

RESOLUTION NO. PC 11-04 [DRAFT]

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARTINEZ,
APPROVING AMENDMENTS TO THE PREVIOUSLY APPROVED PLANNED UNIT
DEVELOPMENT (“ALHAMBRA HIGHLANDS”), NOW PROPOSED WITH UP TO 110
SINGLE -FAMILY UNITS ON AN APPROXIMATE 297.5 ACRE SITE, WITH
APPROXIMATELY 240 ACRES OF PERMANENT OPEN SPACE, GENERALLY
LOCATED WEST OF ALHAMBRA AVENUE AT WILDCROFT DRIVE
(APN: 164-010-019,025 & 026; 164-150-016,022 & 030; 366-010-007; 366-060-007)**

PUD 08-1

WHEREAS, in March 1987, by the adoption of Resolution No. 56-87, the City Council approved the Alhambra Hills Specific Plan (the “Plan”), which prescribed areas for single-family home development and open space preservation in a 591 acre area, of which the 298 acre site is a part; and

WHEREAS, prior to the adoption of the Plan, the City Council, on June 4, 1986, denied an appeal of the Planning Commission’s decision to certify, and certified an Environmental Impact Report (the “Plan EIR”) and mitigations measures for the Plan; and adopted

WHEREAS, pursuant to the Plan and the Plan EIR, the City Council denied an appeal of the Planning Commission’s decision to approve, and approved Subdivision #7245 (“Alhambra Highlands Unit I”) with the adoption of Resolution No. 147-90, and Subdivision #7244 (“Alhambra Highlands Unit II”) with the adoption of Resolution No. 147-90, which together allowed 148 units on the northerly 190 +/- acre portion of the project site in July 1990; and

WHEREAS, pursuant to the Plan and the Plan EIR, the Planning Commission, on September 28, 1993, approved Subdivision #7606 (“Briar Rose/Images”), which allowed 68 additional units on the southerly 60 +/- acre portion of the project site; and

WHEREAS, concurrent approvals were granted for Planned Unit Developments, amending the development standards for the subject R-10 (Residential, Single-family, 10, 000 sq. ft. minimum lot size) Zoning District, and

WHEREAS, the City approved a series of extensions for the three approved subdivisions, the last of which was in 1999; and

WHEREAS, Since 1999, the developer of Alhambra Highlands has received the approval of multiple outside agencies which are required for construction of the project including the US Army Corps of Engineers (Corps) Section 404 Permit, December 2008; United States Fish and Wildlife Service (Biological Opinion, November 2005); and the San Francisco Regional Water Quality Control Board (Section 401 water quality

certification, amended August 2008); and

WHEREAS, the acquisition of additional land for Alameda whipsnake habitat preservation was integral to the outside agencies' approvals, thus the Developer acquired the adjacent site of the unbuilt Subdivision #7606 ("Briar Rose/Images") and "Monteros" property, increasing the project site from approximately 190 acres to approximately 298 acres; and

WHEREAS, on December 8, 2008, the current developer, Richfield Investment Corporation, made a revised application to the City for a revised vesting tentative map for 112 detached single-family homes on an approximate 297.5 acre site, with approximately 240 acres of permanent open space, an approximate 2.2 acre water tank site (Parcel J) and an approximate 4.3 acre site adjacent to Alhambra Avenue (Parcel I) reserved for potential future development; modifications to the previously approved Planned Unit Developments; and application for Use Permit for a single water tank, reflecting the reduced scope of development since the original 1990 and 1993 vesting tentative map approvals (the "2008 Alhambra Highlands Project"); and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) the City conducted an Initial Study to evaluate the project's potential impacts on the environment; and

WHEREAS, on the basis of said Initial Study, a Subsequent Environmental Impact Report was prepared pursuant to Public Resource Code Section 21116 and CEQA Guidelines Section 15162, to analyze the environmental impacts associated with the 2008 Alhambra Highlands Project; and

WHEREAS, on May 14, 2010, the applicant submitted a revised plan ("Alternative #1), illustrating the design changes called for by the mitigation measures, as set forth in said Subsequent Environmental Impact Report and reducing the maximum number of units from 112 to 110; and

WHEREAS, on March 22, 2011, the Planning Commission of the City of Martinez held a duly noticed public hearing on the 2008 Alhambra Highlands Project; and

WHEREAS, the Planning Commission of the City of Martinez continued the items relating to the 2008 Alhambra Highlands Project to the meeting of April 12, 2011; and

WHEREAS, on April 12, 2011, the Planning Commission of the City of Martinez adopted Resolution PC 11-03, certifying the Subsequent Environmental Impact Report as required under CEQA and adopting a statement of overriding considerations; and

WHEREAS, PUD 08-01, the 2008 Alhambra Highlands Project constitutes the approval of the proposed modifications to the previously approved PUDs including: amended development standards for the subject R-10 (Residential, Single-family, 10, 000 sq. ft. minimum lot size) Zoning District, and Alhambra Highlands Development Guidelines and Design Criteria for individual residential lots; and

WHEREAS, the Record of Proceedings (“Record”) upon which the Planning Commission bases its decision regarding the Project includes, but is not limited to: (1) the Alhambra Hills Specific Plan Final EIR (the “AHSP Final EIR”) and the appendices and technical reports cited on and/or relied upon in preparing the AHSP Final EIR, (2) the Alhambra Highlands Final Subsequent Environmental Impact Report (the “Final SEIR”) and the appendices and technical reports cited on and/or relied upon in preparing the Final SEIR, (3) the Mitigation Monitoring and Reporting Program for the Final SEIR, (4) all staff reports, City files and records and other documents prepared for and/or submitted to the Planning Commission, the City Council and the City relating to the AHSP Final EIR, Final SEIR, the previous project approvals and/or the Project, (5) the evidence, facts, findings and other determinations set forth in this resolution, (6) the City of Martinez General Plan, the 1987 Alhambra Hills Specific Plan and the Martinez Municipal Code, (7) all applications, designs, plans, studies, data and correspondence submitted by the Applicant in connection with the Final SEIR and/or the Project, (8) all documentary and oral evidence received at public hearings or submitted to the City during the comment periods relating to the Final SEIR and the Project, (9) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state and federal laws, policies, rules regulations, reports, records and projections related to development within the City and its surrounding areas; and

WHEREAS, the Custodian of Records in the City Clerk of the City of Martinez; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, based on its independent judgment, does hereby find and resolve as follows:

Section 1 Consistency with General Plan

- A. The Planning Commission has reviewed and considered the information contained in the Record, including but not limited to, all staff reports, all oral and written testimony presented at, or prior to, the hearing on the Project and all other matters deemed relevant prior to adopting this resolution.
- B. The Planning Commission does, based thereon hereby find that the Project and its design and improvements are consistent with the General Plan and adopts the findings set forth in **Exhibit A**, attached hereto and incorporated herein by reference.

Section 2. Consistency with Alhambra Hills Specific Plan

- A. The Planning Commission has reviewed and considered the information contained in the Record, including but not limited to, all staff reports, all oral and written testimony presented at, or prior to, the hearing on the Project and all other matters deemed relevant prior to adopting this resolution.

- B. The Planning Commission does, based thereon, hereby find that the Project and its design and improvements are consistent with the Alhambra Hills Specific Plan and adopts the findings set forth in **Exhibit B**, attached hereto and incorporated herein by reference.

Section 3. Approval of Amendments to the Previously Approved Planned Unit Developments (now to be known as PUD 08-1 the “2008 Alhambra Highlands Project”) which as amended consists of (1) up to 110 units, access road and provision of open space as indicated on *Alternative #1* by dk Consulting, 3 pages, dated May 14, 2010, as such modifies the site, grading and tree preservation and landscape plans submitted for Sub 9257 as the “2008 Alhambra Highlands Project” and (2) the adoption of the *Alhambra Highlands Development Guidelines and Design Criteria (Design Guidelines)*, which supersedes the previous Design Review approval by establishing design standards for all units within the project, a building plan review process to assure compliance with such standards and the additional requirement for a separate Design Review application for each lot identified in the SEIR as being potentially visually significant.

- A. The Planning Commission has reviewed and considered the information contained in the Record, including but not limited to, all staff reports, all oral and written testimony presented at, or prior to, the hearing on the Project and all other matters deemed relevant prior to adopting this resolution.
- B. That the Planning Commission hereby makes the following findings relating to the Planned Unit Development amendment for Subdivision #9257:
- 1. The planned unit development as proposed, or as recommended for approval, will result in a significantly better environment than otherwise would have occurred in a reasonable development in strict accord with the zoning.**

Facts in Support of Finding: The most significant change from the original PUD 89-5 and 89-6 approvals will result in a significantly better environment, in that areas of formally approved lots would be replaced by land protected in perpetuity as open space areas, to serve as Alameda Whipsnake habitat. As in the original approvals, the requested exceptions to minimum lot size, depth and width requirements are consistent with the provision of the Alhambra Hills Specific Plan, allowing up to 20% of the lots to be as per the R-7.5 Zoning Districts’ standards, with a minimum 7,500 sq. ft. parcel size requirements. The above allowance for smaller lots, and concomitant reductions in building setback, allows for a clustering of units away from the site’s steeper slopes and habitat areas, which will be preserved as open space. Internally, the proposal would be an effective way of providing relatively generous “single-family” sized homes and pads in a hillside context. The reduction in the normally required minimum front yard of 25’ will allow front porches and other desirable architectural features closer to the street (with a minimum 18’ setback) and maintain a minimum 20’ setback to the

building and garage, thus providing a more varied streetscape while retaining the ability for driveway parking. The requirements for varied height limits (up to 33' for internal lots, single-story, or visually equivalent, in peripheral areas) appropriately restricts building heights of structures in more visible areas but allow for greater flexibility in areas where such would not result in an off-site visual impact. And as a "PUD" with an active homeowners' association (HOA), both residents and the broader community aesthetically benefit from common landscape and "natural hillside" maintenance. The Design of individual lots would be governed by the *Alhambra Highlands Development Guidelines and Design Criteria* (Design Guidelines), which establishes a high quality design standard for all of the 110 units within the project. The Design Guidelines are proposed as part of the overall project and subject to the approval of the City. As a custom home development pursuant to the Design Guidelines, standards meet or exceed those of the surrounding production homes in regard to the use and constancy of materials on all sides of the building.

2. The planned unit development is compatible with and has a meaningful relationship to the neighborhood in which it is located.

Facts in Support of Finding: The approved site plan places open space areas adjacent to neighboring properties, and additional landscaping will be provided along the Alhambra Avenue frontage, allowing the project to blend into its natural setting where buildings are visually diminutive and naturalistic tree plantings are predominant. In addition, the project proposes to apply design standard to the individual home construction in order to maintain compatibility with the surrounding area. Lots which may be visible from off site will be subject to design review before the Design Review Commission, height limitations as well as specific landscape requirements design to screen new home construction and ensure that it fits aesthetically with its surroundings. Furthermore, the developer will construct a hiking/equestrian trail linking Alhambra Avenue to Horizon Drive and Reliez Valley Road. Thus the adjoining neighborhoods will have a meaningful linkage through the newly provided open space areas.

3. The planned unit development will not result in significant adverse environmental impacts.

Facts in Support of Finding: on March 22, 2011, the Planning Commission of the City of Martinez adopted Resolution PC 11-03, certifying the Subsequent Environmental Impact Report prepared as required under CEQA and adopting a statement of overriding considerations. Although the Project results in one significant and unavoidable impact, that impact is related to cumulative impacts of the proposed development when considered with all other development in the area and would be substantially lessened when compared to the original (1990) Alhambra Highlands Project and when compared to the development analyzed in the Alhambra Hills Specific Plan and EIR.

4. The planned unit development is in accord with the objectives of the General Plan in all its elements.

Facts in Support of Finding: As identified in **Exhibit A** and **Exhibit B** attached hereto, the Planned Unit Development, as amended, is consistent with the General Plan and Alhambra Hills Specific Plan.

NOW, BE IT FURTHER RESOLVED that the Planning Commission approves the Mitigation Monitoring and Reporting Program for the proposed project, set forth in **Exhibit C**, as attached to Resolution PC 11-06, which approves Sub # 9257 and incorporated herein by reference.

NOW, BE IT FURTHER RESOLVED that the Planning Commission approves PUD 08-01, including the *Alhambra Highlands Development Guidelines and Design Criteria* (Design Guidelines), subject to conditions of approval and PUD development standards set forth in **Exhibit D**, as attached to Resolution PC 11-06, which approves Sub # 9257 and incorporated herein by reference.

* * * * *

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 12th day of April 2011:

AYES:

NOES:

ABSENT:

ABSTAIN:

BY: _____
Donna Allen
Planning Commission Chair

Terry Blount
Planning Manager

EXHIBIT A

PLANNING COMMISSION RESOLUTION PC 11-04 "Alhambra Highlands" – PUD 08-01

FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN

The proposed project, a Planned Unit Development which consists of subdividing a 297.5 acre project area into 110 custom residential lots, a parcel for construction of a water tank, a parcel reserved for possible future development and remaining parcels as common open space areas ("Project") is consistent with the policies of the Martinez General Plan and Housing Element, components thereof, including, but not limited to the following:

21.322 - Land Use Element, Residential Uses, Hill Residential Areas: **All land designated for residential use with slopes in excess of ten percent shall be developed in a manner which respects the site's natural features and protects against natural hazards common to most hill area sites in Martinez. Allowable residential density shall be governed by the City's slope density ordinance. Use of planned unit development approach is made mandatory in order that conditions unique to each site can be considered.**

Facts in Support: The project, as a Planned Unit Development, appropriately clusters all units onto the "hilltop plateau", generally leaving the wooded hillsides below the plateau in a natural condition. Geotechnical hazards on the hillsides are thus avoided, tree loss is kept to a minimum and the natural landform of the Alhambra Hills is thus respected and retained.

22.4 - Open Space Element, Conservation Lands Policies (Fig F22.2):

- **Large scale alteration of the topography to accommodate incompatible development patterns is prohibited to prevent severe erosion and hydrologic hazard.**
- **In all hilly areas, grading practices for drainage purposes should restore natural patterns of surface water run-off with respect to volume of flow.**
- **Grading alterations should not induce or accelerate natural channel grading, sheet erosion, gulying and other forms of erosion.**
- **All woodlands and marshes should be conserved and protected from degradation, destruction or deleterious encroachment. Where development occurs, site plans should be required to maximize retention and preservation of these vegetative resources.**

- **Development within areas dominated by oak species should avoid damage to their sensitive root crowns by grading practices**

Facts in Support: The project appropriately clusters all units onto the “hilltop plateau,” generally leaving the hillsides below, with their trees, grass areas and water channels, in a natural condition. These naturally forested areas are to be within open space easements to preserve their existing character. Grading, where necessary for access roads and geotechnical safety, echoes natural landforms to avoid channelization and prevent erosion.

22.51 - Open Space Element, Open Space & Conservation Policy Zones: Hill areas greater than 30% slope shall not be developed, except as set forth in A & B below, and except on an existing lot of record where only one single family house is proposed and there is no building site under 30% slope. In such cases, development shall only be allowed if it can be demonstrated that significant alteration of the topography will be minimized and that hazards to public safety will not be incurred. This prohibition will protect public safety and soils, safeguard watershed areas and waterways, and preserve the natural scenic setting of the community as determined by its landforms. This policy shall be applied as part of all specific area plans, area plans, and/or specific plans adopted as part of, or pursuant to, this general plan, and need not be restated or repeated in such plans.

A. Where no alternative exists, roads connecting development area may pass over areas of over 30% slope, subject to approval by the Planning Commission. Grading shall be limited to that necessary for the road or the minimum amount which will create the most natural appearing contours. If such grading creates buildable areas, residential development fronting the road may be permitted subject to approval by the Planning Commission.

B. Small areas of 30% and over slope entirely surrounded by areas under 30% slope may be developed. Small infringements on areas of over 30% slope may be permitted where the existing topography of the majority of the building area and area to be graded are under 30% slope.

and

24.222 - Safety Element, Geologic Hazards and Constraints: All slopes which are over 30% in grade shall be precluded from development except as stated in <General Plan> Section 22.51.

Facts in Support: All of the proposed development area is generally contained in areas of less than 30% slope. Limited grading and access roads is permitted as per the criteria herein contained, and as outlined below:

- The Wildcroft extension (primary access road, as conceptually illustrated the Alhambra Hills Specific Plan Fig. 31.30), which is both through areas exceeding 30% slope, is appropriate as there is no feasible alternative to access the project's developable area with less than 30% slopes, given the properties' constraints of topography, geology, protected Alameda whipsnake habitat areas and the goal of limiting traffic impacts to the fewest number of existing residents. Likewise, there is no viable alternative to the Horizon Drive Emergency Vehicular Access (EVA) link.
- Grading for the Wildcroft extension and Horizon EVA is appropriately limited to that solely needed for road functionality, geotechnical safety and to achieve a naturalistic appearance, thus minimizing vegetation removal and visual impact. Additional tree planting are to be provided, as per the SIER, to mitigate what otherwise could be a visual impact of the Wildcroft extension.
- The applicant has demonstrated the stability of soils for development proposed at the periphery of the development by completing detailed construction level grading plans and soils reports, which have been peer reviewed by the City's Geotechnical consultant. The visual impact of such development areas have been appropriately minimized by the incorporation of SIER mitigation measures, which require such design features as reduced building height limits and additional tree plantings as means of mitigating otherwise possible visual impacts.

3.6 – 2007-2014 Housing element of the General Plan Policy. Encourage a mix of housing units throughout the City including...recognition that higher priced residential opportunities must also be provided.

Facts in Support: The development proposal is for custom and semi-custom residences in a premium view-oriented setting. Most all single-family development in Martinez over the past 40 years has been homebuilder's "production units" using standardized plans with few architectural embellishments. The proposal will allow for a far greater degree of personalized designs, will include far greater individual architectural detailing, and will offer outstanding views of the Carquinez Straight, Mount Diablo, and surrounding hillsides. Such architectural features and views will warrant higher prices, commensurate with the quality of the housing opportunity to be provided. The project will offer housing opportunities to more affluent buyers that are largely not currently available within the City of Martinez.

* * *

EXHIBIT B

PLANNING COMMISSION RESOLUTION PC 11-04 "Alhambra Highlands" – PUD 08-01

FINDINGS OF CONSISTENCY WITH THE ALHAMBRA HILLS SPECIFIC PLAN

The proposed project, a Planned Unit Development which consists of subdividing a 297.5 acre project area into 110 custom residential lots, a parcel for construction of a water tank, a parcel reserved for possible future development and remaining parcels as common open space areas ("Project") is consistent with the policies of the Alhambra Hills Specific Plan ("AHSP"), including, but not limited to the following:

Section 1. LAND USE (31.31)

Development Area shall consist of all Plan areas shown on Fig 31.31 ("Land Use and Circulation – Alhambra Hills Specific Plan"), under 30% slope, which shall be considered developable unless site constraints prevent development of that particular area (see Policies 31.321 and 31.322).

31.311: Development of the Plan area shall be limited to single family homes.

31.312: Development and grading... shall be limited to the Development Area, except <for> access roads and residences as allowed by Policy 31.314.

31.313: No development on areas of 30% or greater slope shall be permitted except that: a) where no alternative exists, roads connecting Development Areas may pass over 30% slope. Grading shall be limited to that necessary for the road or to the amount which will create the most natural appearing contours. If such grading creates buildable areas... residential development fronting the road may be permitted; and b) small areas (10,000 sq. ft. or less) of 30% and over slope, entirely surrounded by areas under 30% slope, may be developed. Small infringements on areas may be permitted where the existing topography of the majority of the building area and the area to be graded are under 30% slope.

31.314: Development of... access roads outside the Development area shall comply with the criteria that such development demonstrates: a) soil stability, b) minimal visual impact, c) minimal grading or vegetation removal and d) compliance with Site Development Policies (Section 31.34)

Facts in Support: All proposed development is limited to single family homes. The portion of the property proposed for single family-home development is both generally consistent with graphic representation of the Development Area provided in Fig 31.30 and policy of limiting development to areas of slopes less than 30% (placing such steeper slopes in open spaces areas to be preserved),

except as per the criteria of AHSP Section 31.314 which allows grading and development outside the illustrated Development Area and/or on slopes greater than 30% slope:

- The Wildcroft extension (primary access road, as conceptually illustrated in Fig 31.30), which is both outside the Development Area and through areas exceeding 30% slope, is appropriate as there is no feasible alternative to access the project's Development Area given the properties' constraints of topography, geology, protected Alameda Whip Snake habitat areas and the goal of limiting traffic impacts to the fewest number of existing residents. Likewise, there is no viable alternative to the Horizon Drive Emergency Vehicular Access (EVA) link.
- Grading for the Wildcroft extension and Horizon EVA is appropriately limited to that solely needed for road functionality, geotechnical safety and to achieve a naturalistic appearance, thus minimizing vegetation removal and visual impact. Additional tree plantings are to be provided, as per the SEIR, to mitigate what otherwise could be a visual impact of the Wildcroft extension.
- The applicant has demonstrated the stability of soils for development proposed at the periphery of the illustrated Development Area contours by completing detailed construction level grading plans and soils reports, which have been peer reviewed by the City's Geotechnical consultant. The visual impact of such development areas has been appropriately minimized by the incorporation of SIER mitigation measures, which require such design features as reduced building height limits and additional tree plantings as means of mitigating otherwise possible visual impacts.

Section 2. DEVELOPMENT DENSITY (31.32)

31.321: The maximum number of units for that portion of the project on the plateau (Properties, D, E, H, J, K L M and Q as identified on Fig 31.31 ("Land Use and Circulation – Alhambra Hills Specific Plan")) is within a range of 269 – 297. The range established is the number of units which may be approved for proposals in minimal conformance with Specific Plan criteria up to the maximum permitted for exceptional projects.

Facts in Support: Only 110 single-family units are being proposed, well below the prescribed maximum, as Properties L M and Q are not be developed but are to be preserved as open space for Alameda Whip Snake habitat. Even if the units allocated for Properties L, M and Q are discounted, the maximum permitted number of units on Properties D, E, H J and K is within a range of 171 – 183, which is well above the 110 units now being proposed. The current proposal is thus in compliance with the Specific Plan's policies on maximum allowable density.

Section 3. CIRCULATION (31.33)

31.331: Access to the plateau shall be provided... connecting Wildcroft Drive and Horizon Drive (from its current terminus at APN 164-150-029). A turnaround bulb shall be constructed near the existing end of Horizon Drive and... the City may limit the use of <the Horizon Drive Extension> to emergency use only. Streets shall conform to the design shown in Fig. 31.30.

Facts in Support: The circulation plan for the portion of the project to be developed (Properties D, E, H J and K) conforms to the circulation design conceptually illustrated in Fig, 31.30, with access from the Wildcroft Drive extension and internally looped local streets at the plateau. Use of the Horizon Drive extension will limited to Emergency Vehicle Access (EVA) only.

31.332: Innovative grading technique as discussed in the EIR Road Alignment Geotechnical Addendum... and other EIR mitigation measures... shall be required for the construction of Wildcroft Drive <extension> all road construction.

Facts in Support: To reduce the area to be graded and to mitigate any geotechnical hazards, the Wildcroft Extension is proposed to be constructed using alternatives to conventional 2:1 cut and fill slopes, such as gravity retaining structures and grid earth reinforcement techniques, as conceptually illustrated in the "Road Alignment Geotechnical Feasibility Study" by Rodgers/Pacific dated January 16, 1987. Additionally, mitigation measures applicable to the current 110 unit plan, including but not limited to, providing access to the plateau via the Wildcroft Extension and landscaping to mitigate the potential visual impacts of said extension, are incorporated into the project and project's conditions of approval.

31.336: Off-site street and intersection improvements, listed as mitigation measures of the AHSP EIR and Goodrich Group's Traffic Study integral to the AHSP EIR, shall be required with the timing of installation to be determined by the City Engineer, except for off-site cumulative impact mitigations measures, which shall be funded by mitigation fees. On-site streets shall be constructed to standards listed in the AHSP EIR.

Facts in Support: The design of local streets have incorporated the applicable design features discussed as mitigations in the EIR, including but not limited to the provision of minimum 20' wide travel ways, appropriate turn-around designs to meet emergency services and adequate parking. Alhambra frontage improvements, including but not limited to the intersection at Wildcroft Drive extension, are to be installed, as per the conditions of approval, to the satisfaction of the City Engineer. Traffic mitigation fees, as per applicable legal agreements, are to be paid be developer.

31.338: No development shall be permitted on the plateau prior to the completion of Wildcroft Drive to the development site. No construction equipment shall be allowed to use Horizon Drive.

Facts in Support: As per tentative map and conditions of approval, upon completion of Wildcroft extension, all access, except for emergency vehicles, shall be exclusively through the Wildcroft Drive extension.

Section 4. SITE DEVELOPMENT (31.34)

31.341: Planned Unit Developments which implement the design review criteria shall be required for all plateau sites.

Facts in Support: Project entitlements includes the original Planned Unit Development approvals given currently with the original Alhambra Highlands subdivisions approvals in 1990, and as an amended Planned Unit Development for the current 110 unit plan. Furthermore, the *Alhambra Highlands Development Guidelines and Design Criteria* (Design Guidelines) establish a high design standard for all of the 110 units within the project, implementing the design review criteria. The Design Guidelines are proposed as part of the overall project and subject to the approval of the City. As a custom home development pursuant to the Design Guidelines, standards meet or exceed those of the surrounding production homes in regard to the use and constancy of materials on all sides of the building. Consistent use of architectural detailing is required throughout the residence, as opposed the typical “front elevation veneer” used in production homes. All colors will be muted. In addition, the potentially more visible lots at the periphery of the development area have been identified in the SEIR, and reduced height limits, special design review and landscaping are required for these lots, pursuant to the Mitigation Measures outlined in the SEIR and applied to the project through the conditions of approval, to minimize visibility from off site. As such, these homes will appear as single story designs, echoing the topography of the hillsides and without visible foundation/skirt walls. Additional landscaping shall is required by the conditions of approval, as needed, to further reduce off-site visibility if warranted.

31.342: Site plans shall minimize the visual impacts of development where possible while maintain the natural topography. Repair of slides, and other soil stability hazards shall be required for the protection of public safety and shall be reconstructed with a natural appearance.

Facts in Support: The project, as a Planned Unit Development, appropriately clusters all units onto the plateau as identified in the Alhambra Hills Specific Plan, generally leaving the hillsides below the plateau in a natural condition. Geotechnical hazards on the hillsides are thus avoided and the natural

appearance is retained. Where grading of the plateau is necessary for geotechnical safety, the result will be an upper and lower terrace that avoids the creations of an unnatural table top image but instead echoes the existing landform. Where development is being permitted at the perimeter of the plateau, the potential visual impact of such development areas have been appropriately minimized by the incorporation of SEIR mitigation measures, which require such design features as reduced building height limits and additional tree plantings. Grading for the Wildcroft extension and Horizon EVA is appropriately limited to that solely needed for road functionality, geotechnical safety and to achieve a naturalistic appearance.

31.343: Grading for the sole purpose of creating Development Area or buildable lots shall not be permitted (e.g. substantial cutting or filling of slopes over 30% to create lots shall not be permitted).

Facts in Support: The proposed project does not include grading for the purpose of creating development area on slopes exceeding 30% slope. As the mitigation of geotechnical hazards and provision of access roads necessitates the grading in the plateau area, the grading of small areas of 30% slope will not be done for the sole purpose of creating buildable lots but rather for the larger intergrated purpose of making development of the plateau possible within the parameters of the Alhambra Hills Specific Plan.

31.344: Grading shall comply with the following policies (except for exceptions pursuant Section 31.345 below).

A. Street Grading – Sites shall be planned to preserve the natural topography. Street grading shall be limited to that necessary for safety and to achieve natural appearing contours.

Facts in Support: The street layout for the proposed project is consistent with the approved Circulation Plan, Fig. 31.31 (“Land Use and Circulation”), which itself was designed to preserve the natural topography.

B. Lot Grading – Grading for individual lot with existing slopes over 20% shall be limited to driveways and within the house foundation. Grading of lots under 20% slope shall resemble natural contours.

Facts in Support: The developers’ grading plan creates a variety of lots for future custom home construction. The majority will be near level pads, as the plateau is to be mass graded for the mitigation of geotechnical hazards and provision of access roads. In the less common circumstance where a lot will be wholly or partially on native ground with slopes over 20%, grading is limited to that for driveway access or foundation location. Approval of any subsequent grading is subject to Design Review approval of the Homebuilders/homeowners plan, which must be found to resemble natural

contours.

C. If corrective grading outside these limits is necessary for geotechnical safety reasons, the finished grading shall closely resemble the pre-existing natural appearance of the topography.

Facts in Support: The limits of grading necessary for geotechnical reasons have been established by completing detailed construction level grading plans and soils reports, which have been peer reviewed by the City's Geotechnical consultant. With the limitations of creating buildable lots within the approved Development Area, and the need to address hydrologic and geotechnical safety requirements, the grading within open space slopes will blend into existing landforms to resemble the pre-existing appearance of the topography.

31.345: First priority shall be given to siting streets, residences and public facilities to avoid geologic hazards and instabilities, prevent the creation of drainage hazards which would threaten slope stability and to minimize visual impacts of plateau development. Where serious geologic or drainage conditions which threaten public safety, or where significant visual impacts which would result from development cannot be mitigated by locating development away from the hazards or by grading in Compliance with Policies 31.342 and 31.343, additional grading may be permitted.

Facts in Support: The residential units and water tank are located at the summit of the plateau, which as a Development Area, has relatively fewer Geotechnical hazards than the hillsides below, which are to remain as open space. The limit of grading, which been established by completing detailed construction level grading plans and soils reports that have been peer reviewed by the City's Geotechnical consultant, is generally consistent with the scope of grading envisioned by Policies 31.342 and 31.343, except as outlined in 31.346 below.

31.346: In situations of serious geologic hazard and in limited areas where significant visual impacts would result without more extensive grading, grading in compliance with the following (and as conceptually illustrated under the "cut and fill" option mitigations provided in the "Grading Concepts" Report by Rodgers/Pacific dated January 23, 1987 and integral to the EIR), may be permitted.

A. **Street Grading** – Expanded street grading shall be allowed to recontour slopes and create large flat pad lots and;

B. **Lot Grading** – Grading of individual lots shall be allowed to create large flat pads draining toward the street. The periphery of the developed area shall be tapered and rounded into the existing contours.

Facts in Support: The mitigation of geologic hazards that could otherwise

result from having development drainage saturate the plateau and thus undermine the slopes below, requires that mass grading techniques be used to intercept drainage. The necessary street and pad grading will direct drainage into a managed storm drainage system, where it can be safely conveyed as per approved storm water management plans. Furthermore, where grading of the plateau is thus necessary for geotechnical safety, it will create an upper and lower terrace to avoid the creation of an unnatural table top image, but rather echo the existing landform. And finally, lots at the periphery will not have pad grades but rather will be largely built on natural grade, achieving the desired tapered and rounded effect.

31.347: Up to 20% of the lots may meet R-7.5 Zoning code requirements. All other lots shall conform with R-10 minimum requirements. Overall density shall average at least 10,000 sq. ft. of Development Area per residence.

Facts in Support: Of the 110 lots proposed, all but 17 are 10,000 sq. ft., or larger, so less than 20% meet the reduced R-7.5 District's 7,500 sq. ft. minimum size requirement. All other requirements of the applicable R-7.5 and R-10 development standards have either been met, or exceptions to these standards have been approved as part of the Planned Unit Development. Of the approximate 297.5 acre project area, approximately 76.2 acres is considered to be the Development Area, resulting in a density of over 29,000 sq. ft. of site area per dwelling unit.

31.348: Sites shall be planned to preserve open space, existing vegetation (especially on ridgelines) and knoll tops as much as possible.

Facts in Support: The development plan leaves Properties L M and Q as open space for Alameda Whip Snake habitat, thus preserving a greater portion of the ridgeline than was required at the time the Alhambra Hills Specific Plan was adopted.

31.349: Site layout and grading shall provide continuity of design between parcels.

Facts in Support: The plateau is largely under the ownership of the project's developer, so the grading for units, access and infrastructure is now integrated among the several Properties identified at the time Alhambra Hills Specific Plan was adopted.

Section 5. BUILDING DESIGN (31.35)

31.351: Building design and materials shall be compatible with and better than nearby existing development.

Facts in Support: Although the Project site visual character would change with the introduction of residential development roadways, the Alhambra Hills Specific Plan allowed such development on the site. The Project is consistent with the Specific Plan building design policies because the *Alhambra Highlands Development Guidelines and Design Criteria* (Design Guidelines) contain design criteria that will be applied to all development within the project site to establish a cohesive site design. The Development Guidelines and Design Criteria state that each of the residential designs should strive for simplicity of form with strong simple details, a subdued color palette using pastels and earth tones, carefully crafted architectural details and integration of house design and landscape design. Additionally, Alhambra Highlands architectural styles include Monterey, Early California/Spanish Colonial, Craftsman, French County, Cottage, Ranch and Farmhouse which are compatible with the similar single-family residential neighborhoods in the project vicinity. Extensive landscaping will be incorporated throughout the site that will be integrated into the lot design.

31.352: Structures shall be designed to blend into, rather than dominate, the natural setting.

Facts in Support: Consistent with the Alhambra Hills Specific Plan, the *Alhambra Highlands Development Guidelines and Design Criteria* (Design Guidelines) provide that existing slopes should be reflected through stepping of architectural forms. All levels of the house would actively relate to the grade of the site. Consistent with the guidelines, houses would appear to “grow out” of their sites and will be designed to be integral with the topography, landscaping and natural features of the land. Further, the Design Guidelines encourage that site grading be minimal and relate to the natural topography of the site. Structures would be located to minimize any grading out of the structure’s foundation and driveway. For these reasons, the Project would be consistent with the Alhambra Hills Specific Plan.

31.353: Buildings shall be sited and designed to fit the natural topography and preserve existing vegetation as much as possible.

Facts in Support: As discussed above for finding 31.352, the Design Guidelines provide for the siting and design of future residences to fit the natural topography and preserve existing vegetation with minimal grading consistent with the Alhambra Hills Specific Plan. The Landscape Design Concept/Character found in Section 5 of the Design Guidelines is based on design principles that focus on maintaining the natural character of the area. The Design Guidelines encourage the use of native plant materials and the protection and preservation of existing native oaks. Additionally, the City has imposed a rigorous process for removal of native trees and a corresponding extensive tree replacement ratio that are designed to preserve the existing vegetation consistent with the Specific Plan.

31.354: Buildings which can be viewed from below shall be sited, designed and

landscaped so that supporting columns, piers and building undersides are not visually dominate.

Facts in Support: As discussed in Design Guidelines, existing slopes would be reflected through stepping of architectural forms that would relate to site grades. The Design Guidelines discourage tall, blank walls of hillside residences and the homes must incorporate the use of terrace walls and/or landscaping. In no case would decks be allowed to be more than 6 feet above the grade established by the approved as-built grading plan, or the individual lot's approved as-built grading plan, exclusive of railings. Balconies from upper levels of single-family residences may cantilever no more than 2 feet laterally without support. Consistent with the Specific Plan, the project is designed to minimize the potential for columns, pier and building undersides to visually dominate the landscape as further discussed in the Design Guidelines and the Final SEIR.

31.355: Buildings on hillsides shall step down to follow the topography.

Facts in Support: Consistent with the Specific Plan, the *Alhambra Highlands Development Guidelines and Design Criteria* require that all levels of the house would actively relate to the grade of the site as discussed above. Importantly, residential development would primarily occur on the plateau that characterizes the hillside, thereby limiting disturbance of the hillside slopes. The project geotechnical recommendations and SEIR mitigation measures also address the project' efforts to minimize site grading, thereby further ensuring that site development minimizes alteration of the slopes.

31.356: Natural appearing colors and building materials shall be required. Visually obtrusive/reflective colors and materials shall be prohibited.

Facts in Support: As required by the Alhambra Hills Specific Plan, the *Alhambra Highlands Development Guidelines and Design Criteria* encourage the use of warm earth toned colors and lights shades of gray. Trim colors should accent body colors with color blocking encouraged. The Design Guidelines expressly discourage the use of stark blues, whites, and bright pastels and intense primary colors consistent with the Specific Plan.

31.357: Buildings shall be designed to meet all Fire District requirements (roof materials, alarms, sprinklers, etc.)

Facts in Support: Consistent with the Alhambra Hills Specific Plan, the Project incorporates exterior building materials, roof materials and accessories into home designs to meet all Fire District requirements as further discussed in Section IV.C of the Design Guidelines. Section 5 of the Design Guidelines provides for incorporating fire defensible space and reduced fuel zones into the landscape design.

Section 7. LANDSCAPING, FENCING AND LIGHTING (31.37)

31.371: The Character of the natural setting shall be enhanced with natural landscape designs emphasizing native species and retaining existing vegetation.

Facts in Support: Existing oak woodlands on the hillside open spaces are to be preserved. Where oak trees are to be removed for the grading of the Development Area and Wildcroft extension, they will be replaced at a ratio of 1.5:1, ultimately resulting in an increase of the number of trees on-site. All open space plantings are of naturalistic designs with native species removed being replaced with same native species.

31.372: Visually significant man-made improvements along the periphery of plateau or hilltop development areas should be landscaped to blend into the natural setting. Yard improvements and solid fencing which extend into the periphery area shall be prohibited by scenic easement.

Facts in Support: Additional oak trees clusters, and naturalistic ground plane treatments, are to be planted adjacent to the custom home units, and over open space fill areas, at the western perimeter of the development area (Aberdeen Road and Heath Lane). Similar naturalistic planting shall be provided to help integrate the Wildcroft Drive extension and Reliez Valley Road basin into their natural settings. Solid fencing shall be prohibit on sloping, peripheral areas, and be limited to internal pad locations. At the peripheral lots, as identified the SEIR, scenic easements shall be recorded against that lot in favor of the City of Martinez. The scenic easement shall require the lot owner and successor owners of such a lot to retain existing and any added landscaping. The scenic easement shall apply to the landscaped area on the lot and it shall provide that no trees in the landscaped area shall be removed or reduced in height without the prior written approval of the City of Martinez. Solid fencing within the easements shall be prohibited.

31.373: An overall natural landscape theme for the major access road should be provided to unify the development areas.

Facts in Support: In accordance with the SEIR, mitigation measures and Conditions of Approval implementing same, upslope frontage areas adjacent to Cumberland Road, Aberdeen Road, Wicklow Road and Health Lane will be planted in a naturalistic style, (rear and/or street-side side yards of lots 44-51, 54-57, 59-68, 81-84, 93-102, 106-108, 112), shall be placed within a landscape easement, to be dedicated to the HOA, or equivalent, thus providing a unified landscape stamen throughout the plateau neighborhood.

31.374: Fencing which would be visible from outside the development areas shall be non-obscure and natural in appearance. A wood frame open wire fence is

recommended.

Facts in Support: In accordance with the approved Fencing Plan and Conditions of Approval, only open wire mesh fences are to be used in areas visible from outside development areas.

31.375: Exterior lighting shall be compatible with and sensitive to surrounding uses and the natural setting. Necessary lighting shall be situated as much as possible in the interior portion of visually sensitive development areas.

Facts in Support: As per the mitigation measures of the SEIR, Conditions of Approval implementing same and standards the *Alhambra Highlands Development Guidelines and Design Criteria*, all lighting shall avoid causing glare that could otherwise be seen off-site. Only fixtures which prevent light-leakage are permitted.

Section 8. OPEN SPACE/TRAILS (31.38)

31.381: Open Space areas shall be privately owned and maintained. Maintenance of such areas shall be by homeowners associations rather than individuals.

Facts in Support: Approximately 220 acres of the 297.5 acre project site are to be open space parcels maintained by the Alhambra Highlands Homeowner's Association or equivalent.

31.383: Public trail easements shall link the plateau areas to surrounding development and the general plan riding and hiking system. Minimum connections shall include the California Riding and Hiking Trail ... recommended linkages are shown in Figure 31.30 ("Land Use and Circulation – Alhambra Hills Specific Plan").

Facts in Support: Within the limits of geotechnical constraints, the trail network as conceptually illustrated in Fig 31.30 and shown on approved Landscape Improvement Plans is to be constructed by the developer, linking Alhambra Avenue to Horizon Drive and Reliez Valley Road. The trail is to be built to East Bay Regional Park District standards and is to be maintained by the Alhambra Highlands Homeowner's Association or equivalent.

31.385: Sound barriers shall also be provided along major roads were needed (see Noise Element). Sound barriers shall be designed to fit into the surrounding visual environment; large masonry walls are discouraged.

Facts in Support: As a mitigation measure identified in the SEIR and implemented by the Conditions of Approval, sound barriers are to be constructed on the south side of the Wildcroft extension where the new road will adjoin

existing residences on Valley Glen Drive. Extensive landscaping will be provided adjacent to the barrier, so that it will better fit into its visual environment.

Section 10. IMPLEMENTATION (31.40)

31.401: Alhambra Hills Specific Plan IMPLEMENTATION ELEMENT, Section C, pages 13-29 are hereby required and incorporated into this policy plan. Implementation measures shall be amended or eliminated as necessary to address plan modifications.

Facts in Support: The scale of water and sewer infrastructure needed for the current 110 unit plan is far less than what was envisioned in 1986 when the Implementation Element was approved. Furthermore, the now more limited plateau development is largely under the control of one developer. Requirements for infrastructure improvements, which include but are not limited to the single water tank and upgrades to the Webster Pump Station are appropriately scaled to the current 110 unit project, and will be constructed by the developer as per the project plans and conditions of approval.

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