



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:

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- 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. Design Review Committee review of the site plan is required at this stage, and committee comments are discussed further in this report.

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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