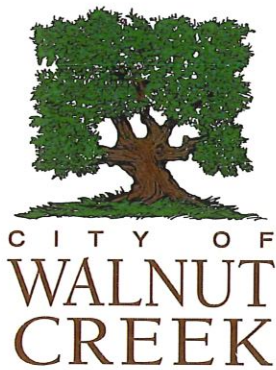


# **Attachment N**

## **City of Walnut Creek Letters**



November 15, 2022

Sean Tully  
Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553

*Delivered via e-mail*

[clerkoftheboard@cob.cccounty.us](mailto:clerkoftheboard@cob.cccounty.us)

[Sean.Tully@dcd.cccounty.us](mailto:Sean.Tully@dcd.cccounty.us)

Re: Spieker Senior Continuing Care Community Project – Final EIR Comments  
Contra Costa County Planning Commission - LOEWKE PLANNING  
ASSOCIATES (Applicant) - DIABLO GLEN WC CCRC LLC (Owner), County  
Files #CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, and  
CDLP20-02038

Dear Mr. Tully:

The City of Walnut Creek previously submitted comments on the Draft EIR on May 10, 2022 and on the proposed final EIR for this project on October 26, 2022. It is the City's understanding that the project will be considered by the Board of Supervisors on November 29, 2022. The City of Walnut Creek submits the following comments and concerns for consideration by the Board of Supervisors.

1. Drainage impacts resulting from construction. There is insufficient detail regarding improvements needed to accommodate the revised drainage patterns and volumes that will be generated by the project, particularly for Walnut Creek facilities expected to accommodate the drainage. Also, the changes in drainage patterns could adversely affect wetlands and sensitive habitat, either by diverting flows away from these areas or potentially overwhelming these areas. The City requests that if the Board of Supervisors considers approval of the project that the Board of Supervisors appropriately condition the project so that a more comprehensive analysis of these drainage impacts is required to be performed in connection with approval of any final project plans, and that the City have an opportunity to review and comment thereon.
2. Circulation Impacts. Because of the unique location of the project site and the natural and artificial elements surrounding the project site, practically the entirety of ingress and egress to and from the project will occur on City roads and rights of way. As such, the

City has concerns about the potential impacts and proposed methods to address said impacts. Specifically:

- a. Impacts to key intersections, including Kinross Drive/Marchbanks Drive, Marchbanks Drive/Ygnacio Valley Road, and Kinross Drive/Ygnacio Valley Road, and improvements needed to mitigate the impacts. The City has previously suggested the need for roadway improvements at these intersections and reiterates its request that, as part of the final project plans, and subject to review by the City, that if the Board of Supervisors considers approval of the Project, that the Board of Supervisors appropriately condition the project to require such improvements, including the installation of protected left-turn phasing at the following locations:
    - Ygnacio Valley Road/Marchbanks Dr-Tampico: northbound Tampico and southbound Marchbanks Drive approaches.
    - Ygnacio Valley Road/La Casa Via-Kinross: northbound La Casa Via and southbound Kinross Drive approaches.
  - b. General construction traffic and construction haul route activity on the local roadway system will potentially impact the lifespan of the pavement, curbs, gutters, etc. Details are needed on construction haul routes in particular (including volume of trips, trip frequency, duration of construction trip/haul activities, etc.) to properly analyze the impacts and identify how to minimize and mitigate the impacts. Mitigation of such impacts should be included as conditions of approval if the Board of Supervisors considers approval of the Project.
  - c. Impacts to City neighborhoods via use of Kinross Drive as the primary and initial construction access point to the project site need to be identified and analyzed. More details on improvements to Kinross Drive to provide initial project/construction access and their respective impacts are also needed. The City requests if the Board of Supervisors considers approval of the Project that the Board of Supervisors appropriately condition the project in order to address the multiple years of construction traffic passing through these neighborhoods and impacting the quality of life for Walnut Creek residents. More specifically, the City also requests that mitigation of such impacts be incorporated into the final project plans, and that such mitigation is subject to review by the City of Walnut Creek.
  - d. The City previously requested that the project provide pedestrian and bicycle connections around the perimeter of the site to facilitate future connectivity to Heather Farm Park from the Iron Horse Trail and other locations. The City reiterates its request that the above-referenced pedestrian and bicycle trails be addressed by the Board of Supervisors, incorporated into, and conditioned as part of the project, instead of being evaluated at a later date.
3. Construction Impacts. Although construction impacts are not assessed as an impact under CEQA, there will be real and significant impacts to residents of the City of Walnut Creek who live, work, learn, and recreate in proximity to the project site. A more thorough and detailed assessment of impacts pertaining to noise and vibration, safety (i.e. truck and

equipment traffic), and dust that will be generated by the project, including timing, duration and intensity, should be prepared and addressed. As appropriate and if the Board of Supervisors considers approval of the Project, the Board of Supervisors should condition the project to address these impacts.

4. Impacts to City of Walnut Creek Parks. The proposed project does not propose to provide any park lands for its residents. It does, however, include a locked community gate that will allow residents and their guests to exit the project site and directly access the recreational amenities provided by the City at Heather Farm Park. This should warrant the collection of Park Fees associated with the development of the project, and distribution of said fees to the City to offset the impact to City recreational facilities. The County has stated that the project is classified as a "Continuing Care Retirement Facility" which is not considered to be a residential land use, and thus there is no obligation to assess park impact fees against the project. The County has also stated that the 354 "independent living units" that are outside of the 100 bed memory care center component of the project could be counted to satisfy a portion of the County's RHNA obligation.

The City remains convinced that the future residents of the project will generate impacts to City recreation facilities at Heather Farm Park and potentially others, and thus park impact fees should be collected, or other conditions or community benefits should be imposed by the County and remitted to the City to help address impacts to City parks and recreational facilities.

5. Visual Impacts. The visual analysis and assessment of visual impacts to surrounding uses in the EIR was insufficient. The project site shares substantial boundary lines with properties within the City of Walnut Creek. Many of residential properties owned and/or occupied by Walnut Creek residents, as well as Heather Farm Park and its numerous amenities would be impacted by the development. Additionally, the Seven Hills School, although outside the City's boundaries, has numerous Walnut Creek residents as both students and employees who will also be impacted. Specifically:
  - a. While the EIR provided some photo-simulations taken from points near Walnut Creek residential properties, the intensity of the earthwork and scale of the buildings within the proposed project warrant the inclusion of photo-simulations from Walnut Creek residences adjacent to the more prominent slopes in the project, Seven Hills School, and other prominent locations around the project perimeter. To truly assess the visual impacts of the project, photo-simulations should be created for 1 year post construction and 5 years post construction, to go along with the 10 years post construction photo-simulations provided.
  - b. More grading cross-sections need to be provided that depict existing conditions and post-construction conditions, with and without matured landscaping. Locations should include several different nearby Walnut Creek residences and multiple points along Seven Hills School, the Equestrian Center, and Heather Farm Park.

The City of Walnut Creek again respectfully requests that these issues be addressed in connection with the County's consideration and approval of the project.

Please don't hesitate to contact me directly if you would like to discuss any aspect of this letter further or if you have any questions.

Sincerely,

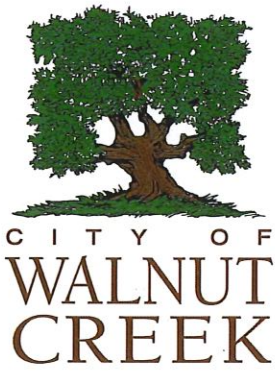


Heather Ballenger  
Director, Public Works

Attachments:

1. Walnut Creek Comment Letter Dated May 10, 2022
2. Walnut Creek Comment Letter Dated October 26, 2022

5238573.1



October 26, 2022

Sean Tully  
Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 9455

*Delivered via e-mail*  
[planninghearing@dcd.cccounty.us](mailto:planninghearing@dcd.cccounty.us)  
[Sean.Tully@dcd.cccounty.us](mailto:Sean.Tully@dcd.cccounty.us)

Re: Spieker Senior Continuing Care Community Project – Final EIR Comments  
Contra Costa County Planning Commission - LOEWKE PLANNING  
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Files #CDGP20-00001, CDRZ20-03255, CDMS20-00007, CDDP20-03018, and  
CDLP20-02038

Dear Mr. Tully:

The City of Walnut Creek previously submitted comments on the Draft EIR for this project on May 10, 2022. Those comments were acknowledged and addressed, in part, in the County's responses to comments in the proposed final EIR which was circulated earlier this month. As previously communicated to the County, the City is particularly interested in this project given its adjacency to the City and one of its prominent parks, and its proposed access via the City's roadway network. In connection with the County Planning Commission's discussion and consideration of the project, including the Final EIR, at its meeting this evening, the City submits the following additional comments addressing the County's responses in the EIR:

### 3.1 Aesthetics

1. Comment/Response 2.1. The City previously requested that the EIR include additional visual simulations in order to more fully evaluate the potential aesthetic impacts to properties within Walnut Creek. More specifically, the City requested photo-simulations looking into the project site from properties within Walnut Creek or, where access to private property may be restricted, from just inside the project site adjacent to properties within Walnut Creek. Upon review of the Final EIR, it appears the County declined to provide this additional information. The City respectfully reiterates its request for this information.

### 3.4 Biological Resources

2. Comment/Response 2.3. With respect to the City of Walnut Creek's Tree Ordinance, the City appreciates the edits to Section 5.0. In addition to the 24 trees proposed for removal in the City on Sheets C2.1 and C2.2, additional trees may require removal or protection during construction of the utility and EVAE improvements east of the project and located on the City, CCWD, and Bureau of Reclamation properties. Note that approval of the protected and highly protected trees in the City for this project will be discretionary; such approval is not guaranteed and project redesign may be required.

### 3.10 Hydrology and Water Quality

3. Comment/Response 2.4. The City previously requested that the EIR address potential impacts to wetlands off-site due to the revised drainage pattern on the east side of project. Upon review of the Final EIR, it appears the County declined to conduct such analysis. The City requests that the County appropriately condition the project so that such analysis will occur in connection with approval of the final project plans, and subject to review by the City.
4. Comment/Response 2.5. With respect to the proposed detention basin and 15-inch pipe within the North San Carlos Drive extension, the City of Walnut Creek prefers other solutions that were previously discussed with the project team and that have less impact on City facilities while maintaining the existing drainage pattern. The City believes these alternative solutions should be explored further and, if technically feasible, included as part of the final project plans. If these alternative solutions are determined to be infeasible, the option of a 15-inch pipe beneath the North San Carlos Drive extension will require approval by and perpetual maintenance agreement with the City, CCWD and the Bureau of Reclamation, and will require not just maintenance of the line but also repair of property damages from overflow in larger storm events or failure of the system.
5. Comment/Response 2.6. The County's response states that the preliminary project design will ensure that peak post-development flows do not exceed pre-development conditions. From the City's perspective, the project design has not demonstrated that it can detain waters leaving the site in a manner that ensures peak post-development flow does not exceed the pre-development conditions because the project is altering the drainage pattern (the proposed 15-inch storm drain will discharge to a natural drainage at the east end of the North San Carlos Drive and none of the project runoff currently discharges to this natural drainage). Any discharge from the project to this drainage, however much detained, represents an increase from the pre-development condition. As noted in Comment/Response 2.5, the City requests that the alternate solutions discussed previously with the project team be fully evaluated in connection with approval of the final project plans, and subject to review by the City. This response also indicates exploring the possibility of pumping excess storm water from the northeast detention basins to the central drainage swale. This option also represents a change in the existing drainage pattern and relies on a pump, which if approved by the regulatory agencies,

would be required to have a backup generator such that the pump was operational during storm events when power often fails.

6. Comment/Response 2.7. the County's response cross-references its Response 1.13, and does not answer the questions raised in the City's prior comments in the DEIR:
  - a. Comment 10.a (size, material, condition of culvert beneath Homestead); please provide a response and revise final project plans to show culvert while identifying size/material and outfall of interceptor trench.
  - b. As for comment 10.b, in addition to changing the drainage pattern for Outfall 6 (see previous comment), the project is also increasing the drainage area that drains to Outfall 6.
  - c. As for Comment 10.c, the City reiterates its request to provide further information for review of model in connection with final project plans; the information provided in Section D.1 and Appendix C are insufficient to review the model.
  - d. As for Comment 10.d, the assumptions in the preliminary report were not conservative as noted; please correct in connection with final project plans.
  - e. As for Comment 10.e, the comment was regarding the Section A in Appendix E to Appendix K not regarding the Walnut Creek Channel as indicated in the response. The project plans appear to incorrectly show the property line between the project and APN173-042-019 and as such Section A. shows the interceptor channel not abutting the property line as it would.
7. Comment/Response 2.8. The County's response refers to Responses 2.5 and 2.6. Please refer to the City's response to those comments above.

### 3.11 Land Use and Planning

8. Comment/Response 2.11. Consistent with the Transportation Element of Walnut Creek's General Plan, the City previously requested that the project provide pedestrian and bicycle connections around the perimeter of the site to facilitate future connectivity to Heather Farm Park from the Iron Horse Trail and other locations. The County's response states that County staff will work with the developer and the City to explore whether such trails are feasible. The City reiterates its request that the above-referenced pedestrian and bicycle trails be incorporated into and appropriately conditioned as part of the final project plans, and subject to review by the City, instead of being evaluated at a later date.
9. Comment/Response 2.12. The City previously commented that the Project Alternatives section of the EIR does not fully analyze the potential impacts of the "Roadway Redesign" alternative versus the "New Development Alternative" and does not fully identify the impacts associated with each. This leads to questions as to why the preferred alternative has been selected. The City reiterates its request that the above-referenced questions be addressed in connection with the County's approval of final project plans.



10. Comment/Response 2.13. Notwithstanding the County's response and proposed COAs 98 to 101, the response does not address impacts to Walnut Creek residents from construction traffic. The City requests that the multiple years of construction traffic passing these homes and impacting the quality of life for Walnut Creek residents be considered and addressed. The City requests that the County appropriately condition the project so that such impacts are addressed in connection with approval of the final project plans, and subject to review by the City.

### 3.15 Public Services

11. Comment/Response 2.14. The City previously commented that significant elements of the project function as independent residences. As previously stated, if this project were developed in the City of Walnut Creek, the City would collect Quimby Act park fees assessed against the "non-healthcare center" residential components. The County's response states that "the County views the living units as an amenity of the institutional use and not residences as viewed in conjunction with the County zoning ordinance". Notwithstanding such statement, and since the project does not contain park facilities itself, the residential component of the project will be expected to have an impact on Walnut Creek park facilities (e.g. Heather Farm Park), regardless of the County's prior determination. The City reiterates its request that County Park Impact Fees be imposed as a condition of development on the "non-healthcare center" residential components of the project. If the County will not assess park impact fees against the individual, duplex, and multi-family residential type components of the project, the City of Walnut Creek requests that the County devise alternative means of conditioning the final project, subject to review by the City, that will address impacts to the City that such fees would otherwise be expected to address.

### 3.17 Transportation

12. Comment/Response 2.17. The City previously suggested the need for a number of roadway improvements at Ygnacio Valley Road/Marchbanks Drive-Tampico and at Ygnacio Valley Road/Kinross Drive-La Casa Via (including protected left-turn signal phasing). Ygnacio Valley Road is a High Injury corridor. The County adopted the Contra Costa County Vision Zero Final Report and Systemic Safety Analysis Report, with the intent to reduce and eliminate traffic deaths. In the County's *Systemic Safety Analysis Report*, Collision Profile 5 Collisions at Signalized Intersections of Major (5+ Lanes) and Minor (3 Lanes or Less) Streets is identified. The profile points to a notable factor contributing to collisions on these types of roadways, including permissive left turns. Similarly, the City is in progress on its Local Roadway Safety Plan and permissive turns on major arterials was also identified as a systemic issue. The intersections of Ygnacio Valley Road/Marchbanks-Tampico and Ygnacio Valley Road/Kinross Drive-La Casa Via fall under these Collision Profiles, as noted in the County's adopted plan and, similarly, within the City's plan. As part of the final project plans, and subject to review by the City, the City requests improvements, which include installation of protected left-turn phasing at the following locations:

- a. Ygnacio Valley Road/Marchbanks Dr-Tampico: northbound Tampico and southbound Marchbanks Drive approaches.
  - b. Ygnacio Valley Road/La Casa Via-Kinross: northbound La Casa Via and southbound Kinross Drive approaches.
13. Comment/Response 2.18. The County's response does not address the City's comment. The City requested that the physical improvements, tree removals, impacts to habitat and wetlands, and affected parcels associated with EVA construction be identified. The statement that the North San Carlos EVA improvements would be accomplished within existing right-of-way is incorrect as the proposed route is through parcels owned in fee by the City, CCWD and the Bureau of Reclamation. A cursory review indicates that work within the dripline of highly protected trees would be required for water pipeline, sewer pipeline, storm drain and EVA construction. The alignment of the EVA along North San Carlos is not included in any plans to show the minimum 20 feet width and minimum 45' outside radius. As part of the final project plans, and subject to review by the City, the final project should be appropriately conditioned to ensure EVA/utility construction outside the project boundary is evaluated and all EVA alignment(s) and easements are shown on the applicable tentative map.

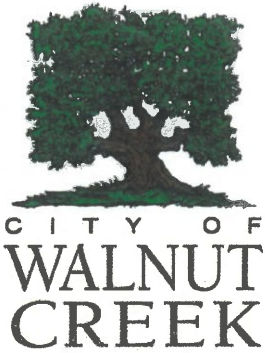
The City of Walnut Creek respectfully requests that the remaining issues identified above be addressed in connection with the County's consideration and approval of the project.

Please don't hesitate to contact me directly if you would like to discuss any aspect of this letter further or if you have any questions.

Sincerely,



Heather Ballenger  
Director, Public Works



May 10, 2022

Sean Tully  
Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553

*Delivered via e-mail*

Re: Spieker Senior Continuing Care Retirement Community – Draft EIR Comments

Dear Mr. Tully:

Thank you for the opportunity to review the Draft Environmental Impact Report for the Spieker Senior Continuing Care Retirement Community located on property within the City of Walnut Creek's Sphere of Influence. We continue to have a particular interest in this project due to its large size and the fact that it is proposed to be accessed via the City's roadway network, and, as always, appreciate your collaborative approach. Our comments on the Draft EIR for this project are as follows:

Section 3.1 Aesthetics

1. As this project abuts multiple land uses within the City of Walnut Creek, including a prominent park and numerous residential properties, we find that the DEIR visual simulations are inadequate and do not fully disclose the potential aesthetic impacts to properties within Walnut Creek. Please provide additional photo-simulations of the proposed development showing the view from either properties within Walnut Creek (to the south, southwest, west and east of the project site) looking in towards the project site or, where access may be restricted, from just inside the project site adjacent to properties within Walnut Creek looking into the project site. Additionally, the photo simulations (i) should account for any trees proposed to be removed in connection with the project by not including them, and (ii) should not include any trees that do not currently exist at that location unless such new trees are specifically required to be planted as part of the project. Additionally, project fencing that would be visible within the area of the individual photo-simulations shall be included in the simulation images. Locations identified in the Aesthetic and Lighting Analysis in Appendix B include: 1, 3, 9, 10, 12, 18, 19, 23, and 31, and shall be oriented to looking into the project site from the vantage

point of the parcels within the City of Walnut Creek closest to the individual location identifiers.

2. The topography of the site is extremely varied, particularly as it relates to properties outside of the project site. In addition to the photo-simulations requested above, please provide topographic cross-sections showing the relationship of properties within Walnut Creek to the proposed developed condition of the project site. Such cross-sections should extend approximately 200 feet into Walnut Creek in the areas adjacent to the project and within the City, and at least 200 feet into the project site, to best represent the topographic relationship between the proposed development and the existing parcels around the site.

#### Section 3.4 Biological Resources

3. Section 3.4.1 Biological Resources. Environmental Setting. Regulatory Framework. Regional and Local. In addition to listing the Contra Costa County Tree Ordinance, the City of Walnut Creek's Tree Ordinance should also be discussed and applied in the DEIR analysis. The DEIR should specifically identify all trees proposed for removal or that may suffer construction impacts that are located within the City limits or bordering the City/County line, acknowledging that the City of Walnut Creek's Tree Ordinance separately regulates these trees.
4. Section 3.4.2 Impact Discussion. IMPACT BIO-5. In addition to listing the Contra Costa County Tree Ordinance, the City of Walnut Creek's Tree Ordinance and its requirements should be cited in reference to trees proposed for removal or that may suffer construction impacts that are located within the City limits.

#### Section 3.10 Hydrology and Water Quality

5. Section 3.4.2.1 Project Impacts. MM BIO3-2. The EIR does not address or analyze potential impacts to wetlands off-site due to revised drainage pattern on east side of project. Please see specific comments below to Appendices K and L.
6. Section 3.4.2.1 Project Impacts. MM BIO3-2. Item c. This item reads "Enhancement of seasonal wetlands and the perennial drainage to be preserved in the central portion of the site, as well as creation of seasonal wetland habitat in the bioretention facilities". The creation of seasonal wetland habitat in bioretention facilities may be inconsistent with the CCCWP C.3 Guidebook, as the bioretention facilities are designed to drain within 72 hours and based on experience, drain within much less time than that.
7. Section 2.2.8. "A detention basin is also proposed within the landscaped area adjacent to the health care center and North San Carlos Drive." Details and sizing of the detention basin could not be found and will require review by the City as this portion of the project drains onto lands/drainages within the City limits. As shown on Sheet C5.0, the detention basin only receives a small fraction of the runoff from the overall drainage area discharging to Outfall 6, which limits the basin's ability to detain runoff.
8. Section 3.10.2.1 Project Impacts. IMPACT HYD-3. The EIR did not address the alteration of the existing drainage pattern on the east side of the site. The revised drainage pattern will increase runoff to an existing off-site natural drainage which in the current condition does not receive any of the project runoff. This revised drainage pattern will also decrease runoff to an off-site pond. Specific comments are provided to Appendices K and L below.

9. Section 3.10.2.1 MM HYD-3.1. As proposed, the project is proposing a diversion of a watershed yet has not verified the adequacy of the downstream drainage facility (or impacts thereto) accepting the additional stormwater from the project.
10. Appendix K. Preliminary Hydrology and Water Quality Report.
  - a. Kinross Drive drainage. Report states that Kinross Drive drainage will be conveyed in an interceptor ditch and directed to the existing culvert under Homestead. Provide size, material, and condition of culvert.
  - b. Outfall 6 (North San Carlos Outfall). Exhibit A notes that 6.28 acres (DMA 7) drains to Outfall 6. Exhibit B shows that the post DMA 7 area is 6.61 acres. The post DMA 7 is inconsistent with the Stormwater Control Plan which shows that area SR2, T47 and T46 also drain to Outfall 6; please review, revise, and assess the effectiveness of the two DMAs based on the revised area totals.
  - c. Section D.2. Hydrologic and Hydraulic Analysis. Note that review of the hydrologic model could not be performed as Appendix K only included a summary table of results. Please provide further information to allow review of the hydrologic model.
  - d. Table 1 presents a tabulation of the required surface areas and volumes from the CCCWP IMP sizing calculator for each Outfall apparently compared with provided surface areas and volumes. The tabulation presumes that a shortage of provided surface area or volume for a bioretention basins cannot be made up for in another basin, which is not the case.
  - e. Appendix E. Section A. Interceptor Channel Cross Section. The section depicts the property line as 12 to 40 from outside edge of channel. Please clarify as channel appears to abut the property line between the project and property with APN 173-042-019.
11. Appendix L. Drainage Feasibility Study
  - a. Outfall 6 (North San Carlos Outfall). The study states that the drainage pattern is such that the runoff ultimately discharges to Walnut Creek downstream of the Contra Costa Canal connection in both the existing and proposed condition. It also states that the applicant defers to the City and County to determine if the additional flow to the culvert at the proposed discharge point for the 15" storm drain line presents capacity issues within the system. The City has comments regarding both statements.
  - b. The ultimate outfall for the existing condition does not appear to be Walnut Creek. In the existing condition, runoff appears rather to drain to the CCWD property via drains under the sidewalk and then pond on CCWD property and/or drain into the pond on the adjacent City of Walnut Creek property to the north. The runoff currently does not appear to drain in a culvert under the CC Canal into Walnut Creek in the existing condition as stated in the study. As such, the EIR should be revised to address the impacts of this revised drainage pattern at the proposed outfall location downstream to Walnut Creek; analysis should include impacts to natural drainage ditch in terms of capacity, erosion and scour, freeboard, etc. Note that any discharge to this drainage from the project, no matter how much runoff is detained, is an increase in the peak flow and volume of

runoff to the drainage as none of the runoff from Outfall 6 currently discharges to this drainage.

- c. The EIR should also be revised to also address the potential impacts to the apparent reduction in runoff feeding the City of Walnut Creek pond north of the CCCWD property (APN 144-043-005), which has been previously identified as a wetland.
  - d. The proposed 15" storm drain to convey runoff along N San Carlos Drive does not meet minimum standards, including but not limited to pipe slope and cleansing velocity. Please provide hydraulic calculations for the proposed system and add hydraulic grade to Appendix E. Based on proposed design, City would not accept ownership of such system and would require a private storm drain easement and maintenance agreement.
12. Appendix M: Preliminary Stormwater Control Plan and Peer Review
- a. The Stormwater Control Plan incorrectly classifies areas as self-treating and self-retaining areas. Please refer to the CCCWP C.3 Guidebook for definitions. Area SR2 (self-retaining area) is steeply sloped vegetated area that slopes to a bioretention basin. This may be considered a self-treating area if the area is ditched and drains off-site; without ditches, it should be considered a tributary area of the downslope IMP.
  - b. Description of Drainage Management Areas (DMAs) in SWCP report in Section IV is inaccurate. Each description states that the DMA treats portions of the anticipated roof, roadway, sidewalk and pervious area on site; the DMA does not treat runoff – the Integrated Management Practice (IMP; e.g. bioretention basins, flow-through planter) that the DMAs drains to treats the runoff. More importantly, each description also states that the DMAs are assumed to be entirely impervious. A check of a few DMAs indicates that that is not the case and assumptions were made for each DMA for the impervious area. Furthermore, the sizing calculations only consider the assumed impervious area and do not consider pervious areas draining to the IMPs.
  - c. Appendix D. DMA Sizing Calculations. This table presents a tabulation by DMA of the treatment area required, treatment area provided, volume required and volume provided. For projects required to meet the HMP, there are three, not two, sizing requirements: area, surface volume, and subsurface volume. The table in Appendix B only presents two of the three. A review of the sizing calculations indicates in that many cases the area, surface volume, and subsurface volume provided area less than that required. Since the IMPs were not conservatively sized assuming the entire tributary drainage area was impervious (as erroneously stated in Section IV), the IMPs that are undersized need to be corrected.
  - d. The additional table presenting a tabulation of required vs provided subsurface volume assumes that lack of detention in one IMP can be made up in another which is inaccurate.

### Section 3.11 Land Use and Planning

13. On the County's project website, the Project Description document (<https://www.contracosta.ca.gov/DocumentCenter/View/67952/Spieker-Senior-Continuing-Care-Community-Project-Description-PDF>) notes that the entry to the project from Kinross Drive is "...as requested by the City of Walnut Creek...". That is incorrect, as the City has not "requested" that the project take access from any specific location. Please remove all such references alleging that the City of Walnut Creek specifically requested the project take access to the project site from a particular location.
14. The Transportation Element of the City of Walnut Creek General Plan anticipates a bicycle trail following the alignment of Seven Hills Ranch Road across the project site to connect to Heather Farm Park. Accordingly, the City requests that the project provide pedestrian and bicycle connections around the perimeter of the site, to provide connectivity to Heather Farm Park, including allowing for connections between the Iron Horse Trail and the Seven Hills Ranch Road EVA, and between the Contra Costa Canal Trail and the N San Carlos Drive EVA. These connections will serve employees, and visitors, and in addition to the senior residents, in addition to members of the public seeking to access Heather Farm Park by foot or on bicycle.
15. The Project Alternatives section of the DEIR is inadequate. It fails to provide detail about the potential impacts related to both the "New Development" alternative and the "Roadway Redesign" alternative, and thus fails to fully identify the impacts associated with each alternative. This leads to questions as to why the Project remains the selected alternative, especially considering the "Roadway Redesign" alternative as being determined to be the environmentally preferred alternative.
16. A construction plan, including construction phasing, staging areas, and a hauling plan identifying roadways to be utilized for access to and from the project site for delivery of materials and equipment and off-haul of 75,000 CY of grading export (including destination of the off-haul), shall be submitted to the City for review and approval. The construction plan shall also include a pavement impact analysis addressing anticipated impacts to City roads, curbs, and gutters from construction activities, and shall also address impacts to residents from construction traffic. All City infrastructure is expected to be restored to its pre-construction condition, including wear and tear, at the conclusion of construction activities.

### Section 3.15 Public Services

17. While the project is envisioned as a "full-spectrum" continuum of care community, there are significant elements of the project that function as independent residences. Were this project to be developed within the City limits, the City would impose park impact fees assessed against the "non-healthcare center" residential components. As there appears to be no publicly accessible park facilities within the project, residents will likely utilize Heather Farm Park within the City of Walnut Creek. Please explain the County's determination regarding the inapplicability of the County Park Impact Fee. Though the County's General Plan refers to the Multiple Family Residential-Congregate Care (CC) land use designation as a "residential land use designation", the County has otherwise determined that the project constitutes a "non-residential institutional use" (rendering the Park Impact Fee inapplicable). County Park Impact Fees could be used to mitigate impacts on parks within the County, including adjacent Heather Farm Park. Alternatively, please assess park fees against the individual, duplex, and multi-family

residential type components of the project utilizing Walnut Creek assessment rates and remit those fees to the City of Walnut Creek.

18. The DEIR contains the following statement, “The project would incrementally increase the demand for police services, however, the increased demand generated by the approximately 560 residents of the proposed CCRC would not be substantial compared to existing conditions of the CCCOS’s service area of over a million people. All 911 calls will be directed to the Valley Station located at the Alamo Plaza”. Given the adjacency of the project to the City of Walnut Creek, please discuss potential impacts to the City of Walnut Creek due to police services to be provided by the Walnut Creek Police Department. Please discuss and investigate additional project elements that may reduce impacts to the Walnut Creek Police Department, including but not limited to perimeter fencing and gating, and an on-site security plan that anticipates the provision of 24/7 on-site security personnel.

### Section 3.17 Transportation

19. In the project description, the project is described as having “...a full-time equivalent of up to 225 employees.” If these are not “full-time” employees but rather multiple part-time employees filling a full-time position, this would have an additional impact on VMT. Please provide greater detail on the expected number of employee trips/miles the project would generate based on the total number of employees who would regularly make the trip to the facility.
20. During construction, it is expected that some heavy vehicles would take access via the Ygnacio Valley Road/Marchbanks Drive-Tampico. In order to better facilitate truck movements leaving the site, the traffic signal at the intersection should be modified to install protected left-turn phasing on the northbound Tampico and southbound Marchbanks Drive approaches. In addition to modifying the Ygnacio Valley Road/Marchbanks Drive-Tampico intersection and in order to better facilitate and provide safer turning movements for vehicles leaving the site and improve flow on Ygnacio Valley Road, the traffic signal at the intersection of Ygnacio Valley Road/Kinross Drive-La Casa Via should also be modified to install protected left-turn phasing on the northbound La Casa Via and southbound Kinross Drive approaches.
21. Please identify the improvements specifically needed to establish and utilize both identified EVA locations (N. San Carlos and Seven Hills Ranch Road). Include physical improvements, tree removals, impacts to habitat and wetlands, and what parcels would be affected. Also clarify that these improvements and any associated mitigation are obligations of the project.
22. Section 3.17.3 Non-CEQA Effects: Appendix P. Transportation Assessment/Peer Review
  - a. P. 8 Standards of Significance - Intersection Levels of Service. The analysis applied the County’s non-CEQA standards for intersection levels of service on City of Walnut Creek intersections. The operational analysis should have applied the City’s non-CEQA standards on City intersections.
  - b. P. 11 Please clarify which HCM methodology was used for the operational analysis (HCM 2000, HCM 2010, HCM 6).



- c. P. 23 Bicycle parking. Consider long-term bike parking for use by employees.
- d. Please explain whether the provision of an overabundance of on-site parking has an effect on vehicle trips to and from the site.

The City of Walnut Creek respectfully requests that these issues be addressed and fully documented as this is the environmental disclosure document upon which future land use decisions will be made.

Thank you for again considering our comments in your review of this application. Please don't hesitate to contact me directly if you would like to discuss any aspect of this letter further or if you have any questions.

Sincerely,



Heather Ballenger  
Director, Public Works

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