

Planning Commission Minutes
Regular Meeting
March 9, 2010
Martinez, CA

CALL TO ORDER

Acting Chair Lynette Busby called the meeting to order at 7:00 p.m. with all members present except Commissioners Avila and Burt, who were excused; and Commissioner Ford who arrived after Roll Call.

ROLL CALL

PRESENT: Lynette Busby, Donna Allen, Rachael Ford, Jeffrey Keller, Michael Marchiano, and Paul Kelly, Alternate.

EXCUSED: AnaMarie Avila-Farias, Harriett Burt

ABSENT: None.

Staff present: Consultants Lynette Dias and Chip Griffin, Planning Manager Terry Blount, Assistant City Manager Karen Majors, and Assistant City Attorney Veronica Nebb.

Chair Busby introduced and welcomed the new Planning Commission alternate, Paul Kelly.

AGENDA CHANGES

Acting Chair Busby asked that Item #2 be moved forward on the agenda.

COMMISSION ITEMS

2. Election of the Chair and Vice Chair

On motion by Donna Allen, Commissioner, seconded by Michael Marchiano, Commissioner, the Commission voted to elect Commissioner Busby to the position of Chair. Motion unanimously passed 5 - 0 (Commissioners Avila, Burt and Ford absent).

On motion by Michael Marchiano, Commissioner, seconded by Jeffrey Keller, Commissioner, the Commission voted to elect Commissioner Allen to the position of Vice Chair. Motion unanimously passed 5 – 0 (Commissioners Avila, Burt and Ford absent).

PUBLIC COMMENT

None.

CONSENT ITEMS

None.

REGULAR ITEMS

1. Alhambra Highlands Project (2008) Subsequent Environmental Impact Report (EIR) Scoping Session Scoping Session to provide information to the public on the EIR process, give a brief overview of the project, and to gather feedback on the scope, list of topics, and the alternatives to be included in the Alhambra Highlands Subsequent EIR Applicant:

Richfield Investment Corporation

Chair Busby introduced the item, noting no action was to be taken at this meeting, and public speakers will be limited to three minutes each.

Assistant City Manager Karen Majors presented the staff report, reviewing eventual decisions to be considered through the future process. She also introduced Planning Manager Terry Blount, Assistant City Attorney Veronica Nebb, two consultants, Chip Griffin (MMM Design Group) and Lynette Diaz (CEQA consultant), and Charity Wagner, assistant to Ms. Diaz.

Ms. Majors discussed the purpose of the meeting tonight, project description and history, and an overview of the Initial Study/Notice of Preparation. (Commissioner Ford entered and was seated during Ms. Majors' introduction.)

Ms. Majors then turned to Chip Griffin to continue the presentation.

Mr. Griffin discussed the specific purposes of the meeting, primarily focusing on the EIR process while providing an opportunity for early public and agency consultation. He indicated it will not be a time to discuss the merits of the project, nor will it be a public hearing or a decision-making event. He reviewed the ways the public can comment - at this meeting, and by submitting written comments tonight or before the public comment period ends on March 22, 2010.

Mr. Griffin also reviewed the Alhambra Highlands project boundary, the history from 1973 to the present, changes from previous proposals, density comparisons with Specific Plan allowances, Vesting Tentative Map including development area, open space, detention basin; and a comparison of project features with earlier project proposals.

Lynette Diaz continued the presentation with a discussion of the CEQA purposes (to identify significant environmental impacts, ways to mitigate or avoid the impacts, identify project alternatives, and inform the public and decision makers), and when subsequent environmental review might be required.

Ms. Diaz noted that the preliminary findings of the Initial Study determined that additional analysis was warranted. She reviewed the different areas needing analysis and why, including Aesthetics, Air Quality and Greenhouse Gas Emissions, Biological Resources, Cultural Resources, Hydrology and Water Quality, and Noise Impacts. She reviewed the length of the comment period and deadline, and how the public can submit written comments.

Mr. Blount concluded the report with a review of the next steps in the process.

Mr. Griffin noted that copies of the Initial Study were available online and at City Hall.

Vice Chair Allen said she would reserve her comments until later in the meeting, to allow more time for public input.

Commissioner Marchiano asked about the whipsnake habitat and whether any have been seen

onsite. Ms. Diaz said it has been seen in the area but she could not say whether any were found within the project boundaries. Ms. Majors confirmed making that determination would be part of the process.

Chair Busby opened the public comment period.

HAL OLSEN commented on the emergency vehicle access and requested that it not be widened. He was concerned about the mud impacts on lower streets, the lighting, the water pipes and hydrology impacts, and the detention basins and creek mitigations.

MARIE OLSEN, secretary for the Alhambra Hills Coalition, said she would be submitting written comments also. She asked about p. 4 of the staff report and asked for more information on the actual proposed lot sizes. She questioned a statement on p. 5 that seemed to indicate that construction of the lots will depend on public demand. She also noted that the project description and proposed design guidelines were somewhat confusing, and she expressed concern that 3000 s.f. - 4500 s.f. homes will have aesthetic issues, due to their visibility from Reliez Valley Road.

LUIS RODRIGUES noted he was at the bottom of the curve on Wildcroft and was concerned about traffic ending up in his backyard or the back of his house.

JOHN WILSON, abutting property owner and former Planning Commissioner, complimented the City and the developer on the vast improvements since it was first considered, especially in response to public concerns. He asked if the 1987 Specific Plan will remain in effect, and how that can be ensured. He also asked about the disposition of the Images Subdivision and what easements or other mechanisms will be used to protect the open space. He commented as well on the slope-top lots and drainage issues, particularly on the Forest Hills side, and drainage along the maintenance roads.

KATY WILKE, close neighbor on Horizon, discussed her concern about landslides and erosion that have occurred since the geology studies were done, underground water impacts, noise issues, and wildlife impacts.

Ms. Diaz said there have been new studies done related to geology, and there will be peer review of those studies.

MARK SIEBERT noted the letter sent to the public referenced "figure 1", but there was none. He thought the City Attorney should check the legality of the public notice since it was incomplete. He was also concerned about noise impacts, public safety, economic impact (decline in property values), sleep disruption from traffic lights on roads, erosion risks, as well as reasonable project alternatives - such as an alternate route for Wildcroft Road. He questioned the adequacy of the previous EIR.

ELLEN VISSER clarified that Alameda whipsnakes were trapped on the property, as noted in the US Fish & Wildlife report. She was concerned about the phasing of the project, especially with the proposed grading early in the project. She asked for visual simulations from Mt. Wanda

and Briones Regional Park and Alhambra Avenue, noting that the rural character will be lost. She also commented on greenhouse gas emissions and suggested requiring green-building practices.

DAWN POLVEROSA commended the City for recognizing that a subsequent EIR is needed. She encouraged them to notice the people in attendance to share concerns, since she did not receive notice of this meeting, even though she lives in the noticing area. She echoed Ms. Olsen's issue that the details of the different homes are not available. She asked the Commission to ensure that the proposal meets the earlier requirements, clarification of the Horse trail "improvement" and noise impacts on neighboring homes. She asked the Commission to consider having an additional scoping session.

MELISSA MCASSIE, environmental consultant, expressed concerns about the geology and the expansive nature of the soils, the potential for slides and erosion, drainage issues from the hills, emergency vehicle access, and public safety issues.

RICHARD PILE expressed concern about the visual impacts from the new water tank location right above his neighborhood. He was appreciative of the view simulations, noting it will help clarify the Wildcroft Road impacts. He also discussed noise impacts from the new road, and expressed appreciation for Mr. Seibert's proposal to re-route Wildcroft.

HERB GOUGH was concerned about the proposed location of Wildcroft, asking that it be located at least 100' away from the existing neighborhood to mitigate noise and safety impacts.

BILL SCHILZ commented on the number of people present from Elderwood Glen who were not represented in earlier design discussions. He indicated he was not necessarily opposed to the Wildcroft extension but rather to having it go right through the hill. He was concerned as well with safety, grading, and traffic hazards. He encouraged the Commission to consider an alternative to the location of the Wildcroft extension.

TAMARA SCHUTLZ commented on past slides in the neighborhood and inadequate drainage in the area. She discussed requirements enforced when she and her husband wanted to move the v-ditch on their property 17" inches, noting it was more stringent than what is being required for this project. She was also concerned about property values and noise impacts. She asked the Commission to understand the dirt, water and mud that actually come up through the pavement on their street during heavy rains. She mentioned additional concerns with emergency vehicle access, especially if there is ever a fire like the one in the Oakland hills.

SHARON FRETWELL reiterated concerns with the noise study and whether it will be adequate, considering the proposed 45' concrete wall will increase the level of echoed noise in the area. She asked the Commission to consider alternative routes for the Wildcroft extension, and she questioned whether the public comment period was long enough to allow people to understand and respond. She was equally concerned about property value impacts, and she asked the Commission to consider the residents already in the neighborhood, who support the City through the property taxes they pay and other involvements. She asked about the possibility of

soil slippage as well.

PAUL DETJENS, County Flood Control District employee, agreed with earlier comments about geologic and aesthetic impacts. He asked that the visual simulation include the intersection of Vine Hill, John Muir Road, and Alhambra, as well as from Mt. Wanda and Briones Park. He was also concerned about the maintenance responsibility for the public access road to the neighborhood, and tree impacts. He noted that the tree study included in the staff report was inaccurate and missing some significant trees on the site.

Seeing no further speakers, Chair Busby closed public comment.

Commissioner Ford agreed that the March 22nd deadline for comments does not seem like a reasonable time period. She asked whether it could be extended to April 1st instead.

Commissioner Marchiano thanked the members of the public for coming and participating, noting how especially well-informed they seemed.

Vice Chair Allen asked about the status of the Alhambra Hills Specific Plan, as well as the previously approved PUD and subdivision. Ms. Nebb explained that the approved PUD does not expire, but remains in full force and effect. She also noted that the applicant is requesting re-approval of the Vesting Tentative Map. She indicated that the applicant is only proposing a minor amendment to the previous PUD through a reduction in the number of units, with no rezoning; the requested use permit is because of the water tank.

Vice Chair Allen asked if there are any proposed amendments to the Specific Plan. Ms. Nebb said no. In response to a further question from Vice Chair Allen, Ms. Majors and Ms. Nebb clarified that there will be no access to Skyline-Webster, but there is a utility easement there.

Vice Chair Allen asked about the previous conditions of approval that were supposed to mitigate the environmental impacts. Ms. Nebb indicated it could be provided to the Planning Commission. She reiterated that any conditions of approval for the earlier subdivision will still be incorporated where applicable.

Vice Chair Allen asked about construction access, which Ms. Majors said would be via Wildcroft. Vice Chair Allen asked specifically about access for road construction. Chair Busby questioned whether that was appropriate for this hearing. Vice Chair Allen clarified that she wants the access issues looked at in considering all the comments that were made by the public regarding the road conditions.

Vice Chair Allen also echoed earlier concerns about the phasing of the project and aesthetic impacts.

Chair Busby asked about the extension of time for public comment, as proposed by Commissioner Ford. Ms. Nebb said March 22nd meets the minimum requirement under the law.

Commissioner Keller asked about the statements from Mr. Detjens regarding the trees on the site. He agreed that some significant oak trees seem to be missing from the tree plan of the project.

Commissioner Ford expressed concern about the process for the noise analysis, and how it will be paid for. Ms. Majors said it will be paid from funds that the City has on deposit from the developer. She also noted there are specific professional guidelines that need to be followed in conducting the noise study.

At the request of staff, the meeting was paused for five minutes to allow the attorneys to consult about Commissioner Ford's suggestion to extend the deadline for receiving public comments.

The meeting was reconvened with all members present as indicated.

Ms. Nebb confirmed it is within the Planning Commission's power to extend the public comment period, and the applicant's attorney is agreeable to the change, if the Planning Commission decides to do that.

Chair Busby encouraged the public to submit additional comments in writing. After Ms. Nebb confirmed that the Planning Commission wanted to extend the deadline for comments, she indicated it will be posted with the new deadline of April 1, 2010.

STAFF ITEMS

None.

COMMUNICATIONS

Vice Chair Allen asked if members of the public can visit the Alhambra Highlands site. Staff confirmed it is private property, and permission will be needed first. Ms. Nebb indicated that a field trip could be arranged for the Planning Commission. She also noted that staff and the environmental consultants had already visited the site.

Chair Busby asked if the Planning Commission meetings will continue to be just on the 4th Tuesdays. Ms. Majors said it is likely that two meetings will be required in April and May, due to pressing projects.

Mr. Blount said he would send an email to the Commission with a list of upcoming projects. Ms. Majors mentioned some specific projects, including the update of the Housing Element.

Vice Chair Allen asked for a list of likely meeting dates as soon as possible. Ms. Majors said staff would do so within the next few days. Vice Chair Allen thanked staff for their diligence and assistance in helping her understand some of the history behind the Alhambra Highlands development.

On motion by Michael Marchiano, Commissioner, seconded by Rachael Ford, Commissioner, the Commission voted to adjourn at 8:50 p.m. to the next regular Planning Commission meeting, Tuesday, March 23rd, 2010, in the Council Chambers. (Commissioners Avila and Burt absent.)

Respectfully submitted,

Approved by the Planning Commission Chairperson

Transcribed by Mary Hougey

Lynette Busby

DRAFT