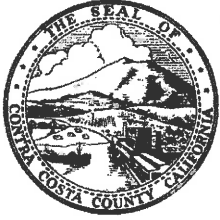


January 25, 2017, County Planning
Commission Staff Report



Department of Conservation and Development

County Planning Commission

Wednesday, January 25, 2017 – 7:00 P.M.

STAFF REPORT

Agenda Item # _____

Project Title:	Gloria Terrace Estates – Vesting Tentative Map
County File Number:	SD16-9429
Applicant/Owner:	Gloria Terrace LLC (Applicant)/Gloria Terrace LLC and H.F. Layton (Co-Owners)
General Plan/Zoning:	Single-Family Residential-Low Density (SL)/R-20 Single-Family Residential District (R-20)
Project Location:	The site is comprised of two separate parcels totaling 7.5-acres located at 3198 Gloria Terrace in the Lafayette area. (APN: 166-200-032, 166-210-008 and 166-200-026/access easement)
California Environmental Quality Act (CEQA) Status:	A Mitigated Negative Declaration (MND) indicating no significant environmental impacts has been prepared for the project.
Project Planner:	Francisco Avila, Senior Planner (925) 674-7801
Staff Recommendation:	Staff is recommending the County Planning Commission approve the project subject to the recommended conditions of approval. See full recommendation in Section II.

I. PROJECT SUMMARY

The applicant is requesting approval of a vesting tentative map to subdivide 7.5 acres into 9 new residential lots. Lots range in size from 22,608 square feet to 73,301 square feet in area. Access will be provided via a new private road constructed to County private road standards that includes a sidewalk, curbs and gutters. The new road will intersect Gloria Terrace at one location. The private road, drainage features and other common areas will be maintained by a homeowner's association created for the subdivision.

II. RECOMMENDATION

Staff recommends that the County Planning Commission:

- A. FIND 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 September 21, 2016, Mitigated Negative Declaration prepared for the project reflects the County's independent judgment and analysis;
- B. ADOPT the September 21, 2016, Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project;
- C. APPROVE the Gloria Terrace Estates Vesting Tentative Map date received June 16, 2016, by the Department of Conservation and Development, Current Planning Division.

III. GENERAL INFORMATION

- A. General Plan: The subject property is located within a Single-Family Residential-Low Density District (SL). The SL designation has a density range of 1.0 to 2.9 units per net acre.
- B. Zoning: The subject property is located within the R-20 Single-Family Residential District (R-20).
- C. CEQA Status: On September 21, 2016, an Initial Study was prepared for the project and posted and circulated for public review. Upon completion of the initial study, it was found that the project would not result in any significant environmental impacts. Multiple letters regarding the adequacy of the review were received within the comment period. A complete review and discussion of the issues raised is provided in Section IX below.

IV. SITE/AREA DESCRIPTION

The subject site is located on the east side of Gloria Terrace 1,250 feet northwest of the Taylor Boulevard/Gloria Terrace intersection, in the Lafayette area. The assessor's parcel numbers for the site are 166-200-032 and 166-210-008. The property consists of 7.5 total acres and is currently vacant. There are a total of 83

trees scattered throughout the property. The site is generally rectangular in shape, 900 feet long, 400 feet wide and straddles the top and steep sides of a natural ridgeline. The top of the ridgeline has an elevation of 457 feet. There is a linear valley approximately 60 feet wide along the southeastern portion of the property. This valley begins at an elevation of approximately 300 feet and extends up to an elevation of 380 feet. The site is accessed by a combination of a panhandle shaped portion of the property (200 feet long by 50 feet wide), which abuts Gloria Terrace and a parallel 20-foot wide access easement over APN: 166-200-026. Parcels in the vicinity range in size from 0.50-acres to over 3-acres and tend to be developed with residential uses.

V. PROJECT DESCRIPTION

The applicant is requesting approval of a 9-lot Vesting Tentative Map. The details of the request are described below:

A. Subdivision

The proposed tentative map identifies 9 lots ranging in size from 22,608 to 73,301 square feet in area. The lots will be accessed via a new private road to be constructed within the subject site and a 20-foot-wide access easement. The new private road will be constructed to County private road standards and will include a sidewalk, curbs and gutters. The new road will intersect with Gloria Terrace at a single location. All drainage features, streets and other common areas will be maintained by a homeowner's association created for the subdivision.

18,000 total cubic yards of soil will be graded and balanced on-site in order to create the building pads, roadway and related subdivision improvements. The removal of 16 trees and work within the dripline of 30 other trees will be necessary to construct the project.

B. Building Design

The Gloria Terrace Estates development will offer custom built homes specifically designed for each lot. According to the architectural renderings for the project, two story split-level homes will be constructed on the majority of lots. As lots 1-4 are at lower elevations compared to the majority of the surrounding properties, no height restrictions have been placed on those lots. As lots 5 through 9 are at higher elevations, height limitations have been recommended for those lots as follows (COA #14):

- Residential buildings on lots 5, 7, 8 and 9 shall not exceed 18 feet in height above the 440-foot elevation level. Overall heights within stepped down portions of residences may exceed 18 feet but not more than 35 feet in height.
- Residential buildings on lots 5, 7, 8 and 9 shall be of a split level design to reduce effective visual bulk.
- Residential buildings on lot 6 shall not exceed 28 feet in height above the 437-foot elevation level.

C. Trees/Landscaping

The removal of 16 trees will be necessary in order to create the new lots and related subdivision improvements. Work within the dripline of 30 other trees will also be required as a result of grading, roadway construction, and installation of drainage facilities etc. A Tree Survey, dated February 4, 2016, prepared by Timothy Ghirardelli, has been prepared for the project which includes recommended tree and root zone protection guidelines. No specific landscaping plans have been submitted for individual lots, however, as home sites are developed, landscaping plans may be necessary if required by County Ordinance (square-footage of new landscaping etc.).

D. Inclusionary Housing – Density Bonus

Residential development applications proposing 5 through 125 for-sale units, are subject to the Inclusionary Housing Ordinance, Chapter 822-4. In this case, the project must include the required number of Inclusionary Housing units or pay the in-lieu fee. Thus, the applicant has elected to pay the total in-lieu fee of \$34,874 in order to satisfy ordinance requirements.

E. Sidewalk Extension, Driftwood Drive to Pacifica Avenue

Off-site roadway improvements will consist of shoulder improvements along Gloria Terrace between Reliez Valley Road and Taylor Boulevard, as detailed in the June 16, 2016, Gloria Terrace Shoulder Improvements exhibit (attached). The aim of the improvements will be to improve pedestrian safety along this stretch of road.

VI. ENVIRONMENTAL REVIEW

In accordance with the state *Guidelines for Implementation of the California Environmental Quality Act (CEQA)*, an initial study was prepared to determine potential environmental impacts of the proposed Gloria Terrace Estates project. Upon completion of the initial study, it was determined that mitigation measures could be incorporated into the project description that would reduce project impacts to a less than significant level.

The Initial Study and Notice of Public Review and Notice of Intent to Adopt a Mitigated Negative Declaration was posted with the County Recorder and circulated for public review on September 21, 2016. The final day for providing comments on the adequacy of the initial study was October 21, 2016. 14 letters and one petition with 23 signatories were received opposing the project during the comment period. Topics of concern were related to Traffic, Aesthetics, Noise, Air/Dust and Geology. A complete review of the issues of concern and staff's response is provided in Section IX below.

VII. AGENCY COMMENTS

The following agency comments were received for the application:

- **Department of Conservation and Development (DCD), Building Inspection Division:** Building Inspection staff returned an Agency Comment Request dated March 4, 2016, indicating that the division had no comments on this application.
- **DCD, Housing Division:** Housing Division staff submitted an email indicating that the applicant has satisfactorily completed an Inclusionary Housing Plan.
- **Contra Costa Health Services, Environmental Health Division:** Environmental Health staff submitted a letter indicating that the project must adhere to all applicable laws and regulations related to wells and septic systems.
- **Public Works Department, Engineering Services Division (Public Works):** In a memo dated July 28, 2016, the Engineering Services Division provided recommended conditions of approval (COA's) for the project. Those conditions have been incorporated into the project as COA's 36 through 60.

- **Public Works Department, Traffic Division**: Traffic Division staff returned an Agency Comment Request dated February 29, 2016, indicating that adequate space shall be provided at the private entry gate so that vehicles can make a U-turn and re-enter Gloria Terrace in a forward motion. The applicant has since removed the private gate from the proposal.
- **Contra Costa County Fire Protection District (Fire District)**: Fire District staff submitted a letter dated March 16, 2016, indicating that the project must adhere to all applicable ordinance and adopted standards.
- **Central Contra Costa Sanitary District (Sanitary District)**: In an email dated February 24, 2016, Sanitary District staff indicated that sanitary sewer service is available to the project site via a public main sewer with Gloria Terrace.
- **East Bay Municipal Utility District (EBMUD)**: In a memo dated March 3, 2016, EBMUD staff indicated that water service is available to the project and that all other associated regulations shall be met part of connecting to the water system.

VIII. STAFF ANALYSIS

Addition of the Gloria Terrace Estates, 9-lot residential development is compatible with the surrounding neighborhood in design and density. The project will provide additional inventory of detached single-family residential homes. The project layout, access, and building design will provide for an attractive development with no significant or adverse effects to the surrounding community or environment. Additionally, the project includes construction of shoulder improvements along the Gloria Terrace right-of-way between Reliez Valley Road and Taylor Boulevard. The roadway improvements will offer a safer pedestrian connection to the Blue Oak Trail Head, which is part of the Briones Regional Park, Brookwood Park which is located to the south and school bus stops along Gloria Terrace.

Analysis of individual aspects of the project is discussed in further detail below:

- A. General Plan Consistency**: The site has a general plan designation of Single-Family Residential-Low Density (SL), which has a density range of 1.0 to 2.9 units per net acre. According to section 3.7 of the 2005-2020 County General Plan, "*Net acreage includes all land area used exclusively for residential purposes, and excludes streets, highways, and all other public rights-of-way*". The table below demonstrates the project's compliance with the SL General Plan designation.

Category	Totals
Total Area (Gross) =	7.5 Acres
Private Streets & Drainage =	➤ 1.0 Acre
Total Area (Net) 7.52 – 1.0 =	6.5 Acres
# of Units Allowed, 6.5 Net Acres X 2.9 Units Per Net Acre =	6 to 18 Units Allowed
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Total Allowable Units =	18 Total Units (9 unit proposed)

Additionally, General Plan Policy 3-29 states "*New housing projects shall be located on stable and secure lands or shall be designed to mitigate adverse or potentially adverse conditions. Residential densities of conventional construction shall generally decrease as the natural slope increases*". Given that various portions of the subject site are steep and generally considered "unbuildable", the project accordingly only proposes half of the calculated maximum allowable units. Geotechnical analysis of the site has determined that, as proposed, the subject property can safely accommodate the 9 new lots and associated improvements (e.g., roadway and drainage). Notwithstanding the physical characteristics of the site, the surrounding area is also developed with single-family residential-low and medium density housing; therefore, the proposed density will be consistent with the existing development pattern for the area.

Lastly, staff is supporting the request based on the developer's willingness to construct shoulder improvements within the Gloria Terrace right-of-way. Currently, there are "patches" of Gloria Terrace that do not have pedestrian walkways or shoulders to accommodate safe pedestrian travel. With the addition of 9 residential units, an increase in pedestrian traffic is expected in this area. Additionally, there are two school bus stops on Gloria Terrace that neighborhood children utilize. As such, the proposed shoulder improvements represent a positive contribution to the community which will allow parents and children to safely access the nearby trails, parks and schools. Per staff's recommended condition of approval #35, the applicant will be required to install the subject pedestrian improvements (per the Public Works Department's review and approval) prior to the filing of the Final Map for this project. Therefore, based on all the points raised above, the proposed subdivision is in accord with the SL General Plan land use designation, as well as, compatible with the surrounding residential developments.

- B. Consistency With R-20 Zoning District:** The proposed Vesting Tentative Map identifies 9 new residential lots. Each lot meets or exceeds the minimum lot area, depth and average width requirements as required by the R-20 Zoning District. Below is a chart demonstrating each lot's compliance with the R-20 standards.

<u>Lot Number</u>	<u>Area (20,000 Sq. Ft. Min.)</u>	<u>Depth (120 Ft. Min.)</u>	<u>Average Width (120 Ft. Min.)</u>
<u>Lot #1</u>	22,608	154.1	146.1
<u>Lot #2</u>	23,791	198.2	120.0
<u>Lot #3</u>	25,030	208.5	120.0
<u>Lot #4</u>	25,375	166.0	152.0
<u>Lot #5</u>	40,508	216.0	186.0
<u>Lot #6</u>	73,301	305.0	240.0
<u>Lot #7</u>	37,852	205.0	184.0
<u>Lot #8</u>	29,185	214.6	136.0
<u>Lot #9</u>	61,311	222.0	276.0

No specific residential plans have been submitted as part of this application. However, staff has added Condition of Approval #13, which requires an administrative review of new home plans (e.g., site plan, floor plan and elevations) prior to issuance of building permits. Each review will insure all yard setbacks and height limits have been met, as well as, compliance with any applicable subdivision requirements (geological, tree preservation, etc.).

- C. Vehicular Circulation and Pedestrian Sidewalk:** Vehicular circulation is provided by a 22-foot wide private road within a 30-foot wide right-of-way easement. All proposed grades greater or equal to 16% will be paved with grooves per fire department requirements. All proposed grades less than 16% will consist of non-grooved asphalt concrete. A turnaround at the terminus of the road will allow for emergency vehicle/residence/visitor turnaround capability. "No parking" signs/red curb will be painted on both sides of the roadway. One 5-foot-wide sidewalk will be constructed along the entire length of the new street. The sidewalk will provide safe pedestrian access from each new residence to Gloria Terrace. A 200-foot section of the new road will be located within a 20-foot-wide access and utility easement located on assessor's parcel number 166-200-026.

D. Drainage: Six bio-retention basins will be located throughout the subdivision to accommodate storm water runoff. The applicant has provided analysis and calculations relative to the adequacy of the proposed on-site storm drainage infrastructure, including an evaluation as to the adequacy of the existing storm drain in the Gloria Terrace right-of-way. Based on that analysis, the existing downstream facilities have adequate capacity to convey storm water runoff from this subdivision (Per Public Works comments, dated July 28, 2016). All common space areas (e.g., private roadway and drainage) will be maintained by a homeowner’s association (HOA) created for this project. This HOA approach is acceptable and similar to other developments of equivalent size within the County.

E. Gloria Terrace Shoulder Improvements: As part of the incremental residential infill development along Gloria Terrace, sidewalks have been constructed sporadically on either side of the roadway. Other portions of Gloria Terrace have marginal (dirt, gravel, etc.) pedestrian paths established by use. As such there is no continual sidewalk along this stretch of road. Gloria Terrace is a local street and is not indicated on the County Circulation Element as a major arterial. However, according to the proposed “Gloria Terrace Shoulder Improvements” exhibit (attached to this report, prepared by the applicant), the developer will improve two sections of existing sidewalk, install a new 36-inch-wide gravel path and paint two pedestrian street crossings. The installation of these improvements will provide current and new residents, a safer, continual means to walk along Gloria Terrace. No bicycle facilities or transit services (except for school bus stops) are provided along the road right-of-way. Therefore, these improvements will provide a beneficial use for the site and area in general.

IX. ENVIRONMENTAL REVIEW AND PUBLIC COMMENTS

On September 21, 2016, an Initial Study was prepared, posted and circulated for public review (Initial Study attached). Potentially significant impacts were identified in the areas of Aesthetics, Biological Resources, Cultural Resources, Air Quality, Noise and Geology. Mitigation measures have been identified and incorporated into the project to lessen any potential impact to less than significant levels. Nevertheless, multiple letters regarding the adequacy of the environmental review were received within the comment period. Below is a summary of the issues raised and staff’s response.

1. Geology and Soils: Surrounding parcel owners have indicated that they routinely observed slides of the hillside in the area of lots 9 and 5. Additionally, neighbors noted that GFK & Associates equipment had difficulty gaining traction due to moist soil and that the geotechnical report was prepared during a period of record drought.

Staff's Response: In the geotechnical report prepared for this project, soil and bedrock conditions on lots 5 and 9 were addressed. Test pits 5 and 6 on the upper portions of lots 5 and 9 encountered a thin topsoil layer about 1 to 1.5 feet thick underlain by sandstone bedrock. It was the conclusion of the professional geotechnical engineer, that the presence of a thin layer of topsoil does not indicate a stability problem. Nevertheless, the project Geologist supplemented the report findings with the following statement *"More detailed subsurface exploration and analysis should be done to evaluate the risk of future soil movement on this portion of the slope. It is possible that earthwork or other methods may be needed for mitigating this hazard"*. According to the project Geologist, this type of potential hazard can easily be mitigated by following routine slope repair procedures. Nevertheless, the County Geologist has peer reviewed the applicant's Geological Report and has determined that the findings are in accord with current standards. Therefore, according to all available information, the geology of the project site is suitable for construction of the residential development with implementation of Mitigation Measure GEO-3, which specifically addresses the concern of soil instability.

2. Hydrology and Water Quality: Neighbors are concerned that drainage from the project would negatively impact Brookwood Creek and potentially cause property damage and injury to those persons owning lots along the creek. Particularly, as stated by the neighbors, it is the amount and speed at which the water would enter the creek that is of concern.

Staff's Response: The percentage of impervious surfaces for the overall development are relatively low, at 25% of the total land, which includes an estimated 50,000 square feet for the home sites, 25,000 square feet for the streets and 5,500 square feet for the sidewalk that adjoins the roadway from Gloria Terrace up to the cul-de-sac.

The stormwater control plan, which factors in the impervious surface, is designed to intercept and collect runoff from all new impervious surfaces, including homes, driveways and roads. This system also directs the flow to

on-site drainage basins that will treat the water and retain it during peak flow periods prior to releasing off-site. As conditioned, the project is required to maintain peak water flows during storm events to preconstruction conditions (COAs %50 through 60). Therefore, there will be a less than significant impact to downstream residents and drainage features as a result of the project.

3. Construction/Traffic Noise: Neighbors are concerned that the project would create short and long term noise impacts due to construction and added vehicular traffic once the new homes are occupied.

Staff's Response: Elevated short-term noise levels are typical with any development project that involves grading or construction. Best Management Practices (BMPs) such as requiring mufflers on equipment, and the prohibition of unnecessary idling engines will reduce the noise impacts to less-than-significant levels. Further, General Plan Policy 11-8 states: *"Construction activities shall be concentrated during the hours of the day that are not noise-sensitive for adjacent land uses and should be commissioned to occur during normal work hours of the day to provide relative quiet during the more sensitive evening and early morning periods"*. As such, Mitigation Measure NOISE-1 (COA #29) limits all construction activity to the hours of 8:00 A.M. to 5:30 P.M., Monday through Friday, and prohibits work on state and federal holidays on the calendar dates that these holidays are observed. With the implementation of this mitigation measure, it is expected that the project will represent a less-than-significant impact to neighbors and area in general.

Once the project has been completed, the principal noise generated by the project, other than customary residential uses, would be vehicular traffic. As discussed in the Environmental Review for this project, the principal noise generated in this area is by vehicular traffic along Taylor Boulevard. General Plan Table 11-2, indicates that noise levels can be expected to be in the 68 dB range at 100 feet away from Taylor Boulevard. Noise levels drop to the 60 dB level or less at 430 feet away. General Plan Policy 11-9 states: *"Sensitive (residential) land use shall be encouraged to be located away from noise areas..."*. Therefore, the applicant has chosen to develop a property located 850 feet from Taylor Boulevard which is ideal for residential use. Furthermore, as the subject property is located within a residential General Plan and Zoning designation, it is considered an in-fill project that is consistent with the surrounding uses.

It should be noted that the applicant for this project has met with neighbors on several occasions in an attempt to familiarize concerned individuals with the project particulars and to address any concerns such as noise. In response to these meetings, the applicant has relocated the proposed private roadway further away from nearby residences which will aid in reducing vehicular noise levels at adjacent properties. Lastly, the project does not require any variances to lot dimensions which would create substandard sized lots that would create a clustered type of development. Nor is the applicant requesting to change the General Plan designation from Single-Family Residential-Low Density to another higher density category. In fact, due to the topography of the site, the project includes half of the otherwise allowable units – 9 proposed, 18 allowed. Therefore, the project is accord with all applicable development standards for the site and is consistent with the development pattern for this residential area.

4. Cumulative Traffic and Pedestrian Safety Along Gloria Terrace: Neighbors have cited that traffic volume in the area has increased over the years and contend that the subdivision construction along with the associated residential traffic will increase the risk of injury and accident along Gloria Terrace.

Staff's Response: It is clear that traffic volumes have increased in the Reliez Valley Road and Taylor Boulevard corridors. Nevertheless, these current traffic levels serve as the baseline for this project. As proposed, the 9-lot subdivision is expected to generate less than 10 AM or PM peak hour vehicular trips per weekday. By all standards and measures of effectiveness, the project will not cause a significant impact to traffic once completed. The Public Works Department has reviewed the project and has not expressed any concerns related to the proposed private roadway, ingress or egress, or traffic levels of service at any nearby intersections. Construction vehicles will also have a less-than-significant impact on roadways as the project engineer has been able to balance all grading onsite. This approach will dramatically reduce the number of construction related vehicles entering and exiting the site. Nevertheless, staff has added COAs #30, 31 and 32, which requires the applicant to prepare a Traffic Control Plan, including truck route, and video record the pre and post roadway conditions along Gloria Terrace to ensure any damage caused by heavy construction vehicles is corrected.

In fact, as mentioned above, a major benefit from the project is that the applicant is required to improve pedestrian safety along Gloria Terrace. According to the proposed "Gloria Terrace Shoulder Improvements" exhibit (attached), the applicant is required to improve two sections of existing sidewalk, install a new 36-inch-wide gravel path and paint two pedestrian street crossings along Gloria Terrace. Currently, there is intermittent sidewalks and paths along this stretch of roadway. The installation of these improvements will provide current and future residents a safer means to walk along Gloria Terrace. Therefore, due to the low number of anticipated vehicle trips and the requirement to install roadway improvements, the project is considered by staff as an overall benefit to the area.

When reviewing the project against cumulative traffic impacts, staff must consider the incremental effects of a project along with the effects of past projects, the effects of other current projects, and the effects of probable future projects when determining whether an environmental effect is significant. There are several previously approved projects in the area, as well as, one minor subdivision currently under review within 0.5 miles of the site. The pertinent projects are listed below:

<u>Subdivision Name</u>	<u>Status</u>	<u># of Lots</u>
Seclusion Valley Estates	Approved in 1991, currently under construction.	17
Arbor View Estates	Approved in 2008, currently under construction.	9
<u>MS15-0008</u>	Currently under review.	4
<u>Evergreen Homes</u>	Construction to begin in 2017.	4
	Total # of lots:	34

Based on the reasonable expectation that 34 new lots will be established within the next few years, it can be anticipated that an increase of 26 peak AM and 34 peak PM vehicular trips will be added local roads. As the cumulative number of peak hour trips is well below the 100 peak hour trip threshold that requires a full Measure C Traffic Impact Analysis, there is no further study required related to this project. Any affects to roadway levels of service due to the combination of these projects will be negligible.

5. Biology and Habitat: Neighbors contend: 1) that a pond forms in wet years at the northeast corner of the property; 2) additional research needs to be performed to address various wildlife species; and 3) the applicant's biologist is biased.

Staff Response: Neighbors have contended that a pond has historically been located on the northeastern corner of the subject property. Monk & Associates (M&A), prepared the Biological Resource Analysis (Report) for this project. In preparation for the Report, M&A biologists have visited the site multiple times in 2015 and 2016. M&A surveyed the property on March 8, 2016, a day after Lafayette had received over an inch of rain and over 4.5 inches of rain for the season and did not see a pond or marshy area onsite. Regardless of whether or not there was a pond present at the site in the past, CEQA requires an analysis of the existing site conditions and not the past characteristics of a project site.

With regards to the site providing habitat and a corridor for wildlife movement to and from the Briones Regional Park; the site is severely separated by residential development (homes and roads) and only supports local wildlife species adapted to living amongst the trappings of mankind. As the site is completely surrounded by residential development, it would make it difficult for animals to move from the project site to any true large and contiguous open space preserve such as the Briones Regional Park. M&A agrees that various different birds, including raptors (birds of prey), can be observed on the project site, especially during the migration season. The oak trees on site provide seasonal stopover habitat for birds. However, the oak trees and non-native grassland found on the project site are not unique and are abundant in the area. Nevertheless, mitigation measures (COA #'s 22, 23, and 24), have been included to this project which requires a pre-construction survey prior to ground disturbance. All potential impacts to protected biological resources have been addressed.

Lastly, neighbors are concerned that because the developer paid for the M&A Report, a bias towards a no impact finding is possible. In response, M&A has stated, "*Our job is to evaluate properties and determine what natural resources and sensitive and significant biological resources occur on the property we are evaluating. M&A is the liaison between the project applicant and local, state and federal regulatory agencies.*" Staff has worked closely with M&A on many projects. M&A's reports and recommended

mitigation measures have been reviewed and accepted by many agencies such as the California Department of Fish and Wildlife. Additionally, no evidence has been provided to staff by concerned individuals that provide reasonable cause to question any part of the Biological Assessment prepared for this project.

6. Childcare/Local Schools: Neighbors contend that the population growth associated with the project will represent an added strain on currently over crowded schools.

Staff's Response: 88-22.806 (d) states: "*The applicant or developer of a residential development with between one and twenty-nine units, inclusive, shall pay a fee, as established by the board in accordance with applicable law, toward child care facility needs in lieu of undertaking the child care survey*". As such, staff has added COA #8, which requires the developer to pay the applicable Child Care Fee as part of each new home building permit. Additionally, this application has been routed to the area's schools. No concerns have been received from the school district.

X. SUMMARY OF STAFF ANALYSIS

County staff has analyzed the proposed Gloria Terrace Estates project in terms of neighborhood compatibility, appropriateness of use and conformance with the County General Plan and zoning code. The project will conform to all applicable development standards for the R-20 Zoning District, and will add a quality housing option in an area that is primarily developed with similar uses. Environmental analysis has identified potential impacts in areas of Aesthetics, Biology, Geology Cultural Resources, and Air Quality. Consequently, mitigation measures have been incorporated into this project which reduce any potential impact to less-than-significant levels. Concerned neighbors have provided written opposition to this project as discussed above. However, no compelling evidence has been provided that warrants a change in design or addition of mitigation measures.

XI. CONCLUSION

Staff recommends that the Planning Commission adopt the mitigated negative declaration prepared for the project and approve the Vesting Tentative Map based on the attached findings and recommended conditions of approval.