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**Via Email and Hand Delivery**

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Supervisors

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**Via Email**

Jennifer Cruz, Senior Planner, [Jennifer.Cruz@dcd.cccounty.us](mailto:Jennifer.Cruz@dcd.cccounty.us)

**Re: Appeal of the May 27, 2020 decision of the Contra Costa County  
Planning Commission on the Del Hombre Apartment Project  
(Agenda Items #2-5)**

Dear Chair Andersen, Honorable Members of the Board of Supervisors:

On behalf of the **Contra Costa Residents for Responsible Development** ("Residents"), we submit this appeal of the Contra Costa County Planning Commission's ("Planning Commission") May 27, 2020 decision to approve a Minor Subdivision and to recommend certification of the EIR and adopt CEQA findings and Conditions of Approval for the Del Hombre Apartment project ("Project"), a proposed development of a 2.4-acre site as a 284-unit apartment building. The Project is located at 112 Roble Road, approximately 0.12 miles from the Pleasant Hill BART station.

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APPLICATION & PERMIT CENTER

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Residents is an unincorporated association of individuals and labor organizations, including member and Pleasant Hill resident Gerald Phillips, that may be adversely affected by the potential environmental impacts of the Project. Individual members of Contra Costa Residents and the affiliated labor organizations live, work, recreate and raise their families in Contra Costa County. These members would be directly affected by the Project's environmental and health and safety impacts. Members of Contra Costa Residents may also work on the Project itself. Accordingly, these individuals will be first in line to be exposed to any health and safety hazards created by the Project.

This letter serves as Notice of Appeal under Contra Costa County Code 26-2.2406. In accordance with County requirements, this appeal is accompanied by an appeal filing fee of \$\_\_. This appeal is based on each of the reasons set forth herein and in the attached and referenced exhibits.

We reserve the right to supplement our grounds for appeal prior to the hearing of the County's Board of Supervisors.<sup>1</sup>

## **I. Decision being appealed and Board of Supervisors action sought**

Residents hereby appeals all final actions taken by the Planning Commission on May 27, 2020 with regard to the Project, including the Commission's decision to approve a Minor Subdivision and to certify the EIR, adopted CEQA findings, and Conditions of Approval for the Del Hombre Apartment project, and the decision to recommend approval for all other related Project entitlements.

Citizens respectfully requests that the Board of Supervisors uphold this appeal, vacate the Commission's May 27, 2020 decision to approve the Project, and require the County to reject certification of the Project's EIR and prepare revised EIR to account for and mitigate the potentially significant impacts of the Project outlined in our comments..

## **II. Reasons for appeal**

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<sup>1</sup> Gov. Code § 65009(b); PRC § 21177(a); *Bakersfield Citizens for Local Control v. Bakersfield ("Bakersfield")* (2004) 124 Cal. App. 4th 1184, 1199-1203; see *Galante Vineyards v. Monterey Water Dist.* (1997) 60 Cal. App. 4th 1109, 1121.  
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The reasons for this appeal are set forth in the attached comments and exhibits, including Resident's prior comment letters and exhibits to the County.

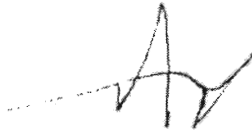
The Board must uphold this appeal and reject the EIR certification and other approvals for the Project. As discussed in the comments attached hereto and as will be further presented to the Board, the Project may result in significant air quality, greenhouse gas, and traffic impacts to Contra Costa County.

The County failed to analyze key elements of the Project that would have indicated the potential for significant environmental impacts, and as a result, the Planning Commission lacked substantial evidence on which to make the legally relevant findings to approve the Project.

### **III. Conclusion**

Residents respectfully requests that the County set a hearing on this appeal, and that the Board of Supervisors uphold this appeal and reject and vacate the Planning Commission's approval of the Project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Aaron M. Messing', with a stylized flourish at the end.

Aaron M. Messing  
Associate

Attachments

AMM:acp

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