

# CONTRACOSTATIMES

ContraCostaTimes.com

## Daniel Borenstein: Seeno's moves confounding

By Daniel Borenstein  
Staff columnist

Updated: 12/28/2008 03:14:09 PM PST

An attempt by the Seeno homebuilding family and Pittsburg officials to shortcut normal planning steps for development of prominent hillside land southwest of the city and adjacent to the Concord Naval Weapons Station has left environmentalists crying foul — and public officials confused and perplexed.

"One would think that if developers or their city allies are expending so much energy to accomplish something there must be some gain — and we're not seeing it," said Contra Costa County Counsel Silvano Marchesi. "And either we're really dense or they're really clever, or maybe both."

"There's nothing nefarious going on," says Seeno attorney Wilson Wendt, who adds that the family doesn't yet have a project proposal for the land.

But to Seth Adams, director of land programs at Save Mount Diablo, the agenda of the Seenos and Pittsburg leaders is obvious: They want to develop land that includes some of the most prominent hillsides in the area — ridgelines visible from Concord and Pittsburg — and they want to push through the environmental review as quietly as possible. It's "an end run on the process," Adams says. They're "trying to slip it through piece-by-piece without actually proposing a project for the city and Pittsburg residents to actually take a look at."

Clearly, the machinations over the 670 acres of hillside land plus another 835 acres of foothills

further east bear watching.

Environmentalists lost the first round of the battle when voters included the land within the city and county boundaries for future growth, known as the Urban Limit Line. But that's only the first step, and it doesn't guarantee construction on all land inside the ULL. The land is still outside the city limits and is not served by water and sewer agencies.

Normally, builders of major subdivisions like this would submit development proposals to the city for review and environmental analysis. It would be a public process before the Planning Commission and City Council where residents would have a chance to voice their opinions on issues such as housing density and visual impacts of ridgeline development.

Normally, once the city approved the plan, the city or the developer would apply to an obscure, but politically powerful, agency called the Contra Costa Local Agency Formation Commission, which has the authority to expand planning boundaries, called "spheres of influence," and city limit lines, as well as service areas for water and sewer districts.

LAFCO must determine whether the sewer and water districts have the capacity to serve the proposed development, and whether the city will have the resources to maintain the roads and hire enough cops.

But there's nothing normal about the Seeno/Pittsburg planning for the southwest hillside land. Seeno and City Manager Marc Grisham want LAFCO to separately approve the sphere of influence — and they want it done before Seeno submits plans for development of the property.

Seeno and the city are trying to invoke a relatively new state law that requires LAFCO to review all spheres of influence around the county. They argue

Advertisement

# ContraCostaTimes

.com

## (800) 598-4637

### Subscribe today!

[www.contracostatimes.com/subscriberservices](http://www.contracostatimes.com/subscriberservices)



Print Powered By FormatDynamics

# CONTRACOSTATIMES

ContraCostaTimes.com

that since voters have already approved the Urban Limit Line, LAFCO should use the required reviews to change the planning boundaries to match.

LAFCO staff members argue that was not the intent of the new state law; major sphere-of-influence changes should be handled along with expansion of the city limit lines when details of the proposed development are known, they say.

It might seem like an esoteric debate, but the issue has been discussed at almost every monthly LAFCO meeting this year. Grisham has been there to push his city's position while one of his bosses, Pittsburg Councilman Sal Evola, a Seeno cousin who is a vice president for one of the Seeno construction companies, has watched from the audience.

On the LAFCO board, Concord City Councilwoman Helen Allen had led the charge on the Seenos' behalf, arguing to split the planning boundary change from the adjustment of the city limits. Two other LAFCO members, county Supervisor Gayle Uilkema of Lafayette and Martinez City Councilman Rob Schroder, have backed the agency staff members.

Schroder says he doesn't understand why Seeno and Pittsburg officials want to split the process. "There's something going on because all the pieces are not fitting together," Schroder said. What's going on? "I would like to know. I am not in the loop. It seems to me that Helen Allen is."

And why does Schroder think Allen knows what's up? When he recently voted against the Seenos and the city, Allen "looked at me and said, 'You shouldn't have done that.' ... She didn't elaborate." (Allen denies that's what she said. Rather, "I said, 'Why did you do that?' ... I was teasing him.")

Slowly, but surely, Seeno and Pittsburg officials are

making inroads with the seven-member LAFCO board. Right now a consultant hired by LAFCO is evaluating whether a full environmental impact report will be necessary to adjust the sphere of influence.

Environmentalists, led by Adams of Save Mount Diablo, fear that Seeno and Pittsburg officials are trying to pull a fast one, to use the LAFCO process as a way to avoid public debate and environmental review of development on the hillsides.

By shifting the battle from the city Planning Commission and City Council to LAFCO, Adams says, they have moved the fight out of the public eye. LAFCO, he points out, "is the most powerful agency in the county and gets the least scrutiny."

If the Seenos can get LAFCO, with little public scrutiny, to approve the environmental review and planning boundary changes, Adams says, that will make it harder for the city to turn him down when he finally presents a detailed project before seeking annexation of the land to Pittsburg.

Lou Ann Texeira, executive director of LAFCO, says that eventually any development will have to be subjected to full public debate and environmental review before the city limit lines are adjusted. Nevertheless, she admits she's confounded by why Seeno and Pittsburg officials want to avoid the normal process.

"That's the 64,000 dollar question," she says.

**Borenstein is a staff columnist and editorial writer. Reach him at 925-943-8248 or [dborenstein@bayareanews.com](mailto:dborenstein@bayareanews.com).**

Advertisement

## ContraCostaTimes

.com

## (800) 598-4637

### Subscribe today!

[www.contracostatimes.com/subscriberservices](http://www.contracostatimes.com/subscriberservices)



Print Powered By  FormatDynamics