



Lou Ann Teixeira
 Executive Officer

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October 14, 2020 (Agenda)

Contra Costa Local Agency Formation Commission
 40 Muir Road, 1st Floor
 Martinez, CA 94553

October 14, 2020
Agenda Item 11

Chang Property Boundary Reorganization - Update

Dear Members of the Commission:

On August 8, 2018, the Commission approved the *Chang Property Reorganization – Annexations to the City of San Ramon, Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) and Corresponding Detachment from County Service Area (CSA) P-6*. The proposal includes annexation of 63.5± acres to the City of San Ramon, CCCSD and EBMUD and corresponding detachment from CSA P-6. The area is located at the intersection of Bollinger Canyon Road and Crow Canyon Road in unincorporated San Ramon. The proposal will extend city, wastewater, and water services to facilitate the development of 43 single-family large lot homes, 18 accessory dwelling units and related facilities on the Chang property.

One of LAFCO’s conditions of approval is that *the property owner provide LAFCO with a certified copy of a recorded grant of open space easement from the Chang property owner(s) to the City of San Ramon and/or other public agency or land trust that prohibits urban development and permanently preserves the existing open space and agricultural uses on 134± acres that are outside of the urban growth boundary and designated for open space and agricultural uses. Further, that the easement remains in effect in perpetuity, and that is consistent with the conditions of approval in accordance with the Vesting Tentative Map 9485.*

In accordance with Government Code §57001, if a Certificate of Completion is not filed within one year after the Commission approves a proposal, the proceeding shall be deemed abandoned unless prior to the expiration of that year the Commission authorizes an extension of time to complete the proceedings.

In June 2019, the landowner submitted a request for an extension of time, indicating that more time was needed to coordinate timing of the open space easement with the City of San Ramon and the resource agencies. The landowner requested a 12-month time extension. In July 2019, the Commission approved an extension of time to file the Certificate of Completion to July 9, 2020, as requested by the landowner.

In May 2020, the landowner submitted a second request for a 12-month extension, indicating they are continuing to work on the open space easement with the resource agencies, and the recent uncertain social, economic situation has caused delays.

On June 10, 2020, the Commission approved a second extension of time for six months to January 9, 2021. Further, the Commission requested a 3-month progress report in September 2020. The Commission specifically requested the following:

- Information as to what measurable progress has been made since the Commission approved the boundary changes in August 2018
- A status report including information regarding the parties with whom the landowner is working on the open space easement (e.g., City of San Ramon, East Bay Regional Parks District, Dept of Conservation, Fish & Wildlife, others), and an estimated timeline for completion of the easement
- Information regarding the funding mechanism in place for ongoing maintenance of the open space area
- Any other relevant information

On September 9, 2020, the landowner provided an update and status report on the issues noted above (see attached letter). The landowner indicates they have made a good faith effort to address these issues and are proceeding with final project permitting. However, they continue to face indeterminate uncertainty and delays created by the COVID-19 pandemic and request an extension of six months to July 9, 2021.

RECOMMENDATION: Receive the update and consider the request for an additional six months to July 9, 2021.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

c: Vicky Chang, Hsientein Project Investment, LLC
Cindy Yee, City of San Ramon
Russell Leavitt, CCCSD
Jack Flynn, EBMUD

Attachment

1 – Letter from James Yang, GE and Uri Eliahu, GE – Landowner Representatives


 Project No.
9080.002.000

September 9, 2020

 Ms. Lou Ann Texeira
 Executive Officer
 Contra Costa Local Agency Formation Commission (LAFCo)
 40 Muir Road, 1st Floor
 Martinez, CA 94553

 Subject: Chang Property
 San Ramon, California

PROGRESS REPORT AND EXTENSION REQUEST

Reference: Carlson, Barbee & Gibson, Inc.; Vesting Tentative Map/Development Plan, The Chang Property, Subdivision 9458, City of San Ramon, Contra Costa County, California; July 2017.

Dear Ms. Texeira:

On behalf of Hsientein Project Investment, we are submitting this progress report and extension request for the Chang Property project in support of annexations to the City of San Ramon, Central Contra Costa Sanitary District, and East Bay Municipal Utility District, and detachment from County Service Area P-6. Hsientein Project Investment provided us an email, dated August 31, 2020, which contained requests for information from LAFCo. We have summarized those requests below, along with responses in *italics*.

Who is Hsientein Project Investment working with on the open space easement?

- *Hsientein Project Investment is working with the City of San Ramon and has requested a three-year extension of the Tentative Map. Hsientein Project Investment intends to engage East Bay Regional Parks District (EBRPD) early in 2021 after further refinements to the land plan.*

What measurable progress has Hsientein Project Investment made since the Commission approved the boundary changes in August 2018?

- *Hsientein Project Investment has attempted to optimize the land plan and improve the infrastructure layout. More modifications may be in order; however, we have experienced delays due to the COVID-19 pandemic.*

Please provide a status report on the conservation easement including the local and State agencies you are working with on the easement and an estimated timeline for completion of the easement.

- *Given that the actual limits of grading and the location of the bridge may be adjusted slightly, we intend to re-engage the resource agencies early in 2021.*

Please provide information regarding the funding mechanism in place for ongoing maintenance of the open space area.

- *It is Hsientein Project Investment's intent to fund the open-space management activities through a Geologic Hazard Abatement District (GHAD). This is consistent with the requirements and practices of the City of San Ramon.*

We hope that the above responses demonstrate Hsientein Project Investment's good faith efforts to proceed to final project permitting, and request an extension of 6 months beyond January 9, 2021, which is the expiration of the current LAFCo approval. We also hope that the Commission will consider the indeterminate uncertainty and delays created by the COVID-19 pandemic when considering the extension request.

If you have any questions or comments regarding this letter, please call and we will be glad to discuss them with you.

Sincerely,

ENGEO Incorporated



James Yang, GE
jsy/ue/cjn



Uri Eliahu, GE

cc: Ms. Vicky Chang, Hsientein Project Investment
Mr. Eric Chen, Hsientein Project Investment
Mr. Lee Rosenblatt, Carlson, Barbee & Gibson, Inc.