



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation & Development Director
Date: June 7, 2011

Subject: Downtown El Sobrante General Plan Amendment (County File: GP#02-0003)

RECOMMENDATION(S):

1. OPEN the public hearing; RECEIVE testimony on the proposed Downtown El Sobrante General Plan Amendment (County File: GP#02-003).
2. CLOSE the public hearing.
3. ACCEPT the recommendation of the County Zoning Administrator, as contained in Resolution No. 9-2010, that the Environmental Impact Report (SCH#2002102119) prepared for the Downtown El Sobrante General Plan Amendment is adequate and complete, was prepared in compliance with the California Environmental Quality Act (CEQA), and that it reflects the County's independent analysis and judgement.
4. ACCEPT the recommendation of the County Planning Commission on the proposed Downtown El Sobrante General Plan Amendment (County File: GP#02-0003), as contained in their Resolution No. 11-2011, which amends policies contained in the Land Use and Transportation-Circulation elements to the Contra Costa County General Plan (2005-2020) affecting the commercial core of the unincorporated community of El Sobrante.
5. FIND the Environmental Impact Report (SCH#2002102119) prepared for the proposed General Plan Amendment is adequate for the purposes of compliance with CEQA, and CERTIFY and ADOPT the Environmental Impact Report and the Mitigation Monitoring and Reporting Program

<input checked="" type="checkbox"/> APPROVE	<input type="checkbox"/> OTHER
<input checked="" type="checkbox"/> RECOMMENDATION OF CNTY ADMINISTRATOR	<input type="checkbox"/> RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/07/2011** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 7, 2011

Contact: Patrick Roche
(925) 335-1242

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc:

RECOMMENDATION(S): (CONT'D)

(MMRP) contained therein, and MAKE necessary CEQA 'Findings and Statement of Overriding Considerations,' as required under CEQA, for a significant and unavoidable impact resulting from the General Plan finding that the benefits to the proposed General Plan Amendment outweigh the unavoidable adverse environmental effects.

6. ADOPT the proposed Downtown El Sobrante General Plan Amendment (County File: GP#02-0003), as recommended under County Planning Commission Resolution No. 11-2011, as the Second Consolidated General Plan Amendment for calendar year 2011 to the Contra Costa County General Plan (2005-2020), as permitted by State planning law.
7. ADOPT Resolution No. 2011/233 as the basis for the Board's decision, including all necessary findings as contained therein.
8. DIRECT staff from the Department of Conservation & Development to post the Notice of Determination for this project with the County Clerk.

FISCAL IMPACT:

The total cost to the Department of Conservation & Development for preparation of the Downtown El Sobrante General Plan Amendment and supporting Environmental Impact Report, including staff time is \$102,352.00.

BACKGROUND:

The proposed Downtown El Sobrante General Plan Amendment is the outgrowth of many years of community-based efforts to revitalize El Sobrante's commercial core or downtown. It has roots dating back to the year 2001 when the El Sobrante Chamber of Commerce formed the 94803 Task Force. The 94803 Task Force was a 19-member group of residents and business owners, which using a Metropolitan Transportation Commission grant, along with County staff support, had consultant team prepare the "Downtown El Sobrante Transportation and Land Use Plan". The plan envisioned development of a new mixed use village center, combining retail, office, and residential uses and public plaza centered along a four-block area of San Pablo Dam Road between El Portal Drive and Appian Way (known as the commercial core of El Sobrante). The overall emphasis of the plan was to transform the commercial core or downtown of El Sobrante over time into a pedestrian-friendly, appealing business district that would attract visitors and residents to shop, dine, and conduct business in El Sobrante's commercial core or downtown. The 94803 Task Force presented the plan to the Board of Supervisors on January 15, 2002, at which time the Board accepted and approved the plan in concept.

Following the acceptance of the plan, the Board directed the County Redevelopment Agency to study the potential establishment of a Redevelopment Project for El Sobrante's commercial core and at the same time authorized a General Plan Amendment study to consider changes to land use and transportation policies to support a Redevelopment Project. The formation of a Redevelopment Project for El Sobrante's commercial core was controversial and no clear consensus could be established by the community. Due to a lack of clear consensus, the Redevelopment Agency ceased work on the

Redevelopment Project. However, the Department of Conservation & Development was asked to continue working with the community, namely the El Sobrante Municipal Advisory Council, on a comprehensive review of land use and transportation policies affecting El Sobrante's commercial core or downtown. The El Sobrante Municipal Advisory Council's review of General Plan policies culminated with an April 14, 2008 letter submitted to Supervisor John Gioia, District I, which recommended a General Plan Amendment to revise and update General Plan policies in the Land Use and Transportation-Circulation elements to the Contra Costa County General Plan (2005-2020).

As proposed by the El Sobrante Municipal Advisory Council, the General Plan Amendment represents the most comprehensive review and update of General Plan policies affecting the El Sobrante area in the last thirty years since the adoption in August 1980 of what was then entitled the "El Sobrante Area General Plan", which was eventually consolidated into the countywide General Plan adopted in January 1991. The proposal presents the current views and concerns of the El Sobrante Municipal Advisory Council, which represents a broad cross-section of El Sobrante residents, merchants, and property owners. It expresses their strong interest and desire to update the County General Plan's goals, objectives, and policies not only for the commercial core or downtown, but their interest in re-examining other policies that affect the entire El Sobrante area.

Downtown El Sobrante General Plan Amendment Overview

The proposed General Plan Amendment would revise the Land Use Element and Transportation-Circulation Element of the Contra Costa County General Plan (2005-2020) affecting the commercial core or downtown area of the unincorporated community of El Sobrante, California. More specifically it would:

1. Land Use Element

a) Amend the Land Use Element to establish and add three new Mixed Use land use designations to be applied to the El Sobrante commercial core (downtown) along Appian Way and San Pablo Dam Road, including M-11 (Appian Way General Mixed Use), M-12 (Triangle Area Mixed Use), and M-13 (San Pablo Dam Road Mixed Use) and amend the Land Use Element Map to apply these new mixed use designations on selected blocks along the south side of San Pablo Dam Road, from El Portal Drive to Appian Way, and on selected blocks along Appian Way from Valley View to San Pablo Dam Road, and

b) Amend the Land Use Element to revise and update policy language for the El Sobrante community in sections and figures under the heading "Policies for El Sobrante Area", "Policies for Appian Way Corridor Special Concern Area", and "Policies of the San Pablo Dam Road Commercial Special Concern Area"; and,

2. Transportation Element

Amend the Roadway Network Map (Figure 5-2), Transportation/Circulation Element to remove all references to a planned six-lane bypass couplet for San Pablo Road between El Portal Drive and Appian Way, to instead, retain the current 4-lane plus center left turn lane configuration and add a new collector roadway connecting Pitt Way to Hillcrest Road, and to remove all references to a planned four-lane roadway for Appian Way extending from San Pablo Dam Road to Valley View Road, to instead, retain the existing two-lane roadway configuration as the planned roadway.

Summary of County Planning Commission Public Hearing and Recommendation

The public hearing on the proposed Downtown El Sobrante General Plan Amendment (County File: GP#02-0003) was originally scheduled for the November 30, 2010 County Planning Commission meeting, but was rescheduled and formally opened at their January 11, 2011 meeting. Following public testimony, the hearing was continued to the County Planning Commission's February 22, 2011 meeting where the Commission accepted a supplemental staff report and additional public testimony. The Commission then closed the public hearing but continued the matter to the March 22, 2011 meeting to provide sufficient time for the Commission members to fully consider the staff reports, written comments, and public testimony submitted on the General Plan Amendment proposal. At the March 22, 2011 meeting the Commission adopted Resolution No. 11-2011 recommending to the Board of Supervisors approval of the General Plan Amendment. A copy of County Planning Commission Resolution No. 11-2011 is provided under Attachment 7 to this Board Order.

Enclosed with this Board Order under Attachments 3,4,5 and 6, are the complete set of staff reports submitted to the County Planning Commission in regard to the General Plan Amendment, including the primary report, dated November 30, 2010 (rescheduled to January 11, 2011), and the supplemental reports dated January 11, 2011, February 22, 2011, and March 22, 2011.

Determinations under the California Environmental Quality Act (CEQA)

The proposed General Plan Amendment is subject to the California Environmental Quality Act (CEQA). An Environmental Impact Report (EIR), entitled "Downtown El Sobrante General Plan Environmental Impact Report", was prepared for this project in accordance with the requirements of State and County CEQA Guidelines. The Notice of Preparation for an EIR was issued by the County on January 26, 2009, the State Clearinghouse assigned it SCH# 2002102119, the Draft EIR was prepared and circulated for review and comment for a 45-day period between November 4, 2009 and December 18, 2009. Following the close of comment on the Draft EIR, written comment responses to comments were prepared and on November 1, 2010 the County issued the Final EIR. Enclosed with this Board Order are copies of the Draft EIR and Final EIR along with Mitigation Monitoring and Reporting Program (MMRP), listed as Attachments 1 and 2 to

this Board Order, respectively. The Board is asked to find that the EIR for this project has been prepared in accordance with CEQA, and that it is adequate for purposes of compliance with CEQA. The Board is asked to certify the EIR, and adopt the MMRP contained therein, and make appropriate CEQA findings and Statement of Overriding Consideration in support of the EIR certification.

County Planning Commission Resolution No. 11-2011 and Zoning Administrator Resolution No. 9-2010, which each recommend EIR certification and adoption of the MMRP, are provided for the Board's consideration in making CEQA determinations for the General Plan Amendment. These resolutions are listed as Attachments 7 and 8, respectively.

Attachments:

- 1) Exhibit A- M-11 Mixed Use-Appian Way General, M-12 Mixed Use-Triangle Area, M-13 Mixed Use-San Pablo Dam Road
- 2) Exhibit B- Land Use Element Map
- 3) Exhibit C- Policies for the El Sobrante Area
- 4) Exhibit D- Appian Way Corridor Special Concern Area
- 5) Exhibit E- San Pablo Dam Rd. Commercial Special Concern Area
- 6) Exhibit F- Revisions to Roadway Network Plan
- 7) Attachment 1- Draft Environmental Impact Report
- 8) Attachment 2- Final Environmental Impact Report
- 9) Attachment 3- Staff Report and Recommendation to County Planning Commission, 11/30/2010
- 10) Attachment 4- Supplemental Staff Report, 1/11/2011
- 11) Attachment 5- Supplemental Staff Report, 2/22/2011
- 12) Attachment 6- Supplemental Staff Report, 3/22/2011
- 13) Attachment 7- County Planning Commission Resolution No. 11-2011
- 14) Attachment 8- County Zoning Administrator Resolution No. 9-2010

CONSEQUENCE OF NEGATIVE ACTION:

If the proposed Downtown El Sobrante General Plan Amendment (County File: GP#02-003) is not approved, then the land use and transportation policies affecting the commercial core of El Sobrante would not be revised and updated, and would remain as currently described or depicted in the Contra Costa County General Plan (2005-2020).

CHILDREN'S IMPACT STATEMENT:

None.

CLERK'S ADDENDUM

The following people spoke on this matter: Marilynne Mellander, resident of El Sobrante (handout provided-attached); Barbara A. Pendergrass, El Sobrante Municipal Advisory Council. Ms. Heather Gass who did not speak but left written comments for consideration (attached). The Board of Supervisors: CLOSED the hearing; and ADOPTED recommendations as presented today.

ATTACHMENTS

Resolution No. 2011/233

Exhibit A to Board Resolution No. 2011/233

Exhibit B to Board Resolution No. 2011/233

Exhibit C to Board Resolution No. 2011/233

Exhibit D to Board Resolution No. 2011/233

Exhibit E to Board Resolution No. 2011/233

Exhibit F to Board Resolution No. 2011/233

Exhibit G to Board Resolution No. 2011/233

Attachment 1: Draft Environmental Impact Report (SCH#2002102119)

Attachment 2: Final Environmental Impact Report (SCH#202102119)

Attachment 3: Staff Report and Recommendation to County Planning Commission, 11/30/2010

Attachment 4: Supplemental Staff Report, 1/11/2011

Attachment 5: Supplemental Staff Report, 2/22/2011

Attachment 6: Supplemental Staff Report, 3/22/2011

Attachment 7: County Planning Commission Resolution No. 11-2011

Attachment 8: County Zoning Administrator Resolution No. 9-2010