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Scoping Comments:

for preparation of the Draft Environmental Impact Report [DEIR] under CEQA
on the Proposed Rose Estates Development Project

Attention: Mr. Hade, City of Benicia planning department,

As a former appointed member of the General Plan Oversight Committee tasked to help rewrite the General Plan that was finally adopted in 1999, and as a 39 year resident of the East Side, I hereby incorporate by reference all scoping comments submitted by Elizabeth Patterson, our former mayor and the professional planner who, as a council member, served to facilitate and guide the work of the General Plan Oversight Committee. Her comments focus on the role the General Plan must play in determining the ultimate qualities of the Rose Estates project, thus, in accordance with sustainability goals, policies and programs, as well as, all applicable state laws, regulations and guidance relevant to all future development in Benicia.

I also incorporate all comments that may be submitted by residents who previously commented in 2007-08 on the Seeno DEIR for their proposed "Benicia business park", especially Steve Goetz, Bob Berman, Roger Straw and others who were then fully engaged with that project's lack of consistency with the General Plan's primary goal of sustainability for benefit of the City and community of Benicia.

My general comments:

I am deeply concerned about how the proposed Rose Estates project, as it is currently presented through Tentative Maps and other preliminary application materials submitted in 2025 by Seeno's builder, WCHB LLC, will be consistent with core values of the City of Benicia General Plan, the legally binding document whose basic principles and protections serve as our City's land use constitution supporting community and environmental values.

The Rose Estates project must reflect in detail the General Plan's overarching goal, which is **sustainability** as related to future development and all future city planning. The principle of sustainability is given direction and is supported by the GP's goals, policies and programs that identify the means by which community sustainability overall can be achieved and thereby preserve community values expressed throughout the General Plan.

The goal of ensuring and attaining sustainable development is supported by state legislation, rules and guidance promulgated over years since the state's adoption of AB32, the 2006 Global Warming Solutions Act, which subsequently led to further legislation pertinent to sustainable development under conditions projected for more drastic climate changes as we now experience.

While the Housing Element of our General Plan has been updated periodically as required by the state, which prefigured and generously envisioned major additions to our community's residential population, there have been no significant updates involving a public process in recent years to address traffic and circulation issues, growth-inducing changes related to economic and social well-being of the city promoting and sustaining life-enhancing qualities. There have been no further, but much needed, updates to the Climate Action Plan, which is subsumed in the GP.

Whatever decisions are made in relation to the Rose Estate development that would constitute "allowances" that deviate from sustainability principles and the integrated quality-of-life goals of our current General Plan must not be construed as a General Plan "update". The Draft EIR can neither be characterized as a "master plan" for the Seeno property, or as a substitute "stand in" for a legitimate General Plan update process: a master plan process and the process of updating the GP must involve thorough public discussion and engagement at a high level of focus and preparation.

I am extremely concerned about the lack of an integrated public planning process to date that would provide guidance for the now *concurrently proposed two major mixed use development projects that are substantially residential slated for the East Side*: 1,440 single family, with 180 multi-family units proposed for Rose Estates; *and, ~1,350 single family houses for Signature Development Group's proposal for redevelopment of the 90 acre Valero property; and in addition, ~ 400+ housing units proposed for the Arsenal Historic District residential project for the Jefferson Ridge*. In addition, there is provision in the updated Housing Element for upwards of 600 units (if my memory serves me) along East H Street. Taken together, just these major residential proposals would constitute highly consequential changes to the entire East Side of Benicia. Add in the areas proposed for commercial by both Rose Estates and Signature Development Group, and we have even more need of analysis and planning that right now is not on the horizon, or would occur too late, after these separate projects present DEIRs for review.

The General Plan calls for a master plan to be created for developing sites of 40 acres or more. The Rose Estates Project DEIR cannot possibly serve as a "master plan" and do that hard job, accounting for ALL residential and commercial developments proposed that could begin within the time frame of the Rose Estates project, and therefore affect the entirety of the East Side.

While I am supportive of the need for more housing in the state of California, there is no doubt that Benicia is bending over backward to due its duty— but HOW? Under whose decisions, under what constraints and provisions?

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Specific comments: The DEIR under CEQA must:

1. sufficiently characterize and detail the features of the Rose Estates project, so that it can be clearly understood by the public for its qualities of life and, for example, the services expected to be provided within it as reflected in the entire community of Benicia.
2. address potential *cumulative impacts* that would foreseeably accrue should the other major development plans currently under consideration within proximate distance to the Seeno property site go forward with further planning, within the current time frame of the creation of the Rose Estate's DEIR process and permitting;
3. outline the time-frame of the Project as a whole, from permitting to construction to buildout.
4. address and characterize the Project's climate protections; green infrastructure initiatives; LEED design principles in street patterning and housing layout; housing and commercial construction materials;
5. demonstrate energy and water-saving construction and design principles;
6. demonstrate integration of recreational places, pedestrian and biking pathways, public access trails, and access to passive parks from residential areas; provisions for community gardening.
7. demonstrate protections for riparian corridors and wildlife habit following creek and stream beds identified, as well as seasonal wetlands and breeding grounds for migrating birds, raptors, etc.
8. demonstrate protection for hilltops, (erosion impacts from grading), and protection for scenic vistas along Lake Herman Rd and from within the Project site;
9. address traffic and circulation impacts throughout the East Side related to public health and safety, with special regard for children within and around the project area and for children attending Semple Elementary School along East 2nd Street;
10. relate Project massing and circulation within the project to traffic flows on I-780, I-680, increased use of East 2nd and East Military, and Lake Herman Road, etc.;
11. specify uses of 3 commercial areas outlined on Tentative Map;
12. location of the IT Panoche Class I Hazardous Waste Site facility in relation to Project's nearest residential and property owner and the City's liability issues;

13. identify potential Air Quality impacts during construction and during potential dismantling of the Valero refinery; and/or, in the case the refinery infrastructure remains, and the refinery is sold, or is used temporarily as a gasoline import storage terminal;
14. identify City services and how they will serve the Project, and locations for police, fire, and schools, and any other public service amenities provided elsewhere in the City.
15. identify "growth inducing impacts" (traffic patterns, increased population at the periphery of Benicia's city limits, etc) relating commercial development(s) within the Project site to downtown economic viability long-term, with potential to degrade community values and the economic and social benefits of preserving our City's historic character;
16. explain why affordable, multi-unit apartments are clustered in one location at the eastern perimeter of the Project site and how that relates to the General Plan's Housing Element goals;
17. Ensure that research into any former military uses of the property has been accomplished, considering that the Army Corps' "Formerly Used Defense Site Investigation" was incomplete, yet there were maps indicating "vectors" identified by letters, that could signal former military uses that need to be identified and then investigated and certified as "safe sites" for residential or commercial development;
18. address the location of the police firing range in relation to nearby residential neighborhoods within the Project site.
19. identify, characterize and evaluate several feasible Project Alternatives including the "environmentally superior project" judged as compared to the Project as currently proposed;
20. discuss projected consequences related to Urban Decay— how the Project will be sustained by City services within ten to twenty years; and with regard to school system, etc.

I know there will be more comments I may submit to add to those above.

Thank you for your time and consideration of my comments, thus far.

Respectfully,

Marilyn Bardet