

Contra Costa County
**Public Works
Department**

Brian M. Balbas, Interim Director
Deputy Directors
Mike Carlson
Stephen Kowalewski
Carrie Ricci
Joe Yee

Memo


October 23, 2017

TO: Joseph Lawlor, Project Planner, Department of Conservation and Development

FROM: Jocelyn A. Bolibol LaRocque, Senior Civil Engineer, Engineering Services
By: Larry Gossett, Consulting Civil Engineer

SUBJECT: **SUBDIVISION MS17-0001**
STAFF REPORT & CONDITIONS OF APPROVAL
(LCC/Eagle Lane/Knightsen/APN 015-110-023)

FILE: MS17-0001



MESSAGE:

The attached conditions of approval, based on the site plan, include road and drainage requirements. The applicant shall comply with the Ordinance Code requirements as they pertain to this development. The following issues should be carefully considered with this project:

ISSUES:

Background

The applicant proposes to subdivide an 11.99-acre lot into two parcels. The subject property is located at 190 Eagle Lane, a private road, in the Knightsen area.

Parcel A will have a net acre of 5 acres and is occupied with an existing home (to remain). Parcel B will be 6.72 acres. Except for a shed, Parcel B is undeveloped.

Due to the presence of power line easements, only 1.9 acres of Parcel B are considered "developable".

No exceptions from the requirements of the County Subdivision Ordinance (Title 9) have been submitted with this application.

Traffic and Circulation

As noted above, Eagle Lane is a private road, but adjoining parcels have dedicated right

of way to the County for future consideration as a public street. It's current pavement width (20 feet) and right of way width (30 feet) are still below what the County would consider accepting as public streets.

Access to Parcel B from Eagle Lane is to be provided via a 25-foot private access and utility easement along the north side of Parcel A. The tentative map proposes construction of a 16 -foot wide "all weather" surfaced driveway with 2-foot shoulders within the easement.

Underground Utilities

The site has no overhead utilities along its frontage, thus undergrounding of utilities will not be applicable to this project. We will require all services to the new homes constructed on the subject property to be placed underground.

Drainage

Division 914 of the County Ordinance Code requires that all storm water entering and/or originating on this property to be collected and conveyed, without diversion and within an adequate storm drainage system, to an adequate natural watercourse having a definable bed and banks or to an existing adequate public storm drainage system which conveys the storm waters to an adequate natural watercourse.

The applicant provided supplemental information relative to the site drainage pattern, as well as a copy of an agreement between the East Contra Costa Irrigation District and the prior property owner. This agreement called for the property owner to grant an easement to the District in return for the District to construct what is now the existing drainage ditch along the east property line. This District constructed ditch intercepts and conveys stormwater runoff northerly to another District maintained ditch that discharges to the "Dredger Cut" in the Delta. This general drainage scheme has been commonly used by numerous subdivisions in the Eagle Lane area and complies with the requirements of the County Code.

The site's drainage pattern, being due east from Eagle Lane, does not rely on the roadside ditch to convey runoff, therefore no exception to that aspect of the Code is necessary.

Stormwater Management and Discharge Control Ordinance

A Stormwater Control Plan (SWCP) is required for applications to subdivide land where the resulting project may result in a total amount of impervious surface area exceeding 10,000 square feet. Considering that Parcel A is fully developed, a pervious surface is

proposed for the all-weather driveway to serve Parcel B and a vast majority of Parcel B is encumbered by tower line easements, development potential is severely restricted for parcels of this size. The applicant's preliminary stormwater evaluation indicates the site will only construct approximately 6500 square feet of new impervious area. Additionally, the stormwater runoff from the site is due east across a 740-foot wide vegetated zone encumbered by tower lines and other easements which functions as a natural self-treating area. A Stormwater Control Plan is not required for this project as currently proposed.

Provision C.10, Trash Load Reduction, of the County's NPDES permits requires control of trash in local waterways. To prevent or remove trash loads from municipal storm drain systems, trash capture devices shall be installed in catch basins (excludes those located within a bioretention/stormwater treatment facility). Devices must meet the County's NPDES permits and approved by Public Works Department. Location must be approved by Public Works Department.

JL:ss

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C: W. Lai, Engineering Services
Vali & Mihaela Chelaru (Owner)
190 Eagle Lane, Brentwood, CA 94513
Peter Wollman -LCC Engineering & Surveying (Applicant)
930 Estudillo St., Martinez, CA 94553

**PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR SUBDIVISION MS17-0001**

**COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO
FILING OF THE PARCEL MAP.**

General Requirements:

- In accordance with Section 92-2.006 of the Ordinance Code, this subdivision shall conform to all applicable provisions of the Subdivision Ordinance (Title 9). Any exceptions therefrom must be specifically listed in this conditional approval statement. The drainage, road and utility improvements outlined below shall require the review and approval of the Public Works Department and are based on the Tentative Map received by the Department of Conservation and Development, Community Development Division, on September 11, 2017.
- Applicant shall submit improvement plans prepared by a registered civil engineer to Public Works Department and pay appropriate fees in accordance with the County Ordinance and these conditions of approval. The below conditions of approval are subject to the review and approval of Public Works Department.

Roadway Improvements (Frontage):

- Applicant shall locate any vehicular entrance gates a minimum 20 feet from the edge of pavement to allow vehicles to queue without obstructing through traffic. Sufficient area shall be provided outside any gate to allow a vehicle to turn around and re-enter Eagle Lane in a forward direction.

Access to Adjoining Property:

Proof of Access

- Applicant shall furnish proof to Public Works Department of the acquisition of all necessary rights of way, rights of entry, permits and/or easements for the construction of off-site, temporary or permanent, public and private road and drainage improvements.

Intersection Design:

Sight Distance

- Applicant shall provide sight distance at the intersection of the private driveway with Eagle Lane in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions.

Private Road/Driveway:

- Applicant shall construct an on-site roadway system to current County private rural road standards with a minimum traveled width of 16 feet, with 2 feet shoulder within a 25-foot access easement.
- Applicant shall construct an all-weather turnaround at the end of the Proposed private road.
- Applicant shall pave the first 50 feet of the access drive to Parcel B, measured from the existing edge of pavement of Eagle Lane into the property, to allow vehicles to pull completely off the roadway and remain on a paved surface, and to prevent dust, gravel, and debris from spilling on to Eagle Lane.

Road Dedications:

- Property Owner shall convey to the County, by Offer of Dedication, 30 feet of right of way for the possible future improvement and acceptance of Eagle Lane along the west property line.

Utilities/Undergrounding:

- Applicant shall underground all new utility distribution facilities.

Maintenance of Facilities:

- Property Owner shall record a Statement of Obligation in the form of a deed notification, to inform all future property owners of their legal obligation to maintain Eagle Lane.

OR

- Property Owner shall develop and enter into a maintenance agreement that will insure that Eagle Lane will be maintained, and that each parcel/lot in this subdivision that will use Eagle Lane will share in its maintenance.

Drainage Improvements:

Collect and Convey

- The applicant shall collect and convey all stormwater entering and/or originating on this property, without diversion and within an adequate storm drainage system, to *an adequate* natural watercourse having definable bed and banks, or to an existing adequate public storm drainage system which conveys the storm waters to *an adequate* natural watercourse, in accordance with Division 914 of the Ordinance Code.
- Applicant shall be permitted to convey storm waters to the existing drainage ditch traversing the east boundary of the property in accordance with a prior recorded easement and agreement between the property owner and East Contra Costa Irrigation District.

Miscellaneous Drainage Requirements:

- The applicant shall design and construct all storm drainage facilities in compliance with the Ordinance Code and Public Works Department design standards.
- Applicant shall prevent storm drainage from draining across the sidewalk(s) and driveway(s) in a concentrated manner.

National Pollutant Discharge Elimination System (NPDES)

- The applicant shall be required to comply with all rules, regulations and procedures of the National Pollutant Discharge Elimination System (NPDES) for municipal, construction and industrial activities as promulgated by the California State Water Resources Control Board, or any of its Regional Water Quality Control Boards (Central Valley - Region IV).

Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of storm water pollutants. The project design shall incorporate wherever feasible, the following long-term BMPs in

accordance with the Contra Costa Clean Water Program for the site's storm water drainage:

- Minimize the amount of directly connected impervious surface area.
- Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention basins) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES permits.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Other alternatives comparable to the above as approved by Public Works Department.
- Shallow roadside and on-site swales.

Stormwater Management and Discharge Control Ordinance:

- The applicant will not be subject to the requirements of Provision "C.3" of the County Stormwater Management and Discharge Control Ordinance, since the proposed project will not create or replace at least 10,000 square feet of impervious surface. However, this project is subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01) and future development applications on the subject parcel may be required to comply with Provision "C.3".

ADVISORY NOTES

- The applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee & Finance Authority/ Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit as adopted by the Board of Supervisors.
- This project may be subject to the requirements of the Department of Fish and Wildlife. It is the applicant's responsibility to notify the Department of Fish and Wildlife, P.O. Box 47, Yountville, California 94599, of any proposed construction within this development that may affect any fish and wildlife resources, per the Fish and Wildlife Code.

- This project may be subject to the requirements of the Army Corps of Engineers. It is the applicant's responsibility to notify the appropriate district of the Corps of Engineers to determine if a permit is required, and if it can be obtained.
- Further development of the parcel may need to comply with the latest Stormwater Management and Discharge Control Ordinance (§1014) and Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. This compliance may require a Stormwater Control Plan and an Operations and Maintenance Plan prepared in accordance with the latest edition of the *Stormwater C.3 Guidebook*. Compliance may also require annexation of the subject property into the Community Facilities District 2007-1 (Stormwater Management Facilities) and entering into a standard Stormwater Management Facilities Operation and Maintenance Agreement with Contra Costa County.

WILLIAM B. WALKER, M.D.
HEALTH SERVICES DIRECTOR

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH & HAZMAT OFFICER

MARILYN C. UNDERWOOD, PH.D. REHS
DIRECTOR OF ENVIRONMENTAL HEALTH



CONTRA COSTA
ENVIRONMENTAL HEALTH

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Concord, California 94520
Ph (925) 692-2500
Fax (925) 692-2502
www.cchealth.org/eh/

April 28, 2017

Joseph Lawlor
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553-4601

RE: MS17-0001 (Proposed minor subdivision)
190 Eagle Lane, Brentwood
APN 015-110-023

Dear Mr. Lawlor:

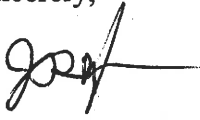
Contra Costa Environmental Health Division (CCEHD) has received a request for agency comments for the above referenced project. The following are our comments:

1. A permit from CCEHD is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.
2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEHD. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.
3. Debris from construction or demolition activity must go to a solid waste or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris must be transported by a hauler that can lawfully transport the material. Debris bins or boxes of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.
4. Septic systems are proposed for this project. The septic systems must meet current standards, including disposal field replacement area.
5. Onsite wells are proposed for this project. The wells must meet current standards, including construction, yield, water quality, and setbacks. A hydrogeological study may be required to ensure adequate water supply.



These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If you should have any questions, please do not hesitate to call me at (925) 692-2535.

Sincerely,

A handwritten signature in black ink, appearing to read 'JGD', with a long horizontal stroke extending to the right.

Joseph G. Doser, REHS
Supervising Environmental Health Specialist

cc: Salvador Ruiz, Contra Costa Environmental Health

JGD:tf

Contra Costa County



Fire Protection District

May 2, 2017

Mr. Lawler
CCDCD
Community Development Division
30 Muir Rd.
Martinez, Ca 94553

Subject: Minor Subdivision
190 Eagle Lane
Brentwood, Ca 94513
File # RZ17-3236 & MS17-0001
CCCFPD Project No.: P-2017-01980

Dear Mr. Lawler:

We have reviewed the design review application to establish a two lot subdivision at the subject location. The following is required for Fire District approval in accordance with the 2016 California Fire Code (CFC), the 2016 California Residential Code (CRC), and Local and County Ordinances and adopted standards:

1. Access as shown on the Tentative Map appears to comply with Fire District requirements.

Provide emergency apparatus access roadways with all-weather driving surfaces of not less than 16 feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC
2. Turnaround as shown on the Tentative Map appears to comply with Fire District requirements.
3. Access gates for Fire District apparatus shall be a minimum of 16 feet wide if installed. Access gates shall slide horizontally or swing inward and shall be located a minimum of 30 feet from the street. Electrically operated gates shall be equipped with a Knox Company key-operated switch. Manually operated gates shall be equipped with a non-casehardened lock or approved Fire District lock. Contact the Fire District for information on ordering the key-operated switch. (D103.5) CFC.
4. Due to the lack of hydrants or adequate water for fire suppression, the project as proposed shall require the installation of a reserve water supply tank and fire connection with a minimum capacity based on the cubic footage of the proposed home. Submit three (3) sets of tank and piping specifications, and tank location site plans to this office for review and approval prior to installation. Plan review fees will be assessed at that time. *Contact the Fire District for reserve water supply requirements.* (B103.3)

5. The developer shall submit three (3) copies of site improvement plans indicating all existing or proposed hydrant location and fire apparatus access for review and approval prior to obtaining a building permit. **Final placement of hydrant shall be determined by this office.** (501.3) CFC
6. **Emergency apparatus access roadway and hydrant shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.** (501.4) CFC
7. The home as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2016 edition of NFPA 13D or Section R313.3 of the 2016 California Residential Code. Submit three (3) sets of plans to this office for review and approval prior to installation. (R313.3) CRC, Contra Costa County Ordinance 2016-23.

Our preliminary review comments shall not be construed to encompass the complete project. Additional plans and specifications may be required after further review.

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

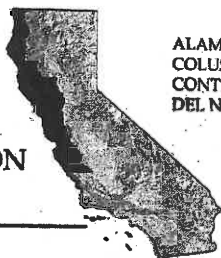


Todd Schiess
Fire Inspector I

c: Peter Wollman
LCC Engineering & Surveying
930 Estudillo St.
Martinez, Ca 94553

File: 190 EAGLE LN-PLN-P-2017-01980

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nwic@sonoma.edu
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April 27, 2017

File No.: 16-1562

Joseph Lawlor, Project Planner
Contra Costa County
Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, CA 94553-4601

re: County File Number R217-3236, MS17-0001 / APN 015-110-023 / Peter Wollman - LCC Engineering & Surveying

Dear Mr. Lawlor:

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

The proposed project entails a minor subdivision of the residential parcel into two separate residential parcels.

Previous Studies:

XX Three studies (see table below), covering approximately 100% of the proposed project area, identified no cultural resources. Further study for cultural resources is not recommended at this time.

Report Number	Authors	Date	Title	Attribution
S-011826	Dorothea J. Theodoratus, Mary Pyle Peters, Clinton M. Blount, Pamela J. McGuire, Richard D. Ambro, Michael Crist, Billy J. Peck, and Myrna Saxe	1980	Montezuma I and II Cultural Resources	Theodoratus Cultural Research; Archaeological and Environmental Services
S-023674	Michael J. Moratto, Richard M. Pettigrew, Barry A. Price, Lester A. Ross, Randall F. Schalk, Rick Atwell, Andrew Bailey, Gary Bowyer, Robert U. Bryson, Tim Canaday, Dianne Gardner, William Hildebrandt, Kurt T. Katsura, Clayton G. Lebow, Pat Mikkelsen, Sco	1994	Archaeological Investigations, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California: Volume 1 Project Overview, Research Design and Archaeological Inventory	INFOTEC Research, Inc., Far Western Anthropological Research Group, Inc.
S-043685	Barb Siskin, Cassidy DeBaker, Thomas Martin, Beatrice Cox, and Jennifer Lang	2010	Cultural Resources Inventory for the San Joaquin Valley Right-of-Way Maintenance Environmental Assessment Project	Garcia and Associates

Archaeological and Native American Resources Recommendations:

XX We recommend that the lead agency contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916) 373-3710.

XX The proposed project area has a low possibility of containing unrecorded archaeological site(s). Therefore, no further study for archaeological resources is recommended at this time.

Built Environment Recommendations:

XX Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if the project area contains such properties, it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Contra Costa County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Jessika Akmenkalns
Researcher

cc: Peter Wollman
LCC Engineering & Surveying
930 Estudillo Street
Martinez, CA 94553

Joseph Lawlor

From: Lea Castleberry
Sent: Wednesday, May 03, 2017 1:04 PM
To: Joseph Lawlor
Cc: Lea Castleberry
Subject: RZ17-3236

Hi Joseph,

The Knightsen TAC heard this item at their April 25, 2017 meeting.

Motion to dedicate 5% of each parcel for flood control basin 18" deep made by Vice Chair Simas. Second made by Councilmember Williams. Motion carried 3-2. AYES: Abreu, Simas and Williams. NO: Chair Ohmstede and Councilmember Carone.

Lea

Lea Castleberry
Deputy Chief of Staff
Supervisor Diane Burgis
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Brentwood, CA 94513
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