

# **El Sobrante Municipal Advisory Council**

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

Chair, Barbara Pendergrass, Vice Chair, Tom Owens, Secretary, Mike Daley,  
Treasurer, Emily Lane, Members: James Hermann, 2 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.

## **AGENDA Wednesday February 11, 2009**

### **7:00 P. M. Pledge of Allegiance**

### **7:05 P.M. Call to Order/Welcome**

### **7:10 P.M. Approval of Minutes and Agenda**

1. Approval of Minutes for October 10, 2007
2. Approval of Minutes for November 14, 2007
3. Approval of Minutes for December 12, 2007
4. Approval of Minutes for January 8, 2008
5. Approval of Minutes for February 12, 2008
6. Approval of Minutes for March 12, 2008
7. Approval of Minutes for May 14, 2008
8. Approval of Minutes for September 10, 2008
9. Approval of Minutes for November 12, 2008
10. Approval of Minutes for January 11 , 2009

### **Treasurer's Report**

### **Introductions of Speakers/ Guests/ Topics**

### **Consider Consent Items**

CCI.1 Approve payment of \$18.06 from petty cash to Barbara Pendergrass for the purchase of 43, 42 cent any time stamps. Approval to purchase through County Purchasing a cash box, as required by County Administrator's office, and purchase storage boxes to store ESMAC documents.

### **Presentations**

**7:10 P.M. to 7:15 P.M.**

**P.1 Presentation by Lt. Ron Bradley, Bay Station, Crime Report**

**7:15 P.M. to 7:25 P.M.** Questions- limit 2 minutes per speaker

**7:25 P.M. to 7:30 P.M.**

**P.2** Presentation by Eric Brewer, California Highway Patrol, activity in the area of San Pablo Dam Road etc.

**7:30 P.M. to 7:40 P.M.** Questions- limit 2 minutes per speaker

**7:40 P.M. to 7:50 P.M.**

**P.3** Presentation by Patrick Roach, Contra Costa County Planner, on the status of the El Sobrante Municipal Advisory Council's recommended changes to the El Sobrante General Plan, Appian Way, San Pablo Dam Road, Mixed Use Definitions, and the Mixed use designations on maps for Appian Way and San Pablo Dam Road

**7:50 P.M. to 8:10 P.M.** Questions- limit 2 minutes per speaker

**Public Comment** - Limit 3 minutes per speaker

**8:10 P.M. to 8:20 P.M.**

**Presentations Cont'd to 8:40P.M.**

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

**8:20 P.M. to 8:30 P.M.**

**DL1** Presentation by Willis (Bill) Naphan, owner of the Naphan Ranch, off Castro Ranch Road, and a proposal to have the East Bay Regional Park District purchase the land. ESMAC to vote and write letter to Supervisor Gioia of recommendation with copy to East Bay Regional Park District

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

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

**Continued at 9:10 P.M.**

**Presentations Cont'd**

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

**P.4** Presentation by Michelle Blackwell, East Bay Municipal Utility District, projects affecting El Sobrante

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

**8:55 P.M. to 9:00 P.M.**

**P.5** Presentation by Terrance Cheung Chief of Staff for Supervisor John Gioia, monthly report

**9:00 P.M. to 9:10 P.M.** Questions – limit 2 minutes per speaker

**Discussions Items Cont'd-** The Council will consider and take action on the following:

**9:10 P.M. to 9:15 P.M.**

**DI.2** Discuss setting up a meeting on Crime in the El Sobrante Valley with the Chamber of Commerce. Suggestion for meeting date mid March. Invite Supervisor Gioia and Terrance, Sheriff's Department, Richmond Police Department, California Highway Patrol and all of the Neighborhood Council's representatives. Project would be set up by Vice Chair Tom Owens? Also see memo from Mike Eakin on Neighborhood Watch Program

**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.3** Development Plan Applications, Variance Reports, Building Modification Requests, Appeals etc. received in the previous month from the Contra Costa County Community 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, Chair, Eleanor Loynd

**9:40 P.M. to 9:45 P.M.** Questions – limit 2 minutes per speak

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

### **Information Items-**

- 10.1** El Sobrante Valley Planning and Zoning Advisory Committee Agenda and packet of information for January
- 10.2** Department of Conservation & Development, Building Inspection Division, Code Enforcement Report for December
- 10.3** Notice of Public Hearing before the Board of Supervisor's on February 3<sup>rd</sup>, 2009 on the appeal of the County Planning Commission's approval of the Sikh Temple Expansion
- 10.4** California Environmental Protection Agency, Department of Toxic Substance Control, Post-Closure Permit Proposed for West County Landfill, Incorporated. Request for comments on proposal
- 10.5** May Valley Neighborhood Council Newsletter for January 2009
- 10.6** Contra Costa County Planning Commission Cancellation Meeting Notice of Hearing for January 13, 2009 and Agenda for Hearing on January 27, 2009
- 10.7** Notice of Public Hearing and Agenda for Contra Costa County Zoning Administrator, January 26, 2009
- 10.8** LAFCO Notice of Meeting and Agenda for January 14, 2009
- 10.9** Information from Marilynne Mellander regarding Cell Phone Towers and the affect on the environment

### **11.0 Community Group Updates**

- 11.1 District 1 Staff Report- Terrance Cheung
- 11.2 East Bay Municipal Utility District- Katy Foulkes
- 11.3 ESVP&ZAC
- 11.4 ES Chamber of Commerce
- 11.5 ESMAC Sheriff's Annex
- 11.6 Fire District-
- 11.7 CSA R-9 Committee-
- 11.8 West County Alcohol Policy Working Group
- 11.9 ESMAC Library- Barbara A. Pendergrass
- 11.10 ES Boys and Girls Club
- 11.11 El Sobrante Coordinating Council-Tom Owens, Barbara Pendergrass

### **Sub Committee Reports**

- 12.1 ESMAC Land Use-
- 12.2 ESMAC Grants/ Fund Raising-
- 12.3 ESMAC Traffic / Transportation-
- 12.4 ESMAC Web Site and Outreach- Tom Owens
- 12.5 ESMAC Cleanup Day- Ruby Molinari- Chair
- 12.6 ESMAC El Sobrante Stroll- Mike Daley- Chair

### **Old Business**

- 13.1

### **New Business**

14.1 Suggestion for meeting on increasing attendance. Suggestion that the Mac set up a list of groups to send letters to for attendance at meetings. Groups would be Chamber of Commerce Board of Directors, Boys and Girls Club Board of Directors, Neighborhood groups like Manor Neighborhood Group, Bicycle Riders, Churches etc. Have the group speak for 30 minutes or so and discuss what they would like to see improved. Suggestions for improvement. Place items in the Chamber News Letter and send letters to people on their different streets.

### **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**

- . A discussion on how to get more attendance at our meetings and to get residents interested in attending meetings.
- . Develop information flyer explaining the ESMAC activities.
- . Suggestion that we address the activation of Neighborhood Watch Programs in March's meeting

January 29<sup>th</sup>, 2009

To: El Sobrante Municipal Advisory Council,(ESMAC)

From: Barbara A. Pendergrass, Chair

Subject: Purchase of cash box and cardboard storage

Request to purchase a cash box and cardboard storage boxes from County Purchasing . A cash box is required to hold petty cash according to the County Administrator's requirements for Municipal Advisory Councils. The storage boxes are to hold Municipal Advisory Council records. I have been using my boxes and would like to free them up and use newly purchased ones for future records.

Request approval of \$18.06 to Barbara A. Pendergrass for 43, 42 cent anytime stamps.

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# El Sobrante Municipal Advisory Council

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

April 14, 2008

To Supervisor Gioia,

It is with great pleasure that the El Sobrante MAC informs you that we have completed our review of the General Plan Amendment proposal for San Pablo Dam Road and Appian Way. We appreciate the opportunity the MAC has been given to participate in the revision of the General Plan for our community and look forward to the upcoming public process during which the Amendment will be reviewed by the public and further refined based on feedback received.

The MAC would like to ensure that the County acknowledges the conditions under which we approve of the General Plan Amendment:

- 1) Our greatest concern is the degree to which resources will be devoted to the completion of the planning process that we expect to result in the revitalization of the Dam Rd/Appian Way corridors. Our approval of the General Plan Amendment is contingent upon a high level of staffing and support being dedicated to El Sobrante to develop the P-1 Guidelines and specific criteria that we feel will be critical to the ultimate success of the Amendment. Without the necessary resources being devoted to El Sobrante for this process, we do not think that the community will experience the desired benefits of the Amendment.
- 2) While the Amendment reflects public input from many meetings over the years, time has elapsed since El Sobrante residents last had a chance to respond fully to the proposal at a community forum. We want to ensure that a public hearing regarding the Amendment takes place in the El Sobrante community. We have gotten a great deal of public support for the changes, and feel that residents should have the opportunity to become fully aware of the proposal and provide feedback about it.
- 3) We realize that the City of Richmond is engaged in a well funded and professionally rich planning process. If it is possible to incorporate any of the work that has been done in that effort, particularly related to the healthy communities element, we would like to be involved in enhancing the language in the El Sobrante Amendment.

Again, thank you for the opportunity the MAC has had to be so intimately involved in the drafting of the Amendment. We have spent a great deal of time and energy to generate a plan we feel will be of greatest benefit to our community. We look forward to a continued partnership with the County to realize the visions put forth in the Amendment and to actualize a vibrant future for El Sobrante.

Thank you so much.

Attachments:

- 1)M-11 Mixed Use – Appian Way General- Approved by the ESMAC on 03-12-08
- 2)M-12 Mixed Use- Triangle Area- Approved by the ESMAC on 03-12-08
- 3)M-13 Mixed Use- San Pablo Dam Road- Approved by the ESMAC on 03-12-08
- 4)Policies for Appian Way Corridor- Approved by the ESMAC on 02-13-08
- 5)Policies for the El Sobrante Area - Approved by the ESMAC on 02-13-08
- 6)Policies for the San Pablo Dam Road- Approved by the ESMAC on 02-13-08
- 7)Review of Appian Way Map changes - Approved by the ESMAC on 03-12-08

Sincerely:

*Barbara A. Pendergrass*  
 Barbara A. Pendergrass  
 Chair ESMAC

cc: Patrick Roche, Principal Planner, CCC Community Development

**M-11: MIXED USE – APPIAN WAY GENERAL**

**Description:**

The purpose of this designation is to enable Appian Way to develop into a unified, well designed neighborhood, rather than an incremental accumulation of unrelated developments, by providing opportunities for the integration of both residential and commercial uses in a single development. The range of commercial uses under this designation are those that are typically found in a neighborhood retail district, including a retail shop on a single parcel; or, a shopping area offering a range of local serving retail and personal services. In addition to retail shops, the allowable commercial uses under this designation would include professional offices, business services, and restaurants. The emphasis for the commercial use component under this mixed use designation shall be on neighborhood serving uses, or those uses that would serve the El Sobrante community. Residential is specifically permitted but it is not required under this designation. Residential uses may include duplexes, apartments, condominiums, townhouses or attached or detached single-family residences (in compliance with P-1 design criteria), senior or congregate care housing, and live work quarters. Creative mixing of types of residential development will be encouraged.

**Location:**

See map for the locations along Appian Way where the Mixed Use-Appian General (M-11) designation would apply. This mixed use designation is not intended to apply to sites where there is already established a public or private institutional use (e.g. church or private school), or to those locations where there is already an existing multiple family residential building (e.g. apartments and senior housing) or to those locations that may have physical development constraints (e.g. close proximity to a creek).

**Building Form/  
Height/Mass:**

Building may be located close to street frontage with windows and entries facing Appian Way. Buildings may be clustered on the site towards street corners to maximize street frontage. The retail and/or commercial uses should be located along ground floor street frontages although offices for professional and business services may be located above retail use. The residential component should be located above or in the rear of commercial frontage. Surface parking should be located behind commercial frontage. This designation also strongly encourages the consolidation of parcels along those segments of Appian Way where mixed use is to be encouraged so as to provide an improved development footprint and combined access and parking areas.

Building height and mass under this designation should maintain a low profile with a height limit up to 27 feet to preserve a view corridor and the suburban-to-rural character of El Sobrante. However, a maximum building height up to 35 feet for a mixed use development may be allowed when the following findings can be made: (1) the building height will not create substantial shading or adversely affect the privacy of nearby properties; (2) the building height, shape, and massing will not unduly restrict view potential from other properties to a view corridor; (3) there is variation in the mass and height of building(s) and the building roofline will be such that the overall building height and mass will not be out of character with



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**DRAFT**

*Nov. 2006 Ver.*

**Density:**

**Residential** - Attached dwelling units at a maximum density up to 8 units per net acre.<sup>i</sup>

**Commercial** - 0.1 to 1.0 Floor Area Ratio (FAR).<sup>ii</sup>

**M-12: MIXED USE – TRIANGLE AREA****Description:**

The purpose of this designation is to maintain the Triangle Area as a distinct neighborhood retail district while providing opportunities for the integration of both residential and commercial uses in a single development in limited and selected block locations. The range of commercial uses under this designation are those that are typically found in a neighborhood retail district, including a retail shop on a single parcel; or, a shopping area offering a range of local serving retail and personal services. In addition to retail shops, the allowable commercial uses under this designation would include professional offices, business services, and restaurants. The emphasis for the commercial use component under this mixed use designation shall be on neighborhood serving uses, or those uses that would serve the El Sobrante community. Residential is specifically permitted but only in limited and selected block locations and only when included in a commercial development. Residential is not required under this designation. Residential uses may include duplexes, apartments, condominiums, townhouses or attached or detached single-family residences (in compliance with P-1 design criteria), and live work quarters. Residential units will only be approved if safe walking and recreational opportunities can be made available. New residential developments will not rely on major thoroughfares (Appian Way & Valley View Road) for parking access, but rather will have ingress and egress on feeder streets.

**Location:**

See map for the locations where the Mixed Use–Triangle Area (M-12) designation would apply. This mixed use designation is not intended to apply to sites where there is already established a public or private institutional use (e.g. church or private school), or to those locations where there is already an existing multiple family residential building (e.g. apartments and senior housing). The Triangle block itself will remain under the Commercial (CO) designation, and residential use will not be permitted.

**Building Form/  
Height/Mass:**

Building should be located close to street frontage with windows and entries facing the street. Buildings may be clustered on the site towards street corners to maximize street frontage. The retail and/or commercial uses should be located along ground floor street frontages although offices for professional and business services may be located above retail use. Where allowed, the residential use component should be located above or in the rear of commercial frontage. Surface parking should be located behind commercial frontage. This designation also strongly encourages the consolidation of parcels so as to provide an improved development footprint and combined access and parking areas.

Building height and mass under this designation should maintain a low profile with a height limit up to 27 feet to preserve a view corridor and the suburban-to-rural character of El Sobrante. However, a maximum building height up to 35 feet for a mixed use development may be allowed when the following findings can be made: (1) the building height will not create substantial shading or adversely affect the privacy of nearby properties; (2) the building height, shape, and massing will not unduly restrict view potential from other properties to a view corridor; (3) there is variation in

**DRAFT**

*Nov. 2006 Ver.*

**Density:**

**Residential** – In select block locations, attached dwelling units at a maximum density up to 8 units per net acre.<sup>1</sup>

**Commercial** – 0.1 to 1.0 Floor Area Ratio (FAR).<sup>2</sup>

**M-13: MIXED USE – SAN PABLO DAM ROAD****Description:**

The purpose of this designation is to promote the revitalization of El Sobrante's commercial core along the section of San Pablo Dam Road between El Portal Drive and Appian Way in order to develop into a unified, well designed pedestrian oriented retail district, while simultaneously providing the opportunity to integrate both residential and commercial uses in a single development. The range of commercial uses under this designation are those that are typically found in a neighborhood retail district, including a retail shop on a single parcel; or, a shopping area offering a range of local serving retail and personal services. In addition to retail shops, the allowable commercial uses under this designation would include professional offices, business services, and restaurants. The emphasis for the commercial use component under this mixed use designation shall be retail or service uses that serve the El Sobrante community and that promote the development of a pedestrian and bicycle friendly retail district.

This mixed use designation envisions a town square or pedestrian plaza for the block along San Pablo Dam Road between Hillcrest Avenue and Pitt Way which contains the Mechanics Bank. It is intended that this town square or plaza would be developed in conjunction with a new collector street connecting Pitt Way to Hillcrest Avenue so as to improve local circulation and parking. The town square or plaza would include a public parking area allowing pedestrians to easily access commercial and public uses in the town square/plaza. This designation also strongly encourages the consolidation of parcels along those segments of San Pablo Dam Road where mixed use is to be designated so as to provide an improved development footprint and combined driveway access and parking areas.

While residential is specifically permitted, it is not required under this designation. The development of a residential component under this mixed use designation is contingent upon resolving parking and access issues, including the new collector street that would connect Pitt Way to Hillcrest Avenue. Residential uses may include duplexes, apartments, condominiums, townhouses or attached single-family residences (with in compliance with P-1 design criteria), senior or congregate care housing, and live work quarters.

**Location:**

See map for the locations along San Pablo Dam Road where the Mixed Use- San Pablo Dam Road (M-13) designation would apply. This mixed use designation is not intended to apply to sites where there is already established a public or private institutional use (e.g. church or private school), or to those locations where there is already an existing multiple family residential building (e.g. apartments and senior housing), or to those locations that may have physical development constraints (e.g. close proximity to a creek).

**Building Form/  
Height/Mass:**

Building should be located close to street frontage with windows and entries facing the street. Buildings may be clustered on the site towards street corners to maximize street frontage. The retail and/or commercial uses should be located along ground floor street frontages although offices for professional and business services may be located above retail use. The residential component should be located above or in the rear of commercial frontage. Surface parking should be located behind commercial frontage. Residential parking lots should empty onto feeder streets, rather than San Pablo Dam Road. Building height and mass under this designation should generally maintain a low profile in order to preserve a view corridor and the suburban-to-rural character of El Sobrante. While the existing 50 foot building height limit will be retained under this mixed use designation, as currently allowed under the Retail-Business District (RB) zoning, visual documentation of the relationship of the proposed mixed use building(s) shall be provided to illustrate how the building height, mass, or shape would relate to the El Sobrante community's interest in preserving a view corridor or maintaining the suburban-to-rural character.

**Density:**

- Residential** - Attached dwelling units at a maximum density up to 12 units per net acre.<sup>i</sup>
- Commercial** - 0.1 to 1.0 Floor Area Ratio (FAR).<sup>ii</sup>

## **POLICIES FOR APPIAN WAY CORRIDOR**

- 3-55. The Appian Way Corridor Special Concern Area is to develop into a unified, well-designed neighborhood, which at appropriate locations provides for opportunities for mixed use development, rather than an incremental accumulation of unrelated developments. The overall goal is to establish some additional business districts along the corridor with local services, shopping, and restaurants that are easily accessible to residents and are pedestrian and bicycle friendly. Opportunity for the development of a secondary 'downtown' in the Area should be encouraged.
- (a) update the adopted Appian Way Precise Plan, which provides for a standard of an 84-foot right-of-way to provide: one travel lane in each direction, opportunities to install a raised landscape median with a left-turn pocket at appropriate intersection locations, on-street parking bays where existing right of way is sufficient, additional lighted pedestrian crossings, improved sidewalks and bus bays, and retain bicycle lanes on both sides of the street ;
  - (b) Development of public open space and pocket parks should be encouraged in the Area.
  - (c) where possible, retain existing mature trees located either within or encroaching into the potential right-of-way, and incorporate them into the overall roadway design;
  - (d) provide appropriate traffic signalization as new development occurs along the corridor, with each development required to pay an appropriate share of the cost;
  - (e) eliminate the hazardous ditches along Appian Way by installing appropriate storm drains as a part of right-of-way improvements;
  - (f) project design should reflect the objective of providing well-designed development suited to the building sites, at appropriate densities;
  - (g) commercial uses should maintain a low profile by limiting building height to 27 feet, however a mixed use project could be allowed to reach a maximum of 35 feet under certain circumstances as described in the mixed use designations and based on findings related to a residential density bonus;

- (h) emphasis should be on landscaping and architectural continuity along Appian Way, with building masses de-emphasized;
- (i) variances to parking standards may be considered for a mixed use project;
- (j) design of buildings shall be interesting and innovative, but should have a harmonious relationship with each other;
- (k) consolidation of parcels shall be encouraged with emphasis on combined access and parking areas;
- (l) variation in building set-back from Appian Way and along side yards should be considered on a block by block basis to create openness along the corridor and also to create a sense of distinct neighborhoods;
- (m) provide an attractive streetscape through street tree and frontage planting and encourage the use of drought-resistant plants;
- (n) areas designated for commercial uses should be rezoned from Retail Business District (R-B) to Planned Unit District (P-1), as the desired zoning district to implement the mixed use concept along Appian Way. Multiple family development shall be allowed to be integrated into a commercial development at the blocks designated as mixed use under the Land Use Element Map.;
- (o) local, owner-operated businesses should be encouraged. Drive-through retail operations should not be encouraged.
- (p) a landscaped buffer zone, including attractive fences wherever necessary to provide privacy and security shall be provided between new developments and existing residences; however, new development should also consider pedestrian connectivity from one neighborhood to another;
- (q) within areas designated for development in the Appian Way Special Concern Area there are those areas which, because of topography, steep slopes or aesthetic qualities, are unsuitable for development and which shall be protected as open space whenever feasible; and

- (r) each individual multi-family development shall provide recreational facilities for its occupants. Efforts will be made to encourage collaboration between developers to establish recreational facilities with broader utility for area residents; an individual developer also may meet this requirement by contributing its fair share to nearby public recreational facilities.
- (s) following the establishment of mixed use designations along Appian Way, the County may develop a mechanism for the transfer of density among parcels designated for mixed use so long as the transfer does not increase the overall maximum number of dwelling units or commercial for such designations within the Appian Way Special Concern Area.
- (t) traffic flow in the triangle area will be studied and possible alternatives to improve circulation for automobiles, bicycles, and pedestrians will be examined



### **POLICIES FOR THE EL SOBRANTE AREA**

3.162. El Sobrante is a diverse and beautiful community, which cherishes its unique character, especially its scenic beauty, open spaces, and local charm. The community is dedicated to protecting and enhancing the quality of life while addressing development pressures that are common in the Bay Area, including; effects of suburbanization and urban sprawl, regional traffic congestion, and demand for public services. The overall goal of the area is to retain and reinforce the semi-rural and suburban character of the community with its strong emphasis on single-family residences, the feature which has drawn most residents to the area. The following principles are to be used in guiding the development and land use decision-making process in El Sobrante:

- (a) Change should be harmonized to enhance El Sobrante's unique semi-rural/suburban character and to preserve its scenic environment.
- (b) Growth and economic development should be targeted in a manner to preserve open space and agricultural land, to meet community needs, to help revitalize the commercial core, and generally to enhance the quality of life of area residents.
- (c) El Sobrante is envisioned as a culturally diverse residential community with vibrant local serving businesses, amenities and services for children, families, and the elderly, and parks and recreational facilities to meet community needs.
- (d) El Sobrante's built environment should be designed and developed at a human-scale incorporating healthy community concepts that make provisions for walking, bicycling, and other non-motorized transportation, recreation, access to healthy foods, and energy and resource efficient buildings and development.

3-162. In consultation with El Sobrante residents, affected businesses and landowners, and other interested parties, including the City of Richmond, develop a new precise alignment plan for the segment of San Pablo Dam Road between El Portal Drive and Appian Way. The new precise alignment plan is intended to replace the San Pablo Dam Road bypass couplet concept, which was formerly described in both the Land Use Element and Transportation/Circulation Element. The new precise alignment plan should be based on the "Complete Street" concept, whereby

the roadway is designed and operated to accommodate safe access for all users. The aim is to design this segment of San Pablo Dam Road to move motorists, transit riders, bicyclists, and pedestrians of all ages and ability safely along and across this roadway. The precise alignment plan should describe an ultimate street cross-section for this segment of San Pablo Dam Road which provides for vehicle travel, bus travel and stops, bicycle travel, sidewalk and curb area for pedestrians, on-street parking, and potential streetscape improvements (e.g., street lighting, trees, etc.) and landscaped median, within the existing public right-of-way. In addition, the new precise alignment plan should make provision for a new collector roadway connecting Pitt Way to Hillcrest Road. To the maximum extent practicable and feasible, the "Complete Street" concept should be incorporated into the new alignment plan along with appropriate measures to implement the new alignment. The County will routinely examine the pedestrian and bicycle environment and will make improvements at every opportunity.

- 3.163. Given San Pablo Dam Road's designation as the I-80 bicycle route, and its critical importance in connecting East and West Contra Costa County, every effort should be made to add Class 1 bicycle lanes along the roadway or to provide an alternate bicycle path through the corridor.
- 3.164. The County will pursue mechanisms to assist in the beautification of the community, such as tree planting and other landscaping, lighting and visually pleasing signage. These improvements may be accomplished by establishing a landscape and lighting district, a business improvement district, and/or implementing other such mechanisms.
- 3.165. The community lacks a social, functional, and visual center. In order to create a stronger sense of place and to provide efficient, inviting local services, shopping, and gathering space, development of a town center or square will be pursued. The priority location of the town center will be along San Pablo Dam Road between Pitt Way and Hillcrest Rd.
- 3.166. In order to reduce the demand for auto trips through the community, the County will work with A/C transit and other local public transit agencies to improve service to the El Sobrante area. Bus stops and bus routes will be improved, so that residents can efficiently travel directly from El Sobrante to Del Norte BART, Richmond BART/Amtrak, and Orinda BART, as well as to other destinations.

- 3.167. To ensure residents have adequate access to healthy foods, grocery stores, farmer's markets, produce markets, and other such establishments should be encouraged, and businesses selling primarily unhealthy foods and beverages should be discouraged.
- 3.168. Minimize the number of streets and driveways intersecting or entering San Pablo Dam Road, Appian Way and Valley View Road.
- 3.169. Provide for well-designed projects and limited vehicular access to traffic arterials through the assembly of the deep, narrow parcels of land along San Pablo Dam Road and Appian Way.
- 3.170. Discourage new areas of strip commercial development in the community.
- 3.171. Require development of more public off-street parking in the commercial core area along San Pablo Dam Road, so as to increase traffic bearing capacity of the arterial.
- 3.172. The El Sobrante community values healthy living and places great value on local opportunities for outdoor recreation. According to the 2001 El Sobrante Park Study, the community lacks sufficient park and recreation space to adequately serve area residents. The County shall seek to identify acquirable parcels of land that can be developed into parks and open spaces, including public spaces in the commercial corridors. New development projects will be evaluated in terms of their contribution to public recreation and their support of parks and open space. Developers will be encouraged to collaborate on the development of parks and open space in order to optimize recreational opportunities for area residents. Mechanisms to support park and open space maintenance funding through development fees and other sources shall be pursued.
- 3.173. Development of a full service community center in El Sobrante will be pursued. Currently, the community lacks adequate space for community meetings and events, recreational, cultural, and educational, activities. The community center will be operated by a public entity and will provide multiple purpose public functions in the community.
- 3.174. The creeks running through the El Sobrante community (Appian Creek, Wilke Creek, San Pablo Creek, etc.) will continue to flow along their natural path. To the extent possible, efforts will be made to enhance public view of the creek, particularly San Pablo Creek as it runs along San Pablo Dam Road.

- 3.175. To improve traffic in the community, the Highway Patrol will be encouraged to patrol the Area in order to encourage drivers to obey posted speed limits and other traffic rules.
- 3.176. Upgrade the community's drainage system to eliminate problems caused by local inundation, ponding and sheet overflow during storms, and eliminate open drainage ditches along portions of Appian Way and San Pablo Dam Road and throughout the community.
- 3.177. In view of the existing traffic problems and the limited ability of the circulation system to adequately handle substantial growth in traffic volumes, new development should be approved at the low to mid range of the respective single-family and multi-family residential land use density designations. The County shall work with neighboring jurisdictions to limit the impact of large development on the El Sobrante community. To improve the provision of urban services, enhance quality of life of area residents, and decrease environmental impacts, the addition of housing units will be focused in the urban core and sprawl development in the surrounding areas, particularly hillside areas, should be restricted.
- 3.178. Due to proposed general plan changes on San Pablo Dam Road and Appian Way, the County will study the traffic impacts on Hilltop Drive, from Highway 80 to Manor Road, including the heavily traveled streets of Pebble Drive, La Paloma and Manor Road. Proposed development projects will also study these roads in their traffic analyses. The County will mitigate traffic impacts to these streets by implementing traffic calming or other necessary measures in consultation with affected residents and interested parties.
- 3.179. This plan calls for residential development to be directed primarily to areas where infilling of previously "passed over" property can occur, as well as to a limited number of larger parcels of undeveloped acreage. These larger parcels include the western slope of Sobrante Ridge, and the lower portions of the north face of San Pablo Ridge.
- 3.180. A major policy of this plan is to eliminate deep, narrow lots through the aggregation of land parcels in areas designated for multiple family use. Every effort should be made to encourage the aggregation of such lots to provide for better designed projects.

- 3.181. Areas outside the present and committed area of service capability of EBMUD and West Contra Costa Sanitary District are to be retained in the Open Space category.
- 3.182. In order to retain the ridgelines around El Sobrante in their natural state, it is recommended that a ridgeline preservation ordinance be developed which would prohibit the placement of any structure on or near the crest of a scenic ridge, such as San Pablo Ridge or Sobrante Ridge. All land above the 400' elevation shall not be developed for suburban purposes unless in conformance with the Land Use Plan Map.
- 3.183. In order to protect residents' view of the El Sobrante Hills and San Pablo Bay, the County shall develop a view ordinance.

### **POLICIES FOR SAN PABLO DAM ROAD**

3-189. The San Pablo Dam Road Special Concern Area is a primary business district for El Sobrante. The El Sobrante Community desires to retain its identity and individuality in the face of urbanization pressures while at the same time revitalizing the commercial area. The goal of the San Pablo Dam Road Special Concern Area is to ensure the efficient flow of traffic (motorized and non-motorized) while working to create a friendly, attractive, village-like downtown with a town center which includes central open space with surrounding retail services like restaurants, book stores, a movie theater, café, grocery store, weekly farmer's market, local art gallery, children's services, etc. Two distinct, yet interlocking problems must be addressed: 1) devising a circulation system which allows traffic into, through, and around the business district, and 2) effective land use and design policies for the area.

- (a) The commercial area shall be made attractive and convenient to the community with emphasis on the following:
  - o improved localized traffic circulation;
  - o development of a town square with an open pedestrian plaza lined with businesses and sufficient new roads to provide circulation, parking, and easy pedestrian access
  - o addition of bicycle lanes along San Pablo Dam Road or a separate bicycle path that offers safe travel for cyclists between Appian Way and El Portal;
  - o Widening sidewalks and improving overall pedestrian circulation throughout the Area;
  - o adequate parking, particularly off-street parking with improved pedestrian access to businesses; and
  - o managing and balancing traffic within the existing roadway right-of-way for this segment of San Pablo Dam Road.
- (b) Encourage commercial area rehabilitation and private sector initiated redevelopment, considering development of a unifying motif.
- (c) Provide for the ability to integrate multi-family residential, commercial services, financial services, and offices in a single project according to the new mixed use designation established for the commercial area of San Pablo Dam Road as identified in the locations illustrated on the Land Use Element Map.

- (d) Improve overall area appearance through appropriate sign regulation. This would eventually result in removal of unsightly signs.
- (e) Provide adequate off-street parking, allow for shared parking arrangements, review the existing supply of curb side parking spaces, consider the formation of Business Improvement District (other public entity) to build and manage public parking lots and secure the right-of-way for collector roadway that would extend Pitt Way to Hillcrest Road..
- (f) Enhance pedestrian traffic across San Pablo Dam Road by well marked and signalized crosswalks.
- (g). Establish specific range of land uses, development regulations and zoning standards under a new Planned Unit District (p-1) zoning for the commercial area of San Pablo Dam Road.
  - (h) As more fully described in Policy 3.161 under "Policies for the El Sobrante Area", the County will in consultation with El Sobrante community prepare and adopt a new precise alignment plan for the section of San Pablo Dam Road between El Portal Drive and Appian Way based on the "Complete Street" concept, whereby the roadway will be designed and operated to accommodate safe access for all users – motorists, transit riders, bicyclists, and pedestrians of all ages and abilities. In addition this new precise alignment plan will include provision for a new collector roadway connecting Pitt Way to Hillcrest Road.

3-190. The San Pablo Dam Road commercial area is envisioned to be an attractive and vibrant, village-like downtown. The desire is to establish a town center or square for El Sobrante within the commercial area, preferably on the block bounded by San Pablo Dam Road, Hillcrest Road, and Pitt Way. Parking to serve the public plaza should be consolidated in a parking lot with easy pedestrian access to the Center. Local serving retail and personal service uses are to be encouraged along this segment of San Pablo Dam Road. The development of a community center, which would provide space for public meetings, cultural events, and other public functions, should be considered for the San Pablo Dam Road commercial area.

3-191. Development projects within the San Pablo Dam Road commercial area should to the extent feasible incorporate open or public spaces that are inviting to the public and

D.L. 1. a.

January 26, 2009

To: ESMAC Council Members

From: Barbara A. Pendergrass

Subject: Visit to Naphan Ranch off Castro Ranch Rd

Today Eleanor Loynd and I visited the 20 acre Naphan Ranch with the owner Bill Naphan. It is a beautiful site with a creek running in the front part of the property and two very large one story modern homes with a swimming pool. It has a large metal barn in great condition, stables that aren't in very good condition, plenty of flat land for parking and the owner is interested in selling to the Regional Park District. The site was formerly a horse ranch before the owner's father purchased it from a Castro relative in 1973. It is a short distance from Kennedy Regional Park although not directly adjacent. Adjacent to the ranch on the north side is the Wong property of 150 acres. Adjacent to the Wong property is the Carter/ Walsh property of 100 acres that is in foreclosure. Both of these two properties are vacant land. Purchase of these two properties would give access to Kennedy Grove and with the Napan property 270 acres could become a great addition to Kennedy Grove Park.



Dear Mrs. Pendergrass;

I am writing you regarding the possible acquisition of property that is owned by myself, my sister and my brother by the East Bay Regional Parks District. The address of the site is 1255 Castro Ranch Road, El Sobrante. The property consists of 20 acres. It is on the south side of Castro Ranch Road. It consists of two parcels. The smaller one on which two houses are located is 2.5 acres. The larger one is open space and is 17.5 acres. A creek runs parallel to the north side adjacent to Castro Ranch Road. The northern portion is where the houses, barns and riding area are located. The western segment slopes in an upward direction from the south towards the north. The eastern section includes a relatively steep hill that is topped by numerous oak trees. The north corner of the property is across the street (Castro Ranch Road) from the south corner of Sobrante Ridge Regional Park. The site has history in that it was owned by P. L. Castro.

A developer is working on putting 40+ homes on the property. However we would rather sell it to the park district given strong local interest and past use by local citizens when it was owned by our parents. We recently contacted the East Bay Regional Parks District to see if they would be interested in acquiring the site. We were informed by acquaintances that we should contact people in the area to see if they would have any objections to the purchase of the land and possibly the houses by the East Bay Regional Parks District or if the local citizens would be willing to voice their support if they are in favor of it. We are well aware of your position on the El Sobrante Municipal Advisory Council. That is why I sent you this e-mail. We are asking that you consider providing support for this potential sale.

The person with whom I have been in contact at the East Bay Regional Parks District is Ms. Linda Wu. I talked to her today, January 21, 2008 to get a status report on our offer. She informed me that she contacted her supervisor and that her supervisor was going to consult with her superior. If you wish to contact me or Ms. Wu please do not hesitate to do so at the numbers and addresses that are listed below.

Thank you,

Willis J. Naphan

Willis J. Naphan  
5130 Alhambra Valley Road  
Martinez, CA 94553-9773

Home: (925) 372-8426  
Office: (510) 357-3367  
FAX: (510) 357-3994  
Cell: (510) 867-5098  
e-mail: [naphanengr@aol.com](mailto:naphanengr@aol.com)

Ms. Linda Wu  
Right of Way Agent  
Interagency Planning and  
Land Acquisition Division  
East Bay Regional Parks District  
P. O. Box 5381  
Oakland, CA 94605-0381  
Phone: (510) 544-2608  
FAX: (510) 569-1417  
e-mail: [LWU@ebparks.org](mailto:LWU@ebparks.org)



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

DL/ed

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

January 24, 2009

Dear Friends and Neighbors,

The Naphan Ranch is a 20 acre parcel on Castro Ranch Road near the Amend Rd. intersection. The Naphan family member, Bill Naphan, is now talking to the East Bay Regional Park District about the possible purchase of the Naphan property.

In the past few months, a plan was reviewed for about 40 homes on the Naphan 20 acre property. That would mean 8-10 car trips per home per day or a total of 320-400 daily car trips would be added to Castro Ranch Rd. I talked with Bill Naphan. He would like to know if the community supports the idea of the EBRPD buying the 20 acres.

The purpose of this letter is to ask you and/or your group to send a letter to the EBRPD in support of the purchase of the Naphan Ranch property. You decide! You could also suggest that the EBRPD buy the other 2 vacant parcels along Castro Ranch Road which are named the Wong property (about 150 acres) and the Carter/Walsh property (about 100 acres in foreclosure).

If you choose, you could also include the suggestion that the EBRPD set up a stable and horse riding facility at the Naphan Ranch site.

If we had a horse riding facility in this area, the Boys & Girls Club of El Sobrante could send in some kids. The Richmond PAL program could set up some riding lessons for kids. There are many other groups that could join in the use of the riding stables.

If you have any questions, you could call Linda Wu, Land Acquisition Division EBRPD at 510-544-2608. Your letters should be sent to Linda Wu, EBRPD Land Acquisition, and to the EBRPD Board Members at P. O. Box 5381, Oakland, CA 94605-0381. You could also send us a copy of your letter. Call me at 223-6398 if you have any questions. Thanks.

Sincerely,

Eleanor Loynd  
ESVP&ZAC Chair

- |     |  |                          |                    |
|-----|--|--------------------------|--------------------|
| cc: | ESMAC  | E.S. Chamber of Commerce | E.S. Hills N.C.    |
|     | C.H. North HOA                                   | C.H. South HOA           | May Valley N.C.    |
|     | East Bay Waldorf School                          | E.S. Boys & Girls Club   | R. PAL Program     |
|     | Fairmede Hilltop N.C.                            | Greenbriar N.C.          | CSA R-9            |
|     | Canyon Oaks HOA                                  | Sup. Gioia               | R. Parks T. Norris |
|     | Richmond Mayor McLaughlin & City Council Members | Quail Hill HOA           |                    |
|     | R. Chamber of Commerce                           | R. Rec. & Parks Dept.    | Spawners           |

DI.2

Subj: **Re: neighborhood watch**  
Date: 12/4/2008 11:34:40 A.M. Pacific Standard Time  
From: [meakin8284@att.net](mailto:meakin8284@att.net)  
To: [jrhermann@earthlink.net](mailto:jrhermann@earthlink.net), [RPender970@aol.com](mailto:RPender970@aol.com)

I feel this is something that the MAC ought to be knee deep into, Neighborhood Watch and pushing to get more sheriffs in the area. Getting ballot measures for money. I didn't think of this earlier but may be East Richmond Heights(thier ballot measure failed for added Sheriff, \$105.00 a year) and El Sobrante share one??? I hope to get on the agenda and /or join the MAC. But, the MAC is ran on a stricter set of rules. Which since they are not elected officials ought to be changed to Roberts Rules of Order. Mike

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**From:** James Hermann <[jrhermann@earthlink.net](mailto:jrhermann@earthlink.net)>  
**To:** Mike Eakin <[meakin8284@att.net](mailto:meakin8284@att.net)>  
**Sent:** Saturday, November 22, 2008 12:29:05 PM  
**Subject:** Re: neighborhood watch

I did bring it up at the last MAC meeting and I think that it is to be an agenda item for the next meeting. My understanding is that there is no longer a Neighborhood Watch officer in the Sheriff's Department, that position being eliminated due to lack of funds.

Jim

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

From: Mike Eakin  
Sent: Nov 22, 2008 11:32 AM  
To: Jim Hermann  
Subject: neighborhood watch

I haven't heard a thing about the programs(Neighborhood Watch, Neighbor Council, and HOA). Did the MAC talk about them? I would like to be put on the agenda to speak about these things. Who do I contact? Are you still interested? Mike

**Land Use Activity Report on Items Received From the Contra Costa County Community Development Department for February 11, 2009**

No land use items received other than Contra Costa County Planning Commission meeting announcements and the Contra Costa County Zoning Administrator's meeting announcements. Only item in the El Sobrante area is the request for approval before the Contra Costa County Zoning Administrator for jewelry making on Renfrew Rd.

The appeal of the Contra Costa County Planning Commission decision approval of the Sikh Temple addition will be heard on February 3<sup>rd</sup>, 2009 before the Contra Costa County Board of Supervisor's.



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

10.10

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

EL SOBRANTE VALLEY PLANNING & ZONING ADVISORY COMMITTEE  
THURSDAY, JANUARY 8, 2009

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

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

Tentative AGENDA:

1. Call to Order & Review of Agenda Changes
2. Approval of Minutes of December 11, 2008
3. Treasurer's Report
4. Introduction of Guests: 4.1 \_\_\_\_\_ 4.2 \_\_\_\_\_
5. Correspondence Sent/Received - included in packet
- 5.1 To T. Humiston, C. Planner. P&Z recommends approval of LP08-2066, application for home occupation to conduct a jewelry making business at 758 Renfrew Rd. (EL)
- 5.2 From County. Plan. Com. Agenda 112/16-Study Session on 2009 Housing Element Update.
- 5.3 Call from G. Allen. Concerns/questions on Sikh Temple expansion.
- 5.4 To R.M. Pietras, C. Planner. P&Z comments on RZ08-3207, DP08-3072, 21 apartments at 960 Appian Way. (JL, RS)
- 5.5 From W.C. Times, 12/22/08. Letter from Quail Hill-E.S. Asso. re Sikh Temple expansion.
- 5.6 From County. Renewal application for mailing list to receive agendas for C. Plan. Commission & Zoning Administrator. NOTE: Sent in 12/18/08.
- 5.7 From ESMAC. Copy of letter to County in support of the appeal of the Sikh Temple Expansion.
- 5.8 To Winston Rhodes, Pinole Plan. Mgr. Info on DP08-3072, 21 apartments on Appian Way. Back corner of parcel shares boundary with Pinole.
- 5.9 To Foster Lee, C. Planner. Request to update information on E.S. applications.
- 5.10 To Head Librarian, E.S. Library. Request to use the Library meeting room monthly on the 2<sup>nd</sup> Thursday from 6-9 p.m. (since 1975).
- 5.11 From Dr. Bruce Harter, WCCUSD. School Consolidation & Closure Process. (See 7.2 a)
- 5.12 To West County Times. Copy of letter to the Editor re WCCUSD school closure plan. (See 7.2 b)
- 5.13 To ESVP&ZAC Members. Our List of projects under review in Richmond and the County area.
- 5.14 From WCCUSD. Info on working arrangement for the School Closure Committee. (See 7.2 c).
- 5.15 From West County Times 12/24/08. Letter to the Editor re Supervisors vote against support for the Prop 8 lawsuit, the ban on same-sex marriage.

6. Calls and Correspondence Circulating for Review

- 6.1 From May Valley N. Council. Comments on School Closures.
- 6.2

7. Appearances/Updates on Projects (Times are estimated):

- 6:00 7.1 -Committee Business – Items 1-6  
 Review of Projects and Updates  
 -RZ08-3207, DP08-3072. Plans for 21 apartments, 970 Appian Way  
 -DP08-3070. Patio attached to residence, 4108 Barranca St.  
 -LP03-2052. Appeal of Sikh Temple Expansion plans  
 -DP08-3067. Antennas in faux chimney, 448 Valley View  
 -Other items
  
- 6:30 7.2 Discussion of Plans for School Closures. Schedule of Meetings
  
- 7:00 7.3 New Item May Be Added.  
 Additional Community Reports/Updates  
 Review Meetings Scheduled for 2009

8. 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.

9. OLD Business

Richmond projects:

- 9.1 **Castro Ranch** , R 51 homes on 33 acres. Barra Ltd. filed a lawsuit against Richmond. Settlement discussions. Asgnd: **EL**
- 9.2 **Clark Road** project, R, 180 homes, 144 acres. Property for sale for \$9.5M. Tentative plan for 56 homes on 25 acres, 119 ac left out.
- 9.3 **Forest Green** , R. 188 (now 120) homes on 80.6 acres. No date set for when Vol.2 EIR will be done. Project on hold. Assigned: **RM, EL**
- 9.4 **Canyon Oaks, phase 2.** 36 homes on 23 acres, 300 acres in a conservation landbank. Tentative Map OK. Project on hold for now. Assigned: **JL, EL**
- 9.5 **Taylor Ranch.** 70 ac., 65 ac. dedicated open space. Now-FOR SALE
- 9.6 **Two homes on Greenridge.** R. Plan. Dept. asking for more information About approval of layout of homes. Assigned: **EL**
- 9.7 **Richmond General Plan:** E. Loynd and G. Schmidt are on the Gen. Plan. Adv. Committee. Mtg. planned for December
- 9.8 **R. Sunset Dr.,** 9 homes on 1.37 acres on Valley View Rd. Plan. Com. Hrg. Approved 8 homes. Project meets guidelines of the Hillside Ordinance. No new info. Asgnd: **EL, SS, RS**

County Projects:

- 9.9 Naphan Ranch, Castro Ranch Rd. Tentative plan 36-44 homes on site.  
Property Sold recently for \$3.8 million. Asgd: SS, MZ
- 9.10 SD01-8533. 35 homes off Hilltop approved. Still in Court. Agd: EL,BP
- 9.11 LP03-2052 Expand Sikh Temple. Application Complete. Mitigated  
Negative Declaration. Appeal filed. Ad: SS, ME
- 9.12 Wang property, 100 acres off Castro Ranch Rd. 8/7/07 Bd. Of  
Supervisors denied request to move urban limit line. Asgnd: ??
- 9.13 Golden Oaks-250 acres on Castro Ranch Rd., next to Countryside.  
160 acres-Carter property-foreclosure on hold due to owner's death
- 9.14 County Gen Plan. Planner Pat Roche meeting with ESMAC to update  
E. S. General Plan. Update Requested 8/1. No reply Asgnd:BP, RM
- 9.15 SD05-8986, DP05-3038. 10 condos, 4441 Appian. DP not acted on.  
Habitat for Humanity interested in property/project. Asgd: SS
- 9.16 MS05-0022. 4 lot split at 5574 Amend Rd. Active. Asgd: JL
- 9.17 SD06-9066. 12 homes off Fariss Lane. Revised plan Ad: RM
- 9.18 VR06-1029. New home, 37 Holly Lane. Drainage. Asgd: RM,MZ
- 9.19 RZ06-3177, SD06-9106. 15 homes, 5330 SP Dam Rd. Mit. Neg. Dec.-  
Comments Due: 9/22. Hrg. 10/14 Plan. Com. Ad: ME, MZ, EL
- 9.20 TP06-0039. Tree permit, new home, 1161 Hillside Dr. Now DP07-  
3004. Public Hearing to be scheduled. Active. Asgd: JRF,GS
- 9.21 VR07-1083. Barn to office, 5529 Olinda Rd. P&Z rec. approval.  
James Cisney, Planner. Assigned:SS,RS,EL
- 9.22 MS07-0016. 1.53 acres into 3 lots, 5172 La Honda Rd. James Cisney,  
Planner. Ad:RM,MZ
- 9.23 MS07-0020. Split parcel into 2 lots, 4312 Santa Rita Rd. P&Z  
recommends approval. Planner Demian Hardman Asgd: JH
- 9.24 DP07-3076. Legalize apartments, 408 La Paloma Rd. Asgd:SS,ME  
Deck approved, no 2<sup>nd</sup> apartment. No Parking signs to be put up.
- 9.25 VR08-1008. Variances for sideyard and total sideyard due to  
construction of deck without permit at 4202 Foster Lane. Denied.  
Appeal filed-to be heard 8/12. Ad:ME, JH NOTE: Call
- 9.26 DP08-3014. 2 story duplex at 421-431 Rincon Lane. Ad:RM, BP
- 9.27 DP08-3038. Home additions (2) at 2114 Rancho Rd. Asgd: RM,BP
- 9.28 Global Auto, 476-478 Appian Way Asgd: GS, JL
- 9.29 Richmond-2 new homes on Greenridge Drive. Hearing Sept. Ad:EL  
Held over, waiting for proof of approval of previous change in plans.
- 9.30 RZ07-03, DR07-30. Proposed 2 story mixed use bldg. at 2700 Appian  
Way, Pinole. P&Z recommends approval.
- 9.31 DP08-3067. Antennas in faux chimney on Valley View Asgd: RS
- 9.32 RZ08-3207, DP08-3072. 21 apartments, 970 Appian Way Asgd: RS
- 9.33 DP08-3070. Patio attached to home, 408 Barranca St. Asgd: SS/RS

10-10-d

10. NEW BUSINESS -

- 10.1 School Closure Discussion. Information on process, meeting dates, and how residents can get involved.
- 10.2

11. Community Reports (if time)

- 11.1 ESMAC - Meetings 2<sup>nd</sup> Wed. at 7 p.m. in the E.S. Library
- 11.2 May Valley N. C. Next Mtg. -Thursday, January 22nd at the May Valley Community Center, 3530 Morningside Dr., R.
- 11.3 CSA R-9 Committee - Mtgs. 3<sup>rd</sup> Thursday, E.S. Lib. Mtg. Rm., 6 pm

12. Adjournment. NEXT ESVP&ZAC MEETING: Thurs., February 12, 2009

Note: The E.S. Library may be closed on Feb. 12<sup>th</sup>. We are waiting to hear back from Library Staff about the use of the Meeting Room.

Information on Sikh Temple Expansion:

The latest information we received is that the appeal may go before the Board of Supervisors in late January or February.

Our schedule for 2009 looks like this: Thursday,

January 8	*February 12	March 12	April 9
May 14	June 11	July 9	August 13
September 10	October 8	November 12	December 10

Note: There is a question about February 12. That is the original date of Lincoln's Birthday. Will the library be open that day? If not, please call me, so we can choose an alternate date.



El Sobrante Valley Planning and Zoning Advisory Committee

P.O. Box 20136 El Sobrante, California 94820

**Minutes for December 11, 2008**

**Members:** Chair: Eleanor Loynd, Vice Chair: Ruby Molinari, Secretary: Michael Eakin  
Treasurer: Barbara Pendergrass, George Schmidt, John Lisenko, Shirley Sharp, Mike  
Zeelen, Robert Sharp, Jim Hermann, Alt.

**Call to Order:** 6:00pm

**Members Absent:** All present

**Minutes:** First Motion-B.P. Second Motion-R.M. 5-0-1 approved

**Treasurers Report:** \$552.67 as of December. -\$77.50 appeal for Sikh Temple

**Old Business and Review:**

**7.1**

**LP03-2052, Appeal of Sikh Temple Expansion Plans. 47 pages.** Submitted plans by  
staff lower building height, from 2 ½ stories to 2 stories. First Motion:

**DP08-3067, antennas in faux chimney @ 3879 Valley View. Assigned to: R.S.**  
Held over for more info.

**VR08-1051, Report on 5 ft. retaining wall at 3879 Valley Lane.**

**Left hand turn lane into Garity Creek.** Presented by B.P. Ruling by S.F. court new  
study by C.C.C. Incomplete study on existing homes frontage. Deadline Sept. 13<sup>th</sup>.

**New Business:**

**7.2 6:30pm RZ08-3207, DP08-3072.** Plan for 21 apartments complex with 2 parking  
spaces per unit. 31 guest parking spaces, and a 1400 sq. ft. playground at 970, 926 Appian  
Way. Owner: Gideon Sorokin. **Assigned to: J.L. and R.S.**

**7.3 7:00pm LP08-2066.** Home occupation to conduct a jewelry making business at  
758a Renfrew Rd. Mother-in-unit in rear, Ap. Tania C. Torres  
**First Motion: M.Z. Second Motion: B.P. Vote: 10-0 approved E.L. to write letter**

**7.4 7:20pm DP08-3070.** Request approval of patio attached to residence and detached  
accessory bldg. (shed/bathroom) at 4108 Barranca St., Ap. Samuel Vazquez.

**Assigned to: S.S., R.S**

Adjourn- 7:30 pm

Next meeting January 8, 2009



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

10.1.8  
5.1

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

December 12, 2008

T. Humiston, Planner  
CCC Ad. Bldg., Con. & Dev. Dept  
651 Pine St., 4<sup>th</sup> floor NORTH  
Martinez, CA 94553

By Fax & Mail  
Fax: 925-335-1222

Re: LP08-2066. Application for a home occupation permit to conduct a jewelry making business at 758 Renfrew Rd., El Sobrante

Dear Mr. Humiston,

The applicant, Tania C. Torres, came to our meeting of Dec. 11<sup>th</sup> and spoke to us about her plans for a jewelry making business. According to Mrs. Torres, there will be no big deliveries being made and there will be no sales set up at her home. She will make the jewelry on site and then deliver it to various locations for sale.

The ESVP&ZAC recommends approval of this application. We feel the business will have very little effect on the neighborhood.

We did notice some errors on the application. Under Property Description: It states "#758 Pacheco Blvd." That is incorrect. The home is located at 758 Renfrew Rd. Further down, "Fire District San Ramon Vly Fire". That is incorrect. The Fire District is County Fire Dept. in El Sobrante.

If you have any questions, you are welcome to call me at 510-223-6398.  
Thank you.

Sincerely,

Eleanor Loynd  
Chair ESVP&ZAC

cc: Tania C. Torres

REZONING: PUBLIC HEARING

5. REZONING IN THE DISCOVERY BAY AREA TO APPLY NEW BOAT STORAGE (-BS) COMBINING DISTRICT (County File: RZ#08-3208): A rezoning proposal to apply the new Boat Storage (-BS) Combining District on agricultural lands in the vicinity of Discovery Bay along the southside of State Route 4, extending approximately 4000-4200 feet from the edge of the road right-of-way generally from Regatta Drive to Discovery Bay Boulevard. PR

STUDY SESSION: 2009 HOUSING ELEMENT UPDATE

6. 2009 HOUSING ELEMENT UPDATE (County File: GP#08-0006): State law requires each city and county to adopt a Housing Element as one of the seven mandatory elements to a General Plan. As required by State law, the Housing Element for local jurisdictions in the nine-county Bay Area region must be updated by no later than July 1, 2009. The Board of Supervisors has authorized the Department of Conservation and Development to initiate an update of the Housing Element. The purpose of this study session is to review and seek input from the County Planning Commission and the general public on issues concerning housing development in the County and policies to be incorporated in the updated Housing Element. A discussion draft of the updated Housing Element will be available at the meeting for review. PR

7. STAFF REPORT:

8. COMMISSIONER'S COMMENTS:

9. COMMUNICATIONS: John Swett Unified School District's Adoption of Resolution Overruling County Zoning Ordinances

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON TUESDAY, JANUARY 13, 2009.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 335-1210 or by visiting our office at 651 Pine Street, 2<sup>nd</sup> floor, north wing, 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, 651 Pine Street, 2nd Floor-North Wing, 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, 651 Pine Street, 2nd Floor-North Wing, during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Friday. Advance arrangements may be made by calling (925) 335-1210.

10.1. h.

12/15/08

Gordon Allen

(5.3)

Gordon,

925-254-3003

Thanks for the call!

For your information:  
Two members of the ESUPE & ZAC  
are also members of the  
ESMAC.

Barbara Rundergrass is  
on our committee & chair of  
the ESMAC.

At the Dec. 10<sup>th</sup> ESMAC  
mtg, the group voted to  
support our appeal of the  
Sikh Temple expansion. The  
letter should be sent out in  
the next 2 weeks to the County  
& to Sup. Givira.

Cleaver Loynd

phone 223-6398

fax 758-7697

Gordon Allen  
3316 Hillcrest Rd  
San Pablo, CA

94806



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

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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

December 22, 2008

CCC Department of Conservation & Development  
Community Development Dept.  
Att: Rose Marie Pietras, Planner  
651 Pine St., 4<sup>th</sup> floor NORTH  
Martinez, CA 94553

Re: RZ08-3207; DP08-3072. Location 960 Appian Way, El Sobrante, CA

Dear Ms Pietras,

The El Sobrante Planning & Zoning Advisory Committee appreciates the opportunity to review the subject project application. Since the General Plan for the El Sobrante area is still in the preparation phase, it is hard to comment on planning and zoning consistency. We hope the GP can be adopted soon. Our other comments are as follows:

Site Layout:

Note-The plan notations and the application are somewhat confusing. Although the plans lists one address and only 2 parcel numbers, it is evident by the layout that this project involves developing a total of four adjacent parcels to create 21 apartment units, open space, and drainage easements as well as roadway and additional R/W for Appian Way. Accordingly, our comments are:

- The combination of the narrow street corridor between buildings and the angled entry into the building garages is convenient for entry, but will more than likely force all exiting vehicles to the turnaround area at the rear of the development. This area appears to be too narrow to allow a turnaround without extensive maneuvering. This will be particularly problematic for larger vehicles, delivery trucks, and the like. This is also a major problem for residents walking down to the play area and/or walking toward Appian Way.
- The slope of the new access road is nearly 16% which is extremely steep and will be problematic for drivers. This slope can be modified if the design is changed as noted below.

**RECOMMENDATION:** The site layout should be modified by reducing the number of units by at least 2, which will allow a larger turnaround area and the road slope to be reduced to around 10%.

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EL SOBRANTE VALLEY PLANNING & ZONING ADVISORY COMMITTEE

Re: RZ08-3207, DP08-3072

Page 2

Frontage Improvements and Parking:

- The project adjacent to the south of this proposed development has improved frontage but with several problems. The transition from curb, gutter and sidewalk to AC walkway and berm at the north end is abrupt and not useable by anyone with mobility issues. Large vehicles parked along the frontage obstruct sight distance for vehicles leaving the project.

RECOMMENDATION: Provide reasonable transition to existing Appian Way frontage improvements. Prohibit parking along frontage for one space on each side of the development entrance.

- There does not appear to be adequate parking for residents and guests, particularly given the large size (nearly 2000 sf) of the proposed units.

RECOMMENDATION: With the recommended restriction of frontage parking for safety reasons, this may warrant a further reduction in at least one more unit. This would make it an 18 unit development.

Grading and Drainage

RECOMMENDATION: The area that the development drains to should be reviewed by members of the "Spawners" organization which monitors the quality of creek environments in El Sobrante.

Traffic and Access

- Traffic on Appian Way is heavily congested. Improved signalization to ease congestion is warranted and should be reviewed by the County.

RECOMMENDATION: Consideration should be given to signal coordination and use of other signal efficiency techniques.


Architectural:

- The second story windows of buildings on the south elevation face the windows in the exiting development adjacent to this proposal.

RECOMMENDATION: Consideration should be given to preserving the privacy and light of both future and existing residents.

Please keep us appraised of the status and any changes to the design. If you have any questions, please feel free to contact me (John Lisenko) at 510-758-9767.

Yours truly,

  
John Lisenko

  
Robert Sharp

Members ESVP&ZAC

cc: Gideon Sorokin

Paul Lupinsky

Spawners

10.6.08  
5.5

# THE TIMES

Bay Area News Group-East Bay

Letters From Our Readers

## Temple expansion

In rebuttal to the Times article, "Neighbors plan to appeal Sikh temple expansion," I must take exception to J.P. Singh's comments.

The Mormon Temple in Oakland is by no means as large as the Sikh Temple Expansion Project with its existing temple. It is also surrounded by large areas of open space.

Said Singh, "I hope God gives the (Quail Hill) neighborhood the wisdom to be friendly neighbors and to be accepting of others." This comment is particularly disturbing, as it suggests we are not tolerant of our neighbors.

If you look at the history of this project, our concerns have focused on the issues.

Being accepting of others does not mean it is acceptable to divert water onto your neighbor's property, use a loud outdoor PA system to address your congregation, bang loud drums in the early morning hours, encroach on other people's land, build fences that are unsafe, causing injury and death to animals, block traffic on a major artery, cause landslides.

These are some of the issues we face. I would suggest to Singh that a good neighbor respects the concerns of others and that we try to concentrate on the facts.

Randall Henderson  
El Sobrante

Henderson is the president of Quail Hill-El Sobrante Association.

Department of  
Conservation &  
Development

Contra  
Costa  
County

10.16.08  
Catherine O. Kutsuris  
Director

Mailed 12-18-08

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Community Development Division



County Administration Building  
651 Pine Street  
North Wing, Fourth Floor  
Martinez, CA 94553-1229

Phone: 925-335-1210

December 15, 2008

RENEWAL APPLICATION FORM TO SUBSCRIBE TO CONTRA COSTA  
COUNTY DEPARTMENT OF CONSERVATION AND DEVELOPMENT,  
COMMUNITY DEVELOPMENT DIVISION AGENDAS

Please complete this form and indicate which agendas you wish to continue to receive. This will cover the period of January 1, 2009 to December 31, 2009. To ensure uninterrupted service return this form before January 31, 2009.

The agendas are also available online prior to the hearing date at [http://www.co.contra-costa.ca.us/depart/cd/calendar\\_agendas.htm](http://www.co.contra-costa.ca.us/depart/cd/calendar_agendas.htm).

If you prefer to view the agendas online please mark the box.

Agenda Hearing Body

✓	County Planning Commission Agenda Subscription for 2009
✓	Zoning Administrator Agenda Subscription for 2009
	San Ramon Valley Regional Planning Commission Agenda Subscription for 2009
	East County Regional Planning Commission Agenda Subscription for 2009

Please print your name and address clearly:

Name: Eleanor Loynd

Firm: El Sobrante Valley Planning & Zoning Advisory  
Committee (E.S.V.P. & Z.A. Com.)

Address: P.O. Box 20136

City: El Sobrante State: CA Zip Code: 94820

Please return this completed application form to:

Department of Conservation and Development  
Community Development Division  
Attention: Debbie Sittser  
651 Pine Street, 2<sup>nd</sup> Floor - North Wing  
Martinez, CA 94553

Thank you!



10.1.08

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December 16,2008  
John Osborne, Planner  
CCC Ad. Bldg. Con. & Dev. Dept.  
651 Pine Street, 4<sup>th</sup> Floor NORTH  
Martinez, CA 94553

Re: Appeal of the Planning Commission Decision of LP03-02052, The Sikh Temple Expansion

Dear John:

The El Sobrante Municipal Advisory Council wishes to go on record in the support of the appeal made by the El Sobrante Valley Planning & Zoning Advisory Committee and the Quail Hill Homeowners Association on the Sikh Temple expansion plans.

Our focus is on the serious lack of information on the details of the project.

Our concerns:

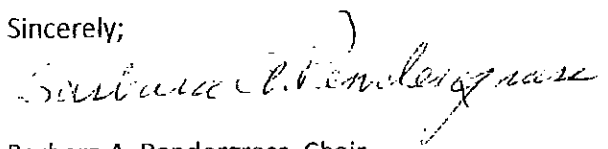
1. No traffic study was done on Hillcrest Road.
2. No plans were done showing the design of the new entrance off Hillcrest Rd.
3. The proposed priests' homes were removed from the plans, but no plans were shown on the expansion of the parking lot in that area.
4. There is no written text on why the planning Commission accepted the Sikh's request for building height variances. County staff recommended minor changes to the design which would have reduced the height of the buildings, so no height variances would be needed. Residents support the County's design to lower the building heights and protect more of the views of the neighbors and lessen the structures presence from the North side of El Sobrante.
5. There needs to be a detailed review of the project site for drainage and earth movement. What are the specifics that will be done to stabilize the active landslide on the 1.5 acre parcel in Richmond?

In Summary:

The public needs to see a detailed and updated geological report before the project moves forward. We need information on traffic, wildlife, drainage, and landslides as well as the inclusion of a daycare center on site. We urge Supervisor Gioia and the Board of Supervisors to require a full Environmental Impact Report on this project.

Please inform us when the appeal is scheduled for hearing before the Board of Supervisors. You can call me at 510 223-6091 or Fax me at the same number but first call so I can turn off my answering machine as it is the same number as the phone.

Sincerely;



Barbara A. Pendergrass, Chair  
ESMAC

Cc.Supervisor John Gioia, ESVP&ZAC  
E.S. Chamber of Commerce, Quail Hill HOA, Hillcrest Baptist Church



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

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

December 15, 2008

Winston Rhodes, Plan. Mgr.  
Pinole City Hall  
2131 Pear St.  
Pinole, CA 94564

By Fax & Mail  
Fax: 724-4921

Re: RZ08-3207, DP08-3072. Plan for 21 unit apartment complex with 2 parking spaces per unit with a 1400 s.f. playground at 970 Appian Way, E.S.

Dear Mr. Rhodes,

I wanted to be sure that you were contacted about this project. The 2 parcels for this development are on Appian Way and next to Appian Knoll Ct. Their back border line touches Pinole in Duncan Canyon. The next door project on Appian Knoll Ct. is row housing on each side of the property with pavement down the middle. That description pretty much describes the new project under review.

Included are a few drawings. The County did not send us the name of the planner in charge of the new project. The owner, Gideon Sorokin, came to our last meeting. So, we will be reviewing the project and, in the next few weeks, sending comments to the County.

Because this project shares a corner of the property line with Pinole, I wanted to be sure that Pinole had a chance to submit comments. You are welcome to call me at 510-223-6398.

Sincerely,

Eleanor Loynd  
ESVP&ZAC Chair



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

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

December 27, 2008

Foster Lee, Planner  
CCC Conservation & Dev. Dept.  
651 Pine St., 4<sup>th</sup> floor NORTH  
Martinez, CA 94553

Re: Developments in the El Sobrante Area - 94803

Dear Foster,

Enclosed is a list of what we think are current El Sobrantes projects under review by the County. Could you update our list and add information on the planner assigned, decisions made, and new projects?

I included 3 vacant parcels along Castro Ranch Rd. Those parcels are:

1. The old Naphan Ranch. 36-44 homes were proposed. Anything new?
2. Wong Property. About 100 acres - no plans that we've heard of.
3. Golden Oaks (Carter) 250 acres - no plans that we've heard of.

Here are 3 more projects that we would like updated information on:

- Global Auto, 474-476 Appian Way. An application was under review to add a van rental service on the site. Is anything happening there?

-Sleepy Hollow RZ06-3177, SD06-9106. 15 homes at 5330 San Pablo Dam Rd.

This project was approved, but it is our understanding that no permits have been issued and the project is not ready to move forward. Correct?

-Jung Property, parcel 435-010-003, 435-010-004. This property is on San Pablo Dam Rd. near the La Colina/S.P. Dam Rd. intersection. Trees were cut down and old buildings were removed. County Code Enforcement told us that the owners would be applying to build on the site, but so far, we have heard nothing. Anything active?

Your help and assistance is very much appreciated. You can call me at 510-223-6398. Happy Holidays!

Sincerely,

Eleanor Loynd  
ESVP&ZAC Chair

Enclosure



# EL SOBRANTE VALLEY

## PLANNING & ZONING ADVISORY COMMITTEE

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Project Number	Project Description	Planner Assigned	P&Z Date on Agenda	P&Z Member Assigned	Decision
1	Naphan Ranch - Castro Ranch Rd.	?			
2	36-44 homes proposed				
3	35 homes off Hilltop Dr.				In Court
4	Sikh Temple Expansion	John Oberne			Appeal Jan./Feb.
5	Wong Property - Castro Ranch Rd.	?			
6	100 acres				
7	Golden Oaks - Castro Ranch Rd.	?			
8	250 acres				
9	10 condos, 4441 Appian			S. Sharp	
10	DP05-3038				
11	MS05-0022	J. Cruz		John Lisenko	
12	4 lot split - 5574 Amend Rd.				
13	12 homes off Fariss Lane			B. Molinary	
14	New home - 37 Holly Lane			R. Molinary M. Zeelen	
15	2nd residence - 866 Allview	Withdrawn			
16	Barn to Office - 5529 Olinda Rd.	J. Cisney		R. Sharp E. Loyka	
17	MS07-0016	J. Cisney			
18	1.53 ac. into 3 lots - 5172 La Honda				
19	MS07-0020	D. Hardman		J. Firmann	
20	Split into 2 lots, 4312 Santa Rita			M. Eakin	
21	Legalize apts, 408 La Paloma Rd.			R. Molinary	
22	2 story duplex - 421-431 Rincon Lane				
23	Global Auto <del>476</del> 476 Appian Way				?

Approved -  
no permits.

17 R206-3177 15 homes - 5330 S.P. Dam Rd.  
SD06-9106 Sleepy Hollow



EL SOBRANTE VALLEY  
PLANNING & ZONING ADVISORY COMMITTEE

10.1.9

5.10

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

December 25, 2008

Head Librarian  
El Sobrante Library  
4191 Appian Way  
El Sobrante, CA 94803

Re: Use of Meeting Room for Meetings on the Second Thursday  
Each month from 6 p.m. to 9 p.m.

Dear Librarian,

For your information, we have had a long running agreement with the El Sobrante Library to make use of the meeting room on the second Thursday of each month from 6 p.m. to 9 p.m. We are so appreciative of your efforts in helping the Community in so many different ways.

Our schedule for 2009 looks like this: Thursday,

January 8	*February 12	March 12	April 9
May 14	June 11	July 9	August 13
September 10	October 8	November 12	December 10

Note: There is a question about February 12. That is the original date of Lincoln's Birthday. Will the library be open that day? If not, please call me, so we can choose an alternate date.

We also request that you check your calendar to verify that the library is open on those second Thursdays listed and that the meeting room will be scheduled for our meetings. If there are any problems, please call me at 510-223-6398. Thank you. For your information, this Committee has been meeting in the El Sobrante Library Meeting Room since it was formed in 1975.

Sincerely,

*Eleanor Loynd*  
Eleanor Loynd  
ESVP&ZAC Chair

Enclosure

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Review of Projects in the Richmond/El Sobrante Area

January 2009

County Projects:

1. DP08-3072	21 apartments	970 Appian Way	under review
2. Old Naphan Ranch	36-44 homes	Castro Ranch Rd.	proposed
3. Spanish Trails	15 <sup>20</sup> homes	Valley View Rd.	under construction
4. SD06-9066	12 homes	Fariss Lane	under review
5. MS07-0016	3 lots	5172 La Honda Rd.	under review
6. SD06-9106	15 homes	5330 S.P. Dam Rd.	approved-Sleepy H.
7. SD01-8533	35 <sup>41</sup> homes	off Hilltop Dr.	in court-Afshar
8. DP02-3064	31 homes	Appian Way	under construction
9. SD05-8986	10 condos	4441 Appian Way	approved
10. MS05-0022	3 homes	Amend Rd.	under review
11. ?	8 lots	S.P.Dam Rd.(near Tri L)	under review
<u>TOTAL:</u>		<u>200-208 homes/apartments</u>	
		190-200	

Richmond Projects:

1. The Oaks	51 homes	Castro Ranch Rd.	in court
2. Forest Green	120 homes	off Clark Rd.	on hold
3. Canyon Oaks II	25 <sup>36</sup> homes	S.P.Dam Rd./Castro	under review
4. ?	9 homes	Sunset Dr./Valley View	approved
<u>TOTAL:</u>		<u>216 homes</u>	
		205	

SUMMARY of FACTS:

1. Richmond/El Sobrante area - Total Homes/Apartments Under Review:  
416-424 Homes, apartments, condos  
405
2. Based on the WCCUSD student-per-household factors, the proposed projects (assuming 416-424 homes at an average student generation rate of 0.703) would require accommodation of approximately 292-297 new students.  
405

8 to 10 TRIPS PER DAY PER HOME (INCLUDES DELIVERIES etc.)

47 STUDENTS PER HOME (295) 54% 4-6 139  
139 7-8 34  
33% 9-12 97

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(5.14 - see 7.2)

# West County Times

Letters From Our Readers

12-24-08

## Supervisors' vote

On Dec. 14, we were very disappointed to read in the Times that the Contra Costa County Board of Supervisors voted 4 to 1 against joining the lawsuit on Proposition 8, the ban on same-sex marriage.

The removal of civil rights from one class of citizens, while upholding the same rights for other citizens, is fundamentally flawed and clearly unconstitutional.

The voters in Contra Costa County rejected the proposition in the November election, as did voters in many other Bay Area communities. Supervisor John Gioia is the only supervisor who stood up for the protection of constitutional rights of all citizens, and should be applauded for his actions.

Our heterosexual marriage is not threatened by Adam and Steve marrying and moving in next door. But constitutional amendments that limit rights is a threat to every citizen, not just the targeted few.

We thank Gioia for his vote. Shame on the others for not standing up for their constituents. May they remember this next time they are up for re-election.

Scott and Jenny Tuffnell  
San Pablo



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue  
Richmond, CA 94801-3135

10:11  
5 11  
(7.2a)

Bruce Harter, Ph.D.

Telephone:

(510) 231-1101  
Superintendent

FAX: (510) 236-6784

December 30, 2008

Dear Ms. Loynd: *Eleanor*

Thank you for accepting the appointment to the school closure committee that is meeting on January 13, 2009 in the Crespi Middle School Multipurpose Room from 6:30 to 9:00 PM. Your participation in this process is essential and the Board members and I greatly appreciate your willingness to assist in contributing to the difficult decisions that the Board must make.

No one wants to close schools but school closures are one part of the district's balanced plan for financial solvency. I've described that plan in more detail in my January Superintendent's message which is now on the district's web site.

Before the meeting, please review information that's available on the district's web site. The School Closure Information tab includes all of the background that we've compiled including the presentations to the Board on November 12 and December 10, the Board adopted criteria for school closures, a scoring guide for the criteria, the Schreder & Associates background presentations from December 11 and December 18 that include the school closure scenarios, as well as a description of the process and timeline that will lead to a Board decision on February 11, 2009. There are also tabs where questions from various public meetings have been answered as well a compilation of public comments. Finally, there is a tab for Alternate Proposals that community members have submitted. Should you require hard copies of these documents, please contact my office with your specific request and the document will be mailed to you. Due to the volume of documents posted on the website, we are hoping that online access will provide appointed committee members with easy accessibility. Closing schools is a complicated and multifaceted task so preparing by reviewing this information will be essential.

At the closure meeting, you as appointed committee members will be seated at tables so you can review documents, makes notes and discuss the proposals in small groups. Since this is an open public meeting, there will be seating provided for members of the public who wish to attend but who are not appointed members of the committee. I'll make a brief introductory presentation and then turn the meeting over to Erika Gregory, our facilitator for the meeting and the President of Collective Invention, a firm that specializes in involving communities in tough decisions. Erika will lead the appointed committee members through a process that allows the appointed members as well as the audience to discuss the scenarios and create alternatives. The meeting will include a period of time for public comment so that members of the public can voice concerns and suggestions to the appointed committee members. Finally, each appointed committee member will evaluate the proposals and use the Board adopted criteria to improve the scenario and / or create an entirely new scenario.

The data gathered at these meetings from the appointed committee members will be compiled. Feedback from members of the public who attend the meeting but who haven't been appointed to the committee will also be separately compiled. Results from all the feedback will be made public on January 27, 2009.

Thanks you again for participating in this important process.

Sincerely yours,

Bruce Harter  
Superintendent



10.1.09

5.12

( 7.26 )

January 1, 2009

Readers' Forum  
West County Times  
4301 Lakeside Dr.  
Richmond, CA 94806

By Fax & Mail  
Fax: 262-2776

Dear Editor,

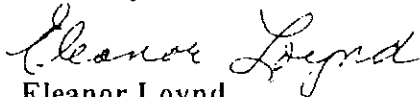
The West Contra Costa Unified School District Board is scheduled to make a final decision of the closures of 10 schools, 5 this year and 5 more next year, on Wed., Feb. 11<sup>th</sup>. Those decisions will effect all of us in the WCCUSD. For example, a school closure affects all students/teachers at that school. A school closure also effects the school that those students are moved into. But, there's more wide ranging problems than that.

Using an average attendance of 300 students, those 5 schools closing this year will move about 1500 students to other schools. How do those students get to the newly assigned school? Is there public transportation available? Will there be after school programs provided, so that parents may pick up the students at 5 p.m. or later? How many of those students will be walking to school?

I respectfully request that staff with the cities and the county in the WCCUSD look for safe routes to school for these students. We all know of areas where sidewalks are missing. There are major streets in the areas where traffic moves at 35-45 miles an hour. Are street improvements needed? Are any signalized intersections needed? Since the WCCUSD Board made the decision to close the schools, should the WCCUSD pay for the cost of those safety improvements? Should the WCCUSD be required to provide bus service to students from those closed schools? City and County traffic engineers should evaluate the school routes. School closures will also mean heavier traffic in/out at some of the schools. What changes and improvements need to be paid for by the WCCUSD?

After those schools close, will the WCCUSD sell the properties? Neighborhoods will lose the use of the playing fields. The properties could be sold to private schools or to developers. If you replace a school site parcel with 100 homes and/or apartments, the effects on the neighbors are heavy ones

Sincerely,



Eleanor Loynd

Pres. May Valley Neighborhood Council

Pres. Richmond Neighborhood Coordinating Council

Home Phone: 510-223-6398

Fax: 510-758-7697

# West Contra Costa Unified School District

## District-wide School Consolidation / Closure Process

Adopted December 10, 2008

Goal: Prepare a recommendation for a public hearing at the Board of Education meeting on February 4, 2009 that meets the requirements for school closure from the adopted budget and as required by the Contra Costa County Office of Education and the California Department of Education.

*November 12, 2008*

Board and Board members elect discussed possible consolidation / closure criteria.

*December 10, 2008*

Board adopts criteria for consolidation / closure and approves the process for community and expert input. The Board authorizes the Superintendent to contract with an independent expert firm or group to review the data on enrollment, enrollment projections, school capacity, school site capacity, constraints for forming student attendance areas (railroad tracks, etc). This firm or group will provide a report including findings and recommendation on schools to be consolidated / closed by January 27, 2009. The Board also authorizes the Superintendent to contract with facilitator to lead the community meetings associated with the process.

*December 11, 2008*

The District will provide a community presentation on the background factors including enrollment information, projections, capacity analysis, and financial background. The meeting will include gathering community input and questions.

*December 18, 2008*

The District will, at a public meeting, present two consolidation / closure scenarios. The agenda for the meeting will include gathering community input and questions.

*January 8, 12, 13, 14, 15, & 20* High School Attendance Area Meetings (see locations below)  
Using an external facilitator, the District will present the two scenarios at public meetings at each of the six high school attendance areas to a committee (see below) representing the various interest groups in that high school attendance area. Each member of the committee would attend only one of the community meetings in the designated high school attendance area. The design for those meetings includes:

- Presentation of a summary of the school consolidation / closure background information
- Large group discussion of possible modifications
- Public Comment – time would be set aside in each meeting for public comment from community members not appointed to one of the groups.
- Each member (see membership list below) ranks each proposal based on Board adopted criteria.

*January 27, 2008*

Public presentation of data collected from community as well as expert panel findings / recommendations.

*January 29, 2009*

Public presentation of recommendations that will go to the Board for a Board hearing on February 4.

*February 4, 2009*

As part of the regular meeting, the Board holds a hearing on the recommendation for consolidation / closures.

*February 11, 2009*

Board approval of consolidation / closure plan for 2009-10 and 2010-11.

**Board Charge to the Committee Members**

1. Attend the meeting to which the member is appointed or make arrangements to attend an alternative meeting. Each appointee will act in the capacity of a committee member at one and only one meeting. Committee members are, of course, welcome to attend any or all of the other meetings but will participate as part of the committee only in one.
2. Review materials provided on the web site in advance of the meeting including the two scenarios for school consolidation / closure as well as the underlying enrollment projections, financial information, school capacity report, and the projection of attendance areas for each potential closure scenario.
3. Discuss possible alternative consolidation / closure scenarios that meet the requirements for financial savings for 2009-10 and 2010-11.
4. Based on the Board adopted criteria, complete the rating process to evaluate each of the two proposals and rank the order in which the schools will be closed. Only appointed committee members will complete the ratings and rankings during the meeting at which the appointed member was seated as a member of the committee.

**Meeting Dates / Locations – all meetings 6:30 to 9:00 PM**

January 8 – Hercules High School Cafeteria

January 12 – Pinole Valley High Cafeteria

January 13 – Crespi Middle School Multipurpose Room

January 14 – Helms Middle School Multipurpose Room

January 15 – Kennedy High School Cafeteria

January 20 – Portola Middle School Gymnasium

10/10/17

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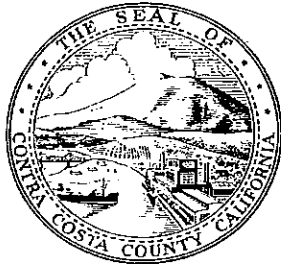
### Proposed School Closure Committee Membership

- 5 high school students appointed by the ASB or Student Leadership who live in that attendance area
  - 1 parent appointed by the PTA or a parent representative on the site council from each elementary, middle and high school in the high school attendance area
  - 1 certificated staff appointed by the United Teachers of Richmond from each elementary, middle and high school in the high school attendance area
  - 2 members for Hercules group only appointed by Hercules Mayor
  - 2 members for Pinole Valley group only appointed by Pinole Mayor
  - 2 members for Richmond group only appointed by San Pablo Mayor
  - 2 members for El Cerrito group only appointed by El Cerrito Mayor
  - 2 members each for DeAnza, Richmond, Kennedy, Pinole Valley & El Cerrito appointed by the Richmond Mayor
  - 3 members to represent the County Supervisor (1 for each of three meetings)
  - 3 classified employees who work in the high school attendance area appointed by Local 1
  - 1 member appointed by the Special Education CAC
  - 1 member appointed by the District GATE Advisory Council
  - 1 member appointed by the Multilingual District Advisory Committee
  - 1 member of SSA appointed by SSA
  - 1 non school-based member of WCCAA appointed by WCCAA
  - 1 principal, (AP,VP or IS if principal not available) from each school in the high school attendance area
  - 1 realtor who lives / works in WCCUSD appointed by the Realtor's Association
  - 1 representative of Contra Costa Taxpayers association
  - 1 representative of Richmond Neighborhood Coordinating Council as appointed by the Chair
- Alternative schools (e.g. North Campus, Gompers, Vista High, Adult Education) will send a representative, either the principal or designee, to any *one* of the meetings *or* to the high school attendance area in which the alternative program is located)

Summary Committee Membership Table

Members	* DeAnza	El Cerrito	Hercules	* Kennedy	Pinole	* Richmond	Total
Students	5	5	5	5	5	5	30
Parents	8	8	5	10	8	12	51
Teachers	8	8	5	10	8	12	51
Classified	3	3	3	3	3	3	18
Community Reps (includes representatives from Mayors and Supervisor)	4	5	3	4	5	6	27
CAC	1	1	1	1	1	1	6
MDAC	1	1	1	1	1	1	6
GATE	1	1	1	1	1	1	6
SSA	1	1	1	1	1	1	6
WCCAA	1	1	1	1	1	1	6
Principals	8	8	4	10	8	12	50
→ RNCC	* 1	1	1	* 1	1	* 1	6
Taxpayers	1	1	1	1	1	1	6
Realtors	1	1	1	1	1	1	6
Alternative Schools	1	1	0	1	1	0	4
Total	45	46	33	51	46	58	279

\* RNCC invited to send reps



Department of Conservation & Development  
Building Inspection Division  
651 Pine Street - 4th Floor  
Martinez, CA 94553  
Telephone: (925) 335-1111 Fax: (925) 646-4450

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**DATE:** January 8, 2009  
**TO:** El Sobrante MAC - District 1  
**FROM:** Michael Angelo Silva, Chief, Property Conservation Division  
By: Joe Losado, Code Enforcement Officer  
**SUBJ.:** Monthly Reports

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Enclosed is the El Sobrante Access Report for the month of December 2008.

**SUMMARY OF CODE ENFORCEMENT BUILDING & ZONING CASES  
(December 2008)**

	CASES OPENED	CASES CLOSED	TOTAL CASES ACTIVE
EL SOBRANTE	5	6	24

**NOTICE OF A PUBLIC HEARING BEFORE THE  
CONTRA COSTA COUNTY BOARD OF SUPERVISORS  
ON PLANNING MATTERS**

**ALAMO AREA**

NOTICE is hereby given that on TUESDAY, FEBRUARY 3, 2009 at 1:15 P.M., in Room 107, McBrien Administration Building, 651 Pine Street, (Corner of Pine and Escobar Streets), Martinez, California, the Contra Costa County Board of Supervisors will hold a public hearing to consider the following planning matter:

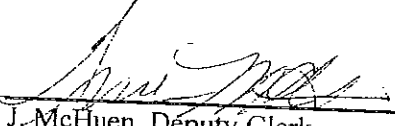
Hearing on a Joint Appeal filed By The Quail Hill Homeowners Association and The El Sobrante Valley Planning & Zoning Advisory Committee of a County Planning Commission decision to approve the Sikh Temple Expansion Project with variances to the height and number of stories on Phases 1 & 4 and variances to retaining wall and masonry wall height with a tree permit. Project site located at 3550 Hillcrest Road in the El Sobrante area. J.P. Singh (Applicant), The Sikh Center Of San Francisco (Owner) (County File # LP03-2052) (District I)

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

Prior to the hearing, Community Development Division staff will be available on Tuesday, February 3, 2009 at 12:00 p.m in Room 108, Administration Building, 651 Pine Street, Martinez, to meet with any interested parties in order to (1) answer questions; (2) review the hearing procedures used by the Board; (3) clarify the issues being considered by the Board; and (4) provide an opportunity to identify, resolve, or narrow any differences which remain in dispute. If you wish to attend this meeting with staff, please call John Osborne, Department of Conservation and Development, at (925) 335-1207 by 3:00 p.m. on Monday, February 2, 2009 to confirm your participation.

Date: January 21, 2009

David Twa, Clerk of the  
Board of Supervisors and  
County Administrator

By   
J. McHuen, Deputy Clerk

Fact Sheet, January 2009

# Post-Closure Permit Proposed for West County Landfill, Incorporated

The Department of Toxic Substances Control (DTSC) invites you to review and comment on the draft Hazardous Waste Post-Closure Permit (Permit) for the West County Landfill (WCL) located at One Parr Boulevard. The approval of this Permit will allow the facility authority to continue its operation, monitoring, and maintenance of specified permitted units.

The previous Post-Closure Permit for WCL was issued July 9, 2003, and there are no physical changes proposed for this new Permit .

In addition to the draft Permit, DTSC also proposes to issue a Notice of Exemption under the California Environmental Quality Act (CEQA) which is available for review.

## Why a Permit is Necessary

DTSC regulates the generation, storage, treatment and disposal of hazardous waste in California. A permit enables DTSC to effectively regulate the hazardous waste management activities at facilities. Permits are developed after DTSC's detailed technical review and are intended to ensure that the facility operates in a manner that protects human health and the environment.

### Public Comment Period and Hearing

The 45-day public comment period for the draft Permit begins on January 23, 2009 and ends on March 10, 2009. Copies of the draft Permit, CEQA Notice of Exemption and supporting documents can be viewed at the information repositories listed on page 3 in this fact sheet. Written comments must be postmarked March 10, 2009, and sent to:

Peter Bailey, DTSC Project Manager  
8800 Cal Center Drive  
Sacramento, California 95826

E mail comments must be sent by March 10, 2009 to: [PBailey@dtsc.ca.gov](mailto:PBailey@dtsc.ca.gov)

DTSC will conduct a Public Meeting/Hearing to explain the Draft Permit, address your questions, and accept your verbal and written comments. Meeting/Hearing will be held on February 24, 2009 at 6:30 PM at the following location:

The Community Senior Citizen Center of North Richmond,  
1708 5th Street  
Richmond, 94801  
510-232-3511

For information on accessibility or to request reasonable accommodations, please contact Mr. Jesus Cruz toll-free at 1-866-495-5651 or 916-255-3315 or by e-mail to [JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov) no later than February 10, 2009.



*The Mission of the Department of Toxic Substances Control is to provide the highest level of safety, and to protect public health and the environment from toxic harm.*

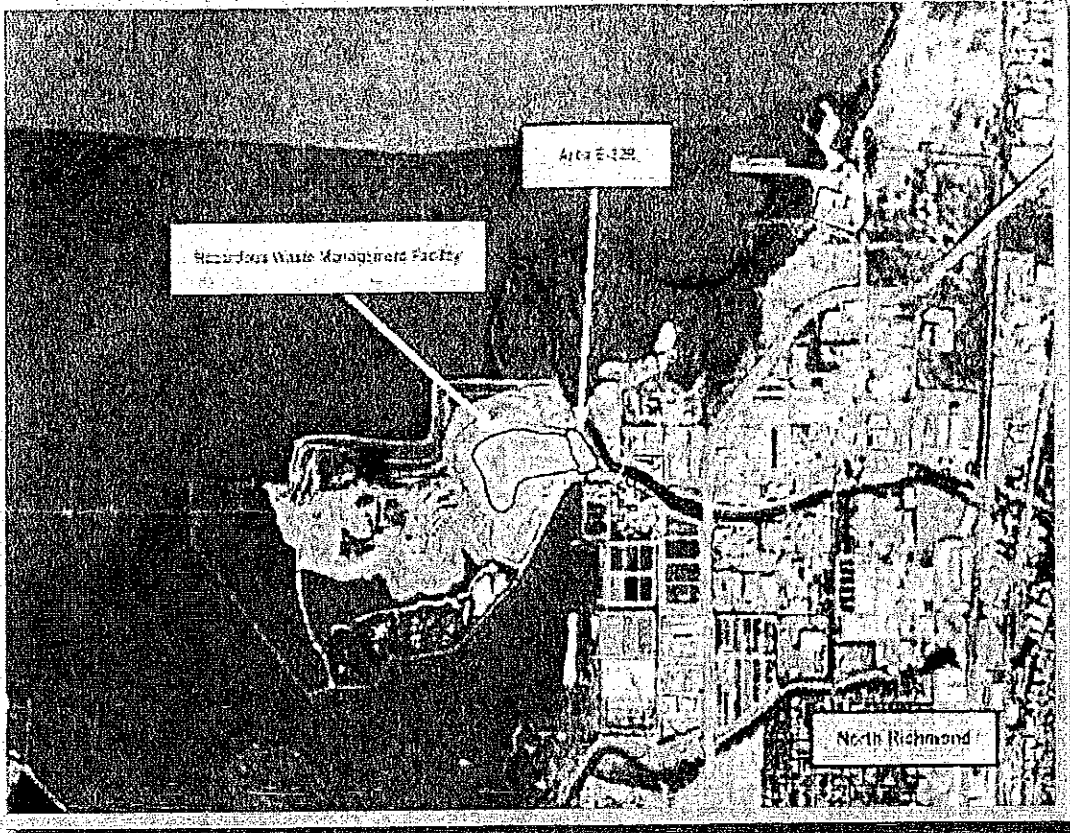


State of California



California Environmental Protection Agency





**Facility History and Description**

West County Landfill stopped receiving hazardous waste in 1985 and the facility was certified closed by DTSC with waste remaining in place in compliance with the Closure Plan. The Closure Plan required the following items to be implemented in order to properly close the facility. With closure certification, state and federal regulations require that a post-closure plan for a 30-year period be developed and implemented by the facility.

The specific post-closure activities required to be implemented with the issuances of the post-closure permit are the following:

- Monitor the groundwater for water quality and gradients,
- Manage leachate by extracting, treating and discharging it to the West County Wastewater District (WCWD) Wastewater Treatment Plant,
- Monitoring the slurry wall surrounding the facility, and
- Inspecting, maintaining and repairing the structures at the facility, which include the closed landfill and the leachate treatment system.

**California Environmental Quality Act Notice of Exemption**

DTSC evaluated possible environmental impacts associated with the proposed activities of West County Landfill, as required by CEQA. DTSC has prepared a Notice of Exemption which states that the Hazardous Waste Facility would not have significant impacts to human health and the environment. The findings are available for review, along with other supporting documents in the information repositories located on page 3.

**Enforcement History**

DTSC inspects the West County Landfill on a regular basis to ensure they are in compliance with California laws, regulations, and the permit conditions. The following violations were found during inspections over the past five years

On December 9, 2002 and March 4, 2003, DTSC staff inspected WCL at Parr Boulevard and Garden Tract Road in Richmond.

On January 28, 2004, DTSC issued a Compliance Evaluation Inspection Report describing violations observed during those inspections and others discovered in subsequent research. These violations



were for inadequate operation records, open containers, release of wastes, inadequate inspection records and unauthorized storage of hazardous wastes.

On June 15, 2005, DTSC performed a Compliance Evaluation Inspection of the WCL facility, and discovered no violations as a result of the inspection.

On February 2, 2006, DTSC issued an Enforcement Order to WCL, with an Imminent and Substantial Endangerment Determination, Docket HWCA 20061079 ("Enforcement Order") The Enforcement Order sets forth DTSC's assertion that West County Landfill failed to operate and maintain an adequate leachate extraction and treatment system to establish and maintain an inward hydraulic gradient within the Hazardous Waste Management Facility (HWMF), and that this had created the potential for releases of leachate, which is classified as RCRA hazardous waste (waste code F039), from the HWMF into the environment. The Enforcement Order also set forth DTSC's assertion that West County Landfill violated Health and Safety Code Section 25202(a) by failing to comply with certain Permit Requirements.

On September 26, 2007, DTSC entered into a Consent Order with West County which superseded and replaced the requirements set forth in the Enforcement Order. This was agreed to by both parties in order to avoid the expense of litigation and carry out the compliance actions necessary to correct the violations that DTSC asserted in the Enforcement Order. In signing the Consent Order, West County remained in dispute with the allegations in the Enforcement Order, but agreed to specified compliance actions without admission of wrongdoing.

West County provided DTSC with a Post-Closure Permit Application on November 22, 2006, which contains revised operation plans to satisfy DTSC's required compliance actions. Since that time, DTSC's Geological Services Unit and Permit Renewal Team has been working closely with West County to ensure the scheduled completion of compliance actions, as well as revisions to West County's proposed operation plans.

Inspection reports are available for review at DTSC's regional office located at 8800 Cal Center Drive, Sacramento, California 95826.

### You can Participate in our Permitting Decisions

The draft Permit Renewal, Notice of Exemption, and other site-related documents are available for public review at the information repositories listed below. The entire administrative record is available in the DTSC office in Sacramento.

Richmond Public Library Main Branch  
325 Civic Center Plaza  
Richmond, California 94804  
510-620-6561  
Mon - Wed: Noon - 8 p.m.  
Thurs and Sat: 10 a.m. - 5 p.m.  
Friday: Noon - 5 p.m.  
Sunday: CLOSED

Department of Toxic Substances Control  
Sacramento Regional Records Room  
8800 Cal Center Drive  
Sacramento, California 95826  
Phone: 916-255-3758  
(Please call for an appointment)

To view electronic versions of the proposed Permit Renewal, CEQA Notice of Exemption and other related documents, please visit DTSC's EnviroStor website: <http://www.envirostor.dtsc.ca.gov/public/>. Enter "Richmond" as the City. Click on the link "Report" West County Landfill for additional information.

### For More Information Contact

Please contact any of the following individuals with any questions or concerns you may have regarding proposed Post-Closure Permit, CEQA Notice of Exemption or supporting documents:

For questions regarding the draft Permit Renewal or CEQA Notice of Exemption, please contact Mr. Peter Bailey, DTSC Project Manager, at 916-255-3602 or by e-mail to [PBailey@dtsc.ca.gov](mailto:PBailey@dtsc.ca.gov).

For questions regarding Public Participation, please contact Mr. Jesus Cruz, DTSC Public Participation Specialist, toll-free at 866-495-5651 or 916-255-3315 or by e-mail to [JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov).

For questions from the media, please contact Ms. Claudia Loomis, DTSC Public Information Officer, at 916-255-6578 or by e-mail to [CLoomis@dtsc.ca.gov](mailto:CLoomis@dtsc.ca.gov).

**Notice to Hearing Impaired Individuals**

TDD users can obtain information about the West County Landfill by using the California State Relay Service at 888-877-5378. Please ask to speak to Jesus Cruz 916-255-3315.

**Would you like to be added or removed  
from the West County Landfill Mailing list?**

If you would like to be added or removed from the mailing list for the West County Landfill Facility, please complete the information below and return to Mr. Jesus Cruz, 8800 Cal Center Drive, Sacramento, CA 95826. You can e-mail your request to be added or removed from the mailing list to [JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov).

Please remove my name from the mailing list

Please add my name to the mailing list

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

*Note: While this mailing list is solely for DTSC use, the list is considered a public record.*



Departamento de Control de Sustancias Tóxico

La misión del Departamento del Control de Sustancias Tóxicas consiste en proporcionar el máximo nivel de seguridad y para proteger la salud pública y el medio ambiente de daños tóxicos.



Estado de California



Agencia de Protección Ambiental de California

Folleto Informativo, Enero 2009

# Permiso Post Clausura para Vertedero West County Landfill, Incorporated

El Departamento de Control de Sustancias Tóxicas (DTSC, por sus siglas en inglés) les invita a que revisen y presenten sus comentarios respecto al anteproyecto del permiso post clausura (Permiso) para el vertedero West County Landfill, Incorporated (WCL, por sus siglas en inglés) ubicado en 1 Parr Boulevard. La aprobación de este permiso permitirá que la instalación continúe su operación, monitoreo y mantenimiento de las unidades especificadas en el permiso.

El permiso post clausura anterior para WCL se emitió en Julio 9, 2003, y no se propone cambios físicos para la renovación de este permiso.

Además del anteproyecto de este permiso, DTSC también propone emitir un aviso de exención en conformidad con el Decreto de Calidad ambiental de California (CEQA, por sus siglas en inglés) el cual está disponible para su estudio.

## Por Qué se Requiere un Permiso

DTSC regula la generación, almacenamiento, tratamiento y eliminación de desecho peligroso en California. Un permiso designa a DTSC a regular efectivamente las actividades de administración de desecho peligroso en las instalaciones. Los permisos se desarrollan después de DTSC efectúa un estudio técnico detallado y la finalidad de éstos es asegurar que la instalación opera de una manera que protege la salud humana y el medioambiente.

### PLAZO COMENTARIOS PUBLICOS Y AUDIENCIA

El plazo de comentarios públicos para el anteproyecto comienza en Enero 23, 2009 y termina el 10 de Marzo, 2009. Las copias del anteproyecto del permiso, el aviso CEQA y los documentos de apoyo pueden verse en los buzones de información indicado en la página 3 de este folleto informativo. Los comentarios por escrito deben someterse antes del 10 de Marzo y enviarse a:

**Peter Bailey, Gerente Proyecto, DTSC**  
8800 Cal Center Drive  
Sacramento, California 95826

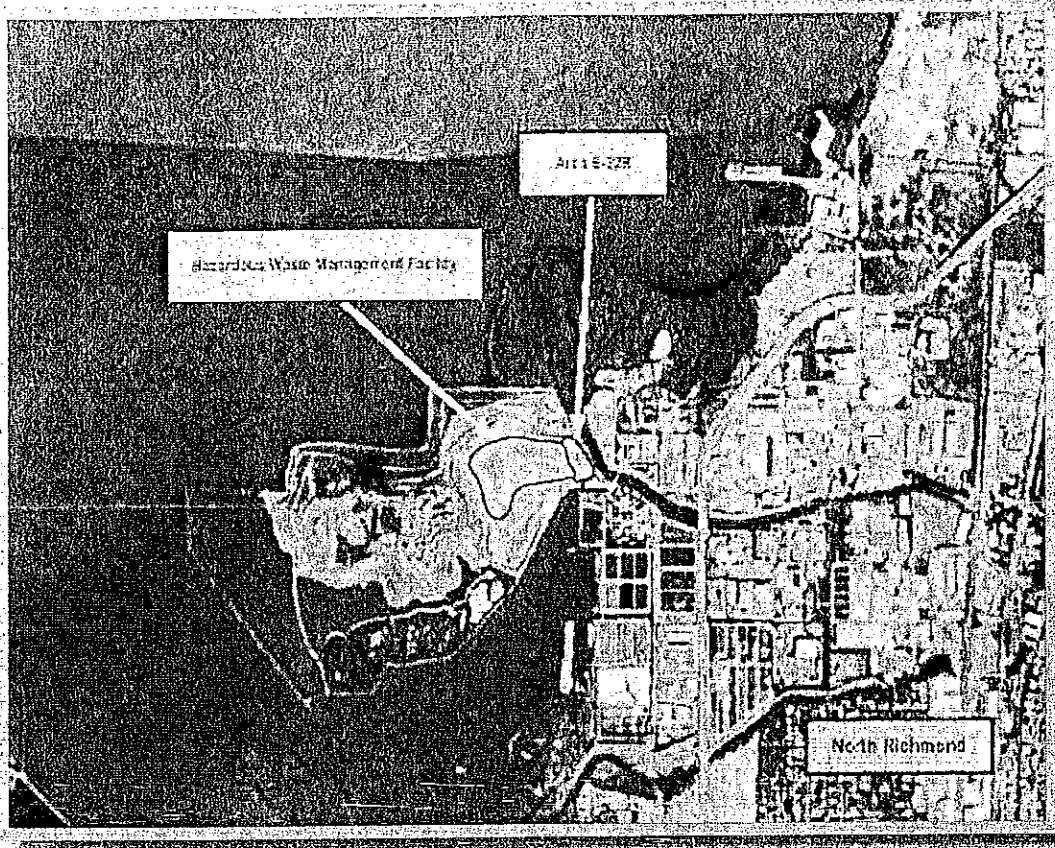
Envíe comentarios antes del 10 de Marzo, 2009 por e-mail a: [Pbailey@dtsc.ca.gov](mailto:Pbailey@dtsc.ca.gov)

El DTSC celebrara una reunion publica y audiencia para explicar el Permiso en anteproyecto, contestar sus preguntas y aceptar sus comentarios. La reunion y audiencia tomara lugar el 24 de Febrero del 2009, a las 6:30 de la tarde, en el siguiente local:

El Centro de la Comunidad de los Ancianos del Norte de Richmond  
1708 5th Street. (calle quinta)  
Richmond, 94801  
510-232-3511

Para informarse de cómo llegar a la reunión o si necesita acomodaciones especiales, por favor contacte a la Sr. Jesus Cruz, llamando sin costo al 1-866-495-5651 ó 916-255-3315 o por e-mail a [JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov) antes del 10 de Febrero del 2009.





**Datos Históricos y Descripción de la Instalación**

En 1985, West County Landfill dejó de recibir desecho peligroso y DTSC certificó su clausura quedando el desecho peligroso en el lugar cumpliendo de esa manera con el plan de clausura, el cual requería que se implementaran los siguientes items para clausurar adecuadamente la instalación mediante la certificación de clausura. Los reglamentos federales y estatales requieren que la instalación desarrolle e implemente un plan de post clausura durante un período de 30 años. Las actividades específicas de post clausura a ser implementadas mediante la emisión del permiso post clausura son las siguientes:

- Monitorear el agua subterránea en lo que respecta a la calidad de agua y los gradientes,
- Manejar la colada mediante la extracción, tratamiento y eliminación en la planta de tratamiento de aguas residuales del distrito de aguas residuales de West County (WCWD, por sus siglas en inglés),
- Monitorear la pared de lechada que rodea la instalación, e

- Inspeccionar, mantener y reparar las estructuras en la instalación, lo que incluye el vertedero cerrado y el sistema de tratamiento de colada.

**Decreto de Calidad Ambiental de California- Aviso de Exención**

DTSC ha evaluado cualquier posible impacto al medioambiente asociado con las actividades de West County Landfill, como es requerido por CEQA. Para este efecto DTSC ha preparado un Aviso de Exención que indica que la Instalación de Desecho Peligroso no tendría ningún impacto significativo a la salud humana y el medioambiente. Estos hallazgos están disponibles para su estudio, junto con los otros documentos de apoyo en el buzón de información indicados en la página 3 de este folleto informativo.

**Historial Cumplimiento de las Leyes**

DTSC inspecciona regularmente a West County Landfill para asegurarse de que están cumpliendo con las leyes y reglamentos de California, y con las condiciones del permiso. Durante el transcurso de inspecciones efectuadas en los últimos 5 años se han detectado las siguientes infracciones.

En Diciembre 9, 2002 y Marzo 4, 2003, el personal de DTSC inspeccionó WCL en Parr Boulevard y Garden Tract Road en Richmond. En 28 de Enero, 2004, DTSC emitió un Informe de Evaluación e Inspección describiendo las infracciones observadas durante esas inspecciones y otras detectadas durante investigaciones subsiguientes. Estas infracciones se debieron a registros de operación inadecuados, contenedores abiertos, escape de desechos, registros de inspección inadecuados y almacenamiento no autorizado de desechos peligrosos.

En Junio 15, 2005, DTSC efectuó un Inspección y Evaluación de Cumplimiento en la instalación WCL. El resultado de esa inspección fue que no se descubrió ninguna infracción.

En Febrero 2, 2006, DTSC cursó una Sentencia de Ejecución a WCL indicando su Determinación de Peligro Inminente y Substantial, según lista de causa HWCA 20061079 ("Sentencia de Ejecución") La cual afirma la asección de DTSC que el vertedero West County Landfill no cumplió con operar y mantener el sistema de tratamiento adecuado de extracción de colada y de establecer y mantener una gradiente hidráulica interior dentro de la instalación de desecho peligroso (HWMF, por sus siglas en inglés) y que ésto había causado el potencial de fuga de colada lo cual está clasificado como desecho peligros RCRA (código de desechos F039), desde el HWMF al medioambiente. La Sentencia de Ejecución también indicó la asección de DTSC que el vertedero West County Landfill quebrantó el artículo 25202 (a) del código de Seguridad y Salud por el incumplimiento de ciertos requerimientos del permiso.

En Septiembre 26, 2007, DTSC formalizó una orden de consentimiento con West County Landfill la cual remplazaba los requerimientos de la sentencia de ejecución. Con el objeto de evitar los gastos de litigación y cumplir con las acciones para corregir las transgresiones que DTSC afirmó en la sentencia de ejecución, las dos partes acordaron proceder con esto último y cumplir con las acciones necesarias para corregir las transgresiones que DTSC afirmó habían ocurrido en la sentencia de ejecución. Cuando se firmó la orden de consentimiento, West County siguió en disputa con las presunciones de la sentencia de ejecución pero acordó cumplir con ciertas acciones específicas sin admitir culpabilidad.

En Noviembre 22, 2006, West County entregó a DTSC una solicitud para un permiso post clausura la cual contiene planes operativos revisados para satisfacer las acciones de cumplimiento requeridas por DTSC. Desde esa fecha, la unidad de servicio geológico de DTSC y el equipo de renovación de servicios han estado trabajando junto con West County para asegurar que se completen las acciones de cumplimiento como están programadas como también efectuar las revisiones a los planes operativos propuestos por West County.

Los informes de inspección están disponibles para su estudio en la oficina regional de DTSC ubicada en 8800 Cal Center Drive, Sacramento, California 95826.

**Usted puede participar en nuestras decisiones respecto a los permisos**

El anteproyecto de renovación del permiso, el aviso de exención y otros documentos relacionados con el sitio están a disposición del público para su estudio en los buzones de información indicados a continuación. El expediente administrativo completo está disponible en la oficina de DTSC en Sacramento.

Biblioteca Pública de Richmond  
Sucursal Central  
325 Civic Center Plaza  
Richmond, California 94804  
510-620-6561  
Lunes – Miercoles: Mediodía – 8 p.m.  
Jueves y Sabados: 10 a.m. – 5 p.m.  
Domingo: CERRADO

Departamento de Contros de Sustancias Tóxicas  
Oficina Regional de Archivos de Sacramento  
8800 Cal Center Drive  
Sacramento, California 95826  
Teléfono: 916-255-3758  
(Por favor llame para pedir una cita)

Para acceder las versiones electrónicas de la propuesta de renovación del permiso, el aviso de exención y otros documentos afines por favor visite nuestro nuestro sitio Web delDTSC: <http://www.envirostor.dtsc.ca.gov/public/>. Haga click en Richmond como ciudad/ Haga click en report West Count Landfill para obtener información adicional.

**Contacto Información Adicional**

Si desea formular alguna pregunta o expresar alguna inquietud respecto al permiso de post clausura, el propuesto el aviso de exención CEQA o los documentos de apoyo por favor contacte al cualquiera de los siguientes funcionarios:

Preguntas respecto al anteproyecto del Permiso Renovación o el Aviso de Exención, por favor comuníquese con el Sr. Peter Bailey, Gerente de Proyecto, DTSC, al 916-255-3651 o por e-mail a [PBailey@dtsc.ca.gov](mailto:PBailey@dtsc.ca.gov).

Preguntas sobre la participación pública, haga el favor de comunicarse Jesus Cruz, Especialista en Participación Pública de DTSC al número sin costo 866-495-5651 o al 916-255-3315 o vía e-mail a [JCruz@dtsc.ca.gov](mailto:JCruz@dtsc.ca.gov).

Para presuntas de prensa, llame a Claudia Loomis, oficial de informacion 916-255-6578 publica [CLoomis@dtsc.ca.gov](mailto:CLoomis@dtsc.ca.gov)

**Aviso Para Personas con Discapacidades Auditivas**

Los usuarios TDD pueden obtener información sobre West County Landfill usando el Servicio de Relevo del Estado de California llamando al 888-877-5378. Por favor pida se le comunique con Jesús Cruz 916-255-3315.

**¿Le gustaría que se agregue o se elimine su nombre de la Lista de Direcciones de West County Landfill?**

Si a desea que se saque su nombre de la lista de direcciones de West County Landfill Facility, por favor complete la siguiente información y envíela por correo a la Sr. Jesus Cruz, 8800 Cal Center Drive, Sacramento, CA 95826. Usted también puede hacerlo por e-mail a [JCruz1@dtsc.ca.gov](mailto:JCruz1@dtsc.ca.gov).

Por favor saque mi nombre de la lista de direcciones

Por favor agregue mi nombre a la lista de direcciones

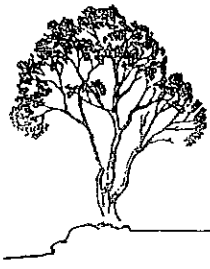
Nombre: \_\_\_\_\_

Dirección: \_\_\_\_\_

Ciudad/Estado/Código Postal: \_\_\_\_\_

**Aviso: Aunque la lista de direcciones es de uso exclusivo de DTSC, ésta se considera un documento público.**

10 13 09



# MAY VALLEY NEIGHBORHOOD COUNCIL

P.O. Box 21551 / Richmond, CA 94820-1551

May Valley N. C. Newsletter

**JANUARY 2009**

Page 1

MVNC Officers of 2009

President Eleanor Loynd  
Secretary Wim Lavrijsen

Vice Pres. Carol Burbo  
Treasurer Joan Drees

A Painful Decision on School Closures:

The West Contra Costa Unified School District Board is currently holding meetings to define their plans to close at least 5 schools this year and to close 5 schools next year. If an elementary school is closed, the savings is estimated at \$300,000. If a high school is closed, the savings is estimated at \$800,000. If the school property is then sold for development, the district would get more money.

The recently formed School Closure Committee is made up of reps from about 20 different groups. Those groups include: PTA reps; student group reps; reps appointed by Mayors of El Cerrito, Hercules, Pinole, San Pablo, El Cerrito, and Richmond; reps appointed by the County Supervisor; reps appointed by the Realtors Asso., the Contra Costa Taxpayers Asso., and reps from the Richmond Neighborhood Coordinating Council.

This is from the WCCUSD description of their District-wide School Consolidation/Closure Process:

January 8, 12, 13, 14, 15, 20 - High School attendance Area Meetings (see locations below). Using an external facilitator, the District will present the two scenarios at public meetings at each of the six high school attendance areas to a committee representing the various interest groups in that high school attendance area. Each member of the committee would attend only one of the community meetings in the designated high school attendance areas. The design for those meetings includes:

- Presentation of a summary of the school consolidation/closure background information.
- Large group discussion of possible modifications
- Public Comment – time would be set aside in each meeting for public comment from community members not appointed to one of the groups.
- Each member ranks each proposal based on Board adopted criteria.

Meeting Dates / Locations ---All Meetings 6:30 p.m. to 9:00 p.m.

- January 8 - Hercules High School Cafeteria
- January 12 - Pinole Valley High Cafeteria
- January 13 - Crespi Middle School Multipurpose Room
- January 14 - Helms Middle School Multipurpose Room
- January 15 - Kennedy High School Cafeteria
- January 20 - Portola Middle School Gymnasium

- January 27, 2009 - Call WCCUSD Office for location of meetings.
- February 4, 2009 - As part of the regular meeting, the Board holds a hearing on the recommendation for consolidation/closures.
- February 11, 2009 - Board approval of consolidation / closure plans for 2009-2010 and 2010-2011.

WCCUSD Board Meetings usually begin at 6:30 p.m. at Lavonya DeJean Middle School Multipurpose Room, 3400 Macdonald Ave. in Richmond.

MVNC Comments on the Richmond/El Sobrante area

It is our understanding that these are the schools on the possible closure list in our area:

- El Sobrante Elem. School      Olinda Elem. School      Valley View Elem. School
- Crespi Middle School

Neighbors: Please consider how the vacancy, rental, or sale of the school property will affect property values and quality of lives in our area. You are encouraged to attend the WCCUSD meetings as well as meetings at the local schools.

- El Sobrante Elementary School - phone 223-4500
- Olinda Elementary School - email at [www.olindaschool.com](http://www.olindaschool.com)
- Valley View Elementary School - phone 223-6363
- Crespi Middle School - phone 223-8611

QUESTIONS WE WANT ANSWERED:

1. How far away from each school on the closure list is the school that the students would be assigned to?
2. Is there any public transportation available to that school?
3. IF there is no public transportation available, are there any after school programs available that could help working parents?
4. How large is the parcel of land on which each school is located?
5. Has the school district evaluated the affects of the additional student population on the schools left open? Are there any structural problems, toilet leaks, etc., that need to be fixed before the school population is raised?
6. Has the School Board considered changing some of the elementary schools to K-8 schools?
7. Has the School Board looked at past history of how many schools were closed in each area? How many parcels sold?
8. Has the School Board looked at the list of current projects under review in each area? For example, if current projects show 200 homes or more proposed for the area, can the school district provide room at the local schools for the new students?

NOTE: More Comments on Page 3





# MAY VALLEY NEIGHBORHOOD COUNCIL

P.O. Box 21551 / Richmond, CA 94820-1551

Page 2

## MVNC Meeting of December 4, 2008 - Minutes

- 1 Call to order. The meeting was called to order at about 7:15 p.m.
- 2 Flag salute. Bud Uhlenbrock led the flag salute.
- 3 Minutes of last meeting. Contrary to what was reported at the October meeting, the injuries sustained by the pedestrian who got hit by a car in the crosswalk at May Rd. and Avenida Martinez, did turn out to be fatal. The victim was returning to her car after sending the child of a friend to the school. The PTA and the school principal have compiled a wishlist of options to improve the traffic situation, including signage and/or a stop light. The minutes of October 23<sup>rd</sup> 2008 were approved with the above update.
- 4 Treasurer's report. Treasurer Joan Drees reports: outgoing costs were for donations to the Starzyk and Moody Memorial Funds, and the RNCC dues for 2009. Two membership dues and a \$10 donation were received. The current balance is \$6,974.96.  
*Donations were discussed later at the meeting, but are reported here.* For our end-of-year donations, it was decided to send \$250 each to the Richmond Plunge, E.S. Library, Boys & Girls Club, Police Activities League (PAL), Greater Richmond Interfaith Program (GRIP), May Valley Community Center (MVCC), Meals on Wheels, and the CCC Animal Shelter; for a total amount of \$2000. For the Animal Shelter, we have to look into getting the donation to the local center, instead of sending the donation to Martinez.
- 5 Beat officer's report. No officers attended the meeting.
- 6 Program: John Salmon of Upstream LLC, "Pt. Molate Development Plan"  
John Salmon has a history in real estate and first started working together with Jim Levine, who has an environmental consulting background, on the Point Isabel cleanup project. They started Upstream Point Molate, to work together with the Guidiville Band of Pomo Indians to develop Pt. Molate into a land base to support tribal government functions such as care and education for the Guidiville people.  
Upstream has spent \$1M in research on the history of the Pomo Indians: the Guidiville Band used to live North of San Francisco, and was forced to cede 90% of their lands during the gold rush in 1851. The remaining 10%, in present-day Lake County, was never received. The tribe lived in rancheria's in 1915, and was one of the tribes that lost federal recognition in the 1950s. The judgment in a lawsuit started in 1987 restored recognition in 1991, and the tribe started looking for a reservation. In 2004, negotiations between Richmond and Upstream started to acquire the former Navy Fuel Depot at Pt. Molate and to develop a reservation land base there.  
The land is being cleaned up by the Navy, then sold to Richmond, and finally to the Dep. of Interior, which will hold it in trust for the tribe. The interim sale to the City allows it to setup permanent easements for open space and continuation of the Bay Trail. In addition, the City will codify that some historic structures, such as the Winehaven building, will remain, in a restored form, as part of the development plan.  
The new development calls for a 5-star hotel, resort, & casino, that is easily reachable from S.F. by ferry. The goal is to create a model of green development, including use of daylight in the casino, a card-system for saving energy in hotel rooms, solar panels, and a conservation program for native plants and wildlife. Contrary to other developments where the developer intends to sell at the end, the tribe is going to live on the land and will thus have an ownership stake into the foreseeable future.

The tribe sees the development as a partnership between it and the community of Richmond, which should not stop after its completion. There are apprenticeship-programs with schools to make sure that the requirement of 40% local workers can be met, and there will be a tree planting program. The development should bring an estimated \$1.68B (including direct costs of labor etc., plus spending by employees) into the local economy, an estimated \$500M/year in new wages, and a \$20M/year revenue stream for the City for 20 years (the standard duration of a Governor's Tribal Compact). As part of the agreement, the City will staff and pay for police and fire department services at Pt. Molate (estimated at \$4-5M a year; the tribe will build the stations and other facilities).

The development approval is going through 2 processes, a State and a local one. The local process is like an EIR, as private development would, but the plan that the City will sign off will be more broad, like a zoning plan that establishes the open space and easements. Conversations are on-going with other stakeholders such as E.B. Parks and Chevron. Funding for the development comes from another tribe: the Rumsey Band of Wintuns, owners of the Cache Creek Casino.

Opposition to the project comes mainly from groups opposed to casino's in general, and from those who would like to keep the area "as-is." No study on the impact of a casino on the local community has been done, but Salmon expects that most customers will come from business conferences in S.F. rather than local people.

- 7 **Correspondence.** On Friday Dec. 12, there will be the Annual Senior Winter Ball at the Richmond Civic Auditorium.

Chevron has to sign a new lease for the Long Wharf; suggested conditions are: connecting the Bay Trail within 5 years, and reduced emissions from tankers and filling operations. City spent \$105K in matching funds last election cycle, with ord. 18-03 N.S. now in effect. Volunteers are needed to help with interviewing applicants for the Richmond Fire Department, Dec. 8-15, 8am to 5pm. Call 621-1218 to offer time.

David Plumb, from the Consensus Building Institute hired by Chevron, requests a meeting to discuss how Chevron can improve its connections with Richmond. Suggestions are air quality studies and follow-up, community donations, and college scholarships.

- 8 **Community reports.** The ESVP&ZAC filed an appeal on the Sikh Temple expansion. Insufficient information was provided on how land slides were going to be prevented (e.g. no traffic study has been done). A formal EIR-process would produce this information. Work on the S.P. Dam is chasing animals away: neighbors should watch out for their pets, as there may be more wildlife in their yards than usual.

Paving on Nelson Dr. did not happen. Call Rich Davidson, City Traffic Engineer.

- 9 **New business.** Election of MVNC Officers: nominations were taken from the floor, and a motion was passed to keep all current officers, since there were no other candidates. Because there was only one nomination per office, the secretary cast a vote for the candidates: all candidates were re-elected to their current offices.

Toys were collected during the meeting for the Fire Department's Toy Drive.

Thanks to Cerrito Printing & Bud Uhlenbrock for providing membership cards and corresponding return envelopes for our January newsletter.

- 10 **Old business.** The January mailing will, as in previous years, be sent to the larger number of 1600 addresses, to give (new) neighbors a chance to sign up for the newsletter.

- 11 **Next meeting.** Next meeting is Thursday January 22, 2009 at 7:15 p.m.

10-51-e



# MAY VALLEY NEIGHBORHOOD COUNCIL

P.O. Box 21551 / Richmond, CA 94820-1551

Page 3

**Comments on the WCCUSD School Closures:**

**Past History:** The WCCUSD closed and sold the elementary school on El Portal Dr. near S. P. Dam Rd. The land is now filled with apartments and condos. The WCCUSD closed and sold the Hillcrest Elementary School on Clark Rd. That building is now the private East Bay Waldorf School. The WCCUSD sold a vacant parcel on S.P. Dam Rd. near Castro Ranch Rd. That land now holds about 60 Richmond homes.

**Current History:** Richmond now has about 216 homes under review in the El Sobrante area. The County has about 204 homes in El Sobrante at various stages of review. These 420 homes may generate as many as 294 students. Will the school district be able to serve them? We don't know. There is a very low feeling of trust in the School Board to do the right thing. In this case, no matter which way the decisions go, the decisions will have an impact on all the schools.

**What YOU can do** - Call or write the WCCUSD Board members. Come to the meetings listed. Contact the school in your area to offer your support.

**It's That TIME AGAIN!!**

Attached is a 2009 Membership card for you to fill out and mail in. Please send in your \$10 membership fee. If you can, please include a donation to help us continue supporting a variety of local groups such as:

- |                             |                       |                 |
|-----------------------------|-----------------------|-----------------|
| E.S. Boys & Girls Club      | County Animal Shelter | Meals on Wheels |
| May Valley Community Center | El Sobrante Library   | R. PAL Program  |
| R. Police Activities League | Pinole Senior Center  | GRIP program    |

**NOTE:** If you have any questions or comments, you can write us or you can call MVNC President Eleanor Loynd at 223-6398

**NOTE:** The next MVNC Meeting is set for Thursday, January 22<sup>nd</sup> at 7:15 p.m. in the May Valley Community Center, 3530 Morningside Drive. We will be reviewing reports on the WCCUSD School Closures. On Feb. 11<sup>th</sup>, the School Board will make the final decision on the schools to be closed.

**INFORMATION - To Save the Richmond Plunge**

At this time, the Richmond Plunge is being rebuilt. More money is needed. The Wayne & Gladys Valley Foundation set up a Challenge Grant of \$500,000 for Phase II Construction. Every dollar donated by you will be doubled by the Valley Foundation Grant. Checks payable to: SAVE THE RICHMOND PLUNGE TRUST P. O. Box 70443, Richmond, CA 94807-0443. Donations are tax-deductible to the extent permitted by law. ID Number 94-2600126.

Visit website: [www.richmondplunge.org](http://www.richmondplunge.org)



*The City of Richmond &  
The Neighborhood House of North Richmond*

*Cordially invite you to view the 2009 Presidential Inauguration  
on Tuesday, January 20, 2009*

*Richmond Memorial Auditorium  
403 Civic Center Plaza  
Richmond, PA 94804*

*Doors open at 6:00 a.m.  
Buffet breakfast served from 6:00 a.m. to 7:00 a.m.  
Program begins at 6:40 a.m.  
Live-event viewing from 7:00 a.m. to 9:00 a.m.*

*For more information, please call.*

- o *Neighborhood House of North Richmond at (510) 235-9870*
- o *City of Richmond at (510) 620-6512*

*Come Celebrate History With Us!*

*This Event is Free to the Public*

*Limited Seating  
First Come, First Serve*



10.15.4

RICHMOND NEIGHBORHOOD  
COORDINATING COUNCIL  
P.O. BOX 485, STATION A  
RICHMOND, CA 94808

NONPROFIT ORG.  
U.S. POSTAGE PAID  
PERMIT NO. 253  
RICHMOND, CA

El Sobrante MAC  
3769 B San Pablo Dam Road  
El Sobrante, CA 94803



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# MAY VALLEY NEIGHBORHOOD COUNCIL

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P.O. Box 21551 / Richmond, CA 94820-1551

TENTATIVE AGENDA FOR THURSDAY, JANUARY 22, 2009

May Valley Community Center

3530 Morningside Drive, Richmond from 7:15 p.m. – 9 p.m.

**Tentative Agenda:**

1. Call to Order 7:15 p.m.
2. Approval of Minutes of 12/4/08
3. Treasurer's Report
4. Beat Officer's Report
6. Program – about 7:45 p.m.
7. Residents' Concerns
8. Community Reports
9. Correspondence
10. Old Business
11. NEW Business

Program: Review WCCUSD School  
Closure Plans

Next MVNC Mtg., Thurs., Feb. 26, 2009

MVNC Contact Number: 223-6398

# ~ CANCELLED ~

COUNTY PLANNING COMMISSION  
CONTRA COSTA COUNTY  
TUESDAY, JANUARY 13, 2009  
ROOM 107 – COUNTY ADMINISTRATION BUILDING  
PINE AND ESCOBAR STREETS, MARTINEZ

CHAIR: Michael Murray  
VICE-CHAIR: Len Battaglia  
COMMISSIONERS: Richard Clark, Carmen Gaddis, Don Snyder, Marvin Terrell, Hyman Wong

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 Hiliiana Li at least 48 hours before the meeting at (925) 335-1203.

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

1. PUBLIC COMMENTS:

COMMITTEE APPOINTMENT:

Item to be continued to  
January 27, 2009

2. Consider recommending to the Board of Supervisors a replacement for Don Snyder as the County Planning Commission representative to TRANSPAC under Measure C 1988 Contra Costa Transportation Authority Subregional Committee.

3. STAFF REPORT:

4. COMMISSIONER'S COMMENTS:

5. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON TUESDAY, JANUARY 27, 2009.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 335-1210 or by visiting our office at 651 Pine Street, 2<sup>nd</sup> floor, north wing, 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, 651 Pine Street, 2nd Floor-North Wing, 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, 651 Pine Street, 2nd Floor-North Wing, during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Friday. Advance arrangements may be made by calling (925) 335-1210.

COUNTY PLANNING COMMISSION  
CONTRA COSTA COUNTY  
TUESDAY, JANUARY 27, 2009  
ROOM 107 – COUNTY ADMINISTRATION BUILDING  
PINE AND ESCOBAR STREETS, MARTINEZ

CHAIR: Michael Murray  
VICE-CHAIR: Len Battaglia  
COMMISSIONERS: Richard Clark, Carmen Gaddis, Don Snyder, Marvin Terrell, Hyman Wong

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

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

1. PUBLIC COMMENTS:

COMMITTEE APPOINTMENT:

- 2. Consider recommending to the Board of Supervisors a replacement for Don Snyder as the County Planning Commission representative to TRANSPAC under Measure C 1988 Contra Costa Transportation Authority Subregional Committee.

APPEAL: DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

- 3. JAMES & MELISSA REASE (Appellants, Owners & Applicants), County File DP07-3046: This is a hearing on the appeal of the Zoning Administrator's decision to deny a partially constructed 279 square foot detached deck within the rear yard and approve a proposed 7 foot tall gate located between the existing single family residence and detached garage. The site is located at 2156 Ward Drive in the unincorporated area of Walnut Creek. (GP: SL) (R-20) (CT: 3430.01) (Parcel: 183-193-010). CYL

APPEAL: VARIANCE: CONTINUED PUBLIC HEARING

- 4. OWEN SHACKLETON (Applicant, Owner & Appellant), County File #VR07-1070: An appeal of the Zoning Administrator's denial of a variance request to legalize a 9-foot 8-inch fence with an 11-foot front setback (where 25 feet is the minimum required), 0-foot side yard setback (where 20 feet is the minimum required) and a 0-foot aggregate side yard (where 40 feet is the minimum required). The site is located at 475 Arbol Via Way, in the Walnut Creek area. (R-40) (CT: 3383.02) (Parcel #140-140-023). FA

MANDATORY REFERRAL: PUBLIC HEARING

- 5. MANDATORY REFERRAL FOR THE ACQUISITION OF 153.12 (+/-) ACRES OF LAND, APN: 080-080-002, ALONG MORGAN TERRITORY ROAD IN THE UNINCORPORATED AREA NEAR CLAYTON (KNOWN AS THE SCHWARTZ PROPERTY) BY THE EAST BAY REGIONAL PARK DISTRICT. (County File CP# 08-104): This is a public hearing to consider the General Plan conformance of a proposed acquisition by the East Bay Regional Park District (EBRPD) of one parcel totaling 153.12 (+/-) acres located along Morgan Territory Road in an unincorporated area near Clayton. (CT 3551.03). PR

- 6. MANDATORY REFERRAL SURPLUS PROPERTY SALE, CAMINO PABLO RESERVOIR SITE (APN: 257-240-002), APPROXIMATELY 1.35 ACRES (+/-) IN THE UNINCORPORATED AREA OF MORAGA, PROXIMATE TO QUAIL CROSSING ROAD, BY THE EAST BAY MUNICIPAL UTILITY DISTRICT. (County File CP#09-03): This is a public hearing to consider the General Plan conformance of a proposal by the East Bay Municipal Utility District (EBMUD) to dispose surplus property known as the Camino Pablo Reservoir involving a 1.35 (+/-) acre site located in an unincorporated area of Moraga at the end of Quail Crossing Road. (CT 3521.02). PR

APPEAL: DEVELOPMENT PLAN: PUBLIC HEARING

7. TOM & AMY BEATY (Owners, Applicants & Appellants), County File #DP073020: This is a hearing on an appeal of the Zoning Administrator's decision to deny an application for design review of a proposed two-story residence on a substandard lot, which was filed for purposes of determining the building's compatibility with the surrounding neighborhood. Included in the design review application is a request to remove five trees and alter twenty-nine other trees. The subject site is located at 161 Oakbridge Lane in the Alhambra Valley area. (A-2) (GP: AL) (CT: 3560.02) (Parcel #367-150-015). JRC
  
8. STAFF REPORT:
  
9. COMMISSIONER'S COMMENTS:
  
10. COMMUNICATIONS:

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY PLANNING COMMISSION WILL BE ON TUESDAY, FEBRUARY 10, 2009.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 335-1210 or by visiting our office at 651 Pine Street, 2<sup>nd</sup> floor, north wing, Martinez, California. Environmental Impact Reports have been prepared for each of the agenda items indicated by an asterisk (\*).

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Recordings of this hearing are available for reviewing or copying purposes at the Community Development Division of the Department of Conservation and Development, 651 Pine Street, 2nd Floor-North Wing, during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Friday. Advance arrangements may be made by calling (925) 335-1210.



CONTRA COSTA COUNTY ZONING ADMINISTRATOR  
MONDAY, JANUARY 26, 2009  
McBRIEN ADMINISTRATION BUILDING  
ROOM 107  
PINE & ESCOBAR STREETS  
MARTINEZ, CA

\*\*\*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 Debbie Sittser at least 48 hours before the meeting at (925) 335-1218.

- 1. PUBLIC COMMENTS:
- 2. DETERMINATION OF EASEMENT RIGHTS:

DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

- 3. GAVIN G. KIRK (Applicant) – SHELL OIL PRODUCTS, US (Owner), County File #DP08-3049: The applicant requests approval of Development Plan and Tree Permit to install a Veeder-Root Carbon Canister Enhanced Vapor Recovery System at an existing Shell fueling station. The applicant proposes to mount the Carbon Canister Enhanced Vapor Recovery System on the fueling station's existing vent risers. The application also includes internal modifications to the gas dispenser equipment and the installation of a new tank monitoring panel (roughly 18" x 30") inside the market building. There is a trench proposed to run an underground communications line from the vent riser to the market building within the drip line of one (1) code protected Ornamental Pear tree. The subject property is located at 3188 Danville Boulevard in the Danville area. (RB) (GP: CO) (CT: 3440) (Parcel #192-081-003) (Rescheduled from 1/12/09). RJN

FINAL ENVIRONMENTAL IMPACT REPORT: CLOSED PUBLIC HEARING

- 4. Contra Costa County Redevelopment Agency (Applicant) – Various (Owners), County File #GP030009: The Contra Costa County Redevelopment Agency, as part of an effort to revitalize Bay Point Waterfront Area, sponsored a Community Planning Process, resulting in the preparation of the Bay Point Waterfront Strategic Plan and review of the County General Plan. Implementation of the Strategic Plan includes a proposal to amend the County General Plan. The Proposed General Plan Amendment includes a shift of the location of the Urban Limit Line (involving no net increase of urban area); changing the land use designations for some portions of the site, including approximately 10 acres of Commercial Recreation and 13 acres of Open Space re-designated to Multiple-family Residential and approximately 10 acres of open space re-designated to Park and Recreation and adding the extension of two roads (Pacific Avenue Extension and Alves Lane Extension to the Circulation Element. These changes would allow for the reconfiguration of the marina, development of marina-related residential neighborhood, and development of park and recreation area. The approximately 190-acre Strategic Plan Area, which is partially within the adopted Bay Point Redevelopment Area (Redevelopment Area), is located north of the Union Pacific Railroad tracks, at the terminus of McAvoy Road in the Bay Point area of eastern Contra Costa County. (Parcel #s 098-020-021, 098-020-023, 098-020-025, 098-250-013, 098-250-019 and 098-250-020). MT

LAND USE PERMIT: PUBLIC HEARING

- 5. BARBARA A. FRANTZ (Applicant & Owner). County File #LP072081: The applicant seeks to obtain approval of a land use permit to establish a farm market, commercial kitchen, cold storage, wine tasting/sales and four or more events to be held at this venue in a calendar year, on one legal lot of 10.7 acres. The subject site is located at 8091 Balfour Road in the unincorporated Brentwood area. (A-40) (CT: 3040.00) (Parcel #015-150-009). RAH

10. 2. B

6. TERESA K. OWENS (Applicant) – ALBERTA OWENS (Owners), County File #LP08-2047: This is a request for approval of a land-use permit to construct a new second residence, approximately 1,881 square feet in area, and a new 589 square foot detached carport on the south-west corner of an existing 51,500 square foot lot. The subject site is located at 73 Wharf Drive, in the unincorporated area of Bay Point. (P-1) (GP: SM) (CT: 3141) (Parcel #098-180-034). DAB
7. SARAJANE MILLER-WHEELER (Applicant) – CALVIN WHEELER & SARAJANE WHEELER-MILLER (Owners), County File #LP08-2062: The applicant requests approval of a land use permit for a home occupation to manage the website for a fine arts and collectibles dealer from within a single-family residence located at 1066 Hawkshead Circle, in the San Ramon area. (P-1) (GP: SL) (CT: 3451.10) (Parcel # 211-320-016). TBH

\*\*\*3:30\*\*\*

8. PUBLIC COMMENTS:

VARIANCE: CONTINUED PUBLIC HEARING

9. SANJAY RAMRAKHA (Applicant and Owner) County File #VR08-1042: The applicant requests approval of a variance to rebuild the roof structure over an existing detached garage, install a new garage door, construct a rooftop deck above the garage, and requests approval for an existing retaining wall to remain. The following variances are included with this application: a) a reduced front yard setback to allow a 16.6 foot front yard setback for the garage and deck (where 20 feet is the minimum required); b) to allow the garage to be built on the property line (where five (5) feet is the minimum side yard required); c) to allow an existing retaining wall to remain with a 5.5-foot setback (where 20-feet is the minimum required); and d) to allow the existing retaining wall to remain on the side property line (where five (5) feet is the minimum side yard required). The proposed project is located at 437 Winslow Street in the Crockett Area. (R-6) (GP: SH) (CT: 3570.00) (Parcel #354-063-005) (Continued from 1/12/09: RHD). RJN

LAND USE PERMIT: PUBLIC HEARING

10. TANIA CAVENECIA TORRES (Applicant) – DAVID TREAS (Owner), County File #LP08-2066: The applicant requests approval of a land use permit for a home occupation to conduct a jewelry making business out of a residential second unit located at 758 Renfrew Road #A, in the El Sobrante area. (R-6) (GP: SH) (CT: 3630.00) (Parcel # 426-222-002). TBH

DEVELOPMENT PLAN: PUBLIC HEARING

11. MARK GERANEN (Applicant & Owner), County File #DP08-3029: A request for a Development Plan Design Review approval for the legalization of a 256 square foot accessory building built on a substandard sized lot. The subject site is located at 1440 Livorna Road in the Alamo area. (R-20) (GP: SL) (CT: 3440.00) (Parcel # 187-130-003). FA

MODIFICATION: LAND USE PERMIT: PUBLIC HEARING

12. VERIZON WIRELESS/CROWN CASTLE GT COMPANY LLC. (Applicants) – CROWN CASTLE (Owner), County File # LP01-2051: The applicant is requesting a modification of the Zoning Administrator's approval of County File # LP01-2051, in order to add Crown Castle GT Company LLC as a co-applicant for this Land Use Permit request. The subject property is located at 312 Alamo Square Drive in the Alamo area. (CO/M-12) (GP: ML/OS) (CT: 3440.00) (Parcel #197-310-056). FA

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE ON MONDAY, FEBRUARY 9, 2009.

Staff reports prepared for hearing items may be obtained by calling the Community Development Division at (925) 335-1210 or by visiting our office at 651 Pine Street, 2<sup>nd</sup> floor, north wing, 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, 651 Pine Street, 2nd Floor-North Wing, 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, 651 Pine Street, 2<sup>nd</sup> Floor-North Wing, during normal business hours. We are open continuously from 7:30 a.m. to 5:00 p.m. Monday through Friday. Advance arrangements may be made by calling (925) 335-1210.



10-8-a  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
651 Pine Street, Sixth Floor • Martinez, CA 94553-1229  
e-mail: LTexte@lafco.eccounty.us  
(925) 335-1094 • (925) 646-1228 FAX

## NOTICE AND AGENDA FOR REGULAR MEETING

DATE/TIME: Wednesday, January 14, 2009, 1:30 PM

PLACE: Board of Supervisors Chambers  
651 Pine Street, Martinez, CA 94553

NOTICE IS HEREBY GIVEN that the Commission will hear and consider oral or written testimony presented by any affected agency or any interested person who wishes to appear. Proponents and opponents, or their representatives, are expected to attend the hearings. From time to time, the Chair may announce time limits and direct the focus of public comment for any given proposal.

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by LAFCO to a majority of the members of the Commission less than 72 hours prior to that meeting will be available for public inspection in the office at 651 Pine Street, Six Floor, Martinez, CA, during normal business hours as well as at the LAFCO meeting.

All matters listed under CONSENT ITEMS are considered by the Commission to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Commission or a member of the public prior to the time the Commission votes on the motion to adopt.

For agenda items not requiring a formal public hearing, the Chair will ask for public comments. For formal public hearings the Chair will announce the opening and closing of the public hearing.

If you wish to speak, please complete a speaker's card and approach the podium; speak clearly into the microphone, start by stating your name and address for the record.

### Campaign Contribution Disclosure

If you are an applicant or an agent of an applicant on a matter to be heard by the Commission, and if you have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months, Government Code Section 84308 requires that you disclose the fact, either orally or in writing, for the official record of the proceedings.

### Notice of Intent to Waive Protest Proceedings

In the case of annexations and detachments it is the intent of the Commission to waive subsequent protest and election proceedings provided that all of the owners of land located within the proposal area have consented and those agencies whose boundaries would be changed have consented to the waiver of protest proceedings.

### American Disabilities Act Compliance

LAFCO will provide reasonable accommodations for persons with disabilities planning to attend meetings who contact the LAFCO office at least 24 hours before the meeting, at 925-335-1094. An assistive listening device is available upon advance request.

## AGENDA

1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Adoption of Agenda
4. **Selection of Chair and Vice Chair**
5. Public Comment Period (please observe a three-minute time limit):  
Members of the public are invited to address the Commission regarding any item that is not scheduled for discussion as part of this Agenda. No action will be taken by the Commission at this meeting as a result of items presented at this time.
6. Approval of Minutes for the December 10, 2008 meeting

## CONSENT ITEMS

7. LAFCO 08-34 - Montecito Estates, LLC Annexation to County Service Area (CSA) L-100: proposed annexation of 2.35± acres located at 924 and 938 Danville Blvd. in Alamo (APNs 197-090-006/008)

## PROPOSED BOUNDARY CHANGES

8. LAFCO 08-25 (171-2) - Annexation 171 to Central Contra Costa Sanitary District: proposed annexation of 3.5± acres located at 236 Lomas Cantadas in Orinda (APNs 265-130-005/006/007) - *Continued from December 10, 2008 meeting*

## BUSINESS ITEMS

9. Amendments to Service and Fee Agreements - Initial Study - Spheres of Influence (SOI) - Contra Costa Water District and Delta Diablo Sanitation District: the Commission will consider amending the agreements to include the City of Antioch and/or City of Pittsburg proposed SOI expansion(s)
10. Vacancy on CALAFCO Board of Directors (City Seat)
11. Second Quarter Financial Report - FY 2008-09 - The Commission will be asked to receive and file the FY 2008-09 second quarter financial report
12. Executive Officer Salary Adjustment

## INFORMATIONAL

13. Commissioner Comments and Announcements
14. Staff Announcements
  - Pending Projects

## ADJOURNMENT

*Next regular LAFCO meeting - February 11, 2009 at 1:30 p.m.*

LAFCO STAFF REPORTS AVAILABLE AT [http://www.contracostalafco.org/meeting\\_archive.htm](http://www.contracostalafco.org/meeting_archive.htm)

Subj: **Action against cell phone towers!**  
Date: 1/25/2009 5:05:55 P.M. Pacific Standard Time  
From: mellander@sbcglobal.net  
To: RPender970@aol.com

Barbara:

See action item 8 d. This notice sent to me by another concerned El Sobrante citizen who opposes the placement of cell phone towers.

MLM

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For those with the time and inclination, I highly recommend watching the public hearing that took place before the Glendale, California City Council on January 7 that resulted in a unanimous vote for a moratorium on new cell towers (see the link provided below; the moratorium issue itself begins approximately 1 hour and 23 minutes into the hearing). I particularly suggest watching the Council's deliberations following public testimony starting at about 3 hours and 12 minutes into the hearing for an especially strong example of elected officials responding as they should in such a situation.

[http://glendale.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id](http://glendale.granicus.com/MediaPlayer.php?view_id=2&clip_id)

Subj: **Community Commentary: Glendale Cell Phone Dispute**  
Date: 1/25/2009 6:55:03 P.M. Pacific Standard Time  
From: mellander@sbcglobal.net  
To: mellander@sbcglobal.net, RPender970@aol.com

## **COMMUNITY COMMENTARY: Reasonable cellular restrictions allowed**

[http://www.glendalenewspress.com/articles/2009/01/14/opinion/community\\_commentaries/gnp-comment0114.txt](http://www.glendalenewspress.com/articles/2009/01/14/opinion/community_commentaries/gnp-comment0114.txt)

**By Abraham Meltzer**

January 13, 2009

Regarding the dispute between Cumberland Road homeowners and T-Mobile over the proposed cell-tower location ("T-Mobile backs off on tower," Friday): An important issue is whether the city of Glendale has the authority to impose reasonable requirements on cell-tower placement and aesthetics.

The city does have the authority to impose such requirements, according to a September 2008 Ninth Circuit Federal Court of Appeals decision.

In *Sprint vs. County of San Diego*, Sprint challenged a cell-tower zoning ordinance enacted by San Diego County. Sprint contended that when Congress enacted the Telecommunications Act of 1996, Congress barred state and local governments from enacting regulations that prohibited wireless telecommunications service.

That is correct, and Congress indeed has said that local governments cannot ban, directly or indirectly, cell-phone service.

However, San Diego's ordinance did not ban cellular service. Instead, the ordinance imposed reasonable requirements on cell towers such as: prohibiting non-camouflaged poles in residential and rural areas; applying height and setback restrictions in residential zones; requiring cell-phone companies to submit a "visual impact analysis" regarding the proposed cell tower; requiring the cell company to properly landscape the cell tower; and requiring the company to apply through a zoning board to obtain a permit for the cell tower.

Relying on an earlier 2001 federal case called *City of Auburn vs. Qwest Corp.*, Sprint argued that those requirements were unlawful because they might possibly, in some hypothetical circumstance, prevent it from providing cell-phone services.

The federal 9th Circuit disagreed and overruled its prior Auburn decision. The court held that a phone company that sues to overturn a city's cell tower zoning ordinance under the Telecommunications Act "must show actual or effective prohibition, rather than the mere possibility of prohibition."

The court then went further and held that San Diego's specific regulations were lawful: "We thus consider whether the ordinance effectively prohibits the provision of wireless facilities. We have no difficulty concluding that it does not."

The court was careful to note that there were circumstances in which a phone company could successfully challenge a zoning ordinance.

The court gave as an example: "If an ordinance mandated that no wireless facilities be located within one mile of a road, a [cell company] could show that, because of the number and location of roads, the rule constituted an effective prohibition." Furthermore, rules that effectively result in a "significant gap" in service coverage can be an effective prohibition and therefore unlawful.

Sprint has asked the U.S. Supreme Court to review the case, so it's entirely possible there may be other developments. But the Sprint decision appears to be a fair and balanced one.

Congress has made it illegal for cities to ban cell-phone service, and therefore Glendale must not attempt to do so. But the 9th Circuit has now held that reasonable cell-tower zoning regulations, such as those enacted by San Diego County, are proper and should be upheld.

ABRAHAM MELTZER is a Glendale resident.