

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra  
Costa  
County**



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Assistant Deputy Director

July 11, 2023

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

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

- 1. Project Title:** Three-Story, 24-unit Windhover Terrace Apartments
- 2. County File Number:** #CDDP21-03031
- 3. Lead Agency:** Contra Costa County  
Department of Conservation and Development
- 4. Lead Agency Contact Person and Phone Number:** Everett Louie, Planner II  
(925) 655-2873
- 5. Project Location:** North of Windhover Way and Pacheco Blvd.  
Intersection APN: 380-220-066
- 6. Applicant's Name, Address, and Phone Number:** West Coast Land and Development, Inc  
145 John Glenn Drive  
Concord, CA 94520  
(925) 246-2870
- 7. Description of Project:** The applicant is requesting approval of a Development Plan to construct an approximately 22,247-square-foot in size, 24-unit apartment building on a vacant

property. The project includes two units for low-income households and one unit for very low-income households and a request for a Density Bonus of two units for a total of 24 units.

The project consists of the following elements:

- Parking related improvements for 34 parking spaces with two ADA accessible spaces and four electric vehicle charging spaces;
- Asphalt and permeable pavement;
- Landscaping would include 25 trees and numerous shrubs throughout the property for a total of 6,600 square feet of landscaping. A new six-foot fence along the rear property line and a six-foot decorative wall along the side property lines;
- Retaining walls along the rear of the property;
- Fire Hydrant;
- Six long-term bicycle storage lockers and two short-term bicycle storage spaces;
- A 13'-7" tall carport that will cover 16 spaces located on the east side of the parcel;
- A 8'-8", Approx. 261 square foot trash enclosure structure;
- Four downward-oriented LED streetlight-style light to be located near the carport to provide site security;
- Bioretention Facilities;
- Site preparation would include approximately seven cubic yards of cut and 3,803 cubic yards of fill for bioretention treatment facilities and to direct stormwater to off-site drainage infrastructure;
- Curb, gutter, sidewalk improvements and driveway ramp would be constructed along the project frontage on Windover Way;
- The project includes approximately seven cubic yards of cut and 3,803 cubic yards of fill.

The project requests a Tree permit for the following:

- The removal of four code protected trees work within the dripline of three code protected trees.

The project requests the following variances:

- A 38'-6" height (where 30' is the maximum allowed);
- A 24.5' driveway aisle width (where 25' is the minimum required);

The project requests the following concessions and reduction in development standards:

- A density bonus concession to reduce the Open Space requirement from 25% to 20.5%;
- A reduction in development standards pursuant to Government Code 65915(p) for parking ratios;
- A reduction in development standards pursuant to Government Code 65915(e) for reduced parking stall size, parking setbacks, and total number of covered parking spaces;

The project requests an exception:

- An exception to Division 914, Collect and Convey requirements.

- 8. Surrounding Land Uses and Setting:** Surrounding Area: This area along Windhover Way is exclusively occupied by residential development. The adjacent parcels to the north and south host single family residences. To the east of the site is a 13-unit townhouse development. The two properties to the west both host duplexes. Approximately 316 feet northeast is a 12-unit apartment complex. Beyond the immediate neighborhood, along Pacheco Boulevard there are a variety of residential, commercial, and retail uses including multi-family housing, restaurants, schools, storage locations, gas stations, auto repair shops, and other retail services. Parcels within the City of Martinez jurisdiction are located approximately 1,100 feet to the east of the subject parcel.

**Subject Property:** The subject lot is approximately 0.75-acres in size (approximately 32,820 square feet) rectangular shaped parcel (with the addition of a 52' x 70' strip which extends to the west and connects the parcel to Windhover Way as an access.) The parcel is located on the east side of Windhover Way, approximately 125 feet north of the Pacheco Boulevard and Windhover Way intersection in the in the Pacheco/Vine Hill area. The parcel is vacant and is largely covered with grass and dirt and has eight trees located around the perimeter of the parcel. There is existing curb, sidewalk, streetlights, and underground utilities along the frontage of Windhover Way. Public Works has reviewed the submittal and has indicated that the applicant will not be required to perform further widening or frontage improvements. The general topographic slope of the parcel trends downward from west to east. The elevation starts at 40 feet above mean sea level at Windhover Way and slopes down to 31 feet above mean sea level at the rear of the property. The site currently has access off of Windhover Way which will continue to remain as the access point. The site contains eight trees consisting of London Plane, Carolina Cherry Laurel, California Black Walnut, Glossy Privet, Olive and Siberian Elm.

- 9. Determination:** Pursuant to the requirements of the California Environmental Quality Act (CEQA) Section 15071, the Initial Study/Mitigated Negative Declaration (MND) describes the proposed project; identifies, analyzes, and evaluates the environmental impacts which may result from the proposed project. The Initial Study/Mitigated Negative Declaration for the proposed project identified that the project will not result in significant impacts to the environment. As a result, an IS/MND has been prepared pursuant to Public Resources Code Section 21080(c) of the California Environmental Quality Act (CEQA) Guidelines. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Initial Study/Mitigated Negative Declaration during a 20-day public comment period.

A copy of the Mitigated Negative Declaration/Initial Study may be reviewed on the Department of Conservation & Development webpage at the following address:

Weblink: <https://www.contracosta.ca.gov/4841/CEQA-Notifications>

**Public Comment Period** – The period for accepting comments on the adequacy of the environmental document will begin on **Tuesday, July 11, 2023**, and extends to **Monday, July 31, 2023 until 5:00 P.M.** Any comments should be in writing and submitted to the following address:

Contra Costa County  
Department of Conservation & Development  
**Attn: Everett Louie**  
30 Muir Road  
Martinez, CA 94553

or;

via email to [Everett.Louie@dcd.cccounty.us](mailto:Everett.Louie@dcd.cccounty.us)

The proposed Mitigated Negative Declaration will be considered for adoption at a meeting of the County Planning Commission. The hearing date before the County Planning Commission has not yet been scheduled. To slow the spread of COVID-19, in lieu of a public gathering, the Planning Commission meeting will be accessible live online or by telephone to all members of the public as permitted by Government Code section 54953(e). The meeting will also be accessible in-person in the Planning Commission Hearing Room at 30 Muir Road, Martinez, CA 94553. Hearing notices will be sent out prior to the finalized hearing date.

For additional information on the Mitigated Negative Declaration and the proposed project, you can contact me by telephone at (925) 655-2873, or email at [Everett.Louie@dcd.cccounty.us](mailto:Everett.Louie@dcd.cccounty.us).

Sincerely,



Everett Louie  
Planner II

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

attach: Project Plans  
Vicinity Map