

CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 18, 2015

To: Chair Goodhue and Planning Commissioners

From: Marc Wiener, Acting Community Planning and Building Director

Submitted by: Brian Roseth, Monterey Bay Planning Services

Subject: Consideration of advisory recommendations to the City Council on (1) the adequacy of the environmental documents, and (2) appropriate design options for the Rio Park/Larson Field Shared Use Trail Project.

Recommendations:

Forward recommendations to the City Council that:

- (1) The Initial Study and proposed Mitigated Negative Declaration are legally adequate and should be adopted.
- (2) All mitigations identified in the Initial Study, as amended in this Staff Report, should be implemented as part of the project. This includes the specific amendments to mitigation measure CULT-1 and the substitution of signage for fencing for mitigation measure BIO-6. The Mitigation Monitoring and Reporting Program (Attachment-H) also should be adopted.
- (3) Project Design Options #1, #2 and #3 should be incorporated into the project design.

Project Background:

The Rio Park/Larson Field Shared Use Trail is part of the City Council's Key Initiative to improve local and regional trails. The construction of this trail is a listed and funded project on the City's Capital Improvement Plan. The City retained Monterey Bay Planning Services (MBPS) to work with the underlying land owners to establish a proposed route for the trail, as well as to assist with the permitting requirements. The City retained PMC for environmental documents.

There are four properties underlying the proposed trail alignment. One of these is owned by the City (Rio Park) and the other three are owned by the Catholic Diocese, the Carmel Area Wastewater District, and Mission Ranch. To cross the other properties, the City will need easements. All property owners have been generally supportive of the trail concept and easement negotiations remain active. MBPS has designed the trail to preserve the land uses and operational functions already established on each property. The Catholic Diocese and the Board of Directors of the Carmel Area Wastewater District have both given the City "concept approval" of the design.

Project Description

The proposed trail will connect Lasuen Drive with Rio Road and will be limited to pedestrian and bicycle traffic, except as required to serve existing uses (see Attachment-A: Site Plan). It will meet ADA grades. The connections at both trail ends will tie in with established bicycle routes designated by the City and the County. Signage at each termination will list rules for use of the trail as established by the City Council. No trail lighting is proposed and the hours will be limited to daylight periods.

Along the Larson Field portion of the alignment, there will be security fencing to separate trail users from the playground use established by Junipero Serra School. This fencing will have two keyed access gates for intermittent use (1) by CAWD--to service a manhole near the southeast corner of the field, (2) by Carmel Youth Baseball--to truck in supplies for games and (3) by emergency responders, whenever required. The route across Larson Field is similar to an informal road already established, both by CAWD and by Carmel Youth Baseball. To make room for the trail, some minor adjustments will be made to one of the backstops and the batting cage will be relocated. At Rio Road the trail termination will split and flare out into east and west legs to merge into traffic safely.

The south half of the trail is located on portions of Mission Ranch, Rio Park and a CAWD pipeline property. Starting at Lasuen Drive, the trail will follow the north boundary of the Mission Ranch property and will lie adjacent to the existing paved driveway serving the Mission Ranch tennis courts.

Several safety features have been included for this portion of the trail:

- (1) A safety barrier will be installed for a short distance along the south side of the trail, to protect trail users from traffic exiting the Mission Ranch tennis court parking area.
- (2) A stop sign is located at the west end of the trail so bicycles stop before entering traffic.
- (3) The western 15 feet of chain link fence and the stone pillar located along the south property line of the Carmel Mission will be lowered to three feet to enhance visibility between trail users and vehicles exiting the Carmel Mission driveway at this location.
- (4) Signage and a crosswalk will be installed on the west side of Ladera Drive approximately 160 feet north of the trail. The sign will advise bicycle and pedestrian traffic approaching the trail from the north to cross the street at this point, where it is safe. A 2-way path for pedestrians and cyclists, separated from vehicle traffic, will be installed on the east side of Ladera between the crosswalk and the trail entrance. Existing, informal parking along this stretch of Ladera Drive will be removed to accommodate this path.

After passing over the Mission Ranch property, the proposed trail will cross the CAWD property for a short distance and then reach the City's Rio Park property. The trail follows the north boundary of Rio Park then crosses the CAWD property again to enter Larson Field.

Project Design Options

The environmental review process often reveals ways to improve project designs even beyond the mitigations required for significant environmental impacts. This results from suggestions made in comment letters as well as from the availability of time to rethink design elements as the review process unfolds. Staff has developed four design options for consideration by the Planning Commission and City Council. None of these address impacts identified as "significant" during environmental review, and, therefore, none of these are required to be adopted by CEQA. The Commission may want to forward recommendations on these options to the City Council, along with its recommendations on the environmental documents. Design Options #1, #2 and #3 are illustrated on Attachment-B.

Design Option #1: Add Parking--This option was suggested by the City Administrator and by Mission Ranch. It would make up for the parking removed from Lasuen Drive and take care of any new demand created as the trail gains popularity. Staff recommends this option.

Design Option #2: Alternate Trail Alignment--This option was suggested by the Director of CAWD and by the City Administrator. It fully separates trail users from all vehicle traffic entering the Rio Park property, achieving greater safety. It also provides a new means for CAWD to access its manholes without using Rio Park. By doing this, it avoids the negative aesthetic result, added costs and the waste of space that would result if CAWD had to build its own road alongside the City's trail. The downsides to this option include greater initial construction cost to support the District's trucks and the periodic loss of trail access on the days when CAWD must use the trail for its maintenance activities. These topics are discussed more fully below on page-9. Staff recommends this option.

Design Option #3: Shift Location of the new Rio Road Crosswalk--This option was suggested in the traffic engineer's analysis and appears to be superior to the original design. The new Rio Road crosswalk would be relocated to the east side of Atherton Drive, closer to the trail. This avoids conflict with the existing bus stop and eliminates the need to add a wide, paved walkway along the Larson Field frontage. It also reduces the potential for unprotected street crossings by people approaching the trail from the east on the north side of Rio Road. Staff recommends this option.

Design Option #4: Informal Trail Surface--The project description in the Initial Study notes that the trail surface has not yet been defined by the City Council. The environmental analysis proceeded using the assumption that the trail would be paved with asphalt and meet all Class-1 Bikeway standards. The Council made it clear, however, that the City might want to create a less formal trail using decomposed granite or some other surface treatment. The advantages of a dirt trail are lower installation cost and a less formal appearance. The advantages of a paved surface are improved usability for road bikes and wheelchairs, better performance after periods of rain, possibly greater access to grant funding and possibly a lower cost for yearly maintenance. Staff has no recommendation regarding this option.

Permits

At the conclusion of the CEQA process, the City Council will adopt environmental documents, make design adjustments as needed and authorize continued permit processing for the project. The City's Planning Commission will then review a Use Permit and Coastal Development Permit for the portion of the trail that crosses Larson Field and terminates at Rio Road.

All other trail segments are located outside City limits and will require review and approval of a Coastal Development Permit from the County of Monterey. Once all permits are obtained, the final design, any required mitigations, and the easements will return to the City Council for final project approval.

Environmental Review:

This project requires environmental review consistent with the California Environmental Quality Act (CEQA). This is a multi-step process:

- (1) An Initial Study (IS) evaluates the project for its potential to cause environmental impacts. When an identified impact is considered significant or potentially significant, mitigations are proposed to eliminate or reduce its severity. If all the identified significant and potentially significant impacts can be mitigated to a level of "less-than-significant", it is appropriate to recommend adoption of a Mitigated Negative Declaration (MND).
- (2) Once the draft IS and MND are completed, they are released for public comment. This serves as a check on the adequacy of the analysis. After the comment period closes it is the City's responsibility to provide responses to all the comments received on environmental issues. The responses may take the form of clarifications or modifications to the original analysis or may include new mitigations. Responses may also include minor revisions to the project design. CEQA does not require a response from the City for non-environmental issues raised in the comment letters.
- (3) The IS/MND plus the responses to comments are then packaged for review by the decision-making body for the project--in this case the City Council. The MND is adopted and then project decisions can then made in parallel with consideration for the environment. In Carmel-by-the-Sea all environmental documents must be reviewed by the Planning Commission for adequacy prior to adoption by the decision-making body. This is an advisory role and typically includes a recommendation to adopt the mitigations.

In April 2015, the City Council retained PMC to prepare the environmental Initial Study for this project. PMC completed the Initial Study and recommended adoption of a Mitigated Negative Declaration. These documents were released for a 30-day public comment period on 11 September 2015. The Planning Commission held a public hearing to receive oral comments on

23 September 2015. By the end of the public comment period, the City had received four comment letters (see Attachments C, D, E and F). PMC and MBPS have prepared responses to all environmental comments received (discussed below).

Many of the comments received by the City raised issues that are not environmental and relate more to project design or the ongoing easement negotiations. Staff has prepared project design options in response to some of these suggestions and the Commission may want to advise the Council on whether these should be incorporated into the project. Staff cautions the Commission that some of the comments raise off-site issues concerning trespass, liability and existing patterns of movement. These issues are being discussed in the easement negotiations and are probably best left within that venue. Staff recommends that the Commission, instead, stay focused on the actual project design and its direct environmental effects as discussed in the Initial Study.

Responses to Public Comment

The City received four pieces of correspondence and/or comments on the draft Initial Study/Mitigated Negative Declaration that was circulated from September 11, 2015 to October 12, 2015. These comment letters are attached and should be reviewed in conjunction with this section. The following (prepared jointly by PMC and MBPS) are responses to those comments that are directly or indirectly related to the environmental analysis.

1. **Mr. Doug Schmitz, City Administrator.** Comments suggest the potential need to add parking, noting that existing spaces on Lasuen Drive will be removed and there is sufficient land at the Rio Park site to accommodate a parking area. Comments also note concerns regarding access and potential conflicts between vehicles and trail users.

Response

Parking: Staff has reviewed the concept of adding a parking area at the site and analyzed potential impacts of this design option. Although changes in parking demand and supply are not typically an environmental topic evaluated under CEQA (per Guidelines Appendix G), the comments do address the performance for the local circulation system, which must address all modes of transportation.

Staff's supplemental analysis (see Attachment-G) concludes that parking can be provided on site, sharing the Mission Ranch tennis court driveway that connects to Ladera Drive. Staff has

prepared a design option to achieve this (see Attachment-B). Adding this design option could provide 15 to 20 spaces and more than offset the loss of parking along Lasuen Drive near the Carmel Mission.

Separating Vehicles from Pedestrians/Cyclists: With the existing trail alignment, the addition of a parking area would require vehicles and trail users to share the road/trail for approximately 60 feet. This small parking area is not expected to generate traffic in any significant volume that would conflict with trail users. However, since the future use of the Rio Park property has not been finally determined, there is some uncertainty regarding the future traffic volumes that might eventually occur. Design Option #2 provides an alternative trail alignment that would route the pathway to the north and avoid future vehicle conflicts altogether (see Attachment-B).

2. Jacqueline Zischke, Attorney at Law (representing Mission Ranch). Comments focus on potential trail conflicts with vehicle traffic within Mission Ranch and the tennis court parking lot; increased parking demand generated by trail users; increased trespass within Mission Ranch; timing of traffic counts; removal of parking along Lasuen Drive; safety along Lasuen Drive; increased demand for public services; and accessibility to emergency responders.

Response

Traffic Conflicts with Tennis Court Parking Lot: As noted on the site plan, the trail access is located adjacent to, but north of, the Mission Ranch tennis court driveway. This separates trail users from other vehicle traffic using the driveway. The pedestrian barrier proposed on the site plan provides a further separation that avoids direct conflict between trail users and vehicles exiting the tennis court parking lot. The traffic engineer determined that this design was the safest approach to building the trail.

Parking Lot Trespass at Tennis Courts: The proposed trail is not anticipated to generate a significant demand for vehicle parking and it is unlikely that trail users will attempt to park in the Mission Ranch tennis court parking lot. This conclusion is based on the City's experience with other parks that have entrances in residential neighborhoods. Although not required as mitigation under CEQA, a gated entrance could serve to formalize the tennis court entrance at Mission Ranch and prevent the general public from entering the parking lot. This concept is currently under discussion as part of the easement negotiations. Another way to address this

concern is to provide parking as part of the project. Design Option #1 achieves this (See Attachment-B).

Increased Trespass Within Mission Ranch: This comment raises a concern that the trail will generate a significant increase of pedestrians/cyclists/school children entering Mission Ranch's main private grounds, thereby creating a safety hazard and/or increasing liability exposure. It is unclear why trail users would be attracted to walking around Mission Ranch unless this property serves to connect other origins and destinations. If this is an existing pattern of movement experienced by Mission Ranch, the owner may want to explore placing directional or other signage at key entrance points to deter such activity. If school children are currently using Mission Ranch as a short-cut to or from the adjacent school grounds, a property-line fence adjoining the school may be appropriate to prevent this behavior. In any case, the issue is one of private property trespass, not environmental impact, and there are more effective, legal, means of addressing this concern.

Traffic Counts: Traffic counts were taken during peak activity associated with nearby school hours. This is an accepted method to determine peak traffic, as schools typically generate the majority of local traffic in the morning and afternoon hours.

Parking Along Lasuen Drive : Although parking supply and demand is not an environmental issue considered within CEQA Guidelines Appendix G, staff has responded to this concern by preparing a design option adding a parking area on the City's Rio Park property (see Attachment-B). This parking area would fully offset the loss of parking along Lasuen Drive plus add some parking to address any increase in demand resulting from trail use. This design option can be considered by decision-makers during project approval.

Proposed Expansion of Asphalt: This comment is probably referring to text describing the project appearing on page 3 of the Traffic Analysis prepared by the engineering firm of Hatch, Mott Macdonald. This description of where, exactly, additional asphalt is warranted might be confusing. A corresponding note on the site plan shows that the suggested change in paving is located at the point where vehicles must begin turning left as they exit the tennis court parking lot. This small area of additional asphalt would improve turning movements for larger vehicles (e.g. garbage or maintenance trucks). There is no proposed expansion of the road along the Mission Ranch property, and as such, there would be no effect on the flow of pedestrians or cyclists and no loss of parking in this area.

Pedestrians exiting the trail and traveling west should be expected to walk along the shoulder facing traffic, while cyclists traveling west should cross the road and travel along Dolores just as a motor vehicle would. This is normal traffic safety behavior and warrants no special signage or design change.

Public Services: The project would not create the need for new or expanded public services or facilities, the construction of which would create physical environmental impacts. The regular maintenance and operations of the trail are well within the capacity of the City. Consultation with City departments confirms that police already patrol the property on a nightly basis, and the Public Works/Forestry Department has the capacity to address trash cans, vegetation management and trail maintenance.

Emergency Access and Responsibility: The City has already assumed responsibility for the properties along the length of the trail. These properties are routinely patrolled by the Carmel Police Department. The City does this because (a) Larson Field is within its normal jurisdiction and (b) Rio Park is owned by the City and, therefore, the City has a real property interest in keeping it secure. In addition, existing mutual aid agreements between the County and City are in place to enhance response capabilities.

3. **Carmel Area Wastewater District (CAWD).** CAWD's comments focus on maintaining clear access to District facilities and underground infrastructure from both Lasuen Drive and from Rio Road; required easement agreements; pathway design requirements for any portions of the trail that require shared access; revegetation mitigation; and the proposed sensitive habitat barrier.

Response

Preserving Access for District Activities: This comment raises a concern that the proposed trail must not interfere with existing access to underground and above-ground infrastructure. The District maintains several underground pipelines for water and sewer and must access these facilities via a series of manholes approximately every eight months. This activity involves a pumper truck that is both large and heavy.

The District has an easement over Larson Field to access a manhole located near the southeast corner of the field. This informal access road is located approximately where the City's proposed trail is planned. The trail design accommodates the District's needs in two ways. First, the trail will be built to carry the weight of the District's trucks. Second, the trail will

include a vehicle access gate specifically to allow for the existing activities established on Larson Field by CAWD and Carmel Youth Baseball.

The District's pipeline property lies between Rio Park and Larson Field and is where the majority of the manholes are located. Currently, maintenance crews access most of these manholes by using informal dirt roads located on the City's Rio Park property. This has been allowed by the City for many years without an easement. However, as the City begins to install improvements on Rio Park, a time may come when the City will need the District to cease using the park and access its manholes using its own property.

The original design for the trail anticipated this by maintaining the vehicle gate and matching grades with the trail so that CAWD trucks could cross the trail and proceed toward the manholes using District Property. This design was approved in concept by the District Board prior to the City Council's launch of the environmental review process. (Note: see additional discussion, below, regarding a shared road.)

Need for an Easement: While not an environmental issue, the City understands that an easement will be required for the trail to cross District property. The City also accepts the responsibility for preparing the draft document. A draft easement was delivered to the District for review and comment in February 2015.

Preference for a Shared Road: The District staff has proposed that a shared road, located on the District's pipeline property, could meet the needs of both the City and CAWD. Except for one or two days each year, the road would be available for pedestrians and cyclists. On days when District maintenance activities occur, the trail could be closed for pumping and inspections. This would avoid duplicate roads, lower total costs for installation and maintenance and make more efficient use of available space. Design Option #2 achieves this result (see Attachment-B).

District Approval for Mitigations: Mitigation measure BIO-2 requires that disturbed areas be restored and re-seeded back to their preconstruction condition. This would not result in any additional vegetation. Any revegetation plans required as mitigation can be reviewed with CAWD staff. With respect to the "sensitive habitat barrier" as required by BIO-6, this is intended to function as a simple visual barrier to keep trail users from accessing adjacent sensitive riparian areas. This deterrent can also be accomplished by appropriate signage that will not impede access along the District property boundary.

4. **Ohlone/Costanoan-Esselen Nation (OCEN)**. OCEN requests consultation as to the planned project and any related surveys, testing and mitigation programs developed for the project.

Response

As discussed within the Initial Study, no specific resources were identified during the site surveys. However, the archaeological report does identify the high cultural sensitivity of the immediate area. The City is also aware of the consultation requirements under AB52. It should be noted that the archaeological study was contracted and well underway prior to the enactment of AB52.

The City of Carmel-by-the-Sea respects the importance of local cultural resources and the importance of consultation. For this reason, mitigation measure CULT-1 has been augmented as follows to require absence/presence testing.

CULT-1

Prior to construction, the City shall conduct presence/absence testing of those areas along the trail that are proposed for grading or excavation. Areas that will receive fill and compaction do not warrant testing. If the testing demonstrates that the project would not impact cultural resources, no further mitigation or professional monitoring is necessary. Testing results will be shared with tribal representatives. If testing demonstrates that the project does have the potential to impact resources, specific mitigation strategies such as avoidance, protection (capping) or excavation/recovery will be employed. Mitigation strategies will be shared with tribal representatives prior to construction.

~~During construction for all ground disturbing activities, a qualified archaeologist shall be present for any activity involving excavation and soil disturbance over the entire length of the project alignment and any equipment staging areas. With the above strategy, further on-site monitoring is not justified. However, if at any time potentially significant archaeological resources are encountered or suspected during construction, the construction manager~~ shall be authorized to halt excavation until the archaeologist provides an evaluation of the find. If the find is determined to be significant, work shall remain halted until a mitigation plan is developed, approved by the City and tribal leaders, and implemented. Work may proceed on other parts of the project site while mitigation for the resource is carried out.

Timing/Implementation: Prior to and during construction

Enforcement/Monitoring: City of Carmel-by-the-Sea Department of Community Planning and Building

Recommendations

Forward recommendations to the City Council that:

- (1) The Initial Study and proposed Mitigated Negative Declaration are legally adequate and should be adopted.
- (2) All mitigations identified in the Initial Study, as amended in this Staff Report, should be implemented as part of the project. This includes the specific amendments to mitigation measure CULT-1 and the substitution of signage for fencing for mitigation measure BIO-6. The Mitigation Monitoring and Reporting Program (Attachment-H) also should be adopted.
- (3) Project Design Options #1, #2 and #3 should be incorporated into the project design.

Attachments

- Attachment-A: Original Site Plan
- Attachment-B: Project Design Options
- Attachment-C: Schmitz letter
- Attachment-D: Mission Ranch letter
- Attachment-E: CAWD letter
- Attachment-F: OCEN letter
- Attachment-G: PMC Supplemental Analysis
- Attachment-H: Mitigation Monitoring Program