

Minutes
Clayton Planning Commission Meeting
Tuesday, July 12, 2011

Call to Order

Chair Johnson called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Sandra Johnson, Vice Chair Dan Richardson, Commissioner Bob Armstrong, Commissioner Tuija Catalano, and Commissioner Keith Haydon

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Selection of Chair and Vice Chair.

Commissioner Catalano moved and Commissioner Armstrong seconded a motion to elect Vice Chair Dan Richardson as Chair of the Planning Commission. The motion passed 5-0.

Commissioner Johnson moved and Commissioner Catalano seconded a motion to elect Commissioner Haydon as Vice Chair of the Planning Commission. The motion passed 5-0.

1B. Review of agenda items.

1C. Chair Johnson to report at the City Council meeting on July 19, 2011.

Public Comment

None.

Approval of Minutes

2A. Approval of minutes from the meeting of June 14, 2011.

Commissioner Catalano moved and Commissioner Johnson seconded a motion to approve the minutes, as amended. The motion passed 3-2 (Vice Chair Haydon and Commissioner Armstrong abstained because they did not attend the June 14, 2011 Planning Commission meeting).

2B. Approval of minutes from the meeting of June 28, 2011.

Commissioner Johnson moved and Commissioner Armstrong seconded a motion to approve the minutes, as amended. The motion passed 4-1 (Vice Chair Haydon abstained because he did not attend the June 28, 2011 Planning Commission meeting).

Public Hearing

3. A public hearing pertaining to the proposed Diablo Estates at Clayton residential subdivision involving the construction of 24 single-family residences on the 24-acre former Diablo Pointe property. The applicant is Toll Brothers Home Builders. The project site is located at the northeast corner of Regency Drive and Rialto Drive (APNs 119-630-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, 119-640-001, -002, -003, -004, -005, -006, -007, -008, -009, -010, -011, -012, -013, -014). The entitlements that will be considered for approval are listed below (**continued from the June 28, 2011 Planning Commission meeting**):

- **SPR 01-11, Site Plan Review.** A site plan review permit to allow the construction of 24 single-family residences measuring approximately 3,500 to 4,900 square feet in area (includes garage space).
- **LLA 01-11, Lot Line Adjustment.** A lot line adjustment to adjust the lot lines on Lots 1, 2, 20, and 21.
- **VAR 01-11, Variance.** A variance to allow the front and side setbacks on Lots 1, 2, 3, 4, 16 to be less than the required minimum setbacks in the respective Single Family Residential Districts and also to allow only the porches on all residences to project five feet into the front and side setbacks.

Director Woltering introduced the item and presented the staff report. Mr. Woltering indicated this item had been continued from the June 14, 2011 and then the June 28, 2011 Planning Commission meetings. At that meeting staff had been directed to further research several issues of concern raised by the Planning Commission. These issues concerned the following:

1. Mitigating (reducing) the possible visual prominence of the residences located on Lots 16 through 24;
2. Ensuring the architectural and aesthetic variety and interest of the residences being plotted generally throughout the subdivision; and,
3. Use and maintenance requirements for the rear portion of specified lots (Lots 1-6, 8, 9, and 11-24) beyond the proposed open view fencing.

Director Woltering indicated that staff further researched these issues and prepared conditions to address the Commission's concerns. Condition 76 pertaining to Item 1 requires a minimum of four full single-story residences and a maximum of two two-story or partial two-story residences on adjacent lots within the range of lots specified. Condition 77 pertaining to Item 2 requires a specified mix of plan types, front elevations, and color schemes throughout the subdivision. Condition 78 pertaining to Item 3 requires that the areas between the "open view" fencing and the rearmost lot lines remain unimproved and in a natural condition.

Director Woltering also indicated that staff is proposing a modification to Condition 4 that requires the developer to petition the City Council to determine the disposition of Lot 25 in the circumstance that the California State Parks System does not accept that property. The intent would be for the developer and the City to determine a suitable third party that would accept Lot 25 for its intended use as a mitigation parcel.

Finally, Director Woltering indicated that certain letters had been placed at the dais for the Commission's consideration regarding this matter. These letters include a July 12, 2011 letter from Toll Brothers' attorney, Ms. Alicia Guerra. Director Woltering summarized and commented on the letter from Ms. Guerra. His comments rebutted certain positions of Attorney Guerra and supported staff's proposed Conditions 76, 77, 78, and the modified Condition 4. In addition, Director Woltering indicated that a letter had been received from Save Mount Diablo.

The public hearing was opened.

Richard (Rick) Nelson, Division President, Toll Brothers, indicated that he and his team members had been working with staff regarding the concerns raised at that meeting. He indicated that Attorney Guerra's letter represented the Toll Brothers' positions on the various matters. He indicated that the firm believed that a range of limited improvements should be allowed in the area between the "open wire" fencing and the rearmost property lines of the specified lots mentioned earlier by the Community Development Director and that he hoped that the offer of dedication of Lot 25 to the State Parks system would be adequate to satisfy the Condition 4. He was concerned that requiring acceptance of Lot 25 could delay completion of the project.

Vice Chair Keith Haydon indicated that he had reviewed past minutes and staff reports regarding this application and that he believed he was prepared to participate in any discussion or action on the matter. Vice Chair Haydon then indicated the following:

- He applauded the efforts to move the proposed residences closer to the street to reduce grading impacts and provide larger rear yard areas.
- He believed it would be beneficial to preclude development on the sloped areas between the open view fencing and the rearmost property boundaries.

Commissioner Armstrong asked Toll Brothers' representative Rick Nelson if the conditions as presented by staff would be a deal-breaker. Mr. Nelson indicated, while Toll Brothers differs with staff on several of the conditions, the firm is committed to the project.

Seth Adams, Project Manager, Save Mount Diablo, indicated the following:

- Save Mount Diablo worked closely with the prior developer of this project, Lemke Construction, Inc. and its representative, John Lemke.
- His organization was committed to seeing Lot 25 offered and accepted by an appropriate entity, preferably the State Park system, as a mitigation parcel as was originally intended.
- Save Mount Diablo would be willing to accept for some interim period Lot 25 and assist in the restoration process.
- Save Mount Diablo does not support allowing development on the sloped areas between the open view fencing and the rearmost property boundaries.
- His organization has had a longstanding commitment to support the environmental restoration efforts associated with this project.

Kris Krueger, 44 Petar Court, indicated the following:

- She supported the staff proposal of keeping the sloped areas undeveloped and having a benefit assessment district maintain them.

The public hearing was closed.

Commissioner Catalano indicated the following:

- This is a new Site Plan Review process which allows the City to establish new conditions of approval in accordance with that section of the City's code.
- Does Condition 78b preclude the installment of trees? Director Woltering answered yes.
- Regarding the BMI units, since the providing of the units is contingent upon construction of the 20th unit, we should make sure we have a way to ensure that the three BMI units are provided in the instance that only 19 units are built. Director Woltering indicated that the requirement to provide BMI units does not go away if only 19 units are built. The developer has already satisfied the very-low income requirement.
- Believes that it is a good project overall.

Vice Chair Haydon indicated the following:

- Support for Conditions 76, 77, and 78 as proposed by staff.
- Did not see any triggers for an affordable housing in-lieu payment option. Director Woltering indicated that, typically, the City would not be looking for an in-lieu payment but, rather, for the units themselves. The low and moderate unit requirements still need to be satisfied. The very-low unit has been satisfied.
- Support for keeping the sloped areas between the open view fencing and the rearmost property boundaries undeveloped as this condition could facilitate weed abatement and the general health and safety.

Chair Richardson indicated the following:

- Supports restricting development in the sloped areas as mentioned by Vice Chair Haydon.
- It is important to address the matter of maintaining the sloped areas free of improvements at this time. This action will help the project better fit into the surrounding area and address concerns related to slope stability and fire safety.

Commissioner Johnson indicated the following:

- The easements are necessary in ensuring ongoing slope stability, appropriate drainage patterns, and weed abatement.

Commissioner Armstrong indicated the following:

- Will gates be allowed in the open wire fencing? Director Woltering indicated that, yes, gates will be allowed in the open wire fencing.
- How will improvements to slope areas be addressed? Director Woltering indicated that any improvements in the sloped areas will be precluded by restrictions in the CC&Rs.

Commissioner Johnson moved and Commissioner Armstrong seconded a motion to approve SPR 01-11, LLA 01-11, and VAR 01-11, as conditioned. The motion passed 5-0.

Old Business

4. None.

New Business

5. None.

Communications

6A. Staff.

Director Woltering indicated LSA Associates informed him that the comments they received for the Clayton Community Church Draft Environmental Impact Report were among the top five mostly heavily commented upon projects that they have ever worked on.

6B. Commission.

Vice Chair Haydon indicated that he was glad to be serving on the Planning Commission again.

Adjournment

7. The meeting was adjourned at 8:47 p.m. to the following regularly-scheduled Planning Commission meeting of **July 26, 2011**.



Submitted by
David Woltering, AICP
Community Development Director


Approved by
Dan Richardson
Chair

Attachments:

Letter from Attorney Alicia Guerra, Briscoe Ivester & Bazel LLP
Letter from Seth Adams, Save Mount Diablo

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July 12, 2011

Chair Johnson and Members of the Planning Commission
City of Clayton City Hall
6000 Heritage Trail
Clayton, CA 94517

**Re: Diablo Estates at Clayton – SPR 01-11
Planning Condition # 3.c., General Condition #78.b. and Condition #4**

Dear Chair Johnson and Members of the Planning Commission:

Thank you for the opportunity to offer our comments on behalf of Toll Brothers, Inc. ("Toll Brothers") regarding the Diablo Estates at Clayton Project (including SPR 01-11, LLA 01-11; VAR 01-11) (the "Project"). We appreciate Mr. Woltering's and all of staff's efforts to process the requested entitlements for the Project in an expeditious and thorough manner. With the exception of three conditions of approval proposed for the Site Plan Review (SPR 01-11), Toll Brothers concurs with all of the conditions of approval that staff has recommended be imposed on the Project.

**Planning Condition #3.c and General Condition #78.b. Exceed the Scope of the
Previously Addressed Impacts**

Toll Brothers is concerned that two of the proposed conditions, Conditions #3.c. and #78.b., would now prohibit *any* use in the rear portions (beyond the open wire fencing) of all designated lots when such uses previously were allowed under the existing entitlements approved by the City of Clayton ("City") in 2004. Due to the significant impact of these conditions on the marketability of the lots, we respectfully request your consideration of our proposed alternative condition as discussed below. Planning Condition # 3.c. provides that:

- o "No fencing, grading, or other improvements of any kind will be allowed between the developer-installed open wire fencing and the rear lot lines on Lots 1-6 and Lots 8, 9, and 11-24, inclusive, except for that fencing, landscaping and irrigation installed as part of the project's perimeter landscaping along Regency Drive and Rialto Drive."

General Condition #78.b. further states:

- o "The rear yard areas of Lots 1-6, 8, 9, and 11-24 shall comply with the following to the satisfaction of the Community Development Director and the City Engineer:

The areas down slope and beyond the open wire fencing on Lots 1-6, 8, 9 and 11-24 shall remain in a natural condition, with improvements, including any ornamental landscaping, structures, or grading, in these areas prohibited. This limitation shall be stated in the project's CC&Rs and recorded against the applicable lots prior to the close of escrow of the first residence/lot associated with this limitation. No fencing, grading, or other improvements of any kind will be allowed between the developer-installed open wire fencing and the rear lot lines on Lots 1-6 and Lots 8, 9, and 11-24, inclusive, except for that fencing, landscaping and irrigation installed as part of the project's perimeter landscaping along Regency Drive and Rialto Drive."

The July 12, 2011 Planning Commission Staff Report indicates that at the June 14th meeting the Planning Commission discussed the nature of allowable uses in the rear yards of specified lots beyond the open view fencing. City Staff previously addressed this issue in the 2004 Initial Study/Mitigated Negative Declaration (IS/MND), and imposed conditions of approval to minimize the Project's visual and slope stability impacts in these areas. At no time did the City prohibit *any* use of the steeply sloped portions of the designated lots. In fact, City Staff noted in responses to comments contained in the final 2004 IS/MND, that fencing and play structures were allowed on hillsides. Accessory structures over 4 feet in height and encompassing an area 10 square feet or greater on hillsides required Site Plan Review under Chapter 17.44 of the Zoning Ordinance (see e.g., Diablo Pointe Initial Study/ Mitigated Negative Declaration (IS/MND), page 120), thereby recognizing that future homeowners would be subject to existing City regulations just like any other resident in Clayton.

City Staff also acknowledged in 2004 that Clayton General Plan Policy 2.A stated that the open space areas of the project site needed to be protected from deterioration of scenic areas. Thus, as part of the Tentative Map, the City imposed a condition of approval on the Diablo Pointe project which would require a 150-foot wide conservation easement along the project's boundaries with the State Park. Construction of habitable structures would be prohibited, but fencing would be allowed in that area. Additionally, only small incremental areas of the site would be developed as part of the project (see e.g., page 148 of the IS/MND). With all of these requirements, in addition to Mitigation Measures 1 and 2, the Planning Commission concluded that because the project site previously was developed for urban uses, and the project included mitigation measures to minimize future visibility of dwellings, aesthetic and grading impacts

would be less than significant and the project would be consistent with the General Plan. Consistent with these requirements, the Diablo Estates Site Plan Review application incorporates all of these mitigation measures and conditions of approval.

Based on a review of the 2004 IS/MND mitigation measures, the conditions of approval and the Clayton Municipal Code provisions, the Diablo Estates Site Plan Review application complies with the City's requirements pertaining to allowable uses and structures within the steeper portions of the proposed lots. Moreover, the incorporation of all required mitigation measures and conditions of approval, and the further limitations in building heights, reduction in building footprints, and elimination of horses on the lots identified in the application, as well as the conservation easement and limitations on fencing in the easement area, further mitigates the potential visual impacts to a less-than-significant level. Thus, we remain concerned that Condition #3.c. and #78.b. exceed the scope and extent of the condition necessary to address the concerns previously considered in 2004 and reiterated in the July 12, 2011 Staff Report. Moreover, we do not believe that these conditions should apply to four of the lots for which the steeply-sloped portions of the lots are not even visible to surrounding residents (Lots 1-4).

Conditions #3.c. and #78.b Conflict with Government Code Section 65961 and the Subdivision Map Act

Conditions #3.c. and 78.b. could have been imposed earlier on November 30, 2004 when the City approved the Diablo Pointe Residential Subdivision Tentative Subdivision Map and Variance (see Planning Commission Notice of Decision dated December 2, 2004), but the Planning Commission chose at that time to rely in the future on its adopted Municipal Code provisions to regulate individual lots. The City already had the opportunity to impose conditions in 2004 on the Tentative Map (and through the re-zoning) to address the allowable uses of Lots 1-6, 8, 9 and 11-24, but the Planning Commission did not do so. Instead, the Planning Commission referred to the Municipal Code for the process to be applied in the future if an individual future homeowner were to propose a use or structure that did not otherwise meet the zoning requirements (and it specifically referenced those provisions in its CEQA document).

The City's approach is inconsistent with the Permit Streamlining Act. Under the Permit Streamlining Act and interpretative case law, the Planning Commission cannot impose a condition on a later permit or approval that it could have imposed on the tentative map with limited exceptions (Gov't Code §65961; see e.g., *Golden State Homebldg. Assocs. v. City of Modesto* (1994) 26 Cal.App. 4th 601). For example, the conditions could be imposed on a later permit if: (1) more than 5 years have passed since the final map was recorded, or the condition is necessary to (2) protect public health and safety, or (3) comply with state or federal law; or (4) ensure compliance with applicable zoning ordinances. We do not have those circumstances here.

The final map was recorded March 10, 2008, so 5 years have not lapsed. Further, the two conditions are not necessary to protect public health and safety because the existing Municipal Code (and the mitigation measures included in the project) already establish a process by which future homeowners must address geotechnical constraints associated with their respective lots as further discussed above. Moreover, the conditions are not necessary to comply with state or federal laws because there are no state or federal laws governing allowable land uses on private lots. Finally, as demonstrated in the proposed findings and resolutions, the proposed Site Plan Review and the approved project comply with the existing zoning and General Plan.

With respect to the potential conflicts with the Subdivision Map Act, the conditions imposed on the approved tentative map were authorized by the ordinances, policies and standards in effect at the time the application for the tentative map was deemed complete (Gov't Code § 66474.2). Clayton had not adopted at that time an ordinance, policy or standards precluding a private property owner from using its private lot, even in hillside areas. And, as noted above, the issue previously was addressed by the City as part of the tentative map review process and the IS/MND. In fact, in responses to comments at that time, the City expressly stated that certain accessory structures were allowed under the existing zoning ordinance.

Toll Brothers Proposes the Following Alternative Condition.

Toll Brothers appreciates the concerns that have been raised about the steeply-sloped portions of the lots. In the spirit of moving forward and in effort to address Staff's concerns, we believe an alternative approach to address this concern would be to focus instead on the specific activities that would be visible to surrounding residents. Thus, in order to address the concerns about future use of the steeply-sloped portions of the rear of the designated lots, we propose for your consideration the following alternative condition of approval:

"Any improvements by homeowners beyond the flat pad area of their property (up-slope or down-slope) on Lots 1-6, 8, 9, and 11-24 shall be subject to the City's Site Plan Review and/or Use Permit Application process as deemed necessary by the Community Development Director. Applicants must address impacts of any proposed improvements on slope stability, drainage including J and V ditches, and potential visual impacts to neighboring lots. Grading or improvements, except for repair, within 20' of any J or V ditch are prohibited. Grading within slope areas of 26% or greater is prohibited. Improvements must adhere to the Hillside Development Ordinance and Safety Element of the General Plan. This limitation shall be stated in the project's CC&R's."

Chair Johnson and Members of the Planning Commission

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We believe the proposed alternative condition would address the concerns noted in the Staff Report in a manner that would not compromise the marketability concerns of the 24 lots that would otherwise be subject to this condition.

Planning Condition #4 Unfairly Requires Toll Brothers to Guarantee Acceptance of Lot #25 by Others

Condition #4 requires that Toll Brothers dedicate Lot #25 to the California Department of Parks and Recreation or third party non-profit organizations. Toll Brothers is more than willing to make the offer of dedication and has, in fact reached out to the Department of Parks and Recreation to no avail. Toll Brothers also agreed to the conditions concerning maintenance and vegetation planting on the Lot until such time as the Department of Parks and Recreation or a third party non-profit organization were to accept the property. But Toll Brothers cannot make a third party accept the offer of dedication to satisfy a condition that the City has decided to impose on the Project. Other third parties are not bound by the conditions. Thus; to hold Toll Brothers accountable for the performance of a third party is unfair, particularly in this instance where the State appears to not have the resources to accept the offer and where Toll Brothers already has assumed the maintenance obligations until such time as the property is accepted. Accordingly, we respectfully request that the Planning Commission revise Condition #4 to require that Toll Brothers provide evidence of its offer to dedicate Lot #25 to State Parks or a third party rather than requiring that Toll Brothers provide evidence that the State or third party has accepted the offer. This change also would be consistent with the Subdivision Map Act.

We appreciate your consideration of our comments regarding the Diablo Estates project SPR 01-11. Please feel free to contact us if you have any questions or need further information regarding our concerns.

Sincerely yours,



Alicia Guerra

cc: David Woltering
Gary Mayo
Richard M. Nelson
Andrew Warner



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David Woltering, Community Development Director
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July 12, 2011

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Re: Diablo Estates, Toll Brothers Home Builders, SPR 01-11, Site Plan Review; LLA 01-11, Lot Line Adjustment; VAR 01-11, Variance. (formerly Diablo Pointe Subdivision (Lemke Construction, Inc.) (Claretian Missionaries site)

Planning Commissioners,

Save Mount Diablo is an 8000-member conservation organization which works to preserve, defend and restore the land on and around Mount Diablo to ensure healthy ecosystems and continued access for people and wildlife to enjoy. Since Save Mount Diablo's founding in 1971, preserved open space has increased from less than 7,000 acres to over 100,000 acres in more than 60 parks and preserves.

We have been involved with the Claretian Missionaries site for almost thirty years. It's adjacent to Mt. Diablo State Park on two sides. It's a spur ridge falling from within the State Park to the old school site, dropping down a wooded draw to a narrow riparian corridor along Mt. Diablo creek. The State Park area east of the property was preserved in two acquisitions and one dedication (the creek corridor as a condition of the Regency Meadows development) through the mid 1980s.

We could have very easily opposed development of a site adjacent to the State Park but we worked closely with the city, the planning commission, the city council, neighbors, State Parks and Lemke on the Diablo Point project, coming to mutual agreement on approval of a project including important mitigation:

- A buffer to the State Park on both sides with a setback prohibiting structures – which also accomplishes fire and hillside protection.
- Removal of the house on Lot 25 so that native plants could be planted and the streamside woodland could be widened – the first time a house has been torn down in Contra Costa County for environmental restoration.
- Dedication of Lot 25 to the Park – for which we had approval at three levels of the State Park system agreeing to acceptance.
- We worked with Lemke and expressed willingness to collaborate with them using volunteer labor to install the native plants, if they provided water and irrigation equipment from the development site.

As a result of these agreements, we supported the project.

When we heard that Toll Brothers had acquired the property, we met with them to reiterate our concern about these issues and that these mitigations be carried out.

- We discussed the current situation with State Parks and that they would need to be proactive and that we could help with the dedication process.
- If a dedication couldn't be accomplished immediately, we discussed a potential willingness to accept Lot 25 ourselves on an interim basis, given the State budget problems, and then to transfer the property to the State once the budget situation improves.
- We discussed our continued willingness to be involved in the native plant restoration on Lot 25.

We haven't heard from Toll Brothers since that meeting.

We haven't heard a word from them about the native plant restoration.

We have heard that they want to allow structures and other improvements in parts of lots that are meant as buffers and to remain open, including in areas with steep slopes. Those lots were configured originally based on the city's and Lemke's guarantees that they would stay open. They are meant to provide a transition to the Park, as is the open view fencing. Structures will defeat the reasons for the open areas. We are opposed to the change.

Without a word to us, or any request of help, we have heard that they want to be exempted from the required State Park dedication if they can't get easy approval from State Parks. The condition allows for third party acceptance for just that circumstance.

✓
new

At its simplest, the condition requiring offer of dedication of Lot 25 can

- be required to be a perpetual offer of dedication, and implemented when the State once again has the capacity to accept.
- A Homeowner Association can be required and the lot can be encumbered with deed restrictions.
- A Benefit Assessment District can help maintain the dedication area.
- Save Mount Diablo can consider interim ownership until the State is ready to accept the dedication, and then carry out the dedication process ourselves.

We offered to help with the dedication process seven years ago, before the recession and before State budget problems became acute. We had letters of agreement from State Parks at that time. That the project applicant then or now hasn't carried out the condition is not the public's fault.

Toll Brothers bought this project with full knowledge of the Conditions of Approval. They say their intent is to conform to prior approvals but they're now asking for exemptions and changes in conditions.

Community support for this project, mitigations and environmental review were based on a number of factors including the State Park buffer, the dedication, and the environmental restoration. To not implement those protections and conditions would represent bad faith.

We respectfully ask that promises made to our organization and to the community be kept.

Thank you for your consideration of my comments.

Sincerely,



Seth Adams
Director of Land Programs



DEPARTMENT OF PARKS AND RECREATION
Diablo Vista District – Bay Sector
96 Mitchell Canyon Road
Clayton, CA 94517
925-673-2891

Ruth G. Coleman, Director

August 10, 2004

Jeremy Graves
Community Development Director
City of Clayton
600 Heritage Trail
Clayton, CA 94517

Dear Mr. Graves:

City of Clayton, Diablo Pointe Residential Subdivision
Public Review Draft Initial Study/Negative Declaration, SCH Number: To Be Assigned

We understand that Save Mount Diablo and Lemke Co. have reached agreement on a new map for the Diablo Pointe Residential Subdivision, removing the three lots along Mt. Diablo creek, and eliminating grading and formerly proposed drainage facilities in this area and along the property's eastern boundary. District Superintendent Brian Hickey has reviewed a map of the proposed change and he and I have both toured the site.

As a result, this letter supersedes the Department's earlier comments regarding a proposed dedication of the area along the creek and eastern boundary. The Department is now willing to accept this dedication area—although we would appreciate dedication of an endowment to support necessary maintenance, and understand that Save Mount Diablo is negotiating with the applicant to this end. When appropriate, we will forward a Gift Acceptance form to our Sacramento offices and aid in the transfer of the dedication area.

There are other conditions of approval still to work out, including fencing, and notice to potential homeowners of their responsibility to reduce fuel loads to limit fire danger, but we appreciate the progress made by the City, the applicant and Save Mount Diablo.

Sincerely,

Don Monahan
Diablo Vista District Superintendent