

**WALNUT CREEK CITY COUNCIL
RESOLUTION NO. 10-36**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALNUT CREEK
ADOPTING THE LOCUST STREET/MT. DIABLO BOULEVARD SPECIFIC PLAN
(W.O. 708-134)**

The City of Walnut Creek City Council hereby resolves as follows:

Section 1. Background and Findings.

1. On July 20, 2010, the City Council continued the public hearing from July 6, 2010 held on the Draft Locust Street/Mt. Diablo Boulevard Specific Plan (Specific Plan) to review and consider revisions to the Specific Plan, and to review and consider a resolution to adopt the Specific Plan and a resolution to approve General Plan amendments to implement the Specific Plan.
2. On July 6, 2010, the Walnut Creek City Council held a public hearing to review and consider the Specific Plan and Final Environmental Impact Report (EIR), (SCH#2008992054) prepared for the Specific Plan. The City Council also continued the public hearing to a date certain of July 20, 2010, and directed staff to prepare revisions to the Specific Plan, and resolutions to adopt and implement the Specific Plan, for consideration at that meeting.
3. On July 6, 2010, the City Council adopted Resolution No. 10-35, certifying the EIR and adopting the Mitigation Monitoring Program. Pursuant to the California Environmental Quality Act, 14 Cal. Code Regs. Section 15025, the City Council has independently reviewed and analyzed the EIR and received public comment thereon.
4. On April 20, 2010, the Walnut Creek City Council held a public study session to review and consider the Specific Plan and to provide final recommendations to staff. The study session had been continued from April 15, 2010. After receiving public testimony, the City Council directed staff to prepare a final draft Specific Plan and to draft resolutions for adoption.
5. On March 12, 2009, the Walnut Creek Planning Commission held a public hearing to review and consider the Specific Plan and EIR prepared for the Specific Plan, and to provide recommendations to the Walnut Creek City Council. After receiving public testimony, the Planning Commission recommended approval of the Specific Plan and certification of the Specific Plan EIR to the City Council. The Planning Commission also provided its recommendations and comments to the City Council for its consideration.
6. On February 3, 2009, the City Council held a study session on the Draft Specific Plan and Draft EIR.
7. On January 5, 2009, a Draft EIR was published for public review and comment that evaluated the environmental impacts of the entire project. The Draft EIR concludes that the project would have less than significant impacts in the areas of land use and policy; aesthetics; population and housing; transportation and parking; global climate change and greenhouse gases; geology, soils and seismicity; hazards and hazardous materials; hydrology and water quality; public services; utilities and service systems. Potential significant impacts would occur in the areas of air quality, cultural

resources, and noise. Mitigation measures are provided that would reduce all of these impacts to a less-than-significant level.

8. On December 30, 2008, a Notice of Completion and Environmental Document Transmittal was sent to the State Clearinghouse. The State Clearinghouse determined that the 45-day comment period for the Draft EIR began on January 5, 2009 and closed on February 18, 2009. The Mitigation Monitoring Program was also presented as part of the CEQA documentation. The City received one written comment letter, from a private citizen, on the Draft EIR during the public comment period. The EIR provides a response to the one comment that was received during the public comment period for the Draft EIR. The EIR also includes minor corrections to data (errata) that were discovered in the Draft EIR. The City also received a written comment from the California Department of Transportation (Caltrans) after the close of the public review and comment period for the Draft EIR.
9. On October 23, 2008, the Planning Commission held a study session and reviewed the Draft Specific Plan.
10. On October 17, 2008, a final Draft Specific Plan was published that was based on the results of previous study sessions held on the Administrative Draft Specific Plan.
11. On September 11, 2008, the State Clearinghouse published a Notice of Preparation stating that the City of Walnut Creek intended to prepare an environmental impact report on the Draft Locust Street / Mt. Diablo Boulevard Specific Plan. During the 30-day NOP period, only one comment was received (from Caltrans).
12. The following study sessions were publicly noticed and held to provide input on the Administrative Draft Specific Plan: Design Review Commission (January 16, 2008); Transportation Commission (January 17, 2008); Planning Commission (February 21, 2008); and City Council (March 4, 2008). Stakeholders, including property owners and business owners in the Specific Plan area, and other interested persons also attended these meetings and provided comments on the Administrative Draft Specific Plan.
13. On January 4, 2008, the draft Specific Plan (then called a "Precise Plan") was prepared and released for public review.
14. An Advisory Committee, selected by the City Council, drafted the original version of the Specific Plan. The Advisory Committee was composed of various stakeholders in the Specific Plan area, such as property owners and business owners, as well as other interested residents and members of Commissions. The Advisory Committee held numerous public meetings with staff and the consultants in 2004 and 2005. The Committee provided oversight of the initial phase of the planning process and provided direction as plan options were developed and a project plan was ultimately selected.
15. The Specific Plan area comprises 5.3 acres (1.5 blocks) of land located between Mt. Diablo Boulevard, North California Boulevard, Cypress Street and North Main Street in Walnut Creek's Traditional Downtown.

- 16. The Specific Plan is consistent with *General Plan 2025* and Chapter 2, Title 10 of the Walnut Creek Municipal Code (Zoning Ordinance).
- 17. New development in the Specific Plan area will be required to meet the standards of the *General Plan 2025* Growth Limitation Plan. The Growth Limitation Plan was established to meter the rate of new commercial and residential development in the City of Walnut Creek. The Growth Limitation Plan limits the amount of commercial development permitted city-wide (outside of the Shadelands Business Park), to no more than 75,000 square feet per year from 2006 through 2015, allotted in two-year increments.

This determination is also based on the following provisions in General Plan 2025:

Goal 2: Sustain the community’s quality of life with a vigorous and diverse economy.

Policy 2.1: Promote Walnut Creek as a regional destination.

Action 2.1.2: Support a balanced expansion of specialty retail in the downtown.

Goal 6: Focus development in the Pedestrian Retail District on retail and restaurants, and expand the area’s potential to host art and cultural events.

Policy 6.1: Retain and encourage a balance of local- and regional-serving retail businesses in the Core Area.

Policy 6.2: Focus development in the Pedestrian Retail District on retail and restaurants, and expand the area’s potential to host arts and cultural events.

Action 6.2.1: In the Pedestrian Retail District, require pedestrian-oriented uses at street level.

Action 6.2.2: Promote building layouts and designs that create pedestrian interest and encourage people to “park once and walk.”

Policy 6.4: Encourage the overall vitality of the Core Area south of Mt. Diablo Boulevard.

Goal 12: Make more efficient use of the regional and subregional transportation system.

Policy 12.2: Support infill and redevelopment in existing urban areas.

Goal 20: Reinforce the urban design and character of the Pedestrian Retail District as a gathering place for local residents as well as a regional retail destination.

Policy 20.1: Strengthen the identity of the Pedestrian Retail District as a pedestrian-oriented shopping destination for local residents and regional shoppers.

1. The health, safety, and welfare of the residents of the City of Walnut Creek will be served by adoption of the Specific Plan because it will ensure this part of the Traditional Downtown area is redeveloped over time in an attractive and consistent manner that will connect the Main Street / Locust Street downtown retail district to the newer commercial area on the south side of Mt. Diablo Boulevard, will improve the safety, appearance and pedestrian movement along the Mt. Diablo Boulevard, N. California Boulevard, and N. Main Street corridor, and will encourage the appropriate and compatible development and additional parking opportunities in the area.

Section 3. Decision.

Based on the findings set forth above, the Walnut Creek City Council hereby adopts the Locust Street / Mt. Diablo Boulevard Specific Plan, subject to the following modifications and conditions set forth in Attachment 4 of the staff report and the following:

1. The East Mt. Diablo Boulevard Specific Plan was adopted by the City Council on August 6, 1996. One of the three sites subject to the East Mt. Diablo Boulevard Specific Plan is a 0.93 acre site that is referenced in that plan as the Locust/Mt. Diablo Boulevard Corner Site. The Locust/Mt. Diablo Boulevard Corner Site includes four parcels: the City of Walnut Creek surface parking lot (referred to in the Locust St./Mt. Diablo Boulevard Specific Plan as Opportunity Site 1), the former Mark Morris tire store site and the Walnut Creek Automotive Site (these parcels together are referred to in the Locust St./Mt. Diablo Boulevard Specific Plan as Opportunity Site 2) and the retail/post office building located at 1320 Locust Street (APN 178-230-031).

The adoption of the Locust Street / Mt. Diablo Boulevard Specific Plan hereby supersedes the 1996 East Mt. Diablo Boulevard Specific Plan in all matters regarding the Locust/Mt. Diablo Boulevard Corner Site.

2. The City Council directs the Walnut Creek Planning Commission to study the amendments to the Zoning Ordinance that are required to implement the Locust Street / Mt. Diablo Boulevard Specific Plan, and report back with a recommendation to the City Council, pursuant to Part IV, Article 13 of the Zoning Ordinance. These amendments include changes to building height and setback regulations.


This resolution shall take effect on the 31st day after its adoption.

PASSED AND ADOPTED by the City Council of the City of Walnut Creek at a regular meeting thereof held on the 20th day of July 2010, by the following called vote:

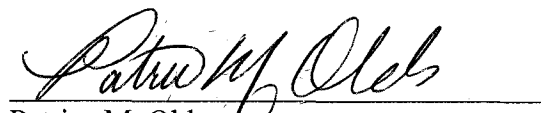
AYES: Councilmembers: Skrel, Silva, Mayor Rainey

NOES: Councilmembers: None

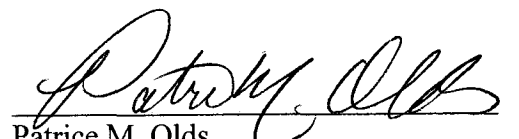
ABSENT: Councilmembers: Simmons, Rajan


Susan Rainey
Mayor of the City of Walnut Creek

Attest:


Patrice M. Olds
City Clerk of the City of Walnut Creek

I HEREBY CERTIFY the foregoing to be a true and correct copy of Resolution No. 10-36, duly passed and adopted by the City Council of Walnut Creek, County of Contra Costa, State of California, at a regular meeting of said Council held on the 20th day of July 2010.


Patrice M. Olds
City Clerk of the City of Walnut Creek