

June 6, 2013

Town of Danville City Council
510 La Gonda Way
Danville, CA 94526

RE: SummerHill/Magee Ranches Project EIR Traffic Impact Analysis

Dear Mayor Arnerich and Council Members,

This letter supplements comments that I provided to the Danville Planning Commission in a May 13, 2013 memorandum (attached) and at the May 14th public hearing for the project. Comments in this letter:

- Reaffirm the prior comment regarding the reasonableness of, and process used to establish, the third significance criteria used in the Traffic Impact Analysis (TIA). The process used to establish that criterion was not consistent with the requirements of CEQA and this issue therefore goes beyond that of a simple disagreement among experts over technical details.
- Highlight the lack of opportunity for public review and missing analysis of secondary impacts for improvements to the Diablo road/Green Valley Road intersection being made as a condition of approval. There are several potential issues with the CEQA process raised by this action.
- Add to body of comments regarding the lack of consideration for bicycles in the DEIR/FEIR. The environmental document contained no analysis of bicycle impacts, but rather just described existing facilities and notes the proposed easement for an unfunded multi-use path. The project adds a significant amount of traffic to a dangerous road, frequented by bicycles, without any analysis.

TIA Significance Criteria

The third significance criteria used in the TIA states that the project would not result in a significant adverse effect on the environment unless it would cause an increase in the volume-to-capacity ratio (V/C) of 5% or more at a signalized intersection which is projected to operate at level-of-service "E" or worse (before the addition of project-related traffic). This criteria is irrational, arbitrary, and capricious. The process utilized in establishing that threshold was flawed, and application of that threshold in lieu of the more conservative standards employed by neighboring jurisdictions effects the findings of the study.

CEQA guidelines require that determinations of significance be based to the extent possible on scientific and factual data. The 5% V/C threshold was based on an analysis of what would be a perceptible change in existing traffic congestion. The project's TIA argues that because daily variations in traffic volume are on the order of 5%, anything less than 5% would be imperceptible and therefore less-than-significant. This basis for the third significance criteria is neither scientific nor factual as required by CEQA. The TIA erroneously tries to link the concepts of significance, with the perceptibility of a project's contribution to cumulative changes in traffic. The TIA also confuses predictability with perceptibility. The fact that traffic varies does not mean that the variation is imperceptible, and public comments indicate that there are significant day-to-day differences in congestion at the Diablo Road/Green Valley Road intersection.

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The bullets below provide a sample of how other communities have tried to address cumulative traffic impacts at intersections that operate deficiently prior to the addition of project traffic. Generally these approaches are either based on the incremental change in average vehicle delay, a threshold for the number of project related trips added to the intersection, or a much smaller change in V/C ratio than what the projects TIA used as a criteria. What is important is that all of these approaches are more conservative than what has been applied on the SummerHill/Magee Ranches Project TIA, and all of these approaches are published and have had at least some opportunity for stakeholder comment.

- Menlo Park uses a threshold of an increase of 0.8 seconds of average vehicle delay at intersections operating at level-of-service "E" or worse.
- The City of Los Angeles uses a sliding threshold based on V/C depending on intersection level-of-service, ranging from 4% at level-of-service "C" to 1% at level-of-service "E" or worse.
- Santa Barbara County uses a sliding scale for significance based on V/C and project trips. An intersection operating at level-of-service "F" that receives as few as 5 project trips would be considered to have a significant project impact.
- The City of Stockton uses an increased delay of 5 seconds or more as a significance threshold at intersections operating at level-of-service "E" or "F".
- The City of Redding uses an increased delay of 5 seconds or more as a significance threshold at intersections operating at an unacceptable level-of-service.
- Fresno County uses an increased delay of 5.0 seconds as a significance threshold at a signalized intersections operating at an unacceptable level-of-service.

Save Our Creek and SOS-Danville will augment this list in a separate letter.

The State Office of Planning and Research recommends that CEQA thresholds be adopted by resolution or ordinance whenever possible, in part to ensure adequate opportunity for public comment, and so that the thresholds carry the full authority of the city. As part of the public process, stakeholder input and published thresholds from other jurisdictions are to be considered. Unpublished significance criteria, such as the 5% V/C criteria used in this study, should likewise take into account public comment and published thresholds or criteria from other jurisdictions.

The SummerHill/Magee Ranch Project TIA did not follow established processes to establish the 5% V/C threshold, and would have identified additional significant project impacts if any of the criteria listed above had been applied.

Diablo Road/Green Valley Road Improvements

Improvements to the Diablo Road/Green Valley Road intersection were added as a recommended condition of approval for the project, and have been touted as insurance that the project will not have significant traffic impacts. Analysis of these improvements was conducted outside of the CEQA process, and there has been no opportunity for the public to review and understand claimed benefits. A chief concern is if that the claimed benefit would be negated by queue spillback from the bottleneck at Blemer Road/Green Valley Road. Video representation of traffic micro-simulation modeling shown at

the May 14th public hearing appeared to show the northbound traffic on Green Valley Road as unrestricted and able to absorb an unlimited number of right turns from Diablo Road, which would be representative of traffic operations at this location.

Because these improvements were not considered in the CEQA analysis, there are numerous concerns about the process, the lack of opportunity for stakeholder review and comment, and the potential for secondary impacts.

Bicycles

The TIA did not address the effect of bicycles on traffic operations or bicycle safety at the study intersections. The only analysis given to bicycles in the TIA was documentation of the existing facilities and recognition that the project would provide an easement for an unfunded future multi-use path along a portion of the Diablo Road (page 53 of the TIA). Traffic counts collected for this study did not count cyclists or pedestrians.

Scoping received during the environmental scoping process clearly indicated a need to focus on cyclists. Mt. Diablo attracts over 50,000 cyclists per year, many of which utilize Diablo Road. There are class II bike lanes through several of the TIA study intersections, and a short class I bike path adjacent to a portion of Diablo Road.

There is no consideration in the TIA for how the addition of roughly 1000 daily vehicle trips accessing the SummerHill/Magee Ranches project would impact the safety of cyclists on Diablo Road. Diablo Road consists of two 12' travel lanes with no shoulders, and no bike path east of Calle Arroyo. A photograph of this section of Diablo Road is enclosed to emphasize the narrow winding nature of the road, lack of shoulders, and infringing vegetation that further reduces the effective roadway width.

The TIA done for the environmental document did not account for cyclists, no analysis of impacts was made. The additional project related traffic will affect the safety of cyclists on Diablo Road, but there is no way for Danville to know if that impact is significant unless you request that analysis prior to certifying the project's FEIR.

Danville should take a step back to analyze project impacts on cyclists, and address the CEQA procedural issues that have been raised.

Sincerely,



Tom Kear, PhD, PE,
Traffic Engineer for Save Our Creek and SOS Danville.

Attachments:

May 13, 2013 memorandum, and
Photograph of constrained road width on Diablo Road.

Memorandum

TO: David Crompton, Principal Planner, and Danville Planning Commission
FROM: Tom Kear
DATE: May 13, 2013
RE: Transportation Impact Analysis for the Magee Ranch Residential Development.

I have been retained by Save Our Creek and Save Open Space –Danville to follow up on DEIR comments related to transportation. This memorandum documents my comments, and provides supporting background material as attachments. I will be providing a summary of these comments at the Magee Ranch public hearing on May 14, 2013.

I have 20 years of experience working with transportation planning, traffic impacts, and the California Environmental Quality Act (CEQA). A 1-page resume to provide background on my qualifications is attached for reference (Attachment 1).

My comments address: (1) application of the Contra Costa Transportation Authority (CCTA) model, (2) unidentified project impacts on arterial level-of-service, and (3) CEQA significance thresholds applicable to deficient intersections.

There are two important implications to these comments: 1) Danville's decision makers, and the public, will not have accurate information on the project's significant traffic impacts, and 2) Danville will lose the opportunity to collect developer contributions to mitigate traffic impacts through needed improvements if the issues discussed below are not addressed.

Application of the CCTA model

The cumulative traffic forecasts used in the transportation impact analysis (TIA) for the project rely on use of an average growth factor and are not sufficiently detailed to reliably identify significant cumulative impacts. Danville's summary of the DEIR comments and the FEIR response to comments related to future traffic forecasts are listed below, followed by details clarifying the issue, with an emphasis on the intersection of Diablo Road with Green Valley Road.

DEIR comments and FEIR response

DEIR Comments: A number of comments expressed concern that the traffic impact analysis (TIA) for the EIR contained faulty assumptions and methodologies. Comments were also raised regarding the validity of the traffic counts and use of the 2% future growth projection.

FEIR Response: The FEIR response indicates that Danville and CCTA guidelines were followed and includes two paragraphs explaining that the CCTA model was used to develop a 2% annual growth factor

that was then applied to the 2010 traffic counts to estimate 2030 cumulative volumes at the study intersections. Project traffic was then added to the cumulative no-project traffic volume forecasts.

Concerns with the 2% growth rate.

There are two issues with the use of an annual 2% growth factor to estimate all future traffic volumes:

(1) The CCTA model does not predict a uniform 2% growth rate across the area studied by the TIA. Evidence of this variation is seen in the traffic analysis contained in the EIR for the Danville 2030 General Plan, adopted March 31, 2013. Appendix E of the DEIR details the traffic analysis for the general plan update and includes existing (2010) and future (2035) traffic volumes for 37 roadway segments throughout Danville, including:

- Diablo Road, west of Fairway Drive, where the general plan analysis shows 1.0 growth rate in daily traffic. This lower growth rate results in cumulative growth of 22% from 2010 - 2030, much lower than the cumulative growth of 49% that would result from applying the project TIA's assumption of a 2% annual growth rate for traffic.
- Green Valley Road, north of Diablo Road, where the general plan analysis shows 2.7 growth rate in daily traffic. This higher growth rate results in cumulative growth of 70% from 2010 - 2030, much higher than the cumulative growth of 49% that would result from applying the project TIA's assumption of a 2% annual growth rate for traffic.

Incorporating the results from the travel demand model rather than application of a generalized 2% growth rate would dramatically alter the inputs to the TIA level-of-service analysis. The results from the project's existing TIA cannot reliably be used to identify significant project impacts, or to estimate the project's fair share contribution to mitigation for significant cumulative impacts. Link level data from the Danville 2030 general plan is provided in Attachment 2 to support the concern described above.

(2) The guidelines for the use of the CCTA model in traffic impact analysis advocates using the model output for traffic studies, not a generalized growth factor. I spoke with the consultants that prepared the last CCTA model update (Dowling Associates, now owned by Kittelson and Associates) regarding the use of growth factors. Their feeling was that while a generalized growth factor might be a reasonable approach in central Danville, the use of a growth factor approach on the eastern side of Danville would be inaccurate, compared to using more detailed model data, because of the potential for cut through traffic¹.

Unidentified project impacts on arterial level-of-service

Diablo Road, east of Green Valley Road, will, and might already, operate deficiently (i.e., at level-of-service "E" or "F"). A summary of the DEIR comments and the FEIR response to comments related to arterial level-of-service are listed below, followed by details clarifying the issue, with an emphasis on Diablo Road, east of Green Valley Road.

¹ Personal communication with Mike Aronson, Principal, Kittelson and Associates, on May 6, 2013.

DEIR comments and FEIR response

DEIR Comments: Sustainable Systems Research commented that no analysis of arterial capacity was conducted and that normally one would expect to see arterial capacity addressed, or a justification for its omission.

FEIR Response: The FEIR response argues that intersection level-of-service analysis adequately identifies project impacts. “Regarding the comments from Exhibit A (Summer Hill Development DEIR Review, Sustainable Systems Research, January 2013), pages 2-7, that question the assumptions in the TIA – the primary impediments to traffic flow within arterial corridors are stop signs and traffic signals. The analysis in the DEIR focuses on intersections because they represent the constraint points for through traffic flow within the corridor. A typical arterial analysis makes broad assumptions for delays caused by traffic signals and stop signs. The analysis of intersections in the DEIR provides a higher degree of precision than does a segment level arterial analysis.”

Concerns with omitting consideration of segment level-of-service

Arterial level of service addresses traffic operations over a segment of the roadway spanning multiple intersections. Because intersection level-of-service is *typically* one to two letter grades worse than arterial level-of-service, it is fairly common to ignore it in traffic studies unless there is reason to suspect an issue.

In this case, there is evidence of an existing problem beyond just intersection effects, and that the project would have a significant impact worsening that problem.

- There is substantial evidence that Diablo Road, east of Green Valley Road, already operates deficiently, and that operations are anticipated to deteriorate further with or without the project:
 - At least three written comments on the Notice of Preparation reported travel times of 20-40 minutes to travel about 2 miles along Diablo Road, indicating average speeds at or below 7 mph. The specific written comments are shown in Attachment 3 to this memorandum.
 - The 2000 highway Capacity Manual (HCM 2000)² defines arterial level of service based on average travel speed: “Travel speed is the basic service measure for urban streets. The average travel speed is computed from the running times on the urban street and the control delay of through movements at signalized intersections.” Speeds at or below 7 mph correspond to LOS F regardless of how the arterial is classified. Figure 1 documents the relationship between average travel speed and arterial level-of-service.
 - Many regions look at daily volume to capacity (V/C) ratios as a surrogate measure for arterial level-of-service because travel time surveys are expensive. The Danville 2030 general plan identifies Diablo Road, east of Green Valley Road as a minor arterial with a daily capacity of 10,000 to 15,000 vehicles. The DEIR for the general plan indicates that this segment of Diablo Road already carries more than 13,000 vehicles and will carry 16,920

² Transportation Research Board Highway Capacity Manual 2000, 2000, Washington D.C., National Research Council.

vehicles by 2035. Using this measure, Diablo Road is likely already over capacity and certainly will be overcapacity in the future. This means that the roadway segment level of service can be expected to become unacceptable (if it is not already so) independent of intersection delay factors.

EXHIBIT 15-2. URBAN STREET LOS BY CLASS

Urban Street Class	I	II	III	IV
Range of free-flow speeds (FFS)	55 to 45 mi/h	45 to 35 mi/h	35 to 30 mi/h	35 to 25 mi/h
Typical FFS	50 mi/h	40 mi/h	35 mi/h	30 mi/h
LOS	Average Travel Speed (mi/h)			
A	> 42	> 35	> 30	> 25
B	> 34-42	> 28-35	> 24-30	> 19-25
C	> 27-34	> 22-28	> 18-24	> 13-19
D	> 21-27	> 17-22	> 14-18	> 9-13
E	> 16-21	> 13-17	> 10-14	> 7-9
F	≤ 16	≤ 13	≤ 10	≤ 7

Figure 1 Arterial level-of-service criteria (source HCM 2000).

- The project’s contribution to traffic on Diablo Road, east of Green Valley Road, constitutes a significant impact.
 - There are 949 daily project trips with 75 of the 78 homes being accessed via Diablo Road
 - The capacity of Diablo Road, east of Green Valley Road is 10,000 to 15,000 vehicles based on the Danville 2030 General Plan.
 - The project will therefore increase the V/C ratio on Diablo Road by at least 6%. The DEIR has used a significance threshold of a 5% increase in V/C as the threshold for significance at deficient intersections. . (See below for additional comments on this threshold.)

One application of segment level-of-service is to identify situations where unacceptable delay is missed because it is broken up over several adjacent intersections that meter traffic, or concentrated at specific intersection approaches and then missed when average delay is reported across all of the intersection approaches. Both of these situations may be present along Diablo Road, east of Green Valley Road.

The FEIR response that just looking at the intersection level-of-service is adequate is inaccurate, and results in unidentified significant impacts on segment level-of-service and a lost opportunity for Danville to make sure that the project contributes an appropriate share of the cost to mitigate all of its impacts.

CEQA significance thresholds applicable to deficient intersections

Note that I am not an attorney, so these comments are general in nature. Danville may wish to consult with its legal counsel on the legal implications of this issue.

CEQA requires that thresholds used to determine whether an environmental impact is significant be based on either scientific fact (typically used for toxins, for example) or based on policies (typically used

for traffic, for example) adopted by an elected body (such as the City Council). In Danville, the City Council's adopted General Plan states that level-of-service "D" is the standard for Danville roadways. Transportation impacts are significant when that level of service is exceeded. There is no guidance in the Danville General Plan, however, for evaluating the significance of traffic impacts from a project at locations where the level-of-service "D" threshold is exceeded prior to the addition of project traffic.

In practice it is challenging to analyze project impacts where there are preexisting problems with traffic operations; minor changes in assumptions can significantly change average intersection delay. Many agencies publish TIA guidance that specifies how to define project impacts under these circumstances. The project TIA uses a significance threshold of a 5% change in V/C to identify significant project related impacts at deficient intersections. This is an area where The Planning Commission and the City Council need to engage the community and adopt guidance after their constituents and other stakeholders have had an opportunity for input. As it is, the 5% threshold of significance used in the Project TIA is based neither on adopted public policy nor on objective evidence identifying why a 5% v/c increase is an appropriate measure of a significant impact on an already impacted intersection or roadway segment.

The bullets below provide a sample of how other communities have tried to address this issue. What is important is that all of these approaches are more conservative than what has been applied on this project, and all of these approaches are published and have had at least some opportunity for stakeholder comment.

- Menlo Park uses a threshold of an increase of 0.8 seconds of average vehicle delay at intersections operating at level-of-service "E" or worse.
- The City of Los Angeles uses a sliding threshold based on V/C depending on intersection level-of-service, ranging from 4% at level-of-service "C" to 1% at level-of-service "E" or worse.
- Santa Barbara County uses a sliding scale for significance based on V/C and project trips. An intersection operating at level-of-service "F" that receives as few as 5 project trips would be considered to have a significant project impact.
- The City of Stockton uses an increased delay of 5 seconds or more as a significance threshold at intersections operating at level-of-service "E" or "F".
- The City of Redding uses an increased delay of 5 seconds or more as a significance threshold at intersections operating at an unacceptable level-of-service.
- Fresno County uses an increased delay of 5.0 seconds as a significance threshold at a signalized intersections operating at an unacceptable level-of-service.

It is worth noting that thresholds of significance, while they should be based on objective evidence, may also be adjusted on public policy grounds. For example, some already-congested urban areas, such as San Francisco, have made a conscious decision to allow more congestion in order to encourage drivers to use the highly available public transit instead, and these adjustments to the significance thresholds are made to accommodate related general plan policies promoting infill. One presumes, however, that such a rationale would not apply to the more rural areas of Danville.

Under cumulative conditions, the intersection of Diablo Road with Green Valley Road operates at LOS F, and the Magee Ranch project increases delay at that intersection by approximately 7 seconds, increases

the critical V/C by just under 3%, and the project adds about 100 trips through the intersection. Potentially significant impacts will have been overlooked and Danville will lose the opportunity to collect developer contributions for needed improvements because the 5% change in V/C threshold used is much more liberal than what many other communities use.

Attachment 1: Resume

Thomas Kear, Ph.D., P.E.

BIO

Dr. Kear has 20 years of experience in transportation planning, traffic operations, and environmental analysis. He has prepared studies for NEPA and CEQA since 1991 and has provided on environmental analysis of transportation projects for Caltrans, FHWA, and the UC Davis Extension.

He has experience with TP+/Cube, VISUM, and TransCAD traffic demand modeling packages and Traffix, Synchro/SimTraffic, VISSIM, CORSIM, and HCS traffic operations and simulation software. He has worked extensively with the methods and protocols contained in the MUTCD, HDM, 2000 HCM, and 2010 HCM.

Dr. Kear has led numerous traffic impact studies for all types and sizes of projects, strategic plans, and impact fees. A sample of highly visible traffic studies that he has managed includes:

East Bay Bus Rapid Transit

Dr. Kear lead the traffic impact study for the proposed 17 mile AC Transit BRT running from San Leandro BART to Berkeley, through Oakland. The project proposed to convert a four-lane arterial into a two lane arterial with dedicated bus lanes along most of the route. The analysis incorporated 130 study intersections, local and regional redistribution of traffic, and mitigations that balance the needs of Caltrans, city planners, and AC Transit.

Sacramento Railyards EIR Traffic Study

Dr. Kear managed transportation demand modeling for the Railyards redevelopment project DEIR/FEIR in Sacramento. The Railyards is the largest infill development project in the United States and includes phased development of 10,000 dwelling units, 1,200 hotel rooms, 3.9 million square feet of office space, 400 K square feet of historic/cultural uses, a 20,000 seat sports arena, light rail stations, and the new Sacramento Intermodal Transportation Facility (SITF).

Stockton Peer Review

Dr. Kear lead the city peer review of DEIR/FEIR traffic sections for the Mariposa Lakes, Tidewater and Sanctuary planned unit developments totaling 20,000 dwelling units and 20 million square feet of non-residential land use. Peer review resulted in project changes to improve traffic circulation and increased the development's fair share cost percentage for regional mitigation.

Education

Ph.D., Civil and Environmental Engineering, University of California at Davis, 2005

M.S., Civil and Environmental Engineering, University of California at Davis, 1993

B.S., Environmental Resource Engineering, Humboldt State University, 1991

Areas of Expertise

Environmental Analysis
NEPA/CEQA

Travel Demand Forecasting

Traffic Operations

Transportation Air-Quality
Policy

Attachment 2: Danville 2030 General Plan daily traffic volumes

Roadway	Segment	2010 volume	2035 volume	Calculated Annual growth rate
Camino Tassajara	East of Crow Canyon Road	22,070	28,540	1.0%
Camino Tassajara	West of Crow Canyon Road	23,620	36,570	1.8%
Camino Tassajara	West of Glasgow Drive	25,300	37,440	1.6%
Camino Tassajara	West of Hansen Lane	20,210	27,040	1.2%
Crow Canyon Rd	South of Camino Tassajara	24,590	40,690	2.0%
San Ramon Valley Blvd	North of Boone Court	22,330	38,780	2.2%
San Ramon Valley Blvd	South of Greenbrook Drive	11,780	20,250	2.2%
San Ramon Valley Blvd	South of Sycamore Valley Road	17,730	21,990	0.9%
Sycamore Valley Road	East of Brookside Drive	28,060	35,120	0.9%
Sycamore Valley Road	West of I-680 SB Ramps	26,750	35,860	1.2%
Blackhawk Road	North of Camino Tassajara	17,780	18,720	0.2%
Blackhawk Road	Still Creek/Magee Ranch	9,430	14,890	1.8%
Camino Ramon	South of Sycamore Valley Road	12,680	14,440	0.5%
Danville Blvd	North of La Gonda Way	12,660	20,640	2.0%
Danville Blvd	South of Hartford	12,400	21,320	2.2%
Diablo Road	East of Matadera Drive	18,320	22,300	0.8%
Diablo Road	East of West El Pintado	21,850	23,310	0.3%
Diablo Road	West of Alamos Drive West	19,410	20,470	0.2%
Diablo Road	West of Fairway Drive	13,070	16,920	1.0%
Diablo Road	South of El Cerro Boulevard	12,530	20,080	1.9%
El Cerro Blvd	East of Constitution Drive	10,420	13,140	0.9%
El Cerro Blvd	West of I-680 SB Ramps	14,740	19,290	1.1%
Green Valley Road	North of Diablo Road	12,540	24,350	2.7%
Hartz Ave	North of Church Street	9,230	20,050	3.2%
Railroad Ave	North of Church Street	9,590	14,610	1.7%
Stone Valley Road	West of Green Valley Road	9,000	19,730	3.2%
Camino Ramon	South of Greenbrook Drive	7,710	11,140	1.5%
Camino Tassajara	East of Lomas Drive	7,700	13,580	2.3%
El Capitan Drive	South of Silver Lake Drive	9,000	11,680	1.0%
Greenbrook Drive	South of Sycamore Valley Road	4,790	7,750	1.9%
La Gonda Way	South of El Cerro Boulevard	4,270	9,780	3.4%
Center Way	East of Crow Canyon Road	4,510	4,340	-0.2%
El Capitan Drive	East of Camino Ramon	4,240	4,680	0.4%
La Gonda Way	South of El Pintado Road	2,900	11,860	5.8%
El Pintado Road	North of El Cerro Boulevard	1,760	2,300	1.1%
Paraiso Drive	East of Camino Ramon	1,730	1,780	0.1%
Tassajara Ranch Drive	South of Mountain Ridge Drive	2,080	2,500	0.74%

Source: Danville 2030 General Plan, DEIR, Appendix E, Table 4.14-5.

(<http://www.danvillegeneralplan.com/common/docs/DraftEIR/Appendix%20E%20Traffic.pdf>)

Attachment 3: Prior Comments documenting average speeds below 7 mph on Diablo Road

David Crompton

From: Birnbaum, Jeff @ Pleasanton [Jeff.Birnbaum@cbre.com]
nt: December 08, 2010 3:03 PM
o: David Crompton
Subject: New Magee Proposed Development

David: I'm a resident of Magee Ranch, located on Leaffield Road. No question about it, without widening the Diablo Road corridor, additional housing stock should not be built. It is wildly insane, that on any given weekday, from the corner of Magee Ranch Road and Blackhawk Road, to get passed Green Valley school, takes a minimum of 15-20 minutes to travel less than 2 miles on narrow curvy road with very little in the way of sidewalks, etc.

Adding additional vehicles to this well traveled corridor would be negligent on the City's part.

Best - Jeff

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David Crompton

From: javier chapa [javandmarn@sbcglobal.net]
Sent: November 23, 2010 1:18 PM
To: David Crompton
Subject: SummerHill Homes

Dear Mr. Crompton,

I am writing in regards to the SummerHill Homes development. I have, as many in my neighborhood and Danville do, great concerns. This project is not good for our town. I urge you to please reconsider moving forward.

Traffic is a major issue on Diablo Road, McCauley Road, and Green Valley Road, especially during times when parents are dropping off or picking up their children at Green Valley School and the other schools in the area or during school functions and regular commuting hours. I am in the Hidden Valley development off of McCauley Road and traffic is a great problem here. I leave for work in the morning as Green Valley parents are dropping off their children. Children walk and ride their bikes to school, poor and hurried drivers cut others off, and traffic can get congested. Parents park their cars along the side of McCauley past the red zone. It can create blind spots and on many occasions I have had these parents pull out in front of me. I have also seen children step off the sidewalk and children on their bikes roll off the curb unaware of oncoming cars. Just last month, I came very close to hitting a child on his bike who did not see me and rolled off the curb in front of me. We don't need any more traffic on McCauley. Because people in Hidden Valley are going to work and parents are dropping off their children in the morning McCauley can get very congested as well as Green Valley Road and Diablo Road. I've been on Diablo Road where I was backed up a couple of miles from Green Valley School and it took me 35 minutes just to get to the light. My mother had to take my father to John Muir emergency room coming from near Blackhawk one morning during school drop off time. It took her 40 minutes from Still Creek Road to get to the light. How long would it have taken an ambulance? I've been in directly front of Green Valley School coming home and it took me 20 minutes to get to the light. I leave for work in the morning as Green Valley parents are dropping off their children. The light may change several times before I can get through it. We don't need additional traffic making it even worse. Traffic is a big problem already. It is not safe as it stands and adding additional traffic with the addition of a new development will only make it worse. This makes already unsafe areas even more dangerous.

Next, our schools are already impacted. As a teacher in the area I can tell you that we cannot take the weight of the many children this new development will bring here. I know families who are on the waiting list for one school and families who have to take one child to one school and their other child to another. This development will no doubt make this problem worse.

I've been in Danville for 23 years. What attracted me to Danville was that I felt safe here and it is beautiful. I used to love driving down Camino Tassajara as well as Dougherty road observing the rolling hills. That's almost all gone now. We don't have many areas like that now. This area is one of the last areas where we can see country and the vast wildlife that lives there. There are turkeys, rabbits, deer, quail, owls, and coyotes. This development threatens that wildlife and takes the yet another area with natural beauty from Danville. It is becoming a less desirable place to live. In Sections 32-69 in the Danville Municipal Code's zoning regulations clearly state that open space and scenic hillsides will be preserved. I ask then why are they not being reserved?

Danville residents do not want this. I ask that you please consider our town and its safety and stop this development.

Sincerely,

Marnie Chapa

David Crompton

From: Planning
Sent: November 17, 2010 1:27 PM
To: David Crompton
Subject: FW: Magee Ranch Comment

Sincerely,

David Casteel
Planning Division – Code Enforcement Officer
(925) 314-3335
dcasteel@danville.ca.gov

Town of Danville
510 La Gonda Way
Danville, CA 94526

From: tina.olmsted@gmail.com [<mailto:tina.olmsted@gmail.com>]
Sent: Tuesday, November 16, 2010 9:19 PM
To: Planning
Subject: Magee Ranch Comment

Data from form "Comments for the Public Record" was received on 11/16/2010 9:19:09 PM.

Magee Ranch - Comments for the Public Record

Field	Value
FirstName	Christina
LastName	Olmsted
Address	18 Black Oak Court
City	Danville
State	CA
Zip	94506
Organization	
Title	
Email	tina.olmsted@gmail.com
Phone	
Fax	
Concerns Comments	I am extremely concerned about the proposed development. Traffic on Blackhawk road is very congested, especially in the mornings. It can take

Field	Value
	<p>20-25 min to get from Hidden Oaks to Green Valley. The town MUST do a traffic study before it can allow 80+ additional houses in this congested area. I was very disappointed after we moved here and I began to experience the awful traffic in the morning. The school bus system has helped a bit but traffic still exists most mornings. In addition, the schools in this area are already too full. I moved here two years ago and Green Valley was full and I was diverted to another school. Friends moved here this summer and they were diverted as well. How can you add 80+ new families when the schools cannot take the children. Please address these two very important concerns.</p>

Email "Magee Ranch Comment" originally sent to Planning@danville.ca.gov from tina.olmsted@gmail.com on 11/16/2010 9:19:09 PM.



David Crompton

From: Robert Watson <Robert.Watson@oracle.com>
Sent: Tuesday, June 11, 2013 11:48 AM
To: David Crompton; Kevin Gailey; Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper
Subject: "NO" TO SUMMERHILL DEVELOPMENT PROJECT

Danville Town Council and Staff -

As an 18 year resident, I am one of many Danville residents opposed to the Summer hill development project.

1. Black hawk and Diablo Roads are already excessively busy for a narrow, windy, one lane road that leads to all the elementary, middle and high schools. It takes 45 mins to go the 2 miles from MVHS to my home.
2. All emergency vehicles must use the same overcrowded and dangerous road. Further congestion increases to time of response
3. Open space is a precious resource and is gone FOREVER once developed. Keep Danville green and open.
4. Danville residents have the legal right to vote on rezoning of agricultural land

Please do not approve this project. Danville residents do not want our town to become another San Ramon.

Regards
Robert Watson
123 Windover Dr
Danville

David Crompton

From: Rick Martyn <rickmartyn@gmail.com>
Sent: Tuesday, June 11, 2013 12:05 PM
To: David Crompton
Subject: Bike Lanes on Diablo Rd.

Dear Mr. Crompton:

I understand that as part of the Magee/Summerhill project there is the possibility of looking at adding bike lanes on Diablo Rd. I urge you to seriously consider this as it would greatly increase the safety of bicyclists in the area. The current road configuration and traffic pattern is not conducive to bicycling and encourages bicyclist to take routes through residential neighborhoods to avoid the narrow, busy road.

Thank You,
Rick Martyn
(925) 989-8658

June 11, 2013

David Crompton
Planning Division
Town of Danville
510 La Gonda Way
Danville, CA 94526

**RE: Magee Ranches Development Proposal
Supplemental Desk Item for June 5th Submittal**

Dear David,

It has come to my attention that on the plans SummerHill Homes submitted the Town of Danville on June 5th, 2013, that Lot 1 was not modified on the site plan to reflect a single-story (Plan 1). SummerHill Homes has communicated with David and Linda Gates regarding Lot 1, and given their property's unique interface with the Magee Ranch property (being significantly lower), we have committed that Lot 1 will be a single-story plan, and would like to note this on public record.

In addition, I have recently met with several other neighbors, including Mr. Minear on Diablo Road (near the project entrance/exit) and Mrs. Steffens on Arends Drive. Given that their side and rear yards face our entrance road, they have requested (and we are agreeable to) the construction of a good-neighbor wood fence between our property and theirs. For continuity, we would propose this fence the entire length of this property line, with a possible offset at Arends Drive for access to the project's walking path, for each of the three neighbors that abut the panhandle (Minears, Steffens, and Hansens). We will coordinate the design specifics of this good neighbor fence with Planning and the Design Review Board.

Lastly, Mr. Minear has requested the consideration of the addition of a lengthened left turn pocket on Blackhawk Road (west bound) which will assist him turning into his property. We will have to study this design further with Town Engineering, but are receptive to his suggestion and are happy to pursue this opportunity provided there no planning or engineering constraint.

Thank you for your consideration of the above.

Best Regards,

Wendi Baker

Director of Development
SummerHill Homes
3000 Executive Pkwy, Suite 450, San Ramon, CA 94583
Tel (925) 244-7534 • Mobile (650) 815-8611 • Fax (925) 884-8924
wbaker@SHHomes.com SummerHillHomes.com

David Crompton

From: THOMAS J AYRES <tjayres@sbcglobal.net>
Sent: Tuesday, June 11, 2013 1:16 PM
To: David Crompton
Subject: bike lanes

Mr. Crompton:

Please support consideration of bike lanes for the Mt. Diablo community. Bicycles are growing ever more important for recreation and transportation, and it is the policy in our state to design complete streets - streets that are safe for all users.

Yours,

Thomas Ayres, PhD

Board Vice President, East Bay Bicycle Coalition

David Crompton

From: Chris Cesio <ccesio@yahoo.com>
Sent: Tuesday, June 11, 2013 1:42 PM
To: David Crompton
Subject: No to Summerhill

Dear David -

As a 10 year resident of Danville (my wife has lived here almost 40 years) - PLEASE Vote NO on the Summerhill project.

We live at 133 Clydesdale Dr - right across the street from the proposed project. Traffic would be a mess - it already is dangerous to get out of our street onto Diablo Rd - this project would make it much worse.

We have two small kids who enjoy the small town Danville life and if we wanted growth and more development we would have moved to San Ramon.

Please say NO to Summerhill.

Thanks,
Chris Cesio
133 Clydesdale Dr
Danville, CA
925-325-0606

David Crompton

From: Rama Murty <rmurty4@yahoo.com>
Sent: Tuesday, June 11, 2013 1:39 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper
Cc: David Crompton; Kevin Gailey
Subject: Summerhill/Magee Ranch Project

Dear Honorable Mayor & Members of the Town Council,

My name is Rama Murty and I live at 49 Vicenza Court in Danville. I have been a resident of Danville for almost 10 years now. First, I want to thank you for your service to our community and serving as our Town Council.

Next Tuesday, you will hold a public hearing and decide on the Summerhill/Magee Ranch Final EIR and development project.

I am asking you to please either reject this project or send it back to staff for a General Plan Amendment study.

The project represents a land use designation change from agricultural to residential. Under Measure S, this land use change requires a vote of the people on the project.

This project will add more congestion to the traffic on Diablo Road and further overcrowding in already crowded schools. These homes will threaten open space and take away from the scenic beauty of Danville.

Most of you attended the Planning Commission meeting and heard the great arguments made against the project. All the Planning Commission did was to remove 3 homes along McCauley Road. They should have done more based on all of the problems with the project presented to them and chose not to act further.

Please do not let this flawed project go forward.

Thank you.

Rama Murty

David Crompton

From: Maryann Cella <maryann.cella@gmail.com>
Sent: Tuesday, June 11, 2013 3:24 PM
To: David Crompton
Cc: Debbie Anzilotti
Subject: Fwd: SummerHill Homes

----- Forwarded message -----

From: **Deborah Anzilotti** <dmanzilotti@gmail.com>
Date: Tue, Jun 11, 2013 at 3:14 PM
Subject: SummerHill Homes
To: arnerich@danville.ca.gov, mdoyle@danville.ca.gov, rmorgan@danville.ca.gov, storer@danville.ca.gov, kstepper@danville.ca.gov
Cc: "pmradich@gmail.com" <pmradich@gmail.com>

Dear Town Council Members:

I am sending you this email with the expectation that these comments be included in the packet for the June 18th Town Council Meeting.

I am urging you to follow the wise choice recommendation of Commissioner Radich, and vote NO on the approval of the Summerhill homes, and send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S.

I have attended almost every meeting since this project came to my attention, and I continue to be amazed that your planning commission continued to disregard the overwhelming negative feedback from the citizens.

Even the two non-profits that support the Summerhill project don't want to take responsibility for the open space, so I'm not sure they are 100% committed to this. They have decided that Summerhill is not the evil empire that other developers are (in their eyes), so they are putting their votes behind the lesser evil. If you asked them, would you rather have the Summerhill homes built, or left to open space (or 1 home per 20 acres), you **know** they would say, leave it open.

It seems to me that 'staff' have been directed to get this project to 'Yes' by whatever means possible. When it seems like the opposition gets louder, they go back to the developer to get more concessions, but you need to realize that nothing but a NO vote from you, or a ballot measure for the people to decide is not going to make your constituents happy.

What I want to know, is HOW can this be good for Danville? We know it isn't going to be good for the aesthetics of Diablo Road with cutting down all those trees. We know it isn't going to make traffic any better. We know it isn't going to make it easier for local neighborhood kids to get into already impacted schools. We know it isn't going to address the huge safety issue that Diablo Road poses in the case of a natural disaster.

So.....approval of this subdivision has to come down to money. I'm sorry I have to be so blunt and direct, but someone has to point out the elephant in the room.

How much money will this project generate, and where is that money going is what this HAS to boil down to. If you want the citizens of Danville to get behind this sub-development, someone needs to answer that question - how much money, and where is it going?

At the last planning meeting, the Summerhill rep tried to explain why this was good for the City of Danville, but her justifications fell fall short to the point of being ridiculous.

- She stated that it was good for Danville, because so much open space would be preserved. If you vote NO, all of the open space is preserved.
- She also said that they were putting less houses on than they needed to, so they were the better developer. If you vote NO, there are no houses going in there.
- She said they were going green, not taking any dirt out or in (which no one believed, by the way), and all their planting would have low water needs. If you vote NO, we know no dirt will be moved, and the water levels are at zero.
- She said they were going to extend the right hand turn lane off of Diablo to Green Valley, so that would help traffic. There is a no-right hand turn rule at the corner during school hours at that corner, so that doesn't really help the morning commute, now does it? They are also only extending it less than 200 hundred feet, so that 's about 15 cars. Voting yes, does solve the commute problem, so vote NO.

Beyond that, I'm going to beat a dead horse while I have the floor.

Traffic is already horrible. The town of Danville standards for acceptable wait times are so low, that adding these homes won't make it worse according to the study. No one buys that. THIS IS A PROBLEM NOW - PILING ON, WILL ONLY MAKE IT WORSE. The concesssions from Sumerhill do not solve this.

While the fire department says they new subdivision won't impact their ability to make a house call, I question whether the fire department can put out a fire in the hills along Diablo Road, while the residents of Diablo, and Danville and the new sub development are evacuating. THIS IS A PROBLEM NOW - PILING ON WILL ONLY MAKE IT WORSE. The concessions from Summerhill do not solve this.

Thank you for taking the time to read this, and if any of you respond completely, honestly, and transparently to the question above in purple, I'll vote for you next election.

Debbie Anzilotti
Resident of the Real Magee Ranch since 1996
135 Shadewell Drive
Danville, CA 94506

David Crompton

From: Nancy Daetz <ndaetz@sbcglobal.net>
Sent: Tuesday, June 11, 2013 3:38 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; Kevin Gailey; David Crompton
Cc: Maryann Cella
Subject: NO TO SUMMERHILL

Dear Danville Town Council

I hope you have heard the concerns regarding your attempt to bypass Measure S. The citizens opposed to the Summerhill project are not out of town radicals coming to your meetings to stir up trouble. We are concerned citizens who are very angry at the town's attempt to circumvent the will of the people. It simply appears you are in the pockets of developers, unconcerned about environmental impact, traffic and safety and the beauty of our town.

YOU MUST DENY THE SUMMERHILL APPLICATION OR AT A MINIMUM, FORCE THE PROJECT BACK TO STAFF FOR A GENERAL PLAN AMENDMENT STUDY AND ALLOW A VOTE OF MEASURE S.

Sincerely,

Nancy Daetz
622 GLEN ROAD, DANVILLE 94526

Barbara Skinner

From: David Crompton
Sent: Wednesday, June 12, 2013 10:12 AM
To: Barbara Skinner
Subject: FW: Oppose Summerhill Project

From: Denise Dauphinais [<mailto:ddauphinais@sbcglobal.net>]
Sent: Tuesday, June 11, 2013 6:33 PM
To: David Crompton
Subject: Oppose Summerhill Project

Good evening: I am in my car alot due to the work I do. At certain times of day (commute times in AM and especially PM) Camino Tassajara at Crow Canyon is dangerous and packed with cars. Too many vehicles speeding to make the next light and making right turns into crosswalks! Those crosswalks are long and treacherous for walkers. Adding more housing and more drivers to Blackhawk Road, Diablo Road and Crow Canyon Road is not a sensible idea. Please do not promote this project or at least allow the residents to vote in favor or against it. Thankyou for your consideration.

Denise Dauphinais
200 Woodvalley Place
Danville, CA 94526
925-200-0073

Barbara Skinner

From: David Crompton
Sent: Wednesday, June 12, 2013 10:12 AM
To: Barbara Skinner
Subject: FW: SummerHill Homes

From: Ed_and_Cheryl Dayoan [<mailto:cakedayoan@hotmail.com>]
Sent: Tuesday, June 11, 2013 9:16 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: SummerHill Homes

Dear Town Council Members:

I am urging you to follow the wise choice recommendation of Commissioner Radich, and vote NO on the approval of the Summerhill homes, and send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S.

As a parent of a Monte Vista High School student, I know that traffic along Diablo Road is already a major issue during commute hours. I wonder how anyone could think that the additional vehicles resulting from the new homes would have little impact on the congestion? Please do not wait for us to say, "I told you so!" when our commute times get even worse and your constituents become angry and discouraged. Please do not wait for us to say, "I told you so!" when homes burn down and lives are lost because fire crews could not respond in a timely manner. Please do not wait for us to say, "I told you so!" when Danville loses its quaint, green ambience, and starts to feel like high-occupancy San Ramon or Dublin. Trust me, we will be watching how each of you vote, and will gladly vote against any of you who supports this project. And when this happens, we will say, "I told you so!" to you!

Again, please listen to your constituents and vote NO. We have placed our trust in you.

A concerned citizen of Danville,
Cheryl Dayoan
622 Dunhill Drive 94506

Barbara Skinner

From: David Crompton
Sent: Wednesday, June 12, 2013 10:12 AM
To: Barbara Skinner
Subject: FW: SummerHill Homes

-----Original Message-----

From: Kenny Rachlin [<mailto:kennyrachlin@yahoo.com>]
Sent: Tuesday, June 11, 2013 10:27 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: Re: SummerHill Homes

Dear Town Council Members:

I am sending you this email with the expectation that these comments be included in the packet for the June 18th Town Council Meeting.

I am urging you to follow the wise choice recommendation of Commissioner Radich, and vote NO on the approval of the Summerhill homes, and send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S.

Thank you,
Kenny Rachlin
605 Park Hill Road

Barbara Skinner

From: David Crompton
Sent: Wednesday, June 12, 2013 10:12 AM
To: Barbara Skinner
Subject: FW: Summerhill Homes

From: Karin Murray [<mailto:murrays7@sbcglobal.net>]
Sent: Wednesday, June 12, 2013 9:34 AM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton; Kevin Gailey
Subject: Summerhill Homes

We are again writing to you to urge a no vote and to deny the development of Summerhill Homes or at least force the project back to staff for a General Plan Amendment study, and if such an amendment were ultimately approved by Council, a Measure S vote by the public. I must say that we have attended several of the recent town council meetings and are quite disappointed by our local government. I always thought that elected officials were to represent the people and to be the voice of the people. With so many people against this project I can not understand why you still stand behind it. It is obvious that you all have your own agendas and are not there to represent the people of Danville. I wonder what is in it for you that you are not representing the people. I can assure you that if this project goes through not one of you will have our votes in the next election. I want an official who listens to the population they represent.

John and Karin Murray

Barbara Skinner

From: David Crompton
Sent: Wednesday, June 12, 2013 10:13 AM
To: Barbara Skinner
Subject: FW: Urgent Message for 6/18 Meeting

From: Newell Arnerich
Sent: Wednesday, June 12, 2013 10:06 AM
To: Joe Calabrigo
Cc: David Crompton
Subject: FW: Urgent Message for 6/18 Meeting

FYI

Best regards,
Town of Danville
Newell Arnerich, *Mayor*
Contra Costa County Mayors Conference, Exec. Committee
Tri-Valley Transportation Commission, BD. Member
CCCSWA Bd. Member
IGATE Innovation Hub BD. Member
TRAFFIX BD. Member
Contra Costa Transportation Authority, BD. Member
Danville Finance Committee, Chair
SRVUSD Liaison Committee
Danville Area Chamber of Commerce Member *Contra Costa County Sheriff's Posse Member*
100 Club of Contra Costa County Lifetime Member

510 La Gonda Way
Danville, CA 94526
"Small Town Atmosphere Outstanding Quality of Life"
t. 510.366.0716 cell
e-mail: arnerich@danville.ca.gov

From: Katy Fairman [katyfairman@yahoo.com]
Sent: Tuesday, June 11, 2013 4:38 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: Urgent Message for 6/18 Meeting

Dear Danville Town Council Members:

I am sending you this email with the expectation that these comments be included in the packet for the June 18th Town Council Meeting.

I am urging you to follow Commissioner Radich, and vote NO on the approval of the Summerhill homes.

Instead, I ask you to send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S. Why not take the time to do this properly and according to the law? Why not let the citizens of Danville decide instead

of the six of you? Why not take the time to do this right?

Thank you for taking the time to read this. I hope you will think about it and let the citizens decide how we want our town to evolve. We will remember your actions when re-election time occurs.

Sincerely,

Katy Fairman
Resident of Danville since 1991
477 Enterprise Drive
Danville, CA 94526

David Crompton

From: Midori Tabata <midori.tabata@gmail.com>
Sent: Tuesday, June 11, 2013 5:19 PM
To: David Crompton
Subject: Safe biking through Diablo

David,

I am a recreational as well as utilitarian rider. I have ridden up Mt. Diablo numerous times. My bicycle club, the Oakland Yellowjackets official route is Diablo Rd to Diablo Scenic Rd. We try to maintain order by asking everyone to be careful and to ride single file. It is a route that is used by many, including many bicyclists. I understand the concern that the citizens of Diablo have about bicycle riders through their neighborhoods. Please facilitate improvements on Diablo Rd so that cyclists and drivers can share the road safely. At minimum, setting the speed limit to 25 and enforcing it would help. If the road can be widened to allow for wider shoulders, all the better. Any more improvements would be wonderful. As Robert Raburn, the former director of the East Bay Bicycle Coalition and now Bart board member says, you are much more likely to survive a crash with a vehicle at 25 miles per hour than at 35 miles per hour. Thank you.

Midori Tabata

Also member of the Alameda County Transportation Commission Bicycle Pedestrian Advisory Committee (BPAC), the Oakland BPAC, EBBC, Walk Oakland Bike Oakland

David Crompton

From: Plitt, Matt <Matt.Plitt@valent.com>
Sent: Tuesday, June 11, 2013 4:56 PM
To: oarnerich@danville.ca.gov; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: Please Vote NO!

Dear Town Council Members:

I am sending you this email regarding the June 18th Town Council Meeting.

I am urging you to follow the wise choice recommendation of Commissioner Radich, and vote NO on the approval of the Summerhill homes, and send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S.

This is a very nice community and we need to preserve it.

Sincerely,
Matt Plitt
131 Shadewell Drive
Danville, CA



Matt Plitt

Vice President, Sales

Valent U.S.A. Corporation

1600 Riviera Ave, Suite 200 Walnut Creek, CA 94956

Direct (925) 256-2706 **Mobile** (925) 765-9511 **Fax** (925) 949-2245

David Crompton

From: Kaby Plitt <kabyplitt@comcast.net>
Sent: Tuesday, June 11, 2013 5:08 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: Summer Hill vote

Ladies and Gentlemen,

I am fairly new to the Danville area (moved from out of state 2 1/2 years ago) and have been interested to see how a town such as Danville would handle a situation such as this. I am disappointed to say the least, that we, as a city are not focused on smart growth for our community. When we moved to the area I was very discouraged that we were diverted TWO elementary schools away from our home school. (home school Green Valley---diverted to Montaire) I had never heard of this and was very disappointed that our home school could not handle the numbers of kids. As I drive my kids to school...PAST Green Valley and PAST Vista Grande I am consistently met with traffic all along the way. Diablo Road is not a cake walk in the mornings! I also shudder to think about the potential of fire danger? Adding more traffic to Diablo Road could trap people in the event of a wildfire. I have read stories about the Oakland Hills fire and with the winds up here in Magee Ranch, it is a legitimate concern.

I do not think it is wise for us to continue to add homes when our current infrastructure cannot handle it. I am asking you to vote NO on this project.

Thank you,
Kaby Plitt
131 Shadewell Drive
Magee Ranch

David Crompton

From: Maryann Cella <maryann.cella@gmail.com>
Sent: Tuesday, June 11, 2013 4:38 PM
To: Newell Arnerich; Karen Stepper; Renee Morgan; Mike Doyle; Robert Storer; David Crompton; Kevin Gailey; stu@stufdash.com
Subject: Conditions of Approval for the Hidden Oaks subdivision re:no construction traffic on Diablo Road
Attachments: blackhawk conditions of approval.zip

Dear Mayor Arnerich and Town Council members:

We respectfully request that the following Condition of Approval be added to the SummerHill Homes Conditions of Approval. David Crompton was unable to provide me with the updated Conditions yet, and we want to be certain that the wishes of the Planning Commission to include it have been followed.

Thank you for your consideration.

Maryann Cella
SOS-Danville

----- Forwarded message -----

From: **Maryann Cella** <maryann.cella@gmail.com>

Date: Mon, May 6, 2013 at 10:29 AM

Subject: Conditions of Approval for the Hidden Oaks subdivision re:no construction traffic on Diablo Road

To: danvillefire@aol.com, Robert@combsteam.com, gmgraham@sbcglobal.net, rchaberl@comcast.net, kerribw@gmail.com, lynn@511contracosta.org, prradich@gmail.com, andy@morrillattorneys.com, mdoyle@danville.ca.gov, rmorgan@danville.ca.gov, storer@danville.ca.gov, kstepper@danville.ca.gov, Newell Arnerich <arnerich@danville.ca.gov>, Kevin Gailey <kgailey@danville.ca.gov>, David Crompton <dcrompton@danville.ca.gov>

Hi, All. I am attaching a file (RZ-1995) containing the County's Conditions of Approval ("C of A") for the Hidden Oaks subdivision across from the existing Magee Ranch subdivision. I strongly urge you to add a condition similar to C of A #27 to the C of A for the SummerHill project, should that project be approved.

C of A #27 states that "Construction traffic shall be routed from Sycamore Valley Road to Tassajara Road and Blackhawk Road or from Dougherty Road. Developer shall put this provision in construction contracts." In other words, no construction traffic was to use Diablo Road for the obvious reasons of its dangerous, winding, narrow nature.

With the exponential increase in traffic on Diablo Road since the time the County approved Hidden Oaks, it is more dangerous than ever for construction traffic to travel Diablo Road. Thus, a C of A prohibiting construction traffic from using Diablo Road is definitely needed.

Thank you for your consideration.

Maryann Cella
SOS-Danville

BEFORE THE PLANNING COMMISSION OF
THE COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

Conditions for Approval of Preliminary Development Plan
for Blackhawk (1840-RZ)

1. This approval is based on Exhibit I which is the Blackhawk Master Plan (Preliminary Development Plan) received December 20, 1973.
2. With the filing of the first Final Development Plan, the developer shall submit a detailed phasing schedule which deals with the phasing for utilities, schools, roads, drainage, commercial areas and all residential units and projections as to how many units will be developed on a phase basis.
3. An amended Preliminary Development Plan at the same scale or at a larger scale shall be submitted between the time of approval of the Preliminary Development Plan and the submittal of the first phase of the Final Development Plan which reflects the changes required by these conditions.
4. All yard and height measurements as they pertain to the detailed single family residential lots shall be subject to review and approval by the Director of Planning. The guide used to establish these dimensional requirements shall be the R-10 District of the Zoning Code except that lots shall have 100' average widths.
5. The design of all units in the cluster areas shall be subject to review and approval by the Director of Planning as to the layout, design, building plans, elevations, building materials, color and other pertinent features.
6. Each of the Final Development Plans shall indicate the street alignments, lot design and open space with the design being contingent on a grading plan for the area impacted. The emphasis shall be on sculptured on contour grading.
7. The maximum number of dwelling units shall be 4,200. It may be that this number will be reduced subject to Final Development Plan reviews.

8. The cluster areas identified as B, C and D, shall be permitted a density of approximately 6 units per acre. Clusters identified as L, M, E, F, G, H, I and K shall be permitted a density of approximately 10 units per acre. Cluster J may be developed as multiple-family rental units with a density of approximately 20 units per acre. Multiple areas A and N shall be developed as single-family residential lots. The final determination as to the cluster densities shall be subject to the Director of Planning. It may be that the densities will be increased or decreased dependent upon the cluster designs submitted and their application to the respective sites. An important consideration will be the establishment of meaningful open spaces between the clusters and the terrain upon which the clusters are situated.
9. Supplemental EIRs shall be written for each Final Development Plan of the project.
10. Detailed soils and geologic studies shall be performed for each Final Development Plan.
11. Eliminate the 7.5 acre commercial area and substitute residential lots from the most easterly portion of the property.
- ✓ 12. Each of the Final Development Plans shall avoid the numerous conflicts of golf traffic and vehicular traffic, especially at major intersections and entrance to the development.
13. Assuming a change in the circulation element of the General Plan, a proposed road from Camino Tassajara to Blackhawk Road or an alternate solution suitable to the Director of Planning, Public Works and the Planning Commission shall be built concurrently with Phase II.
14. Camino Tassajara shall be constructed concurrent with Phase III as a four-lane arterial from Crow Canyon Road extension to Sycamore Valley Road or an alternate solution acceptable to the Director of Planning, Public Works and the Planning Commission.

15. *Prior to the construction of Phase V, the extension of Crow Canyon Road to the site shall be constructed on an alternate solution acceptable to the Director of Planning, Public Works and the Planning Commission.*
16. *A detailed traffic analysis and study which indicates both the Blackhawk traffic and total traffic on each of the off-site roads to the Blackhawk project shall be submitted with each phase of development.*
- ✓ 17. *The internal road system shall be designed to conform with the principal access routes, namely Sycamore Valley Road extension and Crow Canyon Road extension.*
18. *The developer shall submit details on hydrology and hydraulics to the Public Works Department for each of the phases of development. The design of drainage facilities shall emphasize the preservation of the streambeds in their natural state. The use of concrete rip-rap and removal of trees shall be discouraged. It may be that impounding basins or reservoirs shall be utilized to control run-off to avoid channel widenings.*
19. *All utilities shall be placed underground. The project shall be served by a cable television underground system. No television antennas shall be permitted.*
- ✓ 20. *A community center site shall be set aside for the project which shall include a library facility, if it is ascertained by the County Librarian that a facility is necessary.*
21. *The project site shall be annexed to the P-2 (police) district.*
- ✓ 22. *The applicant shall initiate formation of a Park and Recreation District or County Service Area and local parks shall be dedicated to that district for development and maintenance in accordance with the Park Land Dedication Ordinance. The location and type of park shall be shown on the revised Preliminary Development Plan.*

23. The trails shown on the Trails Plan additions to the General Plan Recreation Element shall be improved and dedicated to appropriate public agencies.
24. The development of the westernmost golf course and appurtenant facilities shall be developed simultaneously with the first phase of development.
25. Detailed plans and reports on the golf course administration and management shall be submitted with the Final Development Plan.
26. The private golf facilities shall be used primarily by members and guests. No major tournaments nor conventions shall be permitted on these golf courses.
27. *Dedicate to the State Department of Parks and Recreation the area generally located between Mt. Diablo State Park and the 1,000 foot elevation contour. Final determination as to the size, shape, use and when this area shall be dedicated shall be determined by the Director of Planning in conjunction with the developer and the State Director of Parks. In the event that arrangements cannot be worked out satisfactorily between the above parties, this condition can be brought back before the Planning Commission.*
28. The "development rights" to all the open space not dedicated to the State Division of Parks and Recreation shall be dedicated to the County. This shall be done with the filing of the Final Subdivision Map on each phase of development.
29. *Prior to the construction of Phase I, the school site shown within Phase I on the Preliminary Development Plan shall be dedicated to the school district. The availability of school housing and the agreement between the San Ramon Unified School and the developer shall be considerations in determining whether subsequent phases of the project shall be approved as each phase is reviewed for approval.*

30. *The general area surrounding the shopping center including the shopping center shall be especially reviewed as to its land use relationships prior to approval of the first phase of development. The neighborhood character of the shopping center shall be emphasized.*
31. Prior to Final Development Plan approval, the developer shall submit information indicating how the open space is to be established, owned, and maintained.
32. Approval of this proposal is based on the revised plan submitted December 20, 1973. However, each segment of this proposed development shall be subject to further review when the Final Development Plans are submitted. It may be that additional requirements, conditions, and/or modifications may be specified following review of the Final Development Plan. The conditions in this approval serve to give direction to the applicant in his preparation of the Final Development Plan.
33. The developer shall provide a private feeder bus service after 1,000 units have been occupied and not later than 1,500 units. The feeder system shall furnish service to the nearest BART feeder line during 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m., Monday through Friday, so long as such system is feasible after one-year of operation.
34. The developer shall create an Architectural Review Committee consisting of the Blackhawk Development Co. and one member of the San Ramon Valley Planning Committee to serve until 1,000 units are developed. After that, the developer may appoint a resident of the Blackhawk Development.
35. *The 5-acre Blackhawk Quarry shall be dedicated to the University of California.*

MLH:ew

8-2-74

Conditions for Approval of Preliminary Development
Plan for Hidden Oaks at Blackhawk (1995-RZ)

1. This approval is based on the revised Preliminary Development Plan for Hidden Oaks at Blackhawk, received by the Planning Department on March 9, 1976, and the following exhibits listed thereon, as modified by these conditions:

Exhibit #1: Revised Natural Features Map, received by the Planning Department February 20, 1976, scale 1" = 100', map shows existing trees, limits of 20% slope, slide areas, ridge lines, etc.

Exhibit #2: Slope Classification Map, received by the Planning Department December 17, 1975, at a scale of 1" = 200'.

Exhibits #3, #4, #5: Revised map of Blackhawk Road, received March 8, 1976, at a scale of 1" = 40', showing treatment of Blackhawk Road.

Exhibit #6: Section through site indicating location of proposed East Bay Municipal Utility District reservoir, received December 17, 1975.

Exhibit #7: Blackhawk Ranch Phase 1 Final Soil & Geologic Investigation, prepared by ENGEO Incorporated November 28, 1975.

Exhibit #8: Drainage Study prepared by Riffe, Peters & Jones September 19, 1975, revised November 11, 1975.

Exhibit #8 (supplement): Estimate of Increased Storm Water Runoff, prepared by Riffe, Peters & Jones, December 23, 1975.

Exhibit #8A: Estimate of Increase in Runoff Due to Construction of Subdivision 4738, prepared by Riffe, Peters & Jones, December 16, 1975.

Exhibit #9: Feasibility Analysis of Public & Quasi-Public Areas.

Exhibit #10: General Plan Conformance Map, scale of 1" = 100', received December 17, 1975.

Exhibit #11: Application for Rezoning, expanded, requesting modification of conditions for approval of 1840-RZ.

Exhibit #12B: Plan & Elevations for Guard House & Gates received December 17, 1975.

Exhibit #13: Preliminary Development Plan with lot dimension, received February 20, 1976.

Exhibit #14: Traffic Analysis by John J. Forristal November 14, 1975.

Exhibit #15: Typical lot with setbacks and yard standards, received February 20, 1976.

2. The maximum number of units shall be 206.
3. Development rights to the open space shall be deeded to the County with the recording of a Final Subdivision Map.
4. Covenants, Conditions & Restrictions, Articles of Incorporation and By-Laws for a mandatory homeowners' association shall be submitted with application for approval of a Final Development Plan. These documents shall provide for establishment, ownership, and maintenance of the common open space and private streets.
5. Yard and height measurements on each lot shall be subject to review and approval of the Director of Planning. The R-15 Zoning District, excepting the requirement for a 30-foot setback, shall be used as a guide.
6. The second phase of review by the Planning Commission will be review of the Final Development Plan and tentative map. The plans shall refine and include more details of grading and drainage and may require some revision of street alignments, lot lines and grading with further review.
7. The recommendations to correct and stabilize existing landslides incorporated in the Blackhawk Ranch Phase I Final Soil & Geologic Investigations, prepared by ENGEO Incorporated, dated November 28, 1975, shall be implemented. Preliminary details of proposed stabilization work shall be submitted when the Final Development Plan and tentative map are submitted. The soils engineer/geologist shall review and approve those plans before they are submitted. The Final Development Plan, including locations and improvements, shall be specifically reviewed by a soils engineer with special emphasis on location and slide potential (old and New).
8. Interim on-site silt control basins shall be constructed as required by Grading Engineer of County of Contra Costa. This shall be reviewed with the Grading Engineer and Public Works Department. Graded slopes shall be reseeded with grass and no grading should occur during the rainy season except with special permission by the Director of Public Works.
9. Comply with the fire protection requirements of the Danville Fire Protection District.
10. Street names shall be subject to review and approval of the Director of Planning.

11. All utilities shall be placed underground. The project shall be served by a cable television underground system. No individual television antennas shall be permitted.
12. The road widths shown on the preliminary development plan are less than County public road standard. However, they are acceptable for private roads and potentially acceptable as public roads, and shall be constructed in accordance with the County Ordinance Specifications.
13. Street lights shall be installed at the intersection of Hidden Oaks Drive with Blackhawk Road and the intersection of Hidden Oaks Drive with Mossey Oak Drive. The details with regard to lighting will be reviewed when the Final Development Plan and tentative map are submitted.
14. Asphalt concrete dikes shall be built along the edges of the Blackhawk Road payment in lieu of drainage swales, or an alternate plan acceptable to Public Works. The face to face distance between the dikes shall be 36 feet.
15. Blackhawk Road shall be improved from the Diablo Road - Mt. Diablo Scenic Boulevard intersection to Lot 47 to provide a proper transition of improvements from the project to the intersection. The time limit for the construction of these improvements may be extended beyond that required for the subdivision improvements by mutual consent of the developer and the Public Works Department.
16. All paths along roads shall be portland cement concrete.
17. A landscape and irrigation plan, prepared by a licensed landscape architect, showing the street rights-of-way including medians, shall be submitted for review and approval by the Director of Public Works and the Director of Planning prior to the filing of a Final Subdivision Map for each unit. Landscape and irrigation details shall be shown on the improvement plans and shall be subject to bonding requirements and an inspection fee.
18. The developer shall form a homeowners association, Service Area or a special district for the maintenance of the streets and the portland cement concrete paths within the security gates and the landscaping, path, open space, and trails. The developer shall form, and a Service Area or Service District shall assume, the obligation for maintaining the detention basins and the landscaping and paths along Blackhawk Road.
19. Any section of the storm drainage system which conveys storm water, to which the public streets contribute flow, shall be installed in a dedicated drainage easement.

20. Preliminary calculations for the storm water detention basins shown on the Preliminary Development Plan have been reviewed by the Flood Control District. These detention basins are acceptable in concept. The design and implementation of the detention basins will be reviewed with the subdivision improvement plans.
21. The detention basins and appurtenant structures shall be installed in easements dedicated to the County and shown on the Subdivision Final Map. The detention basins shall be maintained by the Service Area or Special District created as required by Condition #18.
22. All surface flows and storm waters entering and originating within the development shall be collected and conveyed to a natural watercourse or an existing adequate storm drainage facility.

Besides on-site improvements, this may also require off-site drainage improvements to adequately convey these surface flows and storm waters southerly of Blackhawk Road, across private properties, and into Green Valley Creek with adequate outlet protection.

Drainage easements shall be offered for dedication to the county for off-site drainage improvements. The documents, consisting of easement descriptions and maps, shall be filed prior to or concurrently with the filing of the Final Map. If prior adequate easements already exist, they shall not be duplicated.

No work shall be conducted in existing off-site drainage channels from October 1 to April 15 unless the developer obtains written permission from the County Public Works Department, Construction Division. This permission shall only be granted when the extended weather forecast does not show the possibility of heavy rains and the ground is sufficiently firm to support the proposed construction activity.

23. Provisions shall be made to protect lots from surface waters flowing onto the developed lots from the hillside slopes.
24. The developer shall create an Architectural Review Committee consisting of the Blackhawk Development Company and one member of the San Ramon Valley Planning Committee to serve until the units are developed. Responsibilities of the Architectural Review Committee shall include but not be limited to review of energy conservation measures, water conservation measures, elevations and fence detail.
25. A report shall be submitted with Final Development Plan application from a qualified tree expert to recommend any measures which can be taken in connection with the trees to be preserved and measures to be taken with the Final Development Plan.

26. The details of future ownership and maintenance of the proposed "rest stop" park shall be resolved prior to recording a Final Subdivision Map.
27. Construction traffic shall be routed via Sycamore Valley Road to Tassajara Road and Blackhawk Road or from Dougherty Road. Developer shall put this provision in construction contracts.
28. The developer shall comply with the San Ramon Developer's Policy with regard to provision for schools.
29. Each segment of this proposed development shall be subject to further review when the Final Development Plan is submitted. It may be that additional requirements, conditions and/or modifications may be specified following review of the Final Development Plan.
30. With the approval of the final development plan and the tentative map for 1995-RZ, the County Planning Commission shall conduct hearings regarding added conditions, if any, to be imposed on said approval pertaining to the identification, protection and treatment of any archaeological finds. As a minimum, if during construction, grading or excavation, any items of potential historical or scientific interest are discovered, the County Planning Department shall be notified and the Director of Planning shall have the authority to issue an order appealable to the Planning Commission, to stop work in the area of any find pending verification of the discovery and the development of methods for the protection and treatment of areas of significant interest.

Proposed Amendments to 1840-RZ Conditions:

- A. For the purpose of applying the conditions attached to 1840-RZ amended, Hidden Oaks shall be a portion of the first phase of development.
- B. Prior to recordation of a Final Subdivision Map, the developer shall offer to contract with the County for a design study road study of the Green Valley - Mt. Diablo Scenic Road Section of Diablo Road and deposit a sum not to exceed \$10,000. The study should be concluded in six months and should cover, among other things (a) extent of desirable and feasible width and alignment; (b) road capacity expected because of the improvements, if any; (c) safety proposals including pole relocation, shoulder improvements and construction of pedestrian, bike and horse paths; (d) cost estimates for each suggested improvement. Residential densities may be reduced in subsequent units of the Blackhawk Planned Unit Development (1840-RZ as amended).

If it appears from this and other ongoing studies that such reductions are necessary.

- C. For each Final Development Plan the developer shall submit a detailed phasing schedule which deals with the phasing for utilities, schools, roads, drainage, commercial areas and all residential units and projections as to how many units will be developed on a phase basis. (This amends Condition #2 of 1840-RZ.)
- D. The maximum number of dwelling units shall be 3,733. It may be that this number will be reduced subject to Final Development Plan reviews or traffic studies. (This amends Condition #7 of 1840-RZ.)
- E. The project site shall be annexed to the P-2 (police district, if possible. (This amends Condition #21 of 1840-RZ.)
- F. The applicant shall initiate formation of or annex to a Park and Recreation District or County Service Area and local parks shall be dedicated to that district for development and maintenance in accordance with the Park Land Dedication Ordinance. The location and type of park shall be shown on the revised Preliminary Development Plan. (This amends Condition #22.)
- G. The development of the westernmost golf course and appurtenant facilities shall be developed as follows:
- (a) The first 9 holes and clubhouse with Phase II as shown on the revised Preliminary Development Plan.
 - (b) The second 9 holes with Phase III as shown on the revised Preliminary Development Plan. (This amends Condition #24 of 1840-RZ)
- H. Detailed plans and reports on the golf course administration and management shall be submitted with the Final Development Plan for Phase II. (This amends Condition #25 of 1840-RZ.)

- I. The availability of school housing and the agreement between the San Ramon Unified School District and the development shall be considerations in determining whether subsequent phases of the project shall be approved as each phase is reviewed for approval. (This amends Condition #29 of 1840-RZ)
- J. The general area surrounding the shopping center, including the shopping center, shall be especially reviewed as to its land use relationship prior to approval of the second phase of development. The neighborhood character of the shopping center shall be emphasized. (This amends Condition #30 of 1840-RZ)
- K. The developer shall provide a private feeder bus service after 1,000 units have been occupied and not later than 1,295 units. The feeder system shall furnish service to the nearest Bay Area Rapid Transit District feeder line during 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m., Monday through Friday, so long as such system is feasible after one year of operation. (This amends Condition #33 of 1840-RZ.)
- L. The developer shall create an Architectural Review Committee consisting of the Blackhawk Development Company and one member of the San Ramon Valley Planning Committee to serve until 796 units are developed. After that, the developer may appoint a resident of the Blackhawk Development. (This amends Condition #34 of 1840-RZ.)

NLH:jps

David Crompton

From: Katy Fairman <katyfairman@yahoo.com>
Sent: Tuesday, June 11, 2013 4:38 PM
To: Newell Arnerich; Mike Doyle; Renee Morgan; Robert Storer; Karen Stepper; David Crompton
Subject: Urgent Message for 6/18 Meeting

Dear Danville Town Council Members:

I am sending you this email with the expectation that these comments be included in the packet for the June 18th Town Council Meeting.

I am urging you to follow Commissioner Radich, and vote NO on the approval of the Summerhill homes.

Instead, I ask you to send the decision of rezoning the property to residential use to the tax paying voters of Danville, per the law, as stated in Measure S. Why not take the time to do this properly and according to the law? Why not let the citizens of Danville decide instead of the six of you? Why not take the time to do this right?

Thank you for taking the time to read this. I hope you will think about it and let the citizens decide how we want our town to evolve. We will remember your actions when re-election time occurs.

Sincerely,

Katy Fairman
Resident of Danville since 1991
477 Enterprise Drive
Danville, CA 94526

David Crompton

From: Mark Brauer <markabrauer@gmail.com>
Sent: Tuesday, June 11, 2013 2:10 PM
To: David Crompton
Subject: I'd like to add my voice to those other cyclists' who believe we need a safer route up Diablo Road to South Gate Road. I too frequently avoid the death trap that exists along the stretch of road leading to South Gate by riding through the town of Diabl...

David Crompton

From: Maryann Cella <maryann.cella@gmail.com>
Sent: Tuesday, June 11, 2013 4:23 PM
To: Newell Arnerich; Karen Stepper; Mike Doyle; Renee Morgan; Robert Storer; David Crompton; Kevin Gailey; Rob Ewing; Paul Radich; stu@stufdash.com
Subject: SummerHill project's upzoning A-4 to A-2; Shute Mihaly legal opinion on P-1 rezoning of Ag.-designated land
Attachments: Letter from Guerra.pdf; Letter to Guerra.pdf; Shute Mihaly billings redacted.pdf; List of Communications with Shute Mihaly.pdf

Dear Mayor Arnerich and Town Council members:

In connection with the June 18th hearing on the SummerHill Homes' proposal, SOS-Danville wishes to bring your attention to some important information (attached hereto) we have received in response to a recent Public Records Act request to City Attorney Robert Ewing.

1. The first significant information concerns the rezoning from A-4 to A-2 of the Agricultural parcel where SummerHill plans to build 66+ homes. Please see the attached letter dated December 15th, 2000, **from Alicia Guerra, attorney for Jed Magee and David Gold, to Robert Ewing**. Item 9 of that letter states as follows:

9."As you know, Jed Magee filed on November 21, 2000 a Notice of Non-Renewal of the existing Williamson Act Contract applicable to a portion of the Magee Property. The General Plan *Agricultural* designation provides:

"In the event that Williamson Act contracts are not renewed, continued agricultural use is encouraged and the underlying zoning density (one unit per 20 acres or one unit per five acres) would apply upon contract expiration." General Plan at p. 52.

The underlying zoning of the Magee Property is A-4 allowing one unit per 20 acres. [bold added] Will the Town consider an application for rezoning of the Magee Property at a density of one unit per five acres?"

In a letter dated December 21st, 2000, **City Attorney Ewing replied to Ms. Guerra's question:**

"9. By its own terms, Measure S only applies to general plan amendments and not to rezonings that are consistent with the existing general plan designation. Thus, if any of the Magee parcels could be rezoned in a manner consistent with the general plan land use designation, no voter approval would be required. **Of course any such application would need to be considered on its merits and would be subject to legal standards for rezonings.**" [bold added]

Mr. Ewing thus tacitly agreed with **the landowners' own attorney that the "underlying" zoning for the 200 acre Magee Ag. parcel is A-4 zoning, not A-2. He also made clear that any rezoning from A-4 to A-2 "would need to be considered on its merits and subject to legal standards for rezonings."**

Yet despite Mr. Ewing's legal opinion letter, Town staff proposed in the draft 2030 General Plan to in effect upzone all of Danville's remaining Ag. -designated parcels to their pre-contract zoning upon Williamson Act

contract expiration. Staff stated that they were just doing a "factual update" of the existing 2010 General Plan, and not making any substantive policy changes. **The Town Council rejected the staff's proposed upzoning, however.**

Now **the SummerHill Final EIR, page 11, contradicts the City Attorney's letter and the Town Council's action.** The EIR states that "[I]f a property owner does not rezone its property soon after a [Williamson] a contract expires, when it does apply for a rezoning or other development application, the Town will use the underlying zoning density to calculate development potential. For the proposed project, the underlying zoning was A-2, which allows one unit per five acres." The EIR goes on to state that "underlying" zoning density is the "pre-contract" zoning, i.e. the zoning before the Williamson Act was put in place.

The Final EIR, therefore, is flawed regarding its analysis of the upzoning from A-4 to A-2. Therefore, the Town Council should refuse to certify the Final EIR on the basis that it has failed to properly evaluate the merits and environmental consequences of rezoning the Agricultural parcel from A-4 to A-2, which is necessary for the SummerHill project. The Council needs to fully understand the additional consequences that flow from that upzoning, especially given the extreme congestion in the Blackhawk/Diablo corridor, and the need to minimize impermeable surfaces in order to decrease project-created flooding and erosion downstream in Green Valley Creek.

SOS-Danville requests that the Council reject the upzoning contained within the SummerHill proposal and maintain the current A-4 zoning of the Magee Ag. parcel. The landowner and the developer have no automatic right to any such rezoning.

2. You will note from the attached billings from the Shute Mihaly law firm that Danville paid \$19,319.01 for legal work through April 30 (more work was done in May) analyzing the effect of the SOS-Danville Open Space Preservation Initiative, and "strategizing" about the initiative. As you know, that initiative would preserve Measure S indefinitely, and reaffirm that P-1 zoning is NOT consistent with the Agricultural designation.

To analyze the effect of the initiative, Shute Mihaly would first need to determine whether P-1 is currently a zoning consistent with the Ag. land use designation. Yet the City Attorney continues to maintain publically (please see the following questions to Mr. Ewing and his answers) that there are no legal opinions regarding the application of Measure S to the SummerHill project's proposed rezoning of Ag.-designated land to P-1.

We believe that such an opinion has in effect been done by Shute Mihaly. We have asked for a copy of the Shute report on the initiative but have been told it is only in draft form and thus not required to be disclosed under the Public Records Act. Given that the report was directed to be prepared in October, nearly \$20,000 has been spent on it, and the Town Council planned to approve the County Clerk's certification of the initiative up until a few hours before its May 7th meeting, it is hard to believe the report was not already in final or nearly final form by then.

Accordingly, we ask that you request that Shute's legal analysis of the current applicability of Measure S to the rezoning of Ag.-designated land to P-1 be finalized and a copy made available to the public and to the Council. The Council should have that opinion for use in making its decision whether the SummerHill project should go forward without a General Plan amendment to change the land use designation of the Agricultural parcel. A copy should be made available to the public as well for its own use, particularly in light of the \$20,000+ that the public has paid for the work done.

Finally, we also ask that the Council query Mr. Ewing as to why Shute's work included "strategizing". Strategizing about what---- about how to defeat the initiative and somehow craft the timing of the report's release or its analysis toward that end? Is that a proper use of taxpayer funds-- to "strategize" about a citizens' initiative?

Thank you for your consideration of these important matters.

Maryann Cella, on behalf of SOS-Danville

----- Forwarded message -----

From: Rob Ewing <REwing@danville.ca.gov>
Date: Fri, Jun 7, 2013 at 4:04 PM
Subject: RE: Public Records Act request
To: Maryann Cella <maryann.cella@gmail.com>

Maryann,

See below in blue font for my responses to your questions. All responsive documents you've requested are attached.

Rob Ewing

From: Maryann Cella [<mailto:maryann.cella@gmail.com>]
Sent: Friday, May 31, 2013 11:52 AM
To: Rob Ewing
Subject: Re: Public Records Act request

Rob,

Pursuant to the CA Public Records Act, please provide the following within the prescribed time frame, or for documents previously requested, as soon as possible:

(1) Regarding Measure S, the SOS-Danville initiative petition, the 2030 General Plan, the SummerHill project, and Shute Mihaly's possible representation of Save Our Creek: please send copies of all Shute Mihaly bills to Danville, and the dates and specific subjects of all communications/emails/letters/memoranda/notes/records, phone calls, and meetings to, with, or from Shute Mihaly,

Attached find all billings from Shute Mihaly (please note they have not yet billed for work in May) and a listing of emails and phone calls between myself and Shute Mihaly regarding the SOS initiative, the only work they've done for us.

(2) Please state whether any other law firms have been consulted regarding Measure S, the initiative petition, or the SummerHill project.

No other law firms have been consulted on any of these matters.

(3) Please confirm your statement to the Planning Commissioners that there were discussions with outside counsel regarding Measure S and its applicability to rezoning Ag.-designated land to P-1. Please state when the discussions occurred and with whom.

While I do not recall the specific statement, I believe I was referring to an exchange of letters between the Town and Jed Magee's then attorney shortly after the passage of Measure S. I believe I have previously provided this correspondence to you, but if I'm mistaken they are attached to this email as letters to and from Guerra. There have been no other discussions with outside counsel.

(4) Please confirm your statement to the Planning Commission that there were no written opinions obtained from outside counsel regarding Measure S and its applicability to rezoning Ag.-designated land to P-1.

There have been no opinions from outside counsel on this subject.

(5) Please confirm your statement made to Mayor Arnerich and me at the second to last General Plan hearing that you had obtained an outside counsel legal opinion about Measure S and its applicability to rezoning Ag.-designated land to P-1.

I do not recall making any such statement, particularly as I just confirmed above, the Town has not obtained an outside counsel opinion regarding Measure S.

(6) Please indicate the client Patricia Curtin is representing in asking for documents pertaining to the SOS-Danville initiative petition.

I know that Ms. Curtin represents Summerhill on the Magee Ranch project and while I assume that's why she was asking, I did not ask for that information.

(7) Please explain why Patricia Curtin was given documents without a written Public Records Act request.

Both myself and most Town employees will provide public records based upon a verbal request (over the phone or at the front counter) if the requested document is clearly a public record and is readily accessible.

(8) Please state which General Plan governs SummerHill's project.

As we have stated many times previously, the application is being processed under the 2010 General Plan. We have also identified that there is nothing in the 2030 General Plan which changes the analysis. This is reflected in the proposed findings of approval for the project.

Thank you for your assistance.

Maryann Cella

On Thu, May 30, 2013 at 5:34 PM, Rob Ewing <REwing@danville.ca.gov> wrote:

Maryann,

I wanted to let you know I haven't forgotten this request, but between vacation last week and illness this week, it's my first day back in the office for awhile. Let me give you more background information so I can try to answer your request.

The communications from Shute Mihaly are all emails regarding either procedural issues with the initiative and petitions or issues to be addressed in the Elections Code Section 9212 report-there are no letters, memos or other reports. So, I can give you dates of emails if that would be of interest and subject, which would either be the 9212 report or procedural issues about the initiative.

As far as fees, it's not really possible to tie them directly to emails since much of their work related to research for the 9212 report, which of course was never completed. I could give you the total billed by Shute Mihaly related to the 9212 report and procedural questions (I haven't been billed yet for May so I don't have those figures).

Let me know if that sounds like a reasonable process.

Rob Ewing

From: Maryann Cella [mailto:maryann.cella@gmail.com]
Sent: Wednesday, May 22, 2013 7:07 PM
To: Rob Ewing
Cc: Marie Sunseri

Subject: Re: Public Records Act request

Hi, again. Also, please include the fee for the legal work, itemized by letter if possible. Thank you.

Maryann

On Wed, May 22, 2013 at 11:57 AM, Maryann Cella <maryann.cella@gmail.com> wrote:

Thank you for your reply, Rob. Yes, I would like to know the dates of each letter, please, and the specific subject for each letter.

Thanks again.

Maryann

On Tue, May 21, 2013 at 4:45 PM, Rob Ewing <REwing@danville.ca.gov> wrote:

Maryann,

Marie forwarded me your email below. If you would like, I can pull together the information you are requesting. All communications which are privileged are between myself and Robert Perlmutter at Shute Mihaly & Weinberger, they are all between September or October 2012 and this month and they all relate to the initiative-they have not done any work on the Summerhill project. I will be out the rest of this week so if you want more detail, I can work on that next week. Have a nice Memorial Day weekend.

Rob

From: Maryann Cella [mailto:maryann.cella@gmail.com]
Sent: Monday, May 20, 2013 10:30 AM
To: Rob Ewing

Subject: Fwd: Public Records Act request

----- Forwarded message -----

From: **Maryann Cella** <maryann.cella@gmail.com>
Date: Mon, May 20, 2013 at 10:06 AM
Subject: Re: Public Records Act request
To: Marie Sunseri <MSunseri@danville.ca.gov>
Cc: jonpat@sbcglobal.net

Thank you, Marie. I could not open the folders. Could you please either send them in another format or make them available for us to review at the Town offices this week?

Also, regarding the letters between Danville and "its attorneys", you must disclose the following non-privileged information:

1. the subject matter of such letters;
2. the dates of such letters;
3. the amount of the fee and the subject file to which it was billed;
4. the name of the attorney(s); and
5. the general purpose of the work performed.

I note that no such privilege exists for communications to and from Danville's government and attorneys for SummerHill Homes or Teardrop Partners.

Thanks again.

Maryann

On Fri, May 17, 2013 at 9:23 AM, Marie Sunseri <MSunseri@danville.ca.gov> wrote:

Some files have been sent to you via the **YouSendIt** File Delivery Service.

Download the file - [Response to Cella #1; Response to Cella #2; Response to Cella - City Clerk file.pdf](#)

Your files will expire after 14 days.

Good morning Maryann,

In response to your request, I have attached two folders and one .pdf document. The two folders correspond to the two categories listed in your request and contain all responsive documents which are subject to disclosure. Any documents subject to attorney/client privilege between the Town and its attorneys are not subject to disclosure pursuant to Government Code Section 6254(k). Also, one of the emails provided in response to Question 1 refers to a letter from Bob Doyle with East Bay Regional Park District. No such letter exists-the reference is to a letter dated February 28, 2013 from Ted Radosovich, General Counsel for the District. That letter is included in the response.

Please let me know if you have any questions.

From: Maryann Cella [mailto:maryann.cella@gmail.com]
Sent: Tuesday, May 14, 2013 1:13 PM
To: Marie Sunseri
Subject: Re: Public Records Act request

Thanks, Marie.

Maryann

On Tue, May 14, 2013 at 11:57 AM, Marie Sunseri <MSunseri@danville.ca.gov> wrote:

I am in receipt of your request and will respond by the end of the week.

From: Maryann Cella [mailto:maryann.cella@gmail.com]
Sent: Wednesday, May 08, 2013 1:12 PM
To: Rob Ewing; Marie Sunseri
Cc: Todd Bernard; stu@stuflash.com

Subject: Public Records Act request

Hi, Rob and Marie. Pursuant to the CA Public Records Act, within the time prescribed by law please send the following records to Stuart Flashman, Todd Gary and me:

1. Any and all notes, memoranda, emails, faxes, letters, documents, Public Records Act Requests (including but not limited to requests from SummerHill Homes and/or Teardrop Partners, their attorneys, employees, principals, representatives, consultants or agents), and legal or other opinions relating to the Town of Danville Citizens' Agricultural, Open Space, and Parks and Recreation Land Preservation Initiative.
2. Any and all legal opinions or legal analyses relating to the SummerHill Homes' Magee Ranch project including but not limited to any to or from SummerHill Homes and/or Teardrop Partners (including their attorneys, employees, principals, representatives, consultants or agents), or Shute, Mihaly and Weinberger (including their attorneys, employees, principals, representatives, consultants or agents).

Thank you for your assistance.

Maryann Cella

Danville
Measure S
File

MORRISON & FOERSTER LLP

SAN FRANCISCO
LOS ANGELES
PALO ALTO
SACRAMENTO
ORANGE COUNTY
SAN DIEGO
DENVER
WASHINGTON, D.C.

ATTORNEYS AT LAW

PLEASE RESPOND TO:

P.O. BOX 8130
WALNUT CREEK, CALIFORNIA 94596-8130

NEW YORK
BUENOS AIRES
LONDON
BRUSSELS
BEIJING
HONG KONG
SINGAPORE
TOKYO

101 YGNACIO VALLEY ROAD, SUITE 450
WALNUT CREEK, CALIFORNIA 94596-4095

TELEPHONE (925) 295-3300

TELEFACSIMILE (925) 946-9912

December 15, 2000

RECEIVED

DEC 18 2000

DANVILLE CITY ATTORNEY

Writer's Direct Contact
(925) 295-3316
AGuerra@mofa.com

Via Facsimile and U.S. Mail

Robert Ewing
City Attorney
Town of Danville
510 La Gonda Way
Danville, CA 94526

Re: Measure S

Dear Rob:

With the November election behind us and the adoption of Measure S, Jed Magee, David Gold and I are interested in exploring with you and the Town of Danville (the "Town"), land use options for the 370-acre Teardrop Partners property in Danville (the "Magee Property"). The purpose of this letter is to highlight for your consideration several questions that have arisen regarding the Town's implementation of Measure S as it applies to the Magee Property. The following questions reflect an interest in attempting to better understand the intent, process and application of the measure.

Background

On November 7, 2000, the residents of Danville approved both Measure S, the Danville Open Space Preservation Initiative, and Measure R, the Danville Public Planning Initiative. By their own terms, the measure with the greater number of votes supercedes the other measure. In this case, Measure S obtained the greater number of votes and supercedes Measure R.

With adoption of Measure S, we understand that the Town intends to identify an Urban Growth Boundary ("UGB") that designates an adequate amount, range, and density of land use within the UGB to meet the projected needs of the community in accordance with the General Plan. Measure S also provides that the General Plan land

MORRISON & FOERSTER LLP

Robert Ewing
December 15, 2000
Page Two

use designations of *Agricultural*, *General Open Space* and *Parks and Recreation* were reaffirmed and readopted by the voters and may not be amended before November 7, 2020 without a vote of the people or by a 4/5th vote of the Town Council if certain findings can be made. Additional public hearings are required as part of this process. As you know, the Magee Property is one of a handful of properties affected by Measure S.

Issues Regarding Measure S

We are interested in discussing with you and staff the following issues and questions which have arisen in our effort to advise Jed Magee and Teardrop Partners as they consider options for the disposition of the Magee Property.

1. Does the Town plan to adopt implementing regulations for Measure S?
2. How does the Town intend to process General Plan amendments for properties such as the Magee Property, that are subject to Measure S?
3. Will the Town submit to the voters for approval General Plan amendments for the subject properties that are denied by the Town Council? In other words, if the Council denies a General Plan amendment subject to a vote, would an applicant be permitted to take the General Plan amendment to a vote?
4. If an applicant concurrently processes as part of a single project a General Plan amendment for property that *is not* subject to a vote with a General Plan amendment for property that *is* subject to a vote, it is our reading of the Measure that the Town will hold the election only to cover the General Plan amendment subject to the vote. Please confirm that our understanding is correct.
5. Will an applicant for a General Plan amendment subject to a vote be permitted under Measure S to submit the General Plan amendment to the voters prior to, or in lieu of, seeking Town Council approval?
6. The Magee Ranch Special Concern Area encourages the transfer of densities to the least sensitive and obtrusive parts of the site. The General Plan states:

“[T]ransferring allowable densities to a limited number of areas within the ranch would enable the bulk of the site to be set aside as permanent open space.” General Plan at p. 58.

Our reading of the General Plan and Measure S suggests that the Town may continue to implement the density transfer provisions applicable to the Magee Ranch

MORRISON & FOERSTER LLP

Robert Ewing
December 15, 2000
Page Three

Special Concern Area. Please confirm for us whether this is case and whether density transfers within the Magee Ranch Special Concern Area also will be subject to a vote.

7. With respect to the Special Concern Area density transfer, will the density transfer provision apply to the transfer of densities from one parcel to another under common ownership, or will the Town permit a density transfer between parcels under different ownership?

8. It is our understanding that the Town will be able to process rezonings consistent with the adopted General Plan designation for the Magee Property. Please confirm that the Town does not intend to prevent rezonings of property subject to Measure S.

9. As you know, Jed Magee filed on November 21, 2000 a Notice of Non-Renewal of the existing Williamson Act Contract applicable to a portion of the Magee Property. The General Plan *Agricultural* designation provides:

In the event that Williamson Act contracts are not renewed, continued agricultural use is encouraged and the underlying zoning density (one unit per 20 acres or one unit per five acres) would apply upon contract expiration." General Plan at p. 52.

The underlying zoning of the Magee Property is *A-4* allowing one unit per 20 acres. Will the Town consider an application for rezoning of the Magee Property to a density of one unit per five acres?

10. What factors will the Town Council consider in determining that approval of the General Plan amendment "is necessary to avoid an unconstitutional taking of a landowner's property rights"? Will an applicant need to file a takings lawsuit in order for the Council to make this finding? Will an applicant need to prevail in a takings challenge for the Council to make this finding?

11. Will Measure S elections be funded by the voters or the applicant of the General Plan amendment?

12. How many elections will the Town hold per year? Will the Town consolidate all requests for a General Plan amendment in one election?

13. When is the Town planning to commence the UGB adoption process?

MORRISON & FOERSTER LLP

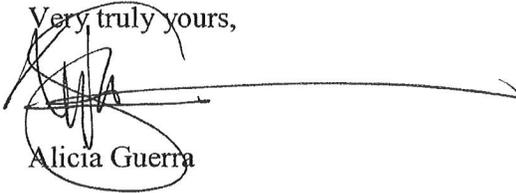
Robert Ewing
December 15, 2000
Page Four

14. Will the UGB be based upon the amount, range, and density of land use projected for the General Plan 2010 horizon year or will it be based on the General Plan land use designations locked in by Measure S to the year 2020?

We would like to meet with you and Kevin Gailey sometime after the first of the year to discuss the issues and questions identified above. Please give me a call at your convenience and let me know if you and Kevin would be available for such a meeting, so that we can coordinate possible meeting dates.

We appreciate your attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alicia Guerra", is written over the typed name. The signature is stylized and includes a long horizontal line extending to the right.

Alicia Guerra

cc: Kevin Gailey
Jed Magee
David A. Gold



December 21, 2000

Alicia Guerra
Morrison & Foerster LLP
P.O. Box 8130
Walnut Creek, CA 94596-8130

Re: Town of Danville Measure S

Dear Alicia:

Thank you for your letter of December 15, 2000, regarding the implementation of Measure S, adopted by the Town's voters on November 7. This letter attempts to answer the questions you have posed regarding Measure S and other provisions of the Town of Danville 2010 General Plan as they apply to your client's property.

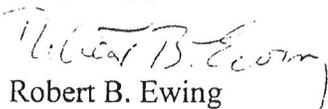
1. It is likely that the Town will adopt policies or regulations implementing Measure S. However, there is no current timetable for adopting such policies.
2. The July 5, 2000 staff report to the Town Council specifically addressed this question. The report states "As drafted, any property owner seeking a general plan amendment for lands currently designated as Agricultural, General Open Space or Park and Recreation would still go through the normal planning process....If at the end of that process the Town Council approved the proposed amendment, the matter would be submitted to the voters for affirmation. Thus, landowners and applicants would not be able to bypass all of the Town's normal processes."
3. Based on the language cited above, the answer would be no.
4. There is no definitive answer to this question. Your question assumes that two portions of a single project are completely separate and discrete. If that were the case, it is possible that only a portion of the project would require voter approval under Measure S. However, as a practical matter, it is certainly possible that the two portions of a project could not be separated. As an example, mitigation measures required by CEQA might involve both parcels in a unified manner. Other examples might include access, drainage improvements, etc. Thus, any definitive answer to this question will depend on the precise facts involved in an actual application.
5. No.
6. Nothing in Measure S affects the General Plan's provisions regarding the Magee Ranch Special Concern Area or the discussion of possible density transfers. Thus, a density transfer in and of itself would not be subject to Measure S. However, if the

density transfer were part of any General Plan Amendment proposing to change the land use designation, it would indirectly be subject to Measure S.

7. Again, nothing in Measure S itself addresses the question of density transfers. In addition, the Town's 2010 General Plan does not address this question and Kevin Gailey informs me that we have had no real experience with density transfers. While there is no clear prohibition against allowing density transfers between properties under different ownership, any such transfer would have to be reviewed on the specific facts involved in an application and a determination of whether or not such a transfer would be consistent with the applicable provisions of the general plan.
8. By its terms, Measure S only applies to general plan amendments that would change the current land use designations. Measure S would not affect Rezonings consistent with the General Plan land use designations.
9. By its own terms, Measure S only applies to general plan amendments and not to rezonings that are consistent with the existing general plan designation. Thus, if any of the Magee parcels could be rezoned in a manner consistent with the general plan land use designation, no voter approval would be required. Of course any such application would need to be considered on its merits and would be subject to legal standards for rezonings.
10. Measure S only requires that such a finding be supported by substantial evidence. It does not specify whether a taking suit must have been filed or litigated to completion. It is my opinion that application of this provision will need to be determined on a case-by-case basis with a careful review of the facts. There is no blanket answer.
11. The Town, not the developer, will fund measure S elections.
12. Measure S does not specify. Again, the Town's answer to this question will be driven by the particular facts presented if and when Measure S requires any election. The most relevant fact would be the timing of a Council approval in relation to already scheduled elections or available election dates under the Elections Code.
13. There is no timetable for consideration of a UGB. To address a suggestion made in the Background section of your letter, Measure S itself does not call for adoption of a UGB nor add anything to existing Policy 5.01 of the 2010 General Plan. As I had previously explained, the reference to Policy 5.01 and a UGB in Section 1 of Measure S was added to support the conclusion in Section 6 of the measure that Measure S and Measure R were competing measures and that only one could become effective. As the person responsible for drafting the measure, this was the only purpose of including any such reference to a UGB.
14. Because Town staff has not yet begun to analyze or discuss a UGB, I cannot provide an answer to this question.

I hope that this letter provides you with enough information to brief your client. If you would like to meet with Kevin Gailey and myself after the holidays, please feel free to give me a call.

Very truly yours,


Robert B. Ewing
City Attorney

Cc: Kevin Gailey

SHUTE, MIHALY & WEINBERGER LLP

396 Hayes Street
San Francisco, CA 94102-4421

415-552-7272

Tax ID: 94-2647744

AB6

RS

JAN 22 PM 4:55

Town of Danville
ATTN: R. Ewing
510 La Gonda Way
Danville, CA 94526

INVOICE DATE December 20, 2012
SMW FILE DANVI.INI2
SMW INVOICE 238542
Page 1

RE: Land Preservation Initiative

PAID FEB 06 2013

SERVICES RENDERED

		<u>HOURS</u>	
11/14/2012	RSP Email correspondence.	0.20	30.00
11/15/2012	RSP Telephone call with R. Ewing; strategize re [REDACTED] conference with T. Galanter.	0.40	60.00
11/27/2012	RSP Email correspondence.	0.10	15.00
11/28/2012	RSP Email correspondence.	0.10	15.00
Total for Services thru 11/30/2012		<u>0.80</u>	<u>120.00</u>

<u>Timekeeper</u>	<u>Title</u>	<u>Summary</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Robert S. Perlmutter	Partner		0.80	\$150.00	\$120.00

AMOUNT OF CURRENT BILLING 120.00

TOTAL DUE \$120.00

OK to pay
RBE

SHUTE, MIHALY & WEINBERGER LLP

396 Hayes Street
 San Francisco, CA 94102-4421
 415-552-7272
 Tax ID: 94-2647744

RSP *ABT*

Town of Danville
 ATTN: R. Ewing
 510 La Gonda Way
 Danville, CA 94526

INVOICE DATE January 11, 2013
 SMW FILE DANVI.INI2
 SMW INVOICE 238612
 Page 1

RE: Land Preservation Initiative

JAN 18 PM 4:02

PAID FEB 06 2013

SERVICES RENDERED

		<u>HOURS</u>	
12/03/2012	RSP Review documents re initiative.	0.50	75.00
12/04/2012	RSP Review documents re initiative; telephone call with R. Ewing re 9212 report; strategize re same.	1.60	240.00
12/19/2012	RSP Email correspondence.	0.10	15.00
	Total for Services thru 12/31/2012	2.20	330.00

<u>Timekeeper</u>	<u>Title</u>	<u>Summary</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Robert S. Perlmutter	Partner		2.20	\$150.00	\$330.00

AMOUNT OF CURRENT BILLING

Previous Balance

330.00

\$120.00

TOTAL DUE

\$450.00

AGED DUE AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
12/20/2012	238542	120.00	120.00
			<u>120.00</u>

OK to pay RBE

[Handwritten signatures]



SHUTE, MIHALY & WEINBERGER LLP

396 Hayes Street
San Francisco, CA 94102-4421
415-552-7272
Tax ID: 94-2647744

RSP
B 57

MAR 6 PM 3:56

Town of Danville
ATTN: R. Ewing
510 La Gonda Way
Danville, CA 94526

INVOICE DATE February 25, 2013
SMW FILE DANVI.INI2
SMW INVOICE 239220
Page 1

RE: Land Preservation Initiative

PAID APR 03 2013

SERVICES RENDERED

		<u>HOURS</u>	
01/03/2013	RSP Strategize re 9212 report issues; legal research re	1.10	357.50
01/07/2013	RSP Legal research for 9212 report; strategize re same.	1.30	422.50
01/07/2013	JDP Discuss strategy with R. Perlmutter re	7.30	1,606.00
01/08/2013	RSP Conference with J. Petta re [REDACTED] telephone call with R. Ewing re 9212 report.	1.80	585.00
01/08/2013	JDP Research re [REDACTED]	5.10	1,122.00
01/09/2013	MDZ Strategize re [REDACTED]	0.20	65.00
01/09/2013	JDP Research re [REDACTED]	5.10	1,122.00
01/10/2013	JDP Research [REDACTED]	4.50	990.00
01/11/2013	RST Strategize re [REDACTED]	0.30	97.50

Town of Danville
 RE: Land Preservation Initiative

INVOICE DATE 02/25/2013
 SMW FILE DANVI.INI2
 SMW INVOICE 239220
 Page 2

		<u>HOURS</u>	
01/11/2013	JDP Research re	2.30	506.00
01/14/2013	RSP Strategize re initiative report.	0.50	162.50
01/14/2013	JDP Research	5.90	1,298.00
01/15/2013	RSP Legal research and strategize re 9212 report; outline same.	1.90	617.50
01/15/2013	JDP Research c	2.10	462.00
01/16/2013	RSP Email correspondence; review documents from R. Ewing.	0.40	130.00
01/17/2013	RSP Review materials from R. Ewing; email correspondence re same.	0.20	65.00
01/18/2013	RSP Email correspondence; strategize re	0.50	162.50
01/22/2013	RSP Conference with J. Petta re 9212 report.	0.20	65.00
01/23/2013	JDP Research re	2.10	462.00
01/24/2013	RSP Conference with J. Petta re research.	0.10	32.50
01/24/2013	JDP Memo on research to date.	4.20	924.00
01/30/2013	RSP Email correspondence; strategize re 9212 report.	0.40	130.00
	Total for Services thru 01/31/2013	47.50	11,384.50

<u>Timekeeper</u>	<u>Title</u>	<u>Summary</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Richard S. Taylor	Partner		0.30	\$325.00	\$97.50
Robert S. Perlmutter	Partner		8.40	325.00	2,730.00
Matthew D. Zinn	Partner		0.20	325.00	65.00
Joseph D. Petta	Jr. Associate		38.60	220.00	8,492.00

COSTS ADVANCED

01/31/2013	Photocopy charges @ \$.10 per page	7.80
01/31/2013	Westlaw Legal Research - 2013	259.69
	Total Costs Advanced thru 01/31/2013	267.49

Town of Danville
RE: Land Preservation Initiative

INVOICE DATE 02/25/2013
SMW FILE DANVI.INI2
SMW INVOICE 239220
Page 3

AMOUNT OF CURRENT BILLING 11,651.99

Previous Balance \$450.00

CREDITS TO ACCOUNT

02/11/2013 Payment received from Town of Danville -120.00
02/11/2013 Payment received from Town of Danville -330.00
Credits and Payments - THANK YOU! -450.00

TOTAL DUE \$11,651.99

OK to pay
RBE

B 84

SHUTE, MIHALY & WEINBERGER LLP

396 Hayes Street
San Francisco, CA 94102-4421
415-552-7272
Tax ID: 94-2647744

RJ

MAR 21 PM 3:00

Town of Danville
ATTN: R. Ewing
510 La Gonda Way
Danville, CA 94526

INVOICE DATE March 11, 2013
SMW FILE DANVI.INI2
SMW INVOICE 239258
Page 1

RE: Land Preservation Initiative

SERVICES RENDERED

		<u>HOURS</u>	
02/04/2013	RSP	Review research re 9212 report; conference with S. Peta re same.	0.70 227.50
	JDP	Discuss strategy with R. Perlmutter re providing guidance for 9212 report; prep for same.	0.90 198.00
02/05/2013	RSP	Review ; prepare for and conference call re 9212 report.	2.40 780.00
	JDP	Confenence call with R. Perlmutter and Rob Ewing re Danville initiative research,	1.80 396.00
02/06/2013	RSP	Email correspondence.	0.10 32.50
02/12/2013	RSP	Email correspondence.	0.10 32.50
02/13/2013	RSP	Legal research re	0.20 65.00
	JDP	Review	1.10 242.00



PAID APR 17 2013

Town of Danville
 RE: Land Preservation Initiative

INVOICE DATE 03/11/2013
 SMW FILE DANVI.INI2
 SMW INVOICE 239258
 Page 2

		HOURS	
02/14/2013	RSP Strategize re 9212 report.	0.20	65.00
02/15/2013	RSP Telephone call with R. Ewing;	1.30	No Charge
02/19/2013	RSP Telephone call with R. Ewing; t	1.50	No Charge
02/20/2013	RSP Conference with J. Peta re 9212 report; strategize re same.	0.40	130.00
<hr/>			
	JDP Legal reseach re	2.10	462.00
02/21/2013	JDP Review	1.20	264.00
02/26/2013	RSP Review k	0.10	32.50
	JDP Research l	2.60	572.00
Total for Services thru 02/28/2013		13.90	3,499.00

Timekeeper	Title	Summary	Hours	Rate	Amount
Robert S. Perlmutter	Partner		4.20	\$325.00	\$1,365.00
Joseph D. Petta	Jr. Associate		9.70	220.00	2,134.00

COSTS ADVANCED

02/08/2013	Monterey County Superior Court - Copy Fees	36.50
02/28/2013	Westlaw Legal Research - February 2013	10.76
Total Costs Advanced thru 02/28/2013		47.26

AMOUNT OF CURRENT BILLING

Previous Balance \$11,651.99

TOTAL DUE \$15,198.25

3,546.26

OK to pay
 PLBE

SHUTE, MIHALY & WEINBERGER LLP 

396 Hayes Street
 San Francisco, CA 94102-4421
 415-552-7272
 Tax ID: 94-2647744

Town of Danville
 ATTN: R. Ewing
 510 La Gonda Way
 Danville, CA 94526

INVOICE DATE
 SMW FILE
 SMW INVOICE

April 17, 2013
 DANVI.INI2
 239609
 Page 1

239609A

RE: Land Preservation Initiative

SERVICES RENDERED

		<u>HOURS</u>	
03/01/2013	RSP Email correspondence.	0.10	32.50
03/04/2013	RSP Review ; telephone call (v/m) with R. Ewing; strategize re 9212 report.	0.60	195.00
03/04/2013	JDP Discuss strategy re 9212 report.	0.30	66.00
03/05/2013	RSP Telephone call with R. Ewing;	0.60	195.00
03/07/2013	RSP Strategize re initiative issues.	0.10	32.50
03/08/2013	JDP Review	1.30	286.00
03/11/2013	JDP Review /	1.20	264.00
03/13/2013	RSP Review ;	0.10	32.50
03/13/2013	JDP Review ;	0.30	66.00
03/15/2013	RSP Review ; telephone call with R. Ewing.	0.30	97.50
03/15/2013	JDP Draft email to client; ;	0.20	44.00
03/25/2013	JDP Review ;	0.40	88.00
	Total for Services thru 03/31/2013	5.50	1,399.00

Town of Danville
RE: Land Preservation Initiative

INVOICE DATE 04/17/2013
SMW FILE DANVI.INI2
SMW INVOICE 239609
Page 2

<u>Timekeeper</u>	<u>Title</u>	<u>Summary</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Robert S. Perlmutter	Partner		1.80	\$325.00	\$585.00
Joseph D. Petta	Jr. Associate		3.70	220.00	814.00

APR 30 PM 1:02

COSTS ADVANCED

03/29/2013 FedEx - Invoice#2-208-06759 30.17
Total Costs Advanced thru 03/31/2013 30.17

AMOUNT OF CURRENT BILLING

1,429.17

Previous Balance

\$15,198.25

CREDITS TO ACCOUNT

04/08/2013 Payment received from Town of Danville -11,651.99

TOTAL DUE

\$4,975.43

AGED DUE AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
03/11/2013	239258	3,546.26	<u>3,546.26</u> 3,546.26

OK to pay
RBE

Rf

SHUTE, MIHALY & WEINBERGER LLP

396 Hayes Street
 San Francisco, CA 94102-4421
 415-552-7272
 Tax ID: 94-2647744

R^c r

Town of Danville
 ATTN: R. Ewing
 510 La Gonda Way
 Danville, CA 94526

INVOICE DATE May 17, 2013
 SMW FILE DANVI.INI2
 SMW INVOICE 239817
 Page 1

RE: Land Preservation Initiative

SERVICES RENDERED

		<u>HOURS</u>	
04/02/2013	RSP Telephone call with R. Ewing; legal research re	0.60	195.00
04/15/2013	RSP Review ir	2.10	682.50
04/15/2013	JDP Strategize re drafting 9212 report; review file.	2.00	440.00
04/16/2013	RSP Telephone call with R. Ewing; review strategize re 9212 report.	1.50	487.50
04/16/2013	JDP Research re	1.40	308.00
04/17/2013	RSP Email correspondence.	0.10	32.50
04/18/2013	RSP Email correspondence.	0.10	32.50
04/26/2013	RSP Email correspondence.	0.10	32.50
Total for Services thru 04/30/2013		<u>7.90</u>	<u>2,210.50</u>

<u>Timekeeper</u>	<u>Title</u>	<u>Summary</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Robert S. Perlmutter	Partner		4.50	\$325.00	\$1,462.50
Joseph D. Petta	Jr. Associate		3.40	220.00	748.00

Town of Danville
RE: Land Preservation Initiative

INVOICE DATE 05/17/2013
SMW FILE DANVI.INI2
SMW INVOICE 239817
Page 2

COSTS ADVANCED

04/30/2013	Photocopy charges @ \$.10 per page	0.20
04/30/2013	Westlaw Legal Research - April 2013	30.89
	Total Costs Advanced thru 04/30/2013	31.09

AMOUNT OF CURRENT BILLING

2,241.59

Previous Balance

\$4,975.43

CREDITS TO ACCOUNT

04/19/2013	Payment received from Town of Danville	-3,546.26
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TOTAL DUE

\$3,670.76

AGED DUE AMOUNTS

<u>Stmt Date</u>	<u>Stmt #</u>	<u>Billed</u>	<u>Due</u>
04/17/2013	239609	1,429.17	1,429.17
			<u>1,429.17</u>

OK to pay
RBE

List of Communications with Shute Mihaly & Weinberger

- 10/29/12 email exchange between Robert Perlmutter (partner at Shute Mihaly), Richard Taylor (partner at Shute Mihaly) and Robert Ewing re Danville Initiative and Elections Code 9212 report
- 11/2/12 email exchange between Perlmutter and Ewing re Danville Initiative
- 11/9/12 email from Ewing to Perlmutter re Danville Initiative and 9212 report
- 11/13/12 email exchange between Perlmutter and Ewing re Danville Initiative
- 11/14/12 email exchange between Ewing and Perlmutter re Danville Initiative
- 11/15/12 email from Ewing to Perlmutter re Danville Initiative
- 11/15/12 phone call between Ewing and Perlmutter re Initiative and 9212 report
- 11/19/12 email exchange between Ewing and Perlmutter re Danville Initiative
- 11/21/12 email from Ewing to Perlmutter re Danville Initiative
- 11/27/12 email form Ewing to Perlmutter re 9212 Report
- 12/3/12 email from Ewing to Perlmutter re 9212 Report
- 12/19/12 email from Ewing to Perlmutter re Danville Initiative
- 1/8/13 phone call between Ewing and Perlmutter re 9212 report
- 1/16/13 email from Ewing to Perlmutter re 9212 Report
- 1/17/13 email from Perlmutter to Ewing re 9212 Report
- 1/18/13 email exchange between Perlmutter, Joseph Petta (associate attorney at Shute Mihaly)and Ewing re 9212 Report
- 1/30/13 email exchange between Ewing and Perlmutter re 9212 Report
- 1/31/13 email from Perlmutter to Ewing re 9212 Report
- 2/4/13 email from Perlmutter and Petta to Ewing re 9212 Report
- 2/5/13 email from Ewing to Perlmutter and Petta re 9212 Report
- 2/5/13 phone call between Ewing and Perlmutter re Initiative and 9212 report
- 2/6/13 email from Perlmutter to Ewing re 9212 Report
- 2/8/13 email from Ewing to Perlmutter and Petta re Danville Initiative
- 2/12/13 email exchange between Ewing, Perlmutter and Petta re Danville Initiative
- 2/15/13 email from Ewing to Perlmutter re Danville Initiative
- 2/15/13 phone call between Ewing and Perlmutter re initiative
- 2/19/13 phone call between Ewing and Perlmutter re initiative
- 3/1/13 email from Ewing to Perlmutter re Danville Initiative
- 3/4/13 phone call between Ewing and Perlmutter re 9212 report
- 3/5/13 phone call between Ewing and Perlmutter re 9212 report
- 3/15/13 email from Ewing to Perlmutter re Danville Initiative

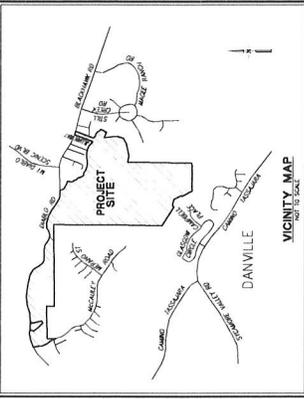
- 3/15/13 email between Petta and Ewing re 9212 Report
- 3/15/13 phone call between Ewing and Perlmutter re 9212 report
- 4/2/13 phone call between Ewing and Perlmutter re 9212 report
- 4/12/13 email from Ewing to Perlmutter re Danville Initiative petition filing
- 4/15/13 email exchange between Ewing and Perlmutter re Danville Initiative filing
- 4/16/13 phone call between Ewing and Perlmutter re Danville Initiative filing
- 4/26/13 email exchange between Ewing and Perlmutter re Danville Initiative filing
- 4/29/13 email from Ewing to Perlmutter re Danville Initiative
- 5/1/13 email exchange between Ewing and Perlmutter re Danville Initiative and 9212 report
- 5/7/13 email exchange between Ewing and Perlmutter and Petta re potential problems with Danville Initiative
- 5/7/13 phone calls between Ewing and Perlmutter re potential problems with Danville Initiative
- 5/8/13 email exchange between Ewing and Perlmutter and Petta re potential problems with Danville Initiative
- 5/8/13 phone call between Ewing and Perlmutter re potential problems with Danville Initiative
- 5/15/13 email from Ewing to Perlmutter re Danville Initiative Status

BENCHMARK

CONTRA COSTA COUNTY BENCHMARK # 1560
STANDARD CONTRA COSTA COUNTY BENCHMARK PLATE SET IN TOP OF CONCRETE
FOUNDATION OF GREEN VALLEY ROAD AT THE
INTERSECTION OF DUBLIO ROAD AND GREEN VALLEY ROAD.
ELEVATION = 423.118 1954 ADL.

VESTING TENTATIVE MAP SUBDIVISION 9291 - MAGEE RANCHES

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



LEGEND

PROPOSED

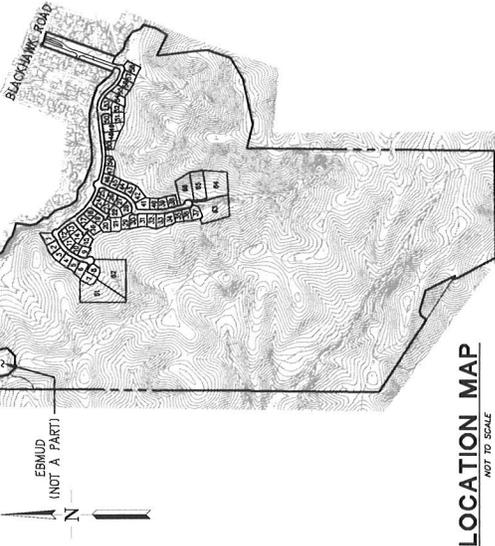
- TRACT BOUNDARY
- LOT LINE
- RIGHT OF WAY
- CENTER LINE
- RETAINING WALL
- EASEMENT LINE
- STORM DRAIN
- SANITARY SEWER
- WATER
- CURB & GUTTER
- SIDEWALK
- CONCRETE DITCH
- SCenic HILLSIDE LINE
- EDGE LINE
- BUILDABLE AREA
- STORM WATER INLET
- FIELD INLET
- MANHOLE
- FIRE HYDRANT
- BLOW OFF
- WATER VALVE
- WATER LATERAL WITH METER
- STREET LIGHT
- FENCE
- SLOPE
- HANDICAP RAMP
- SAVE TREE
- REMOVE TREE
- CONTOUR ELEVATIONS
- SPOT ELEVATION

EXISTING

- ELECTRICAL
- EASEMENT
- ELECTRICAL

LOT SUMMARY TABLE

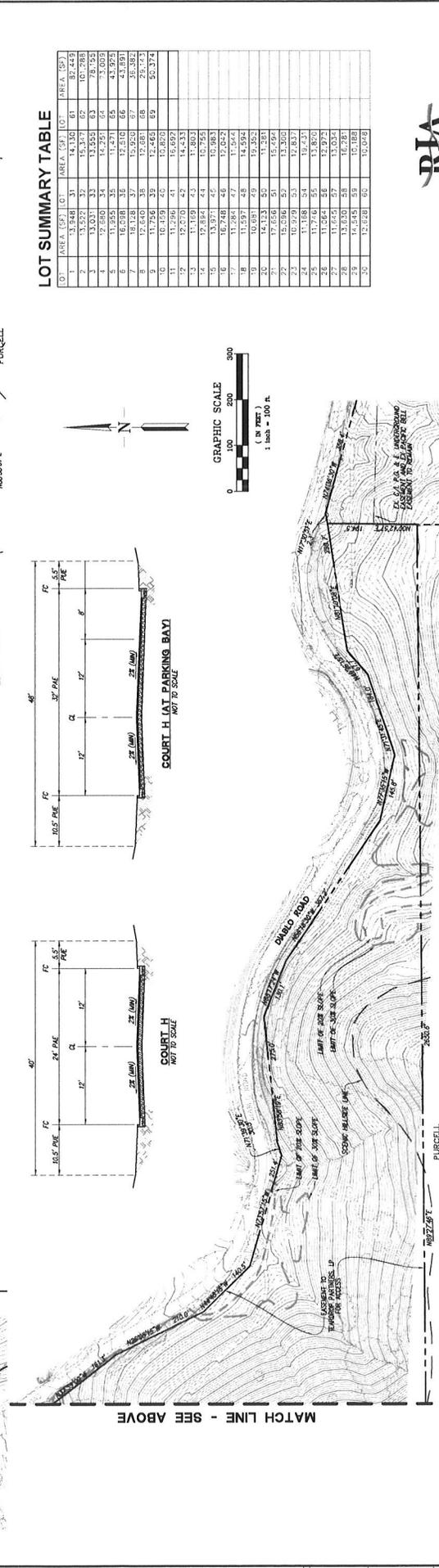
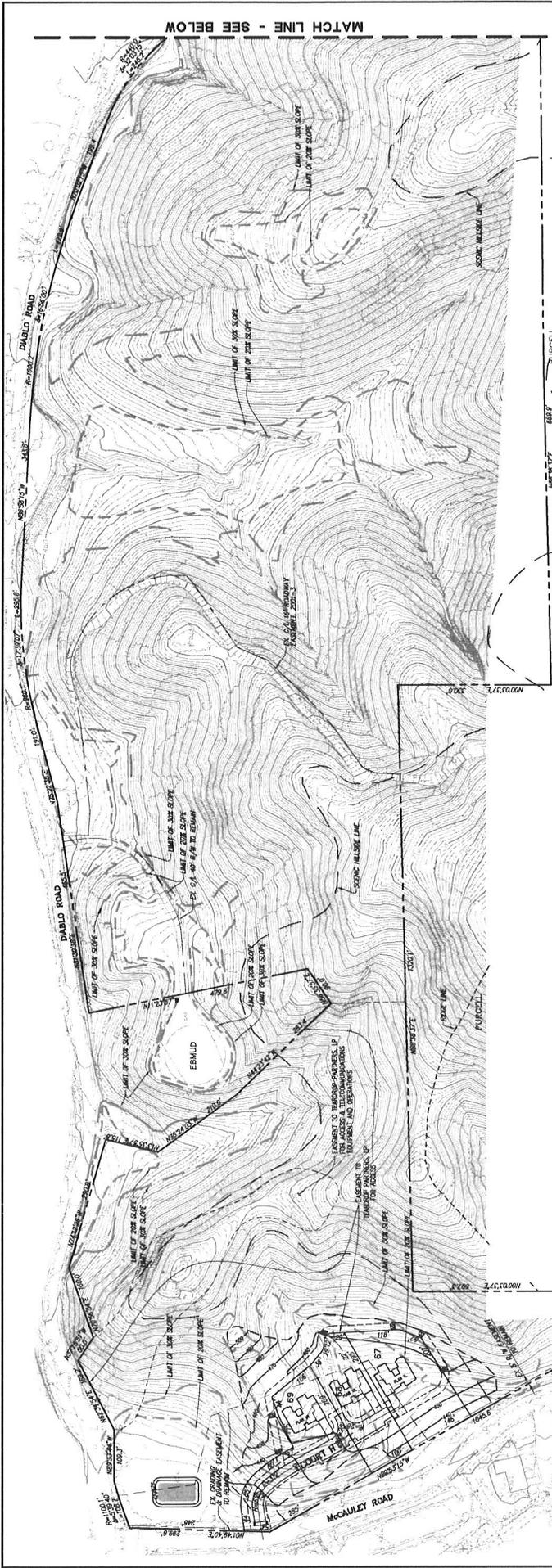
LOT	AREA (SQ) LOT	AREA (SQ) LOT	AREA (SQ) LOT
1	3,524.32	15,147.62	101,188.3
2	13,021.33	13,055.03	18,105.03
3	7,687.34	14,251.04	33,029.1
4	14,039.35	17,503.05	43,031.05
5	18,133.37	5,262.07	36,382.07
6	2,640.38	12,681.08	9,423.08
7	11,256.39	12,681.08	50,171.09
8	11,256.39	12,681.08	50,171.09
9	11,256.39	12,681.08	50,171.09
10	11,256.39	12,681.08	50,171.09
11	11,256.39	12,681.08	50,171.09
12	11,256.39	12,681.08	50,171.09
13	11,256.39	12,681.08	50,171.09
14	11,256.39	12,681.08	50,171.09
15	11,256.39	12,681.08	50,171.09
16	11,256.39	12,681.08	50,171.09
17	11,256.39	12,681.08	50,171.09
18	11,256.39	12,681.08	50,171.09
19	11,256.39	12,681.08	50,171.09
20	11,256.39	12,681.08	50,171.09
21	11,256.39	12,681.08	50,171.09
22	11,256.39	12,681.08	50,171.09
23	11,256.39	12,681.08	50,171.09
24	11,256.39	12,681.08	50,171.09
25	11,256.39	12,681.08	50,171.09
26	11,256.39	12,681.08	50,171.09
27	11,256.39	12,681.08	50,171.09
28	11,256.39	12,681.08	50,171.09
29	11,256.39	12,681.08	50,171.09
30	11,256.39	12,681.08	50,171.09



LOCATION MAP
NOT TO SCALE

GENERAL NOTES:

- OWNER: TEARDROP PARTNERS, L.P. AND MAGEE INVESTMENT COMPANY
2199 CALIFORNIA COLLEAVARD #240
SAN RAMON, CA 94583
CONTACT: C/O MENDI BAKER (925) 244-7534
- DEVELOPER: SIMMERHILL HOMES
5000 EXECUTIVE PARKWAY, SUITE 150
SAN RAMON, CA 94583
CONTACT: MENDI BAKER (925) 244-7534
- CIVIL ENGINEER: RUGGERI-JENSEN-AZAR
1000 UNIVERSITY AVENUE, SUITE 200
PLEASANTON, CA 94588
CONTACT: MARK FALGOUT (925) 227-9100
- SOILS ENGINEER: ENCO, INCORPORATED
2010 CROW CANYON PLACE, SUITE 250
SAN RAMON, CA 94583
CONTACT: PHILIP STUCHELL (925) 866-9000
- ASSESSOR'S PARCEL NUMBERS: 202-050-071-2, 202-050-071-3, 202-050-071-4, 202-050-071-5, 202-050-071-6, 202-050-071-7, 202-050-071-8, 202-050-071-9, 202-050-071-10, 202-050-071-11, 202-050-071-12, 202-050-071-13, 202-050-071-14, 202-050-071-15, 202-050-071-16, 202-050-071-17, 202-050-071-18, 202-050-071-19, 202-050-071-20, 202-050-071-21, 202-050-071-22, 202-050-071-23, 202-050-071-24, 202-050-071-25, 202-050-071-26, 202-050-071-27, 202-050-071-28, 202-050-071-29, 202-050-071-30, 202-050-071-31, 202-050-071-32, 202-050-071-33, 202-050-071-34, 202-050-071-35, 202-050-071-36, 202-050-071-37, 202-050-071-38, 202-050-071-39, 202-050-071-40, 202-050-071-41, 202-050-071-42, 202-050-071-43, 202-050-071-44, 202-050-071-45, 202-050-071-46, 202-050-071-47, 202-050-071-48, 202-050-071-49, 202-050-071-50, 202-050-071-51, 202-050-071-52, 202-050-071-53, 202-050-071-54, 202-050-071-55, 202-050-071-56, 202-050-071-57, 202-050-071-58, 202-050-071-59, 202-050-071-60, 202-050-071-61, 202-050-071-62, 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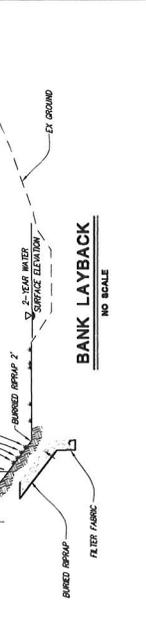
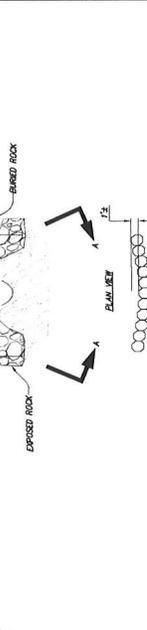
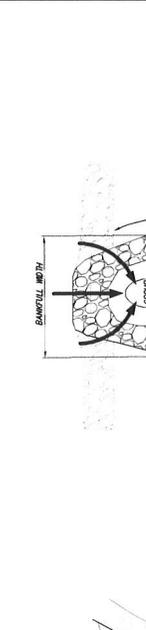
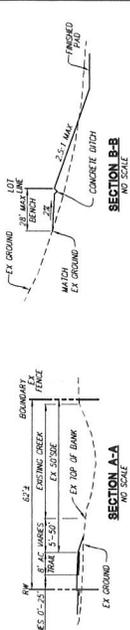
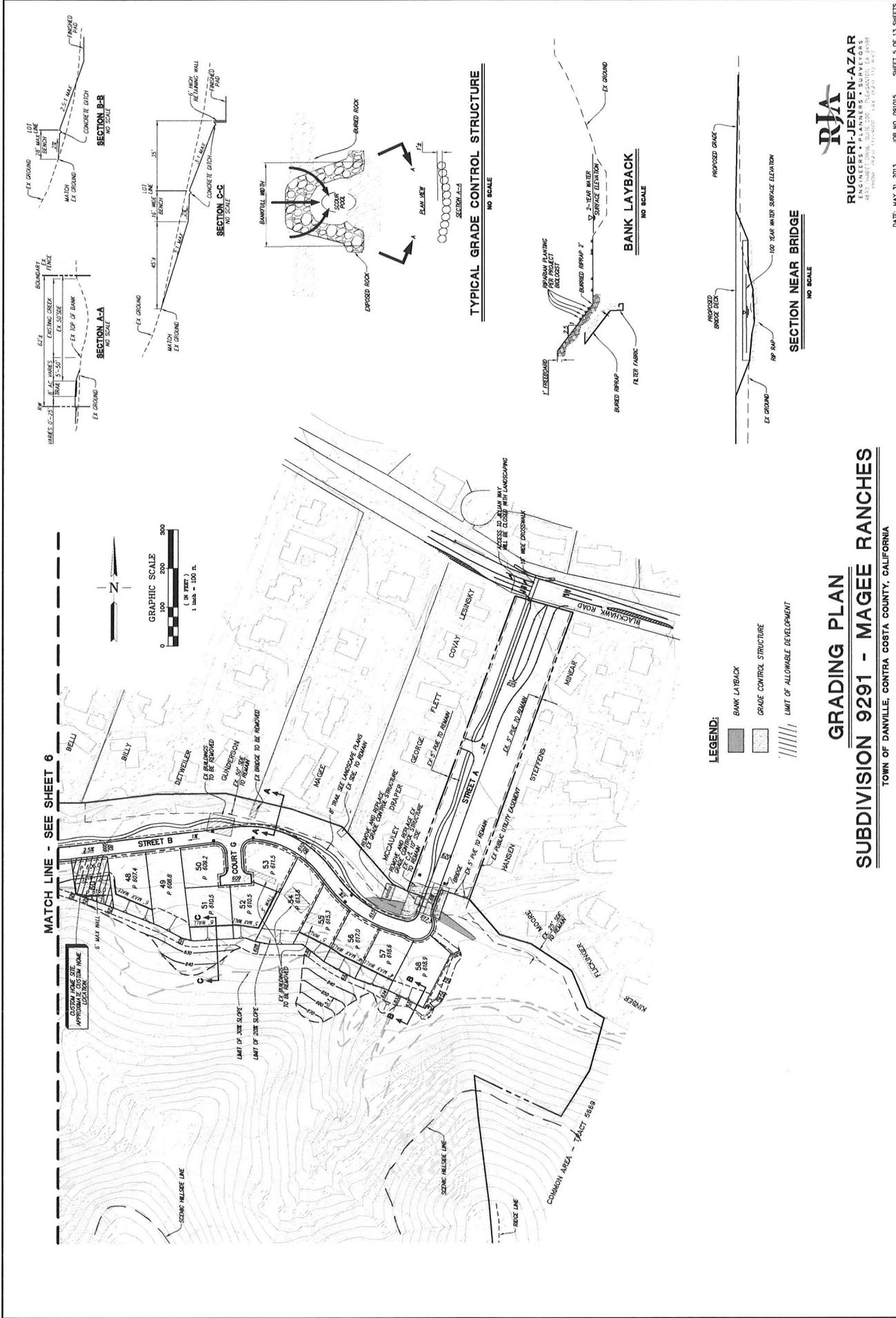
LOT SUMMARY TABLE

LOT	AREA (SQ. FT.)	AREA (SQ. FT.)	AREA (SQ. FT.)
1	12,440	12,440	12,440
2	13,275	13,275	13,275
3	13,021	13,021	13,021
4	12,860	12,860	12,860
5	13,375	13,375	13,375
6	15,035	15,035	15,035
7	18,128	18,128	18,128
8	12,640	12,640	12,640
9	11,758	11,758	11,758
10	11,296	11,296	11,296
11	11,296	11,296	11,296
12	12,070	12,070	12,070
13	11,159	11,159	11,159
14	13,971	13,971	13,971
15	13,971	13,971	13,971
16	16,748	16,748	16,748
17	11,294	11,294	11,294
18	11,597	11,597	11,597
19	14,123	14,123	14,123
20	14,123	14,123	14,123
21	17,056	17,056	17,056
22	15,096	15,096	15,096
23	15,096	15,096	15,096
24	11,168	11,168	11,168
25	11,746	11,746	11,746
26	11,064	11,064	11,064
27	13,135	13,135	13,135
28	14,445	14,445	14,445
29	12,448	12,448	12,448
30	12,448	12,448	12,448

SITE PLAN
SUBDIVISION 9291 - MAGEE RANCHES

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 4800 BRIDGEWAY, SUITE 200, SAN FRANCISCO, CA 94132
 TEL: (415) 774-2200 FAX: (415) 774-2201



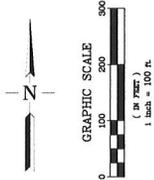
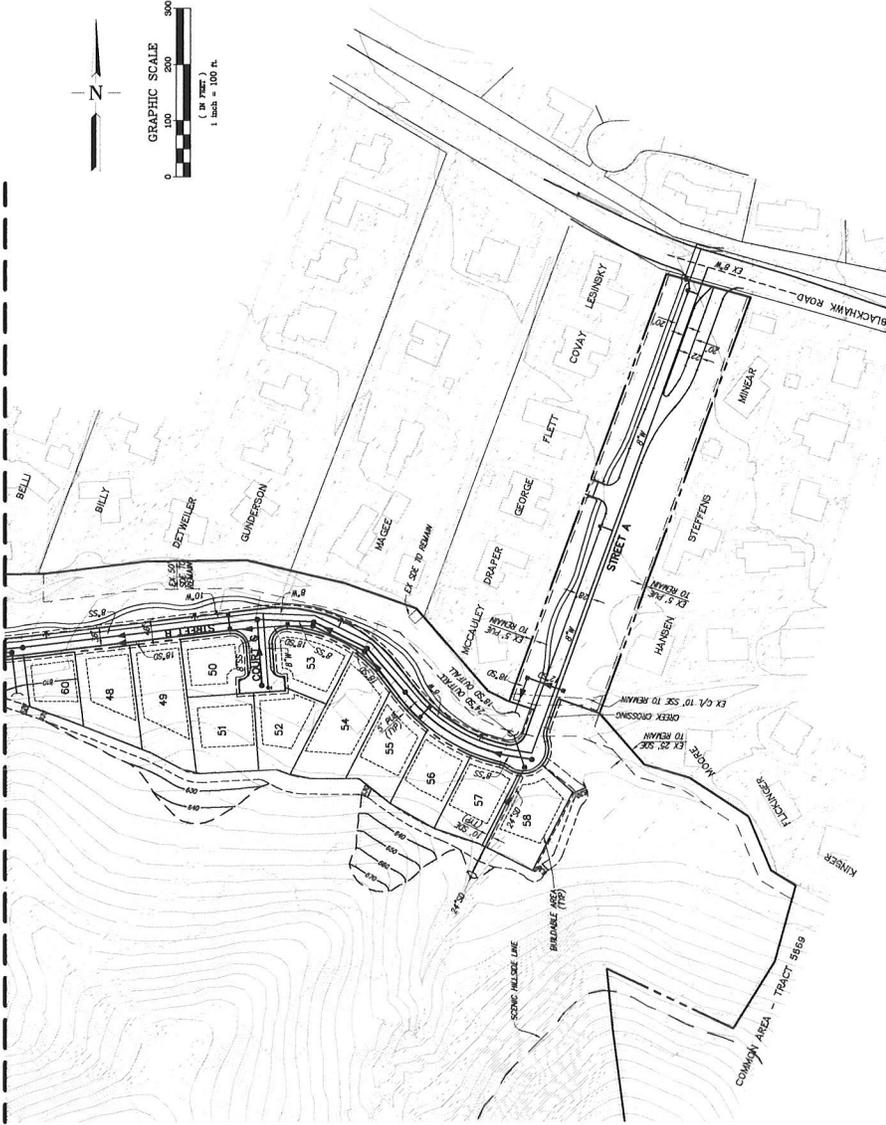
- LEGEND:**
- BANK LAYBACK
 - GRADE CONTROL STRUCTURE
 - LIMIT OF ALLOWABLE DEVELOPMENT

GRADING PLAN
SUBDIVISION 9291 - MAGEE RANCHES

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

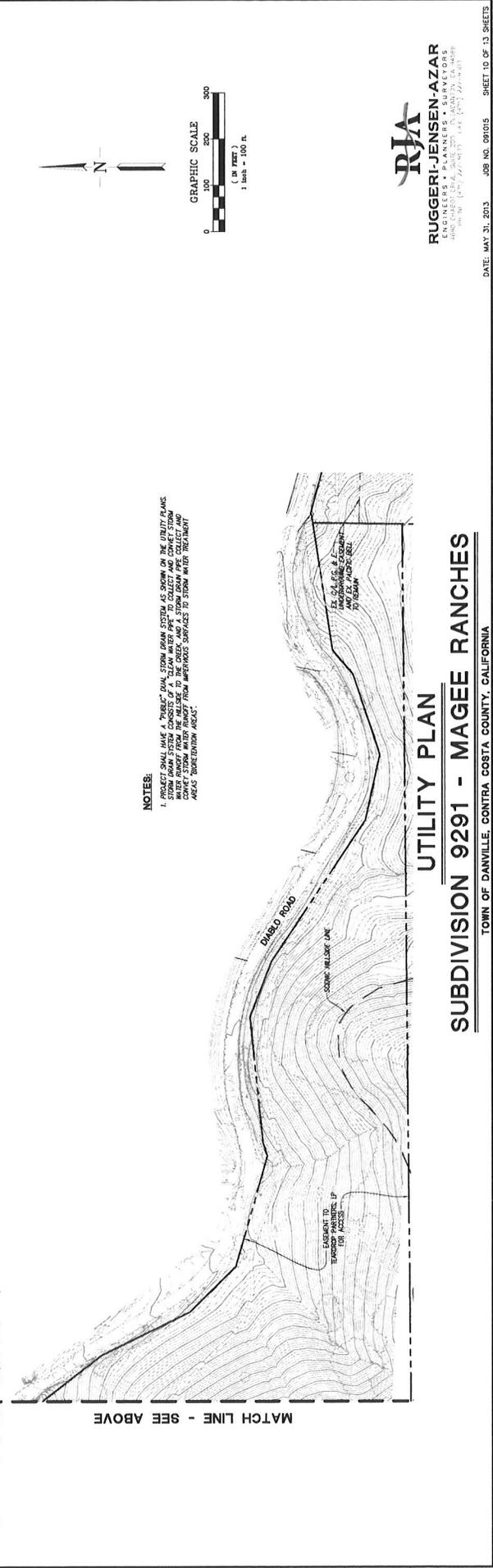
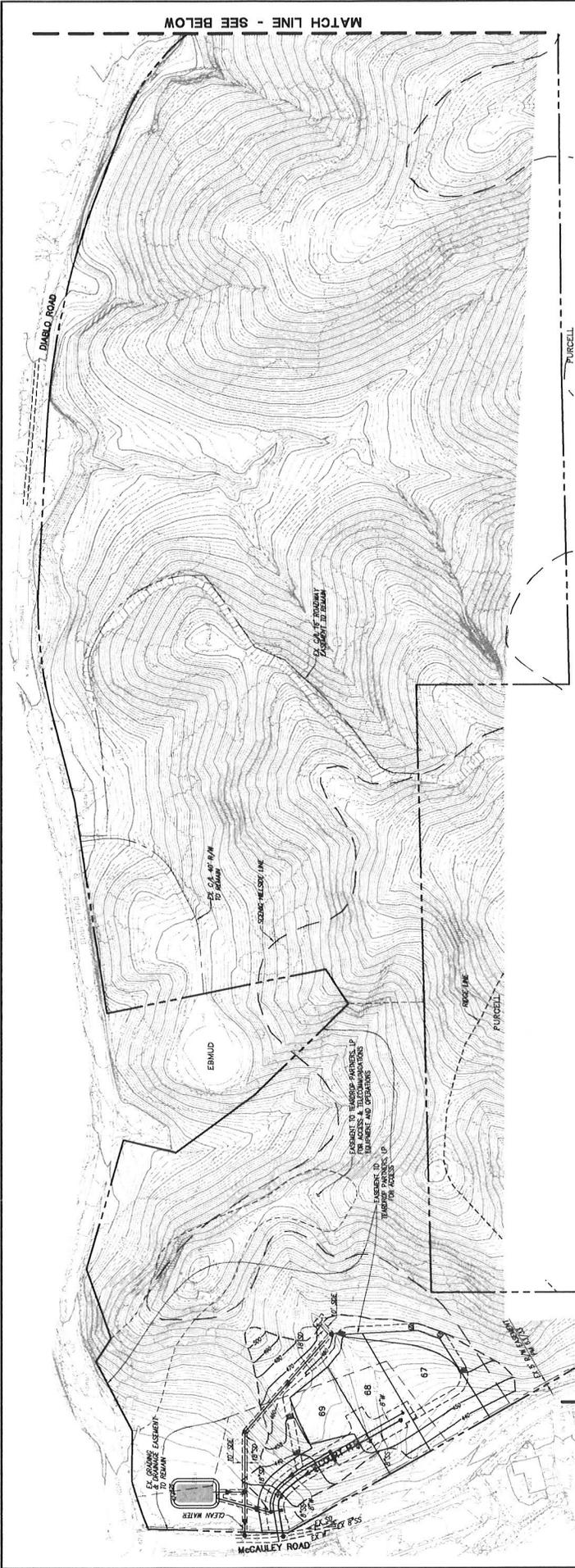
RJA
RUGGERI-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS

MATCH LINE - SEE SHEET 9

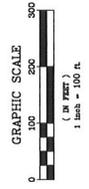


NOTES:
 1. THIS PLAN SHOWS THE LOCATION OF THE UTILITY LINES.
 2. THE UTILITY LINES SHOWN ARE BASED ON THE INFORMATION PROVIDED BY THE CLIENT.
 3. THE CLIENT IS RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES.
 4. THE CLIENT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 5. THE CLIENT IS RESPONSIBLE FOR PROTECTING ALL UTILITIES DURING CONSTRUCTION.





NOTES:
 1. PROJECT SHALL HAVE A "DUMB" DUAL STORM DRAIN SYSTEM AS SHOWN ON THE UTILITY PLANS. STORM DRAIN SYSTEM CONSISTS OF A "CLEAN WATER PIPE" TO COLLECT AND CONVEY STORM WATER FROM IMPROVED AREAS TO STORM WATER TREATMENT PLANT AND A "SEWER WASTEWATER PIPE" TO COLLECT AND CONVEY WASTEWATER FROM IMPROVED AREAS TO STORM WATER TREATMENT PLANT. "DUMB" AREAS SHALL BE IDENTIFIED BY THE SHADING ON THE UTILITY PLANS.

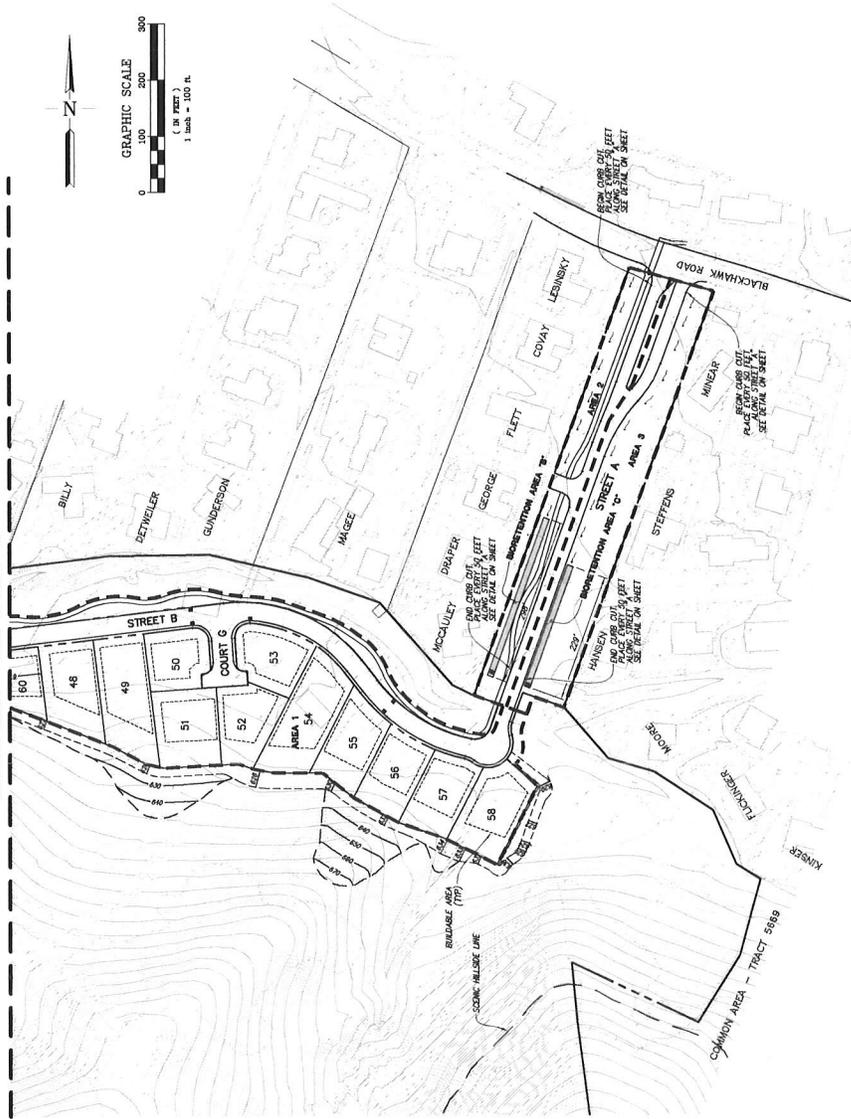


UTILITY PLAN
SUBDIVISION 9291 - MAGEE RANCHES

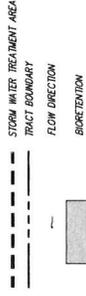
TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



MATCH LINE - SEE SHEET 12



LEGEND

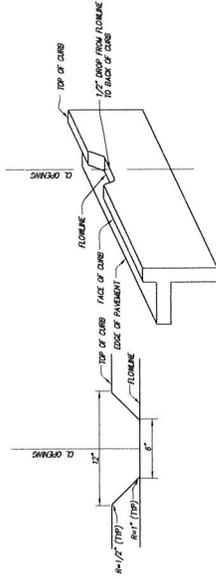


STORM WATER TREATMENT CALCULATION

AREA ID	SURFACE	AREA (SF)	RMP USED	AREA REQUIRED (SF)	AREA PROVIDED (SF)
AREA 1	PAVING	216,820			
	ROOF	232,000			
	LANDSCAPING	512,500	BC-RETENTION AREA "A"	45,335	45,800
	SIDEWALK	47,800			
AREA 2	PAVING	16,800			
	ROOF	22,725			
	LANDSCAPING	14,654	BC-RETENTION AREA "B"	2,674	3,278
	PAVING	46,353	BC-RETENTION AREA "C"	2,448	2,592
AREA 3	PAVING	11,650			
	LANDSCAPING	15,000	BC-RETENTION AREA "D"	2,756	3,178
AREA 4	PAVING	37,376			
	LANDSCAPING				

NOTES

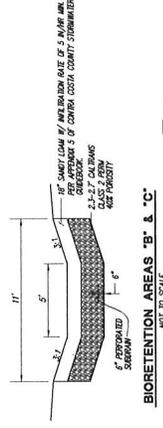
- THE VOLUMES ARE BASED ON THE CONTRA COSTA COUNTY CLEAN WATER PROGRAM TECHNICAL GUIDANCE, 6TH EDITION, DATED FEBRUARY 2012 FOR TREATMENT FLOW CONTROL.
- ASSUME EACH LOT = 4,000 SF IMPERVIOUS SURFACE.
- CUSTOM LOTS #56-66 SHALL HAVE INDIVIDUAL ON LOT STORM WATER TREATMENT. SEE DETAIL ON SHEET 12 FOR CUSTOM LOT BIORETENTION DETAIL.



ISOMETRIC VIEW
NOT TO SCALE

PROFILE
NOT TO SCALE

CURB OPENING FOR BIO-RETENTION ADJACENT TO CURB

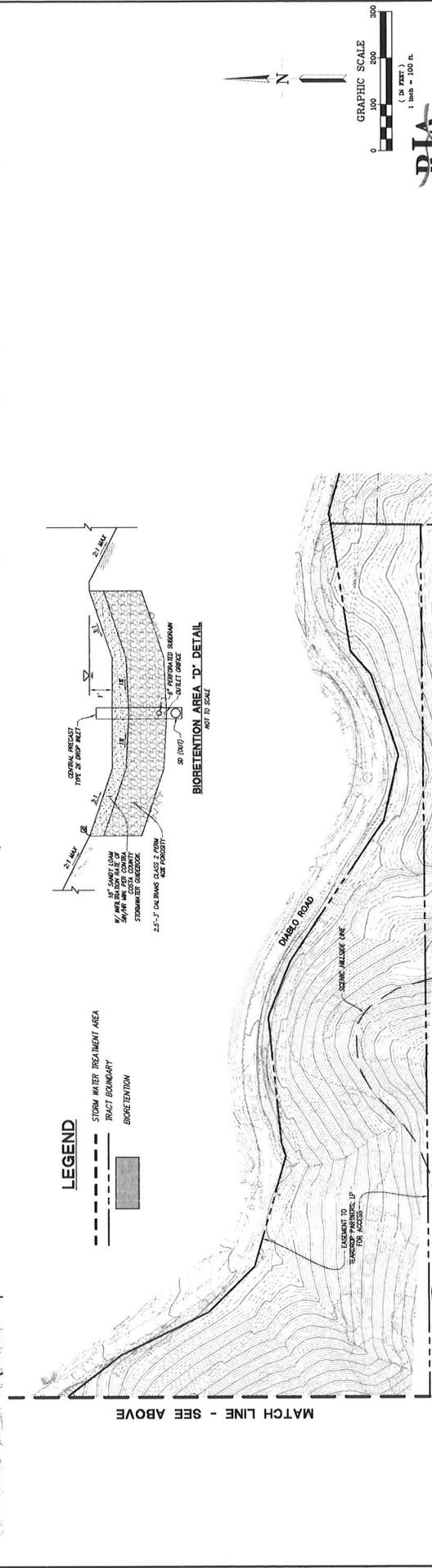
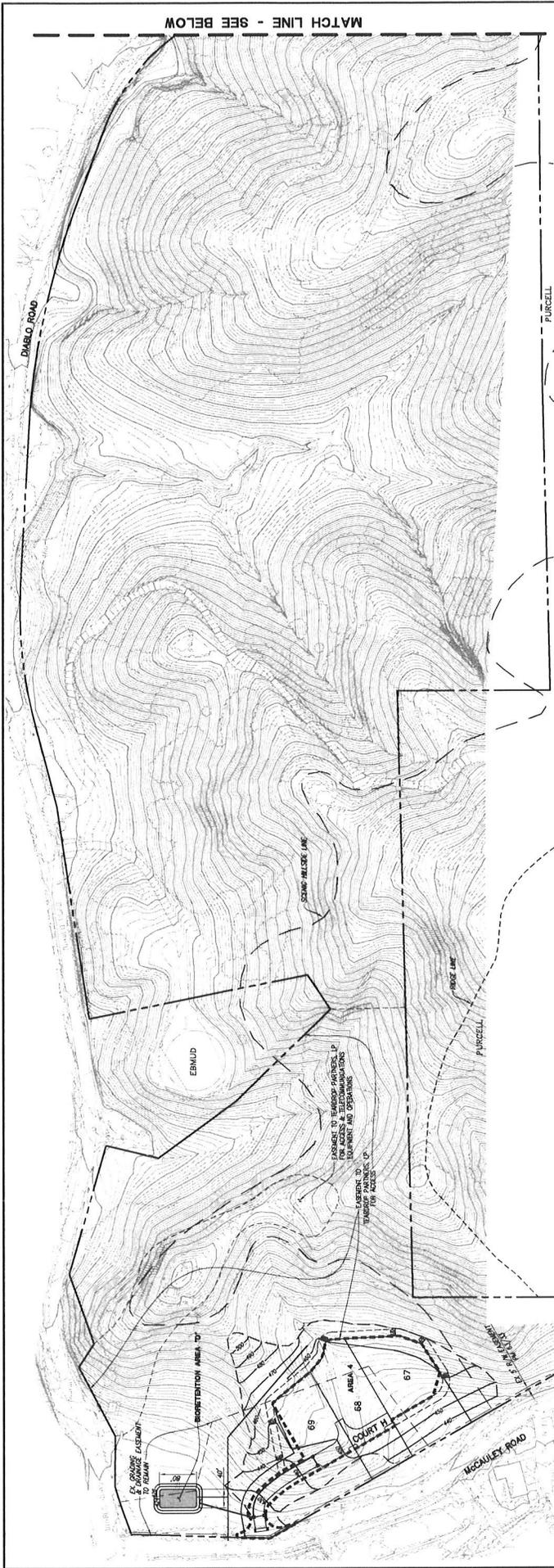


BIORETENTION AREAS "B" & "C"
NOT TO SCALE

**STORM WATER TREATMENT
SUBDIVISION 9291 - MAGEE RANCHES**

TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA

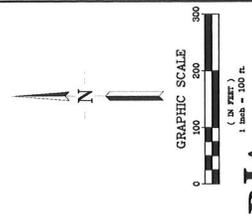




LEGEND

- STORM WATER TREATMENT AREA
- TRACT BOUNDARY
- BIORETENTION

MATCH LINE - SEE ABOVE



RJA
RUGGERT-JENSEN-AZAR
 ENGINEERS • PLANNERS • SURVEYORS
 4600 HUNTER LANE, SUITE 200 • DUBLIN, CALIFORNIA 94568
 TEL: (925) 835-1000 FAX: (925) 835-1001

STORM WATER TREATMENT
SUBDIVISION 9291 - MAGEE RANCHES
 TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



PROJECT TEAM

Developer

SummerHill Homes
3000 Executive Parkway, Suite 450
San Ramon, California 94583

Contact:
Wendy Baker
wbaker@shhomes.com
P: 925-244-7534

Architect

Dahlin Group Architecture | Planning
5865 Owens Dr.
Pleasanton, California 94588

Contact:
Sean Reynolds
sreynolds@dahlingroup.com
P: 925-251-7200

Landscape Architect

Ripley Design Group
1615 Bonanza Street, Suite 314
Walnut Creek, California 94596

Contact:
Jim Ripley
jim@ripleydesign.com
P: 925-938-7377

Civil Engineer

Ruggieri-Jensen-Azar
Engineers - Planners - Surveyors
4690 Chabot Drive, Suite 200
Pleasanton, California 94588

Contact:
Mark Faigout
mfaigout@rjpa-gps.com
P: 925-227-9100



Magee Ranches
a proposed community
by SummerHill Homes





PLAN 1 - CALIFORNIA RANCH
FLOOR PLAN
FEBRUARY 8, 2013
PROJECT NO: 192.069

3192 SQ. FT.

PLAN 1 - CALIFORNIA RANCH FLOOR PLAN
SCALE: 3/16" = 1'-0"

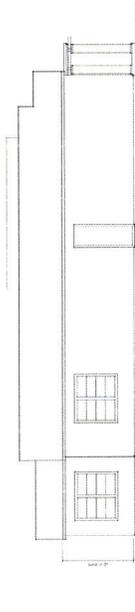


5845 Owens Drive
Pleasanton, CA 94588
925.477.7777
925.251.7200 Fax

A1.1

SUMMERHILL HOMES - MAGEE RANCHES

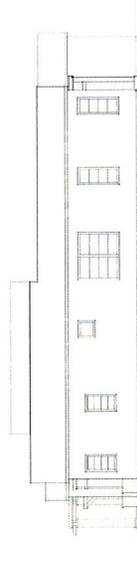
DANVILLE, CALIFORNIA



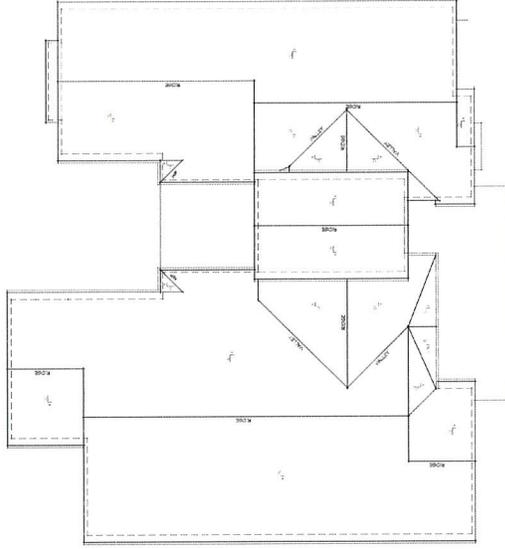
PLAN 1 - CALIFORNIA RANCH LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 1 - CALIFORNIA RANCH REAR ELEVATION
SCALE: 1/8" = 1'-0"

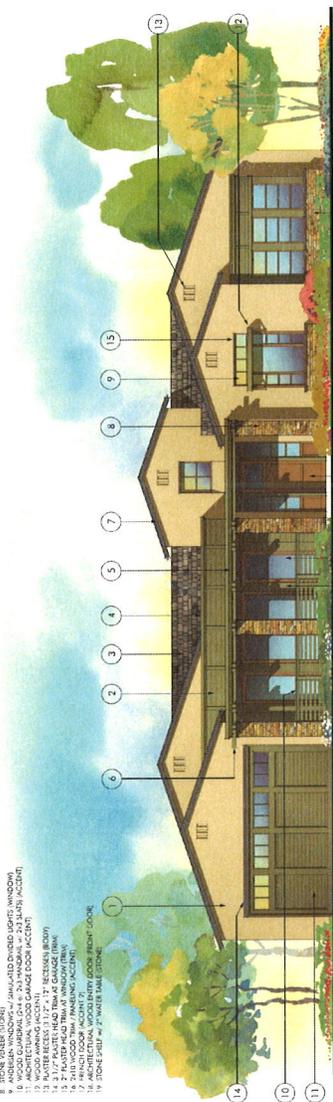


PLAN 1 - CALIFORNIA RANCH RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 1 - CALIFORNIA RANCH ROOF PLAN
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISHES**
1. DESIGNATES PAINT COLOR. SEE MATERIAL BOARDS.
 2. 1/2" WOOD SHINGLES (HIPS/CV) - 1/4" BATTIS (ACCENT)
 3. CONCRETE BUTTLE ROOFING (ROOF)
 4. 1/2" WOOD SHINGLES (HIPS/CV) - 1/4" BATTIS (ACCENT)
 5. FLAT ROOF (TRUSS) (ACCENT)
 6. 2x4 WOOD RAFTERS (ACCENT)
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 100. 2x4 WOOD TRIM (ACCENT)



PLAN 1 - CALIFORNIA RANCH FRONT ELEVATION
SCALE: 3/16" = 1'-0"

PLAN 1 - CALIFORNIA RANCH
ELEVATIONS / ROOF PLAN
FEBRUARY 6, 2013
PROJECT NO.: 192,069



5655 Ocean Drive
Fremont, CA 94558
925.351.7200
925.351.7201 Fax

EXTERIOR FINISHES
 1. MANTLE PAINT COLOR - SEE MATERIAL BOARD
 2. FENCE COLOR - PAULARD DIVING LIGHT ACCENT 2)
 3. FLOOR - 1" OAK PARQUET - 1/2" OAK FLOORING - A32



PLAN 1 - CRAFTSMAN FRONT ELEVATION

SCALE: 3/16" = 1'-0"

EXTERIOR FINISHES
 1. MANTLE PAINT COLOR - SEE MATERIAL BOARD
 2. FENCE COLOR - PAULARD DIVING LIGHT ACCENT 2)
 3. FLOOR - 1" OAK PARQUET - 1/2" OAK FLOORING - A32
 4. WOOD GRABBAR - 2 1/2" x 4 1/2" x 4 1/2" (WOOD)
 5. PAINT - 1" OAK FLOORING - SEE MATERIAL BOARD FOR WOOD FINISHES - A32



PLAN 1 - MEDITERRANEAN FRONT ELEVATION

SCALE: 3/16" = 1'-0"

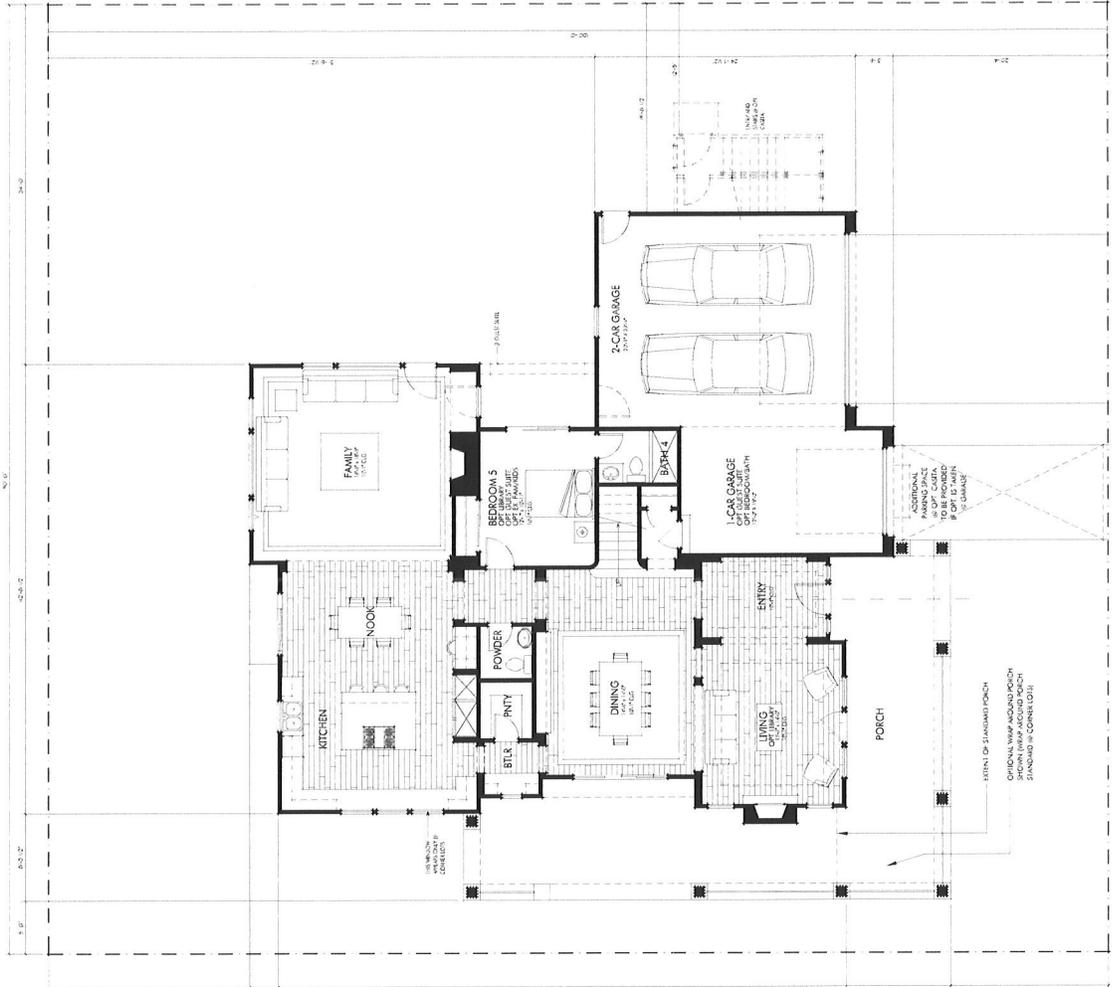
PLAN 1 - ALTERNATIVE ELEVATIONS
 FEBRUARY 15, 2013
 PROJECT NO. 192.059



5665 Owens Drive
 Pleasanton, CA 94588
 925.251.7200
 925.251.7201 Fax

SUMMERHILL HOMES - MAGEE RANCHES

DANVILLE, CALIFORNIA



PLAN 2 - CRAFTSMAN FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

1863 SQ. FT.
TOTAL= 2516 SQ. FT.
CASITA OPTION= 539 SQ. FT.
TOTAL w/ CASITA= 4315 SQ. FT.

PLAN 2 - CRAFTSMAN
FLOOR PLANS
FEBRUARY 6, 2013

PROJECT NO: 192 009



5845 Owen Drive
Petaluma, CA 94488
726 251 7200
726 251 7201 Fax

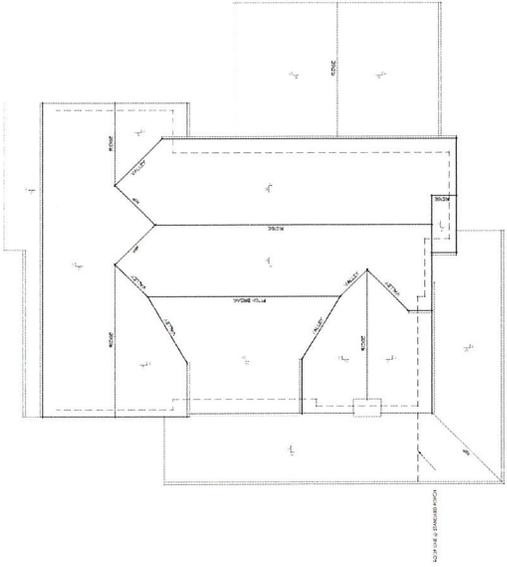


PLAN 2 - CRAFTSMAN SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

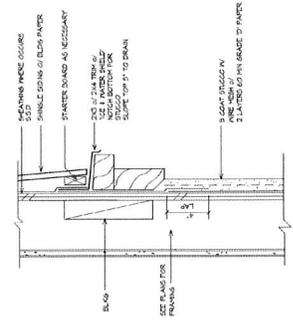
1863 SQ. FT.

SUMMERHILL HOMES - MAGEE RANCHES

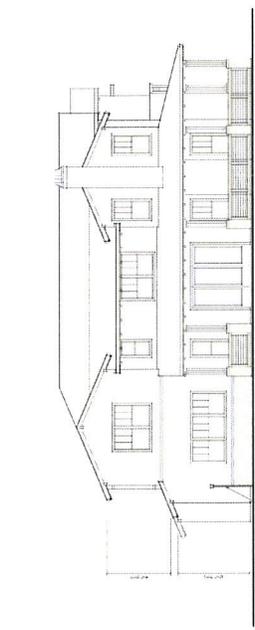
DANVILLE, CALIFORNIA



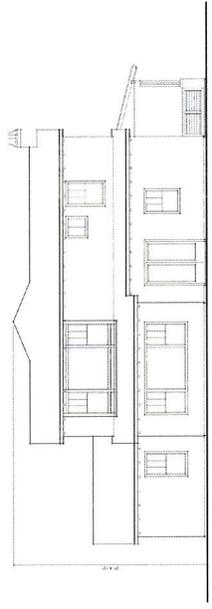
PLAN 2 - CRAFTSMAN ROOF PLAN
 SHOWN WITH OPTIONAL WRAP AROUND PORCH
 SCALE: 1/8" = 1'-0"



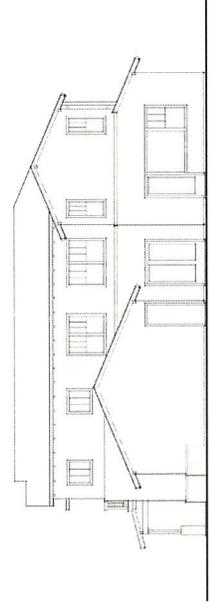
TYPICAL SHINGLE TO STUCCO TRANSITION
 SCALE: 3/4" = 1'-0"



PLAN 2 - CRAFTSMAN LEFT SIDE ELEVATION
 SHOWN WITH OPTIONAL WRAP AROUND PORCH
 SCALE: 1/8" = 1'-0"



PLAN 2 - CRAFTSMAN REAR ELEVATION
 SCALE: 1/8" = 1'-0"



PLAN 2 - CRAFTSMAN RIGHT SIDE ELEVATION
 SCALE: 1/8" = 1'-0"

- EXTERIOR FINISHES**
1. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 2. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 3. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 4. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 5. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 6. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
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 19. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 20. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 21. 1/2" DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS



PLAN 2 - CRAFTSMAN FRONT ELEVATION
 SCALE: 3/16" = 1'-0"

SUMMERHILL HOMES - MAGEE RANCHES
 DANVILLE, CALIFORNIA

PLAN 2 - CRAFTSMAN
 ELEVATIONS / ROOF PLAN
 FEBRUARY 8, 2013 PROJECT NO. 192089



5645 Quince Pl.
 Pleasanton, CA 94588
 925.251.7200
 925.251.7201 Fax



PLAN 2 - CRAFTSMAN - FRONT ELEVATION w/ OPT. CASITA
SCALE: 1/8" = 1'-0"



PLAN 2 - CALIFORNIA RANCH - FRONT ELEVATION w/ OPT. CASITA
SCALE: 1/8" = 1'-0"



PLAN 2 - MEDITERRANEAN - FRONT ELEVATION w/ OPT. CASITA
SCALE: 1/8" = 1'-0"

EXTERIOR FINISHES
1. DESIGNATED PAINT COLOR - SEE MATERIAL BOARDS
2. METAL CHIMNEY (SHOULD ACCENT) - SEE MATERIAL BOARDS
3. SEE PLAN 1 - CALIFORNIA RANCH ELEVATION FOR MORE INFORMATION - A1.21



PLAN 2 - CALIFORNIA RANCH FRONT ELEVATION
SCALE: 3/16" = 1'-0"

EXTERIOR FINISHES
1. DESIGNATED PAINT COLOR - SEE MATERIAL BOARDS
2. METAL CHIMNEY (SHOULD ACCENT) - SEE MATERIAL BOARDS
3. SEE PLAN 1 - MEDITERRANEAN ELEVATION FOR MORE INFORMATION - A1.21



PLAN 2 - MEDITERRANEAN FRONT ELEVATION
SCALE: 3/16" = 1'-0"

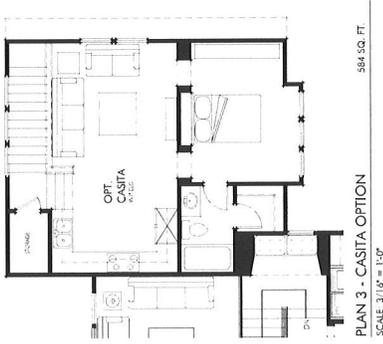
PLAN 2 - ALTERNATIVE ELEVATIONS
FEBRUARY 6, 2013
PROJECT NO. 192.06P



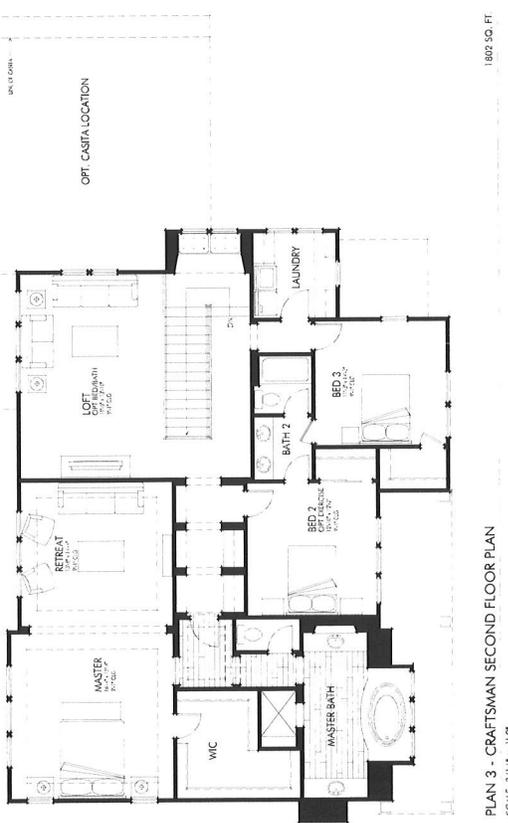
2865 Owens Drive
Pleasanton, CA 94588
925.251.7500
925.251.7201 fax

SUMMERHILL HOMES - MAGEE RANCHES

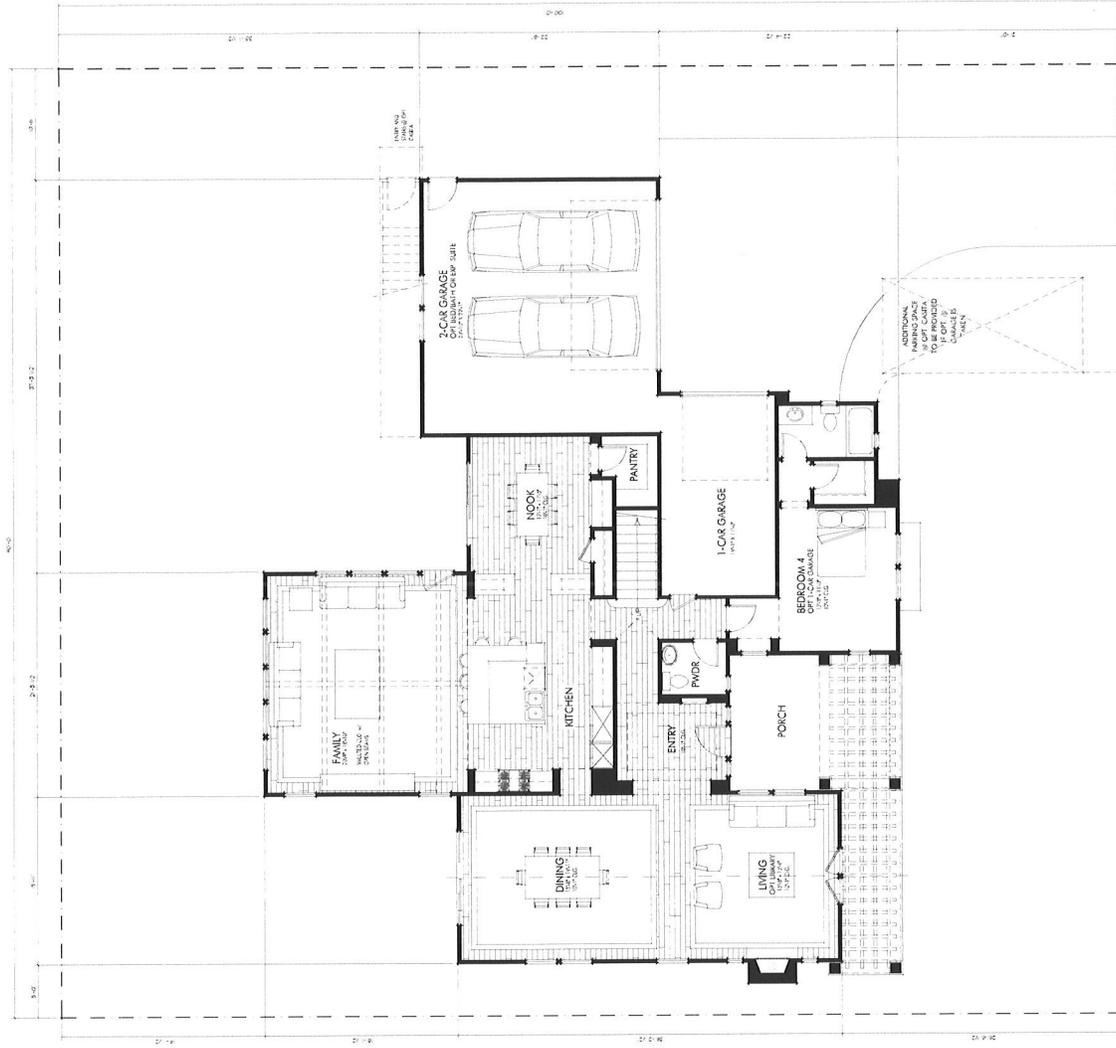
DANVILLE, CALIFORNIA



PLAN 3 - CASITA OPTION
SCALE 3/16" = 1'-0"



PLAN 3 - CRAFTSMAN SECOND FLOOR PLAN
SCALE 3/16" = 1'-0"



PLAN 3 - CRAFTSMAN FIRST FLOOR PLAN
SCALE 3/16" = 1'-0"

PLAN 3 - CRAFTSMAN
FLOOR PLANS
FEBRUARY 8, 2013

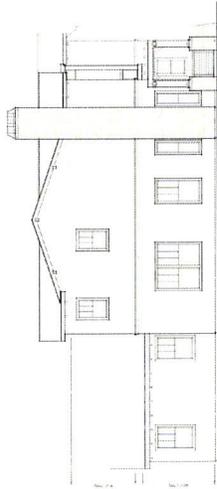
2023 SQ. FT.
TOTAL = 3923 SQ. FT.
CASITA OPTION = 584 SQ. FT.
TOTAL w/ CASITA = 4499 SQ. FT.

PROJECT NO: 192 069

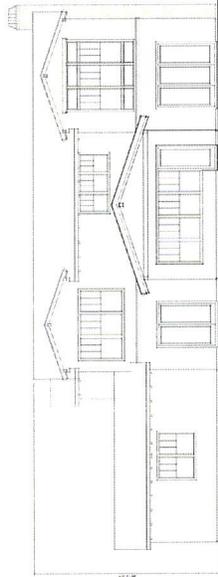


5650 Owens Drive
Redwood City, CA 94061
925.251.7200
925.251.7201 Fax

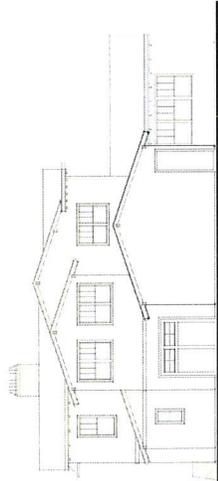
SUMMERHILL HOMES - MAGEE RANCHES
DANVILLE, CALIFORNIA



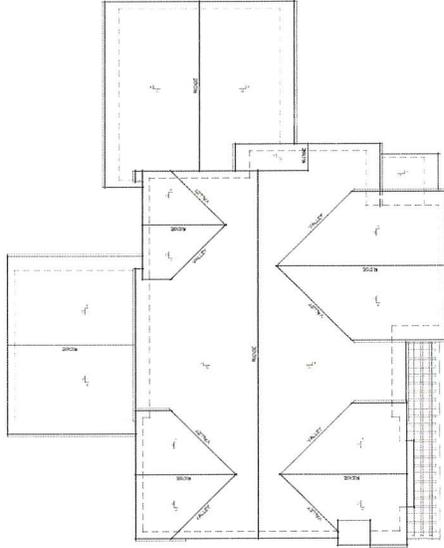
PLAN 3 - CRAFTSMAN LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 3 - CRAFTSMAN REAR ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 3 - CRAFTSMAN RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 3 - CRAFTSMAN ROOF PLAN
SCALE: 1/8" = 1'-0"

- EXTERIOR FINISHES**
 1. LIGHT NEUTRAL PAINT COLOR - SEE MATERIAL BOARD;
 2. 1/2" x 1/2" x 4" WOOD TRIM; PAINT ACCENT 1 - 7A WOOD TRIM (B/W);
 3. WOOD SHUTTERS ACCENT 2;
 4. 1/2" x 1/2" x 4" WOOD TRIM; PAINT ACCENT 1 - 7A WOOD TRIM (B/W);
 5. WOOD TRIM ACCENT 2;
 6. WOOD TRIM ACCENT 2;
 7. FRENCH DOOR FINISH;
 8. FRENCH DOOR FINISH;
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 67. FRENCH DOOR FINISH;
 68. FRENCH DOOR FINISH;
 69. FRENCH DOOR FINISH;
 70. FRENCH DOOR FINISH;
 71. FRENCH DOOR FINISH;
 72. FRENCH DOOR FINISH;
 73. FRENCH DOOR FINISH;
 74. FRENCH DOOR FINISH;
 75. FRENCH DOOR FINISH;
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 78. FRENCH DOOR FINISH;
 79. FRENCH DOOR FINISH;
 80. FRENCH DOOR FINISH;
 81. FRENCH DOOR FINISH;
 82. FRENCH DOOR FINISH;
 83. FRENCH DOOR FINISH;
 84. FRENCH DOOR FINISH;
 85. FRENCH DOOR FINISH;
 86. FRENCH DOOR FINISH;
 87. FRENCH DOOR FINISH;
 88. FRENCH DOOR FINISH;
 89. FRENCH DOOR FINISH;
 90. FRENCH DOOR FINISH;
 91. FRENCH DOOR FINISH;
 92. FRENCH DOOR FINISH;
 93. FRENCH DOOR FINISH;
 94. FRENCH DOOR FINISH;
 95. FRENCH DOOR FINISH;
 96. FRENCH DOOR FINISH;
 97. FRENCH DOOR FINISH;
 98. FRENCH DOOR FINISH;
 99. FRENCH DOOR FINISH;
 100. FRENCH DOOR FINISH;



PLAN 3 - CRAFTSMAN FRONT ELEVATION
SCALE: 3/16" = 1'-0"

PLAN 3 - CRAFTSMAN
 ELEVATIONS / ROOF PLAN
 FEBRUARY 6, 2013
 PROJECT NO.: 192,069



3665 Ocean Blvd.
 Redwood City, CA 94068
 925.251.7200
 925.251.7201 Fax

- EXTERIOR FINISHES**
 1. METAL CORNER PROTECTIVE ACCENT (2)
 2. STANDING GRAIN METAL ROOF ACCENT (3)
 3. METAL CORNER PROTECTIVE ACCENT (2)
 4. HAZEL LAP SIDING, HAZEL GRAY FINISH BODY (2) - OPT. (1)
 SEE PLAN 1 - CULTIVATION AND ELEVATION OF ROOF IN DRAWING - A1.2



PLAN 3 - CRAFTSMAN - FRONT ELEVATION w/ OPT. CASITA
 SCALE: 1/8" = 1'-0"



PLAN 3 - CALIFORNIA RANCH - FRONT ELEVATION w/ OPT. CASITA
 SCALE: 1/8" = 1'-0"



PLAN 3 - MEDITERRANEAN - FRONT ELEVATION w/ OPT. CASITA
 SCALE: 1/8" = 1'-0"



PLAN 3 - CALIFORNIA RANCH FRONT ELEVATION
 SCALE: 3/16" = 1'-0"

- EXTERIOR FINISHES**
 1. 1" PRE-GRAINED PAINT COLOR - SEE MATERIAL BOUNDS
 2. METAL CORNER PROTECTIVE ACCENT (2)
 3. METAL CORNER PROTECTIVE ACCENT (2)
 4. HAZEL LAP SIDING, HAZEL GRAY FINISH BODY (2) - OPT. (1)
 5. WOOD BLINDS (1) - OPT. (1)
 6. ARCHITECTURAL WOOD GRAB BAR ACCENT (2)
 7. HAZEL LAP SIDING, HAZEL GRAY FINISH BODY (2) - OPT. (1)
 8. METAL CORNER PROTECTIVE ACCENT (2)
 SEE PLAN 4 - MEDITERRANEAN ELEVATION FOR ROOF IN DRAWING - A1.2



PLAN 3 - MEDITERRANEAN FRONT ELEVATION
 SCALE: 3/16" = 1'-0"

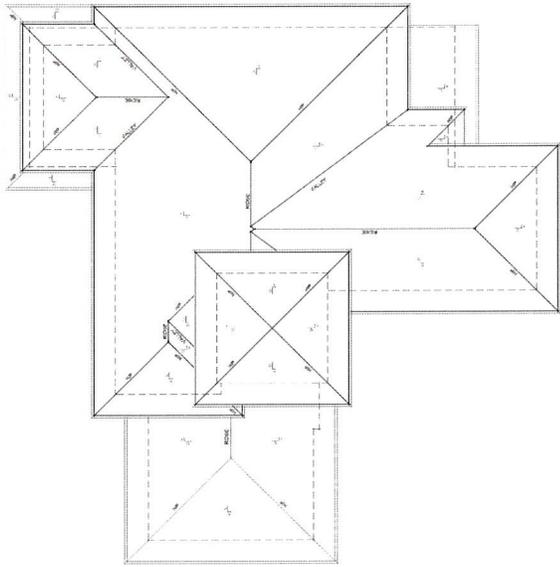
PLAN 3 - ALTERNATIVE ELEVATIONS
 FEBRUARY 8, 2015
 PROJECT NO. 192.007



5846 County Oaks
 Rosemead, CA 91458
 922.251.7500
 922.251.7200 Fax

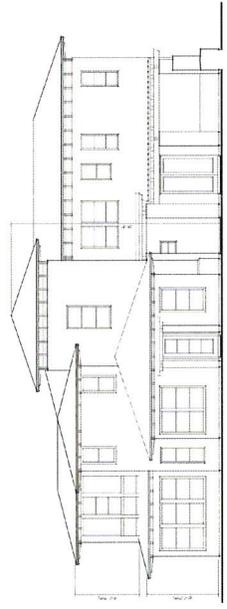
SUMMERHILL HOMES - MAGEE RANCHES

DANVILLE, CALIFORNIA

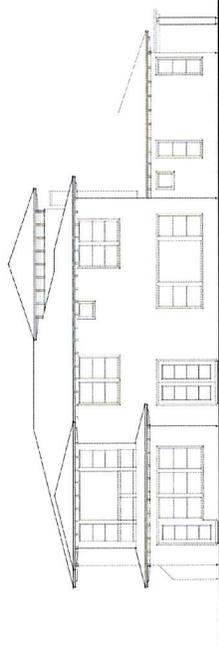


PLAN 4 - MEDITERRANEAN ROOF PLAN
SCALE: 1/8" = 1'-0"

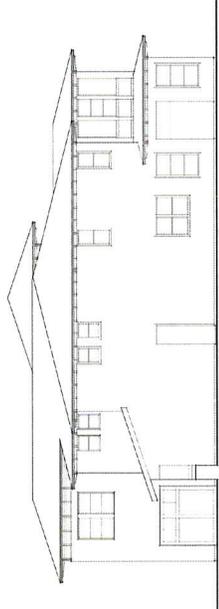
- EXTERIOR FINISHES**
1. PALETTE COLOR - SEE MATERIAL BOARD.
 2. 1/4" WOOD TRIM w/ 1/4" WOOD BATT AND 1/4" CORBEL TRIM
 3. 1/4" WOOD TRIM w/ 1/4" WOOD BATT AND 1/4" CORBEL TRIM
 4. 2" FINISHED GUTTER w/ 2" WOOD FASCIA AND 1/2" DOWNS (HARDWOOD)
 5. 4" WOOD BELLS w/ 1/4" WOOD POST (TRIM)
 6. 4" ACCENT TRIM
 7. 4" ACCENT TRIM
 8. 4" ACCENT TRIM
 9. 4" ACCENT TRIM
 10. WOOD TRIM AND BLINDS TRIM
 11. PALETTE COLOR ROOF
 12. PALETTE COLOR ROOF
 13. ARCHITECTURAL WOOD GRABES DOOR TRIM
 14. ARCHITECTURAL WOOD ENTRY DOOR RIGHT DOOR
 15. ARCHITECTURAL WOOD ENTRY DOOR LEFT DOOR
 16. RENCH DOOR WITH SHADOWED DOOR LIGHT (ACCENT 2)



PLAN 4 - MEDITERRANEAN LEFT SIDE ELEVATION
SHOWN w/ OPTIONAL CASITA
SCALE: 1/8" = 1'-0"



PLAN 4 - MEDITERRANEAN REAR ELEVATION
SHOWN w/ OPTIONAL CASITA
SCALE: 1/8" = 1'-0"



PLAN 4 - MEDITERRANEAN RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



PLAN 4 - MEDITERRANEAN FRONT ELEVATION
SHOWN w/ OPTIONAL CASITA
SCALE: 3/16" = 1'-0"

PLAN 4 - MEDITERRANEAN
ELEVATIONS / ROOF PLAN
FEBRUARY 8, 2013 PROJECT NO. 192069



3645 Court St.
Pacramento, CA 95688
955.251.7200
955.251.7201 Fax

SUMMERHILL HOMES - MAGEE RANCHES
DANVILLE, CALIFORNIA

EXTERIOR FINISHES
 1. DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 2. 1/2" IMPREGIATED BUTYRATED PLYWOOD PANELS (MINIMUM 1/2" THICK)
 3. WOOD GRAINING (SEE MATERIAL BOMBS)
 4. WOOD TRIM (SEE MATERIAL BOMBS)
 5. WOOD TRIM (SEE MATERIAL BOMBS)
 6. WOOD TRIM (SEE MATERIAL BOMBS)
 7. WOOD TRIM (SEE MATERIAL BOMBS)
 8. WOOD TRIM (SEE MATERIAL BOMBS)
 9. WOOD TRIM (SEE MATERIAL BOMBS)

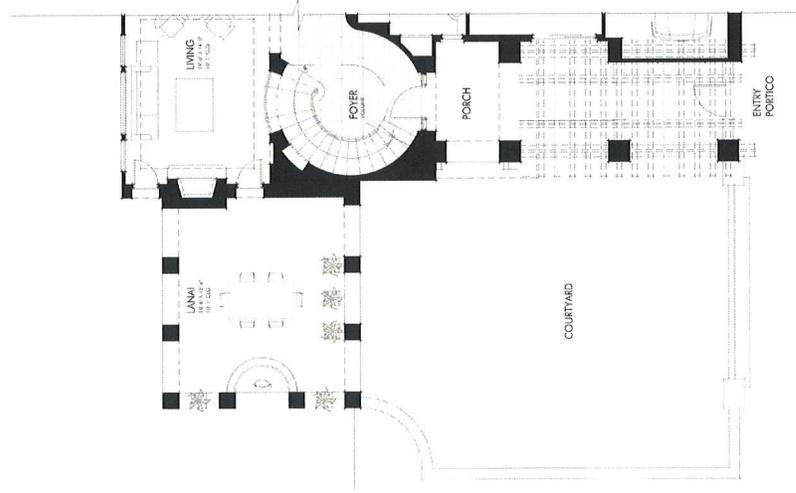


PLAN 4 - CALIFORNIA RANCH FRONT ELEVATION
 SCALE 3/16" = 1'-0"

EXTERIOR FINISHES
 1. DESIGNATED PAINT COLOR - SEE MATERIAL BOMBS
 2. 1/2" IMPREGIATED BUTYRATED PLYWOOD PANELS (MINIMUM 1/2" THICK)
 3. WOOD GRAINING (SEE MATERIAL BOMBS)
 4. WOOD TRIM (SEE MATERIAL BOMBS)
 5. WOOD TRIM (SEE MATERIAL BOMBS)
 6. WOOD TRIM (SEE MATERIAL BOMBS)
 7. WOOD TRIM (SEE MATERIAL BOMBS)
 8. WOOD TRIM (SEE MATERIAL BOMBS)
 9. WOOD TRIM (SEE MATERIAL BOMBS)



PLAN 4 - CRAFTSMAN FRONT ELEVATION
 SCALE 3/16" = 1'-0"



PLAN 4 - STANDARD LANAI
 SCALE 3/16" = 1'-0"

PLAN 4 - ALTERNATIVE ELEVATIONS
 FEBRUARY 8, 2013
 PROJECT NO. 192069



5865 Owens Drive
 Pleasanton, CA 94588
 925.251.7200
 925.251.7201 Fax

SUMMERHILL HOMES - MAGEE RANCHES
 DANVILLE, CALIFORNIA



PLAN 4 - CALIFORNIA RANCH - FRONT ELEVATION w/ OPT. CASITA
SCALE 3/16" = 1'-0"



PLAN 4 - MEDITERRANEAN - FRONT ELEVATION w/ OPT. CASITA ENTRY
SCALE 3/16" = 1'-0"



PLAN 4 - CRAFTSMAN - FRONT ELEVATION w/ OPT. CASITA
SCALE 3/16" = 1'-0"

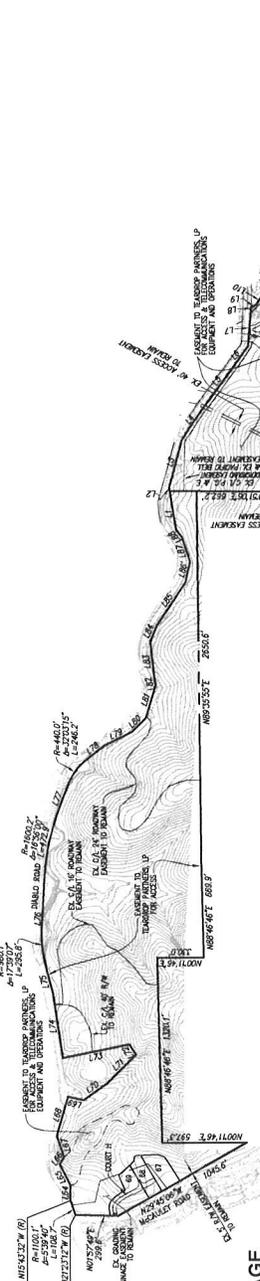
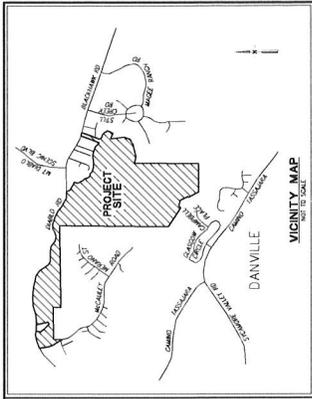
PLAN 4 - ALTERNATIVE ELEVATIONS
FEBRUARY 8, 2013
PROJECT NO. 192.069



5845 Civic Drive
Pleasanton, CA 94588
925-251-7200
925-251-7201 Fax

SUMMERHILL HOMES - MAGEE RANCHES
DANVILLE, CALIFORNIA

PLANNED UNIT DEVELOPMENT SUBDIVISION 9291 - MAGEE RANCHES TOWN OF DANVILLE, CONTRA COSTA COUNTY, CALIFORNIA



LOT SUMMARY TABLE

LOT	AREA (SQ. FT.)	AREA (SQ. FT.)	TOT. AREA (SQ. FT.)
1	13,918	31	14,150
2	13,572	31	13,942
3	13,572	31	13,942
4	13,572	31	13,942
5	13,572	31	13,942
6	13,572	31	13,942
7	13,572	31	13,942
8	13,572	31	13,942
9	13,572	31	13,942
10	13,572	31	13,942
11	13,572	31	13,942
12	13,572	31	13,942
13	13,572	31	13,942
14	13,572	31	13,942
15	13,572	31	13,942
16	13,572	31	13,942
17	13,572	31	13,942
18	13,572	31	13,942
19	13,572	31	13,942
20	13,572	31	13,942
21	13,572	31	13,942
22	13,572	31	13,942
23	13,572	31	13,942
24	13,572	31	13,942
25	13,572	31	13,942
26	13,572	31	13,942
27	13,572	31	13,942
28	13,572	31	13,942
29	13,572	31	13,942
30	13,572	31	13,942

SITE COVERAGE

LAND USE	ACRES	% OF SITE
LOTS (1-58, 67-69)	20.5	5.0%
CUSTOM LOTS (59-66)	10.2	2.5%
STREET RIGHT OF WAY	7.5	1.8%
OPEN SPACE	371.9	90.7%
TOTAL	410.1	100.0%

SITE SUMMARY

- **NUMBER OF UNITS 61
- GROSS SITE AREA 410.1
- NET SITE AREA 28.0 AC
- *NET DENSITY 2.2 DU/AC

*NOTE: OPEN SPACE & CUSTOM LOTS EXCLUDED.
**NOTE: CUSTOM LOTS EXCLUDED.

UNIT SUMMARY TABLE

*RESIDENTIAL LOTS	PLAN	# UNITS
1	1	9
2	2	16
3	3	17
4	4	16
59-66	CUSTOM	8
67-69	N/A	3
TOTAL		69

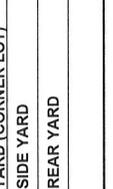
*NOTE: AS REQUIRED, A MINIMUM OF 10% OF RESIDENTIAL LOTS WILL HAVE CASITAS.

SETBACK REQUIREMENTS	
FRONT	20' MIN.
PORCH	15' MIN.
GARAGE DOOR FACING FRONT	20' MIN.
SECONDARY FRONT YARD (CORNER LOT)	15' MIN.
SIDE YARD	15' AGGREGATE WITH A 5' MIN.
REAR YARD	20' AGGREGATE WITH A 15' MIN.

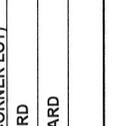
SHEET INDEX

SHEET NO.	DESCRIPTION
P1	TITLE SHEET
P1.1	PLAN 1 FLOOR PLAN-CALIFORNIA RANCH
P1.2	PLAN 1 ELEVATIONS/ROOF PLAN-CALIFORNIA RANCH
P1.3	PLAN 1-ALTERNATIVE ELEVATIONS
A2.1	PLAN 2 FLOOR PLANS-CRAFTSMAN
A2.2	PLAN 2 ELEVATIONS/ROOF PLAN-CRAFTSMAN
A2.3	PLAN 2-ALTERNATIVE ELEVATIONS
A3.1	PLAN 3 FLOOR PLANS-CRAFTSMAN
A3.2	PLAN 3 ELEVATIONS/ROOF PLAN-CRAFTSMAN
A3.3	PLAN 3-ALTERNATIVE ELEVATIONS
A4.1	PLAN 4 FLOOR PLANS-MEDITERRANEAN
A4.2	PLAN 4 ELEVATIONS/ROOF PLAN-MEDITERRANEAN
A4.3	ALTERNATIVE ELEVATIONS
A4.4	ALTERNATIVE ELEVATIONS
L1	CONCEPTUAL LANDSCAPE SITE PLAN
L2	CONCEPTUAL PROJECT ENTRY LANDSCAPE
L3	CONCEPTUAL CREEKSIDE TRAIL LANDSCAPE
L4	CONCEPTUAL LANDSCAPE TYPICAL STREETScape
L5	CONCEPTUAL LANDSCAPE SITE PLAN - MAGEE WEST

LOCATION MAP



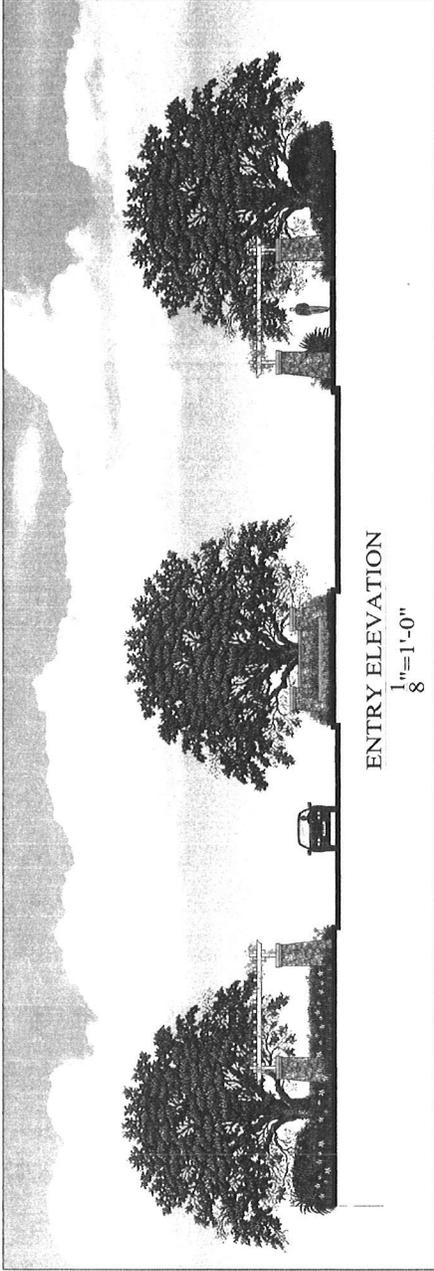
VICINITY MAP



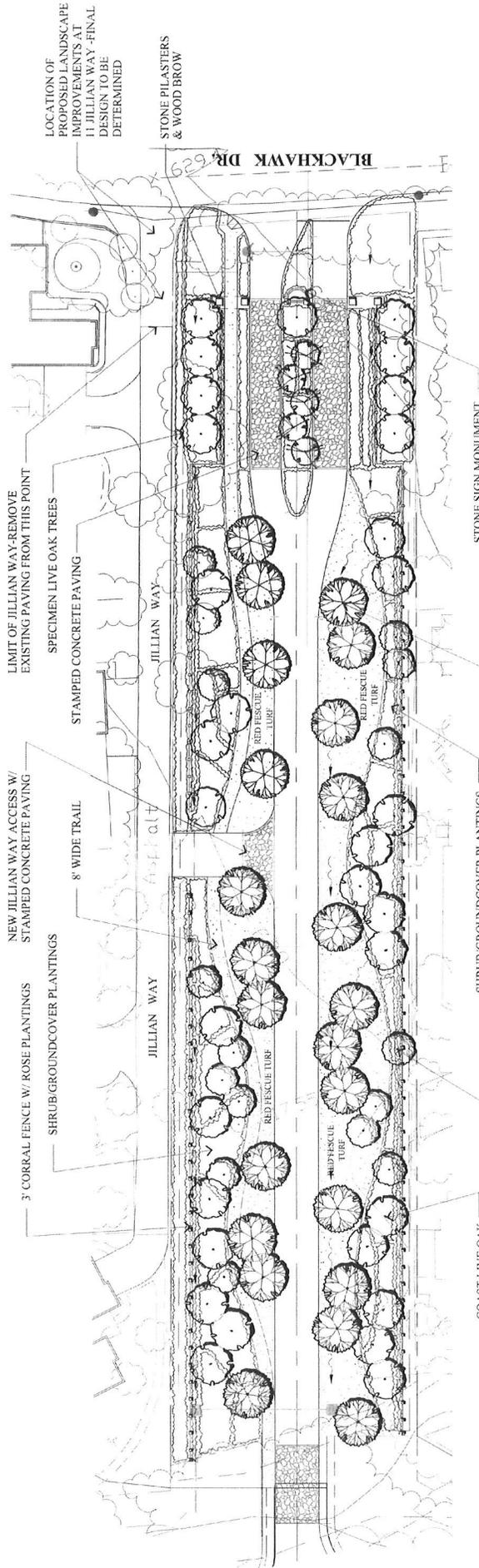
LOT SUMMARY TABLE

Lot	Area (sq. ft.)	Area (sq. ft.)
L1	14,150	61
L2	13,942	62
L3	13,942	63
L4	13,942	64
L5	13,942	65
L6	13,942	66
L7	13,942	67
L8	13,942	68
L9	13,942	69
L10	13,942	70
L11	13,942	71
L12	13,942	72
L13	13,942	73
L14	13,942	74
L15	13,942	75
L16	13,942	76
L17	13,942	77
L18	13,942	78
L19	13,942	79
L20	13,942	80
L21	13,942	81
L22	13,942	82
L23	13,942	83
L24	13,942	84
L25	13,942	85
L26	13,942	86
L27	13,942	87
L28	13,942	88
L29	13,942	89
L30	13,942	90
L31	13,942	91
L32	13,942	92
L33	13,942	93
L34	13,942	94
L35	13,942	95
L36	13,942	96
L37	13,942	97
L38	13,942	98
L39	13,942	99
L40	13,942	100
L41	13,942	101
L42	13,942	102
L43	13,942	103
L44	13,942	104
L45	13,942	105
L46	13,942	106
L47	13,942	107
L48	13,942	108
L49	13,942	109
L50	13,942	110
L51	13,942	111
L52	13,942	112
L53	13,942	113
L54	13,942	114
L55	13,942	115
L56	13,942	116
L57	13,942	117
L58	13,942	118
L59	13,942	119
L60	13,942	120
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L62	13,942	122
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L65	13,942	125
L66	13,942	126
L67	13,942	127
L68	13,942	128
L69	13,942	129
L70	13,942	130
L71	13,942	131
L72	13,942	132
L73	13,942	133
L74	13,942	134
L75	13,942	135
L76	13,942	136
L77	13,942	137
L78	13,942	138
L79	13,942	139
L80	13,942	140
L81	13,942	141
L82	13,942	142
L83	13,942	143
L84	13,942	144
L85	13,942	145
L86	13,942	146
L87	13,942	147
L88	13,942	148
L89	13,942	149
L90	13,942	150
L91	13,942	151
L92	13,942	152
L93	13,942	153
L94	13,942	154
L95	13,942	155
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L98	13,942	158
L99	13,942	159
L100	13,942	160



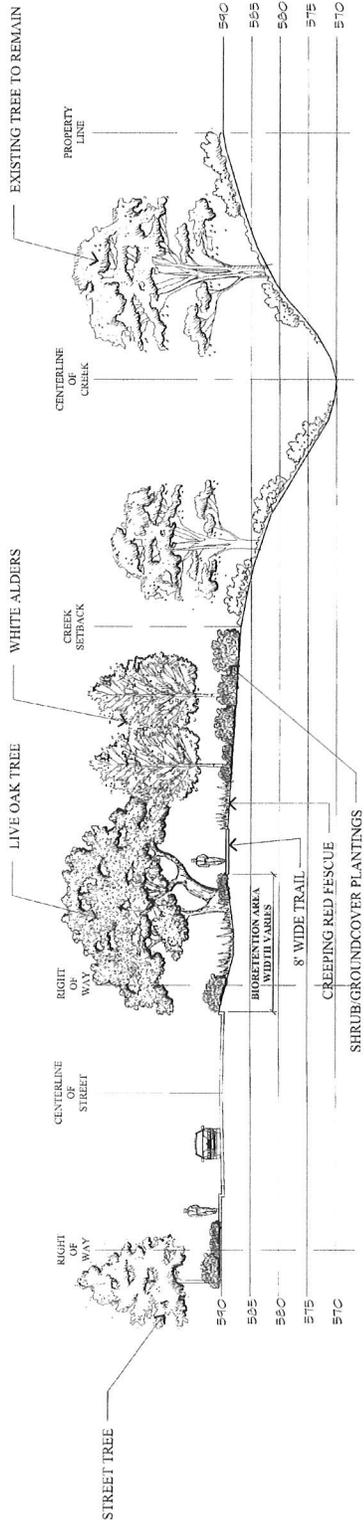


ENTRY ELEVATION
1" = 1'-0"

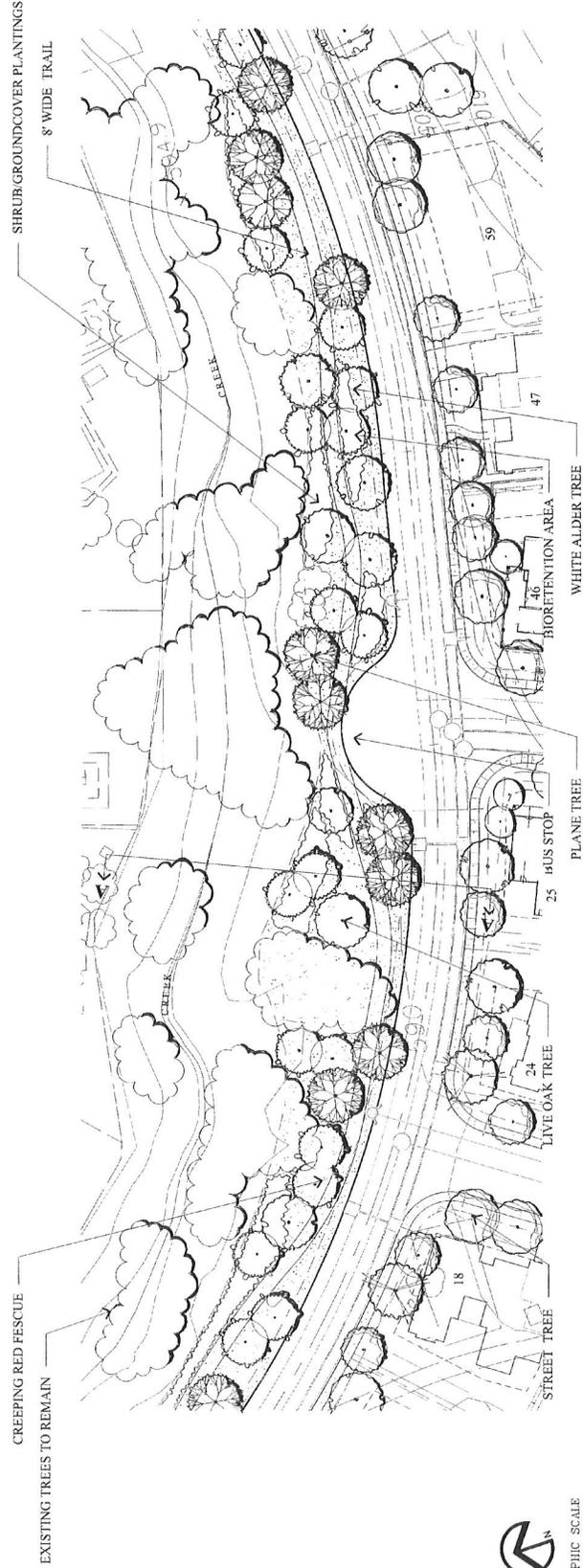


RIPLEY DESIGN GROUP
 LANDSCAPE ARCHITECTURE
 LAND PLANNING
 1615 BONANZA STREET
 SUITE 314
 WALNUT CREEK, CA 94596
 TEL: 925.938.7377
 FAX: 925.938.9406
 FEBRUARY 8, 2013

Magee Ranches
 Danville, CA
Conceptual Project Entry Landscape
SUMMERHILL HOMES
 L2



TRAIL SECTION A-A
1" = 10'-0"



RIPLY LANDSCAPE ARCHITECTURE
 LAND PLANNING
 1615 DONAZZA STREET
 WALKIT CREEK, CA 94596
 TEL. 925.988.3777
 FAX. 925.931.436
 FEBRUARY 8, 2013

Magee Ranches
 Danville, CA
Conceptual Creekside Trail Landscape
SUMMERHILL HOMES
 L3

