

From: [Jim McCarty](#)
To: [Planning Commission Meetings](#)
Subject: PUBLIC COMMENTS – AGENDA ITEM #PC21-024
Date: Tuesday, August 24, 2021 6:31:31 PM

Dear Planning Commissioners:

Thank you for taking my comments on this resolution. My name is Jim McCarty and I am a San Pablo resident and homeowner. I would first like to make a suggestion for a minor revision to the resolution.

On page 4, Paragraph B, the text in italics I would like to suggest the addition of the Alvarado Adobe Museum to the list of amenities in close proximity to the proposed project so that the paragraph would read as follows:

*The proposed project would be responsive to these policies by developing 20 new town-house style single-family homes, plus 8 new JADUs for sale on a site that will be well -integrated into its surroundings, and in close proximity to amenities, such as transit, the San Pablo Library, the Wildcat Creek trail, health services, senior center, **Alvarado Adobe Museum**, and a variety of commercial uses.*

I would also like to suggest that the Planning Commission carefully consider the potential impacts from allowing a waiver from the SP-2 Mixed use requirement for a 30-foot setback from the top of creek bank of the adjoining Wildcat creek. Wildcat Creek is designated by the San Francisco Bay Regional Water Quality Control Board as an impaired water body under the Clean Water Act Section 303(d). Impaired waters are those that do not meet water quality standards, even after pollution control technology for point sources of pollution have been implemented. In addition, Block E is located within the Federal emergency Management Authority's 100-year flood plain.

The documents provided indicate that City staff has found that the waiver of the setback requirement will not have any new environmental impact beyond what was evaluated in the San Pablo General Plan EIR, the San Pablo Avenue Specific Plan EIR, or the Regulating Plan for "The Avenue" Mitigated Negative Declaration. No detail of analysis have been provided on how this conclusion was reached. Note that the previously referenced documents used the required 30-foot setback to reach the conclusion that potential environmental impacts were less the significant with mitigation. For instance, the San Pablo Avenue Specific Plan EIR states the following:

Implementation of the San Pablo Avenue Specific Plan could result in the filling of wetlands and other waters.

Proposed San Pablo Avenue Specific Plan Policies that Reduce the Impact

5-I-4 Design creek-side open space improvements to prevent flooding within the public right-of-way and near open space amenities.

5-I-5 Require all new private development located along above-ground creeks to prevent flooding with ample setbacks.

Significance after Mitigation – Less Than Significant

It is my opinion that more details are needed to determine whether the City staff's determination that the waiver of setback would not result in significant environmental impacts.

Sincerely,
James McCarty
City of San Pablo Resident and Homeowner