

Planning Commission Minutes  
Regular Meeting  
February 24, 2009  
Martinez, CA

CALL TO ORDER

Chair Frank Kluber called the meeting to order at 7:10 p.m. in the Council Chambers.

ROLL CALL

PRESENT: AnaMarie Avila-Farias, Commissioner, Harriett Burt, Commissioner, Lynette Busby, Commissioner, Michael Marchiano, Alternate Commissioner, and Frank Kluber, Chair.

EXCUSED: Fred Korbmacher, Vice Chair; Donna Allen, Commissioner, and Mark Hughes, Commissioner

ABSENT: None.

Mike Marchiano, Alternate, arrived shortly after roll call. Anamarie Avila Farias, Commissioner, arrived at 7:24 pm.

Staff Present: Karen Majors, Assistant City Manager/Community & Economic Development Director, Veronica Nebb, Deputy City Attorney, Corey Simon, Senior Planner & Terry Blount, Planning Manager

AGENDA CHANGES

Staff announced that Item 3, Capital Improvement Program, was continued to a future meeting.

PUBLIC COMMENT

Chair Kluber opened and closed public comment with no speakers coming forward.

CONSENT ITEMS

1. *Minutes of, January 27, 2009, meeting.*

On motion by Michael Marchiano, Alternate Commissioner, seconded by Harriett Burt, Commissioner, the Commission present voted to approve the Minutes of January 27, 2009 meeting. Motion unanimously passed 5 - 0. Yes: Harriett Burt, Commissioner, Lynette Busby, Commissioner, Michael Marchiano, Alternate Commissioner, and Frank Kluber, Chair.

(Commissioners Avila, Allen, Hughes and Korbmacher absent.)

2. *Vacating a portion of Muir Road. (TT)*

Vacating Muir Road - Staff Report

Senior Planner Corey Simon gave a brief staff report. Commissioner Burt recused herself, since she was a patient of Dr. Francis.

On motion by Lynette Busby, Commissioner, seconded by Michael Marchiano, Alternate Commissioner, to approve Item #2, concerning the vacation of a portion of Muir Road is consistent with the General Plan. Motion unanimously passed 4 - 0. Yes: Lynette Busby, Commissioner, Michael Marchiano, Alternate Commissioner, and Frank Kluber, Chair, Recused: Harriett Burt, Commissioner.  
(Commissioners Allen, Avila, Hughes and Korbmacher absent.)

3. Capital Improvement Program - Five Year 2009-2014 Planning Commission consideration of the City of Martinez Five Year 2009-2014 Capital Improvement Program, and finding of General Plan conformance. (TT)  
Item Continued.

#### REGULAR ITEMS

4. Martinez Senior Apartments Workshop to review preliminary plans for the construction of a 49 unit apartment project for seniors (55 years of age or older), with all rents restricted to affordable levels (i.e. all rents to be limited to 50% of Area Median Income, or less). Proposal will require approval of a Use Permit to allow density and height above the 17/unit/acre, 2 story/30 ft. height limits normally permitted in the DS - "Downtown Shoreline" zoning district. This project is located at 301 Buckley Street (Block bounded by Berrellesa, Buckley, Richardson and Foster Streets). Applicant: RCD-Resources for Community Development; Deni Adaniya/KTGY (KM) Group Inc Architecture; Jill Williams

Karen Majors, Assistant City Manager/Community & Economic Development Director gave a brief introduction, noting that this was a preapplication workshop, with no action to be taken tonight.

Deni Adaniya, Associate Director of Resources for Community Development (RCD), discussed the goals and background of RCD, as well as benefits from such projects. She also introduced members of the project team. (Commissioner Avila entered and was seated during her presentation.)

Jill Williams AIA, KTGY Group Inc Architect, gave background on KTGY, as well as a PowerPoint about the Martinez Senior Housing. She reviewed the urban edges of the project, existing grade, orientation, sustainability, site plan, and parking. She discussed neighborhood walks evaluating the setting, character, architecture, and historical nature of the area, as well as input from the neighborhood about detailing, massing, need for more guest parking, and colors. She also reviewed the amenities, sustainability components, the views north on Richardson and on Berrellesa, architecture, density, landscape plan, elevations, and first floor plan.

Jackie Keller, Keller Mitchell Landscape Architect, presented the plan for the

landscaping and responded to questions. Ron Bowen, Regional Manager, John Stewart Company, responded to questions from the Commission about his company and their projects. Eric Knecht, Director of Asset Management, RCD, discussed management and staffing for the project.

Lisa Motoyana, Director of Housing Development, RCD, reviewed the resident services programs. Ms. Adaniya and Ms. Montoyana spoke on funding sources and safeguards to ensure that the housing will be used for senior housing only.

Deputy City Attorney Veronica Nebb also discussed legal issues, including deed restrictions. There was considerable discussion about the protections, options and safeguards for the project.

Chair Kluber asked about water runoff and the potential for capturing the rainwater to help with the irrigation. Ms. Keller agreed they would consider that possibility.

Ms. Motoyana answered questions from Commissioner Marchiano about how the location was chosen. He questioned whether there were sufficient support services in the vicinity.

Commissioner Busby expressed concern about the parking ratios.

Chair Kluber opened public comment on the item.

Julio Dutillo expressed concern that the project will eventually be Section 8 housing.

Noralee Gipner objected to the project because it was not owner-occupied. She expressed concern that it will not remain senior housing, and she was doubtful that it would bring income to the downtown businesses.

Beth Isalman asked about the height of the garage, the small size of the units, assisted living possibilities, and the average age of the residents. She also expressed concern about flooding possibilities and the overall height of the project.

Roy Jeans was concerned about adding more rental units in the downtown area. He thought there were better projects for the location.

George Gillfoil, resident of Villa Vasconcellos (also managed by RCD), expressed extreme satisfaction with the living situation there.

Barbara Wadley, another resident of Villa Vasconcellos, commented on the many activities and amenities there.

Robert Richards, housing consultant, discussed his work with RCD and efforts to develop housing complexes throughout the United States. He specifically discussed benefits of this project to the surrounding neighborhood, especially as compared to other possible

uses.

Peggy Jen commented on her work with financing of affordable housing projects, including some for RCD; as well as restrictions and oversight provisions. She encouraged the Commission to support the project.

Katie Giles, resident of an RCD development in Berkeley, commented on the benefits of the housing setup, as well as the affordability and security issues.

Marline Haus expressed concern about parking, accessibility issues for seniors in the downtown, and the possibility of a "senior slum".

Dawn Wong commented on improvements in the neighborhood, but she was concerned about drainage, parking and whether the senior housing would remain once the contract expires.

Mr. Parker said he was surprised that anyone would oppose such a project when it will bring so much improvement to the City.

Ralph Rangle said he thought development in the downtown was long overdue and would benefit downtown businesses.

Ed Keegan commented on his experience as an inspector of senior housing and affordable housing; noting that RCD's work has always been wonderful, and John Stewart is an excellent property management company. He was confident that it will always be a quality project and will motivate others to invest in the area as well. He also thought the location was perfect for senior housing, especially with Waterfront Park so near.

Al Turnbaugh indicated he was supportive of having quality development in the downtown, but he was opposed to this particular project because it was not a home ownership opportunity. He asked whether property taxes would be paid on the property since RCD is a non-profit organization. He also questioned whether Martinez needs more senior accommodations, as opposed to the need for home ownership opportunities for young couples and young families. He also noted that although this may be the best project for the property at this point, there might be a better one at a later date, and once the property is developed, it will not be possible to change the use easily, if at all. He was concerned about the adequacy of the parking component.

Bob Glover expressed confidence that Commissioner Burt will ensure that drainage issues are resolved before the project moves forward. He also commended RCD for the quality reputation and their willingness to include green building materials in their project. He noted that the City's Housing Element has many goals and policies that deal specifically with this type of project. He expressed confidence that the development will be better for City than leaving the property as it is, and it will help meet the need for affordable housing and for senior housing.

Mike Alford said that he had spoken with representatives from RCD, and they reassured him that the project will be a quality development and will remain so over time. He questioned how affordable the available housing in town is, since there are so many "for rent" signs. He commented on how beneficial seniors are to the community, expressing confidence that the development will set a positive precedent for the future.

Paul Wilson commented on the deterioration of the neighborhood as compared to how it was when he bought his home. He expressed concern about the density of the project, especially considering the community's preference for owner-occupied, single-family housing in the neighborhood. He also asked for story poles so the visual impacts can be evaluated, and he expressed concern about the parking.

Seeing no further speakers, Chair Kluber closed the public hearing.

#### Rebuttal

Deni Adaniya noted that the project would be senior housing in perpetuity, and that there would be a condition of approval and a deed restriction to that effect. She stated that the age of the residents will be 55+, and that the apartments will be for independent living, although occasionally there might be a family member or caretaker to assist the resident. She also indicated that there will be no food service onsite.

Jill Williams discussed height issues. In response to questions from Ms. Isalman, Ms. Williams indicated there would be further community meetings to discuss specifics of concern to the neighbors. Commissioner Burt expressed that story poles would be very helpful.

Eric Knecht responded to questions about the average age of the tenants in other RCD projects, as well as the longevity of the tenants, and how tenants are qualified and approved.

Lisa Montoyana acknowledged that as a non-profit, RCD is exempt from some property taxes but would still be required to pay all the special assessments on the tax bill.

#### Commission Comment

Commissioner Avila expressed appreciation to RCD for the quality work on the project. She indicated she was very supportive of the project. She noted that the current market does not support home ownership projects, but there is interest in affordable senior housing. She was confident that the development will be high quality, and it will be well managed and well maintained. She encouraged the developer to consider LEEDS certification. She acknowledged the need for monitoring by the City to ensure it remains senior housing. She also asked how the project would look if the density bonus were removed, keeping the project more in line with City requirements and whether that might help alleviate some of the parking concerns. She thanked the applicants for working with the neighbors and encouraged them to continue to do so. She also cautioned against confusing "affordable housing" with "substandard" housing.

Commissioner Burt indicated she was reassured about the potential for a change in use, etc. She acknowledged the betrayal of the community's goals in development of the Downtown Specific Plan, and she was initially surprised by the proposal of affordable senior housing, because it was different than what the public wanted for the site. She agreed with Commissioner Avila that reducing the number of units would help the parking situation. She also agreed that story poles would be helpful, but at this point she was favorably inclined.

Commissioner Busby asked that the applicant carefully consider the design to make sure it fits with the neighborhood. She expressed concern that the parking situation should be resolved, and she suggested that a shuttle for the residents might be helpful. She also asked, and staff discussed the next steps in the process.

Commissioner Marchiano said he was supportive of the concept, but he wasn't sure whether this location was the best one. He was concerned about adequate parking, especially for visitors. He was confident that the development would increase property values in the neighborhood. He was especially appreciative of the green elements. He also thanked the public for their input.

Chair Kluber also thanked the public for their attendance and participation, especially those who came a distance to speak. He was in favor of the project, but he asked that the landscape architect work closely with the civil engineer to be sure that as much water runoff as possible from the site is captured and used for irrigation. He indicated agreement with comments made by the other Commissioners. He also noted that Planning Commissioner Donna Allen had submitted written comments since she was not able to attend the meeting, and he stated that those comments would be incorporated into the minutes.

Donna Allen's comments:

*I have been suggesting that housing designed for "seniors" in the Downtown Specific Plan area be considered for quite some time. But the housing type I am suggesting is "flats" sans stairs, up-scale for seniors (or others) with some disposable income... Somewhere that those of us who have lived here for quite some time would like to relocate. What we have now throughout the downtown area IS "affordable rental units." What is missing is the other end of the scale... Something that takes advantage of our wonderful waterfront and views... Something that brings a new population type into our downtown... Something that sets a new tone for our downtown... Something that provides a needed housing type that would have allowed us to keep life-long residents like the Huguets from fleeing to Benicia... Something for people like me that will someday not be able to negotiate the stairs to my house, but desperately want to stay in town enjoying the amenities I have learned to love!*

*But beyond my personal desires I strongly believe that this is simply not the type of project envisioned by the Downtown Specific Plan. Our Downtown Specific Plan talks about the "Loss of Economic Vitality – Martinez residents and policy makers expressed*

*concern about the health of Downtown business”... “land use opportunities for Downtown Martinez to serve as a cultural, arts and entertainment center offering a wide range of opportunities for residential lifestyles”... “ways to help Downtown Martinez succeed as an active daytime, evening and weekend downtown”... and to “provide a variety of housing options...” It also requires that we “provide incentives for ownership housing in the Downtown.”*

*The issue of affordable rental housing was brought up over and over during hearings on the Specific Plan. It was made crystal clear by residents that what was NOT wanted was any more low-cost or affordable rental units in the downtown. We have these types of projects in Martinez and they have definitely not all been successful. This is the FIRST major residential project in our downtown following our plan adoption and it will set a precedent. It needs to be a quality one.*

*I am not persuaded that the proposed project even comes close to meeting the criteria required for increased density, let alone that it is “superior.”*

*I am not persuaded that just because a unit is smaller it has a lesser impact or that housing for residents 55 years of age or older will result in such a substantial reduction of cars as proposed.*

*I am not persuaded that the legal criteria of “affordability” resulting in a density bonus is realistic in the current economic climate. With housing prices and rents spiraling downward figures generated in 2007 or 2008 make no real sense.*

*I am not persuaded that this is the correct project for this location. Perhaps the Shell Avenue site would be a better location particularly in light of the new Community Based transportation study that shows Shell Avenue as a possible new shuttle route.*

*There is a tremendous need for alternate residential housing types, but this is not it. There is a once in a lifetime opportunity to develop this property in conjunction with others in the immediate area finally breathing new life into our downtown. We cannot settle for less.*

Commissioner Burt asked that the applicant also be given a copy of Commissioner Allen's memo.

The Commission recessed briefly and reconvened with all members present as indicated.

#### STAFF ITEMS

##### 5. Housing Element update.

Karen Majors, Assistant City Manager introduced the item. Terry Blount, Planning Manager, presented the staff report, including a PowerPoint presentation and a review of the process, the anticipated timeline, goals, and statutory requirements.

COMMISSION ITEMS

6. *Election of the Chair & Vice Chair.*

After brief discussion, the Election of the Chair & Vice Chair was continued until the next meeting.

Commissioner Burt asked, and staff gave a brief update on the General Plan process.

Staff also reviewed upcoming agenda items.

COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned by Chair Kluber at 10:15 p.m. to a Regular Meeting on March 10, 2009, at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California.

Respectfully submitted,

Approved by the Planning Commission  
Chairperson

Transcribed by, Mary Hougey

Frank J. Kluber