



*Yana Garcia*  
Secretary for  
Environmental Protection



## Department of Toxic Substances Control



*Gavin Newsom*  
Governor

Meredith Williams, Ph.D.

Director

8800 Cal Center Drive

Sacramento, California 95826-3200

### SENT VIA ELECTRONIC MAIL

June 28, 2024

Francisco Avila  
Principal Planner  
Contra Costa County  
30 Muir Road  
Martinez, CA 94553  
[francisco.avila@dcd.cccounty.us](mailto:francisco.avila@dcd.cccounty.us)

RE: MITIGATED NEGATIVE DECLARATION FOR THE VILLAGE AT PACHECO 33  
UNIT TOWNHOME PROJECT DATED JUNE 14, 2024, STATE CLEARINGHOUSE  
NUMBER [2024060676](#)

Dear Francisco Avila,

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Village at Pacheco 33 Unit Townhome Project (Project). The applicant seeks approval of Vesting Tentative Map for a 33-parcel townhome Project. A tree permit for the removal of 5 trees and work within the dripline of 9 others and grading of 10,200 cubic yards is also included. After reviewing the Project, DTSC recommends and requests consideration of the following comments:

1. If buildings or other structures are to be demolished on any Project sites included in the proposed Project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition, and

disposal of any of the above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with [DTSC's Preliminary Endangerment Assessment \(PEA\) Guidance Manual](#).

2. DTSC recommends that all imported soil and fill material should be tested to assess any contaminants of concern meet screening levels as outlined in the [PEA Guidance Manual](#). Additionally, DTSC advises referencing the [DTSC Information Advisory Clean Imported Fill Material Fact Sheet](#) if importing fill is necessary. To minimize the possibility of introducing contaminated soil and fill material there should be documentation of the origins of the soil or fill material and, if applicable, sampling be conducted to ensure that the imported soil and fill material are suitable for the intended land use. The soil sampling should include analysis based on the source of the fill and knowledge of the prior land use. Additional information can be found by visiting [DTSC's Human and Ecological Risk Office \(HERO\) webpage](#).

DTSC appreciates the opportunity to comment on the MND for the Village at Pacheco 33 Unit Townhome Project. Thank you for your assistance in protecting California's people and environment from the harmful effects of toxic substances. If you have any questions or would like any clarification on DTSC's comments, please respond to this letter or via [email](#) for additional guidance.

Francisco Avila  
June 28, 2024  
Page 3

Sincerely,

*Tamara Purvis*

Tamara Purvis  
Associate Environmental Planner  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Tamara.Purvis@dtsc.ca.gov](mailto:Tamara.Purvis@dtsc.ca.gov)

cc: (via email)  
Governor's Office of Planning and  
Research State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Dave Kereazis  
Associate Environmental Planner  
HWMP-Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)

Scott Wiley  
Associate Governmental Program Analyst  
HWMP - Permitting Division – CEQA Unit  
Department of Toxic Substances Control  
[Scott.Wiley@dtsc.ca.gov](mailto:Scott.Wiley@dtsc.ca.gov)

**From:** RP  
**To:** [Francisco Avila](#)  
**Subject:** Oppose 33 unit Village of Pacheco  
**Date:** Sunday, July 7, 2024 10:26:12 AM

---

Hi,

Reply to your letter, I am opposing 33 unit Village on Pacheco blvd for following reasons.  
1. Already congested and no guest parking in this area.  
2. No Park in this area for kids and adults to go to.  
3. Already Heavy traffic

Thanks,  
Rao Parvataneni  
3933 Pacheco Blvd.  
Martinez, Ca 94553

Francisco Avila, Principal Planner  
Community Development Division  
Contra Costa County, Department Of Conservation and Development,  
30 Muir Road,  
Martinez,  
CA 94553

I am the Owner of 100 Windhover Way. Chris Wilson

It is a vast project, and I have spoken at some of the public hearings. Unfortunately, I have only been allowed 3 minutes of talk time, which doesn't give me enough time to voice my concerns, so I have submitted these comments previously.

I am concerned about this proposal for several reasons. In no specific order are as follows:-

I understand this project will adjust the lot's drainage from South to North. My Home is adjacent and positioned North (approximately). Presently, I have no problems with drainage.

This project will require heavy equipment and large volumes of material, such as soil. We are creating vibration and potential subsidence. I have no problems with my Home's structure, and I declare it sound. It is free from damage, subsidence, etc.

The plan calls for removing a tree, which "West Coast Land and Development, Inc" identifies as an elm #43. The report stated that it is in "poor condition." I'm afraid I have to disagree with the assessment of finding the tree in "poor condition." I also find that this tree is on my property and should not be removed or altered.

The plan has several references to Windhover Way access and adjusting it. This adjustment would encroach onto my property.

The report states that the building would be "appropriate and harmonious" with the area. I must disagree with this assessment, as the proposed building would be out of place and tower over its neighbors. There are no other three-story apartment complexes in the vicinity, and I have many privacy concerns.

Parking on Windhover Way is already difficult. It is directly affecting me and reducing the enjoyment of the neighborhood for other neighbors and me. Substandard parking will inevitably spill over onto Windhover Way and surrounding roads, and substandard parking amenities will only compound this problem.

I have concerns about substandard buildings, vehicle accidents, and potential incidents here. Access from "Windhover Way" to Pacheco Blvd is already tricky. A substandard structure will compound this issue again, reducing the neighborhood's enjoyment.

The plan allows substandard parking. I am concerned about several items, including but not limited to a "car fire," and ask that we prevent incidents by not granting any waiver. The plan also calls for EV charging. It is much more difficult to extinguish a fire from an electric vehicle than from a conventional car. A rapidly developing market and the event of battery fires still need to be understood. Regardless, no waiver should be granted as it creates a densely populated area.

While the lot is vacant, we should develop it responsibly into the housing that complements its neighbors. Therefore, I ask that "no waivers" be granted for one or more reasons, as listed above.

Please see my email dated February 13, 2023, for more information and details.



Regards

Chris Wilson

Contactable on email: - [ChrisAndWendy26@GMail.com](mailto:ChrisAndWendy26@GMail.com)

Dated June 24<sup>th</sup>, 2024.

**LEAD AGENCY -****Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**

**John Kopchik**  
Director

**Ruben Hernandez**  
Deputy Director

**Jason Crapo**  
Deputy Director

**Maureen Toms**  
Deputy Director

**Gabriel Lemus**  
Assistant Deputy Director

June 17, 2024

**NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

County File #'s **CDSD22-09628** and **CDDP22-03036**

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

**PROJECT TITLE:** Village at Pacheco – 33 Unit Residential Subdivision

**APPLICANT:** LCA Architects Inc.  
Attn: Carl Campos, Ph. (925) 944-1626  
590 Ygnacio Valley Road, Suite 310  
Walnut Creek, CA 94596

**LOCATION:** The project area consists of two parcels totaling 1.57 acres (APN's: 380-220-044 and 380-220-067) located at 3835, 3845 and 3855 Pacheco Blvd., Martinez CA. The project site and immediate unincorporated County lands are surrounded by a mixture of residential uses. (Zoning: M-29 Multiple Family Residential District) (General Plan Land Use Designation: Multiple-Family Residential-High Density)

**PROJECT DESCRIPTION:**

The applicant seeks approval to modify County File #'s CDSD06-09100 and CDDP06-03014 (approved in 2007) to update the 32 Townhome project's architecture and building technology. The proposed Vesting Tentative Map includes one additional unit for a total of 33 parcels and a similar site layout. Lots range in area from 840 to 1,601 square feet. Project details are as follows:

**Number of Buildings/Unit Types:** The project includes construction of 4 buildings which will house 7 to 12 units each. All 33 townhomes will be of a three-story design: Unit Type 'A' Four Bedroom 2,045 square feet in area – 6 units, Unit Type 'B' Three Bedroom 1,421 square feet in area – 27 units. Each unit will have two parking spaces on the 1<sup>st</sup> floor (ground level).

Lot Coverage Variance: A variance to the maximum lot coverage is being requested – 54.8% proposed (35% maximum allowed).

Setback/Yard Variances: The applicant has requested the following variances:

1. Building One – 20'10" setback for Pacheco Blvd. (25' req), 15'5" setback for Windhover Way (25' req.), 35' height (30' max allowed).
2. Building Two – 35' height (30' max allowed).
3. Building Three – 17'6" side yard (20' side req.), 35' height (20' max allowed when within 50' of a residential district), 35' height (30' max allowed for remainder of building).
4. Building Four – 17'6" side yard (20' req.), 35' height (30' max allowed), 10'11" separation between buildings 3 and 4 (20' req. min.).

Tree Removal: The project requires that all existing vegetation be removed in order to grade the site and construct the associated improvements. As part of the vegetation removal, 5 trees will be removed and work within the dripline of 9 others is proposed.

Grading: 10,200 cubic yards of grading will occur to prep the site. Grading will include 100 cubic yards of fill and the export of 10,100 cubic yards of surplus soil.

Exemptions: One exception to Code Section 914-12.002 which requires detention basins to be at least 15-acre-feet of storage volume is included to allow small detention basins that are privately maintained and funded.

#### **POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROJECT:**

Pursuant to Article 9 of the California Environmental Quality Act (CEQA), the Initial Study describes the proposed Project; identifies, analyzes, and evaluates the environmental impacts which may result from the proposed Project; and identifies measures to mitigate adverse environmental impacts. The mitigations identified are designed for the proposed Project to ensure that the Project will not cause a significant impact on the environment. The Initial Study for the proposed Project identified potentially significant impacts in the environmental topics of aesthetics, air quality, cultural resources, Geology/Soils, Noise and Tribal Cultural Resources. Environmental analysis determined that measures were available to mitigate potential adverse impacts to less-than-significant levels. As a result of the above, a mitigated negative declaration has been prepared pursuant to Public Resources Code Section 21080(c) of the California Environmental Quality Act (CEQA) Guidelines.

#### **WHERE TO REVIEW THE INITIAL STUDY:**

The Initial Study and any sources of information referenced in Initial Study can be provided upon request by contacting the project planner.

#### **PUBLIC COMMENT PERIOD:**

Prior to adoption of the Initial Study, the County will be accepting comments on the adequacy of the document during a 30-day public comment period; the Initial Study may be certified at a future date in a public hearing following the public comment period. The period for accepting comments on the adequacy of the environmental document will begin on **Monday, June 17, 2024**, and extends to **Wednesday, July 17, 2024**, until 5:00 P.M. Any comments should be in writing and submitted to the following address:

**Francisco Avila, Principal Planner  
Community Development Division  
Contra Costa County, Department of Conservation and Development**

30 Muir Road, Martinez, CA 94553

OR emailed to [Francisco.Avila@dcd.cccounty.us](mailto:Francisco.Avila@dcd.cccounty.us)

Sincerely,

*Francisco Avila*

Francisco Avila  
Principal Planner

(925) 655-2866

[Francisco.Avila@dcd.cccounty.us](mailto:Francisco.Avila@dcd.cccounty.us)

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

attach: Vicinity Map



## Vicinity Map



### Map Legend

	Override 1
	Assessment Parcels
	Planning Layers (DCD)
	Unincorporated
	Board of Supervisors' Districts

**DOIT**  
CONTRA COSTA COUNTY  
**GIS**

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.

THE MAP IS NOT TO BE USED FOR NAVIGATION.

CCMap is maintained by Contra Costa County.

Department of Information Technology, County GIS.

Data layers combined in the CCMAP application are provided by various Contra Costa County Departments.

Please direct all data inquiries to the appropriate department.

Spatial Reference:

PCS: WGS 1983 Web Mercator Auxiliary Sphere

Datum: WGS 1984