

2. Introduction

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Chapter 14 California Code of Regulations, Section 15378[a], The Landing at Walnut Creek Apartments is considered a “project” subject to environmental review as its implementation is “an action [undertaken by a public agency] which has the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.” This Draft Environmental Impact Report (Draft EIR) provides an assessment of the potential environmental consequences of adoption and implementation of The Landing at Walnut Creek Apartments, herein referred to as “proposed Project.” Additionally, this Draft EIR identifies mitigation measures and alternatives to the proposed Project that would avoid or reduce significant impacts. This Draft EIR compares the development of the proposed Project with the existing baseline condition, described in detail in each section of Chapter 4.0, Environmental Analysis. The City of Walnut Creek (City) is the Lead Agency for the proposed Project. This assessment is intended to inform the City’s decision-makers, other responsible agencies, and the public-at-large of the nature of the proposed Project and its effect on the environment.

2.1 PROPOSED ACTION

Upon approval by the Walnut Creek City Council, the proposed Project would result in construction and operation of a 178-unit residential apartment development on a 1.82-acre (gross) site. The apartment building would be oriented around a central courtyard where outdoor seating, lounge chairs, and tables would be provided. Resident amenities include a fitness center, rooftop decks, an indoor lounge, and leasing office. The Project site’s General Plan land use designation would be Multi-Family Special High (MFSH), which would allow a range of density from 50.1 to 100 dwelling units per acre (du/ac) in order to accommodate the Project’s 100 du/ac. The Zoning district would be Planned Development (PD) to accommodate the higher density, and potential reduced parking requirement. Furthermore, the maximum building height allowed on the Project site would be 60 feet, which would be within the Measure A height limit of 89 feet. The proposed Project is described in more detail in Chapter 3, Project Description, of this Draft EIR.

2.2 EIR SCOPE

This document is a project EIR that identifies and analyzes potential environmental impacts of the proposed Project. As a Project EIR, the environmental analysis primarily focuses on the changes in the environment that would result from the development of The Landing at Walnut Creek Apartments Project. This Project EIR examines the specific short-term impacts (construction) and long-term impacts (operation) that would occur as a result of Project approval.

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The scope of this EIR was established by the City of Walnut Creek through the Initial Study process. For a complete listing of environmental topics covered in this Draft EIR, see Chapter 4.0, Environmental Evaluation.

2.3 ENVIRONMENTAL REVIEW PROCESS

2.3.1 DRAFT EIR

An Initial Study was prepared for the proposed Project in September 2013. Pursuant to State CEQA Guidelines Section 15063, the City of Walnut Creek determined that the proposed Project could result in potentially significant environmental impacts and that an EIR would be required. In compliance with Section 21080.4 of the California Public Resources Code, the City circulated the Initial Study and Notice of Preparation (NOP) of an EIR for the proposed Project to the Office of Planning and Research (OPR) State Clearinghouse and interested agencies and persons on September 23, 2013 for a 30-day review period. The NOP solicited comments from identified responsible and trustee agencies, as well as interested parties regarding the scope of the Draft EIR. Appendix A, of this Draft EIR contains the Initial Study and Appendix B includes the NOP as well as the comments received by the City in response to the NOP.

This Draft EIR will be available for review by the public and interested parties, agencies, and organizations for a 45-day comment period. During the comment period, the public is invited to submit written or e-mail comments on the Draft EIR and/or requested entitlements to the City of Walnut Creek Community Development Department. Written comments should be submitted to:

Chip Griffin, Associate Planner
City of Walnut Creek
1666 North Main Street
Walnut Creek, CA 94596
Fax: 925-256-3500
Email: griffin@walnut-creek.org

2.3.2 FINAL EIR

Upon completion of the 45-day review period, the City of Walnut Creek will review all written comments received and prepare written responses for each comment. A Final EIR will then be prepared, incorporating all of the comments received, responses to the comments, and any changes to the Draft EIR that result from the comments received. The Final EIR will then be presented to the City of Walnut Creek for potential certification as the environmental document for the proposed Project. All persons who commented on the Draft EIR will be notified of the availability of the Final EIR and the date of the public hearing before the City.

All responses to comments submitted on the Draft EIR by agencies will be provided to those agencies at least 10 days prior to final action on the proposed Project. The City Council will make findings regarding the extent and

nature of the impacts as presented in the Final EIR. The Final EIR will need to be certified as complete by the City prior to making a decision to approve or deny the proposed Project. Public input is encouraged at all public hearings before the City.

After the City Council certifies the Final EIR, it will also consider the proposed Project itself, which it may approve, deny, or approve with conditions. The City Council may require the mitigation measures specified in this Draft EIR as conditions of Project approval, and it may also require other feasible mitigation measures. Alternately, the City Council may find that the mitigation measures are outside the jurisdiction of the City to implement, or that there are no feasible mitigation measures for a given significant impact. In the latter case, the City Council may nonetheless determine that the proposed Project is necessary or desirable due to specific overriding considerations, including economic factors, and may approve the proposed Project despite an unavoidable, significant impact.

2.3.3 MITIGATION MONITORING

Public Resources Code Section 21081.6 requires that the lead agency adopt a monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR. The Mitigation Monitoring Program for the proposed Project will be completed as part of the Final EIR.

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