed project pursuant to the California Environmental Quality Act<sup>1</sup> (CEQA).

The project proposes an infill development on an approximately 6.9-acre site within the City of Simi Valley, which is currently occupied by a commercial development (Belwood Center) and a vacant lot, located at the northeast corner of Tapo Street and Alamo Street. The project would remove the majority of the existing commercial center and associated parking lot, and redevelop the site with a 4-story building (55 feet high) 278-unit apartment building, and retain and remodel 8,100 square feet of the existing commercial use on the site. The ground floor level would consist of a parking garage and leasing office, while residential units would occupy the upper three levels. As part of the project, the multiple small parcels that make up the site would be consolidated into two lots, consisting of approximately 1.01 acres for the commercial use to be retained in the northwestern corner of the property, and 5.87 acres for the residential use on the remainder of the property.

### Background on City General Plan and Zoning Regulations for the Site

The City General Plan designated land use for the project site is Mixed-Use, and the zoning is Commercial Planned Development (CPD) Mixed-Use (MU) Overlay District. The City’s General Plan further designates the property as being within the Tapo Street Corridor Area A. The General Plan describes the planned land use for development of the Tapo Street Corridor Area A in Land Use Policy LU-23.1 as follows:

Policy LU-23.1 Mixed-Use Development. Encourage the improvement and higher economic use of properties along the Tapo Street corridor as a series of distinct centers and nodes containing a mix of retail, office, and residential uses, as follows:

#### Area A (Tapo Street Corridor)

- Vertical mixed-use development, with commercial on the ground floor and residential on the upper floors
- General Commercial
- Office Commercial
- Very High Density Residential

Any land use listed for each subarea may be developed within that area. Refer to Land Use Element, Section 5 (Land Use Designations) for description of land use categories and permitted development densities (units per acre) and floor area ratio (FAR) for each specified land use category.

According to the City’s Municipal Code Chapter 9-28.080 - Mixed-Use (MU) Overlay District, the Mixed-Use Overlay allows for properties to be developed with commercial retail or offices uses on the ground floor and housing on the second floor or above; or a mix of differing land uses to be distributed horizontally on a site; or for a single land use, as designated on the Community Subareas and Districts Maps. Chapter 9-28.080 specifies the allowable land uses for development within the Tapo Street Corridor Area A, which are identical to the listed uses provided in the General Plan Land Use Policy LU-23.1 for development of the Tapo Street Corridor Area A, as discussed above.

<sup>1</sup> California Public Resources Code, Division 13, Environmental Quality, Section 21000 et seq., California Environmental Quality Act (CEQA).

The City's Mixed-Use (MU) Overlay District Standards are provided in Municipal Code Section 9-44.105. As stated in Section 9-44.105B Mixed-Use Overlay District Site Planning Requirements, the following minimum standards must be implemented for all new or modified developments within the Mixed-Use Overlay District:

1. Percentage of project as residential uses. A minimum of 50% of the project's floor area must be developed and maintained as residential uses.
2. Percentage of project as commercial uses. A minimum of 25% of the project's floor area must be developed and maintained as commercial uses.
3. Ground floor uses. Only commercial uses are permitted on the ground floor of buildings fronting an arterial street. Residential units are permitted on the ground floor of buildings fronting non-arterial and internal streets and driveways.

The maximum height limit for primary structures within the Mixed-Use District is 55 feet and four stories as specified in Section 9-44.105C of the Municipal Code.

## **Background on Affordable Housing / State Density Bonus Law**

The State's Density Bonus law, California Government Code (CGC) Section 65915, requires that the City grant up to a 35 percent density bonus for a project that restricts 20 percent of the units for affordable housing as Low Income units. Similarly, pursuant to the City's Municipal Code (SVMC 9-31.020) a project is eligible for a 20 percent density bonus to be granted if it provides a minimum of 10 percent affordable housing units at the Low Income level, plus an additional 1.5 percent density bonus for every additional one percent increase in the Low Income affordable units provided above the minimum, with a maximum density bonus of 35 percent. Applying the City's Very High Density Residential standard of 35 dwelling units per acre, development of the entire 6.9-acre project with 100 percent residential uses would allow 242 residential units, with a maximum density bonus of 85 units, per the State's Density Bonus law, California Government Code (CGC) Section 65915, for a total of 327 dwelling units. This project proposes to consolidate the six existing parcels that make up the property into two parcels, with 1.01 acres for commercial use, and 5.87 acres for residential use. Applying the City's Very High Density Residential standard of 35 dwelling units per acre for the 5.87-acre portion of the site that the project proposes to develop with residential uses would allow 206 dwelling units, with a maximum density bonus of 73 units per the State's Density Bonus law, for a total of 279 dwelling units.

The project's proposed 278 residential units, including 83 affordable units, are within the State's mandated allowance of 35 percent for projects providing 20 percent affordable housing units at the Low Income level. The State's Density Bonus Law also specifies that a project applicant shall receive one incentive or concession for projects that include at least 10 percent of the total units for lower income households, two incentives or concessions for projects that include at least 20 percent of the total units for lower income households, or three incentives or concessions for projects that include at least 30 percent of the total units for lower income households. Additionally, the State's Density Bonus Law Section 65915(e)(1) states that in no case may the City apply any development standard that will have the effect of physically precluding the construction of a development of a qualifying project at the densities or with the concessions or incentives permitted by the density bonus law. As such, an applicant for a project providing affordable housing may submit to the city a proposal for the waiver or reduction of development standards that will have the effect of physically precluding the construction of a development with the number of units allowed under the State Density Bonus Law. The State's Density Bonus Law Section 65915(p) also limits the parking ratios that the City may require of a qualifying project providing affordable housing units.

The State's Density Bonus law, CGC Section 65915(d)(1), specifies that, "...a city, county or city and county shall grant the concession or incentive requested by the applicant unless a city, county or city and county makes a written finding based on substantial evidence any of the following...", after which the law proceeds to identify the exceptions. Relevant to CEQA, the exceptions include "where the concession or incentive would have a specific, adverse impact upon the public health and safety or the physical environment...for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households." CGD Section 65589(d)(2) defines a "specific, adverse impact" to mean a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety.

## **Background on Prior CEQA Process**

Upon deeming the application complete on May 30, 2017, the City prepared an Initial Study and a draft Mitigated Negative Declaration (MND) for the project, with a public review period from May 30, 2017 to June 19, 2017. The draft MND determined that the project's only potentially significant impact would be related to the possibility that noise from rooftop air conditioning units atop the retained/remodeled commercial use may exceed the City's ambient noise standards. A standard mitigation measure was identified requiring the project to install noise shielding at the commercial use air conditioning units, which would reduce potential impacts to less than significant.

The project's draft MND was not adopted, and upon receipt of public comment letters on the project, the City determined that further evaluation of potential impacts in a project EIR was warranted. The City circulated a Notice of Preparation (NOP) of an EIR for the project (dated September 20, 2017) with an Initial Study of the project, and held a public scoping meeting on January 16, 2018, to solicit public input on issues to be evaluated in the EIR. Comments provided at the scoping meeting and by correspondence to the City were compiled and reviewed to refine the scope of environmental issues to be evaluated in the EIR, under the CEQA Guidelines.

Pursuant to the CEQA Statute Section 21002.1(e), lead agencies shall focus the discussion in the EIR on the potential project effects on the environment which the lead agency has determined are or may be significant. Lead agencies may limit discussion of other effects to a brief explanation as to why those effects are not potentially significant. The City's September 20, 2017 Initial Study (**Appendix A**) for the project provides such discussions of environmental issues that are "scoped out" of this EIR due to effects that are not potentially significant. Section 6.0 of this EIR provides brief explanations of those issues that have not been carried forward from the Initial Study for analysis in this EIR. Appendix A also includes a list of those who provided comments to the City during the EIR scoping period and a compilation of scoping comments received by the City that were used to refine the scope of issue areas analyzed in this EIR.

## **Public Review**

Pursuant to Section 15085 of the CEQA Guidelines, a Notice of Completion (NOC) is to be sent to the Office of Planning and Research (OPR) at completion of this Draft EIR. Concurrently with sending the NOC to the OPR, the City will provide a Notice of Availability (NOA) of the Draft EIR for public review pursuant to Section 15087 of the CEQA Guidelines. A public review period for this Draft EIR will be 45 days. The public review period for this Draft EIR began on June 25, 2019, and will close on August 8, 2019. Public review comments should be mailed or emailed by 5:00 p.m. on Thursday August 8, 2019 to:

**Contact:** Mr. Stratis Perros, Deputy Environmental Services Director/City Planner  
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Following receipt of the comments, the City will provide responses to all EIR-relevant environmental issues raised in such comments. The written comments and responses will be incorporated into the Final EIR.

## 1.1 STATUTORY AUTHORITY

Under CEQA and the State CEQA Guidelines,<sup>2</sup> public agencies are required to evaluate proposed development projects for their effect on the physical environment and identify any feasible measures that would avoid or lessen significant environmental effects. This is intended to provide disclosure of the environmental consequences of a project to the public and agency decision makers before action is taken to approve project permits.

The preparation of an EIR provides information to assist a lead agency in making decisions on the project but does not control the lead agency's exercise of discretion. Specifically, as noted in the State CEQA Guidelines:<sup>3</sup>

- (a) An EIR is an informational document which will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency.
- (b) While the information in the EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the EIR by making findings under Section 15091 and if necessary by making a statement of overriding considerations under Section 15093.
- (c) The information in an EIR may constitute substantial evidence in the record to support the agency's action on the project if its decision is later challenged in court.

This EIR was prepared in accordance with CEQA and the State CEQA Guidelines. The City of Simi Valley is serving as the lead agency for proposed project under CEQA and is responsible for the preparation of this EIR.

The CEQA Statute,<sup>4</sup> Section 21002, Approval of Projects; Feasible Alternative or Mitigation Measures, states that in the event specific economic, social, or other conditions make infeasible project alternatives or mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.

## 1.2 TYPE OF ENVIRONMENTAL DOCUMENT

As provided for in CEQA, this EIR for the proposed Tapo-Alamo Project is considered a Project EIR. Section 15161 of the CEQA Guidelines describes a Project EIR as the most common type of EIR, which examines the environmental impacts of a specific development project, focusing primarily on the changes

<sup>2</sup> California Code of Regulations, Title 14, Guidelines for the Implementation of the California Environmental Quality Act, Section 15000 et seq., (State CEQA Guidelines).

<sup>3</sup> California Code of Regulations, Title 14, Division 6, Chapter 3, State CEQA Guidelines, Section 15121.

<sup>4</sup> California Public Resources Code Division 13. Environmental Quality

in the environment that would result from the development project. The Project EIR shall examine all phases of the project including planning, construction, and operation.<sup>5</sup>

### 1.3 ORGANIZATION AND CONTENT

The content of this Draft EIR was determined by CEQA, the State CEQA Guidelines and City of Simi Valley policy and procedures, including the CEQA processes of early consultation and public review and comment. The organization of the EIR is as follows:

**Executive Summary (ES)**, provides a summary of the existing setting, proposed project, identified significant impacts of the proposed project, and mitigation measures. Alternatives that were considered to avoid or lessen the significant effects of the project are identified in the Executive Summary. In addition, the Executive Summary identifies areas of controversy known to the City, including issues raised by agencies and the public. The Executive Summary includes a list of the issues to be resolved, including the choice among alternatives and whether or how to mitigate significant effects of the project.

**Chapter 1.0, Introduction** (this chapter), includes information related to the purpose and scope of the EIR, environmental review process, previous environmental review background, and the organization and content of the EIR.

**Chapter 2.0, Project Description**, provides the precise location and boundaries of the proposed project, statement of objectives, a description of the technical, economic, and environmental characteristics of the project, considering the principal engineering proposals and supporting public service facilities, including potential off-site infrastructure. The project description identifies the intended uses of the EIR, including the list of agencies that are expected to use the EIR in their respective decision-making processes, a list of the related discretionary actions (permits and approvals) required to implement the proposed project, and a list of any related environmental review and consultation requirements required by federal, state, or local laws, regulations, or policies.

**Chapter 3.0, Cumulative Projects**, describes the cumulative project assumptions utilized in the cumulative analysis in the EIR. Where applicable for individual analysis sections, a summary of projections for general plan buildout, or a list of related projects may be utilized (State CEQA Guidelines Sections 15130). Each analysis provides an explanation of the cumulative projects evaluated as relevant to the issue area being addressed.

**Chapter 4.0, Impact Analysis**, includes for each environmental issue area the existing conditions, regulatory setting, significance thresholds, impacts, mitigation measures, residual impacts (i.e., the level of significance after implementation of mitigation measures), and cumulative impact analysis. This portion of the EIR is organized by the applicable environmental topics resulting from the analysis of potentially significant impacts undertaken in the Initial Study. Chapter 4.0 of this EIR addresses the following CEQA topics:

- 4.1 Aesthetics
- 4.2 Air Quality
- 4.3 Cultural Resources
- 4.4 Greenhouse Gas Emissions
- 4.5 Hazards and Hazardous Materials

<sup>5</sup> Authority cited: Section 21083, Public Resources Code; Reference: Sections 21061, 21100, and 21151, Public Resources Code.

- 4.6 Land Use and Planning
- 4.7 Noise
- 4.8.1 Public Services – Fire and Ambulance Services
- 4.8.2 Public Services – Police Services
- 4.8.3 Public Services – Schools
- 4.9 Parks and Recreation
- 4.10 Transportation and Traffic
- 4.11.1 Utility and Service Systems – Water Supply
- 4.11.2 Utility and Service Systems – Wastewater Treatment

**Chapter 5.0, Alternatives**, describes and evaluates a range of reasonable alternatives to the proposed project or to the location of the proposed project, including an evaluation of the no project alternative. CEQA requires that the EIR explore potentially feasible alternatives that would avoid or substantially lessen any of the significant effects of the proposed project.

**Chapter 6.0, Other CEQA Considerations**, addresses several CEQA-required discussions: Significant Environmental Effects of the Project; Significant Irreversible Environmental Changes which evaluates potential uses of nonrenewable resources and potential irreversible changes that may occur during the course of the proposed project; Energy, which provides discussion of potential energy impacts of the project, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy as outlined in Appendix F of the CEQA Guidelines; Growth-Inducing Impacts, which evaluates the potential for the proposed project to foster economic growth or population growth, either directly or indirectly, in the surrounding environment; and Effects Found Not To Be Significant, which summarizes the findings of the Initial Study for CEQA issues that were found to not have a significant effect and were thus scoped out of the analyses provided in Chapter 4.0 of the EIR.

**Chapter 7.0, Organizations and Persons Consulted and References**, provides a list of federal, state, and local agencies, other governmental agencies and organizations and private individuals consulted during the preparation of this EIR; provides a list of key personnel writing, managing and providing technical analysis in support, including the private consulting firm preparing this EIR, by contract with and authorization from the City; and a list of references that includes sources, communications, and correspondence used in the preparation of this EIR.

**Appendices.** Appendix A contains the Notice of Preparation (NOP) and Initial Study, early consultation letters and comments received during the NOP public circulation process. The remaining appendices include data and reports supporting the EIR analysis. These appendix materials have been attached and are incorporated as a part of this EIR.