



AGENCY COMMENT REQUEST

Date _____

We request your comments regarding the attached application currently under review.

DISTRIBUTION

INTERNAL

Building Inspection	Grading Inspection
Advance Planning	Housing Programs
Trans. Planning	Telecom Planner
ALUC Staff	HCP/NCCP Staff
APC PW Staff	County Geologist

HEALTH SERVICES DEPARTMENT

Environmental Health	Hazardous Materials
----------------------	---------------------

PUBLIC WORKS DEPARTMENT

Engineering Services (1 Full-size + 3 email Contacts)	
Traffic	
Flood Control (Full-size)	Special Districts

LOCAL

Fire District _____

San Ramon Valley – (email) rwendel@srvfire.ca.gov

Consolidated – (email) fire@cccfd.org

East CCC – (email) brodriguez@cccfd.org

Sanitary District _____

Water District _____

City of _____

School District(s) _____

LAFCO

Reclamation District # _____

East Bay Regional Park District

Diablo/Discovery Bay/Crockett CSD

MAC/TAC _____

Improvement/Community Association

CC Mosquito & Vector Control Dist (email)

OTHERS/NON-LOCAL

CHRIS (email only: nwic@sonoma.edu)

CA Fish and Wildlife, Region 3 – Bay Delta

Native American Tribes

ADDITIONAL RECIPIENTS

Alcohol Planner

Please submit your comments to:

Project Planner Francisco Avila

Phone # (925) 655-2866

E-mail Francisco.Avila@dcd.cccounty.us

County File # CDLP13-02025

Prior to _____

We have found the following special programs apply to this application:

Active Fault Zone (Alquist-Priolo)

Flood Hazard Area, Panel # _____

60-dBA Noise Control

CA EPA Hazardous Waste Site

High or Very High FHSZ

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: None ☒ Below ☒ Attached

Recommendation for approval:

Section 82-38.604 - Restrictions: Is the property within. . .

- a crime reporting district per Section 82-38.604(a)(3) - no
- 600' of a crime reporting district per Section 82-38.604(a)(3) - yes; no reports of concern
- 700' alcohol sales - no; residential and industrial
- 400' school - no
- 400' public park - no
- 400' church - no
- 400' hospital - no
- 400' rehab facility - no
- 400' social service office - no

Section 82-38.606 - Findings: Is the property within . . .

- an area that has been determined by ABC to have an undue concentration of licenses - no

Print Name Dominique Vogelpohl

Signature DATE 6/15/2023

Agency phone # (925) 655-2880



AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

Date 6/9/17

DISTRIBUTION

Internal

- ☒ Building Inspection ___ Grading Inspection
☒ Advance Planning ___ Housing Programs
☒ Trans. Planning ___ Telecom Planner
___ ALUC Staff ___ HCP/NCCP Staff
☒ APC Floodplain Tech ___ County Geologist

Health Services Department

- ☒ Environmental Health ☒ Hazardous Materials

Public Works Department

- ☒ Engineering Services (Full-size) ☒ Traffic
☒ Flood Control (Full-size) ___ Special Districts

Local

- ☒ Fire District Consolidated / East County
___ Consolidated - (email) fire@cccfd.org

- ☒ Sanitary District Byron Sanitary

___ Water District _____

___ City of _____

___ School District(s) _____

___ LAFCO _____

___ Reclamation District # _____

___ East Bay Regional Park District _____

___ Diablo/Discovery Bay/Crockett CSD _____

- ☒ MAC/TAC Byron

___ Improvement/Community Association _____

___ CC Mosquito & Vector Control Dist (email) _____

Others/Non-local

___ CHRIS - Sonoma State _____

___ CA Fish and Wildlife, Region 3 - Bay Delta _____

___ Native American Tribes _____

Additional Recipients

Please submit your comments to:

Project Planner Francisco Avila

Phone # 925-674-7801

E-mail Francisco.Avila @dcd.cccounty.us

County File # R213-3222, LP13-2025

Prior to June 30, 2017

We have found the following special programs apply to this application:

NO Active Fault Zone (Alquist-Priolo)

A Flood Hazard Area, Panel # _____

Yes 60-dBA Noise Control

___ CA EPA Hazardous Waste Site

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: ___ None ☒ Below ___ Attached

1. COMPLIANCE WITH
CURRENT BUILDING CODES
WILL BE REQUIRED.

Print Name Abed Choudhury

Abed Choudhury 7-7-17
Signature DATE

Agency phone # 674-7740

From: [Will Nelson](#)
To: [Francisco Avila](#)
Subject: RE: Request for Findings Regarding Byron Corners GP Amendment, County File #CDGP10-00003, CDRZ13-03222 and CDLP/DP13-02025....
Date: Thursday, June 8, 2023 5:02:09 PM
Attachments: [GP10-0003_GPA_Findings.docx](#)
[image002.png](#)

Hello Francisco,

The GPA findings are attached. Please let me know if there's anything else you need.

-Will



William R. Nelson
Principal Planner
Contra Costa County
Department of Conservation and Development
30 Muir Road, Martinez, CA 94553
Phone (925) 655-2898
Web www.contracosta.ca.gov

**We're planning for the future of Contra Costa County.
Learn more and get involved at envisioncontracosta2040.org.**



This message was sent from a public e-mail system and may be subject to disclosure under the California Public Records Act.

From: Francisco Avila <Francisco.Avila@dcd.cccounty.us>
Sent: Thursday, May 25, 2023 4:42 PM
To: Will Nelson <Will.Nelson@dcd.cccounty.us>
Subject: RE: Request for Findings Regarding Byron Corners GP Amendment, County File #CDGP10-00003, CDRZ13-03222 and CDLP/DP13-02025....

Hello,

June 28th.

From: [Robert Sarmiento](#)
To: [Harsev Singh](#); [Francisco Avila](#)
Cc: [Praveena Samaleti](#); [ckinzel](#); [jasvirshahi@att.net](#); [Sukhjot "Tony" Singh](#); [Jeff Valeros](#)
Subject: RE: Response to Agency Comments- RZ13-3222 and LP13-2025- Byrons Corner Impact Study (15031, 15045 & 15057 BYRON HWY. BYRON, CA 94514)
Date: Thursday, January 6, 2022 8:47:34 AM
Attachments: [image001.png](#)

Good morning, Harsev, Francisco,

Thanks for submitting the revised traffic study with the appropriate changes in response to my two outstanding comments. The changes are acceptable to me. I have no other comments on the traffic study.

Robert Sarmiento

Contra Costa County
Department of Conservation and Development
Transportation Planning Section
(925) 655-2918 (***New Phone Number***)
Robert.Sarmiento@dcd.cccounty.us

**What should Contra Costa County be and look like in 20 years?
Check out EnvisionContraCosta2040.org and let us know!**



From: Harsev Singh <singh.harsev@continentaldc.com>
Sent: Tuesday, January 4, 2022 1:31 PM
To: Robert Sarmiento <Robert.Sarmiento@dcd.cccounty.us>
Cc: Praveena Samaleti <psamaleti@tjkm.com>; ckinzel@tjkm.com; jasvirshahi@att.net; Sukhjot 'Tony' Singh <tony@continentaldc.com>; Francisco Avila <Francisco.Avila@dcd.cccounty.us>; Jeff Valeros <Jeff.Valeros@pw.cccounty.us>
Subject: Response to Agency Comments- RZ13-3222 and LP13-2025- Byrons Corner Impact Study (15031, 15045 & 15057 BYRON HWY. BYRON, CA 94514)

Hello Robert,

Happy New Year!

As per our discussions in the emails below and in order to resolve the pending comments, our traffic consultants at TJKM have prepared the attached response letter and technical memo.

Please advise on the review timeline.

Regards,



AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

Date 6/9/17

DISTRIBUTION

Internal

- ☒ Building Inspection ☐ Grading Inspection
☒ Advance Planning ☐ Housing Programs
☒ Trans. Planning ☐ Telecom Planner
☐ ALUC Staff ☐ HCP/NCCP Staff
☒ APC Floodplain Tech ☐ County Geologist

Health Services Department

- ☒ Environmental Health ☒ Hazardous Materials

Public Works Department

- ☒ Engineering Services (Full-size) ☒ Traffic
☒ Flood Control (Full-size) ☐ Special Districts

Local

- ☒ Fire District Consolidated / East County
____ Consolidated - (email) fire@cccfd.org

- ☒ Sanitary District Byron Sanitary

____ Water District _____

____ City of _____

____ School District(s) _____

____ LAFCO

____ Reclamation District # _____

____ East Bay Regional Park District

____ Diablo/Discovery Bay/Crockett CSD

- ☒ MAC/TAC Byron

____ Improvement/Community Association

____ CC Mosquito & Vector Control Dist (email)

Others/Non-local

____ CHRIS - Sonoma State

____ CA Fish and Wildlife, Region 3 - Bay Delta

____ Native American Tribes

Additional Recipients

Please submit your comments to:

Project Planner Francisco Avila

Phone # 925-674-7801

E-mail Francisco.Avila @dcd.cccounty.us

County File # R213-3222, LP13-2025

Prior to June 30, 2017

We have found the following special programs apply to this application:

NO Active Fault Zone (Alquist-Priolo)

A Flood Hazard Area, Panel # 0510G

Yes 60-dBA Noise Control

- CA EPA Hazardous Waste Site

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: ☒ None ☐ Below ☐ Attached

FLOOD ZONE X (500 YEAR)

NO FLOODPLAIN PERMIT REQUIRED

Print Name ROBERT P. HENDRY III

Signature Robert P. Hendry III

DATE 6/22/17

Agency phone # 4-7744



Contra Costa County Public Works Department

Brian M. Balbas, Director
Deputy Directors
Stephen Kowalewski, Chief
Allison Knapp
Warren Lai
Carrie Ricci
Joe Yee

Memo

December 5, 2023

TO: Francisco Avila, Senior Planner, Department of Conservation and Development
FROM: Kellen O'Connor, Associate Civil Engineer, Engineering Services Division *John Am*
By: Anthony DiSilvestre, Staff Engineer, Engineering Services Division
SUBJECT: LAND USE PERMIT LP13-2025/RZ13-3222
STAFF REPORT & RECOMMENDED CONDITIONS OF APPROVAL
(Singh/Byron Highway/Byron/APNs 002-140-010, -025, and -027)
FILE: LP13-2025

We have reviewed the application and site plan for **Land Use Permit LP13-2025** received by your office on **July 21, 2021**. 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 seeks approval of a land use permit to allow for the demolition of an existing gas station and convenience store located on APN 002-140-010 ("Parcel 10") and expansion of development onto APNs 002-140-025 ("Parcel 25"), and -027 ("Parcel 27"). The project will consist of a new and larger convenience store with a sandwich shop and gas pump canopy structure.

The applicant also seeks approval to rezone APNs 002-140-010 and -025 from A-2 (General Agriculture) to R-B (Retail Business). The site is located at 15031, 15045, and 15057 Byron Highway, in Byron.

The three parcels must be merged into a single lot prior to issuance of building permits for the proposed structures.

Traffic and Circulation

The subject property is located at the intersection of Camino Diablo and Byron Highway, both of which are public roads. Access to the site is to be gained from both Camino Diablo and Byron Highway.

Byron Highway is currently a 26-foot-wide road within a 50-foot right-of-way and planned to be an 80-foot-wide road within a 100-foot right-of-way. Similarly, Camino Diablo is currently a 22-foot-wide road within a 40-foot right-of-way and planned to be a 40-foot road within a 60-foot right-of-way.

Subsequent to the submittal of this application, the County completed an intersection improvement project along most of the Parcel 10 frontage. These curb and sidewalk improvements should be extended along the entire project frontage, including Parcels 25 and 27. Right of way dedications, if necessary, should be set 10 feet from the face of curb of the frontage improvements.

Undergrounding Utilities

Overhead utilities exist along the Byron Highway and Camino Diablo frontage of the project. The applicant should underground all new utility distributions along the project frontage. If joint poles will need to be relocated to accommodate the construction of the frontage improvements, the applicant should underground those facilities, as well as existing, utility distribution services.

Drainage

Division 914 of the County Ordinance Code requires that all stormwater 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 water to an adequate natural watercourse.

The grading & drainage plan contours show that Parcel 10 will generally drain towards the existing undisturbed landscaping and proposed bioretention basin. From there, runoff will flow into the stormwater infrastructure of Camino Diablo towards the northern segment of an earthen ditch east of the property that flows into Frisk Creek. Parcels 25 and 27 are shown to drain into a proposed bioretention basin that outflows into the south portion of the eastern earthen ditch.

There have been reports in the past of the drainage ditch east of the property causing flooding. As part of collect and convey requirements, the applicant will need to review the operation of this ditch under post-project conditions and verify that there is sufficient capacity for the design storm. If the ditch has inadequate capacity, then the issue will need to be resolved as part of the proposed project.

In a letter from the applicant dated July 12, 2021 (attached) , they requested an exception from the "collect and convey" requirements of the Ordinance Code (Section 914-2.004) along with Section 914-12.010 the requirement for a public entity to manage the proposed detention basin. The detention basin along with removal of some impervious areas of the existing gas station are an effort to reduce post project runoff into an existing drainage facility. A detailed drainage study of the on-site system and detention basin were submitted and reviewed in support of this request. Given that the downstream drainage facilities are on private property, and the conditions are such that their improvement cannot be reasonably accommodated, Public Works is not averse to the advisory agency granting these exception requests, subject to our recommended conditions.

Stormwater Management and Discharge Control Ordinance

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. A Stormwater Control Plan prepared by Continental Development Consultants dated July 12, 2021, has been received and has been determined to be preliminarily complete. Modifications to reflect changes in final design, such as the additional frontage implements along Parcels 25 and 27 will need to be incorporated into the Final SWCP.

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

Floodplain Management

The property does not lie within the Special Flood Hazard Area (100-year flood boundary) as designated on the Federal Emergency Management Agency Flood Insurance Rate Map.

Annexation to a Lighting District

The subject parcel is already annexed into the L-100 lighting district and will require no further annexation.

Area of Benefit Fee

The applicant will need to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee and Finance Authority/Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit (ECRAOB), as adopted by the Board of Supervisors. These fees shall be paid prior to issuance of building permits.

Transportation Impact Mitigation

The Mitigation Monitoring and Reporting Program (MMRP) issued as a result of the Initial Environmental Study identified adverse impacts resulting from this project in the form of increased traffic delays at the intersection of Holway Drive and Camino Diablo. These delays will reduce the level of service at the intersection that will ultimately warrant installation of a traffic signal. The MMRP requires the applicant make a "fair share" contribution towards the installation of the traffic signal. The proportionality analysis generally accepted is based on Caltrans Methodology for Calculation Equitable Mitigation Measures (December 2002) and the data compiled as part of the project's traffic study.

This future signal is not included in the existing Areas of Benefit noted above, so this fee will not be in-lieu of any of the established AOB fees.

Drainage Area Fee

The property is located within unformed Drainage Area 110. There is currently no fee ordinance adopted by the Board of Supervisors for this area.

Should you have any questions, please contact Anthony DiSilvestre at (925) 313-2262 or anthony.disilvestre@pw.cccounty.us or Kellen O'Connor at (925) 313-2278 or kellen.o'connor@pw.cccounty.us.

KO:AD:ss
\\PW-DATA\grpdata\engsvc\Land Dev\LP\LP 13-2025 Expand Market&Gas Station Byron\Application\Staff Report & COAs LP13-2025.docx

attachment

c: J. LaRocque, Engineering Services
L. Gossett, Engineering Services
K. O'Connor, Engineering Services
A. DiSilvestre, Engineering Services
Tony Singh, Continental Development, Applicant
7473 W. Lake Mead Blvd. Ste. 100
Las Vegas, NV 89128
Jasvir Shahi, Owner
15031 Byron Highway
Byron, CA 95514

**PUBLIC WORKS RECOMMENDED
CONDITIONS OF APPROVAL FOR PERMIT LP13-2025**

COMPLY WITH THE FOLLOWING CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF A BUILDING PERMIT AND/OR PRIOR TO INITIATION OF THE USE PROPOSED UNDER THIS PERMIT.

General Requirements:

- **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 July 21, 2021.**
- 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 relative to review 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.
- Improvement plans prepared by a registered civil engineer shall be submitted, if necessary, to the Public Works Department, Engineering Services Division, along with review and inspection fees, and security for all improvements required by the Ordinance Code for the conditions of approval of this subdivision. Any necessary traffic signing and striping shall be included in the improvement plans for review by the Transportation Engineering Division of the Public Works Department.
- The three parcels shall be merged into a single lot through a lot line adjustment or alternative process as prescribed by the Department of Conservation and Development.

Roadway Improvements (Byron Highway/Camino Diablo):

- Applicant shall construct curb, 10-foot sidewalk, necessary longitudinal and transverse drainage, streetlights, pavement widening and transitions along the frontages of Byron Highway and Camino Diablo. Applicant shall construct face of curb to match the existing sidewalk and curb line on APN 002-140-010.
- Any cracked and displaced curb, gutter, and sidewalk shall be removed and replaced along the project frontage of Byron Highway and Camino Diablo. Concrete shall be saw cut prior to removal. Existing lines and grade shall be maintained. New curbs and gutters shall be doveled into existing improvements.
- Applicant shall construct a street type connection with 20-foot radii curb returns in lieu of standard driveway depressions at Byron Highway and Camino Diablo. Any existing driveways that are not to be used shall similarly be removed and replaced.

Access to Adjoining Property:

Proof of Access

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

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 Byron Highway and Camino Diablo.

Site Access

- Applicant shall only be permitted access at the locations shown on the approved site/development plan.

Road Alignment/Intersection Design/Sight Distance:

- Applicant shall provide sight distance at the intersection of each driveway onto Byron Highway and Camino Diablo in accordance with Chapter 82-18 "Sight Obstructions at Intersections" of the County Ordinance Code. The applicant shall trim vegetation, as necessary, to provide sight distance at this intersection, and any new signage, landscaping, fencing, retaining walls, or other obstructions proposed at this intersection shall be setback to ensure that the sight line is clear of any obstructions. Per the California Highway Design Manual, improvements shall not obstruct sight distance for a design speed of 35 miles per hour on Camino Diablo and 45 miles per hour on Byron Highway.

Road Dedications:

- Property owner(s) shall convey to the County, by Offer of Dedication, the right-of-way as necessary to accommodate the existing and proposed frontage improvements, i.e., 10-foot offset from the face of curb.

Pedestrian Facilities:

Pedestrian Access

- Curb ramps and driveways shall be designed and constructed in accordance with current County standards. A detectable warning surface (e.g., truncated domes) shall be installed on all curb ramps. Adequate right-of-way shall be dedicated at the curb returns to accommodate the returns and curb ramps; accommodate a minimum 4-foot landing on top of any curb ramp proposed.

Utilities/Undergrounding:

- Applicant shall underground all existing utility distribution facilities, including those along the frontage of Camino Diablo and Byron Highway. Applicant shall provide joint trench composite plans for the underground electrical, gas, telephone, cable television and

communication conduits and cables including the size, location and details of all trenches, locations of building utility service stubs and meters and placements or arrangements of junction structures as a part of the Improvement Plan submittals for the project. The composite drawings and/or utility improvement plans shall be signed by a licensed civil engineer.

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.

Exception Section 914-2.004 (Subject to Advisory Agency findings and approval)

Applicant is granted an exception from the off-site collect and convey requirement of the Ordinance Code by the advisory agency as provided for in 92-6.002 of said Code provided:

- The stormwater runoff from the site is reduced to, or below pre-project flow rates as a result from the construction of on-site detention infrastructure.
- The existing runoff pattern is not changed.
- Concentrated stormwater is not discharged onto adjacent property.

Exception Section 914-12.010 (Subject to Advisory Agency findings and approval)

Applicant is granted an exception from the public entity maintenance requirement of the Ordinance Code by the advisory agency as provided for in 92-6.002 of said Code. The maintenance obligation relative to the detention/stormwater management basin will be satisfied in the CC&Rs and Stormwater Maintenance Operation and Maintenance Agreement and Plan.

Miscellaneous Drainage Requirements:

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

National Pollutant Discharge Elimination System (NPDES):

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

- Minimize the amount of directly connected impervious surface area.
- Install approved full trash capture devices on all catch basins (excluding catch basins within bioretention area) as reviewed and approved by Public Works Department. Trash capture devices shall meet the requirements of the County's NPDES Permit.
- Place advisory warnings on all catch basins and storm drains using current storm drain markers.
- Shallow roadside and on-site swales.
- Filtering Inlets.
- Construct concrete driveway weakened plane joints at angles to assist in directing run-off to landscaped/pervious areas prior to entering the street curb and gutter.
- Applicant shall attempt to incorporate the use of pavers and/or pervious pavement on-site to reduce the amount of directly connected impervious surface area.
- The applicant shall sweep the paved portion of the site quarterly, at least once a year a vacuum type sweeper. Verification (invoices, etc.) of the sweeping shall be provided to the County Clean Water Program Administrative Assistant at 255 Glacier Drive, Martinez CA 94553 (925) 313-2238).
- Trash bins shall be sealed to prevent leakage OR shall be located within a covered enclosure.
- Applicant shall develop a spills program for the on-site fueling facility and submit the plan to the Contra Costa County Clean Water Program for review and approval.
- Applicant shall provide a secondary containment system for the above ground fuel storage tank.
- Other alternatives comparable to the above as approved by the Public Works Department.

Stormwater Management and Discharge Control Ordinance:

- The applicant shall submit a final Storm Water Control Plan (SWCP) and a Stormwater Control Operation and Maintenance Plan (O+M Plan) to the Public Works Department, which shall be reviewed for compliance with the County's National Pollutant Discharge Elimination System (NPDES) Permit and shall be deemed consistent with the County's Stormwater Management and Discharge Control Ordinance (§1014) prior to issuance of a building permit. All time and materials costs for review and preparation of the SWCP and the O+M Plan shall be borne by the applicant.
- Improvement plans shall be reviewed to verify consistency with the final SWCP and compliance with Provision C.3 of the County's NPDES Permit and the County's Stormwater Management and Discharge Control Ordinance (§1014).
- Stormwater management facilities shall be subject to inspection by the Public Works Department; all time and materials costs for inspection of stormwater management facilities shall be borne by the applicant.
- Prior to issuance of a building permit the property owner(s) shall enter into a Stormwater Management Facility Operation and Maintenance Agreement with Contra Costa County, in which the property owner(s) shall accept responsibility for and related to the operation and maintenance of the stormwater facilities, and grant access to relevant public agencies for inspection of stormwater management facilities.

- Prior to issuance of a building permit, the property owner(s) shall annex the subject property into Community Facilities District (CFD) No. 2007-1 (Stormwater Management Facilities), which funds responsibilities of Contra Costa County under its NPDES Permit to oversee the ongoing operation and maintenance of stormwater facilities by property owners.
- Any proposed water quality features that are designed to retain water for longer than 72 hours shall be subject to the review of the Contra Costa Mosquito & Vector Control District.

Transportation Impact Mitigation

- At least 30-days prior to requesting Final Building Inspections (occupancy), the applicant shall provide evidence for review and approval of Public Works and CDD staff, that the fair-share payment has been made towards the installation of a traffic signal at the Holway Drive/Camino Diablo intersection.

ADVISORY NOTES

- Applicant will be required to comply with the requirements of the Bridge/Thoroughfare Fee Ordinance for the East Contra Costa Regional Fee and Finance Authority/Regional Transportation Development Impact Mitigation (ECCRFFA/RTDIM) and East County Regional Areas of Benefit (ECRAOB), as adopted by the Board of Supervisors. Payment is required prior to issuance of a building permit.

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

RANDALL L. SAWYER
CHIEF ENVIRONMENTAL HEALTH & HAZMAT OFFICER

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



CONTRA COSTA
ENVIRONMENTAL HEALTH

2120 Diamond Blvd., Suite 200
Concord, California 94520
Ph (925) 692-2500
Fax (925) 692-2502
www.cchealth.org/eh/

2017 JUL -5 P 4:19

June 30, 2017

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

DEPARTMENT OF
CONSERVATION
AND DEVELOPMENT

RE: LP13-2025 and RZ13-3222 (Proposed expansion of market and gas station)
15031 Byron Hwy, Byron
APN 002-140-009 & 010

Dear Mr. Avila:

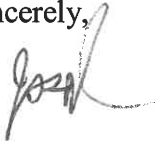
The Contra Costa Environmental Health Division (CCEHD) has received a request for agency comments for the above referenced project. The following are our comments if the project is served by public sewer and public water:

1. A permit from CCEHD is required for any well or soil boring prior to commencing drilling activities, including those associated with water supply, environmental investigation and cleanup, or geotechnical investigation.
2. Any abandoned wells (water, environmental, or geotechnical) and septic tanks must be destroyed under permit from CCEHD. If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these must be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.
3. Debris from construction or demolition activity must go to a solid waste or recycling facility that complies with the applicable requirements and can lawfully accept the material (e.g., solid waste permit, EA Notification, etc.). The debris must be transported by a hauler that can lawfully transport the material. Debris bins or boxes of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.
4. The market is a retail food facility, so the plans must be reviewed and approved by CCEHD prior to the issuance of building permits.
5. If the dumpster area is remodeled it must be upgraded to meet current standards (e.g., drain to the sanitary sewer and a hot/cold water supply).
6. Retail food facilities must have approved restrooms.



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

Sincerely,

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

Joseph G. Doser, REHS
Supervising Environmental Health Specialist

cc: Tim Ellsworth, Contra Costa Environmental Health

JGD:tf

Francisco Avila

From: Xavier.Bryant@hsd.cccounty.us
Sent: Monday, June 26, 2017 4:52 PM
To: Francisco Avila
Subject: R213-3222, LP13-2025

Hello Mr. Avila,

Based on the project description, Hazardous Materials Programs permits will be required. Here is the link to the permit applications.

<http://cchealth.org/hazmat/ust/>

Sincerely,

Xavier Bryant
Hazardous Materials Specialist
Contra Costa Health Services
Hazardous Materials Programs
4585 Pacheco Blvd, Suite 100
Martinez, California 94553
(925) 335-3263 -office
(925) 646-2073 -fax

Contra Costa County



Fire Protection District

January 24, 2017

Mr. Avila
Contra Costa County Dept. of Conservation and Development
30 Muir Rd
Martinez, Ca 94553

Subject: Convenience Store/Restaurant
15031 Byron Hwy, Byron, CA
Project # LP13-2025
CCCFPD Project No.: P-2013-00978, Rev 1

Dear Mr. Avila

We have reviewed the development application to demolish an existing building and building a 5770 square foot, single story convenience store/restaurant the subject location. The following is required for Fire District approval in accordance with the 2016 California Fire Code (CFC), the 2016 California Building Code (CBC), and Local and County Ordinances and adopted standards:

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

Provide emergency apparatus access roadways with all-weather (paved) driving surfaces of not less than 20-feet unobstructed width, and not less than 13 feet 6 inches of vertical clearance, to within 150 feet of travel distance to all portions of the exterior walls of every building. Access shall have a minimum outside turning radius of 45 feet, and must be capable of supporting the imposed fire apparatus loading of 37 tons. (503) CFC

2. Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. (22500.1) CVC, (503.3) CFC

Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have **NO PARKING – FIRE LANE** signs posted, allowing for parking on one side only or curbs painted red with the words **NO PARKING – FIRE LANE** clearly marked. *Parking is permitted only on the side of the road that does not have hydrants.* (22500.1) CVC, (503.3) CFC

3. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1500 GPM. Required flow must be delivered from not more than 2 hydrants flowing simultaneously for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (507.1), (B105) CFC
4. The developer shall provide 1 hydrants of the East Bay type. (C103.1) CFC
5. The developer shall submit a minimum of two (2) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review

and approval prior to obtaining a building permit. ***Final placement of hydrants shall be determined by this office.*** (501.3) CFC

Note: Fire lane identification shall be indicated as necessary on this submittal.

6. ***Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 22 / 37 tons.

7. The developer shall provide traffic signal pre-emption systems (Opticom) on any new or modified traffic signals installed with this development. (21351) CVC
8. Flammable or combustible liquid storage tanks shall ***not*** be located on the site without obtaining approval and necessary permits from the Fire District. (3401.4) CFC
9. The developer shall submit a minimum of two (2) complete sets of building construction plans and specifications of the subject project, including plans for any of the following required deferred submittals, to the Fire District for review and approval ***prior to*** construction 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
- Private underground fire service water mains
 - Fire sprinklers
 - Fire alarm/Fire sprinkler monitoring system
 - Aboveground/underground flammable/combustible liquid storage tanks
 - Commercial kitchen hood extinguishing systems
 - Special suppression systems

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

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

Sincerely,



Todd Schiess
Fire Inspector I

c: Tony Singh, Continental Dev. Consultant
7473 W. Lake Mead Blvd, Ste #100
Las Vegas, NV 89128

CONTRA COSTA COUNTY
DEPARTMENT OF CONSERVATION AND DEVELOPMENT
COMMUNITY DEVELOPMENT DIVISION
30 Muir Road
Martinez, CA 94553-4601
Phone: 925-674-7205
Fax: 925-674-7258

RECEIVED

JUN 12 2017



AGENCY COMMENT REQUEST

Byron Sanitary District

Date 6/9/17

We request your comments regarding the attached application currently under review.

DISTRIBUTION

Internal

- ☒ Building Inspection ☐ Grading Inspection
☒ Advance Planning ☐ Housing Programs
☒ Trans. Planning ☐ Telecom Planner
☐ ALUC Staff ☐ HCP/NCCP Staff
☒ APC Floodplain Tech ☐ County Geologist

Health Services Department

- ☒ Environmental Health ☒ Hazardous Materials

Public Works Department

- ☒ Engineering Services (Full-size) ☒ Traffic
☒ Flood Control (Full-size) ☐ Special Districts

Local

- ☒ Fire District Consolidated / East County
Consolidated - (email) fire@cccfd.org

- ☒ Sanitary District Byron Sanitary

☐ Water District _____

☐ City of _____

☐ School District(s) _____

☐ LAFCO _____

☐ Reclamation District # _____

☐ East Bay Regional Park District _____

☐ Diablo/Discovery Bay/Crockett CSD _____

- ☒ MAC/TAC Byron

☐ Improvement/Community Association _____

☐ CC Mosquito & Vector Control Dist (email) _____

Others/Non-local

☐ CHRIS - Sonoma State _____

☐ CA Fish and Wildlife, Region 3 - Bay Delta _____

☐ Native American Tribes _____

Additional Recipients

Please submit your comments to:

Project Planner Francisco Avila

Phone # 925-674-7801

E-mail Francisco.Avila @dcd.cccounty.us

County File # R213-3222, LP13-2025

Prior to June 30, 2017

We have found the following special programs apply to this application:

NO Active Fault Zone (Alquist-Priolo)

A Flood Hazard Area, Panel # _____

Yes 60-dBA Noise Control

☐ CA EPA Hazardous Waste Site

AGENCIES: Please indicate the applicable code section for any recommendation required by law or ordinance. Please send copies of your response to the Applicant and Owner.

Comments: ☐ None ☒ Below ☐ Attached

APPLICANT REQUIRED TO
COMPLY WITH ALL ORDINANCES,
INCLUDING APPLYING FOR
A WASTE WATER DISCHARGE
PERMIT.

CONSIDER MODIFYING
RESTROOM ACCESS FROM
THE EXTERIOR TO THE
INTERIOR.

Print Name RICK GILMORE

[Signature] 6/15/17
Signature DATE

Agency phone # 209.835.0375 EXT. 12

**Byron
Municipal
Advisory
Council
DRAFT**



Office of Supervisor Diane Burgis
Contact: Alicia Nuchols
3361 Walnut Blvd. Suite 140
Brentwood, CA 94513
925-252-4500

Respectfully submitted by: _____

*The Byron Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

REVISED Record of Actions

Meeting start time: 6:02 p.m.

Tuesday, June 27, 2017

1. **Meeting called to order by District Representative Alicia Nuchols at 6:00 p.m. Chair Schmit & Vice Chair Maggiore absent.**
2. **Public Comment:** Paula Wherity announced she had the Union Pacific Railroad send a letter to the Sheriff's office to authorize them to enforce on the railroad property as needed.
3. **Review Record of Actions from 5-23-17 meeting:** Record of actions were reviewed and approved as corrected. Motion by Councilmember Lopez, second by Councilmember Nisen. Passed 3-0. AYES: Lopez, Nisen, Thuman. ABSTAIN: None
4. **Agency Reports**
 - a) **East Contra Costa Fire Protection District: No Report**
 - b) **Contra Costa County Sheriff's Department: No Report**
 - c) **California Highway Patrol:** Officer Thomas provided an update on beat coverage. He provided patrol update 4 dui's, 2 warrants, out on Friday 6/23, stopped 3 trucks.
 - d) **Office of Supervisor Diane Burgis: ANNOUNCEMENTS:** We celebrated the Orwood Bridge Ribbon Cutting this morning, it was a beautiful ceremony. Byron Community Clean-up has been changed to August 5th at the request of the Byron MAC Board. See flyers provided. **PW UPDATES:** **Main Street, Byron Sidewalk Improvements** The project is underway, it began on June 19th. **Byron Hwy/Camino Diablo Intersection Project** This project is currently scheduled to begin construction on July 10th. Please see the flyer provided.

5. Items for Action and/or Discussion

- a) **Review & Discuss VR17-1022:** The applicant requests approval of the variance to allow merging of two parcels with the resultant lot area of 38,124 square feet, where a minimum of 5 acres is required. No comments or concerns by board. Motion to approve made by Councilmember Thuman, second by Councilmember Nisen, passed 3-0 AYES: Thuman, Nisen, and Lopez. ABSTAIN: None

Review & Discuss R213-3222, LP13-2025: The applicant requests approval of a land use permit & demolition permit (LUP-DP) combo permit to allow for the demolition of an existing gas station & convenience store; and for the construction of a new large convenience store with a sandwich shop and gas pump canopy structure. Daniel L Kelley is concerned it will continue to be more of the same mess. More space for the wrong kind of environment. Mike Kelley, concerned with how the gas trucks will unload during business hours. The space is not large enough with increased pumps. Please request nighttime deliveries. Julio Stack, was not noticed of this project. Steve Larsen is all for the improved store as long as they keep it cleaned up. There were also concerns of loiterers behaving poorly including urinating in public. Please consider getting security as Condition of Approval on this LUP. Council member comments: Nisen states the owner of Byron Corners has not been a good neighbor. He has been asked numerous times to clean up the garbage that blows from Byron Corners down Camino Diablo, including several times in some Byron MAC meetings, and refuses to acknowledge this. The owner is the problem. Councilmember Nisen is also concerned with the increased traffic impact from the requested expansion of Byron

This meeting record is provided pursuant to Better Government Ordinance 95-6, Article 25-2.205(d) of the Contra Costa County Ordinance Code.

Corners. Good project, bad location. Requests that the traffic pattern with the new intersection project be reviewed to include the extra traffic flow that would be generated from the possible expansion. When the red light is on for the Camino Diablo traffic, it could create a long line of vehicles trying to get into or out of the store, and could impede the traffic flow for residents of Camino Diablo east of the Byron Highway trying to proceed through the intersection. Councilmember Nisen was also concerned about the delivery trucks parked on the Byron Highway and Camino Diablo creating a serious traffic hazard. Motion to proceed with the above items being reviewed and considered. Motion made by Councilmember Nisen, second by Councilmember Thuman, Passed 3-0 AYES: Thuman, Nisen, and Lopez. ABSTAIN: None

6. Correspondence Key: R= Received S= Sent

7. R-5/10/17 Contra Costa County Zoning Administrator for May 15, 2017
8. R-5/12/17 Contra Costa County Planning Commission Cancellation Notice for May 24, 2017
9. R-5/26/17 Contra Costa County Zoning Administrator for June 5, 2017
10. R-6/2/17 Contra Costa County Planning Commission for June 14, 2017
11. R-6/21/17 Contra Costa County Planning Commission for June 28, 2017

12. Councilmember Comment/Future Agenda Item:

None at this time

Adjourned to next meeting scheduled for July 25, 2017.

Francisco Avila

From: Hoang, Tan T. <TAN.T.HOANG@saic.com>
Sent: Tuesday, April 23, 2013 10:27 AM
To: Francisco Avila
Cc: Burns, Thomas A.
Subject: Comment on C Store and Gas Station Expansion Project
Attachments: Byron Convenience Store Comment Letter.pdf

Mr. Avila,

On behalf of Chevron Environmental Management Company (CEMC), please see the attached comment letter on the C Store and Gas Station Expansion Project. This letter describes the location and background of inactive, historic crude-oil pipelines within the project's vicinity in Byron, California. Within the letter are two maps that show the approximate location of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipeline alignments with respect to the proposed project area and site plan (Figures 1 and 2, respectively).

Please let me know if you have any questions. A hard copy of this letter will also be mailed to your office.

Thank you.

Tan Hoang, AICP

Land Use Planner | Environment & Civil Infrastructure
SAIC Energy, Environment & Infrastructure, LLC
office: 916.979.3742 | fax: 916.979.3735

3800 Watt Ave, Suite 210
Sacramento, CA 95821

www.saic.com/engineering

SAIC-Liability & Asset Management Team (LAM Team)

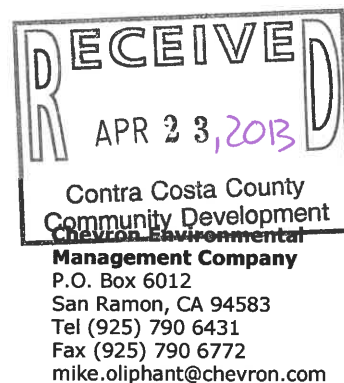
Energy | Environment | National Security | Health | Critical Infrastructure

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Mike N. Oliphant
Project Manager
Superfund and Specialty
Portfolio



April 23, 2013

Stakeholder Communication – Contra Costa County

Mr. Francisco Avila
Project Planner
Contra Costa County
Department of Conservation & Development
Community Development Division
30 Muir Road
Martinez, California 94553

Subject: Comments on the C Store and Gas Station Expansion Project
Chevron Environmental Management Company
Historical Pipeline Portfolio–Bakersfield to Richmond

Dear Mr. Avila:

On behalf of Chevron Environmental Management Company (CEMC), SAIC Energy, Environment & Infrastructure, LLC (SAIC; CEMC's contract consultant) recently became aware of the C Store and Gas Station Expansion Project. The information contained in this letter may help you in planning this project and to understand something about Chevron's former pipeline operations in Byron, Contra Costa County, as residual weathered crude oil, abandoned pipeline, and asbestos-containing materials (ACM) could potentially be encountered during subsurface construction activities in these former pipeline rights of way (ROWs).

Portions of the former Old Valley Pipeline (OVP) and Tidewater Associated Oil Company (TAOC) pipeline existed in the vicinity of the proposed project area. These formerly active pipelines were constructed in the early 1900s and carried crude oil from the southern San Joaquin Valley to the San Francisco Bay Area. Pipeline operations for the OVP ceased in the 1940s, and in the 1970s for the TAOC pipelines. When pipeline operations ceased, the pipelines were taken out of commission. The degree and method of decommissioning varied; in some instances the pipelines were removed, while in others, they remained in place. Because these pipelines have been decommissioned, with the majority of pipeline having been removed, they are not readily identified as underground utilities through the Underground Service Alert North System or utility surveys. Figure 1 illustrates the location of the former OVP and TAOC ROWs with respect to the proposed project area in Byron. Figure 2 illustrates the location of the former OVP and TAOC ROWs with respect to the proposed project site plan. The location of the pipelines shown on Figures 1 and 2 is based on historical as-built drawings and the approximated positional accuracy of the alignments is generally +/- 50 feet. The OVP and TAOC pipelines were installed at depths of up to 10 feet below ground surface. The steel pipelines were typically encased in a protective coating composed of coal tar and ACM.

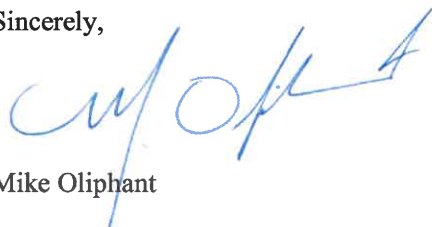
Working under the direction of State regulatory agencies, CEMC conducted risk assessments at numerous locations with known historical crude-oil release points along the former OVP and TAOC pipelines. Analytical results from these risk assessments indicated that the crude-contaminated soil was non-hazardous. Accordingly, it is likely that

Mr. Francisco Avila – Contra Costa County Department of Conservation & Development
April 23, 2013
Page 2 of 2

if soil affected by the historical release of crude oil from these former pipelines is encountered during construction activities it may be reused as backfill on site. Properly abandoned crude-oil pipeline may be left in the ground. Parties conducting construction activities in the vicinity of these former pipeline ROWs may wish to use the information provided in this letter to help prepare for the possibility of encountering abandoned pipelines and pipeline-related ACM during the course of their work.

For more information regarding this historic pipeline, please visit <http://www.hppinfo.com/>. If you would like additional information, or would like to request more detailed maps, please contact SAIC consultants Tom Burns (thomas.a.burns@saic.com) at (916) 979-3748 or Tan Hoang (tan.t.hoang@saic.com) at (916) 916-3742.

Sincerely,



Mike Oliphant

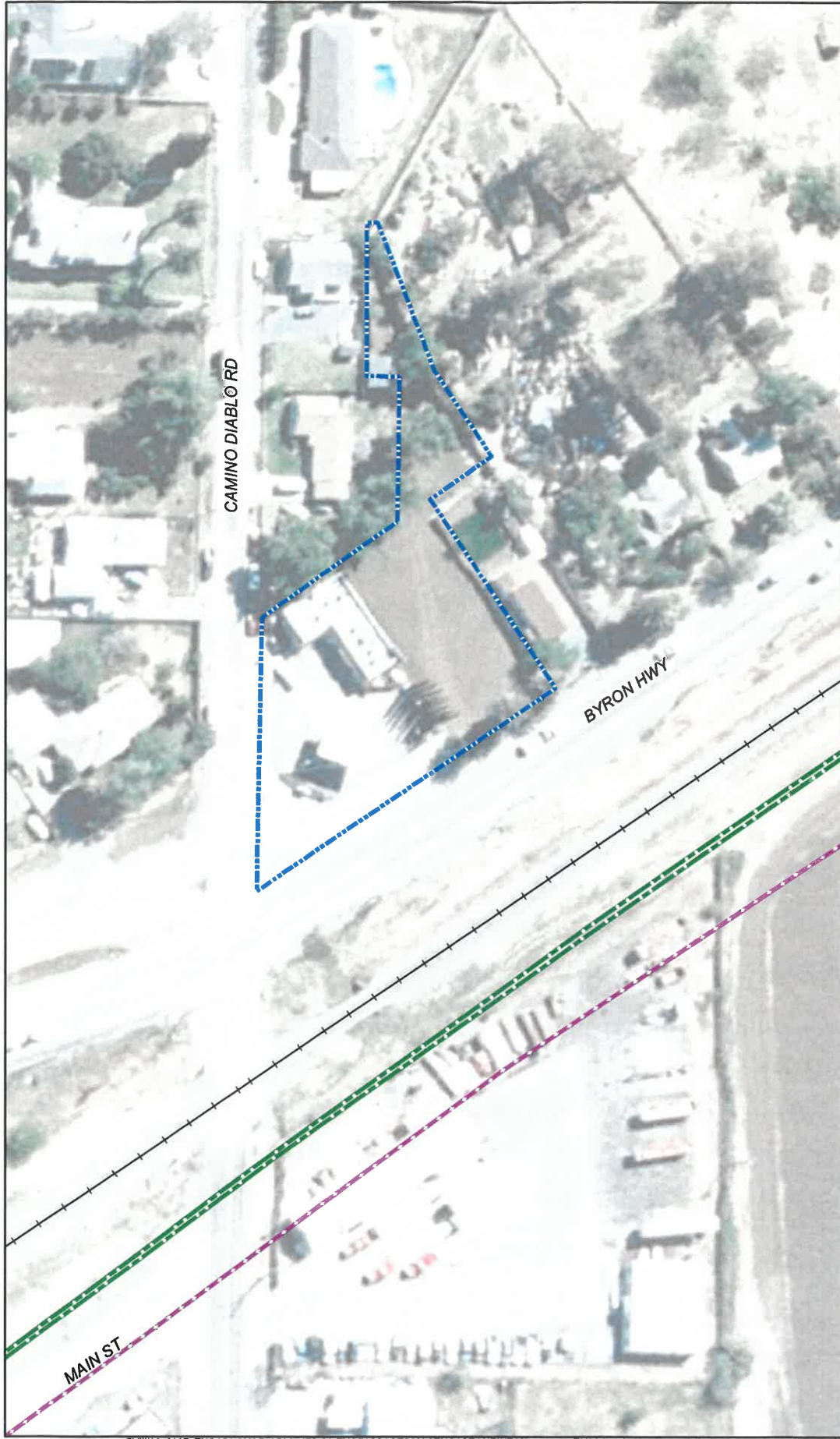
MO/klg

Enclosures:

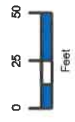
Figure 1. Historical Pipeline Rights of Way – C Store and Gas Station Expansion – Project Area

Figure 2. Historical Pipeline Rights of Way – C Store and Gas Station Expansion – Site Plan

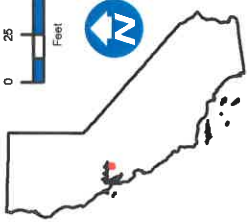
cc: Mr. Tom Burns – SAIC
3800 Watt Avenue, Suite 210, Sacramento, California 95821
Mr. Mike Hurd – SAIC (letter only)
1000 Broadway, Suite 675, Oakland, California 94607



Map is compiled from data sources that vary in accuracy. Features may not be displayed in exact relationship to one another. Do not rely on map for legal information or underground work.



- Proposed Project Boundary
- Historical Old Valley Pipeline (OVP)
- Historical Tidewater Associated Oil Company (TAOC) Pipeline
- Railroad



CALIFORNIA LOCATION MAP

HISTORICAL PIPELINE RIGHTS OF WAY

C STORE AND GAS STATION EXPANSION - PROJECT AREA

Byron, California

DATE: 4/17/2013

ANALYST: HOANGTA

FIGURE:

1





-  Historical Old Valley Pipeline (OVP)
 Historical Tidewater Associated Oil Company (TAOC) Pipeline
 Railroad

HISTORICAL PIPELINE RIGHTS OF WAY

C STORE AND GAS STATION EXPANSION - SITE PLAN

Byron, California

DATE: 4/17/2013

ANALYST: HOANGTA

FIGURE:

SAIC®

2