

**PANTAGES AT DISCOVERY BAY, LLC**

**16795 Lark Avenue, Suite 106**

**Los Gatos CA 95032**



July 17, 2019

Attention: John Kopchik, Director

Department of Conservation and Development

30 Muir Road, CA 94553

Subject: General Plan Amendment Authorization

To: Director Kopchik and Board of Supervisors:

Pantages at Discovery Bay, LLC and C & D Discovery Bay, LLC (“Pantages”) request that the Board of Supervisors authorize the study of a General Plan Amendment for its 171-acre property at the end of Point of Timber Road along Kellogg Creek, commonly referred to as the Pantages property. Please include this letter with the agenda item when the requested authorization is scheduled for Board consideration.

The Board on October 6, 2015 approved the Pantages Bays project (comprised of General Plan amendments, rezoning, final development plan and vesting tentative map) for 116 waterfront homes with docks and deep water access, and 176 other single-family homes on minimum size lots of 6,000 square feet. The approved plan is attached.

Due primarily to difficulties encountered to secure the necessary permits from state and federal agencies, the owner has decided to modify the approved plan and file an application with the Department of Conservation and Development for approval of a modified plan we call "Pantages Trails." A draft conceptual plan of the Pantages Trails project is attached. This draft reflects suggestions and input from your Department in the course of pre-application review by the Department. 277 single family traditional homes, without deep water access, are proposed. The streets and structures will be elevated above the flood plain utilizing soil excavated from two created lakes. Lots backing up to Kellogg Creek and the main lake will have "open" fencing (i.e., rot iron or similar) to provide views of these amenities.

Kellogg Creek and all jurisdictional wetlands will be avoided (one exception is a stormwater outflow structure into Kellogg Creek).

Publically owned and maintained trails and linear parks are proposed. They will have close up views of delta water and emergent marsh/seasonal wetland views, over 11,000 feet in length as proposed (hence the project name). This is the only such trail system in Discovery Bay.

The trails and linear passive parks (e.g., grass locations, benches, and wide crushed and compacted granite paths) will be for public use. Public streets are proposed. The previously approved plan included a vehicular entry gate and private streets, but with public access for pedestrians and bicyclists. The Department has expressed its preference that a vehicular gate not be included in the proposed project so that the public trails and linear passive parks are more easily accessible by the public. Following due consideration, Pantages has decided include in the project publically owned and maintained streets instead of private streets owned and maintained by an HOA. The same holds true for the trails and linear parks: accessible to the public and publically owned and maintained. We will work with the County and the Town of Discovery Bay CSD regarding sources of funding for that maintenance.

To accommodate the Pantages Trails project as shown in the conceptual plan will require amendments to the current general plan designations for the project as

approved in 2015. For example, the residential areas will require a SH designation (Single Family Residential-High) for all the homes (the previous plan included medium density for the waterfront lots). OS (Open Space) and PR (Parks and Recreation) designated areas will also be in different locations than before.

Thank you for your consideration of our request for amendments to the General Plan necessary to accommodate the new Pantages Trails project. We look forward to the opportunity to complete the Pantages Trails project and thereby adding a new neighborhood to Discovery Bay, benefiting future Pantages Trails residents and the public as a whole.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark", with a long horizontal flourish extending to the right.

Mark L. Armstrong, Vice President

Two Map Attachments