

STAFF: T. MOREIRA, W. NELSON, G. KUPP & J. CRUZ
PW: J. LAROCQUE

CONTRA COSTA COUNTY ZONING ADMINISTRATOR
MONDAY, JULY 16, 2012
30 MUIR ROAD
MARTINEZ, CA 94553

1:30 P.M.

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

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

1. PUBLIC COMMENTS: NONE
2. DETERMINATION OF EASEMENT RIGHTS: NONE

DEVELOPMENT PLAN: CONTINUED CLOSED PUBLIC HEARING

APPROVED WITH
MODIFICATIONS TO
CONDITION OF
APPROVAL #6 AND
FINDINGS #1(TM)

3. FRANK HUGHES (Applicant) - SUHAILA KHOURY (Owner), County File #DP12-3001: This is a request for a Kensington Design Review Development Plan for a rear addition to the existing laundry room, reconstruction of a rear deck with a new staircase on the side of the deck, construction of a 264 square-foot accessory storage building, and the legalization and relocation of an existing 160 square-foot accessory building with porch. The property is located at 380 Coventry Road in the unincorporated area of Kensington. (General Plan: Single-Family Residential-High, SH) (Zoning: Single-Family Residential, Kensington Combining District, Tree Obstruction of Views Combining District, R-6, -TOV, -K) (Assessor's Parcel Number: 571-300-012) (Continued from 07/02/12 TM) CYL

LAND USE PERMIT: CONTINUED PUBLIC HEARING

CLOSED PUBLIC
HEARING AND
CONTINUED TO
AUGUST 6, 2012 (TM)

4. Lenise Gibson (Applicant & Owner), County File #LP12-2010: The applicant is requesting approval of a land use permit to expand an existing 6-client residential care facility use to accommodate a maximum of 10 clients, demolish an existing carport and workshop structure and add 1,390 square feet to the existing residence, and construct three off-street parking spaces including a new curb cut. The subject property is located at 3107 Del Oceano Drive, in the unincorporated Lafayette area. (General Plan: Single-Family Residential-Low) (Zoning: Single-Family Residential, R-15) (Assessor's Parcel Number (APN): 167-331-005) (Continued from 07/02/12 TM) CYL

DEVELOPMENT PLAN: CONTINUED PUBLIC HEARING

DENIED PROJECT
BASED ON INABILITY
TO MAKE PROJECT
FINDING #2 (WRN)

5. ANDY McLOUD c/o INTERBRAND DESIGN FORUM (Applicant) - PACIFIC / BOWIE-TRACY II (Owners), County File #DP11-3031: The applicant requests approval of a modification to a final development plan (County File #DP01-3032) for the construction of a drive-up ATM machine and housing canopy for Chase Bank. The project also includes associated new signage for the ATM, the removal of (8) parking spaces, and a tree permit to remove (2) code-protected trees and to work within the driplines of (3) others in the Sandy Cove Shopping Center. The subject site is located at the northeast corner of Highway 4 and Bixler Road in the Discovery Bay area. (General Plan: CO Commercial) (Zoning P-1 Planned Unit District) (Assessor's Parcel Number: 011-470-002) (Continued from 06/18/12 WRN) GK

VARIANCE: CONTINUED PUBLIC HEARING

CONTINUED OPEN
PUBLIC HEARING TO
SEPTEMBER 5, 2012
(TM)

6. GORDON JURGENSON (Applicant & Owner), County File: #VR11-1024: Applicant requests approval of a Variance for a 0-foot front yard setback (where 20 feet is required) and a 1-foot side yard setback (where 10 feet is required) for the construction of a retaining wall ranging in height from 2 feet to 7 feet 11 inches, to support an expanded and relocated driveway. The subject property is identified as 229 Miramonte Road in the Walnut Creek area. (General Plan: Single-Family Residential-Low Density) (Zoning: R-15 Single-Family Residential District) (Assessor Parcel Number: 175-150-053) (Continued from 07/02/12 TM) CYL

LAND USE PERMIT: PUBLIC HEARING

APPROVED AS
RECOMMENDED BY
STAFF (TM)

7. CAROL BYRNE c/o SPRINT (Applicant) - ROBERT BONAVIDO (Owner), County File # LP12-2039: The applicant requests approval of a land use permit to modify County File #LP00-2029 to allow equipment modifications at an unmanned telecommunications facility. The request includes the replacement and upgrade of (2) equipment cabinets, the removal of (4) existing panel antennas and the addition of (2) new panel antennas, the addition of (4) new remote radio units (RRUs), the addition of (2) new filters, the replacement and upgrade of (1) GPS antenna, and the installation of new antenna cabling within an existing unused underground cable conduit. The subject property is located at 7405 Camino Tassajara in the unincorporated Pleasanton area. (General Plan: AL - Aricultural Lands) (Zoning: A-80 - Exclusive Agricultural District) (Assessor Parcel Numbers: 205-050-009 & 205-050-010) GK

APPROVED AS
RECOMMENDED BY
STAFF (TM)

8. Kevin Fong (Applicant) - PACIFIC/BOWIE-TRACY II (Owner), County File #LP11-2038: The applicant is requesting a land use permit for Matsuyama Sushi to establish a take-out food use within an approved shopping center. The property is located at 14870 Highway 4 in the Discovery Bay area. (General Plan: Commercial, CO) (Zoning: Planned Unit Development, P-1) (Assessor's Parcel Number (APN): 011-470-007) CYL

APPROVED AS
RECOMMENDED BY
STAFF (TM)

9. SPRINT PCS (Applicant) - HUNG & TRINH PHAM (Owner), County File #LP12-2042. This is a request to renew a previously approved land use permit (County File #LP01-2013) for the continued operation and upgrade of a wireless telecommunications facility that consists of three panel antennas mounted within a faux chimney atop a commercial building. The upgrade includes switching out of the three existing panel antennas, addition of 6 Remote Radio Units below the antennas and replacement of two equipment cabinets within Sprint's 310-square-foot lease area. The project does not include any exterior modifications to the facility. The project site is located within a 0.52-acre parcel addressed as 448 Valley View Road, in the El Sobrante area. (N-B) (M-12) (CT: 3601.00) (Parcel #430-152-053). FA

CLOSED HEARING AND
CONTINUED TO
AUGUST 6, 2012 (TM)

10. Scott Pellaton (Applicant) - Karl & Karen Koster (Owners), County File #LP10-2023: This is a request for a land use permit for the legalization of an existing recreational vehicle (RV) and boat storage facility located on 9 acres on a 29.90-acre parcel. The proposed development includes covered and uncovered RV and boat storage spaces with 509 uncovered spaces, 22 indoor spaces, 24 covered tent spaces, 6 tent structures for miscellaneous storage shelter of RVs and boats, and signage located on the existing buildings and a free-standing sign on the levee. The proposed development includes the closing off of existing facility access, reconfiguration of existing off-street parking spaces, the relocation of the facility entrance driveway and new gate, including a new curb cut and asphalt entry 100-feet in width, located approximately 250-feet from the intersection of Highway 4 on Bixler Road. Both the retail business and the boat repair uses are not permitted within the zoning district and are not a part of this review. The subject property is located at 3510 Bixler Road in the Byron area. (General Plan: Agricultural Lands, AL) (Zoning: Heavy Agricultural and Boat Storage Combining District, A-3, -BS) (Assessor Parcel Number (APN): 011-200-050) CYL

CONTINUED OPEN
PUBLIC HEARING TO
AUGUST 6, 2012 (TM)

11. ROBERT SMILEY (Applicant) - CHABAD OF CONTRA COSTA (Owner), County File #LP11-2016: The applicant requests approval to establish the following uses: 1) A childcare facility (preschool and day care) for a maximum of up to 33 children. The childcare use will be utilizing approximately 1,175 square feet of an existing residence operating from 7:00 a.m. to 6:30 p.m. Monday-Friday; 2) A synagogue that will not have fixed seating. The religious services would be located within 806 square feet of the building for regular prayer services on Saturdays, generally from 10:00 a.m. to 1:00 p.m. Services may also be held occasionally on different days and at different times, tied to Jewish holidays and other Jewish religious events. During the religious services, children may participate in activities conducted in Classroom 1 (369 square feet); and the installation of playground equipment, construct a deck and awning, and parking lot improvements. The proposed project also includes variance requests for the following: a) Thirteen (13) off-street parking spaces (where 23 off-street parking spaces are required); b) Parking stalls that are 8 feet by 17 feet (where 9 feet by 19 feet is required); c) Eliminate the required planter or landscaped strip between the off-street parking and the right-of-way (where 4-feet is required); and d) Allow a 14-foot 10 1/2-inch wide driveway (where a 20-foot minimum width is required). The proposed project also includes work within the drip line of one (1) 15-inch in diameter oak tree for the proposed parking improvements. The subject property is located at 1671 Newell Avenue in the unincorporated area of Walnut Creek. (Zoning: Single-Family Residential District, R-10) (General Plan: Single-Family Residential-Medium, SM) (Assessor's Parcel Number: 184-212-016) JRC

DEVELOPMENT PLAN: PUBLIC HEARING

APPROVED AS
RECOMMENDED BY
STAFF (TM)

12. PACIFIC/BOWIE-TRACY II (Applicant & Owner), County File #DP11-3025: This is a request for a modification to Final Development Plan #DP01-3032 condition of approval #9.d, to allow for an increase in restaurant seating from 160 to 218 seats for the shopping center, excluding McDonalds. No construction is proposed under this application. The property is the Sandy Cove Shopping Center located at 14810 -14896 Highway 4 in the Discovery Bay area. (General Plan: Commercial, CO) (Zoning: Planned Unit Development, P-1) (Assessor's Parcel Numbers (APN): 011-470-002, 011-470-003, 011-470-004, 011-470-005, 011-470-006, 011-470-007, 011-470-009, and 011-470-010) CYL

3:30 P.M.

13. PUBLIC COMMENTS:

DRAFT ENVIRONMENTAL IMPACT REPORT: PUBLIC HEARING

TOOK TESTIMONY AND
CLOSED THE PUBLIC
HEARING. WRITTEN
COMMENTS ACCEPTED
THROUGH JULY 26,
2012. (TM)

14. PANTAGES AT DISCOVERY BAY LLC (Applicant & Owner), County File Numbers GP99-0008, RZ04-3146, SD06-9010 & DP04-3062: This is a hearing to consider the adequacy of the Draft Environmental Impact Report for the General Plan Amendment, Rezoning, Subdivision and Development Plan as follows: The Pantages Bays Residential Development Project ("Project") is a proposed 292-unit water oriented residential gated-community that would form part of the Discovery Bay community in eastern Contra Costa County (County). Pantages at Discovery Bay, LLC ("Applicant & Owner"), is proposing to develop the 171-acre project site with approximately 47- acres of bays and coves, 44-acres of open space that includes wetlands and emergent marsh and 80-acres of residential development that includes streets, landscaping, 116 waterfront lots with individual or shared docks and deep water access, and 176 interior residential lots. There is also a public trail and a Contra Costa County Sheriff's Marine Patrol substation planned on the project site. Also as part of the project, the portion of Kellogg Creek immediately east of the project site would be widened. Reclamation District No. 800 is co-sponsoring the proposed widening in the US Army Core of Engineers 404 permit process. To accomplish all of the above the Applicant has applied to the County for the following four applications: 1) General Plan Amendment #GP99-0008: Change the General Plan land use designations from Agricultural Lands (AL) and Delta Recreation (DR) to Single-Family Residential High Density (SH), Single-Family Residential Medium Density (SM), Public/ Semi-Public (PS), Open Space (OS) and Water (WA); and, 2) Rezoning #RZ04-3146: Rezone the project site from General Agricultural District (A-2) and Heavy Agricultural District (A-3) to Planned Unit District (P-1); and, 3) Subdivision / Vesting Tentative Map #SD06-9010: Subdivide the 171-acre project site into 292 Single-Family residential lots, Private Streets, Bays and Coves, Open Space and Sheriff's Marine Patrol Substation, 4) Final Development Plan #DP04-3119: Development of the project site includes: a) Development a gated community of 292 residential lots, 116 of which have docks for deep water access, b) Creation of 47-acres of Bays and Coves to provide water access to some of the proposed residential lots, c) Create/preserve 44-acres of wetland/emergent marsh in an Open Space area on the project site, d) Develop a Public Trail and Emergency Vehicle Access (EVA) within the Open Space area on the project site, e) Widen Kellogg Creek, f) Develop a Sheriff's Marine Patrol substation on the project site, g) Develop roadways, sidewalks and landscaping within the development. (General Plan: AL & DR) (Zoning:A-2/A-3) (Assessor's Parcel Numbers #: 011-230-006, 007, 011-220-010, 017, 018, 004-032-005, 006, 007, 062, 004-010-006) JO

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, AUGUST 6, 2012. PLEASE BE AWARE OF THE NEW MEETING LOCATION, 30 MUIR ROAD, MARTINEZ, CA.

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

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

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

