

COMMENTS ON MND AND RESPONSES

The City received thirty-two (32) comment letters on the Initial Study and Proposed Mitigated Negative Declaration dated March, 2014 (March MND) during the public review period. CEQA does not require written responses to comments on a mitigated negative declaration. Nevertheless, the City, prepared responses to the written comments received on the March MND.

The written comments are included in Exhibit B along with responses. Changes to the March MND text resulting from the responses are included in the response and identified with revision marks (underline for new text, ~~strike out~~ for deleted text). All comments and responses will be considered by the City in their review of the proposed project.

For ease of reference and to assist the decision makers and public, the City prepared a revised version of the March MND to reflect the clarifications and insignificant modifications made in response to the comments. The revisions are attached in Exhibit B (“Final MND”)

The comments and responses do not require substantial revisions (as defined in the CEQA Guidelines Section 15073.5) to be made to the March MND. Specifically, the comments and responses did not identify any new, avoidable significant environmental impacts that were not already identified in the March MND or demonstrate that any of the recommended mitigation measures would not adequately mitigate the potentially significant impacts identified in the March MND. As a result, CEQA does not require recirculation of the March MND as revised by the Final MND.

Written comments on the March MND were received from the following:

LIST OF COMMENTORS

RESPONSE NUMBER	SIGNATORY	AFFILIATION	DATE
A	Diana Solero	Citizen/Neighbor	3-31-14
B	Leslie A. Chernak	Citizen/Neighbor	3-31-14
C	Kara Schuh-Garibay	Contra Costa Flood Control and Water Conservation District	4-2-14
D	Erik Alm, AICP	California Department of Transportation	4-4-14
E	Janice Kelly	Citizen/Neighbor	4-12-14
F	Scott Wilson	California Department of Fish and Wildlife	4-17-14
G	Donna Allen	Citizen/Neighbor	4-17-14
H	Beth Eiselman	Citizen/Neighbor	4-19-14
I	Kelly R. Calhoun	Citizen/Neighbor	4-19-14
J	Randolf W. Leptien	Mountain View Sanitary District	4-19-14
K	Aimee Durfee	Citizen/Neighbor	4-20-14
L	William Nichols	Citizen/Neighbor	4-20-14
M	Cynthia Price Peters	Citizen/Neighbor	4-20-14
N	Jamie Fox	Citizen/Neighbor	4-20-14
O	Jim Hall	Citizen/Neighbor	4-20-14
P	Jim Neu	Citizen/Neighbor	4-20-14
Q	Kerry Kilmer	Citizen/Neighbor	4-20-14



RESPONSE NUMBER	SIGNATORY	AFFILIATION	DATE
R	Marie and Hal Olson	Citizen/Neighbor	4-20-14
S	Robert Rust	Citizen/Neighbor	4-20-14
T	Tamhas Griffith	Citizen/Neighbor	4-20-14
U	Arlene Grimes	Citizen/Neighbor	4-21-14
V	Bill Schilz	Citizen/Neighbor	4-21-14
W	Bill Sharkey III	Citizen/Neighbor	4-21-14
X	Carol Wiley	Citizen/Neighbor	4-21-14
Y	Debbie Oertel	Citizen/Neighbor	4-21-14
Z	Harlan Strickland	Citizen/Neighbor	4-21-14
AA	Karen Najarian	Citizen/Neighbor	4-21-14
BB	Mark Thomson	Citizen/Neighbor	4-21-14
CC	Robin Houdashell	Citizen/Neighbor	4-21-14
DD	Sherida Bush	Citizen/Neighbor	4-21-14
EE	Stephen Lao	Citizen/Neighbor	4-21-14
FF	Tim Platt	Citizen/Neighbor	4-21-14

Diana Solero
1428 Ashwood Drive
Martinez, CA 94553

March 31, 2014

Dina Tasini
Contract Planner
Martinez City Hall
525 Henrietta
Martinez, CA 94553



Dear Ms. Tasini:

First of all I want to thank you for taking the time to talk with me and provide me a basic understanding of the proceedings regarding the Pine Meadows Golf Course/DeNova Homes Inc. development project. As per our conversation, I live directly off Vine Hill and Morello Avenue and therefore have a very vested and personal concern for any project that would add 100 homes and most likely 200 cars to the neighborhood.

My first concern goes to car volume and increased noise. The living room and master bedroom to my home have windows facing Morello Avenue. Current traffic patterns generate so much noise that these windows must remain shut and the television turned up loudly to drown out the sound of cars passing by. Adding no less than 100 cars to these roads would be unbearable and I do not have the means to install double-pane windows as some of my neighbors have been forced to do to and honestly, I have no desire to alter my home to accommodate the noise from new homes being added to this vicinity.

My second concern is Vine Hill having no safe and lighted walking path given the increase in car movement. I am a walker; I walk no less than 3.5 miles each evening. Because there is no true sidewalk, I must walk on Vine Hill, against traffic (so I can see the cars) and dodge around 5-10 cars just to get to the corner of Vine Hill and Morello Avenue. It is a very short walk, but current car travel is already heavy and the cars that do travel this road always speed. Increased traffic means increased risk for me and the many other neighbors who walk our lovely neighborhood.

I am not opposed to growth. It is only to be expected but growth without deference to those who bought in this area based on the neighborhood's size at the time of purchase, would be unfair and only serve the developers who do not live in this area, and whose only interest is profit. My interest, as is the interest of my fellow neighbors, is personal. We've made the largest investments of our lives to live in this rather pastoral section of Martinez and would not want this charming characteristic bull-dozed by developers. In the pursuit of balance, I make the following suggestions:

1. Reduce, significantly, the amount of homes to be built in the prospective development.
2. Require DeNova to plant trees/shrubbery along the areas of Morello at Vine Hill as an aesthetic means of barricading noise.
3. Require DeNova to add a safe walking path extending the length of Vine Hill from Center Avenue to Morello Avenue to allow safer passage for its walkers.

Thank you for passing along these concerns to appropriate committee (s) and please keep me alerted to any future public meetings/hearings on this development.

Concerned,

Diana Solero
Vine Hill Resident

Response to Comment A Diana Solera, Citizen/Neighbor

Response: The City recognizes that there are citizen/neighbor concerns with increased traffic and noise. As such, each of these topics was adequately analyzed in the Initial Study. A *Traffic Impact Analysis* (2013) was prepared by Abrams Associates for the proposed project to analyze the traffic impacts, including increased traffic volume. The full report is contained in Appendix K of the Final MND. The Final MND adequately analyzes the traffic impacts from the proposed project on pages 90 through 99. Traffic volume is presented on page 94, and is represented as “Project Trip Generation.”

An *Environmental Noise Assessment* (2013) was prepared by JC Brennan Associates for the proposed project to analyze the noise impacts. The full report is contained in Appendix J. The Final MND adequately analyzes the noise impacts from the proposed project on pages 72 through 82. Noise levels under the existing, existing plus project, background, background plus project, cumulative no project, and cumulative plus project conditions. Despite the addition of vehicle trips from the proposed project, the reports and Final MND conclude that with mitigation no significant impacts on noise will result.

The City also recognizes that there are citizen/neighbor concerns that there are no safe and lighted walking paths along Vine Hill on the project frontage. The City has worked with the project applicant to ensure that the project frontage includes walkways and street lighting per the City standards. The tentative map shows a pedestrian decomposed granite path that meanders on the undeveloped frontage portions of Vine Hill and Center Street. This meandering pathway is separated from the roadway, providing increased safety from traffic driving on these roadways. There are existing street lights on Vine Hill and Center Street. The applicant will be required to submit improvement plans, which will include plans for street lighting. The existing street lighting is sufficient to meet the City standards; City staff will further evaluate the applicant’s street lighting on their improvement plans to confirm that adequate lighting is provided to meet the City standards, or to enhance safety.

The comment suggests that the number of homes be reduced significantly. The project does not result in any significant environmental impacts so CEQA does not require an alternative plan that reduces the unit count to be prepared or evaluated. The comment also requests the City to require the applicant to plant trees and shrubbery along Morello at Vine Hill as an aesthetic means of barricading noise. The applicant prepared and submitted as part of its application an extensive landscaping plan that identifies such plantings and the City will impose a condition of approval to ensure the landscaping plan is

implemented. The comment also requests the City to require the applicant to add a safe walking path extending the length of Vine Hill from Center Avenue to Morello Avenue. The applicant will be required to make frontage improvements to Morello and Vine Hill Way which includes sidewalks in the conditions of approval. In addition, the project includes a meandering pedestrian path along the undeveloped frontage portions of Center and Vine Hill Way.



Leslie A. Chernak
922 Meadowvale Court
Martinez, CA

March 31, 2014

Ms. Dina Tasini, Contract Planner
City of Martinez
525 Henrietta Street
Martinez, CA 94553

Dear Ms. Tasini:

Regarding the Intent to Adopt a Mitigated Negative Declaration for the Vine Hill Residential Project, I would like to submit my comments.

I am totally opposed to the development project, to the rezoning of the property, to a General Plan Amendment.

The property in question currently has an OS (Open Space & Recreation, Permanent) General Plan Land Use Designation. What part of Permanent doesn't the City of Martinez understand? The City of Martinez' apparent abandonment of private open space is simply not acceptable.

While the project may not be deemed to have a significant impact on the environment, it will surely have a significant negative impact on the quality of life for all of us in the surrounding homes, and will reduce the value of our homes. The project stands to create substantial financial gain for a single property owner, while damaging hundreds of other taxpayers' largest single investment in untold measure.

Has anyone considered what it will be like getting from Center and Morello onto Highway 4 during the morning commute? "Traffic" is one of several Appendices which are not available on the City's website.

San Jose today 4/1

Adding some 200 cars to this area is bound to create havoc with getting around. Adding some 3 - 400 people is going to change shopping at neighborhood businesses, attending classes in local schools. There will likely be more school buses and/or parents driving children to school.

A recent presentation on the project clearly stated there would be 99 homes, in order to get around the low income housing requirement attached to projects with 100 or more homes. Both documents I received state that there will be 100 homes. ???

Let us not put the needs/wants of a single property owner in front of the rights of hundreds of property owners who put their faith in the City's covenant for permanent open space in the Pine Meadows subdivision.

Sincerely,



Leslie A. Chernak

Response to Comment B

Leslie Chernak, Citizen/Neighbor

Response B: The City recognizes that there are citizen/neighbor concerns with the proposal to develop a residential project on a site that is currently designated as OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation. The Final MND adequately analyzes the proposed project's consistency with the General Plan and Zoning on pages 62 through 70.

The Final MND states on pages 62-63 that the project site is designated as an Open Space & Recreation land use with a "Permanent" designation and that a development of a residential subdivision in an area with such a designation is inconsistent with General Plan policy for this use. The Final MND further states that the project applicant has included a General Plan Amendment in the application to amend the language of policy 21.21 from the General Plan Land Use Element (Open Use Area) to exclude the existing golf course and to change the land use designation to enable residential development. If the City Council were to approve the General Plan Amendment and land use change, the proposed project would not be in conflict with this policy.

The City recognizes that some citizens have concerns on how a project may impact values of adjacent properties. Property value is not a topic that is addressed in a mitigated negative declaration pursuant to the California Environmental Quality Act. Citizens have the right and opportunity to present their concerns for property values to the elected officials during hearings for the proposed project.

The City recognizes that there are citizen/neighbor concerns with increased traffic, including along Center and Morello during peak hours. As such, each of these topics were adequately analyzed in the Final MND. See Response to Comment A for additional responses to the comments raised on traffic. After preparation of the March MND, the project application was amended to reflect 99 residential units. Page 68 of the March MND included an analysis of the proposed project (at 100 units) relative to housing policies for low and moderate income residential. The analysis noted that the proposed project does not include any specifications that a minimum of 10% and a maximum of 20% of all the dwelling units would accommodate low and moderate income residents, which is not consistent with the General Plan. The General Plan requires projects of 100 or more units to provide such housing. The March MND recommended Mitigation Measure Land -1 that required a reduction in units below 100 or compliance with the affordable housing standards. Because the project as amended proposes less than 100 units, the project is consistent

with this City policy. Thus, Mitigation Measure Land -1 is no longer necessary and was eliminated in the Final MND.



Contra Costa County
Flood Control
& Water Conservation District

Julia R. Bueren,
ex officio Chief Engineer
Steve Kowalewski,
Deputy Chief Engineer

April 2, 2014



Dina Tasini, Contract Planner
City of Martinez
525 Henrietta St.
Martinez, CA 94553

RE: Vine Hill Residential Project MND
Our File: 1002-9358, Vine Hill Residential

Dear Ms. Tasini:

We received the Public Notice of Intent (NOI) to adopt a Mitigated Negative Declaration for the Vine Hill Residential Project, Subdivision 9358, on March 18, 2014. This project is located south of Highway 4 and between Morello Avenue on the west side and Vine Hill Way to the east. We have no comments on the Initial Study (IS) submitted with the NOI. However, we have the following comments on the project in general:

1. This project is located within Drainage Area 57 (DA 57), for which a drainage fee is due in accordance with Flood Control Ordinance Number 88-86. By ordinance, all building permits or subdivision maps filed in this area are subject to the provisions of the drainage fee ordinance. Effective January 7, 1989, the current fee in this drainage area is \$0.35 per square foot of newly created impervious surface. The drainage area fee for this lot should be collected prior to filing the final map.
2. The Contra Costa County Flood Control & Water Conservation District (FC District) is not the approving local agency for this project as defined by the Subdivision Map Act. As a special district, the FC District has an independent authority to collect drainage fees that is not restricted by the Subdivision Map Act. The FC District regularly adjusts its drainage fees to reflect increasing construction costs. The drainage fee rate does not vest at the time of tentative map approval. The drainage fees due and payable will be based on the fee in effect at the time of fee collection.
3. The DA 57 fee for this project is estimated to be \$167,755 based on the vesting tentative map included in the IS. Please see the enclosed spreadsheet for our drainage fee calculation.
4. The developer may be eligible for credit against their drainage area fees for existing impervious surface area on the property. The developer's engineer should submit a worksheet, which includes a scalable map, that calculates the deduction of fees for the existing impervious surface and the total amount of credit requested.

Accredited by the American Public Works Association
255 Glacier Drive • Martinez, CA 94553-4825
TEL: (925) 313-2000 • FAX: (925) 313-2333
www.cccpublicworks.org

Dina Tasini, Contract Planner
April 2, 2014
Page 2 of 2

5. According to the DA 57 Drainage Plan and Hydrology map, the project site should drain east to Elderwood Dr. and then north, under Highway 4 and ultimately to DA 57 Line F, which starts at Midhill Rd near the intersection with Fig Tree Lane. A project Drainage Plan was not included in the IS, and therefore it is not possible to confirm that this project is in conformance with the DA 57 plan. This development should be required to design and construct its drainage facilities in accordance with the DA 57 Drainage Plan.
6. The proposed project density of R-7 is greater than our Drainage Area 57 Hydrology Plan density of R-10 for this area. In general, increased development density leads to increased runoff. According to the DA 57 Hydrology map (attached), the project site makes up the majority of subwatershed A₁. The downstream DA 57 facilities were designed for adequacy assuming a 10-year storm flow rate (Q₁₀) of 40cfs from this subwatershed. This project should not cause the Q₁₀ from subwatershed A₁ to exceed 40cfs. This development should be required to submit a hydrology and hydraulic report showing that it will meet this requirement. Mitigation Measure Hydro – 2 on page 59 of the IS requires the developer to submit all stormwater runoff calculations with the improvement plan submittal. Please send the FC District a copy of the developer's submittal to address this Mitigation Measure so we may confirm that the DA 57 plan is being followed.
7. Please keep the FC District on the mailing list for this project. We would like to review the Vesting Tentative Map for accordance with the DA 57 plan as well as the hydrology and hydraulic study.

We appreciate the opportunity to review projects that involve drainage matters and welcome continued coordination. If you have any questions, please contact me via e-mail at kschu@pw.cccounty.us or by phone at (925) 313-2179.

Sincerely,



Kara Schuh-Garibay
Civil Engineer
Contra Costa County Flood Control
& Water Conservation District

KSG:cw
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Enclosures

c: Mike Carlson, Flood Control
Tim Jensen, Flood Control
Teri E. Rie, Flood Control
c/enc: Marsha Brown, Finance
Derek Pampe, DeNova Homes
1500 Willow Pass Ct.
Concord, CA 94520

Summary of Drainage Fees

Development #: **Sub 9358, Vine Hill**

Date: 21-Mar-14

APN: **162-020-019**

Ordinance: 88-86

Drainage Area: **57**

Commercial/Industrial/Downtown
Office (Medium)
Office (Light)

Building			Subdivision		
Unit Price	QTY	Amount	Unit Price	QTY	Amount
\$ 14,390		-	\$ 15,460		-
12,335		-	13,785		-
10,320		-	11,635		-

Multifamily Residences

Less than 2,500 square ft of land
2,500-2,999 (square feet per unit)
3,000-3,999
4,000-4,999
5,000-5,999
6,000-6,999
7,000-7,999
8,000 +

Building			Subdivision		
Unit Price	QTY	Amount	Unit Price	QTY	Amount
\$ 11,340		-	\$ 11,340		-
670		-	670		-
770		-	770		-
895		-	895		-
1,025		-	1,025		-
1,150		-	1,150		-
1,275		-	1,275		-
1,335		-	1,335		-

Single Family Residential

4,000-4,999 (square feet per unit)
5,000-5,999
6,000-6,999
7,000-7,999
8,000-9,999
10,000-13,999
14,000-19,999
20,000-29,999
30,000-39,999
40,000 +

Building			Subdivision		
Unit Price	QTY	Amount	Unit Price	QTY	Amount
\$ 940		-	\$ 1,510		-
985		-	1,570	14	21,980.00
1,025		-	1,635	43	70,305.00
1,070		-	1,700	28	47,600.00
1,130		-	1,790	11	19,690.00
1,255		-	1,970	3	5,910.00
1,465		-	2,270	1	2,270.00
1,815		-	2,720		-
2,250		-	3,250		-
2,700		-	3,840		-

Amount of	Sqr Ft.	Unit Price	Amount
impervious surface.	0	0.35	\$ -
to account for:			

TOTAL: \$167,755

Calculate DA 130 fee if checked.

Mark box to add mitigation fee. n/a

Comments:

Based on the parcel sizes shown on Figure 3: Vesting Tentative Subdivision Map included in the MND.

Lot Closure					
LOT #	(square feet)				
1	6,275	35	14,441	69	5,800
2	6,271	36	7,552	70	6,751
3	6,267	37	6,966	71	9,014
4	6,263	38	6,928	72	7,540
5	6,259	39	7,328	73	7,540
6	6,255	40	7,328	74	7,540
7	6,251	41	7,328	75	7,540
8	6,247	42	7,365	76	7,540
9	6,243	43	7,015	77	9,849
10	6,239	44	7,015	78	6,914
11	6,236	45	6,325	79	5,800
12	6,232	46	6,946	80	5,800
13	6,228	47	11,149	81	5,800
14	6,224	48	7,114	82	5,800
15	6,220	49	5,700	83	5,800
16	6,216	50	8,031	84	6,000
17	6,212	51	6,614	85	8,754
18	6,208	52	6,000	86	7,020
19	6,204	53	6,000	87	7,020
20	6,200	54	6,000	88	7,020
21	6,196	55	6,069	89	6,760
22	6,192	56	8,875	90	7,112
23	6,442	57	8,624	91	10,078
24	8,198	58	7,800	92	6,914
25	7,360	59	7,800	93	5,800
26	7,561	60	7,800	94	5,800
27	7,476	61	7,800	95	5,800
28	7,249	62	7,800	96	8,336
29	8,589	63	9,134	97	7,974
30	6,900	64	6,914	98	6,760
31	7,200	65	5,800	99	6,760
32	6,900	66	5,800	100	13,046
33	6,900	67	5,800		
34	9,735	68	5,800		

Total Area (ft²):	710,591
Total Area (Acres):	16.313

Comments:

AREA (SF)	QTY
<2,500	-
2,500-2,999	-
3,000-3,999	-
4,000-4,999	-
5,000-5,999	14
6,000-6,999	43
7,000-7,999	28
8,000-9,999	11
10,000-13,999	3
14,000-19,999	1
20,000-29,999	-
30,000-39,999	-
40,000 +	-

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Print Date: March 24, 2014



Response to Comment C

Kara Schuh-Garibay, Contra Costa Flood Control and Water Conservation District

Response: The commenter notes that they have no comments on the March MND and states that the comments relate to the project only. The comments on the project are noted and to the extent they relate to the March MND, responses are provided below.

The applicant will be required to pay all applicable drainage fees and as noted in the comment, the County and developer will work together to determine the amount of credit that may be provided.

The applicant will be required in the conditions of approval to design and construct its drainage facilities in accordance with County Flood Control District standards. In addition, the detention basin(s) design and calculations will be required to meet the County's flood control guidelines, design criteria and parameters.

As requested, the commenter will remain on the mailing list for the project.

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

111 GRAND AVENUE
OAKLAND, CA 94612
PHONE (510) 286-6053
FAX (510) 286-5559
TTY 771



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April 4, 2014

CC004101
CC-4-R10.344
SCH# 2014032046

Ms. Dina Tansini
City of Martinez
525 Henrietta Street
Martinez, CA 94553

Dear Ms. Tansini:

Vine Hill Residential Project -- Mitigated Negative Declaration

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the environmental document and have the following comments to offer.

The Traffic Impact Analysis of this project should include the mainline of State Route (SR) 4 and the SR 4/ Interstate 680 interchange.

Should you have any questions regarding this letter, please contact Keith Wayne of my staff by telephone at (510) 286-5737, or by email at Keith_Wayne@dot.ca.gov.

Sincerely,

ERIK ALM, AICP
District Branch Chief
Local Development – Intergovernmental Review

c: Scott Morgan, State Clearinghouse

"Caltrans improves mobility across California"

Response to Comment D

Erik Alm, AICP, California Department of Transportation

Response: Based on the project trip generation the proposed project would add less than 35 peak hour trips to any Caltrans facilities in the area including the adjacent segment of State Route 4 (SR 4) which currently operates at LOS C or better during the peak hours. However, it is acknowledged that the segment of SR 4 to the east (between I-680 and SR 242) and portions of the I-680/SR 4 interchange currently operate at LOS F during the PM peak hour.

As the designated Congestion Management Agency for all jurisdictions within Contra Costa County, the Contra Costa Transportation Authority establishes the LOS standards that are used for CEQA analysis of freeway facilities in the project area. In this area SR 4 has an established standard of LOS E and a Multi-Modal Transportation Service Objective to maintain a delay index of 0.5 percent or less.

The segment of SR 4 from I-680 currently carries approximately 5,600 vehicles per hour during the peak periods and about 79,000 vehicles per day. The proposed project would add less than 10 trips per hour to this freeway segment during the peak commute hours which would equate to an increase of less than 0.5 percent to the existing traffic volumes. In addition, the Contra Costa Transportation Authority has already included traffic from build out of the City of Martinez General Plan in future traffic model forecasts that have been used to analyze future operations at the I-680/SR 4 interchange. These forecasts were used to determine the required improvements that are now programmed for SR 4 and the I-680/SR 4 interchange.

The currently programmed (but not fully funded) improvements in the area include the phased reconstruction of the I-680/SR-4 interchange which is estimated at more than \$320 million. To accelerate the reconstruction, TRANSPAC Cities (including Martinez) are working with CCTA to re-phase the project. The City collects fees from developments as part of their Off-Site Street Improvement Program (OSIP) and a portion of these fees go to regional improvements such as the I-680/SR-4 interchange project. The CCTA then leverages these with funds from State and Federal sources to fund their list of projects. It is true that some components of the I-680.I-80 interchange project are still in line for funding from the State Transportation Improvement Program (STIP). However, this project is reasonably foreseeable as the improvements to the I-680 interchange and the adjacent segment of SR 4 have already been programmed by the CCTA and funding has already been secured for the next

phase of the interchange improvement project (completion of the third travel lane on SR-4 from Solano Way/Port Chicago Highway on the east to Morello Avenue).

The City adequately reviewed the potential for project impacts to SR 4 and its interchange with I-680 and no further analysis is necessary. This is, in part, because the proposed project would increase the existing SR 4 traffic volumes by less than 0.5 percent so no significant traffic impact to this segment exists and further, the City is currently collecting fees towards the programmed improvements to address the existing deficiencies on SR 4.



1651 Ashwood Drive

Martinez, CA 94553

April 12, 2014

Dina Tasini, Contract Planner

City of Martinez

525 Henrietta Street

Martinez, CA 94553

Re: Vine Hill Residential Project (Pine Meadows)

Dear Ms. Tasini;

As a resident of this neighborhood for 24 years, I would like to express my concern over this project. I do not think the area around the intersection of Vine Hill Way and Center Street can manage the traffic that 100 new homes will create both in the surrounding neighborhoods and also on HWY 4 from Morello to 680, which is already overcrowded. This could cause more accidents, especially on the narrow, winding Vine Hill Way.

If we are looking for more city development projects, I'd rather see perhaps a small retail center with a market that people in this neighborhood could walk to easily. Otherwise, I'd like to see us preserve the area as parkland or open space.

Thank you for considering my perspective.

Sincerely,

A handwritten signature in cursive script that reads "Janice Kelly".

Janice Kelly

Response to Comment E Janice Kelly, Citizen/Neighbor

Response: Please refer to Response to Comment A relating to the traffic comments raised relating to Center and Vine Hill Way. Please refer to Response to Comment D relating to the traffic impacts on Highway 4 from Morello to 680.

The comment also requests a retail center be considered on the site or that the site remain in open space. Please refer to Response to Comment A on the consideration of alternative development plans on the site.



State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



April 17, 2014



Ms. Dina Tansini
City of Martinez
525 Henrietta Street
Martinez, CA 94533

Dear Ms. Tansini:

Subject: Vine Hill Residential Project, Mitigated Negative Declaration; SCH #2014032046,
City of Martinez, Contra Costa County

The California Department of Fish and Wildlife (CDFW) has reviewed the documents provided for the Vine Hill Residential Project (Project). The Project proposes to construct 100 residential family units on 25.9 acres; remove 47 trees designated as protected under the Martinez Municipal Code for the Preservation of Trees on Private Property and fill unidentified swales, drainages, and a man-made retention pond. The construction of the Project would include extensive grading, trenching, excavation, and sedimentation and soil compaction. The Project may also have the potential to fill habitat that may be subject to Section 1600 et seq. of the Fish and Game Code and has the potential to impact unidentified fish and wildlife resources, or their suitable habitat present on the Project site. CDFW has the following comments:

Fish and Wildlife Resources:

The Biological Resources Section IV of the Mitigated Negative Declaration (MND) notes that suitable habitat for bat foraging may be present but the Biological Resources Section and the Biological Resources Report, Appendix C, do not indicate if suitable roosting habitat assessments were conducted or if focused surveys were conducted to identify the bat species that may have the potential to use the area for foraging. CDFW recommends a habitat assessment for roosting habitat be conducted and, if necessary, focused surveys. Furthermore, if assessments determine that suitable habitat for roosting exists on the Project site. CDFW recommends pre-construction surveys, construction monitoring, avoidance, minimization, and mitigation measures be developed in consultation with CDFW.

Section 1600 Lake and Streambed Alteration Agreements:

The Project may affect habitat subject to a Lake and Streambed Alteration Agreement (LSAA), pursuant to Section 1600 et seq. of the Fish and Game Code including unidentified swales, drainages, and a man-made pond. The MND should address the impacts of the project potentially subject to an LSAA in a separate avoidance and minimization measure. Issuance of an LSAA is subject to the California Environmental Quality Act (CEQA).

Conserving California's Wildlife Since 1870

Ms. Dina Tansini
April 17, 2014
Page 2

CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. The impacts to the potential areas covered by the LSAA should be mitigated through the development of a conservation area, mitigation plan, or habitat restoration program within the vicinity of the streams, creeks, or tributaries proposed to be impacted by the Project actions. Avoidance of impact and incorporation of the drainages, swales, and pond into the new development would be the preferred alternative. To obtain information about the LSAA notification process, please access our website at <http://www.dfg.ca.gov/habcon/1600/>; or to request a notification package, contact CDFW's Bay Delta Regional Office at (707) 944-5500.

If you have any questions, please contact Mr. Robert Stanley, Environmental Scientist, at (707) 944-5573; or Mr. Craig Weightman, Environmental Program Manager, at (707) 944-5577.

Sincerely,



Scott Wilson
Regional Manager
Bay Delta Region

cc: State Clearinghouse

Response to Comment F

Scott Wilson, California Department of Fish and Wildlife

Response: The commentor stated that *“The Biological Resources Section IV of the Mitigated Negative Declaration (MND) notes that suitable habitat for bat foraging may be present but the Biological Resources Section and the Biological Resources Report, Appendix C, do not indicate if suitable roosting habitat assessments were conducted or if focused surveys were conducted to identify the bat species that may have the potential to use the area for foraging. CDFW recommends a habitat assessment for roosting habitat be conducted and, if necessary, focused surveys. Furthermore, if assessments determine that suitable habitat for roosting exists on the Project sit. CDFW recommends pre-construction surveys, construction monitoring, avoidance, minimization measures be developed in consultation with CDFW.”*

The *Biological Resources Report* states that *“bats likely forage over the pond and the golf course during the evening hours,”* but it did not make a determination that bat roosting habitat exists on the project site. Many bat species are common in Contra Costa County, and typically these bats forage in open and urban spaces. Bat foraging habitat is not protected pursuant to CEQA. Roosting habitat, which is protected, can vary for different species of bats, but is commonly found in buildings, trees, and rock outcrops. While a site that is deemed potential habitat may not have roosting bats during a specific survey, it is noted that a previously unoccupied site can become occupied over time. As such, it is important that surveys be conducting within a timeframe that is very close to construction commencement. The comment warrants some additional text on in the Final MND to clarify that no bats were observed during field surveys, even though the Initial Study previous indicated that there is potential foraging habitat on the project site. Additionally, a mitigation measure was added to ensure that there is a preconstruction survey for bat roosting habitat prior to the commencement of construction. The following text is added on page 37 of the Final MND:

The project site provides foraging habitat for bats, and the trees and structures on the project site could be used for roosting, although none were observed during field surveys. The proposed project would require permanent disturbance to the habitat. This is a potentially significant impact. Implementation of the following mitigation measure would reduce the impact to a **less than significant** level.

Mitigation Measure Bio-2: A tree and building preconstruction survey for bat roosting habitat shall be conducted by a qualified biologist 15 days prior to commencing construction. Tree canopies and cavities and any structures slated for removal shall be examined for evidence of bat roosting. All bat surveys shall be conducted by a biologist with known experience surveying for bats. If no bats are found during the survey,

structure demolition and tree removal work shall be conducted within one month of the survey.

If a maternity colony is found during the surveys, the project proponent shall consult with CDFW. No eviction/exclusion shall be allowed during the maternity season (typically between April 15 and July 30), and impacts to this tree/structure shall be avoided until the young have reached independence. If a non-reproductive group of bats are found within a building or roost tree, the project proponent will consult with CDFW, and they shall be evicted by a qualified biologist and excluded from the roost site prior to work activities during the suitable time frame for bat eviction/exclusion (i.e., February 20 to April 14, and July 30 to October 15).

This additional mitigation measure does not create a new significant environmental impact. The measure merely clarifies and amplifies the analysis in the MND and the results of the field surveys and confirms that there is no significant impact on foraging habitat. The additional measure requires a preconstruction survey to ensure no significant impact will occur to bat roosting habitat.

The commentor also states that *“The Project may also have the potential to fill habitat that may be subject to Section 1600 et seq. of the Fish and Game Code...”* *“The MND should address the impacts of the project potentially subject to an LSAA in a separate avoidance and minimization measure.”*

Page 38 of the Final MND provides an analysis of the potential to fill habitat subject to Section 1600 of the Fish and Game Code and concludes that the proposed project will not result in a significant impact on wetlands/jurisdictional waters. To clarify and amplify this point, the following additional text is added to the Final MND at pages 38-39:

Response c): Monk and Associates (M&A) conducted a formal delineation of waters of the U.S. (which includes wetlands) on the project site on September 24, 2013. M&A used the Corps’ 1987 Wetlands Delineation Manual in conjunction with the regional supplement for the Arid West Region. There is a man-made pond feature in the center portion of the golf course. This feature is plastic lined, and filled by groundwater well pumping and city water. The banks of this irrigation detention basin are reinforced with concrete, and the bottom is lined to prevent loss of water via lateral percolation. Two wells are present on the golf course property. Groundwater pumped from the wells to the pond supplies approximately 40% of the water used to irrigate the golf course, with the balance coming from the City of Martinez. The golf course manager reports that it takes approximately 12 hours to fill the pond with pumped water. The purpose of this pond is to hold water for nightly irrigation of the fairways and greens on the golf course, and it would not exist if pumping to this feature were discontinued. A total of 88,000 gallons of water is pumped into the holding pond daily and then dispersed to the 578 sprinklers onsite in the evenings for irrigation. The golf course maintenance crew clears vegetation from the perimeter of the pond twice yearly to maintain open water for irrigation. The crew was clearing vegetation during the May 31 site visit.

The man-made golf course pond was excavated in dry land as an ornamental feature for the golf course, and thus would not be regulated pursuant to Section 1600 et seq. of the Fish

and Game Code. Water is provided to this pond through a piped irrigation system that otherwise supports the golf course. The pond is otherwise completely isolated within turf play areas and would be upland without artificial irrigation. In addition, the pond has no hydrologic connectivity to any tributary that would be regulated by the Department pursuant to Section 1600 et seq. of the Fish and Game Code.

Additionally, there are a series of vegetated swales on site that convey water to the municipal storm drain system. These occur along the northern and eastern boundaries of the site. The swale along the northern boundary likely receives runoff from the pond as well as much of the northern portion of the site during rainy periods. A portion of it is perched against the fences and yards that abut the site. A short section of eroded ditch near the northeast corner of the site drains golf course runoff to the municipal storm drain system. There is a concrete U ditch that conveys water from the western hillside to the northwestern corner of the site. A concrete V-ditch that conveys stormwater to a concrete culvert at the northwestern end of the project site and there are two extended drain inlets that are shaped to collect stormwater for delivery into the City storm drain system. These extended drain inlet basin areas do not support a bed or bank, and therefore are not subject to regulation pursuant to Section 1600 et seq. of the Fish and Game Code. The storm drain inlets will be retained by the proposed project, and thus will not be impacted. Development of the proposed project would not impact features subject to regulation pursuant to Section 1600 et seq. of the Fish and Game Code

Despite the presence of wetland vegetation and the unconfirmed, but likely, presence of hydric soils due to decades of inundated conditions in the irrigation pond, this irrigation feature cannot be considered a jurisdictional wetland by the US Army Corps of Engineers because its hydrology is entirely dependent on pumped groundwater and municipal sources. Additionally, the vegetated swales on site that convey water to the municipal storm drain system, and the concrete V-ditch that conveys water from the western hillside to the northwestern corner of the site cannot be considered a jurisdictional wetland by the US Army Corps of Engineers because they are man-made storm drainage features designed into the golf course to direct stormwater into the municipal storm drainage system.

Development of the proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.), Section 401 of the Clean Water Act, the Section 1600 et seq. of the California Fish and Game Code, and/or the Porter-Cologne Act, through direct removal, filling, hydrological interruption, or other means. Implementation of the proposed project would result in a ***less-than-significant*** impact relative to this topic.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Thursday, April 17, 2014 9:16 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

For our comment file

Sent from my iPhone

Begin forwarded message:

From: donna allen <donnaallen@pacbell.net>
Date: April 16, 2014 at 10:13:28 AM PDT
To: Dina Tasini <dinasini@comcast.net>
Subject: Re: Pine Meadows
Reply-To: donna allen <donnaallen@pacbell.net>

Dina,

Unfortunately I have not had an opportunity to digest the Pine Meadows Initial Study as well as I would like. I went to the City's home page and was unable to find the Initial Study so I must simply submit my concerns as my comments and have them addressed in the response document as I will be out of town.

1. Is there a tree survey available?
2. On the photos I do not see striped bike lanes. Where are they?
3. 4.93 students generated by project???? I must not be reading this right. How is this calculated?
4. Is there any written response from MUSD
5. How is the 280 residents generated calculated?
6. Does the 226.5 acres of parkland include the Waterfront Park?
7. Can you point me to where the IS talks about the wildlife, rodents, etc.?
8. Has this been provided to the General Plan Task Force?
9. Can at least the GPTF be provided with comments as they relate to the TF's prior concerns? I know they are not adopted, but should certainly be considered.
10. What alternatives have been addressed. What alternative housing types have been addressed such as senior housing (to mitigate school impacts and traffic impacts) and possible clustered housing (to mitigate tree removal). I have attached one such type of alternative housing from Port Townsend, WA that was discussed in an AARP Bulletin.
11. Since we all know how grossly out of date our current General Plan is, AND there have been recent studies in preparation for the New General Plan, I think it would be negligent to review this project based on the old General Plan. Recent data should be used for the project's evaluation. This should include any Task Force comments made regarding the subject property. It is clearly my recollection that this

property was one of the key sites the Task Force was to address and that NO recommendations as to the type of development that might be appropriate were decided as of our last meetings. This was to be further reviewed and discussed around the time that the consultant left.

Thank you for including my comments.

Donna Allen

From: Dina Tasini <dinatasini@comcast.net>
To: donna allen <donnaallen@pacbell.net>
Sent: Friday, April 11, 2014 9:00 AM
Subject: Re: Pine Meadows

Sorry Donna for some reason I thought I had responded. On the web you can find all the appendices to the initial study and a tree survey in the arborist report.

The applicant is working on a plan to eradicate rats that is more environmentally friendly and it will be part of the responses to the initial study and in the conditions of approval. Street design is not complete and I am not sure about bike lanes and their design but will know that for planning commission.

Staff has not shared this directly with task force members but all info is posted on the web and many are aware and have contacted me.

Hope that answers your questions.

Dina

Sent from my iPhone

On Apr 9, 2014, at 6:16 PM, donna allen <donnaallen@pacbell.net> wrote:

I am still waiting for responses and I leave next week on an extended trip.
If I could get responses by Friday that would be GREAT.

Thanks

Donna

----- Forwarded Message -----

From: donna allen <donnaallen@pacbell.net>
To: Dina Tasini <dtasini@cityofmartinez.org>
Sent: Wednesday, March 19, 2014 12:43 PM
Subject: Re: Pine Meadows

Thanks Dina.

I have not reviewed the IS in any detail but wanted to know...

1. Is there a tree survey available?
2. On the photos I do not see striped bike lanes. Where are they?

3. 4.93 students generated by project???? I must not be reading this right. How is this calculated?
4. Is there any written response from MUSD
5. How is the 280 residents generated calculated?
6. Does the 226.5 acres of parkland include the Waterfront Park?
7. Can you point me to where the IS talks about the wildlife, rodents, etc.?
8. Has this been provided to the General Plan Task Force?
9. Can at least the GPTF be provided with comments as they relate to the TF's prior concerns? I know they are not adopted, but should certainly be considered.

Thanks.

Donna

From: Dina Tasini <dtasini@cityofmartinez.org>
To: donna allen <donnaallen@pacbell.net>
Sent: Wednesday, March 19, 2014 11:43 AM
Subject: RE: Pine Meadows

The initial study is on the web and just so you know we are reissuing the initial study this week because the study stated the project was in the CCCSD and it is not in Mountain View District so you will get a revised notice and review or circulation time will be extended accordingly. The Initial Study is 100 pages and in color so we did not send it out to all parties, but you can view or download on the City's website. Hope that helps.
Dina

From: donna allen [<mailto:donnaallen@pacbell.net>]
Sent: Wednesday, March 19, 2014 11:39 AM
To: Dina Tasini
Subject: Pine Meadows

Is the Notice of Intent all that is available? Where is the Initial Study? Where is the meat?

Donna



Response to Comment G Donna Allen, Citizen/Neighbor

Response: The Initial Study can be found on the City's website at the following: http://www.cityofmartinez.org/depts/planning/pine_meadows_subdivision_9358.asp.

A *Preliminary Arborist Evaluation* (Baefsky & Associates 2011) was prepared to evaluate the trees on the project site and to identify the trees that are protected under the City of Martinez Tree Protection Ordinance. The full report is contained in Appendix D of the Final MND . Trees were identified to species and measured four and one-half feet above grade in the field. They were tagged in the field using blue metal tags and located on a map. This is discussed on page 39-41 of the Final MND.

The commentor's statements "*On the photos I do not see striped bike lanes. Where are they?*" It is not clear what photos are being referenced. The City has standards for roadway striping that would be enforced on improvement plans for the proposed project if it were approved. Improvement plans are prepared and submitted to the Public Works department for approved projects only.

As discussed on page 89 of the Final MND, the proposed project would generate population such that there would be an increased demand for school services. Based on the student generation rates for Martinez, the proposed project would generate 22.4 K-5th grade students (0.224 students per single family detached unit), 12.8 6-8th grade students (0.128 students per single family detached unit), and 14.1 9-12th grade students (0.141 students per single family detached unit). The total student generation would be approximately 49.3 students, not 4.93 students as questioned in the comment.

There has not been any written response from MUSD.

As noted on page 89 of the Final MND, the Municipal Code Section 21.46.040 provides that 2.8 people per dwelling unit is the metric to be used to estimate the population generated from projects for calculating park dedication. The proposed project would then result in 280 residents (2.8 times 100 homes). Page 89 also notes that the 2.8 metric does not reflect the California Department of Finance's current estimate of 2.42 people per household in Martinez. If the 2.42 metric was used in accordance with the California Department of Finance's estimates, the project would be estimated to generate 242 people. The City decided to use the larger estimate, to be conservative, and because it is established in the Municipal Code.

The reference to 226.5 acres of parkland does include the Waterfront Park. Below is a list of the parks maintained by the City:

Name	Type	acreage
Alhambra Park	Plaza	0.55
Cappy Ricks Park	Neighborhood	1.9
Ferry Point Picnic Area	Memorial	3.8
Foothills Park	Linear	2.3
Golden Hills	Neighborhood	9.6
Highland Avenue Park	Neighborhood	0.25
Hidden Lakes Park	Community	24
Hidden Valley Park	Community and School*	17
Hidden Valley Linear Park	Linear	2.3
Holiday Highlands Park	Neighborhood	2
John Muir	School*	7.4
John Muir Memorial Park	Plaza	0.42
Main Street Plaza	Plaza	0.45
Martinez Marina	Community*	60.0
Morello Park	Community and School*	7.1
Mountain View Park	Neighborhood*	4.5
Nancy Boyd Park	Community and Memorial	7.3
Plaza Ignacio Martinez	Plaza	1
Rankin Park	Community	42
Susana Street Park	Neighborhood	1.2
Steam Train Display	Community	0.25
Waterfront Park	Community*	31
Veterans Memorial Park	Memorial	0.2
	Total:	226.52

The Final MND at pages 33 - 41 includes the discussion on Biological Resources. The focus of the discussion is in accordance with the CEQA Appendix G Checklist questions for Biological Resources.

The March MND was not specifically sent to the General Plan Task Force; however, the document is/was available for review at the City Hall and City website.

The General Plan Task Force, as well as any interested individuals and public agencies, may receive the documents for this project, including the Initial Study, Staff Report (with response to comments), etc. Additionally, General Plan Task Force, as well as any interested individuals and public agencies, may provide comments on the documents for this project in writing or at public hearings.

The Final MND does not include an alternatives analysis, as this is not a required component of a mitigated negative declaration. Also, see Response to Comment A questioning if a reduced unit plan was considered.

It is noted that the City is in the process of updating the General Plan. State law requires a CEQA analysis to be based on existing general plans, not on concepts or recommendations created for a new general plan. . It is noted that a draft document for the General Plan update has not yet been prepared by the City. The General Plan Task Force, as well as any individual, group, or organization, has the right to provide comments on this project both during the public review period and at public hearings. The project however was evaluated by using current data to determine if the project had the possibility of creating a significant environmental impact.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Saturday, April 19, 2014 10:11 PM
To: Laura Austin
Subject: Fwd: : Vine Hill Project--Pine Meadows

For our file. Thank you

Sent from my iPhone

Begin forwarded message:

From: Jusbeth@aol.com
Date: April 19, 2014 at 9:12:56 PM PDT
To: dinatasini@comcast.net
Cc: rschroder@cityofmartinez.org
Subject: : Vine Hill Project--Pine Meadows

To whom it may concern:

What is the purpose of putting housing on every square foot of open space?

Rezoning open space to housing development has a major affect on the environment, on greenhouse gases and climate change, and quality of life. A full EIR is required to change the zoning, and perform the rape of the land.

Your report states this about the site: "mature woodland vegetation"; "nesting and foraging habitat for a variety of birds" including special-status birds protected under the Migratory Bird Treaty Act; "habitat for... The California red-legged frog"—an endangered species; "presence of wetlands" near man-made pond. Forty-seven (47) old protected trees will be killed, including redwoods and many oaks.

An EIR requires looking at alternative uses for this property. It is only reasonable and fair to assess property use. An EIR must be completed before rezoning. Or is this just another way to line the pockets of the "powers that be".???

Consideration must be given to any use that could be used as a positive benefit to the entire community instead of the "privileged few". More environmentally conscious use could help abate environmental and climate change issues we face. Housing development with do just the opposite---"The project would eliminate foraging habitat ...and...require removal of all trees."

The current "Open Space and Recreation, Permanent" zoning for this property is one of the highest and best uses of property. Zonning should not be changed without a full EIR.

Additionally, this major change for the proposed General Plan will have a far reaching and detrimental affect on open space. Politicians and "special interests" will find little resistance to continued conversion of open space to housing. That alone requires an EIR due to the magnitude of the changes it would force on Martinez residents.

Respectfully,

Beth Eisman

Response to Comment H Beth Eisleman, Citizen/Neighbor

Response: The City recognizes that there are citizen/neighbor concerns regarding placing new housing in an area designated for open space, and concerns relating to climate change and greenhouse gases, and biological resources. The Final MND analyzed the project’s potential impact on these topics (placing new housing in an area designated for open space see pages 62-70, climate change and greenhouse gases see pages 49-51, and biological resources see pages 33-41).

The comment states that an EIR must be prepared on the project. The comment does not include an adequate basis or evidence to require the preparation of an EIR. The Final MND was prepared to analyze all potentially significant environmental impacts from the project in accordance with the California Environmental Quality Act. After analyzing each topic presented in Appendix G of the CEQA Guidelines, it was found that the proposed project would not have a significant effect on the environment with the implementation of the recommended mitigation measures. As such, a mitigated negative declaration was deemed the appropriate CEQA document for this project.

With respect to the comment on an alternative plan, please see Response to Comment A on this same point.

The comment expresses concern about the loss of open space by this project. Please refer to Response to Comment D relating to the amount of park land/open space in the City and Response to Comment N on this same point.

April 19, 2014

Dina Tasini, Contract Project Manager
City of Martinez
525 Henrietta Street
Martinez, CA 94553

RE: Initial Study and Mitigated Negative Declaration for the Vine Hill Residential Project

This letter is in response to the above referenced document prepared by De Novo Planning Group (Project Applicant). The De Novo Planning Group is requesting a General Plan Amendment, Rezoning and a Vesting Tentative Map along with a tree removal permit to remove 47 trees that are protected by the City of Martinez Tree Protection Ordinance. De Novo Homes is also requesting that the City of Martinez issue a Mitigated Negative Declaration for this project.

The project applicant De Novo Homes is proposing that any significant environmental impacts will be mitigated and as such no additional environmental review of the project will be required. I am concerned about the adequacy of some of the studies that have been prepared, as well as some of the proposed mitigation measures that are being proposed. For example, are two site visits to the site really adequate to determine the impacts of this proposed project on the biological resources that currently exist on this site?

In addition, I do not believe that the Initial Study and Mitigated Negative Declaration provide an adequate environmental review of the impacts of removing a designated permanent open space area of 25.9 acres from the City's general plan, and the removal of all trees on the property including forty-seven trees that are protected under the City's Tree Preservation Ordinance.

When the original Pine Meadows subdivision was approved were there requirements in the City approved entitlements that required the subject property to be a designated permanent open space area as a planned mitigation measure for the original development? If that was the case how can the City now eliminate that requirement and change the general plan designation from permanent open space to residential development without violating California Environmental Quality Act ("CEQA") guidelines, which govern whether, when and how agencies can eliminate mitigation measures previously adopted under CEQA.

Additionally the City's Municipal Code Chapter 22.28.020 clearly states the following:

The purpose of including the open space district in the zoning regulations is to provide an appropriate zoning district for public or privately held lands devoted to open space uses either permanently or by terms of a long term contract. This zoning district may be distinguished from the recreational facilities district in that recreational facilities, while allowed in the open space district are expected to be only incidental to the basic purpose of preserving open space areas for visual and aesthetic relief, conservation and preservation of wildlife habitats and environmental values within and adjacent to an essentially urban environment.

Also Chapter 22.28.070 – No Reduction, Exchange, etc. of Open Space Easement without Vote of People or Four –Fifths Vote of Council.

- A. As used herein, "open space easement" means (a) any right or interest in real property acquired or dedicated to the City of Martinez (1) for the purpose of preserving for public use or enjoyment the natural or scenic or open character of such property or (2) for the purposes of preserving those uses described in California Government Code Section 65560.

The Preliminary Report prepared by Old Republic Title Company dated July 2, 2013 for Property Address 451 Vine Hill Way, Martinez, CA indicates that there is a property easement granted to the City of Martinez for drainage pipelines and incidental purposes.

Drainage pipelines do exist for the purpose of preserving for public use or enjoyment the natural scenic or open character of such property and for preserving those uses.

Furthermore, Chapter 22.28.070 also requires that No open space easement be terminated, vacated, abandoned, released reduced, exchanged, relocated or in any way remitted either in whole or in part, without either the affirmative vote of four of the members of the City Council or the affirmative vote of a majority of people of the City of Martinez voting at a regular or specially called election.

Wouldn't this mean that the City Council must first act on this item or take it to a vote of the people/residents of Martinez prior to certifying the adequacy of the Initial Study/Mitigated Negative Declaration for this project?

Some of the additional concerns that I have related to this project and the adequacy of the Initial Study and Mitigated Negative Declaration include the following:

Aesthetics

The proposed project will remove visually important trees and change the view of surrounding neighbors.

Biological Resources

The proposed project is expected to remove all trees from the subject property including forty-seven trees that are currently protected under the City's Tree Preservation Ordinance. The removal of all trees on the current designated open space area is proposed to accommodate this development project. How can the removal of all trees on this site not significantly impact the habitat of nesting and foraging birds and/or impact the air quality of the surrounding neighborhood to such an extent that they cannot be mitigated. I do not understand how removal of over 100 mature growth trees on this site will not significantly impact the existing environment and the environment that would exist at the time of build out of this project.

Martinez is designated as a Tree City USA, and as such specifically states that beautification projects are an essential component of quality of life in Martinez. Whether restoring and upgrading tree-lined street medians, or expanding and enhancing landscape areas off the City's major roadways, trees serve to augment the pride citizens take in their scenic locale. The City's recent designation as a "Tree City USA," signifies the value the community places on its history, identity and environment.

How can the City consider the removal of forty-seven trees that are protected in the City of Martinez Tree Preservation ordinance, furthermore how can the removal of forty-seven trees from this designated open space area not have a significant impact on the environment of the surrounding

neighborhood. Furthermore, how can the City decry the current proposed PG&E removal of trees to clear easements on their pipeline and turn their heads and allow forty-seven protected trees to be removed to clear 25.9 acres and remove it from a permanent open space designation. Are there not other areas in the City that this developer could choose to build his housing subdivision that would not impact and require the removal of so many mature growth trees that serve a critical purpose to the environment and the aesthetics of an existing neighborhood?

The City's General Plan Policies clearly indicated under section 32.241 that "Roads and buildings should be located in a manner which minimizes disturbance of the natural terrain and vegetation.

Has there been any consideration given to designing this proposed project in such a way as to save and preserve the trees that are currently protected under the City's Tree Preservation Ordinance, rather than taking a scorched earth, clear-cutting approach to accommodating this proposed housing development?

Of the forty-seven trees that are identified as protected trees on this proposed site, thirty-nine trees are designated as ranging from fair to excellent in condition, and only eight trees are designated as being in poor or fair condition. One of the largest trees identified in the report prepared by Baefsky & Associates measured one hundred and seventy eight inches in circumference...the average circumference of trees measured fifty-one point four inches. What is the calculated value of that one-hundred seventy eight inch valley oak tree listed in good condition? What is the value of the environmental and aesthetic benefits that just one of the 47 protected trees provide to the surrounding neighborhood?

Land Use And Planning

The project site is designated as an Open Space & Recreation land use with a "Permanent" designation. **Permanent means continuing or enduring without fundamental or marked change. How does one applicant desiring to build a new subdivision justify the change of a "Permanent" land use designation?**

Section 21.22 of the City's General Plan states that "Zoning and other regulatory powers shall be used to maintain open space use where there are substantial threats to life and property or where private open space uses are appropriate. The Pine Meadows Golf Course/Open Space area is in an appropriate open space.

The applicant is currently proposing to add 100 residential units and 280 additional people to the existing neighborhood, while taking away 25.9 acres of designated **PERMANENT** Open space and he is not proposing any replacement park or dedicated open space area to accommodate this new subdivision or the existing neighborhood. The applicant does indicate that payment of \$760,400 of in-lieu fees will be made but with no specific benefit to the existing neighborhood that has enjoyed the open space area for many decades.

Public Services

The payment of City park dedication in-lieu fees are noted as serving as adequate compensation for the park and recreational facilities required by the proposed project, however there will be no proposed park or open space areas in the entire proposed project that will serve the existing neighborhood, and

as such the nearest park facility is the Hidden Lakes park area which is a significant distance away from the existing neighborhood.

Transportation/Traffic

While the Initial Study/Mitigated Negative Declaration does not specifically identify existing condition of the roads or neighborhood streets that is something that should be considered as the existing condition of neighborhood roads is very poor and continuing to decline. Identifying this project as having no significant impact on existing or future conditions does not enable the City to collect any traffic mitigation fees which could be used to help improve the quality of the surrounding neighborhood streets. Furthermore, there will be significant impacts on traffic in particular at the intersection of Morello Avenue and Vine Hill Way. There is current no 4-way stop sign or signal at that intersection and vehicles travel significantly over the posed 25mph speed limit as they are coming down that hill. This is a very dangerous street to cross as a pedestrian and in a vehicle. It is just a matter of time before there is a serious accident at that intersection.

I strongly disagree with the findings made by the Initial Study/Mitigated Negative Declaration. I do believe that this proposed project will have a substantial impact on the environment. This proposed project will degrade the quality of the environment and will substantially reduce the number or restrict the range of rare or endangered plants, or animals on the proposed site and will specifically impact the urban forest and the neighborhood aesthetics of the City of Martinez, by removing all of the trees on the project site, forty-seven of which are protected by the City of Martinez Tree Preservation Ordinance. A General Plan is a long term planning document that serves as the land use constitution for all future development within a town or City. Certainly the leadership and decision makers in Martinez designated Permanent Open Spaces in this area because it was the desire of the City and the residents to preserve certain areas of the City for Open Space.

What purpose is served if Ordinances or General plans are enacted and approved at the local government level only to be overturned or ignored at the request of a developer? A developer who elects or proposes to build homes in an area that will take away a permanent designated open space area that has existed as part of an established neighborhood for over 50 years. Why not require that the zoning laws, ordinances and regulations that were approved and currently exist in the City of Martinez be followed as they were intended to be and require the developer to build a subdivision in an area of the City that is better suited and zoned for residential development. The established residents and citizens in Martinez should not have to carry the burden of losing the open space areas that they have enjoyed for many years in order to accommodate a residential housing development that should be built in an area that is currently zoned for residential development. If we don't work together to preserve the open space that currently exists in the City of Martinez for future citizens and preserve the aesthetic and open space features of the City that attracted us here in the first place, what will attract future residents? It certainly won't be local government leaders that turn their heads and overturn their own regulations to allow development in designated permanent open space areas of the City.

Kindest Regards,

Kelly R. Calhoun,
Resident of Martinez

CC: Martinez City Council
DeNova Homes

Response to Comment I Kelly Calhoun, Citizen/Neighbor

Response: The comment raises several issues about the project that are not related to CEQA or the potential environmental impacts from the project. These comments are not required to be addressed in this document. These comments will be considered by the decision makers as part of the deliberations on the project.

There have been numerous technical studies to analyze various topics, including traffic, noise, hazardous materials, geologic hazards, biological resources, and cultural resources. These studies were prepared to a professional standard and are available for review in the appendices of the Final MND.

The comment is requesting the preparation of an EIR but does not state the basis or evidence to support the use of an EIR. Please refer to Response to Comment H on this same request.

The original Pine Meadows subdivision does not have a mitigation measure requiring the golf course to be permanent open space. On its face, a proposal to amend the General Plan does not violate the California Environmental Quality Act. Any proposal to amend a General Plan, however, must undergo the appropriate public review process in accordance with CEQA. The City staff has processed the applications for the proposed project in accordance with CEQA.

The City staff recognizes that there are citizen/neighbor concerns with the proposal to develop a residential project on a site that is currently designated as OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation. The Final MND adequately analyzes the proposed project's consistency with the General Plan and Zoning on pages 62 through 70.

The Final MND states on pages 62-63 that the project site is designated as an Open Space & Recreation land use with a "Permanent" designation and that a residential subdivision in an area with such a designation is inconsistent with General Plan policy for this use. The Final MND further states that the project applicant has included a General Plan Amendment in the application to amend the language of Policy 21.21 from the General Plan Land Use Element (Open Use Area) to exclude the existing golf course and to change the land use designation to enable residential development. If the City Council approves the

General Plan Amendment and land use change, the proposed project would not be in conflict with this policy.

The City recognizes that there is a property easement in its favor for drainage pipelines and incidental purposes on the project site. It should be noted that the City requires a drainage easement on all developed properties so that they can maintain proper drainage in the City. The front yard of almost every residential lot in the City has a drainage easement that is specifically for drainage purposes.

The project site does not have an open space easement. The action that is being taken to the City Council is a general plan amendment, rezoning and tentative subdivision map.

The Final MND analyzed aesthetic concerns on pages 14 through 20, which included photo simulations to illustrate how the project would look from the surrounding properties.

The Final MND analyzed biological resource concerns on Pages 33 through 41, which included an analysis of tree impacts.

The Final MND analyzes the proposed project's consistency with the General Plan and Zoning on pages 62 through 70. See Response above relating to the analysis in the Final MND relating to the land use designation of "Permanent" open space on the property.

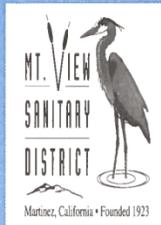
The Final MND identifies the park impacts on pages 64 and 65. The City park dedication in-lieu fee (as of September 2013) requires payment of \$5,095 for each single family residential unit constructed in the City. The total project contribution under the current fee schedule would be \$509,500; however, the fees are subject to future changes. The City uses the park dedication in-lieu fees to acquire and develop park facilities based on demands. In addition to the park dedication in-lieu fees, the City charges an Impact/Mitigation Fee for parks and recreation. The current fee for parks and recreation impacts is \$2,509 per single-family residential unit. The total project contribution under the current fee schedule would be \$250,900; however, the fees are subject to future changes.

The Final MND adequately analyzes the traffic impacts from the proposed project on pages 90 through 99. The traffic study focused on the existing conditions at intersections, which were shown to operate at an acceptable LOS (Table 17 on page 93). Traffic volume is presented on page 94, and is



represented as “Project Trip Generation.” The proposed project is subject to all relevant impact fees charged by the City for development projects.

The City also recognizes that there are citizen/neighbor concerns regarding the ordinances and General Plan, and the ability of a developer to apply for changes to ordinances and/or the General Plan. The City (and state planning and zoning law) provides all citizens with the opportunity to apply for amendments and/or changes to ordinances and/or the General Plan. Each application is processed in accordance with CEQA, which requires public review and hearings held by elected officials.

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Randolph W. Leptien
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MT. VIEW SANITARY DISTRICT
 3800 ARTHUR ROAD
 P. O. BOX 2757
 MARTINEZ, CA 94553
 925-228-5635
 FAX: 925-228-7585

April 18, 2014

City of Martinez
 Engineering Department
 525 Henrietta Street
 Martinez, CA 94553

Attn: Dina Tasini
 Contract Planner, City of Martinez

Subject: Vine Hill Residential Subdivision No. 9358,
 Initial Study / Mitigated Declaration
 Revised and Recirculated Notice of Intent (dated 3/21/14)

Dear Mrs. Tasini

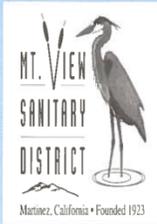
Thank you for providing the Mt. View Sanitary District (MVSD) with an opportunity to comment on the Initial Study and Mitigated Negative Declaration for the proposed 100 lot residential subdivision of the existing Pine Meadow Golf Course property.

On March 3, 2014 we sent to Mr. Khalil Yowakim, Associate Civil Engineer for the City of Martinez, a letter regarding Mt. View Sanitary District's (MVSD) Conditions of Approval for the subject Development. Our letter is attached hereto, and we request that these conditions be incorporated into your review and findings for the proposed project.

As we indicated in our March 3, 2014 letter, the District does have concerns regarding the ability of the existing downstream sewer system to serve the Development.

Our primary concern(s) is that the existing sanitary sewer mains downstream of the proposed development are 6 inches in diameter, and some of these pipelines are reaching the end of their useful life. The District intends to replace them with 8 inch mains sometime in the future. However, funding is not currently available and the replacement of these lines may not occur for several decades. In order to assure that there is capacity in the downstream collection system, the Developer's Engineer will be required to conduct an evaluation of the facilities downstream of the proposed development, and submit a report to the District Engineer on the ability of the existing system to accept the additional sewage from the proposed residential subdivision. The review shall include a new hydraulic analysis and a review of existing conditions based upon new video inspections. If the existing system does not have the capacity to serve the proposed development or has restrictions / degradations in the mains, the Developer will be required to replace or repair the downstream system such that it will function adequately when the new homes in this development are added.

A second concern has to do with the pipeline in the District's easement(s) at 511 Vine Hill Way and 2049 McMillan Court. The pipeline is also nearing the end of its useful life and was not intended to serve the number of lots proposed to be connected to it. The Developer shall be required to pipe burst or otherwise replace the existing 6 inch sewer with an 8 inch HDPE pipe.



Vine Hill Residential Subdivision No. 9358
Initial Study / Mitigated Declaration
Revised and Recirculated Notice of Intent (dated 3/21/14)

April 18, 2014
Page 2 of 2

We found a few “technical” corrections that we respectfully request be made to the Initial Study / Mitigated Declaration document, which are as follows:

- The District name is Mt. View Sanitary District not Mountain View Sanitary District
- MVSD is located in an unincorporated area of Contra Costa County near the City of Martinez not in the City of Martinez
- MVSD has 8,584 residential connection not 908 (see attached Wastewater MSR letter dated March 25, 2014)
- MVSD collection system includes 72.5 miles of sewer collection lines not 110 miles
- MVSD system also includes *2 miles of force mains*
- MVSD primary disposal method is advanced secondary treatment not tertiary treatment
- Please add under response e) page 104: *The collection system serving the proposed project consists of 6 inch sewer mains. The capacity of these downstream mains will be verified by the Developer. Mains requiring upsizing or repairs will be performed by the Developer.*

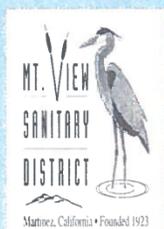
Please feel free to contact the undersigned at (925) 228-4218 voice, (925) 228-4638 fax, or pwillman@lcc-inc.com email, should there be any questions.

Very truly yours,
LCC, Inc.
Randolph W. Leptien
District Engineer

By 
Peter J. Wollman

Copy w/o encl: Neal Allen

Encl: Revised Conditions of Approval letter (dated March 3, 2014)
Wastewater MSR letter dated March 25, 2014

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Randolph W. Leptien

ENGINEER

MT. VIEW SANITARY DISTRICT

3800 ARTHUR ROAD

P.O. BOX 2757

MARTINEZ, CA 94553

925-228-5635

FAX: 925-228-7585

March 3, 2014

City of Martinez
Engineering Department
525 Henrietta Street
Martinez, CA 94553

Attn: Khalil Yowakim, P.E.
Associate Civil Engineer

Subject: Subdivision 9358, Vesting Tentative Map, Vine Hill
Revised Conditions of Approval (letter dated February 28, 2014)

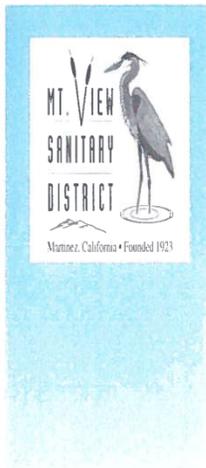
Dear Mr. Yowakim,

Thank you for providing the Mt. View Sanitary District (MVSD) with opportunity to comment on the Vesting Tentative Map for the proposed division of the existing Pine Meadow Golf Course into 100 new residential lots. We have the following comments on this application:

1. The Developer shall design and construct a public sewer system to serve this development in accordance with the Mt. View Sanitary District Code and the District's Standard Specifications for the Design and Construction of Wastewater Collection Facilities (Standard Specifications). Accept where specifically permitted by the District Engineer, sanitary sewer mains shall be centrally located in the street. The Vesting Tentative Map (TM) indicates that several of the proposed sewer mains within Parcel "G" (public streets) of the subdivision will be 6 inches in diameter. The District will allow 6 inch mains in the following instances only:
 - a. A future main extension will not occur.
 - b. The main will have sufficient capacity to carry existing and projected flows.
 - c. The velocity in the main flowing full, will exceed 3 feet per second.
 - d. The final planned length of the main shall not exceed 400 feet or serve more than 12 residential units.

An 8" Public Sanitary Sewer is otherwise required. The Vesting Tentative Map should be amended to comply with this requirement.

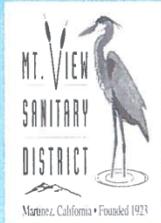
2. The collection system downstream of the Golf Course may not have the capacity in some cases to accommodate the additional numbers of units proposed on this site. Most of the existing sanitary sewer mains are 6 inches in diameter. As these pipelines reach the end of their useful life, the District intends on replacing them with 8 inch mains. However, funding is currently not available and the replacement of these lines by the District may not occur for several decades. The District recently commissioned a hydraulic modeling and capacity analysis of several of the capacity of several of the mains within the District's system. This study primarily focused on major trunk lines and did not encompass the entire collection system. The District has also performed video inspections of a number of the lines located downstream of the proposed system.



- In order to assure that there is capacity in the downstream collection system, the Developer's Engineer will be required to conduct an evaluation of the facilities downstream of the development and submit a report to the District Engineer on the ability of the existing system to accept the additional sewage from the proposed new development. The review shall include a hydraulic analysis and a review of existing conditions based upon video inspections. The Developer's Engineer may include the District's hydraulic analysis and video inspections in the report, however, the District shall not accept any responsibility for any conclusion reached or based upon the use of these documents. If the existing system does not have the capacity to serve the proposed development or has restrictions/degradations in the mains, the Developer will be required to replace or repair the downstream system such that it will function adequately when the new homes in this development are added.
3. The Developer shall be required to pipe burst or otherwise replace the existing 6 inch sewer in the District's easement over 511 Vine Hill Way and 2049 McMillan Court with an 8 inch HDPE pipe.
 4. The Developer shall be required to construct and connect each residential building unit shall to the sanitary sewer main with a separate side sewer (lateral plus building sewer). Side sewer design and construction shall conform to the District's District Standards and Specifications.
 5. Overflow Protection Devices shall be installed at each dwelling unit or auxiliary building within the new development. When the floor elevations are too low to be protected by an OPD, a check valve shall be installed as set forth in the Districts Standard Specifications and Code.
 6. The Developer shall dedicate a 15-foot exclusive easement to the Mt. View Sanitary District centered over the proposed sewer main within lot 25 (private lot). The easement will be free of other utilities and trees. Structures and trees are not permitted within District easements. This requirement will severely impact lot 25 and the Developer is encouraged to study the possibility of sewerage through the detention basin parcel. If this alternative is pursued, the pipe beneath the basin would require the installation of a joint-less pipe (HDPE) pipe installed in an 18 inch PVC casing. No structures would be permitted within the basin.
 7. The existing sewer system serving the Golf Course Facilities shall be demolished, removed, and capped at the main in Center Avenue or Vine Hill Way in accordance with District Standards and Specifications. A credit for the existing connection will be made provided a credit agreement is executed by the Developer and approved by the District Board. The costs to prepare and record the credit agreement will be charged to the Developer.
 8. The Vesting Tentative Map should indicate the proposed sewer pipe slopes and depths at critical locations such as storm drain crossings in order to verify that the design is buildable. Note that the proposed sewer is draining the wrong direction in front of lots 24-25, as shown on the TM.

Subdivision 9358, Vine Hill
Vesting Tentative Map
Revised Conditions of Approval

March 3, 2014
Page 3 of 3



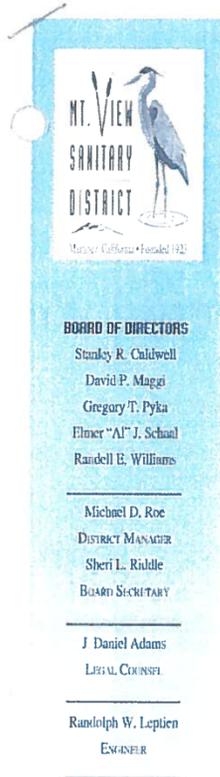
9. The Developer shall submit plans prepared by a California Registered Civil Engineer for review by the District Engineer for the new sewer mainline extension and side sewers. Plans shall conform to the District's Standard Specifications and Code.
10. The Developer shall post a deposit for plan review fees to the district, as required by the District Code. Fees for this review and for prior applications and current applications for sewer the service will be carried forward to the permit application, and will be required to be paid prior to the District's plan review.
11. The Developer shall enter into the District's standard Owner's Sewer improvement Agreement with the District, and post security for sanitary sewer improvements as required by the Standard Specifications prior to receiving a construction permit.
12. The Developer shall pay any outstanding fees for plan reviews, and mapping, inspection, for sewer construction prior to the construction permit being issued. Also the Developer/Contractor shall provide a cash deposit for construction, and construct all improvements necessary for the development of the project at no cost to the District.
13. The Developer shall submit digital files, and As-Built Mylars of plans for all mainline sewer improvements, and pay all outstanding fess prior to the District's final acceptance of the sewer system.
14. The Developer shall obtain a sewer connection permit and pay permit fees for trunk sewer, plant capacity and connection prior to connecting each building unit to the District's system. The District will not issue individual connection permits until after the Sanitary Board has accepted sewer easements and mainline improvements for maintenance. Building foundations shall have been constructed prior to connection of the sewer system.
15. Fees shall be charged pursuant to the Ordinance in effect at the time that the permit is issued. Fees are subject to revision by the District Board without notice.

We look forward to reviewing the revised Vesting Tentative Map after you receive the final revisions to it, and thank you once again for the opportunity to comment on this project. Please feel free to contact Peter Wollman or me at (925) 228-4218 voice, (925) 228-4638 fax, or pjwollman@lcc-inc.com email, should there be any questions.

Very truly yours,

Randolph W. Leptien, LCC, Inc.
District Engineer

Copy: M. Roe (Neal Allen) w/ no enclosures
Lee Rosenblatt for Suzanne Almeida, P.E., Project Engineer, Carlson, Barbee & Gibson, Inc



March 25, 2014

Lou Ann Texeira
Executive Officer
Contra Costa LAFCO
651 Pine Street, Sixth Floor
Martinez, CA 94553

Re: March 2014 Water and Wastewater MSR & SOI Study (2nd Round)

Dear Ms. Texeira,

Thank you for providing the Mt. View Sanitary District with an opportunity to review the draft of the referenced document.

We have the following comments and corrections:

1. On page 246, change the last sentence in the second paragraph to read: *"In 1988 MVSD added an ammonia removal unit, and in 1994 a filtration and ultraviolet disinfection system – the first full scale operation in Northern California."*
2. In Table IV-25:
 - a) **Change the number of dwelling units from 908 to 8,584**
 - b) Change the number of commercial and industrial units to 269
 - c) In addition there are 283 institutional parcels within MVSD that are not included in 1.b) above. The total for 1.b) including institutional parcels would be 552.
3. Please revise the last two sentences on page 248 to read as follows:
"Improvements to Pump Station No. 4 are planned for 2014. Major MVSD projects at the District's treatment plant scheduled for 2014 include the construction of a Grease Receiving Station and the Renovation of the Influent Pump Station."
4. On page 253, under the first bullet, in the second paragraph, change "influence" to "influent".

Please feel free to contact the undersigned at (925) 228-4218 or randy.leptien@lcc-inc.com should there be any questions.

Sincerely,

Randolph W. Leptien
LCC, Inc.
District Engineer

MT. VIEW SANITARY DISTRICT
3490 AVENUE B
P.O. BOX 2737
MARTINEZ, CA 94553
925 228 5645
FAX 925 228 7585

Copy w encl.: Michael D. Roe, District Manager

Response to Comment J Randolph Leptien, Mountain View Sanitary District

Response: The City recognizes the commentors concerns regarding downstream capacity, and the condition of the MVSD sanitary lines that would service the project. The comment warrants some additional text on page 104-105 in the Final MND to ensure that improvement plans are designed to ensure capacity for the proposed project, which may require upsizing of downstream mains if necessary. Additionally, a mitigation measure was added to ensure that a final capacity calculations be performed and approved by MVSD prior to approval of Improvement Plans, and if upsizing is deemed necessary, that the design is approved by MVSD before construction. The following text is added to page 104-105 of the Initial Study:

Response e): The proposed project would be served by the MVSD, which owns and operates the ~~Mountain Mt.~~ Mountain View Sanitary District Wastewater Treatment Plant (hereinafter the Plant) located at 3800 Arthur Road in unincorporated Contra Costa County near the City of Martinez, and its associated wastewater collection system (hereinafter collectively the Facility). The MVSD Plant has a current average dry weather design treatment capacity of 3.2 million gallons per day (MGD), and can treat peak wet weather flows up to 10.94 MGD. The current flow is estimated to be 1.007 MGD.

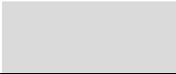
The MVSD serves approximately 18,253 residents, with ~~908~~ 8,584 residential connections and 280 commercial and industrial connections. The MVSD service area population is expected to grow to between 24,500 and 25,322 over the next 20 to 25 years, an increase of approximately 29 to 33 percent.

Single family residential units in the City of Martinez have an estimated wastewater flow rate of 195 gallons per day per unit. The proposed project would generate an estimated 19,500 gallons per day (0.0195 MGD) to be treated at the Plant. Given that the current permitted capacity of the Plant is 3.2 MGD and the current flow is 1.007 MGD, the Plant has adequate capacity to serve the 0.0195 MGD of wastewater generated by the proposed project in addition to their existing commitments.

The collection system serving the proposed project consists of six inch sewer mains. MVSD may require the upsizing of the existing sewer main to eight inches between Vine Hill Way and McMillan Court. The sewer mains can be expanded by utilizing hydrologic expanding techniques within the existing sewer main.

The capacity of the downstream main to serve the proposed project will be confirmed by the applicant during the improvement plan preparation. This engineering step is not performed until improvement plans are prepared Implementation of the following mitigation measure would ensure that the proposed project will have a **less than significant** impact relative to this topic.

Mitigation Measure Utilities-1: Prior to the approval of Improvement Plans, the applicant shall prepare a final report on the capacity of downstream sewer main. If it is found that capacity for the proposed project does not exist in the sewer mains as determined by MVSD, the applicant shall upsize the sewer main to accommodate the capacity needed for the project. All capacity calculations must



be verified by the MVSD prior to approval. Additionally, any plans for upsizing must be approved by the MVSD.

The technical corrections noted by the commentor have been made in the Final MND. This includes changing references to the “Mountain View Sanitary District” to “Mt. View Sanitary District”, noting that MVSD is in unincorporated Contra County, correcting the number of residential connections serviced by MVSD, correcting the number of miles of sewer collection lines serviced by MVSD, noting that there are 2 miles of force main served by the MVSD, correcting the reference to the primary disposal method, and adding the recommended text to response e) on page 104.

Laura Austin

From: DINATASINI [dinatasini@comcast.net]
Sent: Sunday, April 20, 2014 9:55 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

From: "Aimee Durfee" <aedurfee@msn.com>
To: dinatasini@comcast.net
Sent: Sunday, April 20, 2014 9:33:32 PM
Subject: Pine Meadows

I concur with the letter below submitted by Jim Neu on the subject of the Pine Meadows development. I urge the City of Martinez to prepare an EIR on this project.

Sincerely,
Aimee Durfee
612 E Street
Martinez CA 94553

Ms. Tasini,

The Pine Meadows open space with 100 hundred homes proposed on less than 26 acres with the removal of fifty trees should require an Environmental Impact Report (EIR) considering the cumulative effect of several environmental elements, its impact on the existing neighborhood, and the lack of an updated city general plan that properly addresses environmental justice as it pertains to designated open space.

The City of Martinez Tree Protection Ordinance states trees are a vital part of a healthy environment providing soil stability and wildlife habitat while preserving scenic beauty. The removal of 47 oak and redwood trees would have an adverse effect on providing habitat for existing raptors and scenic beauty within the immediate community. Many of these trees slated for removal fall into protection size of the ordinance.

These trees provide canopy and nesting habitat for many species of small and large birds that are protected under the Migratory Bird Treaty. Some of the raptors in the area such as the Cooper's hawk, red tail hawk, and the white tailed kite, feed on the rodents that inhabit the proposed site.

The rodents at the site, should the project be approved, were said to be chemically exterminated which would have a negative effect on the raptors that currently feed on them. This action would need an EIR to determine the air, soil and toxicology effects of the pesticide used or an alternate method of eradication.

This open space is home to many other animals including the protected California Red Legged Frog which falls in the special -status wildlife species which receives regulatory protection.

Considering the recent open space lands that are being developed and others that are proposed for residential construction in Martinez, the cumulative effect of development within the city warrants this project to go before an EIR review.

The Martinez General Plan has not been up for public review since 1972, therefore does not meet California Legislature Guidelines to include environmental justice. Because of this point, any property zoned open space shall have a Comprehensive General Plan that meets California General Plan Guidelines.

The Developer's Initial Study/Negative Declaration Amendment states, " This designation of permanent open space shall not apply to private recreational resources such as the private golf course , or other facilities where the city has no vested ownership." The city must provide in this report or an EIR , a list and map of private recreational resources and other facilities where the city has no vested interest.

A few alternate uses and plans should be considered. There was discussion about a disc golf course at the Hidden Lakes Park. This property would be a natural site and the grounds could be left un irrigated which is a critical issue with the drought. Allowing this property to stay open space and proposing to the owners to enter into a ten year rolling Williamson Act Agreement would be an alternative. The owner would reap the benefit of a 25-75% tax liability savings. The best use of this property surrounded by a large residential area is for it to be left zoned as open space.

Should this discussion fail, it is imperative that an Environmental Impact Report be done to explore the issues discussed in this response to the Initial Study/ Mitigated Negative Declaration before a decision is made to change the zoning of the Pine Meadows property.

Respectfully Submitted,
Jim Neu
3334 Ricks Ave.
Martinez, Ca. 94553

Response to Comment K Aimee Durfee, Citizen/Neighbor

Response: The commentor notes she concurs with the letter submitted by Jim Neu for this project. This comment is noted. The letter submitted by Jim Neu is Comment P. Please refer to Response to Comment P.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Sunday, April 20, 2014 5:48 PM
To: Laura Austin
Subject: Fwd: Pine Meadows Development

Sent from my iPhone

Begin forwarded message:

From: William Nichols <wnichols26@gmail.com>
Date: April 20, 2014 at 12:12:54 PM PDT
To: dinatasini@comcast.net
Subject: Pine Meadows Development

I have been a Park Ranger in the Martinez area for thirty five years. My job is to protect the environment. I cannot believe that in this day and age the city would ignore open space designation, wildlife habitat preservation, and a heritage tree policy covered in the city's own tree ordinances in the name of development. I strongly urge that this proposed development be subject to a full and open Environmental Impact Report. It is the right thing to do. Have we really come to a point in this community where basic environmental concerns are blatantly ignored in the interests of development? Please proceed with the Environmental Impact Report.

Sincerely

Bill Nichols
Martinez resident

Response to Comment L William Nichols, Citizen/Neighbor

Response: The comment is requesting the preparation of an EIR but does not state the basis or evidence to support the use of an EIR. Please refer to Response to Comment H on this same request.

The comment expresses concerns about the loss of biological resources on the site. The Final MND analyzed the project's potential impacts on biological resources at pages 33-41. The Final MND concludes that the project with implementation of the recommended mitigation measures will not have a significant impact on biological resources.



Response to Comment M**Cynthia Peters, Citizen/Neighbor**

Response: The comment is requesting the preparation of an EIR but does not state the basis or evidence to support the use of an EIR. Please refer to Response to Comment H on this same request. Please refer to Response to Comments I and N relating to the requested change in the land use designation to allow residential uses.

The City also recognizes that some citizens have concerns on how a project may impact values of adjacent properties. Property value is not a topic that is addressed in by the California Environmental Quality Act. Citizens have the right and opportunity to present their concerns for property values to the elected officials during hearings for the proposed project.

Laura Austin

From: DINATASINI [dinatasini@comcast.net]
Sent: Monday, April 21, 2014 11:15 AM
To: Laura Austin
Subject: Fwd: Pine Meadows - Public Comment - Jamie Fox

From: "Jamie" <eejfox@yahoo.com>
To: "DINATASINI" <dinatasini@comcast.net>, rschroder@cityofmartinez.org
Sent: Sunday, April 20, 2014 2:44:47 PM
Subject: Pine Meadows - Public Comment - Jamie Fox

Hello,

Please find my public review comment below. Can you send me a confirmation email this was received?

Thank you!

Jamie Fox

1) Below is the exact text from the developer's proposed 1972 general plan amendment, it does NOT limit the scope to the golf course, it merely uses the golf course as an example:

Developer's proposed amendment:

"This designation (permanent open space) shall not apply to private recreational resources such as the private golf course, or other facilities where the City has no vested ownership."

Therefore, please provide an inventory map of the "private recreational resources" and "or other facilities where the City has no vested interest" currently designated as open space. These areas are 100% effected by the proposed wording of the general plan amendment. Per conversation with the City staff, the staff does not have an inventory map showing the extent of private open space affected by the proposed amendment within the City limits. Please do not approve any General Plan amendments without full disclosure to the public regarding the scope of the amendment. Please provide a GIS map showing all "private recreational resource areas, or other areas where the City has no vested interest".

2) The Martinez General Plan has not been updated for public review since 1972. For example, I testified at a General Plan meeting in 2012 asking for a beautiful hiking trail to be added to the General Plan, you can google "Hulet Hornbeck Trail, Vimeo" to watch the presentation. I still do not have an answer if the trail was added to the General Plan, even though the trail is consistent with the 1988 Specific Plan for the area. The reason is: The Martinez General Plan has never been issued for public review in my lifetime! (I was born in 1980). Therefore, please do not remove any 'permanent open



space' until a comprehensive general plan has been provided for public review, as required by the intent of the California General Plan Guidelines. For example, the 1972 General Plan open space map shows the City of Martinez has already lost a tremendous amount of open space. Large swaths of land have been gobbled up over time. It does not meet the intent of California law to let open space continue to erode one project at a time. The law requires public review of a comprehensive plan for the entire city. It has been over 40 years since the General Plan has been updated, it is not legal to take away more open space without a plan!

3) Please note in 2001, California Legislature required General Plan Guidelines to include "environmental justice"; however, because the Martinez General plan has not been issued for public review since 1972, the Martinez General Plan does not meet the California Legislature requirements for environmental justice; therefore, the citizens, including the animals and wildlife in Martinez, should not be asked to lose ANY open space or sensitive environmental areas until a comprehensive general plan has been provided for public review and fully complies with the latest California General Plan Guidelines.

4) A group of Citizens have applied for a disc golf course at Hidden Lakes Park. Should their application be denied, the Pine Meadows private open space would make for a perfect disc golf course - requiring no water, and significantly less environmental damage than the existing golf course, and access to the outdoors. The location of the disc golf course should be considered in the General Plan update - i.e. where does the Disc Golf course go? Please do not remove any open space until this is resolved fairly. Disc golf is a very popular sport and deserves the same treatment as a regular golf sport, in fact, given the environmental benefits (less water and no fertilizer), it should be encouraged.

5) I'm not against all development, I believe we need a vibrant City and affordable housing, but we need our City of focus on urban infill, maximizing the brownfield, not green field, without loss of more open space. If open space is going to be lost, then we ask the City to participate in mitigating the effect by opening up more open space, such as the Alhambra Hills, which is also yet to be resolved. We need a comprehensive plan before re-zoning open space.

Thank you,
Jamie Fox
510 326 0442

Response to Comment N Jamie Fox, Citizen/Neighbor

Response: The City recognizes the commentors concerns regarding the proposed General Plan amendment. The intent of the applicant is not to affect any other properties that may have an existing General Plan land use designation that is the same as the existing designation on the project site. To clarify the intent of the proposed General Plan amendment text edits are reflect at page 2 of the Final MND. The edits apply to policy 21.21 from the General Plan Land Use Element. The proposed amendment originally included the addition of a sentence at the end of the policy that read *“This designation shall not apply to private recreational resources such as the private golf course, or other facilities where the City has no vested ownership.”* The modified language proposed is now the following: *“This designation shall not apply to the private golf course.”* These modifications to policy text are specific to the golf course use, and do not apply to other open space and recreational sites in the City. These edits clarify the intent of the General Plan amendment, but do not increase the impacts of the proposed General Plan amendment as analyzed in the Final MND. The text changes to Page 2 are shown below in track changes:

- 21.21 Land to remain for open uses is designated Public Permanent Open Space or Open Space/Conservation Use Land. These designations shall apply where the following conditions are prevalent: natural conditions such as steep or potentially unstable slope, hazardous geologic conditions, watershed stability and floods hazard, seismic hazard, and fire hazard, which constitute major constraints to development or threats to life and property, where soils, land forms, vegetation, watersheds, creekways, and water bodies combine to provide either a significant habitat for wildlife or agricultural resource and where land forms, vegetation, waterways and surfaces constitute a major scenic and recreational resource which should be preserved either for purposes of public use or protection and shaping of the scenic setting of the community. This designation shall not apply to private recreational resources such as the private golf course, or other facilities where the City has no vested ownership.

Additionally, the proposed General Plan amendment to policy 21.22 from the General Plan Land Use Element and policy 32.31 from the Hidden Lakes Specific Area Plan, are no longer proposed. The text changes to Page 2 are shown below in track changes:

General Plan Land Use Element

~~21.22 Zoning and other regulatory powers shall be used to maintain open space use where there are substantial threats to life and property or where private open space uses are appropriate. Appropriate private open space uses include agricultural, grazing, open space recreational uses such as camp facilities or residential uses where such uses and related facilities such as roads and parking areas constitute less than two percent of the entire land area where the balance of the land is retained in a natural state or agricultural state. (Note: This Policy was originally proposed to be amended, but has been removed from the proposed General Plan Amendment)Hidden Lakes Specific Area Plan~~

~~32.31 The major portion of the site area shall be retained for open space use, primarily preserved as public open space, with a portion preserved in private ownership.~~ (Note: This Policy was originally proposed to be amended, but has been removed from the proposed General Plan Amendment)

The deletion of Hidden Lakes Specific Area Plan policy 32.32 is still proposed for deletion. This policy is specific to the golf course and does not apply to other Open Space and Recreation uses in the City.

The City recognizes that the current General Plan is in the process of being updated. . State law requires a CEQA analysis to be based on existing General Plans, not proposed General Plans. Any individual, group, or organization, has the right to provide comments on this project both during the public review period and at public hearings.

The commentor has the opportunity to provide their recommendation for open space uses on the project site, as well as other sites, or to provide alternatives to the project, at the hearings for this project. The Final MND is an analysis of what was proposed by the project Applicant. Also, please refer to Response to Comment A regarding the request to analyze alternative plans for the site.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Sunday, April 20, 2014 5:47 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

Sent from my iPhone

Begin forwarded message:

From: Jim Hall <JimSkyFlver@comcast.net>
Date: April 20, 2014 at 4:06:16 PM PDT
To: dinatasini@comcast.net
Cc: Mayor Rob Schroder <rschroder@cityofmartinez.org>, Councilman Mark Ross <mross@cityofmartinez.org>, Councilwoman Delaney <ldelaney@cityofmartinez.org>, amafarias@cityofmartinez.org, mmenesini@cityofmartinez.org
Subject: Pine Meadows

As a long-time resident of Martinez, I strongly disapprove of re-zoning Pine Meadows to accommodate the greed of developers. Martinez needs more open space to preserve our quality of life - not less. Our civic leaders, with their questionable values, have already cursed this town with re-zoning schemes like Berrellessa Palms and Cascara Canyon. Without an EIR, expect another rubber-stamped nightmare from this bunch. This mayor and city council seems to know the price of everything and the value of nothing!
Fellow Martinezites let your voices be heard.

Sadly,
Jim Hall



Response to Comment O**Jim Hall, Citizen/Neighbor**

Response: This comment does not pertain to the merits of the environmental analysis so a detailed response cannot be provided. To the extent it is helpful to better understand the request of the applicant for the General Plan amendment, please see Response to Comment I and N on this point. The comment mentions that an EIR should be prepared but does not state the basis or provide adequate evidence to require the preparation of an EIR. Please refer to Response to Comment H on this same request.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Sunday, April 20, 2014 5:46 PM
To: Laura Austin
Subject: Fwd: Pine Meadows - Initial Study/ Mitigated Negative Declaration Response

Sent from my iPhone

Begin forwarded message:

From: jineusies2@gmail.com
Date: April 20, 2014 at 5:24:53 PM PDT
To: "dinasini@comcast.net" <dinasini@comcast.net>
Cc: Rob Schroder <rschroder@cityofmartinez.org>, Mark Ross <mross@cityofmartinez.org>, Lara DeLaney <ldelaney@cityofmartinez.org>, Anamarie Avila Farias <amafarias@cityofmartinez.org>, Mike Menesini <mmenesini@cityofmartinez.org>
Subject: Pine Meadows - Initial Study/ Mitigated Negative Declaration Response

Ms. Tasini,

The Pine Meadows open space with 100 hundred homes proposed on less than 26 acres with the removal of fifty trees should require an Environmental Impact Report (EIR) considering the cumulative effect of several environmental elements, it's impact on the existing neighborhood, and the lack of an updated city general plan that properly addresses environmental justice as it pertains to designated open space.

The City of Martinez Tree Protection Ordinance states trees are a vital part of a healthy environment providing soil stability and wildlife habitat while preserving scenic beauty. The removal of 47 oak and redwood trees would have an adverse effect on providing habitat for existing raptors and scenic beauty within the immediate community. Many of these trees slated for removal fall into protection size of the ordinance.

These trees provide canopy and nesting habitat for many species of small and large birds that are protected under the Migratory Bird Treaty. Some of the raptors in the area such as the Cooper's hawk , red tail hawk, and the white tailed kite, feed on the rodents that inhabit the proposed site.

The rodents at the site, should the project be approved, were said to be chemically exterminated which would have a negative effect on the raptors that currently feed on them. This action would need an EIR to determine the air, soil and toxicology effects of the pesticide used or an alternate method of eradication.

This open space is home to many other animals including the protected California Red Legged Frog which falls in the special -status wildlife species which receives regulatory protection.

Considering the recent open space lands that are being developed and others that are proposed for residential construction in Martinez, the cumulative effect of development within the city warrants this project to go before an EIR review.

The Martinez General Plan has not been up for public review since 1972, therefore does not meet California Legislature Guidelines to include environmental justice. Because of this point, any property zoned open space shall have a Comprehensive General Plan that meets California General Plan Guidelines.

The Developer's Initial Study/Negative Declaration Amendment states, " This designation of permanent open space shall not apply to private recreational resources such as the private golf course , or other facilities where the city has no vested ownership." The city must provide in this report or an EIR , a list and map of private recreational resources and other facilities where the city has no vested interest.

A few alternate uses and plans should be considered. There was discussion about a disc golf course at the Hidden Lakes Park. This property would be a natural site and the grounds could be left un irrigated which is a critical issue with the drought. Allowing this property to stay open space and proposing to the owners to enter into a ten year rolling Williamson Act Agreement would be an alternative. The owner would reap the benefit of a 25-75% tax liability savings. The best use of this property surrounded by a large residential area is for it to be left zoned as open space.

Should this discussion fail, it is imperative that an Environmental Impact Report be done to explore the issues discussed in this response to the Initial Study/ Mitigated Negative Declaration before a decision is made to change the zoning of the Pine Meadows property.

Respectfully Submitted,
Jim Neu
3334 Ricks Ave.
Martinez, Ca. 94553

Sent from my iPad

Response to Comment P Jim Neu, Citizen/Neighbor

Response: The comment mentions that an EIR should be prepared but does not state the basis or provide adequate evidence to require the preparation of an EIR. Please refer to Response to Comment H on this same request.

The comment expresses concerns about the loss of biological resources on the site. The Final MND analyzed the project's potential impacts on biological resources at pages 33-41. The Final MND concludes that the project with implementation of the recommended mitigation measures will not have a significant impact on biological resources.

The comment questions regarding the applicant's request to amend the General Plan to allow residential development to occur on the site. Please see Response to Comments I and N on this same point.

With respect to the comment on an alternative plan, please see Response to Comment A on this same point.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Sunday, April 20, 2014 5:47 PM
To: Laura Austin
Subject: Fwd: Time to ReThink This Plan

Sent from my iPhone

Begin forwarded message:

From: kerry kilmer <kkilmer16@hotmail.com>
Date: April 20, 2014 at 2:46:31 PM PDT
To: "dinasini@comcast.net" <dinasini@comcast.net>, "rschroder@cityofmartinez.org" <rschroder@cityofmartinez.org>
Subject: Time to ReThink This Plan

Good afternoon,

I am a 22-year Martinez resident and love this city because of its open space, rural, small town qualities. It is why I live, shop, dine and recreate here, not in Walnut Creek, not in Concord.

I am also a wildlife rehabilitator.

I understand there is a proposed 100 new housing development planned for the Pine Meadows Golf Course? I am flatly opposed to this idea particularly when an Environmental Impact Report has not been done. This is presently zoned "Open Space and Recreation, PERMANENT" and should stay as such.

We need more business opportunities in our downtown, NOT more housing in what little remaining open space we have. Let's, please, not make the same mistakes that our surrounding cities have made where their citizens have only little shreds of parks for open space. Martinez can truly do better and, today, we have that opportunity.

As a wildlife advocate and rehabilitator, I can tell you first-hand the horrors that development brings to our native animals, birds and mammals. This meager 26 acres is a necessary, critical safe haven for all wildlife including old and mature trees.

A FULL Environmental Impact Report is ABSOLUTELY the prudent and POLITICALLY CORRECT step. As your constituent and as our city leaders, I trust that you will approach the use of the 26 acres in a sensible, well thought out, BIG PICTURE approach. It shouldn't be just about the money, but, more importantly the dwindling open space people and animals need and love. An EIR is absolutely essential.

Thank you,
Kerry Kilmer
2151 Tacoma Ave.
Martinez, CA
925.370.0668

Kerry

 A country or civilization can be judged by the way it treats its animals ~ Gandhi

Response to Comment Q**Kerry Kilmer, Citizen/Neighbor**

Response: The City staff recognizes the commentors concerns and recommendations regarding open space, wildlife, trees, and the proposed rezoning of the project site. Please refer to Response to Comments B, F and N on these same points.

Please be advised that after the March MND was released, the applicant amended its application to reflect 99 units as opposed to 100 units.

The comment expresses concerns about the loss of biological resources on the site. The Final MND analyzed the project's potential impacts on biological resources at pages 33-41. The Final MND concludes that the project with implementation of the recommended mitigation measures will not have a significant impact on biological resources.

The City also recognizes that some citizens have concerns for more business opportunities in our downtown, and other political topics within the City. Citizens have the right and opportunity to present their concerns for concerns for more business opportunities in our downtown, and other political topics, to the elected officials during hearings. Because this portion of the comment does not pertain to the merits of the environmental document no further responses is required.

Please refer to Response to Comment H explaining why an EIR was not required for this project.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Sunday, April 20, 2014 5:48 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

Sent from my iPhone

Begin forwarded message:

From: Marie Olson <marieolson@earthlink.net>
Date: April 20, 2014 at 12:26:04 PM PDT
To: dinasini@comcast.net
Subject: Pine Meadows

Hi, Dina,

Hope all is well with you. It's been some time since we've gotten together, but I notice the Alhambra Highlands are still in the news. Times have changed, but they haven't changed.

Please register our opposition to any open space change to Pine Meadows.

Many thanks,

Marie and Hal Olson
AVIA



Response to Comment R

Marie and Hal Olson, Citizen/Neighbor

Response: The commentor's opposition to the Pine Meadows project is noted. No further response is required since the comment does not pertain to the merits of the environmental document.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Sunday, April 20, 2014 7:25 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

Sent from my iPhone

Begin forwarded message:

From: Robert Rust <rjrust@hotmail.com>
Date: April 20, 2014 at 7:10:05 PM PDT
To: "dinasini@comcast.net" <dinasini@comcast.net>
Cc: "rschroder@cityofmartinez.org" <rschroder@cityofmartinez.org>, "tim_mart2001@yahoo.com" <tim_mart2001@yahoo.com>
Subject: Pine Meadows

To all concerned,

I am strongly opposed to adding 100 new homes at Pine Meadows. It is often nearly impossible to get in and out of Hidden Valley Park with the traffic that is there now. The same is true for Hidden Valley Elementary School.

The quality of life in the area is already much diminished by the addition of relatively high density housing at the former Farmers Shopping Center and the old Pacheco school.

I think that a much wiser use of the area would be open space. Please open the golf course to the public as soccer fields, baseball diamonds, bike path or wildlife area.

Save this socially valuable open space now while it is still available.

Sincerely,
Robert Rust
Martinez Ca.



Response to Comment S**Robert Rust, Citizen/Neighbor**

Response: The commentor's opposition to the Pine Meadows project is noted. Be advised the application was amended to reflect 99 homes. With respect to the comment on traffic, please refer to Response to Comment A on the same point. The remainder of the comment does not pertain to the merits of the environmental document so no further response is required.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Sunday, April 20, 2014 9:07 PM
To: Laura Austin
Subject: Fwd: Pine Meadows - Initial Study/ Mitigated Negative Declaration Response

Another one

Sent from my iPhone

Begin forwarded message:

From: Tamhas Griffith <tamhas@gmail.com>
Date: April 20, 2014 at 9:04:00 PM PDT
To: dinatasini@comcast.net
Subject: Pine Meadows - Initial Study/ Mitigated Negative Declaration Response

The following email sent by James Neu expertly expresses my personal concerns as well:

Ms. Tasini,

The Pine Meadows open space with 100 hundred homes proposed on less than 26 acres with the removal of fifty trees should require an Environmental Impact Report (EIR) considering the cumulative effect of several environmental elements, it's impact on the existing neighborhood, and the lack of an updated city general plan that properly addresses environmental justice as it pertains to designated open space.

The City of Martinez Tree Protection Ordinance states trees are a vital part of a healthy environment providing soil stability and wildlife habitat while preserving scenic beauty. The removal of 47 oak and redwood trees would have an adverse effect on providing habitat for existing raptors and scenic beauty within the immediate community. Many of these trees slated for removal fall into protection size of the ordinance.

These trees provide canopy and nesting habitat for many species of small and large birds that are protected under the Migratory Bird Treaty. Some of the raptors in the area such as the Cooper's hawk , red tail hawk, and the white tailed kite, feed on the rodents that inhabit the proposed site.

The rodents at the site, should the project be approved, were said to be chemically exterminated which would have a negative effect on the raptors that currently feed on them. This action would need an EIR to determine the air, soil and toxicology effects of the pesticide used or an alternate method of eradication.

This open space is home to many other animals including the protected California Red Legged Frog which falls in the special -status wildlife species which receives regulatory protection.

Considering the recent open space lands that are being developed and others that are proposed for residential construction in Martinez, the cumulative effect of development within the city warrants this project to go before an EIR review.

The Martinez General Plan has not been up for public review since 1972, therefore does not meet California Legislature Guidelines to include environmental justice. Because of this point, any property zoned open space shall have a Comprehensive General Plan that meets California General Plan Guidelines.

The Developer's Initial Study/Negative Declaration Amendment states, " This designation of

permanent open space shall not apply to private recreational resources such as the private golf course , or other facilities where the city has no vested ownership." The city must provide in this report or an EIR , a list and map of private recreational resources and other facilities where the city has no vested interest.

A few alternate uses and plans should be considered. There was discussion about a disc golf course at the Hidden Lakes Park. This property would be a natural site and the grounds could be left un irrigated which is a critical issue with the drought. Allowing this property to stay open space and proposing to the owners to enter into a ten year rolling Williamson Act Agreement would be an alternative. The owner would reap the benefit of a 25-75% tax liability savings. The best use of this property surrounded by a large residential area is for it to be left zoned as open space.

Should this discussion fail, it is imperative that an Environmental Impact Report be done to explore the issues discussed in this response to the Initial Study/ Mitigated Negative Declaration before a decision is made to change the zoning of the Pine Meadows property.

Respectfully Submitted,
Jim Neu
3334 Ricks Ave.
Martinez, Ca. 94553

Tamhas "Tom" Griffith
California Naturalist
BSc., Environmental Systems and Resource Management
510-610-7005

Response to Comment T Tamhas Griffith, Citizen/Neighbor

Response: This comment is the same comment as Letter P submitted by Jim Neu. Please refer to the Response to Comment P.

Laura Austin

From: DINATASINI [dinatasini@comcast.net]
Sent: Monday, April 21, 2014 2:14 PM
To: Laura Austin
Subject: Fwd: Pine Meadows

another one

From: "Arlene Grimes" <abceskie@att.net>
To: dinatasini@comcast.net
Sent: Monday, April 21, 2014 12:16:25 PM
Subject: Pine Meadows

What's the point of having areas defined as Permanent Open Space if City Council is going to ignore it ?????

I don't think you need any more source of revenue when what we already have is so poorly spent or wasted!!

Arlene Grimes

Response to Comment U**Arlene Grimes, Citizen/Neighbor**

Response: The City recognizes the commentor's concerns regarding land designed as permanent open space. Please see Response to Comments I and N on the points regarding the conversion of the open space designation to residential uses.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Monday, April 21, 2014 10:16 AM
To: Laura Austin
Subject: Fwd: Pine Meadows Golf Course

Another one

Sent from my iPhone

Begin forwarded message:

From: "Bill S" <bill_s_online@comcast.net>
Date: April 21, 2014 at 10:04:51 AM PDT
To: "Dina Tassini" <dinatasini@comcast.net>, <rschroder@cityofmartinez.org>
Subject: Pine Meadows Golf Course

Dear Dina & Rob,

100 houses are proposed on the 26 acres of land that comprises the Pine Meadows Golf Course, which is now zoned "Open Space and Recreation, Permanent". It is proposed to change the zoning of this land to build these houses, yet the zoning says that it is **permanently** open space and recreation.

I had to take a look to see if somehow the word "permanent" had changed from my understanding my entire life, but the Merriam-Webster Dictionary confirmed what I had thought...

per·ma·nent

adjective \-nənt\
: lasting or continuing for a very long time or forever : not temporary or changing
: continuing or enduring without fundamental or marked change

So I have to ask you how or why would you want to change something that was zoned by our City to be permanent Open Space & Recreation, and relied on by residents for at least 25 years or more?

Rezoning open space to housing development has a major effect on the environment, on greenhouse gases and climate change, on our property values and our quality of life. A full EIR is required before any such consideration is given to this idea .

Your report states this about the site: "mature woodland vegetation"; "nesting and foraging habitat for a variety of birds" including special-status birds protected under the Migratory Bird Treaty Act; "habitat for... The California red-legged frog"—an endangered species; "presence of wetlands" near man-made pond. Forty-seven (47) old protected trees will be killed, including redwoods and many oaks.

Think of what this land could be. The EIR requires looking at alternative uses for this property. That is a major reason why an EIR must be done before you decide to rezone

it. This property could be used to be a positive benefit to the community and help solve environmental and climate change issues we face. Housing development with do the opposite---"The project would eliminate foraging habitat ...and...require removal of all trees."

The current "Open Space and Recreation, Permanent" zoning for this property is one of the highest uses of property and the zoning should not be changed without a full EIR. Additionally, the major General Plan change you propose will have a City-wide effect on open space, as it will allow you to easily convert more open space to housing. That alone requires an EIR due to the extent of the changes it would force on Martinez residents.

All the best,

Bill Schilz

"Lord, help me be the person my dog thinks I am"

Response to Comment V**Bill Schilz, Citizen/Neighbor**

Response: The City staff recognizes the commentors concerns regarding land designed as permanent open space. Please see Response to Comments I and N on the points regarding the conversion of the open space designation to residential uses.

The City staff also recognizes the commentors concerns regarding greenhouse gases and climate change, biological resources, and other environmental topics. The Final MND adequately analyzes the project in accordance with the California Environmental Quality Act and found that although the proposed project would not have a significant effect on the environment, with implementation of the mitigation measures recommended in the Final MND. As such, a mitigated negative declaration was deemed the appropriate CEQA document for this project.

The City staff also recognizes that some citizens have concerns on how a project may impact values of adjacent properties. Property value is not a topic that is addressed in environmental documents under pursuant to the California Environmental Quality Act. Citizens have the right and opportunity to present their concerns for property values to the elected officials during hearings for the proposed project.

Laura Austin

From: DINATASINI [dinasini@comcast.net]
Sent: Monday, April 21, 2014 2:15 PM
To: Laura Austin
Subject: Fwd: Pine MeadowsProposal

another one

From: "Bill Sharkey" <bjsharkeyiii36@gmail.com>
To: rschroder@cityofmartinez.org, dinasini@comcast.net
Sent: Monday, April 21, 2014 12:16:42 PM
Subject: Pine MeadowsProposal

Greetings, Rob and Dina:

Is there any relevance to the term 'permanent'? If 'we' really don't mean what we say in zoning matters, should that term be scratched from our codes? The use of it is misleading and a sham.

I hope that due consideration will be given to suggested other uses for Pine Meadows and a rush to judgement not be reached. Once any piece of property is turned over to other uses there is no turning back and the property is lost forever.

Thanks you for your consideration,

Bill Sharkey III
4551 Alhambra Way
Martinez, CA 94553-4405



Response to Comment W**Bill Sharkey III, Citizen/Neighbor**

Response: The City staff recognizes the commentor's concerns regarding land designed as permanent open space. Please see Response to Comments I and N on the point regarding the conversion of the open space designation to residential uses.

Laura Austin

Subject: FW: Vine Hill Project---Pine Meadows

From: Carol Wiley <cwiley23@comcast.net>
Date: April 21, 2014 at 4:48:14 PM PDT
To: "dintasini@comcast.net" <dintasini@comcast.net>, "rschroder@cityofmartinez.org" <rschroder@cityofmartinez.org>
Subject: Fwd: Vine Hill Project---Pine Meadows

I, too, oppose this project. Rezoning will have a major negative impact for those living close by and Martinez in general.
We can't undo yet more development.

It is critical to save what is left of our vanishing natural habitat. Our leaders need to think ahead in terms of open space, community parks, and quality of life for generations after us.

Respectfully,
Carol Wiley

Sent from my iPhone

Begin forwarded message:

From: Harlan Strickland <hstrickla@comcast.net>
Date: April 21, 2014, 4:11:39 PM PDT
To: "Wiley, Carol" <cwiley23@comcast.net>
Subject: Fwd: Vine Hill Project---Pine Meadows

From: "Harlan Strickland" <hstrickla@comcast.net>
To: dintasini@comcast.net, rschroder@cityofmartinez.org
Sent: Monday, April 21, 2014 3:30:51 PM
Subject: Re: Vine Hill Project---Pine Meadows

Ms. Tasini, Mayor Schroder,

I oppose this project for the reasons listed below, and feel that a full EIR is in order. Additionally, I do not feel it is proper to make no provision for jobs within Martinez for the proposed new residents - the City seems to be following the Antioch model: all housing, no jobs, major commute headaches for new residents.

Respectfully,
Harlan Strickland



Rezoning open space to housing development has a major effect on the environment, on greenhouse gases and climate change, on our property values and our quality of life. A full EIR is required.

Your report states this about the site: “mature woodland vegetation”, “nesting and foraging habitat for a variety of birds” including special-status birds protected under the Migratory Bird Treaty Act; “habitat for... The California red-legged frog”—an endangered species; “presence of wetlands” near man-made pond. Forty-seven (47) old protected trees will be killed, including redwoods and many oaks.

Think of what this land could be. The EIR requires looking at alternative uses for this property. That is a major reason why an EIR must be done before you decide to rezone it. This property could be used to be a positive benefit to the community and help solve environmental and climate change issues we face. Housing development with do the opposite---“The project would eliminate foraging habitat ... and... require removal of all trees.”

The current “Open Space and Recreation, Permanent” zoning for this property is one of the highest uses of property and the zoning should not be changed without a full EIR.

Additionally, the major General Plan change you propose will have a City-wide affect on open space, as it will allow you to easily convert more open space to housing. That alone requires and EIR due to the extent of the changes it would force on Martinecz residents.

Response to Comment X Carol Wiley, Citizen/Neighbor

Response: The commentor's opposition to the Pine Meadows project is noted. Please see Response to Comment I and N on the point regarding the conversion of the open space designation to residential uses. Please refer to Response to Comment G park space in the City. The remainder of the comment does not contain specific comments on the merits of the environmental document so no further response can be provided.

Laura Austin

From: Dina Tasini [dinatasini@comcast.net]
Sent: Monday, April 21, 2014 7:20 AM
To: Laura Austin
Subject: Fwd: Pine Meadows golf course

Sent from my iPhone

Begin forwarded message:

From: Debbie Oertel <debbieoertel@gmail.com>
Date: April 21, 2014 at 7:17:45 AM PDT
To: dinatasini@comcast.net, rschroder@cityofmartinez.org
Subject: Pine Meadows golf course

Re: Vine Hill Project---Pine Meadows

Rezoning open space to housing development has a major affect on the environment, on greenhouse gases and climate change, on our property values and our quality of life. A full EIR is required.

Your report states this about the site: "mature woodland vegetation"; "nesting and foraging habitat for a variety of birds" including special-status birds protected under the Migratory Bird Treaty Act; "habitat for... The California red-legged frog"—an endangered species; "presence of wetlands" near man-made pond. Forty-seven (47) old protected trees will be killed, including redwoods and many oaks.

Think of what this land could be. The EIR requires looking at alternative uses for this property. That is a major reason why an EIR must be done before you decide to rezone it. This property could be used to be a positive benefit to the community and help solve environmental and climate change issues we face. Housing development with do the opposite---"The project would eliminate foraging habitat ...and...require removal of all trees."

The current "Open Space and Recreation, Permanent" zoning for this property is one of the highest uses of property and the zoning should not be changed without a full EIR.

Additionally, the major General Plan change you propose will have a City-wide affect on open space, as it will allow you to easily convert more open space to housing. That alone requires and EIR due to the extent of the changes it would force on Martinez residents.

Help protect our open space. The Council has already approved 3 major high density projects in Martinez that are being built now. There is no need for this project, and it will make open space a target forever more.

--

Debbie Aloha Oertel



Future Exec. Sr. Sales Director and~
Future National Sales Director of our Pink Caddy unit!
Maui Bound Circle of Excellence Unit 2014
925 752-1447
shop my website www.marykay.com/debbieoertel
Building our hive to 155!
Looking for some fun and cash?
Give me a call!

Response to Comment Y**Debbie Oertel, Citizen/Neighbor**

Response: The City staff recognizes that there are citizen/neighbor concerns regarding placing new housing in an area designated for open space, the greenhouse gas concerns, and biological resource concerns, and numerous other citizen concerns. Please refer to Response to Comment H explaining why an EIR was not required for this project. This Response also addresses the points raised regarding biology and climate change. Please Refer to Response to Comment A explaining why alternative plans were not required. Please refer to Response to Comment B regarding the open space and General Plan points. Also refer to Response to Comments I and N regarding the proposed change in land use to allow residential uses.

Response to Comment Z Harlan Strickland, Citizen/Neighbor

Response: The comment contains the same points as in Comment Y. Please refer to the Response to Comment Y. The commenter's opposition to the project is noted.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Monday, April 21, 2014 10:17 AM
To: Laura Austin
Subject: Fwd: Pine Meadows Golf Course

FYI

Sent from my iPhone

Begin forwarded message:

From: Karen Najarian <sierramaclure@sbcglobal.net>
Date: April 21, 2014 at 9:39:24 AM PDT
To: "dinasini@comcast.net" <dinasini@comcast.net>, "rschroder@cityofmartinez.org" <rschroder@cityofmartinez.org>
Subject: Pine Meadows Golf Course
Reply-To: Karen Najarian <sierramaclure@sbcglobal.net>

About the proposed rezoning for development of the Pine Meadows Golf Course, I ask that you require a full EIR so that we can explore alternatives that will better benefit the citizens of Martinez.

The current "Open Space and Recreation, Permanent" zoning for this property is one of the highest uses of property and the zoning should not be changed without a full EIR.

- Karen Najarian
Martinez resident since 1982

Response to Comment AA Karen Najarian, Citizen/Neighbor

Response: Please refer to Response to Comment H explaining why an EIR was not required on the project. Also refer to Response to Comments I and N regarding the proposed change in the land use designation to allow residential uses.

Response to Comment BB Mark Thomson, Citizen/Neighbor

Response: The City staff recognizes the commentor’s concerns regarding the proposed General Plan amendment. Please refer to Response to Comments B, I and N on this same point.

The Final MND adequately analyzes the aesthetic impacts on pages 14 through 20. The Final MND indicates that the proposed project will not significantly disrupt middle ground or background views from public viewpoints, but that it would result in changes to the foreground views from the public viewpoint by adding residential homes to a site that is largely open and vegetated. The Final MND included two visual simulations to assess the changes in the foreground view from public viewpoints. View 1 illustrates an existing view of the golf course with a chain link fence and frontage landscaping (mature trees) that are moderately blocking views across the course. The topography rolls slightly down and then back up. The visual simulation illustrates a foreground with frontage landscaping that largely maintains the existing topography. This foreground area also maintains the openness of the existing foreground view. The developed residential subdivision is visible in the background view of this simulation. The landscaping buffer provides visual relief through separation from the public right-of-way. View 2 illustrates an existing view of the golf course with a chain link fence and frontage landscaping (mature trees) that are moderately blocking views across the course. The topography rolls slightly down. The visual simulation illustrates a foreground with frontage landscaping and modified topography that slopes sharply upward toward the back yard of proposed residential housing. This landscaping area provides some visual relief through separation from the public right-of-way; however, the slope up to the residential backyards combined with the two story building is a potential impact. There is no background view from this view point because of the residential structures that are elevated by the topography modification.

The Final MND identifies 23 lots that back up to existing residences along the northern property line (Lots 1-23) and one along the southern property line (Lot 47). It also indicates that a two story building with 25-foot minimum setbacks on these lots pursuant to the City’s development standards for this zoning district could be intrusive to the existing property owners living on the adjacent properties because the project site slopes upward causing the new homes to be elevated above the existing homes. It also identified this as a potentially significant impact, but identified a mitigation measure that would reduce the impact to a less than significant level (Mitigation Measure Vis-1).

The Final MND also states that there is a potential for the proposed project to create new sources of light and glare. Examples would include construction lighting, street lighting, security lighting along walkway, exterior building lighting, interior building lighting, automobile lighting, and reflective building materials. The Martinez Municipal Code Chapter 21.28, Section 21.28.020 states that the subdivider shall provide a street lighting system that shall conform to City specifications. The locations of street lights shall be prescribed by the City Engineer. (Ord. 1103 C.S. § I (part), 1987; Prior code § 4522.). The Final MND states that the City Engineer reviews street lighting plans with improvement plan submittals to ensure that the street lighting is designed to meet minimum safety and security standards and to avoid spillover lighting to sensitive uses. To avoid a potential impact, residential building lighting must be consistent with the surrounding residential areas and must include luminaries that cast low-angle illumination to minimize incidental spillover of light onto adjacent residences. Fixtures that project light upward or horizontally would cause a potential impact. Additionally, luminaries must be shielded and directed away from areas adjacent to the project site. The City also reviews building plan submittals to ensure that the reflective building materials are minimized to avoid glare. To avoid a potential impact, residential building materials must be consistent with the surrounding residential areas and must include materials that minimize incidental glare. Materials such as metal siding are an example of building materials that could cause a potential impact. The Final MND identified three mitigation measures that would reduce the potential impact to a less than significant level (Mitigation Measure Vis-2, Vis-3, and Vis-4).

Please refer to Response to Comment A regarding the traffic points raised. The City staff recognizes that there are citizen/neighbor concerns regarding the type of environmental document that is appropriate for this project. Please refer to Response to Comment H explaining why an EIR was not prepared for the project.

Laura Austin

Subject: FW: Pine Meadows Project

From: Robin Houdashell [<mailto:rhoudashell@houdashell.com>]
Sent: Monday, April 21, 2014 4:59 PM
To: 'rschroder@cityofmartinez.org'; 'mmenesini@cityofmartinez.org'; 'amafarias@cityofmartinez.org'; 'mross@cityofmartinez.org'; 'Lara DeLaney -'
Cc: 'Mercy Cabral'
Subject: Pine Meadows Project

April 21, 2014

Good Afternoon Mayor Schroder & Councilmembers,

It is my understanding that we are to send comments regarding the Pine Meadows project in by today, Monday, April 21, 2014. I have went to two meetings put on by De Novo and have looked over the report that was sent out for our review called The Initial Study and Mitigated Negative Declaration.

I must admit that I have sentimental fond memories of this golf course and surrounding land. I grew up in this area and fed the horses that were directly across the street from the golf course, as well as fed the ducks at the pond, also across the street from the golf course, both areas are now covered with houses. I also know that in our city, the destroying of land to building houses, is quite a passionate one, as you all know in dealing with the Alhambra Hills area, in which I am also against the building of homes there.

We live in a suburban area, which in our minds is homes and open land space not crowded together with dwellings, which is the way it is in larger cities, like San Francisco.

I live around the corner from the golf course, which many of us enjoying living next to. We enjoy the open space, the birds, the trees, the frogs, we enjoy not having the wall to wall houses.

In looking over the report there are a few concerns I have:

1. **Section 21.21... This 25.9 acre golf course is designated as open space.** I have heard the statement from Dean and DeNovo that this was wrongly designated as such. However, the original owner is no longer with us, and it was designated that way originally. It was designated as open space to be enjoyed by the residents of Martinez, and particularly our track of houses, called Pleasant View. As a girl I lived in the only two story on Rolling Hill way, which backs right up against the golf course. We had a "pleasant view" of the golf course, with a barbed wire fence we could see it clearly, we were one of the original model homes. To remove this is designated as open space, needs a 4-5 vote by city council or it needs to go to the voters.
2. **47 protected trees under protection ordinance...** There are numerous protected trees on this acreage, protected under the City's Tree Preservation ordinance, that should not be removed.
3. **There is wildlife on this property...** birds, frogs, raccoons, possums that will lose their habitat and will either be killed or they will flee to nearby suburban homes. The frog study was only done 2 days in June to look for the protected red-legged frog. I don't think that is a thorough enough study.

4. **Aesthetics**.. We would lose our beautiful open space golf-course that many of our Martinez families enjoy using; to be filled with houses, more traffic, more people.
5. **Money**... (Always the bottom line in our society.) Lots of money to be made on this project, but Martinez will lose their only golf course, will lose this beautiful open space, and the environmental impact of loss of trees and biological impact upon the animals is unconscionable.

Please do your due diligence to weigh the problems and concerns with the building on this land and keep our beautiful open space!

Respectfully Submitted,

Robin Houdashell
Pleasant View homeowner

Response to Comment CC Robin Houdshell, Citizen/Neighbor

Response: Please refer to Response to Comments B, I and N regarding the proposed change in land use from open space to residential uses on the project site.

The Final MND adequately analyzes the proposed project’s impacts to Biological Resources on pages 33 to 41. This analysis includes protected trees and wildlife impacts.

The City staff recognizes that some citizens have concerns on how a project may impact the economics of a project, neighboring site, or the City itself. The economics of a project are not a topic that is addressed in a mitigated negative declaration pursuant to the California Environmental Quality Act. Citizens have the right and opportunity to present their concerns regarding economic impacts to the elected officials during hearings for the proposed project.

Laura Austin

From: DINATASINI [dinatasini@comcast.net]
Sent: Monday, April 21, 2014 2:47 PM
To: Laura Austin
Subject: Fwd: Comments on the Vine Hill Project

one more

From: "Sherida Bush" <rscribe@pacbell.net>
To: dinatasini@comcast.net
Sent: Monday, April 21, 2014 2:41:03 PM
Subject: Comments on the Vine Hill Project

Dear Ms. Tasini, [Dina, could you please acknowledge receipt of this? Thanks.]

Re: Vine Hill Project—Pine Meadows

I am calling for an EIR for this project. A Negative Declaration insufficiently weighs the citywide impacts of this 100-house development on what is now zoned as Open Space & Recreation, Permanent.

Re-zoning this property calls for a General Plan Amendment and is not only a bad precedent, it lessens the opportunity to add much-needed park land city wide (see discussion below). Contrary to popular belief, the city does not own all of the areas currently used for parks. Much of it is used by agreement with the property owners.

Given the optimal calculations per person for park space needed per capita in the city (according to national standards), Martinez has less than half of the parkland standard, even with the “borrowed” land.

Back to the EIR. Developing what is now basically open land has widespread impact. What is stated as suitable habitat on the land for numerous native and special-status species is not mitigatable in Martinez. We are not manufacturing open space. Habitat loss is the primary reason species such as the mentioned red-legged frog are disappearing from the area, if not the earth. Development of this land without the proper assessment in an EIR of the resources there (e.g., native or special-status species) is unacceptable. In addition, habitat for special-status species could be created if the land remains as currently zoned; this would not be possible if developed.

The grading needed for this project, along with the removal of 47 heritage, protected (under current code) trees is unacceptable. Both will contribute to climate change, reduced air quality, reduced water quality, air pollution, water pollution, increased CO₂ in the atmosphere (not only through carbon release and lack of carbon sequestration, but also the addition of concrete and other substance that outgas CO₂).

The report statement that the project will “result in estimated operational GHG emissions of 1,487.6 metric tons per year of GHGs” (or 3,271,400 pounds of Greenhouse Gas per year) is its own argument for an EIR. Martinez can do better and needs to look at its contribution to climate change. An EIR is necessary to look at alternative uses.

Habitat loss, threats to native and special status species and contributions to climate change, none of which can adequately be mitigated in the area, call for a full EIR.

As a former Chair and member of the Park and Recreation Commission (15 years), I am very familiar with the Martinez Park System. The much-needed addition of park space has not happened in the past 23 years. The Pine Meadows property is zoned as recreation and open space and should remain so.

A dozen years ago, Martinez failed the standards of service for parkland as follows:

COMPARATIVE PARK STANDARDS AND LEVELS OF SERVICE

Governmental Agency	Mini-Parks/ Plazas	Neighborhood Parks/Playground	Community Parks	Total Acreage
National Standard	<1 ac, 1/4-1/2 1/2ac/1000 <1/4 mi.rad.	2-15+ac, 1-2 ac/1000 1/4-1/2 mi rad	25+ ac, 5-8 ac/1000 1-2 mi rad	
Martinez (37,000)	2.45 ac total .06ac/1000 18 ac ideal	45.9 ac total 0.8 ac/1000 74 ac ideal	121.7 ac total 3.2 ac/1000 296 ac ideal	171 ac parkland

In 1991, the neighborhood park ratio of land to population is 0.8 acre per 1,000 population, which falls below the recommended national standard of 1 to 2 acres per 1,000 people. To accommodate a projected population increase of more than 12, 000 people, the City of Martinez should add at least acres to the park system—25 acres would be closer to what is needed, in accordance with the nation standards.

No new parks have been added to the park system since Mt. View Park and Morello School Park over 20 years ago. Yet the population keeps increasing, creating an even lower park-to-population

Response to Comment DD Sherida Bush, Citizen/Neighbor

Response: Please refer to Response to Comments B, I and N regarding the proposed change in land use from open space to residential uses on the project site.

With respect to the comment on park standards, please refer to Response to Comment I on this same topic.

Also refer to Response to Comment G for a list of the parks in the City

The proposed project impacts to Biological Resources are analyzed in the Final MND on pages 33 to 41. This includes an analysis of special status species, habitat, and trees.

The proposed project impacts to Air Quality are analyzed in the Final MND on pages 22 to 32, and Greenhouse Gas and Climate Change impacts are analyzed on pages 49 to 51.

The proposed project impacts to Parks are analyzed in the Final MND on pages 86 to 87. The City currently meets their overall standard with 226.5 acres of parkland, which is equivalent to 6.22 acres of parkland per 1,000 people. The project site is not a designated park site. The proposed project would add 100 residential units, which is expected to generate a population of 280 people according to the Municipal Code Section 21.46.040 formula for calculated park dedication. This increase in people would result in an increased demand for 1.4 acres of parkland under the Municipal Code Chapter 21.46 – Park Dedication (five acres of parkland per 1,000 people). The City park dedication in-lieu fee (as of September 2013) requires payment of \$509,500; however, the fees are subject to future changes. The City uses the park dedication in-lieu fees to acquire and development park facilities based on demands. In addition to the park dedication in-lieu fees, the City charges an Impact/Mitigation Fee for parks and recreation. The total project contribution under the current fee schedule would be \$250,900; however, the fees are subject to future changes. The payment of the City park dedication in-lieu fees and the Impact/Mitigation Fee for park and recreation by the project proponent would serve as adequate compensation for the park and recreational facilities required by the proposed project.

Laura Austin

Subject: FW: Pine Meadows Golf Course---Open Space Attack SIMPLE ACTION NEEDED BY MONDAY DEADLINE—PLEASE HELP

From: "Stephen Lao" <stephenlao@hotmail.com>
To: dinatasini@comcast.net, rschroder@cityofmartinez.org, "Gay Gerlack" <ggerlack@aol.com>
Sent: Monday, April 21, 2014 3:38:14 PM
Subject: FW: Pine Meadows Golf Course---Open Space Attack SIMPLE ACTION NEEDED BY MONDAY DEADLINE—PLEASE HELP

If the city already designated as Open Space, why changing to develop it? Regulations and ordinances are to be broken for a group of people? I strongly oppose it.

Stephen Lao

To: ggerlack@aol.com
Subject: Fwd: Pine Meadows Golf Course---Open Space Attack SIMPLE ACTION NEEDED BY MONDAY DEADLINE—PLEASE HELP
From: ggerlack@aol.com
Date: Mon, 21 Apr 2014 06:10:47 -0400

FYI - Important - Deadline for input is Monday at 5:00 PM...

Subject: Re: Pine Meadows Golf Course---Open Space Attack SIMPLE ACTION NEEDED BY MONDAY DEADLINE—PLEASE HELP

Friends and neighbors,

100 houses are proposed on this 26 acres of land that is now zoned "Open Space and Recreation, Permanent". Comment period ends Monday at 5PM.

Please send a simple e-mail to dinatasini@comcast.net and rschroder@cityofmartinez.org to oppose this project, unless an Environmental Impact Report is done.

Here are simple facts to state. Use any of these words you want or use your own, but SAY SOMETHING please.

Re: Vine Hill Project---Pine Meadows

Rezoning open space to housing development has a major affect on the environment, on greenhouse gases and climate change, on our property values and our quality of life. A full EIR is required.

Your report states this about the site: “mature woodland vegetation”; “nesting and foraging habitat for a variety of birds” including special-status birds protected under the Migratory Bird Treaty Act; “habitat for... The California red-legged frog”—an endangered species; “presence of wetlands” near man-made pond. Forty-seven (47) old protected trees will be killed, including redwoods and many oaks.

Think of what this land could be. The EIR requires looking at alternative uses for this property. That is a major reason why an EIR must be done before you decide to rezone it. This property could be used to be a positive benefit to the community and help solve environmental and climate change issues we face. Housing development with do the opposite---“The project would eliminate foraging habitat ... and...require removal of all trees.”

The current “Open Space and Recreation, Permanent” zoning for this property is one of the highest uses of property and the zoning should not be changed without a full EIR.

Adititionally, the major General Plan change you propose will have a City-wide affect on open space, as it will allow you to easily convert more open space to housing. That alone requires and EIR due to the extent of the changes it would force on Martinez residents.

Here is a link to all the reports on this project on the City website.

http://www.cityofmartinez.org/depts/planning/pine_meadows_subdivision_9358.asp

Please send something NOW to the City to get our concerns in the official record.

If you can, send me a copy of anything you send, so I can make sure the City includes it in the report.

Help protect our open space. The Council has already approved 3 major high density projects in Martinez that are being built now. There is no need for this project, and it will make open space a target forever more.

Tim Platt

Response to Comment EE Stephen Lao, Citizen/Neighbor

Response: The commentator's opposition to the Pine Meadows project is noted. Please refer to Response to Comments B, I and N regarding the proposed change in land use to allow residential uses. The comment does not contain any specific comments on the merits of the environmental document so no further response is required.

Laura Austin

From: Dina Tasini [dinasini@comcast.net]
Sent: Monday, April 21, 2014 10:19 AM
To: Laura Austin
Subject: Fwd: Comments on Vine Hill Project—Pine Meadows

Another one

Sent from my iPhone

Begin forwarded message:

From: Tim Platt <tim_mart2001@yahoo.com>
Date: April 21, 2014 at 8:40:24 AM PDT
To: dinasini090110 <dinasini@comcast.net>
Subject: Comments on Vine Hill Project—Pine Meadows
Reply-To: Tim Platt <tim_mart2001@yahoo.com>

4/201/14

Attn: Dina Tasini
Re: Comments on Vine Hill Project—Pine Meadows

Dina,

General

The Mitigated Negative Declaration/Initial Study is deficient in several particulars in my opinion, but the main deficiency that affects all of the environmental factors is that all analysis and comparisons are made to the additional impact the 100 house development would have over current use. The proper comparison should include looking at alternative, best-uses of the site based upon the existing zoning of "Open Space & Recreation, Permanent". The 100 house impacts should be compared to best-use impacts which will be less than the impacts from current use.

Comparing alternative uses to a proposed project is one of the functions of a complete EIR, and therefore an EIR is necessary for this project.

These alternative uses need to be studied in an EIR before rezoning from Open Space to housing is allowed.

Additionally, the General Plan amendments that the project proposes require a separate EIR and analysis, as the amendments have a city-wide affect that could be much more significant on every one of the environmental factors. These General Plan amendments will potentially affect a large number of open space and recreation areas throughout the city and her sphere of influence.

Pushing a major General Plan change through like this should not be allowed and is poor public policy. It is unfair to the public. A full and separate EIR for these General Plan amendments is necessary.

Up-zoning this property from “Open Space & Recreation, Permanent” to housing use will certainly benefit the developer and land owner. Other alternative uses that will benefit the community, or reduce impacts on the community should be rigorously explored before granting this boon to the developer and land owner. This is an additional reason a separate EIR that will look at best-use alternatives needs to be done.

All comparisons in the Negative Declaration should not be to current site conditions and uses, but to best-use alternatives. The findings in the Negative Declaration are therefore not valid. An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

I believe there are deficiencies in this Negative Declaration and reports, and that a full EIR is required.

The EIR is also needed because of the widespread effects of the project’s General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

Following are additional comments on the analysis of various environmental factors. These comments are in addition to the general comments I have made above which pertain to every one of the environmental factors. All comparisons in the Negative Declaration should not be to current site conditions and uses, but to best-use alternatives. The findings in the Negative Declaration are therefore not valid.

IV. Biological Resources

The report points out the site’s potential for being a home to flora and fauna that are native to the area. Several are endangered species. Also certain natural and man-made features of note already exist, including many mature trees, a man-made pond with wetlands and a rolling topography..

“nesting birds may utilize the trees and open areas”

“Suitable habitat for one species, the California red-legged frog (*Rana draytonii*, CRLF) is present...”

“A total of 65 rare plants are listed as occurring within a nine-quadrangle area surrounding the project site.”

"The project site does provide suitable nesting and foraging habitat for a variety of birds, both special-status and non-special-status, but protected under the Migratory Bird Treaty Act (MBTA). The trees on the project site might provide nesting habitat for special-status birds, including Cooper's hawk (*Accipiter cooperii*) and white-tailed kite (*Elanus leucurus*). Shrubs and small trees on site also provide nesting habitat for a variety of birds protected under the MBTA, including western bluebird (*Sialia mexicana*), American goldfinch (*Carduelis tristis*), oak titmouse (*Baeolophus inornatus*) and others.

There are a variety of raptors and/or birds protected by the MBTA that could utilize this habitat for nesting or foraging. The project would eliminate foraging habitat on the project site and would require the removal of all trees."

"the presence of wetland vegetation"

"The largest tree measured 178 inches in circumference... 47 trees protected under the Martinez Municipal Code"

The project will severely degrade the site's current and potential value as a natural resource.

"The proposed project would include alteration of the topography on the entire project site"

"The proposed project would result in the loss of 47 trees protected under the Martinez Municipal Code Title 8 Health and Safety Chapter 8.12 Preservation of Trees on Private Property - Preservation, Protection and Removal."

When compared to best use of this site while retaining existing zoning, the proposed 100 house project would have significant impacts on all sections of this environmental category. Section a. and b. and e. are significantly affected. The reuse of the pond and wetlands in a best-use alternative would make c. an impact section.

Section e. is also directly affected, and would be much more severely affected, if alternative uses were explored.

Our community unfortunately currently has no Habitat Conservation Plan, Natural Community Conservation Plan, or other approved habitat conservation plan, to the best of my knowledge. Also none is proposed in the update to the General Plan which is in process now.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

II. Agriculture and Forest Resources

There are forested areas on the property. A potential use for the property were it to remain open space, could include tree planting. This would POSITVELY impact air quality and global warming/climate change.

Instead the project will remove 47 heritage trees and an unknown quantity of other oxygen-producing plant life. Their removal will have a measureable NEGATIVE impact on air quality and global warming/climate change.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

III. Air Quality

The project area has the potential to reduce even the current air quality impact of the site, and actually have a positive effect on the environment, were it to be retained and enhanced as an open space area.

This 100 house project when completed is predicted by the report to generate approximately 3,271,400 pounds of Greenhouse Gas per year.

"... proposed project operations would result in estimated operational GHG emissions of 1,487.6 metric tons per year of GHGs."

Potential other uses of this property could actually REDUCE the GHG production of this area below what it is now, and have a positive effect on our community.

The 100 house project unmitigated Reactive Organic Gas (ROG) level exceeds air quality standards. Mitigation reduces that affect, but alternative use such as the current zoning encompasses could lead to a reduction in ROG to below the current levels and therefore to below the predicted mitigated levels.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

IX. Hydrology/Water Quality

The proposed development will dramatically increase the amount of impervious surface on the property, with resultant problems of run-off and degradation of the site capability to filter pollutants out of the water.

"The proposed project would increase impervious surfaces throughout the project site. The proposed project would require the installation of storm drainage infrastructure to ensure that storm waters properly drain from the project site."

Alternative uses could enhance the earth's natural ability to both filter natural water flow, and protect against flooding from excess runoff. Additionally, the lack of housing will reduce the toxic components that will enter the water stream from accumulation of toxic substances, oil/fertilizers/paint/etc., in the streets and at house sites.

The use of the property as open space will also reduce the fertilizer usage that occurs on the property now.

This entire section should be analyzed against alternative uses which could actually improve the site's ability to be hydrologically important.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

X. Land Use/Planning

Section b.

“The project site is designated as an Open Space & Recreation land use with a “Permanent” designation. The development of a residential subdivision in an area with such a designation is inconsistent with this policy ...”

This requires a finding of “Potentially Significant Impact”.

This policy change of rezoning open space for housing, both for this project and for other projects through the on-going effects of the project’s General Plan amendments, would have dramatic effects on ALL the environmental factors of this Negative Declaration, and must be reviewed via EIR for impact.

The policy change poses a “Potentially Significant Impact”, not a “Less Than Significant with Mitigation Incorporation”. This applies to both this project and to the proposed General Plan amendment.

This policy change sets a horrible precedent. It would allow City Council conversion of other open space areas, and would be a precedent to allow the City Council to change other sections of the General Plan pertaining to Open Space.

Open space has never been successfully attacked this way before in Martinez. Opening this door would allow more extensive conversion of other categories of open space.

We have a proud history of protecting and enhancing open space. John Muir would be appalled at our change in direction, I believe. As would those citizens who fought to protect Hidden Lakes, the Westair tree lane, the Franklin Hills, the numerous open spaces in southwest Martinez, the Alhambra Hills, to name a few.

This policy change of the General Plan amendments would have dramatic effects on ALL the environmental factors in this Negative Declaration, and should be reviewed for impact via an EIR.

Additionally, this is a major deviation in the land use for this parcel. This type of deviation also has never been done before in our town. The major nature of is change makes it an impact that cannot be mitigated, and demands an EIR.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

XIII. Population and Housing

Section a.

This project and the General Plan amendments it incorporates are growth inducing. This project must be considered with the other housing projects in process now.

The proposed General Plan amendments themselves are growth-inducing, and their growth-inducing affects must be analyzed separately. When the potential affects of rezoning open space to housing development are reviewed, the Franklin Hills, Costanza open space, Freitas open space and other protected areas may be wholly or partially susceptible to housing development that would have serious impacts.

An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

XVIII. Mandatory Findings of Significance

This environmental factor can only be answered when the 100 house project is compared with best-use alternatives that fit within the existing zoning.

Additionally, the possibility of "Potentially Significant Impacts" needs to be determined separately for the proposed General Plan amendments that will potentially have a much greater and broader impact on our community.

This environmental factor can only be determined based on separate EIRs for both the General Plan amendments and the 100 house project.



An EIR is necessary to look at other alternatives, some of which can be very beneficial to the community. These alternatives should be the basis for all comparisons and analysis of impacts. Therefore the Negative Declaration comparisons are understated, and falsely rate the 100 house project higher than it should be.

The EIR is also needed because of the widespread effects of the project's General Plan amendments can have on the extensive open space areas in Martinez and her sphere of influence.

Analyzing only the proposed 100 house project gives a totally false understanding of what the best use of this land is BEFORE IT IS REZONED. That best use may not require rezoning. The Negative Declaration findings will change, if best-use alternatives are used as the basis for comparison.

Sincerely,

Tim Platt

Response to Comment FF Tim Platt, Citizen/Neighbor

Response: The City recognizes that there are citizen/neighbor concerns with the proposal to develop a residential project on a site that is currently designated as OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation. Please refer to Response to Comments B, I and N regarding the proposed change in land use from open space to residential uses on the project site.

We recognize that citizen/neighbors have various recommendations for alternatives; however, the Final MND does not include an alternatives analysis, as this is not a required component of the document. The commentor has the opportunity to provide its recommendation for open space uses on the project site, as well as other sites, or to provide alternatives to the project, at the hearings for this project. The Final MND is an analysis of what was proposed by the project Applicant.

Please refer to Response to Comment H explaining why an EIR was not prepared for the project.

After preparation of the March MND, the applicant revised the project to reflect 99 units as opposed to 100.

The CEQA guidelines require the analysis of the proposed project to the existing conditions. The CEQA guidelines do not require the analysis to be a comparison of the proposed project to “best-use alternatives” as suggested by the commentor. There is no requirement for an alternatives analysis to be performed in an initial study. Additionally, an initial study does not “rate” a project, it simply analysis the proposed project for each topic presented in Appendix G of the CEQA Guidelines. The commentor has the opportunity to provide their recommendation for the project site, as well as other sites, or to provide alternatives to the project, at the hearings for this project. The Final MND is an analysis of what was proposed by the project Applicant.

The proposed project impacts to Biological Resources are analyzed in the Final MND on pages 33 to 41. The proposed project impacts to Agricultural and Forest Resources are analyzed in the Final MND on page 21. The proposed project impacts to Air Quality are analyzed in the Final MND on pages 22 to 32. The proposed project impacts to Hydrology/Water Quality are analyzed in the Final MND on pages 58 to 61. The proposed project impacts to Land Use/Planning are analyzed in the Final MND on pages 62 to 70. The proposed project impacts to Population and Housing are analyzed in the Final MND on



page 83. The Mandatory Findings of Significance are presented in the Final MND on pages 107 to 108.

EXHIBIT C
PLANNING COMMISSION RESOLUTION PC _____
APPROVED MITIGATION MONITORING PLAN

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
A. AESTHETICS					
<p><u>AES-1:</u> To minimize visual impacts of the buildings from the backyards of existing residents, the project proponent shall implement the following first story and second story building setbacks on Lots 1-23</p> <ul style="list-style-type: none"> - First Story Setback: Backyard setbacks to the first story of a building on Lots 1-23 shall not be less than 30 feet from the backyard property line; - Second Story Setback: Backyard setbacks to the second story of a two-story building on Lots 1-23 shall be not less than 35 feet from the backyard property line. Note: the second story setback requirement does not prohibit the construction of a single story portion of a two story building in accordance with the above requirement for a first story setback. 	City of Martinez Planning and Building divisions	Prior to the issuance of building permits for each home.	<p>Planning review of architectural plans for consistency with setback requirements as detailed in AES-1</p> <p>Design Review Committee to review setbacks as final design review process, Planning Commission to approve design</p>		
<p><u>AES-2:</u> Outdoor lighting at the residential lots, including building and landscape lighting, shall be designed so that light is not directed off the site (ie onto adjacent lots or into the public right-of-way) and the light source is shielded downward from overhead viewing and from direct off-site viewing. Light spill and glare shall not exceed 0.1 foot-candle on adjacent properties or the public right-of-way. These requirements shall be shown on the plot plans for each single family unit.</p>	City of Martinez Planning, Engineering and Building Divisions	Prior to final occupancy	Submit a lighting plan for review by the Planning, Building and Engineering division with photometrics		
<p><u>AES-3:</u> Street light fixtures shall use LED or other similar lighting fixtures approved by the City of Martinez and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane of the light</p>	City of Martinez Planning/Engineering Divisions	As part of review of plans. Review of lights and approval in the field as part of inspec-	Verify in the field.		

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
source. High- Intensity discharge lamps shall be prohibited. Street lighting plans shall be submitted with project improvement plans for City review and approval.		tion and final approval.			
<u>AES-4:</u> Building Plans shall incorporate materials that minimize glare to the extent feasible. Metal siding for roofing shall be prohibited, unless paint or other non-glare materials are applied to the material to minimize glare. Building plans shall be submitted to the City for review and approval	City of Martinez Building Department	During plan check	Prior to building permits.		
B. AIR QUALITY & GREENHOUSE GAS EMISSIONS					
<p><u>AIR-1:</u> The following mitigation measure shall be implemented:</p> <p>Water all active construction areas (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least twice daily.</p> <p>Cover all trucks transporting soil, sand, or other loose material off-site or require all trucks to maintain at least two feet of free-board.</p> <p>All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</p>	City of Martinez Building Division	Ongoing throughout grading and/or construction activity	Make regular site visits to the project site to ensure that all dust control mitigation measures are being implemented		

PINE MEADOW MITIGATED NEGATIVE DECLARATION

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p><u>AIR 2:</u> Prior to approval of improvement plans, the project applicant shall submit an Air Quality Impact Assessment to the BAAQMD for an Indirect Source Review. The submittal shall be subject to the BAAQMD fees. The project applicant shall consider opportunities for incorporating renewable energy sources into buildings as an emissions offset option. The BAAQMD shall consider all mitigation incorporated into the design, as well as the mitigation measures and conditions of approval incorporated into the project through the CEQA process. The intent of the Indirect Source Review is to require payment to the BAAQMD as compensation for the air quality impact, and for the compensation to then be used by the BAAQMD to fund programs and measures within the region that would directly and/or indirectly reduce emissions on behalf of the project.</p>					
<p><u>AIR-2:</u> As part of the City’s design review and entitlement process, the City shall require future building plans to implement the following:</p> <ul style="list-style-type: none"> • Only natural gas burning fireplaces shall be installed in the housing units to reduce Area Source criteria pollutants • Only low Volatile Organic Compound paint (150 g/L) interior and exterior shall be used on the project site • The developer shall install high efficiency appliances • The developer shall install low flow faucets, toilets and showers • The developer shall install water efficient irrigation systems 	<p>City of Martinez Building and Planning Divisions</p>	<p>During plan check, site inspection and before finalization of buildings.</p>			

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
C. BIOLOGICAL RESOURCES					
<p><u>BIO-1</u>: If project construction activities, including vegetation clearing, are to occur during nesting season for birds protected under the California Fish and Game Code and Migratory Bird Treaty Act (approximately March 1-August 31) the project applicant shall retain a qualified biologist to perform preconstruction surveys for protected birds, including nesting raptors, on the project site and in the immediate vicinity. At least two surveys shall be conducted no more than 15 days prior to the initiation of construction activities, including vegetation clearing. In the event that protected birds, including raptors, are found on the project site, offsite improvements corridors, or the immediate vicinity, the project applicant shall:</p> <ul style="list-style-type: none"> • Locate and map the location of the nest site. Within 2 working days of the surveys prepare a report and submit to the City and CDFW • A no disturbance buffer of 250 feet shall be established • On- going weekly surveys shall be conducted to ensure that the no disturbance buffer is maintained <p>In the event of destruction of a nest with eggs, or if a juvenile or adult raptor should become stranded from the nest, injured or killed, the qualified biologist shall immediately notify the CDFW. The qualified biologist shall coordinate with the CDFW to have the injured raptor recovery center or, in the case of mortality, transfer it to the CDFW within 48 of notification. If directed/authorized by the CDFW during notification, the qualified</p>	<p>City, Applicant and CDFW</p>	<p>Applicant</p>	<p>Provide monitoring schedule to City and CDFW when required</p>		

PINE MEADOW MITIGATED NEGATIVE DECLARATION

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>biologist may transfer the injured raptors to a raptor recovery center.</p>					
<p><u>BIO-2</u>: A tree and building preconstruction survey for bat roosting habitat shall be conducted by a qualified biologist 15 days prior to commencing construction. Tree canopies and cavities and any structures slated for removal shall be examined for evidence of bat roosting. All bat surveys shall be conducted by a biologist with known experience surveying bats. If no bats are found during the survey, structure demolition and tree removal work shall be conducted within one month of the survey.</p> <p>If a maternity colony is found during the surveys, the project proponent shall consult with CDFW. No eviction/exclusion shall be allowed during the maternity season (typically between April 15 and July 30), and impacts to this tree/structure shall be avoided until the young have reached independence. If a non-reproductive group of bats are found within a building or roost tree, the project proponent will consult with CDFW, and they shall be evicted by a qualified biologist and excluded from the roost site prior to work activities during the suitable time frame for bat eviction/exclusion (ie. February 20 to April 14, and July 30 to October 15).</p>	<p>City of Martinez</p>	<p>Prior to issuance of a grading permit and during all construction activity</p>	<p>Confirm preconstruction survey has been completed and an analysis of the results has taken place.</p>		
<p><u>BIO-3</u> If a tree removal permit is granted for the removal of the 47 trees on the project site that are protected under the Martinez Municipal Code (Title 8 Health and Safety Chapter 8.12 Preservation of Trees on Private Property - Preservation, Protection and Removal), the project applicant shall re-plant at a 3:1 ratio (141 trees) on the project site. The trees shall be indigenous tree species (i.e. Q. agrifolia (cost live oak), Q. douglasii (blue oak) and Q. lo-</p>	<p>City of Martinez</p>	<p>Trees planted in fall after irrigation installed and monitored</p>	<p>Confirm replacement trees are planted and maintained consistent with planting plan</p>		

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>bata (valley oak)) and shall be 24 inch box at a minimum. The 141 trees shall be planted in the landscape buffer area located along Vine Hill Way, Center Avenue, and Morello Avenue so that they also function to provide visual relief from adjacent properties.</p>					
D. CULTURAL RESOURCES					
<p><u>CULT-1</u> If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts/features, and paleontological sites) are discovered work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Martinez shall be notified, and a qualified archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology (or a qualified paleontologist in the event paleontological resources are found) shall be retained to determine the significance of the discovery. The City of Martinez shall consider recommendations presented by the professional for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Specific measures are developed based on the significance of the find.</p>	Project Contractor	During grading and construction	Ensure that all work is halted if any archaeological materials are encountered and the measures detailed are followed		
<p><u>CULT-2:</u> If any human remains are found during grading and construction activities, all work shall be halted immediately within 50 meters (165 feet) of the discovery and the County</p>	Project Contractor	During grading and construction	Ensure that all work is halted if any paleontological resources are		

PINE MEADOW MITIGATED NEGATIVE DECLARATION

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. Additionally, if the Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required and, if required, shall be retained at the applicant's expense.</p>			<p>encountered and the measures detailed are followed</p>		
<p>E. GEOLOGY AND SOILS</p>					
<p><u>GEO -1:</u> The project proponent shall incorporate the recommendations from the Geotechnical Feasibility Investigation and Supplemental Grading Recommendations into project plans and specifications. In addition, prior to earthmoving activities, a certified geotechnical engineer shall be retained to perform a geotechnical evaluation of the soils at a design-level as required by the California Building Code Title 24, Part 2, Chapter 18, Section 1803.1.1.2 related to expansive soils and other soil conditions. The evaluation shall be prepared in accordance with the standards and requirements outlined in California Building Code, Title 24, Part 2, Chapter 16, Chapter 17, and Chapter 18, which addresses structural design, tests and inspections, and soils and foundation standards. The geotechnical evaluation shall include design recommendations to ensure that soil conditions do not pose a</p>	<p>Project Applicant/Contractor</p>	<p>Project Contractor/City</p>			

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>threat to the health and safety of people or structures. The grading and building plans shall be designed in accordance with the recommendations provided in the geotechnical evaluation.</p> <p><u>GEO-2:</u> The Project Applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Martinez and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</p>					
<p>F: HAZARDS AND HAZARDOUS MATERIALS</p>					
<p><u>HAZ 1:</u> All construction activities must have designated staging/maintenance areas, standard operating proce-</p>	Contractor/City	City			

PINE MEADOW MITIGATED NEGATIVE DECLARATION

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>dures, and emergency response planning. To minimize the potential for accidental spills from equipment and to provide for a planned response in the event that an accidental spill does occur, the project proponent shall implement the following construction best management practices:</p> <ul style="list-style-type: none"> • Designate a restricted area for on-site fueling of vehicles and construction equipment, and for handling and storage of hazardous materials; • The restricted area must be equipped with a spill containment basin; • Maintain spill cleanup equipment onsite; and, • Ensure that construction personnel are trained in proper material handling, cleanup, and disposal procedures. <p><u>HAZ 2:</u> All demolition activities shall be performed in accordance with the Bay Area Air Quality Management District Regulation 11 Hazardous Pollutants, Rule 2 Asbestos Demolition, Renovation, and Manufacturing. The purpose of this Rule is to control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures. These requirements specify the appropriate methods for survey, demolition/removal, and disposal of asbestos materials to control emissions and prevent hazardous conditions. Specifications developed for the demolition activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements.</p> <p><u>HAZ 3-</u> Prior to demolition or renovation activities that may</p>					

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
<p>disturb suspect lead-based paint (LBP), actual material samples shall be collected or an XRF survey performed in order to determine if LBP is present. It should be noted that construction activities that disturb materials or paints containing any amount of lead are subject to certain requirements of the Occupational Safety and Health Administration (OSHA) lead standard contained in 29 CFR 1910.1025 and 1926.62. If lead-based paint is identified, the paint shall be removed by a qualified lead abatement contractor. Specifications developed for the demolition activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements.</p> <p><u>HAZ 4:</u> Prior to grading, mechanical excavation and disposal of the diesel and oil range petroleum hydrocarbons release (area of the petroleum product storage shed) shall be completed by a qualified contractor. Specifications developed for the excavation and disposal activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements. Confirmation soil samples following excavation shall be performed to confirm that the release has been effectively removed.</p>					
<p>G. HYDROLOGY/WATER QUALITY</p>					
<p><u>HYD 1:</u> The storm drainage plan shall be designed and engineered to ensure that post-project runoff is equal to or less</p>	Contractor	City of Martinez			

PINE MEADOW MITIGATED NEGATIVE DECLARATION

Mitigation Measure	Monitoring Responsibility	Monitoring Schedule	Monitoring Procedure	Date Completed	Initials
than pre-project runoff. The applicant shall provide the City Engineer with all stormwater runoff calculations with the improvement plan submittal.					
H. NOISE					
<u>NOISE-1</u> : All project construction activities shall comply with the City of Martinez Municipal Code requirements for construction noise which limits noise generating construction activities to the hours between 7:00 a.m. and 7:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays, Sundays, and holidays.	City of Martinez Building Department	As needed	Observe construction activities at site and confirm compliance with measure		
<u>NOISE-2</u> : All construction equipment utilizing combustion engines shall be equipped with "critical" grade (rather than "stock" grade) noise mufflers or silencers that are in good condition. Back up "beepers" shall be tuned to insure lowest possible noise levels while also serving the safety purpose of the backup sound indicator.	City of Martinez Building Department	Prior to issuance of building permits	Observe construction activities and confirm compliance with measure		
<u>NOISE-3</u> : Stationary noise sources shall be located at least 300 feet from any occupied residential dwellings unless noise-reducing engine housing enclosures or other appropriate noise screens are provided.	City of Martinez Building Department	During construction	Observe construction activities and confirm compliance with measure		

F:\Community Development\All Projects\MAJOR SUBDIVISIONS\Sub-9358 - Pine Meadows approved-MMMP



STAFF REPORT

TO: PLANNING COMMISSION

PREPARED BY: Dina Tasini, Planning Manager

GENERAL INFORMATION

OWNER/APPLICANT: DeNova Homes

LOCATION: 451 Vine Hill Way

GENERAL PLAN (Hidden Lakes Specific Area Plan): **Existing:** OS/R-Open Space and Recreation, Permanent
Proposed: R-0-6- Residential

ZONING: **Existing:** M-OS/RF (Mixed Use Open Space/ Recreational Facilities)
Proposed: R 7.5/PUD (Residential, 7,500 sq. ft. site area per unit/Planned Unit Development Overlay)

ENVIRONMENTAL REVIEW: The attached initial study evaluating this project's environmental impact was prepared and circulated as required by the California Environmental Quality Act (CEQA). The initial study found the project would not have a significant impact, with the proposed mitigation measures, and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared.

A 30 day public review period for the Mitigated Negative Declaration/ Initial Study commenced on March 14, 2014. Subsequently, revisions have been made to the Initial Study to correct the sanitary sewer service provider and the school district that would serve the proposed project. Based on the revisions to the Mitigated Negative Declaration/Initial Study, the document was recirculated on March 21, 2014 for a 30-day public review period ending on April 21, 2014.

PROPOSAL: The proposed project is General Plan Amendments, Rezone, and a Vesting Tentative Map (Figure 3) that would permit the development of 99 single family residential units on

approximately 25.9 acres at the intersection of Center Avenue and Vine Hill Way. The proposed project would also require a tree removal permit to remove 47 trees protected under the City of Martinez Tree Protection Ordinance. The project applicant has submitted a preliminary landscape plan, preliminary grading and drainage plan, preliminary utility plan, preliminary stormwater control plan, and a preliminary tree removal and demolition plan. These preliminary documents are contained in Attachment A.

The 25.9-acre project site (APN 162-020-019) is located within the City of Martinez and currently has an OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation.

The proposed project would require a General Plan Amendment to change the land use designation from OS to R 0-6. The proposed project would require a rezone from M-OS/RF to R-7.5.

The proposed project contemplates lot sizes that range from 5,800 square feet to 13,046 square feet with an average of 7,100 square feet. The overall site density is one dwelling unit per 11,282 square feet. Special consideration has been taken to create a visual buffer and open space amenity between the subdivision and the existing neighborhood. Along Center Avenue and Vine Hill Way, the preliminary landscape plan includes a meandering walking trail surrounded by landscaping.

The applicant has also proposed General Plan text amendments to two policies, one within the General Plan Land Use Element, and one within the Hidden Lakes Specific Area Plan. The proposed text changes are as follows:

General Plan Land Use Element

□ 21.21 Land to remain for open uses is designated Public Permanent Open Space or Open Space/Conservation Use Land. These designations shall apply where the following conditions are prevalent: natural conditions such as steep or potentially unstable slope, hazardous geologic conditions, watershed stability and floods hazard, seismic hazard, and fire hazard, which constitute major constraints to development or threats to life and property, where soils, land forms, vegetation, watersheds, creekways, and water bodies combine to provide either a significant habitat for wildlife or agricultural resource

and where land forms, vegetation, waterways and surfaces constitute a major scenic and recreational resource which should be preserved either for purposes of public use or protection and shaping of the scenic setting of the community. This designation shall not apply to the private golf course.

Hidden Lakes Specific Area Plan

~~32.32 The existing golf course is an appropriate use within the Plan area.~~

The proposed project would connect to existing City infrastructure to provide water, and storm drainage utilities. The Mountain View (MVSD) would provide wastewater collection, treatment, and disposal services. Police protection service would be provided by the City of Martinez. Contra Costa County Fire Protection District (CCCFPD) would provide fire protection service. School services would be provided by the Mt. Diablo Unified School District. The project site currently has gas and electricity provided by Pacific Gas & Electric, which will continue to provide these services to the future residences.

The recommendations that the Planning Commission is making to the Martinez City Council relate to the following actions:

- a) Adoption of a Negative Declaration pursuant to CEQA;
- b) Adoption of amendments to the Martinez General Plan Land Use Map to amend the existing land use map designation of "Open Space and Recreation, Permanent" to "Residential: 0-6 Units/Gross Acre";
- c) Adoption of an amendment to the Hidden Lakes Specific Area Plan to delete Section 32.32 ~~"The existing golf course is an appropriate use with the area."~~
- d) Adoption of an amendment to the General Plan Land Use Element Section 21.21 to include the following: This designation shall not apply to the private golf course.
- e) Rezoning to R-7.5/PUD Overlay (Family Residential, minimum 7,500 square feet of site area per dwelling unit/Planned Unit Development Overlay);
- f) Approval of a PUD Plan, allowing exceptions to the normally required lot size, density, minimum yard requirements and maximum height and site coverage limitations R/7.5 Zoning District.
- g) Approval of a Vesting Tentative Map for a 99-unit Major Subdivision.

PROJECT DESCRIPTION

The project site, which consists of a golf course, pro shop and restaurant, is located on the southwest corner of the intersection between Vine Hill Way and Rolling Hill Way. The project site totals approximately 25.9 acres and is improved with a single-story building totaling approximately 2,634 square feet. The project site is currently occupied by Pine Meadow's Golf Course. On-site operations include golfing, golf course maintenance, retail, and food service activities. In addition to the single-story building, the project site is improved with several storage units and maintenance sheds, a pond, asphalt-paved parking areas and associated landscaping.

The proposed project requires the approval of two General Plan Amendments, Rezoning, and a Vesting Tentative Map that would allow for the development of 99 single family residential units on approximately 25.9 acres at the intersection of Center Avenue and Vine Hill Way. The proposed project would also require a tree removal permit to remove 47 trees protected under the City of Martinez Tree Protection Ordinance. The project applicant has submitted a preliminary landscape plan, preliminary grading and drainage plan, preliminary utility plan, preliminary stormwater control plan, and a preliminary tree removal and demolition plan. These preliminary plans are attached as Exhibits.

The project site currently has an OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation. The proposed project would require a General Plan Amendment to change the land use designation from OS to R 0-6. The proposed project would also require a rezone from M-OS/RF to R-7.5.

The proposed project contemplates lot sizes that range from 5,700 square feet to 14,000 square feet with an average of 7,100 square feet. The overall site density is one dwelling unit per 11,282 square feet. Special consideration has been taken to create a visual buffer and open space amenity between the subdivision and the existing neighborhood. Along Center Avenue and Vine Hill Way, the preliminary landscape plan includes a meandering walking trail surrounded by landscaping.

GENERAL PLAN AMENDMENTS

The proposed application includes General Plan text amendments to two policies, one within the General Plan Land Use Element, and one within the Hidden Lakes Specific Area Plan. The proposed text changes are as follows:

General Plan Land Use Element

- 21.21 Land to remain for open uses is designated Public Permanent Open Space or Open Space/Conservation Use Land. These designations shall apply where the following conditions are prevalent: natural conditions such as steep or potentially unstable slope, hazardous geologic conditions, watershed stability and floods hazard, seismic hazard, and fire hazard, which constitute major constraints to

development or threats to life and property, where soils, land forms, vegetation, watersheds, creekways, and water bodies combine to provide either a significant habitat for wildlife or agricultural resource and where land forms, vegetation, waterways and surfaces constitute a major scenic and recreational resource which should be preserved either for purposes of public use or protection and shaping of the scenic setting of the community. This designation shall apply to the private golf course.

Hidden Lakes Specific Area Plan

- ~~32.32 The existing golf course is an appropriate use within the Plan area.~~

The proposed project would connect to existing City infrastructure to provide water, and storm drainage utilities. The Mt View (MVSD) would provide wastewater collection, treatment, and disposal services. Police protection service would be provided by the City of Martinez. Contra Costa County Fire Protection District (CCCFPD) would provide fire protection service. School services would be provided by the Mt. Diablo Unified School District. The project site currently has gas and electricity provided by Pacific Gas & Electric, which will continue to provide these services to the future residences.

OPEN SPACE

Parcels within General Plan and zoning designations of open space can be publicly or private owned. But, Open Space properties precluded from development are not always zoned Open Space. There are several tools used to distinguish open space from other uses such as land ownership (City, private non-profit organizations, East Bay Regional Park District or a Home Owner's Association). Permanent Open Spaces created independent of the development process are usually acquired by public agencies or non-profit entities to eliminate the potential of future development, with the goal of securing existing conditions in perpetuity. Some examples include the City's Parks and EBRPD's holdings in the Franklin Hills, and the US Park Service's Mt Wanda unit of the John Muir Historic Site. These areas are usually zoned Open Space or Recreational Facility.

Occasionally, private lands are designated Open Space to simply document the current land use of a parcel, and where future and ultimate developed potential has not been determined by public purchase or granting of easements. The Pine Meadows Golf Course parcel may be the only intentional example of land in Martinez where an Open Space designation was imposed over 30 years ago, but the private property interest has never ceded to the City to preclude other land uses for this parcel.

BACKGROUND AND HISTORY OF THE PROJECT SITE

Pine Meadow Golf Course was privately built as a public golf course in the 1960's. The property was annexed into the City in 1970 with properties (Hidden Lakes Area) which were later developed into single family homes. The area is predominately residential and the golf course is still owned and operated by the original property owner's family.

During the General Plan Amendment process in 1973 the property was designated Open Space/Recreation, Permanent as part of the Hidden Lakes Study Area. There have been no changes to the site's land use designation since 1973.

GENERAL PLAN TASK FORCE

In 2010, a 19 member task force was created to assist in the drafting of the General Plan. The task force was comprised of residents and representing a wide breadth of knowledge. The task force considered several areas for potential change. The Pine Meadows Golf Course was one of those areas and early in the review it was determined to be one of the areas of potential change. The task force was asked to consider if the options for reuse of the property if the operator of the property wished to cease operation. During these discussions most of the task force members opined that if the golf course was developed that single family residential was appropriate but that the development should include buffers along the edges, opportunities for aging in place (one story single family residences) and agreed that if the golf course is no longer viable or profitable the owners could be permitted to develop the property to the residential development similar to that which around the existing development but consider a planned unit development and perhaps some clustering with a mix of housing types.

SITE and CONTEXT DESCRIPTION

The project site is located within a residential area that is fully developed except this parcel. The majority of the developments in the area were completed in the 1970's and 80's. Some of the existing lots are larger in particular the homes immediately to the South on Center Avenue and Vine Hill Way south of Center Avenue.

In addition to the standards and criteria provided by the Hidden Lakes Specific Area Plan, and the familiar sections of the City's Zoning and Subdivision Regulations, the proposed project will be subject to the City's recently revised "Planned Unit Development (PUD)" regulations, which were adopted by the City Council in September 2010. The most significant changes from the previous Planned Unit Development (PUD) review processes are:

- The PUD is now an "overlay zoning district," to be either approved or denied by the City Council, after receiving a recommendation from the Planning Commission. (Previously, the PUD was approved by the Planning Commission as a Use Permit).
- All actions linked to the PUD, including but not limited to the General Plan amendment, rezoning of the underlying "base" zoning district (e.g. rezoning from Open Space to R/7.5) – as well as the Vesting Tentative Map – are also to be either approved or denied by the City Council, after receiving a recommendation from the Planning Commission.
- Design Review Approval of architectural finishes may be deferred to separate Planning Commission action subsequent to PUD approval. This option was created, and the applicant has chosen this approach - as a means of focusing PUD review on the larger question of site planning, which includes but is not limited to: on-site circulation, building placement, building massing (e.g. height, width as would normally be determined by conventional zoning regulations) and provision open

space/recreation space.

STAFF ANALYSIS

The applicant has worked well with staff to resolve many of the site plan issues including review of the comment letters submitted in response to the Initial Study Mitigated Negative Declaration. The comment letters and responses are provided as Attachment B. The applicant has also, through the initial study process, agreed to a number of mitigation measures that will change setbacks along the northern portion of the property. As stated above, the applicant will return to Design Review Committee and Planning Commission for Design Review approval in the future. Specific areas of concern are discussed below:

TOPIC ONE – CHANGE IN GENERAL PLAN LAND USE DESIGNATION FROM OPEN SPACE TO RESIDENTIAL - AND CONSISTENCY WITH THE GENERAL PLAN

Staff provides the following, which is again more fully illustrated in the *Initial Study* provided:

The Martinez General Plan currently designates the site as Open Space and recreation, Permanent. The project is located within the Hidden Lakes Specific Plan Area. The Hidden Lakes Specific Plan area consisted of 565 acres of undeveloped pasture lands surrounded by residential subdivisions. The intent of the Specific Plan was to preserve the natural knolls and ridges. The project site has been a private golf course, the facility is not considered park land or preserve, the project site is not a significant knoll or ridge. The use of the property of the golf course for the past 50 years with its manicured greenways, building and parking areas enforces the concept that this property is not open space and its redesignation to residential will not impact the natural knolls and ridges. Instead the proposed redesignation and development of the property with single family homes is consistent with surrounding uses.

Amending the Hidden Lakes Specific Plan as proposed by the applicant pertains only to the golf course property and no other Open Space parcels in the area.

TOPIC TWO: ENVIRONMENTAL REVIEW

An Initial Study was conducted and circulated for review and comment. The City received thirty-two (32) comment letters on the Initial Study and Proposed Mitigated Negative Declaration (MND) dated March 2014 during the public comment period. All comments and responses will be considered by the City in their review of the proposed project

The California Environmental Quality Act (CEQA) does not require a lead agency to provide written responses to comments on a mitigated negative declaration. Nevertheless, the City, acting as the Lead Agency chose to prepare responses to

written comments received during the public review period for the March 2014 MND. Responses to comments received during the comment period do not involve any new significant impacts or significant new information.

TOPIC THREE- ZONING DESIGNATIONS AND PUD

The site's current zoning designation, is M-OS/RF (Mixed Use Open Space/Recreation Facilities) is consistent with the existing General Plan. The proposed designation of R 7.5/PUD overlay (Family Residential, 7,500 sq. ft. site area per unit) is consistent with adjacent subdivisions and the majority of residential subdivisions with the Hidden Lakes Specific Plan Area. The proposed site plan is generally consistent with the development standards of the R-7.5 District (including maximum density and minimum yards). The flexible standards of the PUD overlay are primarily needed for setbacks, lot sizes. During future Design Review discussions the Design Review Committee will propose design solutions and provide the Planning Commission the opportunity to approve the Final Design Review package.

The proposed project has some lot sizes and setbacks smaller than those permitted in the R 7.5 Zoning District, which allows a tighter grouping of lots in the center of the project site. In contrast, a project adhering to the conventional R 7.5 standards could have residences facing Vine Hill Way as opposed to the common landscape buffer being proposed along the exterior perimeter of the project site. The lot sizes range from 5077 square feet to 13,046 square feet and a combination of one and two story residences to add variety and interest to the streetscape. In addition, the homes (lots 1-23) along "A" Street will be located at a minimum of 10 feet from front property line to provide sufficient lot area for an increased rear yard of 30 feet and provide a street frontage that is not static. In addition, the application includes a generous landscape buffer at the entrance on Morello Avenue and preserves the slope and landscaping adjacent to lots 47-49 and 55.

In response to concern regarding the requested General Plan Amendment and Zone Change, staff reviewed the open space areas in the area and residential uses. Staff found that the majority of the single family residential developments in the area are similar and originally the golf course was created by the property owner with the thought he would run the facility for a long period of time and receive a tax benefit. The property was annexed into the City and during the General Plan process in the 1970's the public wished to preserve the majority of the hills and ridges as open space as a way to balance the proposed development of the area. The property owner of the project site saw the designation as a place holder and one that could be changed in the future.

One of the potentially significant conflicts is the development of new single family residences along the northern portion of the site immediately adjacent to the existing residential development. The proposed residence will be two stories however they will be setback 30 feet from the rear property line to provide an additional 10 feet of landscape buffer for the existing residences located below. Fortunately, the topography of the site can, in most cases, accommodate the second story along the property lines if the homes are set back an additional 10 feet and no balconies and or porches will be

place at the second story to insure limited privacy and noise impacts. But as previously discussed future design review discussions will provide more information regarding the stepping down of two buildings, at least, along the ridge to lessen visual impacts. Once the design has been developed staff will be better able to determine if the additional setback requirement solves the privacy issues raised by adjacent residents.

TOPIC FOUR– RELATIONSHIP TO NEIGHBORING USES

Adjacent properties are single family residential. The project site has been used as a golf course for the past 50 years. The existing single-family residences located to the north of the site along the property line will be impacted by the proposed of residences. However, as part of the required mitigation measures found in the Initial Study to set the residences back 30 feet from the rear property line and the existence of slope separating the existing homes from the property to the south, there will be no adverse impacts. During the future design review process staff will discuss the screening and visual aspects of the design of the rear yards and installation of fences along the property line will provide privacy for the existing and new residences.

The existing residences to the south along Vine Hill Way and Center Avenue will be buffered by a pedestrian walkway and enhanced landscaping. The rear yards facing both Vine Hill Way and Center Ave will be set back 20 feet from the property line and at least 60 feet from the sidewalk along the street frontage. In addition a 6 foot fence will be erected along the property line. However, as previously stated staff will be working with the applicant and the Design Review Committee to design structures that are properly screened and insure the existence of ample landscaping to buffer the street and limit visibility of the residences along the street.

ATTACHMENTS

- A. Initial Study October 2014 and attachments
- B. Responses to Comment Letters for Mitigated Negative Declaration March 2014
- C. Annexation Background
- D. Letter from Claudia Gallup received October 10, 2014

EXHIBITS

- Vesting Tentative Map (dated as received, June 16, 2014)
- Landscape Plan prepared by VTA Associates

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MEMORANDUM

DATE: November 12, 2014

TO: PLANNING COMMISSION

FROM: Dina Tasini, Planning Manager

RE: Pine Meadow (“The Meadows”) – Subdivision 9358
The proposed project is General Plan Amendments, Rezone, and a Vesting Tentative Map (Figure 3) that would permit the development of 99 single family residential units on approximately 25.9 acres at the intersection of Center Avenue and Vine Hill Way.

Background

On November 28, 2014 the Planning Commission held a public hearing, took testimony and requested that staff provide additional information related to parks and open space, tree removals and provide a brief discussion regarding any negotiations the City of Martinez had with respect to purchase of the property for public use.

Discussion

1. Land Use Context and Density

Per General Plan 32.4231 within the Hidden Lakes Specific Area Plan, comprised of 565 acres, development was permitted as a density of one dwelling unit per 7,500 square feet. There are approximately 1229 units within the Plan Area; the overall permitted density based on the SAP would be 3,277 units. The proposal of an additional 99 units could easily be accommodated dated within the permitted density.

2. Parks/Open Space

Staff further analyzed the existing land patterns within the Hidden Lakes Specific Plan Area to better understand the location and size of the existing open space areas. The areas analyzed included passive open space, active City parks and private recreation areas such as part of the Vine Hill Townhome development. The attached Map (Exhibit A) shows the existing open space areas. There are approximately 190 acres of open space areas within the 565 acre Hidden Lake Specific Plan Area.

Staff has provided the following chart depicting the existing park properties:

LIST OF PARKS MAINTAINED BY CITY

Name	acreage
Alhambra Park	0.55
Cappy Ricks Park	1.9
Ferry Point Picnic Area	3.8
Foothills Park	2.3
Golden Hills	9.6
Highland Avenue Park	0.25
Hidden Lakes Park	24
Hidden Valley Park	17
Hidden Valley Linear Park	2.3
Holiday Highlands Park	2
John Muir	7.4
John Muir Memorial Park	0.42
Main Street Plaza	0.45
Martinez Marina	60.0
Morello Park	7.1
Mountain View Park	4.5
Nancy Boyd Park	7.3
Plaza Ignacio Martinez	1
Rankin Park	42
Susana Street Park	1.2
Steam Train Display	0.25
Waterfront Park	31
Veterans Memorial Park	<u>0.2</u>
TOTAL ACREAGE	226.52

The City's Public Works Department oversees 169 acres of *developed* park space within the City. Since the 1980s the City established General Plan and resident ratio has been established as 5 acres of park space for every 1,000 residents. The City's population has been relatively unchanged over the past three decades, and remains approximately 36,000. Martinez residents currently enjoy 6.22 acres of park space per every 1,000 residents.

In addition, Martinez residents have access to over 410 additional acres of publicly accessible Open Space areas, such as the *Hidden Lake Open Space* properties. These natural areas are maintained by either by the City, East Bay Regional Parks District, and/or Muir Heritage Land Trust and provide local and regional trails that support hiking, biking, and horseback riding. There is no standard for required allocation of passive open space, as opposed to improved recreation areas (ie.parks).

3. Trees

The applicant proposes the removal of 38 trees. An arborist report was conducted in 2011 and provided background on the removal of 47 trees (arborist packet was provided as part of the November 22, 2014 Planning Commission meeting). The applicant provided an exhibit and table depicting the removal of trees in red with an associated tree number (attachment B). The largest concentration of trees to be removed is along Vine Hill Way and at the entrance to the project site. It may be possible for the applicant to save some of the trees (1302-1305) along Vine Hill Way closest to the entrance, by meandering or located the walkway greater distance from the drip line of the tree, but a site survey has yet to occur and therefore they are indicated on the tree survey exhibit as being removed. The largest oak tree slated for removal is tree #1338 which is a Valley Oak and measures 34.2 inches in circumference. The removal is necessary as part of road improvements. It may be possible for the applicant to save some of the trees by either changing configuration of the pedestrian pathway located along the perimeter of the site or through grading within the site and working carefully along the drip lines of some of the trees.

4. City Interest

The property owner and City discussed the purchase of the property as an informal discussion with staff. Staff has not been directed by the City Council to negotiate a purchase price with the property owner. We have no record of informal or formal discussions.

5. Recommendation

The public hearing was closed at the end of public testimony on November 12, 2014, the Planning Commission may open the public hearing to allow for additional public testimony because of the new information provided on the open space, parks and trees or chose to keep the public hearing closed receive a brief staff report summarizing any actions staff has taken and discuss the project, and make a recommendation regarding the General Plan Amendment, Rezoning and Planned Development as was provided on November 12, 2014.

Attachments:

1. Draft Resolution & Conditions of Approval

Exhibits

- A. Open Space Map
- B. Tree Exhibit (2 Pages)



MEMORANDUM

TO: DESIGN REVIEW COMMITTEE
FROM: PLANNING STAFF
DATE: DECEMBER 10, 2014
RE: DESIGN REVIEW OF A PROPOSED PLANNED UNIT DEVELOPMENT OF 99 UNIT LOCATED AT 451 VINE HILL WAY. PRELIMINARY DESIGN REVIEW OF SITE PLAN AND LANDSCAPING PLAN

APPLICANT: DENOVA HOMES

Recommendation: Review plans, take public testimony and provide a recommendation to the Planning Commission

Project Background:

The project site, which consists of a golf course, pro shop and restaurant, is located on the southwest corner of the intersection between Vine Hill Way and Rolling Hill Way. The project site totals approximately 25.9 acres and is improved with a single-story building totaling approximately 2,634 square feet. The project site is currently occupied by Pine Meadow Golf Course. On-site operations include golfing, golf course maintenance, retail, and food service activities. In addition to the single-story building, the project site is improved with several storage units and maintenance sheds a pond, asphalt-paved parking areas and associated landscaping.

The project applicant has submitted site and landscape plans for review as part of the required Preliminary Design Review phase of this project. Preliminary Design Review recommendation is required as part of the Planned Unit Development (PUD) Application process. The Preliminary Design Review is a site plan review process, final architecture and landscape review occurs after City Council has acted on a proposed PUD. Preliminary Design Review purview and focus should be on the site plan itself.

The proposed project would also require a tree removal permit to remove approximately 40 trees protected under the City of Martinez Tree Protection Ordinance. The applicant has worked with staff to preserve a number of trees on the site by redesigning cul de sacs and the width of the sidewalk at the entrance of the site on Center Avenue, so this is why an approximate number has been given with respect to tree removal that number may change. The project applicant has submitted a preliminary landscape plan, preliminary grading and drainage plan, preliminary utility plan, preliminary stormwater control plan, and a preliminary tree removal and demolition plan. These preliminary plans are attached as Attachment 1.

Attachments

1. Tentative Map and Landscape Plans



STAFF REPORT

TO: PLANNING COMMISSION

PREPARED BY: Dina Tasini, Planning Manager

GENERAL INFORMATION

OWNER/APPLICANT: DeNova Homes

LOCATION: 451 Vine Hill Way

GENERAL PLAN (Hidden Lakes Specific Area Plan): **Existing:** OS/R-Open Space and Recreation, Permanent
Proposed: R-0-6- Residential

ZONING: **Existing:** M-OS/RF (Mixed Use Open Space/ Recreational Facilities)
Proposed: R 7.5/PUD (Residential, 7,500 sq. ft. site area per unit/Planned Unit Development Overlay)

ENVIRONMENTAL REVIEW: A 30 day public review period for the Mitigated Negative Declaration/ Initial Study commenced on March 14, 2014. Subsequently, revisions have been made to the Initial Study to correct the sanitary sewer service provider and the school district that would serve the proposed project. Based on the revisions to the Mitigated Negative Declaration/Initial Study, the document was recirculated on March 21, 2014 for a 30-day public review period ending on April 21, 2014.

On November 12, 2014, the Planning Commission held a public hearing, took testimony and adopted a resolution of approval PC 14-04 recommending City Council adoption of a Mitigated Negative Declaration.

PROPOSAL: The proposed project before the Planning Commission is to consider the construction of 99 unit subdivision on a 25.9 acre site, Rezone the property to R-7.5 (One Family Residential, 7,500 sq. ft. per unit/Planned Unit Development Overlay), approval of a Planned Unit Development Plan and a Major

Subdivision. The proposed project would also require a tree removal permit to removal of approximately 40 trees protected under the City of Martinez Tree Protection Ordinance.

The project applicant has provided a preliminary site plan (consisting of eight pages) which includes conceptual landscape designs, lot configuration, preliminary grading, utilities, stormwater, removal and demolition and tree survey.

The 25.9-acre project site (APN 162-020-019) is located within the City of Martinez and currently has an OS (Open Space & Recreation, Permanent) General Plan Land Use Designation and M-OS/RF (Mixed Use-Open Space/Recreation Facilities) Zoning Designation.

On November 12, 2014 the Planning Commission adopted a resolution recommending approval of the General Plan Amendment, rezoning and Planned Unit Development Plan. However, after further review staff found that the PUD plan had not received preliminary Design review pursuant to Municipal Code Section 22.42.080(B) and the PUD plan was referred back to the Design Review Committee. The Design Review Committee held a public hearing on December 10, 2014, took public testimony and recommended to the approval of the PUD plan. It is now necessary for the Planning Commission to review the Design Review Committee members' comments and recommendations, review the proposed Rezoning of the Property and PUD plan and provide a recommendation to the City Council.

The recommendations that the Planning Commission is making to the Martinez City Council relate to the following actions:

- a) Rezoning to R-7.5/PUD Overlay (Family Residential, minimum 7,500 square feet of site area per dwelling unit/Planned Unit Development Overlay);
- b) Approval of a PUD Plan, allowing exceptions to the normally required lot size, density, minimum yard requirements and maximum height and site coverage limitations R/7.5 Zoning District.
- c) Approval of a Vesting Tentative Map for a 99-unit Major Subdivision.

PROJECT DESCRIPTION

The project site, which consists of a golf course, pro shop, maintenance sheds, a man made pond, asphalt paved surfaces and restaurant, is located on the southwest corner of the intersection between Vine Hill Way and Rolling Hill Way. The project site totals approximately 25.9 acres and is improved with a single-story building totaling approximately 2,634 square feet. The project site is currently occupied by Pine Meadow Golf Course.

Pine Meadow Golf Course was privately built as a public golf course in the 1960's. The property was annexed into the City in 1970 with surrounding properties (Hidden Lakes Area) which were later developed into single family homes. The area is predominately

residential and the golf course is still owned and operated by the original property owner's family. During the General Plan Amendment process in 1973 the property was designated as part of the Hidden Lakes Study Area Open Space/Recreation, Permanent to reflect its' existing use. There have been no changes to the site's land use designation since 1973.

The proposed project contemplates lot sizes that range from 5,800 square feet to 13,046 square feet with an average of 7,100 square feet. The overall site density is one dwelling unit per 11,282 square feet. Special consideration has been taken to create a visual buffer and open space amenity between the subdivision and the existing neighborhood. Along Center Avenue and Vine Hill Way, the preliminary landscape plan includes a meandering walking trail surrounded by landscaping.

Rezoning, and a Vesting Tentative Map that would allow for the development of 99 single family residential units on approximately 25.9 acres at the intersection of Center Avenue and Vine Hill Way. The proposed project would also require a tree removal permit to remove approximately 40 trees protected under the City of Martinez Tree Protection Ordinance. The project applicant has submitted a preliminary landscape plan, preliminary grading and drainage plan, preliminary utility plan, preliminary stormwater control plan, and a preliminary tree removal and demolition plan. These preliminary plans are attached as Exhibits.

SITE and CONTEXT DESCRIPTION

The project site is located within a residential area that is fully developed except this parcel. The majority of the developments in the area were completed in the 1960's and 70's. Some of the existing lots are larger in particular the homes immediately to the South on Center Avenue and Vine Hill Way south of Center Avenue.

In addition to the standards and criteria provided by the Hidden Lakes Specific Area Plan, and the familiar sections of the City's Zoning and Subdivision Regulations, the proposed project will be subject to the City's recently revised "Planned Unit Development (PUD)" regulations, which were adopted by the City Council in September 2010. The most significant changes from the previous Planned Unit Development (PUD) review processes are:

- The PUD is now an "overlay zoning district," to be either approved or denied by the City Council, after receiving a recommendation from the Planning Commission. (Previously, the PUD was approved by the Planning Commission as a Use Permit).
- All actions linked to the PUD, including but not limited to the General Plan amendment, rezoning of the underlying "base' zoning district (e.g. rezoning from Open Space to R/7.5) – as well as the Vesting Tentative Map – are also to be either approved or denied by the City Council, after receiving a recommendation from the Planning Commission.
- Design Review Approval of architectural finishes may be differed to separate Planning Commission action subsequent to PUD approval. Only the Design Review Committee review of the site plan is required as part of the adoption of the Planned

Unit Development Plan and Overlay District, and committee comments are discussed further in this report.

DESIGN REVIEW COMMENTS

Design Review Committee held a public hearing on December 10, 2014, took public testimony and recommended approval of the proposed Planned Unit Development with a 2-1 vote.

Those in favor of the project stated the following:

- The site plan is appropriate for the site, matches surrounding densities, however some concern was voiced with respect to the “bowling alley” feeling on “A” street and some care should be given to the landscaping and trees along this street to soften the straight edge of the street.
- The open space or meandering pathway along the perimeter of the site was beneficial to the community and provides access and buffer for the community as opposed to open space in the interior that will only serve the residents of the new development.
- To attempt to link the walkway or at least provide access to Parcel B for the public and residents since currently it is not accessible.
- Alternate the type and size of trees planted so that the trees would mature at different rates allowing for some variety in the streetscape.
- An attempt should be made to split up the bioswale throughout the site instead of a large parcel such as Parcel F. Parcel F is not really a site that can be used by the public it will simply be a large empty parcel so splitting up the needed bioswales needed throughout the site might be beneficial and create buffers between residences without the need to reduce the number of units.
- Work with the Public Works department to continue the bicycle lane on Center Avenue but not if there is a detriment to the pedestrian pathway.
- No on street parking on the projects’ two entry ways.
- Driveways shall be of adequate depth to accommodate vehicles without partial encroachment into the public right of way.
- Discuss and condition project to include a method to improve safety on Morello Avenue.

The Design Review Committee member not recommending approvals provided the following comments:

- Applicant should redesign using some of the existing topography and not grade the site fully. Design with the existing topography rather than create a flat site.
- Less rigid site plan
- This is a missed opportunity to not create a “cookie cutter” development.
- Design in a sensitive manner.
- In favor of developing the site but not in this manner.

STAFF ANALYSIS

The Design Review Committee has completed its review of the PUD plan an analysis of the PUD process is found below:

ZONING DESIGNATIONS AND PUD

The proposed designation of R 7.5/PUD overlay (Single Family Residential, 7,500 sq. ft. site area per unit) is consistent with adjacent subdivisions and the majority of residential subdivisions with the Hidden Lakes Specific Plan Area. The proposed site plan is generally consistent with the development standards of the R-7.5 District (including maximum density and minimum yards). The flexible standards of the PUD overlay are primarily needed for setbacks, lot sizes. During future Design Review discussions the Design Review Committee will propose design solutions and address massing. The final design review package will be before the Planning Commission for final approval at a later date.

The proposed project has some lot sizes and setbacks smaller than those permitted in the R 7.5 Zoning District, which allows a tighter grouping of lots in the center of the project site as well as a mix of housing types and sizes. In contrast, a project adhering to the conventional R 7.5 standards would have lots measuring 7500 square feet throughout the development with little or no variation. The variation in lot sizes allows for the clustering of smaller lots in the center and relocation of houses closer to the center or street frontage to allow for either greater rear yards and or the proposed common landscape buffer along a portion of the perimeter of the project site. The lot sizes range from 5077 square feet to 13,046 square feet and a combination of one and two story residences to add variety and interest to the streetscape. In addition, the homes (lots 1-23) along "A" Street will be located at a minimum of 10 feet from front property line to provide sufficient buffer to the existing residences to the north by increasing the rear yard to 30 feet and provide a street frontage that is not static by proposing different home sizes and facades along the street.

One of the potentially significant conflicts is the development of new single family residences along the northern portion of the site immediately adjacent to the existing residential development. The proposed residence will be two stories however they will be setback 30 feet from the rear property line to provide an additional 10 feet of landscape buffer for the existing residences located below. Fortunately, the topography of the site can, in most cases, accommodate the second story along the property lines if the homes are set back an additional 10 feet and no balconies and or porches will be place at the second story to insure limited privacy and noise impacts. But as previously discussed future design review discussions will provide more information regarding the stepping down of two buildings, at least, along the ridge to lessen visual impacts. Once the design has been developed staff will be better able to determine if the additional setback requirement solves the privacy issues raised by adjacent residents.

Open Space and Tree Preservation

In addition, the application includes a generous landscape buffer along Vine Hill Way, Center Avenue and at the entrance on Morello Avenue and preserves the slope and landscaping adjacent to lots 47-49 and 55 (Parcel "B").

Adjacent properties are single family residential, the properties to the west on Pine Meadow Court will not be impacted because the existing slope will act as a buffer in addition the slope is being preserved as an open space parcel (Parcel B). Only one home on the court backs up to the property and the proposed lot adjacent to the existing residential development will be required to set back sufficiently and or propose a house design that minimizes impact. The properties across from the site on Morello Avenue are located an average 60 feet away from the project site, however there are concerns by the residences regarding additional traffic and safety, street design and circulation will be analyzed as part of the review by the Engineering department.

The existing residences to the south along Vine Hill Way and Center Avenue will be buffered by a pedestrian walkway and enhanced landscaping. The rear yards facing both Vine Hill Way and Center Ave will be set back 20 feet from the property line and at least 60 feet from the sidewalk along the street frontage. In addition a 6 foot fence will be erected along the property line. However, as previously stated staff will be working with the applicant and the Design Review Committee to design structures that are properly screened and insure the existence of ample landscaping to buffer the street and limit visibility of the residences along the street.

The applicant has reviewed the plans subsequent to the last public hearing and listened to public testimony and has agreed to preserving Oak Tree #1338. During design review committee comments tree removal was discussed and the committee as a whole supported of removal of the non protected trees such as eucalyptus and evergreens basically because of their poor health and non native status. The applicant has provided an arborist report to support removal of trees and many of the trees slated for development are in fair/poor condition.

ATTACHMENTS

Susan Gustofson – Design Review Comments
Planning Commission Draft Resolution PC 14-05

EXHIBITS

- Landscape Plan prepared by VTA Associates dated December 3, 2014 (2 pages)
Vesting Tentative Map/Tree Survey dated June 16, 2014 (6 pages)

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RESOLUTION NO. PC 14-05

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARTINEZ,
RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF A PLANNED UNIT
DEVELOPMENT (PUD) OVERLAY DISTRICT, AND APPROVAL OF A PUD PLAN
AND VESTING TENTATIVE MAP FOR THE DEVELOPMENT OF UP TO 99 SINGLE
FAMILY HOMES PLANNED UNIT DEVELOPMENT (“PINE MEADOWS”) ON 25.9
ACRE, PARCEL LOCATED AT 451 VINE HILL WAY
(APN: 162-020-019)
13PLN -0028, SUB#9358**

WHEREAS, the Planning Commission of the City of Martinez held a duly noted public hearing on October 28, 2014 and November 12, 2014 and listened to testimony from the public and recommended adoption of a General Plan Amendment for approximately 25.9 acres of the project site from designation of “Open Space and Recreation, Permanent” to “Residential: 0-6 Units/Gross Acre”; and to rezone the entire 25.9 acre site from M-OS/RF; (Mixed Use Open Space Recreation), to R-7.5/PUD overly (Family Residential, minimum 7,500 square feet per dwelling unit) Planned Unit Development Overlay; and PUD plan/Vesting Tentative Map for the construction of up to 99 single family homes; and

WHEREAS, the Planning Commission on November 12, 2014 adopted PC 14-04 recommending adoption to the City of Martinez City Council of an Initial Study pursuant to the California Environmental Quality Act (CEQA) to address the project’s potential impacts on the environment; and

WHEREAS, on the basis of said initial study a mitigated negative declaration has been prepared that states the proposal will not have a significant effect on the environment; and

WHEREAS, the Design Review Committee had not met to provide its recommendation on the Planned Unit Plan prior to the Planning Commission public hearings, a subsequent Design Review Committee Public Hearing was conducted on December 10, 2014 and the Committee recommended approval to the Planning Commission; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noted special public hearing and listened to testimony from the public on January 6, 2015 to reconsider its recommendation with respect to Rezoning the property from M-OS/RF to R 7.5, a 99 unit major Subdivision and Planned Unit Development.

NOW, THEREFORE, the Planning Commission of the City of Martinez resolves as follows:

1. That the above recitals are found to be true and constitute part of the findings upon which this resolution is based.

2. Consistency with General Plan

A. The Planning Commission has reviewed and considered the information contained in the Record, including but not limited to, all staff reports, all oral and written testimony presented at, or prior to, the hearing on the Project and all other matters deemed relevant prior to adopting this resolution.

B. The Planning Commission does, based thereon hereby find that the Project and its design and improvements are consistent with the General Plan and adopts the findings set forth in Exhibit A, attached hereto and incorporated herein by reference.

3. Consistency with the Hidden Lakes Specific Area Plan

A. The Planning Commission has reviewed and considered the information contained in the Record, including but not limited to, all staff reports, all oral and written testimony presented at, or prior to, the hearing on the Project and all other matters deemed relevant prior to adopting this resolution.

B. The Planning Commission does, based thereon hereby find that the Project and its design and improvements are consistent with the Hidden Lakes Specific Area Plan and adopts the findings set forth in Exhibit A, attached hereto and incorporated herein by reference.

4. That in order to recommend approval of the Planned Unit Development (PUD) Overlay District and PUD plan, with the requested exceptions to the R-7.5 Zoning District that are being proposed with Subdivision #9358, the Planning Commission must make the following findings, which it hereby does:

a. **The proposed PUD Plan development is in conformance with the applicable goals and policies of the general plan and any applicable specific plan;**

The project is in conformance to the Housing policies of the Hidden Lakes Specific Plan in particular Section 32.411 in that essential open space masses and vital elements of the terrain are being protected while still allowing development densities reasonably consistent with the patterns established on adjoining properties. Furthermore, Section 32.421 of the Hidden Lakes Specific Plan states that development shall be consistent with the trends in the adjoining lands, as well as with the Martinez General Plan, the housing units should be single family sale units to the extent feasible.

b. **The proposed PUD Plan development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities;**

The proposed plan development is immediately adjacent to existing residential developments and established routes to commercial centers both walking, private transportation. In addition the area is largely developed except for this site, and fully serviced by utilities.

- c. **Streets and pedestrian facilities adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development;**

The existing streets are improved to carry vehicular traffic from this site. The proposed landscape buffer and meandering pathway on Vine Hill Way and Center Avenue provides a connection between neighborhoods and a trail to walk safely.

- d. **The proposed PUD Plan development concepts are reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is physically suitable for the type and density/intensity of development being proposed, adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title;**

The site is a 25.9 acre site and is well suited for development of this type. The property is has been used as a golf course for 50 years and is vacant of structures except for a clubhouse and storage sheds. All proposed development can be accommodated on the site.

- e. **The proposed PUD Plan would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications;**

The requested exceptions to front yard will allow the applicant to increase the rear yard setback and provide a buffer for the adjacent property owners to the north. The reduced setback is only necessary for lots 1-23 where the proposed development abuts an existing subdivision and in order to mitigate any visual impacts an additional 10 feet of rear yard setback is required. The density at this site is appropriate since it is an infill site adjacent to existing residential development and existing roadways allowing housing opportunities for single, elderly and first time homeowners to locate in Martinez.

- f. **The location, access, density/building intensity, size and type of uses proposed in the PUD Plan are compatible with the existing and future land uses in the surrounding neighborhood.**

This is an infill site one that lends itself to the proposed type and density of development. It is compatible with existing development in the area because it will provide a housing opportunity site in an area that is largely built out and desirable. The area is easily served by existing roadway network and in close proximity to freeways.

- 5. Notwithstanding exceptions to the aforementioned zoning regulations, for which the

above Planned Unit Development findings were made, the Planning Commission finds the proposal substantially conforms to the requested R-7.5 Zoning District, the State Subdivision Map Act, and Title 21 ("Subdivisions") of the Martinez Municipal Code, and hereby recommends that the City Council approve the Vesting Tentative Map for Major Subdivision #9358.

6. All the findings contained above are part and parcel of this Resolution and are incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on its independent judgment, does hereby find and resolve as follows:

NOW, BE IT FURTHER RESOLVED that the Planning Commission recommends to the City Council the adoption of a Planned Unit Development (PUD) overlay district, and approval of a PUD plan and vesting tentative map for the development of a up to 99 single family, with the attached conditions of approval, incorporated herein by this reference

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a regular meeting of said Commission held on the 6th day of January 2015:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: _____
Dina Tasini, Planning Manager/Clerk Pro Tem

CONDITIONS OF APPROVAL

DRAFT

AS REVIEWED BY PLANNING COMMISSION
AND RECOMMENDED TO CITY COUNCIL

Project Name: “Vine Hill (Sub. 9358)

Site Location: Pine Meadows APN 162-020-0019

I. Description of Permit

These conditions apply to and constitute the approval of:

A. The Planned Development consisting of up to 99 single-family homes on a 25.9 acre site, the Planned Development overlay allows for exceptions to development standards normally set forth in the R-7.5 Zoning District. The following exceptions to normal the R-7.5 Zoning District development standards are allowed by this permit:

1. Front yard setback of not less than 10 feet measured from the front of the residence and or front porch to the front property line on Lots 1-23. The remaining lots shall have a front yard setback of not less than 18 feet from the garage door.
2. Rear yard minimum of 15 feet except as previously required for Lots 1-23.
3. Backyard setbacks to the first story of a building on Lots 1-23 shall not be less than 30 feet from the backyard property line.
4. Backyard setbacks to the second story of a two-story building on Lots 1-23 shall be not less than 35 feet from the backyard property line. This setback requirement does not prohibit the construction of a single-story building in accordance with the first story setback of 30 feet for lots 1-23.
5. Side yards- Minimum of 5 feet; when side yard is sloped the side yard shall be measured from the toe of the slope and shall not have a measurement of less than 5 feet from the toe of the slope to the building footprint.
6. Height-Maximum height of 30 feet.
7. Maximum coverage of 40 percent.

- B. These conditions apply to and constitute the approval of Vesting Tentative Map Subdivision Map No. 9358 consisting of up to 99 residential lots, and common landscape, drainage and access parcels and/or easements

II. Exhibits and Environmental Documentation

The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

EXHIBIT	DATE RECEIVED	PREPARED BY	PAGES
Vesting Tentative Map/ Development Plan Sub 9358	June 16, 2014	Carlson, Barbee & Gibson Inc.	6
Landscape Plans	June 13, 2014	VTA	1
Preliminary Development Plan	August 27, 2014	Carlson, Barbee & Gibson Inc	1

All construction plans, including but not limited to the final map, improvement/grading plans and construction plans for the individual units shall conform to these exhibits, except as modified by these conditions, and shall incorporate all mitigation measures identified in the adopted Initial Study and Mitigated Negative Declaration. Where a plan or further information is required by these conditions, it is subject to review and approval by the Planning Division, Engineering Division and/or Building Department, or as noted.

III. Special Requirements for Final Approval and Recordation of Subdivision 9358

A. REQUIRED SITE PLAN CHANGES:

The final map, improvement plans, design review approval and/or final building permit plans shall incorporate the following modifications to the plans otherwise hereby approved:

1. To reduce impact on the existing residences to the north directly behind the proposed development the rear setbacks have been increased as well as second story setbacks as follows:
2. Backyard setbacks to the first story of a building on Lots 1-23 shall not be less than 30 feet from the backyard property line.
3. Backyard setbacks to the second story of a two-story building on Lots 1-23 shall be not less than 35 feet from the backyard property line. This setback requirement does not prohibit the construction of a single-story building in accordance with the first story setback of 30 feet for lots 1-23.

Air Quality

1. Prior to approval of improvement plans the project applicant shall submit an Air Quality Impact Assessment to the BAAQMD for an Indirect Source Review. The submittal shall be subject to the BAAQMD fees. The project applicant shall consider opportunities for incorporating renewable energy sources into buildings as an emissions offset option.
2. Building plans shall include only natural gas burning fireplaces, low volatile organic compound paint shall be used on the project site, installation of high efficiency appliances, low flow faucets, toilets and showers and a water efficient irrigation system and a planting scheme that includes a majority of drought tolerant plant species.
3. Project applicant shall reduce construction related emissions and implement the following:
 - a. Water all active construction at least twice a day.
 - b. Cover all trucks hauling soil, san and other loose materials or require all trucks to maintain at least two feet of freeboard.
 - c. Pave, apply water three times a day, or apply (non-toxic) soli stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
 - d. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.

Bird Nesting and Bat Roosting

1. If project construction activities, including vegetation clearing, are to occur during the nesting season for birds protected under the California Fish and Game Code and Migratory Bird Treaty Act (approximately March 1- August 31) the project applicant shall retain a qualified biologist to perform preconstruction surveys for protected birds, including nesting raptors, on the project site and in the immediate vicinity. At least two surveys shall be conducted no more than 15 days prior to the initiation of construction activities, including vegetation clearing. If protected birds, including nesting raptors, are found on the project site, off site improvement corridors, or the immediate vicinity the applicant shall locate and map the locations of the nest site and notify the City and California Department of Fish and Wildlife within in two working days. The applicant shall establish a no-disturbance buffer of 250 feet, continue weekly surveys until such time as a qualified biologist has confirmed the birds have fledged.

2. Applicant shall conduct a preconstruction survey for bat roosting 15 days prior to construction. The survey shall be conducted by a qualified biologist with known experience surveying for bats. If a maternity colony is found the applicant shall consult with California Department of Fish and Wildlife. No eviction or exclusion is permitted during maternity season typically between April 15 and Jul 30. Activity should be avoided at that site until such time as the bats have reached independence.
3. No reproductive bats found require a consult with California Department of Fish and Wildlife and they shall only be evicted by a qualified biologist prior to work activities and during a suitable timeframe (February 20 to April 14 and July 30 to October 15).

Cultural Resources

1. If cultural resources are discovered all work shall be stopped within 50 meters of the discovery, the City of Martinez shall be notified and a qualified archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be retained to determine the significance of the discovery. The City shall consider the options determine which options are feasible and appropriate and the applicant shall undertake those measures.

IV. Site Plan

A. Lighting

1. Building plans and landscaping plans shall show all exterior lighting: walkways, driveway areas, recreational areas, etc. Height and style shall be shown.
2. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All fixtures shall be glare-shielded.
3. Energy-saving fixtures shall be used.
 - a) Outdoor lighting at the residential lots, including building and landscape lighting, shall be designed so that it is not directed of the site (ie. Adjacent lots of into the public right of way) and the light source is shielded downward from overhead viewing and from direct off-site viewing. Light spill or glare shall not exceed 0.1 foot candle on adjacent properties or the public right of way. These requirements shall be shown

- on the plot plans for each single family unit.
- b) Street light fixtures shall use LED or other similar lighting fixtures approved by the City of Martinez and shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane of the light source. High intensity discharge lamps shall be prohibited. Street lighting plans shall be submitted with project improvement plans for City review and approval.
 - c) Building plans shall incorporate materials that minimize glare to the extent feasible. Metal siding for roofing shall be prohibited, unless paint or other non-glare materials are applied to the material to minimize the glare. Building plans shall be submitted to the City for review and approval.

V. Landscaping, Walls and Fences

- A. Final landscape plans shall be prepared by a licensed landscape architect, on the grading plan as a base map and shall be submitted for review and approval by the City at the same time grading and improvement plans are submitted. Final plans must receive City approval prior to filing of the Final Map or issuance of building or grading permits, whichever comes first. All exterior and roof mounted utility and meter boxes, and mechanical equipment shall be screened from public view. Equipment and screening shall be shown on final construction plans and subject to staff review and approval.
 - 1. Permanent project/neighborhood identification signage may be placed at the entryway and shall be subject to Design Review approval.
 - 2. Landscape plans shall be prepared in accordance with the City's adopted water conservation and landscaping ordinance (Martinez Municipal Code Chapter 22.35).
 - 3. Specify shrubs of minimum 5-gallon size
 - 4. Provide either lawn or a continuous ground cover with complete coverage within 3 years.
 - 5. Show all non-plant features areas paths, etc.
 - 6. Include an irrigation plan.

Fences

- a. All fencing, retaining walls, barriers, etc., shall be installed by the developer, and shall be shown on the site and landscape plan.
- b. The maximum height for all walls, fences and/or fences on retaining walls shall be 6 feet unless as otherwise shown on approved plans. Fences off-set from retaining walls 18 inches or greater shall be considered separate structures with a maximum height of 6 foot each.

B. Tree Preservation

1. All trees to be preserved shall be clearly indicated on the grading plan, site plan, composite plans and landscape plans. As indicated on the existing Tree Survey Exhibit- Vine Hill prepared by CBG Engineers dated November 5, 2014.
2. All trees to be saved shall be fenced at the drip line with three-strand barbed wire or other approved fencing prior to grading and construction activities. Prior to grading or construction, the developer's contractor shall request City inspection of fencing.
3. Dead wood shall be pruned from existing trees.
4. If during construction, the developer wished to remove the trees, planning staff shall approve a modified landscape plan with replacement trees prior to tree's removal.
5. Tree #1338 shall be preserved and the configuration of the roadway changed to accommodate the tree and dripline.
6. The sizes of trees shall be varied throughout the project site with the smallest tree size being 15 gallon. In addition, the applicant shall properly distribute larger trees (ie. 48" pots) throughout the site, placement of the trees and sizes shall be approved by the Planning Department prior to planting.

VI. Noise Control, Dust and Conditions for Construction Activity

- A. All construction activities shall conform to the City's Noise Control Ordinance, Chapter 8.34 of the Municipal Code: Construction activities including delineation and stating/warning of vehicles are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday; and 9:00 a.m. to 5 p.m. Saturday and Sunday. **Lane closures shall be limited to 9:00**

a.m. to 4:00 p.m. Monday through Friday on Center Avenue and Morello Avenue. The permittee shall post a sign on the site notifying all workers of these restrictions.

- B. The site shall be fenced with locked gates at 7 p.m. The gates shall remain locked until 7:00 am. Contractors shall not arrive at the site prior to the opening of the gates.
- C. Based on the site-specific sound mitigation study conducted for this project, sound levels shall be reduced to meet the following criteria for year 2000 noise contours:
 - 1. Indoor noise levels not to exceed 45 d_{BA} CNEL.
 - 2. Private outdoor noise levels not to exceed 65 d_{BA} CNEL.
- D. All construction equipment utilizing combustion engines shall be equipped with “critical” grade (rather than “stock” grade) noise mufflers or silencers that are in good condition. Backup “beepers” shall be tuned to insure lowest possible noise levels while also serving the safety purpose of the backup sound indicator.
- E. Stationary noise sources shall be located at least 300 feet from any occupied residential dwellings unless noise-reducing engine housing enclosures or other appropriate noise screens are provided.
- F. Speeds of construction equipment shall be limited to **10** miles per hour. This includes equipment traveling on local streets to and from the site.
- G. Access shall be maintained to all driveways at all times.
- H. There shall be no parking of construction equipment or construction worker's cars on residential streets at any time.
- I. Truck routes for the import or export of cut/fill material shall be identified and approved by the City Engineer prior to the issuance of any permits. Developer shall be responsible for the repair of any damage to city streets (private and public) caused by the import or export of soils materials necessary for the project.
- J. Prior to construction, contractor shall contact city inspector for a pre-construction meeting. Haul route shall be submitted for review and approval by the building and engineering departments for approval.

- K. All construction activities must be designed to minimize potential spills, from equipment and to provide a planned response in the event an accidental spill occurs. The applicant shall maintain spill equipment on site, if refueling takes place on site there shall be a designated area. Ensure all construction personnel are trained in proper material handling, cleanup and disposal procedures.
- L. All demolition activities shall be performed in accordance with the Bay Area Air Quality Management District Regulation 11 Hazardous Pollutants, Rule 2 Asbestos Demolition, Renovation, and Manufacturing. The purpose of this Rule is to control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures. These requirements specify the appropriate methods for survey, demolition/removal, and disposal of asbestos materials to control emissions and prevent hazardous conditions. Specifications developed for the demolition activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements.
- M. Prior to demolition or renovation activities that may disturb suspect lead-based paint (LBP), actual material samples shall be collected or an XRF survey performed in order to determine if LBP is present. It should be noted that construction activities that disturb materials or paints containing any amount of lead are subject to certain requirements of the Occupational Safety and Health Administration (OSHA) lead standard contained in 29 CFR 1910.1025 and 1926.62. If lead-based paint is identified, the paint shall be removed by a qualified lead abatement contractor. Specifications developed for the demolition activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements.
- N. Prior to grading, mechanical excavation and disposal of the diesel and oil range petroleum hydrocarbons release (area of the petroleum product storage shed) shall be completed by a qualified contractor. Specifications developed for the excavation and disposal activities shall include the proper packaging, manifesting, and transport of demolition wastes by trained workers to a permitted facility for disposal, in accordance with local, State, and federal requirements. Confirmation soil samples following excavation shall be performed to confirm that the release has been effectively removed.

VII. Agreements, Fees and Bonds

- A. All improvement agreements required in connection with said plans shall be submitted to and approved by City and other agencies having jurisdiction prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading or Site development permit, whichever comes first.
- B. All required faithful performance bonds and labor materials bonds in penal amount equal to 100 percent of the approved estimates of construction costs of improvements shall be submitted to and approved by City and other agencies having jurisdiction prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading, or Site Development permit, whichever comes first.
- C. Prior to approval of the plans and issuance of permits, applicant shall pay all applicable fees, deposits as required by the Community Development Director/or his or her designee in accordance with the City's fee schedule, the City's Municipal Code, and these conditions of the project's approval. The fees include: Plan check and inspection fees, drainage fees, transportation facilities fees, park (in lieu of land dedication) fees, park and recreation facilities fees, cultural facilities fees, and police facilities fees. The final amount shall be determined in accordance with the fee schedule in effect of time of payment.
- D. All fees and deposits required by other agencies having jurisdiction shall be paid prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.

VIII. Grading

- A. All grading shall require a grading and drainage plan prepared by a registered Civil Engineer, a soils report prepared by a registered Geotechnical Engineer and a Grading Permit approved by the City Engineer. The grading plans and soils report shall require review by the City's geotechnical consultant with all costs to be borne by the applicant.
- B. All recommendations made in the Soil Engineers report, (unless amended through the City's review) and all recommendations made by the City's geotechnical consultant shall be incorporated into the design and construction of the project.
- C. Contour grading techniques with spot elevations shall be employed throughout the project to achieve a more natural appearance, even where this will increase the amount of grading.

- D. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements.
- E. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 1. At the time of approval of the improvement and/or grading plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer.
- F. All graded slopes in excess of 5 ft. in height shall be hydroseeded no later than September 15 and irrigated (if necessary) to ensure establishment prior to the onset of the rainy season.
- G. The applicant's engineer shall certify the actual pad elevation for the lot in accordance with City standards prior to issuance of Building Permit.
- H. All front yard landscaping or alternate erosion control measures shall be installed prior to release for occupancy to mitigate erosion problems on each lot.
- I. The finished grading shall be inspected and certified by the developer's engineer that it is in conformance with the approved Grading Plan and Soils Report pursuant to the provisions of Title 15 of the Martinez Municipal Code.
- J. All existing trees shall be clearly indicated on the grading plan. Refer to Section V Landscaping for tree preservation requirements.
- K. Any grading on adjacent properties will require written approval of those property owners affected.
- L. If cultural resources are discovered during subsurface excavations, the Contractor shall cease construction and a qualified archeologist shall be contacted to make recommendations for mitigation.
- M. The plans shall include the boundary treatment shown on cross sections, drawn to scale, for retaining walls, fencing and drainage.

IX. Drainage

- A. The storm drain system shall be designed per City and County Flood Control District Standards to carry at least a 10-year storm. Furthermore, the system shall be designed to ensure that local streets remain passable during a 100-year storm. Passable is defined as one 10-ft. travel lane in each direction, pavement free of water runoff. The developer shall install

a drainage system to ensure passability. Should the runoff due to the proposed development contribute incrementally to an existing flooding problem, then the developer may be required to contribute funds for his proportional share of future drainage system costs as required by the City Engineer. The developer shall comply with Contra Costa County Flood Control requirement.

- B. Collect and convey the storm drain runoff from the site to existing adequate drainage facilities. Submit drainage study and hydraulic calculations for the existing downstream drainage facilities to demonstrate the adequacy of the existing system to the satisfaction of the City Engineer. If the existing facilities are not adequate to handle the additional runoff, the developer shall construct all necessary upgrades and improvements to existing systems to the satisfaction of the City Engineer.
- C. If the existing downstream facilities are inadequate to handle the runoff, the developer may mitigate the increase of the runoff peak flows from the proposed development by constructing a detention basin(s) onsite. The runoff peak flows from the developed conditions shall not exceed that of the existing conditions for the 10 years, 25, 50 and 100 years design storms. The 100 year stormwater level shall be contained within the basin(s).

Should the proposed C.3 bio-retention basin(s) be used for water treatment as well as a detention basin(s) for the mitigation of the increase of peak flows, the developer engineer shall submit calculations to determine the required size and configuration of the basin(s) to active both design objectives. Adjustment to basin(s) size and/or omission of lot(s) may be necessary to achieve the design objectives.

The C.3 facilities shall meet the requirements of the CCCWP, C.3 Guidebook. The bio- retention basin side slope of the basin shall not be steeper than 3H:1V.

Detention basin(s) design and the calculations shall be in accordance with Contra Costa County Floods Control guidelines, design criteria and parameters. The size of the basin shall be determined using flood hydrograph routing through the proposed basin(s) for said design storms, unless alternative method is approved by the City Engineer. The required hydrologic study and calculations shall be prepared and submitted to the City Engineer and Contra Costa County Flood Control District, when required by the City Engineer, for review and approval.

- D. All concentrated runoff shall be collected and conveyed to an approved storm drainage system. Existing slopes that have no additional discharge

directed onto them or are not substantially re-graded can remain as natural runoff.

- E. Applicant shall not increase storm water runoff to adjacent downhill lots unless either, (1) a Drainage Release is signed by the property owner(s) of affected downhill lots and recorded in the office of the County Recorder; or (2) site drainage is collected and conveyed in approved drainage facilities within a private drainage easement through a downhill property. This condition may require collection of on-site runoff and construction of an off-site storm drainage system. All required releases and/or easements shall be obtained prior to filing of Final Map or issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.
- F. Streets and on-site drainage shall be collected and conveyed to an approved storm drainage facility. When approved by the City Engineer, drainage may be conveyed under the sidewalk and discharged through the curb in accordance with City standards. Drainage shall be directed to a concrete curb and gutter whenever practical.
- G. All public drainage facilities, which cross private lots and to be maintained by the City, shall require a 10-ft. minimum width storm drain easement. Private storm drain facilities to be maintained by an Association of Homeowners or by individual lot owners shall be contained within 10-ft. private drainage reserves. Said easements and/or reserves shall be delineated on the Final Map or recorded by separate document prior to City approval of the Final Map or issuance of Building Permit, whichever comes first.
- H. Concentrated drainage flows shall not be permitted to cross sidewalks or driveways.
- I. Fifteen (15) inch minimum RCP (reinforced concrete pipe) shall be used for all public storm drain lines and 12-inch minimum pipe shall be used for laterals and for private storm drain lines.
- X. NPDES Requirements
 - A. Efficient irrigation, appropriate landscape design and proper maintenance shall be implemented to reduce excess irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides, and pesticides.
 - B. To the maximum extent practicable, as determined by the City Engineer, drainage from paved surfaces shall be routed through grassy swales, buffer strips or sand filters prior to discharge into the storm drain system.

- C. All storm drain inlets (catch basins) shall be imprinted with the sign "No Dumping, Flows to Creek" as per City Standard #SD-1. Where required by the City Engineer, trash capture devices shall be installed at storm drain inlet.
- D. All areas used for washing, steam cleaning, maintenance, and repair or processing shall have impermeable surfaces and containment berms, roof covers, recycled water wash facilities, and shall discharge into the sanitary sewer, as approved by the City Engineer.
- E. A sweeping program, as approved by the City Engineer, shall be implemented which at a minimum, provides for sweeping immediately prior to, and once during, the storm season.
- F. For projects one (1) acre or larger, developer shall comply with the State Construction General Permit requirements. The Developer shall be responsible preparing the SWPPP with all required documents, and obtaining coverage by filing a Notice of Intent (NOI) with State Water Resource Control Board (SWRQB). A copy of the SWPPP and the Notice of Intent (WDID) shall be submitted to the City prior to issuing permits for construction. The SWPPP and the WDID shall be kept at the job site during construction.
- G. Developer shall comply with the requirements of Provision C.3 of the Municipal Regional Permit (MRP) of the State Regional Water Resources Control Board NPDES Permit as applicable to this project. This project shall comply with provision C.3 of the MRP for flow-control and treatment measures in accordance with the current edition of the Contra Costa Clean Water Program's Stormwater C.3 Guidebook.
- H. Construction improvement plans, calculations, and specifications for the C.3 stormwater control facilities shall be submitted to the City for review and approval. The plans and specifications shall include, but not limited to, grading plan, drainage watershed maps, landscaping plans, and detail drawings for the proposed facilities. The proposed improvements shall be reviewed and approved by the project soil engineer and the City's geotechnical consultant (if deemed necessary by the City Engineer) prior to City approval of the plans.
- I. Prior to the issuance of building, grading, or site development permits, the applicant shall submit a complete set of stormwater control plan with the operation and maintenance plan for review and approval by the City Engineer. All required documents and agreements shall be submitted and executed prior to issuing permits for construction.
- J. The owner(s)/HOA, in perpetuity, shall be responsible for the ongoing operation and maintenance of the C.3 storm water control facilities. Prior

to City approval of the plans and issuance of permits, the owner(s) shall execute an operation and maintenance agreement to insure proper operation and maintenance of the facilities. The agreement to be similar to the model O&M agreement prepared by the CCCWP.

- K. Stormwater control plan and the operation and maintenance plan shall be included as a part of the CC&R (or other approved document) for this development.
- L. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit as built drawings of the stormwater control facilities, including any updates. All required agreements must be executed and recorded.
- M. Development shall include adequate accessible and convenient areas for collecting and loading recyclable materials, to the satisfaction of the City Engineer, in conformance with the California Integrated Waste Management Board Recycling Ordinance.

XI. Street Improvements

- A. General Frontage Improvement Requirements: Pursuant to Chapter 12.30 of the Martinez Municipal Code sidewalks, curb, gutter, and street pavement shall be constructed and/or replaced along the entire property frontage. The developer shall install new (or replace existing damaged) sidewalk, curb and gutter, relocate existing driveways, and construct and dedicate to the City the improvements within the City's right-of-way, including concrete curb, gutter, sidewalk, paving, drainage system, street lights, and street trees, all to the satisfaction of the City Engineer. Existing street structural section shall be removed and replaced along the frontage of the property to the centerline of the street if the existing structural section is cracked or damaged in any way (regardless if it is damaged by construction or not), or if the street structural section is determined by the City Engineer to be inadequate for the intended traffic. All improvement shall be designed and constructed to the satisfaction of the City Engineer. Improvements shall be maintained by the Homeowners Association if not accepted by the City.
- B. All streets shall be paved and improved after utilities are installed in accordance with City of Martinez Standard Drawings and Design Guidelines and the Approved plans.
- C. Interior Streets: All interior street shall be public streets as follows:
Street pavement section design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street section design shall utilize a T.I. of 5.5 with a minimum 0.25 ft. AC pavement depth over a minimum of 0.50 ft. Class 2 aggregate base. The minimum pavement width shall be

36 ft., as measured from face of curb to face of curb, within a 56 feet wide right of way. Where required by the City Engineer, an additional 5 feet wide public utility easement shall be provided on both sides of the right of way. The maximum street grade shall 15 percent unless otherwise approved by the City Engineer. All Streets shall also provide for approved provisions for the turning around of Police Department and Fire Department apparatus. Driveway profile shall conform to Contra Costa County standard details to allow for a minimum of 4 feet wide ADA access across the driveways. All required right of way and/or public access easement shall be dedicated on the final map, maintained by the Homeowners Association if not accepted by the City.

- D. Center Ave: Frontage improvement includes, but not limited to, installing new curb, gutter, 5.5 foot wide pathway that shall meet American with Disabilities Act (ADA) the dimension and placement shall be approved by the City Engineer. There may be a requirement by the City Engineer to install both a sidewalk and pathway if the City Engineer determines there is a safety issue or that the existing conditions do not allow for installation of a pathway due to the slope of the street in this instance the developer my install both a sidewalk and a meandering pathway. The frontage improvement also include re-stripping the street, installing street lights and street trees and signs to the satisfaction of the City Engineer. Pavement section design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street section design shall utilize a T.I. of 8.5 with a minimum 0.50 ft. AC pavement depth over a minimum 0.50 ft. Class 2 aggregate base.
- E. Morello Ave: Frontage improvement includes, but not limited to, installing new 5.5 feet wide sidewalk, as measured form face of curb, from the existing sidewalk near the intersection of Center Ave. and Morello Ave. Frontage improvements also include re-stripping the street, installing street light(s) at the entry to the subdivision, street trees and signs to the satisfaction of the City Engineer. Pavement section design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street section design shall utilize a T.I. of 8.5 with a minimum 0.50 ft. AC pavement depth over a minimum 0.50 ft. Class 2 aggregate base.
- F. Vine Hill Way: Frontage improvement includes, but not limited to, removing existing ac berm, installing new concrete curb, gutter, 5.5 foot wide pathway that shall meet American with Disabilities Act (ADA) the dimension and placement shall be approved by the City Engineer. There may be a requirement by the City Engineer to install both a sidewalk and pathway if the City Engineer determines there is a safety issue or that the existing conditions do not allow for installation of a pathway due to the

slope of the street in this instance the developer may install both a sidewalk and a meandering pathway. Applicant shall be required to widen the existing street pavement section to provide 40 feet wide as measured from face of curb to face of curb, and base repair and repave existing damaged pavement section to centerline of the street. The frontage improvement shall also include re-striping the street, undergrounding existing overhead utilities, installing street lights and street trees and signage to the satisfaction of the City Engineer. Pavement section design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street section design shall utilize a T.I. of 7.0 with a minimum 0.33 ft. AC pavement depth over a minimum 0.50 ft. Class 2 aggregate base.

- G. Valley gutters shall not be used to provide drainage across any through street or intersection, unless otherwise approved by the City Engineer.
- H. Access ramp shall be installed at all curb returns per Caltrans standard details.
- I. All new utility distribution services on-site and off-site shall be installed underground.
- J. Sidewalk pipe drains shall be installed on either side of the driveway and shall conform to City Standard No. S-13.
- K. A City Encroachment Permit is required for any work within the City Right-of-Way.
- L. All traffic control devices, including Stop signs, No Parking signs, legends and striping shall be installed in accordance with plans approved by the City Engineer.
- M. Street names for public and private streets are subject to the approval by the Community Development Department and the Fire District.
- N. Street lights shall be installed at Developer's expense in accordance with plans approved by the City Engineer. Developer shall bear full costs of energizing and monthly utility charges until acceptance of improvements by the City Council. Street lights shall be installed along Center Ave, Morello Ave and Vine Hill Way as well as in the new interior streets. All street lights fixture shall be LED. Street lights shall be maintained by the Homeowners Association if not accepted by the City.
- O. Street trees shall be planted in accordance with City standards. The species of tree shall be approved by the Parks Superintendent.

- P. All required street right of way shall be dedicate to the City, if right of way is not accepted then maintenance of the street is the responsibility of the Homeowners Association.
- Q. The developer shall keep the adjoining streets free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.
- R. On street parking shall not be permitted along Vine Hill Way and Center Avenue on the street side adjacent to the project site and a bike lane shall be installed along Vine Hill Way and connect to Center Avenue. The dimension of the bike lane shall be approved by the City Engineer.
- S. Developer shall install a deceleration lane from the entry road onto to Center Ave.
- T. No on street parking on the entry way to the project site from Center Avenue for its entire length (Center Avenue to the intersection of "B" street). No parking on the entryway from Morello Avenue for the first 60 feet, approximate measurement from Morello Avenue to Parcel 1.

XII. Water System

- A. Water system facilities shall be designed to meet the requirements of the City of Martinez Water Department and the fire flow requirements of the Contra Costa County Consolidated Fire Protection District. All requirements of the responsible agency shall be guaranteed prior to approval of the improvement plans. Any required offsite easements shall be obtained at the developer own expense.
- B. The interior water system for the subdivision shall be connected to the exiting water system at the intersection of Vine Hill Way and Center Ave via a minimum of an 8" diameter pipe along Center Ave to the Entry Road and looped to the existing water main on Morello Ave unless otherwise approved by the City Engineer.
- C. Water system connection, including installation of the water meter, shall be made in accordance with the Water Department standards. Prior to obtaining water service, fees shall be paid in accordance with the water fee schedule in effect at time of payment.
- D. Backflow prevention, required as part of the water service installation, must be completed before occupancy of the building, and appropriately screened with suitable material.

XIII. Sanitary Sewer System

- A. Sewer system connections and plans for sanitary sewer facilities shall be approved by the Mt. View Sanitary District. All requirements of that District, including constructing offsite improvement and upgrading existing sanitary sewer mains offsite downstream of the project, shall be met before the City approval of the improvement plans. All required easements and right of way shall be dedicated to the sewer district.
- B. Streets A,B,C,D and E require an 8" sewer main.
- C. The entire subdivision shall direct sewer to Vine Hill Way through an easement over private residential properties between Vine Hill Way and McMillian Court. That connection was never intended to be developed in that manner therefore; the applicant is encouraged to route the sewer through the Bio retention Basin Parcel and to Vine Hill Way and out the northeasterly to the existing manhole on Rolling Hill Way. The length of this offsite sewer in the public street would be approximately 300 feet, and no modifications to the existing easement would be required.

XIV. Other Requirements

- A. Construction shall comply with all applicable City and State building codes and requirements including handicapped and energy conservation requirements, grading and erosion control ordinances.
- B. Design of all public improvements shall conform to the City of Martinez Design Guidelines, Standard Special Provisions, and Standard Drawings. Prior to preparation of improvement plans, the developer or his representative should contact the City's Engineering Development Review section of the Community Development Department.
- C. Complete grading, site and improvement plans, specifications and calculations shall be submitted to and approved by the City Engineer, Community Development Director, and/or other agencies having jurisdiction for all improvements within the proposed development prior to filing of the Final Map or issuance of a Building, Site, Grading or Encroachment Permit whichever comes first. Approved plans shall become the property of the City of Martinez upon being signed by the City Engineer and Community Development Director.
- D. Prior to City approval of the Final Map, all fees, bonds, and deposits shall be paid and posted; all agreements shall be executed and all grading and improvement plans shall be approved by the City Engineer and Community Development Director. No construction shall take place until recordation of the Final Map and issuance of the appropriate Encroachment, Site, Grading and/or Building Permits.

- E. If more than one unit is to be recorded on the area of the Tentative Map, master plans for the water mains, sanitary sewers, and storm sewers must be approved prior to the submittal of an improvement plan. The master plans are subject to review with any requested time extension of approval of the Tentative Map.
- F. The developer shall comply with all the mitigation measures listed in the CEQA environment documents prepared for this project. The Community Development Director shall interpret the mitigation measures and furnish the developer with specific improvements to be installed.
- G. Prior to issuance of the first building permit, the access to building sites shall be graded and improved to at least an all-weather surface condition, and operating fire hydrants shall be in place.
- H. Prior to issuance of the first certificate of occupancy, the public improvements including streets, sewers, storm drains, street lights, and traffic signs required for access to the sites of that phase of the project shall be completed. All public improvements shall be completed and accepted by the City prior to issuance of certificate of occupancy on final dwelling unit in the project.
- I. Prior to acceptance of improvements, offers of dedication, and release of bonds and deposits by the City, the City's record copies of the grading, site, and improvement plans shall be updated to show "As Built" conditions of the project. Said plans shall be prepared by the responsible Civil Engineer of work and shall reflect all changes made during the course of project construction. Grading and improvement plans shall be 24" x 36" in size. The as built plans and final map shall be provided in 4 mil photo mylars and in the form of electronic files compatible with AutoCAD.
- J. All on-site improvements not covered by the building permit including sidewalks, driveways, paving, sewers, drainage, curbs and gutters must be constructed in accordance with approved plans and/or standards and a Site Development Permit approved by the City Engineer.
- K. Building permits for retaining walls shall be obtained as follows:
 - 1. For major walls to be constructed during the mass-grading phase, obtain permit prior to issuance of the Grading Permit.
 - 2. For all other walls, obtain permit prior to issuance of Permits for structures on the respective lot.

- L. Any existing water wells on the property shall be filled and sealed off or otherwise disposed of as directed by the City Engineer.
- M. All required offsite easements that are necessary to complete the improvement of this project shall be obtained by the developer, at his own sole expense, and submitted to the City prior to approval of the Final Map.
- N. Where existing onsite utility easements and facilities are to be removed, located or abandoned, the developer shall be responsible for securing all necessary approvals from the owner(s) of the easements and facilities prior to approval of the Final Map.
- O. Approval by the applicant's Soils Engineer, the City's Soils Consultant, the Fire District, Sewage District, water agency, and State Department of Fish & Game of all improvements and buildings is required prior to City approval of the grading and improvement plans, and the issuance of any permits.
- P. Final Map and/or CC & R's clearly showing lot numbers and property lines shall be submitted with building permit applications. Final Map shall be 18" x 26" in size.
- Q. The developer shall establish a Homeowners' Association (hereinafter referred to as the "HOA") for the purpose that includes but is not limited to the maintenance of the access and landscape easements and/or parcels as described on the Vesting Tentative Map. The HOA shall be responsible for all exterior maintenance, including repainting of buildings, inspection and maintenance of private improvements such as: private storm drain system, landscaping and irrigation system; private access roads, sidewalks, parks, sewer, signs, lighting, utilities and unaccepted streets and or parcels. Maintenance of Parcels A, B, C, D, E and F shall be the responsibility of the Homeowners Association.
- R. The HOA shall also be responsible for inspection, operation and maintenance of stormwater control facilities (C.3 facilities), including reporting as required. All required documents and agreement shall be executed prior to issuance of permits. The CC&R shall clearly note the maintenance responsibility. Final wording of the implementing CC & R's shall be subject to approval of the City Attorney, and the City Engineer.
- S. Project CC & R's shall be submitted for City review and approval with the final map and improvement plans. The CC & R's shall contain a clause giving the City the right, but not the duty, to enforce the CC & R's. The CC & R's shall include the following restrictions on the uses of garages:

1. Garages shall be kept sufficiently clear so as to permit the parking of 2 motor vehicles in addition to any incidental household storage.
 2. Residents shall use their assigned garages to capacity before using guest or on-street parking.
- T. As required by Map Act, Final Subdivision Map shall be prepared by licensed Land Surveyor or qualified Civil Engineer. Regardless of whether any discrepancies between the boundary locations and/or site area as shown on tentative and final maps, the developer is required to maintain the maximum permitted density, all required minimum setbacks, bio retention areas, site amenities (etc.) as shown on the Tentative Map/PUD plan. If necessary, units may be deleted to preserve consistency with the PUD plan, as required by Planning staff and City engineer.
- U. The applicant shall construct the project in compliance with Green Building standards and techniques.

XV. Validity of Permit and Approval

- A. The tentative map, and Planned Unit Development approvals integral to the map, shall expire on _____(24 months from Planning Commission or City Council approval date, whichever is later.) unless:
1. The final map, the Improvement plans and all required documents are filed with City Engineer prior to the expiration date;
 2. Or if an application for extension with all required fees are received prior to the expiration date as state in item B below.
- B. Extension of the tentative map approval: Extension(s) shall be in accordance with the City's Municipal Code and Subdivision Map Act requirements. Tentative map extension can be considered upon receiving an application with required fee prior to the expiration date of the approved Tentative Map. If the tentative map is expired a new application is required. A public hearing will be required for all extension applications. Extensions are not automatically approved: Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require or permit denial.
- C. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Martinez, or other public agency having jurisdiction.
- D. The permittee, DeNova Homes, shall defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the

Planning Commission's decision to recommend approval PUD 09-01, Major Subdivision 9358, and any environmental document approved in connection therewith. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorneys' fees, and other costs and expenses incurred in connection with such action whether incurred by DeNova Homes, the City, and/or the parties initiating or bringing such action.

- E. DeNova Homes shall defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation of, or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the Negative Declaration), if made necessary by said legal action and if DeNova Homes desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- F. In the event that a claim, action or proceeding described in Subsection E, above, is brought, the City shall promptly notify DeNova Homes of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding. In the event that DeNova Homes is required to defend the City in connection with any said claim, action, or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with DeNova Homes in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where DeNova Homes has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that the fees and expenses of the City Attorney shall be paid by the applicant.
- G. DeNova Homes shall indemnify the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.
- H. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirement, and other exactions. Pursuant to Government Code Section 66020(d) (1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may

protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

Comments – Susan Gustofson

General Layout:

I am generally supportive of the proposed layout. Because this layout has not yet been 'developed' with detailed housing designs, aka Massing, detailed spacing elements cannot be analyzed. I understand this is the new 2-phased approach the city now uses.

MASSING: It is important that we reserve the option to slightly amend the layout based on review of the Massing phase of the project. It is suggested that the layout can be adjusted 5%, which means as little as 94 homes or equally, as many as 104 homes. This will allow slight modifications to the site layout after Massing, to account for usable space surrounding the homes based on property slope, housing footprint, and drainage.

I am supportive of mixed housing elements – one and two story homes, 1850 - 3450 sq ft.

Because this project is flattening a hilly area, it would have been more flattering to the development to utilize more of the natural slope and views that this property uniquely presents.

Streets/Access:

It is recommended that no parking is allowed on the two entrance streets up to the first intersection. These areas are high traffic and eliminating parking in these areas should promote safety for vehicles, bicycles, and pedestrians. If it is later determined that parking will not impede the safe use of these areas, the no parking requirements may later be rescinded.

Driveways – Homes should be designed with sufficient driveway depth so that vehicles can be parked completely off the street and not impede the 5 ft. sidewalks.

Bike Lane – Continue the existing bike lane along Center Avenue. If space is available for only one bike lane, this should be on the uphill side, near the walking path. Downhill bike traffic is more easily able to maintain similar speed as motor vehicle traffic.

Open Space Operations, Safety, & Maintenance

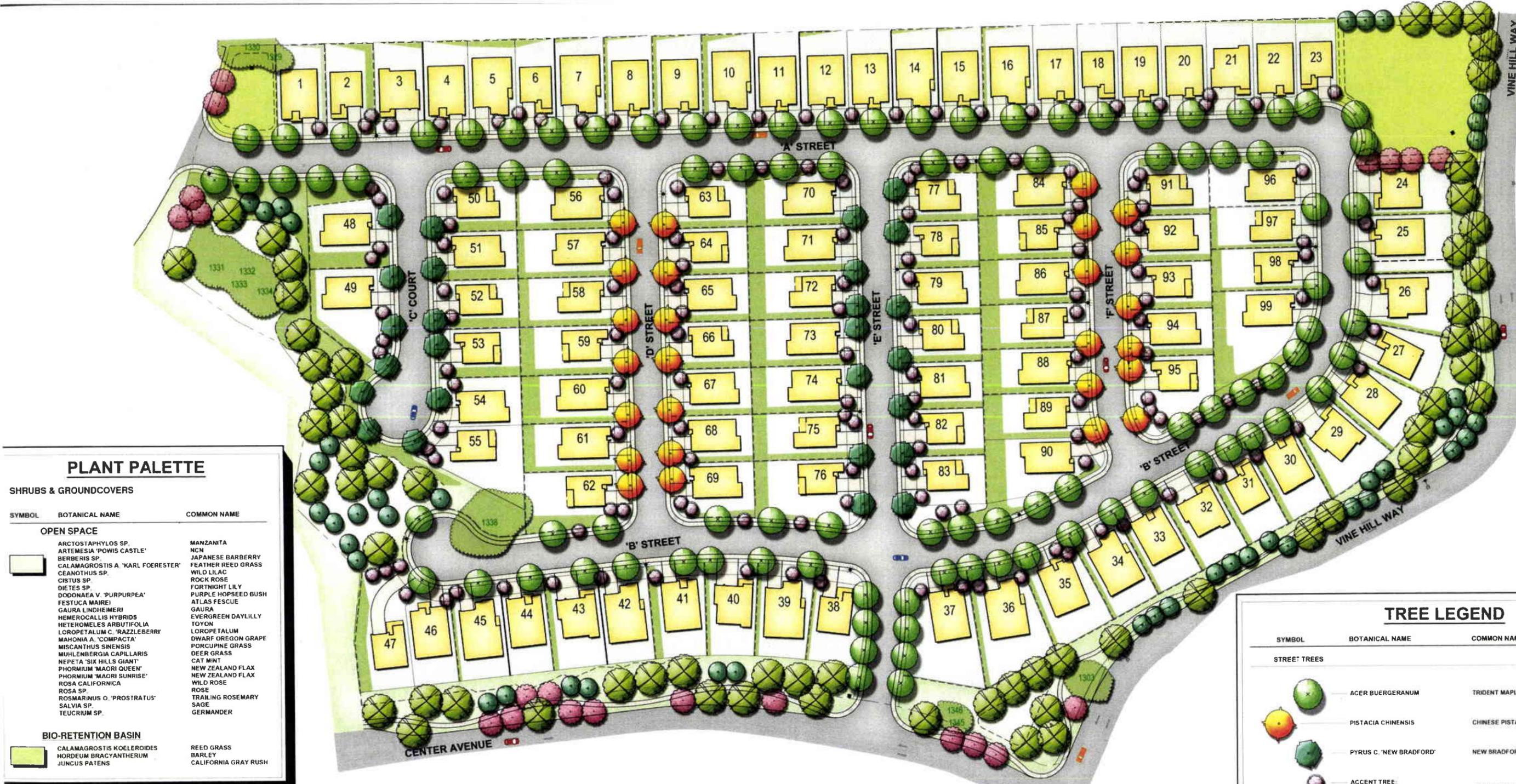
I agree with including a perimeter rather than an interior open space. This unites the two adjacent communities with a walking path that is available to all, and aids as a buffer to the adjacent existing homes.

The interior open space should include elements that maximize visibility and minimize random loitering. This is an area that can be prone to crime activities because it is 'hidden'. The personal safety element needs to be fully developed in this area.

I understand the maintenance of the bioswails and open spaces will be primarily the responsibility of the homeowners. Perimeter and interior non-developed or open spaces should be designed to minimize maintenance costs and pedestrian safety issues: adequate and vandal-proof lighting, street visibility, minimizing hidden areas. Address dog waste handling as part of the plan.

Trees:

The developer has proposed 15 gallon trees to replace those removed during grading. The developer also suggested that it is possible to utilize some larger trees (48" pots). I am supportive of planting a variety of tree sizes, 15 gallon and larger. This will improve the site's visual aesthetics.



PLANT PALETTE

SYMBOL	BOTANICAL NAME	COMMON NAME
SHRUBS & GROUNDCOVERS		
OPEN SPACE		
	ARCTOSTAPHYLOS SP.	MANZANITA
	ARTEMESIA 'POWIS CASTLE'	NCN
	BERBERIS SP.	JAPANESE BARBERRY
	CALAMAGROSTIS A. 'KARL FOERESTER'	FEATHER REED GRASS
	CEANOTHUS SP.	WILD LILAC
	CISTUS SP.	ROCK ROSE
	DIETES SP.	FORTNIGHT LILY
	DODONAEA V. 'PURPURPEA'	PURPLE HOPSEED BUSH
	FESTUCA 'MAIREI'	ATLAS FESCUE
	GAURA LINDHEMERI	GAURA
	HEMEROCALLIS HYBRIDS	EVERGREEN DAYLILLY
	HETEROMELES ARBUTIFOLIA	TOYON
	LOROPETALUM C. 'RAZZLEBERRY'	LOROPETALUM
	MAHONIA A. 'COMPACTA'	DWARF OREGON GRAPE
	MISCANTHUS SINENSIS	PORCUPINE GRASS
	MUHLENBERGIA CAPILLARIS	DEER GRASS
	NEPETA 'SIX HILLS GIANT'	CAT MINT
	PHORMIUM 'MAORI QUEEN'	NEW ZEALAND FLAX
	PHORMIUM 'MAORI SUNRISE'	NEW ZEALAND FLAX
	ROSA CALIFORNICA	WILD ROSE
	ROSMARINUS O. 'PROSTRATUS'	TRAILING ROSEMARY
	SALVIA SP.	SAGE
	TEUCRIUM SP.	GERMANDER
BIO-RETENTION BASIN		
	CALAMAGROSTIS KOELEROIDES	REED GRASS
	HORDEUM BRACRYANTHERUM	BARLEY
	JUNCUS PATENS	CALIFORNIA GRAY RUSH

GENERAL NOTES:

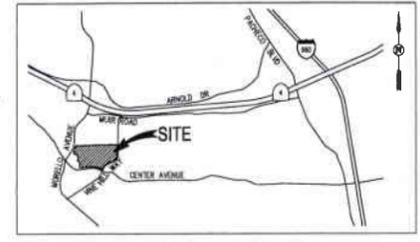
- TREE LAYOUT IS SCHEMATIC. FINAL TREE LOCATIONS AND SPECIES SUBJECT TO FINAL UTILITY LOCATIONS AND CITY REVIEW. STREET TREES LOCATED APPROXIMATELY 30' O.C.
- ALL LANDSCAPE AREAS THAT ARE INSTALLED BY DEVELOPER SHALL RECEIVE IRRIGATION BY MEANS OF AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM(S). THE SYSTEM(S) WILL BE DESIGNED UTILIZING BACKFLOW PREVENTION DEVICES TO MEET LOCAL AND UBC CODES. IRRIGATION HEADS SHALL BE DESIGNED TO MINIMIZE OVERSPRAY AND RUNOFF.

TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
STREET TREES				
	ACER BUERGERANUM	TRIDENT MAPLE	15 GAL	97
	PISTACIA CHINENSIS	CHINESE PISTACHE	15 GAL	26
	PYRUS C. 'NEW BRADFORD'	NEW BRADFORD PEAR	15 GAL	26
	ACCENT TREE: ACER PALMATUM	JAPANESE MAPLE	15 GAL	152
	CERCIS OCCIDENTALIS	WESTERN REDBUD	15 GAL	
	LAGERSTROEMIA SPP.	GRAPE MYRTLE	15 GAL	
		TOTAL:		301
PERIMETER TREES				
	PRUNUS CERASIFERA	PURPLE LEAF PLUM	15 GAL	21
	QUERCUS AGRIFOLIA	COAST LIVE OAK	15 GAL	62
	QUERCUS RUBRA	RED OAK	15 GAL	
	SEQUOIA S. 'SOQUEL'	COAST REDWOOD 'SOQUEL'	15 GAL	44
	EXISTING TREES TO REMAIN			
		TOTAL:		127

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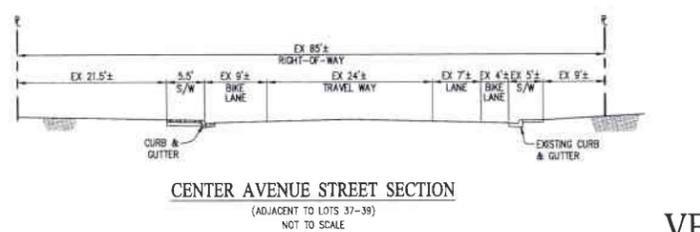
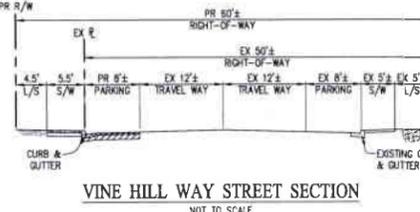
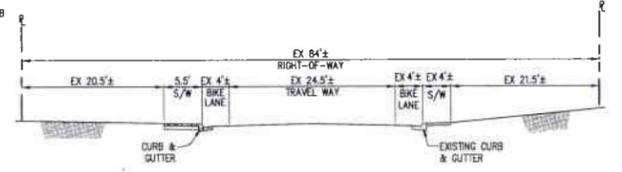
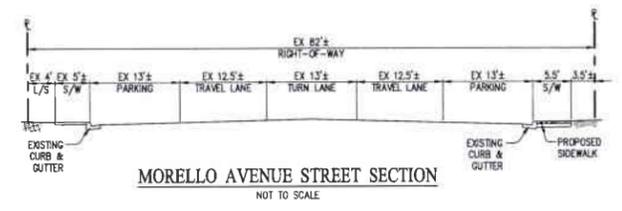
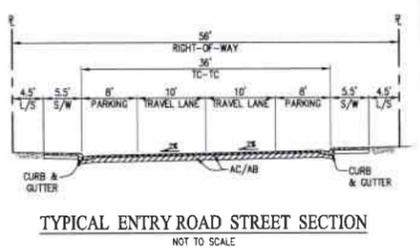
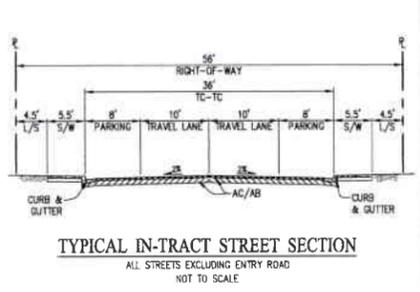




VICINITY MAP
NOT TO SCALE

NO.	BEARING	LENGTH
L1	N62°45'05"W	52.77'
L2	N62°24'52"W	119.23'
L3	N06°18'00"W	100.00'
L4	N06°27'20"W	83.39'
L5	N44°20'02"W	121.63'
L6	N11°09'17"E	144.73'
L7	N35°32'16"W	68.82'
L8	N62°33'37"W	38.59'
L9	N54°39'37"W	112.46'
L10	N15°51'51"E	169.79'

NO.	RADIUS	DELTA	LENGTH
C1	140.00'	65°29'51"	160.04'
C2	30.00'	83°48'47"	49.13'
C3	542.00'	19°38'27"	185.95'
C4	542.00'	13°53'28"	131.41'



GENERAL NOTES:

- OWNERS: DEAN, COWARD, AND COWARD
451 VINE HILL WAY
MARTINEZ, CA 94553
- DEVELOPER: DeNOVA HOMES
1500 WILLOW PASS COURT
CONCORD, CA 94520
(925) 885-0110
DAVE SANSON
- CIVIL ENGINEER: CARLSON, BARBEE & GIBSON, INC.
2633 CAMINO RAMON, SUITE 350
SAN RAMON, CA 94583
(925) 868-0322
LEW CARPENTER RCE# 59416
- APN: 162-020-019
- EXISTING ZONING: M-OS/RP
PROJECT RE-ZONING: R-7.0 (SINGLE FAMILY RESIDENCE)
- EXISTING GENERAL PLAN: OS & R
PROPOSED PROJECT GENERAL PLAN: R O-6
- GROSS SITE AREA: 26.76 Ac±
DEDICATED R/W AREA: 6.08 Ac±
NET SITE AREA: 20.68 Ac±
- NUMBER OF UNITS: 99
DENSITY: 4.8 DU / NET ACRE
- PARCELS:
PARCEL A - PRIVATE OPEN SPACE/DRAINAGE (7,802 SF)
PARCEL B - PRIVATE OPEN SPACE (13,518 SF)
PARCEL C - PRIVATE OPEN SPACE/DRAINAGE (21,800 SF)
PARCEL D - PRIVATE OPEN SPACE/DRAINAGE (55,899 SF)
PARCEL E - PRIVATE OPEN SPACE/DRAINAGE (4,154 SF)
PARCEL F - PRIVATE OPEN SPACE/DRAINAGE (32,566 SF)
PARCEL G - PRIVATE STREETS R/W-R/W (268,982 SF)
(INCLUDES S/W & L/S STRIP)
- MINIMUM LOT SIZE: 5,077 SF (LOT 23)
MAXIMUM LOT SIZE: 13,046 SF (LOT 99)
AVERAGE LOT SIZE: 7,102 SF
- STREET PARKING: ALL PROPOSED PUBLIC STREETS TO HAVE 8' PARKING ON BOTH SIDES. SEE TYPICAL IN-TRACT STREET SECTION THIS SHEET.

- UTILITY PROVIDERS:
SEWER: MOUNTAIN VIEW SANITARY DISTRICT (MVSD)
WATER: CITY OF MARTINEZ
STORM DRAIN: CITY OF MARTINEZ
GAS/ELECTRIC: PACIFIC GAS & ELECTRIC
TRASH: ALLED WASTE
CABLE/TELEPHONE: COMCAST
 - FLOOD ZONE DESIGNATION: ZONE X PER FEMA FIRM PANEL NUMBER 06013C0277F & 06013C0280F DATED, JUNE 16, 2009.
 - GRADING SHOWN IS PRELIMINARY AND SUBJECT TO CHANGES DURING FINAL DESIGN.
 - ALL PROPOSED UTILITIES SHOWN ARE TENTATIVE AND MAY CHANGE DURING FINAL DESIGN. FINAL DESIGN SHALL ADHERE TO CITY OF MARTINEZ STANDARDS.
 - ALL EXISTING STRUCTURES ARE TO BE REMOVED. ALL EXISTING TREES WITHIN GRADING LIMIT LINE ARE TO BE REMOVED. SEE SHEET 2 & 5 FOR GRADING LIMIT LINE, AND SEE NOTE 2 ON SHEET 5.
 - FOR TREE INFORMATION, SEE REPORT PREPARED BY BAEFSKY & ASSOCIATES, ENVIRONMENTAL LANDSCAPE CONSULTING, DATED OCTOBER 27, 2011.
 - ALL EXISTING ON-SITE UTILITIES ARE TO BE REMOVED.
 - NO PROPOSED STRIPING UPGRADES OR PAVEMENT RESTORATION IS PROPOSED FOR MORELLO AVENUE EXCEPT FOR SIDEWALK INSTALLATION.
 - INSTALL CURB & GUTTER AND SIDEWALK ON CENTER DRIVE ALONG PROJECT FRONTAGE AND RESTRIPE TO ACCOMMODATE THE ENTRY ROAD.
 - WIDEN STREET SECTION FOR VINE HILL WAY TO 40' (FC - FC) AND 80' R/W. INSTALL CURB & GUTTER AND SIDEWALK ALONG PROJECT FRONTAGE.
 - PROJECT MAY BE BUILT IN PHASES AND MULTIPLE FINAL MAPS MAY BE FILED.
- BENCHMARK:**
CONTRA COSTA COUNTY BM #3058
CONTRA COSTA COUNTY BRASS DISK SET IN TOP OF DRAIN INLET IN CURB, NORTH SIDE OF CENTER AVENUE, 175' EAST OF VINE HILL WAY
E.L.: 187.801 FEET (NGVD 29)
- EASEMENTS:**
DRAINAGE EASEMENT IN FAVOR OF THE CITY OF MARTINEZ, PER BOOK 5491 OF OFFICIAL RECORDS, PAGE 496.
- BASIS OF BEARING:**
THE BASIS OF BEARINGS FOR THIS SURVEY IS DETERMINED BY FOUND MONUMENTS IN MORELLO AVENUE, THE BEARING BEING N 147°19' E PER SUBDIVISION 3357 (102 M 30).

LEGEND:

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	RIGHT-OF-WAY LINE
---	---	CENTER LINE
---	---	EASEMENT LINE
---	---	TOP OF CURB

ABBREVIATIONS:

AB	AGGREGATE BASE
Ac	ACRES
AC	ASPHALTIC CONCRETE
CB	CATCH BASIN
CL	CENTERLINE
EL	ELECTROFLUOR
EX	EXISTING
FC	FACE OF CURB
FI	FIRE HYDRANT
FL	FIELD INLET
FL	FLOWING
GB	GRADE BREAK
GR	GROUND ELEVATION
HP	HIGH POINT
INV	INVERT
JT	JOINT TRENCH (BY OTHERS)
LL	LOT LINE
LP	LOW POINT
LEFT	LEFT
L/S	LANDSCAPE
MAX	MAXIMUM
MIN	MINIMUM
MH	MANHOLE
PL	PROPERTY LINE
PSDE	PRIVATE STORM DRAIN EASEMENT
PUE	PUBLIC UTILITY EASEMENT
RT	RIGHT
R/W	RIGHT OF WAY
SD	STORM DRAIN
SF	SQUARE FEET
SO	SIDE OPENING
SS	SANITARY SEWER
SSE	SANITARY SEWER EASEMENT
S/W	SIDEWALK
TYP	TYPICAL
W	WATER
WM	WATER METER

SHEET INDEX

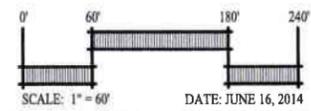
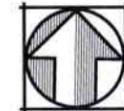
TM-1	SITE PLAN
TM-2	PRELIMINARY GRADING PLAN
TM-3	PRELIMINARY UTILITY PLAN
TM-4	PRELIMINARY STORMWATER CONTROL PLAN
TM-5	PRELIMINARY TREE REMOVAL & DEMOLITION PLAN
TM-6	EXISTING TREE SURVEY EXHIBIT

PROPOSED LOT SETBACK SUMMARY

CENTER AVENUE	30' TYPICAL (VARIES)
MORELLO AVENUE	75' TYPICAL (VARIES)
VINE HILL WAY	30' TYPICAL (VARIES)
FRONT	20' MINIMUM
SIDE	5' MINIMUM
SIDE (CORNER LOT) ADJACENT TO STREET	15' MINIMUM
REAR	15' MINIMUM

**VESTING TENTATIVE MAP
SUBDIVISION 9358
SITE PLAN
VINE HILL**

CITY OF MARTINEZ CONTRA COSTA COUNTY CALIFORNIA



DATE: JUNE 16, 2014

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FAX: (925) 886-0378

SHEET NO.
TM-1
OF 6 SHEETS



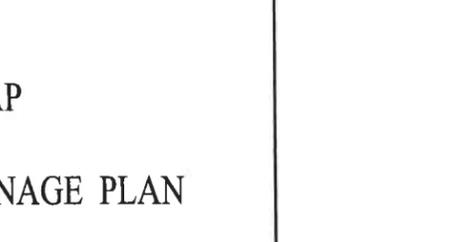
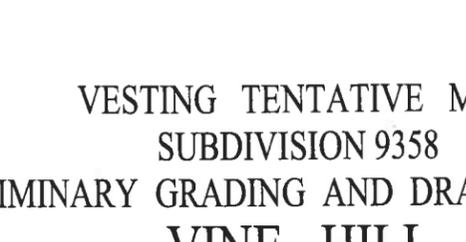
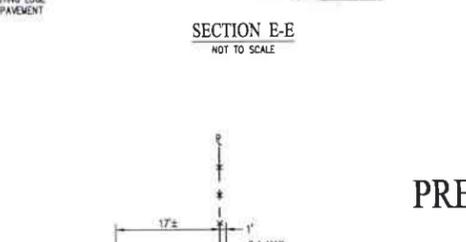
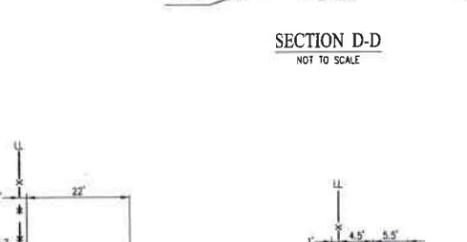
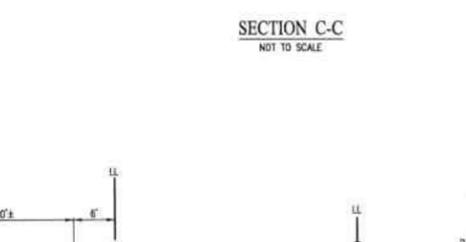
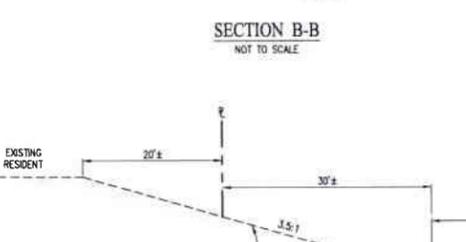
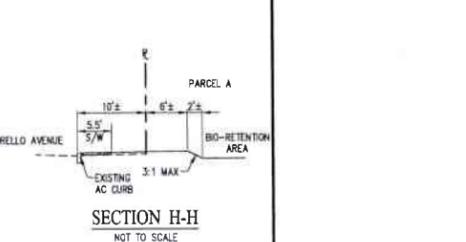
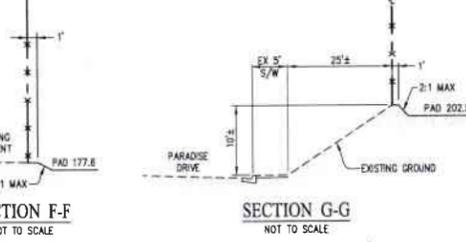
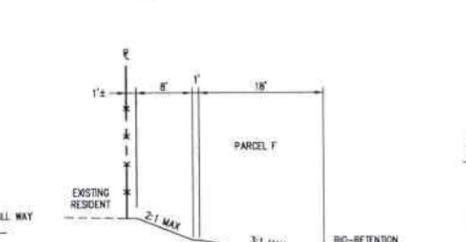
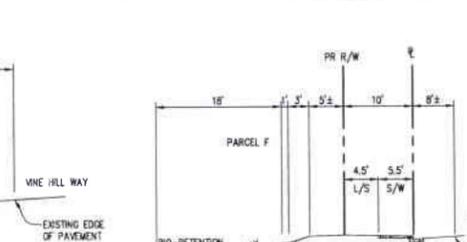
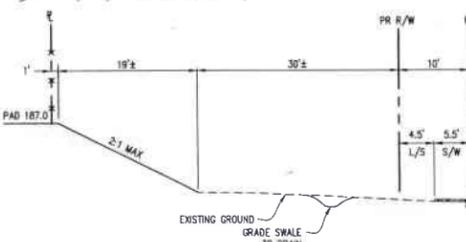
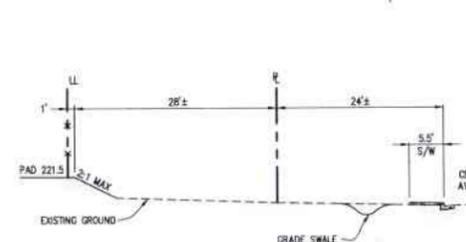
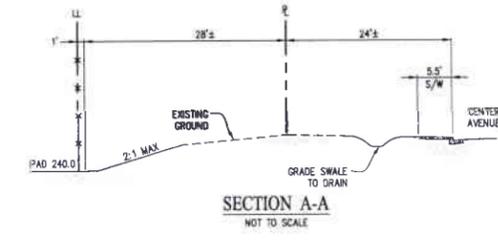
LEGEND:

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	RIGHT-OF-WAY LINE
---	---	CENTER LINE
---	---	EASEMENT LINE
---	---	TOP OF CURB
---	---	SPOT ELEVATIONS
---	---	EXISTING TREE
---	---	STORM DRAIN LINE
---	---	STORM DRAIN MANHOLE
---	---	FIELD INLET
---	---	CATCH BASIN
---	---	DIRECTION OF DRAINAGE
---	---	DIRECTION OF EXISTING STREET DRAINAGE
---	---	DRAINAGE SWALE

PRELIMINARY EARTHWORK SUMMARY

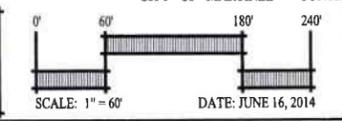
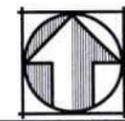
ITEM	CFT (CY)	FILL (CY)
EARTHWORK	132,800±	100,900±
TOTALS	132,800±	100,900±
NET	31,700±	-

EARTHWORK NOTES:
 1. A SHRINK/SWELL FACTOR HAS NOT BEEN APPLIED, AND NEEDS TO BE VERIFIED BY A GEOTECHNICAL ENGINEER WITH FINAL DESIGN.



**VESTING TENTATIVE MAP
 SUBDIVISION 9358
 PRELIMINARY GRADING AND DRAINAGE PLAN
 VINE HILL**

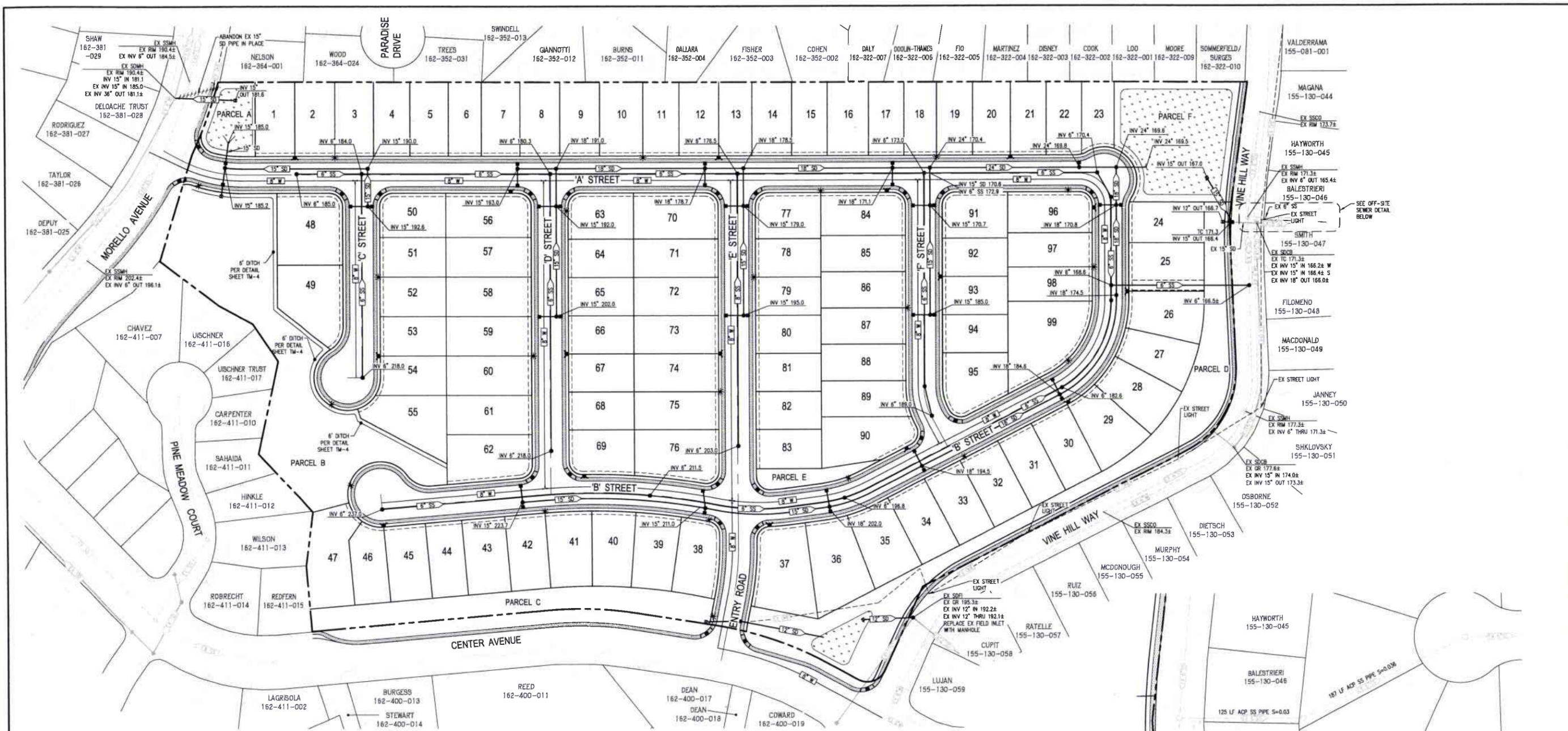
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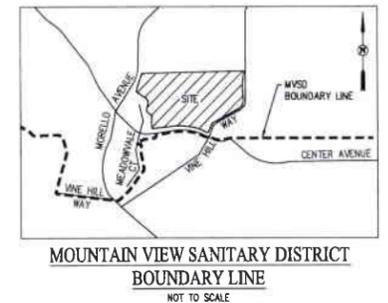
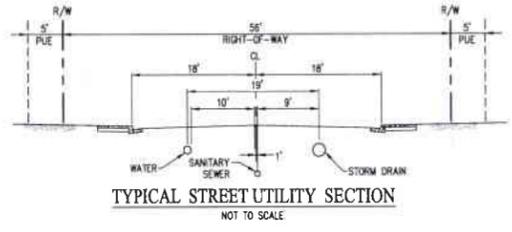
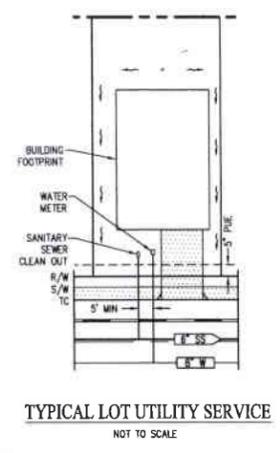
SHEET NO.
TM-2
 OF 6 SHEETS

DATE: JUNE 16, 2014



LEGEND:

EXISTING	PROPOSED	DESCRIPTION
---	1	PROPOSED LOT NUMBER
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	RIGHT-OF-WAY LINE
---	---	CENTER LINE
---	---	EASEMENT LINE
---	---	TOP OF CURB
---	x 67.0	SPOT ELEVATIONS
---	SD	STORM DRAIN LINE
---	SS	PROPOSED SANITARY SEWER
---	W	PROPOSED WATER
---	●	OVERHEAD ELECTRIC
---	○	STORM DRAIN MANHOLE
---	○	FIELD INLET
---	■	CATCH BASIN
---	○	SANITARY SEWER MANHOLE
---	⚡	FIRE HYDRANT
---	☀	STREET LIGHT
---	---	BIO-RETENTION AREA



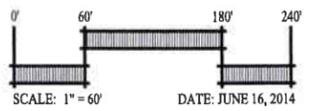
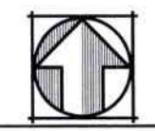
- NOTES:**
- A CAPACITY STUDY OF THE EXISTING FACILITIES DOWNSTREAM OF THE PROPOSED DEVELOPMENT WILL BE DONE WITH FINAL DESIGN.
 - THE EXISTING 8" SEWER PIPE IN THE DISTRICT'S EASEMENT OVER 511 VINE HILL WAY AND 2049 MCALLAN COURT WILL BE PIPE BURST AND UP-SIZED TO AN 8 INCH HOPE PIPE IF THE CAPACITY STUDY DETERMINES THAT THE DOWNSTREAM FACILITIES CAN NOT HANDLE THE PROPOSED CAPACITY GENERATED BY THE DEVELOPMENT.

**VESTING TENTATIVE MAP
SUBDIVISION 9358
PRELIMINARY UTILITY PLAN
VINE HILL**

CITY OF MARTINEZ CONTRA COSTA COUNTY CALIFORNIA

NOTE: JOINT TRENCH FACILITIES (BOXES, VAULTS, ETC.) AND LOCATION TO BE DETERMINED WITH FINAL DESIGN.

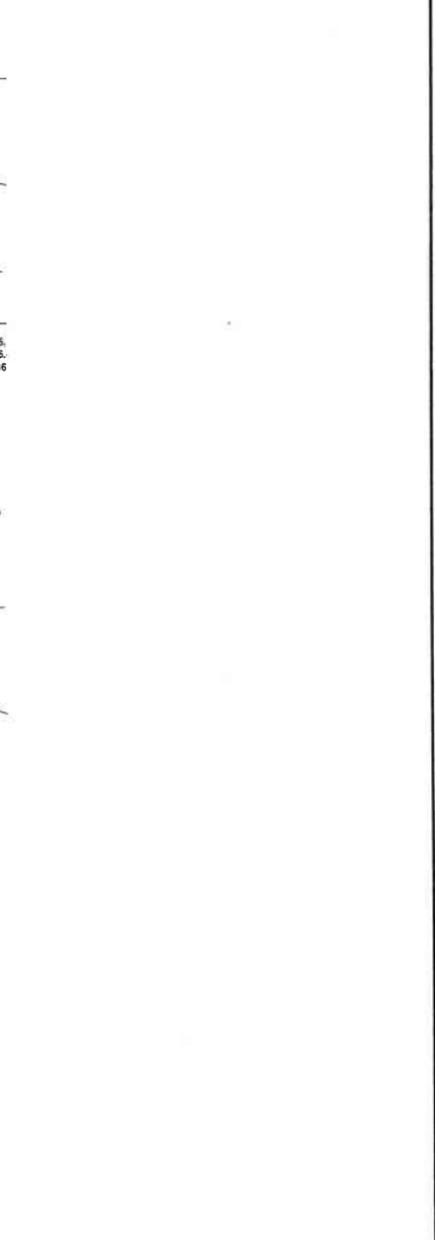
- NOTES:**
- WATER METER AND SANITARY SEWER CLEAN OUT LOCATIONS TO BE DETERMINED WITH FINAL DESIGN AND TO COMPLY WITH CITY OF MARTINEZ STANDARDS.
 - DRIVEWAY DETAIL TO BE DETERMINED WITH FINAL DESIGN AND TO COMPLY WITH ALL CURRENT ADA REQUIREMENTS.



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SHEET NO.
TM-3
OF 6 SHEETS

DATE: JUNE 16, 2014



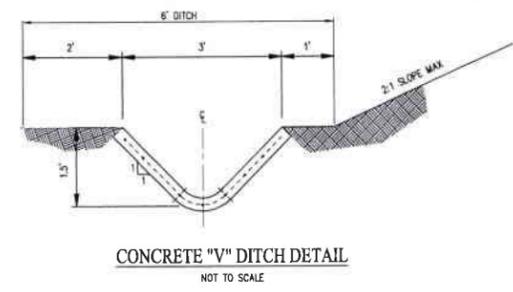
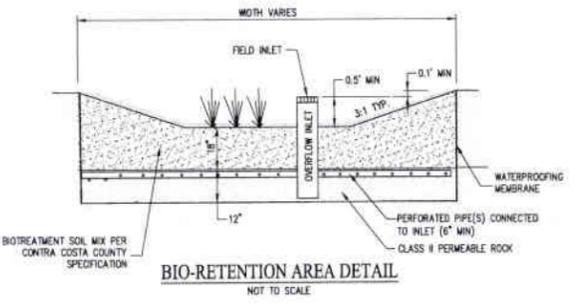
LEGEND:

EXISTING	PROPOSED	DESCRIPTION
	1	PROPOSED LOT NUMBER
---	---	PROPERTY LINE
---	---	LOT LINE
---	---	RIGHT-OF-WAY LINE
---	---	TOP OF CURB
○	x 67.0	SPOT ELEVATIONS
---	---	STORM DRAIN LINE
○	●	MANHOLE
⊗	⊗	FIELD INLET
□	■	CATCH BASIN
		BIO-RETENTION AREA
		COBBLES
	DMA 1	DRAINAGE MANAGEMENT AREA
		DRAINAGE MANAGEMENT AREA BOUNDARY

DRAINAGE MANAGEMENT AREA SUMMARY

DMA	PERVIOUS AREA:	IMPERVIOUS AREA:	TOTAL AREA:	TREATMENT REQUIRED:	TREATMENT PROVIDED:
DMA 1	114,805 SF	78,560 SF	201,450 SF	8,358 CUBIC FEET	100%
DMA 2	425,650 SF	371,810 SF	921,050 SF	71,500 CUBIC FEET	100%
DMA 3	34,080 SF	8,470 SF	42,550 SF	901 CUBIC FEET	100%

- NOTES:**
- SIZING BASED ON CONTRA COSTA COUNTY C.3 STORMWATER TECHNICAL GUIDANCE, DATED FEBRUARY 15, 2012.
 - BIO-RETENTION SIZING BASED ON COMBINATION FLOW AND VOLUME DESIGN BASIS.
 - IMPERVIOUS AREAS WERE CALCULATED BASED ON STREET AND SIDEWALK AREAS AND AN AVERAGE LOT COVERAGE OF 30%.
 - ULTIMATE SIZING OF BIO-RETENTION AREAS WILL BE DETERMINED WITH THE FINAL DESIGN.



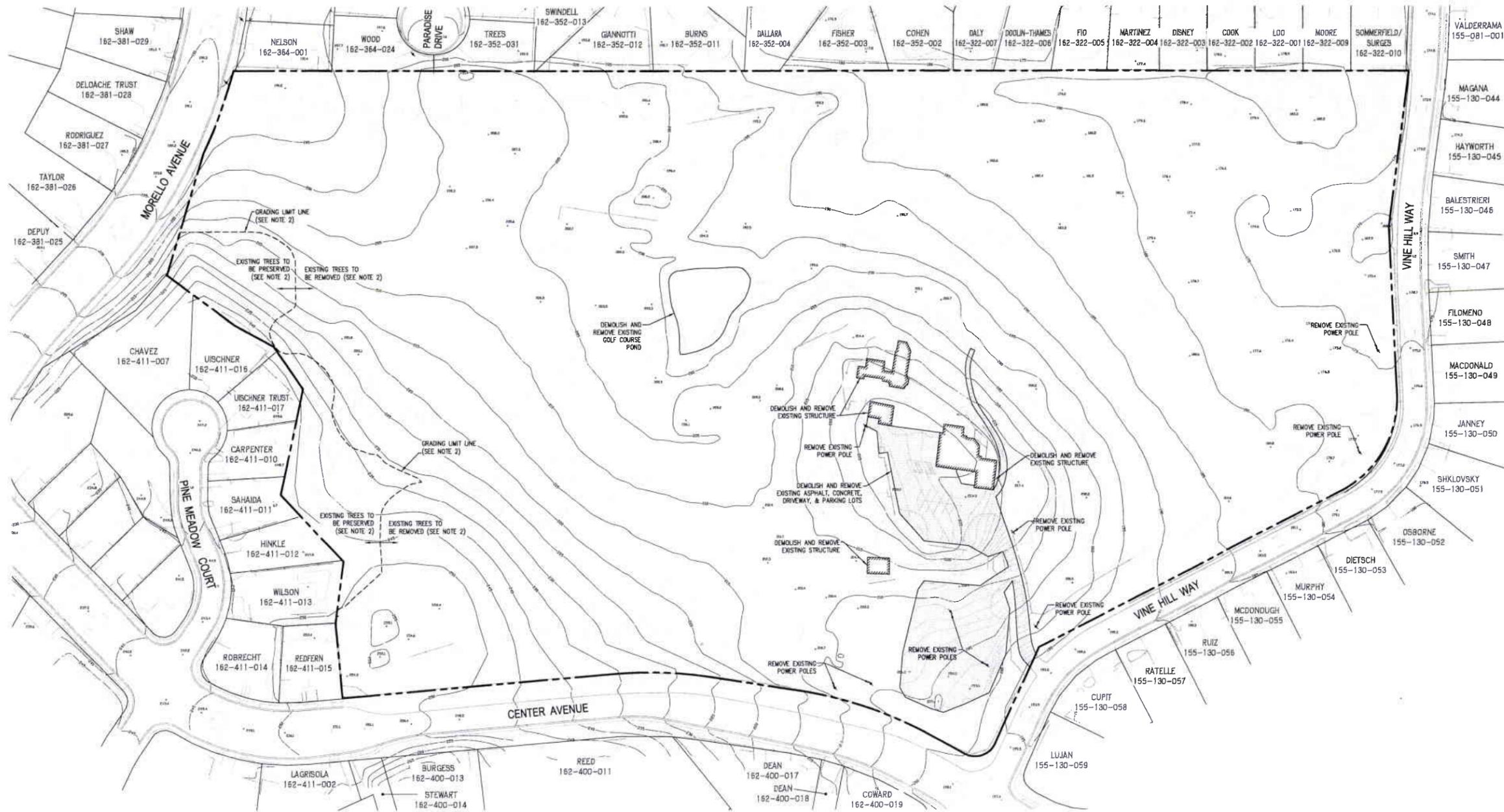
**VESTING TENTATIVE MAP
SUBDIVISION 9358
PRELIMINARY STORMWATER CONTROL PLAN
VINE HILL**

CITY OF MARTINEZ CONTRA COSTA COUNTY CALIFORNIA

SCALE: 1" = 60'
DATE: MAY 1, 2014

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SHEET NO.
TM-4
OF 6 SHEETS



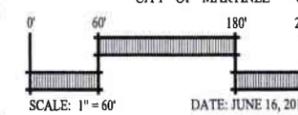
LEGEND:

EXISTING	PROPOSED	DESCRIPTION
—	—	PROPERTY LINE
—	—	RIGHT-OF-WAY LINE
—	—	TOP OF CURB

NOTES:

1. A TREE REPORT HAS BEEN PREPARED FOR THE SITE BY BAETSKY & ASSOCIATES ENVIRONMENTAL LANDSCAPE CONSULTING ON OCTOBER 27, 2011. TITLED: VINE HILL GOLF COURSE - PRELIMINARY ARBORIST EVALUATION.
2. ALL EXISTING TREES ON-SITE ARE TO BE REMOVED, EXCEPT FOR TREES OUTSIDE THE GRADING LIMIT LINE, ON THE WESTERN PORTION OF THE SITE. (SEE THIS SHEET & SHEET TM-2 FOR REFERENCE). THE GRADING LIMIT LINE IS PRELIMINARY AND MAY ADJUST WITH FINAL DESIGN.
3. ALL EXISTING ON-SITE STRUCTURES, CONCRETE, ASPHALT, AND HARDSCAPE TO BE DEMOLISHED AND REMOVED.
4. ALL EXISTING ON-SITE UTILITIES TO BE REMOVED.
5. EXISTING CHAIN LINK FENCES ON MORELLO AVENUE, CENTER AVENUE, AND VINE HILL WAY TO BE REMOVED.

VESTING TENTATIVE MAP
SUBDIVISION 9358
PRELIMINARY TREE REMOVAL & DEMOLITION PLAN
VINE HILL

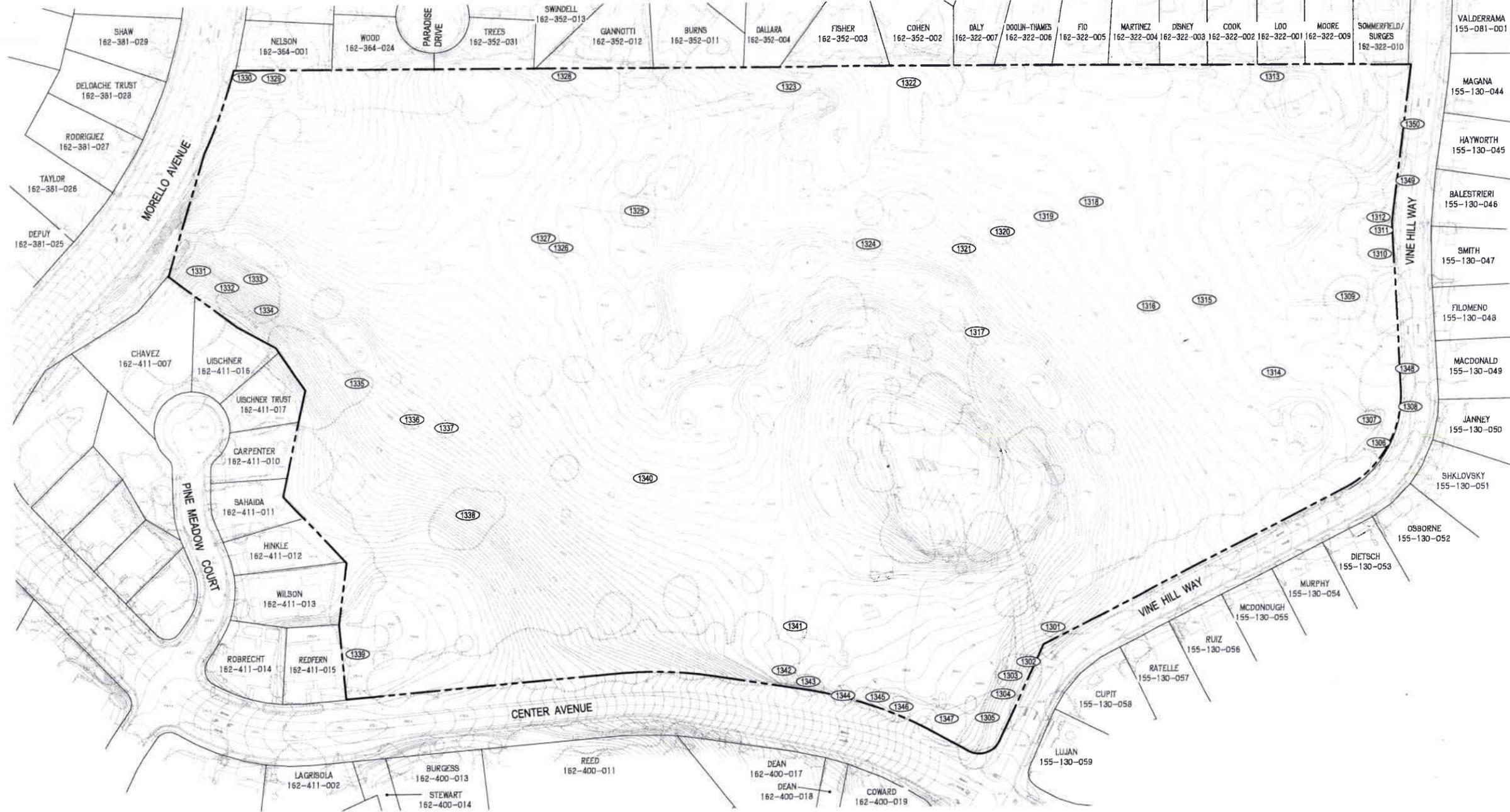


CITY OF MARTINEZ CONTRA COSTA COUNTY CALIFORNIA

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SHEET NO.
TM-5
 OF 6 SHEETS

DATE: JUNE 16, 2014



NOTES:

- TREE INFORMATION PROVIDED ON THIS EXHIBIT IS PER THE PRELIMINARY ARBORIST EVALUATION PREPARED BY BAESKY & ASSOCIATES DATED OCTOBER 27, 2011.
- TREE NUMBERS & DATA WITH LINES THROUGH THEM WERE ORIGINALLY IDENTIFIED AS PROTECTED, BUT THEIR SMALL DIAMETERS DISQUALIFIED THEM FOR THIS STUDY, AND SO ARE NOT LISTED AS PROTECTED TREES ON THIS SITE.

TREE #	COMMON NAME	DIAMETER (IN)	CONDITION
1301	COAST LIVE OAK	11.1"	POOR
1302	COAST LIVE OAK	13.7"	FAIR/POOR
1303	COAST LIVE OAK	11.6"	GOOD/FAIR
1304	COAST LIVE OAK	17.2"	FAIR
1305	COAST LIVE OAK	9.9"	FAIR
1306	CA BLACK WALNUT	5.3", 4.3", 2.3", 2.8", 5"	VERY POOR
1307*	CA BLACK WALNUT	4.5", 5.6", 3.6"	VERY POOR
1308*	COAST LIVE OAK	4", 4"	VERY POOR
1309	COAST LIVE OAK	6.1", 7.9", 5", 8", 12"	EXCELLENT/GOOD
1310	BLUE OAK	7.8", 5", 5.3"	GOOD/FAIR
1311	BLUE OAK	7.2"	FAIR
1312	VALLEY OAK	6.2"	FAIR
1313	BLUE OAK	3.1", 3.5"	FAIR
1314	COAST REDWOOD	7.6"	POOR/FAIR
1315	COAST REDWOOD	7.4"	FAIR
1316	COAST REDWOOD	11.6"	FAIR/GOOD
1317	COAST REDWOOD	20.8"	GOOD
1318	COAST REDWOOD	12.5"	FAIR/GOOD
1319	COAST REDWOOD	17.7"	GOOD
1320	COAST REDWOOD	19.3"	GOOD
1321	COAST REDWOOD	22.4"	GOOD
1322	COAST LIVE OAK	14", 11", 9"	GOOD/FAIR
1323	VALLEY OAK	11", 15", 7"	GOOD
1324	COAST REDWOOD	26.7"	GOOD
1325	COAST REDWOOD	9.4"	GOOD

* SEE NOTE 2 THIS SHEET.

TREE #	COMMON NAME	CIRCUMFERENCE (IN)	CONDITION
1326	COAST REDWOOD	11.2"	FAIR
1327	COAST REDWOOD	12"	FAIR/POOR
1328	COAST LIVE OAK	6.4", 4.5", 2.8"	GOOD/FAIR
1329	VALLEY OAK	11.6"	GOOD/EXCELLENT
1330	VALLEY OAK	9.7", 5.6"	GOOD/FAIR
1331	VALLEY OAK	14.7"	GOOD
1332	VALLEY OAK	11.8"	FAIR
1333	VALLEY OAK	13.1"	FAIR
1334	VALLEY OAK	16.2", 10", 17", 13.5"	GOOD
1335	VALLEY OAK	18.4", 17.2"	FAIR
1336	COAST REDWOOD	12.5"	FAIR/GOOD
1337	COAST REDWOOD	11.2"	GOOD
1338	VALLEY OAK	34.2"	GOOD
1339	COAST LIVE OAK	13", 7"	EXCELLENT/FAIR
1340	COAST REDWOOD	6.4"	POOR
1341	VALLEY OAK	12.5"	GOOD/FAIR
1342	COAST LIVE OAK	10.2"	GOOD/FAIR
1343	COAST LIVE OAK	8", 3.5", 5.8"	FAIR
1344	COAST LIVE OAK	9.3"	FAIR/POOR
1345	BLUE OAK	10.8", 10.5"	FAIR/POOR
1346	COAST REDWOOD	9.5"	GOOD
1347	VALLEY OAK	7.8", 12.8", 8.5"	FAIR
1348	VALLEY OAK	8", 5"	FAIR
1349	BLUE OAK	7.1", 7.7", 5.2"	GOOD
1350	BLUE OAK	9.7"	GOOD/FAIR

**VESTING TENTATIVE MAP
SUBDIVISION 9358
EXISTING TREE SURVEY EXHIBIT
VINE HILL**

CITY OF MARTINEZ CONTRA COSTA COUNTY CALIFORNIA

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DATE: JUNE 16, 2014

SHEET NO.
TM-6
OF 6 SHEETS