

City of Brea

PLANNING COMMISSION COMMUNICATION

TO: Honorable Chair and Planning Commission

FROM: Jennifer Lilley,

DATE: 04/25/2017

SUBJECT: CONSIDERATION OF ADDENDUM NO. 16-01, TENTATIVE PARCEL MAP NO. 2016-178, PRECISE DEVELOPMENT NO. 16-04, CONDITIONAL USE PERMIT NOS. 16-10 AND 16-11 FOR A PROPOSED MIXED USE, IN-FILL DEVELOPMENT INCLUDING 747 RESIDENTIAL APARTMENTS, 16,900 SQUARE FEET OF COMMERCIAL TENANT SPACE AND A 150-ROOM HOTEL LOCATED ON AN APPROXIMATELY THIRTY- ACRE SITE AT THE NORTHWEST AND NORTHEAST CORNERS OF BIRCH STREET AND STATE COLLEGE BOULEVARD.

BACKGROUND/DISCUSSION

BACKGROUND

The Planning Commission received the staff report, associated materials and a staff presentation regarding the proposed Brea Place project and related actions at the February 28, 2017 meeting. The Commission received public testimony and continued the public hearing to March 28, 2017. At this meeting, the Planning Commission received a written staff report, the applicant's presentation, public testimony, the applicant's rebuttal and responses to initial questions. The Commission closed the public hearing and continued the item to April 25, 2017 to commence its deliberations on the project.

DISCUSSION

To assist with the Commission's deliberations the following is a summary of information previously provided or additional information related to the components of the review and consideration for this application. Staff has provided the information in the order the Commission could review and act on these matters. The remaining tasks for the Commission include:

- Provide direction for the environmental clearance;
- Review the additional questions Commissioners and posed to Staff and determine if further information is needed;
- Commission deliberation;
- Confirm desired action for project;
- Direct staff regarding required findings for proposed actions; and
- Direct staff to finalize any desired conditions of approval, if project approval is contemplated.

Environmental Analysis: Clarification and information has been provided related to the environmental clearance for the project. A memorandum, dated March 16, 2017 was provided to the Commission and has been attached to this report, see Attachment 1. Additionally, the City Attorney has provided a legal review and determination related to on-going questions and concerns regarding the process and environmental approach and that memorandum is attached to this report, see Attachment 2.

Additional Questions from the Commission: The Commission had questions related to the project following the March 28 meeting. The following provides those questions and the support information or responses from our technical team.

1. PREVIOUS ENTITLEMENTS

- a. What was approved to be built on the north parcel for Lowe Development Co. Property through prior entitlements?

The Development Agreement 89-2 approved a four-story or 72 foot tall office building including

approximately 90,000 square feet of leasable area and a 55 foot tall, 6,000 square foot restaurant building.

2. BUS ROUTES

a. What and how many bus routes from Orange County Transportation Authority (OCTA) or others go by/stop at the Hines (Brea Place) project on Birch Street or State College Boulevard?

There are three lines which go by/stop at the Hines (Brea Place) project. These include: Routes 129, 143 and 213. Foothill Transit also has one line stopping at the Hines project. This is Route 286.

b. How many buses from OCTA or others stop at the Birch or State College bus stops each day.

There are approximately 55 total buses stopping at the project site per day. The 129 makes 19 stops per day, the 143 makes 15 stops per day and the 213 makes 4 stops daily at this location. The Foothill Transit line makes 17 stops per day.

3. BUS DIESEL EMISSIONS/ AIR QUALITY:

a. I know OCTA has been converting its fleet to CNG. Are all of them converted on the routes by the Hines Project?

Yes. OCTA completed the process of converting its active bus fleet to CNG Winter 2016 for commuter buses. This includes all buses operating in Brea. They still have some LNG buses in their fleet but those are not used in Brea.

b. What about the other bus lines from non-OC based transportation agencies (i.e. LA. Metro, SBCTA)?

Foothill Transit uses CNG buses. There are no LA Metro or SBCTA lines using these stops at this time.

c. If they are diesel buses are there idling standards in the City of Brea?

The buses are no longer diesel.

d. Are there any CO mitigation measures that could be considered to reduce the hotspot at Lambert and State College? I'm thinking specifically of the CAPCOA list.

Brea Place will comply with the 2003 General Plan EIR Mitigation Measures 1, 2, 4 and 5 for air quality which are:

Mitigation Measure 1. The City shall reduce vehicle emissions caused by traffic congestion by implementing transportation systems management techniques that include synchronized traffic signals and limiting on-street parking.

A draft condition of approval has been added for consideration to implement management techniques including signalization adaptive controls, improvements to the intersections, addition of dedicated turning lanes, traffic management techniques, wayfinding and other congestion management strategies.

Mitigation Measure 2. The City shall encourage major employers, tenants in business parks and other activity centers, and developers of large new developments to participate in transportation management associations.

A draft condition of approval could be added for consideration to require the participation in a transportation management association that could include transportation shuttles, vehicle share programs, carpooling and other transportation solutions.

Mitigation Measure 4. The City will encourage the incorporation of energy conservation techniques (i.e. installation of energy saving devices, construction of electric vehicle charging stations, use of sunlight-filtering window coatings or double-paned windows, utilization of light-colored materials as opposed to dark-colored roofing materials, and placement of shady trees next to habitable structures) in new developments.

A draft condition of approval has been added for consideration to include the installation of electric vehicle

charging stations, modified materials and color palate and California native plantings to conserve energy and resources.

Mitigation Measure 5. The City will encourage the incorporation of bus stands, bicycle racks, bicycle lanes, and other alternative transportation related infrastructure in new developments.

A draft condition of approval has been added for consideration to improve bus shelters, install bicycle racks, improve bike lanes, pedestrian paths and incorporate shuttle operations to encourage alternative transportation.

At the time of this publication, staff is awaiting additional information from the California Air Pollution Controls Officers Association. Staff will provide this information as soon as it is available.

Finally, the CO hotspot was discussed in detail as part of the Addendum. A response was provided by the technical team regarding this issue. In summary, the Air Quality Master Plan has shown emissions have continued to decline since 2003 (the time of the latest AQMP hot spot analysis and the City of Brea General Plan EIR). According to ground-level emissions concentration data collected by the California Air Resources Board, 8-hour CO emissions have declined at the La Habra Monitoring Station to below 3.0 parts per million (ppm) (the State and Federal Ambient Air Quality Standard for 8-hour CO is 9 ppm). Due to these declines, CO is no longer monitored at this station or at any other monitoring stations in the Basin. For additional information, please see Attachment 3.

4. ADAPTIVE TRAFFIC CONTROL

a. Does the ATC technology require investment in resources by the City? (i.e. new software/hardware, staffing, training)

The ATC technology requires acquisition of new software, new hardware and training of City staff. No new staff will be necessary.

b. If so, is the applicant paying for this investment and training?

Yes. A draft condition has been included to require the applicant/property owner to fund all costs associated with the ATC system. This would include any potential software, hardware, maintenance and staff training.

c. A speaker Tuesday night mentioned the ATC being only on State College and not responding to the "side" traffic from say Avocado. Is this accurate?

No, this is not accurate. The system will allow for full coordination with side street/Avocado timing and traffic control.

d. Urban Infill projects tend to have a lower traffic generation if they include mixed uses in/nearby. In other built MU-1, 2 or 3 areas, how have the traffic projections compared to the actual traffic?

The City of Brea does not have comparisons of traffic projections to actual traffic. While we have several traffic studies to forecast project volumes for mixed use projects addressing the "real life" condition once a project is built is not an industry practice. Instead, the Institute of Transportation Engineers (ITE) manual provides actual monitoring data to validate trip generation rates for land use types. These studies provide factual comparisons of projections and trip data collected from developed land use projects. So the best data and the Best Industry Practice is to use the ITE to determine actual trips and traffic. All the tested, real life, observational data goes into the ITE used in modeling for the Traffic Impact Analysis prepared for the Hines Addendum to not only model this project but to assess comparisons with actual traffic data.

5. 57 FREEWAY PROJECT:

a. We heard the 57 Freeway was in the design phase? Is it entirely funded yet by OCTA?

The 57 Freeway is in the plans and engineers specifications review phase, this means there is a full set of plans and specifications. The project will be funded by State funding via the State Transportation Improvements Program, Measure M funds through OCTA and Brea Traffic Impact fees (57/Lambert Road

Interchange Project, CIP 7251). Based on our current CIP budget projections, Brea's portion will be fully funded by 2020/21.

6. PARKING

a. For other projects of similar size/scope/density, what have the parking space averages been (what are the projects/locations/parking allocations)?

The following table provides a comparison of similar projects. It is important to note that each project is unique and may not be an exact comparison to the project or the context. Also it is important to note the numbers provided below are from the approved plans, entitlement records and parking studies prepared for projects as applicable. It is possible there is variation with what was built. However, for the purpose of responding to the question above, this is the most accurate information of record.

Constructed and Occupied Apartments	Project Location	Unit Count	Unit Breakdown	Parking Stalls/Unit	Parking Stalls Provided
Birch Hills Apartments	255 S Kraemer	115	1bd = 19% 2bd = 41% 3bd = 40%	2	230
Downtown Brea Lofts	215 S Brea Blvd, 260 W Birch St, 330 W Birch St	62	Studios = 90% 1bd = 10%	1.22	76
Olen Pointe Apartments	100 S Pointe Dr	260	1bd = 56% 2bd = 44%	2.06	536
Bonterra Apartments	401 Discovery Ln	94	1bd = 22% 2bd = 36% 3bd = 42%	1.7	160
Under Construction Apartments	Project Location	Unit Count	Unit Breakdown	Parking Stalls/Unit	Parking Stalls Provided
Central Park Village	340 - 420 W Central	369	1bd = 32% 2bd = 61% 3bd = 7%	1.75	646
Pearl	420 La Crescenta	204	1bd = 59% 2bd = 41%	1.64	335
Proposed	Project Location	Unit Count	Unit Breakdown	Parking Stalls/Unit	Parking Stalls Provided
Brea Place	Birch St & State College Blvd	747	Studios = 11% 1bd = 55% 2bd = 34%	1.78	1,327

b. The applicant notes the Hines Project is at 1.78 spaces on average. Is this accurate?

Yes, there are 1,327 parking spaces provided for the residential portion of the project resulting in 1.78 spaces per unit.

7. POLICE AND FIRE SERVICES:

a. We heard testimony that additional police/fire protection was needed. What have the assessments by Brea Police/Fire been of the additional demand this project adds to their ability to meet the needs of the City?

The 2003 General Plan EIR and the subsequent EIR Addendum prepared for the proposed Hines project

identified that development would place additional demands upon Police and Fire resources. Both Departments routinely manage resources and work programs to assure appropriate levels of service will be maintained for current development and residents together with any new development demands. The City has also adopted and implements a Nexus Fee Program that requires all new development to pay its pro-rata share toward Fire Department related impacts and costs of providing additional facilities, equipment, etc. to serve the community. In summary, the proposed project would not exceed the buildout projections of population or overall housing units identified in the General Plan such that a significantly increased need for police or fire services would occur.

b. In other MU-1, 2 or 3 projects statistically how do they compare to residential neighborhoods with crime rates?

Crime and service call demand is highly dependent on many factors. Determining whether or not a specific type of development will lead to an increase in crime is complex. To simply state that any apartment building will always create a dramatic increase in crime is problematic. An FBI report has been attached, see Attachment 4, explaining the variables affecting crime and caution related to ranking or using data to compare or contrast crime.

8. WATER SUPPLY:

a. I recall that this project (at the higher density) was included in the City's Water Plan. Is that true?

Yes. The Water Master Plan takes into account all land uses assumed and considered by the 2003 General Plan Update. The EIR Addendum additionally reviewed the current water demand and supply to update data from the 2003 General Plan EIR. In summary, the analysis found the City's Urban Water Master Plan (UWMP) remains viable and documents the City's projected potable water demand and supply, including accommodating the Brea Place project.

9. NOISE

a. I recall that this project estimated its noise to be within the City's standards (both the General Plan and the Municipal Code). Is that true?

Yes. Brea Place is required to comply with the Brea Municipal Code and General Plan Noise and Land Use Compatibility Guidelines as described in pages 6-36 to 6-47 of the General Plan. The applicant has also presented a management and security plan to ensure loitering, noise translating to nuisance and other noise issues will be addressed and managed to ensure compliance with City standards.

b. Are there any conditions on other MU-1, 2, or 3 projects about noise or retail activity?

We do not know of any conditions on other projects related to noise the residential component would have on adjacent land uses. There are several examples of noise impacts from external factors on residential mixed use development. And there are examples of limiting loading and receiving supplies at retail businesses within mixed use development. This would include La Floresta, Gateway and Birch Street Promenade.

Project Analysis: The Commission has received a full technical review of the project included in previous staff reports and presentations. The project is found to be in compliance with the General Plan and the Zoning standards for this property. The project has been recommended for approval. This information can be found in the Commission packets from the February and March public hearings.

Correspondence Received: All correspondence received from March 28, 2017 to date have been included as Attachment 5 and include emails or letters received by staff.

Resolution/Findings/Conditions of Approval: The Commission will need to provide direction to prepare Resolutions for the project. Findings for the various entitlements are attached to this report for your consideration, see Attachment 6. Preliminary conditions of approval have been drafted and were previously provided for the Commission's consideration. During the Commission's discussion during the March 28, 2017 hearing several comments or suggestions were raised by Commissioners which potentially lend themselves to adding to or refining these conditions of approval. The original list of conditions have been attached to this report, see Attachment 7. Staff awaits direction from the Commission for additions or refinements to finalize this

list.

RESPECTFULLY SUBMITTED

Jennifer A. Lilley, AICP, City Planner

Attachments

ATTACHMENT 1. ENVIRONMENTAL MEMORANDUM, MARCH 16, 2017

ATTACHMENT 2. RWG MEMORANDUM, APRIL 13, 2017

ATTACHMENT 3. CARBON MONOXIDE HOTSPOT MEMORANDUM

ATTACHMENT 4. FBI VARIABLES AFFECTING CRIME MEMORANDUM

ATTACHMENT 5. CORRESPONDENCE

ATTACHMENT 6. FINDINGS

ATTACHMENT 7. CONDITIONS OF APPROVAL
