

El Sobrante Municipal Advisory Council

**3769 B San Pablo Dam Road, ES, 94803 - Meetings 2nd Wednesday of the Month
7:00 P.M. El Sobrante Library 4191 Appian Way, El Sobrante**

The ESMAC is an Advisory Body to the Board of Supervisors

Chair, Barbara Pendergrass, Vice Chair, Tom Owens, Secretary, Sharon Thygesen, Treasurer, George Cleveland, at-Large Members: James Hermann, two vacant positions

The El Sobrante Municipal Advisory Council (ESMAC), or subcommittees of the ESMAC will provide reasonable accommodation, for persons with disabilities planning to attend ESMAC meetings or ESMAC sub committee meetings who contact the chair, Barbara A. Pendergrass at least 24 hours before the meeting. Phone Number 510 223-6091.

"Printed agendas are available for review at the El Sobrante Library and the Sheriff's Annex. Electronic copies are available for download at www.cocobos.org/gioia/elsobrantemac.

AGENDA for Wednesday, February 13, 2013

7:00 P. M. Pledge of Allegiance

7:00 P.M. Call to Order/Welcome

7:00 P.M. Approval of Minutes and Agenda * items have minutes included

1. No minutes for December, No quorum
2. *Approval of minutes for January 9, 2013

Treasurer's Report

Introductions of Speakers/ Guests/ Topics

Consider Consent Items

CCI.1

Presentations

7:05 P.M. to 7:10 P.M.

P.1 Presentation by Lt. Jon Moreland, Bay Station Commander, Crime Report

7:10 P.M. to 7:20 P.M. Questions- limit 2 minutes per speaker

7:20 P.M. to 7:25 P.M.

P.2 Presentation by Officer John Pruitt, California Highway Patrol, activity on San Pablo Dam Road

7:25 to 7:35 P.M. Questions- limit 2 minutes per speaker

7:35 P.M. to 7:40 P.M.

P.3 Presentation by Michelle Blackwell, East Bay Municipal Utility District, projects affecting El Sobrante

7:40 P.M. to 7:45 P.M. Questions- limit 2 minutes per speaker

7:45 P.M. to 7:50 P.M.

P.4 Presentation by Contra Costa County Fire Battalion Chief, Lon Goetsch

7:50 P.M. to 7:55 P.M. Questions- limit 2 minutes per speaker

7:55 P.M. to 8:00 P.M.

P.5 Presentation by CCC Librarian Barbara Flynn regarding an update on the plans for the Library's Strategic Plan, information on the "Year of the Library" in Contra Costa County, and the Library's 100th Birthday celebration

8:00 P.M. to 8:10 P.M. Questions- limit 2 minutes per speaker

8:10 P.M. to 8:30 P.M.

P.6 Presentation by Sharon Korotkin, a member of "Citizens for a Greener El Sobrante", presenting a vision for a future vibrant downtown El Sobrante

8:30 P.M. to 8:40 P.M. Questions- limit 2 minutes per speaker

8:40 P.M. to 8:45 P.M.

P.7 Presentation by Terrance Cheung, Chief of Staff for Supervisor John Gioia, monthly report

8:45 P.M. to 8:55 P.M. Questions – limit 2 minutes per speaker

Public Comment - Limit 2 minutes per speaker

8:55 P.M. to 9:05 P.M.

Discussions Items - The Council will consider and take action on the following:

9:05 P.M. to 9:15 P.M.

DI.1 Hosting an El Sobrante Chamber Mixer. Mixers are held from 5:30 P.M. to 7:00 P.M. preceding the ESMAC meetings. Discussion of the type of food, beverage, and cost

9:15 P.M. to 9:25 P.M. Questions – limit 2 minutes per speaker

9:25 P.M. to 9:30 P.M.

DI.2 Development Plan Applications, Variance Reports, Building Modification Requests, Appeals etc., received in the previous month from the Contra Costa County Conservation and Development Department

9:30 P.M. to 9:35 P.M. Questions – limit 2 minutes per speaker

Short Discussion Items-

9:35 P.M. to 9:40 P.M.

SDI.1 Report from El Sobrante Valley Planning and Zoning Advisory Committee, Co-Chair, Eleanor Loynd

9:40 P.M. to 9:45 P.M. Questions – Limit 2 minutes per speaker

Information Items-

9:45 P.M. to 9:50 P.M.

- 10.1** El Sobrante Valley Planning and Zoning Advisory Committee (ESVP&ZAC) Agenda and Packet of Information for January 10, 2013
- 10.2** Letter from Eleanor Loynd, Co-chair, of the ESVP&ZAC, to Supervisor John Gioia requesting a meeting with Supervisor Gioia, the ESVP&ZAC, and the ESMAC regarding the proposed Farris Lane Development Project
- 10.3** Letter from Eleanor Loynd, Co-chair, of the ESVP&ZAC, to Bacilia Macias regarding MS 13-0001, a lot split at 5780 San Pablo Dam Road
- 10.4** Letter from Eleanor Loynd, Co-chair, of the ESVP&ZAC to County Battalion Chief Lon Goetsch regarding contact information
- 10.5** Monthly Emergency Response Report for El Sobrante from Contra Costa County Fire. Reports of activity in El Sobrante for the month of December, 2012
- 10.6** Contra Costa County Planning Commission's Meeting Cancellation Notice for January 22, 2013 and February 12, 2013
- 10.7** Contra Costa County Zoning Administrator's Meeting Notices and Agenda for January 23, 2013 and a revised Agenda for January 23, 2013, 1:30 P.M.
- 10.8** West Contra Costa Integrated Waste Management Authority Notice of Meeting and Agenda for January 10, 2013, 7:00 P.M. at the San Pablo City Council Chambers

9:50 P.M. to 9:50 P.M.

Sub Committee Reports

- 11.1** ESMAC Land Use- Chair, Barbara Pendergrass, members, Tom Owens and George Cleveland
- 11.2** ESMAC Safety, Chair, vacant, member, Jim Hermann,
- 11.3** ESMAC Education & Out Reach, Co Chairs one vacancy and Sharon Thygesen, public member, Ruby Molinari . El Sobrante Clean up Day was June 23rd, 2012. Date for 2013 to be chosen

New Business

13.1

Public Comment

9:50 P.M. to 10:00 P.M. -limit 2 minutes per speaker

Announcements

Agenda Items/ Speakers for Up Coming ESMAC Meetings

Alcohol and Beverage Control speakers

Adjournment 10 :00 P.M.

El Sobrante Municipal Advisory Council

**3769 B San Pablo Dam Road, ES, 94803 - Meetings 2nd Wednesday of the Month
7:00 P.M. El Sobrante Library 4191 Appian Way, El Sobrante**

Chair: Barbara Pendergrass, **Vice Chair:** Tom Owens, **Secretary:** Sharon Thygesen, **Treasurer:** George Cleveland, **At-Large Members:** James Hermann

Draft Minutes for Wednesday January 9, 2012

Present: Barbara Pendergrass, Tom Owens, Sharon Thygesen, George Cleveland

Absent: James Hermann

Called to Order: 7:00 pm by Barbara Pendergrass

Pledge of Allegiance led by Tom Owens

Minutes to approve:

Minutes for November 14, 2012 – M (Tom Owens)/S (George Cleveland)/C

Treasurer's Report: \$1068 in the ESMAC account

Presentations

Presentation by Contra Costa Sherriff's Department Bay Station Commander, Lt. Jon Moreland

Presentation by California Highway Patrol, Officer Jon Pruitt: He can be contacted at

jpruitt@chp.ca.gov

Presentation by East Bay MUD, Michelle Blackwell

Presentation by Contra Costa County Fire Battalion Chief, Brian Lowry

Presentation by Chief of Staff for Supervisor John Gioia, Terrance Cheung

Public Comment

George Cleveland announced that the MAC is looking for 2 community members to fill the vacancies on the Council.

Discussions Items

DI.1 Election of ESMAC Officers;

Elected President – Barbara Pendergrass: Nominated by Tom Owens

Elected Vice President – Tom Owens: Nominated by Sharon Thygesen

Elected Treasurer – George Cleveland: Nominated by Tom Owens

Elected Secretary – Sharon Thygesen: Nominated by George Cleveland

DI.2 Review, discuss changes and vote on the ESMAC final yearend report to the Board of Supervisors for 2012. – M (Sharon Thygesen) / S George Cleveland / Carried (With Changes)

DI.3 Development Plan Applications, Variance Reports, Buiding Modification Requests, Appeals etc., received in the previous month from the CCC Conservation and Development Department. – No questions or comments.

Short Discussion Items

SDI.1 Report from El Sobrante Valley Planning and Zoning Advisory Committee, Chair, Eleanor Lloyd

Information Items

None

Sub Committee Reports

No reports from the committees. There is a need to reactivate for El Sobrante clean-up day.

New Business

None

Reminder

ES MAC member must attend the Brown Act training. It will be done at John Gioia's office twice, or it can be completed on line.

Adjournment

9:02pm Motion to adjourn – M (George Cleveland) S (Tom Owens) / C

Respectfully submitted by Sharon Thygesen (Secretary)

*M/S/C – Motion/Seconded/Carried

**Land Use Activity Report on Items Received From the Contra Costa
County Community Development and Conservation Department
February 13, 2013**

LP12-2142 Notice of Public Hearing for a Home Occupation Use Permit by the County Zoning Administrator. Hearing date is Wednesday January 23, 2013 at 30 Muir Road, Martinez, 1:30 P.M. Owner and Applicant is Nevada Cross. Address, 4093 Lambert Road, El Sobrante, Ca 94803. Requesting approval of a Land Use Permit for a Home Occupation Business for the administrative portion of a permaculture planning and services consulting business.

MS13-0001 Application for splitting a lot into two lots. Location is 5780 San Pablo Dam Road and corner of Bristlecone Drive. Owner is Melting Pot Communities, Inc. Address is 4990 Appian Way, El Sobrante, Ca 94803. Applicant is Bacilia Macias, 121 Scotts Chute Court, El Sobrante, Ca 94803.

NOTICE OF A PUBLIC HEARING

You are hereby notified that on WEDNESDAY, JANUARY 23, 2013 at 1:30 p.m. at 30 Muir Road, Martinez, California, the County Zoning Administrator will consider a LAND USE PERMIT application as described as follows:

NEVADA CROSS (Applicant & Owner), County File #LP12-2142: The applicant is requesting approval of a land use permit for a home occupation to conduct the administrative portion of a residential interior design and layout consulting business from within a single family residence located at 4093 Lambert Avenue in the El Sobrante area. (Zoning: R-7) (General Plan: SH) (CT: 3630) (APN # 425-050-014)

If you challenge the project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the County at, or prior to, the public hearing.

For further details, contact the Contra Costa County Department of Conservation and Development, Community Development Division, 30 Muir Road, Martinez, California, or Simarjeet Gill at 925-674-7815.

Catherine Kutsuris, Director
Department of Conservation and Development

J.I.2.d



CONTRA COSTA COUNTY
Department of Conservation & Development
Community Development Division

APPLICATION

TO BE COMPLETED BY OWNER OR APPLICANT

OWNER	APPLICANT
Name <i>Melting Pot Communities Inc.</i>	Name <i>BACILIA MACIAS</i>
Address <i>4900 Appian Way</i>	Address <i>121 Scotts Chute Ct.</i>
City, State/Zip <i>El Sobrante CA. 94803</i>	City, State/Zip <i>El Sobrante, CA 94803</i>
Phone <i>510-773-1693</i> email <i>melting.pot.communities@gmail.com</i>	Phone <i>510.691.7910</i> email <i>bacilia@bmarc.net</i>

By signing below, owner agrees to pay all costs, including any accrued interest, if the applicant does not pay costs. <input type="checkbox"/> Check here if billings are to be sent to applicant rather than owner. Owner's Signature <i>[Signature]</i>	By signing below, applicant agrees to pay all costs for processing this application plus any accrued interest if the costs are not paid within 30 days of invoicing. Applicant's Signature <i>[Signature]</i>
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CONTACT PERSON (optional)	PROJECT DATA
Name <i>Bacilia Macias</i>	Total Parcel Size:
Address <i>121 Scotts Chute Ct.</i>	Proposed Number of Units:
City, State/Zip <i>El Sobrante, CA 94803</i>	Proposed Square Footage:
Phone <i>510.691.7910</i> email	Estimated Project Value:

Project description (attach supplemental statement if necessary):
LOT SPLIT

FOR OFFICE USE ONLY

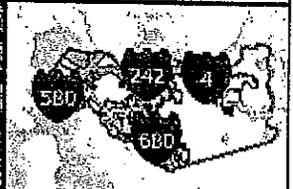
Project description: *Request Lot split to allow for the creation of two lots.*

Property description: *Parcel A of MS78-0116*

Ordinance Ref.:	TYPE OF FEE	FEE	CODE	Assessor's #:
Area: <i>El Sobrante</i>	*Base Fee/Deposit	<i>\$2000</i>	S-	435-130-010
Fire District: <i>Consolidated</i>	Late Filing Penalty (+50% of above if applicable)	<i>0</i>	S-066	Site Address: <i>5780 San Pablo Dam</i>
Sphere of Influence: <i>Richmond</i>	#Units <i> </i> x \$195.00	<i>0</i>	S-014	Zoning District: <i>R-7</i>
Flood Zone: <i>X</i>	Sq. Ft. x \$0.20	<i>0</i>		Census Tract: <i>3610.00</i>
Panel Number: <i>n/a</i>	Notification Fee	45.00 20.00	S-052	Atlas Page: <i>J-7/K-7</i>
x-ref Files: <i>MS78-116</i>	Fish & Game Posting (if not CEQA exempt)	<i>0</i>	S-048	General Plan: <i>SH</i>
<i>139-08</i>	Environmental Health Dept.	47.00	5884	Substandard Lot: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
	Other:	<i>0</i>		Supervisorial District: <i>1</i>
Concurrent Files: <i>n/a</i>	TOTAL	<i>\$2,000.00</i>		Received by: <i>H. Trent</i>
	Receipt #	<i>0013-003840</i>		Date Filed: <i>1-16-2013</i>
	*Additional fees based on time and materials will be charged if staff costs exceed base fee.			File # <i>MS13-0001</i>

INSTRUCTIONS ON REVERSE

Color Ortho



- Select Layer
- Parcels
- Highways
- Railways
- Streets
- Bicots
- Major Highways
- Highways
- Major Roads
- Ramps
- Ferry Crossing
- City Limits

- Arroch
- Brentwood
- Clayton
- Concord
- Danville
- El Cerrito
- Hercules
- Lafayette
- Martinez
- Moraga
- Oakley
- Orinda
- Pinole

Department of Conservation and Development CCC

0 28.39% 0 0.01mi

APB 435-130-010

Refer to the Accela GIS Administrators Guide for instructions on how to set the disclaimer text displayed in this area.

33
455

VI. 2. P

N45° 24' 25" W

OF RICHMOND

TRACT 5704
M.B. 247-42
30.06 Ac.
11-26-80

DRIVE

29

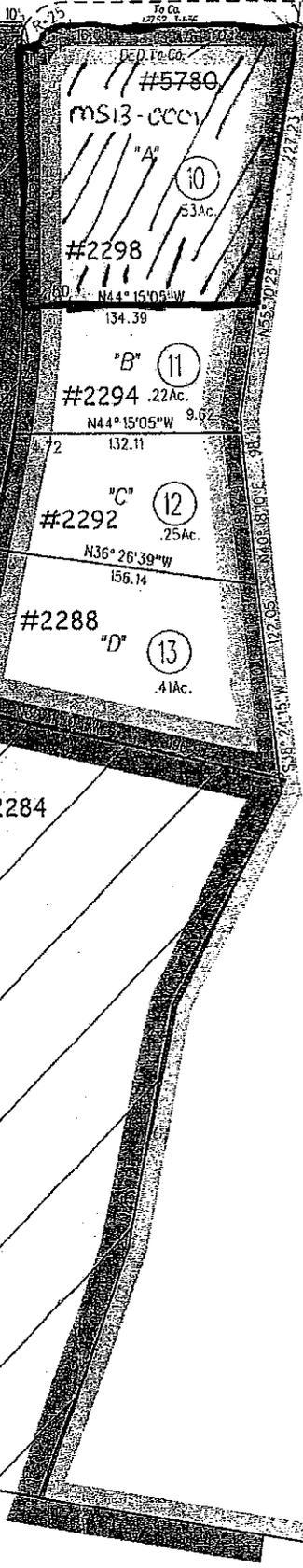
BRISTLECONE

#2283

#2284

#2278

18



#5780

MS13-0001

"A" (10)
53 Ac.

#2298

N44° 15' 05" W
134.39

"B" (11)
#2294 .22 Ac.

N44° 15' 05" W 9.6
132.11

"C" (12)
#2292 .25 Ac.

N36° 26' 39" W
156.14

"D" (13)
#2288 .41 Ac.

#5790

#5808

LD268-62

30

08
8.54 Ac.

44

N35° 28' W 611.47



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.1.0

P.O. Box 20136 • El Sobrante, CA 94820

THURSDAY, JANUARY 10, 2013

EL SOBRANTE LIBRARY MEETING ROOM – 6:00-8:00 p.m.

Members:

V. Chair Mike Zeelen
George Schmidt

Co-Chair Eleanor Loynd
Secretary Shirley Sharp
Ruby Molinari

Co-Chair John Lisenko
Treas. Barbara Pendergrass
Robert Sharp

Jim Hermann

Tentative AGENDA:

1. Call to Order & Review of Agenda Changes. Introduction of Members.
2. Approval of Minutes of December 13, 2012.
3. Treasurer's Report: Barbara Pendergrass
4. Introduction of Guests:
5. Correspondence Sent/Received
6. Projects Under Review
6:30 p.m. NEW PROJECT: LP12-2142. Application for land use permit for a home occupation for the administrative portion of a permaculture planning and services consultation business at 4093 Lambert Rd., E.S. Applicant Nevada Cross. Assigned: _____
7. 6:50 p.m. Project: EID 1100513. Applicant asked that Richmond divide the site at 5801 Knobcone Ct. into 4 single family home parcels and a remainder parcel. The project was denied by the R. Plan. Commission. An appeal to be heard by R. City Council on Tues., Jan. 15 about 6:30 p.m. If this plan is approved, there will be 49 homes with only 1 access. Does that meet Richmond's standards? County area is on both sides of the property off Bristlecone Dr. at San Pablo Dam Rd. Assigned: Rob Sharp & Mike Zeelen-Confirm?
8. 7:20 p.m. SD06-9066. 12 homes approved for new street off Fariss Lane, E.S. Information Update: Appeal filed by Neighbors on 11/29/2012. Resident Ann Del Tredici will give us the latest news, including about \$3,000 donations sent in to pay for the Attorney and Geologist. P&Z sent in comments asking about the removal of the Emergency Vehicle Access Road. Now 159 homes will be in the area with only 1 access. Should the County be required to put in an EVA? Contacts made with County Fire. No date has been set yet for the Appeal to the County Planning Commission. Assigned: _____

For Your Information: Both CCCounty Fire & Richmond Fire have been asked if they have set a standard for how many homes may be in an area without an Emergency Vehicle Access. The area by the County Library would have about 159 homes with only 1 access. Should the County be required to put in an EVA? This area is within about ½ mile of the Richmond area on El Portal Dr.

The Richmond area off San Pablo Dam Rd. at Bristlecone would have about 49 homes with only 1 access. Does that meet Richmond's requirement? The County area is on both sides of the Bristlecone area.

10.1. b

El Sobrante Valley Planning & Zoning Advisory Committee - Jan. 10 - Page 2

9. Committee Business: Review and Updates on Projects (if available)

-**LP12-2117.** Home Occupation for packaged food business at 5312 D'Avila Way #B. P&Z recommended approval. Update?

-**VR12-1024.** Legalize existing 948.sq. ft. structure attached to a residential second unit, where 600 sq. ft. is allowed at 2022 Thompson Lane. Assigned: Bob Sharp. Update?

- **Resolution # 32.** Raising funds for the County Fire District. Update from Nov. 6th election. Did that measure pass?

- **MS12-0005.** 39 Kirkpatrick Dr. 0176 acre lot into 3 parcels, possible new entrance off Heath Dr. P&Z comments sent in. Assigned: George Schmidt, Jim Hermann. Update?

-**LP12-2080.** 990 Manor Rd. Land Use permit for Home Business.

-**VR12-1007.** Legalize attached carport at 1544 Hillcrest Rd.

-**LP12-2042.** Remove/replace antennas, a cabinet, 448 Valley View Rd.

-**LP12-2078.** Home office website, 838 Juanita Dr., E.S.VP&Z rec. approval.

-**Richmond Fire to paint curbs red by fire hydrants in Richmond. Most curbs recently painted.**

-**Discussion of Homeless Problems in the area. From E. S. Chamber of Commerce Mtg.:** A meeting will be set up with County Sheriff's staff, the usual staff who deals with the homeless, and E.S. business people and residents.

10. Public Comment: MEMBERS OF THE PUBLIC ARE INVITED TO ADDRESS THE COMMITTEE REGARDING ANY ITEM WHICH IS NOT LISTED ON THE AGENDA. GUEST SPEAKERS WILL BE LIMITED TO THREE (3) MINUTE PRESENTATIONS UNLESS EXTENDED BY THE COMMITTEE.

11. Next Meeting: Thursday, February 14 at 6 p.m. in the E.S. Library Mtg. Room

LATEST NEWS: The hearing date for EID 1100513 before the Richmond City Council has not yet been confirmed. The R. City Clerk called to say it would be on Feb. 5. A Richmond Planner said that they had been told that the date for the hearing was Jan. 22. (Item 7 on the agenda.)

10.1.c

MINUTES

December 13, 2012

El Sobrante Valley Planning and Zoning Advisory Committee
El Sobrante Library Meeting Room
El Sobrante, California, 6 P.M. - 8 P.M.

Members: Eleanor Loynd, Co-Chair; John Lisenko, Co-Chair; Shirley Sharp, Secretary; Barbara Pendergrass, Treasurer; Mike Zeelen, Vice Chair; Ruby Molinari; Robert Sharp; George Schmidt. Absent: Jim Hermann.

Minutes: The Minutes for November 8, 2012 were read and approved as corrected.

Treasurer's Report: The Treasurer's Report was approved as submitted. The balance at Mechanics Bank was \$ 523.70 as of December 13, 2012.

Committee Business: Review and Updates

VR12-0102: 4874 Canyon Road. Application from Edward Peters requests approval of a variance to allow a 6-foot secondary front setback, where a 15 foot minimum is required in order to construct a detached garage. Application also includes design review for the purpose of determining the garage compatibility with the neighborhood in terms of location, site, height and design. Members Barbara Pendergrass and Bob Sharp visited the site and reported back that they found the proposed project to meet with approval. Neighbors did not object to the addition. Visually the location, size, height and design are compatible with the neighborhood. P&Z voted to approve this project and a letter will be sent to the planner to inform him of P&Z's recommendation.

VR12-1030: Application for variance to construct a pitched roof over an existing home at 3519 Mifflin Avenue in El Sobrante. The project is assigned to Bob Sharp and Shirley Sharp. Owner Bhajin Singh made an appearance with his Architect, William Coburn to explain plans for the roof and to show how the roof addition relates to the other houses in the neighborhood.

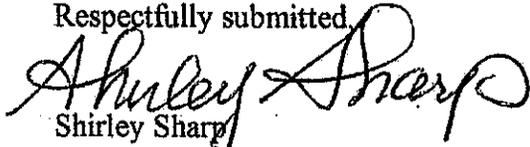
SD06-9066: 12 homes approved for a new street off Fariss Lane. There were updates since the last meeting. An appeal was filed by neighbors on 11-29-2012. Comments and issues were set up by John Lisenko and resident Ann Del Tredici. Donations are being accepted by the residents to finance the appeal. Residents have raised approximately \$3,700.00. An Attorney has been hired. John Lisenko will be sending comments to the County. The County has asked for a parcel tax to pay for police services for new homes in the area. The already existing homes in the area would also need those same police services. The group needs to hire a geologist to support the appeal issues. There was also discussion about the need for an EVA road for the homes affected by the project. No date has been set for the Appeal to be heard by the County Planning Commission. The County Staff Lashun Cross is out of town until January. Preparation is being made to begin the legal process.

Tuesday, November 29, 2012 is the starting date for the appeal of County's decision to approve the subdivision. The residents need expert opinion to support the Appeal. Make checks payable to Ann Del Tredici at 4207 Fariss Lane or call Vince or Ann at 222-1391. Email to ~~ANNDEL@AOL.COM~~ Respond to Fariss Court Development, Appeal of Zoning Administrator's decision to approve the Tentative Map and Mitigated Negative Declaration for Subdivision.

10.1.8

The meeting was adjourned. The next meeting will be on January ¹⁰~~12~~, 2013 at the El Sobrante Library from 6:00 to 8:00 p.m.

Respectfully submitted,



Shirley Sharp
Secretary, El Sobrante Valley
Planning and Zoning Advisory Committee.



CONTRA COSTA COUNTY
 Department of Conservation & Development
 Community Development Division

10.1.26

HOME OCCUPATION USE PERMIT APPLICATION

TO BE COMPLETED BY OWNER/APPLICANT

OWNER Name <u>NEVADA CROSS</u>	APPLICANT Name <u>same as owner</u>
Address <u>4093 LAMBERT RD</u>	Address
City, State/Zip <u>EL SOBRANTE CA 94803</u>	City, State/Zip
Phone <u>510 206 9054</u> email <u>NC2574@GMAIL.COM</u>	Phone email
By signing below, owner agrees to pay all costs, including any accrued interest, if the applicant does not pay costs. <input type="checkbox"/> Check here if billings are to be sent to applicant rather than owner. Owner's Signature <u>[Signature]</u>	By signing below, applicant agrees to pay all costs for processing this application plus any accrued interest if the costs are not paid within 30 days of invoicing. Applicant's Signature _____

CONTACT PERSON (optional)

Name _____
 Address _____
 City, State/Zip _____
 Phone _____ email _____

Nature of business (attach supplemental statement if necessary): PERMACULTURE PLANNING & SERVICES CONSULTATION SITE DEMONSTRATION

FOR OFFICE USE ONLY

Application description: The applicant is requesting approval of a land use permit for a home occupation for the administrative portion of a permaculture planning and services consultation business.

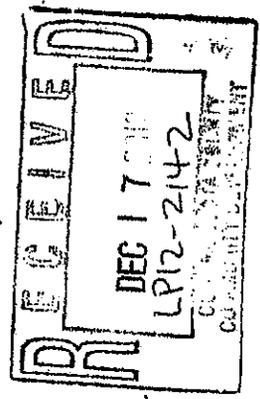
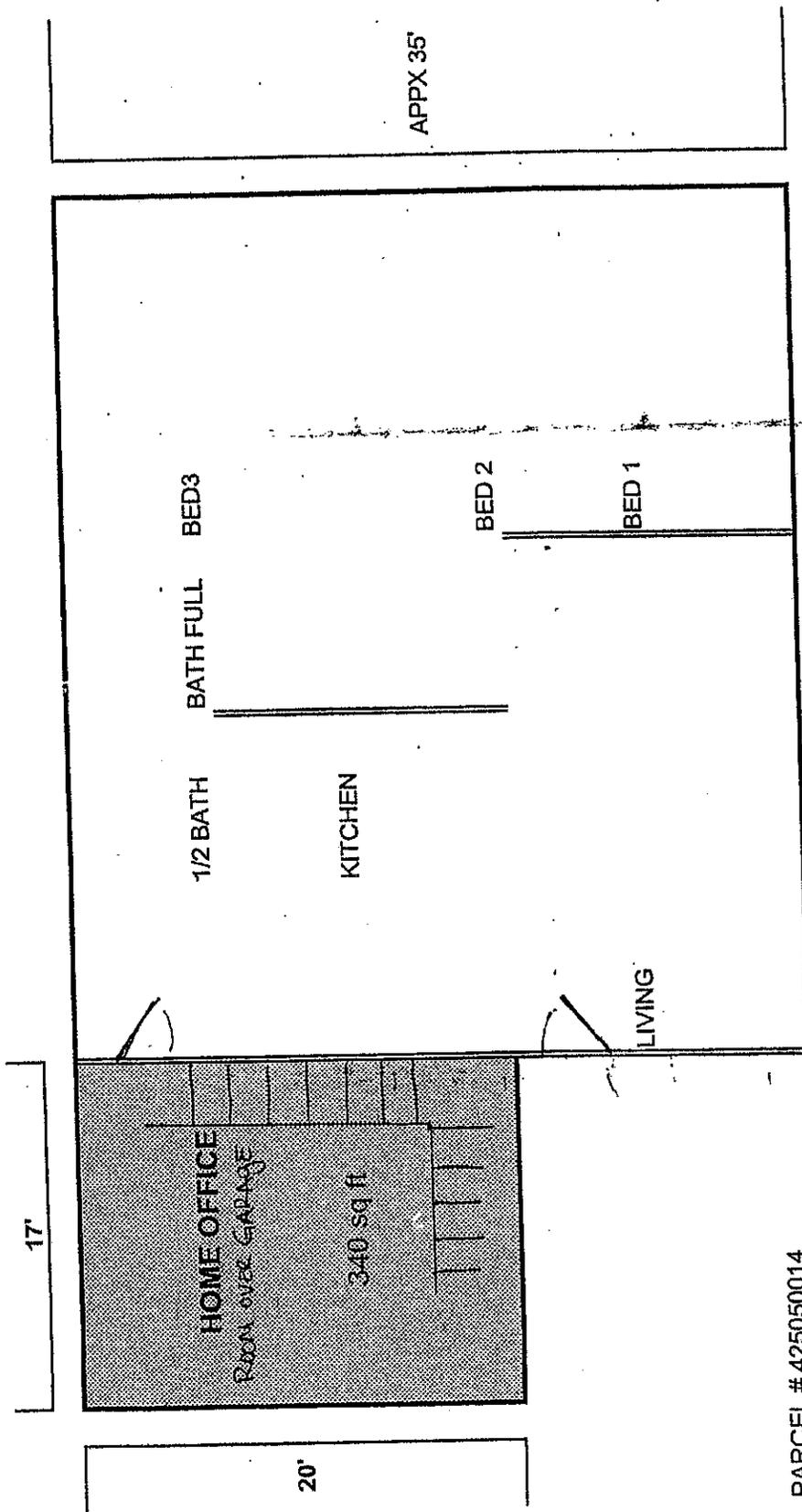
Property description: Parcel B of Minor Subdivision # MS75-0045

Please submit: (a) three (3) sets of a complete site plan including a floor plan indicating the area where the business will be conducted (8½" X 11"); (b) "Important Notice to Applicants" form signed and dated

Assessor's #: <u>425-050-014</u>	TYPE OF FEE	FEE	CODE	
Zoning District: <u>R-7</u>	*Base Fee/Deposit	\$300.00	S-026	
Census Tract:	Late Filing Penalty (+50% of above if applicable)		S-066A	
Atlas Page: <u>H-6</u>	Notification Fee = # Addresses X \$1.50 + \$30.00	<u>30.00</u>	S-052B	
General Plan: <u>SH</u>	Environmental Health Dept.		5884	
Supervisorial District: <u>1</u>				
Area: <u>El Sobrante</u>	TOTAL	\$ 330.00		Received by: <u>Christine</u>
Fire District: <u>Contra Costa Fire</u>	Receipt	# CD12-3746		Date Filed: <u>December 17, 2012</u>
CEQA: <u>Categorically Exempt</u>	*Additional fees based on time and materials will be charged if staff costs exceed base fee.			File #LP <u>12-2142</u>
<input type="checkbox"/> 1(n) HOME OFFICE <input type="checkbox"/> CLASS _____				

PLEASE COMPLETE REVERSE SIDE

10.1.8



PARCEL # 425050014
4093 LAMBERT RD

EL SOBRANTE, CA 94803
NEVADA CROSS 510-206-9054

17'

20'

APPX 35'

APPX 35'



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.1.9

P. O. Box 20136 • El Sobrante, CA 94820

CORRESPONDENCE - JANUARY 2013 MEETING

- ✓ 1. To Sup. Gioia & COS T. Cheung. Comments on Emergency Vehicle Access (SD06-9066) removed from plans for 12 homes off Fariss Lane.
- ✓ 2. To County Plan. Commission. Support for appeal by neighbors of the decision to accept SD06-9066.
- ✓ 3. From Richmond Engineering. Fri., Dec. 21, 2 lanes will open on El Portal Drive. Questions? Call R. Engineer Tawfic Halaby at 510-621-1612.
4. From County. Plan. Commission Mtg. Jan 8th cancelled.
5. From County. Zoning Administration Agenda for Jan 7th. No E.S. items.
- ✓ 6. To Richmond Mayor, City Council, City Mgr. & Fire Chief. Concerns over 3 more homes on Knobcone Ct. which moves to a total of 49 homes with no Emergency Vehicle Access.
- ✓ 7. To R. Planning Dept. Review of the history of the ESVP&ZAC.
- ✓ 8. From Knobcone Dr. Neighbor. Problems with proposed 3 homes on Knobcone Dr.
- ✓ 9. From Richmond Plan. Dept. Copy of Minutes from 11/1/12 mtg. on review of EID 1100513, 5801 Knobcone Ct. Project not approved and moved on to R. City Council on Tuesday, Jan. 15. Section on Knobcone plans copied.
- ✓ 10. To County Fire Chief Goetsch & To Richmond Fire Capt. Cisneros. Comments on no EVA road off Fariss Lane with 159 homes. Comments on No EVA road off Knobcone with 49 homes.
- ✓ *FX* 11. Call from Richmond City Clerk. Review of EID 1100513 moved to Feb 5 Before the R. City Council.
- ✓ *FX* 12. Call from City Planner Jonelyn Whales. City Council is set to review EID 1100513 on Tuesday, Jan. 22. Requested a call back on the date. No call back received yet.
13. To El Sobrante Post Office. Additional key to our POBox 20136. Cost \$9.
- ✓ 14. From Fariss-Lambert Neighbors. Thanks to ESVP&ZAC Co-Chairs for the Letter sent on behalf of the entire neighborhood.

✓ Copy attached
for P & Z Members



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.1.12
l.c.

P. O. Box 20136 • El Sobrante, CA 94820

Supervisor John Gioia &
COS Terrance Cheung
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

December 17, 2012

Re: SD06-9066. 12 homes off Fariss Lane in El Sobrante

Dear Sup. Gioia & COS Cheung,

Enclosed is a letter recently mailed to the County Planning Commission in support of the appeal by neighbors in the Fariss Lane & Lambert Rd. area in El Sobrante. Some specific questions and concerns have come up and I don't know who to direct them to. Can you let me know who these questions should be sent to or can you get answers to the questions for us?

Problem: There are now 147 homes in the Fariss Lane area with only one way in and out. With the current approval of SD06-9066, there will be an additional 12 homes with only one way in and out. Because there were only 12 homes and each one will have water sprinklers, the County allowed the developer to remove the Emergency Vehicle Access Road from the plans. The number of homes in the area would then total 159. Can the County approve 159 homes with only one way in and out?

Does the County have any decision on how many homes can be built in an area with only one way in and out?

If the County approves this project and a problem occurs, will the County be held responsible for approving the project without requiring an Emergency Vehicle Access Road?

Is the County responsible for putting in an EVA Road for the 159 homes?

Has the County Fire Dept. reviewed any similar requests and come up with a number of houses that may be built with only 1 way in and out?

Your help would be very much appreciated. You may call me at 510-223-6398.

Sincerely,

Eleanor Loynd
Co-Chair ESVP&ZAC

Enclosure

cc: Fariss & Lambert Neighborhood Group

County Fire Chief



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.6.12
16

P. O. Box 20136 • El Sobrante, CA 94820

Supervisor John Gioia &
COS Terrance Cheung
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

December 27, 2012

Re: County Policies, Ordinances, etc. Relative to Providing Emergency Vehicle
Access (EVA)

Dear Sup. Gioia & COS Cheung,

Over the last few years we have reviewed a number of proposed development projects wherein an existing access problem involving homes in a neighborhood with only one way out was exacerbated by adding more homes without providing a secondary means of access. In some instances this involved extending a cul-de-sac that was already longer than allowed by County ordinance. In other cases, as with the recently approved Fariss Lane Subdivision (SD06-9066) in El Sobrante, additional homes were being added to a neighborhood of homes wherein the neighborhood street system had only exit to an arterial or collector street. In the Fariss Lane case, 12 additional homes were approved, to bring the total number of homes with only one access to 159! The reason that was given in this case for not requiring an EVA was that the additional 12 homes were sprinkled, therefore there was no problem related to safe access.

The situations described above fall into two general categories ---

In the first category, there is no readily available means of providing alternative emergency access due to the configuration of the existing street system or cul-de-sac that is being extended. Essentially, it would mean either telling the developer he can't develop, or asking him to expend an extraordinary amount of time, effort, and money with no guarantee of success due to the need to acquire rights across adjacent private property and other potential obstacles. The issue in this category is whether to allow an existing unsafe access condition to get worse by approving more homes. There is also an issue of constructive notice to prospective future home owners.

In the second category, there is a readily available fix – the proposed development is situated in such a way that an emergency vehicle access can be provided without undue hardship to the developer and without necessarily encroaching on private property. This occurs when one of the boundaries of the new development borders an existing street in addition to the street used for primary access. This was the case with the Fariss Lane subdivision, and the developer had an emergency vehicle access planned and shown on his plan submittal. It was also the case with another recent project on Kirkpatrick Lane and Heath Drive in El Sobrante.

10.1.0

We understand that not everyone would agree that Emergency Vehicle Access (EVA) is a desirable thing. Some folks think that living on a long cul-de-sac or in a neighborhood with only one way out is safer because it results in less traffic. They do not believe it when they are told that an EVA is exactly what it says it is, and that no through access for day to day traffic will be permitted. However, it is not always the majority of existing residents who have this short sided view, and as far as future residents, they have no say in the matter other than what the developer might say on their behalf. To most developers, this is a simple matter of economics, not safety - less road to build, less cost, more profit. If the local authorities don't require it, few developers will choose to build an EVA on their own.

We strongly feel that ensuring public safety is one of the basic reasons government exists. When it appears that government is turning a blind (or nearsighted) eye to an issue that affects its citizens, we feel that something needs to change. Our experience over the years has shown that when it comes to providing EVA in conjunction with new development, the County has had an inconsistent, hard to understand and at times totally illogical approach. It is unclear who even has jurisdiction in this area - is it Community Development, Public Works or the Fire Marshall?

WE ask for your assistance in this important matter. There are numerous examples of where lack of an EVA and only one access in and out of a residential neighborhood has resulted in more extensive property damage and even loss of life and limb. The Berkeley Hills fire is only one dramatic example. Fire is not the only reason access may be impaired or a secondary way out necessary - there is also earthquake, utility failure (as in the Lafayette and El Portal sinkholes) and/or something as simple as a tree or a utility pole falling across the road.

Your help in clarifying County policy in this important area will be very much appreciated.

Sincerely,

Eleanor Loynd
Eleanor Loynd
ESVP&ZAC Co-Chair

Sincerely,

John Lisenko
John Lisenko
ESVP&ZAC Co-Chair

cc: E.S. Chamber of Commerce
Fairess Lane/Lambert Rd. Gp.

ESMAC
CCC Con. & Dev. Dept.



**EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE**

*CO. I. R
Va.*

P. O. Box 20136 • El Sobrante, CA 94820

Planning Commission
Contra Costa County
30 Muir Rd.
Martinez, CA 94553-4601

December 15, 2012

Re: Appeal of Zoning Administrator's Decision to approve the Tentative Map and Mitigated Negative Declaration for Subdivision SD06-9066.

To: Members of the Planning Commission

The ESVP&ZAC is a Committee of citizen volunteers that, at the request of County Staff, reviews and comments on new development in the El Sobrante Area of Contra Costa County. We reviewed the subject proposal and submitted comments in writing on August 28, 2012. These comments reflected the Committee's consensus and were based on review of the project documentation as well as in the field, a public meeting during which both the developer and concerned neighbors gave testimony and deliberation amongst Committee members. In our letter we raised a number of issues and asked clarification regarding soils stability and slide repair, legal questions about easements as well as other topics.

WE have reviewed the County Staff's findings and conditions of approval for this project. We do not believe that these findings and conditions adequately address the concerns expressed by our Committee and others. For this reason, we support the appeal of this approval by Farris Lane and Lambert Rd. homeowners and strongly urge the Commission to return this matter to staff for further review.

WE have attached a summary of our concerns for your consideration.

Respectfully Yours,

Eleanor Loynd
Eleanor Loynd
ESVP&ZAC Co-Chair

Respectfully Yours,

John Lisenko
John Lisenko
ESVP&ZAC Co-Chair

Attachment A: ESVP&ZAC list of concerns regarding the approval of Subdivision SD06-9066 – Tentative Map and Mitigated Negative Declaration



**EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE**

10/11/12
2.b

P. O. Box 20136 • El Sobrante, CA 94820

ATTACHMENT A:

**ESVP&ZAC list of concerns regarding the approval of Subdivision
SD06-9066 – Tentative Map and Mitigated Negative Declaration**

The Mitigated Negative Declaration is not adequate because:

- Geology and Soils

The soils report and peer review identify over 10 slides on the site that require repair. These slides are in the proximity of neighboring existing homes. No analysis of repair methods or extent of grading required to repair the slides has been done. Without such an analysis it is impossible to assess the significance of the impact of the repair to existing life and property. Additional analysis should be performed to further assess the potential significance of geologic and soil stability hazards on the site. It should include a review of the slides and the repair methodology to be used to assure that the work can be confined to the site and can be performed with no adverse impact to surrounding homes.

It should be noted that slide repairs, including excavations, buttress construction, keyways and subdrain installation, as well as any retaining walls that may be required can extend further than the limits of any new construction shown on the plans, and often result in damage to surrounding property.

Mitigation of future slide potential requires adequate drainage. This drainage is shown as going through an existing residential parcel without benefit of an existing easement. It is not a feasible form of mitigation unless the easement is acquired. Evidence of acquisition should precede the conclusion that impacts can be reduced to less than significant.

-Traffic and Safety

The traffic analysis is incomplete because it fails to address existing street width and alignment constraints. The Zoning Administrator's decision not to require emergency access to the project deprives not only future but existing residents in the area of a much needed alternative form of ingress and egress in the event of emergency situation including fire, earthquake and other natural as well as man made disasters.

The vesting Tentative Map is not complete because:

It fails to identify the nature and use of proposed easements to be used ostensibly for road, drainage, and other purposes. It shows a proposed road (identified as a "Public Street" on the map) going through an existing parcel created for single family residence purposes without showing a cross section of the road at that location so that the impacts to existing residence on either side can be identified.

- * Is the County prepared to accept this road as a public street?**
- * Is it legal to convert a residential parcel in a densely populated residential area to street use?**
- * What are the zoning implications to existing homes on either side of the proposed new road?**

The tentative map should not be approved without first obtaining an opinion from County Counsel as to the issues identified above, including the issue of non-existent drainage easements identified under the previous section regarding Geology and Soils.

It should be noted that these issues were raised during the public review period and either not addressed at all by staff or the responses were less than satisfactory.



**EL PORTAL DRIVE PARTIAL ROAD OPENING
STARTS ON DECEMBER 21, 2012**

December 19, 2012

Dear Neighbors,

After nearly 8 months of construction, the Via Verdi Culvert Repair Project is nearing completion. The newly constructed culvert is in place and San Pablo Creek is back to its natural flow patterns through the culvert. The banks of San Pablo Creek have been stabilized and revegetated and will continue to be monitored throughout the 2013 growing season.

Starting on Friday, December 21, 2012, two lanes of El Portal Drive will reopen to vehicular and pedestrian through traffic between the Church of Christ parking lot and Barranca Street. Note that this will be a partial road opening, and will not be the full roadway width. The entire road will be reopened in the spring of 2013 after utility work has been completed. Although there will be 2 lanes open as of December 21, 2012, bus commuters should continue to use the alternative bus routes until further notice from AC Transit.

Thank you for your support and collaboration on this project as this support has been important to successfully perform this unexpected repair project and to restore this area for the Richmond, San Pablo, and El Sobrante Communities.

If you have any questions, please contact Tawfic Halaby by phone at (510) 621-1612 or by email at tawfic_halaby@ci.richmond.ca.us.

Sincerely yours,
CITY OF RICHMOND

Tawfic N. Halaby, P.E.
Associate Civil Engineer

P.S: I encourage you to patronize local businesses along San Pablo Dam Road during the holiday season.



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.1.0
6

P. O. Box 20136 • El Sobrante, CA 94820

December 30, 2012

TO: Richmond Mayor McLaughlin
Richmond City Council
R. Fire Chief Banks

City Mgr. Bill Lindsay
R. Planning Dept.

Re: Questions on how many homes can exist with only 1 access.

Enclosed is a recent letter sent to Sup. Gioia. We are facing a similar problem in the Richmond/El Sobrante area and we need your thoughts to help handle the problem.

PROBLEM: On January 15, the City Council will hear an appeal on EID 1100513, 5801 Knobcone Ct. The project was denied by the R. Plan. Commission. The idea is to add 4 homes to an area in Richmond with an existing 45 homes with only one access. It is a cul-de-sac off a cul-de-sac with a narrow entry road off Bristlecone.

CONCERNS:

- Does the Richmond Planning Dept. have any decisions made as to how many homes can be in one area with just one access?
- Does the Richmond Fire Dept. have a decision as to how many homes can be in one area with just one access and no EVA? As stated, the roads in the area do not fit the usual standards. If this project is approved, there would be about 49 homes with only 1 access and part of that access roadway is narrowed. Does this fit the usual approved plan for about 50 homes?

You are welcome to call me at 510-223-6398 or send me any comments you wish to share with us. As a courtesy, I have enclosed the letter regarding the County's review of allowing 159 homes in a area with 1 access. Since Richmond Fire fighters might have to step in to help County Fire, I thought you should be aware of the County project area by the El Sobrante Library.

Sincerely,

Eleanor Loynd
Eleanor Loynd
ESVP&ZAC Co-Chair.

May Valley N. C.
E.S. Municipal Advisory Council

E.S. Chamber of Commerce

10.1.8

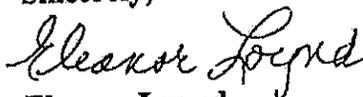
We understand that not everyone would agree that Emergency Vehicle Access (EVA) is a desirable thing. Some folks think that living on a long cul-de-sac or in a neighborhood with only one way out is safer because it results in less traffic. They do not believe it when they are told that an EVA is exactly what it says it is, and that no through access for day to day traffic will be permitted. However, it is not always the majority of existing residents who have this short sided view, and as far as future residents, they have no say in the matter other than what the developer might say on their behalf. To most developers, this is a simple matter of economics, not safety - less road to build, less cost, more profit. If the local authorities don't require it, few developers will choose to build an EVA on their own.

We strongly feel that ensuring public safety is one of the basic reasons government exists. When it appears that government is turning a blind (or nearsighted) eye to an issue that affects its citizens, we feel that something needs to change. Our experience over the years has shown that when it comes to providing EVA in conjunction with new development, the County has had an inconsistent, hard to understand and at times totally illogical approach. It is unclear who even has jurisdiction in this area - is it Community Development, Public Works or the Fire Marshall?

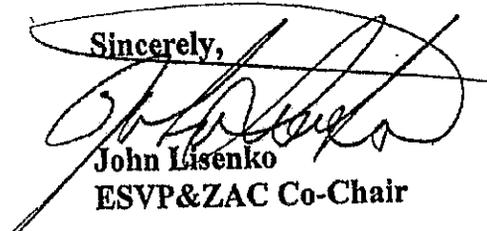
WE ask for your assistance in this important matter. There are numerous examples of where lack of an EVA and only one access in and out of a residential neighborhood has resulted in more extensive property damage and even loss of life and limb. The Berkeley Hills fire is only one dramatic example. Fire is not the only reason access may be impaired or a secondary way out necessary - there is also earthquake, utility failure (as in the Lafayette and El Portal sinkholes) and/or something as simple as a tree or a utility pole falling across the road.

Your help in clarifying County policy in this important area will be very much appreciated.

Sincerely,


Eleanor Loynd
ESVP&ZAC Co-Chair

Sincerely,


John Lisenko
ESVP&ZAC Co-Chair

cc: E.S. Chamber of Commerce
Fairess Lane/Lambert Rd. Gp.

ESMAC
CCC Con. & Dev. Dept.



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.1.9
7.

P. O. Box 20136 • El Sobrante, CA 94820

To: Richmond Planning Dept.
Richmond City Hall

January 3, 2013

Re: Information of the El Sobrante Valley Planning & Zoning Advisory
Committee - History of the group. Please share with Staff.

Dear Richmond Planners,

The last time I sent a review of our history was on January 18, 2011. So, this is an update that I hope you will share with the Planning Staff members. In 1972, about 40 years ago, the ESVP&ZAC was started by the El Sobrante Chamber of Commerce and the Richmond May Valley Neighborhood Council. Each group provides money for supplies and each group appoints 3 members and then the 6 appointed members choose 3 more members. The ESVP&ZAC routinely reviews plans for both the County and Richmond in the El Sobrante Valley area.

The group meets the second Thursday of each month in the meeting room of the El Sobrante Library. Meetings begin at 6 p.m. WE request that Richmond Planning Staff and County Planning Staff send us copies of the applications and plans that have been submitted. We review the plans and assign 1 or 2 members to visit the sites and share their information with us. Then we send a letter into your office suggesting approval or needed changes or added information. For your information, 2 members of the ESVP&ZAC are also members of the El Sobrante Municipal Advisory Committee. We share info.

Contact Information:

Eleanor Loynd, Co-Chair
P.O. Box 20136
El Sobrante, CA 94820

John Lisenko, Co-Chair
Phone: 510-223-6398
Fax: 510-758-7697

About 10 years ago, the Board of Supervisors set up the El Sobrante Municipal Advisory Council. Members are appointed by the Supervisor. The group chooses which problems in the E. S. area they want to review. The current Chair is Barbara Pendergrass. The group meets the second Wednesday of each month in the meeting room of the El Sobrante Library. Meetings begin at 7 p.m.

Contact Information:

Barbara Pendergrass, ESMAC Chair
3769 B San Pablo Dam Rd., El Sobrante, CA 94803

Phone: 510-223-6091

PLEASE give us a call now and then and keep us updated on the status of the applications under review. We expect Richmond and the County Staff to send us copies of the new applications and maps of the projects. Please call me at 510-223-6398 if you have any questions. Thank you!

Sincerely,

Eleanor Loynd

10.1.18

5728 Knobcone Drive
El Sobrante, CA 94803
December 11, 2012

Members, Richmond Planning Commission
City of Richmond
450 Civic Center Plaza
Richmond, CA 94803

Subject: Denied Permit for 5801 Knobcone Court, Richmond (EID 1100513)

Dear Commissioners:

We want to thank you for considering the proposed Knobcone Estates Development and denying it at your Planning Commission Meeting on November 1, 2012. We were most impressed with your deliberations and considerations regarding this decision.

We are writing about several issues we think are important to bring to your attention.

1. Prior to Mr. Fong purchasing Lot 1, planning staff told Mickey Connors, a contractor and prospective buyer of Lot 1, that because of the CC&Rs for the Knobcone Estates HOA, Lot 1 could not legally be developed without HOA approval.
2. Staff said after the Planning Commission meeting that she had the CC&Rs, and yet did not bring up their existence before your Planning Commission.
3. We were told by previous Planning Department staff, Tanya Boyce, that the original documents approving the Knobcone Estates were lost *in a fire*. This was stated at a meeting of the El Sobrante Valley Planning & Zoning Advisory Committee. When this "fire" was brought up to the current Planning Director, he had no knowledge of a fire. Fortunately for the neighborhood, we did have copies of the pertinent documents.
4. There was confusion by Staff at the Planning Commission meeting regarding the number of lots in the Knobcone Estates development. There were clearly eight lots specified in the 1993 ruling by the Planning Commission (see attachment). The *entire* eight lots, all together, in the original Greenbriar development, was titled as "Lot 10". When staff said to the Commissioners that there were ten lots, it was confusing to you, and we knew very clearly that it was incorrect information. We believe staff should have been more clear on her information to you.
5. There is one house currently on Lot 1 that is uninhabitable, and that has a cyclone fence around it, which we understand is against city regulations. The fully framed house with plywood flooring sat in the rain for two years. Because of this, we have concerns about its fate. Recently the house was broken into and all of the copper was stolen. We are curious as to how any building permit was ever issued for this home—a permit that simply allowed Mr. Fong to put up walls (not tearing it down). We are also curious as to whether there are any building code violations regarding the house.
6. We want to reiterate that while three days notice of your meeting may have been all that was required by the Brown Act, it is not good process.
7. It has come to our attention that this project was discussed at the May 12, 2011 meeting of the El Sobrante Valley Planning & Zoning Advisory Committee (see attachment). No one in the neighborhood was notified of this meeting. While we know this isn't solely a City meeting, is this standard to not be notified? Additionally, crucial points were raised about the development. We do not know if any of these points have been addressed by either the Planning Department or by Mr. Randolph, or brought to the attention of the Planning Commission.

Below are further comments more specifically related to the proposed Knobcone Estates development:

1. The land immediately behind our house is unstable, according to every study conducted, and because of this, no building is being allowed there. However, in order for homes to be built further up the hill, a retention basin was proposed to be built on this unstable land. Furthermore, the detention basin would only manage storm water, and *not* water from underground springs that has done most of the damage to the homes on Knobcone Drive. We did not make these points at the Planning Commission meeting and should have.
2. An associated issue is that this basin was proposed to be maintained by a newly created HOA. We have serious doubts about any HOA maintaining a retention basin properly. After all, improper maintenance would not have any adverse impacts on them—only on the homes below the basin.
3. It was stated during the Planning Commission meeting by Mr. Randolph that he had met with homeowners on Knobcone Drive and they are fine with the development. We can find no homeowners who were contacted by Mr. Randolph.
4. We believe that the City will need to repair the Knobcone Court road with its buckling sidewalk and sinking road. This is consistent with the original Abel-Soares geologic report that was the basis of no more than eight houses being built. We also want to stress again that additional weight on that road would lead to further deterioration of it, and simply painting the curbs red—forcing visitors to park in front of our houses—is really not a solution to this problem.
5. We feel that it is crucial that West County Wastewater District considered the entire development so unstable that they would not take the responsibility for maintaining sewer lines in the Knobcone Estates area. This agency doesn't take positions on land being developed or not, but does need to take into consideration whether it is even possible to maintain sewer lines in such an unstable area. It is a well-known fact that the hills of El Sobrante are unstable; all development there should be made only after careful consideration.

We are sending this letter because we feel it would lead to an improved planning process, with more informed decisions being able to be made by your Commission.

Sincerely,

Neighbors of Proposed Development

- | | |
|--------------------------|-------------------|
| Sherry & Mark Alford | Lisa & Mike Caine |
| Ginger & Philip Chang | Erez Maoz |
| Aurora & Bruno Baronia | Steve Shorette |
| Robin & Tom Waite | Pinhcas Nagar |
| Gina & Jorge Dominguez | M. Garcha |
| Karen & Dimitri Smith | Ming Wang |
| Jesus Canela (hard copy) | |

cc: Eleanor Loynd, Co-Chair, El Sobrante Valley Planning & Zoning Advisory Committee
Richard Mitchell, Director of Planning & Building Services

Enc: Richmond Planning Dept. Report to Planning Commission, December 2, 1993
El Sobrante Valley Planning & Zoning Advisory Committee, Minutes of May 12, 2011

PLANNING COMMISSION REGULAR MEETING
COUNCIL CHAMBERS, RICHMOND CITY HALL
450 Civic Center Drive, Richmond, CA

November 1, 2012
6:30 p.m.

10.1.12

Item:
EID-1100513

Knobcone
Development

COMMISSION MEMBERS

Sheryl Lane, Chair
Roberto Reyes, Secretary
Ben Choi
Melvin Willis

Andrés Soto, Vice Chair
Andrew Butt
Carol Teltchick-Fall

The regular meeting was called to order by Chair Lane at 6:35 p.m.

Chair Lane led in the Pledge of Allegiance.

ROLL CALL

Present: Chair Lane, Vice Chair Soto, Secretary Reyes and Commissioners Butt, Choi, and Willis

Absent: Commissioner Teltchick-Fall

INTRODUCTIONS

Staff Present: Lina Velasco, Hector Rojas, Richard Mitchell, Jonelyn Whales, Hector Lopez, and Carlos Privat

MINUTES

September 20, 2012:

Chair Lane referred to page 2 of the minutes under the Consent Calendar and confirmed that Item 1; EID1100513: Knobcone Development is reflected as being held over.

ACTION: It was M/S (Butt/Choi) to approve the September 20, 2012 minutes, as amended; unanimously carried.

AGENDA

Chair Lane provided an overview of meeting procedures for speaker registration, public comment and public hearing functions. She said items approved by the Commission may be appealed in writing to the City Clerk by Monday, November 12, 2012, by 5:00 p.m. and as needed, announced the appeal process after each affected item.

✓ HOLD OVER ITEMS

- 1. EID1100513: Knobcone Development of 4 Residential Lots - PUBLIC HEARING** to consider adoption of a Mitigated Negative Declaration and approval of a Tentative Map to subdivide the site at 5801 Knobcone Court (APN: 435-300-010) into four single-family residential parcels and a remainder parcel. One house exists on the site and its parcel would be 22,920 square feet (SF). The subdivision would create three additional residential lots varying from 12,861 SF to 15,310 SF in size. The remainder of the site, a 61,540 sq. ft. (1.41 acres) parcel (referred as the "remainder parcel"), would have a detention basin to control rainwater runoff but would remain undeveloped because of potential geologic hazards. PA, Planned Area District. Rong Fong, owner; William Randolph, applicant; Planner: Jonelyn Whales; Tentative Recommendation: Conditional Approval.

Jonelyn Whales gave the staff report and an overview of the request to consider adoption of a Mitigated Negative Declaration and approval of a Tentative Map. She stated the environmental consultant, Michael Kent is present as well as the applicant and owner. She noted that in 2004, the applicant contacted staff for a 6 lot development with a remainder tentative tract map. It already had an existing house on the upper parcel (Lot 1-4) of 2,200 square feet. Parcel 3 is 12,861 square feet. The adjacent parcel is 15,310 square feet, and the remainder parcel which is not part of the tentative tract map is 62,000 square feet and this is where the proposed detention basin would reside. The project is within the SFR-1 Rural Residential zoning district which has development standards which require that parcels are approximately 11,000 square feet or more. There are proposed conceptual drawings in the packet for 3 custom homes which are not under review this evening, and staff would have to return with a design review permit and a conditional use permit for the hillside constraints area. Studies involving soils and geological were performed several years ago showing mitigations have been identified for any and all impacts.

Commissioner Reyes said he hopes there has been some work done to mitigate the project. Ms. Whales said staff held off from bringing it to the Commission because there was a request from an adjacent neighbor to meet with the environmental consultant and applicant to address some of their issues. However, unfortunately there was no meeting scheduled.

Commissioner Willis asked if the adjacent house occupied or vacant. Ms. Whales said she believes it is currently vacant.

William Randolph, applicant, said the house on the property is vacant. The owner is present and built the home for his family and also a home in another city where they live.

Vice Chair Soto referred the statement "whenever feasible" in the air quality mitigation measure III-1 and asked what this means.

Michael Kent, environmental consultant, said these are standard provisions required by the BAAQMD for all projects. When "whenever feasible" is concerned, it is at the discretion of the enforcing agency or the City. He does not know the specific criteria for the cited item, but BAAQMD does.

Vice Chair Soto referred to Item B; "apply non-toxic soil stabilizers on all access roads" and he asked what are non-toxic versus toxic. Mr. Kent said this is something the Air District has approved and is non-toxic. Vice Chair Soto referred to Item G, it tries to minimize exhaust emissions, particulates, and other pollutants.....idling motors.....be in frequent use for much of the construction period." He asked if there is equipment being constructed that has reduced emissions. Mr. Kent said there has been a big change in both on-road and off-road biodiesel equipment to require them to have reduced emissions and more are anticipated in the future.

Vice Chair Soto referred to page 81 dealing with nesting impacts, and mitigation measure IV-6. It talks about bringing on a qualified biologist who would conduct pre-construction nesting birds and surveillance of trees and shrubs. He asked for the qualifications of such a biologist, and Mr. Kent said there is a known community consulting biologist who has experience with this. Vice Chair Soto referred to fire protection service under mitigation measure XIII-1, the first point is to require the installation of sprinkler systems and he thinks the Commission should look at this for all residential and commercial structures. Regarding mitigation measure XIII-2 which talks about the park open space impact fee for each residential unit developed, he was involved in a study that showed Richmond is woefully behind on the amount it charges for park and open space

Richmond to establish rent stabilization policies and rent board. The rent board will, among other things, establish a renter arbitration process that will register landlords and hear and resolve landlord/tenant disputes, solicit input from community organizations and renters to ensure that the most pressing needs are addressed, study ordinances from other jurisdictions in California to evaluate the most effective strategies for drafting and implementing the ordinance in Richmond....review program components of other cities, benefits of cost of rent control ordinances and boards, administration and legal requirements and annual costs." Strike "Also analyze potential constraints and opportunities to implement rent control in Richmond, consider whether to recommend an ordinance based on the study's findings and extent of input from the community and rental property owners." He made a motion to amend the policy with those changes.

ACTION: It was M/S (Soto/Reyes) to amend policy H4.2.3; Rent Control Ordinance Study to change the total of the policy to: "Rent Stabilization Ordinance Study". Strike the first sentence "study rent control" down to "rent control board" and instead insert: "Adopt an ordinance in Richmond to establish rent stabilization policies and rent board. The rent board will, among other things, establish a renter arbitration process that will register landlords and hear and resolve landlord/tenant disputes, solicit input from community organizations and renters to ensure that the most pressing needs are addressed, study ordinances from other jurisdictions in California to evaluate the most effective strategies for drafting and implementing the ordinance in Richmond....review program components of other cities, benefits of cost of rent control ordinances and boards, administration and legal requirements and annual costs." Strike "Also analyze potential constraints and opportunities to implement rent control in Richmond, consider whether to recommend an ordinance based on the study's findings and extent of input from the community and rental property owners;" The motion/second carried with a vote of (5-1-1): Ayes: Choi, Willis, Soto, Reyes, and Lane; Noes: Butt. Absent: Teltschick-Fall.

Commissioner Butt thanked fellow Commissioners for splitting up the various policy amendments. He thinks there are many questions in his mind about this and he thinks it warrants further study.

ACTION: It was M/S (Soto/Willis) to recommend adoption of the Addendum to the General Plan 2030 Environmental Impact Report and the Housing Element Update for the current 2007-2014 planning period to the City Council, as amended through the various changes to policy sections; unanimously approved.

✓ **HOLD OVER ITEMS**

1. **EID1100513: Knobcone Development of 4 Residential Lots - PUBLIC HEARING** to consider adoption of a Mitigated Negative Declaration and approval of a Tentative Map to subdivide the site at 5801 Knobcone Court (APN: 435-300-010) into four single-family residential parcels and a remainder parcel. One house exists on the site and its parcel would be 22,920 square feet (SF). The subdivision would create three additional residential lots varying from 12,861 SF to 15,310 SF in size. The remainder of the site, a 61,540 sq. ft. (1.41 acres) parcel (referred as the "remainder parcel"), would have a detention basin to control rainwater runoff but would remain undeveloped because of potential geologic hazards. PA, Planned Area District. Rong Fong, owner; William Randolph, applicant; Planner: Jonelyn Whales; Tentative Recommendation: Conditional Approval.

Jonelyn Whales gave the staff report and an overview of the request to consider adoption of a Mitigated Negative Declaration and approval of a Tentative Map. She stated the environmental consultant, Michael Kent is present as well as the applicant and owner. She noted that in 2004, the applicant contacted staff for a 6 lot development with a remainder tentative tract map. It already had an existing house on the upper parcel (Lot 1-4) of 2,200 square feet. Parcel 3 is 12,861 square feet. The adjacent parcel is 15,310 square feet, and the remainder parcel which is not part of the tentative tract map is 62,000 square feet and this is where the proposed detention basin would reside. The project is within the SFR-1 Rural Residential zoning district which has development standards which require that parcels are approximately 11,000 square feet or more. There are proposed conceptual drawings in the packet for 3 custom homes which are not under review this evening, and staff would have to return with a design review permit and a conditional use permit for the hillside constraints area. Studies involving soils and geological were performed several years ago showing mitigations have been identified for any and all impacts.

Commissioner Reyes said he hopes there has been some work done to mitigate the project. Ms. Whales said staff held off from bringing it to the Commission because there was a request from an adjacent neighbor to meet with the environmental consultant and applicant to address some of their issues. However, unfortunately there was no meeting scheduled.

Commissioner Willis asked if the adjacent house occupied or vacant. Ms. Whales said she believes it is currently vacant.

William Randolph, applicant, said the house on the property is vacant. The owner is present and built the home for his family and also a home in another city where they live.

Vice Chair Soto referred the statement "whenever feasible" in the air quality mitigation measure III-1 and asked what this means.

Michael Kent, environmental consultant, said these are standard provisions required by the BAAQMD for all projects. When "whenever feasible" is concerned, it is at the discretion of the enforcing agency or the City. He does not know the specific criteria for the cited item, but BAAQMD does.

Vice Chair Soto referred to Item B; "apply non-toxic soil stabilizers on all access roads" and he asked what are non-toxic versus toxic. Mr. Kent said this is something the Air District has approved and is non-toxic. Vice Chair Soto referred to Item G, it tries to minimize exhaust emissions, particulates, and other pollutants.....idling motors.....be in frequent use for much of the construction period." He asked if there is equipment being constructed that has reduced emissions. Mr. Kent said there has been a big change in both on-road and off-road biodiesel equipment to require them to have reduced emissions and more are anticipated in the future.

Vice Chair Soto referred to page 81 dealing with nesting impacts, and mitigation measure IV-6. It talks about bringing on a qualified biologist who would conduct pre-construction nesting birds and surveillance of trees and shrubs. He asked for the qualifications of such a biologist, and Mr. Kent said there is a known community consulting biologist who has experience with this. Vice Chair Soto referred to fire protection service under mitigation measure XIII-1, the first point is to require the installation of sprinkler systems and he thinks the Commission should look at this for all residential and commercial structures. Regarding mitigation measure XIII-2 which talks about the park open space impact fee for each residential unit developed, he was involved in a study that showed Richmond is woefully behind on the amount it charges for park and open space

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impact fees. There was to be a study about raising that fee and he questioned its status. Ms. Velasco said the fee is published in the City's fee schedule and is a flat fee on a per unit basis. Vice Chair Soto asked that this fee be revisited at some time in the future.

Commissioner Butt referred to mitigation measure VIII-2 which is the retention basin. He asked if staff could address the issue for mosquito vector control. Mr. Kent said in general, it takes longer for mosquitoes to breed in the time the water would be retained in the basin. The basin intends to bring the site back to the hydrologic conditions that existed before with all of the impervious surfaces and it would be a matter of hours or a few days.

Commissioner Butt stated there was language that talks about mitigation measure XIII-1 which impacts to fire protection services. It mentions the addition of two EBMUD hydrants. He did not see the language, but it talked about the inadequacy of pressure there. This is a real concern in a high fire danger area and asked where the pressure language went and why it was removed. Ms. Velasco said it is still contained in the staff report and was not in the mitigation measure itself. Ms. Whales stated RFD has been consulted and they are in agreement with staff's findings as well as the mitigated negative declaration for the mitigation measure. They reviewed all of EBMUD's water maps to determine what the flow would be and the utility company would have to weigh in as to the flow itself into the area and this is something that would be further discussed when and if the project is developed. Staff also has a letter from EBMUD that talks about their water service. They have a service elevation between 200-375 feet and staff is not sure where at the top of the ridge the homes will be and there are mitigation measures for water pumps to mitigate these issues if needed for pressure.

Commissioner Butt said it was a measure as shown as being mitigated in the past and now it says nothing about the water pressure issue. Mr. Kent noted that on page 56 of the circulation draft mitigated negative declaration it states a test of the water pressure was done. They found it was slightly below and therefore, the RFD requires structures for the fire flow of 1,000 gallons per minute and installation sprinklers would be necessary to provide adequate fire protection. Installation of those sprinklers is in measure XIII-1 on page 73. This would address adequate fire protection, and EBMUD has indicated they can also install pumps that would provide adequate domestic pressure of the water, if necessary.

Vice Chair Soto referred to the Alameda Whip Snake and other species and it looks as though the mitigation is to not disturb the wildlife. On page 6 of Attachment 4 from Wood Biological Consulting, which he read and said in the end, the National Wildlife Service states this will impact the whip snakes' habitat, tree removal, vegetation removal and disruption of the habitat of migratory birds. He asked what the mitigation is for destruction of habitat. Ms. Whales said below the wording is mitigation measure IV-3 and a biologist would be on-site and would monitor species if they are on-site and nesting. It would be addressed by the California Fish and Game throughout the process prior to any disruption of land. They must disclose what could possibly happen and they are not sure this will occur.

Chair Lane called for the applicant's presentation and public comments thereafter.

William Randolph, applicant, said the project application was submitted in 2004. The owner has been amenable to suggestions in trying to develop the land. They initially looked at dividing it into 8 lots and reduced it down to 4, not realizing what was occurring with the hills or water retention. After time, they restructured the project as the existing lot and three additional lots for housing and one remaining lot. The issue seemed to be one of NIMBY-ism given concerns there was a document that stated the land could not be subdivided further which does not exist.

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They then dealt with the environmental issues which they believe has been done. He hopes the Commission will review the overall subdivision of land and mitigated negative declaration and provide a favorable response.

Public Comments:

Tom Waite, engineer, Richmond, stated the 1989 Commission resolution states the project will be limited to 6-8 maps and houses. These documents were lost in a fire, but his wife was a former City planner and he provided those documents to the Planning Department. He said Mr. Fong has had 8 years to talk with the neighborhood, and it was the previous developers, Bill Nukura and Bill Oliver, who met with them. His concern is water. In the original development they had an active creek. The development caused an eruption to the creek and in 1995 after the development went in and traffic started, neighbors started to have springs in their backyards. They must trench their yards, have sump pumps and there is structural damage. When a survey was done in 2004 of the remainder parcel, 25 feet of water was present. It is a landslide deposit which is confirmed by a geotechnical report, there are serious erosion problems with the road and the soils report predicted landslide issues. The wastewater treatment plant documents indicate they refuse to put a lateral up there so the owners have a private sewer line. There were 4 serious water line breaks on Knobcone Drive 4 years ago which were from stress-induced cracks. They were snapping down Knobcone one at a time during a 3 to 4 month period which was due to sheering force. He also voiced concern over buried gas lines and pointed out the sidewalks buckling at the base. PG&E should also worry about this. Lastly, they are seriously concerned about environmental impacts and property value effects and need for disclosures.

Vice Chair Soto said if there are active slide areas, he asked if there were also seismic impacts if an earthquake would occur. Mr. Waite said because of all of the water that normally went to the creek and now is going under all of their houses would most likely impact the area and should be looked at. They would like to see the water out and said the creek is now dry because access is no longer there because of the previous structure and road blocking it since 1997, and this was a serious environmental oversight that occurred which he continued to describe to explain to the Commission.

Commissioner Butt asked and confirmed that the cap at 8 homes was for the development that occurred in the mid-1990's after houses were built. He clarified that 7 of the 8 homes have been built which is a part of the property, and with the addition of 3 homes, it would total 11 homes.

Ms. Whales suggested the Commission refer to the tentative tract map in the Initial Study to see a better visual of the actual layout.

Commissioner Butt said it strikes him that there would be a nexus between the creek water, the potential damage and this proposed development. Mr. Privat said it would depend upon what mitigation has occurred. Ms. Whales stated there is a good explanation in the Initial Study on page 32. Allan Crop and Associates reviewed the geology. The creek is some distance, he talks about the monitoring of the cracks and a supplemental investigation was done for the mitigation which is VI-3. There is also an updated study conducted on May 16, 2012. It references all earlier studies conducted on the site and the project was mitigated and this is the reason it has been reduced down to the number of houses originally applied for. They originally came in for an 8-lot subdivision and it was not until they investigated the soils and geology and do boring that they learned it was best to have a detention basin on two of the lots they had previously planned to develop.

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Mr. Randolph interjected that there were three geologic studies done on the entire property to determine what was feasible to build on and what was not, which should be in the report, which Ms. Whales affirmed.

Commissioner Willis asked the applicant if he indicated they were going to turn the extra parcel into a detention basin and into a creek. Mr. Randolph said not the entire parcel but a portion of it, and according to the City's consultant on the project, this would mitigate any run-off that would occur from impervious surfaces. The water goes to the drainage system that currently serves the neighborhood through a large pipe under the street and under the other side of the road.

Mr. Waite interjected that the water coming through yards is from springs from up underneath. While the basin is a good idea, they are still dealing with water underneath that was not present in 1987. Once cars began putting pressure on this, water began to move around.

Commissioner Choi questioned why Mr. Waite believes it is coming from springs underneath, and Mr. Waite said it is no one's fault that the creek got broken, but there is more pushing of water underneath and they do not want it to get worse and risk further damage.

Commissioner Butt asked about the limit of 8 parcels, and Ms. Whales noted staff has a letter from the Senior City Attorney that states they cannot be absolute from that requirement and there was never a requirement for 8 lots, and this is on file. This was dated 15 years ago. Commissioner Butt said he would be interested in seeing that document as well as what Mr. Waite has. Separately, he asked as a concerned neighbor and engineer, he asked if Mr. Waite looked at the mitigation measures and the Crop report. Mr. Waite said yes, and he noted that he would like the Commission involved with the neighbors and Planning Department staff regarding there is a limit of 8 lots.

Commissioner Butt confirmed that neighbors' concerns are primarily about the blockage of the creek, what has happened as a result of that, water pipes breaking in front of their homes, impacts on their housing values, and the need for disclosures of soggy backyards.

Ms. Whales said staff went through a very extensive public review of this project and they had never received any correspondence or emails during public review which consisted of 60 days for the Initial Study from neighbors who are present this evening, specifically Mr. Waite. There was ample time to review this, and the majority of studies are from qualified geologists stating the opposite which are part of the project and available for review at City offices.

Mark Alford, Richmond, said for the last 15 years he and his family have lived on Knobcone Drive. When he purchased his home, the Knobcone project was approved for 8 homes, but not developed. As the homes were developed the water flow on the hillside changed and problems started. It did not matter with rain patterns, but he now has small creeks of water popping out in the middle of his hillside and threatening his home. At times the concrete ditch that runs parallel to Knobcone Drive located behind and above his home is overflowing and cannot handle the immense watershed that starts at the top of Wildcat Canyon Ridge. The road leading up to Knobcone is showing signs of movement, cracking and buckling. The fact that the road is built over a fill and a known slide is a key point to consider. There is already a home built on the case property and when the structure is finally occupied and the last remaining approved lot is built upon, this alone will add to the impacted drainage, roads and sewer systems. He asked if the City of Richmond will be responsible for the roads, sewers and damage to existing resident's

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homes on Knobcone Drive and he asked the Commission to think about the quality of life issues and future costs to the City before allowing this plan to go forward, as it is not worth it.

Commissioner Reyes asked if there is structural damage in homes, and Mr. Alford said it is moist under the house all year long even in dry months. When houses began getting built, there was a different water flow, the cement ditch was filling and overflowing in normal years, and the issue is that the hill is unstable land around them.

Robin Bedell-Waite, Richmond, said this development was limited to 8 lots and there was concern about water and erosion and this is why it was limited to 8 lots. The problem is that there is an absentee land owner, a monstrosity of a greenhouse that is vacant and uninhabitable with an illegal cyclone fence around it. If this is the integrity that will be applied to any of the mitigation measures, as a resident below the development has no faith it will be done correctly. If the retention basin is supposedly going to be maintained by a homeowners association, she also did not feel good about this. They have a development above them and they worked with them but this is a frustrated group who thought that the ruling by the Planning Commission was what was going to happen, but it is not. The issue is one of integrity and trust and she does not feel this exists with the particular land owner.



Vice Chair Soto clarified that the structure is inhabitable because when the owner purchased the property, it was half built and they ran out of money. It sat in the rain for a couple of years and it needs to be torn down.

Vice Chair Soto referred to water getting under houses or near homes, and he asked if any neighbors have experienced mold issues. Ms. Bedell-Waite said she could not speak for everybody, but did not believe so.

Evez Maoz, Richmond, said he it seems like some issues are completely ignored for the existing 45 residents below. The owner bought the property in a foreclosure and there were no disclosures made by the bank. He presented a document to the Commission and said when they created the original 8 lots one requirement was to create a homeowner association because there is a private road and shared sewer lines. A set of CC&R's were created and recorded which has a long history and he clarified with Commissioner Reyes he is part of it, but there are no fees in place.

Commissioner Choi said it seems these are long-standing issues and questioned why the Commission was hearing them for the first time tonight. Mr. Maoz said it seems to him that there have been 4 staff planners; Joseph, Tanya Boyce, and Lamont Thompson working on the same project and nothing changed. For some reason, when the owner bought the property he was told he cannot subdivide it, but he chose not to listen. He said he missed one meeting because he was out of the country but at the last meeting he received 3-days' notice and he gave packets to the planners.

Chair Lane said this item has been on the agenda at least twice and this is the third meeting over the past three months. She asked if Mr. Maoz brought the same issue in the past, and Mr. Maoz said he called the planner and begged that there are so many issues and the staff is not listening to neighbor's issues. After one or two minutes, she always indicated she needed to attend a meeting.

Chair Lane called on the applicant to rebut and then the lead speaker can also have two minutes to rebut.

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Mr. Randolph, applicant, said the process has been long and arduous. There are language barriers with the owner; however, he initially bought the land and building on it and his family was going to live there. He ended up building his wife a house somewhere else and this is the reason it was initially vacant. He put a fence around it with the hopes of keeping intruders out and from stealing copper pipes; however, the way the project is designed will have the least amount of impact on existing neighbors. During the 8 year process, they met with El Sobrante Neighborhood Council and homeowners in the subdivision and there initially were 40 people. They told them they would do their best to make this a good process.

Tom Waite, Richmond, said they received a letter two weeks ago about the meeting and prior to that, they had not received any notice. The last letter was about one and one half years ago. They brought documents forward at that time and have been continually submitted since 2004 indicating their concerns. What was new tonight was the wastewater letter. Their frustration is getting the information to the City and they are in the process of contacting the Mayor of their concerns. They worked with the Knobcone Estates group which went fine and they approached the owner of this project to no avail. The CC&R's is the critical document and they have a lawyer involved at this time and will take it to the next level.

Commissioner Choi questioned what the document states. Mr. Waite said in the 1989 proceedings, they highlighted in the document where they capped it at 8 lots. There is proof that the road is sliding, breaking water pipes, water in their backyards that is there now and these are concrete examples. The basin may make it better or worse, but it is unknown and someone needs to be held responsible. He questioned who maintains the basin. City policy also prevents cyclone fences and he doubts the owner has ever been cited for this. What happens after projects are built is sliding of streets, water in back yards, or a gas line can break, and no one will be responsible.

Ms. Whales said staff is recommending the Commission approve Tentative Tract Map 88-12 for the four lot subdivision with the remainder parcel and adopt the mitigated negative declaration and mitigation monitoring and reporting program for EID1100515.

Chair Lane referred to the maintenance of the retention basin. One recommendation in the staff report is a homeowners association to ensure the system is maintained. She said there was a homeowner association that was supposed to be implemented or created which never happened. Ms. Whales said this will be a new homeowner association that would maintain the system for homes constructed on that end of the cul-de-sac going up to Knobcone Court and not the one cited earlier, which is a different subdivision. She explained that speakers have been mixing different subdivisions tonight and unfortunately, the homeowner association was not created, but she does have documentation from the City Attorney's office who reviewed it extensively. ✓

Chair Lane recalled there was the previous homeowner association set up but it was never implemented or begun. Ms. Whales said this is correct and why Lot 10 was not developed at that time.

Commissioner Reyes asked for a definition or example of another retention basin in Richmond. Mr. Randolph said it is something that can be researched. They are designed primarily to capture overflow water and release the water gradually so as not to cause runoff. West County Wastewater District discusses this in the report.

Vice Chair Soto thanked residents for bringing back old documents from the time of Floyd Johnson. He referred to the Memorandum to Floyd Johnson from the City Attorney's Office, Public Works and Planning Departments, what it looks like is the notion of a homeowners association was a clever device to place the liability on somebody because clearly, the sanitary sewer district refused to accept the water due to geotechnical concerns. They have heard about what has happened since 1995 and the City did not want to take responsibility but wanted to give the property owners the opportunity to try and make money on their land, so he is not sure he is ready to vote on this tonight as it seems there are unresolved issues.

Commissioner Reyes referred to moisture underneath homes, and he asked for Mr. Randolph's response to this. Mr. Randolph said from what he knows from water in houses, it will cause mold. The neighbors live on the street below the project, and he was not sure anything would happen.

Commissioner Butt said he agrees with Vice Chair Soto. There are many unanswered questions and serious issues. The report is extensive, but it leaves a lot open for question. He thinks he would vote no and suggested postponing it. He asked to find a point where the Commission could look at a more innovative approach to water in a site instead of putting it in a detention basin. There may be opportunity to daylight the creek, make it a site amenity, get neighbors behind a project, but said they are not there tonight.

Chair Lane said there is a flurry of information and when the Commission receives documents the day of the hearing, it is impossible to read them all. Understanding that the City staff has felt that water and hydrology issues have been sufficiently mitigated, she hears neighbor's concerns and she is hearing that Commissioners are uneasy with approving the request tonight.

Vice Chair Soto said neighbors are impacted and have concerns and habitat has not even been discussed. He said he would be prepared to make a motion to close the public hearing and revisit the project in the next couple of months with more accurate information.

✓ Planning Development Director Richard Mitchell said he had asked Ms. Whales to address this project after 3 or 4 planners had been previously assigned to it, but staff has exhausted all possibilities as far as studies, engineering reviews, and what staff would recommend is making a decision. If the Commission does not feel the project is satisfactory, he suggested the Commission make a motion to approve it or deny it as the City Council can make a decision once and for all. Staff is hesitant to spend any more time and resources on 4 lots. What is new for this Commission is that they have gone through a recession and the frequency of projects like this has gone down. In the past, they used to have about one project a month like this and issues were the same. These sites are wrought with uncertainty—they are hillside sites. Sometimes there is water, there are schemes for mitigation that sometimes work and sometimes do not work. The ability of staff and the Commission to sort this out is unlikely. What staff would like is closure and if the Commission does not feel findings can be made, it should deny the request. If there is any one or two things the Commission would like staff to review and return with, they could, but at this time, it has become something that needs to reach a final conclusion.

Chair Lane said she did not favor continuing it for two months and thinks the Commission would need to be specific on what information should be researched.

The public hearing was closed.

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Mr. Privat said the resolution does a fair job of identifying all findings the Commission must make. He referred to pages 2, 3 and 4 of 7 dealing with General Plan consistency, physical attributes and suitability for development and environmental impacts. If the Commission were to deny, he asked to identify one of the findings it could not make and base the motion on that.

ACTION: It was M/S (Soto/Butt) to deny Resolution 12-14; Section 1.D; the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and that the Commission denies EID1100515 finding that the Commission cannot support subdivisions 3, 4, 5, and 6 of Section B of approval of the Tentative Map. Vote: (4-1-1) Ayes: Butt, Reyes, Soto and Willis; Noes: Lane; Abstain: Choi; Absent: Teltschick-Fall.

COMMISSION BUSINESS

7. Reports of Officers, Commissioners and Staff

Mr. Rojas announced that in cooperation with the City of San Pablo and Contra Costa Health Services through a grant funded by Caltrans for an environmental justice transportation planning grant, the cities of San Pablo and Richmond are working on a complete streets study for San Pablo Avenue between Hilltop Drive and River Street. The first public workshop was held in San Pablo, heard from residents living in those areas about what they would like to see in the area to improve pedestrian and bicyclist conditions. A couple of design options will be presented to the community on Thursday, November 15th from 6-8PM in Wanless Park in San Pablo.

Commissioner Reyes announced that on November 3rd, there will be a tree-planting event on 35th Street in Richmond.

Vice Chair Soto reminded everybody that Tuesday, November 6th is Election Day and he asked everybody to vote. He resents the obscene amount of money being spent by Chevron and the American Beverage Association in its attempt to corrupt and influence City government. On November 15 from 6:30-8:30 p.m. there will be a post-Election Town Hall meeting to discuss results of the election, sponsored by Communities for a Better Environment, Asian Pacific Environmental Network, ACCE, RPA, CCISCO and others, and he invited everybody to attend.

Commissioner Willis said ACE is looking for volunteers to walk precinct districts for Proposition 30 and 32. Also, during this Saturday at 9:00 a.m., BBK (Building Blocks for Kids) will have a parent empowerment event at the Nevin Community Center.

Chair Lane said she continues to appreciate the decorum as a Commission even if they do not agree on everything.

Adjournment - The meeting was adjourned at 10:35 p.m.



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

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P. O. Box 20136 • El Sobrante, CA 94820

January 3, 2012

County Fire Chief Lon Goetsch
Appian Way Fire Station #69

Richmond Fire Capt. Mark Cisneros
Richmond Station #63

Re: Contact Information

In the past few days, I stopped by each fire station to leave copies of the letters that I sent to the County and to Richmond. One of the BIG QUESTIONS is: Has either fire district set a number of homes on a site which will block off further home building until an Emergency Vehicle Access is put in?

Since both fire districts are in El Sobrante Valley and each fire district will step in to help the other district if needed, I decided to send the same information and questions to each station, each Fire Chief, and each governmental staff appointed and elected to run the program.

Richmond: Bristlecone Dr. off San Pablo Dam Road leads into 2 cul-de-sacs (Knobcone Dr. and Knobcone Ct.) with a total of about 45 homes and only one access. County area is on both sides of this Richmond land parcel. The park district is on the land above the project. The 3 home project was turned down by the R. Plan. Commission. The owner has appealed the decision to the Richmond City Council. It goes before the R. City Council on Tuesday, January 15th. It would bring a total of 48 homes on site with no Emergency Vehicle Access.

County: At this time, there are 147 homes off Appian Way at Garden Road with only 1 access off Appian Way at Garden Rd. The County has approved a project for 12 homes with water sprinklers and they have taken out the required EVA road. That means that there could be about 159 homes in the area with only one access. This project is along the creek and is very close (within 1/2 mile) of the Richmond homes/apartments on El Portal Drive. County Neighbors have filed an appeal and raised about \$3,000 to connect with an attorney and other staff needed. No hearing date has been set.

You are welcome to call me at 510-223-6398. If you would like to come to one of our meetings and talk with us, let me know. This Committee began back in 1975, sponsored by the E.S. Chamber of Commerce and the R. May Valley N.C. It is made up of Richmond and County residents. The idea is to review all new plans for both the County area and the Richmond area in El Sobrante Valley. We use the email address of the Richmond May Valley Neighborhood Council.

Our email connection: mayvalleyneighborhoodcouncil@gmail.com

Sincerely,

Eleanor Loynd, ESVP&ZAC Co-Chair

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**NOTICE OF HEARING
EID1100513
5801 KNOBCONE COURT**

NOTICE IS HEREBY GIVEN that the City Council of the City of Richmond will conduct a hearing in accordance with Section 15.04.980 of the Municipal Code of said City on an appeal from Planning Commission denial of EID1100513 to utilize certain property in the City of Richmond as follows:

consider adoption of a Mitigation Negative Declaration and approval of a Tentative Map to subdivide the site at 5801 Knobcone Court (APN: 435-300-010) into four single-family residential parcels and a remainder parcel. One house exists on the site and its parcel would be 22,920 square feet (SF). The subdivision would create three additional residential lots varying from 12,861 SF to 15,310 SF in size. The remainder of the site, a 61,540 SF (1.41 acres) parcel (referred to as the "remainder parcel"), would have a detention basin to control rainwater runoff but would remain undeveloped because of potential geologic hazards. PA, Planned Area District.

All persons having objections to or wishing to speak in support of the granting of said appeal may appear and be heard before the City Council in the Council Chamber at 440 Civic Center Plaza, Richmond, California, at 6:30 p.m., or as soon thereafter, on Tuesday, January 15, 2013.

Diane Holmes
Clerk of the City of Richmond

Date: November 14, 2012
Publish: January 5 and 12, 2013
PHAppeal5806KnobconeCtEID1100513.notice

HEARING DATE
1/4/13 City Clerk said Feb. 5
Plan. Staff said Jan. 22

10.1.99/14.

**Ann Del Tredici
Friends of Appian Creek and the Fariss-Lambert Neighborhood
4207 Fariss Lane
El Sobrante, CA 94803
Telephone and Fax: 510-222-1391**

January 5, 2013

Eleanor Loynd and John Lisenko
Co-Chairs
El Sobrante Valley Planning and Zoning Advisory Committee
PO Box 20136
El Sobrante, CA 94820

Re: SD06-9066, Fariss Court Development

Dear Eleanor and John,

On behalf of our entire neighborhood, I would like to thank you for the strong and impressive 12/15/2012 letter you wrote to the Contra Costa County Planning Commission in support of our appeal of the Zoning Administrator's decision to approve the Tentative Map and Mitigated Negative Declaration for SD06-9066.

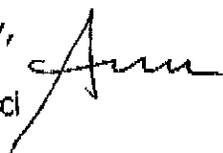
Your assessment of the situation was very clear and logical and did an excellent job of identifying the weakest and most potentially dangerous and costly aspects of the project. We are most grateful for all of the time, thought and effort it must have taken to review this project and write such a specific and useful support of our appeal.

In addition, both of you, and the other Committee members, have been very generous with your suggestions and recommendations to us citizens. I don't know if we could have done anything without your help. Thank you for helping us at every step and for putting our project on your agenda so often. You have even helped us set up meetings with the applicant and their representatives.

It has been enormously helpful that you have attended and testified at so many County meetings for this project. You have gone above and beyond the "call of duty" for an advisory committee. You have shepherded us through a quagmire of bureaucracy—and made it all seem possible to us—or at least like we have a chance. We are most grateful to you all for being there and for being so willing to share your knowledge and experience with us.

Most sincerely,

Ann Del Tredici



10.1.11

El Sobrante Valley Planning and Zoning Advisory Committee

Treasurer's Report for January 10, 2013

Balance as of December 31, 2012 \$523.70

Deposits- \$ 00.00

Total Deposits \$ 00.00

Expenses-
Eleanor Loynd- Copies & key to P.O. Box \$ 27.00

Total Expenses \$ 27.00

Balance in Bank as of 01-10-13 \$496.70

Bank Statement Reconciliation: Bank Statement not received to date



**EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE**

10.6.11

P. O. Box 20136

El Sobrante, CA 94820

TO: ESVP&ZAC Members

January 10, 2013

This is the latest mail received:

- 1. From Richmond. The Knobcone Development goes before the Richmond City Council at their meeting on Tues., Feb. 5. The meeting starts at 6:30 p.m. in the Richmond City Hall.**
- 2. From Ann Del Tredici. "Thanks to the ESVP&ZAC Co-Chairs for their 12/15/12/ letter to CCC Planning Commission is support of our appeal." "Your assessment of the situation was very clear and logical and did an excellent job of identifying the weakest and most potentially dangerous and costly aspects of the project."**
- 3. From West County Wastewater District. Note: Info requested by Len Battaglia, WCWD Director.
"Fariss Lane Area: The 60 existing homes and 74 after the proposed development is built flow through our 6-inch sewer line in an easement that ties into our 10-inch line in Appian Way."
"Knobcone Court area: All of these existing and proposed homes will be served by our 8-inch sewer that ties into a 10-inch sewer in San Pablo Dam Road."**
- 4. From Mechanics Bank. Bank Statement. Balance \$523.70. Question: Have We received \$200 for 2013 expenses from E.S. Chamber of Commerce and the May Valley N. C.?**
- 5. From Ann Del Tredici. Definitions of Permaculture from Wikipedia, the free Encyclopedia. Note: 14 pages but ran out of paper so ended with 5 pages. Request to Ann: Please fax me pages 6-14. THANK YOU!**



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.6.13

P. O. Box 20136 • El Sobrante, CA 94820

TO: P&Z Members

January 6, 2013

1. **For Your Information.** I received a call on Sat., Jan. 4 from Marie Carayanis, El Sobrante Chamber. Reva Clark has passed away. Reva was a member of the ESVP&ZAC for years. She was a big helper to area residents. She and her husband are still managers of the trailer park on Appian Way.

I called her husband, Verl Clark, to find out if any funeral services will be held & open to the public. Verl said they would take care of everything quietly and privately. No service is planned. I asked Verl if he could suggest an area service group to which friends could donate some funds in Reva's Name. He had no suggestions. Do you have any ideas? You could put it in writing and/or bring it to the Jan. 10th meeting.

2. **Notes:**

ITEM 6. LP12-2142. Read the County application.

ITEM 7. EID 1100513. Check & read Correspondence #6, #8, #9, #10, #11/12

ITEM 8. SD06-9066. Check & read Correspondence #1, #2, #10, #14

3. **FYI:** This is probably my last year as Co-Chair. I was able to buy a second key for our P&Z P.O. Box. I will pass that on to my Co-Chair. His job could include picking up the mail, reading the mail and making a list of who sent what to us, suggesting meeting plans, and dropping off info for me about a week before our usual meeting.

Cleanoe Lloyd



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

10.2

P . O . B o x 2 0 1 3 6 • E l S o b r a n t e , C A 9 4 8 2 0

Sup. John Gioia
C.O.S. Terrance Cheung
11780 San Pablo Ave., Suite D
El Cerrito, CA 94530

January 27, 2013
By Fax & Mail
Fax: 374-3429

Re: Suggested Meeting on Fariss Lane Project

Dear John & Terance,

As you know, the neighbors on and near Fariss Lane filed an appeal to get the County to look again at problems generated by this project, SD06-9066. One of the major problems is that the County approved the project without the planned Emergency Vehicle Access Road which would have led to Lambert Rd.

For your information, I was told that the area contains 147 homes now (that includes Lambert Rd., just above this project). The more recent information from neighbors is that the number of homes off Garden Rd., Garden Lane is about 126 homes with only 1 access. In 2006, the plan included using a vacant parcel for a second access road off the end of Fariss Lane. That parcel has been sold and a house built on it.

We have had conversations, calls, and letters to County Fire. Our main concern for residents is not "public access". It is the needed access by County Fire to use an Emergency Vehicle Access Road to get to the area problems.

Suggestion: Would you consider setting up a meeting with Ann Del Tredici (area leader and resident), Barbara Pendergrass (ESMAC), Eleanor Loynd (ESVP&ZAC), County Fire Chief Lewis Broschard and/or Battalion Chief Lon Goetsch, and a few other people of your choice to discuss the EVA road?

The Fire Dept. has stated that there is no major fire danger in that area. However, there are at least 3 active landslides in the area. Several homes have been pushed off their foundations and left on site. There is a need for the EVA access.

The appeal on this application was turned in on Thurs., Nov. 29. It is now almost 2 months later and there has been no time set for the County to review the application. It would probably be before the Planning Commission or it could be before the Board of Supervisors. We don't know. Any help that you can give the residents is very much appreciated. You are welcome to call me at 510-223-6398. Thank you.

Sincerely,

Eleanor Loynd
Eleanor Loynd, Co-Chair
ESVP&ZAC



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

1013

P . O . B o x 2 0 1 3 6 • E l S o b r a n t e , C A 9 4 8 2 0

Bacilia Macias
121 Scotts Chute Ct.
El Sobrante, CA 94803

February 5, 2013

Re: MS 13-0001, Lot split at 5780 San Pablo Dam Rd.

Dear Mr. Macias,

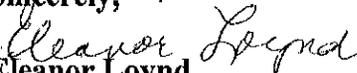
If possible, we would like you to attend our next meeting on Thurs., Feb. 14 about 6:30 p.m. in the Meeting Room at the back of the E.S. Library building, 4191 Appian Way, El Sobrante. For your information, this Planning Group was formed back in 1975 and is still supported by the Richmond May Valley Neighborhood Council and the El Sobrante Chamber of Commerce.

We would like to know the specifics of your plans to subdivide the parcel at 5780 San Pablo Dam Rd. into 2 parcels. For example, will both parcels have a separate entrance off Bristlecone Dr.? Are you aware of the Richmond review of the upper area of Knobcone Court?

If you are unable to attend our meeting, please send us detailed answers to our questions, including drawings, if available. When will the final plans go up for approval?

You can also fax information to us at 510-758-7697. You are welcome to call me at 510-223-6398. We look forward to hearing from you. Thanks!

Sincerely,


Eleanor Loynd
Co-chair ESVP&ZAC

cc: El Sobrante Municipal Advisory Committee
E.S. Chamber of Commerce

May Valley N.C.



EL SOBRANTE VALLEY
PLANNING & ZONING ADVISORY COMMITTEE

P. O. Box 20136 • El Sobrante, CA 94820

104

January 3, 2012

County Fire Chief Lon Goetsch
Appian Way Fire Station #69

Richmond Fire Capt. Mark Cisneros
Richmond Station #63

Re: Contact Information

In the past few days, I stopped by each fire station to leave copies of the letters that I sent to the County and to Richmond. One of the BIG QUESTIONS is: Has either fire district set a number of homes on a site which will block off further home building until an Emergency Vehicle Access is put in?

Since both fire districts are in El Sobrante Valley and each fire district will step in to help the other district if needed, I decided to send the same information and questions to each station, each Fire Chief, and each governmental staff appointed and elected to run the program.

Richmond: Bristlecone Dr. off San Pablo Dam Road leads into 2 cul-de-sacs (Knobcone Dr. and Knobcone Ct.) with a total of about 45 homes and only one access. County area is on both sides of this Richmond land parcel. The park district is on the land above the project. The 3 home project was turned down by the R. Plan. Commission. The owner has appealed the decision to the Richmond City Council. It goes before the R. City Council on Tuesday, January 15th. It would bring a total of 48 homes on site with no Emergency Vehicle Access.

County: At this time, there are 147 homes off Appian Way at Garden Road with only 1 access off Appian Way at Garden Rd. The County has approved a project for 12 homes with water sprinklers and they have taken out the required EVA road. That means that there could be about 159 homes in the area with only one access. This project is along the creek and is very close (within 1/2 mile) of the Richmond homes/apartments on El Portal Drive. County Neighbors have filed an appeal and raised about \$3,000 to connect with an attorney and other staff needed. No hearing date has been set.

You are welcome to call me at 510-223-6398. If you would like to come to one of our meetings and talk with us, let me know. This Committee began back in 1975, sponsored by the E.S. Chamber of Commerce and the R. May Valley N.C. It is made up of Richmond and County residents. The idea is to review all new plans for both the County area and the Richmond area in El Sobrante Valley. We use the email address of the Richmond May Valley Neighborhood Council.

Our email connection: mayvalleyneighborhoodcouncil@gmail.com

Sincerely,

Eleanor Loynd, ESVP&ZAC Co-Chair

105

Subj: **Monthly Emergency Responses for El Sobrante**
 Date: 1/6/2013 12:00:05 A.M. Pacific Standard Time
 From: db1adm@cccfd.org
 To: moli@msn.com, rpender970@aol.com
 CC: RGrac@cccfd.org
 City: El Sobrante
 Station: 69
 MONTH: 12/2012
 TOTAL CALLS: 64
 CODE 3 CALLS: 55
 STRUCTURE FIRES: 1
 VEGETATION FIRES: 0
 OTHER FIRES: 2
 EMS RESCUE: 44
 HAZARD: 2
 PUBLIC SERVICE: 4
 MISTAKEN ALARM: 10
 FALSE ALARM: 1
 OTHER NON-FIRE: 1

Station: 69
 Total Calls: 2
 Code 3 Calls: 2
 Structure Fires: 0
 Vegetation Fires: 0
 Other Fires: 0
 EMS Rescue: 1
 Hazard: 0
 Public Service: 0
 Mistaken Alarm: 1
 False Alarm: 0
 Other Non-Fire: 0

10.6.12

~ CANCELLED ~

COUNTY PLANNING COMMISSION
CONTRA COSTA COUNTY
TUESDAY, JANUARY 22, 2013
30 MUIR ROAD, MARTINEZ, CA 94553

CHAIR: Marvin Terrell
VICE-CHAIR: Karen Peterson
COMMISSIONERS: Richard Clark, Don Snyder, Jake Sloan, Duane Steele, Doug Stewart

NOTICE: Commission may change the order of items on the agenda at the beginning of the meeting.

No new items involving the opportunity for public hearing will be considered by the Commission after 10:00 P.M. unless specifically authorized by a unanimous vote of the Commission present. The Commission will adjourn at 10:30 P.M. unless there is a unanimous consent to continue. Items not heard may be rescheduled to the next meeting.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact Maureen Parkes at least 48 hours before the meeting at (925) 674-7831.

**** 7:00 P.M. ****

- 1. PUBLIC COMMENTS:
- 2. STAFF REPORT:
- 3. COMMISSIONERS' COMMENTS:
- 4. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON TUESDAY, FEBRUARY 12, 2013.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7205 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to a majority of members of the County Planning Commission less than 72 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours.

Information about this hearing may be obtained online from the Contra Costa County website at <http://www.co.contra-costa.ca.us> under the Department of Conservation & Development's homepage, Commission and Committees and County Planning Commission. Recordings of this hearing are available for reviewing or copying purposes at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Thursday and 7:30 a.m. to 4:00 p.m. on Friday. Advance arrangements may be made by calling (925) 674-7205.

10.6.6

~ CANCELLED ~

COUNTY PLANNING COMMISSION
CONTRA COSTA COUNTY
TUESDAY, FEBRUARY 12, 2013
30 MUIR ROAD, MARTINEZ, CA 94553

CHAIR: Marvin Terrell
VICE-CHAIR: Karen Peterson
COMMISSIONERS: Richard Clark, Don Snyder, Jake Sloan, Duane Steele, Doug Stewart

NOTICE: Commission may change the order of items on the agenda at the beginning of the meeting.

No new items involving the opportunity for public hearing will be considered by the Commission after 10:00 P.M. unless specifically authorized by a unanimous vote of the Commission present. The Commission will adjourn at 10:30 P.M. unless there is a unanimous consent to continue. Items not heard may be rescheduled to the next meeting.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in County Planning Commission meetings. Please contact Maureen Parkes at least 48 hours before the meeting at (925) 674-7831.

**** 7:00 P.M. ****

1. PUBLIC COMMENTS:
2. STAFF REPORT:
3. COMMISSIONERS' COMMENTS:
4. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON TUESDAY, FEBRUARY 26, 2013.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7205 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to a majority of members of the County Planning Commission less than 72 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours.

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10.7.a

CONTRA COSTA COUNTY ZONING ADMINISTRATOR
WEDNESDAY, 23, 2013
30 MUIR ROAD
MARTINEZ, CA 94553

1:30 P.M.

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

The Community Development Division of the Department of Conservation and Development will provide reasonable accommodations to those persons needing translation services and for persons with disabilities who wish to participate in Zoning Administrator meetings. Please contact Hiliana Li at least 48 hours before the meeting at (925) 674-7792.

1. PUBLIC COMMENTS:

DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

- 2. BYRON CROWLEY (Applicant & Owner), County File #DP12-3025: A request for approval of a development plan for the construction of a new 4,743-square foot two-story, single-family residence with an attached 702-square foot residential second unit, located on a substandard lot, for the purpose of determining compatibility with the neighborhood in terms of the size, location, height, and design of the proposed project. The subject property is located at 258 Nob Hill Drive in the Walnut Creek area of Contra Costa County. (Zoning: Single-Family Residential District, R-20) (General Plan: Single-Family Residential Low Density, SL) (Census Tract: 3430.02) (Assessor's Parcel Number: 180-270-005) (Continued from 01/07/13 WRN) RA Staff Report

LAND USE PERMIT: PUBLIC HEARING

- 3. T-MOBILE (Applicant) - CONTRA COSTA WATER DISTRICT (Owner), County File #LP09-2077: The applicant requests approval of a land use permit to establish a wireless telecommunication facility. The proposed facility consists of (1) one 80-foot-tall monopine tower with attached antennas, (2) up to twelve panel antennas, (3) one 375-square-foot (25' x 15') lease/equipment area, (4) one wood utility pole with coaxial cable vault, (5) two five-foot-wide coaxial cable/utility easements, (6) new underground and overhead coaxial cables/conduits, (7) one pole-supported cable tray, (8) four equipment cabinets, (9) one H-frame structure with an attached Telco box, power meter, and fiber optics, and (10) a concrete masonry unit retaining wall/chain-link fence structure with a maximum height of seven feet. The project also includes a request for a tree permit to allow work within the dripline of multiple code-protected oak trees. The subject property is located at 10030 Marsh Creek Road in the unincorporated area of Clayton. (Zoning: General Agricultural / A-2) (General Plan: Agricultural Lands / AL) (Census Tract: 3553.04) (Assessor's Parcel Number: 078-030-046) SFT Staff Report
- 4. TRI-CITY CONCRETE/JOHN DeBEAUMONT (Applicant) - WATERBIRD, LLC (Owner), County File #LP12-2093: A request for approval of a land use permit to allow the retail sales of ready-mix concrete, construction materials, tools and equipment. Concrete sales will be by delivery or sold in 1 yard trailers that will be taken and returned by customers after use. Materials to be sold from the site will include sand, gravel and rock, which will be stored in outdoor bins. The project will also include a sales office, a new 60' x 30' steel warehouse building and outdoor material storage bins and parking spaces for customers and employees. Concrete to be sold from the business will be manufactured on-site. The business will be located on 0.8-acres of the northeast portion of a vacant 6.689-acre property located on Waterbird Way between the Martinez Gun Club property (#900 Waterbird Way) and the Contra Costa Transfer Station property (#951 Waterbird Way) in the Martinez area. (Zoning: H-1) (GP: HI) (APN: 380-030-039) RLH Staff Report
- 5. STEPHEN WILSON (Applicant & Owner), County File #LP12-2143: The applicant is requesting approval of a land use permit for a home occupation to conduct an on-line tax preparation business from within a single family residence located at 630 Topaz Court in the Discovery Bay area. (Zoning: P-1) (General Plan: SM) (CT: 3040) (APN # 011-430-049) SG Staff Report
- 6. NEVADA CROSS (Applicant & Owner), County File #LP12-2142: The applicant is requesting approval of a land use permit for a home occupation to conduct the administrative portion of a residential interior design and layout consulting business from within a single family residence located at 4093 Lambert Avenue in the El Sobrante area. (Zoning: R-7) (General Plan: SH) (CT: 3630) (APN # 425-050-014) SG Staff Report

7. KERRY MARTINEZ (Applicant & Owner), County File #LP12-2114: The applicant is requesting approval of a land use permit for a home occupation to conduct the administrative portion of a mobile dog grooming business from within the residence located at 514 North Villa Way in the Walnut Creek area. (Zoning: P-1) (General Plan: MM) (CT: 3410) (APN # 184-510-027) SG Staff Report
8. JOHN MILOCHIK (Applicant & Owner), County File #LP10-2035: The applicant seeks approval of a Land Use Permit Modification request to amend County File #LP07-2008, for the modification and continued operation of the Woodmill Recycling Company. The project would be implemented in two phases as detailed: The first phase would include: a) expansion of the inerts processing footprint, expansion of the green waste processing footprint, b) recycling of wood, palms, dirt, bricks, blocks, stones, CMU blocks, stucco, clay, and roof tiles, c) improvement of the interior access roads, d) addition of 384-square-foot of site identification signage (faux train), e) improvement of the property's drainage (swales), f) permitting of three water storage tanks, two of which are already installed in place, g) sale of compost, mulch, landscape stones, top soil, and various rocks, h) installation of septic facilities, i) establishment of a watchman's trailer, j) installation of fire protection improvements, k) further expansion of concrete storage and processing operations, and l) addition of composting activities. The second phase would include: a) construction of a 7,000-square-foot shop, b) construction of a 960-square-foot 2-story scale house, c) installation of additional landscaping, d) conversion of the existing scale house into a storage building, and e) further improvement of the interior access roads. The subject property is located at 5595 Byron Hot Springs Road (Hope Way), in the Byron area of Contra Costa County. (Zoning: Heavy Agriculture, A-3) (General Plan: Agricultural Land, AL) (Census Tract 3040.00) (Assessor's Parcel Number: 002-210-020) FA Staff Report
9. SPRINT (Applicant) - c/o SPECTRA SITE COMMUNICATIONS on behalf of East Bay Regional Park District (Owner), County File #LP12-2047: The applicant requests approval of a land use permit to renew and modify a previously approved land use permit County File #LP93-2054. The proposed changes include the removal of four existing panel antennas and two existing equipment cabinets for the installation of a) two new antennas b) four new RRU's c) two new equipment cabinets d) three 12-inch microwave dishes and e) one 24-inch microwave dish to an existing Sprint telecommunication facility. The subject property is a 70-acre parcel that is located approximately 1 mile west of Alhambra Avenue, and is addressed #1001 Arabian Heights, in the Martinez area. (Zoning: General Agriculture) (General Plan: Parks and Recreation) (CT 3180) (APN: 372-140-001) SG Staff Report
10. RAQUEL SHARP (Applicant & Owner), County File #LP12-2127: The applicant requests approval of a land use permit for a home occupation to conduct the administrative activities for an independent contract business, scheduling court reporters for the Contra Costa County Superior Court, within a residence located at 20 Jennifer Highlands Court in the unincorporated Lafayette area (Zoning: P-1) (General Plan: SL) (Census Tract: 3470.00) (Parcel # 365-510-010). HT Staff Report
11. JENNIFER GATES (Applicant & Owner), County File #LP12-2128: The applicant requests approval of a land use permit for a home occupation to conduct the administrative activities for a real estate purchasing business within a residence located at 54 Vista Lane in the unincorporated Alamo area (Zoning: R-20) (General Plan: SL) (Census Tract: 3420.00) (Parcel # 188-283-009) HT Staff Report

DEVELOPMENT PLAN: PUBLIC HEARING

12. EMI SHERMAN (Applicant) - EMI & WRIGHT SHERMAN (Owners), County File #DP12-3023: The applicant is requesting approval of a Kensington Design Review Development Plan for a proposed 494-square-foot, second-story addition to a single family residence, which includes: two new bedrooms, a bathroom and a 56-square-foot balcony. The project exceeds the gross floor area threshold for the property (2,773 square-feet proposed, 2,500 square-feet threshold). The subject site is located at 1511 Valley Road in the Kensington area. (Zoning: R-6, TOV, K) (General Plan: SH) (CT: 3910.00) (Parcel # 571-350-014) FA Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, FEBRUARY 4, 2013. PLEASE BE AWARE OF THE NEW MEETING LOCATION, 30 MUIR ROAD, MARTINEZ, CA.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7792 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

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10.7.d

~ REVISED ~

CONTRA COSTA COUNTY ZONING ADMINISTRATOR
WEDNESDAY, JANUARY 23, 2013
30 MUIR ROAD
MARTINEZ, CA 94553

1:30 P.M.

NOTICE: The Zoning Administrator may alter the order of agenda items at the meeting.

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1. PUBLIC COMMENTS:

DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

2. BYRON CROWLEY (Applicant & Owner), County File #DP12-3025: A request for approval of a development plan for the construction of a new 4,743-square foot two-story, single-family residence with an attached 702-square foot residential second unit, located on a substandard lot, for the purpose of determining compatibility with the neighborhood in terms of the size, location, height, and design of the proposed project. The subject property is located at 258 Nob Hill Drive in the Walnut Creek area of Contra Costa County. (Zoning: Single-Family Residential District, R-20) (General Plan: Single-Family Residential Low Density, SL) (Census Tract: 3430.02) (Assessor's Parcel Number: 180-270-005) (Continued from 01/07/13 WRN) RA Staff Report

LAND USE PERMIT: PUBLIC HEARING

3. T-MOBILE (Applicant) - CONTRA COSTA WATER DISTRICT (Owner), County File #LP09-2077: The applicant requests approval of a land use permit to establish a wireless telecommunication facility. The proposed facility consists of (1) one 80-foot-tall monopine tower with attached antennas, (2) up to twelve panel antennas, (3) one 375-square-foot (25' x 15') lease/equipment area, (4) one wood utility pole with coaxial cable vault, (5) two five-foot-wide coaxial cable/utility easements, (6) new underground and overhead coaxial cables/conduits, (7) one pole-supported cable tray, (8) four equipment cabinets, (9) one H-frame structure with an attached Telco box, power meter, and fiber optics, and (10) a concrete masonry unit retaining wall/chain-link fence structure with a maximum height of seven feet. The project also includes a request for a tree permit to allow work within the dripline of multiple code-protected oak trees. The subject property is located at 10030 Marsh Creek Road in the unincorporated area of Clayton. (Zoning: General Agricultural / A-2) (General Plan: Agricultural Lands / AL) (Census Tract: 3553.04) (Assessor's Parcel Number: 078-030-046) SFT Staff Report
4. TRI-CITY CONCRETE/JOHN DeBEAUMONT (Applicant) - WATERBJRD, LLC (Owner), County File #LP12-2093: A request for approval of a land use permit to allow the retail sales of ready-mix concrete, construction materials, tools and equipment. Concrete sales will be by delivery or sold in 1 yard trailers that will be taken and returned by customers after use. Materials to be sold from the site will include sand, gravel and rock, which will be stored in outdoor bins. The project will also include a sales office, a new 60' x 30' steel warehouse building and outdoor material storage bins and parking spaces for customers and employees. Concrete to be sold from the business will be manufactured on-site. The business will be located on 0.8-acres of the northeast portion of a vacant 6.689-acre property located on Waterbird Way between the Martinez Gun Club property (#900 Waterbird Way) and the Contra Costa Transfer Station property (#951 Waterbird Way) in the Martinez area. (Zoning: H-1) (GP: HI) (APN: 380-030-039) RLH Staff Report
5. STEPHEN WILSON (Applicant & Owner), County File #LP12-2143: The applicant is requesting approval of a land use permit for a home occupation to conduct an on-line tax preparation business from within a single family residence located at 630 Topaz Court in the Discovery Bay area. (Zoning: P-1) (General Plan: SM) (CT: 3040) (APN # 011-430-049) SG Staff Report
6. NEVADA CROSS (Applicant & Owner), County File #LP12-2142: The applicant is requesting approval of a land use permit for a home occupation to conduct the administrative portion of a residential interior design and layout consulting business from within a single family residence located at 4093 Lambert Avenue in the El Sobrante area. (Zoning: R-7) (General Plan: SH) (CT: 3630) (APN # 425-050-014) SG Staff Report

7. KERRY MARTINEZ (Applicant & Owner), County File #LP12-2114: The applicant is requesting approval of a land use permit for a home occupation to conduct the administrative portion of a mobile dog grooming business from within the residence located at 514 North Villa Way in the Walnut Creek area. (Zoning: P-1) (General Plan: MM) (CT: 3410) (APN # 184-510-027) SG Staff Report
8. JOHN MILOCHIK (Applicant & Owner), County File #LP10-2035: The applicant seeks approval of a Land Use Permit Modification request to amend County File #LP07-2008, for the modification and continued operation of the Woodmill Recycling Company. The project would be implemented in two phases as detailed: The first phase would include: a) expansion of the inerts processing footprint, expansion of the green waste processing footprint, b) recycling of wood, palms, dirt, bricks, blocks, stones, CMU blocks, stucco, clay, and roof tiles, c) improvement of the interior access roads, d) addition of 384-square-foot of site identification signage (faux train), e) improvement of the property's drainage (swales), f) permitting of three water storage tanks, two of which are already installed in place, g) sale of compost, mulch, landscape stones, top soil, and various rocks, h) installation of septic facilities, i) establishment of a watchman's trailer, j) installation of fire protection improvements, k) further expansion of concrete storage and processing operations, and l) addition of composting activities. The second phase would include: a) construction of a 7,000-square-foot shop, b) construction of a 960-square-foot 2-story scale house, c) installation of additional landscaping, d) conversion of the existing scale house into a storage building, and e) further improvement of the interior access roads. The subject property is located at 5595 Byron Hot Springs Road (Hope Way), in the Byron area of Contra Costa County. (Zoning: Heavy Agriculture, A-3) (General Plan: Agricultural Land, AL) (Census Tract 3040.00) (Assessor's Parcel Number: 002-210-020) FA Staff Report
9. SPRINT (Applicant) - c/o SPECTRA SITE COMMUNICATIONS on behalf of East Bay Regional Park District (Owner), County File #LP12-2047: The applicant requests approval of a land use permit to renew and modify a previously approved land use permit County File #LP93-2054. The proposed changes include the removal of four existing panel antennas and two existing equipment cabinets for the installation of a) two new antennas b) four new RRU's c) two new equipment cabinets d) three 12-inch microwave dishes and e) one 24-inch microwave dish on an existing Sprint telecommunication facility. The subject property is a 70-acre parcel that is located approximately 1 mile west of Alhambra Avenue, and is addressed #1001 Arabian Heights, in the Martinez area. (Zoning: General Agriculture) (General Plan: Parks and Recreation) (CT 3180) (APN: 372-140-001) SG Staff Report
10. RAQUEL SHARP (Applicant & Owner), County File #LP12-2127: The applicant requests approval of a land use permit for a home occupation to conduct the administrative activities for an independent contract business, scheduling court reporters for the Contra Costa County Superior Court, within a residence located at 20 Jennifer Highlands Court in the unincorporated Lafayette area (Zoning: P-1) (General Plan: SL) (Census Tract: 3470.00) (Parcel # 365-510-010). HT Staff Report
11. JENNIFER GATES (Applicant & Owner), County File #LP12-2128: The applicant requests approval of a land use permit for a home occupation to conduct the administrative activities for a real estate purchasing business within a residence located at 54 Vista Lane in the unincorporated Alamo area (Zoning: R-20) (General Plan: SL) (Census Tract: 3420.00) (Parcel # 188-283-009) HT Staff Report

DEVELOPMENT PLAN: PUBLIC HEARING

12. EMI SHERMAN (Applicant) - EMI & WRIGHT SHERMAN (Owners), County File #DP12-3023: The applicant is requesting approval of a Kensington Design Review Development Plan for a proposed 494-square-foot, second-story addition to a single family residence, which includes: two new bedrooms, a bathroom and a 56-square-foot balcony. The project exceeds the gross floor area threshold for the property (2,773 square-feet proposed, 2,500 square-feet threshold). The subject site is located at 1511 Valley Road in the Kensington area. (Zoning: R-6, TOV, K) (General Plan: SH) (CT: 3910.00) (Parcel # 571-350-014) FA Staff Report
13. EMI SHERMAN (Applicant) - MARISA and BRIAN HILL (Owners), County File #DP12-3027: The applicant is requesting approval of a Kensington Design Review Development Plan which includes a two-story addition to a single family residence that exceeds the gross floor area threshold (2,783-square-feet proposed, 2,600-square-foot threshold) with the following variances: 1) an aggregate side yard variance (13-foot 2-inch aggregate side yard proposed, 15-feet required minimum) for the two-story addition, and 2) a side yard variance (2-foot side yard setback proposed, 5-feet required minimum) for a five-foot tall retaining which will establish a proposed 90-square-foot patio on the northern side of the property. The applicant is also requesting approval of a tree permit to remove one Bay tree at the rear yard of the property. The subject site is located at 76 Norwood Road in the Kensington area. (Zoning: R-6, -TOV, -K) (General Plan: SH) (CT: 3910.00) (Parcel #572-203-025) FA Staff Report

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, FEBRUARY 4, 2013. PLEASE BE AWARE OF THE NEW MEETING LOCATION, 30 MUIR ROAD, MARTINEZ, CA.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 674-7792 or by visiting our office at 30 Muir Road, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (*).

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Community Development Division to the Zoning Administrator less than 72 hours prior to that meeting are available for public inspection at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours.

Recordings of this hearing are available for reviewing or copying purposes at the Community Development Division of the Department of Conservation and Development, 30 Muir Road, Martinez, California during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Thursday and 7:30 a.m. to 4:00 p.m. on Friday. Advance arrangements may be made by calling (925) 674-7205.



Board of Directors Meeting Agenda
January 10, 2013
7:00 p.m.
Posted January 3, 2013

San Pablo City Hall
City Council Chambers
1 Alvarado Square (13831 San Pablo Avenue)
San Pablo, CA 94806

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet in an alternative format, please contact the Authority's Manager of Administrative Services at (510) 215-3125. Notification of at least 48 hours prior to the meeting or time when services are needed will assist Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Public Comment

Members of the public may address the Board of Directors on items that are within the jurisdiction of the Authority. Comments by the public pertaining to items listed in this Agenda should be made at the time the item is considered by the Board of Directors. Please note this Agenda contains an item for the Public to address the Board on non-agenda matters. Each speaker is limited to 3 minutes and may speak only once under each agenda item. The Board of Directors may waive these provisions. If you desire to address the Board, please submit your request on a Speaker's Card available from the Secretary.

1. CALL TO ORDER AND ROLL CALL

The Chair will call the meeting to order and the Secretary will call the roll to establish the presence of a quorum.

2. PLEDGE OF ALLEGIANCE

The Chair or a Member of the Board will lead the Pledge of Allegiance.

3. EX PARTE COMMUNICATIONS DISCLOSURES

The Chair of the Board will ask if any Director(s) has an ex parte disclosure, pursuant to the Authority's Ex Parte Communications Policy, on any agendized items.

4. PUBLIC COMMENT

Receipt of public comment on non-agenda matters.

■ Serving: The cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo and Unincorporated West Contra Costa County



5. PRESENTATIONS, AWARDS, AND PROCLAMATIONS

No Items

6. CONSENT CALENDAR

All matters listed in the Consent Calendar will be enacted with one motion. There will be no separate discussion of the items listed. However, upon request by a member of the Board or the Public, items will be removed from the Consent Calendar and considered separately in the agenda order.

No Items

END OF CONSENT CALENDAR

7. STAFF REPORT

7.0 Staff Report

Staff will provide an update on recent and upcoming activities.

END OF STAFF REPORT

<p><u>Process for Addressing Agenda Items Before the Board of Directors</u></p> <ul style="list-style-type: none"> • Chair reads the agenda item • Staff presents their report • Board questions staff • Public comments are heard • Board discusses item • A motion is made • Final Board discussion • Board votes or provides direction to staff

8. REGULAR AGENDA

8.0 Agency Contracts with Vendors and Consultants

RECEIVE a REPORT and BOARD DISCUSSION regarding vendor and consultant contracts that RecycleMore is a party to and terms that may extend beyond 2013.

8.1 Contract with C2 Alternative Services with Used Oil Payment Program Funds

Consideration of ADOPTION OF A MOTION Authorizing the Executive Director to enter into an agreement and/or purchase order with C2 Alternative Services for used motor oil and filter recycling outreach campaign called **RidersRecycle** to increase proper disposal and awareness to motorcyclists.

8.2 Post-Collection Procurement Status Report

RECEIVE a REPORT from staff regarding the service procurement process after the BOARD OF DIRECTORS selected to begin primary negotiations with Republic Services.

END OF REGULAR AGENDA

9. BOARD MEMBER AND STAFF ANNOUNCEMENTS

Board Member and Staff Announcements

INFORMATION ONLY. Announcement of matters of interest by Board Members, Alternate Board Members, Executive Director and General Counsel.

10. ADJOURNMENT

Adjournment

Consideration of ADOPTION OF A MOTION to adjourn. The next Board Meeting is scheduled for February 14 and March 14, 2013.