

**Department of  
Conservation and  
Development**

30 Muir Road  
Martinez, CA 94553

Phone:1-855-323-2626

**Contra  
Costa  
County**

**John Kopchik**  
Director

**Jason Crapo**  
Deputy Director

**MaureenToms**  
Deputy Director

**Deidra Dingman**  
Deputy Director

**Ruben Hernandez**  
Deputy Director

**Gabriel Lemus**  
Assistant Deputy Director



**September 20, 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:** Ayers Estates Three-Lot Minor Subdivision
- 2. County File Number:** CDMS21-00010
- 3. Lead Agency Name and Address:** Contra Costa County  
Department of Conservation and Development  
30 Muir Road  
Martinez, CA 94553
- 4. Contact Person and Phone Number:** Stanley Muraoka, Principal Planner  
(925) 655-2876
- 5. Project Location:** 1931 Ayers Road in the Concord area of unincorporated Contra Costa County (Assessor's Parcel Number 116-091-074)
- 6. Project Sponsor's Name, Address, and Phone Number:** Subhendu Datta  
Livio Building Systems  
329 S. San Antonio Road #8  
Los Altos, CA 94022  
(650) 770-9812

**7. Description of Project:** The proposed project is approval of a Tentative Parcel Map for a three-lot *Minor Subdivision* application to subdivide a vacant 2.36-acre parcel located at 1931 Ayers Road into a 27,464 sq. ft. Parcel A, a 36,065 sq. ft. Parcel B, and a 38,029 sq. ft. Parcel C. Access to the parcels would be provided by a private access road that traverses the northerly portions of Parcels B and C and the northeastern corner of Parcel A. A hammerhead would be installed at the onsite western end of the private access road per Fire Code requirements.

Given the existing topography of the site, stormwater runoff flows generally towards the southwest away from Ayers Road. With the proposed project drainage improvements, storm runoff would flow towards the private access road or towards the southerly portion of the site to a bioretention basin to be installed in the southeastern portion of Parcel C. From here, stormwater would flow into a new 24-inch storm drain in Ayers Road that would connect to a 42-inch storm drain on Myrtle Drive. This diversion of runoff from the southwest to the southeast requires the granting of an *Exception* to the requirements and regulations of County Code Section 914-2.004 (Offsite Collect and Convey).

Retaining walls would be installed as necessary along the western and southern boundaries of the property to contain runoff on the property and direct stormwater flow to the bioretention basin. Proper installation of the bioretention basin necessitates installation of a six-foot tall retaining wall adjacent to the southern property boundary at the edge of the basin, which would require the granting of a *Variance* for a structure within the side yard setback at this location.

In order to accommodate building envelopes on Parcels B and C, the installation of the private access road, and installation of drainage improvements, a total of 20 trees protected under the Contra Costa County Tree Protection and Preservation Ordinance would be removed and construction work would occur within the drip lines of four protected trees located off site to the north during installation of the private access road and within the drip line of one protected tree located to the south of the site during installation of the retaining wall and bioretention basin. Removal of the 20 trees and construction work within the drip lines of five trees would require the granting of a *Tree Permit*.

The project site is currently not served by a municipal sewer system. The applicant has stated an intent to tie into the City of Concord Sanitary Sewer System. This will require approval by the Contra Costa Local Agency Formation Commission (LAFCO) for out of agency service that is conditional on *Annexation* of the project site to the City of Concord. Either the project sponsor or the City can apply to LAFCO for annexation.

**8. Surrounding Land Uses and Setting:** The 2.36-acre project site at 1931 Ayers Road is located within the Concord area of unincorporated Contra Costa County roughly 500 feet southeast of the Concord Naval Weapons Station. The area around the site primarily consists of mid-size, residentially zoned parcels that range in size from approximately 0.26 acre to 3.12 acres. The majority of the surrounding parcels have been developed with single-family residences and associated accessory structures. Other land uses in the vicinity include the Kingdom Hall of

Jehovah's Witnesses at 4941 Myrtle Drive, Myrtle Farm Montessori School at 4976 Myrtle Drive, and Ayers Elementary School at 5120 Myrtle Drive. The streets in the vicinity of the project site, including Ayers Road, Holly Drive, and Myrtle Drive have no curb, gutter, or sidewalk improvements.

The project site is located along the western edge of Ayers Road, just north of the intersection with Holly Drive. Up to 2007, there was a single-family residence located in the middle of the site. After 2007, the residence was no longer there; however, the outline of the concrete foundation for the former residence remains visible. The site is relatively flat with elevations that range from 287 feet in the middle and northern portions of the site to 285 feet at the southeast corner of the site and to 281 feet at the southwest corner of the site. There are no natural or man-made drainage channels on the site. Vegetation on the project site consists of ruderal grassland with a variety of trees such as oak, walnut, and ornamental trees located throughout the southeastern half of the site and along the edges of the site, both on the site and on neighboring parcels.

- 9. Determination:** The County has determined that without mitigation the project may result in significant impacts to the environment. Therefore, pursuant to California Code of Regulations Section 15070, a Mitigated Negative Declaration/Initial Study has been prepared which identifies mitigation measures to be incorporated into the project that will reduce the impacts to less than significant levels. Prior to adoption of the Mitigated Negative Declaration, the County will be accepting comments on the Mitigated Negative Declaration/initial study during a 34-day public comment period.

The Mitigated Negative Declaration/Initial Study can be viewed online at the following link: [California Environmental Quality Act \(CEQA\) Notifications | Contra Costa County, CA Official Website](#) or upon request by contacting the project planner. Any documents referenced in the Mitigated Negative Declaration/Initial Study can be provided upon request by contacting the project planner.

**Public Comment Period** – The period for accepting comments on the adequacy of the environmental document will extend to **5:00 PM, Monday, October 23, 2023**. Any comments should be submitted in writing to the following address:

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

or via email to: [stanley.muraoka@dcd.cccounty.us](mailto:stanley.muraoka@dcd.cccounty.us)

The proposed Mitigated Negative Declaration and the proposed project will be considered at a meeting of the County Zoning Administrator. The hearing date before the County Zoning

Administrator has not yet been scheduled. Hearing notices with instructions on how and/or where to attend the meeting will be sent out prior to the finalized hearing date.

**Additional Information** – For additional information on the Mitigated Negative Declaration and the proposed project, contact Stanley Muraoka by telephone at (925) 655-2876, or email at [stanley.muraoka@dcd.cccounty.us](mailto:stanley.muraoka@dcd.cccounty.us)

Sincerely,

A handwritten signature in blue ink, appearing to read "Stanley Muraoka", with a long horizontal flourish extending to the right.

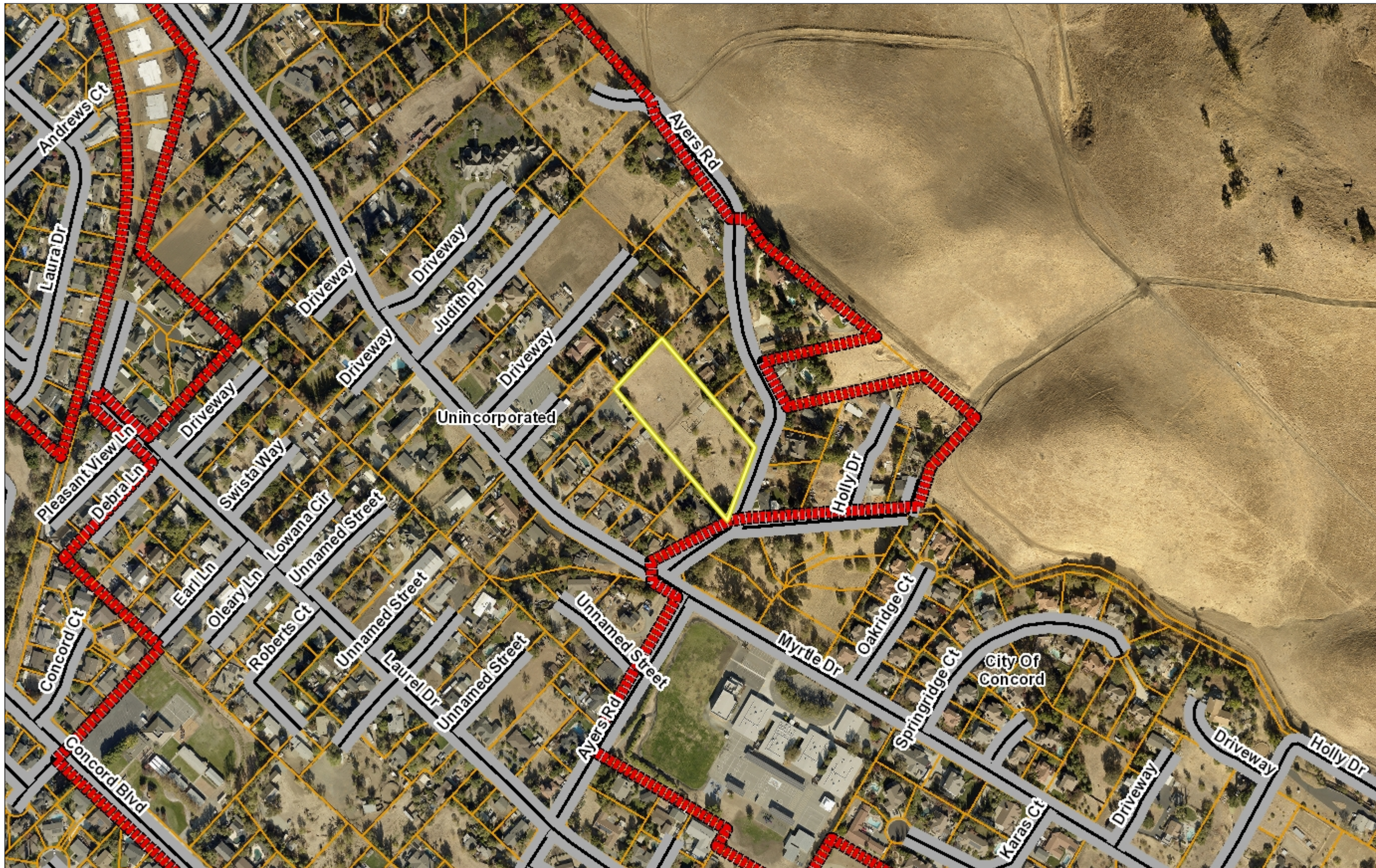
Stanley Muraoka  
Principal Planner  
Department of Conservation & Development

cc: County Clerk's Office (2 copies)













attachment: Project Vicinity



1931 Ayers Road and Vicinity



Legend

-  City Limits
-  Unincorporated
-  Highways
-  Highways Bay Area
-  Streets
-  Water Bodies
-  County Boundary
-  Bay Area Counties
-  Assessment Parcels
- Aerials 2019
  -  Red: Band\_1
  -  Green: Band\_2
  -  Blue: Band\_3
- World Imagery
  - Low Resolution 15m Imagery
  - High Resolution 60cm Imagery
  - High Resolution 30cm Imagery
  - Citations

1: 4,514



0.1 0 0.07 0.1 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference 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

Notes

County File: CDMS21-00010