



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: October 6, 2015

Subject: Pantages Bay Residential Redesign / Discovery Bay Area

RECOMMENDATION(S):

1. OPEN the public hearing and receive testimony on the project.
2. CLOSE the public hearing.
3. CERTIFY the 2015 Addendum to the Pantages Environmental Impact Report (Attachment B); and CERTIFY that the Board has reviewed and considered the contents, that it is adequate and complete, that it has been prepared in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines, and that it reflects the County's independent judgment and analysis.
4. ADOPT the findings and recommendations as contained in County Planning Commission (CPC) Resolution No. 15-2015 (Attachment A).
5. APPROVE the modified Amendment to the County General Plan (County File No. GP99-0008) to re-designate the project site from Single-Family Residential High Density (SH), Single-Family Residential Medium Density (SM), Public / Semi-Public (PS), Open Space (OS) and Water (WA) to a modified configuration of Single-Family Residential High Density (SH), Single-Family Residential Medium Density (SM), Public / Semi-Public (PS), Open Space (OS) and Water (WA), as shown on Exhibit 2 of Attachment F.
6. APPROVE Rezoning (County File No. RZ04-3146) of the project site from P-1, Planning Unit District to a modified configuration of P-1, Planned Unit District, as shown on Exhibit

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **10/06/2015** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 6, 2015

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: John Osborne /
674-7793

cc:

3 of Attachment F.

7. APPROVE the Modified Final Development Plan (County File No. DP14-3017), as shown on Sheet 5 of Attachment E

RECOMMENDATION(S): (CONT'D)

8. APPROVE the Conditions of Approval for the Modified Final Development Plan.
9. ADOPT the attached Mitigation Monitoring Measures for the project.
10. DIRECT the Community Development Division to post the Notice of Determination for the project with the County Clerk.

FISCAL IMPACT:

None. All costs for processing this application are borne by the applicant.

BACKGROUND:

The applicant has applied to the County to reconfigure the approved project.

What was Approved

In December of 2013 the Board of Supervisors approved the Pantages Project, which consisted of the following features; widening of Kellogg Creek with the creation of waterfront lots; 292 single-family homes (116 waterfront lots and 176 non-waterfront lots); construction of a Sheriffs' Marine Patrol Substation on the project site next to the water; creation of two open space areas; public trail from the project entrance through the open space area to the water's edge.

What would Change

The reconfigured project would keep the same number of homes and the same design features. However, the new design would provide for improved roadway circulation and waterfront layout, significantly improve the long term durability of the shoring walls at the rear of the waterfront lots and significantly reduce the public trail development footprint through the Open Space area. For comparison please refer to Sheet 1 of Attachment E.

The following features would be updated in the reconfigured plans:

- Replacement of cement shoring wall with sheet pile shoring wall. This method would improve structural stability and longevity of the shoring wall and is considered a superior method of construction by the Reclamation District 800 (RD 800), who would be responsible for its maintenance.
- Improve roadway circulation through the addition of interior lots and the elimination of one of the bays;
- Convert some waterfront lots to internal lots. The total number of residential lots remains 292, but the number of waterfront lots has been reduced by 11 to 105 and the number of interior lots has increased by 11 to 187;
- Reduced developmental footprint of the public trail through the Open Space area.

Reasons for the Proposed Changes

The following are reasons for the proposed changes to the approved Final Development Plan / Vesting Tentative Map (FDP/VTM):

- Construction of the approved project included a cement shoring wall (CDSM) which, after the project was approved and final engineering calculations were performed, was found to have a short lifespan; maximum 25 years. This was due to increasing the height of the wall to accommodate for sea level rise. Also, RD 800 expressed reservations about maintaining the CDSM walls given their short lifespan. With technological advancements in construction, the applicant is now proposing sheet pile walls because they have an indefinite lifespan, and RD 800 is prepared to accept responsibility for maintaining and repairing the sheet pile walls. Also, a qualified acoustical consultant determined in the attached addendum to the Pantages Environmental Impact Report (Attachment B) that the method of installation (vibratory versus piston) would not create a significant impact to the surrounding neighborhood.
- As a result of an improved roadway circulation there is no need for a large portion of the emergency vehicle access (EVA) on the north end of the project. This section, which originally included an elevated EVA with public trail, would now contain only a public trail at grade, which would have a much smaller footprint and far less impact on the marsh/wetlands which it travels through.
- Flexible phasing opportunities in the construction of the project.

Planning Commission Hearing July 7, 2015

The County Planning Commission (CPC) held a public hearing on July 7, 2015 for the reconfigured Pantages Project. After evaluating the project, including all public testimony and evidence in the record, the Commission approved the reconfigured subdivision (County File SD 06-9010) and recommended that the Board of Supervisors approve the reconfigured General Plan Amendment, Rezoning and Final Development Plan. The Department of Conservation and Development, Community Development Division, located at 30 Muir Road, Martinez, CA, is the custodian of the documents and other material which constitute the record of proceedings upon which this decision is based.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board did not approve the General Plan Amendment, Rezoning and Final Development Plan the applicant would not be able to construct the project with long term shoring walls, better roadway system and reduce the impact of the public trail through the Open Space area.

CLERK'S ADDENDUM

CLOSED the public hearing; and ADOPTED all recommendations as presented.

ATTACHMENTS

Attachment A - County Planning Commission Resolution No. 17-2015

Attachment B - Addendum to Pantages EIR

Attachment C - Conditions of Approval w/ Mitigation Measures

Attachment D - County Planning Commission Staff Report 7/21/15

Attachment E - Full Plan Set

Attachment F - General Plan / Zoning Maps

Attachment G - Notification List

Attachment H - PPT