

RESOLUTION NO. 17-2013

RESOLUTION OF THE COUNTY PLANNING COMMISSION OF THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, INCORPORATING FINDINGS AND RECOMMENDATIONS FOR A GENERAL PLAN AMENDMENT, SPECIFIC PLAN AMENDMENT, FINAL DEVELOPMENT PLAN MODIFICATION AND FINAL MAP MODIFICATIONS FOR GALE RANCH PHASE III AND PHASE IV IN DOUGHERTY VALLEY IN THE SAN RAMON AREA OF SAID COUNTY.

WHEREAS, Shapell Homes (Owner and Applicant) submitted a request for approval of a General Plan amendment, Specific Plan amendment, Final Development Plan modification and Final Map modification in order to accommodate the establishment of a new elementary school on a 7.9-acre site within Gale Ranch-Phase IV, in Dougherty Valley, and to make other changes to the Gale Ranch Phase III and IV Final Development Plan, was submitted to the Department of Conservation and Development on December 21, 2012; and

WHEREAS, for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, the Department of Conservation and Development prepared a Mitigated Negative Declaration for the project which was posted and circulated for comment on October 16, 2013, which indicated that, with mitigation, the project would not result in any significant environmental impacts; and

WHEREAS, after notice having been lawfully given, a public hearing was scheduled before the County Planning Commission on Tuesday, December 10, 2013, whereat all persons interested therein might appear and be heard; and

WHEREAS, on Tuesday, December 10, 2013, the County Planning Commission having fully reviewed, considered and evaluated all the testimony and evidence submitted in this matter; and

WHEREAS, at the public hearing the Planning Commission approved a modification of condition of approval #16 as follows:

COA #16 - Applicant shall provide a minimum 3640-foot wide road along the school frontage in Gale Ranch Phase 4 (SD9297) and as reviewed and approved by Public Works Department and Fire District.

NOW, THEREFORE, BE IT RESOLVED that the County Planning Commission takes the following actions:

- A. FINDS that on the basis of the whole record before the County (Department of Conservation and Development, 30 Muir Road, Martinez, CA, 94553) that there is no substantial evidence the project will have a significant effect on the environment and that the October 16, 2013 Mitigated Negative Declaration prepared for the project reflects the County's independent judgment and analysis;
- B. ADOPTS the October 16, 2013, Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the project;

- C. APPROVES the Final Development Plan modifications for Gale Ranch Phase III and IV as shown in the plans received by the Department of Conservation and Development on September 5, 2013;
- D. APPROVES the revised final maps for subdivisions #SD-8856, SD-9247, SD9297, SD-9298, SD-9302, SD-9303 and SD-9326 as shown in the plans received by the Department of Conservation and Development on September 5, 2013; and
- F. RECOMMENDS the Board of Supervisors:
 - i. Find that on the basis of the whole record before the County that there is no substantial evidence the project will have a significant effect on the environment and that the October 16, 2013 Mitigated Negative Declaration prepared for the project reflects the County's independent judgment and analysis;
 - ii. Adopt the October 16, 2013, Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the project;
 - iii. Approve the General Plan Amendment to allow 7.9-acres of land within Gale Ranch Phase IV to be re-designated to Public-Semi-Public (PS) from Single-Family Residential, High-Density (SH) for a new elementary school and to allow a 2.2-acre portion of Gale Ranch Phase III to be re-designated to Multiple-Family Residential, Low-Density (ML) from Parks and Recreation (PR) Designation to allow for the relocation of twenty-five of the residential lots displaced by the new elementary school;
 - iv. Approve the Amendment to the Dougherty Valley Specific Plan (DVSP) as described in Appendix A of the December 10, 2013 County Planning Commission staff report.

BE IT FURTHER RESOLVED that the County Planning Commission determines that sufficient evidence has been provided to make all of the findings required to allow approval of the proposed project as follows:

- A. **Tentative Map Finding:** *The County Planning Commission shall not approve a tentative map unless it finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the applicable general plan and specific plans required by law. (Ref. §94-2.806 County Code)*

Project Finding: Upon approval of the proposed General Plan amendment and Dougherty Valley Specific Plan amendment by the County Board of Supervisors, and subject to the conditions of approval, the revised final maps will be consistent with the Dougherty Valley Specific Plan and the County General Plan. The revised maps will not result in an increase in the number of approved lots for Gale Ranch and will not encroach into the designated open space areas as identified in the Dougherty Valley Specific Plan. The density of the areas to be modified will be

consistent with the Multiple Family Residential, Low-Density (ML) and Single Family Residential, High-Density (SH) in which they will be located. The General Plan Designation of the proposed 7.9-acre elementary school site in Neighborhood 3 (Pod 3) of Gale Ranch Phase IV will be changed to Public/Semi-Public and the 2.2-acre area in Phase III will be changed to Multiple Family, Low-Density (ML) by the Board of Supervisors along with changes to the Dougherty Valley Specific Plan which will result in a consistent project.

Portions of the final maps are not consistent with certain provision of the Dougherty Valley Specific Plan or with County roadway standards, and are not approved with this application. One proposed improvement that is not approved is the proposed revised roadway section for Dougherty Road. The revised roadway section as shown on Sheet 4 of the plans received on September 5, 2013 identify 12-foot center lanes on Dougherty Road and a 12-foot sidewalk on one side of the roadway. Twelve-foot center lanes are not consistent with Figure 6-3 of the DVSP and do not conform to the County's roadway standards. Therefore, this portion of the project is not approved.

Other design improvement that are not approved with this application is the diagonal parking for the future private community center identified on Sheet 3 of the submitted plans and the proposed 20-foot "alleys" for the proposed Paseo homes identified on Sheets 3 and 4. Diagonal parking and 20-foot private roadways or "alleys" are not consistent with the County's roadway and parking standards and are not part of this approval.

Other than the improvements identified above, the proposed revised final maps for Gale Ranch Phase III and Phase IV will be consistent with the Dougherty Valley Specific Plan and County General Plan upon approval of the related amendments by the County Board of Supervisors.

- B. P-1 Final Development Plan Modification Findings:** *In approving a modification to an approved final development plan, the Planning Commission shall find that the modification is consistent with the intent and purpose of the P-1 district and compatible with other uses both inside and outside the district.*

Project Finding: With the exception of the issues discussed below, upon approval of the proposed Dougherty Valley Specific Plan amendment and General Plan amendment by the Board of Supervisors, the proposed modifications to the Gale Ranch Phase III and Gale Ranch Phase IV Final Development Plans will be consistent with the intent and purpose of the Dougherty Valley Specific Plan and

Dougherty Valley Community Design Guidelines. The modifications to the Gale Ranch Phase III and Phase IV final development plans relate mostly to the establishment of a new elementary school on a 7.9-acre site in Neighborhood 3 (Pod 3) of Gale Ranch Phase IV which will cause the displacement of 45 residential lots from Neighborhood 3.

In order to accommodate the new school, 45 residential lots will be relocated from Neighborhood 3 of Gale Ranch Phase IV to various locations within Gale Ranch Phase III and Phase IV. In addition to relocation of the lots numerous roadways within Gale Ranch Phase III and Phase IV had to be realigned and some parks had to be modified or deleted. All of the proposed modification will take place within the areas previously approved for development as identified in the Specific Plan and no development will encroach into the designated for open-space areas. The proposed modifications do not involve the addition of any residential units to Gale Ranch.

The redesigned portions of Gale Ranch Phase III and IV, as shown in the final development plans dated received September 5, 2013, are consistent with the Dougherty Valley Specific Plan and the Dougherty Valley Community Design handbook, with the exception of the following; 1) the diagonal parking along the western edge of the future private community center within Neighborhood 4 of Gale Ranch Phase IV (Sheet 3); 2) the 20-foot "alleys" for the Paseo home products as shown on Sheets 2 and 3; and 3) the proposed 12' center roadway widths for Dougherty Road as shown on Sheet 4. Therefore, the aforementioned portions of the proposed final development plan amendments are not part of this approval. The project has been conditioned not to allow the diagonal parking at the community center, 20-foot "alleys" for the Paseo homes or the 12' center lane on Dougherty Road.

BE IT FURTHER RESOLVED that the County Planning Commission determines that sufficient evidence has been provided to ensure that the project meets the required Growth Management Standards as identified in the Growth Management Element of the County General Plan as follows:

1. **Traffic:** The proposed final development plan modifications, final map modifications, Dougherty Valley Specific Plan amendments and County General Plan amendment will not result in adverse traffic impacts within or outside of Dougherty Valley. The main intent of the proposal is to provide for the establishment of a new elementary school within Neighborhood 3 of Gale Ranch Phase IV in order to alleviate the traffic and overcrowding being experienced at the four other elementary schools within Dougherty Valley.
2. **Water:** The project will not result in an increase in approved residential units for Gale Ranch. The only potential use that may impact water and waste disposal would be the new elementary school. According to the Dublin San Ramon Services District who provides water for the subject area, they have the capacity to serve the new school.
3. **Sanitary Sewer:** The project area is within the service area of Contra Costa Center Sanitary District who did not provide comment on the proposal.
4. **Fire Protection:** Fire protection for Dougherty Valley is provided by the San Ramon Fire Protection District who currently operates a fire station within Dougherty Valley.
5. **Public Protection:** Per the Dougherty Valley Specific Plan a new Police Substation will be established in the Dougherty Valley Village Center. The proposed project will not result in an increase in population and therefore will not result in an increased need for police services.
6. **Parks & Recreation:** Even though the project involves the removal of pocket parks from Neighborhood 3 of Gale Ranch Phase IV, a new 2.61-acre public park will be included with the new elementary school. With the addition of the new 2.61 acre park, the total number of park acreage for Dougherty Valley will be 108.35-acres which exceeds the 106.1 acres required per the Dougherty Valley Specific Plan.
7. **Flood Control and Drainage:** The drainage and flood control improvements for the revised final maps will have to conform to the County's C.3 Clean Water requirements and County Flood Control requirements.

BE IT FURTHER RESOLVED that the Secretary of the County Planning Commission will sign and attest the certified copy of this resolution and deliver the same to the Board of Supervisors, all in accordance with the Government Code of the State of California.

The instructions by the County Planning Commission to prepare this resolution were given by motion of the County Planning Commission on Tuesday, December 10, 2013 by the following vote:

AYES: Snyder, Stewart, Wright and Swenson

NOES: None

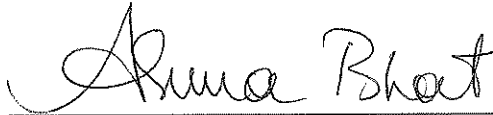
ABSENT: Terrell, Clark and Steele

ABSTENTIONS: None

Don Snyder
Vice Chair of the County Planning Commission
County of Contra Costa, State of California

I, Aruna Bhat, Secretary of the County Planning Commission, certify that the foregoing was duly called and approved on December 10, 2013.

ATTEST:



Aruna Bhat, Secretary
County Planning Commission
County of Contra Costa
State of California