

RESOLUTION NO. 04/2017

GENERAL PLAN AMENDMENT

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
AMENDING THE TOWN OF CORTE MADERA'S GENERAL PLAN LAND USE
DIAGRAM, CHANGING THE PORTION OF THE LAND USE DESIGNATION FOR 5221
PARADISE DRIVE FROM OPEN RESIDENTIAL TO PUBLIC/SEMI-PUBLIC FACILITIES**

WHEREAS, the Town Council of the Town of Corte Madera adopted a comprehensive update to the Corte Madera General Plan on April 21, 2009 (the "2009 General Plan"); and

WHEREAS, the purpose of the General Plan is to enable the Planning Commission and the Town Council to make informed actions on long-range development policies, environmental protection and other programs; and

WHEREAS, the purpose of the General Plan is to inform the public of the Town's policy approaches and to serve as a vehicle to invite public participation in the Town's decision-making process; and

WHEREAS, the purpose of the General Plan is to provide a basis for evaluating whether private and public development proposals and public programs are in harmony with Corte Madera's short- and long-term vision; and

WHEREAS, the purpose of the General Plan is to provide a basis for developing implementation programs and detailed regulations and standards; and

WHEREAS, the purpose of the General Plan is to allow private developers and public agencies to design projects and programs that are consistent with Corte Madera's policies; and

WHEREAS, the majority of the developed site has a land use designation of Public and Semi-Public Facilities; and

WHEREAS, the Public and Semi-Public Facilities includes uses that service a public or semi-public function, including public and private schools, places of religious assembly, and public buildings. It also allows areas necessary for public service installations, including public and private drainage ways, retention ponds and flood control facilities, such as pump stations, floodgates and floodwalls, and other sites necessary for public facilities and services; and

WHEREAS, the undeveloped area of the project parcel has a land use designation of Open Residential; and

WHEREAS, Open Residential land use is intended for areas with special characteristics such as steep slopes or potentially unstable soils or geologic conditions. This designation is also intended for areas having special open space value due to their visual character or habitat resource potential, including site proximity to regional open space areas. Single-family houses and accessory residential uses with very low intensity characteristics (such as low parking generation) are allowed, including second residential units; and

WHEREAS, Marin Country Day School submitted an application for a General Plan Amendment, Rezoning, Amended Conditional Use Permit, Improvement Project and Design Review (hereinafter referred to as the “Marin Country Day School Project”) for the 32.4-acre school property located at 5221 Paradise Drive; and

WHEREAS, the Town contracted with Amy Skewes-Cox, AICP, to conduct an environmental review of the proposed project. After review of the project and preparation of the Environmental Checklist, an Initial Study/Mitigated Negative Declaration was prepared for the Marin Country Day School Project; and

WHEREAS, on October 4, 2016 the Notice of Completion and Draft Initial Study/Environmental Checklist for the Marin Country Day School project was filed with the State Clearinghouse beginning a 30-day public review period; and

WHEREAS, on October 4, 2016 the Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration for the Marin Country Day School project was filed with the Marin County Clerk; and

WHEREAS, on October 4, 2016 the Notice of Availability of the Draft Initial Study/Environmental Checklist and Notice of Public Hearing for the Marin Country Day School project were mailed to residents within 300 feet of the subject property; and

WHEREAS, on November 10, 2016, the Corte Madera Planning Commission held a public hearing on the item, heard comments from the applicant and interested parties, and at the close of the public hearing voted unanimously to adopt Resolution No. 16-031, recommending to the Town Council of the Town of Corte Madera that it certify the Mitigated Negative Declaration, and approve the General Plan Amendment, Rezoning, Amendment to the existing Use Permit and Design Review thereby allowing construction of two new classroom buildings, one new Performing Arts building, new Upper School restrooms/office, new Lower School restrooms, and other renovations at 5221 Paradise Drive, based upon the findings listed below in accordance with Chapter–1, 2 and 5 of the Corte Madera General Plan and Chapters 18.02, 18.06,18.08, 18.16, 18.18, 18.26, 18.30 of the Corte Madera Municipal Code, and subject to the conditions listed herein; and

WHEREAS, on November 18, 2016 the Town sent a notice to all properties within 300 feet of the project site announcing the December 6, 2016 Town Council meeting; and

WHEREAS, on December 6, 2016 the Town Council held a public hearing on the item, heard comments from the applicant and interested parties, and at the close of the public hearing voted unanimously to continue the application to January 17, 2017; and

WHEREAS, on January 6, 2017 the Town sent a notice to all properties within 300 feet of the project site announcing the January 17, 2017 Town Council meeting; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Council approves the General Plan Map Amendment to increase the area with the Land Use designation of Public Semi Public to the south by 7.14 acres and decrease the area designated Open Residential by the same amount, as shown in Exhibit A and based on the following findings:

1. The General Plan and Zoning designation for most of the MCDS property is for Public and Semi-Public uses. The application also includes a General Plan Amendment and rezoning for an approximately 7.14-acre area of the site that is now designated Open Residential in the Corte Madera General Plan and zoned R-1-C (Open Residential District). This area would be re-designated as Public and Semi-Public Facilities (P/SP). A school use is consistent with this designation. The addition and placement of the Creekside Classrooms buildings, the Performing Arts Building, and other proposed buildings on this school campus are consistent with a school use. The General Provisions of the Public Use Districts include operational standards and physical standards of buildings. The construction of the proposed new buildings on this 32.5-acre school campus is in compliance with all such General Provisions.
2. The proposed conditional use complies with development in the P/SP zoning district.
3. The proposal conforms to General Plan objectives to ensure that the present, unique character of the Town's different neighborhoods is protected and enhanced.
4. The proposed development conforms to the following General Plan Land Use and Community Design policies:

POLICY LU-2.7 - Residential Districts shall provide for a range of supporting services to meet special community needs, such as schools, places of religious assembly, day care operations and quasi-public uses and activities....

Implementation Program LU-3.2.a: Infill Objectives - Support infill development if findings can be made that the proposal is consistent with the infill goals and policies outlined herein, would be consistent with applicable provisions of the General Plan and would ensure land use compatibility with established neighborhood character. Approvals for infill development projects shall be based on findings of fact that the proposed projects have the potential to achieve one or more of the following attributes: Provide convenient access to transportation facilities and public transit, as well as schools.....

Policy LU-4.5 Ensure that the appearance of non-residential development contributes positively to the community's image.

The proposed buildings will not be visible to the public except for trails to the south and west. The buildings are designed in a way that is compatible with the existing structures and will be constructed with high quality materials.

Policy LU-6.4: Provide high-quality primary and secondary educational facilities to accommodate projected student enrollments.

Policy CD-1.2: Require residential, non-residential and infrastructure design that respects natural areas and ecosystems within Corte Madera.

The proposed infrastructure for the project will tie into the existing system. Some impacts to the existing infrastructure will occur during construction however these impacts have been mitigated. Because the project does not include the expansion of the student population no long term impacts to the infrastructure are anticipated.

Policy CD-1.3: Encourage the use of building design and materials that conserve energy and material resources.

Policy CD-4.2: Encourage non-residential development to utilize a unified or consistent design theme, particularly when involving multiple structures as part of one project. Thematic and stylistic diversity may be allowed when the overall project design achieves a harmonious effect.

Policy CD-4.8: Ensure that new non-residential construction conforms to the desired design character of the Town.

Compliance with the California Environmental Quality Act (CEQA)

The Town Council of the Town of Corte Madera has reviewed the Mitigated Negative Declaration and based on its independent judgement and analysis determines that the Negative Declaration was prepared in accordance with the California Environmental Quality Review Act and that based on the whole record, including public comments received during the public review process, there is not substantial evidence that the project will have a significant effect on the environment.

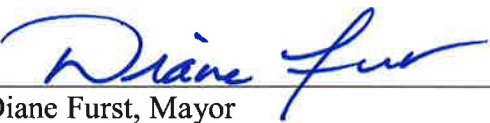
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I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Town Council of Corte Madera at a regular meeting held on the 17th day of January, 2017 by the following vote, to wit:

AYES: Councilmembers: ANDREWS, BAILEY, CONDON, FURST

NOES: Councilmembers: - NONE -

ABSENT: Councilmembers: - NONE -



Diane Furst, Mayor

ATTEST:



Rebecca Vaughn, Town Clerk

