

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Contra Costa
725 Court Street #103
Martinez, CA 94553

From: (Public Agency): Walnut Creek School District
960 Ygnacio Valley Road
Walnut Creek, CA 94596
(Address)

Project Title: Buena Vista School Project

Project Applicant: Walnut Creek School District

Project Location - Specific:
2355 San Juan Avenue, Walnut Creek, CA

Project Location - City: Walnut Creek Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would remove 6 portable classroom buildings each containing one classroom, and construct two new one-story modular buildings with a total of 6 classrooms, for kindergarten and transitional kindergarten use. The number of classrooms would remain at 29. The project also includes interior renovations of the existing school buildings. Total interior building areas would increase from 42,796 sq. ft. to 45,277 sq. ft. Hard scape and landscape improvements would be made adjacent to the existing and proposed new buildings.

Name of Public Agency Approving Project: Walnut Creek School District

Name of Person or Agency Carrying Out Project: Walnut Creek School District

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 1, 3, and 14, Sections 15301, 15303 and 15314
Statutory Exemptions. State code number:

Reasons why project is exempt:

Restoration and rehabilitation of structures, as well as interior and exterior alterations of existing structures are also covered under this exemption (Section 15301 (d) and (a)). Demolition and minor (up to 2500 sq. ft.) additions to existing structures also are permissible under this exemption. New buildings of up to 10,000 sq. ft permitted under Class 3 exemption. The CEQA Class 14 Exemption applies to expansion of schools of less than 25%. See attached Discussion.

Lead Agency
Contact Person: Vincent Morales, Chief Business Official Area Code/Telephone/Extension: (925) 944-6850

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [ ] No

Signature: [Signature] Date: 06/05/2024 Title: Chief Business Official

[X] Signed by Lead Agency [ ] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

BUENA VISTA ELEMENTARY SCHOOL PROJECT  
NOTICE OF EXEMPTION DISCUSSION

**Project Description**

Existing Conditions

The Buena Vista Elementary School, located at 2355 San Juan Avenue in Walnut Creek, is owned and operated by the Walnut Creek School District. The school is in a single- and multiple-family residential neighborhood, with houses adjacent to the school on the east and south, and apartments located across the street from the school on the west. A large ballfield park is located adjacent to the school to the north. The site proposed for the new kindergarten buildings is on a paved play area directly east of the existing school buildings. Portable classrooms proposed for removal or relocation are on the southeast corner of the school campus, as well as adjacent to San Juan Avenue immediately north of the permanent school buildings, extending into the ballfield area.

The school currently has 29 classrooms and 42,796 sq. ft. of interior building space.

Proposed Project

The proposed project would remove 6 portable classroom buildings each containing one classroom, and construct two new one-story modular buildings (with standing seam metal roofs) with a total of 6 classrooms, for kindergarten and transitional kindergarten use. Overall, the number of classrooms at the school would remain at 29. The project also includes interior renovations of the existing school buildings (partition removals and replacements, rest room renovations, new ceilings, and new interior furnishings and fixtures). A previously constructed 400 sq. ft. addition to the Administration Building (Building 100) will be removed and replaced with a 570 sq. ft. addition. Total interior building areas would increase from 42,796 sq. ft. to 45,446 sq. ft. Hardscape and landscape improvements would be made adjacent to the existing and proposed new buildings.

The entry area to the kindergarten buildings would be reconfigured to facilitate pick-ups and drop-offs, and would include 17 parking spaces, 4 of which would include EV charging stations. The existing south parking lot at the school also would be repaved and reconfigured to have 17 spaces, 4 of which would include EV charging. A new shade structure would be placed on the lawn area just north of the Multi-Purpose Building. New paved walkways would be constructed around some of the existing buildings.

The primary purpose of the project would be to update and improve the school classrooms, and better provide for kindergarten and transitional kindergarten students at the school; other purposes are to improve vehicular access and provide shade for students.

The overall project construction schedule would have the modernization of all classrooms, MPR, etc. over the summer of 2024. The remaining work such as the site improvements, modular buildings, and Administration Building addition would occur summer of 2025.

## **Categorical Exemption Analysis**

### *Class 1 Exemption*

The CEQA Class 1 Exemption (Class 1-Existing Facilities [CEQA Guidelines, Section 15301]) applies to operation and minor expansions of existing facilities. It includes upgrades of existing building interiors and exteriors, demolition and removal of small structures, addition of safety or health protection devices, restoration or rehabilitation of deteriorated structures, and additions to existing structures that will not result in an increase of more than 50% of the floor area before the addition, or 2500 sq. ft., whichever is less.

The proposed project would consist of minor interior and parking lot modifications, and construction of a new access area and shade structure in an existing school campus. Six small portable classrooms structures would be removed and replaced by two 4200-sq. ft. modular buildings. The additional square footage would be 2431 sq. ft. which falls within the 2500-sq. ft. increase permitted under this exemption. The addition would be about 6% of the total school building floor area. Therefore, this exemption would apply to the project.

### *Class 3 Exemption*

The CEQA Class 3 Exemption (Class 3-New Construction [CEQA Guidelines, Section 15303]) applies to construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. In urban areas, structures of up to 10,000 sq. ft and garages (and presumably parking lots) would be subject to this exemption (per CEQA Guidelines Sections 15303(c) and (e)).

The project would construct two 4200- sq. ft modular buildings as well as a small shade structure, and parking lot upgrades on an existing developed school campus. This would be within the small structure size limitations included in the exemption.

### *Class 2 Exemption*

The CEQA Class 2 Exemption applies to replacement and reconstruction of existing facilities or structures, where the new structure will be on the same site and serve the same purpose as the existing structure, with negligible or no expansion of capacity (per CEQA Guidelines Section 15302).

The project would replace six existing portable buildings with two new modular buildings and renovate existing school classroom buildings. The remaining project work would be comprised of modification of the existing building and landscaped/paved areas and would add only 6% to the school's overall square footage and would not add any classrooms. Access and parking lot improvements would be on parts of the school currently containing access and/or and parking lots, so the project would not substantially change any uses.

### Class 14 Exemption

The CEQA Class 14 Exemption (Minor additions to schools (CEQA Guidelines, Section 15314)) applies to minor additions to existing schools within existing school grounds where the addition does not increase original student capacity by more than twenty-five (25) percent or ten (10) classrooms, whichever is less.

As detailed above, the project would not increase the number of classrooms at the school. The expanded transitional kindergarten and kindergarten space would slightly increase the school's capacity, but well below the 25% limit included in the exemption.

### Analysis of Exceptions to Categorical Exemptions

Per CEQA Guidelines section 15300.2, exceptions to Section 15301, 15302, and 15314 categorical exemptions can apply where the following occur:

- Cumulative impact of the same type in the same place, over time is significant.
- Significant effect due to unusual circumstances.
- Damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a state scenic highway.
- Hazardous Waste Sites included on any list compiled pursuant to Section 65962.5 of the Government Code.
- A substantial adverse change in the significance of a historical resource.

The Section 15303 (Class 3) categorical exemption also includes an exception if a project would be located in an extremely sensitive environment.

As summarized below, none of these exceptions appear to apply to this project and therefore this exemption would apply:

- The project area is a developed residential neighborhood, and, based on a review of the Walnut Creek Community Development Department's Major Projects Map <https://storymaps.arcgis.com/stories/f921c8aee5a04c7eab7f65c606b9384f> (accessed September 14, 2023), no development has been identified that would have impacts to which the project's impacts would contribute to in a cumulatively considerable manner.
- There do not appear to be any unusual circumstances that could result in significant environmental impacts at the site.
- The existing portable buildings to be removed are not a scenic resource, nor are there any such resources on the school campus. In addition, the new one-story modular buildings would be located in the interior of the school campus, distant from any public or neighbors' views. The site also is not within the viewshed of

a State Scenic Highway.

- The site is not on or near a listed hazardous waste site (database search performed September 13, 2023):  
[https://www.envirostor.dtsc.ca.gov/public/map/?global\\_id=&x=-119&y=37&zl=18&ms=640,480&mt=m&findaddress=True&city=2421%20Carleton%20Avenue,%20San%20Jose,%20CA%2095124&zip=&county=&federal\\_su perfund=true&state\\_response=true&voluntary\\_cleanup=true&school\\_cleanup=true&ca\\_site=true&tiered\\_permit=true&evaluation=true&military\\_evaluation=true&school\\_investigation=true&operating=true&post\\_closure=true&non\\_operating=true](https://www.envirostor.dtsc.ca.gov/public/map/?global_id=&x=-119&y=37&zl=18&ms=640,480&mt=m&findaddress=True&city=2421%20Carleton%20Avenue,%20San%20Jose,%20CA%2095124&zip=&county=&federal_su perfund=true&state_response=true&voluntary_cleanup=true&school_cleanup=true&ca_site=true&tiered_permit=true&evaluation=true&military_evaluation=true&school_investigation=true&operating=true&post_closure=true&non_operating=true)
- The proposed project would not demolish or substantially alter any historic structures. The renovations proposed by the project would entail only interior improvement to an existing school. There are no historic resources at the school. Therefore, no historic resources would be affected.
- The project site is a developed school campus in an established residential neighborhood. There are no extremely sensitive environmental features on or near the site.