

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**Maureen Toms**  
Deputy Director

**Deidra Dingman**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**Gabriel Lemus**  
Assistant Deputy Director

**August 15, 2024**

**NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A PROPOSED  
MITIGATED NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Contra Costa County Department of Conservation and Development, Community Development Division, has prepared an initial study evaluating the potential environmental impacts of the following project:

- 1. Project Title:** Arie Lane Three-Lot Minor Subdivision, Rezoning, and Preliminary & Final Development Plan
- 2. County File Number:** CDMS20-00010, CDRZ22-03264, CDDP22-03002
- 3. Lead Agency:** Contra Costa County, Department of Conservation and Development
- 4. Lead Agency Contact Person:** Syd Sotoodeh, Senior Planner  
(925) 655-2877  
[syd.sotoodeh@dcd.cccounty.us](mailto:syd.sotoodeh@dcd.cccounty.us)
- 5. Project Location:** A 6.18-acre parcel located at: 85 Arie Lane in the unincorporated Lafayette area  
(Assessor's Parcel Number: 167-010-017)
- 6. Applicant:** MGJ Development LLC  
c/o Nick Ott  
3515 Mt. Diablo Blvd., Unit #111  
Lafayette, CA 94549

**7. Description of Project:**

The applicant is requesting approval of a vesting tentative map to subdivide the subject 6.18-acre parcel into three parcels, resulting in an approximately 2.86-acre (gross) Parcel A, an

approximately 2.51-acre Parcel B, and an approximately 0.81-acre Parcel C. Access to the minor subdivision would extend from Arie Lane, a private road, via an existing bridge that crosses Grayson Creek. Proposed site improvements include an extension of Arie Lane from the bridge as a new 20-foot-wide private road within a 25-foot private access easement with slopes up to a 20% gradient. No structural improvements are proposed for the existing bridge. Water, electrical, telecommunication, and other utility extensions as needed would be attached beneath the bridge using an existing utility trapeze. Additional site improvements include curbs, gutters, three bioretention basins for stormwater control, a drainage outfall and headwall approximately 1 foot in height, and an 8-inch rock over coir riprap outfall within the creek area adjacent to the bridge for erosion control. It is anticipated that for the future private roadway and future residential foundation pads the project will entail  $\pm 4,100$  cubic yards (CYS) of cut and  $\pm 4,100$  CYS of fill for a zero (0) net CYS of grading.

The applicant is also seeking approval to construct improvements within the approximately 1.32-acre creek structure setback (CSS) easement area (OR-303003, recorded 2002) spanning the southernmost area of the property. The improvements include approximately 945 square feet of the private roadway and curbs extending from the bridge, approximately 380 square feet of a stormwater treatment bioretention basin (IMP-3), a drainage outfall and headwall, and retaining walls appurtenant to these improvements. Section 914-14.014 of the County Ordinance prohibits any permanent structure within the creek structure setback other than drainage structures. The applicant has requested an exception to this Code requirement, citing the unique topographic constraints of the site. The upper northern corner of the property has been protected through an approximately 1.98-acre scenic easement (OR-303002, recorded 2002) and will remain undeveloped. No changes are proposed that would reduce the square footage of either restricted development area.

The applicant requests a rezone of the property from R-10, Single-Family Residential to P-1, Planned Unit District (P-1) and approval of a Preliminary and Final Development Plan for development of each parcel. A total of five dwelling units are proposed, including two attached accessory dwelling units (ADU). Future approval of any ADU will require a separate ministerial application. The proposed development of each parcel is described below:

- Parcel A: 6,244-square-foot, two-story, single-family residence up to 26 feet in height, an 886-square-foot garage, driveway, pool, and seven retaining walls up to 7 feet in height.
- Parcel B: 6,545-square-foot, two-story, single-family residence up to 32 feet in height, an approximately 990-square-foot ADU within the residential building, an 1,848-square-foot garage, driveway, and three retaining walls up to 6 feet in height.
- Parcel C: 4,424-square-foot, two-story split-level, single-family residence stepping up the existing grade with a height up to 28 feet, an approximately 747-square-foot ADU within the residential structure, a 974-square-foot garage, driveway, and two retaining walls up to 6 feet in height.

The applicant also requests approval of a tree permit for project-related impacts to twenty-eight code-protected trees, including the removal of thirteen code-protected trees (one (1)

Aleppo pine tree, three (3) Arizona cypress trees, seven (7) coast live oak trees, and two (2) incense cedar trees) and work within the driplines (construction, trenching or grading) of fifteen code-protected trees (one (1) valley oak tree, two (2) California bay trees, and twelve (12) coast live oak trees) located on the subject property. Project impacts are due to the trees being located within the footprint of site improvements or the new residential structures. In addition, several trees would be removed due to poor health or condition as recommended by the project arborist.

## **8. Surrounding Land Uses and Setting:**

The subject property is bounded by Grayson Creek and single-family residences to the south and southeast, the Oakmont Memorial Park And Mortuary to the north and northeast, and the Queen of Heaven Catholic Cemetery & Mortuary to the west. Other land uses in the vicinity include the Briones Regional Park approximately 3/4-miles west of the subject property. Briones Park trailheads are located approximately 1/4-mile to the south and west of the project site. As designated by the U.S. Census Bureau urban area reference map, the subject property is located within the Concord-Walnut Creek urbanized area, however, there is an element of suburban/rural character along the small roads and lanes of the residential area in the vicinity.

Developments in the surrounding unincorporated area are located within a variety of single-family residential zoning districts (R-10, R-15, R-20, or R-65), Planned Unit (P-1) districts, and General Agriculture (A-2) districts. Reliez Valley Road is located approximately 300 feet south of the subject property, providing access to Taylor Boulevard approximately 3/4-miles to the east. Nearby town centers include Pleasant Hill approximately 2 miles to the east, Lafayette approximately 3.5 miles to the south, and Walnut Creek approximately 3.5 miles to the southeast.

The subject property is an undeveloped, approximately 6.18-acre, triangular lot located at 85 Arie Lane (a private road) and within a Single-Family Residential (R-10) zoning district, created as Lot 7 of Subdivision Tract 7410 (446M28, filed in August 2002). Located within a hilly area of unincorporated Lafayette, the subject property has fairly steep topography with an approximately 206-foot change in elevation from the southeastern property line (228 feet contour elevation) to the northern property line (434 feet contour elevation). The project site is located in the approximate center of the property where slopes are between approximately 15% and 26% in grade. The development rights of approximately 3.3 acres of the subject property have been grant deeded to the County in the northern portion of the property where slopes exceed 26% grade and along the southern boundary accounting for the creek structure setback of the perennial creek (Grayson Creek) bordering the property. Thus, approximately half of the property is restricted from development. Forty-four mature, code-protected trees (measuring more than 6.5-inches in diameter) on the subject property were inventoried by the project arborist.

## **9. Determination:**

The County has determined that the project may result in impacts to the environment, but those impacts will be less than significant with mitigations. Therefore, pursuant to California Code of Regulations Section 15070, an Initial Study and Draft Mitigated Negative Declaration has been prepared. Prior to adoption of the Mitigated Negative Declaration, the County will be

accepting comments on the Mitigated Negative Declaration/initial study during a 30-day public comment period.

The initial study/draft mitigated negative declaration can be viewed online at the following link: <https://www.contracosta.ca.gov/4841/Public-Input>. Any documents referenced in the reference index can be provided upon request by contacting the project planner.

***Public Comment Period*** – The period for accepting comments on the adequacy of the environmental document will **begin Friday, August 16, 2024, and extend to 5:00 P.M., Monday, September 16, 2024.** Any comments should be submitted in writing to the following:

Contra Costa County  
Department of Conservation and Development  
**Attn: Syd Sotoodeh**  
30 Muir Road  
Martinez, CA 94553

or;

via email to [syd.sotoodeh@dcd.cccounty.us](mailto:syd.sotoodeh@dcd.cccounty.us)

The proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the County Zoning Administrator. The hearing date before the County Zoning Administrator has not yet been scheduled. Hearing notices will be mailed prior to the finalized hearing date.

**Additional Information** – For additional information on the Mitigated Negative Declaration and the proposed project, you can contact me by email at [syd.sotoodeh@dcd.cccounty.us](mailto:syd.sotoodeh@dcd.cccounty.us) or by telephone at (925) 655-2877.

Sincerely,



Syd Sotoodeh  
Project Planner  
Department of Conservation & Development

attch: Project Vicinity Map  
Vesting Tentative Map and Development Site Plan

cc: County Clerk's Office (2 copies)  
Adjacent Occupants and Property Owners  
Notification List



# Aerial View



## Map Legend

- Assessment Parcels
- Unincorporated

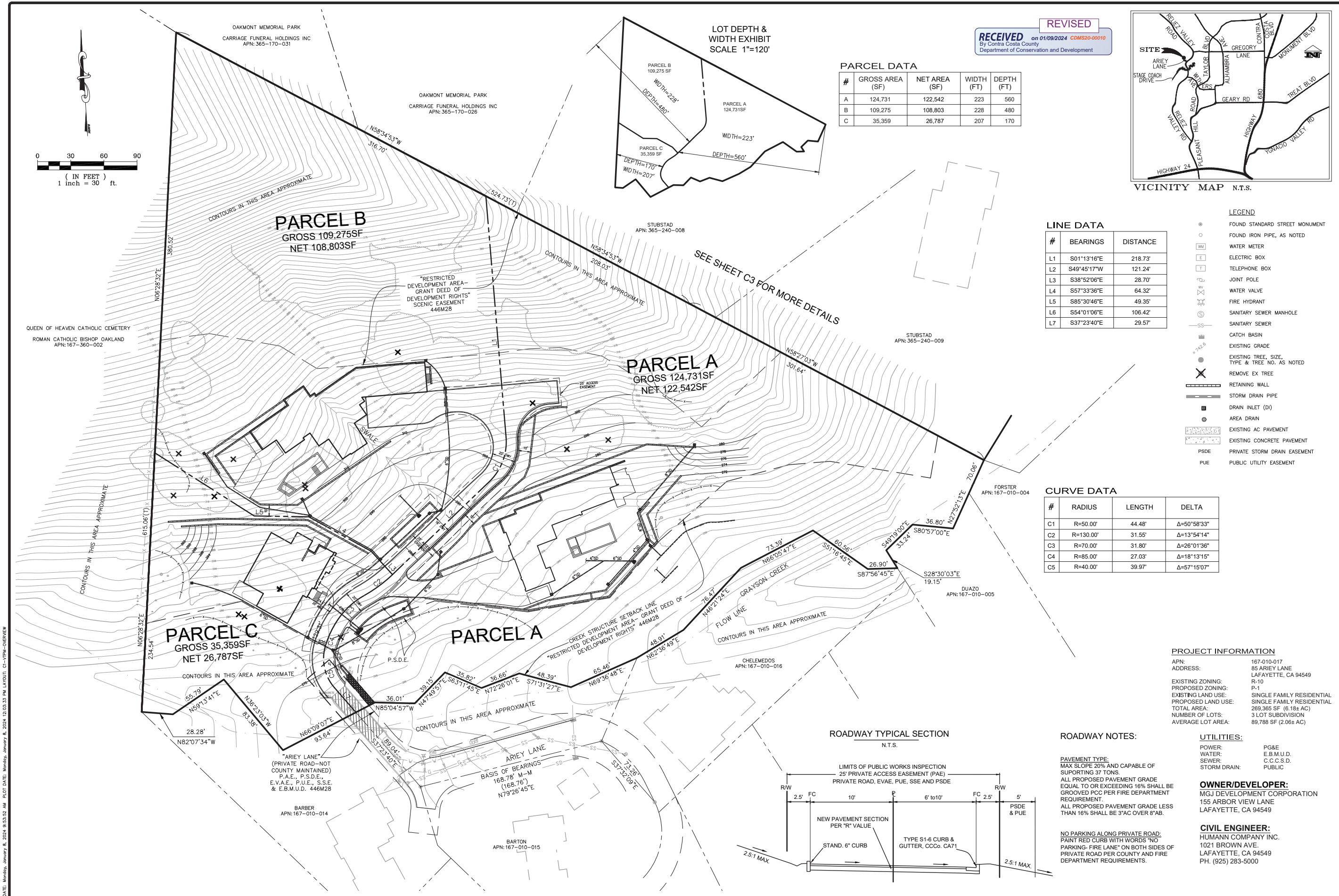
Aerials 2019

RGB

- Red: Band\_1
- Green: Band\_2
- Blue: Band\_3

**DOIT GIS**  
CONTRA COSTA COUNTY

This map is a user generated, static output from an internet mapping application and is intended for reference use only.  
Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION.  
CCMap is maintained by Contra Costa County Department of Information Technology, County GIS.  
Data layers contained within the CCMap application are provided by various Contra Costa County Departments.  
Please direct all data inquiries to the appropriate department.  
Spatial Reference  
PCS: WGS 1984 Web Mercator Auxiliary Sphere  
Datum: WGS 1984



RECEIVED on 01/09/2024 CDMS20-00010  
By Contra Costa County  
Department of Conservation and Development

REVISED

PARCEL DATA				
#	GROSS AREA (SF)	NET AREA (SF)	WIDTH (FT)	DEPTH (FT)
A	124,731	122,542	223	560
B	109,275	108,803	228	480
C	35,359	26,787	207	170

LINE DATA		
#	BEARINGS	DISTANCE
L1	S01°13'16"E	218.73'
L2	S49°45'17"W	121.24'
L3	S38°52'06"E	28.70'
L4	S57°33'36"E	64.32'
L5	S85°30'46"E	49.35'
L6	S54°01'06"E	106.42'
L7	S37°23'40"E	29.57'

CURVE DATA			
#	RADIUS	LENGTH	DELTA
C1	R=50.00'	44.48'	Δ=50°58'33"
C2	R=130.00'	31.55'	Δ=13°54'14"
C3	R=70.00'	31.80'	Δ=26°01'36"
C4	R=85.00'	27.03'	Δ=18°13'15"
C5	R=40.00'	39.97'	Δ=57°15'07"

- LEGEND
- FOUND STANDARD STREET MONUMENT
  - FOUND IRON PIPE, AS NOTED
  - WATER METER
  - ELECTRIC BOX
  - TELEPHONE BOX
  - JOINT POLE
  - WATER VALVE
  - FIRE HYDRANT
  - SANITARY SEWER MANHOLE
  - SANITARY SEWER
  - CATCH BASIN
  - EXISTING GRADE
  - EXISTING TREE, SIZE, TYPE & TREE NO. AS NOTED
  - REMOVE EX TREE
  - RETAINING WALL
  - STORM DRAIN PIPE
  - DRAIN INLET (DI)
  - AREA DRAIN
  - EXISTING AC PAVEMENT
  - EXISTING CONCRETE PAVEMENT
  - PRIVATE STORM DRAIN EASEMENT
  - PUBLIC UTILITY EASEMENT

**PROJECT INFORMATION**

APN: 167-010-017  
ADDRESS: 85 ARIEY LANE, LAFAYETTE, CA 94549  
R-10  
P-1  
EXISTING ZONING: SINGLE FAMILY RESIDENTIAL  
PROPOSED ZONING: SINGLE FAMILY RESIDENTIAL  
EXISTING LAND USE: SINGLE FAMILY RESIDENTIAL  
PROPOSED LAND USE: SINGLE FAMILY RESIDENTIAL  
TOTAL AREA: 269,365 SF (6.18± AC)  
NUMBER OF LOTS: 3 LOT SUBDIVISION  
AVERAGE LOT AREA: 89,788 SF (2.06± AC)

**UTILITIES:**

POWER: PG&E  
WATER: E.B.M.U.D.  
SEWER: C.C.C.S.D.  
STORM DRAIN: PUBLIC

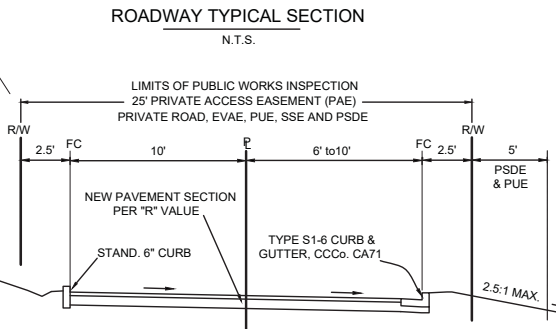
**OWNER/DEVELOPER:**  
MGJ DEVELOPMENT CORPORATION  
155 ARBOR VIEW LANE  
LAFAYETTE, CA 94549

**CIVIL ENGINEER:**  
HUMANN COMPANY INC.  
1021 BROWN AVE.  
LAFAYETTE, CA 94549  
PH. (925) 283-5000

ROADWAY NOTES:

PAVEMENT TYPE:  
MAX SLOPE 20% AND CAPABLE OF SUPPORTING 37 TONS.  
ALL PROPOSED PAVEMENT GRADE EQUAL TO OR EXCEEDING 16% SHALL BE GROOVED PCC PER FIRE DEPARTMENT REQUIREMENT.  
ALL PROPOSED PAVEMENT GRADE LESS THAN 16% SHALL BE 3"AC OVER 8"AB.

NO PARKING ALONG PRIVATE ROAD:  
PAINT RED CURB WITH WORDS "NO PARKING - FIRE LANE" ON BOTH SIDES OF PRIVATE ROAD PER COUNTY AND FIRE DEPARTMENT REQUIREMENTS.



NO.	DATE	BY	REVISIONS
1	12/13/23	KMIN	REVISE LAYOUT
2	01/03/24	KMIN	REVISION PER CCC MEMO DATED 12/21/23

SCALE	1" = 30'
DATE	01/31/23
DRAWN	CS/TC/PEKM
CHECKED	IN
JOB NO.	18171

REGISTERED PROFESSIONAL ENGINEER  
No. 29528  
CIVIL  
STATE OF CALIFORNIA  
IZZATI S. NASHASHIBI R.C.E. 29528

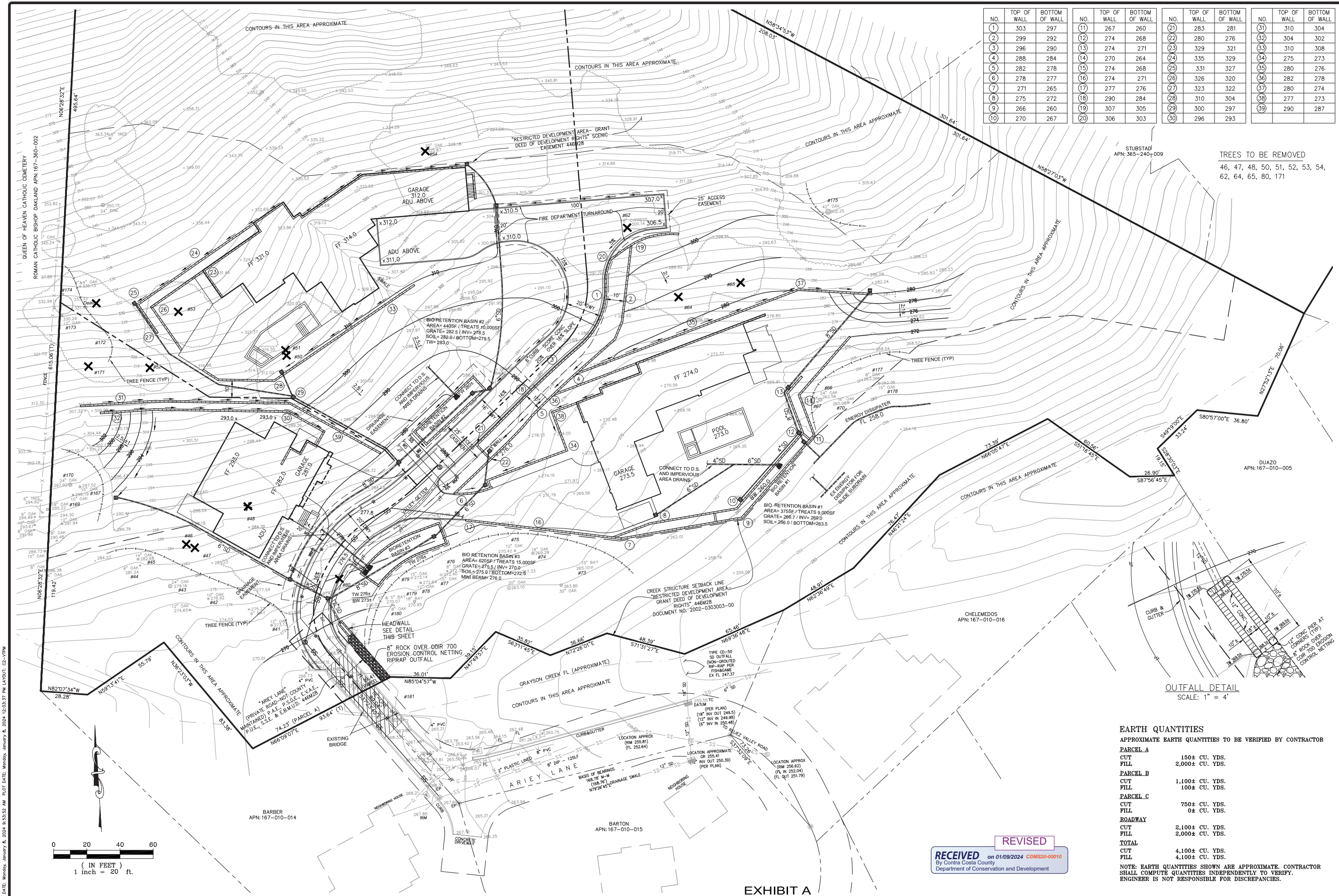
VESTING TENTATIVE PARCEL MAP MS20-0010

Lot 7 of Subdivision Map 7410, filed August 28, 2002, in Book 446 of Maps, Pages 28 to 32 (APN 167-010-017)

MGJ DEVELOPMENT CORPORATION - 85 ARIEY LANE  
LAFAYETTE CONTRA COSTA COUNTY CALIFORNIA

**HUMANN COMPANY INC.**  
ENGINEERING - SURVEYING  
1021 BROWN AVE. LAFAYETTE, CA 94549  
PH (925)283-5000 FAX (925)283-3578

SHEET **C1**  
OF 3 SHEETS  
JOB NO. 18171



NO.	TOP OF WALL	BOTTOM OF WALL	NO.	TOP OF WALL	BOTTOM OF WALL	NO.	TOP OF WALL	BOTTOM OF WALL	NO.	TOP OF WALL	BOTTOM OF WALL
1	303	297	11	267	260	21	283	281	31	310	304
2	299	292	12	274	268	22	280	276	32	304	302
3	296	290	13	274	271	23	329	321	33	310	308
4	288	284	14	270	264	24	335	329	34	275	273
5	282	278	15	274	268	25	331	327	35	280	276
6	278	277	16	274	271	26	326	320	36	282	278
7	271	265	17	277	276	27	323	322	37	280	274
8	275	272	18	290	284	28	310	304	38	277	273
9	266	260	19	307	305	29	300	297	39	290	287
10	270	267	20	306	303	30	296	293			

TREES TO BE REMOVED  
46, 47, 48, 50, 51, 52, 53, 54,  
62, 64, 65, 80, 171

STUBSTADT  
APN: 365-240-009

DUAZO  
APN: 167-010-005

CHELEMEDOS  
APN: 167-010-016

BARBER  
APN: 167-010-014

BARTON  
APN: 167-010-015

OUTFALL DETAIL  
SCALE: 1" = 4'

EARTH QUANTITIES	
APPROXIMATE EARTH QUANTITIES TO BE VERIFIED BY CONTRACTOR	
PARCEL A	
CUT	150± CU. YDS.
FILL	2,000± CU. YDS.
PARCEL B	
CUT	1,100± CU. YDS.
FILL	100± CU. YDS.
PARCEL C	
CUT	750± CU. YDS.
FILL	0± CU. YDS.
ROADWAY	
CUT	2,100± CU. YDS.
FILL	2,000± CU. YDS.
TOTAL	
CUT	4,100± CU. YDS.
FILL	4,100± CU. YDS.
NOTE: EARTH QUANTITIES SHOWN ARE APPROXIMATE. CONTRACTOR SHALL COMPUTE QUANTITIES INDEPENDENTLY TO VERIFY. ENGINEER IS NOT RESPONSIBLE FOR DISCREPANCIES.	

RECEIVED on 01/09/2024 CDMS20-0010  
By Contra Costa County  
Department of Conservation and Development

REVISED

EXHIBIT A

NO.	DATE	BY	REVISIONS
1	12/13/23	KM/IN	REVISE LAYOUT
2	01/03/24	KM/IN	REVISION PER CCC MEMO DATED 12/21/23

SCALE	1" = 20'
DATE	01/31/23
DRAWN	CS/TC/PEKM
CHECKED	IN
JOB NO.	18171

IZZATI S. NASHASHIBI R.C.E. 29528

VESTING TENTATIVE PARCEL MAP MS20-0010

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MGJ DEVELOPMENT CORPORATION - 85 ARIEY LANE

LAFAYETTE CONTRA COSTA COUNTY CALIFORNIA

HUMANN COMPANY INC.

ENGINEERING - SURVEYING

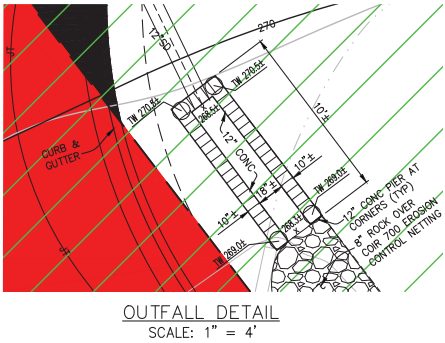
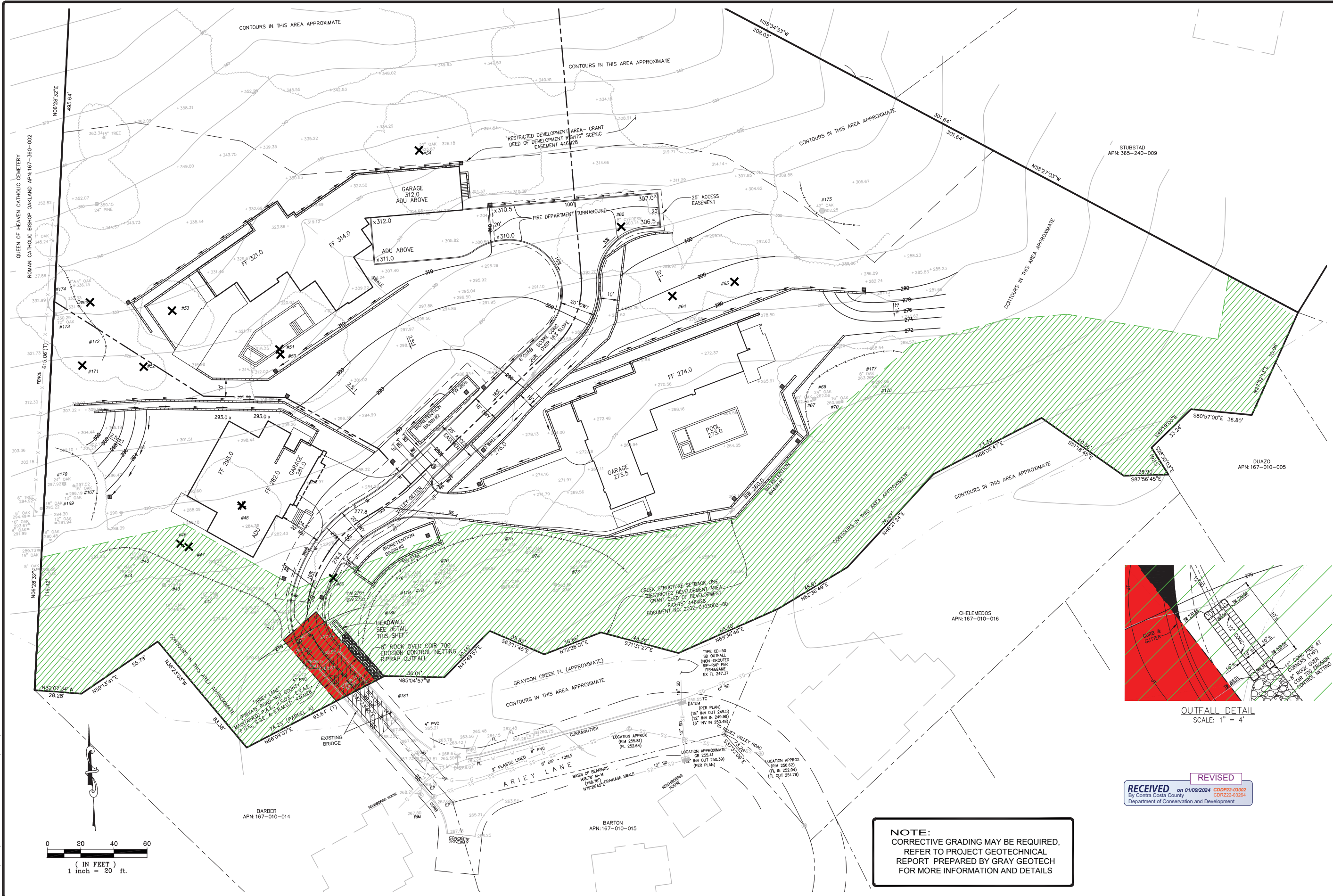
1021 BROWN AVE. LAFAYETTE, CA 94549

PH (925)283-5000 FAX (925)283-3578

SHEET	C2
OF	3 SHEET
JOB NO.	18171

Z:\PROJECTS\18171\MAP.DWG SAVE DATE: Monday, January 8, 2024 12:03:37 PM LAYOUT: C2-17PM

Z:\PROJECTS\167\167-010-005\167-010-005-001.dwg SAVE DATE: Monday, January 8, 2024 12:08:41 PM LAYOUT: PRELIM-REV-PLAN



RECEIVED on 01/09/2024 CDDP22-03002  
By Contra Costa County CDRZ22-03264  
Department of Conservation and Development

NOTE:  
CORRECTIVE GRADING MAY BE REQUIRED,  
REFER TO PROJECT GEOTECHNICAL  
REPORT PREPARED BY GRAY GEOTECH  
FOR MORE INFORMATION AND DETAILS

NO.	DATE	BY	REVISIONS
1	12/13/23	KMIN	REVISE LAYOUT
2	01/03/24	KMIN	REVISION PER CCC MEMO DATED 12/21/23

SCALE	1" = 20'
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IZZATI S. NASHASHIBI R.C.E. 29528

PRELIMINARY AND FINAL DEVELOPMENT PLAN CDDP22\_03002 / CDRZ22\_03264

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MGJ DEVELOPMENT CORPORATION - 85 ARIEY LANE

LAFAYETTE CONTRA COSTA COUNTY CALIFORNIA

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SHEET C3  
OF 3 SHEET  
JOB NO. 18171