

RESOLUTION NO. PC 09-08 [DRAFT]

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARTINEZ,
RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF A MITIGATED
NEGATIVE DECLARATION AND AMENDMENTS TO THE GENERAL PLAN AND
ZONING MAP TO ALLOW FOR MULTI-FAMILY DEVELOPMENT OF UP TO 29
UNITS/ACRE ON A 1.6 ACRE PORTION, AND ONE CUSTOM HOMESITE, ON A 5½
ACRE PARCEL LOCATED AT SHELL AVENUE (APN: 376-010-011)
GPA #09-01, REZ #09-01**

WHEREAS, the City of Martinez has received a request to allow development of multi-family housing on a 1.6 acre portion of a 5½ acre parcel requiring a General Plan Amendment (Central Martinez Specific Area Plan) from “Group 2 Residential” – up to 12 units per acre to “Group 4 Residential” – up to 29 units per acre and a Rezoning from R-3.5 (Family Residential, minimum 3,500 square feet per dwelling unit) to R-1.5 (Multi-Family Residential, minimum 1,500 square feet per dwelling unit); and;

WHEREAS, the proposal to develop the remainder of the property as a custom homesite includes requests for a General Plan Amendment and Rezoning of the ¼ acre building site at the southerly most corner of the parcel from “Group 2 Residential” – up to 12 units per acre to “Group 1 Residential” – up to 7 units per acre and Rezoning from R-3.5 (Family Residential, minimum 3,500 square feet per dwelling unit) to R-100 (Single-Family Residential, minimum 100,000 square feet per dwelling unit), with the balance to be designated Open Space; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) the City has conducted an Initial Study (Exhibit 3), 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 Planning Commission of the City of Martinez held a duly noticed public hearing on November 10, 2009, and listened to testimony from the public.

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. That the Planning Commission hereby finds that on the basis of the whole record before it, including the Initial Study and any comments received, that there is no

substantial evidence that the proposed project will have a significant effect on the environment, and that the proposed Mitigated Negative Declaration reflects the City's independent analysis and judgment. Furthermore, the Mitigated Negative Declaration and proposed mitigation measures for said project are found to be complete and in compliance with CEQA and applicable CEQA guidelines and is hereby recommended to the City Council for approval.

3. That the Planning Commission finds that General Plan Amendment #09-01 (as illustrated in Exhibit 1) is compatible with General Plan policies regarding the provision of additional housing opportunities and preservation of scenic hillsides, and is thus in the public interest and therefore recommends its approval to the City Council.
4. That the Planning Commission finds that Rezone #09-01 (as illustrated in Exhibit 2) is recommended for approval to the City Council because as such Zoning Map Amendments will be necessary to maintain consistency with the proposed General Plan Land Use Designations.

NOW, BE IT FURTHER RESOLVED that the Planning Commission recommends to the City Council the Adoption of the proposed Mitigated Negative Declaration and Approval of GPA # 09-01/REZ # 09-01;

* * * * *

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 10th day of November, 2009:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: _____

Frank Kluber
Planning Commission Chair

Corey M. Simon
Senior Planner

EXHIBIT 1

PLANNING COMMISSION RESOLUTION 09-08

Proposed General Plan Amendments – Shell Avenue – APN: 376-010-011

(Existing Designation: Central Martinez Specific Area Plan - "Group 2 Residential" – up to 12 units per acre)

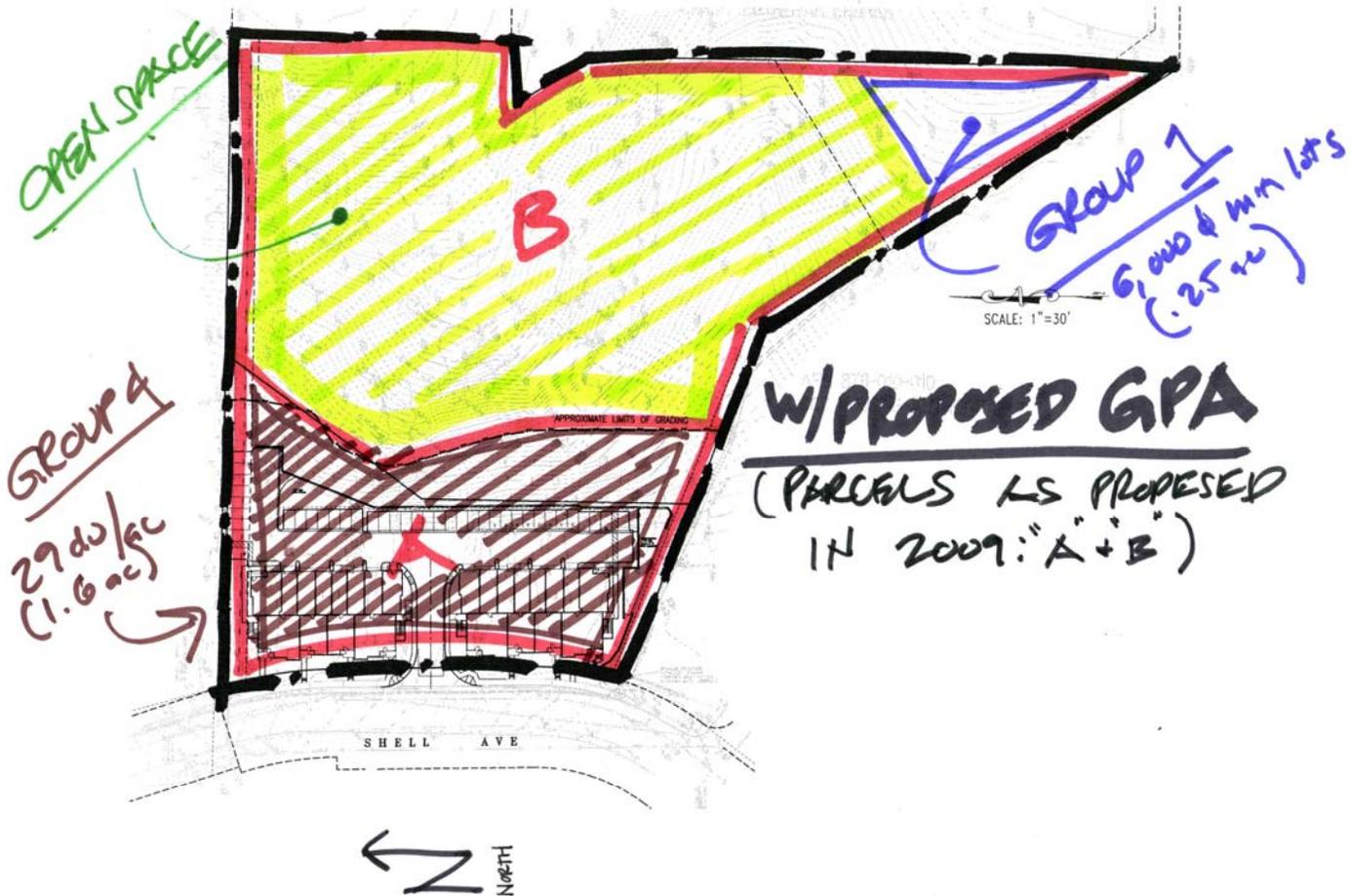


EXHIBIT 2

PLANNING COMMISSION RESOLUTION 09-08

Proposed Zoning Map Amendments – Shell Avenue – APN: 376-010-011

(Existing Designation: R-3.5 - Family Residential, minimum 3,500 square feet per dwelling unit)

