

Planning Commission Minutes
Regular Meeting
August 14, 2012

CALL TO ORDER

Acting Chair Jeffrey Keller called the meeting to order at 7:02 p.m., with all members present except for Chair Rachael Ford and Planning Commission Alternate James Blair, who were excused.

Staff present: Contract Planner, Dina Tasini and Senior Planner Corey Simon

ROLL CALL

Present: Donna Allen, Commissioner, Harriett Burt, Commissioner, Kimberley Glover, Commissioner, Paul Kelly, Commissioner, Jeffrey Keller, Acting Chair, and Sigrid Waggener, Commissioner

Excused: Rachael Ford, Chair, and James Blair, Alternate

AGENDA CHANGES

None.

PUBLIC COMMENT

None.

CONSENT ITEMS

1. Minutes of April 24, 2012.

On motion by Donna Allen, Commissioner, seconded by Paul Kelly, Commissioner, the Commission voted unanimously to approve the minutes of the April 24, 2012 meeting.

2. Sale of Surplus Property - General Plan Consistency Find the sale of City owned property Glendora Drive/Serrano Street parcels (APN 370-094-028; 029 and 031), consistent with the General Plan.

Senior Planner Corey Simon briefly explained the reason for the proposed sale.

Commissioner Burt asked about the strength of the preserved open space designation. Mr. Simon indicated that an easement will be recorded to that effect. Commissioner Allen asked whether a certificate of compliance will be required before development can begin. Mr. Simon said yes, once the properties are merged together.

Chair Keller opened and closed public comment on the item with no speakers coming forward.

On motion by Sigrid Waggener, Commissioner and seconded by Donna Allen, Commissioner, the Commission voted unanimously adopt the draft resolution, making the finding that the sale of

City owned surplus property (APN 370-094-28, 029 and 031) is consistent with the General Plan.

3. Vacation of City Street – General Plan Consistency Find the vacation of Glendora Drive north of Serrano Street consistent with the General Plan.

On motion by Donna Allen, Commissioner and seconded by Kimberley Glover, Commissioner, the Commission voted unanimously adopt the draft resolution, making the finding that the vacation of City Street (Glendora Drive north of Serrano Street) is consistent with the General Plan.

REGULAR ITEMS

4. Laurel Knoll Sub 9263, PUD 09-01, GPA 09-01, REZ 09-01, DR 09-22 Public hearing to consider the following action to allow the construction of 79 townhomes and two single family homes on a 6.83 acre site: a) adoption of a Mitigated Negative Declaration; b) General Plan Amendment from Residential 7-12 units per acre and Open Space to Residential 7-12 units per acre; c) Rezoning from R-40 (One Family residential, 40,000 sq.ft. to R-3.5/PUD (Residential, 3,500 sq.ft. per unit/Planned Unit Development Overlay; d) Approval of a 82 unit Major Subdivision; e) Approval for a Planned Development; and f) Approval of preliminary design review for site layout. This project is located at 370 Muir Station Road. Applicant: Discovery Builders (DT)

Contract Planner, Dina Tasini presented the staff report. She noted that two additional letters regarding the item were received today, and a copy for each Commissioner should be at the dais.

Commissioner Burt commented on traffic issues on Muir Station Road and potential impacts to the Grace Episcopal Church. She asked whether the Commission could consider that in making its decision. Ms. Tasini said it is a CEQA issue – a traffic study was completed and traffic mitigation measures were included as part of the Initial Study.

Commissioner Burt questioned safety issues, and Ms. Tasini stated that safety issues are considered as part of the Initial Study process and the mitigated measures become part of the conditions of approval for the Planned Development. Commissioner Allen asked if approval of the Mitigated Negative Declaration would be required. Ms. Tasini said of the mitigated negative declaration is necessary. One can add conditions to the Planned Unit Development later to strengthen the mitigated measures and address safety if necessary.

Commissioner Glover asked about additional parking, and Ms. Tasini confirmed they meet the requirements. Mr. Simon showed the parking areas on the site plan, including 2 spaces per unit plus one-half space per unit for guest parking.

Commissioner Waggener commented on mitigation measures for traffic and whether it includes provisions for a turn lane. Ms. Tasini stated the mitigated measures include turning lanes.

Commissioner Allen asked if a turn lane could be a condition of approval. Ms. Tasini said not as part of CEQA, but as a condition for the PUD. Mr. Simon discussed CEQA standards, and that the suggested traffic upgrades would not be required as mitigation measures under CEQA, but

could be made a condition of approval of the PUD, even without the finding of an environmental impact needing mitigation.

Commissioner Allen commented on need to be clear in what is approved, b/c sometimes record does not show details expressed by PC. She asked whether requirement of CEQA has more weight than conditions of approval. Staff discussed whether CEQA is best way to address safety issues. More appropriately safety issues can be dealt with as part of the conditions of approval. Conditions of approval can be added as necessary to address existing conditions as well as a means to lessen impact.

Commissioner Kelly asked whether the project will come back to the Planning Commission for further review. Ms. Tasini said no, the Planning Commission will make recommendation to the City Council for final action, but the Planning Commission can add conditions if desired, and they can also say they want to see the final Conditions of Approval before approving. Commissioner Kelly said he sees no issue with traffic in the area.

Commissioner Allen said the only thing lacking at this point is what the building will look like. She asked and staff confirmed that if the Planning Commission recommends approval tonight, this will be the site plan for parking, etc, but design of the structures will come back to Planning Commission for approval.

Commissioner Allen asked if there is any problem with sewers and southern property line. Staff said they were not aware of any, and the applicant says they have secured the necessary easement for adequate drainage. Staff added that if there are title issues, the Planning Commission does not have jurisdiction over that matter - the applicant will bear associated risk if the adequate distance is not secure.

Commissioner Allen commented on usable open space requirements and questioned whether the slope areas meet those requirements. Mr. Simon said the Council adopted a new PUD ordinance, but has not adopted the changes recommended by the Planning Commission to the usable open space requirements. Mr. Simon confirmed that sloped landscape areas would not count for open space under the proposed draft ordinance the Commission recommended to City Council. He noted, however, that even if the recommendations to the open space requirements had been adopted by the City Council, the applicant would be requesting an exception. Current PUD regulations take into consideration usable open space and landscape as a requirement and are the subject to PUD approval.

Chair Kelly opened the public hearing.

LOUIS PARSONS, Discovery Builders, thanked staff for their help in the process. He briefly discussed the history of the project and the latest changes to the plan.

Commissioner Burt asked if there is a map that shows the site in relation to Donnelean Court and the church.

Commissioner Allen said normally the Planning Commission would be delighted there is less grading on the site, but there is nothing on the site that needs to be protected, so why not do more grading and eliminate the sloping in the middle. Mr. Parsons commented on the need for balancing the soil exported, so her proposal would be infeasible.

Commissioner Burt commented on concerns with the number of units and whether balconies should count as open space. She also expressed concern about parking. She asked, and the applicant discussed how they decided on 80 units.

Commissioner Allen said she was not concerned with number of units but where they are going to be placed. She commented on the aging population and the need for more accessible units. She questioned the project's viability and the sale-ability of multi-story units. Mr. Parsons commented on the wide spectrum of anticipated customers, noting that their market research shows there are customers out there and similar projects have been successful elsewhere. He indicated however that it would be cost-prohibitive to add elevators, and there would be aesthetic impacts from taller buildings.

The Commissioner recessed for five minutes for technical reasons and reconvened with all members present as indicated.

ROBERT CERRI expressed strong concern about traffic issues throughout the City, but especially tonight with this specific area. He was also concerned about emergency vehicle access and drainage issues.

VAL CASTELLANI asked the Planning Commission to deny the request for rezoning because there are too many units. He agreed that an elevator would work because it would cut the size of the units even further. He discussed traffic, drainage, and public safety concerns also.

RICHARD EVANS, on behalf of Grace Episcopal Church, noted that the church had not granted easements for the development/site drainage going from the site to the church property. He was also concerned about the 5' setback from property line – he suggested at least 10' setback. He indicated that sewer access has not been granted yet by the church, and he noted there would be traffic impacts, especially during construction.

Mr. Evans also discussed his personal experience as a traffic engineer, and his count on Monday night that shows the increase will be 16-20% of current traffic. He stated that safety issues require a left-turn lane, and it should be done before construction starts.

TIM PLATT asked what the purpose of the City's General Plan is, if it can be disregarded when a nonconforming project is presented. He expressed that the General Plan standards should be used to protect existing residents rather than developers. He was concerned about traffic, public safety, and viewscape impacts on John Muir Corridor.

GREG POPE respectfully suggested that the environmental review for this project has been insufficient – he questioned the accuracy of the traffic counts and said he would like to review the report. He commented on the developers' goal to make money, not to ensure quality of life.

He also questioned whether there is a compelling reason to move ahead with the project, and he noted there has been no communication by the developer to the neighborhood, nor any efforts to address their concerns or issues. He asked the Planning Commission to deny or defer the project.

PAT CORR questioned the adequacy of Muir Station Road and traffic safety issues, noting there needs to be a yellow line down the middle to prevent passing. She was concerned about additional traffic from this project. She also indicated she had qualms about the design and layout of the project.

MIKE ALFORD commented on current traffic levels and the dangerous conditions. He was concerned about density as well, the need for sensitivity to the community and the social needs, the need for traffic controls, consideration of long-term residents rather than developers' needs. He asked the Commission to use common sense in considering the project.

LOUISE BRITTON asked the Commission to consider the children, pedestrians, joggers, cyclists, asking if there will be a sidewalk to accommodate them. She was especially concerned that the left turn from the existing neighborhood will be even more difficult. She asked why the developer would want to move forward if it has been so challenging. She also asked whether the existing knoll above would be affected. (Staff confirmed that views of knoll will be impacted.) Ms. Britton also discussed the existing river flowing underneath the current neighborhood and how this development will impact it. She asked the Commission to deny the project.

JONATHAN BECKER commented on traffic impacts on pedestrian use during rush hour. He also said he does not believe this project will have negligible impacts. He noted that residents want a rural atmosphere, and the current zoning does not allow for this type of project. He asked the Planning Commission to deny the project because of traffic safety issues and because it does not fit the neighborhood.

MARY SCHUSTER commented on details not mentioned – it will be a gated community so entry and exit from the lot will be delayed while gates open and close. She showed anticipated traffic flows and anticipated traffic backups. She commented on a sign that says “no through traffic” yet the City thinks it is okay to add more traffic. She was concerned about pedestrian and cyclist safety, especially during rush hour.

KEVIN VAN BUSKIRK, Sheetmetal Union representative (IBEW, Pipefitters), said they support responsible development and the CEQA process. He noted that Discovery Builders has always respected the CEQA process, they are responsible and support the local economy and community. He recommends approval, but without widening the road because that would encourage even more traffic.

Rebuttal:

ALBERT SEENO, Discovery Homes, responded to questions about open space, and the proposed tot lots. He reviewed the history of the project and how the number of units has been reduced. He acknowledged traffic issues, but noted the gate will be set back from the entrance to limit backups. He indicated willingness to work with the church regarding the easement and drainage issues, and to work with the community and staff to resolve the issues.

Chair Keller closed the public hearing.

Commission comment

Commissioner Waggener expressed appreciation for the input from the community and from the applicant. She indicated that the location is ideal for the transition from rural to the suburban area. She asked for input from other commissioners as to how the issues can better be mitigated.

Commissioner Allen commented on the General Plan Task Force revision process and acknowledged that this site was not included in the process because the application preceded the General Plan revision. She expressed concern about the density of the project, and she noted there have been similar projects but with shorter driveways, adding she would like to see more space between the units. She was also concerned about the accuracy of the southern property line since there is “no wiggle room” for errors. She indicated floor plans and design details would help. She was concerned about parking and whether the spaces are wide enough and said she would like to see the guest parking more equitably distributed. She was concerned about the adequacy of the drainage, emergency vehicle access (perhaps through the shopping center), traffic (suggested a right-turn only to direct traffic to the freeway, and a left turn entrance to encourage the flow away from the neighborhood, a clear line-of-sight, and addition of a bike lane). She acknowledged Discovery has done a good job, but she did not think this is not the type of project she would support for the site. She indicated she would rather not make a decision tonight.

Chair Keller agreed with Commissioners Allen and Waggener, especially the possibility of a right-turn only out of the project and a left-turn lane for entering. He expressed concern about the height of the buildings and view impacts on the neighbors. He agreed a walking/biking path would be helpful. He agreed the project needs a few adjustments, but he felt the applicant has done a good job overall.

Commissioner Burt noted this is a different world than 30-40 years ago, when the General Plan was developed, and the City has the responsibility to approve the best possible projects that will enhance the community. She acknowledged the development would bring additional jobs, but the impacts to the community and the neighborhood will last longer than the benefits. She also noted that past projects done by Seeno had neighbors who felt overlooked by the developer, and this project has the same issues. She acknowledged Muir Station traffic is pre-existing, and the Fire Department did not address access on the road, only internal circulation issues. She commented on Nob Hill traffic issues as compared to church traffic concerns, as well as underground drainage issues. She agreed with Commissioner Allen that there are issues to be resolved before approval can be given. She was also very concerned about traffic engineers and the reports that indicate the impacts can be mitigated, adding that congestion and safety issues need to be resolved.

Commissioner Glover agreed that the project will bring more money to the Martinez economy and more jobs for the community, but she acknowledged there are considerable concerns to the neighborhood, and the safety issues for pedestrians, cyclists and children are significant.

Commissioner Kelly said he thinks the project is good because it contributes to affordable housing for this generation, and he believes setback issues will be minimal. He noted that the primary concern was traffic, especially Nob Hill traffic and perhaps improving the Nob Hill ingress/egress would help the project. He also thought it should be possible for the City Engineer to help resolve the concerns expressed. He would like new families to be able to experience home ownership in Martinez.

Commissioner Waggener summarized the main issues – traffic ingress/egress, setbacks (especially for buildings 6c, 7, 8, 9, and 10), consideration of additional grading, and “canyons” between the buildings. Commissioner Allen added emergency vehicle access thru the shopping center, bike lanes, equitable distribution of guest parking, and drainage issues. She also would like to see floorplans in relation to parking and circulation, and she would like the Planning Commission to make recommendations regarding usable open space.

On motion of Donna Allen, Commissioner, and seconded by Sigrid Waggener, Commissioner, the Commission unanimously approved continuing the item to a date uncertain to allow staff to address issues raised at this meeting.

COMMISSION ITEMS

None.

STAFF ITEMS

None.

COMMUNICATIONS

None.

ADJOURNMENT

The meeting was adjourned at 9:45 p.m.

Respectfully submitted

Approved by the Planning Commission
Acting Chairperson

Mary Hougey

Jeffrey Keller