

**FINAL**  
**Environmental Impact Report**  
**CityWalk Master Plan**  
**City of San Ramon, Contra Costa County, California**  
**State Clearinghouse Number 2019090586**

Prepared for:  
**City of San Ramon**  
7000 Bollinger Canyon Road  
San Ramon, CA 94583  
925.973.2500

Contact: Mr. Lauren Barr, Planning Manager

Prepared by:  
**FirstCarbon Solutions**  
1350 Treat Boulevard, Suite 380  
Walnut Creek, CA 94597  
925.357.2562

Contact: Mary Bean, Project Director  
Lisa Davison, Project Manager

Date: July 16, 2020

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## SECTION 1: INTRODUCTION

In accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15088, 15089, and 15132, the City of San Ramon (Lead Agency) has evaluated comments received on the CityWalk Master Plan Draft Environmental Impact Report (EIR). The responses to comments and errata, which are included in this document, together with the Mitigation Monitoring and Reporting Program (MMRP), form the Final EIR for use by the City of San Ramon in its review.

This document is organized into three sections:

- **Section 1—Introduction.** Provides an introduction to the Final EIR.
- **Section 2—Responses to Comments.** Provides a list of agencies, organizations, and individuals who commented on the Draft EIR. Copies of all letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 3—Errata.** Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

The Final EIR includes the following contents:

- Draft EIR (provided under separate cover)
- Draft EIR Appendices (provided under separate cover)
- Responses to Written Comments on the Draft EIR and Errata (Sections 2 and 3 of this document)
- Mitigation Monitoring and Reporting Program (provided under separate cover)

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## SECTION 2: RESPONSES TO COMMENTS

### 2.1 - List of Authors

A list of public agencies, organizations, and individuals that provided comments on the CityWalk Master Plan Draft Environmental Impact Report (EIR) is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response.

<b>Author</b>	<b>Author Code</b>
<b>State Agencies</b>	
California Department of Transportation, District 4.....	CALTRANS
<b>Local Agencies</b>	
East Bay Municipal Utility District.....	EBMUD
San Ramon Chamber of Commerce .....	COC
<b>Organizations</b>	
Brooks Landry Real Estate .....	BROOKS LANDRY
Diablo Family Physicians.....	DIABLO PHYSICIANS
Garrison Demolition Engineering .....	GARRISON
GreenFire Law, PC.....	GFL
Innovation Tri-Valley Leadership Group .....	INNOVATION TRI-VALLEY
Sentinels of Freedom.....	SENTINELS
<b>Individuals</b>	
Kevin Bass .....	BASS
Jim Blickenstaff, Letter 1 .....	BLICKENSTAFF.1
Jim Blickenstaff, Letter 2 .....	BLICKENSTAFF.2
Jim Blickenstaff, Letter 3 .....	BLICKENSTAFF.3
Sumana Bolar Sen.....	BOLAR SEN
Joyce Carr, Letter 1 .....	CARR.1
Joyce Carr, Letter 2 .....	CARR.2
Joyce Carr, Letter 3 .....	CARR.3
Andrew Chao .....	CHAO
Amulya Dhulipala.....	DHULIPALA
Joyce Gunn .....	GUNN
Nancye Harder .....	HARDER
Dennis and Kathleen Lasse .....	LASSE
Commissioner Richard Marks.....	MARKS
Marvin Matey .....	MATEY

Rama Mehra ..... R. MEHRA  
 Sunil Mehra ..... S. MEHRA  
 Gregg Nelson ..... NELSON  
 Jennifer Schulze ..... SCHULZE

**Oral Comments from June 16, 2020, Planning Commission Public Hearing**

Zoe Siegel.....PC MEETING-1  
 Lynn Naylor .....PC MEETING-2  
 Jim Blickenstaff .....PC MEETING-3  
 Aparna Madireddi.....PC MEETING-4  
 Planning Commissioners ..... PC MEETING-5 through PC MEETING-14

**2.2 - Responses to Comments**

**2.2.1 - Introduction**

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of San Ramon (City), as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2019090586) for the CityWalk Master Plan, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the Master Plan in accordance with CEQA Guidelines Section 15132.

**2.2.2 - Comment Letters and Responses**

The comment letters reproduced in the following pages follow the same organization as used in the List of Authors.

**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.*

July 1, 2020

SCH #2019090586  
GTS # 04-CC-2019-00445  
GTS ID:16956  
Co/Rt/Pm: CC/680/3.192

Lauren Barr, Planning Services Manager  
City of San Ramon  
2401 Crow Canyon Road  
San Ramon, CA 94583

**CityWalk Master Plan- Draft Environmental Impact Review (EIR)**

Dear Lauren Barr:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the July 2020 DEIR.

1

**Project Understanding**

The proposed project lays out the plan for the development of residential uses, commercial uses, and public facilities within the Master Plan area to complement and support City Center Bishop Ranch. The project plan proposes up to 4,500 dwelling units, a 169-key hotel, 166,000 square feet of commercial uses, three new parking structures, and publicly accessible, but privately owned and maintained park and public spaces. Fifteen percent of the 4,500 units would be deed-restricted as affordable to low and very low-income households per the City's inclusionary housing requirements. The site is located in San Ramon and is bounded by Bishop Drive from the west, Camino Ramon from the east, Executive Parkway from the North, and Bollinger Canyon Road from the South. Regional access is provided by I-680 and is approximately 1,900 feet from the Bollinger Canyon Road on- and off-ramps. The site is within a planned Priority Development Area and is within 1/4 mile of bus transit service.

2

Lauren Barr, Planning Manager  
July 1, 2020  
Page 2

**Multimodal Bicycle and Pedestrian Planning**

Section 3.14.12 of the DEIR- Caltrans requests that the EIR correctly note that Bollinger Canyon Rd. has a sidewalk open to bicyclists on the south side. This project may contribute to increased bicycle demand and travel demand in general, but provides limited network connectivity for bicyclists to the shared-use path on the south side of Bollinger Canyon Rd. (This facility is a sidewalk on which cyclists are permitted to ride, and is classified as Class III on exhibit 3.14-4). Cyclists continuing south from the western portion of the plan area must negotiate a high stress environment on Sunset Dr. or travel out of direction considerably.

3

4

The City of San Ramon Bicycle Master Plan (April 2018) states, "Traveling on Sunset Drive was specifically called out as being uncomfortable and that getting to the City Center from San Ramon Valley Boulevard is difficult." Please clarify how this project will impact demand for bicycle access at Sunset Dr., between Bishop Dr. and Bollinger Canyon Rd.

We encourage the lead agency to condition this project to include, or pay impact fees towards, low stress bicycle improvements on Sunset Road between Bishop Dr. and Bollinger Canyon Rd. Such improvements include buffered Class II or Class IV bike lanes and Intersection improvements to allow cyclists on Sunset Drive to access the shared-use path on the south side of Bollinger Canyon Road. This would conform with policies and goals identified in the City of San Ramon Bicycle Master Plan.

5

**Hydraulics**

Per our September 2019 letter, our request for complete drainage plans and calculations still stands. Please demonstrate whether the proposed project connects to Caltrans existing drainage system and the potential impacts of this project on the existing drainage system, mentioned in Appendix K.

6

Lauren Barr, Planning Manager  
July 1, 2020  
Page 3

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter or further project documents, please contact Laurel Sears at [laurel.sears@dot.ca.gov](mailto:laurel.sears@dot.ca.gov). For future Agency project notices, please address to LDIGR-D4@dot.ca.gov.

7

Sincerely,



Mark Leong  
District Branch Chief  
Local Development - Intergovernmental Review

c: State Clearinghouse

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## State Agencies

### **California Department of Transportation, District 4 (CALTRANS)**

#### *Response to CALTRANS-1*

The commenter provides introductory statements about the agency.

The comment is noted; no further response is required.

#### *Response to CALTRANS-2*

The commenter provides Master Plan information and understanding.

The comment is noted; no further response is required.

#### *Response to CALTRANS-3*

The commenter requests that the EIR note that the south side of Bollinger Canyon Road has a sidewalk that is available for bicyclists.

This change is included in Section 3, Errata, of the Final EIR.

#### *Response to CALTRANS-4*

The commenter notes that the Master Plan could increase bicycle demand and would not provide a connection to the existing Class III bicycle lane on the south side of Bollinger Canyon Road. The commenter asks that the Master Plan clarify how it would impact demand for bicycle access at Sunset Drive between Bishop Drive and Bollinger Canyon Road.

The proposed Master Plan would enhance bicycle connectivity through separated bicycle paths along the Master Plan area perimeter roads, as shown in Exhibit 3.14-8. Currently, a separated bicycle path is provided along Bishop Drive between Sunset Drive and the Iron Horse Trail. The proposed Master Plan would extend this network along the Master Plan area frontages along Camino Ramon, Bishop Drive, and Executive Parkway.

Although the proposed Master Plan does not include bicycle improvements along Sunset Drive between Bishop Drive and Bollinger Canyon Road, none of the proposed improvements related to the Master Plan would conflict with or preclude the implementation of the City's Bicycle Master Plan, which calls for the installation of green painted conflict zoning markings in the Bishop Ranch development on Sunset Drive.<sup>1</sup>

#### *Response to CALTRANS-5*

The commenter asks that the lead agency condition the Master Plan to include or pay impact fees toward the procurement of low stress bicycle improvements on Sunset Road between Bishop Drive and Bollinger Canyon Road. The commenter suggests that the improvements should include buffered Class II or Class IV bike lanes and intersection improvements to allow cyclists on Sunset Drive to access the shared-use path on the south side of Bollinger Canyon Road, in conformance with policies and goals identified in the City of San Ramon Bicycle Master Plan.

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<sup>1</sup> City of San Ramon. 2018. Bicycle Master Plan. April.

As described under Response to CALTRANS-4, the City plans on installing green painted conflict zoning markings in the Bishop Ranch development on Sunset Drive, in accordance with the City's Bicycle Master Plan. While no mitigation is required, the comment is noted and will be forwarded to decisionmakers for their consideration.

*Response to CALTRANS-6*

The commenter requests that the Master Plan demonstrate whether stormwater drainage facilities would connect to Caltrans existing stormwater drainage facilities and the potential impacts of the Master Plan on the existing drainage system.

The Master Plan area is currently served by existing storm drainage infrastructure owned and maintained by the City of San Ramon. Existing storm drains are located within Camino Ramon (72-inch diameter), Bishop Drive (24- to 54-inch diameter), and Executive Parkway (60-inch diameter). The proposed Master Plan would install LID storm drainage systems throughout the Master Plan area consisting of inlets, underground piping, bioretention swales, and basins that would collect and detain runoff during storm events and meter its release into downstream drainage facilities in a manner designed to prevent flooding. As a result, the Master Plan would not connect to Caltrans owned storm drainage infrastructure.

*Response to CALTRANS-7*

The commenter states their contact information and thanks the City for including Caltrans in the review process.

The comment is noted; no further response is required.



June 30, 2020

Lauren Barr, Planning Services Manager  
City of San Ramon, Planning Services Division  
2401 Crow Canyon Road  
San Ramon, CA 94583

Re: Draft Environmental Impact Report - CityWalk Master Plan Project, San Ramon

Dear Mr. Barr:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the CityWalk Master Plan (formerly known as the City Center Mixed Use Master Plan Project) located in the City of San Ramon (City). EBMUD commented on the Notice of Preparation of a Draft EIR for the project on October 16, 2019 and EBMUD’s original comments regarding water service and water conservation have been addressed. EBMUD has the following additional comments.

1

**WATER RECYCLING**

The proposed development is within the boundaries of the Dublin San Ramon Services District - East Bay Municipal Utility District Recycled Water Authority (DERWA) San Ramon Valley Recycled Water Program. EBMUD is seeking supplemental supply options to serve additional customers in the San Ramon Valley. EBMUD's Policy 9.05 requires "... that customers... use non-potable water for non-domestic purposes when it is of adequate quality and quantity, available at reasonable cost, not detrimental to public health and not injurious to plant life, fish and wildlife" to offset demand on EBMUD’s limited potable water supply. The proposed development has a significant recycled water demand and per EBMUD regulations the project sponsor would be responsible for installation of recycled water main extensions, meters, laterals, and on-site recycled water systems. EBMUD requests all piping and appurtenances for recycled water uses be plumbed separately from the on-site potable system in order to accept recycled water when it becomes available. Feasible recycled water uses may include, but are not limited to, landscape irrigation, commercial and industrial process use, and toilet and urinal flushing in non-residential buildings. EBMUD requests that the applicant coordinate closely with EBMUD’s Office of Water Recycling during the planning process regarding specifications for the recycled water system. 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 for providing recycled water service to the proposed development.

2

Lauren Bar, Planning Services Manager  
June 30, 2020  
Page 2

3

If you have any questions concerning this response, please contact Timothy R. McGowan, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-1981.

Sincerely,



David J. Rehnstrom  
Manager of Water Distribution Planning

DJR:WTJ:btf  
sb20\_123.doc

## Local Agencies

### **East Bay Municipal Utility District (EBMUD)**

#### *Response to EBMUD-1*

This comment provides introductory remarks.

The comment is noted; no further response is required.

#### *Response to EBMUD-2*

The commenter provides information about EBMUD water recycling requirements, including the project applicant being responsible for installing recycled water infrastructure separate from on-site potable water systems. The commenter also provides instructions for coordinating with EBMUD.

Necessary recycled water infrastructure was analyzed in the Draft EIR (see Section 3.15, Utilities and Service Systems). As requested, the applicant would coordinate with EBMUD's Office of Water Recycling during planning regarding specifications for the Master Plan's recycled water system. The applicant would also contact EBMUD's New Business Office and request a water service estimate to determine costs and conditions for providing recycled water service to the proposed Master Plan. No further response is required.

#### *Response to EBMUD-3*

This comment provides relevant EBMUD contact information.

The comment is noted; no further response is required.

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RECEIVED

JUN 11 2020

CITY OF SAN RAMON  
PLANNING SERVICES

June 11, 2020

Planning Commission  
City of San Ramon  
7000 Bollinger Canyon Road  
San Ramon, CA 94583

LATE COMMUNICATION # 2  
AGENDA # 10.1 P.C. MTG 10/11/20

Dear Planning Commission:

The purpose of this letter is to show the San Ramon Chamber of Commerce's support for CityWalk Bishop Ranch. The CityWalk will provide the following benefits to the San Ramon community:

- This project will promote positive economic contributions to the local economy through capital investment, expansion of the tax base, creation of new jobs, expansion of the consumer base, and opportunities for new taxable sales.
- The results of the Economic Benefits Study revealed that over the next three decades, CityWalk would generate billions of economic activity for the Contra Costa economy and contribute approximately \$36.5 million to San Ramon in new revenue above expenses to service the development through 2050.
- It will contribute to the Contra Costa County economy by adding thousands of new jobs and household spending, while delivering important new revenue to the City of San Ramon through 2050 from applicable revenue sources, including property, sales, transient occupancy, franchise taxes.
- This Draft EIR describes potential impacts relating to a wide variety of environmental issues and methods by which these impacts can be mitigated or avoided. All potential impacts have been addressed through a variety of measures – transportation improvements, fees for future infrastructure projects, etc.
- The proposed Master Plan does not result in any significant unavoidable impacts.
- This project will provide a mix of multi-family housing that will help the City meet its regional housing goals. Fifteen percent of the 4,500 units (approximately 675) will be deed-restricted as affordable to low and very-low income households.
- Much needed housing will be developed on underdeveloped and underutilized infill sites within Bishop Ranch. It will be located in close proximity to jobs and transit services, which will help reduce vehicle miles traveled.
- The project's development will be phased to ensure managed and orderly growth.
- Mobility within Bishop Ranch will be improved through the use of Transit Hubs, allowing for pick-up and drop-off at convenient locations easily accessible from major arterial roadways.
- The project will enhance connectivity with adjoining land uses through expanded pedestrian and bicycle connections. These include Iron Horse Trail Regional Trail, Central Park, City Center Bishop Ranch, The Shops at Bishop Ranch, and the Marketplace.
- Sunset Development will be paying \$46.6 million in traffic impact fees that will fund intersections and other regional traffic improvements, \$54.8 million in open space/park facilities and childcare fees, and \$20 million in building permit fees.
- Sunset Development will also be providing 40 acres of parks within the master plan, paying park fees, and building three off-site city parks totaling \$52 million.

1

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart L. Bambino". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke at the end.

Stewart L. Bambino  
President/CEO  
San Ramon Chamber of Commerce



**San Ramon Chamber of Commerce (COC)**

*Response to COC-1*

The commenter expresses support for the Master Plan and states how it would benefit the community.

The comment is noted; no response is required.

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**BROOKS LANDRY**  
REAL ESTATE

**RECEIVED**

JUN 15 2020

CITY OF SAN RAMON  
PLANNING SERVICES

I'm writing to voice my full support for CityWalk and like many of my neighbors. I request your support by approving the projects EIR.

CityWalk was an important and needed project even before the COVID-19 pandemic, but its approval has taken on added urgency today. CityWalk will provide more than 16,050 jobs and an estimated \$3 billion to the city and county over its 25-year timeframe. These jobs and revenues are more critical than ever as our local economies recover from the devastation of lost jobs and city and county revenues.

But even before COVID-19, CityWalk made a ton of good sense. Its proposed housing will be located where it will be the most beneficial -- near San Ramon's tens of thousands of jobs and popular mass transit programs. New parks, landscaping, enhanced recreational amenities -- all located within a highly walkable environment -- will ensure that CityWalk becomes the mixed-use district our city has dreamed about for so many years.

We finally have the chance to realize that dream. Just as important, we have the opportunity to create thousands of new jobs and city revenue that will help ensure San Ramon remains one of America's best cities to live, work, and raise a family.

Thank you in advance for your support of CityWalk. Sincerely,

1

DocuSigned by:  
Sincerley,

*Brooks Landry*

Brooks Landry  
#08270638257C...

Realtor | Team Leader

925.216.7702

Brooks@BrooksLandry.com

LATE COMMUNICATION # 10  
AGENDA # 10.1 P.C. MTG 6/11/20



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## **Organizations**

### ***Brooks Landry Real Estate (BROOKS LANDRY)***

*Response to BROOKS LANDRY-1*

The commenter expresses support for the Master Plan and requests that the City approve the Draft EIR.

The comment is noted; no response is required.

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DIABLO FAMILY PHYSICIANS

**RECEIVED**

JUN 12 2020

CITY OF SAN RAMON  
PLANNING SERVICES

Dear San Ramon Planning Commission:

I'm writing to voice my support for CityWalk and to respectfully request yours as well by approving the project's environmental impact report.

CityWalk was an important and needed project even before the COVID-19 pandemic, but its approval has taken on added urgency today. CityWalk will provide more than 16,050 jobs and an estimated \$3 billion to the city and county over its 25-year timeframe. These jobs and revenues are more critical than ever as our local economies recover from the devastation of lost jobs and city and county revenues.

But even before COVID-19, CityWalk made a ton of good sense. Its proposed housing will be located where it will be the most beneficial -- near San Ramon's tens of thousands of jobs and popular mass transit programs. New parks, landscaping, enhanced recreational amenities -- all located within a highly walkable environment -- will ensure that CityWalk becomes the mixed-use district our city has dreamed about for so many years.

We finally have the chance to realize that dream. Just as important, we have the opportunity to create thousands of new jobs and city revenue that will help ensure San Ramon remains one of America's best cities to live, work, and raise a family.

Thank you in advance for your support of CityWalk.

Sincerely,

Mark Musco  
Diablo Family Physicians  
Owner

LATE COMMUNICATION # 4  
AGENDA # 10.1 P.C. MTG 6/11/20

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**Diablo Family Physicians (DIABLO PHYSICIANS)**

*Response to DIABLO PHYSICIANS-1*

The commenter expresses support for the Master Plan and requests that the City approve the Draft EIR.

The comment is noted; no response is required.

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**From:** Kris Huff <khuff@garrisonsdvbe.com>  
**Sent:** Tuesday, June 16, 2020 5:00 PM  
**To:** planningcommission <planningcommission@sanramon.ca.gov>  
**Subject:** Local Business Participation in the Project

GARRISON  
Page 1 of 1

I wanted to know what the City is doing to ensure that San Ramon businesses will be utilized in this project for construction, consulting, or services.

1

San Ramon construction businesses pay some of the highest rent in the State and it would be a shame to have out of town companies completing the work as San Ramon businesses watch the project.

Many cities implement LBE participation in the bid documents and specification, and I would ask that this is a part of the conversation for our community.

2

Thanks,  
Kris



**RECEIVED**

JUN 16 2020

CITY OF SAN RAMON  
PLANNING SERVICES

**Kris Huff | President | SBE/DVBE/SDVOSB**

[Garrison Demolition and Engineering Inc.](#)

2603 Camino Ramon Suite 200 | San Ramon, CA 94583

P: 925.242.2133 | C: 925.785.7540

E: [khuff@garrisonsdvbe.com](mailto:khuff@garrisonsdvbe.com) | W: [www.garrisonsdvbe.com](http://www.garrisonsdvbe.com)

CSLB: 1047936 | DIR PWC: 1000063040

LATE COMMUNICATION # 14  
AGENDA # 10.1 P.C. MTG 10/16/20

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### **Garrison Demolition Engineering (GARRISON)**

#### *Response to GARRISON-1*

The commenter asks what the City is doing to ensure businesses within the City will be utilized for Master Plan construction, consultation, and other services.

The comment does not address the adequacy of the Draft EIR. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

#### *Response to GARRISON-2*

The commenter states that many cities use Local Business Enterprise (LBE) participation requirements in bid documents and asks that this be considered.

The comment does not address the adequacy of the Draft EIR. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

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Rachel Doughty  
2550 Ninth Street, Suite 204B  
Berkeley, CA 94710  
Phone: (510) 900-9502 x 2  
Email: rdoughty@greenfirelaw.com  
www.greenfirelaw.com

July 2, 2020  
*By Electronic Mail*

Mr. Lauren Barr, Planning  
Services Manager  
2401 Crow Canyon Road  
San Ramon, CA 94583  
Email: [lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)

**RE: City WalkMaster Plan**

Commissioners:

Please accept these comments submitted on behalf of City resident and former San Ramon City Councilmember, Mr. James Blickenstaff, regarding the City WalkMaster Plan (Project) and its Draft Environmental Impact Report (DEIR).

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**Abbreviations**

- Association of Bay Area Governments (ABAG)
- California Code of Regulations (CCR)
- California Environmental Quality Act (CEQA)
- City Walk Project (Project)
- Draft Environmental Impact Report (DEIR)
- Housing Accountability Act (HAA)
- Regional Housing Needs Allocation (RHNA)
- San Ramon City Center Final Subsequent EIR (CCFSEIR)
- San Ramon General Plan (SRGP)

1  
Cont.

**I. The Rushed Presentation for Comment During a Global Pandemic Lock Down is a Denial of Due Process.**

Mr. Blickenstaff and the public at large have been denied due process, and the City has potentially been denied the opportunity of informed comment from the public—all because of the City’s insistence on a rushed public comment period during the Covid-19 pandemic.

2

**A. The Public has Not Been Provided the Legal Minimum Forty-Five Days for Comment.**

When a “draft EIR is submitted to the State Clearinghouse for review by state agencies, the public review period shall not be less than 45 days.”<sup>1</sup> The Planning Commission released the

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<sup>1</sup> 14 C.C.R., § 15105, subd. (a). Code of Civil Procedure section 12 excludes the first day from “the time in which any act provided by law is to be done.” Section 12 applies to the calculation of CEQA public-comment periods. See *Gilroy Citizens for Responsible Planning v. City of Gilroy* (2006) 140 Cal. App. 4th 911, 922.



DEIR for the City Walk Project online on May 19, 2020, at which point the public comment period commenced.<sup>2</sup> The public comment period closes on July 2, 2020. At most, the Planning Commission is providing 44 days of public comment. The comment period does not comply with California Code of Regulations title 14 section 15105, subdivision (a). Although some of CEQA’s requirements relaxed due to COVID-19, that relaxation “[did] not apply to provisions governing the time for public review.<sup>3</sup> Failure to circulate a draft EIR for the full required time period is an abuse of discretion, and substantial rather than complete compliance with the CEQA-mandated notice procedures requires vacating the administrative decision.<sup>4</sup> The City Attorney was notified of this deficiency, but the comment period was not extended.<sup>5</sup>

3  
Cont.

**B. A Forty-Five Day Comment Period is Prejudicial During the COVID-19 Pandemic.**

The public comment period—starting on the very day that the governor issued a stay at home order and ending right as the City reopens—is highly prejudicial to citizens wishing to participate. The timeline/context is informative in its departure from normal circumstances:

- On March 10, 2020, Contra Costa County Board of Supervisors declared the existence of a local emergency caused by the introduction of COVID-19.<sup>6</sup>
- On March 11, 2020, the Governor of California announced that public gatherings of more than 250 people should be postponed or canceled.
- On March 13, 2020, the President of the United States declared that the outbreak of COVID-19 constituted a national emergency.
- On March 14, 2020, Contra County’s County Health Officer issued an order prohibiting gatherings of 100 or more individuals at the same time.
- On March 16, 2020, The Contra County Department of Health Services issued an order directing all individuals living in the county to shelter at their place of residence, leaving only to provide or receive certain essential services.
- On March 17, 2020, the City of San Ramon “issued a Proclamation of Emergency regarding the COVID-19 virus by the City Manager, acting in his capacity as Emergency Services Director.”

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<sup>2</sup> On this same date, it was received by the CEQA Clearinghouse.

<sup>3</sup> Executive Order N-54-20 (April 22, 2020).

<sup>4</sup> *Gilroy*, 140 Cal. App. 4<sup>th</sup> at 922-923.

<sup>5</sup> See attached, **Exhibit 1**, correspondence with the City Attorney.

<sup>6</sup> Proclamation of Local Emergency.

<http://www.sanramon.ca.gov/cms/One.aspx?portalId=10826130&pageId=16589465> (last accessed June 30, 2020)

- On March 19, 2020 Governor issues state-wide stay at home order.<sup>7</sup>
- “On March 24, 2020 the City Council adopted Resolution No. 2020-026 ratifying and confirming the proclamation by the Emergency Services Director” of March 17.<sup>8</sup>
- On April 6, 2020, the California Judicial Council adopted an emergency rule extending the statute of limitations to file a CEQA case by 90 days from when the State lifts the state of emergency related to the COVID-19 pandemic.
- On April 22, 2020, the Governor of California recognized that the COVID-19 pandemic and the necessary physical distancing measures implemented to combat it have had widespread impacts on state and local governments, California Native American Tribes, and on members of the public, making it impossible or impractical to adhere to certain statutory and regulatory deadlines and suspended for 60 days the time within which California Native American tribes must request consultation under CEQA and relaxed filing, posting, notice, and public access requirements of CEQA, but specifically did not suspend provisions governing the time for public review.<sup>9</sup> The order required outreach to entities known by the lead agency, responsible agency, or project applicant to be a party as contemplated in Public Resources Code sections 21100 et seq. and Code of Regulations, Title 14, sections 15000 et seq. and also encouraged lead and responsible agencies to “pursue additional methods of public notice and outreach as appropriate for particular projects and communities.”<sup>10</sup> It is not at all clear that any effective outreach was undertaken here.
- On Thursday, May 19, 2020:
  - The Governor issued Executive Order N-65-20 stating that “many state and federal agency offices have closed and shifted their workforce to remote locations as a result of public health requirements regarding physical distancing, limiting the public’s access to many state and federal agency offices” and therefore extended the time for Senate confirmations and suspended encumbrance and liquidation deadlines for funds it administered by the Energy Commission for 60 days, among other things.
  - Also on May 19, the City of San Ramon opened public comment on the Draft Environmental Impact Report for the City Walk Master Plan—at least for members of the public with access to the internet with all public internet access points closed—for fewer days even than required by statute in normal times.

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<sup>7</sup> See Executive Order N-33-20(available at: <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.19.20-attested-EO-N-33-20-COVID-19-HEALTH-ORDER.pdf> (last accessed June 30, 2020).

<sup>8</sup> Id.

<sup>9</sup> It is not clear that the Governor had the authority to waive statutory notice provisions of CEQA.

<sup>10</sup> Executive Order N-54-20 (April 22, 2020).

- On May 29, 2020, the California Judicial Council announced that statutes of limitations for civil causes of action that are 180 days or less, including CEQA lawsuits, would be suspended from April 6 to August 3—a four month tolling—due to COVID-19.
- On June 25, 2020, the City’s Permit Center reopened.
- On June 29, 2020, the City of San Ramon delayed scheduled reopening planned for July 1, 2020, because of a surge in COVID-19 cases in the County.
- July 2, 2020: Deadline to submit comments on the City Walk Project’s Draft EIR (44 days from its release).<sup>11</sup>
- For much of the May 19 to July 2 comment period “all city facilities” in the city of San Ramon were closed to the public.<sup>12</sup> While Planning Services announced procedures for accepting applications online, the office was closed for in-person visits.<sup>13</sup> On May 18, 2020, Contra Costa County issued its fourth<sup>14</sup> “social distancing order.” The order required all citizens to continue sheltering in place, to stop the spread of COVID-19.<sup>15</sup> The order “restrict[ed] most activity, travel, and governmental and business functions to essential needs.” While citizens leaving their homes for “essential government functions” were exempt from the order, this exemption applied primarily to government employees such as first responders and law enforcement. Failing to comply with this order subjects citizens to a fine, imprisonment, or both. San Ramon’s public libraries and city buildings were, and are, closed to the public.<sup>16</sup>

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Along with the Governor’s April 22 Order acknowledging Covid-19’s disruption of the normal CEQA process, the Governor’s Office of Planning and Research issued the following guidance: “CEQA establishes a floor and not a ceiling for public review and comment periods. Lead and responsible agencies may use their discretion to extend such time periods to allow for additional public review and comments.”<sup>17</sup> While extending the public comment period is discretionary, discretion cannot be abused. Longstanding case law holds that “[d]epriving the public of the full public comment period ‘thwart[s] the legislative intent underlying CEQA.’”<sup>18</sup> And the lead

<sup>11</sup> City of San Ramon, *supra* note 1.

<sup>12</sup> *Changes to City Services*, City of San Ramon, <http://www.sanramon.ca.gov/cms/One.aspx?portalId=10826130&pageId=16589382> (last visited Jun. 25, 2020).

<sup>13</sup> *Id.*

<sup>14</sup> Contra Costa county issued three previous social distancing orders on March 16, 2020, April 3, 2020, and April 29, 2020.

<sup>15</sup> Order of Health Officer No. HO-COVID19-14 (May 18, 2020), [https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/84606e\\_cb75bdc5e74364a182e80fba1381df.pdf](https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/84606e_cb75bdc5e74364a182e80fba1381df.pdf).

<sup>16</sup> *All Contra Costa County Libraries Closed Until Further Notice*, Contra Costa Cty. Library (Mar. 16, 2020), <https://ccclib.org/news/all-contra-costa-county-libraries-closing-until-further-notice/>.

<sup>17</sup> *CEQA: The California Environmental Quality Act*, Governor’s Office of Planning and Research, <https://opr.ca.gov/ceqa/> (last visited Jun. 25, 2020).

<sup>18</sup> *Gilroy Citizens for Responsible Planning v. City of Gilroy*, 140 Cal. App. 4th 911, 922 (2006) (citing *Ultramar, Inc. v. South Coast Air Quality Management Dist.*, 17 Cal. App. 4th 689, 700 (1993)).

agency must provide “adequate time for other public agencies and members of the public to review and comment.”<sup>19</sup> What is adequate in normal times is not adequate in the present situation.<sup>20</sup> Failing to consider comments from the public, is potentially a prejudicial error in the administrative process.<sup>21</sup>

Even if the Planning Commission provided the statutorily-required 45-day comment period—which it did not—providing the minimum comment period during a global pandemic in which the public risks fines for leaving their home is prejudicial. Not all residents of San Ramon, or potential residents of the low-income housing the plan shorts, have computers, or access to the internet. Many concerned citizens rely on their local libraries and in-person visits to governmental offices, both of which continue to be closed to the public.<sup>22</sup> These citizens are potentially “[d]epriv[ed] ... of the full public comment period,” and as such, the Planning Commission may be failing to consider critical comments. Especially considering the significance of the proposed project, an extended comment period is required to provide due process to the citizens of San Ramon.

Additionally, the comment period is used by citizens to organize and to gather expert opinions. The present social distancing orders make that much more difficult and potentially make it illegal for an expert to even perform a site inspection upon which an opinion could be based.

Finally, it is unclear other public agencies, many of which are on work from home of furloughed schedules, will be able to comment under the proposed schedule, or even if they have all received notice. Furloughed agencies may be unavailable even to request an extension of time, which will eliminate their opportunity to comment and protect important public interests.<sup>23</sup>

A major purpose of CEQA is the exchange of ideas so that the public and decision makers are maximally informed so that environmental damage can be avoided or significantly reduced.<sup>24</sup> Even under normal circumstances, the 45 days would have been insufficient for this project. The transportation impact study alone is 1,060 pages long. The DEIR, less appendices, is 676 pages long and incorporates by reference a decade and a half of dense planning documents. The Project itself is a master plan spanning 30 years of development right in the heart of the City. Rushing comments through in the middle of a pandemic on a project of this nature does not honor or achieve the objectives of CEQA.

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<sup>19</sup> 14 CCR § 15203.

<sup>20</sup> 14 CCR 15105(d) (allowing for extended comment period under “unusual circumstances.”)

<sup>21</sup> *Env'tl. Prot. Info. Ctr. v. Cal. Dep't of Forestry & Fire Prot.*, 44 Cal. 4th 459, 487 (2008).

<sup>22</sup> City of San Ramon, *supra* note 1.

<sup>23</sup> 14 CCR 15207.

<sup>24</sup> 14 C.C.R., § 15002, subd. (a).

**C. Extending the Public Comment Deadline does not require a “Hearing” as Defined by the Housing Crisis Act.**

In response to Mr. Blickenstaff’s repeated request for more comment time, he was told by the City Attorney that SB 330 (Housing Crisis Act of 2019) limited the ability of the Planning Commission to reschedule the illegal July 2 close of comments because it would require a public hearing to do so, and the project is nearing its limit of hearings. But no hearing is required to extend the comment period under CEQA, and the San Ramon Municipal Code authorizes subcommittees to set their own agendas, the process for which does not constitute a public meeting on the substance of the project. Setting an agenda is not a “public hearing in connection with the approval of that housing development project.”<sup>25</sup>

Further, SB 330 is part of the Housing Accountability Act (“HHA”), which does not preempt CEQA. CEQA review must occur first - and it takes as long as is necessary. Then the HAA period begins.<sup>26</sup> In *Shellingner v. Sebastopol* the court stated that “there is no indication the Legislature meant to modify or accelerate CEQA's procedures,” and the legislature has not changed the referenced language in Government Code section 65589.5, subdivision (e) explicitly stating that there is no legislative intention to “relieve the local agency from . . . complying with the California Environmental Quality Act.” The *Shellingner* Court held that the HAA’s timelines only start to apply after the CEQA review is completed. Therefore, none of the timelines in the HAA have even started to apply yet since the City has not yet certified a CEQA document for the Project. Once the SEIR is certified, *then* the timelines in the HAA begin to start. The court summed it up by saying:

It is probably a truism that since adoption of the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.1 (CEQA)) in 1970, every developer has at some point before construction starts ground his teeth or clenched her fists in frustration while enduring the often lengthy process leading to certification of an environmental impact report (EIR) for the proposed project. This appeal shows that frustration is not enough to justify premature judicial action that would short-circuit the decision-making process intended by CEQA.<sup>27</sup>

So, even if one were to consider setting an agenda to be a hearing, CEQA hearings are not limited by SB 330.<sup>28</sup>

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<sup>25</sup> Cal. Gov. Code, § 65905.5, subd. (a). A “hearing” is defined as “any public hearing, workshop, or similar meeting conducted by the city or county with respect to the housing development project.” Cal. Gov. Code, § 65905.5, subd. (b)(2).

<sup>26</sup> *Schellinger Bros. v. City of Sebastopol* (2009) 179 Cal. App. 4th 1245, 1261–62.

<sup>27</sup> *Id.* at 1249.

<sup>28</sup> The City apparently is misreading the law, and short-circuiting the CEQA process as a result. See **Exhibit 5** *San Ramon City Council to review state’s ‘Housing Crisis Act of 2019’*

**D. The Planning Commission did not Provide Adequate Notice of the Comment Period.**

It is not clear that the Governor had the authority to waive certain of CEQA’s notice requirements, including making the DEIR available at libraries, and posting notice only on-line. The US Supreme court has held that “an elementary and fundamental requirement of due process in any proceeding which is to be accorded finality is notice reasonably calculated, **under all the circumstances**, to apprise interested parties of the pendency of the action and afford them an opportunity to present their objections.”<sup>29</sup>

It should not be overlooked that some individuals may ultimately be blocked from the environmental review process altogether. As mentioned above, some individuals do not have internet access or computers, particularly with libraries and schools closed and social distancing orders (as well as fear of disease and death) prohibiting the use of a friend or family member’s computer. For these individuals, there is a danger that they received no notice of the comment period at all.

Citizens could purchase a CD containing a digital file of the EIR for \$15 or a printout for \$65. The CD was likely of little value to most without internet access. The website did not announce any procedures for low-income individuals to obtain a fee waiver. Low income-individuals without internet access had few options for meaningful participation in the public comment period. This disregard is consistent with the Project itself, which largely ignores the housing needs of future low-income employees at the Project.

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The City’s website also informed individuals that they could make an appointment to view the EIR in person at the otherwise closed permit center. The website announced that the 676-page EIR would be sanitized between viewings and that individuals would be required to wear masks and gloves. While many would understandably not be comfortable taking this sort of risk, *nor should they have to*, it is unclear that viewing the EIR in person could be done legally under the county’s social distancing order. In fact, the invitation seems to violate the county order.

**II. The Project fails to provide appropriate and adequate housing.**

The Project fails with regard to housing. The affordable housing created by the Project is insufficient to cover even the affordable housing needs the Project itself will generate, much less ameliorate the existing housing affordability crisis in the Bay Area generally or San Ramon specifically.<sup>30</sup> The Project does not meet the requirements of the SRGP, and further, does not meaningfully address the RHNA for the City (while using up land that could otherwise be developed for this purpose). In so doing, it also violates San Ramon Ordinance 487. This failure will exacerbate local and regional transportation congestion, increase pollution, and diminish

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<sup>29</sup> *Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950) (emphasis added).

<sup>30</sup> See **Exhibit 4** *San Ramon housing crisis prices teacher out* (Dec. 6, 2019).

quality of life. These harms will be borne most heavily by lower-income workers commuting to the project, but also by every resident who uses the roads of San Ramon or breathes its air.<sup>31</sup>

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**A. Project Fails to Provide Adequate Affordable Housing as Required by General Plan.**

The SRGP requires “commercial development to contribute the supply of workforce housing through new construction, partnerships with non-profit affordable housing providers, or payment of linkage fees; exempt mixed use development projects from this policy if they provide 25 percent affordable housing.”<sup>32</sup> The Project, which is mixed use, at buildout would allow for 4,500 residential units, of which only 15 percent (675) would be deed-restricted as affordable to low and very low-income households. Therefore, the project fails to provide 25 percent affordable housing, and so it must provide additional mitigation by increasing the share of affordable housing within the project substantially or by one of the other methods allowed by the SRGP, including linkage fees. The term linkage fees does not appear in the DEIR, so it appears that the Project is simply shorting inclusionary housing goals without mitigation.<sup>33</sup>

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It is not apparent that the Project will contribute to a commercial development *in lieu* fee for the housing demands its commercial component will add. The SRGP says that the “City will collect an in-lieu fee from commercial development on a case-by-case basis to expand affordable housing opportunities in the City.”<sup>34</sup> While the Project does include some affordable housing, it is the bare minimum required as part of the *housing* component. The units, therefore, should not be used to offset the environmental impact caused by the commuting employees needed for the operation of the *commercial* portions of the Project, especially since there was already an affordable housing deficit in San Ramon prior to the Project’s proposal.

This project will generate a need for substantial very low and low income housing. The EIR projects 200 hotel employees and 332 retail workers—many of which will be low wage jobs. The SR General Plan’s Implementing Policy number 11.1-I-5 calls for “maintain[ing] a variety of housing types that complements the employment opportunities within the community and encourages a jobs/housing balance. The EIR does not speculate as to what these employees’ housing needs will be. Surely, the average retail or hotel employee does not make sufficient income to afford purchasing a home in San Ramon.<sup>35</sup> ZipRecruiter reports for hotel staff:

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<sup>31</sup> See **Exhibit 2** *Bay Area super-commuting growing: Here’s where it’s the worst.* (Sept. 11, 2019); **Exhibit 3** *In East Bay county of super-commuters, will a new tax tame fearsome traffic?* (Feb. 21, 2019) (discussing transit woes of County and environmentalist despair at ability to rectify. Many of these voices may not have been heard on this Project which will span 30 years, for which VMT has not been performed, except “informationally”, because of the failure to adequately circulate the DEIR).

<sup>32</sup> SRGP 11-92, 11.1-I-18.

<sup>33</sup> San Ramon Municipal Code Title C, § C4-178 (defining requirement to address the issue early in the planning process)

<sup>34</sup> SRGP 11-88.

<sup>35</sup> Zillow estimates that the average price of a home in San Ramon is \$1,296,460. *San Ramon Home Prices and values*, Zillow, <https://www.zillow.com/san-ramon-ca/home-values/> (last visited Jun. 28, 2020).

annual salaries as high as \$393,734 and as low as \$15,238, the majority of salaries within the Hotel Staff jobs category currently range between \$18,678 (25th percentile) to \$29,493 (75th percentile) in California. The average pay range for a Hotel Staff job varies modestly (up to \$10,815), which suggests there may be fewer opportunities for advancement based on skill level, but increased pay based on location and years of experience is still possible.<sup>36</sup>

ZipRecruiter reports similar data for retail sales:

While ZipRecruiter is seeing annual salaries as high as \$30,477 and as low as \$14,255, the majority of Retail Salesperson salaries currently range between \$18,678 (25th percentile) to \$24,577 (75th percentile) in California. The average pay range for a Retail Salesperson varies little (about \$5,899), which suggests that regardless of location, there are not many opportunities for increased pay or advancement, even with several years of experience.<sup>37</sup>

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Given these wages, it is unclear these employees will even be able to afford the few affordable housing units created, as “affordability” will be based on the area’s median income.<sup>38</sup> A single individual making \$73,000 a year in Contra-Costa county is considered “low-income.”<sup>39</sup> A family of four need only make less than \$104,400 to be considered low-income.<sup>40</sup> The “affordable” housing created will be affordable to these populations—far more than the income achievable on the wages of most hotel and retail workers. As such, the proposal, which builds out the City to the anticipated population over the next few decades, fails to comply with the SRGP.

**B. Approval of the Project Ignores San Ramon’s RHNA Commitment.**

San Ramon is generally behind in its commitment to provide affordable housing, particularly for the lowest income need. San Ramon’s Regional Housing Needs Allocation (RHNA) for the 5<sup>th</sup> Cycle (2015-2023) is a total of 1,417 units. This need breaks down to: 516 very low-income units, 279 low-income units, 282 moderate-income units, and 340 above moderate units.

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<sup>36</sup> See **Exhibit 6.** <https://www.ziprecruiter.com/Salaries/How-Much-Does-a-Hotel-Staff-Make-a-Year--in-California> (last accessed June 29, 2020).

<sup>37</sup> See **Exhibit 7.** <https://www.ziprecruiter.com/Salaries/How-Much-Does-a-Retail-Salesperson-Make-a-Year--in-California> (last accessed June 29, 2020).

<sup>38</sup> San Ramon Municipal Code Title C, § C4-176 (establishing that “affordable ownership cost” and “affordable rent” are determined by the “area median income” as defined by 25 CCR, § 6932).

<sup>39</sup> 25 CCR, § 6932.

<sup>40</sup> Id.



Through 2017, San Ramon issued building permits for only 4, 29, and 58 percent of very low, low, and moderate-income units respectively.<sup>41</sup>

At the same time, San Ramon has approved 350% of above moderate units of its allocation.<sup>42</sup> The affordable housing need is clear. Nevertheless, the Project fails to catch San Ramon up, further contributing to the imbalance of luxury units available in the City.

San Ramon’s population is currently 83,118. At build out the project is projected to add 13,369 people, bringing the population to 96,479, which exceeds the General Plan’s estimate of 96,179 for 2035. (SRGP 3.12-6) Thus, the City is functionally committing to a severe affordable housing deficit to the horizon of its own and the ABAG’s projected population growth. Not only does this run afoul of the intention of the RHNA, it will contribute to regional pollution and segregation.

**III. The Project will have a Negative Impact on Traffic**

**A. The City Should Not be Approving Three Decades of Car-Dependent Development**

The Project is car dependent, in stark contradiction to the City’s repeated planning goals for over a decade and the SRGP. Around 10,000 new residents will result in roughly 100,000 extra daily car trips—an estimated 10 trips per new resident. This will be in a location that does not have a mass transit hub, like BART access through a neighboring BART Station. The predictable outcome will be an expansion of the negative traffic impacts as much of the daily car trips will, in fact, be driving out of the area – in lieu of mass transit connections, and a limited local spectrum of jobs availability. Full evaluation of negative impacts on all key City arterials, streets and intersections, as well as impacts on I-680 must be done as a precursor to presenting, full and necessary mitigations. Conversely, the DEIR will need to fully evaluate and present a likely situation where full mitigation costs are so expensive and unrealistic as to leave unresolved an array of significant negative traffic impacts.

The EIR acknowledges, but does not adequately mitigate for, the fact that the project imposes “irreversible environmental changes” on San Ramon in the form of “ increase in local and regional vehicular traffic, and the resultant increase in air pollutants, greenhouse gas emissions, and noise generated by this traffic.” (DEIR 6-4) The project’s car dependence is manifested by its inclusion of an additional 10,397 parking spaces (2.3.6). It acknowledges an astonishing 22.3 million anticipated annual vehicle miles traveled and consumption annually of 597,961 gallons of gasoline and diesel combined. (DEIR 3.5.12) Indeed, while the City states an intent to create a more walkable-local downtown, planners are simultaneously considering this car-centric development and approval of a 32-pump gas station nearby (the cumulative impact of which should have been discussed in this DEIR, but is missing from the listed cumulative projects in section 4). Further, the Project discusses its proximity to I-680 (EIR 3.5-13) suggesting that in

<sup>41</sup> See San Ramon Municipal Code Title C, § C4-175.D (acknowledging failure to meet regional goals, especially on very low-income housing), and Id. at E (acknowledging *loss* of existing affordable units as agreements expire)

<sup>42</sup> San Ramon Housing Advisory Committee Staff Report (January 24, 2019); General Plan 11.2; EIR 3.12-3.

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reality the Project build out will not create walkable mixed use but will instead further entrench car-dependent development. The City needs to revisit options to decrease, not facilitate, car-centric development to bring this Project in alignment with the SRGP.<sup>43</sup>

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**B. Transit is inadequate.**

The Project suggests that the residents of the proposed overwhelmingly high-end housing will be willing to stand on the side of multi-lane roads for up to 30 minutes to wait for a bus.<sup>44</sup> This is not a realistic expectation, and is probably reason that the heart and centerpiece of the development is a collection of parking garages.

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**C. Should Use Vehicle Miles Traveled to Evaluate Project**

The purpose of a Master EIR, including this one, is to offer continuity of planning to “influence the design and location of individual projects.” Effective July 1, 2020, pursuant to SB 743, projects are supposed to be evaluated using vehicle miles traveled to assess their impacts on quality of life, transportation, and climate change. Here, the analysis relied upon the outdated Highway Capacity Manual (HCM) methodology instead of VMT.<sup>45</sup> This choice encourages build out of roads instead of minimization of vehicle reliance and pollution and should be rejected in favor of a VMT analysis. CalTrans urged this approach in its scoping letter, and it is unclear why the City chose to use VMT for informational purposes only. In short, this DEIR was out of date for purposes of a Master EIR as of July 1, 2020, before a single individual project is proposed.<sup>46</sup> It will force the City to reinforce an out of date planning model in approval of future projects that is wholly unacceptable.

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CEQA law would dictate this available tool—VMT--must be used because it would have addressed the climate impacts of this project (even incremental impacts must be considered by law), the local and regional pollution driven by this project, would have potentially righted some of the housing affordability problems caused by this project, and would potentially direct decades worth of resources to more sustainable development. None of this was addressed, as the drafters relied upon the HCM. But this is absurd. CalTrans will be using VMT going forward and failing to acknowledge that and harmonize the planning tools and evaluation framework for the development of thousands of units in the middle of a city near a failing interstate exit is not good planning.

<sup>43</sup> Indeed, when Caltrans commented on the CCFSEIR to which this DEIR purports to tier, it noted that multi-lane roads and segregated development (commercial and residential set apart) would make the project difficult to access without use of a car. Comments from CalTrans (Oct. 9, 2007).

<sup>44</sup> DEIR 3.14.3. And this is with headways the Project admits are over 15 minutes and so not conducive to ending car reliance. See Appendix J, p. 12.

<sup>45</sup> DEIR 3.14-16.

<sup>46</sup> The Project has one VMT table on page 14 of Appendix G which discusses VMT mitigated and unmitigated but does not indicate what the mitigations are, and no analysis is provided. Mitigation in Appendix J focuses on signal improvement and freeway access—so presumably out of date LOS analysis. This locks the City into building infrastructure for a model that is being abandoned by the State in order to meet critical environmental goals.

While the Project documents do not provide VMT analysis results,<sup>47</sup> many unsupported representations are made about what the results of a hypothetical VMT analysis would be. For example, on page 95 of Appendix J, the statement is made that “The Project characteristics (e.g., its location, proximity to transit, access to other nearby destinations, pedestrian connections, bicycle amenities, etc.) would encourage non-auto modes of transportation such as walking, bicycling, carpool, vanpool, transit, etc. and would, therefore, reduce VMT to/from the Project Site.” The simultaneous discussion of a 32-pump gas station, the adequacy of the CalTrans ramps, and the build out of multiple parking garages belies this statement which is apparently fluff. What is needed is a definitive statement, backed with analysis, whether the Project would result in a reduction of per capita vehicle miles traveled by 15%, whether it causes a doubling of waling and transit and a tripling of bike trips. It certainly should not drive the exiting trend towards super commuters in Contra Costa County. This analysis is critical to considering the environmental impacts of this Project and the impact on the build out of the individual projects that may tier to it.

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Although the Project alone will cause forecast population to be exceeded, additional projects are planned (e.g., Crow Canyon, new huge gas station). It is unclear whether the cumulative impact of these multiple projects has been considered. It must be to obtain an accurate understanding of the transportation impacts of the Project. Further, those projects may be impacted by the failure of this project to analyze its impacts with VMT.

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Counsel for Mr. Blickenstaff sought expert assistance on this issue but was unable to procure it under the limited time restraints and global pandemic response, and the unavailability of an engineer to review on short notice at the rollout time of SB 743.

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The Project fails to incorporate all of the vehicle trip reduction measures suggested by CalTrans in its September 13, 2019, letter.<sup>48</sup>

A true VMT-consistent alternative should have been analyzed.

#### **IV. The parks dedication is woefully insufficient**

San Ramon’s General Plan calls for “a ratio of 6.5 acres of public park per 1,000 residents, with a goal to have park and recreation facilities within one-half mile of all residences.”<sup>49</sup> Of this, 4.5 acres should be neighborhood and school parks and 2.0 acres per 1,000 residents should be for community parks and specialized recreation.<sup>50</sup> Neighborhood parks are to serve the population within a half mile radius of the park, which should be at least two acres in size.<sup>51</sup>

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<sup>47</sup> Reference is made to VMT analysis in Appendix G, the term VMT does not appear anywhere in that Appendix.

<sup>48</sup> See Appendix A, p. 35.

<sup>49</sup> SRGP 11-45.

<sup>50</sup> SRGP 6.1.

<sup>51</sup> SRGP 6.2.

The Project will add an estimated 13,365 persons at full build out.<sup>52</sup> This increase in population increases the required public park acreage under the General Plan by 86.9 acres. Yet the proposed project includes a mere 7.4 acres of parkland.<sup>53</sup> Since the Project purports to try to produce a walkable lifestyle, it is not acceptable to take a park dedication fee in lieu of actually providing outdoor space within close proximity to existing as well as future residents of the center of the City, in District 1, which already has a low number of parks relative to the rest of the City, and this Project will consume current open space, making acquisition in this District more difficult in the future.

It is not acceptable that the developer not include parkland in its planning of this sort of project and the public should not bear the cost of having to provide the parkland that this new residential development requires under the SRGP. This proposal continues a trend, contrary to San Ramon Municipal Code C4-131, to fail to require developers to internalize the cost of meeting the parkland needs generated by their development.<sup>54</sup> City Staff has already acknowledged that historically land dedicated as parks mitigation for City approved developments has averaged about 1 ½ acres under the General Plan standards.

Further, in developing a master development plan for the City center, it is not acceptable that specific parkland acquisition is not considered.

The Project might purchase land adjacent to the new Mudd’s Community Park to meet the SRGP’s parkland objectives generated by this Project.

Again, the DEIR will need to detail mitigations and actions that achieve those park set aside requirements. An example of one possible mitigation site for, at least, partial compliance with G. P. Community Parks obligations, may be acreage purchases adjacent to the new Mudd’s Community Park. New Neighborhood Parks acreage needed to alleviate the impacts of up to 10,000 new residents, should be within, or as adjacent as possible, to Site boundaries, and new Park acreage set asides—should not include similar acreage already in place, that was a—as an amenity or mitigation incorporated in an earlier City approved project. Such as: the 2 (man-made) lakes near, or within, the proposed development area.

---

<sup>52</sup> DEIR 3.12-6.

<sup>53</sup> The project states an increase in parks of 40.7 acres, but of this only 7.4 acres is “parkland.” (2.3.7) The breakdown is only 1.1 acres in BR 1A, 0.6 acres in BR 3A, 5.7 acres in BR 2600 (apparently the all-weather bicycle/pedestrian path). The remainder of the parkland is actually something called “linear parkways” the accessibility and function of which as parks is unclear. This needs to be clarified since curb strips or medians are not really parkland at all.

An example of an approved plan more compliant with the General Plan--the Faria Project off Crow Canyon--set aside 12 acres for parks, for a 740 unit project --or, for roughly 2,100 new residents. As presented by the applicant/developer this “City Center Master Plan”--at 4500 units [6 times the number of Faria units].

<sup>54</sup> “It is the intent and purpose of the city to protect and promote the public health, safety and welfare by designing, constructing, and installing park facilities and trails necessitated by new development in the city. Furthermore, it is the intent and purpose of the city that landowners undertaking new development pay the costs of the park facilities and that such costs shall not be and shall not become a responsibility of the city’s general fund.” San Ramon Municipal Code § C4-131.

16  
Cont.

**V. Failure to Mitigate for Visual Blight**

We need further examination, under the DEIR as to compliance with building height limit requirements. It has generally been 5 stories, or in certain circumstances, up to 83 feet. This needs to be fully detailed as to proper compliance – or mitigation steps presented that bring the Plan into full compliance. Regardless, the actual maximum height of the various buildings planned will have an obvious negative impact on the viewshed. Several before and after (build out) visual impact renditions will need to be done from the numerous impacted streets and other key viewpoints to appreciate the negative visual impacts, and the challenges facing mitigation proposals that can reduce it to less than significant.

17

The DEIR does not effectively evaluate the impact of the buildout on views of regional landmark, Mt. Diablo.

**VI. Water**

While within East Bay MUD’s U. S. B., it will be important to engage with EBMUD to understand, and appreciate, actual negative impacts on their limited water supply, and possibly on their customer base. By some estimates, California, and the whole Western United States, is in the midst of a megadrought.<sup>55</sup> The upshot is that current planning documents are very likely to be built upon unreasonably generous expectations for rainfall and snowfall.

18

**VII. Police**

The SRGP requires that new developers be encouraged to participate in crime prevention programs, but there is no discussion of this in the EIR.<sup>56</sup> City police services will be seriously impacted by an additional ten thousand new residents. Incidents of crime may significantly increase. What mitigations would be needed to fully compensate for that impact?

19

**VIII. No Natural Gas in Units to Facilitate Transition to Renewable Energy Sources**

The SRGP includes Policy 11.5-G-4: “Promote energy conserving practices in the location, construction, renovation and maintenance of San Ramon’s housing units.” The EIR references MM AIR -2g which commitment to all-electric development for residential components and says “no natural gas equipment would be used in residential development.” (EIR 3.5-12) This commitment should be ensured and expanded to the commercial parts of the development.

20

**IX. Fiscal Responsibility/Cost of Mitigation**

Lastly, as can best be determined, a dollar cost value should be assigned to each mitigation proposal in each environmental impact category. The DEIR will need to clarify to what extent

21

<sup>55</sup> See attached, **Exhibit** Error! Main Document Only.: Paul Rogers, *Historic ‘megadrought’ Underway in California, American West, new study finds*, The Mercury News (Apr. 16, 2020) (available at <https://www.mercurynews.com/2020/04/16/megadrought-underway-in-california-american-west-new-study-finds/>).

<sup>56</sup> SRGP 11-93, 11.1-I-26.

the ultimate cost is not born by the developer/proponent, or otherwise “externalized” by the developer – and any resulting monetary shortfall that would then become the burden of the City and its General Fund, or other City taxpayer supported funds, or other jurisdictions, and their customer based funding sources -- such as East Bay MUD, or the local School District? Often, a typical situation arises where the developer/proponent significantly underfunds full and necessary mitigation(s) needed to minimize the various serious and negative impacts stemming from the 1,000’s of new people their development plan will bring into San Ramon. Just as often, other/City/secondary sources will not, or cannot, supplement and otherwise fully augment the funding gap. Therefore the DEIR will also need to analysis each case where that occurs – the degree to which it occurs - and the consequential increase in negative impacts for each instance.

21  
Cont.

**X. Failure to Consider the Incremental and Cumulative Impact**

Importantly, *this is not the only project planned, or even approved for the next 15 years in San Ramon*, yet it alone would cause exceedance of planned population growth. The impacts of exceeding the maximum population of the SRGP (and ABAG) must be considered, including on Green House Gas, other pollution, schools, police, park availability, affordable housing, transit, etc. In short, approval of this Master Plan along with others in process would functionally amend the SRGP without proper process.

22

**A. Green house gas impacts insufficiently analyzed.**

There is insufficient discussion of green house gas emissions. The IPCC has determined that climate change is upon us. The Project applicant should be required to conduct a real VMT analysis, or other wise address head on the impact of the Project, cumulative with other projects of a similar nature (and especially those that calcify the old LOS traffic analysis).

23

**B. Project should not tier to out-of-date CEQA documents**

The Project cannot properly tier to or amend the nearly 14-year-old CCSPEIR (2007) as much has changed significantly since 2006. These changes include those in the following, non-exhaustive list:

- The threat and impacts of climate change are better understood and we now are feeling the effects directly. In particular, the wildfire vulnerability of our community is much more obvious now than it was in 2006.
- We are contending with a pandemic of unknown duration that is fundamentally changing how we socialize and work in ways not conceivable in 2006. It is generally understood that people should gather only outside as much as possible, and telecommuting and conferencing is rapidly becoming the norm. Office layout, floorplans, and space needs will be impacted for the foreseeable future.
- The pandemic is impacting the willingness to use regional public transit, further enhancing the need to make the project walkable and to provide close-in workforce housing affordable to the people who are likely to work at the commercial units that are part of the project and existing in the community.

24

Comments on CityWalk Master Plan  
July 2, 2020  
Page 17 of 17

- The concept of retail has changed—even before the pandemic—with far more transactions occurring on-line and by direct delivery to the consumer than in 2006.
- The housing market is being impacted by both the drive to provide affordable housing and the impacts of the pandemic on housing demand and distribution.

24  
Cont.

In short, tiering to a decade and a half old environmental analysis is inappropriate.

Please contact me if you have any questions or concerns or desire further discussion of this matter.

25

Sincerely,



Rachel Doughty  
Attorney for James Blickenstaff



Rachel Doughty &lt;rdoughty@greenfirelaw.com&gt;

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## Request to Add Item to City Council Agenda

---

Rachel Doughty <rdoughty@greenfirelaw.com>  
To: "Lysons, Martin" <mlysons@sanramon.ca.gov>  
Cc: "City Attorney (public)" <cityattorney@sanramon.ca.gov>

Thu, Jul 2, 2020 at 10:08 AM

Hi Martin,

Are comments due today, or will there be an extension?

Rachel



Rachel S. Doughty, Esq.  
2550 Ninth Street, Ste. 204B  
Berkeley, CA 94710  
T: 510.900.9502 x 2  
F: 510.900.9502  
[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)

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On Fri, Jun 26, 2020 at 8:56 PM Rachel Doughty <rdoughty@greenfirelaw.com> wrote:

Hi Martin,

Thank you for your response to my email. It is unfortunate that the Commission cannot be more flexible on this point. Upon further review, I discovered that the May 19 through July 2 public comment period is actually a forty-four-day comment period. It is my client's position that a forty-four-day comment period, while generally unacceptable, is clearly insufficient amidst the global pandemic, especially considering the county's shelter in place orders which limit the public's participation in the administrative process.

My office will be submitting a formal comment to the commission raising this issue and several others. I will be sure to send you a copy. We hope the Commission can increase the public comment period to ensure full public participation.

Rachel

On Fri, Jun 26, 2020 at 3:49 PM Lysons, Martin <mlysons@sanramon.ca.gov> wrote:

Hi Rachel, I'm sorry to just be getting to this now. I do not recall promising to forward your request to the Planning Commission members. I do recall saying that I could do so, but that you could just as easily send me an email request and copy each commission member yourself. If that is not your understanding of how we left it, I



apologize. I am happy to convey your concerns to the Commission. But as we discussed, the Commission already considered extending the deadline in a noticed public hearing and declined to do so. It cannot now reverse its previous decision, except in another noticed public hearing. The next scheduled meeting of the Planning Commission is July 7, which is already past the July 2 close of comments. At this stage (and at the time of our conversation), consideration of extending the comment period would have to be at a special meeting. Aside from being impossible to notice such a meeting in time to meet the deadline, such a hearing would also count against the limited number of public hearings allowed under SB 330. Given that SB 330 already limits the public's right to a voice in this matter, a special meeting for this purpose would do more harm than good.

In any event, as we further discussed, the consequences of the Commission's decision to stay with the statutory 45-day deadline are limited. The City will not (and can not) reject comments submitted after the deadline and will take pains to include responses to such late comments in the FEIR. Any further comments received that are either too long or submitted too late for inclusion in the FEIR will still be provided to the Planning Commission for their consideration.

I hope this helps. If you have any questions or further comments, please feel free to call or email me.

Martin



**Martin Lysons**

City Attorney | City of San Ramon

7000 Bollinger Canyon Road | San Ramon, CA 94583

(925) 973-2549

Email: [mlysons@sanramon.ca.gov](mailto:mlysons@sanramon.ca.gov)

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**From:** Rachel Doughty <[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)>

**Sent:** Thursday, June 25, 2020 11:56 AM

**To:** Lysons, Martin <[mlysons@sanramon.ca.gov](mailto:mlysons@sanramon.ca.gov)>; City Attorney (public) <[cityattorney@sanramon.ca.gov](mailto:cityattorney@sanramon.ca.gov)>

**Subject:** Re: Request to Add Item to City Council Agenda

Hi Martin,

It was nice speaking with you on the 23rd. I am writing to confirm that you forwarded my request to extend the comment period on the City Walk Project to the Planning Commission members, as you had said you would, and to inquire as to whether you anticipate that request will be granted.

Warm regards,

Rachel



Rachel S. Doughty, Esq.  
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[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)

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On Fri, Jun 19, 2020 at 3:33 PM Rachel Doughty <[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)> wrote:

Hi Martin,

I am forwarding my request made to the City Council yesterday to direct extension of the comment period on the City Walk project. I see that the requested item was not added to the agenda. However the concern still remains. Is there any way to persuade the Planning Staff and Commission that it would be better, or at least no harm would be done, by affording the public additional time to comment on this project? It is difficult to review the voluminous record and consider the retention of appropriate experts for potential comment in the limited time given and under the current unusual circumstances, impeding the ability of the public to fully engage and participate.

I attempted to call you earlier, and left a message. Please do not hesitate to call me if a discussion would be helpful.

Warm regards,

Rachel

PS: Which of your email addresses is preferred?



Rachel S. Doughty, Esq.  
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[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)

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----- Forwarded message -----

From: **Rachel Doughty** <[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)>  
Date: Thu, Jun 18, 2020 at 2:00 PM  
Subject: Request to Add Item to City Council Agenda  
To: <[citycouncil@sanramon.ca.gov](mailto:citycouncil@sanramon.ca.gov)>, Martin Lysons <[cityattorney@sanramon.ca.gov](mailto:cityattorney@sanramon.ca.gov)>

Dear Mayor Clarkson and Members of the City Council:

I write to request that you place on agenda for the next City Council meeting a line item proposing direction to the City's Planning Commission that it provide additional time to the public to comment on the [Draft Environmental Impact Report for the City Walk Master Plan](http://www.sanramon.ca.gov/news/hot_topics/city_center_mixed_use_master_plan). ([http://www.sanramon.ca.gov/news/hot\\_topics/city\\_center\\_mixed\\_use\\_master\\_plan](http://www.sanramon.ca.gov/news/hot_topics/city_center_mixed_use_master_plan))

The DEIR was released on May 19, 2020, while the county was under a Shelter at Home order which restricted "government and business functions to essential needs." This remains the case, presenting a logistical hurdle to participation and dissemination of information as well as a due process concern.

At present, and despite restrictions on movement and gathering that limit public engagement and debate, the Planning Commission is moving forward on the most accelerated possible timeline on a project that will dictate the future of development in the heart of San Ramon for nearly three decades. The Planning Commission has been requested to provide the extension beyond July 2, and has declined to do so.

Please let me know whether this item will be agendized for your June 23<sup>rd</sup> Meeting.

Warm regards,

Rachel Doughty



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## Bay Area super-commuting growing: Here's where it's the worst

Alameda, Contra Costa counties continue to lead the way in the worst Bay Area commutes



HAYWARD, CA – JULY 2: Traffic moves northbound on Interstate 880 in Hayward, Calif., on Tuesday, July 2, 2019. (Nhat V. Meyer/Bay Area News Group)

By **ERIN BALDASSARI** | Bay Area News Group



On a good day with no glitches, Lauren Hopfenbeck spends an hour and a half getting to work in San Francisco, but [she's not coming from some far-flung Central Valley city](#).

She lives in San Leandro.

Hopfenbeck, a Bay Area native, is one of an increasing number of super-commuters — people whose journey to and from work takes 90 minutes or more in each direction — whose trips originate in the Bay Area, as opposed to [those who come from Sacramento, the Central Valley and beyond](#), according to two studies released last month detailing the changing nature of work and school-related travel in the region.

Hopfenbeck said part of the reason for her long commute is that she recently changed offices and now transfers from BART to MUNI to complete her trip. Getting on MUNI adds significant time, she said.

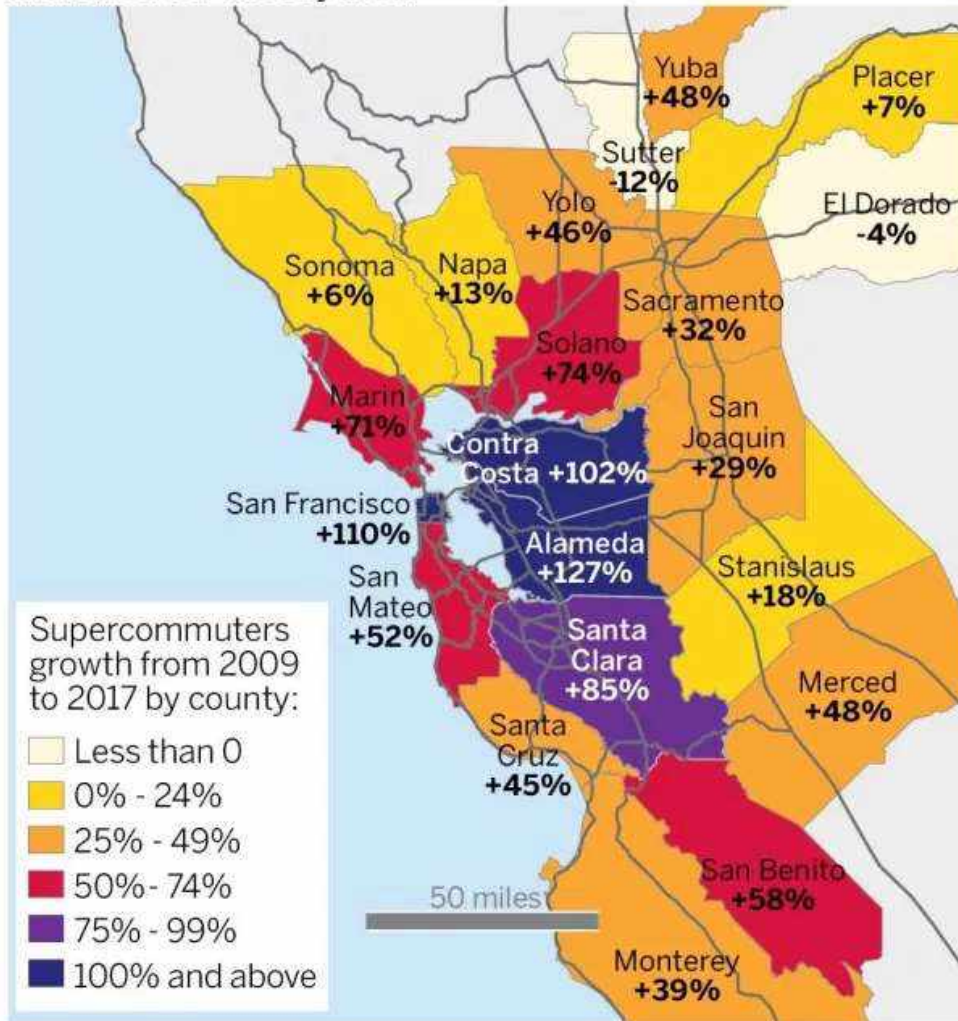
“BART is a lot more efficient than MUNI is,” Hopfenbeck said. “And traffic is terrible. It takes a lot longer than it used to to drive into the city from the East Bay, and driving takes longer than it does to take BART now.”





### SUPERCOMMUTER BOOM

The number of people with commutes of 90 minutes or more is not just an out-of-town phenomenon; the increase of traffic congestion has made supercommuters of those who live in the heart of the Bay Area.



Source: Apartment List

BAY AREA NEWS GROUP

More people switching to transit might explain the growth in super-commuting found in a recent study by Apartment List, said the study's author, Chris Salviati. The real estate website analyzed U.S. Census data and found the share of workers enduring one-way commutes of 90-minutes or more in Alameda County grew by 126 percent from 2009 to 2017. That was more than any other county in the Bay Area or in the Northern California Megaregion — a [term coined by the Bay Area Council](#) to describe a 21-county region, including the Bay Area's nine counties, that are beginning to behave as one coordinated economy.



In the [Apartment List analysis](#), the share of super-commuters from San Francisco County more than doubled, rising 110 percent, and grew 102 percent in Contra Costa County. In Santa Clara County, the share of super-commuters grew 84.5 percent and in San Mateo County, 52 percent.

“It’s not surprising, but the extent of it is a little startling,” said Bay Area Council president and CEO Jim Wunderman. “It’s a trend we’ve been seeing for a while, and you can feel it on BART, you can feel it on the roads.”

The share of super-commuters as a proportion of the total workforce is still highest outside the Bay Area, with 8.8 percent of all workers in San Joaquin County braving “super” long treks to work and back, the largest percentage in the Northern California Megaregion. San Benito County is not far behind, with 8 percent of its workers traveling 90 minutes or more, followed by Merced and Contra Costa counties, with 7.8 percent each.

The growing share of Contra Costa County super commuters corresponds with a [separate study](#), also released last month, by the real estate website CommercialCafe. It found that Antioch was essentially a city of super commuters, with residents’ commutes taking an average of 92.2 minutes, up from 73 minutes in 2008, according to Census data the company analyzed for cities with populations of 65,000 or greater. The trend is indicative of a strong economy, said study author Robert Demeter.

Vallejo trailed Antioch for the longest commute, with average commute times of 72 minutes, followed by Richmond and Pleasanton, where residents reported spending 70 minutes traveling to and from work, according to the study. But residents of San Leandro saw the largest increase in the time they spent commuting, with travel times rising 29 percent from 51 minutes to 66 minutes between 2008 and 2017.

“As the tech industry boomed on the West Coast, commutes grew longer,” Demeter said. “It’s a sacrifice you have to make if you want a better job or if you don’t want to live in the middle of the city.”

Or if you can’t afford it, said Andrea Aguirre. The former Pleasant Hill resident bought a house with her husband in Antioch three years ago. She now commutes two hours in each direction to get to her job in San Francisco.

“It’s just cheaper to live out here,” she said. “But it sucks that it’s a further commute.”







Commuter traffic travels along Highway 4 next to a BART train in Antioch, Calif., on Wednesday, Sept. 4, 2019. (Doug Duran/Bay Area News Group)

Spending four hours on trains and buses each day takes a toll, she said.

“It’s a lot harder to make time for myself,” Aguirre said. “I don’t have time to exercise or cook meals as often as I would like. So it’s a lot of eating out, which also costs more.”

For many, living further away is a necessity. San Ramon resident Florentino Menor spent decades living and working just a few miles from his job in downtown San Jose. But he was planning to retire and wanted the security of owning his own home. So he moved to San Ramon, where he could find a home he could afford, he said.

“You cannot have it all,” Menor said. “Yes, it’s more affordable, but what’s the trade-off? Traffic.”





Traffic is photographed along west bound 84 on the approach to the Dumbarton Bridge on Wednesday, Feb. 26, 2019 in Fremont, Calif. (Aric Crabb/Bay Area News Group) Aric Crabb/Staff archives

From 2010 to 2017, traffic congestion — defined as motorists slogging along the freeway at speeds of 35 miles an hour or slower — [grew 80 percent](#), according to the Metropolitan Transportation Commission. Across the Bay Area, 64.5 percent of commuters were still driving alone to work in 2016, the last year for which data was available. That’s a slight decrease from 2010, when 67.5 percent drove alone, according to the commission.

It also doesn’t help that the geography of the Bay Area lends itself to traffic bottlenecks at bridge crossings and makes it harder for transit to be as efficient as it could be, said Arielle Fleisher, the transportation policy director for SPUR, an urban planning think-tank. Nor does it help that buses, which have the potential to move people a lot more efficiently than driving or carpooling, also get stuck in traffic.

With a third of all workers crossing county lines to get to and from work, Fleisher said the Bay Area needs to think more regionally when it comes to designing and managing its public transit systems if it wants to shorten workers’ commute times. The movement toward more toll lanes, which would help enable a truly regional express bus network by speeding the path of buses, is encouraging, she said.

“We want people to be able to not have to spend hours of their lives on a car or train and to be involved in their communities,” Fleisher said. “So to the extent we could make it easier for people to get to where they need to go, then those numbers around super-commuting will come down, and that’s a good thing.”



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### Erin Baldassari | Transportation reporter

Erin Baldassari covers transportation, the Bay Area's housing shortage and breaking news. She served on the East Bay Times' 2017 Pulitzer Prize winning team for its coverage of the Ghost Ship fire. But most of all, she cares deeply about local news and hopes you do, too. If you'd like to support local journalism, please subscribe today.



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## In East Bay county of super-commuters, will a new tax tame fearsome traffic?



Critics say Measure J 'greenwashing' more of same; backers oppose many specific commitments

By **NICO SAVIDGE** | [nsavidge@bayareanewsgroup.com](mailto:nsavidge@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: February 19, 2020 at 6:30 a.m. | UPDATED: February 21, 2020 at 1:58 p.m.

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CONCORD — When Contra Costa County officials brought a half-cent sales tax increase before traffic-weary voters in 2016, they pledged to spend most of the money it would raise on road maintenance and improvements to freeways and streets. Environmental groups and advocates for public transportation balked at the idea of spending so much on infrastructure for cars, and the measure narrowly failed.

Now the county's leaders are back with another request to raise sales taxes for transportation by half a cent on the March 3 ballot. But this time around, plans call for spending slightly more than half of Measure J's expected \$3.6 billion in revenues on public transit, bike, pedestrian and other projects not meant for the automobile. To supporters, this is a sign of changing priorities in the car-centric suburbs.



“We want to provide you with more options than just your car,” Contra Costa Transportation Authority Executive Director Randy Iwasaki said.

The 2016 tax “had too much for roads, it had too much for highways,” said Hayley Currier, a policy advocacy manager with the transit advocacy group TransForm who previously worked with the environmental organization Greenbelt Alliance. Both groups [declined](#) to [endorse](#) the 2016 measure and are now backing Measure J.

“It’s a substantially better measure,” Currier said. “We’re fighting against 70 years of the wrong kind of investment, but now is the time.”

Many new residents moving to Contra Costa County are drawn or pushed to its suburbs from the Bay Area’s expensive, crowded core. But they have found those backyards and more affordable homes often come with a catch: Mind-numbing commutes down choked freeways to job centers across the bay in San Francisco, Silicon Valley and the North Bay and a spotty public transportation network beyond the backbone of the BART system.

The number of county residents enduring “super-commutes” of 90 minutes or more each way doubled between 2009 and 2017, [according to one study](#). So whereas transportation taxes approved in the past paid to widen Highway 4 or build a fourth bore to carry more cars through the Caldecott Tunnel, the campaign for Measure J centers on buses, trains, ferries and bicycles.

Contra Costa is one of three suburban counties where taxes for mass transit will be on the ballot this spring. Residents in Marin and Sonoma counties are also set to vote on extending the sales tax that funds the fledgling North Bay railroad SMART. The success or failure of the measures could help predict how well a separate Bay Area-wide “mega measure” campaign to raise sales taxes for transportation projects will be received in November.

But a coalition of critics see the Contra Costa County measure’s pledge to spend more on public transit as nothing more than a sales pitch. Some are put off by increasing taxes, noting that Measure J’s increase would effectively double how much residents pay for transportation because it overlaps with a previous tax measure. Others question whether the county is really trying to reduce its car dependence.

“There is very little in the measure that actually makes commitments,” said David Schonbrunn, president of the Transportation Solutions Defense and Education Fund, or TRANSDEF.





A lengthy [expenditure plan for the measure](#) talks about making bus service more frequent and reliable, improving BART, running ferries to East County and redesigning streets to make bicycling and walking safer. But the plan mostly avoids mentioning specific projects it would fund and generally uses language that stops short of firm commitments. For instance, the plan says that Contra Costa County “may consider funding” an extension of the Antioch eBART line to Brentwood and that its “projects may include” a new connection between the Martinez Amtrak station and the North Concord BART stop.

Schonbrunn said he is concerned county officials could one day divert funds meant for transit to the freeway and road projects the measure is supposedly moving beyond. And even if the county spends the money as planned, Schonbrunn said, it would still invest too much — close to half of its funding — into car-centric projects. The plan calls for spending \$1.6 billion in total on road and freeway projects over the 35-year life of the tax.

“They are using the language of sustainability without making any commitments,” he said, accusing county leaders of “greenwashing” money for roads and freeways. “They’ve shifted in rhetoric only.”

The measure’s backers say not committing to specific projects is the better strategy. They point to all the new transportation options that have emerged in recent years — the rise of Uber and Lyft, bike sharing and electric scooters — and technology emerging today such as autonomous vehicles, saying the county’s strategies need to be able to evolve rather than being limited to what planners can envision today.

“How do we know what kinds of projects Contra Costa is going to need in 2040?” said Iwasaki, the transportation authority leader. “We want to make sure there is flexibility to select the right projects.”

But it remains to be seen whether two-thirds of residents will vote to tax themselves without knowing precisely what those taxes will pay for.

“The lack of specificity is definitely a concern,” said Orinda school librarian Sarah Lee, who loved the idea of a measure to raise money for public transportation but dialed back her enthusiasm when told the money wasn’t tied to specific projects.

Mahmoud Hassan, a 66-year-old from Martinez, wasn’t in favor of the measure, saying it was already expensive to live and pay taxes in the Bay Area.

“We already pay (for) everything,” Hassan said. “Enough.”

Adam Alemnew, a 25-year-old engineer who lives in Antioch, said he would likely vote for Measure J and hoped it would improve the area’s bus service.



Transit experts say the region’s fractured web of train, ferry and bus operators is a key factor keeping residents across the Bay Area from ditching their cars for public transportation. Contra Costa County recreates that problem in miniature — four different agencies provide bus service in its east, central, northwest and southwest communities, with coverage that Alemnew said is far too infrequent to ever compete with driving.

“I stopped taking the bus because of that,” said Alemnew, who today drives to work in Walnut Creek.

Despite her concerns, Lee described herself as a “probable yes” on the measure.

“I don’t think there is enough public transportation, or maybe it’s better to say ‘good enough public transportation,’ in Contra Costa County,” she said. “We really need to get people out of cars.”

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### Nico Savidge | Reporter

Nico Savidge is a reporter covering transportation for The Mercury News and East Bay Times. A graduate of the University of Wisconsin, he previously wrote for EdSource, the Wisconsin State Journal and The Janesville Gazette. He commutes by foot, car, BART, bus and ride-hailing app -- sometimes all in one day.

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# San Ramon housing crisis prices teachers out

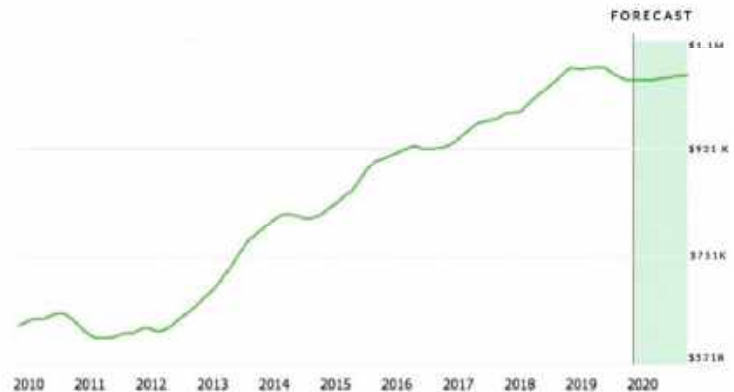
**Sraavya Sambara, Vivian Kuang, Sanjana Ranganathan, Michael Han, and Sneha Cheenath**

Former Dougherty Valley High School math teacher Mr. Colin O'Haire spent the first nine years of his teaching career in San Ramon. Yet as rent increased, he and his wife, who also taught in San Ramon, struggled to find a comfortable house for their growing family – even on two full-time teacher salaries.

Ultimately, O'Haire moved to Rocklin High School in 2019, where he bought a home at a fraction of San Ramon's housing prices.

O'Haire's story is far from unique. An escalating San Ramon housing crisis is driving away Dougherty teachers, whose salaries cannot match skyrocketing market prices.

MEDIAN HOUSING PRICES IN SAN RAMON



Riya Bindlish

## Impact on DVHS teachers

While unaffordability of housing in San Ramon for teachers has long been an issue, the problem has accelerated recently. In Oct. 2009, the median sale price of a house in San Ramon was \$592,000, according to data from Zillow. Now, a decade later, this figure has skyrocketed to \$985,000.

Since the 2009 housing crash, prices have skyrocketed, with median house market value forecasted to reach \$1.05 million in January 2020. Data from Zillow.

Since 2017, multiple tenured DVHS teachers across various departments have left the school.

Ms. Julie Lazar, a former DV history teacher who currently teaches at Vista del Lago High School in Folsom, California, cited her and her partner's desire to own a home as her primary reason for leaving DVHS in 2018. While at DVHS, Lazar rented an apartment in Walnut Creek, but rising rent costs left her unable to save for a down payment on a house in the San Ramon area.

"Every year the rent would go up by \$200 ... and with housing prices [in the Bay Area] ... to put even a 10% down payment is almost insurmountable on a teacher's salary," Lazar said.

In addition to teaching at DVHS, Lazar tutored students and drove for DoorDash Inc. to generate extra income. However, even with multiple jobs, Lazar was unable to accumulate a down payment, eventually spurring her move to Folsom, where she was able to buy a house for almost half the price of East Bay homes.

Ms. Dana Pattison, another former DV history teacher who now teaches in Bellingham, WA, echoed Lazar's concerns, which also caused her to move in 2018.

"I wanted to own my own place. And as a single teacher that's not possible ... even to rent a one-bedroom apartment in San Ramon is \$2,300 a month, which is more than half of my paycheck," Pattison said.

Pattison, who had lived in California since her childhood, feels that her inability to pursue her passion in teaching and buy a comfortable home in the East Bay has jeopardized her right to the American Dream.

"I've been robbed of this American Dream access, where no matter what I do, I can't get the home," she reflected.

While Pattison understands that housing unaffordability in the Bay Area has been exacerbated by market conditions, she still believes it is partially perpetuated by the way the SRVUSD teacher salary schedule is set up. Currently, teachers with a master's degree and 75 additional teaching units, which they can gain through various teaching courses and workshops, reach a maximum pre-tax salary of \$100,163 after 25 years of teaching. Additionally, while teachers can move up the salary schedule by earning additional credentials such as master's degrees, they often need to pay thousands of dollars out-of-pocket in tuition or fees to acquire such credentials.

However, Pattison feels that teachers should be able to reach the maximum salary sooner, considering the living costs in the Bay Area. In the Bellingham Public School District, where she currently teaches, teachers are able to reach the maximum pre-tax salary of \$109,532 after only 15 years of teaching.

Pattison believes that decreasing housing costs for teachers ultimately needs to start with the City of San Ramon and SRVUSD collectively outlining a variety of possible initiatives, including government subsidized loans, negotiations with builders for teacher-specific housing and increased salary compensation.

Mr. Robert Gendron, a co-lead negotiator for the San Ramon Valley Education Association (SRVEA) and DVHS mathematics teacher, agrees. Specifically, he believes that SRVUSD should increase salaries for teachers, especially since current salary increases do not match inflation rates and cost of living increases.

Gendron also feels that SRVUSD could afford to pay teachers more if they tapped into the unrestricted reserve section of the annual budget, which is meant for discretionary usage by the district. Although SRVUSD has cited the importance of maintaining robust reserves in case of an economic downturn, Gendron believes that SRVUSD's unrestricted reserve percentage of 18% demonstrates excessive fiscal conservatism.

Gendron explained, "We had an economic downturn in 2008. And during that time, [SRVUSD] was asking for furlough days from teachers, which means we don't go to work and don't get paid ... During that time, [SRVUSD's] reserves increased. So the money that they had to spend when things were down, they didn't even spend."

However, O'Haire understands that some of the issue is out of SRVUSD's control.

"They could have met us more toward what we wanted ... And made things more tangible. But the housing prices they don't have control over."

He also agrees that SRVUSD has given teachers commendable benefits packages, especially compared to other districts in the state.

"[SRVUSD health benefits] are a good amount of money. [My wife and I] in our new district, pay \$500 a month for benefits versus free [in SRVUSD]," he explained.



Riya BindlishThe salary schedule for teachers dramatically differs between SRVUSD and other school districts, with teachers at Bellingham Public School District making \$109,532 in 15 years, while teachers in SRVUSD make \$100,163 after 25 years.



Still, he maintains that higher salary compensation is possible.

"It's really heartbreaking to have to leave a place that you love [due to unaffordable housing] ... And it's so exhausting when you're doing such a human, personal job, but you're treated like a line item," O'Haire expressed.

#### Educator housing assistance in Bay Area school districts

Many Bay Area cities and school districts have recognized the unaffordability of local housing and thus created initiatives to mitigate the burden on teachers.

Santa Clara Unified School District, for example, built an apartment complex for teachers, Casa del Maestro, to address the rising housing prices in the area.

According to EdSource, "Rents for the 72 apartments [in Casa del Maestro] are about 80% of market rent, between \$1,430 for a 722-square-foot one-bedroom unit to \$2,195 for a 1,170-square-foot two-bedroom, two-bath unit."

Additionally, San Francisco Unified School District has instituted a program known as Teacher Next Door. According to the San Francisco Mayor's office, through this program, eligible teachers in the district qualify for loan assistance from the district for their first home, which provides \$40,000 to teachers for a market rate unit, or \$20,000 for a below-market-rate unit. Additionally, the loan is forgiven for teachers after 10 years, given compliance with all program requirements.

Recently on Nov. 5, San Francisco voters also passed a \$600 million affordable housing bond, some of which will go directly to building affordable housing for educators.

In addition to these developed programs, various other Bay Area school districts similar in composition to SRVUSD have taken action on teacher housing, including West Contra Costa Unified, Mountain View Whisman School District and the Sonoma County Office of Education.

#### SRVUSD perspective

Insufficient funding from the state has caused SRVUSD to struggle to balance their expenses, including matching teacher salaries to cost of living increases.

"Funding from the state doesn't keep up with our actual expenses," Daniel Hillman, Director of Facilities Development at SRVUSD, stated. "[We have] to balance the books, meaning covering all of our expenses and our [previous] commitments to employees."

In response to low education funding, Proposition 98 was passed in 1988, which mandated that a 40% minimum of the state's general fund be spent on K-12 and community college education. Despite its passage, education funding has remained an issue.

"Before [Proposition 98] went into effect, it was seen as this minimum that we're going to spend on education. But what it's actually paradoxically turned into is this maximum," Hillman explained.

A 2017 report from the California Legislative Analyst's Office found that since the passage of Proposition 98, K-12 funding, adjusted for changes in enrollment and inflation, has not changed significantly from 1988-1989 levels.

"It isn't just that the state is short on money, it's that they don't have a commitment to fund education to our actual expenses. They have a system set up to fund education to a certain level, and they do that. But that's not the true cost of what it takes to do business," Hillman continued.

Regarding the growth in the district's reserves during the 2008 economic downturn as cited by SRVEA, Hillman clarified that SRVUSD was actually forced to tap into their reserves after an unexpected mid-year cut in revenue from the state. However, after receiving funds from the federal government through the American Recovery and Reinvestment Act of 2009, SRVUSD invested some of that money back into the reserves to protect against future cuts, resulting in the observed increase in unrestricted reserves.

SRVUSD also attributes varying regional salary schedules to differences in negotiations between individual districts and their respective teacher unions. Although SRVUSD's salary schedule increases more slowly compared to nearby districts, it provides nearly \$25,000 in benefits to its employees, spending \$102,200 on teacher salary and benefits on average per capita, which is greater than similar school districts.

"[When you get more funds] you use the money and you negotiate with the teachers union to figure out how those dollars will be spent in the district," Hillman said. "[Salary, benefits and salary schedules] are trade-offs. Neither decision is good or bad; it's just the local decision."

Due to teacher input, SRVUSD has recently considered affordable housing initiatives, such as a teacher housing bond, and is currently in the process of gauging community interest. SRVUSD expects to receive the results from their research by early spring of 2020.

Furthermore, although they have not reached out formally, SRVUSD is open to potentially partnering with the City of San Ramon and the Town of Danville to outline such initiatives.

SRVUSD Chief Business Officer Greg Medici reaffirmed that despite financial constraints, the district is committed to its teachers and students.

"We know we have a lot to accomplish, but everything we do is for [teachers and students.]" he said.

#### An introduction to San Ramon affordable housing

In San Ramon and beyond, affordable housing is becoming an increasingly prevalent issue. A 2019 EdSource analysis found that "in 47 school districts in [the Bay Area], the highest-paid teachers only earn enough to rent an affordable one-bedroom apartment, using the federal definition of affordable housing as 30% or less of household income."

Cities have tried to increase affordable housing through Inclusionary Zoning policies. These laws mandate that a certain percentage of units built by contractors be set aside for affordable housing, which are then distributed to low-income residents by local governments on a discretionary basis, as long as state guidelines are met.

Affordable housing is also promoted through the Regional Housing Need Allocation (RHNA), a state-wide mandate overseen in the Bay Area by the Association of Bay Area Governments. RHNA sets general housing quotas that cities must meet and creates specific income categories that each require a certain number of units built. These categories are based on the area median income of that region, with extremely low income, very low income and low income individuals making 0-30%, 30-50% and 50-80% of the area median income, respectively.

In Contra Costa County, with a relatively high area median income of \$111,700 per year, public workers such as teachers may automatically qualify for affordable housing by falling into the low income or very low income categories. However, as teachers stay in the district, they earn more and move out of the low-income brackets, removing their eligibility for rent assistance and low income housing. Consequently, greater experience in the district does not guarantee an increased ability to afford housing.

#### City of San Ramon perspective

Another avenue for promoting affordable housing for teachers is through the City of San Ramon, which oversees local housing policies and is tasked with meeting the city's RHNA, which the city fulfills by creating zoning plans that meet the quotas for affordable housing.

According to Deputy City Manager Steven Spedowski, San Ramon's plans are in compliance with the current RHNA cycle, which requires 795 very low or low income units from 2014-2022. However, as the city only approves housing developments, rather than building them, the onus is ultimately on developers to construct units. As of 2017, only 102 of these units have been created. Spedowski explained that market forces such as high land and labor costs discourage construction, and while the city can incentivize development by decreasing building fees, its ability to do so is limited.

"[The city] goes after fees, but it charges those fees in order to recuperate the cost for providing services to the homes," Spedowski said.

As for housing initiatives such as San Francisco's Teacher Next Door program and Santa Clara's Casa del Maestro apartment complex, Spedowski said that to his knowledge, the city council has not yet proposed similar programs. San Ramon's ability to replicate these programs is also constrained by the low property tax and sales tax revenues that fund their budget.

"We have a very low business license fee to retain and attract businesses, and with our limited sales tax base, we receive about \$9 million to \$10 million a year in sales tax revenue," Spedowski said, citing higher such revenues in neighboring cities such as Pleasanton and Livermore.

Spedowski added that the city's tax revenue is also limited by Proposition 13. The 1978 California measure mandates that property taxes for homes and businesses only be reassessed when they are sold, effectively freezing property taxes for some businesses at 1970s levels. It also requires local tax increases to be approved by two-thirds of voters, making it difficult to raise revenue.

"Santa Clara and San Francisco have so many jobs and their revenues are far higher. In San Ramon, a program like that, with the cost of living here and our budget ... you might be able to do something very small, but it wouldn't be a noticeable impact," he said.

However, while large scale housing assistance for teachers may presently be out of San Ramon's reach, future changes could alleviate some of the burden. In June, the city designated a company known as HouseKeys to administer their affordable housing program. HouseKeys determines the eligibility of residents for affordable housing and conducts orientations about the application and lottery process.

Additionally, according to Communications and Engagement Analyst Simone Finney, the city is working with housing developer Lennar to develop Priority Preference criteria that would give public workers, like teachers, additional weight in choosing affordable housing. In affordable housing lotteries, all entrants have equal chances of being selected, and of those selected, those with Priority Preference will have weighted choice of the units. These new criteria are expected to be adopted by spring 2020.

Planning is also underway for the development of 4,500 units in Bishop Ranch, 15% of which would be demarcated as affordable.

"The city is looking into densifying our core – denser apartments that go upward instead of outward. When you have more units coming in that are within that [income] level, those are units that a teacher can look at," Spedowski said, although he acknowledged that the units would only be rentals.

Finally, a ballot measure to overhaul Proposition 13 to reassess businesses' property taxes every three years is on the ballot for the 2020 election. If approved, the change would raise \$11 billion in revenue per year, mostly going to public schools and local governments, and could infuse the city with new capital that could expand its affordable housing capabilities.

#### Looking forward

As housing prices continue to soar, affordable housing for teachers and teacher turnover at DVHS is likely to remain a challenge for years to come. Alleviating this crisis will require cooperation between all relevant parties, including SRVUSD, the City of San Ramon and local teachers.

However, teachers remain optimistic about progress on the issue.

"It does take refocusing priorities, but it can clearly be done," Pattison expressed.

# San Ramon City Council to review state's 'Housing Crisis Act of 2019'

Plus: Officials to consider City Council liaison appointments

by [Ryan J. Degan](#) /

Uploaded: Mon, Jan 13, 2020, 3:55 pm

The San Ramon City Council is set to discuss California's housing crisis and how state legislation is limiting local control during its regular meeting on Tuesday evening.

City officials will review California Senate Bill 330 -- dubbed the "Housing Crisis Act of 2019" -- and discuss how it will change the development and review process for approving housing projects.

"Senate Bill 330, signed by the governor in October 2019, limits the ability of cities and counties to regulate residential and mixed use housing developments in order to prevent local agencies from putting up new barriers to housing production," community development director Debbie Chamberlain wrote in a staff report.

Meant to streamline the approval process of housing projects and developments, the new bill will prohibit city officials from conducting more than five hearings reviewing a project -- including continuances from previous meetings -- if the development in question complies with objective general plan and zoning standards, according to Chamberlain.

The bill provides no provisions to allow for a mutually agreeable extension of the five hearing limit, potentially limiting the number and amount of time in which city run commissions and committees can review a given project significantly.

For the actual review process of a project, local jurisdictions are required to create an application checklist and cannot request any items that are not on that checklist, according to Chamberlain. If city staff deem that the application is incomplete then they have 30 days to explain why, effectively limiting jurisdictions to one opportunity to determine whether an application is complete.

Provisions of SB 330 will remain in effect until Jan. 1, 2025.

The City Council is set to hold its [regular meeting](#) at 7 p.m. on Tuesday, in the San Ramon City Hall Council Chambers, 7000 Bollinger Canyon Road.

## In other business

\* During Tuesday's meeting, council members are also set to appoint a group of residents to serve on San Ramon's Senior Citizen Advisory Committee.

\* Reviewing the San Ramon's financial situation, city officials are set to review an annual audit report for the fiscal year that ended in June 30, 2019.

\* City officials then plan to continue their review of San Ramon's zoning ordinance and will consider making text and mapping amendments in order to establish consistency between the zoning map and existing General Plan land-use designations.

\* To close out Tuesday's meeting, the council will consider approving 2020 City Council liaison appointments to various city and regional committees, foundations and other agencies as well as ex-officio assignments.

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\$59,331/year

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California United States

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Salary Range (Percentile)

	25th	Average	75th
<b>Annual Salary</b>	\$18,678	\$59,331	\$29,493
<b>Monthly Salary</b>	\$1,556	\$4,944	\$2,458
<b>Weekly Salary</b>	\$359	\$1,141	\$567
<b>Hourly Salary</b>	\$9	\$29	\$14



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California Average

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\$23,097

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United States

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Salary

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### Average Retail Salesperson Salary in California

	Salary Range (Percentile)		
	25th	Average	75th
<b>Annual Salary</b>	\$18,678	\$22,706	\$24,577
<b>Monthly Salary</b>	\$1,556	\$1,892	\$2,048
<b>Weekly Salary</b>	\$359	\$437	\$473
<b>Hourly Salary</b>	\$9	\$11	\$12

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### **GreenFire Law, PC (GFL)**

#### *Response to GFL-1*

The commenter provides introductory statements and lists contents and abbreviations used in the comment letter.

The comment is noted; no further response is required.

#### *Response to GFL-2*

The commenter asserts that the City has rushed the comment period for the Draft EIR in the midst of the COVID-19 pandemic and has denied the public due process to respond to the EIR.

CEQA Guidelines Section 15105 (PRC § 21091) establishes a 45-day review period for a Draft EIR that is submitted to the State Clearinghouse (SCH) for review by state agencies. The Draft EIR was circulated for the proscribed 45-day period, in accordance with the CEQA Guidelines. Please also see Response to GFL-3.

#### *Response to GFL-3*

The commenter asserts that the City did not release the Draft EIR for the required 45-day minimum period as is required by California Code of Regulations Title 14 Section 15105, subdivision (a). The commenter states that Executive Order N-54-20 relaxed certain CEQA requirements but that did not include the 45-day comment period.

Section 15087 (e) of the California Code of Regulations states:

“(e) In order to provide sufficient time for public review, the review period for a draft EIR shall be as provided in Section 15105. The review period shall be combined with the consultation required under Section 15086. When a draft EIR has been submitted to the State Clearinghouse, the public review period shall be at least as long as the review period established by the State Clearinghouse. The public review period and the state agency review period may, but are not required to, begin and end at the same time. Day one of the state review period shall be the date that the State Clearinghouse distributes the document to state agencies.”

CEQA Guidelines Section 15105 (PRC § 21091) establishes a 45-day review period for a Draft EIR that is submitted to the State Clearinghouse (SCH) for review by state agencies. As stated in Section 15087 (e) of the California Code of Regulations, the 45-day comment period begins once the SCH distributes the document to state agencies, which is the same day that the SCH posts the Draft EIR on the CEQAnet database. The SCH posted the Draft EIR on May 19, 2020 on the CEQAnet database which notes that the close of the comment period was July 2, 2020. Subsequently, the City of San Ramon released the Draft EIR for public comments on May 19, 2020 and the comment period was closed on July 2, 2020. This period was exactly 45 days. In accordance with CEQA Guidelines and Executive Order N-54-20, the City has provided sufficient notice of the availability of the Draft EIR and made the Draft EIR publicly available for the minimum 45-day review period.

*Response to GFL-4*

The commenter asserts that the public comment period started the same day that Governor Gavin Newsom issued a State-wide stay at home order, which prevented the public from being able to comment on the Draft EIR. The commenter lists a timeline of events that occurred due to COVID-19 in the City and California, including Executive Order N-65-20. The commenter states that providing the minimum 45-day review period is not adequate during a pandemic in which the public risks fines for leaving their home and is prejudicial. The commenter asserts that an extended comment period should be required to ensure all citizens of San Ramon have time to review the Draft EIR and provide comments. The commenter asserts that Senate Bill (SB) 330 does not apply in this instance because the City of San Ramon Planning Commission subcommittee sets their own agendas and is not considered a public hearing in connection with the approval of the Draft EIR.

The City, as the lead agency, is aware of and has considered all regulations imposed related to COVID-19. In accordance with CEQA Guidelines Section 15087(d) and Governor Newsom's Executive Order N-54-20 (issued April 22, 2020), the City mailed the Notice of Availability (NOA) of the Draft EIR to adjacent property owners on May 18, 2020 and filed the NOA with the Contra Costa County Clerk's office. The City provided the Draft EIR in its entirety on the City website since May 19, 2020, including contact information for Mr. Lauren Barr, Planning Services Manager. Additionally, a hard copy was made available for public review. The City received 28 comment letters, indicating that the public, including this commenter, was able to voice concerns related to the Master Plan. The public was also able to make comments on the Draft EIR via the June 16, 2020 Planning Commission hearing, conducted via Zoom, which has become the standard method for holding public hearings during this period of restrictions related to COVID-19. While some members of the public may not have access to the internet and were not able to participate in the public hearing using a computer, they were able to participate through the use of the call-in number which was made available for the Zoom meeting. The City has accepted public comments via standard mail and was available to receive comments over the phone, if necessary.

*Response to GFL-5*

The commenter explains that extending the public comment deadline does not require a public hearing pursuant to SB 330.

This comment is noted.

*Response to GFL-6*

The commenter asserts that some individuals would be prevented from viewing the Draft EIR due to lack of access to a computer and the internet, closure of libraries limiting access to publicly available hard copies, fear of disease from COVID-19 restricting the potential for review of the Draft EIR on a family member or friend's computer, and that purchasing a CD would not be a viable or feasible option for some individuals.

This comment is noted. Please see Response to GFL-4 for a response to this comment.

*Response to GFL-7*

The commenter asserts that the Master Plan does not provide adequate affordable housing and does not meet the requirements of the San Ramon General Plan or Regional Housing Needs



Assessment (RHNA). The commenter further asserts that the Master Plan violates San Ramon Municipal Code Ordinance #487 and would increase local and regional traffic congestion, air pollution, and quality of life.

Meeting RHNA requirements is a responsibility of the City of San Ramon and is outside the scope of this Draft EIR. Furthermore, the transportation and air quality analyses presented in the Draft EIR are based on the proposed development of 4,500 dwelling units and do not make a distinction regarding the number of affordable housing units proposed by the Master Plan. As described in the Draft EIR, mitigation measures will be required to be implemented as part of the Master Plan that will reduce impacts to a less than significant level. See Response to GFL-8 for discussion of consistency with San Ramon Ordinance 487 which includes the requirements for inclusionary housing and established a affordable housing commercial linkage fee for new commercial developments.

*Response to GFL-8*

The commenter asserts that the Master Plan fails to provide adequate workforce housing consistent with General Plan requirements related to commercial development. The commenter asserts that the Master Plan's 675 deed-restricted housing units would not satisfy the General Plan's exemption for mixed-use project's providing 25 percent affordable housing, and so the Master Plan must provide additional mitigation by increasing the share of affordable housing, or by providing a linkage fee. The commenter asserts that it is not clear if the Master Plan would contribute to a commercial development in lieu fee for the housing demand that its commercial component would generate.

General Plan Policy 11.1-I-18 requires commercial development to contribute to the supply of workforce housing but does not mandate that such development provide 25 percent affordable housing. The Policy only requires that mixed-use development provide 25 percent affordable housing to be found exempt from either payment of linkage fees or other partnerships with non-profit affordable housing providers. Since the Master Plan is not attempting to claim exemption from this policy, it is not required to provide 25 percent of its housing as affordable. In addition, General Plan policies apply to the City as a whole and the City is responsible for achieving these policies at General Plan buildout and not on a project-by-project basis. Regarding the payment of linkage fees and collecting an in-lieu fee from commercial development to expand housing opportunities in the City, adopted Ordinance 487 which includes the requirements for inclusionary housing and established a affordable housing commercial linkage fee for new commercial developments. The fee, as applicable is collected at the time of building permit issuance.

*Response to GFL-9*

The commenter explains that the Master Plan would generate significant demand for very low and low income housing due to the estimated 200 hotel employees and 332 retail workers. The commenter states that the Draft EIR does not describe the type of housing these employees would need and quotes San Ramon General Plan Policy 11.1-I-5. The commenter goes on to describe average salaries of the Master Plan's estimated employees based on data obtained from the employment website, ZipRecruiter, and concludes that Master Plan employees would not be able to afford to live in the Master Plan's affordable housing due to existing demand for affordable housing. The commenter assumes that the new hotel employees and retail workers would also live at the

housing provided by the Master Plan. The commenter asserts that the Master Plan fails to comply with the San Ramon General Plan.

Although the Master Plan would add an estimated total of 532 employees, these employees would begin their work as the hotel and retail uses are opened according to the proposed Master Plan phases and would not have the potential to move to the City at one time. Additionally, this represents a small percentage of employment growth, which within the context of the larger East Bay region, would not be considered unplanned or growth inducing. It is outside the scope of the Draft EIR to estimate future employee salaries, determine if future employees could or could not live within housing included in the Master Plan, or predict how many residents of the Master Plan would work at the hotel/retail shops in the Master Plan area.

Implementing Policy 11.1-I-5 of the San Ramon General Plan calls for the City to maintain a variety of housing types that complements the employment opportunities within the community and encourages a jobs/housing balance. The Master Plan would result in up to 4,500 new housing units. Fifteen percent of the 4,500 units (approximately 675) would be deed-restricted as affordable to low and very low income households, which would provide affordable housing units in accordance with Implementing Policy 11.1-I-5. In addition, General Plan policies apply to the City as a whole and the City is responsible for achieving these policies at General Plan buildout and not on a project-by-project basis.

See Response to GFL-7, GFL-8, and GFL-10 regarding housing. See Response to GFL-22 for a discussion of transportation impacts, which take into account both residents and employees within the Master Plan.

*Response to GFL-10*

The commenter notes that the City is not providing enough affordable housing and is behind on supplying housing according to the RHNA for the 2015-2023 cycle. The commenter further explains that the City needs to provide more very-low, low, and moderate income housing in line with the amounts specified by the RHNA. The commenter asserts that the Master Plan would add population exceeding the City's General Plan estimate and would further contribute to regional pollution and segregation.

While the project would assist the City to meet its RHNA requirements, achieving RHNA requirements is a responsibility of the City and is outside the scope of the Draft EIR. Moreover, the Master Plan would not inhibit the City from achieving its Housing Element goals. In addition, General Plan policies apply to the City as a whole, and the City is responsible for achieving these policies at General Plan buildout, not on a project-by-project basis.

Using the City's 2020 average household size of 2.97 persons from the California Department of Finance, the proposed Master Plan would add an estimated 13,365 persons to the City's population at full Master Plan buildout by 2048. Averaged over the 27-year buildout horizon, this represents an increase of 495 persons per year or less than one percent of ABAG's projected population growth per year.

As described in Section 3.12 of the Draft EIR, Population and Housing, the City's 2020 population estimate of 83,118 persons exceeds ABAG's Projections for 2020, 2025, 2030, and 2035, but is within the General Plan's population estimate of 96,179 for 2035. Implementation of the proposed Master Plan could result in an increase in 13,365 persons at full Master Plan buildout, for a total of 96,483 persons within the City by 2048. However, the proposed Master Plan would be constructed over 27 years and thus increase population in the City by approximately 495 persons per year. The San Ramon General Plan 2035 anticipates a population of 96,179 at buildout by 2035, which represents an additional 816 persons per year from 2020 to 2035  $[(96,179 - 83,118)/16 \text{ years}]$ . As such, annual population growth resulting from the proposed Master Plan (495 persons per year) is within the General Plan's annual population growth projections through 2035 (816 persons per year). Although the planning horizon for the proposed Master Plan extends beyond the planning horizon for the General Plan, population growth from the Master Plan would occur in phases, ensuring that the proposed Master Plan would not result in substantial unplanned growth beyond 2035.

Regional pollution is addressed in Section 3.2, Air Quality, of the Draft EIR. As discussed therein, mitigation measures will be required to be implemented as part of the Master Plan that will reduce impacts to a less than significant level.

*Response to GFL-11*

The commenter asserts that the Master Plan is not a walkable mixed-use development and would create severe traffic impacts on adjacent and neighboring roadways due to the increase in new residents. The commenter states that the Master Plan area is not close enough to a regional transportation hub, such as a Bay Area Rapid Transit (BART) station, to alleviate traffic congestion. The commenter requests that the project applicant complete a full evaluation of traffic impacts on City arterial streets, intersections, and I-680. The commenter explains that mitigation contained in the Draft EIR is insufficient to reduce impacts to traffic congestion, air quality, greenhouse gas emissions, and noise generated by increases in car trips from Master Plan residents.

The Master Plan would enhance existing pedestrian network with new parkways, park paths, and internal sidewalks serving the Master Plan area. None of the proposed improvements would conflict with or preclude the implementation of the City's pedestrian network. Furthermore, Master Plan buildout would provide future residents, visitors, and employees connectivity to adjoining land uses including the Iron Horse Trail, Central Park, City Center Bishop Ranch, The Shops at Bishop Ranch, and the Marketplace through pedestrian and bicycle connections.

As described in Section 3.14 Transportation, Gibson Transportation Consulting, Inc. prepared a Transportation Impact Study (Appendix J to the Draft EIR) that analyzed 31 intersections including regional roadway system facilities such as freeways, arterials, collectors, and local streets that provide regional, sub-regional, or local access and circulation. The Draft EIR included a freeway analysis that measures effects of the Master Plan on Caltrans facilities, including I-680. The proposed Master Plan would contribute new trips to roadway facilities that would operate at deficient levels in both existing and future condition scenarios. The proposed Master Plan would be required to implement Mitigation Measures (MM) TRANS-1a, -1b, -2a, -2b, and -2c which requires the project applicant to install roadway improvements or provide equitable share fees to the City of San Ramon for the installation of such improvements, when warranted. The Master Plan is not anticipated to

change LOS operations at five of the six freeway mainline sections during the AM peak-hour, or four of the six freeway mainline sections during the PM peak-hour under Future with Project Conditions. Additionally, LOS changes on freeway mainline segments was considered less than significant because the Master Plan would contribute such a small number of vehicles per mile per lane. The freeway ramp intersection operations analysis determined that all intersections operate at LOS C or better during both analyzed peak-hours under Existing Conditions, Existing with Project Conditions, Future without Project Conditions, and Future with Project Conditions. The off-ramp queue analysis determined that year 2019 and year 2040 traffic volumes would not extend vehicle queues beyond available storage capacity regardless of Master Plan traffic. Furthermore, the vehicle miles traveled (VMT) analysis shows that per capita VMT estimated from the Contra Costa Transportation Authority (CCTA) Model, and adjusted to reflect feasible TDM measures for the Master Plan, is likely to result in per capita VMT at a level below a 15 percent reduction in countywide average per capita VMT. Using that 15 percent reduction as a potential threshold of significance, this impact would be less than significant.

Although neither the City nor the Master Plan area is located within walking distance of BART, the Master Plan area is adjacent to the Iron Horse Trail, which provides a connection to the Dublin/Pleasanton BART Station 5 miles to the southeast should travelers choose to travel via bicycle or motorized scooter/skateboard/bicycle. In addition, the Master Plan area is currently served by transit service offered by County Connection. Additionally, Bishop Ranch provides a well-established, comprehensive TDM program. The proposed Master Plan contemplates transit hubs that would be integrated into the existing TDM program. One of the objectives of the transit hubs is to centralize pick-up and drop-off points to avoid circuitous and lengthy bus routes within the Bishop Ranch Business Park. This would improve effectiveness and efficiency of transit. In addition, the Master Plan would locate housing within walking and biking distance of existing jobs that would reduce or eliminate some motor vehicle trips for future residents. Furthermore, the Master Plan area is located adjacent to the Iron Horse Trail and the Master Plan would not impede access to this Class I trail.

Regarding the 32-pump gas station referenced in the comment, while an application was filed on April 13, 2020, it was deemed incomplete, and thus, not included in the list of cumulative projects in the Draft EIR. As of the writing of this Final EIR, the application is still deemed incomplete; therefore, it is speculative to include it in the list of cumulative projects at this time. Nonetheless, for disclosure purposes, the gas station is being proposed at Costco located on Fostoria Way. As the gas station is over 2 miles from the Master Plan area, and the Master Plan area is currently served by two existing gas stations on Bollinger Canyon Road, a gas station over 2 miles away is not likely to affect the walkability of the proposed Master Plan.

*Response to GFL-12*

The commenter asserts that the Master Plan would not provide adequate transit options for future residents.

The CityWalk Master Plan area is served by bus lines operated by Central Contra Costa Transit Authority (CCCTA or County Connection) via Routes 21, 35, 92X, 95X, 96X, and 97X, in addition to weekend Routes 321 and 335. As described under Response to GFL-11, the Master Plan would include transit hubs that be integrated into the existing TDM Program, such that the Master Plan

would avoid impacting bus routes and improve efficiency of transit. Furthermore, Master Plan residents would be provided free bus passes.

*Response to GFL-13*

The commenter requests that the Draft EIR evaluate Master Plan impacts based on VMT and states that the Draft EIR used the incorrect methodology of LOS based on the Highway Capacity Manual (HCM).

As described in Section 3.14 Transportation of the Draft EIR, the City of San Ramon and the CCTA (who is responsible for the regional traffic model) did not have an adopted Traffic Impact Analysis framework that incorporates VMT as a metric at the time that the transportation analysis was performed and completed. The provisions contained within the CEQA Guidelines Section 15064.3, Determining the Significance of Transportation Impacts, which identify VMT as the most appropriate measure for evaluating transportation impacts, applied statewide beginning on July 1, 2020. Draft EIRs are only required to comply with standards in effect at the time they are published (14 California Code of Regulations [CCR] §§ 15064.3(c), 15007(b)(c)). Since the Draft EIR was published on May 19, 2020, the EIR was prepared consistent with the CEQA Guidelines that were in effect at that time.

However, a full VMT analysis was conducted as part of the transportation analysis and the analysis is included in the Draft EIR for information purposes only. The analysis methodology was coordinated with the CCTA and City and used the CCTA regional travel demand forecast model that was being used to develop the VMT methodology for the San Ramon Valley. The VMT analysis included in the Draft EIR shows that per capita VMT estimated from the CCTA Model, and adjusted to reflect feasible TDM measures for which the Master Plan has already committed, is likely to result in per capita VMT at a level below a 15 percent reduction in countywide average per capita VMT. Using that 15 percent reduction as a potential threshold of significance, this impact would be less than significant. The entire VMT discussion is included in Impact TRANS-4 of Section 3.14 Transportation.

*Response to GFL-14*

The commenter asserts that the Master Plan would exceed forecasted population estimates and that cumulative projects need to be considered in combination with the Master Plan to obtain an accurate understanding of transportation impacts.

The Traffic Impact Analysis evaluated the project's transportation impacts based on several conditions: Existing Conditions Without the Project, Existing Conditions with the Project, Future Conditions Without the Project (Year 2040), Future Conditions with the Project (Year 2040), and Future with the Project and Mitigation Conditions (2040). The Future conditions estimates the potential intersection operating conditions that could be expected as a result of regional growth and related Master Plan traffic in the Study Area by Year 2040, including cumulative projects such as those listed by the commenter.

As described under Impact TRANS-2, the Project is expected to result in significant impacts at three of the 31 study intersections in Year 2040 prior to Project mitigation. A total of 26 of the 31 study intersections are projected to operate at LOS D or better under Future with Project conditions and

therefore are not subject to any significant impacts. The incremental increases in delay at the remaining two study intersections would be less than significant by Project traffic under Future with Project Conditions. The three intersections where the Master Plan would result in significant impacts by Year 2040, would be reduced to a less than significant level with implementation of MM TRANS-2a, 2b, and 2c, which requires the project applicant to install roadway improvements or provide equitable share fees to the City of San Ramon for the installation of such improvements.

*Response to GFL-15*

The commenter asserts that the Draft EIR does not provide VMT analysis pursuant to SB 743 and the Master Plan fails to incorporate vehicle trip reduction measures suggested by Caltrans in its September 13, 2019 comment letter.

For a discussion of the project's VMT analysis see Response to GFL-13 and GFL-14.

Consistent with the Caltrans comment letter on the Notice of Preparation, the Draft EIR included a VMT analysis pursuant to the Governor's Office of Planning and Research (OPR) guidelines and trip reduction measures were considered in the development of the Master Plan. Additionally, the Master Plan would include trip reduction measures such as, code-required bicycle parking spaces throughout the Master Plan area, separated bike paths and Class III bike routes, pedestrian paths and sidewalks throughout the Master Plan area, and several transit hubs that centralize pick-up and drop-off points, will be part of the Bishop Ranch TDM including subsidized bus passes. Furthermore, Caltrans submitted a comment letter on the Draft EIR (included in the Final EIR) and they did not express any concerns regarding trip reduction measures for the project.

*Response to GFL-16*

The commenter asserts that the Master Plan does not include sufficient park space consistent with the San Ramon General Plan and should include additional park space to serve future residents.

Currently, the City has approximately 369.3 acres of existing parks and recreational facilities, which translates to a ratio of 4.4 acres of parkland per 1,000 residents, which does not meet the City's established standard of 6.5 acres of public parks per 1,000 residents.<sup>2,3</sup> The City is responsible for achieving and maintaining the parks standard city-wide. The City of San Ramon Parks and Community Services Master Plan Update determined that the construction of all planned parks in the City would meet the City's established goal of 6.5 acres of parkland per 1,000 residents by 2035. Additionally, as the commenter notes, the proposed Master Plan would include approximately 40.7 acres of publicly accessible, privately owned and maintained, parks, open space, and other public facilities. As shown in Exhibit 2-4, the Master Plan would include linear parkways that would connect to existing parks, Annabel Lake and Lake Cecilia, and the Iron Horse Trail, which would further connect the Master Plan to parks and improve walkability. Furthermore, the applicant would be required to pay development impact fees to further assist the City in meeting the parkland standard.

As stated on page 2-13 of the Draft EIR, a Land Use Permit for the Community Buildings, Privately Owned Parks, Amphitheater, Lodging Uses, and Conference/Conventions Uses would be required by

<sup>2</sup> City of San Ramon Parks and Community Services. 2011. Master Plan Update and Strategic Action Plan. July 13.

<sup>3</sup> Based on the City of San Ramon population of 83,118 as of January 1, 2020 (California Department of Finance 2020).

the City of San Ramon for implementation of the Master Plan. In addition, Landscape Design Guidelines would be required by the City for implementation of the Master Plan. As such, when more details regarding the proposed parks and linear parkways are provided during implementation of the proposed Master Plan, they will be reviewed by the City of San Ramon. Therefore, the Master Plan would not result in the need for new or expanded parks beyond what is already planned for in the General Plan and no additional mitigation is required. As discussed in the previous paragraph and in Section 3.13, Public Services and Recreation, the Master Plan's 40.7 acres of park and recreational facilities along with applicable development impact fees would assist the City in meeting the parkland standard at General Plan buildout.

*Response to GFL-17*

The commenter requests further clarification on compliance with building height limit requirements and asserts that the Master Plan would have negative impact on viewsheds, including of Mount Diablo.

The City of San Ramon General Plan 2035 does not identify any scenic vistas within the Master Plan area. The primary scenic vistas visible from the Master Plan area and surrounding land uses are the Dougherty Hills, Wiedemann Hill, and Mount Diablo.

BR 1A and BR 3A are located within the City Center Mixed Use (CCMU) Zoning Designation, which does not have any height restrictions. However, the proposed buildings would be compatible with existing surrounding buildings in terms of height and architecture, as detailed in the CityWalk Design Guidelines (Appendix B).

While development on BR 1A would introduce new structures, the visual corridor along Bollinger Canyon Road in both the east and west directions would be maintained. Similarly, views of Mount Diablo may be obstructed by development on BR 1A; however, there are no public viewing areas south of BR 1A where such views would be obstructed.

BR 3A would partially obstruct limited existing intermittent views of the Dougherty Hills from Camino Ramon along the BR 3A frontage. In addition, existing distant, partially obstructed views of Mount Diablo as viewed from Bollinger Canyon Road would be further obstructed because of development on BR 3A. Finally, distant, partially obstructed views of Wiedemann Hill may be obstructed by development on BR 3A, depending on the viewer's location within Central Park. However, under existing conditions, these views are already partially obstructed by existing vegetation, powerlines, and urban development. While development on BR 3A would introduce new structures, the visual corridor along Bollinger Canyon Road in both the east and west directions would be maintained. Thus, development on BR 3A would narrow, but not eliminate, existing distant views of both Dougherty Hills to the east (Exhibit 3.1-1) and Wiedemann Hill to the west for persons traveling on Bollinger Canyon Road.

Exhibit 3.1-2 and Exhibit 3.1-3 contain illustrations depicting the proposed structures and views along Camino Ramon adjacent to BR 2600. The proposed structures within BR 2600 are subject to a maximum height of 85 feet, per Division D3-6 of the San Ramon Zoning Ordinance. In addition, D2-15 requires mixed uses to adhere to the Daylight Plane Requirement which may further govern

building height and setbacks near residential areas and I-680. As depicted in Exhibits 3.1-2 and 3.1-3, the new buildings would be consistent with the surrounding buildings and are not expected to substantially obstruct publicly accessible views of Dougherty Hills, Wiedemann Hill, and Mount Diablo, or substantially change views from publicly accessible viewpoints.

Exhibits 3.1-4 through 3.1-6 provide photo-simulations of distant views under existing conditions and with development of the proposed Master Plan. As shown in these exhibits, while the proposed Master Plan would increase visible building massing from these distant views, the proposed development would not dominate the wide sweeping views nor would it obstruct views of the Dougherty Hills and Mount Diablo.

*Response to GFL-18*

The commenter states that the project applicant should consult with the EBMUD to determine the project's impacts on water supply.

A Water Supply Assessment (WSA) was prepared by EBMUD for the proposed Master Plan in October 2019 to assess the water supply availability for the buildout of the Master Plan. Using region-specific water use information, EBMUD estimated the Master Plan would result in a water demand of 952,000 gallons per day (gpd), including approximately 19,600 GPD of recycled water demand. EBMUD determined that this amount is accounted for in EBMUD's water demand projections published in the 2015 UWMP and presented in Table 3.15-2 of the Draft EIR. The 2015 UWMP concluded that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for multi-year droughts. During multi-year droughts, EBMUD may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand. The WSA states that the proposed Master Plan will be subject to the same drought restrictions that apply to all EBMUD customers. Furthermore, EBMUD commented on the Draft EIR with a comment letter which is included in this Final EIR and did not raise concerns related to water supply or water demand from the project.

*Response to GFL-19*

The commenter states that the San Ramon General Plan requires developers to participate in crime prevention programs with the San Ramon Police Department. The commenter asks what mitigations would be needed to reduce impacts from the project.

Based on email correspondence with Craig Stevens at the San Ramon Police Department, the Police Department anticipates that in 20-25 years, a new Beat and/or substation would be needed in the vicinity of the Master Plan area to serve the future uses. However, Mr. Stevens stated that there is no immediate need for additional equipment, staffing, etc., to serve the proposed Master Plan because the proposed Master Plan would be phased over 27 years.

As described in Section 3.13 Public Services and Recreation of the Draft EIR, Sunset Development would continue to provide private security 24 hours a day, 7 days a week within the Master Plan area. The private security would act as a 'first line of defense' in terms of assessing potential criminal activity and notifying the Police Department where appropriate. This would serve to reduce



the burden on the Police Department's resources and avoid the need for new or expanded police facilities.

Lastly, Sunset Development would provide development fees or facilities based on a funding agreement with the City that would contribute toward capital improvements to police facilities for the San Ramon Police Department. This would allow the Police Department to develop additional facilities, as appropriate, as the proposed Master Plan builds out.

*Response to GFL-20*

The commenter asserts that MM AIR-2g, which commits to all electric residential development, should be expanded to the commercial portions of the Master Plan.

Implementation of the proposed Master Plan would generate emissions from the combustion of natural gas for water heaters, heat, etc. California Emissions Estimator Model (CalEEMod) has two categories for natural gas consumption: Title 24 and non-Title 24. The Title 24 uses are defined as the major building envelope systems covered by California's Building Code Title 24 Part 6, such as space heating, space cooling, water heating, and ventilation. Non-Title 24 includes everything else such as appliances and electronics. As a result, the commercial Master Plan uses would be subject to Title 24 standards. As discussed in Section 3.5, Energy, the proposed buildings (including the commercial components) would be designed and constructed in accordance with the City's latest adopted energy efficiency standards, which are based on the State's Building Energy Efficiency Standards. These are widely regarded as the most advanced building energy efficiency standards and compliance would ensure that building energy consumption would not be wasteful, inefficient, or unnecessary. As a result, the Master Plan would be consistent with General Plan Policy 11.5-G-4.

*Response to GFL-21*

The commenter requests that the EIR determine a dollar amount for each mitigation measure proposed in the Draft EIR to fully clarify total cost of the project. The commenter explains that projects underfund mitigation as negative impacts arise during Master Plan development.

Assigning a dollar cost value to each mitigation measure is outside the scope of the Draft EIR and not required under CEQA. The comment does not address the adequacy of the Draft EIR. Further, the project applicant would be required by the City and other relevant agencies to pay development fees and otherwise complete mitigation to receive necessary permits for the Master Plan and move forward on full Master Plan implementation. The comment is noted and will be forwarded to the decisionmakers for their consideration.

*Response to GFL-22*

The commenter asserts that the Master Plan, in combination with other cumulative projects, would result in a significant increase in population that would further exacerbate traffic, noise, air quality, greenhouse gas emissions, and public service issues in the City.

Section 4 of the Draft EIR, Cumulative Effects, analyzed the impacts of the development of the Master Plan and future projects in the City and found no significant impacts would occur. As described under Response to GFL-10, the proposed Master Plan would be constructed over 27 years and would thus increase population in San Ramon by approximately 495 persons per year. The San

Ramon General Plan 2035 anticipates a population of 96,179 at buildout by 2035, which represents an additional 816 persons per year from 2020 to 2035  $[(96,179 - 83,118)/16 \text{ years}]$ . As such, annual population growth resulting from the proposed Master Plan (495 persons per year) is within the General Plan's annual population growth projections through 2035 (816 persons per year).

*Response to GFL-23*

The commenter asserts that the discussion of greenhouse gas emissions is insufficient and must include a VMT analysis.

For a discussion of the project's VMT analysis see Response to GFL-13 and GFL-14. The Draft EIR evaluated greenhouse gas emissions impacts pursuant to CEQA Guidelines and determined impacts would be less than significant. Furthermore, implementation of Master Plan mitigation measures would reduce energy use and greenhouse gas emissions to the maximum extent practicable.

*Response to GFL-24*

The commenter asserts that the Master Plan should not tier from the 2007 City Center Specific Plan EIR and lists several changes that have occurred in the City since the approval of that EIR.

As described in Section 1.0: Introduction, the EIR does not tier from the 2007 City Center Specific Plan EIR, but rather incorporates the document by reference. As permitted by CEQA Guidelines Section 15150, the Draft EIR has referenced previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the Draft EIR has also been described. When all or part of another document is incorporated by reference, the incorporated portion is treated as if it were set forth in full in the EIR (CEQA Guidelines § 15150(a)).

*Response to GFL-25*

The commenter provides closing remarks and contact information.

The comment is noted; no response is required.



June 15, 2020

Gary Alpert  
Howard Frank  
Jean Kuznik  
Rick Marks  
Eric Wallis

City of San Ramon Planning Commission  
7000 Bollinger Canyon Road  
San Ramon, CA 94583

**RECEIVED**

**JUN 16 2020**

**CITY OF SAN RAMON  
PLANNING SERVICES**

**RE: CityWalk | Bishop Ranch**

Dear San Ramon Planning Commissioners:

The Tri-Valley region today is a nationally significant innovation economy delivering a \$42B gross domestic product, driven by dozens of large tech employers, global innovators, and our two national research labs.

Innovation Tri-Valley Leadership Group (ITV) is a collective of regional leaders who recognize that Tri-Valley companies want and need housing for their workforce, as well as quality of life amenities that will continue to advance this region as an attractive, productive innovation hub.

ITV takes every opportunity to shine a spotlight on the many global technology leaders that have chosen to locate at Bishop Ranch, here in the heart of our Tri-Valley, an innovation hub that is now home to more than 450 tech companies.

The CityWalk project will generate positive economic contributions to the local economy through new capital investment, expansion of the tax base, creation of new jobs, expansion of the consumer base, and opportunities for new taxable sales.

The results of the Economic Benefits Study reveal that over the next three decades, CityWalk would generate billions in economic activity for the Contra Costa economy and contribute approximately \$36.5 million to San Ramon in net new revenue above expenses to service the development through 2050.

CityWalk will contribute significantly to the Contra Costa County economy by adding thousands of new jobs and household spending, while delivering important new revenue to the City of San

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**TRIVALLEY**  
THE HEART OF CALIFORNIA INNOVATION

**LATE COMMUNICATION # 11**  
**AGENDA # 10 | P.C. MTG 6/16/20**



Ramon through 2050 from applicable revenue sources, including property, occupancy, and sales taxes.

The Draft EIR describes potential impacts relating to a wide variety of environmental issues and methods by which these impacts can be mitigated or avoided. We are pleased to see that all potential impacts have been addressed through a variety of measures including transportation improvements, fees for future infrastructure projects, etc. The proposed Master Plan does not result in any significant unavoidable impacts.

ITV is especially pleased that the project will provide a mix of multi-family housing that will help the city and our region to meet our housing goals. Fifteen percent of the 4,500 units (approximately 675) will be deed-restricted as affordable to low- and very low-income households. This much-needed housing is essential to the success of businesses in the region and will be developed on underdeveloped and underutilized infill sites within Bishop Ranch. Because the new housing will be located in close proximity to jobs and transit services, it is a model for our region's sustainable future as it will help reduce vehicle miles traveled.

Mobility within Bishop Ranch will be improved through the use of Transit Hubs, and the project will enhance connectivity with adjoining land uses as well as including the Iron Horse Regional Trail, Central Park, City Center Bishop Ranch, The Shops at Bishop Ranch, and the Marketplace.

Finally, the significant fees being paid by Sunset Development for traffic improvements, open space, building permits, park fees and the building of three off-site city parks are all highly notable benefits that make this project a great benefit to our region.

CityWalk is an exciting and unique project that enhances Bishop Ranch, San Ramon and all of our Tri-Valley communities. ITV commends Sunset Development for their thoughtful planning and we appreciate the opportunity to go on record as full supporters of CityWalk as proposed.

Best regards,

Lynn Wallace Naylor  
CEO  
Innovation Tri-Valley Leadership Group



2  
Cont.

***Innovation Tri-Valley Leadership Group (INNOVATION TRI-VALLEY)***

*Response to INNOVATION TRI-VALLEY-1*

This comment provides introductory remarks.

No response is required.

*Response to INNOVATION TRI-VALLEY-2*

The commenter expresses support for the Master Plan, stating it would positively contribute to the local economy, help meet housing goals, and improve sustainable mobility.

The comment is noted; no response is required.

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**RECEIVED**

**JUN 16 2020**

**CITY OF SAN RAMON  
PLANNING SERVICES**

City of San Ramon Planning Commission

RE: Support of City Walk Plan and EIR

Tuesday, June 16, 2020

Dear City of San Ramon Planning Commission,

As longtime residents of San Ramon and as the Chairman of Sentinels of Freedom, we support and endorse the "City Walk Master Plan and Environmental Impact Report".

This project represents the historically great City Planning we have enjoyed watching grow into the Jewel City of Contra Costa County and maybe the State.

It is forward thinking that got us to where we are today, and this project "The City Walk" again exemplifies how great planning, community support and commercial enterprises such as Bishop Ranch can work together collaboratively in creating and maintaining the quality of life our residents enjoy and respect.

1

Even the most vehement sponsors of no-growth initiatives such as the Greenbelt Alliance, recognize, agree, and endorse this project as a logical way to attain Smart-Green-Growth to support all we value in our community.

The 15% deed restricted units (675) also make room at our community table inclusive of our younger and older citizens and our veterans with its low and very low affordability factor.

The dream of living and working close to an employment center, shopping, and quality schools goes back to the inception of San Ramon in the early 60's.

This is something we all will be proud of when it is completed.

We are proud of the City of San Ramon, its opportunity, culture, and diversity. This project will certainly enhance all this even more.

Thank you.

Very Respectfully, Mike Conklin

**LATE COMMUNICATION # 12**  
**AGENDA # 10.1 P.C. MTG 6/16/20**

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***Sentinels of Freedom (SENTINELS)***

*Response to SENTINELS-1*

The commenter expresses support for and endorses the Master Plan, stating it would provide inclusive housing and fulfill City ideals to live and work near employment centers, retail, and good schools.

The comment is noted; no response is required.

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Dear San Ramon Planning Commission:

I'm writing to voice my support for CityWalk and to respectfully request yours as well by approving the project's environmental impact report.

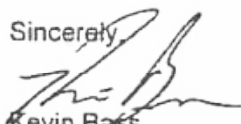
CityWalk was an important and needed project even before the COVID-19 pandemic, but its approval has taken on added urgency today. CityWalk will provide more than 16,050 jobs and an estimated \$3 billion to the city and county over its 25-year timeframe. These jobs and revenues are more critical than ever as our local economies recover from the devastation of lost jobs and city and county revenues.

But even before COVID-19, CityWalk made a ton of good sense. Its proposed housing will be located where it will be the most beneficial – near San Ramon's tens of thousands of jobs and popular mass transit programs. New parks, landscaping, enhanced recreational amenities – all located within a highly walkable environment – will ensure that CityWalk becomes the mixed-use district our city has dreamed about for so many years.

We finally have the chance to realize that dream. Just as important, we can create thousands of new jobs and city revenue that will help ensure San Ramon remains one of America's best cities to live, work, and raise a family.

Thank you in advance for your support of CityWalk.

Sincerely,



Kevin Bass  
Enterprise Holdings  
Vice President/General Manager

**RECEIVED**

**JUN 15 2020**

**CITY OF SAN RAMON  
PLANNING SERVICES**

LATE COMMUNICATION # 17  
AGENDA # 10.1 P.C. MTG 6/16/20

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## Individuals

### **Kevin Bass (BASS)**

#### *Response to BASS-1*

The commenter expresses support for the Master Plan and requests that the City approve the Draft EIR.

The comment is noted; no response is required.

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RECEIVED

JUN 16 2020

CITY OF SAN RAMON  
PLANNING SERVICES

From: Jim Blickenstaff jpblick@comcast.net  
Subject: Comment Letter > CWMP DEIR > June 16 Planning Commission Meeting  
Date: June 15, 2020 at 5:20 PM  
To: City Clerk (Public) cityclerk@sanramon.ca.gov, Franco, Christina cfranco@sanramon.ca.gov  
Cc: CityAttorney@sanramon.ca.gov

TO: San Ramon Planning Commission, City Council June 15, '20  
FROM: Jim Blickenstaff  
RE: CEQA Process for the CWMP; June 16, Planning Commission Meeting.  
NOTE: Please make this part of the Public Record.

I'd like to request that the City of San Ramon extent the Comment Period for the CWMPDEIR from the bare minimum of 45 days to at least 60 days -- Preferably 75 days. CEQA Law does not block the lead jurisdiction from increasing the 45 day minimum time allowed, only from decreasing it. The need is especially true in light of already limited public (and expert) participation resulting from a pandemic crisis; and a new world reality that demands a complete, comprehensive environmental review reflecting the dynamic and fundamental long term pandemic related changes in governing social / economic models. Minimizing the time allowed for CEQA comments, and public / locals input on complicated negative impact issues -- at this critical moment in our history -- is exactly the WRONG way to go. This request is made from the perspective of having a better, smarter, more responsive, and overall, less impacting outcome for the City; but, especially for its residents. Thank You for taking the time for a thoughtful consideration of this request.

1

--- Jim Blickenstaff  
cc: Christina , could you please verify if you received this Monday, June 15, 2020 , (different format -after 5pm ) – Thanks!

LATE COMMUNICATION # 13  
AGENDA # 10.1 P.C. MTG letter 20

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**Jim Blickenstaff, Letter 1 (BLICKENSTAFF.1)**

*Response to BLICKENSTAFF.1-1*

The commenter requests the comment period for the Draft EIR be extended from 45 days to 60 days, or preferably 75 days, and that CEQA allows for the extension of comment periods. The commenter asserts that additional time is needed to review and comment on the Draft EIR due to the COVID-19 pandemic.

CEQA Guidelines Section 15105 (PRC § 21091) establishes a 45-day review period for a Draft EIR that is submitted to the State Clearinghouse for review by State agencies. In response to the COVID-19 pandemic in California, Governor Newsom issued Executive Order N-54-20 on April 22, 2020.<sup>4</sup> As stated in the Executive Order, due to physical distancing protocols, it may be impossible or impracticable for lead agencies, responsible agencies, and project applicants to adhere to certain public filing and notice requirements under CEQA. As such, under the Executive Order, for projects undergoing CEQA review, the public filing, posting, noticing, and public access requirements were suspended for a period of 60 days. However, the suspension did not apply to provisions governing time for public review, such as the 45-day review period for this Draft EIR.

In accordance with CEQA Guidelines and Executive Order N-54-20, the City has provided sufficient notice of the availability of the Draft EIR and has made the Draft EIR publicly available for the minimum 45-day review period. As such, the City finds that the public has had sufficient time to review the Draft EIR and that an extension of the public comment period is not warranted.

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<sup>4</sup> Gavin Newsom Executive Order N-54-20. April 22, 2020. Website: <https://www.gov.ca.gov/wp-content/uploads/2020/04/N-54-20-COVID-19-4.22.20.pdf>. Accessed June 29, 2020.

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**From:** Franco, Christina <[cfranco@sanramon.ca.gov](mailto:cfranco@sanramon.ca.gov)>  
**Sent:** Tuesday, June 23, 2020 6:49 PM  
**To:** Chamberlain, Debbie <[dchamberlain@sanramon.ca.gov](mailto:dchamberlain@sanramon.ca.gov)>  
**Subject:** FW: Public Comment for 6/23 City Council Meeting

---

**From:** Jessica Blome <[jblome@greenfirelaw.com](mailto:jblome@greenfirelaw.com)>  
**Sent:** Tuesday, June 23, 2020 1:27 PM  
**To:** City Council <[citycouncil@sanramon.ca.gov](mailto:citycouncil@sanramon.ca.gov)>; Franco, Christina <[cfranco@sanramon.ca.gov](mailto:cfranco@sanramon.ca.gov)>; City Clerk (Public) <[cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov)>; City Attorney (public) <[cityattorney@sanramon.ca.gov](mailto:cityattorney@sanramon.ca.gov)>  
**Cc:** Jim Blickenstaff <[jpblick@comcast.net](mailto:jpblick@comcast.net)>; Rachel <[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)>  
**Subject:** Public Comment for 6/23 City Council Meeting

Hon. City Councilmembers,

Please see below for a public comment from Jim Blickenstaff for the City Council meeting of 6/23 regarding the City Walk Master Plan DEIR. Please confirm receipt.

**TO:** San Ramon, City Council, City Clerk, City Attorney June 23, '20  
**FROM:** Jim Blickenstaff  
**RE:** Public Comments; City Council Meeting, 6/23, -- Extending the Comment Period for the C. W. M. P., DEIR beyond July 2.  
**ATT:** City Clerk: Could you please read this into the Public Record.

*After failing to get any positive response from city staff, or the Planning Commission; I'd like to request directly to the City Council, that San Ramon extent the Comment Period for the CWMP DEIR from the bare minimum of 45 days to at least 60 days, and preferably, 75 days. CEQA Law does not block the lead jurisdiction from increasing the 45 day minimum time allowed, only from decreasing it. The need is especially true in light of already limited public (and expert) participation resulting from a pandemic crisis; and a new world reality that demands a complete, comprehensive environmental review reflecting the dynamic and fundamental long term pandemic related changes in governing social / economic models. Minimizing the time allowed for CEQA comments, and public / locals input on complicated negative impact issues -- at this critical time in our City's history -- is exactly the WRONG way to go. It would demonstrate the City is not prioritizing inclusion of their citizens in one of the most important planning and decision making processes they will face. The purpose of the request is simply to allow for a better, smarter, more responsive, and overall -- less impacting, outcome for the City; but, especially for City residents. Thank You for taking the time for a thoughtful consideration of this request.*

---- Jim Blickenstaff / 925-830-1929 / [jpblick@comcast.net](mailto:jpblick@comcast.net) / or, c/o: [rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com) / or c/o: [jblome@greenfirelaw.com](mailto:jblome@greenfirelaw.com)

1

**Jessica L. Blome**  
**Greenfire Law, PC**  
 2550 Ninth Street, Ste. 204B  
 Berkeley, CA 94710  
 (510) 900-9502 ext. 5  
[jblome@greenfirelaw.com](mailto:jblome@greenfirelaw.com)

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**Jim Blickenstaff, Letter 2 (BLICKENSTAFF.2)**

*Response to BLICKENSTAFF.2-1*

The commenter requests that City Council extends the comment period for the Draft EIR from 45 days to 60 days, or preferably 75 days, and that CEQA allows extension of comment periods. The commenter asserts that additional time is needed to review and comment on the Draft EIR due to the COVID-19 pandemic.

This comment is noted. Please see Response to BLICKENSTAFF.1-1 for a response to this comment.

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**From:** Rachel Doughty <[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)>

**Sent:** Thursday, July 2, 2020 12:29 PM

**To:** City Council <[citycouncil@sanramon.ca.gov](mailto:citycouncil@sanramon.ca.gov)>; planningcommission <[planningcommission@sanramon.ca.gov](mailto:planningcommission@sanramon.ca.gov)>; City Clerk (Public) <[cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov)>; Franco, Christina <[cfranco@sanramon.ca.gov](mailto:cfranco@sanramon.ca.gov)>; City Attorney (public) <[cityattorney@sanramon.ca.gov](mailto:cityattorney@sanramon.ca.gov)>

**Cc:** Jim Blickenstaff <[jpblick@comcast.net](mailto:jpblick@comcast.net)>

**Subject:** Jim Blickenstaff Comments on CityWalk Master Plan

*DATE: July 2, 2020*

*FROM: Jim Blickenstaff.*

*RE: Comment Letter; C. W. M. P., DEIR. / Copy; 10/25/19 Comments.*

-----

*The CWMP DEIR will need to fully evaluate, and list appropriate mitigations for, the following project related impacts:*

-

> *Cumulative impacts from Crow Canyon Specific Plan: Including those causing under mitigation for Parks; I-680 and local roads traffic (especially, long term effects on the neighborhood serving road; Norris Canyon Rd. – West of I-680); parking demands; viewshed; and air pollutants.*

1

> *Future severe drought related limits on water supply (within the time frame of the project buildout).*

2

> *Recent projections of California population growth flattening, and then declining. Exacerbated by drought, and the pandemic effect on the state economy, new dynamics of population movement; and the resulting depression of growth projections (within San Ramon, and the time frame of the project).*

> *The many layered, new and tumultuous, Pandemic effects on our society and economy, rendering outdated, last years' planning models and projections for near and future economic demand and vitality. This includes, still to be defined, future customer relationship to retail and business; as well as, future labor force needs, and future value/relevance of "jobs centers."*

3

> *Also requiring re-evaluation of outdated planning models and projections for housing demand, housing density, and layout.*

> *Same for the outdated models for park demands, and grounds/pathways layout and spacing. For example: a future park, incorporating pandemic lessons learned, would likely incorporate greater spacing of amenities and width of trails -- leading to more acreage devoted to the new dynamic for parks.*

> *Traffic impacts resulting from the lack of connectivity between San Ramon jobs and the people who will reside in the 4500u of the project. With 85% being 'market rate' and generally unaffordable to most of San Ramon's labor force. Beyond that, many of those working on San Ramon, and can afford a CWMP residence, will still not be buying one - for an array of other life style/habits issues. "Jobs Housing Balance" is a pleasant sounding phrase with little substance.*

4

> *The very elongated time frame for this project, brings into question it's conflict, including infringement, with the necessary responsibilities of other jurisdictional / contractual / governing authorities / and their legal inter-relationships. For example: It's quite possible, in 18 years social and economic needs will be so different from those planning projections anticipated today; as to render the entitlements set forth in this plan irrelevant – or worse, harmful.*

5

> *The EIR will need to set forth best mitigation projections for all phases of the project. Incorporated in that will be best projections for now, and end of project, negative impacts. Deferring examination of Program related probable future impacts would be deferring the responsibilities of this EIR. For example: Norris Canyon Rd Traffic Impacts. Will at some point in the future, the extra right or left turn lanes at Norris and San Ramon Blvd., induce the need to widen Norris Canyon Rd. West of I-680? And force the condemnation of dozens of home fronting the street? Will at some point in the future, there be pressure again to start planning for HOV Ramps onto Norris Canyon Rd., West of San Ramon Valley Bl.? These, and other future likely impacts/mitigations need to be thoroughly articulated now, in this EIR ; in as much as its primary function is examining environmental consequences of the ENTIRE CWMP. Such knowledge will be invaluable to the City, and its residents, in understanding overall benefit or detriment of the currently proposed Plan. And, acting accordingly.*

6

> *'Alternative Plans' should include a Plan that complies with General Plan standards for Parks, that incl., proximity to planning area, park locations, 6½ acres per 1,000 new residents – among other stipulations. And compliance with State/Agency standards for 25% , or more, of the 4,500u 's dedicated to affordable housing.*

7

,,,

*There almost seems to be a sense of denial in the City's approach to the planning process -- in the era of a dangerous new pandemic upheaval to basic norms. To be effective, or even relevant, the planning process must address directly the new growth paradigms, and adjust to new variables and uncertainties. The past is no longer the 'go to' model for the future! This CWMP and its DEIR, have yet to face these realities.*

8

*Thank you.*



*Jim Blickenstaff / [jpblick@comcast.net](mailto:jpblick@comcast.net) / c/o: Rachel Doughty,  
[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com) / c/o: Jessica Blome, [jblome@greenfirelaw.com](mailto:jblome@greenfirelaw.com)*

**Copy Below: 10/25/19, Comments-----**

**From:** Jim Blickenstaff <[jpblick@comcast.net](mailto:jpblick@comcast.net)>  
**Sent:** Friday, October 25, 2019 4:44 PM

**Subject: COMMENTS: City Center Mixed Use Master Plan Scoping Session 10/25/19**

[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)

To: Lauren Barr,

> **PARKS:** *The current proposed plan looks to be deficient in park dedication by as much as 35 acres of Neighborhood Parks, and roughly 20 acres of Community Parks. The DEIR will need to present A General Plan compliant C. C. M. U. M. Plan with best scenario for parcel size(s) and location(s) of new park dedications that achieve the Plan's specific threshold of a minimum of 40 total acres for Neighborhood Parks, and 20 total acres of Community Parks. The DEIR will need to present a mitigation plan that fully complies with General Plan standards of 4 ½ acres Neighborhood Parks per 1,000 new residents, and 2 acres of Community Parks per 1,000 new residents, resulting from the development of the C. C. M. Plan. An example of an approved plan more compliant with the General Plan -- the Faria Project off Crow Canyon -- set aside 12 acres for parks, for a 740 unit project -- or, for roughly 2,100 new residents. As presented by the applicant/developer this "City Center Master Plan" -- at 4500 units [6 times the number of Faria units!] is currently offering - incredibly- LESS park set asides than the much smaller Faria Project. City Staff has already acknowledged that -historically- land dedicated as parks mitigation, for City approved developments, has averaged at least 1 ½ acres under the General Plan standards. This C.C.M. Plan, as proposed, will seriously exacerbate that deficiency. It demonstrates we have a long way to go -- just to get a Plan that complies with its own park dedication requirements. Again, the DEIR will need to detail mitigations and actions that achieve those park set aside requirements. An example of one possible mitigation site for, at least, partial compliance with G. P. Community Parks obligations, may be acreage purchases adjacent to the new Mudd's Community Park. New Neighborhood Parks acreage needed to alleviate the impacts of up to 10,000 new residents, should be within, or as adjacent as possible, to Site boundaries, and new Park acreage set asides -- should not include similar acreage already in place, that was an amenity or mitigation incorporated in an earlier City approved project. Such as: the 2 (man-made) lakes near, or within, the proposed development area.*

9

> **TRAFFIC:** *Around 10,000 new residents will result in roughly 100,000 extra daily car trips. This will be in a location that does NOT have a mass transit hub, like BART access thru a neighboring BART Station. The predictable outcome will be an expansion of the negative traffic impacts as much of the daily car trip will, in fact, be driving out of the area -- in lieu of mass transit connections, and a limited local spectrum of jobs availability. Full*

10

*evaluation of negative impacts on all key City arterials, streets and intersections, as well as impacts on I-680, must be done as a precursor to presenting, full and necessary mitigations. Conversely, the DEIR will need to fully evaluate and present a likely situation where full mitigation costs are so expensive and unrealistic as to leave unresolved an array of significant negative traffic impacts.*

10  
Cont.

**> VIEWSHED / HEIGHT LIMITS:** *We need further examination, under the DEIR as to compliance with building height limit requirements. It has generally been 5 stories, or in certain circumstances, up to 83 feet. This needs to be fully detailed as to proper compliance – or mitigation steps presented that bring the Plan into full compliance. Regardless, the actual maximum height of the various buildings planned will have an obvious negative impact on the viewshed. Several before and after (build out) visual impact renditions will need to be done from the numerous impacted streets and other key viewpoints to appreciate the negative visual impacts, and the challenges facing mitigation proposals that can reduce it to less than significant.*

11

**> SCHOOLS:** *There will need to be an accurate determination of the number of new school age children. A rough estimate would suggest this Plan will result in well over 500 new school age children. New facilities, and facilities costs, and designation of funding responsibilities, will need to be part of a appropriate and full mitigation presentation. Otherwise, there is very likely to be an outcome that will actually increase the current overcrowding of most local schools.*

12

**> WATER:** *While within East Bay MUD's U. S. B., it will be important to engage with EBMUD to understand, and appreciate, actual negative impacts on their limited water supply, and possibly on their customer base.*

13

**> POLICE:** *City police services will be seriously impacted by an additional 10 thousand new residents. Incidents of crime will significantly increase. What mitigations would be needed to fully compensate for that impact?*

14

**> MITIGATIONS \$ COST:** *Lastly, as can best be determined, a dollar cost value should be assigned to each mitigation proposal in each environmental impact category. The DEIR will need to clarify to what extent the ultimate cost is not born by the developer/proponent, or otherwise "externalized" by the developer – and any resulting monetary shortfall that would then become the burden of the City and its General Fund, or other City taxpayer supported funds, or other jurisdictions, and their customer based funding sources - - such as East Bay MUD, or the local School District? Often, a typical situation arises where the developer/proponent significantly underfunds full and necessary mitigation(s) needed to minimize the various serious and negative impacts stemming from the 1,000's of new people their development plan will bring into San Ramon. Just as often, other/City/secondary sources will not, or cannot, supplement and otherwise fully augment the funding gap. Therefore the DEIR will also need to analysis each case*

15

*where that occurs – the degree to which it occurs - and the consequential increase in negative impacts for each instance.*

**Initial Assessment:** *If just the severe lack of necessary Parks acreage locations and dedications, or even supplementing and sufficient funding set asides, presented in this initial Proposal, is any indication -- there is a long way to go to arrive at a Plan that is consistent with City Standards on an array of impact mitigations needed for successful CCMUMP integration into the City of San Ramon. And, conversely, will NOT ultimately be a burden on the City and its residents. It would be wise for San Ramon City Leaders and officials to not get too caught up in this Plan's proponent's "salesmanship," that will focus on the pluses of the Plan, and either, minimize, or not address, the minuses. The likelihood that the numerous and serious impacts, in key CEQA categories, will often not be fully mitigated, or only partially mitigated, in the final derivative of this very dense residential development Plan, has to be understood and appreciated for its overall significantly negative effect (in varying degrees) on the quality of life for all the people currently living in San Ramon. That reality must be acknowledged in the CEQA documents, and be a central focal point of the decision making process as to whether this Plan will be of overall benefit, or overall detriment, for San Ramon. What will the final determination be for maintaining: the City's ambiance, the traffic flows, the visual aesthetics, City services, schools, the relatively quiet, calm, and light crime rate attributes – all those essential positive qualities that so integral to the City's make up, and that bear directly on the resident's quality of life? The final decision will tell us not so much as to what kind of City we want to become – but, what kind of City we are to become. It is a profoundly serious undertaking.*

16

*Thank You. -- Jim Blickenstaff*



Rachel S. Doughty, Esq.  
2550 Ninth Street, Ste. 204B  
Berkeley, CA 94710  
T: 510.900.9502 x 2  
F: 510.900.9502  
[rdoughty@greenfirelaw.com](mailto:rdoughty@greenfirelaw.com)

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**Jim Blickenstaff, Letter 3 (BLICKENSTAFF.3)**

*Response to BLICKENSTAFF.3-1*

The commenter requests that the Draft EIR evaluate cumulative impacts from the Crow Canyon Specific Plan and propose related mitigation.

The Crow Canyon Specific Plan was considered as a cumulative project, as listed in Table 4-1 in Section 4 of the Draft EIR, Cumulative Effects. No mitigation was identified as necessary related to specific impacts of the Crow Canyon Specific Plan on the Master Plan or cumulative impacts from both projects.

*Response to BLICKENSTAFF.3-2*

The commenter requests that the Draft EIR evaluate impacts related to future water supply limits from severe drought within the time frame of Master Plan buildout (i.e. year 2048) and propose related mitigation.

As discussed in Section 3.15 of the Draft EIR, Utilities and Public Services, EBMUD prepared a WSA in October 2019 for the Master Plan that determined that estimated water demand for the Master Plan is accounted for in EBMUD's water demand projections published in the 2015 Urban Water Management Plan. The 2015 Urban Water Management Plan concluded that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for multi-year droughts. During multi-year droughts, EBMUD may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand. The WSA states that the proposed Master Plan will be subject to the same drought restrictions that apply to all EBMUD customers. Furthermore, EBMUD commented on the Draft EIR with a comment letter which is included in this Final EIR and did not raise concerns related to water supply or water demand from the project. In addition, the Master Plan would connect to the existing recycled water lines via new service laterals, and thereby served with non-potable water for landscape irrigation. No mitigation was identified as necessary related to drought and water supply.

*Response to BLICKENSTAFF.3-3*

The commenter requests that the Draft EIR be reevaluated to reflect the effects of the COVID-19 pandemic, including shifting population growth patterns, changes to economic demands, and re-evaluation of planning models and projections for housing, density, and layout.

The Notice of Preparation was issued in September 2019, establishing the baseline for environmental review. As such, the document evaluated Master Plan effects in light of the travel patterns, growth projections, and economic activity in effect at that time, as directed by CEQA. Furthermore, the effects from COVID-19, including, but not limited to, those related to demand for future parks are speculative.

*Response to BLICKENSTAFF.3-4*

The commenter requests that the Draft EIR evaluate traffic impacts due to lack of connectivity between jobs in the City and future residents of the Master Plan, stating that most proposed residential units would be market rate and unaffordable to the City's work force (i.e. future residents

of the Master Plan would not work in the City or at commercial uses within the Master Plan, creating commute traffic).

For a discussion of transportation impacts and proposed mitigation, please refer to Responses to GFL-11 and GFL-14, as well as Section 3.14, Transportation, of the Draft EIR. The evaluation of transportation impacts was based on standard industry practice, including an assessment of jobs and housing, and its effect on commuting patterns and traffic congestion.

*Response to BLICKENSTAFF.3-5*

The commenter asserts that the long timeframe for this Master Plan may conflict with responsibilities of other agencies.

CEQA considerations are limited to environmental issues and potential impacts of a project on the environment. The Draft EIR was sent to responsible agencies and interested parties for their review, and all comment letters received are included in this Final EIR. No further response is required.

*Response to BLICKENSTAFF.3-6*

The commenter requests that the Draft EIR propose mitigation for all Master Plan phases, including analysis of near future impacts and full buildout impacts. The commenter asks specifically about traffic impacts on Norris Canyon Road.

The Draft EIR evaluated construction and operational impacts of the proposed Master Plan for all phases and at buildout; mitigation is proposed to reduce environmental impacts to less than significant, and all potential effects of such mitigation has been evaluated and disclosed. Notably, no condemnation of private residences would be required. For a discussion of transportation impacts and proposed mitigation, please refer to Responses to GFL-11 and GFL-14, as well as Section 3.14, Transportation, of the Draft EIR.

*Response to BLICKENSTAFF.3-7*

The commenter requests that the Draft EIR evaluate a project alternative that complies with General Plan park standards and State standards for at least 25 percent affordable housing.

Section 5, Alternatives to the Proposed Master Plan, identifies and analyzes four alternatives to the proposed Master Plan. As stated on page 5-1 of the Draft EIR, the primary purpose of an alternatives analysis under CEQA is to provide the decisionmakers, other interested parties, and the general public with a reasonable range of potentially feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the proposed Master Plan's significant adverse environmental effects. As brought forth in Section 5, all impacts of the proposed Master Plan can be mitigated to below a level of significance; therefore, the proposed Master Plan does not have any significant unavoidable impacts. Accordingly, analysis of the four alternatives to the proposed Master Plan are provided for informational purposes and to allow the decisionmakers to consider the proposed Master Plan in light of hypothetical alternative development scenarios, thereby promoting CEQA's purpose as an information disclosure statute. As detailed in the Alternatives Analysis, the proposed parks and recreational facilities are the same across explored alternatives as compared to the Master Plan; however, the number of affordable housing units provided varies across the alternatives. See Section 5 of the Draft EIR for further details.

For a discussion of affordable housing required by the City's General Plan, please refer to Response to GFL-8. For a discussion regarding compliance with General Plan park standards, please refer to Response GFL-16.

Regarding the State's mandates for affordable housing, these requirements are met by the City of San Ramon through the Housing Element and RHNA. As part of RHNA, the California Department of Housing and Community Development (HCD) determines the total number of new homes the City needs to build, and how affordable those homes need to be, in order to meet the housing needs of people at all income levels. The City of San Ramon is responsible for meeting its RHNA requirements for the City as a whole and not on a project-by-project basis.

*Response to BLICKENSTAFF.3-8*

The commenter expresses general opposition to the Master Plan in light of the COVID-19 pandemic.

The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required. See also Response to BLICKENSTAFF.3-3.

*Response to BLICKENSTAFF.3-9*

The commenter asserted in an email dated October 25, 2019 that General Plan parks standards should be applied at a project specific level. The commenter also feels that new park acreage calculations should not include the existing Annabel Lake and Lake Cecilia.

As detailed in Response GFL-16, the General Plan park standards and policies apply Citywide and are not determined on a project-by-project basis. Please refer to Response GFL-16.

*Response to BLICKENSTAFF.3-10*

The commenter expresses concern in an email dated October 25, 2019 regarding increased car trips from new residents without the convenience of a mass transit rail option nearby, such as BART. The commenter also asserted that evaluation of transportation impacts must be complete before presenting mitigation.

For a discussion of transportation impacts and mitigation, please refer to Response to GFL-11, as well as Section 3.14, Transportation, of the Draft EIR.

*Response to BLICKENSTAFF.3-11*

The commenter asserted in an email dated October 25, 2019 that compliance with building height limits must be further examined, but that regardless of existing regulation or compliance there would be negative impacts on viewsheds.

For a discussion of building height limit compliance and descriptions of visual renderings of Master Plan buildings, please refer to Response to GFL-17.

*Response to BLICKENSTAFF.3-12*

The commenter asserted in an email dated October 25, 2019 that the number of new school age children that would live within the Master Plan must be estimated, and that new facilities and cost responsibilities must be part of mitigation.

As described in Impact PSR-3 of Section 3.13 of the Draft EIR, Public Services and Recreation, the Master Plan would result in an estimated 1,575 new students to local schools over a 27-year period, or an annual average of 59 students per year. The San Ramon Valley Unified School District provided letters to the City in September and October of 2019, indicating that it had accounted for student generation from the 487 dwelling units associated with the 2007 City Center Project and that the proposed Master Plan would require payment of development impact fees to reduce impacts to existing school facilities. Pursuant to Government Code Section 65995, payment of development fees is “full and complete” mitigation for school impacts.

*Response to BLICKENSTAFF.3-13*

The commenter asserted in an email dated October 25, 2019 that the project applicant should consult with EBMUD on water supply impacts and impacts to their customer base.

For a discussion of consultation with EBMUD, please refer to Response to GFL-18 and Response to BLICKENSTAFF.3-3. EBMUD’s customer base is outside the scope of the Draft EIR and is not an environmental issue.

*Response to BLICKENSTAFF.3-14*

The commenter asked in an email dated October 25, 2019 what mitigations would be necessary to compensate for impacts to City police protection services and increased crime due to new residents.

For a discussion of police service impacts, please refer to Response to GFL-19.

*Response to BLICKENSTAFF.3-15*

The commenter asserted in an email dated October 25, 2019 that a dollar value should be assigned to all proposed mitigation and that the Draft EIR should state what entities are fiscally responsible for each mitigation measure. The commenter also asserted that the Draft EIR must analyze each case where the project applicant underfunds mitigation.

For a discussion on mitigation costs, please refer to Response to GFL-21.

*Response to BLICKENSTAFF.3-16*

The commenter summarized previous comments and expressed general opposition for the Master Plan.

The comment is noted; no further response in addition to Responses to BLICKENSTAFF.3-1 through 3-16 is required.

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**From:** Sumana Bolar <[sumana.bolar@gmail.com](mailto:sumana.bolar@gmail.com)>  
**Sent:** Monday, June 22, 2020 7:22 PM  
**To:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Subject:** Stop Sunset Project

Writing to you to stop the Sunset project which will bring 600+ residential units on Bollinger/Crow Canyon and further congest our roads. We want San Ramon to be a small town with family friendly parks and shops not high unit developments. I'm a realtor by profession but this development is NOT San Ramon and what San Ramon stands for!!!

1

Sumana Bolar Sen  
San Ramon Resident since 2007

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### **Sumana Bolar Sen (BOLAR SEN)**

#### *Response to BOLAR SEN-1*

The commenter expresses concern regarding road congestion, in particular, Bollinger Canyon Road and Crow Canyon Road, as a result of the residential component of the Master Plan.

Section 3.14, Transportation, of the Draft EIR analyzed 31 intersections in the study area, including intersections at Crow Canyon Road and Bollinger Canyon Road, during existing and future conditions with the addition of Master Plan generated traffic. The Master Plan would generate 24,912 daily trips with 1,457 in the AM peak-hour and 1,829 in the PM peak-hour.

Although the Master Plan would result in an increase in traffic to roadways that currently operate below acceptable levels of service (LOS), the Master Plan would implement MM TRANS-1a, -1b, -2a, -2b, and -2c to reduce related traffic impacts to the maximum extent practicable. The project applicant would include roadway improvements and provide equitable fair share fees that contribute to roadway improvements to reduce impacts. The specific roadway improvements are described on pages 3.14-32 and 3.14-41 of the Draft EIR.

Furthermore, the project applicant would provide fully subsidized transit passes to all residents of the 4,500 multi-family units. These transit passes would provide access to County Connection C bus routes to major stations, such as the BART stations in Dublin/Pleasanton, West Dublin, and Walnut Creek via existing transit services. Transit passes would complement the three new proposed transit hubs. These additional measures align with the multimodal transportation and environmental action goals outlined in SB 743 by encouraging non-automobile modes of transportation such as walking, bicycling, carpool, vanpool, transit, etc.

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From: Joyce Carr <[joyciee@aol.com](mailto:joyciee@aol.com)>  
Sent: Tuesday, June 16, 2020 6:02 PM  
To: [planningcommission@sanramon.ca.gov](mailto:planningcommission@sanramon.ca.gov)  
Subject: Fwd: Public Comment 6/16/2020 - Item 10.1

-----Original Message-----

From: Joyce Carr <[joyciee@aol.com](mailto:joyciee@aol.com)>  
To: [planningcommission@sanramon.ca.gov](mailto:planningcommission@sanramon.ca.gov) <[planningcommission@sanramon.ca.gov](mailto:planningcommission@sanramon.ca.gov)>  
Sent: Tue, Jun 16, 2020 5:04 pm  
Subject: Public Comment 6/16/2020 - Item 10.1

Good Evening,

Please read this into the Public Record. I am commenting on the Bishop Ranch 1A City Walk Master Plan. I was very disappointed to hear that more housing, and office buildings are being discussed for this area. It will result in more traffic, less parks and open space, fewer views of beautiful MT. Diablo, etc. How sad for our city.

Please allow the residents to voice their concerns on these projects. It is too important and serious to be decided on at Zoom Meetings.

Thank you, Joyce Carr

1

2

**RECEIVED**  
JUN 16 2020  
CITY OF SAN RAMON  
PLANNING SERVICES

LATE COMMUNICATION # 15  
AGENDA # 10-1 P.C. MTG 6/16/20

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### **Joyce Carr, Letter 1 (CARR.1)**

#### *Response to CARR.1-1*

The commenter expresses disapproval of the Master Plan and that the addition of housing and office buildings would result in more traffic, less park and open space, and fewer views of Mount Diablo.

Although the Master Plan would result in up to 4,500 new housing units, 15 percent of the 4,500 units (approximately 675) would be deed-restricted as affordable to low and very low income households, which would provide affordable housing units in accordance with the City of San Ramon Housing Element (2015-2023).

Although the Master Plan would result in an increase in traffic to roadways that currently operate below acceptable LOS, the Master Plan would implement MM TRANS-1a, -1b, -2a, -2b, and -2c to reduce related traffic impacts to the maximum extent practicable. The project applicant would include roadway improvements, as detailed in Section 3.14 Transportation, and provide equitable fair share fees that contribute to roadway improvements to reduce impacts. Furthermore, the project applicant would provide fully subsidized transit passes to all residents of the 4,500 multi-family units. These transit passes would provide access to County Connection C bus routes to major stations, such as the BART stations in Dublin/Pleasanton, West Dublin, and Walnut Creek via existing transit services. Transit passes would complement the three new proposed transit hubs. These additional measures align with the multimodal transportation and environmental action goals outlined in SB 743 by encouraging non-automobile modes of transportation such as walking, bicycling, carpool, vanpool, transit, etc.

The proposed Master Plan would include approximately 40.7 acres of publicly accessible, privately owned and maintained, parks, open space, and other public facilities. This includes new park spaces and improvements to existing BR 2600 facilities.

As described in Section 3.1 Aesthetics, Light, and Glare, Master Plan buildings would be consistent with surrounding area buildings and are not expected to substantially obstruct publicly accessible views of Dougherty Hills, Wiedemann Hill, and Mount Diablo, or substantially change views from publicly accessible viewpoints. Additionally, proposed buildings would be compatible with existing surrounding buildings in terms of height and architecture, as detailed in the CityWalk Design Guidelines and included in Appendix B of the Draft EIR.

#### *Response to CARR.1-2*

The commenter asks for the City to allow City residents to voice their concerns for the Master Plan, and that it is not appropriate to decide on the Master Plan via Zoom teleconference meetings.

The Draft EIR was available for public review from May 19, 2020 to July 2, 2020. The City received 28 comment letters, indicating that the public, including this commenter, was able to voice concerns related to the Master Plan. The public was also able to make comments on the Draft EIR via the June 16, 2020 Planning Commission hearing, conducted via Zoom, which has become the standard method for holding public hearings during this period of restrictions related to COVID-19. No further response is required.

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**From:** Franco, Christina <[cfranco@sanramon.ca.gov](mailto:cfranco@sanramon.ca.gov)>  
**Sent:** Tuesday, June 23, 2020 6:49 PM  
**To:** Chamberlain, Debbie <[dchamberlain@sanramon.ca.gov](mailto:dchamberlain@sanramon.ca.gov)>  
**Subject:** FW: Public Comment 6/23/2020

**From:** Joyce Carr <[joyciee@aol.com](mailto:joyciee@aol.com)>  
**Sent:** Tuesday, June 23, 2020 5:33 PM  
**To:** City Clerk (Public) <[cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov)>; [gregorylcarr@msn.com](mailto:gregorylcarr@msn.com)  
**Subject:** Public Comment 6/23/2020

Good Evening,

I am speaking tonight on the City Walk Project. I have been learning about this project at the Planning Commission Meetings. I am concerned about traffic problems that will increase in this area. The increase of residents and office workers will greatly congest the already congested Bishop Ranch and Highway 680. There is no assurance that people buying homes in the City Walk Project will work in Bishop Ranch.

1

There is mention of adding/widening lanes in Bishop Ranch. Of special concern is expansion of the intersection at Norris Canyon Road and San Ramon Valley Blvd. Norris Canyon Road west of San Ramon Valley Blvd. is residential. Children use this part of Norris Canyon Road to walk to and from school. It is also a popular street for people to take walks with their families and pets.

2

I am concerned that the expansion of intersections at Norris Canyon Road and San Ramon Valley Blvd. will induce pressure to expand Norris Canyon Road west of 680. This would be severely detrimental to the residents and their homes along that road.

Thank you for considering my concerns on this issue.

Joyce Carr

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## **Joyce Carr, Letter 2 (CARR.2)**

### *Response to CARR.2-1*

The commenter expresses concern regarding the Master Plan's traffic impacts on nearby roadways and Interstate 680 (I-680). The commenter is concerned that there is no assurance that future residents of the Master Plan would work in the Bishop Ranch area.

The Draft EIR analyzed 31 intersections in the study area, including on- and off-ramps to I-680 at Crow Canyon Road and Bollinger Canyon Road, during existing and future conditions with the addition of Master Plan generated traffic. The Master Plan would generate an estimated 24,912 daily trips, with 1,457 in the AM peak-hour and 1,829 in the PM peak-hour.

The proposed Master Plan would contribute new trips to roadway facilities that would operate at deficient levels in both existing and future condition scenarios. The proposed Master Plan would be required to implement MM TRANS-1a, -1b, -2a, -2b, and -2c which requires the project applicant to install roadway improvements or provide equitable share fees to the City for installation of such improvements, when warranted. The specific roadway improvements are described on pages 3.14-32 and 3.14-41 of the Draft EIR. As concluded in the Draft EIR, the proposed Master Plan's impacts related to transportation would be less than significant with mitigation.

The Draft EIR included an analysis of freeway mainline segments, signalized ramp intersections, and off-ramp queuing on I-680. The Master Plan is not anticipated to change LOS operations at five of the six freeway mainline sections during the AM peak-hour, nor is it anticipated to change LOS operations at four of the six freeway mainline sections during the PM peak-hour under Future with Project Conditions. Additionally, LOS changes on freeway mainlines segments were considered less than significant because the Master Plan would contribute such a small number of vehicles per mile per lane. The freeway ramp intersection operations analysis determined that all intersections operate at LOS C or better during both the AM and PM peak-hours under Existing Conditions, and would continue to operate at LOS C or better under Existing with Project Conditions, Future without Project Conditions, and Future with Project Conditions. The off-ramp queue analysis determined that year 2019 and year 2040 traffic volumes would not extend vehicle queues beyond available storage capacity regardless of Master Plan traffic.

Although there is no feasible way to ensure residents of the Master Plan would work in the Bishop Ranch area, the Master Plan includes a number of programs that would encourage transit use and improve existing bicycle and pedestrian facilities. The Master Plan contemplates transit hubs that would be integrated into the existing TDM program. The Master Plan area is currently served by transit service offered by County Connection. Additionally, Bishop Ranch provides a well-established, comprehensive TDM program.

### *Response to CARR.2-2*

The commenter is concerned that expansion of the Norris Canyon Road/San Ramon Valley Boulevard intersection would increase traffic and roadway safety issues on adjacent land uses and for pedestrians. The commenter also asserts that expansion of the Norris Canyon Road/San Ramon Valley Boulevard intersection would induce pressure to expand the roadway segment of Norris Canyon Road west of I-680, creating a detrimental effect on nearby residents.

The Norris Canyon Road/San Ramon Valley Boulevard intersection was analyzed in the Master Plan Traffic Impact Study as intersection number 10. As shown in Table 3.14-10 and 3.14-12, the Norris Canyon Road/San Ramon Valley Boulevard intersection would continue to operate at acceptable LOS levels in both the Existing Plus Project and Future Plus Project conditions, and no expansion of the intersection is contemplated as a result of the implementation of the Master Plan.

**From:** Joyce Carr <[joyciee@aol.com](mailto:joyciee@aol.com)>  
**Sent:** Thursday, July 2, 2020 12:08 PM  
**To:** Franco, Christina <[cfranco@sanramon.ca.gov](mailto:cfranco@sanramon.ca.gov)>; Lysons, Martin <[mlysons@sanramon.ca.gov](mailto:mlysons@sanramon.ca.gov)>; Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Subject:** Comments for City Walk Master Plan EIR

-----Original Message-----

**From:** Joyce Carr <[joyciee@aol.com](mailto:joyciee@aol.com)>  
**To:** [cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov) <[cityclerk@sanramon.ca.gov](mailto:cityclerk@sanramon.ca.gov)>; [gregorylcarr@msn.com](mailto:gregorylcarr@msn.com) <[gregorylcarr@msn.com](mailto:gregorylcarr@msn.com)>  
**Sent:** Tue, Jun 23, 2020 5:33 pm  
**Subject:** Public Comment 6/23/2020

Good Evening,

I am speaking tonight on the City Walk Project. I have been learning about this project at the Planning Commission Meetings. I am concerned about traffic problems that will increase in this area. The increase of residents and office workers will greatly congest the already congested Bishop Ranch and Highway 680. There is no assurance that people buying homes in the City Walk Project will work in Bishop Ranch.

There is mention of adding/widening lanes in Bishop Ranch. Of special concern is expansion of the intersection at Norris Canyon Road and San Ramon Valley Blvd. Norris Canyon Road west of San Ramon Valley Blvd. is residential. Children use this part of Norris Canyon Road to walk to and from school. It is also a popular street for people to take walks with their families and pets.

I am concerned that the expansion of intersections at Norris Canyon Road and San Ramon Valley Blvd. will induce pressure to expand Norris Canyon Road west of 680, and HOV ramps. This would be severely detrimental to the residents and their homes along that road.

Please make sure that my comments get entered into the comments for the EIR. Thank you.

Joyce Carr

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**Joyce Carr, Letter 3 (CARR.3)**

*Response to CARR.3-1*

The commenter submitted a copy of their second letter (see Responses to CARR.2). The commenter included an additional concern regarding increased impacts to High Occupancy Vehicle (HOV) ramps on I-680.

HOV ramps were not addressed specifically in the Draft EIR, however I-680 ramps were discussed in general as described in Response to CARR.2-1. The freeway ramp intersection operations analysis determined that all intersections operate at LOS C or better during both the AM and PM peak-hours under Existing Conditions, and would continue to operate at LOS C or better under Existing with Project Conditions, Future without Project Conditions, and Future with Project Conditions. As such, no mitigation is required.

The comment is noted; no further response is required.

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**Barr, Lauren**

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**Subject:** FW: Approve Bishop Ranch CityWalk Master Plan

**From:** Andrew Chao  
**Sent:** Wednesday, May 27, 2020 5:46 AM  
**To:** planningcommission <planningcommission@sanramon.ca.gov>  
**Subject:** Approve Bishop Ranch CityWalk Master Plan

Dear Commissioners,

I am contacting you today to encourage you to approve The Bishop Ranch CityWalk Master Plan at the June 16th Planning Commission meeting. Given the current COVID-19 crisis, it is more important than ever before to make sure everyone in the Bay Area has a place to call home.

This master plan will help the City of San Ramon make significant progress towards their Regional Housing Needs Assessment goals, and also provide much-needed housing for those who already live and work in San Ramon, which will also reduce commute times as well as greenhouse gas emissions.

This plan makes significant progress towards the development of better urban form for the City of San Ramon, and what's currently an extremely auto-centric business park. This is the kind of climate-smart development that we need in the Bay Area to meet our housing goals, reduce greenhouse gas emissions, and ensure local residents are able to grow and thrive in their own communities as housing costs rise.

I look forward to attending the Planning Commission Meeting on June 16th and hope you make the appropriate steps towards improving our COVID19 economic crisis, our housing crisis, and our climate crisis by approving this project today.

Regards,  
Andrew Chao .

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**Andrew Chao (CHAO)**

*Response to CHAO-1*

The commenter expresses support for the Master Plan, stating it would help make progress towards City Regional Housing Needs Assessment goals, reduce commutes and related greenhouse gas emissions, and develop better urban form for the City.

The comment is noted; no response is required.

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**Chavez, Jennifer**

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**From:** Amulya Dhulipala <Amulya.Dhulipala.321002291@p2a.co>  
**Sent:** Wednesday, June 10, 2020 9:47 PM  
**To:** Planning Services (public)  
**Subject:** Approve Bishop Ranch CityWalk Master Plan

Dear Commissioners,

I am contacting you today to encourage you to approve The Bishop Ranch CityWalk Master Plan at the June 16th Planning Commission meeting. Given the current COVID-19 crisis, it is more important than ever before to make sure everyone in the Bay Area has a place to call home.

This master plan will help the City of San Ramon make significant progress towards their Regional Housing Needs Assessment goals, and also provide much-needed housing for those who already live and work in San Ramon, which will also reduce commute times as well as greenhouse gas emissions.

This plan makes significant progress towards the development of better urban form for the City of San Ramon, and what's currently an extremely auto-centric business park. This is the kind of climate-smart development that we need in the Bay Area to meet our housing goals, reduce greenhouse gas emissions, and ensure local residents are able to grow and thrive in their own communities as housing costs rise.

I look forward to attending the Planning Commission Meeting on June 16th and hope you make the appropriate steps towards improving our COVID19 economic crisis, our housing crisis, and our climate crisis by approving this project today.

Regards,  
Amulya Dhulipala

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JUN 10 2020  
CITY OF SAN RAMON  
PLANNING SERVICES

LATE COMMUNICATION # 1  
AGENDA # 10.1 P.C. MTG 6/16/20

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**Amulya Dhulipala (DHULIPALA)**

*Response to DHULIPALA-1*

The commenter expresses support for the Master Plan, stating it would help make progress towards City Regional Housing Needs Assessment goals, reduce commutes and related greenhouse gas emissions, and develop better urban form for the City.

The comment is noted; no response is required.

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**Barr, Lauren**

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**Subject:** FW: EIR for Bishop Ranch development

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**From:** Joyce Gunn  
**Sent:** Wednesday, June 10, 2020 10:40 AM  
**To:** Barr, Lauren <lbarr@sanramon.ca.gov>  
**Cc:** Julie Lovett  
**Subject:** EIR for Bishop Ranch development

As a senior (and the retired San Ramon librarian), I am very supportive of the housing development planned in Bishop Ranch. I would love to live there. It has everything a senior would need. It is close to multiple grocery stores, three pharmacies, and many doctor's offices and a hospital. It is also perfectly located for recreation -- the library, parks, the Iron Horse Trail, movie theater, and restaurants. And all of this is within walking distance. It is a perfect location for eliminating traffic, so be sure to include parking for our vehicles. I strongly urge you to seriously consider approval for this project.

1

I would also like to suggest that a portion of it be designated senior housing, though I admit that I am not versed in all that such a designation would entail. I am glad that some is designated as affordable housing, as many seniors on fixed incomes would qualify for that.

2

I support this project.

**Joyce Gunn**  
**28 Fircrest Court**  
**San Ramon, CA 94583**  
**925-642-0595**

*"Kind words are the music of the world."  
--F.W. Faber*

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**Joyce Gunn (GUNN)**

*Response to GUNN-1*

The commenter expresses support for the Master Plan and urges the City to approve the Draft EIR.

The comment is noted; no response is required.

*Response to GUNN-2*

The commenter suggests that a portion of the residential component of the Master Plan be designated for senior housing.

CEQA considerations are limited to environmental issues and potential impacts of a project on the environment. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

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**From:** Nancye Ann <[nancye.harder@sbcglobal.net](mailto:nancye.harder@sbcglobal.net)>  
**Sent:** Thursday, July 2, 2020 4:37 PM  
**To:** Planning Services (public) <[PlanningPublic@sanramon.ca.gov](mailto:PlanningPublic@sanramon.ca.gov)>  
**Cc:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Subject:** Environmental impact - City Walk

HARDER  
Page 1 of 3

Planning Team,

I understand the request was for input to the Environmental Impact was due today, so trying to get this off to you quickly.

1

I have a few concerns that I would like addressed in the Environmental Impact section of the City Walk plan.

Light Pollution:

Although lighting was briefly mentioned in original plan, I do not feel enough focus was placed on how the new development will address the effects of light pollution.

Currently in San Ramon, we enjoy the ability to see the stars at night. Without thoughtful planning of the lighting in the new City Walk development, our stars will no longer be visible.

The night sky is a natural resource that the entire community enjoys, and should not be overlooked.

2

Numerous studies have shown that effective lighting can both preserve the night sky, as well as save on power costs.

I am requesting that more focus be put into the design and placement of lights in the new development.

I understand the city can obtain a free lighting plan to meet these guidelines (foot candle measures and fixture specs) from lighting manufacturer specifications.

This document supplies some guidelines: <http://www.darkskysociety.org/handouts/LightingPlanGuidelines.pdf>. The Dark Sky Organization may have more resources to assist with this planning.

Air Quality:

Much focus has been placed on how the layout of City Walk will reduce auto traffic, preventing air pollution from autos.

3

This is welcome, however, I would like to bring to your attention a different type of air pollution - Pollen Pollution.

Bay Area towns & cities (as well as the south end of San Ramon) have overplanted ornamental trees over the years. This has resulted in terrible air quality during the springtime season.

Poor air quality can be prevented through the thoughtful planting of vegetation that does not produce so much pollen, making people get sick.

There are many options available, yet, I continue to see the white and pink blossoms all over the East Bay, reducing quality of air.

I am requesting that consideration be made in selecting pollen free vegetation in the area around the City Walk. We all share the same air.

3  
Cont.

A sense of community:

It is good to see the small parks designed into the plan. I'm sure they will be great places to sit and reflect.

What I do not see in the plan are ways to develop a sense of community.

I was wondering if neighborhood gardens (for growing vegetables), basketball hoops (with correct lighting), and other sports areas would help to develop a sense of neighborhood community.

People need more than a job and a roof over their heads.

It's that sense of community that current residents feel, and I hope we do not lose that.

4

I appreciate your consideration to include my above suggestions.

Thank you,

Nancye Harder

#####

Nancye Harder

3077-3 Lakemont Drive

5

San Ramon, CA 94582

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**Nancye Harder (HARDER)**

*Response to HARDER-1*

This comment provides introductory information.

The comment is noted; no response is required.

*Response to HARDER-2*

The commenter expresses concern regarding nighttime light pollution and that lighting impacts were not adequately addressed in the Draft EIR. The commenter requests that more focus is given to lighting design for the Master Plan.

As discussed in Section 3.1 of the Draft EIR, Aesthetics, Light, and Glare, a condition of project approval would require that, prior to issuance of building permits, the project applicant shall submit a site lighting plan to the City for review and approval. The plan will identify necessary requirements established in the Zoning Ordinance (D3-7 and D3-33) and provide detailed information regarding lighting levels using photometrics to indicate maximum, minimum, and average foot-candle lighting level proposed for the Master Plan. The plan will also identify types of light fixtures and pole height. As the City will review the photometrics and require refinements, if needed, to reduce potential for light trespass, impacts related to increased lighting would be less than significant.

*Response to HARDER-3*

The commenter expresses concern regarding air quality impacts of pollen and requests that pollen-free vegetation be considered for Master Plan landscaping.

While pollen is considered to be naturally occurring particulate matter by the BAAQMD, guidance from the BAAQMD requires that a CEQA air quality analysis consider particulate matter caused by combustion, factories, construction, grading, demolition, and motor vehicles. As such, an analysis of pollen is outside of the scope of the EIR. Landscape Design Guidelines would be required by the City for implementation of the Master Plan and would be reviewed to ensure compliance with General Plan and San Ramon Municipal Code landscaping requirements. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

*Response to HARDER-4*

The commenter expresses concern regarding whether the Master Plan would develop a sense of community and posits whether neighborhood gardens or sports areas would benefit the Master Plan area.

CEQA considerations are limited to environmental issues and potential impacts of a project on the environment. The comment does not address the adequacy of the Draft EIR. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

*Response to HARDER-5*

This comment provides concluding statements and contact information.

The comment is noted; no response is required.

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Dennis and Kathleen Lasse  
2449 Roundhill Dr  
Alamo CA 94507

Mr. Lauren Barr  
Planning Services Manager  
City of San Ramon Planning Services Division  
2401 Crow Canyon Road San Ramon, CA 94583  
Email: [lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)

**RECEIVED**  
JUN 12 2020  
CITY OF SAN RAMON  
PLANNING SERVICES

June 11, 2020

SUBJECT: Comments on DRAFT Environmental Impact Report - CityWalk Master Plan,  
State Clearinghouse # 2019090586

Dear Mr Barr:

We have read and reviewed the Draft EIR for the CityWalk Master Plan and find it fully satisfactory. The project as described fully meets the project objectives, is superior to the project alternatives, and we urge the City of San Ramon to certify the EIR as prepared.

1

We strongly support the project as it will bring much needed high quality housing to the area and the housing will be closely integrated with an existing center of employment.

We do have two observations. First, the proposed phasing plan is far too lengthy. The project should proceed with all due haste and could reasonably be fully built out by 2026. The demand for housing in our area is acute and we believe the market would support a much faster construction schedule. Second, this development as proposed is a first class project and requires highly skilled labor to build it. We strongly urge Sunset Development to use union labor to ensure that the high quality it deserves is built in from the start.

2

3

Sincerely,

Dennis and Kathleen Lasse

**LATE COMMUNICATION # 3**  
AGENDA # 10.1 P.C. MTG 6/11/20

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**Dennis and Kathleen Lasse (LASSLE)**

*Response to LASSLE-1*

The commenters express support for the Master Plan and urge the City to certify the Draft EIR.

The comment is noted; no response is required.

*Response to LASSLE-2*

The commenters state that the proposed phasing plan is too long and that the Master Plan could be complete by 2026 due to housing demand.

The proposed phasing plan is spread out to create orderly, managed growth (as is a project objective for the Master Plan) and to allow proper time for City review of each development phase and future proposed projects under the Master Plan. Economic factors would also dictate Master Plan implementation, and thus, the proposed phasing plan reflects the anticipated scenario for buildout.

*Response to LASSLE-3*

The commenters urge the applicant to hire union labor to ensure high quality construction.

The comment does not address the adequacy of the Draft EIR. The comment is noted and will be forwarded to the decisionmakers for their consideration; no response is required.

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**From:** RICHARD B MARKS <[rbmarks@comcast.net](mailto:rbmarks@comcast.net)>  
**Sent:** Wednesday, June 17, 2020 10:02 AM  
**To:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Cc:** Chamberlain, Debbie <[dchamberlain@sanramon.ca.gov](mailto:dchamberlain@sanramon.ca.gov)>  
**Subject:** CityWalk DEIR/Notes and Proposed Mitigation

Lauren,

Attached are my notes from last night's public hearing on the CityWalk DEIR. Pages 1 - 4 are background notes that lead to my proposed mitigation to be discussed and included in the Response to Comments document. Pages 5 - 8 include the actual proposed mitigation. Please pass this along to the First Carbon Solutions DEIR preparation team.

I know there have been problems with staff receiving my email so please reply and let me know that you received this.

Thanks,

Rick

1

**Planning Commission Meeting Notes  
CityWalk Master Plan/DRAFT EIR/1<sup>st</sup> Public Hearing  
06/16/2020**

***Questions & Comments – DEIR***

Section 2/Project Description/2.3.1 Master Plan Summary - P. 2-5 (and other Sections through-out the DEIR) AND

Section 3.10/Land Use

- Density Bonus from +/- 1,682 units to 4,500 dwelling units; additional 2,818 units.
  - **No discussion?**

2

**Applicant is requesting a build-out of 4,500 residential units which constitutes a Density Bonus request. Should be discussed in DEIR in various Sections where Land Use is described.**

- January 7, 2020 Staff Report/Packet page14/last paragraph:





- “The Master Plan includes circulation improvements and design guidelines intended to contribute to the design of the community”.
  - Design Guidelines? Not previously seen or reviewed by the PC! Not possible to include this statement regarding the design of the community when the PC hasn’t seen the design guidelines or commented on them?
  - When will the PC review the design guidelines?
- Table 3-10-4: General Plan Consistency/Land Use/No. 4.6-I-19/Consistency Determination – P.3.10-14
  - (Similar reference to design guidelines.)
- Table 3-10-4: General Plan Consistency/Land Use/No. 4.6-I-19/Consistency Determination – P.3.10-15
  - Cites “CityWalk Design Guidelines” that was reviewed by the Architectural Review Board in December 12, 2019.
  - **Included in Exhibit B to this DRAFT EIR but no PC review in 6 months!**
- Section 4.2.1- Aesthetics, Light, and Glare – P. 4-5
  - 4<sup>th</sup> paragraph, 7<sup>th</sup> line – (Similar reference to CityWalk Design Guidelines.)
- **Section 3.11/Noise/P. 3.11-6**
  - 2<sup>nd</sup> paragraph – “Although groundborne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable.”
    - **Disagree** – Nearby property owners, especially of residential units, often claim damage to their building, interior wall hangings and other interior and appliances due to vibration from construction related pile driving.
      - **Suggestion** - Prior to beginning construction, conduct a photo survey of existing buildings that may suffer external or internal damage in order to develop “baseline, prior-to-construction conditions in order to establish whether pile driving vibrations caused damage to a building.
    - **Question: Isn’t it the case that many, if not most, of the proposed 4,500 Master Plan residential units will be located very near each other (EX. BR 2600 will host several thousand units)?**
      - Residential projects will be developed in phases over 25 years.
      - Residential developments which will host hundreds of units will be constructed on opposite sides of Bollinger Canyon Road and adjacent to already occupied Master Plan units.
      - (Refer to page 3-11.34 – disagree with highlighted sentences.)
        - At initial construction the existing Marriott Hotel may be the closest EXISTING sensitive-receptor at but, as buildout occurs, thousands of Plan generated sensitive-receptor residential units will be built and occupied while new buildings are under construction, especially on BR 2600.

5  
Cont.

6

- **Comment – Noise**, particularly pile driving noise as well as pile driving vibrations appears to address existing initial conditions in the Master Plan area but does not appear to evaluate or offer mitigation for the impacts on the new residential buildings and units constructed during the 25 year buildout period as expressed in the Master Plan’s Phasing Plan (Table 2-5 on P. 2-10).
  - ***The DEIR proposes mitigation for existing land uses but not the residential units that will be occupied after their construction and during the 25 year buildout of the Master Plan? Seems incomplete.***
  - ***Mitigation Measure MM NOI-2 - No pile driving work should be allowed on Sundays and legal holidays.***
- 6  
Cont.
- Section 3.12/Population and Housing/Direct Population Growth – P. 3.12-6
    - 1<sup>st</sup> paragraph – references, “full project buildout by 2048”?
    - The Plan has a 25 year buildout horizon; to the Year 2045.
      - **Question: What is meant by “full project buildout” and why will it take 3 years longer than the Plan’s 25 year buildout horizon to reach it?**
- 7
- Section 3.14/Transportation/Scope of Study – P. 3-14-18
    - 2<sup>nd</sup> paragraph/Peak hours
      - Typical weekday peak hours nationwide or as defined in the ITE Manuel may be:
        - 7:00 AM – 9:00 AM
        - 4:00 PM – 6:00 PM
      - **Question: *In the Bay Area are these hours really the actual commuting home-to-work and return weekday peak hours?***
- 8

Section 3.15/Utilities and Service Systems/Impact Analysis – Pp. 3.15.10 and 3.15-12

- P. 3.15.10/3<sup>rd</sup> paragraph – “According to the *Central San Will Serve Letter*, the proposed Master Plan would generate approximately 507,000 gallons of wastewater per day. The existing 30-inch interceptor in the vicinity of the Master Plan Area does not have the required capacity to handle the increase in wastewater. However, **an additional unused 15-inch interceptor was identified by Central San as a possible contingency**, which would provide the necessary remaining capacity needed to handle the wastewater flows from the Master Plan area.” **What if it doesn't? Mitigation required!**
  - Further down on the page, in the last paragraph, the DRAFT EIR states, “Based on the design of the proposed Master Plan and the presence of infrastructure capable of handling the expected **wastewater**, stormwater, electrical, natural gas, and telecommunications needs, the proposed Master Plan is not expected to result in significant environmental impacts. As such, impacts are less than significant.”
- 9

- P.3.15.12/2<sup>nd</sup> paragraph – “Based on the estimated daily capacity of the treatment plant in Martinez, the proposed Master Plan would represent the addition of approximately 0.01 percent in flows per day to the wastewater treatment plant. Therefore, the proposed Master Plan would not require the expansion of wastewater facilities and impacts would be less than significant.”
  - The Section concludes, “**No mitigation is required.**” ?????

9  
Cont.

**Section 4/Cumulative Effects/Table 4-1: Cumulative Projects** – Pp. 4-1 through 4-4

- With one exception, for all Projects listed in the Table, the approved “buildout” number of residential units or commercial square feet was used to evaluate the cumulative impact of past, current and probable future projects as well as the proposed Master Plan.
  - For The Promenade at the Preserve (Faria Preserve) the DEIR considered 162 dwelling units (40 SFD units and 122 multifamily units) out of approximately 735 Plan approved units and a House of Worship but not the remaining approximately +/- 570 residential units.
    - **Why only 162 out of +/- 735 residential units?**
      - **Would the remaining +/- 570 units have affected the analysis and the mitigations proposed in other sections of the DEIR (Transportation? Air Quality? Cumulative Effects? Cumulative Impacts? Others?)?**

10

***Proposed Mitigation/Response to Comments Document***

1. **Density Increase Request/Section 2/Project Description/2.3.1 Master Plan Summary – Pp. 2-5 (and other Sections through-out the DEIR) AND Section 3.10/Land Use**
  - Density Bonus request from +/- 1,682 units to 4,500 dwelling units; additional 2,818 units.
  - Density Bonus from +/- 1,682 units to 4,500 dwelling units; additional 2,818 units.
    - 1,682 residential units already assumed as Housing Opportunity Sites in Bishop Ranch in General Plan projections.
      - CityWalk Master Plan - A total of 4,500 residential units requested = 2,818 additional residential units (4,500 - 1,682 = 2,818 additional residential units).
      - 1,682 / 2,818 = 60% increase in assumed residential units.
  - 
  - If assume only 487 residential units used in DEIR Analysis based on previously approved Plans:

11

- 4,500 residential units - 487 units = 4,013 additional residential units requested.
- $4,013 / 487 = 824\%$  increase in residential units ( $4,013 / 484 = 8.24\%$  increase in residential units).
- **No discussion in the Project Description or the Land Use Chapter of the DEIR.**
  - **Why?**
    - *The requested density bonus appears to be critical to the Master Plan and will become a factor in related city/sunset Development Agreement discussions.*

11  
Cont.

2. Transportation Mitigation Measures, MM TRANS-2a; MM TRANS-2b; MM TRANS-2c – P. 3.14-41

*As each actual Phase or development proposal within a Phase is submitted:*

- **Question:** Will the Applicant be required to provide a Traffic Impact Report (TIR) with particular emphasis on the intersections and mitigation identified in the DEIR in Mitigation Measures:
  - MM TRANS-2a?
  - MM TRANS-2b?
  - MM TRANS-2c?
- **Question:** How often does Staff propose to monitor the subject intersections to determine that they have not fallen below LOS D and to determine when the DEIR proposed mitigations should be implemented?
- **In the Response to Comments document, require as Mitigation: 1) Traffic Impact Reports from Applicants for each Phase or development proposal within a Phase, and: 2) a defined level of service monitoring schedule by staff for the 3 intersections discussed in the DEIR as MM TRANS- 2a; MM TRANS- 2b; and MM TRANS- 2c.**
- **As a part of the Response to Comments prepare and include:**
  - **DIAGRAMATIC** --- NOT Engineered or in any way deemed final or approved --- but illustrative graphics demonstrating *existing and proposed conditions* for each proposed-to-be mitigated intersection. For proposed Mitigations 2a; 2b; and 2c, include the basic layout and resulting traffic flow of each, any ROW required, signalization changes, turn-lane improvements, etc. and

12

simple text on each Mitigation graphic explaining what is proposed.

12  
Cont.

**3. Section 3.15/Utilities and Service Systems/Impact Analysis – Pp. 3.15.10 and 3.15-12**

As each actual Phase or development proposal within a Phase is submitted:

- Will the applicant be required to provide written documentation from Central Sanitary District stating that there is sufficient capacity at the treatment plant to accept and process the wastewater flows from the Phase or a development proposal within a Phase?
  - If not, how does Staff propose to monitor the remaining capacity and ability of the wastewater treatment plant and its facilities to handle the flows from the Master Plan projects?

13

Mitigation should be included in the Response to Comments document that as each actual Phase or development proposal within a Phase is submitted written documentation from Central Sanitary District shall be submitted to the City stating that there is sufficient capacity at the treatment plant to accept and process the wastewater flows from the Phase or development proposal within a Phase.

**4. Cumulative Effects/Table 4-1: Cumulative Projects – Pp. 4-1 through 4-4 (P. 4-1)**

- With one exception, for all Projects listed in the Table, the approved “buildout” number of residential units or commercial square feet was used to evaluate the cumulative impact of past, current and probable future projects as well as the proposed Master Plan.
  - For The Promenade at the Preserve (Faria Preserve) the DEIR considered 162 dwelling units (40 SFD units and 122 multifamily units) out of approximately 735 Plan approved units and a House of Worship but not the remaining approximately +/- 570 residential units.
    - Why only 162 out of +/- 735 residential units?
      - Would the remaining +/- 570 units have affected the analysis and the mitigations proposed in other sections of the DEIR (Transportation? Air Quality? Cumulative Effects? Cumulative Impacts? Others?)?

14

The Response to Comments document should re-evaluate all impacts evaluated in the DEIR resulting from the Faria Preserve development based on the approved build-out number of residential units (+/- 735 units) – not 162 residential units.

**5. Section 3.11/Noise/P. 3.11-6**

15

- i. **Comment** – The DEIR particularly regarding pile driving noise as well as pile driving vibrations appears to address existing initial conditions in the Master Plan area but does not appear to evaluate or offer mitigation for the impacts on the new residential buildings and units constructed during the 25 year buildout period on the Master Plan generated residential units and occupants. (Master Plan/Phasing Plan (Table 2-5 on P. 2-10).
- ii. ***The DEIR proposes mitigation for existing land uses but not the residential units that will be occupied after their construction and during the 25 year buildout of the Master Plan? Seems incomplete.***

15  
Cont.

**The Response to Comments document should address the pile driving noise and vibration impacts, as well as other construction related noise impacts on Master Plan generated residential units that will be occupied during the construction of new Plan generated residential units and structures during the 25 year buildout of the Master Plan.**

**Require a mitigation measure that prohibits all pile driving on weekends and legal holidays.**

**6. CityWalk Design Guidelines/Appendix B**

- a. Reviewed by the Architectural Review Board (ARB) on 12/12/19
- b. **Proposed Additional language to be included in:**
  - i. **The Architectural Guidelines Section of the Final Design Guidelines document.**
  - ii. **The Resolution of Approval and Conditions of Approval for the CityWalk Master Plan.**
  - iii. **The Development Agreement that will be negotiated between the City and the applicant/Sunset Development Company.**

**"At build-out, the Master Plan proposes the establishment of five (5) neighborhoods as follows:**

- **BR 1A**
- **BR 3A**
- **BR 2600 NE**
- **BR 2600 SE**
- **BR 2600 NW**

16

***"As a part of the permit review process for the first building or set of buildings, including parking structures, of each Building Phase, as depicted in Table 2-5: Phasing Plan of the Draft Environmental Impact Report, prepared by First***

*Carbon Solutions, dated May 19, 2020, or as may be amended by the City, at its option, the Planning Commission may require the permit applicant to prepare a supplemental set of Design Guidelines specific to that phase of development that are both supportive of the Design Guidelines previously adopted for the Master Plan Area and which are more detailed particularly with regard to the following building design elements:*

- *Architectural Motif*
- *Building Articulation, especially above the \_\_\_ floor*
- *Fenestration*
- *Roof Design*
- *Building Materials*
- *Any other aspect of the design of the building or buildings that the Planning Commission deems important to evaluate for a particular phase of development or neighborhood.*

*The proposed supplemental set of Design Guidelines shall be reviewed and amended as deemed necessary by the City's Architectural Review Board (ARB). Upon its final review of the proposed Design Guidelines, the ARB shall, consistent with applicable City Ordinances, procedures, or policies, send its final recommendations to the Planning Commission for its review and approval."*

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### **Planning Commissioner Richard Marks (MARKS)**

#### *Response to MARKS-1*

This comment summarizes subsequent comments in the letter.

The comment is noted; no response is required.

#### *Response to MARKS-2*

Commissioner Marks asserts that build-out of 4,500 residential units under the proposed Master Plan would constitute a density bonus request from the project applicant. Commissioner Marks further discusses the affordable housing unit requirements.

The Master Plan's question regarding consistency with allowable density within the CCMU zoning designation is discussed in Section 3.10, Land Use. As discussed therein, and shown on Table 3.10-5, the Master Plan is consistent with the allowable density within the CCMU zoning designation. In addition, any density bonus request made by the project applicant is outside the scope of this Draft EIR because the total 4,500 units was used to assess the environmental impacts of the project.

See Response to GFL-7, GFL-8, and GFL-10 for a discussion of affordable housing unit requirements.

#### *Response to MARKS-3*

Commissioner Marks notes that Alternative 1, the No Project/Existing Entitlements Alternative, would provide 487 dwelling units while the Master Plan proposes 4,500 units.

As discussed in Section 5, Alternatives to the Proposed Master Plan (page 5-1), the primary purpose of an alternatives analysis under CEQA is to provide the decisionmakers, other interested parties, and the general public with a reasonable number of potentially feasible project alternatives that could attain most basic project objectives, while avoiding or reducing any of the proposed Master Plan's significant adverse environmental effects. As brought forth in Section 5, all impacts of the proposed Master Plan can be mitigated to below a level of significance; therefore, the proposed Master Plan does not have any significant unavoidable impacts. Accordingly, analysis of the four alternatives to the proposed Master Plan are provided for informational purposes and to allow the decision makers to consider the proposed Master Plan in light of hypothetical alternative development scenarios, thereby promoting CEQA's purpose as an information disclosure statute.

CEQA Guidelines Section 15126.6(e) requires an EIR to evaluate a 'No Project Alternative,' which is defined as what would be reasonably expected to occur in the foreseeable future if the project were not approved. It is reasonable to expect the project applicant to develop BR 1A and BR 3A as currently entitled by the 2007 City Center Project if the proposed Master Plan is not approved.

The No Project/Existing Entitlements Alternative would result in the development of BR 1A and BR 3A with dwelling units, retail/office uses and a hotel, as entitled by the 2007 City Center Project. Under the No Project/Existing Entitlements Alternative no development would occur on BR 2600; the existing parking lots and landscaping would remain in their current condition. Under this alternative 487 dwelling units, 935,000 square feet of retail/office space, and a 169-key hotel would be developed. Under the No Project/Existing Entitlements Alternative, there would be 4,013 fewer dwelling units and retail/office uses would increase by 769,000 square feet, as compared to the proposed Master Plan.

The No Project/Existing Entitlements Alternative would lessen the severity of the proposed Master Plan’s less-than-significant impacts associated with aesthetics, light, and glare, biological resources, cultural resources/tribal cultural resources, geology, soils, and seismicity, hazards and hazardous materials, hydrology and water quality, noise, public services and recreation, and utilities and service systems. This alternative would increase the severity of the proposed Master Plan’s less-than-significant impacts associated with air quality, energy, greenhouse gas emissions, land use, population and housing, and transportation.

The No Project/Existing Entitlements Alternative does not meet all of the project objectives because of the reduction in buildout potential. For example, this alternative would provide 4,013 fewer dwelling units and approximately 600 fewer affordable units than the Proposed Master Plan. As such, this alternative would not meet the objective of providing affordable housing units in accordance with the City of San Ramon Housing Element (2015–2023). This alternative would not meet the objective of locating housing next to jobs to reduce or eliminate motor vehicle travel for home-to-work trips. Since improvements to the existing BR 2600 facilities would not occur under this alternative—such as improving the pathway around the perimeter of BR 2600, development of a new community center, or development of an outdoor amphitheater—this alternative would not meet the objective of providing public access to and enhancing existing Bishop Ranch facilities, which are currently private.

The Impact Analysis related to the No Project/Existing Entitlements Alternative is contained within pages 5-5 through 5-11 of the Draft EIR and the Conclusion is presented on page 5-11.

*Response to MARKS-4*

Commissioner Marks asks for more detail regarding the history and soil conditions of BR 3A related to MM HAZ-2.

As described in Impact HAZ-2 of Section 3.8 of the Draft EIR, Hazards and Hazardous Materials, the Subsurface Investigation for BR 3A found concentrations of diesel and motor oil (both petroleum hydrocarbons) in upper soil layers (i.e., three feet or less). The source is unknown, so additional history is not available. The Subsurface Investigation noted that standard grading and soil engineering practices would abate this condition, though excavated soils may not be suitable for unrestricted use. The Subsurface Investigation recommended excavated soils be tested for petroleum hydrocarbons prior to disposal. This recommendation is reflected in MM HAZ-2. With implementation of MM HAZ-2, impacts related to hazardous materials release on BR 3A would be less than significant.

*Response to MARKS-5*

Commissioner Marks expresses concern that the Planning Commission did not previously review the CityWalk Design Guidelines attached as Appendix B to the Draft EIR, and further points to references related to the CityWalk Design Guidelines in Section 3.1 of the Draft EIR, Aesthetics, Light, and Glare, and Table 3.10-4.

While the Planning Commission has an opportunity to review the CityWalk Design Guidelines during Draft EIR review, the Planning Commission will have additional opportunities to review and comment

on the CityWalk Design Guidelines. As a Condition of Approval, the Commission could require supplemental Design Guidelines specific to each phase of development; however that is not proposed by staff at this time. The Architectural Review Board will review all future development phases against the adopted Design Guidelines and send recommendations to the Planning Commission for review and approval.

*Response to MARKS-6*

Commissioner Marks expresses concern regarding potential damage to existing buildings, interior wall hangings, and other interior objects and appliances from groundborne vibration related to pile driving. The commenter asserts that the Draft EIR does not address related noise/vibration impacts on new residential buildings constructed during the buildout period as expressed in the phasing plan. The commenter suggests that prior to beginning construction, a photo survey be conducted of existing buildings that may suffer external or internal damage to develop baseline, prior-to-construction conditions. The photo survey can later be used to establish whether pile driving vibrations caused damage to a building. The commenter also suggests including a mitigation measure prohibiting pile driving on Sundays and legal holidays.

As indicated on page 3.11-27 of the Draft EIR, pile driving would only be used for construction of structures on BR 1A. As shown in Table 2-5 on page 2-10 of the Draft EIR, development within BR 1A would occur during Phases 2 and 3 in advance of most dwelling units proposed within BR 3A and BR 2600 in subsequent phases. As such, the only components of the proposed Master Plan that could be affected by pile driving would be those constructed in Phase 1, which include approximately 300 dwelling units, 61,000 square feet of retail/office uses within BR 2600, and the 169-key hotel within BR 3A. Further, as a Condition of Approval, 72 hours prior to the start of pile driving or other high noise/vibration threshold activities associated with any construction phase, the project applicant shall send notice of those activities to property owners and tenants/residents within a 300-foot radius of the construction site. In addition, as a Condition of Approval, after initial residential occupancy of Master Plan neighborhoods, construction shall be prohibited on Sundays and federal holidays.

In addition, Mitigation Measure NOI-2 will be implemented during each phase of development and will reduce any significant impacts construction noise may have on residents of the proposed Master Plan to less than significant levels

*Response to MARKS-7*

Commissioner Marks asks what is meant by “full project buildout” and identifies two different buildout years in the Draft EIR, 2045 and 2048.

Commissioner Marks is correct in that two different buildout years were erroneously identified in the Draft EIR. As stated in Section 3.2, Air Quality (page 3.2-30 of the Draft EIR), based on information outlined in Section 2, Project Description, construction was assumed to commence in January 2021 and conclude in January 2048, which reflects a 27-year buildout horizon. As such, the Draft EIR will be revised to reflect a 27-year buildout horizon where applicable (see Section 3, Errata, of the Final EIR).

*Response to MARKS-8*

Commissioner Marks asks whether 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. are actual peak weekday commuting hours in the Bay Area.

The peak weekday commuting periods used by the transportation consultant are based on industry standards and the San Ramon General Plan. General Plan Policy 5.1-I-1 defines the AM peak period as 7:00 a.m. to 9:00 a.m. and the PM peak period as 4:00 p.m. to 6:00 p.m.

*Response to MARKS-9*

Commissioner Marks expresses concern regarding the possibility of connecting to an unused wastewater interceptor to increase capacity for the Master Plan area and states mitigation is required if the interceptor would not provide sufficient additional capacity.

Central Contra Costa Sanitary District (Central San) estimated that the Master Plan would generate approximately 507,000 gallons of wastewater per day. The existing wastewater interceptor in the Master Plan area does not have the required capacity to handle this amount of wastewater. In response to the applicant's request for service, the project applicant received an updated Will Serve letter from Central San on July 7, 2020 (see attached), confirming that a spare interceptor in the vicinity of the Master Plan would serve as a contingency and provide necessary capacity for the Master Plan once it is renovated. Central San would monitor flows from the Master Plan to determine when the spare interceptor would be required. Further, each future phase of development will go through the standards Design Review Committee process which includes referrals of new projects to utility service providers. In addition, documentation of Central San design level approvals is required prior to the issuance of a building permit.

*Response to MARKS-10*

Commissioner Marks notes that the cumulative project, The Promenade at the Preserve, was not analyzed for total units approved and asks whether the additional units not accounted for would affect analysis and proposed mitigations.

Commissioner Marks is correct that additional phases of the referenced project were inadvertently left out of Table 4-1 in Section 4 of the Draft EIR, Cumulative Effects. This is corrected in Section 3 of this Final EIR, Errata.

However, The Promenade at the Preserve project was analyzed at full buildout as part of the cumulative analysis of the Draft EIR. This project was included in background conditions for the traffic and transportation analysis and subsequently the air quality analysis, which relies on information from the traffic study. Therefore, conclusions made in the Draft EIR have already included all units proposed for The Promenade at the Preserve project.

*Response to MARKS-11*

Commissioner Marks expresses the same concerns regarding residential density as in MARKS-2 and MARKS-3.

Please refer to Responses to MARKS-2 and MARKS-3. No further response is required.

*Response to MARKS-12*

Commissioner Marks asks how City staff would monitor intersections with proposed mitigation to determine whether they have fallen below LOS D such that proposed mitigations should be implemented. The commenter also suggests additional transportation mitigation measures and requests a diagram of existing and mitigated conditions at relevant intersections.

The Traffic Impact Analysis evaluated the project's transportation impacts from full buildout of the proposed Master Plan based on several conditions: Existing Conditions Without the Project, Existing Conditions with the Project, Future Conditions Without the Project (Year 2040), Future Conditions with the Project (Year 2040), and Future with the Project and Mitigation Conditions (2040). While the analysis and proposed mitigation measures are intended to capture transportation impacts through full buildout, there is nothing that precludes the City of San Ramon to require additional traffic analyses, should they be warranted according the San Ramon Municipal Code.

The City's traffic engineers conduct regular monitoring of the City's transportation system system's through traffic counts, speed surveys, and accident records. When the traffic engineers conduct their regular monitoring, which occurs approximately every 12-24 months, the City will also monitor the subject intersections to determine when the Draft EIR mitigation measures should be implemented.

The requested diagrams have been created for this response and to aid others in visualizing transportation mitigation buildout. Please see Exhibits 1-3 of this Final EIR.

*Response to MARKS-13*

Commissioner Marks asks if future project applicants under the Master Plan would be required to provide Central San documentation of sufficient wastewater treatment plant capacity and requests additional mitigation which does so.

This comment is noted. Please refer to Response to MARKS-9.

*Response to MARKS-14*

Commissioner Marks expresses the same concerns regarding cumulative effects of The Promenade at the Preserve project as in MARKS-10.

Please refer to Response to MARKS-10. No further response is required.

*Response to MARKS-15*

Commissioner Marks expresses the same concerns regarding noise and vibration as in MARKS-6.

Please refer to Response to MARKS-6. No further response is required.

*Response to MARKS-16*

Commissioner Marks proposes additional language to be included in the CityWalk Design Guidelines, Resolution of Approval and Conditions of Approval for the CityWalk Master Plan, and Development Agreement for the Master Plan regarding a requirement of supplemental Design Guidelines for each development phase of the Master Plan.

This comment is noted. Please refer to Response to MARKS-5. No further response is required.



CENTRAL CONTRA COSTA SANITARY DISTRICT

5019 IMHOFF PLACE, MARTINEZ, CA 94553-4392

July 7, 2020

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2600 Camino Ramon, Suite 201  
San Ramon, CA 94583

REQUEST FOR SERVICE, BISHOP RANCH CAMPUS MIXED-USE RE-DEVELOPMENT, SAN RAMON; APNS: 213-133-096, -097, -098, -099, -100; APNS: 213-120-020, -021, -022, -028; MAPS 102A5, 102A6, 102B5, & 102B6; JOBS 3519, 4295, & 2081B

Dear Mr. Engen:

In response to your request for Central Contra Costa Sanitary District's (Central San) willingness to provide wastewater utility service to these re-development projects, I am confirming that the project sites are within Central San's boundaries and service is available, with capacity improvements addressed, as discussed per our meeting on September 23, 2019.

The proposed Bishop Ranch re-development project includes the addition of 4,501 residential units, a hotel with 169 rooms, and 166,600 square feet of retail space and will be built out over the next 30 years. As indicated by BKF Engineers, Developments BR2600 NE and BR2600 NW would connect to the existing 15-inch public sewer along Executive Parkway, Development BR2600 SE would connect to the existing 10-inch public sewer along Camino Ramon, and Developments BR1A and BR3A would connect to the existing 12-inch public sewer along Bishop Ranch One E. Exhibit A is a map showing the proposed sewer connection points and loadings provided by BKF Engineers. Developments that connect to the existing 15-inch public sewer along Executive Parkway would flow completely by gravity to Central San's treatment plant in Martinez, CA, whereas developments that connect to the existing public sewers along Camino Ramon and Bishop Ranch One E require pumping and flow south to Central San's San Ramon Pumping Station. All wastewater flow from the proposed developments ultimately combine together in a nearby downstream 30-inch interceptor sewer.

With the additional wastewater flow from the proposed re-development (estimated by BKF Engineers to be approximately 507,000 gallons per day on an average day), the sewer system in the vicinity does not have the requisite capacity. Fortunately, Central San staff have identified a possible capacity relief solution that would require diversion of flow into an existing, unused 15-inch sewer parallel to the 30-inch interceptor. Inspection and cleaning of the existing 15-inch sewer is needed to assess the condition and remaining useful life of the sewer and to determine what renovation may be required. The 15-inch sewer is made of reinforced concrete pipe, extends approximately 1,100 feet in length, originally installed around 1964, and is believed to have been out of service for 40 years since installation of the 30-inch interceptor

around 1978. Our hydraulic analysis indicates that the spare 15-inch line, when renovated, will provide the capacity necessary for this development. Central San will monitor the flow as the project progresses to determine when the 15-inch line will be required to be placed back in service.

The capacity improvements are required to serve the Bishop Ranch re-development that would not otherwise be required without the re-development; therefore, the costs for inspection, cleaning, and any renovation required will need to be paid for by the Bishop Ranch re-development project. The cost to inspect, clean, and renovate 1,100 feet of 15-inch sewer is currently estimated at approximately \$200,000 based on recent unit costs and cured-in-place pipe (CIPP) pricing. This estimated cost is significantly less than the cost to install a new parallel sewer system, which could cost upwards of \$1 million to \$2 million. Based on the Bishop Ranch phased implementation information provided by BKF Engineers, Central San expects the work is necessary in approximately five to 10 years. Central San will seek reimbursement for the actual costs to complete the work. A request for payment will be sent to the Bishop Ranch re-development project and can be coordinated with the sewer permitting for the nearest phase of development that follows completion of the sewer inspection and renovation work.

Project improvement plans must be submitted to Central San's Permits Section to determine compliance with Central San's regulations and the applicability of fees and charges prior to obtaining building permits. For more information, contact the Permits Section at 925-229-7371. If you have any questions regarding these comments, please contact Danae Gemmell at 925-229-7118.

Sincerely,



Danae Gemmell  
Planning and Development Services Division Manager

DF/DSG:sdh

ecc: Dan Frost, Senior Engineer, Central San  
Dana Lawson, Senior Engineer, Central San  
Justin Waples, Associate Engineer, Central San  
Kim Stahl, Development Services Supervisor, Central San  
Russ Leavitt, Engineering Assistant III, Central San  
Srajan Paladugu, BKF Engineers

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**From:** [marvin@mateyfamily.net](mailto:marvin@mateyfamily.net) <[marvin@mateyfamily.net](mailto:marvin@mateyfamily.net)>

**Sent:** Thursday, July 2, 2020 2:16 PM

**To:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>; Planning Services (public) <[PlanningPublic@sanramon.ca.gov](mailto:PlanningPublic@sanramon.ca.gov)>

**Subject:** Public Comment on the CityWalk Project Environmental Impact Report

**Mr. Lauren Barr, Planning Manager**

City of San Ramon Community Development Department  
2401 Crow Canyon Road San Ramon, CA 94583

Community Development Dept.,

I think that your CityWalk Project is well thought out and I agree with the city controlling the rate of development.

1

Your department invited public comment on the Draft EIR.

My only concern is that the number of residents and vehicles that will come to these 4500 housing units is severely underestimated.

Considering the proximity to Bishop Ranch jobs, the likely residents will be young professionals and office workers. And comparing the density that exists in the Windemere area, each unit is likely to have at least twice as many residents as you are estimating. Even though this development is being euphemistically designed to be a "walking" community, the residents will still want their own cars for traveling outside of the CityWalk area. The average number of vehicles per unit will likely be closer to 3½ - 4.

2

This brings me to the point of the environmental impact. These 4500 housing units are likely to attract at least 20,000 new residents and 15,000+ additional vehicles to a small area in the center of San Ramon. Where will all these cars be parked? Where will they drive? How can San Ramon handle the increase in traffic congestion around Bollinger Canyon and Bishop Ranch? How much air pollution and noise pollution will these additional vehicles create? What about the need for water and sewer infrastructure? Our Tri-Valley environment has already brought us water rationing in the past. Where in our environment will we get more water to serve a 25% increase in our city population? Is a new reservoir in the plans for the CityWalk project? Our resources are already stretched beyond the limits. That is why my front lawn was killed by water rationing. You cannot push off these environmental costs on the citizens of San Ramon to serve the interests of developer profits.

3

Please consider revising the EIR to include a more realistic estimate of population density and number of vehicles before moving ahead with this project.

4

Thank you,  
Marvin Matey  
San Ramon resident

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**Marvin Matey (MATEY)**

*Response to MATEY-1*

The commenter expresses support for the Master Plan and agrees with development rate control.

The comment is noted; no response is required.

*Response to MATEY-2*

The commenter is concerned that the increased population estimate and related vehicle increases have been underestimated for the Master Plan.

As discussed in Section 3.12 of the Draft EIR, Population and Housing, estimated population increase from the residential component of the Master Plan was calculated using the City's most recent average household size as published by the California Department of Finance. This is an accepted and common method to estimate population based on local housing trends.

An analysis of impacts related to increased traffic on local roadways and pedestrian facilities are detailed in Section 3.14, Transportation, of the Draft EIR, and were found to be less than significant with mitigation incorporated. As such, traffic and transportation impacts are not expected to exceed those already analyzed in Section 3.14 of the Draft EIR, Transportation, including potential future congestion around Bollinger Canyon Road and the Bishop Ranch area as the commenter pointed out. Air pollution and noise analyses included in the Draft EIR (see Sections 3.2, Air Quality, and 3.11, Noise) were based on the Transportation Impact Study for the Master Plan prepared by Gibson Transportation Consulting in March 2020 (Appendix J to the Draft EIR) and therefore accurately accounted for estimated vehicle miles travelled, trip generation, traffic volumes, and other transportation and circulation related issues within and surrounding the Master Plan area. Additionally, parking is no longer required to be addressed as part of EIRs pursuant to the OPR's updated CEQA Guidelines (effective December 28, 2018), and as such is not discussed.

See also Responses to GFL-11 through GFL-15, BOLAR SEN-1, CARR.1-1, and CARR.2-1.

*Response to MATEY-3*

The commenter expresses concern regarding utility infrastructure and capacity.

As discussed in Section 3.15 of the Draft EIR, Utilities and Service Systems, the proposed Master Plan would not require relocation or construction of new or expanded water or wastewater treatment facilities. There are existing water mains in the area that the Master Plan would connect to in order to receive water from the EBMUD distribution system. EBMUD also prepared a WSA in October 2019 for the Master Plan that determined that estimated water demand for the Master Plan is accounted for in EBMUD's water demand projections published in the 2015 Urban Water Management Plan. The 2015 Urban Water Management Plan concluded that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for multi-year droughts. During multi-year droughts, EBMUD may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand. The WSA states that the proposed Master Plan will be subject to the same drought restrictions that apply to all EBMUD customers.

Furthermore, EBMUD commented on the Draft EIR with a comment letter which is included in this Final EIR and did not raise concerns related to water supply or water demand from the project.

Central San estimated that the Master Plan would generate approximately 507,000 gallons of wastewater per day. The existing wastewater interceptor in the Master Plan area does not have the required capacity to handle this amount of wastewater. In response to the applicant's request for service, the project applicant received an updated Will Serve letter from Central San on July 7, 2020 confirming that a spare interceptor in the vicinity of the Master Plan would serve as a contingency and provide necessary capacity for the Master Plan once it is renovated. Central San would monitor flows from the Master Plan to determine when the spare interceptor would be required.

*Response to MATEY-4*

The commenter asks for consideration to revise the EIR to change population estimates.

See Response to MATEY-2.

**From:** Rama Mehra <[rama@asanterrealty.com](mailto:rama@asanterrealty.com)>  
**Sent:** Monday, June 22, 2020 6:32 PM  
**To:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Subject:** Sunset project not getting extended hearings

R.MEHRA  
Page 1 of 1

Hello Ms. Barr,

I am a resident of San Ramon since 1999 and I am very distraught and appalled that the city of San Ramon, in collaboration( or should I call collusion) with the biggest developer in town.

My profession entails selling homes but this project will hurt the homeowners in the city and discourage people from moving to san ramon. It is a very big project and will impact us in more ways than one, long term - the high number of units in a post pandemic world where social distancing may become a norm. There will be a need for wider sidewalks, and more green spaces and open spaces will also need to be factored in. At this time, this project doesn't meet our City's park standards. Traffic on Bollinger and Crow Canyon will become a challenge especially since another 634 units are being proposed in the Crow Canyon area, in addition to the already approved 618 homes in the Preserve project.

With the current influx of new construction in our city, we are already facing:

- Massive congestion on the main thoroughfares, traffic and irate drivers
- Loss of value for our homes. More construction compounded with the current recession and future dips in home values will be exacerbated with more new homes
- School congestion- As it is you are well aware that schools are impacted and more homes with younger families moving in will compound the problem even more
- Destruction of natural beauty of the city- I moved to San Ramon in 1999 from kenya and fell in love with san ramon for its beauty, lush greenery and a small hometown feel. The erosion of our community has been pretty rapid and we are starting to look like high density cities in the south bay.

Our neighboring cities like Dublin have been destroyed and look like an urban jungle with a major impact on resources and schools. I truly believe that Sunset is getting an undue advantage as the main developer in the city of san ramon- due to their powerful position, revenue they generate for the city. This is shameful and disgusting that the city has decided to pander to the developer and contra costa county is a part of this sham- they always have been. By far one of the most corrupt counties of the bay area.

As a resident, I would like my voice to be heard and taken into account that we residents are very much against this project. If this still happens, we know which city officials should be voted out so they cannot continue on their path of corruption and destruction of the city's beauty

Regards  
Rama Mehra



**RAMA MEHRA** CA DRE# 01463395

**Team Leader, REALTOR®**

CDPD, ePRO, PSC

C. [\(925\) 698-1815](tel:(925)698-1815) O. [\(925\) 415-0835](tel:(925)415-0835) | [RamaMehra.com](http://RamaMehra.com)  
[Asanterrealty.com](http://Asanterrealty.com)

[200+ Five Star Zillow Reviews](#)



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**Rama Mehra (R. MEHRA)**

*Response to R. MEHRA-1*

This comment provides introductory information and expresses concern regarding the Master Plan.

The comment is noted; no response is required.

*Response to R. MEHRA-2*

The commenter explains why they believe that the Master Plan would negatively affect homeowners in the City and discourage people from moving to the City. The commenter asserts that the Master Plan includes too many residential units, would require wider sidewalks to maintain physical distancing practices due to COVID-19, and would not meet the City's park standards. The commenter explains why they believe the Master Plan would worsen traffic on Bollinger Canyon Road and Crow Canyon Road.

This comment is noted. These topics have been addressed in prior responses throughout the Final EIR. Please see Responses to GFL-11 through GFL-16, BOLAR SEN-1, CARR.1-1, CARR.2-1.

*Response to R. MEHRA-3*

The commenter expresses concern for increased traffic congestion, loss of home value, and increased students at local schools due to the Master Plan. The commenter asserts that the Master Plan would contribute to destruction of natural beauty in the City.

As described in Response to CARR.2-1 and Response to R. MEHRA-2, Master Plan generated traffic would not result in significant impacts to local roadways. In addition, the Master Plan would implement MMs TRANS-1a, -1b, -2a, -2b, and -2c, which require the project applicant to install roadway improvements or provide equitable share fees to the City for installation of such improvements, when warranted.

The impact on home values from the Master Plan is not a CEQA issue and no further response is required.

As described in Impact PSR-3 of Section 3.13 of the Draft EIR, Public Services and Recreation, the Master Plan would result in an estimated 1,575 new students to local schools over a 27-year period, or an annual average of 59 students per year. The San Ramon Valley Unified School District provided letters to the City in September and October of 2019, indicating that it had accounted for student generation from the 487 dwelling units associated with the 2007 City Center Project and that the proposed Master Plan would require payment of development impact fees to reduce impacts to existing school facilities. Pursuant to Government Code Section 65995, payment of development fees is "full and complete" mitigation for school impacts.

As described in Section 3.1 Aesthetics, Light, and Glare, Master Plan buildings would be consistent with surrounding area buildings and are not expected to substantially obstruct publicly accessible views of Dougherty Hills, Wiedemann Hill, and Mount Diablo, or substantially change views from publicly accessible viewpoints. Additionally, proposed buildings would be compatible with existing surrounding buildings in terms of height and architecture, as detailed in the CityWalk Design Guidelines and included in Appendix B of the Draft EIR. Although the Master Plan would alter

existing visual character of the area, the area is mostly undeveloped with some ornamental landscaping and parking lots. The Master Plan proposes development on undeveloped and underutilized infill sites and would improve the area's visual character by including landscaping along all roadways, buildings, and public areas, and would create walkable open public space where it currently does not exist. Proposed structures within BR 2600 would be subject to a maximum height of 85 feet, per Division D3-6 of the San Ramon Zoning Ordinance. Proposed structures within BR 1A and BR 3A are not subject to any height restrictions, per the CCMU Zoning Designation. Proposed structures within BR 2600 would have a maximum height of 85 feet, in accordance with the Zoning Ordinance.

Policy 4.8-I-17 of the San Ramon General Plan 2035 requires that sun access plane requirements be implemented for projects adjacent to City parks, to protect access to sun while allowing for architectural flexibility. The proposed Master Plan includes multi-story buildings adjacent to the Iron Horse Trail, which is explicitly exempt from sun access plane standards. The Master Plan does not propose any new buildings adjacent to City parks. The proposed Master Plan complies with Policy 4.8-I-2 by positioning proposed buildings so that trees, creekside vegetation, scenic views, and other natural resources are preserved.

*Response to R. MEHRA-4*

The commenter expresses concern that the project applicant is getting an unfair advantage from the City to complete the Master Plan.

The comment is noted; no response is required.



-----Original Message-----

From: Sunil Mehra <sunil@asanterrealty.com>

Sent: Tuesday, June 23, 2020 2:53 PM

To: Barr, Lauren <lbarr@sanramon.ca.gov>

Cc: Sunil Mehra <sunilmehra@comcast.net>

Subject: Sunset developments project for San Ramon

S.MEHRA  
Page 1 of 1

Hi Lauren,

I've have been a resident of San Ramon since 1999 and have always loved my city! I am also one of the top San Ramon realtors being part of Rama Mehra Team having sponsored the schools and other community events over the past years.

I'm not sure if my voice will be heard to put a stop to this proposed project which will totally destroy our city just due to the greed of the developers who manipulate our city officials to get such approvals! Sunset has already had their soft launch a while back giving out the brochures! If it hasn't been approved yet, I request you to put a STOP to it.

Sincerely,

Sunil Mehra  
Asante Realty Inc

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**Sunil Mehra (S. MEHRA)**

*Response to S. MEHRA-1*

The commenter provides introductory information about their background. The commenter expresses opposition to the Master Plan and project applicant, and requests that the Master Plan not be approved.

The comment is noted; no further response is required.

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**RECEIVED**

JUN 15 2020

CITY OF SAN RAMON  
PLANNING SERVICES

Dear San Ramon Planning Commission:

I'm writing to voice my support for CityWalk and to respectfully request yours as well by approving the project's environmental impact report.

CityWalk was an important and needed project even before the COVID-19 pandemic, but its approval has taken on added urgency today. CityWalk will provide more than 16,050 jobs and an estimated \$3 billion to the city and county over its 25-year timeframe. These jobs and revenues are more critical than ever as our local economies recover from the devastation of lost jobs and city and county revenues.

But even before COVID-19, CityWalk made a ton of good sense. Its proposed housing will be located where it will be the most beneficial -- near San Ramon's tens of thousands of jobs and popular mass transit programs. New parks, landscaping, enhanced recreational amenities -- all located within a highly walkable environment -- will ensure that CityWalk becomes the mixed-use district our city has dreamed about for so many years.

We finally have the chance to realize that dream. Just as important, we have the opportunity to create thousands of new jobs and city revenue that will help ensure San Ramon remains one of America's best cities to live, work, and raise a family.

Thank you in advance for your support of CityWalk.

Sincerely,



Gregg Nelson  
Co-CEO, Trumark Companies

LATE COMMUNICATION # 8  
AGENDA # 10.1 P.C. MTG 6/11/20

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**Gregg Nelson (NELSON)**

*Response to NELSON-1*

The commenter expresses support for the Master Plan and requests that the City approve the Draft EIR.

The comment is noted; no response is required.

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**From:** Jennifer Schulze <[j1schulze@yahoo.com](mailto:j1schulze@yahoo.com)>  
**Sent:** Friday, June 26, 2020 7:29 PM  
**To:** Barr, Lauren <[lbarr@sanramon.ca.gov](mailto:lbarr@sanramon.ca.gov)>  
**Subject:** City Center Master Plan EIR

As a resident 20+ year resident of San Ramon with children in already overly crowded schools (pine Valley and Call High), I have major concerns regarding an additional 4,500 new homes with no plan as to where children will be educated. I see no school plan for the additional population in this proposal.

1

In addition, traffic has become a huge problem for San Ramon. How will we ensure that the bottleneck that is already on Bollinger is not exacerbated due to this plan? A bridge doesn't address the bottleneck from cars. I would like to see a plan for these key factors.

2

Thank you.  
Jennifer Schulze

[Sent from Yahoo Mail on Android](#)

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**Jennifer Schulze (SCHULZE)**

*Response to SCHULZE-1*

The commenter states their background in the City and expresses concern for overcrowding in local schools. The commenter asserts that there is no school plan to accommodate additional population from the Master Plan.

As described in Impact PSR-3 of Section 3.13, Public Services and Recreation, of the Draft EIR, the Master Plan would result in an estimated 1,575 students to local schools over a 27-year period, which translates to an annual average of 59 students per year. The San Ramon Valley Unified School District provided letters to the City in September 2019 and October 2019 indicating that it had accounted for student generation from the 487 dwelling units associated with the 2007 City Center Project. The School District also noted that the proposed Master Plan would require payment of development impact fees to reduce impacts to existing school facilities. Pursuant to Government Code Section 65995, payment of development fees is “full and complete” mitigation for school impacts.

*Response to SCHULZE-2*

The commenter expresses concern for potential increased traffic caused by the Master Plan, in particular, traffic congestion on Bollinger Canyon Road. The commenter asserts that a bridge would not address traffic congestion and would like to see a plan to address these concerns.

The Draft EIR analyzed 31 intersections in the study area, including the following intersections on Bollinger Canyon Road: Bollinger Canyon Road and Crow Canyon Road, Bollinger Canyon Road and Norris Canyon Road, San Ramon Valley Boulevard and Bollinger Canyon Road, I-680 Southbound and Northbound Ramps and Bollinger Canyon Road, Sunset Drive and Bollinger Canyon Road, Camino Ramon and Bollinger Canyon Road, Bishop Ranch 1 East and Bollinger Canyon Road, Market Place and Bollinger Canyon Road, Alcosta Boulevard and Bollinger Canyon Road, and Dougherty Road and Bollinger Canyon Road. All intersections were analyzed during existing and future conditions with the addition of Master Plan generated traffic.

The Master Plan would generate 24,912 daily trips with 1,457 in the AM peak-hour and 1,829 in the PM peak-hour. The proposed Master Plan would contribute new trips to roadway facilities that would operate at deficient levels in both existing and future condition scenarios. The proposed Master Plan would be required to implement MM TRANS-1a, -1b, -2a, -2b, and -2c which require the project applicant to install roadway improvements or provide equitable share fees to the City for installation of such improvements, when warranted. These improvements would reduce potential impacts to a less than significant level.

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**CityWalk Master Plan Draft Environmental Impact Report (SCH #2019090586)**

**Planning Commission Teleconference Public Hearing on June 16, 2020**

**Public Comments on Environmental Document**

**Zoe Siegel**

**Director of Special Projects, Greenbelt Alliance**

The commenter endorsed the Master Plan on behalf of their organization, stating the Master Plan proposes appropriate storm water management, parklands supportive of ecological diversity, and mitigation that protects natural resources and reduces climate risk.

1

**Lynn Wallace Naylor**

**CEO, Innovation Tri-Valley Leadership Group**

The commenter expressed support for the Master Plan, stating that the Master Plan would positively contribute to the local economy, help meet housing goals, and improve sustainable mobility.

2

**Jim Blickenstaff**

The commenter requested the comment period for the Draft EIR be extended from 45 to 60, or preferably 75, days, and that CEQA allows extension of comment periods. The commenter asserted that additional time is needed to review and comment on the Draft EIR due to the COVID-19 pandemic.

3

**Aparna Madireddi**

**Chairperson, City of San Ramon Open Space Advisory Committee**

The commenter expressed that the comment period for the Draft EIR does not provide enough time for the public to research the Master Plan and provide input given the COVID-19 pandemic and considering that the Master Plan would impact the community long term. The commenter encouraged the City to consider extending the comment period for the Draft EIR.

4

**Commissioner Eric Wallis**

The Commissioner asked if a potential comment period extension for the Draft EIR could be considered on July 7, 2020 at the next City Planning Commission meeting after the close of the 45-day comment period on July 2, 2020.

5

The Commissioner asked for an estimate of the number of comments received on the Draft EIR so far (on June 16, 2020).

6

**Commissioner Howard Frank**

The Commissioner asked if any statute or similar would prevent extension of the comment period on the Draft EIR.

7

The Commissioner asked for differentiation between public comment and public testimony that could occur at a future Planning Commission meeting, asking for clarification that the close of the comment period for which the City could make responses would be July 2, 2020 as it stands (on June 16, 2020).

8

**CityWalk Master Plan Draft Environmental Impact Report (SCH #2019090586)**

**Planning Commission Teleconference Public Hearing on June 16, 2020**

**Public Comments on Environmental Document**

**Commissioner Richard Marks**

The Commissioner made several comments that were subsequently submitted as a written comment letter. See comment letter MARKS for these notes and questions and responses to them.

9

The Commissioner made an additional comment that the Response to Comments document should discuss privately owned parks, including where and how they operate in other projects and any pros and cons from use in other Cities.

10

**Commissioner Jean Kuznik**

The Commissioner expressed appreciation for discussion of traffic intersections in the Draft EIR but asks about pedestrian and bicyclist access or amenities for children to schools on the opposite side of Interstate 680 from the Master Plan area, for example Bollinger Canyon Elementary School. The Commissioner noted that acknowledging access to both sides of Interstate 680 is a weakness in the City's progress.

11

**Chairman Gary Alpert**

The Chairman expressed that they do not fully understand the difference between studying vehicle miles travelled (VMT) and level of service, noting that the study intersections may have different impacts and associated analysis and mitigation under a VMT model. The Commissioner stated that the transportation section of the Draft EIR (Section 3.14) is confusing in this area and the public will likely want to understand this better.

12

The Chairman asked for clarification that the Master Plan would not trigger potential cumulative impacts to water supply in consecutive drought years, and notes that analysis concerning this point is somewhat confusing.

13

**Commissioner Howard Frank**

The Commissioner seconded Commissioner Marks' comments and questions with emphasis on the idea to include a diagram of intersections with proposed mitigation measures, noting that more specific information on proposed improvements at each intersection would be helpful.

14

## Oral Comments from June 16, 2020, Planning Commission Public Hearing (PC MEETING)

### *Response to PC MEETING-1*

Zoe Siegel, Director of Special Projects of Greenbelt Alliance, endorsed the Master Plan on behalf of their organization, stating the Master Plan proposes appropriate storm water management, parklands supportive of ecological diversity, and mitigation that protects natural resources and reduces climate risk.

The comment is noted; no response is required.

### *Response to PC MEETING-2*

Lynn Naylor, CEO of Innovation Tri-Valley Leadership Group, expressed support for the Master Plan, stating that the Master Plan would positively contribute to the local economy, help meet housing goals, and improve sustainable mobility.

The comment is noted; no response is required.

### *Response to PC MEETING-3*

Jim Blickenstaff requested the comment period for the Draft EIR be extended from 45 to 60, or preferably 75, days, and that CEQA allows extension of comment periods. The commenter asserted that additional time is needed to review and comment on the Draft EIR due to the COVID-19 pandemic.

The commenter read a previously submitted written comment. Please refer to Response to BLICKENSTAFF.1-1.

### *Response to PC MEETING-4*

Aparna Madireddi, Chairperson of the City of San Ramon Open Space Advisory Committee, asserted that the comment period for the Draft EIR does not provide enough time for the public to research the Master Plan and provide input given the COVID-19 pandemic and considering that the Master Plan would impact the community long term. The commenter encouraged the City to consider extending the comment period for the Draft EIR.

For a discussion of public review during the COVID-19 pandemic, please refer to Response to BLICKENSTAFF.1-1.

### *Response to PC MEETING-5*

Eric Wallis, Planning Commissioner, asked if a potential comment period extension for the Draft EIR could be considered on July 7, 2020 at the next City Planning Commission meeting after the close of the 45-day comment period on July 2, 2020.

Debbie Chamberlain, Community Development Department Director, answers no, noting the comment period would already have closed on July 2, 2020. No further response is required.

### *Response to PC MEETING-6*

Commissioner Wallis asked for an estimate of the number of comments received on the Draft EIR so far (on June 16, 2020).

Lauren Barr, Planning Services Manager, answered that in addition to late communications received for June 16, 2020, Planning Commission Meeting, two public comments had been received and meetings had been arranged with relevant agencies. Manager Barr noted that technical comments tend to be received toward the close of Draft EIR comment periods. No further response is required.

*Response to PC MEETING-7*

Howard Frank, Planning Commissioner asked if any statute or similar would prevent extension of the comment period on the Draft EIR.

Manager Barr answered no, noting local guidelines set a 45-day comment period for Draft EIRs but do not prohibit extensions. No further response is required.

*Response to PC MEETING-8*

Commissioner Frank asked for differentiation between public comment and public testimony that could occur at a future Planning Commission meeting, asking for clarification that the close of the comment period for which the City could make responses would be July 2, 2020 as it stands (on June 16, 2020).

Manager Barr stated that comments were being solicited on the adequacy of the Draft EIR until July 2, 2020, after which a Response to Comments as part of the Final EIR will be prepared as required by CEQA to address comments and provide clarifications. Manager Barr noted that there will still be opportunity to comment on the Master Plan itself after July 2, 2020, just not the adequacy of the Draft EIR. No further response is required.

*Response to PC MEETING-9*

Richard Marks, Planning Commissioner, made several comments that were subsequently submitted as a written comment letter.

Please refer to comment letter MARKS for these notes and questions and responses to them.

*Response to PC MEETING-10*

Commissioner Marks made an additional comment that the Response to Comments should discuss privately owned parks, including where and how they operate in other projects and any pros and cons from use in other cities.

This comment is noted. This topic is outside the scope of this EIR.

*Response to PC MEETING-11*

Jean Kuznik, Planning Commissioner, expressed appreciation for discussion of traffic intersections in the Draft EIR, but asked about pedestrian and bicyclist access or amenities for children to schools on the opposite side of I-680 from the Master Plan area, for example Bollinger Canyon Elementary School. The Commissioner noted that acknowledging access to both sides of I-680 is a weakness in the City's progress.

There are existing sidewalks on the Norris Canyon Road overpass and Bollinger Canyon Road overpass crossing I-680. Norris Canyon Road also provides standard bicycle lanes in the east and west direction, including on the overpass. Lastly, westbound Montevideo Drive south of the Master



Plan area also provides sidewalks and a bicycle lane and crosses under I-680. Therefore, there are existing pedestrian and bicycle amenities to cross I-680. The TIA for the Master Plan did not identify any necessity for mitigation involving an additional I-680 crossing. However, an existing improvement project could improve safety at the Bollinger Canyon Road crossing, which is closest to the Master Plan area.

The Bollinger Canyon Road/I-680 Northbound On-Ramp interchange is being improved with installation of a westbound continuous green operation that provides westbound vehicles on Bollinger Canyon Road with a permanent green phase, allowing them to bypass the signal at the intersection of Bollinger Canyon Road/I-680 Northbound Off-Ramp, which is anticipated to reduce congestion and queue lengths for westbound Bollinger Canyon Road by providing more westbound through capacity at the Sunset Drive/Bollinger Canyon Road intersection. This improvement is completed and is fully operational.

*Response to PC MEETING-12*

Gary Alpert, Planning Commission Chairman, expressed that he does not fully understand the difference between studying VMT and LOS, noting that the study intersections may have different impacts and associated analysis and mitigation under a VMT model. The Commissioner stated that the transportation section of the Draft EIR (Section 3.14) is confusing in this area and the public will likely want to understand this better.

Level of service (LOS) is a term used to qualitatively describe the operating conditions of a roadway based on factors such as speed, travel time, maneuverability, delay, and safety. According to CEQA Guidelines Section 15064.3(a), vehicle miles traveled is the amount and distance of automobile travel attributable to a project. Other relevant considerations may include effects of a project on transit and non-motorized travel.

As described in Section 3.14 Transportation of the Draft EIR, the City of San Ramon and the CCTA (who is responsible for the regional traffic model) did not have an adopted Traffic Impact Analysis framework that incorporates VMT as a metric at the time that the transportation analysis was performed and completed. The provisions contained within the CEQA Guidelines Section 15064.3, Determining the Significance of Transportation Impacts, which identify VMT as the most appropriate measure for evaluating transportation impacts, applied statewide beginning on July 1, 2020. Draft EIRs are only required to comply with standards in effect at the time they are published (14 CCR §§ 15064.3(c), 15007(b)(c)). Since the Draft EIR was published on May 19, 2020, the EIR was prepared consistent with the CEQA Guidelines that were in effect at that time.

*Response to PC MEETING-13*

Chairman Alpert asked for clarification that the Master Plan would not trigger potential cumulative impacts to water supply in consecutive drought years, noting that analysis concerning this point is somewhat confusing.

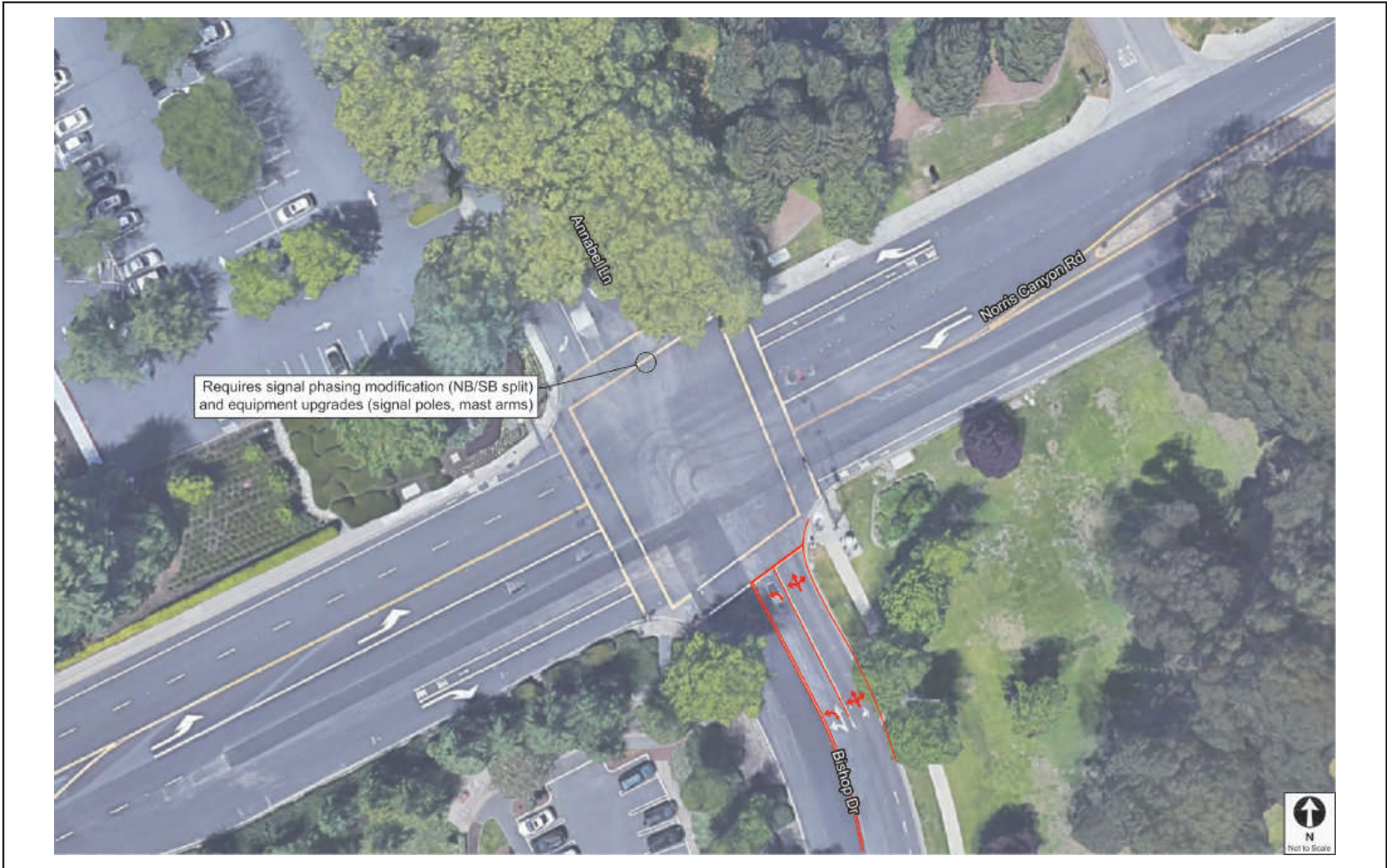
An WSA was prepared by EBMUD for the proposed Master Plan in October 2019 to assess the water supply availability for the buildout of the Master Plan. Using region-specific water use information, EBMUD estimated the Master Plan would result in a water demand of 952,000 gallons per day (gpd),

including approximately 19,600 GPD of recycled water demand. EBMUD determined that this amount is accounted for in EBMUD’s water demand projections published in the 2015 UWMP and presented in Table 3.15-2 of the Draft EIR. The 2015 UWMP concluded that EBMUD has, and will have, adequate water supplies to serve existing and projected demand within the Ultimate Service Boundary during normal and wet years, but that deficits are projected for multi-year droughts. During multi-year droughts, EBMUD may require significant customer water use reductions and may also need to acquire supplemental supplies to meet customer demand. The WSA states that the proposed Master Plan will be subject to the same drought restrictions that apply to all EBMUD customers. Furthermore, EBMUD commented on the Draft EIR with a comment letter which is included in this Final EIR and did not raise concerns related to water supply or water demand from the project.

*Response to PC MEETING-14*

Commissioner Frank seconded Commissioner Marks’ comments and questions with emphasis on the idea to include a diagram of intersections with proposed mitigation measures, noting that more specific information on proposed improvements at each intersection would be helpful.

The requested diagrams have been created. Please see Exhibits 1-3 of this Final EIR.



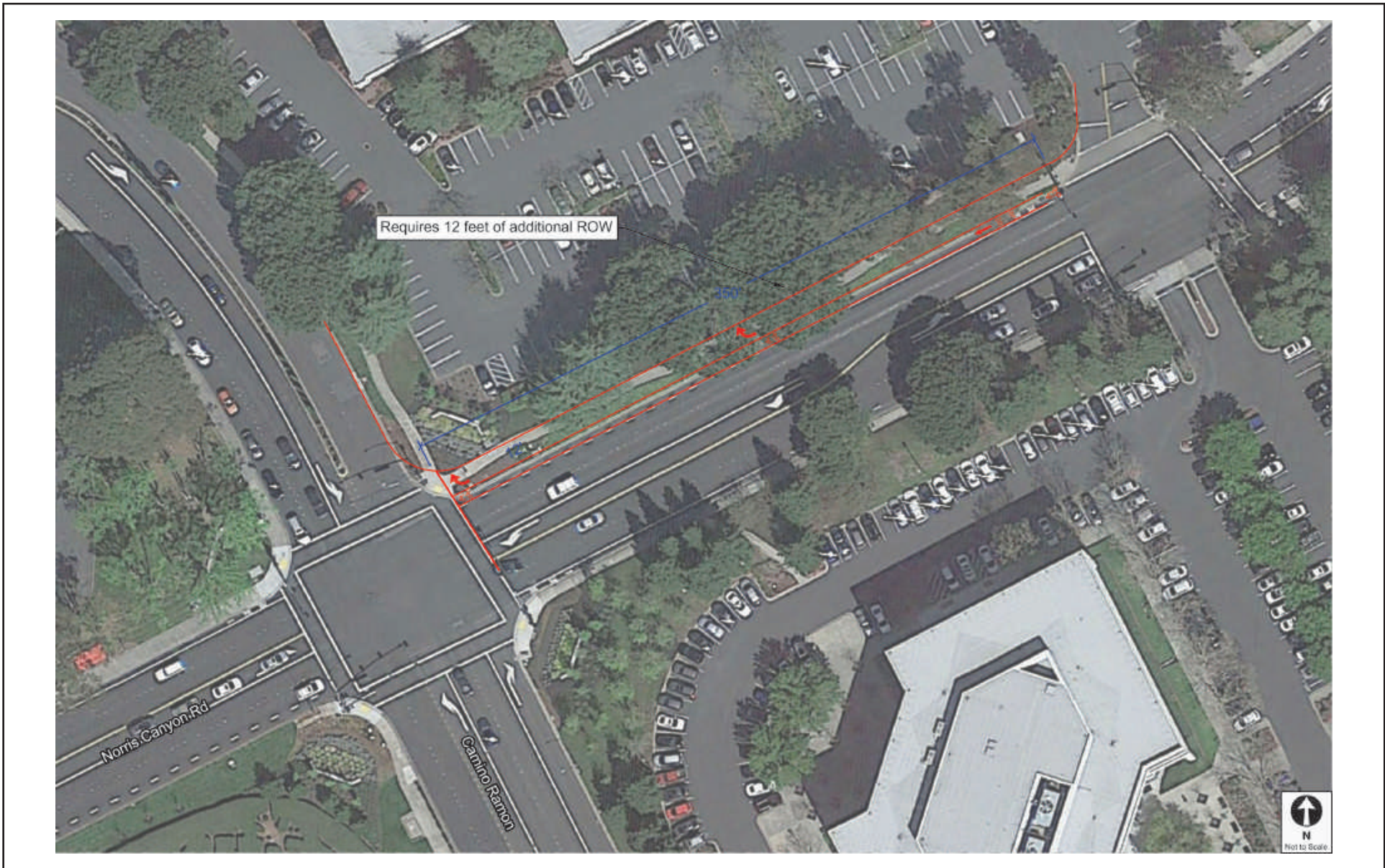
Source: Gibson Transportation Consulting, Inc.



# Exhibit 1 Conceptual Mitigation - Bishop Drive/ Annabel Lane & Norris Canyon Road

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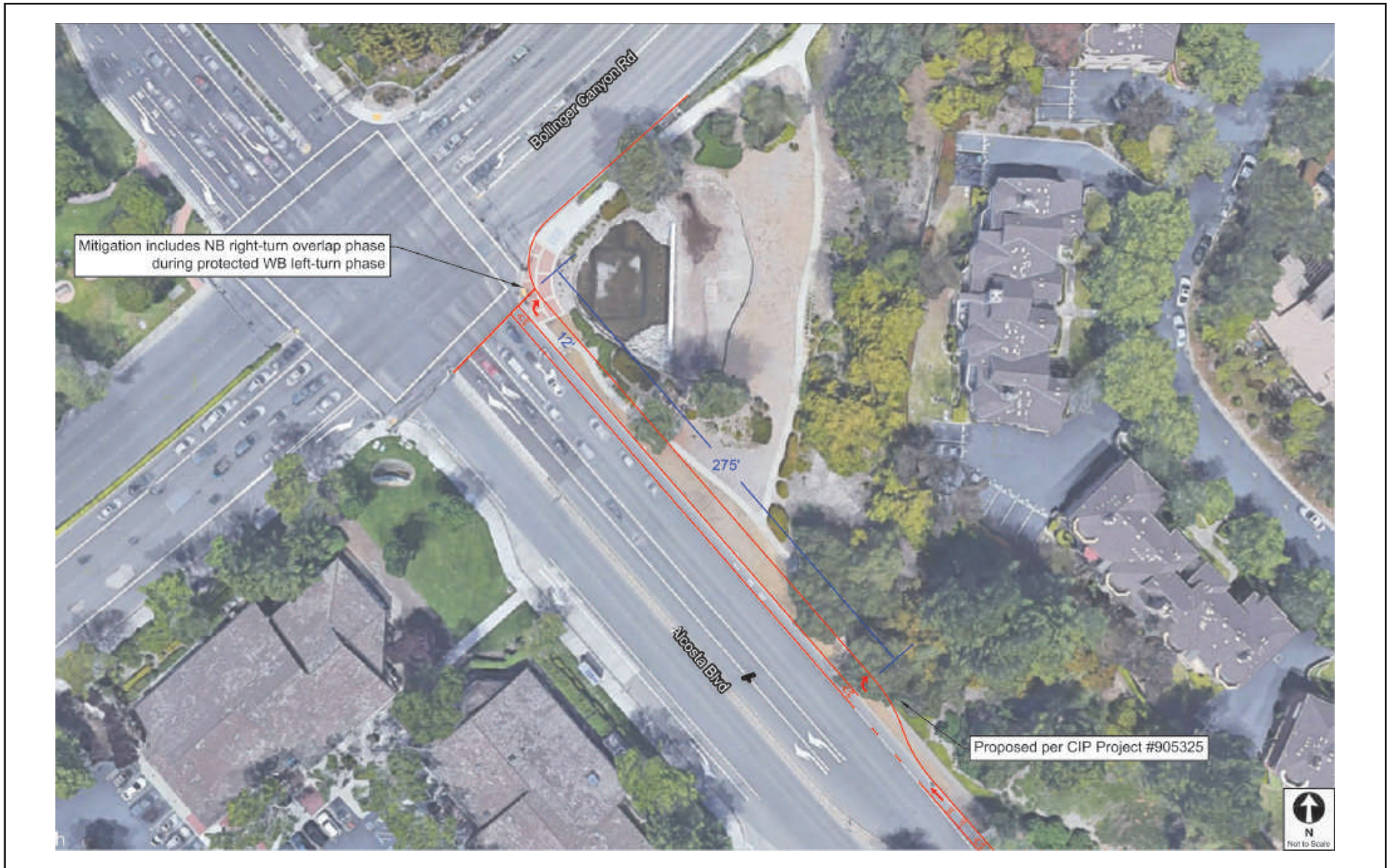




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## SECTION 3: ERRATA

The following are revisions to the Draft EIR for the CityWalk Master Plan. These revisions are minor modifications and clarifications to the document, and do not change the significance of any of the environmental issue conclusions within the Draft EIR. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (~~stricken~~).

### 3.1 - Changes in Response to Specific Comments

#### Section 2, Project Description

##### Page 2.10

The proposed Master Plan would be developed in phases over a ~~25-27~~-year planning horizon. Table 2-5 summarizes the phasing plan. Economic factors will dictate the implementation schedule and, thus, the phasing plan shown in Table 2-5 reflects a ‘best case’ scenario for buildout.

#### Section 3.2, Air Quality

##### Page 3.2-55

**MM AIR-2d** Use super-~~complaint~~ compliant architectural coatings. These coatings are defined as those with volatile organic compound (VOC) less than 10 grams per liter. South Coast Air Quality Management District (SCAQMD)<sup>1</sup> provides a list of manufacturers that provide this type of coating.

#### Section 3.4, Cultural Resources and Tribal Cultural Resources

##### Page 3.4-17

**MM CUL-1** An archaeologist who meets the Secretary of the Interior’s Professional Qualification Standards for archaeology ~~should~~ shall be present during the initial grading on BR 1A, BR 3A, and BR 2600 to check for the inadvertent exposure of cultural materials.

#### Section 3.12, Population and Housing

##### Page 3.12-6

As described in Section 2, Project Description, the proposed Master Plan would develop up to 4,500 new housing units, including affordable units. Using the City of San Ramon’s average household size of 2.97 persons from the Department of Finance, the proposed Master Plan ~~would~~ could add an estimated 13,365 persons to the City’s population at full project buildout by 2048. Averaged over the ~~25-27~~-year buildout horizon, this represents an increase of ~~535~~ 495 persons per year or less than 1 percent of ABAG’s projected population growth per year.

The City of San Ramon’s 2020 population estimate of 83,118 persons exceeds ABAG’s Projections for 2020, 2025, 2030, and 2035, but is within the General Plan’s population estimate of 96,179 for 2035.

<sup>1</sup> The availability of super-compliant architectural coatings for purchase is not limited to any geographical area.

Implementation of the proposed Master Plan ~~would~~ could result in an increase in 13,365 persons at full project buildout, for a total of 96,483 persons within the City of San Ramon by 2048. However, the proposed Master Plan would be constructed over ~~25~~ 27 years and would thus increase population in San Ramon by approximately ~~535~~ 495 persons per year. The San Ramon General Plan 2035 anticipates a population of 96,179 at buildout by 2035, which represents an additional 816 persons per year from 2020 to 2035  $[(96,179 - 83,118)/16 \text{ years}]$ . As such, annual population growth resulting from the proposed Master Plan (~~535~~ 495 persons per year) is within the General Plan's annual population growth projections through 2035 (816 persons per year). Although the planning horizon for the proposed Master Plan extends beyond the planning horizon for the General Plan, population growth from the Master Plan would occur in phases, ensuring that the proposed Master Plan would not result in substantial unplanned growth beyond 2035. Thus, because annual population growth through 2035 is within the General Plan's population projections and would not result in substantial unplanned growth beyond 2035, the proposed Master Plan's direct population growth impacts would be less than significant.

The proposed Master Plan would create new employment opportunities associated with the hotel and retail uses. Hotel employment is estimated at 200 and the retail uses are estimated to employ 332 workers. In total, the proposed Master Plan would increase employment by an estimated 532 workers over a ~~25~~ 27-year period. This represents a small percentage of employment growth, which within the context of the larger East Bay region, would not be considered unplanned or growth inducing. Impacts would be less than significant.

### **Section 3.13, Public Services and Recreation**

#### ***Page 3.13-11***

Additionally, Sunset Development currently provides private security 24 hours a day, 7 days a week within the Master Plan area. Buildout of the Master Plan would increase the City of San Ramon's population and, thus, increase demand for police protection. Based on correspondence with Craig Stevens at the San Ramon Police Department, the Police Department anticipates that in 20-25 years a new Beat4 and/or substation would be needed in the vicinity of the Master Plan area to serve the future uses. However, Mr. Stevens stated that there is no immediate need for additional equipment, staffing, etc., to serve the proposed Master Plan because the proposed Master Plan would be phased over ~~25~~ 27 years.

#### ***Page 3.13-12***

Buildout of the proposed Master Plan would add 4,500 multi-family dwelling units to the School District over a period of 25 years, thereby increasing K-12 enrollment. Using student generations for multi-family residential units provided by the School District, the proposed Master Plan would add an estimated 1,575 students to local schools over a ~~25~~ 27-year period, which translates to an annual average of ~~63~~ 59 student/year. Table 3.13-6 provides a summary of the proposed Master Plan student generation by school type.

**Table 3.13-1: Master Plan Student Generation**

School Type	Student Generation Factor (Student/Unit)	Students Generated
Elementary School (K–5th grade)	0.17 students/unit	765
Middle School (6 <sup>th</sup> –8 <sup>th</sup> grade)	0.09 students/unit	405
High School (9 <sup>th</sup> –12 <sup>th</sup> grade)	0.09 students/unit	405
<b>Total</b>		<b>1,575</b>
<b>Average Annual Enrollment Increase (Total/<del>25</del> 27 years)</b>		<b><u>63</u> 59</b>
Source: San Ramon Valley Unified School District 2020.		

### Section 3.14, Transportation

#### Page 3.14-1

As described in Section 2, Project Description, the proposed Master Plan would be developed in phases over a ~~25~~ 27-year planning horizon. The long-range travel projections used in the Transportation Impact Study are based on the latest CCTA Travel Demand Forecast Model (CCTA Model) which assumes travel and land use conditions for Year 2040. Thus, consistent with the longest future forecasts available, the conditions in this analysis assume that the full buildout of the proposed Master Plan would take place by Year 2040, and represents a conservative, worst-case scenario.

#### Pages 3.14-12 and 3.14-13

Caltrans requests that the EIR correctly note that Bollinger Canyon Road has a sidewalk open to bicyclists on the south side. This change is noted as follows

Based on City of San Ramon Bicycle Master Plan (City of San Ramon, April 2018) (Bicycle Master Plan), the existing bicycle system in the Study Area consists of a limited coverage of multi-use paths (Class I), bicycle lanes (Class II), and bicycle routes (Class III). Multi-use paths are two-way paved facilities, physically separated from vehicle traffic and can be used by bicyclists, pedestrians and other non-motorized users. Bicycle lanes are a component of street design with dedicated striping and symbols on the roadway surface, separating vehicular traffic from bicycle traffic. Buffered bicycle lanes provide a striped-painting flush buffer zone between a bicycle lane and adjacent travel lane. Bicycle routes are identified as bicycle-friendly streets where motorists and cyclists share the roadway and there is no dedicated striping of a bicycle lane. Bicycle routes are preferably located on Local, Collector and lower volume Arterial Streets as part of a signed route or bicycle boulevard, which is typically applied on quiet streets such as residential neighborhoods.

The following bicycle facilities are provided along corridors within the Study Area:

- Iron Horse Trail (Class I)
- San Ramon Valley Boulevard (Class II)
- Bishop Drive (Class II)

- Executive Parkway (Class II)
- Alcosta Boulevard (Class II and III)
- Crow Canyon Road—East of Alcosta Boulevard (Class II)
- Norris Canyon Road (Class II and III)
- Bollinger Canyon Road (Class II and III)
- Bollinger Canyon Road, sidewalk on south side (Class III)
- Davona Drive (Class III)
- Broadmoor Drive (Class III)
- Montevideo Drive (Class III)

**Page 3.14-28**

Existing Plus Project Traffic conditions represents trips generated from buildout of the Master Plan added to existing traffic conditions. This represents a conservative, worst-case scenario for traffic conditions because the Master Plan will be constructed over the course of ~~20-25~~ 27 years.

**Page 3.14-32**

**Mitigation Measures**

**MM TRANS-1a** The existing intersection at Alcosta Boulevard and Bollinger Canyon Road shall be widened to provide a northbound right turn lane and the signal operation at San Ramon Valley Boulevard/Norris Canyon Road shall be modified to provide a westbound right turn overlap with the southbound left turn phase, if warranted based on actual operating conditions. The project applicant shall provide equitable share fees to the City of San Ramon to pay for installation of the improvement.

**Section 3.15, Utilities and Service Systems**

**Page 3.15-12**

Construction waste generation is summarized in Table 3.15-4. As shown in the table, the proposed Master Plan would generate 12,978 cubic yards over the ~~25-27~~-year buildout horizon. The two landfills that serve San Ramon have 72.8 million cubic yards of remaining capacity and, thus, can accommodate the construction solid waste generated by the proposed Master Plan.

**Section 4, Cumulative Effects**

**Pages 4.1 through 4.4**

**Table 4-2: Cumulative Projects**

Jurisdiction	Project	Characteristics	Location	Status
City of San Ramon	2007 City Center Project (BR 1B)	Development of a medical office	Bishop Ranch 1B (Bollinger Canyon Road/ Bishop Ranch 1)	Approved; Entitled
	Iron Horse Regional Trail Overcrossings	Grade separated overcrossings at Bollinger Canyon Road and Crow Canyon Road	Iron Horse Trail/Bollinger Canyon Road; and Iron Horse Trail/Crow Canyon Road	Planned

Jurisdiction	Project	Characteristics	Location	Status
	Capital Improvement Program 2019/20 – 2023/24	Pavement Management and Street Landscape Planting Renovation	Various locations throughout the City	Adopted
	The Promenade at the Preserve	<del>40</del> <u>256</u> single-family dwelling units; <del>122</del> <u>182</u> multi-family dwelling units; 2-acre House of Worship	Faria Preserve Parkway	Approved
	Dougherty Valley Specific Plan	11,000 dwelling units	Dougherty Road / Bollinger Canyon Road	Approved; Under construction; Substantially complete
	North Camino Ramon Specific Plan	6.7 million square feet of mixed uses within a 295 gross acre Priority Development Area	Crow Canyon Road / Camino Ramon	Approved; Ongoing
	Crow Canyon Specific Plan	735 dwelling units; 1,260,000 square feet commercial; 142-room hotel	San Ramon Valley Boulevard / Deerwood Road	Approved; Ongoing
	Summit Senior Care Facility	Construction and operation of an 82-bed Senior Care facility	12700 Alcosta Boulevard	Approved; Under construction
	Church of the Nazarene Revised Expansion	Approximately 18,000-square-foot church expansion to replace previous 34,000-square-foot church expansion	12700 Alcosta Boulevard	Approved; Under construction
	Marriott Hotel	2,688-square-foot event space expansion	2600 Bishop Drive	Approved
	Hampton Inn*	88-room hotel with a fully enclosed 4-level parking structure, a 1,720-square-foot indoor pool, 680-square-foot fitness room, 650 square foot conference room, and a small breakfast area	2231 Omega Road	Approved; Under construction
	ROEM-San Ramon Valley Boulevard Apartments*	169 apartment units with 6,146 square feet of commercial uses	2251 San Ramon Valley Boulevard	Approved
	Chang Residential Subdivision	43 single-family dwelling units, with a minimum of 12,500-square-foot lot size	Crow Canyon Road / Bollinger Canyon Road	Approved
	Aspen Wood Senior Apartments	95 multi-family senior dwelling units	9000 Alcosta Boulevard	Approved
Town of	Abigail Place	17 single-family dwelling	3743 and 3755 Old	Approved

Jurisdiction	Project	Characteristics	Location	Status
Danville		units and two single-family residential dwelling units	Blackhawk Road	
	Magee Preserve	69 single-family dwelling units, seven attached secondary dwelling units, and associated roadways and infrastructure	Adjacent to the south of Diablo Road, east and north of McCauley Road	Approved
	375 West El Pintado Road Residential Project	37 townhome dwelling units	375 West El Pintado Road	Approved
	The Collection	18 single-family dwelling units	Camino Tassajara / Sherburne Hills Road	Approved
City of Dublin	Boulevard (Dublin Crossing)	453 residential dwelling units	Dublin Boulevard / Sterling Street	Approved; Under Construction
	Westin Hotel	198-room hotel	Arnold Road / Altamirano Avenue	Approved
	Quarry Lane Preschool	26,000-square-foot school	6085 Scarlett Drive	Approved
	Safari Kids Childcare and Community Center	14,936-square-foot childcare facility	Positano Parkway between West Cantara Drive and Vinton Avenue)	Approved
	Wallis Ranch Neighborhood 6 (Riverton)	125 townhome dwelling units	6996 Stags Leap Lane	Approved; Under Construction
	IKEA Retail Center	410,000 square feet of commercial uses including a 317,000-square-foot IKEA store and a 93,000-square-foot commercial center	5144 Martinelli Way	Approved
	Zeiss Innovation Center	433,090-square-foot Research and Development buildings	Dublin Boulevard (between Arnold Road and Sybase Road)	Approved
	Kaiser Dublin Medical Center and Commercial Uses	1.2-million-square-foot Kaiser medical center; Includes 35,000-square-foot Nissan automobile dealership	Dublin Boulevard/Keegan Street	Approved; Under construction
	Schaefer Ranch Unit 3	18 single-family dwelling units	Dublin Boulevard/Schaefer Heights Drive	Approved
	Jordan Ranch – Onyx (Neighborhood 7)	105 single-family dwelling units	Panorama Drive (north of Central Parkway)	Approved
Grafton Plaza – Apex Townhomes	115 townhomes, 127-room hotel, and up to 55,000	Dublin Boulevard/Grafton Street	Approved	

Jurisdiction	Project	Characteristics	Location	Status
		square feet of retail commercial use		
	Ashton at Dublin Station	220 apartment units including a fitness center, pool, roof top lounge, and 331 structured parking spaces	DeMarcus Boulevard/Campbell Lane	Approved
	Moller Ranch/Tassajara Hills	370 single-family detached residential dwelling units and a private clubhouse	6861 Tassajara Road	Approved
	Wallis Ranch Neighborhood 3 (Ivy Oak)	74 single-family detached dwelling units	7328 Kenwood Road	Approved
	Wallis Ranch Neighborhood 4 (Citron)	147 single-family dwelling units	4207 Trolan Lane	Approved
	Wallis Ranch Neighborhood 8 (Fielding)	139 single-family dwelling units	3995 Windsor Way	Approved
	Valley Christian Center	Lighted athletic field and other buildings and parking lot	7500 Inspiration Drive	Approved
	Avesta Senior Care Facility	69,217-square-foot senior care facility comprised of apartments, assisted living, and memory care units	7601 Amador Valley Boulevard	Approved
	Saint Patrick Way	499 dwelling units	6700 Golden Gate Drive	Approved

Source: City of San Ramon, Town of Danville, and City of Dublin. 2020.

Note: \* Part of Crow Canyon Specific Plan

**Page 4.14**

The proposed Master Plan contemplates up to 4,500 dwelling units, which would add 13,365 persons to the City of San Ramon’s population over a period of ~~25~~ 27 years. This represents an average annual increase of ~~535~~ 495 additional persons to the City’s population, which was estimated to be 83,118 in January 2020. The Master Plan area is within the San Ramon city limits, is currently designated for urban use by the City of San Ramon General Plan 2035 and San Ramon Zoning Ordinance, and thus is contemplated to support population growth. Growth-inducing impacts were found to be less than significant (see Section 6: Other CEQA). Other cumulative projects in the City of San Ramon, such as those listed in Table 4-1, would be reviewed for impacts on population growth and would be required to address any potential impacts with mitigation. Therefore, the proposed Master Plan, in conjunction with other planned and approved projects, would not have a cumulatively significant impact related to population and housing.

**Page 4.15**

Buildout of the Master Plan would increase the City’s population and thus, increase demand for police protection. Based on correspondence with Craig Stevens at the San Ramon Police Department, the Police Department anticipates that in 20-25 years a new Beat and/or substation would be needed in the vicinity of the Master Plan area to serve future uses. However, Mr. Stevens stated that there is no immediate need for additional equipment, staffing, etc. to serve the proposed Master Plan because the proposed Master Plan would be phased over ~~25~~ 27 years. Sunset Development would provide development fees that would contribute to funding the Police Department for capital improvements to police facilities. This would allow the Police Department to develop additional facilities, as appropriate, as the proposed Master Plan builds out.

**Page 4.16**

Buildout of the Master Plan is projected to add 1,575 new students to local schools over a ~~25-27~~-year period, which translates to an annual average of ~~63~~ 59 student/year. The proposed Master Plan would pay development fees to the School District to fund capital improvements to school facilities. Other cumulative projects within the School District would be reviewed for impacts on schools and would be required to pay applicable development fees to the School District to reduce impacts to existing school facilities. Therefore, the proposed Master Plan, in conjunction with other planned and approved projects, would not have a cumulatively significant impact related to schools.

**Section 6, Other CEQA Considerations**

**Page 6.2**

**Direct Growth-Inducing Impacts**

Using the City of San Ramon’s average household size of 2.97 persons from the Department of Finance, the proposed Master Plan would add an estimated 13,365 persons to the City’s population at full Master Plan buildout. Averaged over the ~~25-27~~-year buildout horizon, this represents an increase of ~~535~~ 495 persons per year or less than 1 percent of the ABAG projected population growth per year.

The City of San Ramon’s 2020 population estimate of 83,118 persons exceeds ABAG’s Projections for 2020, 2025, 2020, and 2035, but is within the General Plan’s population estimate of 96,179 for 2035. Implementation of the proposed Master Plan would result in an increase in 13,365 persons at full project buildout, for a total of 96,483 persons within the City of San Ramon by 2048. However, the proposed Master Plan would be constructed over ~~25~~ 27 years and would thus increase population in San Ramon by approximately ~~535~~ 495 persons per year. The San Ramon General Plan 2035 anticipates a population of 96,179 at buildout by 2035, which represents an additional 816 persons per year from 2020 to 2035 [(96,179 – 83,118)/16 years]. As such, annual population growth resulting from the proposed Master Plan (~~535~~ 495 persons per year) is within the General Plan’s annual population growth projections through 2035 (816 persons per year). Although the planning horizon for the proposed Master Plan extends beyond the planning horizon for the General Plan, population growth from the Master Plan would occur in phases, ensuring that the proposed Master Plan would not result in substantial unplanned growth beyond 2035. Thus, because annual population growth through 2035 is within the General Plan’s population projections and would not



result in substantial unplanned growth beyond 2035, the proposed Master Plan’s direct growth impacts would be less than significant.

***Indirect Growth-Inducing Impacts***

The proposed Master Plan would create new employment opportunities associated with the hotel and retail uses and therefore may have the potential to induce population growth because new employees may move into the City. Hotel employment is estimated at 200 and the retail uses are estimated to employ 332 workers. In total, the proposed Master Plan would increase employment by an estimated 532 workers over a ~~25~~ 27-year period. This represents a small percentage of employment growth, which within the context of the larger East Bay region, would not be considered unplanned or growth inducing. Impacts would be less than significant.

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