



# CONTRA COSTA COUNTY

## AGENDA

### Contra Costa County Zoning Administrator

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**Monday, October 20, 2025**

**1:30 PM**

**30 Muir Road, Martinez**

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**Zoom: <https://cccouny-us.zoom.us/j/83831039285> Call in: (888) 278-0254 Access Code 198675**

The Zoning Administrator meeting will be accessible in-person, via telephone, and via live-streaming to all members of the public. Zoning Administrator meetings can be viewed live online at: [http://contra-costa.granicus.com/ViewPublisher.php?view\\_id=13](http://contra-costa.granicus.com/ViewPublisher.php?view_id=13).

Persons who wish to address the Zoning Administrator during public comment or with respect to an item on the agenda may comment in person or may call in during the meeting by dialing (888) 278-0254, followed by the access code 198675##. A caller should indicate they wish to speak on an agenda item, by pushing "#2" on their phone. Access via Zoom is also available using the following link <https://cccouny-us.zoom.us/j/83831039285>. Those participating via Zoom should indicate they wish to speak on an agenda item by using the "raise your hand" feature in the Zoom app. Public comments may also be submitted before the meeting by email at [planninghearing@dcd.cccounty.us](mailto:planninghearing@dcd.cccounty.us) or by voicemail at (925) 655-2860.

Commenters will generally be limited to three (3) minutes each. Comments submitted by email or voicemail will be included in the record of the meeting but will not be read or played aloud during the meeting. The Zoning Administrator may reduce the amount of time allotted per commenter at the beginning of each item or public comment period depending on the number of commenters and the business of the day. The Zoning Administrator may alter the order of agenda items at the meeting. Your patience is appreciated.

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) 655-2860.

1. PUBLIC COMMENTS
2. MINOR SUBDIVISION: PUBLIC HEARING

- 2a. ZAKARIA ISMAIL (Applicant and Owner), County File CDMS23-00009: The applicant requests approval of a Vesting Tentative Parcel Map for a three-lot Minor Subdivision application to subdivide a 0.37-acre residential lot with three existing single-family residences into three parcels, including a 5,207 square-foot Parcel A, a 4,815 square-foot Parcel B, and a 6,282 square-foot Parcel C. Each parcel includes an existing residence and Parcels B and C also include existing detached garages. No new development is proposed with this application. As part of the application, deviations from the required 10-foot minimum front yard, 5-foot minimum side yard, and 20-foot minimum rear yard setbacks of the Bay Point P-1 Planned Unit District are requested to allow the existing buildings to remain in their current locations. The applicant also requests authorization of Exceptions to the requirements and regulations of County Code Section 914-2.004 (Offsite Collect and Convey) to retain the current drainage flows, and of County Code Chapter 96-10 (Underground Utilities) to allow the existing utilities to remain. The subject property is located at 10-30 Roberts Street in the Bay Point area of unincorporated Contra Costa County. (Zoning: P-1 Planned Unit District) (Assessor's Parcel Number: 095-075-023) TO BE CONTINUED TO NOVEMBER 3, 2025 JL [25-4321](#)

3. LAND USE PERMIT; PUBLIC HEARING

- 3a. MARK WHITLOCK (Applicant) - RAJBIR SARKAIRA (Property Owner); County File #CDLP24-02027: A request for approval of a Land Use Permit to add a commercial kitchen within the existing Gateway Market building to establish a take-out food business. The project includes a request for a Variance to allow 23 parking spaces (where 31 spaces is required) and no bicycle parking. The subject property is located at 3615 Gateway Road in the Bethel Island area of unincorporated Contra Costa County. Zoning: Retail Business (R-B); APN: 029-050-064 DV [25-4322](#)

**Attachments:** [Attachment 1 Findings and Conditions of Approval](#)  
[Attachment 2 Maps](#)  
[Attachment 3 Project Plans](#)  
[Attachment 4 Agency Comments](#)

3:30 P.M.

1. PUBLIC COMMENTS
2. DEVELOPMENT PLAN: PUBLIC HEARING

- 2a. MONTECITO DEVELOPMENT CO. LLC (Applicant) and CONTRA COSTA COUNTY (Owner), County File# DP21-3022: the applicant is requesting approval of a Development Plan Permit to construct a 223,145 square foot warehouse building with associated off-site improvements (i.e., roadway improvements, sidewalks, curbs, gutters, landscaping, utility connections, and traffic calming improvements), driveway connections to both Marsh Drive and Sally Ride Drive, a new intersection at Marsh Drive/Sally Ride Drive (north), lane separation and other improvements related to a proposed separated bike facility on Marsh Drive and removal of one tree. The proposed project site is approximately 16-acres located on the western portion of Buchanan Field Airport between Marsh Drive and Sally Ride Drive, in the Pacheco area. In accordance with Section 15021 of the California Environmental Quality Act (CEQA) Guidelines, Contra Costa County, as lead agency, has prepared a Draft Environmental Impact Report (DEIR). A public review period for the DEIR began on September 5, 2025, and runs through October 21, 2025. This hearing is an opportunity for the public to provide written and verbal comments on the adequacy of the DEIR as the environmental document for the proposed project. (Zoning: U-, Unrestricted District) (Assessor's Parcel Number: 125-010-023) JS [25-4323](#)

PLEASE NOTE: THE NEXT MEETING OF THE CONTRA COSTA COUNTY ZONING ADMINISTRATOR WILL BE HELD ON MONDAY, NOVEMBER 3, 2025.



# CONTRA COSTA COUNTY

1025 ESCOBAR STREET  
MARTINEZ, CA 94553

## Staff Report

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**File #:** 25-4321

**Agenda Date:** 10/20/2025

**Agenda #:** 2a.

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TO BE CONTINUED TO NOVEMBER 3, 2025



# CONTRA COSTA COUNTY

1025 ESCOBAR STREET  
MARTINEZ, CA 94553

## Staff Report

**File #:** 25-4322

**Agenda Date:** 10/20/2025

**Agenda #:** 3a.

|                                                            |                                                                                               |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| <b>Project Title:</b>                                      | New Take-Out Food Establishment for the Gateway Market - Land Use Permit and Parking Variance |
| <b>County File(s):</b>                                     | CDLP24-02027                                                                                  |
| <b>Applicant/Owner:</b>                                    | Mark Whitlock / Rajbir Sarkaira                                                               |
| <b>Zoning/General Plan:</b>                                | Retail Business (R-B) and Mobile Home/Manufactured Home Park (T-1) / Commercial (CO)          |
| <b>Site Address/Location:</b>                              | 3615 Gateway Road, Bethel Island (APN: 029-050-064)                                           |
| <b>California Environmental Quality Act (CEQA) Status:</b> | Categorical Exemption, Class 1: CEQA Guidelines Section 15301(a) - Existing Facilities        |
| <b>Project Planner:</b>                                    | Dominique Vogelpohl, Senior Planner (925) 655-2880<br>Dominique.Vogelpohl@dcd.cccounty.us     |
| <b>Staff Recommendation:</b>                               | Approve (See Section II for Full Recommendation)                                              |

### **I. PROJECT SUMMARY**

A request for approval of a Land Use Permit to add a commercial kitchen within the existing Gateway Market building to establish a take-out food business. The project includes a request for a Variance to allow 23 parking spaces (where 31 spaces are required) and no bicycle parking.

### **II. RECOMMENDATION**

The Department of Conservation and Development, Community Development Division (CDD) staff recommends that the County Zoning Administrator:

- A. APPROVE the Land Use Permit and parking Variance (County File #CDLP24-02027), based on the attached findings and subject to the attached conditions of approval;
- B. DETERMINE that the proposed project is categorically exempt from CEQA under Section 15301 (a) of the CEQA Guidelines; and

- C. DIRECT staff to file a Notice of Exemption.

### **III. GENERAL INFORMATION**

- A. General Plan: The subject property is located within a Commercial (CO) land use designation.
- B. Zoning: The subject property is located within a Retail Business (R-B) District and a Mobile Home/Manufactured Home Park (T-1) District.
- C. Environmental Review: The project is categorically exempt from the review requirements of the California Environmental Quality Act (CEQA) per section 15301(a), which exempts operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The improvements necessary to create a commercial kitchen within the existing building envelope to operate a new take-out food business is found to be a minor alteration of existing private facility, involving negligible expansion of the existing use.
- D. Previous Applications:
1. RZ24-3276: A rezoning application to complete the rezoning of the portion of the property that is Mobile Home/Manufactured Home Park (T-1) to Retail Business (R-B).
  2. DP06-3004: A Development Plan was required for rezoning application #RZ05-3162.
  3. MS05-0012: A minor subdivision for a 2-lot subdivision where the parcel map was recorded on May 1, 2008.
  4. RZ05-3162: A rezoning of the portion of the property that is Mobile Home/Manufactured Home Park (T-1) to Retail Business (R-B).

### **IV. SITE/AREA DESCRIPTION**

The subject site is located on a 1.46-acre property that is on the north side of Gateway Road in Bethel Island. This property is next door to a mobile home park and a undeveloped 3.5-acre property. The Delta Coves residential community is directly across the street. The subject property consists of the Gateway Market, an 8-stall fueling station, and a parking lot with 23 spaces.

### **V. PROJECT DESCRIPTION**

The project is for a Land Use Permit to add a commercial kitchen within the existing Gateway

Market building to establish a take-out food business. The kitchen will be installed in an existing meal prep room in the store, and new counter space will be installed next to the existing one so orders and sales can be separate from the market. The store's business hours are from 7:00 AM to 9:00 PM, and the food establishment will be the same hours. No additional employees are needed.

The project includes a request for a Variance to allow 23 parking spaces (where 31 spaces are required) and no bicycle parking.

## VI. AGENCY COMMENTS

- A. Bethel Island Municipal Advisory Council (MAC): The Bethel Island MAC recommended approval of the project at their meeting held on February 11, 2025, and had no further comment.
- B. Contra Costa County Public Works Department, Engineering Services Division: Engineering Services staff report is attached to this report, along with their recommended conditions of approval.
- C. County Transportation Program: In a memo dated June 10, 2025, Transportation staff stated the project being a local-serving food takeout business, it should result in a negligible change in net new peak-hour trip generation, particularly because trips associated with the subject project will be primarily pass-by and internal trips. Therefore, neither Vehicles Miles Traveled (VMT) analysis or Level of Service (LOS) review is required.
- D. Contra Costa Health Services, Environmental Health Division (CCEHD): In a memo dated February 12, 2025, CCEHD stated that the project sponsor must obtain a health permit from CCEHD prior to construction and operation.
- E. Contra Costa County Fire Protection District: In a memo dated February 11, 2025, the Fire Protection District stated that the project sponsor must obtain a permit from the Fire Protection District prior to construction and operation.

All received agency comments are attached to this staff report.

## VII. STAFF ANALYSIS

- A. Consistency with General Plan: The subject property is located within the Commercial (CO) land use designation. The intent of the CO designation is to allow for a broad range of commercial uses typically found in smaller-scale, neighborhood, community, and thoroughfare commercial districts, including retail and personal service facilities, limited office, and financial uses. The proposed fast-food establishment is consistent within the commercial land use

designation and an allowed use with the issuance of a land use permit pursuant to the Take Out Food Ordinance.

- B. Zoning Compliance: Once properly rezoned, the project site will be completely located within a Retail-Business (R-B) zoning district. The R-B district is intended to allow sales, demonstrations, displays, services, and other retail business that is conducted within an enclosed building. A commercial fast-foot establishment is considered a service business and therefore meets the intent and purpose of the R-B district.
- C. Take Out Food Ordinance: The proliferation of trash, litter and sometimes garbage in areas surrounding take-out food establishments is unsightly, unhealthy and may have a negative effect on nearby property values. While proprietors of such businesses cannot be expected to control the conduct of their customers, they profit from the patronage of such customers, and they have the ability to pass through the costs of clean-up necessitated by illegal disposal of trash, litter and garbage originating from their businesses. It is therefore the intent of the board to impose upon the proprietors of such take-out food establishments, joint responsibility for the proper disposal of trash, litter and garbage originating from their business establishments.

This Land Use Permit will be conditioned to provide a trash bin location plan to verify there are adequate number of bins throughout the site to ensure patrons have ample opportunity to throw away all litter and food wrappings. This Land Use Permit will be conditioned to require at least three times a week, the project proponent to pick up and properly dispose of trash, litter and garbage originating from such take-out food establishment, deposited on public property within four hundred feet of any boundary of the subject property. This Land Use Permit will also be conditioned to allow any owner of private property located within four hundred feet of any boundary of the subject property, at least three times a week, to request the project proponent pick up and properly dispose of trash, litter and garbage originating from such take-out food establishment, deposited on such private property visible from a public street. Lastly, a cash deposit, letter of credit or corporate surety bond will be required to ensure compliance with the conditions.

- D. Off-Street Parking: The off-street parking ordinance requires that adequate off-street parking is provided at each location given the specific use proposed. Per County Code Section 82-16.406 Required Number of parking Spaces, an approximately 4,000 square-foot market/convenient store requires 1 parking space per every 200 square-feet, which is 20 spaces. The pump station has 8 stalls. 0.9 spaces are required per every fueling stall, totaling 7 spaces. Adding approximately 365 square-feet of restaurant space requires 1 space per every 3 seats or 1 space per every 100 square-feet, whichever is greater. This adds 4 spaces as no patron seating is proposed. Therefore, the total number of required parking spaces is 31 spaces. As the existing parking lot is 23 spaces, and not new parking is proposed, the project includes a request for a Variance to allow 23 parking spaces (where 31 spaces are required)

and no bicycle parking.

According to the County Transportation staff, the project being a local-serving food take-out business, it should result in a negligible change in net new peak-hour trip generation, particularly because trips associated with the subject project will be primarily pass-by and internal trips. Therefore, staff recommends approval for the parking variances, which are expanded on in the attached Off-Street Parking Variance Findings section of this staff report.

- E. Traffic and Circulation: The project site, the Gateway Market, shares the parcel with a Sinclair gas station. The frontage has already been widened with an AC berm and longitudinal drainage facilities. No additional right of way dedication or improvements are required at this time. There are two existing driveways along the frontage to serve the gas station and market. No changes are proposed.
- F. 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.

Stormwater Water runoff on Bethel Island is collected and discharged to the Delta by the Bethel Island Municipal Improvement District (BIMID). No new impervious surface areas are to be constructed as part of this permit and no changes to the drainage system currently serving the property are proposed. BIMID's continued oversight of the runoff from the site will satisfy the County's drainage requirements.

- G. Stormwater Management and Discharge Control: A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 square-feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. As no new or reconstructed impervious areas are proposed, a SWCP will not be required.
- H. Floodplain Management: The property is in a Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) and is subject to the requirements of the County's Floodplain Management Ordinance (COC Chapter 82-28). New improvements should be "wet floodproofed" in accordance with FEMA design guidelines. If the improvements being made to the existing building are determined to be "substantial" relative to the building as a whole, the entire building will be subject to retrofitting to meet FEMA requirements.
- I. Lighting District Annexation: The subject property is not annexed into the lighting district. The property owner will be required, as a condition of approval, to annex into the County Facilities

District (CFD) 2010-1 formed for the Countywide Street Light Financing.

- J. Area of Benefit Fee: The project is subject to 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 Bethel Island Regional Areas of Benefit, as adopted by the Board of Supervisors. However, both the market and food establishment are commercial uses, so the conversion will not require payment of additional impact fees.

## **VIII. CONCLUSION**

The proposed project is found to be consistent with the County General Commercial (CO) land use designation and the Retail Business (R-B) Zoning District (once the property is completely rezoned). Therefore, staff is recommending approval of County File #CDLP24-02027, based on the attached findings and subject to the attached conditions of approval.

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP24-02027;  
MARK WHITLOCK (APPLICANT) & RAJBIR SARKAIRA (OWNER)**

**I. FINDINGS**

**A. Land Use Permit Findings**

1. The project shall not be detrimental to the health, safety and general welfare of the County.

Project Finding: Adding a commercial kitchen within an existing convenient store building to establish a take-out food business is required to comply with all applicable civil, fire, and environmental health codes and regulations. Compliance with all conditions of approval and applicable codes and regulations is considered to be evidence that the project will not present health and safety risks to users of the site or public in general.

2. The project shall not adversely affect the orderly development within the County or the community.

Project Finding: The project will be within the existing building envelope with no physical changes to the building exterior or the property itself. Therefore, the project will not adversely affect the orderly development within the County or the surrounding community.

3. The project shall not adversely affect the preservation of property values and the protection of the tax base within the County.

Project Finding: The project is not of a type and scale that would expectedly adversely affect property values as it is a service business that will be added to an existing commercial property, and should result in a negligible change in net new peak-hour trip generation, particularly because trips associated with the subject project will be primarily pass-by and internal trips. Therefore, the project is not anticipated to adversely affect the tax base within the County.

4. The project shall not adversely affect the policy and goals as set by the General Plan.

Project Finding: The subject property is located within the Commercial (CO) land use designation. The intent of the CO designation is to allow for a broad range of commercial uses typically found in smaller-scale, neighborhood, community, and thoroughfare commercial districts, including retail and personal service facilities, limited office, and financial uses. A take-out food establishment is consistent within

the commercial land use designation and an allowed use with the issuance of a land use permit pursuant to the Take Out Food Ordinance. Therefore, the project is not anticipated to adversely affect the policy and goals as set by the General Plan.

5. The proposed project shall not create a nuisance and/or enforcement problem within the neighborhood or community.

Project Finding: The project as conditioned will be constructed in a manner that does not encourage any nuisance related to drainage, mosquito or vector habitat, substandard buildings/structures, or any other known nuisance types. Therefore, the project will not create a nuisance and/or enforcement problem within the neighborhood or community.

6. The project shall not encourage marginal development within the neighborhood.

Project Finding: The project as conditioned will not encourage marginal development within the neighborhood because development is controlled by the County's Zoning Code and General Plan. Therefore, the project is not anticipated to encourage marginal development within the neighborhood.

7. That special conditions or unique characteristics of the subject property and its location or surroundings are established.

Project Finding: The project has received the support of the Bethel Island Municipal Advisory Council as it is seen as a welcomed addition to the existing businesses in this area.

#### **B. Variance Findings to Required Number of Parking Spaces**

1. That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located.

Project Finding: The granting of a variance to allow for 23 parking spaces (where 31 spaces are required) and no bicycle parking due to the addition of a take-out food business will not constitute a grant of special privilege. The subject property is surrounded by primarily residential with no other comparable commercial properties in the area. Additional service businesses should be encouraged in this underserved community, especially when its current parking lot is found to be sufficient.

2. That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district.

Project Finding: The project requires approval of the variance stated above. However, the existing parking lot is currently at variance with 23 spaces where 27 are required. According to the County Transportation Program, a local-serving food take-out business should result in a negligible change in net new peak-hour trip generation, particularly because trips associated with the subject project will be primarily pass-by and internal trips, so the current amount of parking spaces is found to be sufficient. Additionally, the road that fronts the subject property currently does not have a sidewalk or a bike lane, so the physical circumstances do not warrant the need for bicycle parking. Thus, strict application of the Off-Street Parking Ordinance would deprive the subject property of the rights enjoyed by other properties in the immediate vicinity and within the identical land use district.

3. That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located.

Project Finding: The intent and purpose of the Retail Business (R-B) land use district is to allow sales, demonstrations, displays, services, and other retail business that is conducted within an enclosed building. A take-out food establishment is considered a service business and therefore meets the intent and purpose of the R-B district, and the current parking lot will remain sufficient for all patrons. Therefore, approval of the variance previously stated for the parking lot would meet the intent and purpose of the R-B land use district.

### **C. California Environmental Quality Act (CEQA) Findings**

The project is categorically exempt from the review requirements of the California Environmental Quality Act (CEQA) per section 15301(a), which provides for a Class 1 exemption for the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The improvements necessary to create a commercial kitchen within the existing building envelope to operate a new take-out food business are found to be a minor alteration of existing private facility, involving negligible expansion of the existing use. None of the exceptions in CEQA guidelines section 15300.2 apply.

## **II. CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP24-02027:**

### **Project Approval**

1. This Land Use Permit to allow for a new take-out food business to be established within the existing convenient store building is APPROVED.
2. The Variance to the County Off-Street Parking Ordinance to allow for 23 parking spaces (where 31 spaces are required) and for 0 bicycle parking spaces (where 2 short term and 2 long term are required) is APPROVED.
3. The project approval is granted based on what is generally shown in the application materials accepted by the Department of Conservation and Development, Community Development Division (CDD) on January 10, 2025.
4. Any change from this approval may require review and approval by CDD and may require the filing of an application to modify this land use permit.
5. This land use permit is contingent upon approval of County File #CDRZ24-03276 to complete the rezoning of the portion of the property that is Mobile Home/Manufactured Home Park (T-1) to Retail Business (R-B) previously approved under County File #CDRZ05-03162.
6. No construction is approved with this permit. Any part of the project that requires a building permit shall obtain a grading and/or building permit from the Department of Conservation and Development, Building Inspection Division, prior to commencement of work.
7. This application is subject to an initial application deposit of \$5,500.00, which was paid with the application submittal, plus time and material costs if the application review expense exceeds the initial fee deposit. **Any additional fee due must be paid prior to submittal of building permit(s), or within 60 days of the effective date of this Land Use Permit, whichever occurs first.** Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and development may seek a court judgment against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant or owner may obtain current costs by contacting the project planner.

### **Business Operations**

8. Prior to any new business operations, the permittee shall obtain a Property Use Verification form from CDD prior to applying for a business license from the County Treasurer-Tax Collector.
9. Patron seating shall be prohibited.
10. No outdoor activities associated with the take-out food business are permitted with this land use permit.
11. Alcohol sales through the take-out food business are prohibited without the approval of a new land use permit pursuant to Chapter 82-38 - Alcoholic Beverage Sales Commercial Activities.

### **Trash Pick Up**

12. Trash receptacles shall be provided at pedestrian egress points.
13. **Prior to issuance of building permit(s)** provide a site plan to CDD showing all existing and proposed locations for trash receptacles. Also specify what type of waste can be disposed of for each receptacle.
14. **Prior to submittal of building permit(s)** the applicant shall post a cash deposit, in the total amount of \$1,000 to cover possible costs of trash, litter or garbage removal should the proprietor of the take-out food establishment fail to properly police the area. If inflation makes an increase necessary in the security amount, the Zoning Administrator may make the necessary changes at a public hearing. If the cash deposit falls below minimum amount, the applicant shall deposit the difference forthwith.
15. At least three times a week, pick up and properly dispose of trash, litter and garbage originating from such take-out food establishment, deposited on public property within four hundred feet of any boundary of the premises on which such take-out food establishment is located.
16. Upon the request of any private property owner located within 400 feet of the take-out food establishment, the applicant shall ensure the pick-up and proper disposal of trash, litter, and garbage originating from any take-out food establishment in the shopping center that is deposited on such private property and visible from the street, at least three times a week.

17. Trash pick-up shall only be during daylight hours.

### **Lighting**

18. Any exterior light fixtures shall emphasize close spacing and lower intensity lighting that is shielded and directed downward in order to minimize light spill to adjacent streets and properties

### **Indemnification**

19. Pursuant to Government Code Section 66474.9, the applicant (including the subdivider or any agent thereof) shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the Agency (the County) or its agents, officers, or employees, to attack, set aside, void, or annul, the Agency's approval concerning this subdivision map application, which action is brought within the time period provided in Section 66499.37. The County will promptly notify the subdivider of any such claim, action, or proceeding and cooperate full in the defense.

### **Construction Period Restrictions and Requirements**

20. The following shall be implemented during project construction and **shall be present on the site plan for building permit(s) as construction notes:**

Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on state and federal holidays on the calendar dates that these holidays are observed by the state or federal government as listed below:

- New Year's Day (State and Federal)
- Birthday of Martin Luther King, Jr. (State and Federal)
- Washington's Birthday (Federal)
- Lincoln's Birthday (State)
- President's Day (State)
- Cesar Chavez Day (State)
- Memorial Day (State and Federal)
- Juneteenth National Independence Holiday (Federal)
- Independence Day (State and Federal)
- Labor Day (State and Federal)
- Columbus Day (Federal)
- Veterans Day (State and Federal)
- Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)  
Christmas Day (State and Federal)

For information on the actual days and dates that these holidays occur, please visit the following websites:

Federal: <http://www.federalreserve.gov/aboutthefed/k8.htm>

State: <http://www.sos.ca.gov/holidays.htm>

- a. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
- b. The project sponsor shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors and concrete pumps as far away from sensitive receptors as possible.
- c. The applicant shall make a good-faith effort to avoid interference with existing neighborhood traffic flows.
- d. Transporting of heavy equipment and trucks shall be limited to the hours of 9:00 A.M. to 4:00 P.M., Monday through Friday, and is prohibited on state and federal holidays.
- e. Unnecessary idling of internal combustion engines is prohibited.

### **III. PUBLIC WORKS CONDITIONS OF APPROVAL FOR COUNTY FILE #CDLP24-02027:**

Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development on January 10, 2025.

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

#### **General Requirements**

**21.**For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs related to

reviewing and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.

### **Access to Adjoining Property**

- 22.** Encroachment Permit: The applicant shall obtain an encroachment permit from the Public Works Department, if necessary, for construction of driveways or other improvements within the right-of-way of Gateway Road.

### **Countywide Street Light Financing**

- 23.** Property owner(s) shall annex to the County Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

### **Bicycle - Pedestrian Facilities**

- 24.** Pedestrian Access: The applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

### **Drainage Improvements**

- 25.** 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 stormwater to an adequate natural watercourse, in accordance with Division 914 of the Ordinance Code.

The applicant shall be permitted to continue to collect and convey stormwaters to a drainage facility maintained by Bethel Island Municipal Improvement District (BIMID)

### **Floodplain Management**

- 26.** The project is located in a Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate

Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.

- 27.** Obtain a Floodplain Permit from the Public works Department. The permit application should include a valuation of the proposed improvements as well as a valuation of the building and all permitted improvements to the building over the last 10 years. This information may be accessible from the Building Division of DCD.

### **National Pollutant Discharge Elimination System (NPDES)**

- 28.** 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 V).

Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater 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 stormwater drainage:

- Trash bins shall be sealed to prevent leakage, OR, shall be located within a covered enclosure.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Other alternatives comparable to the above as approved by the Public Works Department.

### **Stormwater Management and Discharge Control Ordinance**

- 29.** Based on the proposed new and/or redeveloped impervious surface area totaling less than 5,000 square feet, this project does not require submittal of a final Stormwater Control Plan. This project shall be subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01).

### **Area of Benefit Fee Ordinance**

- 30.** The conversion of existing commercial space to a commercial kitchen does not impact the collection of impact fees relative to this project. No additional AOB fees are required in conjunction with this permit.

### **ADVISORY NOTES**

**ADVISORY NOTES ARE NOT CONDITIONS OF APPROVAL; THEY ARE PROVIDED TO ALERT THE APPLICANT TO ADDITIONAL ORDINANCES, STATUTES, AND LEGAL REQUIREMENTS OF THE COUNTY AND OTHER PUBLIC AGENCIES THAT MAY BE APPLICABLE TO THIS PROJECT.**

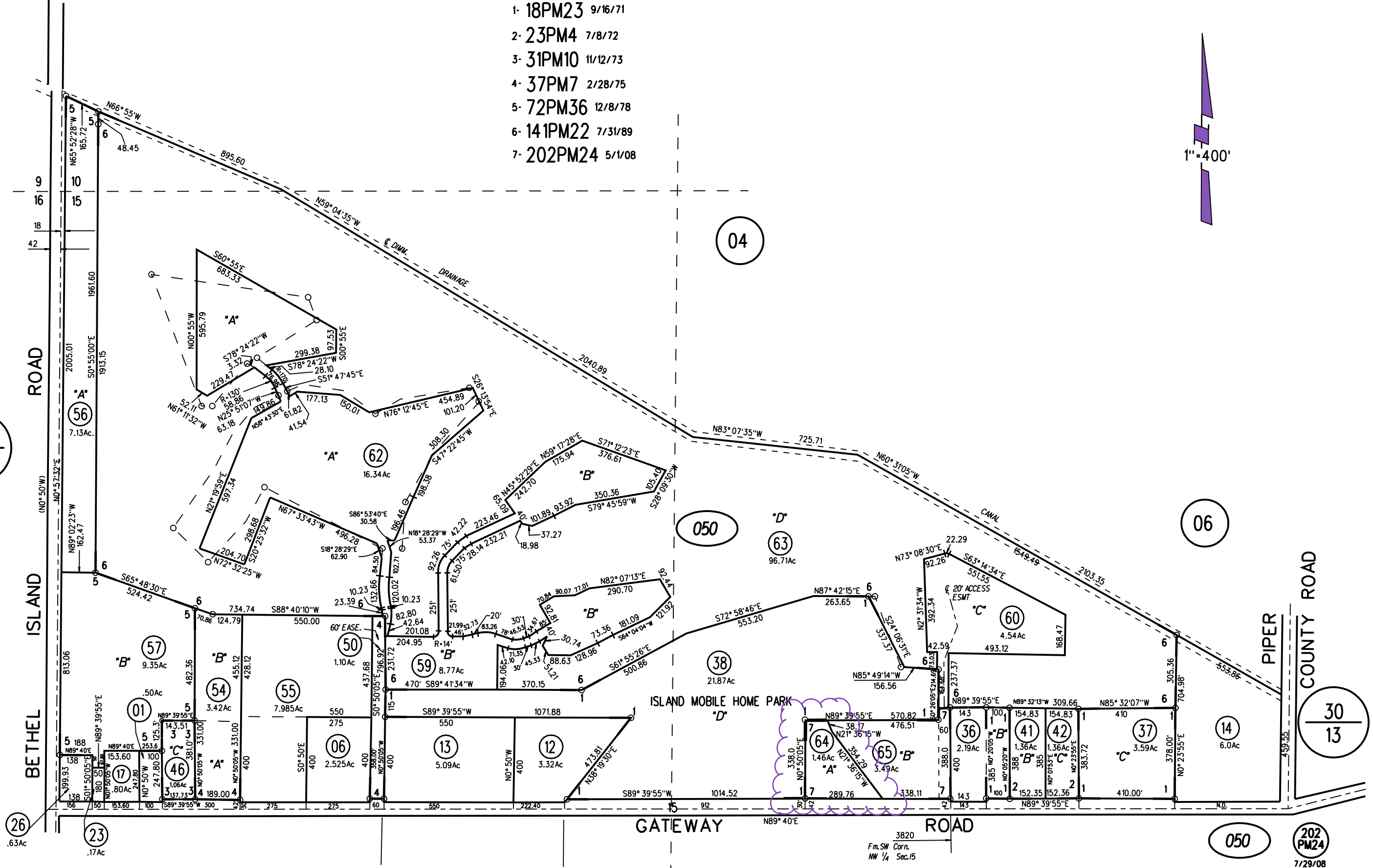
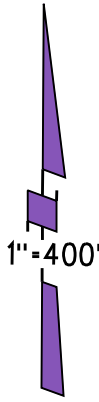
- A.** NOTICE OF OPPORTUNITY TO PROTEST FEES, ASSESSMENTS, DEDICATIONS, RESERVATIONS OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

Pursuant to California Government Code Section 66000, et seq., the applicant has the opportunity to protest fees, dedications, reservations or exactions required as part of this project approval. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and must be delivered to the Community Development Division within a 90-day period that begins on the date that this project is approved. If the 90th day falls on a day that the Community Development Division is closed, then the protest must be submitted by the end of the next business day.

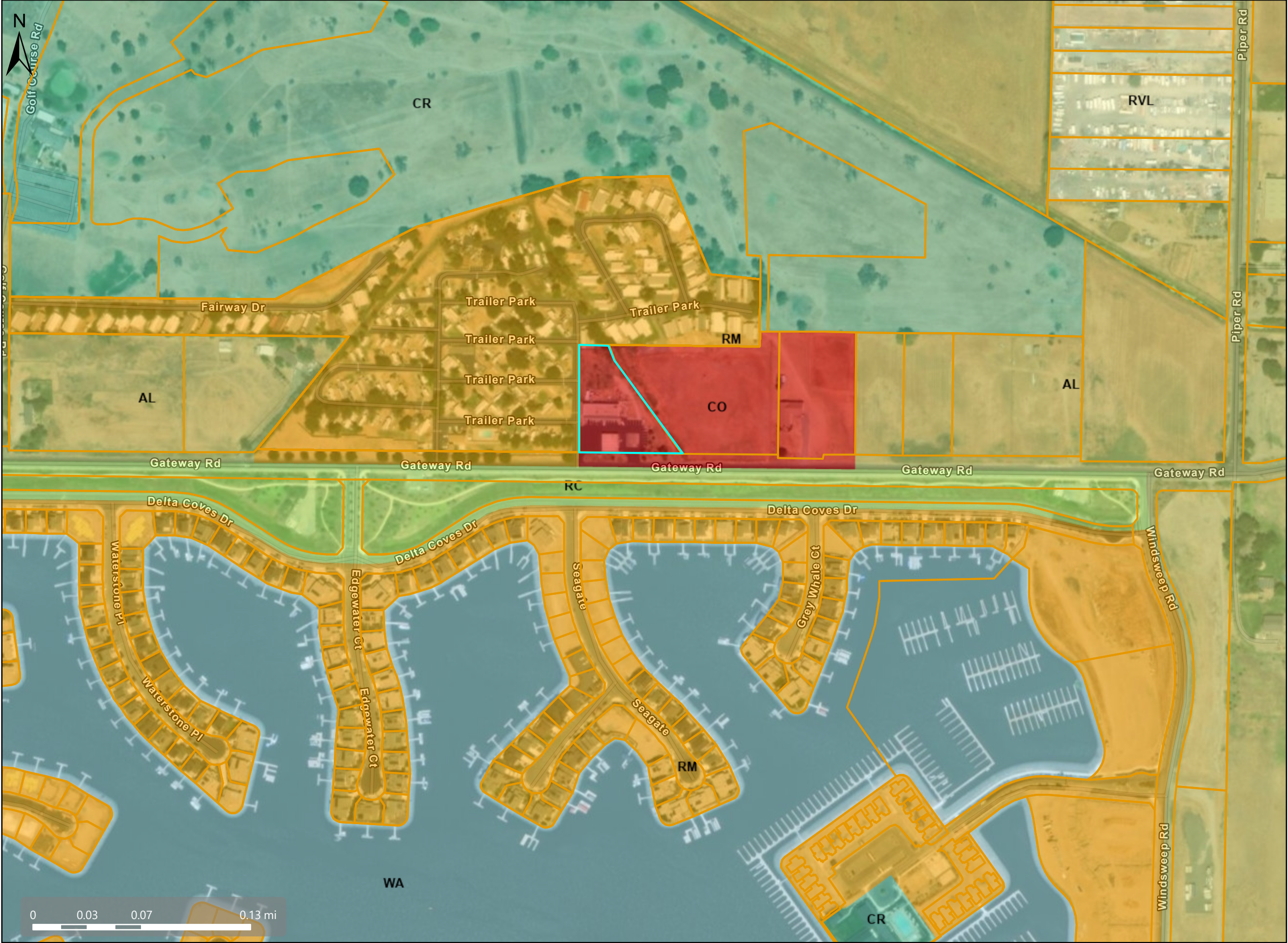
- B.** Prior to applying for a building permit, the applicant is strongly encouraged to contact the following agencies to determine if additional requirements and/or additional permits are required as part of the proposed project:
- Contra Costa County Public Works Department
  - Contra Costa County Building Inspection Division
  - Contra Costa County Health Services
  - Ironhouse Sanitary District
  - Contra Costa GSA
  - Contra Costa County Fire Protection District
  - County Treasurer-Tax Collector

POR SW 1/4 SEC 10 & POR N 1/2 SEC 15 T2N R3E MDB&M

- 1- 18PM23 9/16/71
- 2- 23PM4 7/8/72
- 3- 31PM10 11/12/73
- 4- 37PM7 2/28/75
- 5- 72PM36 12/8/78
- 6- 141PM22 7/31/89
- 7- 202PM24 5/1/08



General Plan: Commercial (CO)



**Map Legend**

- County Border
- Assessment Parcels

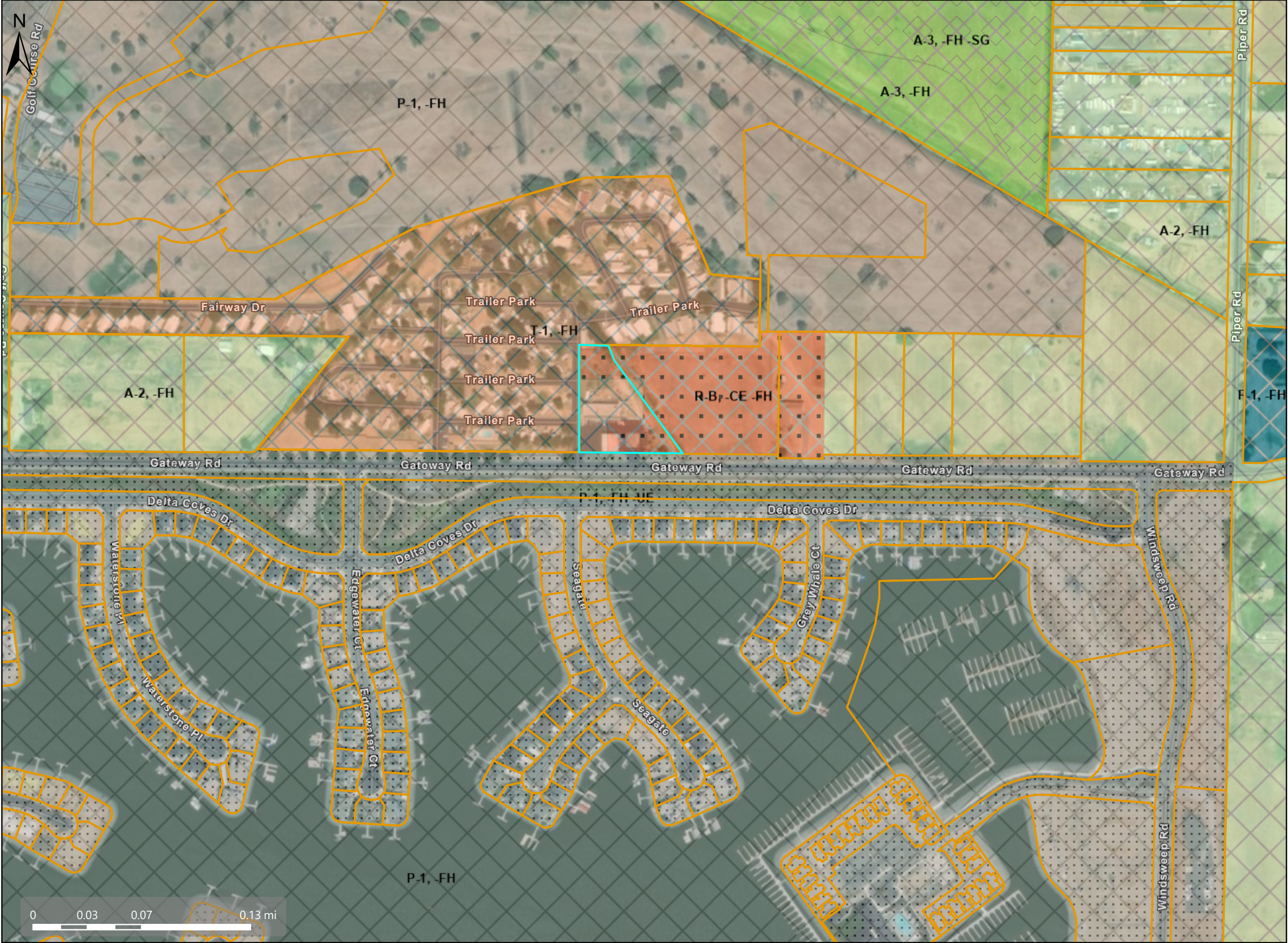
**General Plan**

- RVL (Residential Very-Low Density) ( $\leq 1$  du/na)
- RM (Residential Medium Density) (7-17 du/na)
- CO (Commercial and Office) (C: 1.0 FAR O: 2.75 FAR)
- CR (Commercial Recreation)
- RC (Resource Conservation)
- AL (Agricultural Lands) (1 du/10 ac) (1 du/20 ac in DPZ)
- WA (Water)

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

Zoning: Mobile Home/Manufactured Home Park (T-1); Retail Business (R-B)



Map Legend

- County Border
- Assessment Parcels

Zoning

ZONE\_OVER

- F-1 -FH (Flood Hazard Combining District)
- A-2 -FH (Flood Hazard Combining District)
- A-3 -FH (Flood Hazard Combining District)
- A-3, -FH -SG (Flood Hazard and Solar Energy Generation)
- R-B -CE -FH (Cannabis Exclusion and Flood Hazard)
- P-1 -FH (Flood Hazard Combining District)
- P-1 -FH -UE (Flood Hazard and Animal Exclusion)
- T-1 -FH (Flood Hazard Combining District)

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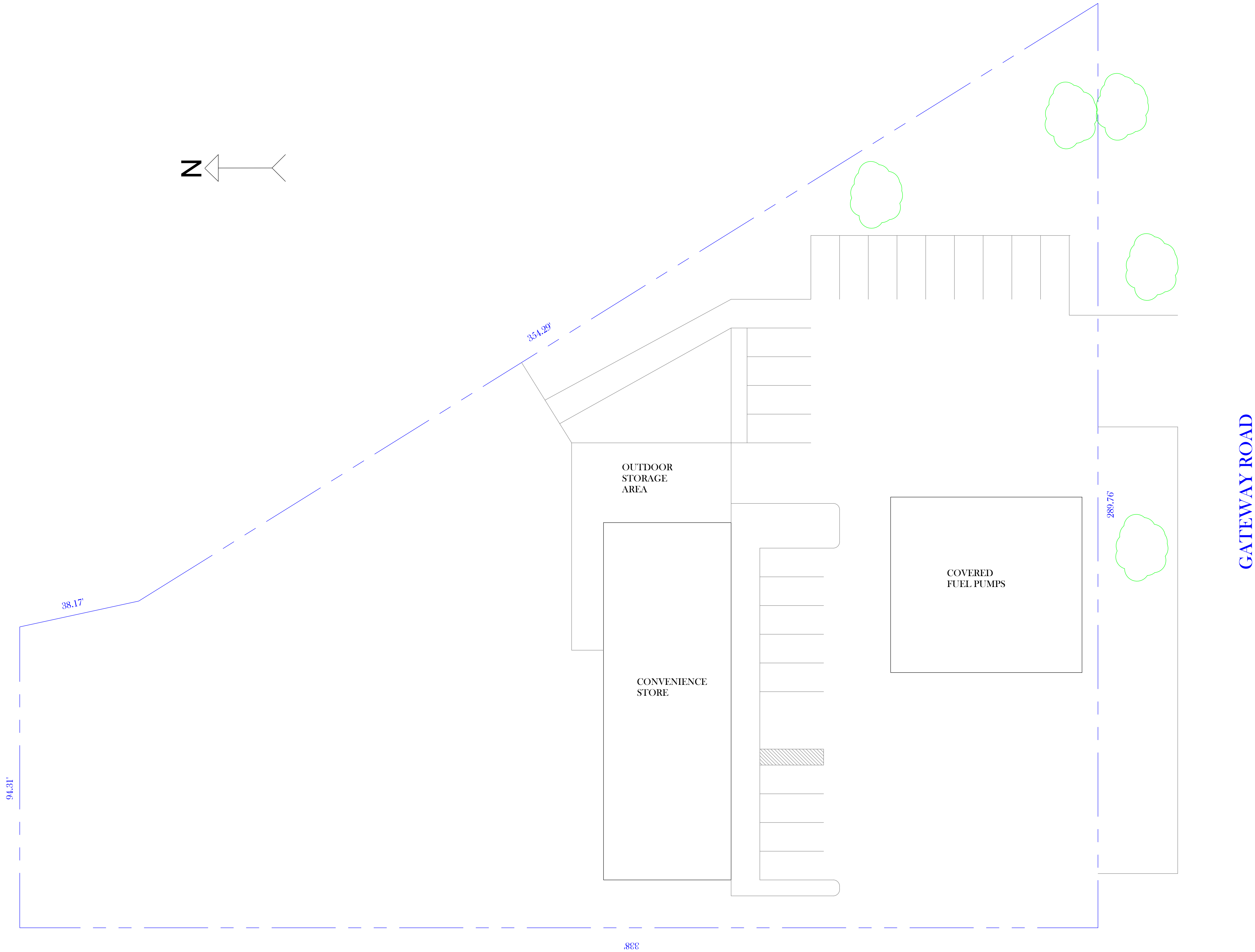
Spatial Reference  
PCS: WGS 1984 Web Mercator Auxiliary Sphere  
Datum: WGS 1984

Aerial Photo



**Map Legend**

- County Border
- Assessment
- Parcels



1  
- EXISTING SITE PLAN

Project:  
New Portable  
Office Trailer

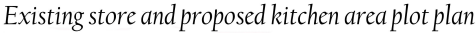
Project Address:  
3615 Gateway  
Road, Bethel  
Island

Sheet Title:  
Existing Site  
Plan

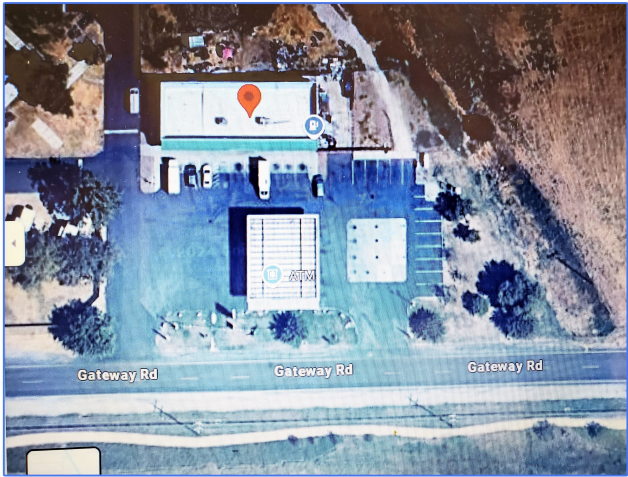
| Revisions |          |      |
|-----------|----------|------|
| No.       | Descrptn | Date |
|           |          |      |
|           |          |      |
|           |          |      |
|           |          |      |
|           |          |      |

Date:  
12Apr24  
Scale:  
1/16" = 1' 0"

Page  
A1



1,071.88 Feet long



474' Feet wide

IPN: 029-050-064  
4,000' Square feet  
(Including store)  
To install a hood 6' feet  
commercial kitchen.

OWNER:  
*Rajbir Sarkair*

LOCATION :  
3615 Gateway Road, Bethel Island, CA 94511

DATE:

09/09/2024

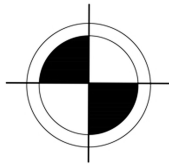
ESC : 1" inches= 10' feet

01

26

222.40' Feet long

400' Feet wide



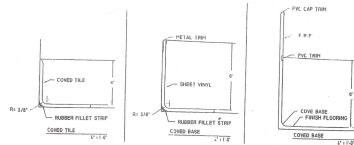
## Commercial Kitchen and Hood Plan Details

75 gallon water heater 76,000 BTU



### NOTES:

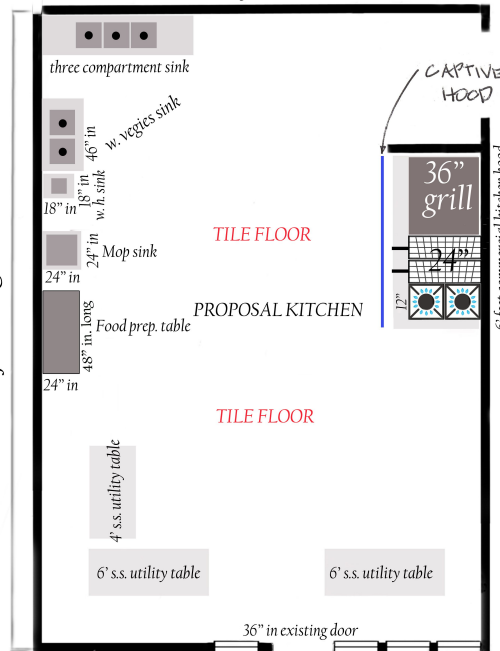
EXHAUST HOOD MAKE UP AIR SOURCE  
W/IN 10' OF EXHAUST HOOD TO BE  
PERFORATED TYPE (SEE CAPTIVE AIR PLANS)  
ALL KITCHEN HAND WASH SINKS TO HAVE  
6" SLASH GUARDS ON 3 SIDES.  
FOOD PREP SINK TO BE 18" x 18" x 12" DEEP  
W/ INTEGRAL DRAIN BOARD.



FLOOR/WALL JUNCTURES & FLOOR/COUNTER TOE-KICK  
JUNCTURES CROSS-SECTIONS  
KITCHEN

25' feet long

14'6" feet wide



CAPTIVE AIR  
HOOD

6' feet commercial kitchen hood

4' feet  
entrance  
from store to  
kitchen

### LIGHTING NOTES:

LIGHT OF AT LEAST 50 FC  
CANDLE (FC) INTENSITY MUST  
BE PROVIDED DURING HOURS  
OF OPERATION IN THE KITCHEN  
& OTHER FOOD HANDLING  
AREAS. OTHER AREAS MAY  
OPERATE W/A LIGHT INTENSITY  
OF AT LEAST 20 FC.

REFRIGINATION UNITS (INCLUDING  
WALK IN REFRIGERATOR &  
FREEZER UNITS.) MAY OPERATE  
W/A LIGHT INTENSITY OF AT  
LEAST 10 FC.

LIGHTING IN FOOD PREP AREAS  
TO HAVE SHATTERPROOF  
CONTAINMENT WHEN LOCATED  
ABOVE FOOD PREP, BEVERAGE,  
UTENSIL WASHING, OPEN FOOD  
STORAGE, & WHEREVER LIGHT  
FIXTURES ARE EXPOSED TO  
EMPLOYEE CONTACT  
(e.g., INSIDE REFRIGERATION UNITS)

### Important Food Safety Issues

Refrigerators containing potentially hazardous food (PHF) must have readily visible thermometers placed in the warmest part of the unit. These foods include meats, dairy products, eggs, cooked vegetables, cooked grains, etc.

While not required to be shown on the plans, suitable temperature measuring devices must be provided for checking the delivery temperature of PHF, cooking temperatures, holding temperatures, and cooling temperatures.

While not required to be shown on the plans, a suitable means must be provided for measuring sanitizer levels used for utensil washing, wiping rag solutions, etc.

Entryways and harborage for rodents and insects must be eliminated throughout the building and exterior premises. You may wish to contact a licensed pest control company, or for free information you may call the Contra Costa Mosquito and Vector Control District at (925) 685-9101.

If the facility is intending to cool large quantities of PHF, it is critical that this process be completed as quickly as possible (recommend 6 hours or faster to get from 135 °F down to 41 °F or colder). This may include sufficient food preparation sinks for ice baths, cooling refrigeration units, chill sticks (and sufficient freezer capacity), etc.

### Notes of the commercial kitchen and hood details

- 1.- All items are a proposal for being set up for a kitchen commercial hood behind the grocery store as food to go (Mexican and American food) They will be connected for a 4' feet opening.
- 2.- The hood will be type II.
- 3.- The waterheater 50 gallons as minimum for kitchen
- 4.- The homeowner will follow all the rules and regulations about construction from Contra Costa County and local codes.
- 5.- The elevation from the floor to ceiling is 9' feet of high.
- 6.- All kitchen equipment must have the NFS certification insignia.



IPN: 029-050-064  
4,000' Square feet  
(Including store)  
To install a hood 6' feet  
commercial kitchen.

OWNER:  
Rajbir Sarkaira

LOCATION:  
3615 Gateway Road, Bethel Island, CA 94511

DATE: 09/09/2024

02

27

ESC: 1" = 1/4 inch

# CONTRA COSTA COUNTY

*1025 ESCOBAR STREET  
MARTINEZ, CA 94553*



## Meeting Minutes

**Tuesday, February 11, 2025**

**6:00 PM**

**Scout Hall, 3090 Ranch Lane, Bethel Island, CA 94511**

**Bethel Island Municipal Advisory Council**

## 1. Roll Call and Introductions

**Present**

Pam Allen, Belinda Bittner, Bob Brunham, Phil Kammerer, and Mark Whitlock

## 2. Pledge of Allegiance

## 3. Approval of Agenda

**A motion was made by Bittner, seconded by Allen, that the agenda be approved. The motion carried by the following vote:**

**Motion:** Bittner

**Second:** Allen

**Aye:** Allen, Bittner, Brunham, Kammerer, and Whitlock

**Result:** Passed

## 4. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers are limited to three minutes).

**Lori Castillo** - Commented on drainage issues on Stone Road and her attempts to work with the county to resolve her issues.

**Laura** - Commented on drainage and flooding issues on Taylor Road.

## 5. Council Member Comments

**Chair Whitlock** - Commented on the Contra Costa Bethel Island Area of Benefit (AOB) list to educate the public on its purpose.

**Vice-Chair Allen** - Recognized Lt. Jacquez on her promotion to Captain and thank her for her service to Bethel Island.

## 6. Agency Reports

- a. **Contra Costa County Office of the Sheriff**  
**Contra Costa Fire Protection District**  
**Contra Costa County Supervisor Diane Burgis**

**Contra Costa County Office of the Sheriff** - No Report.

**Contra Costa Fire Protection District** - No Report.

**Contra Costa County Supervisor Diane Burgis** - Stephen Griswold introduced Anna Cleese as the newest District Rep. in Supervisor Burgis' Office.

## 7. Consent Items

[25-456](#)

**Attachments:** [MeetingMinutes\\_14-Jan-2025](#)

**A motion was made by Brunham, seconded by Kammerer, that this Discussion Item was approved.. The motion carried by the following vote:**

**Motion:** Brunham

**Second:** Kammerer

**Aye:** Allen, Bittner, Brunham, Kammerer, and Whitlock

**Result:** Passed

## 8. Discussion Items

a.

[25-454](#)**Attachments:** [Agency Comment Request packet CDLP24-02027 \(1\)](#)

A motion was made by Brunham, seconded by Allen, that this Discussion Item was recommended for approval. The motion carried by the following vote:

**Motion:** Brunham**Second:** Allen**Aye:** Allen, Bittner, Brunham, and Kammerer**Recused:** Whitlock**Result:** Passed

b.

[25-455](#)**Attachments:** [CDRZ25-03278\\_CDLP25-02003 - Agency Comment Packet](#)

A motion was made by Allen, seconded by Kammerer, that this Discussion Item was tabled. The motion carried by the following vote:

**Motion:** Allen**Second:** Kammerer**Aye:** Allen, Bittner, Brunham, Kammerer, and Whitlock**Result:** Passedc. **DISCUSS and RECOMMEND the placement on no dumping signs on Bethel Island to Contra Costa Public Works.**

A motion was made by Kammerer, seconded by Brunham, that Piper Road, Bethel Island Road (past gateway), Taylor Road, and End of Gateway and Corner of Stone Road be approved as amended. The motion carried by the following vote:

**Motion:** Kammerer**Second:** Brunham**Aye:** Allen, Bittner, Brunham, Kammerer, and Whitlock**Result:** Passedd. **DISCUSS Increasing Participation at Monthly MAC Meetings**

**Several residents commented on the need for more action from the MAC, increased presentations, and sharing information about the MAC meetings more widely.**

## 9. Committee Reports

- a. **Code Enforcement**  
**Bethel Island Chamber of Commerce**  
**Bethel Island Municipal Improvement District**  
**Bethel Island Post Office**  
**Park Committee**  
**San Joaquin Yacht Club**  
**Scout Hall**  
**Heart Safe Communities Program**  
**Emergency Preparedness Committee**

**Code Enforcement - No Report.**

**Bethel Island Chamber of Commerce - No Report.**

**Bethel Island Municipal Improvement District - No Report.**

**Bethel Island Post Office - No Report.**

**Park Committee- No Report.**

**San Joaquin Yacht Club - Vice-Chair Allen shared that opening day will be on April 12th.**

**Scout Hall - Chair Whitlock shared that doors were replaced and that the Contra Costa Animal Services.**

**Heart Safe Communities Program - Chair Whitlock all AEDs are good.**

**Emergency Preparedness Committee - Chair Whitlock shared update on CWS and the calls for service on Bethel Island.**

10. Correspondence/Announcements

**All Correspondence was received.**

11. Future Agenda Items

**Discussion to look at the potential expenditure of mitigation funds for the purchase of Christmas wreath.**

12. Adjourn

**Meeting was adjourned at 7:09 PM**

The next meeting is currently scheduled for March 11, 2025.

The Committee will provide reasonable accommodations for persons with disabilities planning to attend the Committee meetings. Contact the staff person listed below at least 72 hours before the meeting. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the Committee less than 96 hours prior to that meeting are available for public inspection at 3361 Walnut Blvd, Suite 140, Brentwood, CA 94513, during normal business hours. Staff reports related to items on the agenda are also accessible online at [www.contracosta.ca.gov](http://www.contracosta.ca.gov). If the Zoom connection malfunctions for any reason, the meeting may be paused while a fix is attempted. If the connection is not reestablished, the committee will continue the meeting in person without remote access. Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.

For Additional Information Contact: Stephen Griswold, Deputy Chief of Staff, (925) 655-2330.



# Contra Costa County Public Works Department

Warren Lai, Director

Deputy Directors  
Stephen Kowalewski, Chief  
Allison Knapp  
Sara Price  
Carrie Ricci  
Joe Yee

## Memo

February 13, 2025

**TO:** Dominique Vogelpohl, Senior Planner, Department of Conservation and Development

**FROM:** Larry Gossett, Senior Civil Engineer, Engineering Services Division

**SUBJECT:** **LAND USE PERMIT LP24-2027**  
**STAFF REPORT AND CONDITIONS OF APPROVAL**  
(Tenorio/Gateway Road/Bethel Island/APN 029-050-006)

**FILE:** LP24-2027

### MESSAGE:

We have reviewed the application and site plan for land use permit LP24-2027 received by your office on January 10, 2025. The attached recommended 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:

### Background

The applicant requests approval of a Land Use Permit application to add a commercial kitchen within the existing Gateway Market building to establish a take-out food business. Pursuant to Chapter 88-16 - TAKE-OUT FOOD ESTABLISHMENTS of the County code. The site is located on the north side of Gateway Road 750 feet east of its intersection with Edgewater Drive on Bethel Island. No external changes or improvements are proposed.

### Traffic and Circulation

The project site, the Gateway Market, shares the parcel with a Sinclair gas station. The frontage has already been widened with an AC berm and longitudinal drainage facilities. No additional right of way dedication or improvements are required at this time.

There are two existing driveways along the frontage to serve the gas station and market. No changes are proposed.

### 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.

*"Accredited by the American Public Works Association"*

255 Glacier Drive Martinez, CA 94553-4825  
TEL: (925) 313-2000 • FAX: (925) 313-2333  
[www.cccpublicworks.org](http://www.cccpublicworks.org)

Stormwater Water runoff on Bethel Island is collected and discharged to the Delta by the Bethel Island Municipal Improvement District (BIMID). No new impervious surface areas are to be constructed as part of this permit and no changes to the drainage system currently serving the property are proposed. BIMID's continued oversight of the runoff from the site will satisfy the County's drainage requirements.

### **Stormwater Management and Discharge Control**

A Stormwater Control Plan (SWCP) is required for applications that will create and/or redevelop impervious surface area exceeding 5,000 square feet in compliance with the County's Stormwater Management and Discharge Control Ordinance (§1014) and the County's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) Permit. As no new or reconstructed impervious areas are proposed, a SWCP will not be required.

### **Floodplain Management**

The property is in a Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA) and is subject to the requirements of the County's Floodplain Management Ordinance (COC Chapter 82-28). New improvements should be "wet floodproofed" in accordance with FEMA design guidelines. If the improvements being made to the existing building are determined to be "substantial" relative to the building as a whole, the entire building will be subject to retrofitting to meet FEMA requirements.

### **Lighting District Annexation**

The subject property is not annexed into the lighting district. The property owner will be required, as a condition of approval, to annex into the County Facilities District (CFD) 2010-1 formed for the Countywide Street Light Financing.

### **Area of Benefit Fee**

The project is subject to 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 Bethel Island Regional Areas of Benefit, as adopted by the Board of Supervisors. However, both the market and restaurant are commercial uses, so the conversion will not require payment of additional impact fees.

LG:ss  
G:\engsvc\Land Dev\LP\LP 24-2027\Staff Report & COAs.docx

Cc: J. LaRocque, Engineering Services  
A. Vazquez, Engineering Services  
Mario Tenorio, Applicant  
2324 Roberto Street  
Napa, CA 94558  
Rajbir Sarkaira, Owner  
3615 Gateway Road  
Bethel Island, CA 94511

**PUBLIC WORKS RECOMMENDED  
CONDITIONS OF APPROVAL FOR PERMIT LP24-2027**

**Applicant shall comply with the requirements of Title 8, Title 9 and Title 10 of the Ordinance Code. Any exceptions(s) must be stipulated in these Conditions of Approval. Conditions of Approval are based on the site plan submitted to the Department of Conservation and Development on January 10, 2025.**

**COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.**

**General Requirements:**

- For Public Works review for compliance relative to this Land Use Permit, a Compliance Review Fee deposit shall be submitted directly to the Public Works Department in accordance with the County's adopted Fee Schedule for such services. This fee is separate from similar fees required by the Department of Conservation and Development and is a deposit to offset staff costs related to reviewing and processing of these conditions of approval and other Public Works related services ancillary to the issuance of building permits and completion of this project.

**Access to Adjoining Property:**

Encroachment Permit

- Applicant shall obtain an encroachment permit from the Public Works Department, if necessary, for construction of driveways or other improvements within the right-of-way of Gateway Road.

**Countywide Street Light Financing:**

- Property owner(s) shall annex to the County Facilities District (CFD) 2010-1 formed for Countywide Street Light Financing. Annexation into a street light service area does not include the transfer of ownership and maintenance of street lighting on private roads.

**Bicycle - Pedestrian Facilities:**

Pedestrian Access

- Applicant shall design all public and private pedestrian facilities for accessibility in accordance with Title 24 and the Americans with Disabilities Act. This shall include all sidewalks, paths, driveway depressions, and curb ramps.

**Drainage Improvements:**

Collect and Convey

- 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 stormwater to *an adequate* natural watercourse, in accordance with Division 914 of the Ordinance Code.

The applicant shall be permitted to continue to collect and convey stormwaters to a drainage facility maintained by Bethel Island Municipal Improvement District (BIMID)

**Floodplain Management:**

- The project is located in a Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency's Flood Insurance Rate Maps. The applicant shall be aware of and comply with the requirements of the National Flood Insurance Program (Federal) and the County Floodplain Management Ordinance as they pertain to development and future construction of any structures on this property.
- Obtain a Floodplain Permit from the Public works Department. The permit application should include a valuation of the proposed improvements as well as a valuation of the building and all permitted improvements to the building over the last 10 years. This information may be accessible from the Building Division of DCD.

**National Pollutant Discharge Elimination System (NPDES):**

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Compliance shall include developing long-term best management practices (BMPs) for the reduction or elimination of stormwater 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 stormwater drainage:

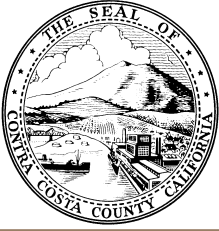
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- Other alternatives comparable to the above as approved by the Public Works Department.

**Stormwater Management and Discharge Control Ordinance:**

- Based on the proposed new and/or redeveloped impervious surface area totaling less than 5,000 square feet, this project does not require submittal of a final Stormwater Control Plan. This project shall be subject to all other provisions of the County Stormwater Management and Discharge Control Ordinance (§1014, Ordinance No. 2005-01).

**Area of Benefit Fee Ordinance:**

- The conversion of existing commercial space to a commercial kitchen does not impact the collection of impact fees relative to this project. No additional AOB fees are required in conjunction with this permit.



---

**CONTRA COSTA COUNTY**  
**DEPARTMENT OF CONSERVATION & DEVELOPMENT**

30 Muir Road

Martinez, CA 94553

**Telephone:** (925) 655-2709      **Fax:** (925) 655-2750

---

**TO:** Dominique Vogelpohl, Project Planner

**FROM:** Robert Sarmiento, Transportation Planning Section

(RS)

**DATE:** June 10, 2025

**SUBJECT:** 3615 Gateway Road (LP24-02027)

---

The Transportation Planning Section has reviewed the subject project, located in Bethel Island. Comments are below; in summary, they pertain to vehicle miles traveled and level of service. Please let me know if you have any questions.

**Background**

The project is subject to the following policies:

**Vehicle Miles Traveled (VMT):** On June 23, 2020, in compliance with SB 743 (2013), the Board of Supervisors adopted Transportation Analysis Guidelines (TAG)<sup>1</sup>, which defines the County's approach to analyzing VMT impacts from certain projects. As a result of SB 743, VMT is the metric used to define transportation impacts in a CEQA review.

**Level of Service (LOS):** The County and the Contra Costa Transportation Authority (CCTA) require an LOS analysis in order to comply with the Growth Management Program. CCTA maintains the Technical Procedures Manual<sup>2</sup>, which defines the approach to analyzing LOS impacts from certain projects. While LOS is no longer considered an impact under CEQA, SB 743 does allow local jurisdictions to maintain LOS-based policies and standards.

**Comments**

1. The project will not require a VMT analysis. The subject project is a local-serving food takeout business, which is considered to have a VMT impact that is less than significant.<sup>3</sup>
2. The project will not require an LOS review. The subject project will result in a negligible change in net new peak-hour trip generation, particularly because trips associated with the subject project will be primarily pass-by and internal trips<sup>4</sup>.

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<sup>1</sup> County Transportation Analysis Guidelines (TAG): [link](#)

<sup>2</sup> CCTA Technical Procedures:

[https://ccta.net/wp-content/uploads/2018/12/Final\\_Technical\\_Procedures\\_Full\\_Jan2013-1.pdf](https://ccta.net/wp-content/uploads/2018/12/Final_Technical_Procedures_Full_Jan2013-1.pdf)

<sup>3</sup> The CA Office of Planning and Research *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018) ([link](#)) states that local-serving uses tend to shorten trips and reduce VMT, so agencies generally may presume that these uses create a less-than-significant transportation impact.

<sup>4</sup> Pass-by trips are defined as intermediate stops made on the way from an origin to a primary destination. Internal capture trips are defined as those trips made among land uses internal to a site. Both types of trips are not

3. The Transportation Planning Section has no additional recommendations for the subject project.

cc: Jamar Stamps, DCD  
Raquel De La Torre, DCD  
Jeff Valeros, PWD  
Joe Smithonic, PWD  
Monish Sen, PWD

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considered new trips.



2/12/2025

CC DCD

Attn: DOMINIQUE VOGELPOHL

30 MUIR RD

MARTINEZ, CA94553

RE: CDLP2402027  
3615 GATEWAY RD  
APN: 029 050 064  
**Service Request #:** SR0024096

Dear DOMINIQUE VOGELPOHL :

Contra Costa Environmental Health (CCEH) has received a request for agency comment regarding the above referenced project. See below for our comments grouped by environmental health program:

- A health permit is required for retail food facilities. Food facilities include restaurants, stores, bars, cafeterias, snack bars, kiosks at transit sites, and any business or operation that sells or gives food away to the public (including employees or students).
- Plans must be submitted to CCEH and approved prior to the issuance of building permits for such facilities. Prior to the submission of plans, CCEH staff is available to meet with prospective developers/operators to discuss the requirements for these facilities and the plan review process.
- Dumpster areas serving retail food facilities are required to have a drain to the sanitary sewer and provided with a hot/cold water supply. It is recommended that developers be informed of this requirement, since it is usually easier to plan for the installation of sewer and water in dumpster areas during initial construction rather than install these afterwards.
- All retail food facilities must have approved restrooms. This includes kiosks located at transit sites. It is recommended that developers be informed of this requirement, since it is usually easier to plan for the installation of restrooms during initial construction rather than install these afterwards.
- Some kitchens at church sites may be exempt from requirements to have plans approved by CCEH and may not require a health permit if it is not used for any retail use. Please note that retail use includes any of the following:
  - Providing school lunches.
  - Operating a homeless or senior feeding program.
  - Catering.
  - Events open to the general public where food is sold or given away\*\*.

If the future use of the kitchen includes any activity considered retail in nature, a health permit will be required prior to commencing such an activity. In this case a plan review would be required as part of the application process. Any required upgrades to the kitchen and associated facilities (e.g., dumpster area, restrooms, janitorial area) would need to be completed before the issuance of a health permit.

*\*\*Please note, a temporary event, open to the general public, where food will be sold or given away requires a temporary event food permit whether or not they are held at the church site or somewhere else.*

- If the project utilizes a mobile food facility (MFF), in addition to a required health permit, MFFs are also subject to Contra County Ordinance Section 413-3.1612. This ordinance contains subsections that limit the amount of time a vehicle can remain in one location and the hours of operation, and also prohibits alcohol sales.
- Mobile food facilities that park in one location for more than one hour must have access to approved restroom facilities.
- Plans must be submitted to CCEH and approved prior to the issuance of building permits for such facilities. Prior to the submission of plans, CCEH staff is available to meet with prospective developers/operators to discuss the requirements for these facilities and the plan review process.

These comments do not limit an applicant's obligation to comply with all applicable laws and regulations. If the proposed project is subject to regulation by CCEH, the project tenant must apply for all applicable health permits. Should you have any questions, please do not hesitate to contact Environmental Health at (925) 608-5500 or [CoCoEH@ccealth.org](mailto:CoCoEH@ccealth.org).

Sincerely,

A handwritten signature in dark ink, appearing to read "Kristian Lucas", with a stylized flourish at the end.

Kristian Lucas, REHS  
Director of Environmental Health



## CONTRA COSTA COUNTY FIRE PROTECTION DISTRICT

4005 PORT CHICAGO HWY, STE 250, CONCORD, CA 94520 • (925) 941-3300 • CCCFPD.ORG

February 11, 2025

Ms Dominique Vogelpohl  
Contra Costa County  
DCD-CDD

**Subject:** New Commercial Kitchen  
3615 Gateway Blvd., Bethel Island  
Project # CDLP24-02027  
**CCCFPD Project No.: P-2025-000268**

Dear Ms. Dominique Vogelpohl:

We have reviewed the land use permit application to establish a new commercial kitchen within an existing building at the subject location. The following is required for Fire District approval in accordance with the 2022 California Fire Code (CFC), the 2022 California Building Code (CBC), and Local and County Ordinances and adopted standards:

The project requires the submittal of Tenant Improvement plans to Fire District.  
Also any required deferred submittals.

1. The applicant shall submit tenant improvement plans and specifications for the subject project to the Fire District through the public portal  
(<https://confire.vision33cloud.com/citizenportal/app/landing>).

After the new construction / tenant improvement plans are approved, plans and specifications for all deferred submittals shall be submitted, including, but not limited to the following.

- Carbon Dioxide Systems
- Commercial kitchen hood extinguishing systems

All projects shall be submitted to the Fire District for review and approval ***prior*** to construction of the building or installation of the systems to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (901.2) CFC, (107) CBC

**ALL PLAN SUBMITTALS SHALL BE SUBMITTED THROUGH THE FIRE DISTRICT'S  
PUBLIC PORTAL WEBSITE: <https://confire.vision33cloud.com/citizenportal/app/landing>**

**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,



Michael Cameron  
Fire Inspector

File: 3615 GATEWAY RD-PLN-P-2025-000268



# CONTRA COSTA COUNTY

1025 ESCOBAR STREET  
MARTINEZ, CA 94553

## Staff Report

**File #:** 25-4323

**Agenda Date:** 10/20/2025

**Agenda #:** 2a.

|                                                            |                                                                                                                                                                       |
|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Project Title:</b>                                      | FSRE Industrial Concord Project                                                                                                                                       |
| <b>County File:</b>                                        | DP21-3022                                                                                                                                                             |
| <b>Applicant/Owner:</b>                                    | FSRE Industrial Concord Company, LLC./Contra Costa County                                                                                                             |
| <b>General Plan/Zoning:</b>                                | Public and Semi-Public/Unrestricted                                                                                                                                   |
| <b>Site Address/Location:</b>                              | Approximately 16 acres of undeveloped land (Assessor's Parcel Number 125-010-023) on Buchanan Field Airport's western edge, between Marsh Drive and Sally Ride Drive. |
| <b>California Environmental Quality Act (CEQA) Status:</b> | Section 15087: Public Review of Draft Environmental Impact Report (DEIR)                                                                                              |
| <b>Project Planner:</b>                                    | Jamar Stamps, AICP, Principal Planner, (925) 655-2917                                                                                                                 |
| <b>Staff Recommendation(s):</b>                            | OPEN the public hearing and ACCEPT public comments on the adequacy of the DEIR.                                                                                       |

### **I. PROJECT SUMMARY**

The applicant is requesting approval of a Development Plan (proposed project) to allow the following:

- Construction of a single-story concrete tilt-up logistics warehouse totaling 223,145 square feet, which would include approximately 213,962 square feet of warehouse space and approximately 9,183 square feet of ancillary office space;
- Development of approximately 3.11 acres of on-site stormwater treatment areas;
- Construction of 223 auto parking stalls, including seven American with Disabilities Act (ADA) compliant stalls; 38 trailer parking stalls; 24 bicycle parking spaces (12 short-term and 12 long-term); 38 trailer stalls; and 36 truck docks;

- Construction of off-site improvements, such as roadway improvements, sidewalks, curbs, gutters, landscaping, utility connections, traffic calming improvements, driveway connections to both Marsh Drive and Sally Ride Drive, a new signalized intersection at Marsh Drive/Sally Ride Drive (north), and lane separation and other improvements related to a proposed separated bike facility on Marsh Drive;
- Removal of one tree;
- Development of landscaping, security lighting, and fencing; and
- As part of the General Plan Amendment, reclassification of Sally Ride Drive from a future Arterial to a Collector.

### ANTICIPATED IMPACTS

This DEIR has been prepared pursuant to Public Resources Code Section 21080(d) of the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The DEIR describes the proposed project; analyzes and identifies the environmental impacts that may result from the proposed project; identifies measures to mitigate adverse environmental impacts; and evaluates alternatives to the proposed project.

The DEIR identified potentially significant impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources and Tribal Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Public Services, Transportation, Utilities and Wildfire. However, DEIR Table ES-1 summarizes the impacts, mitigation measures, and resulting level of significance after mitigation for the relevant environmental issue areas evaluated for the proposed project.

## **II. HEARING TO RECEIVE PUBLIC COMMENTS**

The purpose of this hearing is to provide additional opportunities for the public to submit written or verbal comments on the adequacy of the DEIR. A 45-day public review and comment period for the DEIR began on Friday, September 5, 2025. Written comments not submitted during this meeting must be submitted to the following address by **5:00 p.m. on Thursday, October 21, 2025**:

Contra Costa County

Department of Conservation and Development

30 Muir Road Martinez, CA 94553

Attn: Jamar Stamps

Written comments may also be submitted via email to [jamar.stamps@dcd.cccounty.us](mailto:jamar.stamps@dcd.cccounty.us) [<mailto:jamar.stamps@dcd.cccounty.us>](mailto:jamar.stamps@dcd.cccounty.us) or [Transportation@dcd.cccounty.us](mailto:Transportation@dcd.cccounty.us) [<mailto:Transportation@dcd.cccounty.us>](mailto:Transportation@dcd.cccounty.us).

### **III. RECOMMENDATION**

Staff recommends that the Zoning Administrator OPEN the public hearing and ACCEPT comments on the adequacy of the DEIR.