



## STAFF REPORT

**TO:** PLANNING COMMISSION

**FROM:** Corey Simon, Senior Planner

**DATE:** December 8, 2009

**SUBJECT:** “Cascara Canyon,” proposed multi-family development on Shell Avenue; adoption of resolution for the Commission’s November 10, 2009 consensus to recommend to the City Council that the proposed Mitigated Negative Declaration not be adopted and denial of: a) General Plan Amendment to re-designate approximately 1.6 acres adjacent to Shell Avenue from “Group 2 Residential” to “Group 4 Residential,” to allow for the development of multi-family housing with a density of up to 29 units per acre, on property that is currently designated for single-family or townhouse development; b) Rezoning of the subject 1.6 acre area from “R-3.5 (Family Residential: 3,500 square feet per dwelling unit/4,000 square feet minimum lot size)” to “R-1.5 (Multi-Family Residential: 1,500 square feet per dwelling unit/10,000 square feet minimum lot size);” and c) General Plan and Zoning Amendments to allow the remaining 4 acres to be developed as a custom home parcel (with a ¼ acre building site and the balance to be designated Open Space).

### **DISCUSSION:**

At the Planning Commission meeting of November 10, 2009, a majority of the voting members of the Commission (Commissioners Allen, Burt, Busby and Chair Kluber) reached a consensus not to support the applicant’s requests to change the current general plan and zoning designations to allow the proposed multi-family development (Commissioners Avila-Farias, Keller and Marchiano in support of proposal). The Commission then unanimously voted to continue the item and directed staff to prepare a draft resolution (attached) for the Commission’s consideration, recommending that the City Council not adopt the proposed Mitigated Negative Declaration and deny the requested General Plan and rezone requests.

### **ATTACHMENT:**

Resolution PC 09-08 [DRAFT]

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**RESOLUTION NO. PC 09-08 [REVISED DRAFT]**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF MARTINEZ,  
RECOMMENDING THAT THE CITY COUNCIL NOT ADOPT A MITIGATED  
NEGATIVE DECLARATION AND DENY 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, OF A 5½  
ACRE PARCEL LOCATED ON 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, 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; 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 recommends to the City Council, that on the basis of the whole record before it, including the Initial Study and any comments received, that the proposed Mitigated Negative Declaration and Mitigation Measures

not be certified as proposed. While the Initial Study correctly identifies potentially significant impacts regarding scenic resources, in that views toward a Visually Significant Hillside (as identified in the General Plan) would be significantly impacted by the development proposal, the proposed Mitigation Measures are inappropriately limited to reducing the length of one of the two, three-story, 23 unit buildings being proposed. The Commission recommends that a broader range of possible mitigation measures, including but not limited to a reduction of building height and/or the building site's pad elevation, be considered as a means of mitigating the potential blockage of views.

3. That the Planning Commission hereby recommends that the City Council deny the requested General Plan Amendment #09-01, in that the proposal to replace the current Central Martinez Specific Area Plan designation of "Group 2 Residential" (medium density - up to 12 units/acre) with "Group 4 Residential" (high density - up to 29 units/acre) on the 1.6 acre portion adjacent to Shell Avenue, allowing up to 46 units, is too great of an increase in density over that permitted under the current designation, and is therefore not in the public interest due to the following potential impacts that would result from the added density:
  - a) Based on the site and development plan proposed by the applicant, a ratio of 1.4 parking spaces per unit would be provided for the 46 unit project, where a parking ratio within the range of 1.50-1.64 is recommended by the traffic engineer who was consulted for the preparation of the Initial Study. Based on the information provided by the applicant at this time, the proposed development, which is at the maximum density allowed by the "Group 4 Residential" (high density - up to 29 units/acre) designation, would provide insufficient on-site parking. Given the lack of readily accessible off-site (on-street) parking in the immediate vicinity, the shortfall of on-site parking would negatively impact existing residents because of the area's limited on-street parking.
  - b) Shell Avenue, adjacent to the proposed project, is a former rural county highway, which now serves as a major collector street. Between Estudillo Street and Harbor View Drive, Shell Avenue's curves do not conform to modern suburban collector street standards. Also, only the south/east side of the street has a sidewalk and a parking lane. Existing neighbors have stated their concerns regarding navigating this street, the use of which is complicated by driveways and the single parking lane serving the existing adjacent multi-family development. With the street in its current condition, development of the property at any density above that allowed under the current "Group 2 Residential" (medium density - up to 12 units/acre) designation would add additional traffic to this street without providing for an upgrade to current standards.
  - c) Based on the site and development plan proposed by the applicant, on site recreational areas are limited to an approximate 1,000 square foot triangular shaped area, to be improved as a "tot lot," and individual balconies for second

and third floor units. No common outdoor recreational area is proposed for adult residents. The proposed project, to be developed at the maximum density allowed by the "Group 4 Residential" (high density - up to 29 units/acre) designation, would lack the desired recreational amenities that would warrant the approval of added density above what is currently allowed under the existing "Group 2 Residential" (medium density - up to 12 units/acre) designation.

4. That the Planning Commission hereby recommends that the City Council deny Rezone #09-01 as the Commission recommends denial of the General Plan Amendment and as such the requested Zoning Map Amendments would be inconsistent with the current General Plan Land Use Designations.

\* \* \* \* \*

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 8<sup>th</sup> day of December, 2009:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: \_\_\_\_\_  
Frank Kluber  
Planning Commission Chair

\_\_\_\_\_  
Corey M. Simon  
Senior Planner