

Appendix A: NOP and Scoping Comments

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A.1 - NOP Comment Letters

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NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691 Phone (916) 373-3710
Email: nahc@nahc.ca.gov
Website: <http://www.nahc.ca.gov>
Twitter: @CA_NAHC



July 23, 2019

Jeff Olsen
City of Pleasant Hill
100 Gregory Lane
Pleasant Hill, CA 94523

RE: SCH# 2019070457 Black Griggs Multi-Family Residential Facility Project PLN 18-0359, Contra Costa County

Dear Mr. Olsen:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email

address: Gayle.Totton@nahc.ca.gov.

Sincerely,



for

Gayle Totton

Associate Governmental Program Analyst

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

OFFICE OF TRANSIT AND COMMUNITY PLANNING

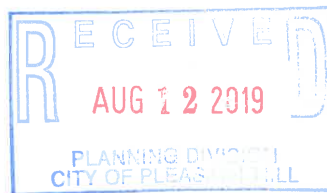
P.O. BOX 23660, MS-10D

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.*

August 12, 2019

SCH #2019070457

GTS #04-CC-2019-00363

GTS ID: 16390

Co-Rt-Pm: CC-680-17.53

Jeff Olson, Associate Planner
City of Pleasant Hill
Public Works & Community Development
Department
100 Gregory Lane
Pleasant Hill, CA 94523

Project - Blake-Griggs Multi-Family Residential Facility Project Notice of Preparation (NOP) of an Environmental Impact Report (EIR)

Dear Jeff Olson:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for this project. In tandem with the Metropolitan Transportation Commission's (MTC) Sustainable Communities Strategy (SCS), Caltrans' mission signals our continuing approach to evaluate and mitigate impacts to the State's multimodal transportation network. Caltrans' Strategic Management Plan 2015-2020 aims, in part, to reduce Vehicle Miles Traveled (VMT) and Greenhouse Gas emissions (GHG) in alignment with state goals and policies. Our comments are based on the July 12, 2019 NOP.

Project Understanding

The project involves the redevelopment of the project site with a multi-family 210-unit residential complex and related improvements. The building will be 3-4 stories tall along Cleaveland Road and 5 stories for portions that are set back from the street. The project includes the demolition of an existing, vacant, two-story 38,694-square-foot office building located on the western portion of the project site and removal of an asphalt-paved parking lot. This site is designated as mixed-use, therefore this plan requires an amendment to the City of Pleasant Hill Downtown Specific Plan. Regional access is provided via I-680 and is approximately 2,000 feet from the Monument Boulevard on- and off-ramps.

Travel Demand Analysis

With respect to the local and regional roadway system, provide project related trip generation, distribution, and assignment estimates. To ensure that queue formation does not create traffic conflicts, the project-generated trips should be added to the existing, future and cumulative scenario traffic volumes for the I-680 on- and off-ramps at Monument Boulevard. Potential queuing issues should be evaluated including on-ramp storage capacity and analysis of freeway segments near the project; turning movements should also be evaluated. In conducting these evaluations, it is necessary to use demand volumes rather than output volumes or constrained flow volume.

Lead Agency

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

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Mark Leong at 510-286-1644 or mark.leong@dot.ca.gov.

Sincerely,



Wahida Rashid
Acting District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse

Jeff Olsen

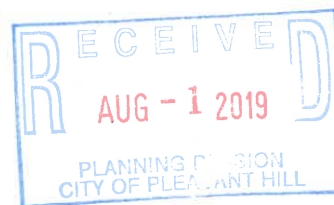
From: Russ Leavitt <RLeavitt@centralsan.org>
Sent: Wednesday, July 31, 2019 5:08 PM
To: Jeff Olsen
Subject: Response to NOP for Blake-Griggs Multi-Family Residential Facility Project EIR; 85 Cleveland Road, Pleasant Hill
Attachments: RUSSELL B LEAVITT.vcf

According to Central Contra Costa Sanitary District (Central San) records, the project site is within Central San's service area. Sanitary sewer service is available at the southwest corner of the project site via an eight-inch diameter public main sewer on Cleveland Road. Before demolishing the existing building the existing sewer lateral will need to be properly abandoned with a Central San permit.

The proposed project would produce a significant added capacity demand on the wastewater system. Given the project's size and location adjacent to sewers that are downstream of a large number of connections, a detailed capacity analysis has been conducted to assess whether there are any downstream improvements needed that can be attributed to the project. The results of the capacity analysis indicate there is sufficient capacity in the local wastewater collection system to accommodate the proposed project.

The payment of capital improvement fees is required for developments that generate an added wastewater capacity demand to the sanitary sewer system. This project would be subject to substantial capital improvement fees due to its size and use. The applicant must submit full-size building plans for Central San Permit staff to review and pay all appropriate fees. For more information, the applicant should contact the Central San Permit Section at (925) 229-7371. Thanks!

Russ Leavitt



From: Antonio Ruiz [<mailto:aruiz@wiltonrancheria-nsn.gov>]
Sent: Thursday, August 01, 2019 1:45 PM
To: Jeff Olsen <Jolsen@pleasanthillca.org>
Cc: Ralph T. Hatch <rhatch@wiltonrancheria-nsn.gov>; Mariah Mayberry <mmayberry@wiltonrancheria-nsn.gov>
Subject: Blake Griggs Multi family residential facility Project

Hello Jeff,

Thank you for contacting Wilton Rancheria about the proposed (Project name). The Tribe is aware of several highly sensitive areas within this general location. Due to the concentration of sensitive sites around the project area, and the longevity of habitation, and the dynamic nature of that habitation, Wilton Rancheria recommends Native American Monitoring for this site. However, this location is outside of Wilton Rancheria's monitoring sphere. Therefore, we recommend that you contact one of the other Tribes on the NAHC's contact list. If no other Tribe is available to monitor during the course of construction, we recommend spot-check archaeological monitoring.

Wilton Rancheria would like to be informed of any and all discoveries made during this project. Thank you.

Best,
Antonio



Antonio Ruiz
Tribal Historic Preservation Officer
Department of Cultural Preservation | Wilton Rancheria
Tel: 916-683-6000 Ext. 2005 | Fax: 916-683-6015
9728 Kent Street | Elk Grove | CA | 95624
aruiz@wiltonrancheria-nsn.gov
www.wiltonrancheria-nsn.gov

Customer Service Hours: M-F 8:00 AM-3:00 PM.

Please be aware phone calls and emails will be answered only during the hours listed above.

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For: Jeff Olsen, Associate Planner

From: Sharon Baxter, 90 Cleaveland Road, Unit 6

City of Pleasant Hill – Planning Division

Comments Regarding the Public Scoping Meeting on July 23, 2019

Subject: Notice of Preparation of Environmental Impact Report (EIR) and Public Scoping Meeting for the Blake-Griggs Multi-Family Residential Facility Project

My Concerns:

- The proposed project of 210 apartments or 105 units per acre, is over 2.5 times the current density requirements for multiple residential units – currently it is 40 units per acre not 105 units per acre.
- The neighborhood all along Cleaveland Road complies with the current density requirements.
- The proposed 5 story height of the complex on the Eastern side exceeds the current height of the theater and will block the sun from neighbors on the Western side.
- The planned outdoor amenities including the three courtyards, roof deck, lap pool, outdoor kitchen and dining areas, lounge areas for groups of various sizes, fire pits and a pet lounge could create excessive noise in our generally quiet neighborhood.
- The addition of 300+ vehicles entering & exiting the property at 85 Cleaveland Road throughout the day & night will cause excessive noise, exhaust and additional congestion entering and exiting the neighborhood along Crescent Plaza, Gregory Lane and Boyd Road and Cleaveland Road.

During the school year, traffic heading East & West on Boyd Road and South on Cleaveland Road to take children to the Sequoia Middle & Elementary Schools fills both roads making it difficult to exit the drive-way along the road as we head out for appointments, head to the Bart Station, etc.

Additionally, 300+ vehicles will cause additional congestion all around the small neighborhood area adjacent to downtown.

- I'm also concerned there could be an increase in cars making U-Turns at the intersection of Cleaveland Road and Crescent Plaza – we see illegal U-Turns at that intersection several times every week as we walk our dog.

And we also see drivers use the “emergency vehicle” turn lane on Cleaveland near Boyd even though that lane is supposed to be for Contra Costa Fire/EMS Vehicles only.

- *Water Table - are there any issues in this block like there were down Cleaveland Road near Winston*

City of Pleasant Hill, Planning Division

RE: Proposed project at 85 Cleaveland Rd

Dear Commissioners,

I am responding to the notice I received regarding the Environmental Impact Study for 85 Cleaveland Rd and wanted to offer the following comments.

This project is totally incongruent with the existing neighborhood. It is too big, not enough parking, will greatly affect the already congested traffic in the area and be a monstrous structure in a small neighborhood. (Sales force tower east)

I think the commissioners expressed the concerns we all have far better than I am able to do. So, I would quote the minutes from the study sessions of January 8, 2019 and April 23, 2019.

January 8th commissioners' **"Expressed substantial concerns regarding the building's mass, scale, setbacks, adequacy of parking, potential traffic impacts and proposed height/stories. Encouraged the applicant to identify the proposed public benefits associated with the rezoning/general plan amendment requested prior to the next Planning Commission meeting, Requested further information regarding the status/use of the easements on the project site. Consideration of additional affordable housing was also requested."**

Also, seven members of the public spoke expressing concerns regarding the large massing of the building, the number of stories of the project, the number of people that would reside at the project, the resulting traffic and the lack of existing and proposed project parking.

Then on April 23 there was another study session for the revised plan which basically addressed none of the above concerns but did reduce the size from 215 apartment to 210.

At that time 6 members of the public spoke addressing the same concerns because nothing of any real substance had changed.

April 23rd commissioners' comments **"The commission expressed substantial concerns regarding the building's mass, scale, setbacks (especially the front and south side yard setbacks), adequacy of parking, potential traffic impacts and the proposed height/stories. The majority of the Commission expressed objections to the proposed fifth story of the building and concerned that three or four stories could be appropriate if a high-quality design and appropriate site layout is provided. The Commission encouraged significant redesign of plans, and reconsideration of the proposed density to these concerns, particularly regarding inadequate parking for the proposed number of units and mass/scale concerns. The commission encouraged the applicant re-design the southeast corner of the structure to address the privacy/shading impacts on the adjacent condominiums at 99 Cleaveland Road. The Commission encouraged the applicant to enhance the proposed public benefits associated with the Rezoning/General Plan Amendment."**

To my understanding **NONE** of these concerns have been addressed. In fact, at the April 23rd meeting the Blake/Greggs representative stated that they could not be profitable and downsize the project.

I think it is time for the owner to move on and either propose something that fits with the area (it is zone single family for residential use) or sell the property and tax harvest the loss. It is not the job or duty of Pleasant Hill to subsidize a bad business decision!

So, it seems we all (commission, and residents of Cleaveland Rd) agree that this project will have a totally negative effect on the neighborhood for all the reasons stated above by the Commissioners and articulated by the residents who spoke at the 2 meetings.

Thank You



Jim Gensheimer
President Cleaveland Greens Home Owners Association
925-939-5240
genzy@sbcglobal.net

Blake-Griggs project

From: peggy (mptarbell@aol.com)

To: genzy@sbcglobal.net

Date: Monday, July 22, 2019, 11:46 AM PDT

Hi Jim,

If writing this all down is important, as I can't go to the meeting, I will .

We, of course, agree with you and many others on the horrific density of the project being too much for our tiny Cleaveland road to absorb, traffic wise and extra people wise!

I also feel that the "no U turns" signs at Cleaveland Rd. and Crescent Plaza need to be removed due to what would be excess traffic demands! It is difficult enough for any of us coming from Boyd or Cleaveland rd to get into our driveways!

I also feel very strongly about the 2 very large, established liquid ambers staying put as they provide such shade and beauty and so many similar older trees have been taken away from Pleasant Hill!

The reduction of only those few units don't do enough to mitigate the overall problems of so many people, especially the traffic and parking issues this massive complex would create.

Many thanks,

Peggy

Unit 5 90 cleaveland road

From: Mark Brauer [<mailto:markabrauer@gmail.com>]
Sent: Saturday, August 03, 2019 7:02 PM
To: Jeff Olsen <Jolsen@pleasanthillca.org>
Subject: Regarding 85 Cleaveland

Hello,

As a longtime resident of Pleasant Hill I'd like to weigh in on the proposed apartment complex at 85 Cleaveland. Given that the housing crisis in the Bay Area is, in my mind, the most important issue facing the residents of the area right now I must say I'm delighted to know that our community has an opportunity to do its part to help. We desperately need more housing, both owner occupied and rental, in order to keep the Bay Area's communities economically viable.

I know there are those who oppose most if not all housing in their communities and wish it would be built in someone else's neighborhood. I hope that no elected or appointed official in Pleasant Hill who has a say in this decision gives any consideration to the selfish NIMBYism of such people. Every community needs to do its part and I most certainly hope Pleasant Hill will be one of them.

I write this as a resident of the city who lives roughly a mile from the proposed development.

Thank you for considering my comments.

Sincerely,

Mark Brauer
101 Julian Way
Pleasant Hill

From: Karolyn Dreyer [<mailto:grandmak024@comcast.net>]

Sent: Sunday, August 11, 2019 4:33 PM

To: Jeff Olsen <Jolsen@pleasanthillca.org>

Subject: 85 cleaveland rd. pleasant hill apartments

dear sir,

i live at 99 cleaveland #23. i am very upset about the proposed apartment building and the number of units. the article said that there was a parking ratio of 1.6. i disagree with that figure.

i'm going to say that there are 200 appts. instead of 210. i guarantee that half of those appt. will have 2 people, at least: therefore, there would be 300 cars at that site because each person will have a car.

where are all those people going to park?

....not in my parking area. there is no parking on the street. all the curb spaces on south cleaveland are already taken by those in houses and the condos there.

what i see right now is that there are enough spaces for the patrons who go to michaels and to bed bath and beyond. there is no space there for another 100 cars. are they going to park in the ross parking lot.?

there are few parking places on crescent rd. and the parking places on crescent drive are always filled. jack's parking lot is always filled. are there enough spaces in the parking structure to accomodate another 150 cars for people who want to go to the movie or want a quick bite to eat. can you imagine another 150 people walking around crescent circle.

300 people would definitely bring more business, but at what cost. there will be long lines and people want to get in and out so they can get to the movie.

americans don't like to walk. the apts. are close enough to walk to the theatre but will the renter's walk to eat or the theatre?

imagine the traffic on cleaveland between 7-9am. there is only one way to get to the freeway and that is down crescent drive. imagine 300 cars going to work and use that route. there is only one way for the renter's to get home and that is down boyd rd. and turning right on cleaveland. the traffic congestion will be horrific. traffic will back up on contra costa exit from the freeway, and there will be congestion on contra costa blvd. for people waiting to turn right on boyd.

no new roads have been added, no u-turns will be available to make a u-turn on cleaveland. i have seen people make a u-turn at the emergency u-turn for the fire trucks and ambulances.

has anyone thought of these traffic patterns? and the pollution? i have asthma and i check the air quality in pleasant hill every day. i tried to find a specific chart for the air quality in pleasant hill from january to the present, but couldn't find one: however, according to the american lung association san francisco, san jose, oakland and surrounding areas are 8th out of a list of ten for most polluted places.

i can't tell from the diagrams if there is one driveway or 2 exiting from that apt. building.

i propose 100 appts. think of the people who go to the park on the corner of gregory lane and cleaveland. already the street spaces are taken and they fill up the senior enter parking lot and then there are no parking space for the seniors. i certainly can't walk to the senior center if i have to park 3 blocks away.

after they build 100 apts.,use the rest of the land to make a people's park ; shade trees , benches, a little children's playground. a little walking path area with drought resistant plants. have that area give back to the community.

if you have any questions my telephone number is 925-433-2156. my e-mail is..

grandmak024@comcast.net

i see pleasant hill (i have lived here for 10yrs.) as an adorable sleepy town with families, hardly any traffic,with enough parking places for wherever i want to go, many open grassy areas instead of all concrete.

i hope my e-mail will make a difference.

sincerely,
karolyn dreyer

From: Timothy Meltzer [<mailto:tmeltzer224@icloud.com>]
Sent: Sunday, August 11, 2019 2:14 PM
To: Jeff Olsen <Jolsen@pleasanthillca.org>
Subject: EIR Re Blake Griggs Proposed Project at 85 Cleaveland Road

Dear Mr. Olsen,

As I mentioned last Thursday when we spoke, I own Townhouse #3 at 90 Cleaveland Road, which is across the street from where Blake-Griggs proposes to build its clearly out of proportion structure (herein the "Project"). I strongly oppose the Project as currently proposed.

I understand the next step in the development process is to prepare an Environmental Impact Report ("EIR"). I am therefore submitting the following comments and objections to be addressed in the EIR.

First, you should have received by now a letter from Jim Gensheimer, the President of the Cleaveland Greens Homeowners Association ("HOA") regarding some of the significant failings of the Project as proposed. I support, and adopt, each of his comments because, not only does he clearly and succinctly outline the views of our HOA and other owners and neighbors in the area, but he clearly lays out the similar concerns that have been expressed by the Pleasant Hill Planning Division. And yet, despite all of this, the developer has utterly failed to modify the Project to resolve those concerns.

I understand other members of our HOA, including Sharon Baxter, have submitted letters regarding their concerns and objections about the Project. I agree with, and adopt, the concerns they have expressed.

I am not opposed to all construction or redevelopment. There is definitely a time and place for reasonable projects. But every project needs to be consistent with the limitations imposed by law, and must be compatible with the adjacent neighborhoods. The current proposal fails in both respects, among many others.

I won't repeat the public expressions of disapproval of the project by the Planning Division because Mr. Gensheimer has already done that. I do, however, want to present a few provisions of the Pleasant Hill Municipal Code, and the City Wide Design Guidelines, each of which is pertinent here.

The Project, as proposed, violates numerous provisions of the Pleasant Hill Municipal Code. As just one example, Title 18 of the Municipal Code, Section 18.05.020, provides, among other things, that any new residential project must **"preserve the character and quality of residential neighborhoods"** (Section A, 1, emphasis added). I urge the drafters of the EIR to visit the existing residential neighborhoods where the Project is proposed. It will be obvious that the Project violates the letter and spirit of the cited Municipal Code.

The Project is also subject to the "City Wide Design Guidelines 2017" that were passed by the Pleasant Hill City Council in that year pursuant to Resolution No. 068-17 (hereinafter referred to as the "Design Guidelines" or the "DG", with emphasis added unless otherwise noted). The Design Guidelines explain that, for many decades before the City of Pleasant Hill was incorporated in 1961, the majority of the land:

"was farmland and orchards before residential and commercial uses started to spring up. Over the course of many years, the City has developed into many distinctive neighborhoods and areas, with different characteristics. In part, design guidelines help to ensure that these areas of the City maintain their character while allowing updates that will keep things current. Through the use of Design Guidelines the City can help to ensure that future development will occur in ways that will enhance and contribute to the overall appearance of the City". (DG, Introduction, page 4).

The Design Guidelines “are a policy document that guide development in Pleasant Hill”...they are among “the implementing tools of the Pleasant Hill General Plan... and are applicable to new projects (DG, C1, p. 5).

One of the key purposes of the Design Guidelines is to “**preserve the sense of a small scale, small-town community and maintains the surrounding environment**” (DG, paragraph I A 1, p. 4). The Project is anything but small scale when compared with the existing neighborhood, and fails to give the impression of a small-town community that maintains the surrounding environment.

The Design Guidelines require that all new projects “**maintain and enhance property values and pride of ownership**” (DG, paragraph I A 7, p. 7). The proposed Project is going to dwarf the residential properties in the neighborhood, and will very likely reduce rather than enhance the property values of the adjacent residential properties. Moreover, the sheer mass of the Project is going to diminish the pride of ownership that currently exists among the owners and residents throughout the adjacent neighborhood.

The Design Guidelines also require that the massing of any proposed development be compatible with the adjacent neighborhoods “**to provide optimal visual harmony**” (DG, paragraph I B 5, p. 5). The Project, as proposed, will be a clear act of **disharmony** that will cause the adjacent homeowners, occupants and passersby to shake their heads as they look at a massive and clearly disproportionate building.

The density of the Project is also fundamentally flawed. Pleasant Hill limits density of new residential projects to 40 units per acre. The Project, which is 2.03 acres after allowing for emergency vehicle access, includes the construction of 210 units. If my math is correct, that’s a project that would exceed the allowed density by 162.5%. That’s not only wrong, but it’s illegal under the General Plan and the Design Guidelines, among other applicable laws and ordinances.

The traffic in the area, as in many areas, has been increasing to the point that more cars, of the nature the proposed Project will produce, is going to make traffic considerably worse. Can it really be said that the Project isn’t going to worsen this growing problem?

Parking in the area is already very limited. It is difficult for many residents to have very many visitors because of the limited parking. The proposed development is only going to add to the problem, and will further isolate some of the owners and occupants who are dependent on visits from family, friends and caregivers.

The Project fundamentally violates the letter and spirit of these guiding principles that underlie all current and future development in Pleasant Hill. What the developers propose is a mockery of these principles. A five-story apartment complex, at the location and with the characteristics as proposed by the developers, with obviously excessive mass and density, that also lacks any reasonable degree of setbacks from the main street, does not belong at the proposed location.

I trust that the EIR will analyze all of these issues, and others not covered here, in which the Project falls outside the rules, ordinances, guidelines and laws governing new residential construction in our unique neighborhoods.

I would thereafter urge the Planning Commissioners and the City Council to reject the current formulation of the Project, eliminate the fifth story altogether, significantly reduce the mass of the structure well beyond what would exist if the project were only four stories, reduce the density to fit within the limitations imposed by the City, significantly increase the required set backs, and require the developer to address the significant concerns regarding the burdensome traffic and worsening parking situation the Project would produce.

Respectfully submitted,

Tim Meltzer

August 11, 2019
Re: 85 Cleaveland Rd.

To Whom It May Concern:

I am the owner and resident of a Pleasant Heights condo at 99 Cleaveland Rd. I have grave concerns about the addition of high-density housing next door to us, in the former Wells Fargo building, at 85 Cleaveland Rd. Certainly, there are personal concerns, the height and density, but the main issues are civic and revolve around urban planning.

Traffic is by far the main issue. Our complex has 36 units. Each unit has either two garages or one garage and a car port space. Sometimes our guest parking is not enough for our own guests. Traffic is challenging with the two schools nearby, and parents dropping off or picking up their children. Downtown and commute traffic are also on Cleaveland Rd. There is no parking on Cleaveland Rd. The exit from our address is a one-way street. If we want to drive south on 680, we are forced to drive through, and contribute to the downtown traffic snarls. Building 210 units on this site (will it also have a one-way exit?) will add 300 to possibly 400 more cars to our already challenged traffic flow. It would be the only project of its kind and density between Boyd Rd. and Gregory Ln. It's about the quality of life. At home is where we want to enjoy life and feel safe.

Regarding safety: Contributing to the traffic problem are the new bicycle lanes, which have "sort of" reduced Cleaveland Rd. to one lane. Please listen, I would love to ride my bike but it's too frightening out there. Take example of northern European cities where local people actually rely on their bicycles for every day transportation. Take example and widen and attach bicycle lanes to sidewalks and don't mix the cyclers in with cars. It's dangerous for everyone. I guarantee more people would ride bicycles if they felt safe.

Growth will continue. We need only look around to see the numerous high-density projects in various building stages in and around our city. We will feel the impact of larger projects that will be built in Concord. There is much more traffic to come. Let's think forward and be part of at least a small solution, and not contribute to the problem.

Sincerely,
Judith Schieber (MDUSD)
99 Cleaveland Rd. #14
c: 925.639.6219
w: 925.685.7340 x6755

- Aside note and food for thought: Now, while I steadfastly oppose this project, there is however one feature that I highly advocate. I know it's expensive but underground parking is the solution to more people friendly urban areas. It's wonderful to sit outside at the downtown restaurants but it's very unpleasant to look out over a sea of cars. I have yet to see a parking structure that is not a blemish on our city landscapes. A pedestrian zone would offer more room for outdoor seating, greenery, play structures, fountains...



To: City of Pleasant Hill Planning Division

Attn: Jeff Olsen, Associate Planner

From: Linda K. Rondeau *LKR*

Owner 168 Crescent Plaza, Pleasant Hill

Re: EIA and Public Scoping Meeting for the Blake-Griggs Multi-Family Residential Facility Project

Please accept these comments as opposition to the proposed development at 85 Cleveland Road, Pleasant Hill, CA.

I have four major areas of concern: construction impact, traffic, public schools and county services.

- 1.) Construction Impact. The size and scope of the proposal is well beyond the standard of the neighborhood. The disruption to the neighborhood resulting in buildings that look down on all neighbors thereby eliminating any privacy is invasive. The proposed "stepped-back" design does nothing to mitigate this. There is definite, not "potential", environmental impact.
- 2.) Traffic. This proposal demands a full review by the Traffic Commission. The one-way streets surrounding the proposal are already overwhelmed by congestion. A single ingress and single egress will pour 200+ additional vehicles onto roads that are impacted and add additional blockage to freeway onramps. As the 2019-2020 school year begins, an in depth study of current traffic conditions is warranted.
- 3.) Public Schools. Exhibit 6 is completely misleading. Sequoia Elementary School and Sequoia Middle School are districtwide magnet schools that require parental application. The majority of the attendees travel from outside the neighborhood to attend. These two schools are not neighborhood schools for residents to walk to. No other schools are displayed to indicate distance and Pleasant Hill Middle School is shown as Mount Diablo Unified School District.
- 4.) County and City Services. The Fire Department, the County Connection, Parks and Recreation, Operations, Police, Republic Services, and all other local services, need to weigh-in on the proposal.

Finally, the Planning Commission has worked hard to keep the charm of Pleasant Hill while modernizing and looking to the future. The proposed residential project is not in keeping with local design. In fact, would be better placed in our neighboring city that has become a multi-colored cement metropolis.

Thank you for your consideration of my concerns.

From: GEORGE L WELLS [<mailto:geowells@comcast.net>]

Sent: Monday, August 12, 2019 2:17 PM

To: Jeff Olsen <Jolsen@pleasanthillca.org>

Cc: Jim Gensheimer <genzy@sbcglobal.net>; Phil & Irene Castro <philirene@comcast.net>; Alex & Zoya Krasnov <sashazoya@sbcglobal.net>; Tim Meltzer <tmeltzer224@comcast.net>

Subject: Blake Griggs Proposed Project at 85 Cleaveland Road

Mr. Olsen:

I own Unit #2 at 90 Cleaveland Road, which is located directly across Cleaveland Road from subject project. I have lived in this unit for 30 years.

For consideration in the EIR preparation I want to express my opinion that this project will plant a monster in the middle of this neighborhood. The HOA project that I live in occupies about the same length of Cleaveland Road frontage that subject project does. We have 9 units and 20 private motor vehicles. This thing proposed across Cleaveland Road from us plans 210 units and will be accompanied by 400+ private motor vehicles, You may as well be building a Target Department Store and the attendant traffic nightmare that goes with that.

Yesterday, the owner of Unit 3 in our HOA (Tim Meltzer) sent you an email which summaries a section of the PH Municipal Code and several excerpts from the city's Design Guidelines, and he points out how the Blake Griggs Project clearly violates both the letter and spirit of these concepts. His message is a good read and I am in agreement with all of it. If you do not read any other comments, please read Tim's.

Don't put this thing in our neighborhood, please.

George Wells

90 Cleaveland Road #2

Pleasant Hill CA 94523

From: Dennis Kirkpatrick [<mailto:dkinla@aol.com>]

Sent: Monday, August 12, 2019 7:58 AM

To: Jeff Olsen <Jolsen@pleasanthillca.org>

Subject: Proposed Project at 85 Cleaveland Rd;

Mr. Olsen,

My name is Dennis Kirkpatrick. My wife Catherine and I own Townhouse #7 at 90 Cleaveland Road which is directly across from the proposed Blake-Griggs proposed project at 85 Cleaveland Road. I know that you have been in touch with Jim Gensheimer who also lives at Cleaveland Greens. He and Tim Meltzer, another Cleaveland Greens owner, have given you some of the particulars concerning density of the proposed project.

None of us are opposed to reasonable redevelopment. But the arrogance which Blake-Griggs has shown demonstrates little, if any, regard for this neighborhood. While they are not the owner of the property (it is owned by a Chinese investment firm), Blake-Griggs has promised such a return on investment that the only way they can achieve that goal is to stack apartments in such a fashion that they will destroy, not enhance, this neighborhood.

Five stories and 210 apartments, almost double the density normally called for. And apartments in this neighborhood are plentiful. Pleasant Hill is supposed to be a livable environment, not one where overcrowding and two year property destruction are the norm.

They are proposing to eliminate all of the trees in this 2 acre plot, increase the number of cars in this area without supplying parking spaces for an already jammed traffic area.

In their presentation, they told us, "This is how we see your neighborhood!" and then sprung this gigantic and poorly thought out presentation. Two things. First, the only thought was to generate a hefty amount back to their investors without a thought on the neighborhood. And second, none of them live here.

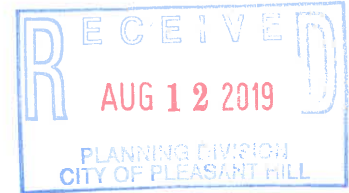
Now, I am sure they are very nice people, but none of them cares at all for our neighborhood and if the neighborhood becomes aware of that I am sure that the protests will become more apparent. I am urging that the planning commission and those charged with the EIR will instruct Blake-Griggs to rethink this proposal.

Respectfully,

Dennis Kirkpatrick
dkinla@aol.com

Jeff Olsen

From: IRENE CASTRO <philirene@comcast.net>
Sent: Monday, August 12, 2019 5:28 PM
To: Jeff Olsen
Subject: Blake Griggs Proposed Project at 85 Cleaveland Road



Mr. Olsen:

We own Unit #1 at 90 Cleaveland Road, located directly across the street from the 85 Cleaveland Road project.

We know other owners in our HOA have expressed their option about this project and we would like to do the same, piggybacking on their comments and opinions.

This project is a monstrosity amongst the neighborhood and landscape. We attended the first two planning committee meetings which were open to public comment and believe it is an insult to the committee as well as the surrounding residents that Blake Griggs hasn't made any revisions to their plans. The committee had unanimously agreed that the project should be scaled down which hasn't happened.

Traffic in the surrounding areas will be a nightmare. The safety of the kids walking to and from school are also a considerable concern since numerous cars will be coming in and out of 85 Cleaveland's garage.

We trust and rely on the committee to be our advocates to the city council when it comes time to vote on this project.

We would appreciate your support.

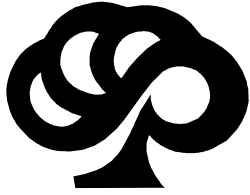
Thank you,

Phil and Irene Castro

90 Cleaveland Road, #1

A.2 - Public Scoping Meeting Comments

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*City of Pleasant Hill
Planning Division*

MEMORANDUM

TO: FirstCarbon Solutions

FROM: Jeff Olsen, Planning Division

DATE: July 26, 2019

SUBJECT: Blake-Griggs Multi-Family Residential Facility –
Summary of EIR Public Scoping Meeting Public Comments Received

The following is a summary of verbal Planning Commissioner comments and public individuals comments received during the July 23, 2019 Public Scoping Meeting for the Blake-Griggs Multi-Family Residential Facility EIR.

Planning Commissioner Comments:

- Water table issue associated with proposed underground parking
 - Have any preliminary surveys been conducted yet?
- Geology and soils concerns at the project site
- Concern about project-level and cumulative-level traffic and circulation impacts
- Density not consistent with General Plan land use
 - Density and units need to be reduced
- Excessive noise concerns
- Building height (preference to remove 5th floor)
- What adjustments to Cleveland Road are going to be made?
- Previous requests have not been addressed or responded to
- Did not receive requested information from applicant

Public Individuals Comments:

Sharon Baxter:

- Potential shade/shadow impacts
- Concern with the housing density proposed for the project site
- Concern that project could create excessive noise in its operational phase from outdoor amenities use and more cars entering/existing the project site
- Water table issue associated with proposed underground parking
- Concern about air quality and traffic impacts resulting from development of project

Jim Gensheimer:

- Concern with proposed parking supply
 - Where are the additional 75 cars going to park?
 - Downtown is already busy in the mornings
- Concern about traffic impacts, and project location not being that close to BART

Dana Kearny:

- Concern with shade/shadow impact caused by height of proposed building
- Height of the building will affect privacy and does not match the surrounding character of the neighborhood
- Concern with the housing density proposed for the project site
- Concern with proposed parking supply
- Concern about traffic impacts resulting from development of project in conjunction with existing school traffic near the project site
- Concern with shade/shadow impact caused by height of proposed building
- Minimal changes have been made to the proposal in response to previous concerns

Dennis Kirkpatrick

- Project site is currently zoned for 3 stories, so project is out of place
- Concern with visual impact caused by mass and scale of proposed building
- Asserts that the proposed project is an incompatible land use with the surrounding area

Susan Speake

- The project is over 2.5 times the allowed density for the project site
 - All other buildings comply with the density requirements
- Concern about traffic impacts resulting from development of project
 - School traffic already makes the area very busy
- Concern about the massing and height of the proposed building
 - Will block the morning sun for neighbors to the west
- Concerned with “infrastructure”
- Concerned with excessive project-related noise in a generally quiet neighborhood
- Concerned with noise, exhaust, and congestion impacts from additional cars
- Concerned about issues related to the water table and proposed underground parking