

**APPENDIX B:  
NOTICE OF PREPARATION AND SCOPING COMMENTS**

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NOTICE OF PREPARATION  
ENVIRONMENTAL IMPACT REPORT  
CITY OF WALNUT CREEK

**DATE:** September 24, 2013

**WORK ORDER NO.:** Y12-066

**PROJECT TITLE:** The Landing at Walnut Creek Apartments

**SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

The City of Walnut Creek will be the lead agency and will prepare an environmental impact report for the project identified below.

To Responsible Agencies:

We need to know your views as to the scope and content of the environmental information that is germane to your agency's statutory responsibility in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice.

Send your response to Chip Griffin, Associate Planner, at the Walnut Creek Community Development Department, 1666 North Main Street, P.O. Box 8039, Walnut Creek, CA 94596.

Please send us the name of a contact person in your agency.

To Citizens:

The EIR will disclose the significant environmental effects of the project and suggest mitigation measures and project alternatives to reduce those impacts to an acceptable level.

Project Description and Location:

**Site:** The 1.78-acre project site is located along at the intersection of Ygnacio Valley Road and Oakland Boulevard (i.e. Highway 24/Interstate 680 [I-680] Off Ramp). The site is generally flat and under-developed with nine residential buildings, all of which are currently occupied. The site is across the street (Ygnacio Valley Road) from the Walnut Creek BART station. The site is bound by the Ygnacio Valley Road to the north, existing commercial office off of Ygnacio Valley Road to the east, Lacassie Avenue to the south and Oakland Boulevard (i.e. Highway 24/Interstate 680 [I-680] Off Ramp) to the west. The site is within the area eligible to utilize "BART Proximate" parking standards in accordance with W.C. Municipal Code Section 10-2.3.206.

**Project:** The applicant is proposing to raze the existing residential buildings to construct a single four-story apartment building comprised of 178 market-rate rental apartment units and 223 parking stalls. The development would consist of 35 studio, 110 one-bedroom and 33 two-bedroom apartment units ranging in size from 524 square feet (studio unit) to 1,156 square feet (2-bedroom unit). Parking would be included in two below structure levels; one ground level and one subterranean level. Site amenities

include a landscaped common courtyard area with outdoor furniture, a fitness center, indoor and outdoor rooftop decks, and on-site leasing office.

The project would require the following City approvals:

**General Plan Amendments:** Change in the designation from MFVH (Multifamily Very High, 30.1-50 dwelling units per acre) to MFSH (Multifamily Special High, 50.1-100 du/ac). Change the maximum building height identified on the General Plan 2025 Height Map from 50 feet to approximately 60 feet, which would be consistent with the Measure A height limit of 89 feet.

**Zoning Ordinance Amendment:** Change from Multi-Family Residential (M-1) to Planned Development (PD).

**Conditional Use Permit:** Multi-family residential use, density, setbacks, and parking supply in the Office Commercial zone (O-C) and street access regarding Overlay Zone 3; **Design Review** - New 4-story multi-family building, site development improvements and landscape; **Tree Removal Permit** – to remove all existing trees on-site.

II. Project Applicant: BHV CenterStreet Properties, LLC  
500 La Gonda Way, Suite 295  
Danville, California 94526

III. The environmental effects of the project and/or the issues that the EIR will focus on:  
An Initial Study was prepared pursuant to the CEQA (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations). The Initial Study is included as an attachment to this NOP. As shown in the Initial Study, the following environmental topic areas will be analyzed in the EIR.

Aesthetics; Air Quality; Biological Resources, Cultural Resources; Greenhouse Gas Emissions; Land Use/Planning; Noise; Population/Housing; Public Services; Transportation/Traffic; and Mandatory Findings of Significance

Anyone who wishes to appeal the decision to prepare an EIR or the issues to be focused upon must do so in writing on a standard appeal form not later than ten days after the date of this notice and pay a \$130.00 fee. Appeal forms are both available at, and filed with the Office of the City Clerk at 1666 North Main Street, Walnut Creek, 94596.

For further information please contact Chip Griffin, Associate Planner, at (925) 943-5899 ext. 2678 or via email at [griffin@walnut-creek.org](mailto:griffin@walnut-creek.org).

  
CHIP GRIFFIN, ASSOCIATE PLANNER  
Community Development Department



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

Notice of Preparation

September 24, 2013

To: Reviewing Agencies  
Re: The Landing at Walnut Creek Apartments  
SCH# 2013092048

Attached for your review and comment is the Notice of Preparation (NOP) for the The Landing at Walnut Creek Apartments draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Chip Griffin**  
City of Walnut Creek  
1666 North Main Street  
P.O. Box 8039  
Walnut Creek, CA 94596

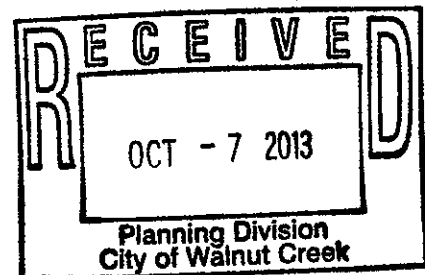
with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2013092048  
**Project Title** The Landing at Walnut Creek Apartments  
**Lead Agency** Walnut Creek, City of

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**Type** NOP Notice of Preparation  
**Description** The proposed project would involve construction of 178 market-rate rental apartment units in one building. The project would demolish the existing residential buildings & remove all existing vegetation. Project requires a General Plan Amendments to change in the designation from MFVH (Multifamily Very High, 30.1-50 dwelling units per acre) to MFSH (Multifamily Special High, 50.1-100 du/ac) and General Plan 2025 Height Map change from 50 feet to 60 feet, consistent with the Measure A height limit of 89 feet. Project requires a Zoning Ordinance Amendment from Multi-Family Residential (M-1) to Planned Development (PO) to accommodate the higher density.

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**Lead Agency Contact**

**Name** Chip Griffin  
**Agency** City of Walnut Creek  
**Phone** (925) 943-5834 **Fax**  
**email**  
**Address** 1666 North Main Street  
P.O. Box 8039  
**City** Walnut Creek **State** CA **Zip** 94596

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**Project Location**

**County** Contra Costa  
**City** Walnut Creek  
**Region**  
**Cross Streets** Oakland Boulevard/Ygnacio Valley Road  
**Lat / Long** 37° 54' 20.61" N / 122° 03' 53.77" W  
**Parcel No.** 174-220-049-4, 174-220-042&.050  
**Township** **Range** **Section** **Base**

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**Proximity to:**

**Highways** I-680, SR 24  
**Airports**  
**Railways**  
**Waterways** Walnut Creek  
**Schools**  
**Land Use** Office

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**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects

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**Reviewing Agencies** Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 3; Office of Emergency Management Agency, California; Native American Heritage Commission; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 4; Regional Water Quality Control Board, Region 2

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**Date Received** 09/24/2013 **Start of Review** 09/24/2013 **End of Review** 10/23/2013

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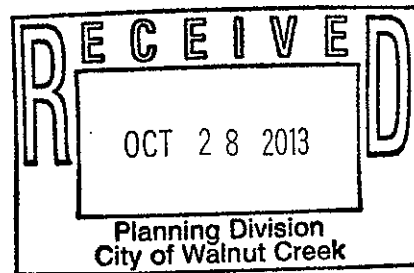
**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
OAKLAND, CA 94612  
PHONE (510) 286-6053  
FAX (510) 286-5559  
TTY 771



*Flex your power!  
Be energy efficient!*

October 23, 2013



CC680617  
CC-680-R14.8  
SCH# 2013092048

Mr. Chip Griffin  
Community Development Department  
City of Walnut Creek  
1666 North Main Street, 2nd Floor  
Walnut Creek, CA 94596

Dear Mr. Griffin:

**The Landing at Walnut Creek Apartments – Notice of Preparation (NOP)**

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. Referencing herein the Caltrans letter, dated January 7, 2013, commenting on the Application, we have reviewed the NOP and have the following comments to offer.

***Traffic Impact Study (TIS)***

As stated in the Application comment letter, Caltrans recommended several different components be included in the TIS. In particular, based on the project's location near the Walnut Creek Bay Area Rapid Transit (BART) Station and considering the proposed Transit Village project, Caltrans anticipates potential significant adverse impacts to Interstate (I-) 680 and State Route (SR) 24. Because of the potential for significant adverse impacts to these State facilities, Caltrans recommends:

1. All intersections and access points impacting State facilities be analyzed, in particular the intersection of Ygnacio Valley Road (YVR)/I-680 off-ramp/BART station access (existing and proposed)/Oakland Boulevard. The delay index for the YVR/I-680 off-ramp/BART station access/Oakland Boulevard intersection should be analyzed in the TIS, so impacts to this and other State facilities can be identified. Also, observed PM traffic for the intersection YVR/I-680 off-ramp/BART station access/Oakland Boulevard backs up to the SR 24 ramp and sometimes to the mainline, so should be analyzed in the TIS.
2. Observed AM traffic for the intersection Hillside Avenue/SR 24 on-ramp backs up to the Transit Village's proposed new right-turn-slip access to the bus terminal and parking structures. This observed AM traffic and its impacts should be analyzed in the TIS.

3. Westbound YVR traffic, which currently exits onto the right-turn-slip into the BART Station prior to the signal light at I-680 off-ramp/Oakland Boulevard, is proposed in the Transit Village project to continue as a through movement into this signal controlled intersection. This added traffic volume, which will load-up the I-680 off-ramp/Oakland Boulevard intersection, should be analyzed in the TIS.
4. The proposed right-in access point to the new Transit Village bus terminal and parking facilities should be analyzed in the TIS as a node/intersection.

***Lead Agency***

As the lead agency, the City of Walnut Creek (City) is responsible for all project mitigation, including any needed improvements to State highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the State right-of-way (ROW), and Caltrans will not issue a permit until our concerns are adequately addressed, we strongly recommend that the City work with both the applicant and Caltrans to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of an encroachment permit application. Further comments will be provided during the encroachment permit process; see end of this letter for more information regarding encroachment permits.

***Traffic Impact Fees***

Please identify traffic impact fees to be used for project mitigation. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Scheduling and costs associated with planned improvements on the State ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any.

Interstate 680 and SR 24 are critical to regional and interregional traffic in the San Francisco Bay region. They are vital to commuting, freight, and recreational traffic and are two of the most congested regional freeway facilities. The traffic generated by this proposed project, together with the Transit Village other projects in the vicinity (e.g., 1500 North California Boulevard project, the Paragon Apartments project, etc.), will have a cumulative significant regional impact to the already congested State Highway System. Therefore, Caltrans appreciates the City continuing work with TRANSPAC on the Sub-regional Transportation Mitigation Program to mitigate and plan for the impact of future growth on the regional transportation system.

***Transportation Management Plan (TMP)***

If it is determined that traffic restrictions and detours are needed on or affecting State highways, a TMP or construction TIS may be required of the developer for approval by Caltrans prior to

construction. Traffic management plans must be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address: <http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camutcd2012/Part6.pdf>.

### ***Transportation Permit***

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to: Caltrans Transportation Permits Office, 1823 14th Street, Sacramento, CA 95811-7119. See the following website for more information: <http://www.dot.ca.gov/hq/traffops/permits>.

### ***Vehicle Trip Reduction***

Caltrans encourages you to locate any needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the State highways.

We also encourage you to develop Travel Demand Management (TDM) policies to encourage usage of nearby public transit lines and reduce vehicle trips on the State Highway System. These policies could include lower parking ratios, car-sharing programs, bicycle parking and showers for employees, and providing transit passes to residents and employees, among others. For information about parking ratios, see the Metropolitan Transportation Commission (MTC) report *Reforming Parking Policies to Support Smart Growth* or visit the MTC parking webpage: [http://www.mtc.ca.gov/planning/smart\\_growth/parking](http://www.mtc.ca.gov/planning/smart_growth/parking).

In addition, secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be analyzed. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

### ***Encroachment Permit***

Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. See the following website link for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits>.

Mr. Chip Griffin/City of Walnut Creek

October 23, 2013

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Should you have any questions regarding this letter, please call Brian Brandert of my staff at (510) 286-5505.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Alm". The signature is fluid and cursive, with a long horizontal stroke at the end.

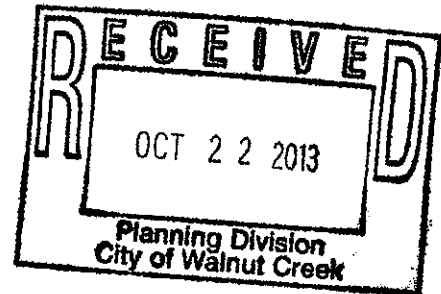
ERIK ALM, AICP

District Branch Chief

Local Development - Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

October 17, 2013



Chip Griffin, Associate Planner  
City of Walnut Creek  
Community Development Department 34  
1666 North Main Street  
Walnut Creek, CA 94596

Dear Mr. Griffin:

Re: Notice of Preparation of an Environmental Impact Report for the Landing at  
Walnut Creek Apartments, Walnut Creek

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation of an Environmental Impact Report (EIR) for the Landing at Walnut Creek Apartments (Project) located in the City of Walnut Creek (City). EBMUD has the following comments.

#### **WATER SERVICE**

EBMUD's Leland Pressure Zone, with a service elevation between 50 and 250 feet, will serve the proposed development. When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions of providing water service to the development. Engineering and installation of services requires substantial lead-time, which should be provided for in the project sponsor's development schedule.

The project sponsor should be aware that EBMUD will not inspect, install or maintain pipeline in contaminated soil or groundwater (if groundwater is present at any time during the year at the depth piping is to be installed) that must be handled as a hazardous waste or that may pose a health and safety risk to construction or maintenance personnel wearing Level D personal protective equipment. Nor will EBMUD install piping in areas where groundwater contaminant concentrations exceed specified limits for discharge to sanitary sewer systems or sewage treatment plants.

Project sponsors for EBMUD services requiring excavation in contaminated areas must submit copies of existing information regarding soil and groundwater quality within or adjacent to the project boundary. In addition, the project sponsor must provide a legally sufficient, complete and specific written remedial plan establishing the methodology, planning and design of all necessary systems for the removal, treatment, and disposal of

all identified contaminated soil and/or groundwater. EBMUD will not design the installation of pipelines until such time as soil and groundwater quality data and remediation plans are received and reviewed and will not install pipelines until remediation has been carried out and documentation of the effectiveness of the remediation has been received and reviewed. If no soil or groundwater quality data exists or the information supplied by the project sponsor is insufficient EBMUD may require the applicant to perform sampling and analysis to characterize the soil being excavated and groundwater that may be encountered during excavation or perform such sampling and analysis itself at the project sponsor's expense.

### **WATER CONSERVATION**

The proposed project presents an opportunity to incorporate water conservation measures. EBMUD would request that the City include in its conditions of approval a requirement that the project sponsors comply with the California Model Water Efficient Landscape Ordinance (Division 2, Title 23, California Code of Regulations, Chapter 2.7, Sections 490 through 495). Project sponsors should be aware that Section 31 of EBMUD's Water Service Regulations requires that water service shall not be furnished for new or expanded service unless all the applicable water-efficiency measures described in the regulation are installed at the project sponsor's expense.

If you have any questions concerning this response, please contact David J. Rehnstrom, Senior Civil Engineer, at (510) 287-1365.

Sincerely,



*for* William R. Kirkpatrick  
Manager of Water Distribution Planning

WRK:ELE:sb  
sb13\_217.docx

cc: BHV Center Street Properties, LLC  
500 La Gonda Way, Suite 295  
Danville, CA 94526