CITY OF MARTINEZ **CITY COUNCIL AGENDA**
May 15, 2013

TO: Mayor and City Council

FROM: Philip Vince, City Manager

PREPARED BY: Dina Tasini, Contract Planner

SUBJECT: Continued Public Hearing to Consider and Possibly Take Action relating to an Amendment to the General Plan and Zoning Map, Planned Unit Development, and PUD Plan and Vesting Tentative Map for development of up to 80 attached single family homes and 2 Single Family homes; possible adoption of a Resolution to Exempt the Project from California Environmental Quality Act (CEQA) and Deny Project. (370 Muir Station Road, Laurel Knolls)

DATE: May 15, 2013

RECOMMENDATION:

The City Council can consider a number of options:

1) Conduct a continued public hearing and adopt a resolution, exempting the project from CEQA for the purposes of denial, and deny an Amendment to the General Plan and Zoning Map, Planned Unit Development (PUD), and PUD Plan and Vesting Tentative Map for development of up to 80 attached single family homes and 2 Single Family homes; or

2) Conduct a continued public hearing, review the additional information and instruct staff to return with a resolution of approval of a Mitigated Negative Declaration, General Plan Amendment and Vesting Tentative Map and Introduction of an Ordinance to amend the Zoning Map and adopt a PUD; or

3) Direct the applicant and staff to make further revisions and return in the early summer; or

4) Refer the project back to the Planning Commission to determine if based on the new information they can find project of superior quality and recommend approval.

BACKGROUND:

On March 20, 2013, the City Council held a public hearing, and took public testimony regarding the proposed project and directed staff to consult with the applicant to address a number of issues. Seven issues of concern were raised during the hearing including massing of the structures, overall site, pedestrian walkways along Muir Station Road, privacy, landscaping and screening, resolution of the property boundaries and signal modification. A copy of the staff report for the March 20, 2013 meeting is attached hereto as Attachment 1.

DISCUSSION:

The applicant and staff met and discussed the seven issues of concern and a site plan/conceptual landscape plan with colored detail is provided for the Council review (Attachment 7). Staff provides a brief overview of the resolution for each area of concern is provided below:

1. Massing of structures: The proposed siting of buildings along property lines and adjacent to the walking trail was of concern because of privacy and aesthetic issues. In response, the applicant proposes the reduction of 7 units throughout the entire project. The most significant is the reduction of buildings 7 and 8 where the overall height and number of units was reduced from 3 to 2 stories and in each case two units were eliminated. In addition, the reduction of buildings 4 and 5 provides an opportunity to accommodate an additional 10 on street parking spaces.

2. Overall Site Plan: On March 20th, there were several questions regarding the existing site plan, requesting changes to the site plan and grading of the site. It became evident to the council that the site plan was dictated by existing topography. The applicant was asked if grading the site and altering the site plan was considered and if it is still an option. The applicant is not amenable to grading the property. The applicant has stated that the cost of grading and off haul of soil is cost prohibitive. However the applicant did modify several buildings to accommodate additional on street parking and increase the turning radius at one corner to open up the entry driveway, as one turns left into the center of the project.

3. Pedestrian walkways along Muir Station Road: Concerns were raised at the March 20th hearing regarding pedestrian access and safety along Muir Station Road. Staff has met with the applicant and it has been determined that accommodation of a pedestrian pathway is possible along Muir Station Road. The path will be approximately 4 feet wide and run from the project down the hill to Alhambra Way. The path will be constructed as part of the storm drain project necessary for this project. The applicant will be required to provide plans prior to construction with details regarding the paving and marking of the pathway for safety, along with a tree survey to insure that no specimen trees are removed.

4. Privacy: The reduction in height of the structures along the riding trail will provide more privacy for the residents on Donaleen Court. The structures along the property line adjacent to the church will not impact the church activities or privacy directly since the church building itself is separated by landscaping and a parking lot. The property whose privacy is most greatly impacted is the residence on Muir Station Road. The units are still located along the ridgeline of his property creating a “bowl-like” effect. The only way to mitigate the privacy issue here is to relocate the units. Relocating these units would require a project redesign.

5. Landscape and screening: Concerns were raised that inadequate landscaping has been proposed along the property lines in particular. Staff met with the applicant and requested that additional larger plants and trees we placed along the property boundaries. In response, the applicant has increased the amount of landscaping behind buildings 1, 3, 7,

8, 9, 10, 11, 12 and 13. The landscaping will be approved as part of the design review process to insure the correct species and number have been selected to provide screening of the project and walls. The applicant has added additional screen trees along the ridgeline above Muir Station Road residence providing screening and some aesthetic treatment to the retaining walls.

6. Resolution of property boundaries: Concern regarding the property boundary between the Church and the project site was discussed at length. Staff explained that the property boundary dispute resulted as an error on the record of title. When staff met with the applicant to address this issue the applicant assured staff that he has the papers and was ready to sign the required document to correct the previous title error. Furthermore, the applicant stated he would sign the papers prior to the City Council meeting on May 15, 2013

7. Signal modification: During the public hearing a number of residents were concerned with cueing of traffic at the traffic light at Center and Muir Station Road. In response the applicant has agreed to improve the existing traffic signal at Center Street and Muir Station Road and upgrade it to a phased signal.

Many of the concerns discussed above will become conditions of approval if the City Council decides to approve the project. In addition it should be noted that a petition was submitted on May 8, 2013 a copy of which has been provided as an Attachment 6.

FISCAL IMPACT:

No fiscal impact. In July 2009 the City Council adopted a resolution establishing an installment payment schedule for this project. The installment payments totaled $81,490. The applicant has paid the entire amount. The project is entirely cost recovery from the applicant and does not impact the General Fund.

Attachments:

1. March 20, 2013, City Council Staff Report
2. October 23, 2013 Planning Commission Staff report and attachments
3. Initial Study and Draft Mitigated Negative Declaration
4. Planning Commission Resolution Recommending Denial to City Council
5. Draft City Council Resolution of Denial
6. Petition against the project submitted and dated May 8, 2013
7. Conceptual Landscape/Site Plan, Utopian Landscapes, date stamped May 6, 2013-colored

APPROVED BY:

City Manager

ATTACHMENT 1

CITY OF MARTINEZ **CITY COUNCIL AGENDA**
March 20, 2013

TO:	Mayor and City Council
FROM:	Philip Vince, City Manager
PREPARED BY:	Dina Tasini, Contract Planner
SUBJECT:	Public Hearing to Consider and Possibly Take Action on a Planned Unit Development for a 6.83-Acre Site with 80 Townhomes and 2 Single-Family Homes.
DATE:	March 11, 2013

RECOMMENDATION:

Conduct a public hearing to adopt a resolution, exempting the project from CEQA for the purposes of denial, and deny an Amendment to the General Plan and Zoning Map, Planned Unit Development, and PUD Plan and Vesting Tentative Map for development of up to 80 attached single family homes and 2 single family homes located at 370 Muir Road.

BACKGROUND:

The applicant proposes to develop the 6.83-acre site with 80 townhomes and 2 single-family homes (refer to Site Plan). The units are to be individually owned as part of a common interest subdivision, and range in size from 1,431 square feet to 1,930 square feet and with the exception of two single-family homes measuring approximately 3,400 square feet. The units all have two car garages. The Common areas will include peripheral landscaping, along the perimeter of the site and interior, a tot lot, picnic area and grassy swales throughout the project site. Generally, the three level units provide two stories of conditioned interior space atop the garage level.

The site has moderately steep slopes rising from Muir Road and had been graded a number of years ago to provide a generally flat plateau along the northern and western parameter of the site for storage of industrial items and/or vehicles. The site is unvegetated except for seasonal vegetation, and along the southern boundary where the California Hiking and Riding Trail (managed by East Bay Regional Park District) is located and is heavily vegetated with grasses and trees.

On August 14, 2012 and October 23, 2012, the Planning Commission held a public hearing to consider the proposed development of 80 townhomes and 2 single family homes on 6.83 acres located at 370 Muir Station Road. On August 14, 2012, the Planning Commission directed staff to work with the applicant to address issues related to: a) traffic impacts on Muir Station Road, b) level of applicant's public outreach, c) changes to the site plan, such as increasing perimeter setbacks to create more of a buffer between existing developments and the hiking trail and

several of the townhome buildings at the site and d) a potential discrepancy in the legal property description between the subject property and the neighbor to the west (Grace Episcopal Church), and acquisition of a sewer easement.

In response to the community's and Planning Commission's concern regarding traffic impacts, staff hired Abrams and Associates to peer review the traffic analysis provided by the applicant. The study concluded the majority of the findings in the previous report were correct, and that the added traffic from the new development would not have a significant impact when compared to existing conditions. However, Abrams recommended the reconfiguration of Muir Station Road to provide a dedicated turn lane into the project, in order to allow for safer turns.

Staff requested the applicant meet with adjacent neighbors to discuss the project and work with the Grace Episcopal Church to clarify the status of their common property line. The applicant has not provided information to staff since the meeting in November that the applicant has met with the community or has clarified the property's status. At the time the application was filed, the title report given to staff described the applicant's existing parcels just as they are shown on the project's site plan/tentative map. However, there appears to be a discrepancy between the legal description of the southerly (two acre) parcel and the way it is shown on the plans, possibly affecting the property line with Grace Episcopal Church. The project's civil engineer/surveyor must resolve this discrepancy to the satisfaction of the City Engineer prior to any approval of a map since the map can not cover and affect the property of an adjacent property owner. Likewise, the sewer easement to CCCSD (Central Costa County Sanitation District) must be secured, at the applicant's expense, prior to development. Most importantly, at both Planning Commission meetings, the Commission requested that the applicant redesign the site plan to address their concerns. In addition, staff requested on several occasions that the applicant consider revisions.

During the Design Review's Committee's site plan review the applicant did make changes to provide an additional open space amenity and a connection from the townhomes at the southern part of the site to the adjoining California Hiking and Riding Trail and relocation of the existing telecommunication towers to the southern tip of the site away from the residences. But the Commission's consensus was that greater changes were needed.

Throughout the project review process, staff had numerous discussions with the applicant regarding the requested redesign of the project. As proposed, the 80 townhome units are densely located along an existing perimeter of the site and along the Hiking and Riding Trail, while the center of the site (a previously graded upslope and hilltop) is to be left largely unchanged. The applicant's plan thus places units along a snaking driveway, with little or no changes to the topography of the site, except for the extensive use of retaining walls at the toe of the slope where the existing grade or plateau is too narrow for the floor plans being proposed. The applicant expressed concern since redesign will require mass grading of the site, which applicant believes will be costly. However changes to the existing topography will result in a superior quality site plan. Grading of the site would reduce the need for retaining walls and may provide an opportunity for the applicant to site units further away from the edges of the site and would likely result in a less restrictive circulation plan with more integral open space areas between the buildings.

The Planning Commission took public testimony, reviewed the plans and discussed the item with staff at several public hearings. The Planning Commission agreed that the density itself is not the issue but found that the site plan as proposed by the applicant did not address their concerns regarding visual impacts. Although the Commission recommended denial of the subject site plan, the Commission's consensus was that the project could be redesigned; accommodating the desired density of townhome units, with an alternate site and grading plan that took into account the adjacent residential properties and open space. However, as currently proposed by the applicant, the Planning Commission did not find that the project was of superior quality to warrant a General Plan amendment from Open Space to Residential nor approval of the PUD zoning overlay/PUD plan/Vesting Tentative Map and recommended denial to the City Council (PC Resolution No: PC 12-4 Attachment 3).

In order to deny the requested entitlements the City Council will have to make the following findings:

1. The proposed project is exempt from CEQA due to the fact that CEQA does not apply to a project which a public agency rejects or disapproves; and

2. The requested General Plan Amendment (GPA 09-01 requesting an amendment from the designation of Open Space to Residential 7-12 Units/Gross Acres on the southerly two acres of the project site as the location of the proposed units shown on the site plan are inconsistent with the intent of the existing Open Space designation, which is provide a buffer between the California Hiking and Riding Trail and low density single family homes to the south and the northerly portion site already designated for medium density housing. The current proposal would therefore not be compatible with the surrounding neighborhood and therefore not in the public interest.

3. The Rezone 09-01 as the density permitted under the requested R3.5/PUD Zoning District as proposed Zoning Designation would not be consistent with the General Plan, the surrounding neighborhood and the PUD site plan is not of superior quality when compared to development conforming to the R-5.5 Zoning District's conventional development standards.

4. The proposed PUD Plan development is not in conformance with the applicable goals and policies of the General Plan and any applicable plan Furthermore, the PUD Plan Development as designed can not be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities; and

5. Streets and pedestrian facilities are not adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development; and

6. The proposed PUD Plan development concepts are not reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is not physically suitable for the type and density/intensity of development being proposed, adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title; and

7. The proposed PUD Plan would not produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications; and

8. The location, access, density/building intensity, size and type of uses proposed in the PUD Plan are not compatible with the existing and future land uses in the surrounding neighborhood.

FISCAL IMPACT:

No fiscal impact. The project is entirely cost recovery from the applicant and did not impact the General Fund.

ACTION:

Motion adopting a resolution, exempting the project from CEQA for the purposes of denial, and deny an Amendment to the General Plan and Zoning Map, Planned Unit Development, and PUD Plan and Vesting Tentative Map for development of up to 80 attached single family homes and 2 single family homes located at 370 Muir Road.

Attachments

1. October 23, 2013 Planning Commission Staff report and attachments
2. Initial Study and Draft Mitigated Negative Declaration
3. Planning Commission Resolution Recommending Denial to City Council
4. Draft City Council Resolution of Denial

APPROVED BY:

City Manager

MEMORANDUM

DATE: OCTOBER 23, 2012

TO: PLANNING COMMISSION

FROM: DINA TASINI, CONTRACT PLANNER

RE: LAUREL KNOLLS - 370 Muir Station Road. (APN# 162-263-006 & 009)

Background

On August 14, 2012 the Planning Commission held a public hearing, took testimony and requested staff work with the applicant to address issues related to traffic, easements, public outreach and setbacks.

Discussion

Traffic

The public was concerned about the volume of traffic, safety and visibility. Staff hired Abrams and Associates to provide a peer review of the traffic analysis provided by the applicant for the Initial Study and to recommend possible changes to either the roadway or the entrance to the project if warranted. Abrams and Associates (Attachment A) provided the City with a traffic analysis that reviewed and agreed with the majority of the previous Traffic Impact Analysis and provided a suggested improvement to the roadway by the addition of a separate left turn pocket from Muir Station Road into Laurel Knolls.

In conclusion the project as proposed would not result in any traffic capacity or safety problems beyond those identified in the initial study and the supporting traffic impact analysis. There was nothing identified during the recent peer review that would change any conclusion provided in the previous traffic analysis. The additional turning lane and pavement marking will allow for safer turns into the development, and should be made a condition of approval for the project.

Easements

The Planning Commission and the public raised concerns regarding drainage easements along the property line between the Church and the proposed development. Staff requested that the applicant discuss these issues with the adjacent property owners. Staff has included language within the conditions of approval requiring proof of prior to approval and granting of building permits.

Public Outreach

During the previous Planning Commission hearing several Commissioners requested that the applicant contact adjacent community members and discuss the project and listen to concerns. Staff contacted the applicant and was assured that they continue to make an effort to work with the community and contact individual residents.

Site Plan and Setbacks

Several Commissioners commended on the "tightness" of the proposed site plan and asked the applicant to consider both a greater setback of the townhome units from the neighboring properties and/or move internal open space areas.

Staff has discussed site layout and setbacks with the applicant. The applicant is reluctant to make changes to the site plan that took close to six months for the Design Review Committed to recommend approval. No changes have been made to the proposed layout since the Planning Commission hearing on August 14, 2012.

Recommendation

The public hearing was closed at the end of public testimony on August 14, 2012, the Planning Commission may open the public hearing to testimony or chose to keep the public hearing closed receive a brief staff report summarizing any actions staff has taken, request information from the traffic consultant and applicant Review the traffic analysis, request additional information and make a recommendation regarding the General Plan Amendment, Planned Development and Design Review as was provided on August 14, 2012.

Items to Review:

1. Abrams Associates – Traffic Analysis (Attachment A)
2. August 14, 2012, staff report
3. Draft Resolution & Conditions of Approval

Abrams Associates
TRAFFIC ENGINEERING, INC.

September 28, 2012

Ms. Dina Tasini
Contract Planner
525 Henrietta Street
Martinez, CA 94553

Re: Peer Review of the Traffic Impact Analysis Prepared for the Townhomes at Laurel Knoll (Subdivision #9263)

Dear Ms. Tasini,

This letter was prepared to summarize my review of the traffic impact analysis prepared for the Laurel Knolls project (TIA) which was dated November 16, 2010.[1] Please note that my review also included the proposed plans for the Laurel Knolls Project (the Project).

By way of background, I am a licensed professional traffic engineer and I've had my professional engineering license for over 17 years. I have provided traffic analysis for hundreds of projects and have testified as an expert in the field of transportation and safety on many projects.

Summary – Based on a thorough review of the traffic impact study and extensive field observations and measurements we concur with the findings of the initial study. As currently proposed the project would not result in any traffic capacity or safety problems beyond those identified in the initial study and the supporting traffic impact analysis. There were some very minor technical problems identified with the traffic impact study (as described below) and some additional recommendations have been provided with respect to pavement markings in the area. However, there was nothing identified in the original report that would change any of the conclusions, which were incorporated as Mitigations and Conditions of Approval for the proposed project.

Peer Review of the Traffic Impact Analysis

In summary it is our conclusion that the TIA for the project was conducted according to standard traffic engineering practice as well as all applicable traffic study guidelines and standards. Typically a more detailed study would only be required for a project that generates more than

[1] Traffic Impact Analysis for the Townhomes at Laurel Knoll, KD Anderson & Associates, Inc., Loomis, CA 95650

1660 Olympic Boulevard, Suite 210 · Walnut Creek, CA 94596 · 925.945.0201 · Fax: 925.945.7966

100 peak hour trips. In this case the trip generation is accurate and no reductions have been made for potential walking trips to the adjacent shopping center and church. While a different traffic engineer might develop slightly different trip distribution assumptions, we have concluded that the ones used in the analysis are reasonable and it was verified that adjusting them would not change any of the conclusions.

The only notable error that needs to be raised has to do with the analysis of sight distance at the project entrance. We concur with the sight distances that were reported for the driveway and the conclusion that the project driveway has adequate sight distance. However, it should be noted that the traffic impact mistakenly lists the minimum stopping sight distance as 125 feet; the latest edition of the Highway Design Manual specifies a minimum sight distance of 150 feet for a roadway with a design speed of 25 mph.[2] Additionally, in the absence of formal speed surveys the design speed is typically set at 5 mph above the speed limit. If a 30 mph design speed is used the minimum corner sight distance is 200 feet. This is still well within the available sight distance at the driveway and no problems are anticipated. However, as mentioned in the traffic study, this assumes the adjacent landscaping is not allowed to interfere with sight distance.

We have reviewed the internal circulation and roadway layout and find no significant problems with it. We would not recommend that stop signs be required since it should be clear who has the right of way at the intersections in question. With a 15 mph speed limit and significant curves to slow motorists down there should be no safety problems if an occasional large truck needs to encroach into the opposite travel lane.

Field Review of Muir Station Road – Informal radar speed surveys (i.e., less than 100 measurements) and extensive sight distance measurements were conducted on Muir Station Road. The radar speed surveys indicated Muir Station Road has an average speed of 28 mph in the vicinity of the proposed project. The most limited sight distance in the area was identified at the exit for the adjacent shopping center. At this driveway the corner sight distance to the west is only about 200 feet. This location meets the minimum sight distance standards but the limited sight distance probably results in some motorist frustration with speeders in the area. However, it is important to note that traffic from the proposed project would be very unlikely to contribute to this issue.

Motorists exiting the proposed project would have only 350 feet to accelerate (on an uphill grade) before they reach the shopping center driveway and would be unlikely to exceed 30 mph in this area. The motorists who were observed speeding in the area (30 mph and above) were those who were clearly gaining speed for the hill from further back on Muir Station Road. It should also be noted that the majority of westbound motorists were observed to reduce their

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[2] *Highway Design Manual*, Table 201.1, Caltrans, Sacramento, CA, May 7, 2012.

speed by at least 5 mph as the rounded the corner on the approach to the shopping center entrance and Center Street.

Suggested Changes to Pavement Markings on Muir Station Road – Although not required to address any impacts of the proposed project, our review indicates that with the addition of project traffic some changes to the pavement markings on Muir Station Road may be considered, although these are not necessary.

The attached Figure 1 presents the existing conditions and our suggested changes to the pavement markings on Muir Station Road. Please note that we have reviewed the potential queuing for the left turn pockets presented in Figure 1 and the minimum left turn pocket storage of 50 feet (as specified by Caltrans standards) is all that would be required for these two turn pockets. For example, the existing left turn pocket for the left turn from westbound Muir Station Road into the adjacent shopping center has 50 feet of storage and a 40 foot transition.

Section 405.2 of Caltrans' Highway Design Manual specifies that the storage length at an unsignalized intersection "*may be based on the average number of turning vehicles likely to arrive in a 2 minute period*." Based on the maximum hourly volumes forecast to use the two turn pockets (as presented in Figure 1) the proposed storage for two cars (50 feet) is the most that will ever be needed. Again, it is important to note that the existing two-way left turn lane should continue to operate safely and no changes are required to accommodate project traffic. However, we would suggest the City consider making the changes to the pavement markings shown in Figure 1 if the proposed project is approved.

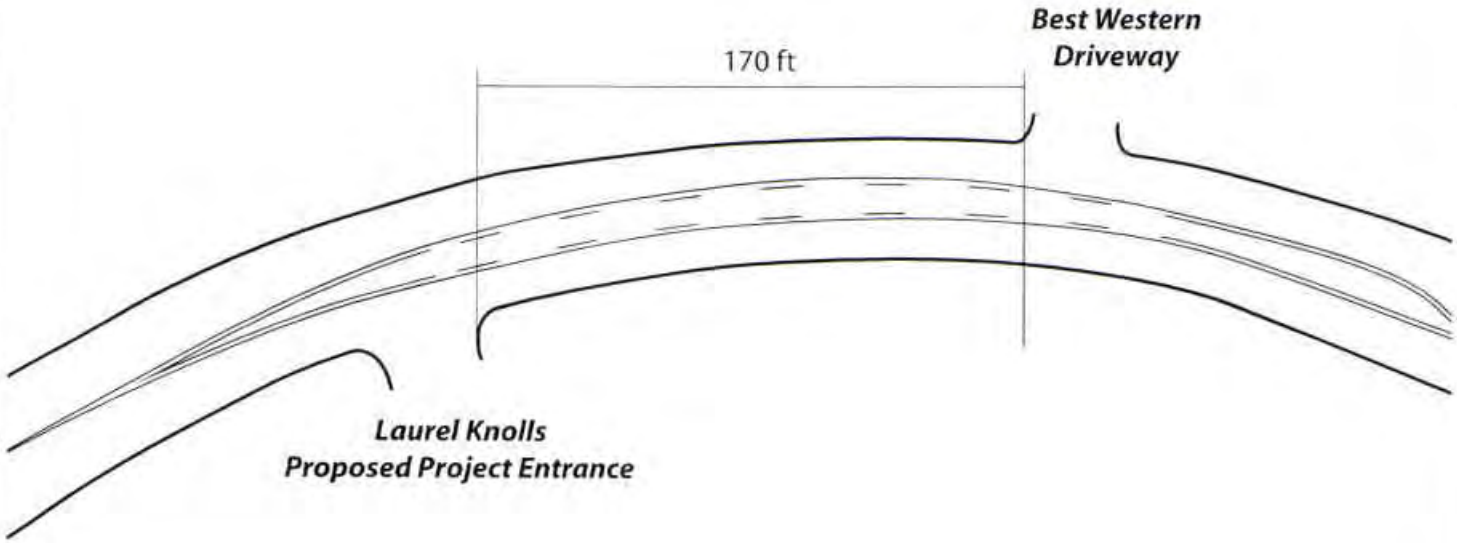
Please contact me if you have any questions about these comments.

Sincerely,

Stephen Abrams

Stephen C. Abrams
President
Abrams Associates
T.E. License No. 1852

Existing Roadway Layout



Proposed Changes to Pavement Markings

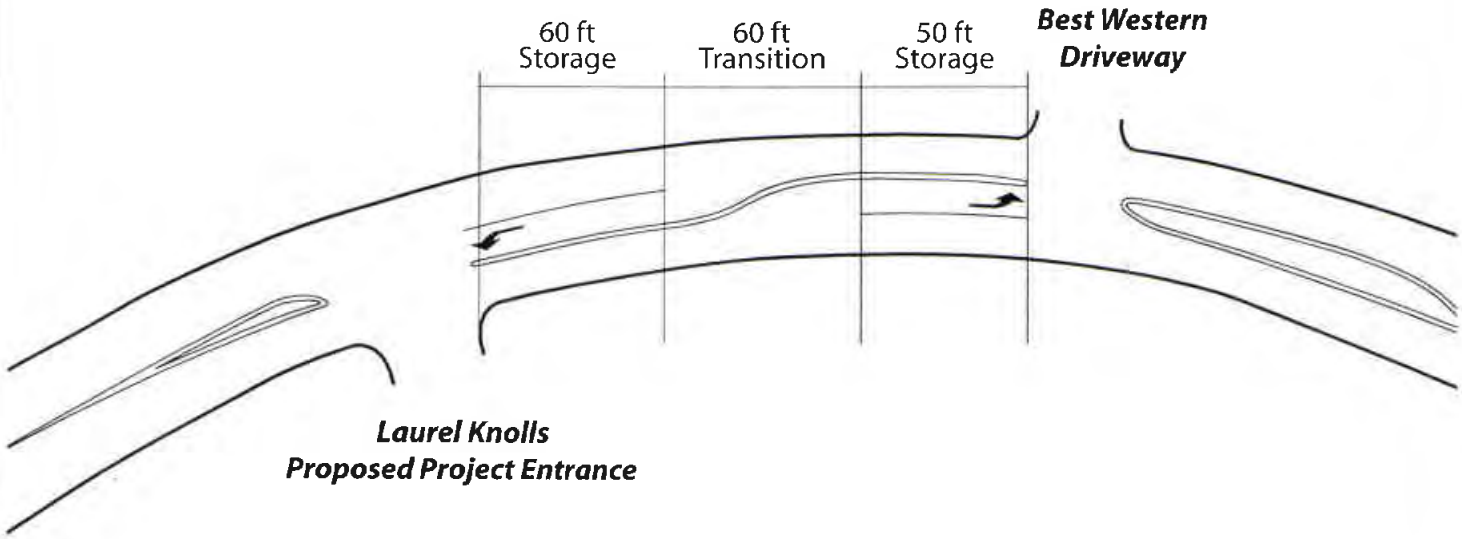


FIGURE 1 | PROPOSED CHANGES TO PAVEMENT MARKINGS

PEER REVIEW

Laurel Knolls TIA

City of Martinez

Abrams Associates
TRAFFIC ENGINEERING, INC.

STAFF REPORT

TO: PLANNING COMMISSION

PREPARED BY: Dina Tasini, Contract Planner

GENERAL INFORMATION

OWNER/APPLICANT: Discovery Homes/ Jackie Seeno

LOCATION: 370 Muir Station Road

GENERAL PLAN (John Muir Parkway Specific Area Plan):
Existing: APN# 162-263-006 (4.8 ac.), Residential 7-12 units per acre; APN # 162- 263-009; (2 ac.) Open Space.
Proposed: APN # 162-263-009, (2 ac) Residential 7-12 units per acre

ZONING:
Existing: (all) R-40 (Single Family Residential, 40,000 sq. ft. min. lot size)
Proposed: (all) R 3.5/PUD (Residential, 3,500 sq. ft. site area per unit/Planned Unit Development Overlay)

ENVIRONMENTAL REVIEW: The attached initial study evaluating this project's environmental impact was prepared and circulated as required by the California Environmental Quality Act (CEQA). The initial study found the project would not have a significant impact, with the proposed mitigation measures, and a Notice of Intent to Adopt a Mitigated Negative Declaration was prepared.

PROPOSAL: The applicant proposes to develop the site with 80 townhomes and 2 single-family residences on site totaling 6.83 acres.

APPROVALS REQUESTED THE PLANNING COMMISSION'S ACTION IS A RECOMMENDATION TO THE CITY COUNCIL, WHO WILL TAKE ACTION ON THE FOLLOWING ITEMS, AT A FUTURE HEARING, TO BE ANNOUNCED:

a) Adoption of a Mitigated Negative Declaration;
b) General Plan Amendment to "Residential: 7-12 Units/Gross Acre";
c) Rezoning to R-3.5/PUD Overlay (Family Residential, minimum 3,500 square feet of site area per dwelling unit/Planned Unit Development Overlay);
d) Approval of a PUD Plan, allowing exceptions to the normally required lot size, density, minimum yard requirements and maximum height and site coverage limitations R/3.5 District.
e) Approval of a Vesting Tentative Map for a 82-unit Major Subdivision:

RECOMMENDATION

Adopt the *Draft* resolution, recommending that the City Council adopt the Initial Study/ Mitigated Negative Declaration, and approval of GPA # 09-01, REZ # 09-01, PD #09-01 and Major Subdivision 9263, subject to the attached *Draft* Conditions of Approval.

PROJECT DESCRIPTION

The applicant proposes to develop the approximate 6.8-acre site with 80 Townhomes and 2 single-family homes (refer to Site Plan and *Initial Study* provided). The units are to be individually owned as part of a common interest subdivision, and range in size from 1,431 square feet to 1,930 square feet and with the exception of two single-family homes measuring approximately 3,400 square feet. The units all have two car garages. The Common areas will include peripheral landscaping, along the perimeter of the site and interior, a tot lot, picnic area and grassy swales throughout the project site. Generally, the three level units provide two stories of conditioned interior space atop the garage level.

The site has moderately steep slopes rising from Muir Road and has been graded to provide a generally flat plateau on the site for storage of industrial items and/or vehicles decades ago. The site is unvegetated except for seasonal vegetation, and along the southern boundary where a hiking and horseback riding trail is located and is heavily vegetated with grasses and trees.

Metro PCS and AT&T wireless currently operate wireless antenna facilities on the site, and the project includes the relocation of its utility easements and equipment buildings to provide a common open space area within the southern portion of the project site.

SITE and CONTEXT DESCRIPTION

The site is within an evolving suburban area, with a mixture of residential, commercial, and industrial uses in a somewhat "semi-rural" setting. To the NORTH (opposite side of Muir Station Road) is the railroad tracks and Highway 4. To the NORTHEAST is a shopping center and hotel. To the SOUTH and WEST are residential properties. Immediately to the SOUTH adjoining the site is a hiking and horseback riding trail and residential development. To the SOUTHWEST is a church. This context is more fully illustrated in the *Initial Study* provided.

APPLICABLE REGULATIONS

In addition to the standards and criteria provided by the John Muir Parkway Specific Area Plan, and the familiar sections of the City's Zoning and Subdivision Regulations, the proposed project will be the first subdivision/planned unit development subject to the City's recently revised "Planned Unit Development (PUD)" regulations, which were adopted by the City Council in September 2010. The most significant changes from the previous Planned Unit Development (PUD) review processes are:

- The PUD is now an "overlay zoning district," to be either approved or denied by the City Council, after receiving a recommendation from the Planning Commission. (Previously, the PUD was approved by the Planning Commission as a Use Permit).
- All actions linked to the PUD, including but not limited to the General Plan amendment, rezoning of the underlying "base' zoning district (e.g. rezoning from R-40 to R/3.5) – as well as the Vesting Tentative Map – are also to be either approved or denied by the City Council, after receiving a recommendation from the Planning

Commission.

- Design Review Approval of architectural finishes may be differed to separate Planning Commission action subsequent to PUD approval. This option was created, and the applicant has chosen this approach - as a means of focusing PUD review on the larger question of site planning, which includes but is not limited to: on-site circulation, building placement, building massing (e.g. height, width as would normally be determined by conventional zoning regulations) and provision open space/recreation space. Design Review Committee review of the site plan is required at this stage, and committee comments are discussed further in this report.

STAFF ANALYSIS

The applicant has worked well with staff to resolve many of the site plan issues and has met several times with the Design Review Committee to discuss the site plan and tentative map. Additional open spaces areas have been added to the interior of the project, to provide more active common open space then was originally proposed. The applicant has also, through the initial study process, agreed to a number of mitigation measures that will change future heights of buildings along the southern portion of the property. As stated above, the applicant will return to Design Review Committee and Planning Commission for Design Review approval in the future. Specific areas of discussion are outlined below:

TOPIC ONE – ***CHANGE IN GENERAL PLAN LAND USE DESIGNATION FOR A PORTION OF THE SITE FROM OPEN SPACE TO RESIDENTIAL - AND CONSISTENCY WITH THE GENERAL PLAN***

The southern portion of the site is designated open space, however through analysis of both the history of use of the site and policies set forth in the John Muir Parkway Specific Area Plan staff has found that residential use is appropriate. Staff provides the following, which is again more fully illustrated in the *Initial Study* provided:

> The Martinez General Plan (John Muir Parkway Specific Area Plan ("SAP") currently designates the northerly 4.8 acres of project site Residential, 7-12 units per gross acre, and the southerly 2 acres as Open Space. Notwithstanding the request to re-designate the Open Space area to Residential, the project is generally consistent with the SAP, in that higher density development is encouraged adjacent to the John Muir parkway (Policy 33.312) and that all developments shall be Planned Unit Developments (Policy 33.316)
>
> The SAP also includes specific policy direction in regards to fitting higher density development into areas where there are existing single-family neighborhoods, such as Donaleen Court to the southwest of the subject site. Policy 33.319 (adopted 1987) states:
>
> > *When a proposed multiple family residential development is near an existing single family (or lower density multiple family) development, the Planning Commission shall require appropriate transition elements in the approved development plan, such as landscape buffering, building setbacks equal to or larger than those required in adjacent zone district, minimization of grade*

differences to avoid visual impact and loss of privacy, different types of units which are more compatible with those existing on adjacent property, lower density zoning, assembly of small parcels into one large project for more design flexibility, provision of project access from collector streets rather than existing local residential streets, etc. In addition, all residential developments shall be subdivided into individual units and offered for sale to maximize the opportunity for owner-occupied housing in the area

At the time the SAP was adopted in the 1970's, the southerly portion of the site was designated as "open space." This area serves as a buffer between the medium density residential uses envisioned to be along Muir Station Road and the California Hiking and Riding Trail to the south. In 1987, the City Council amended the SAP as currently depicted, increasing the areas designated for residential uses, and decreasing the area designated as open space. The split between the residential and open space areas as amended in 1987 appears to match the division between the projects two parcels (162-263-006 and 162-263 -009), and may have corresponded to the limit of grading at the time. As discussed above, most of the two parcels were previously graded to use as a storage lot. The two-acre parcel that is designated open space is partially graded and is part of the existing storage facility. Because of the southern portion's use as a storage facility and its graded configuration, this area as it currently appears has little or no scenic value. So as a function of the SAP's Land Use Map and existing conditions, the requested General Plan Amendment would be appropriate.

The potential conflict with the SAP policies is not with the proposed General Plan map amendment, but with the proposed site plan development on the portion of the site currently designated as "open space." The development plan places 35 to 40 foot tall buildings immediately adjacent to the California Hiking and Riding Trail, with only 30-40 foot areas for shrub plantings between the Trail and the buildings. While the graded 50% slope between the existing RV storage area and the existing Trail has no scenic value in and of itself, it's "unbuilt" status does fulfill the intent of the original open space designations, and Policy 33.341.B of the SAP's Open Space Policies, which states:

Buffer and Trail way Open Space land which is intended to provide adequate visual and acoustic buffer, landscape amenity and a functional, well integrated trail system for walking, hiking, bicycle and equestrian use within the planning area and as a means of linking the planning area to adjacent neighborhoods, shopping and work areas.

The proposed mitigation measures, which call for a reduction in building massing adjacent to the Trail, and the now proposed access to the Trail, work to make the proposed residential designation with the larger intent of the policies set forth in the John Muir Parkway Specific Area Plan.

TOPIC TWO- *ZONING DESIGNATIONS AND PUD OVERLAY*

The site's current zoning designation, R-40 (one-family residential, 40,000 sq. ft. minimum lot size) is inconsistent with both the existing and proposed General Plan (John Muir Parkway Specific Area Plan) designation of "Residential 7-12 Units/Acre." The proposed designation of R 3.5/PUD overlay (Family Residential, 3.500 sq. ft. site area per unit, 4,000 sq. ft. minimum lot size) achieves consistency with the General Plan for a portion of the site that is not designated Open Space. The proposed site plan is generally consistent with the development standards of the R-3.5 District (including maximum density and minimum yards). The flexible standards of the PUD overlay are primarily needed for the parcelization of the individual "townhouse" units, with no individual side yards and lots of less than 4,000 sq. ft. in size.

In response to concern regarding the requested General Plan Amendment and Zone Change, staff reviewed the open space trails as a result, the applicant will be required to revise buildings designs of the two buildings that are proposed along the southern ridge above the trail to reduce height and step back from the trail. During future Design Review discussions the Design Review Committee will propose design solutions and provide the Planning Commission the opportunity to approve the Final Design Review package.

One of the potentially significant conflicts is the requested exception to the normally permitted maximum height limit of 25 ft. and two stories. While the two single family units at the site's summit are in compliance with this standard, the 80 multiple-family units are all three stories, with heights ranging from approximately 35' to 40'. Fortunately, the topography of the site can, in most cases, accommodate the added height without a negative impact, as most units are either against the much taller hill and/or not adjacent to homes and opens space areas. But as previously discussed future design review discussions will provide more information regarding the stepping down of two buildings, at least, along the ridge to lessen visual impacts. Once the design has been developed staff will be better able to determine if reduction in height is the solution to visual impacts or other solutions are necessary.

TOPIC THREE: *ON SITE OPEN SPACE/PRIVATE AND COMMON RECREATIONAL SPACE*

The R-3.5 zoning district requires 500 square feet of Useable Open Space per unit (Title 22, Section 22.12.250). The definition section of the Zoning Ordinance (Chapter 22.04, Section 22.04.560) defines 'Useable Open Space' as outdoor area on ground, roof, balcony, deck or porch which is designed and accessible for outdoor living, recreations, utility space, pedestrian access or landscaping. Such areas do not include front or street side yards. Typically in urban development useable outdoor space would be provided by a deck, ground-floor patio or fenced back yard.

The proposed units have minimal private outdoor space provided by balconies of varying sizes but not exceeding about 40 sq. ft. in size. The site plan also includes an approximately 2,000 square feet area behind Buildings 2 and 3 that is designated for a tot lot. However, this area would be limited in its use and does not provide a recreation area for adults. In response the applicant has provided additional outdoor space within the southern portion of the site for picnics and gatherings, and has relocated the wireless antennae from the top of the hill in the rear of the residential units to an area to the north along the roadway and adjacent to parking. The relocation provides for additional passive open space. Approximately 3 acres of the site will remain unbuilt and will be landscaped as passive open space. These three acres meet the Zoning Ordinance's technical definition of Usable Open Space, and thus more than 500 square feet per unit will be provided.

TOPIC FOUR – ***RELATIONSHIP TO NEIGHBORING USES***

Adjacent properties are commercial and single family residential. The project site has been underutilized for a number of years. The existing single-family residence located below the site along Muir Station Road will be impacted by the existence of residences along the ridge. However, through proper screening and leaving larger existing eucalyptus trees along the top of the ridge will assist in the screening. Due to the topography there will be an eight-foot retaining wall along the top of slope. During the future design review process staff will discuss the screening and visual aspects of the design of the patio areas and rear of the buildings. The existing commercial uses predominately to the east will serve as an excellent service center for the residents. In addition, this type of housing will be compatible with other apartment and hotel developments in the area.

The residential development to the south will be visually impacted in that the site is currently vacant and development of the site with three-story residence will change the view from some residences from the rear yards and along Donaleen Court. However, as previously stated staff will be working with the applicant and the Design Review Committee to design structures that are properly screened and whose massing has been decreased by stepping down of the structure along the hillside (above hiking and riding trail).

TOPIC FIVE – ***DESIGN REVIEW COMMITTEE COMMENTS & SITE PLAN RECOMMENDATIONS***

The Design Review Committee met three times to review this project. This was an unusual process for the Committee, as the newly adopted Planned Development overlay language provides for approval of a PUD plan without Design Review approval of the building's architectural finishes. Staff presented a Tentative Map Plan and Landscape Plan, but individual building designs were not evaluated at this time.

The Design Review Committee was split on its recommendation, who's individual *comment sheets* with recommendations to the Planning Commission are attached. The issues that were discussed were density, views, access, parking, open space and access to adjacent commercial uses. There is still concern on the part of one committee member that the project is too dense and does not provide enough usable

open space or parking. The other two members are both concerned about design details, but generally support the site plan as proposed and ultimately recommended approval. Of the two in support, one recommends that the end units be dropped in height from 3- to 2-story, as a means of ameliorating the perception that the project is "too dense" without requiring site plan changes.

ATTACHMENTS

- Site Vicinity Map
- Design Review Comments, May 23, 2012
- Letter from Contra Costa County Fire Protection Fire District, dated June 29, 2010
- Resolution, recommending approval to the City Council (Draft), with recommended Conditions of Approval

DOCUMENTS PROVIDED UNDER SEPARATE COVER

Initial Study, with illustrations of existing land use designations and visual impacts

EXHIBITS

- Vesting Tentative Map and landscape plans (dated as received, August 8, 2012)
- Reduction of Landscape site plan, annotated with amenities added at request of the Design Review Committee.

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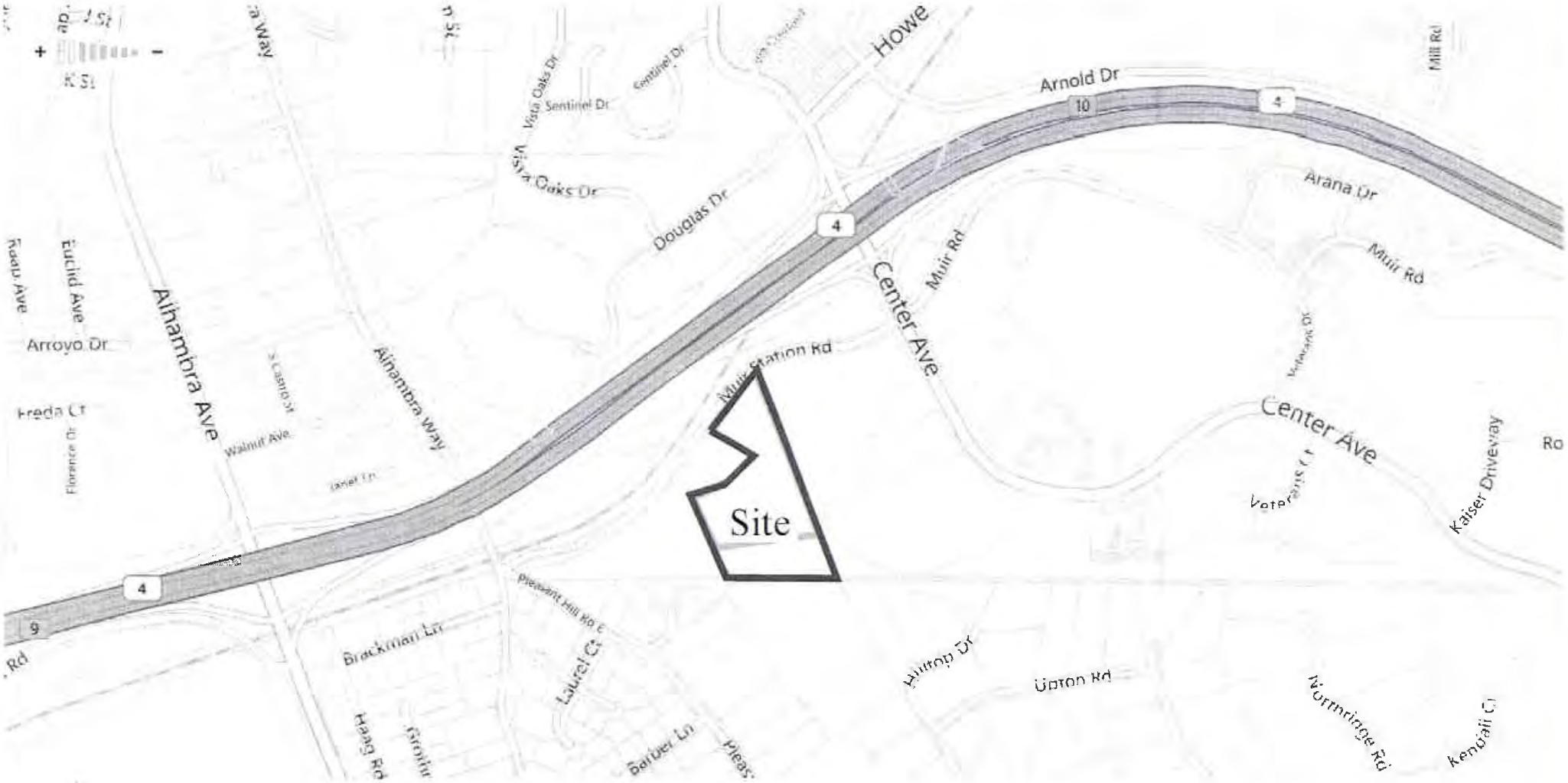
Site
Arnold Dr
Howe
Douglas Dr
Vista Oaks Dr
Sentinel Dr
Muir Rd
Muir Station Rd
Center Ave
Arana Dr
Alhambra Ave
Alhambra Way
Euclid Ave
Arroyo Dr
Walnut Ave
Pleasant Hill Rd E
Brackman Ln
Laural Ct
Hilltop Dr
Upton Rd
Barber Ln
Hang Rd
Kaiser Driveway
Wormringe Rd
Kendall Ct
Veterans Ct
Veterans Dr
Janet Ln
Florence Dr
Freda Ct
Euclid Ave
K St
Mill Rd
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CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Laurel Knoll DATE: 5/23/12

REVIEW COMMENTS: I do not recommend approval or moving this project forward to the Planning Commission. Generally, the site design is too tight. The proposed landscape is not sufficient to provide adequate screening most of the planter areas between and around the buildings are too small, and cannot accommodate the trees. There is no entry landscaping that works with the walks/gate/fencing. Trees are blocking most of the street lighting. The entry gate will not work as shown. The bio-swale at the first corner of the street should be relocated.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? ☒ YES ☐ NO

Mailboxes are located within sight-lines. Turning radius do not work. The cell equipment areas should be relocated to a less prominent location, not in the center common area. The

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1. play area and picnic areas have not been well-thought out - the
2. spaces are too small to make the design work. All buildings
3. are proposed to be 3-story - the corner units should be reduced
4. down to 1 or 2 stories. The entry alleyway should be a
5. minimum of 20 ft wide for better lighting and planter spaces.

This project is not ready for any approval - the applicant is trying to force too many units on a previous existing graded site that doesn't work together.

COMMITTEE MEMBER Brian Kilian

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CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Discovery Home's DATE: 5/23/2012

REVIEW COMMENTS:

I'm ok with sending this to Design Reuse

If the end units are lower in that

process.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC? ☐ YES ☒ NO

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER

4J

CITY OF MARTINEZ
DESIGN REVIEW COMMITTEE
COMMENT FORM

PROJECT: Laurel Knoll

DATE: 05.23.2012

REVIEW COMMENTS:

All of my prior recommendations have been included.

DO YOU WISH TO SEE THIS PROJECT AGAIN AT DRC?

☐ YES
☒ NO

Site plan & landscape plans - OK

This project can be recommended for approval if the following conditions of approval are incorporated into the plans prior to Planning Commission hearing:

1.

2.

3.

4.

5.

COMMITTEE MEMBER

Scott Watkins

4 K

Contra Costa County **Fire Protection District**

June 29, 2010

Ms. Jackie Seeno
Discovery Builders, Inc.
4061 Port Chicago Highway, Suite H
Concord, CA 94520

Subject: The Town Homes at Laurel Knoll
370 Muir Station Road, Martinez
APN 162-263-006 and 009
CCCFPD Project No.: 111150-PL

Dear Ms. Seeno:

We have reviewed the vesting tentative map application to establish an 82-lot residential subdivision at the subject location. The following is required for Fire District approval in accordance with the 2007 California Fire Code (CFC), the California Vehicle Code (CVC), and adopted ordinances and standards:

1. Roadways with a gradient exceeding 16% (i.e., the driveway to Lots 81 and 82) shall be constructed of grooved concrete per **approved** specifications and engineered to withstand a 44,000 pound traction load. Contact the Fire District for information regarding grooved concrete details and approved designs. Contra Costa County Ordinance 2007-47

2. Parking is prohibited within the minimum required dimensions of fire apparatus turnarounds and turnouts. Signs shall be posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked (503.3) CFC, Contra Costa County Ordinance 2007-47

   Access roadways of **less than 28-feet** unobstructed width shall have signs posted or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked. (22500.1) CVC, (503.3) CFC. Contra Costa County Ordinance 2007-47

   Access roadways of **28 feet or greater, but less than 36-feet** unobstructed width shall have ***NO PARKING – FIRE LANE*** signs posted, allowing for parking on one side only or curbs painted red with the words ***NO PARKING – FIRE LANE*** clearly marked (503.3) CFC, Contra Costa County Ordinance 2007-47

3. Per the Alternate Method approval letter dated 7/25/08, in addition to posting "NO PARKING" signs or painting curbs red, a sign shall be posted at the entrance to the subdivision stating that parking is allowed in designated parking spaces only.

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2010 Geary Road • Pleasant Hill, California 94523-4619 • Telephone (925) 941-3300 • Fax (925) 941-3309
East County • Telephone (925) 757-1303 • Fax (925) 941-3329 West County • Telephone (510) 374-7070

4. The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 2000 GPM. Required flow must be delivered from not more than two (2) hydrants flowing simultaneously for a duration of 120 minutes while maintaining 20-pounds residual pressure in the main. (508.1), (B105) CFC

5. The developer shall submit three (3) copies of site improvement plans indicating hydrant locations, fire apparatus access, and "No Parking" identification for review and approval **prior to obtaining a building permit**. (501.3) CFC

6. ***Emergency apparatus access and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site.*** (501.4) CFC

   Note: A temporary aggregate base or asphalt grindings roadway is not considered an all-weather surface for emergency apparatus access. The first lift of asphalt concrete paving shall be installed as the minimum roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.

7. Per the Alternate Method approval letter dated 7/25/08, all town homes within this subdivision, including the two (2) single-family homes on Lots 1 & 2, are required to be protected by an approved automatic fire sprinkler system; **including all garages, bathrooms, closets, and attic spaces**.

8. The developer shall submit three (3) copies of a 300-foot scale parcel map indicating approved fire hydrant locations, street names, and addresses to the Fire District for mapping purposes. These maps are required ***prior to*** Fire District signing for final improvement plans (Mylar)

If you have any questions regarding this matter, please contact this office at (925) 941-3300.

Sincerely,

Ted Leach
Fire Inspector

TL/cm

c: City of Martinez
Community Development Department
525 Henrietta Street
Martinez, CA 94553

File 111150 ltr

4m

RESOLUTION NO. PC 12-04 *[DRAFT]*

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARTINEZ, RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION, AN AMENDMENT TO THE GENERAL PLAN AND ZONING MAP, ADOPTION OF A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT, AND APPROVAL OF A PUD PLAN AND VESTING TENTATIVE MAP FOR THE DEVELOPMENT OF UP TO 80 ATTACHED SINGLE FAMILY AND 2 SINGLE FAMILY HOMES- PLANNED UNIT DEVELOPMENT ("LAUREL KNOLLS") ON 6.83 ACRE, PARCEL LOCATED AT 370 MUIR STATION ROAD (APN: 162-263-006 & 009) GPA #09-01, REZ #09-01, PUD #09-01, SUB#9263

WHEREAS, the City of Martinez has received a request for a General Plan Amendment for approximately 2 acres of the project site from the (John Muir Parkway Specific Area Plan) designation of "Open Space" to "Residential: 7-12 Units/Gross Acre"; and to rezone the entire 6.83 acre site from R-40; (Single family residential, 40,000 sq. ft. minimum site area) to R-3.5/PUD overly (Family Residential, minimum 3,500 square feet per dwelling unit) Planned Unit Development Overlay; and PUD plan/Vesting Tentative Map for the construction of up to 80 attached single family development and 2 single family homes;

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

WHEREAS, on the basis of said initial study a mitigated negative declaration has been prepared that states the proposal will not have a significant effect on the environment; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noted public hearing on October 23, 2012, and listened to testimony from the public.

NOW, THEREFORE, the Planning Commission of the City of Martinez resolves as follows:

1. That the above recitals are found to be true and constitute part of the findings upon which this resolution is based.

2. That the Planning Commission hereby finds that on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the proposed project will have a significant effect on the environment, and that the proposed mitigated negative declaration reflects the City's independent analysis and judgment. Furthermore, the Mitigated Negative Declaration, and proposed mitigation measures for said project is found to be complete and in compliance with CEQA and applicable CEQA guidelines and is hereby recommended to the City Council for approval.

3. General Plan Amendment #09-01 to be compatible with General Plan policies regarding the provision of additional housing opportunities, and thus in the public interest and therefore recommends its approval to the City Council. Furthermore, the proposed site plan preserves, as private open space with appropriate building setbacks and additional planting, the undeveloped slopes adjacent to the California Hiking and Riding trail, thus retaining the John Muir Specific Area Plan's policy for the preservation of scenic resources adjacent to the trail.

4. That the Planning Commission finds that Rezone #09-01 is recommended for approval to the City Council because it is necessary to establish and maintain consistency with the existing (approx. 4.8 acres) and proposed (approx. 2.0 acres) General Plan Land Use Designation of "John Muir Parkway Specific Area Plan - Residential: 7-12 Units/Gross Acre."

5. That in order to recommend approval of the Planned Unit Development (PUD) Overlay District and PUD plan, with the requested exceptions to the R-3.5 Zoning District that are being proposed with Subdivision #9263, the Planning Commission must make the following findings, which it hereby does:

   a. **The proposed PUD Plan development is in conformance with the applicable goals and policies of the general plan and any applicable specific plan;**

      The John Muir Parkway Specific Area Plan (SAP) was adopted in the 1970's, the southerly portion of the site was designated as "open space." This area serves as a buffer between the medium density residential uses envisioned to be along Muir Station Road and the California Hiking and Riding Trail to the south. In 1987, the City Council amended the SAP as currently depicted, increasing the areas designated for residential uses, and decreasing the area designated as open space. The split between the residential and open space areas as amended in 1987 appears to match the division between projects two parcels (162-263-006 and 162-263 -009), and may have corresponded to the limit of grading at the time.

      The two-acre parcel that is designated open space is partially graded and is part of the existing storage facility. Because of the southern portion's use as a storage facility and its graded configuration, this area as it currently appears has little or no scenic value. The proposed PUD is in keeping with the applicable policies of the General Plan in this area because it provides for density in the northern portion of the site and leaves a buffer and less density in the area adjacent to residential development to the South.

   b. **The proposed PUD Plan development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities;**

      The proposed plan development is immediately adjacent to a shopping centers and in walking distance to existing restaurants, a movie theater and bus routes. In addition the area is largely developed except for this site, therefore all utilities are existing.

c. **Streets and pedestrian facilities adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development;**

The existing streets are improved to carry vehicular traffic from this site. There will be required improvements to provide for additional pedestrian activity from the site and improved access to and from the site.

d. **The proposed PUD Plan development concepts are reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is physically suitable for the type and density/intensity of development being proposed, adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title;**

The site is a 6.8 acre site and is well suited for development of this type. The property is largely vacant with no permanent structures. Although it has been improved with some utilities and graded to accommodate the existing RV storage that occupies the site. All proposed development can be accommodated on the site.

e. **The proposed PUD Plan would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications;**

The requested exceptions to height limitations will allow the buildings to be three stories by placing the required 2-car garage parking underneath most of the 2-story units, thus allowing for a more effective use of the sloping site. The waiving of internal yard setback requirements will allow for the clustering of units, thus providing a better environment, with larger common landscape/passive recreation areas, than what would otherwise be possible. A more traditional development would not provide for the same densities. The density at this site is appropriate since it is an infill site adjacent to existing commercial development and existing roadways allowing housing opportunities for single, elderly and first time homeowners to locate in Martinez adjacent to freeways, public transit and commercial services.

f. **The location, access, density/building intensity, size and type of uses proposed in the PUD Plan are compatible with the existing and future land uses in the surrounding neighborhood.**

This is an infill site one that lends itself to the proposed type and density of development. It is compatible with existing development in the area because it will provide a housing opportunity site in an area largely dominated by

commercial allowing for a development population that can easily be served and its residents have access to commercial services and transportation in close proximity.

6. Notwithstanding exceptions to the aforementioned zoning regulations, for which the above Planned Unit Development findings were made, the Planning Commission finds the proposal substantially conforms to the requested R-3.5 Zoning District, the State Subdivision Map Act, and Title 21 ("Subdivisions") of the Martinez Municipal Code, and hereby recommends that the City Council approve the Vesting Tentative Map for Major Subdivision #9225

7. All the findings contained above are part and parcel of this Resolution and are incorporated herein by this reference.

NOW, BE IT FURTHER RESOLVED that the Planning Commission recommends to the City Council the Adoption of the proposed Mitigated Negative Declaration, and approval of an amendment to the General Plan and Zoning Map, adoption of a Planned Unit Development (PUD) overlay district, and approval of a PUD plan and vesting tentative map for the development of a up to 80 attached single family and 2 single family homes, with the attached conditions of approval, incorporated herein by this 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 23rd day of October 2012:

AYES:

NOES:

ABSENT:

ABSTAINED:

BY: _____
Corey M. Simon
Senior Planner/Clerk Pro Tem

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CONDITIONS OF APPROVAL ***DRAFT***

AS REVIEWED BY PLANNING COMMISSION
AND RECOMMENDED TO CITY COUNCIL

Project Name: "Laurel Knolls" (Sub. 9263)

Site Location: Laurel Knolls; APN: 162-263-006 &009

I. Description of Permit

These conditions apply to and constitute the approval of:

A. Planned Development #09-01 consisting of up to 80 attached single-family (townhome) units and 2 single family residences on a 6.83 acre site, the Planned Development overlay allows for exceptions to development standards normally set forth in the R-3.5 Zoning District. The following exceptions to normal the R-3.5 Zoning District development standards are allowed by this permit:

i. Height: up to 40' above natural grade and 35' from finished grade, where a maximum of 25' above natural grade is normally permitted
ii. Front and Side yards: Encroachment of retaining walls and fences with heights up to 8' feet into minimum required yards, when maximum permitted height is 3.5'

And, exceptions to minimum site area, yard and coverage requirements to allow creation of up to 80 attached single lots within the common interest Planned Unit Development, ranging in size from approximately 700 to 1,000 sq. ft. in size.

B. These conditions apply to and constitute the approval of Vesting Tentative Subdivision Map No. 9263 consisting of up to 82 residential lots, and common landscape, drainage and access parcels and/or easements

II. Exhibits and Environmental Documentation

The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

EXHIBIT	DATE RECEIVED	PREPARED BY	PAGES
VestingTentative Map/ Development Plan Sub 9263	August 8, 2012	BKF Engineering	6
Landscape Plans	August 8, 2012	Landscape Architectural/Design Services	3
Landscape Amenity	August 8, 2012	Landscape Architectural/Design Services	1

All construction plans, including but not limited to the final map, improvement/grading plans and construction plans for the individual units shall conform to these exhibits, except as modified by these conditions, and shall incorporate all mitigation measures identified in the adopted Initial Study and Mitigated Negative Declaration. Where a plan or further information is required by these conditions, it is subject to review and approval by the Planning Division, Engineering Division and/or Building Department, or as noted.

III. Special Requirements for Final Approval and Recordation of Subdivision 9263

A. REQUIRED SITE PLAN CHANGES:

The final map, improvement plans, design review approval and/or final building permit plans shall incorporate the following modifications to the plans otherwise hereby approved:

1. To reduce the vertical massing of Building 8 when viewed from Donaleen Court below, the maximum height of this building shall be reduced from 3 stories to 2½ stories and from 37' to 32. To further deemphasize the building's height; no more than 50% of the shed roof facing Donaleen Court may include dormers for the building's third level. All such dormers, if any are proposed for the rear elevation of the building, shall have hipped rather than gabled roofs. **(Mitigation Measure Aesthetics 1 and Land Use and Planning 1)**

2. The applicant shall augment the architectural detailing of Building 1's elevations that are adjacent to Muir Station Road and the entry drive to better integrate this structure into the existing visual context and architectural quality of Muir Station Road and State Highway 4.

Required improvements, or equivalent, shall include: a) replacing the chain link fencing with decorative wood "board on board" fencing with masonry accent posts, b) integrating the rear balconies into the main structure with stucco posts, iron metal railings and roofs matching those of the main structure and c) added shutters and wood accents (comparable to those shown on the front elevations) to the rear and side elevations.**(Mitigation Measure Aesthetics 2)**

3. To reduce the visual mass of Building 7 when viewed from the EBRPD's California Hiking and Riding Trail, this building shall not exceed a maximum height of' 30' above the access road (with all floors at or above the access road grade), and shall provide a minimum 40' setback from the southerly property line, maintaining a tree planting strip of no less than 20 feet wide that is clear of any planting limitations from the adjacent pipeline easement and the building's roof overhang. The final landscape plan shall include an informal cluster of large evergreen trees that, upon maturity, will fully screen the building's lower levels from the Trail.**(Mitigation Measure Aesthetics 3 Land Use and Planning 1)**

4. To mitigate the increased east bound left turn maneuvers at Muir Station Road and Center Ave. The applicant shall either: a) as part of the project's improvement plans, include improvements to the traffic signal at the Center Avenue & Muir Station Road/Muir Road intersection, providing split phases for the eastbound and westbound traffic, with a left turn arrow to be mounted on the existing overhead signal heads, or b) provide fair share funds for these traffic mitigation improvement, above standard traffic mitigation fees, in an amount to be determined by the City Engineer. **(Mitigation Measure Traffic 1)**

5. To reduce the potential hazards from the constrained maneuvering room and limited line-of-sight in the vicinity of Units 19 and 73, the site plan shall be modified and the access drive realigned, so that a WB-40 vehicle can safely negotiate these two curves to the satisfaction of the City Engineer. **(Mitigation Measure Traffic: 2)**

6. The applicant shall, as part of the project's improvement plans, provide a storm drain system to collect and convey storm water runoff to adequate downstream facilities (Alhambra Creek), to the satisfaction of the City Engineer.**(Mitigation Measure Utilities 1).** Unless otherwise approved by the City Engineer, the collected runoff shall be conveyed to the creek via underground storm drain system located adjacent to the southerly edge of existing pavement on Muir Station Road. The trench shall be covered with a 4' wide

asphalt section (min. 0.3' AC over 0.67' AB) and berm to intercept local runoff for the hill side.

7. The applicant shall provide a sidewalk with a minimum 8' wide clearance within the Muir Station Road ROW, between project entry up to the adjacent Shopping Center entry, to enhance pedestrian use and safety from the project into the shopping center property. Final sidewalk design and location subject to review and approval by Planning staff and City Engineer.

B. Final storm water management plan shall be reviewed and approved by the City Engineer. If, after review of final storm water management plan, it is necessary to enlarge "Bio-retention " areas for compliance with storm water treatment requirements ("C.3") modifications to the site plan to accommodate these changes shall <u>not</u> include further encroachment of retaining walls into street-side yard areas, significant increases in wall height and/or loss of landscape areas; and if additional site area is required for above changes regarding street width and C.3 requirements, lots may be deleted to prove the required bio retention area(s). Refer to NPDES section for additional information and requirements.

C. The developer shall establish a Homeowners' Association (hereinafter referred to as the "HOA") for the purpose that includes but is not limited to the maintenance of the access and landscape easements and/or parcels as described on the Vesting Tentative Map. The HOA shall be responsible for all exterior maintenance, including repainting of buildings, inspection and maintenance of private improvements such as: private storm drain system, storm water management plan facilities (C.3 requirements), landscaping and irrigation system, retaining walls, access roads, sidewalks, parks, sewer, signs, lighting, and private utilities. The HOA shall also responsible for inspection, maintenance, and reporting plan for the storm water management plans required by the Contra Costa County Clean Water Program -C.3 requirements. Final configuration of the easements, wording of the implementing CC & R's and "owner's statements" on final map subject to approval of the City Attorney, Community Development Director and City Engineer.

D. Project CC & R's shall be submitted for City review and approval with the final map and improvement plans. The CC & R's shall contain a clause giving the City the right, but not the duty, to enforce the CC & R's. The CC & R's shall include the following restrictions on the uses of garages:

1. That garages always be kept sufficiently clear so as to permit the parking of 2 motor vehicles in addition to any incidental household storage.

2. That carport and guest parking spaces be used solely for the parking of operable vehicles. Storage of any other kind is prohibited.

3. Residents shall use their assigned garages or carports to capacity before using guest or on-street parking.

E. As required by Map Act, Final Subdivision Map shall be prepared by licensed Land Surveyor or qualified Civil Engineer. Regardless of whether any discrepancies between the boundary locations and/or site area as shown on tentative and final maps, the developer is required to maintain the maximum permitted density, all required minimum setbacks, bio retention areas, site amenities (etc.) as shown on the Tentative Map/PUD plan. If necessary, units may be deleted to preserve consistency with the PUD plan, as required by Planning staff and City engineer.

IV. Site Plan

A. Lighting

1. Building plans and landscaping plans shall show all exterior lighting: walkways, driveway areas, recreational areas, etc. Height and style shall be shown.

2. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All fixtures shall be glare-shielded.

3. Energy-saving fixtures shall be used.

V. Architectural

A. All exterior and roof mounted utility and meter boxes, and mechanical equipment shall be screened from public view. Equipment and screening shall be shown on final construction plans and subject to staff review and approval. The existing cell site located in close proximity to the internal roadway shall be screened. Screening materials shall be approved by the Planning Department.

VI. Landscaping, Walls and Fences

A. Final landscape plans shall be prepared by a licensed landscape architect, on the grading plan as a base map and shall be submitted for review and

approval by the City at the same time grading and improvement plans are submitted. Final plans must receive City approval prior to filing of the Final Map or issuance of building or grading permits, whichever comes first. All exterior and roof mounted utility and meter boxes, and mechanical equipment shall be screened from public view. Equipment and screening shall be shown on final construction plans and subject to staff review and approval. The existing cell site located in close proximity to the internal roadway shall be screened. Screening materials shall be approved by the Planning Department.

1. All exterior retaining walls within landscape areas shall have "split-face" block, "keystone" or similar textured treatment with decorative trim cap. Final wall designs subject to staff approval.

2. Design and fixtures of and for the tot lot and picnic area are subject to the review and approval of Planning staff and the City Engineer.

3. Permanent project/neighborhood identification signage may be placed at the entryway and shall be subject to Design Review approval.

4. Protect planting areas adjacent to alley with minimum 6" high concrete curbs or equivalent.

5. Be prepared in accordance with the City's adopted water conservation and landscaping ordinance (Martinez Municipal Code Chapter 22.35).

6. Specify shrubs of minimum 5-gallon size

7. Provide either lawn or a continuous ground cover with complete coverage within 3 years.

8. Show all non-plant features: benches, lights, arbors, mail box areas paths, etc.

9. Include an irrigation plan.

10. <u>Fences</u>

    a. All fencing, retaining walls, barriers, etc., shall be installed by the developer, and shall be shown on the site and landscape plan.

    b. The maximum height for all walls, fences and/or fences on retaining walls shall be 6 feet unless as otherwise shown on approved plans. Fences off-set from retaining walls 18 inches

or greater shall be considered separate structures with a maximum height of 6 foot each.

B. Tree Preservation

1. All trees to be preserved shall be clearly indicated on the grading plan, site plan, composite plans and landscape plans.

2. All trees to be saved shall be fenced at the drip line with three-strand barbed wire or other approved fencing prior to grading and construction activities. Prior to grading or construction, the developer's contractor shall request City inspection of fencing.

3. Dead wood shall be pruned from existing trees.

4. If during construction, the developer wished to remove the trees, Planning staff shall approve a modified landscape plan with replacement trees prior to tree's removal.

VII. Noise Control, Dust and Conditions for Construction Activity

A. All construction activities shall conform to the City's Noise Control Ordinance, Chapter 8.34 of the Municipal Code: Construction activities including delineation and stating/warning of vehicles are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday; and 9:00 a.m. to 5 p.m. Saturday and Sunday. **Lane closures shall be limited to 9:00 a.m. to 4:00 p.m. Monday through Friday on Muir Station Road.** The permittee shall post a sign on the site notifying all workers of these restrictions.

B. The site shall be fenced with locked gates at 7 p.m.. The gates shall remain locked until 7:00 am. Contractors shall not arrive at the site prior to the opening of the gates.

C. Based on the site-specific sound mitigation study conducted for this project, sound levels shall be reduced to meet the following criteria for year 2000 noise contours:

1. Indoor noise levels not to exceed 45 d_{BA} CNEL.

2. Private outdoor noise levels not to exceed 65 d_{BA} CNEL.

D. Contractors shall be required to employ the quietest construction equipment available, and to muffle noise from construction equipment and to keep all mufflers in good working order in accordance with State law.

E. Adequate dust control measures shall be employed throughout all grading and construction periods. The Contractor shall regularly water areas that are exposed for extended periods to reduce wind erosion.

F. Contractor shall ensure that surrounding streets stay free and clear of silt, dirt, dust, tracked mud, etc. coming in from or in any way related to project construction. Paved areas and access roads shall be swept on a regular basis. All trucks to be covered.

G. Speeds of construction equipment shall be limited to **10** miles per hour. This includes equipment traveling on local streets to and from the site.

H. Access shall be maintained to all driveways at all times.

I. There shall be no parking of construction equipment or construction worker's cars on residential streets at any time.

J. Truck routes for the import or export of cut/fill material shall be identified and approved by the City Engineer prior to the issuance of any permits. Developer shall be responsible for the repair of any damage to city streets (private and public) caused by the import or export of soils materials necessary for the project.

K. Prior to construction, contractor shall contact city inspector for a pre-construction meeting. Haul route shall be submitted for review and approval by the building and engineering departments for approval.

VIII. Agreements, Fees and Bonds

A. All improvement agreements required in connection with said plans shall be submitted to and approved by City and other agencies having jurisdiction prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading or Site development permit, whichever comes first.

B. All required faithful performance bonds and labor materials bonds in penal amount equal to 100 percent of the approved estimates of construction costs of improvements shall be submitted to and approved by City and other agencies having jurisdiction prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading, or Site Development permit, whichever comes first.

C. Prior to approval of the plans and issuance of permits, applicant shall pay all applicable fees, deposits and traffic signal cost contribution as required by the Community Development Director in accordance with the City's fee schedule, the City's Municipal Code, and these conditions of the project's approval. The fees include: Plan check and inspection fees, drainage fees,

transportation facilities fees, park (in lieu of land dedication) fees, park and recreation facilities fees, cultural facilities fees, and police facilities fees. The final amount for the above fees shall be in accordance with the fee schedule in effect of time of payment.

D. All fees and deposits required by other agencies having jurisdiction shall be paid prior to City approval of the Final Map or issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.

IX. Grading

A. All grading shall require a grading and drainage plan prepared by a registered Civil Engineer, a soils report prepared by a registered Geotechnical Engineer and a Grading Permit approved by the City Engineer. The grading plans and soils report shall require review by the City's geotechnical consultant with all costs to be borne by the applicant.

B. All recommendations made in the Soil Engineers report, (unless amended through the City's review) and all recommendations made by the City's geotechnical consultant shall be incorporated into the design and construction of the project.

C. Contour grading techniques with spot elevations shall be employed throughout the project to achieve a more natural appearance, even where this will increase the amount of grading. Tops of cuts or toes of fills adjacent to existing public rights-of-way or easements shall be set back two feet minimum from said rights-of-way and easements.

D. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 1. At the time of approval of the improvement and/or grading plans, an approved Erosion Control Plan prepared by a registered Civil Engineer shall be filed with the City Engineer.

E. All graded slopes in excess of 5 ft. in height shall be hydroseeded no later than September 15 and irrigated (if necessary) to ensure establishment prior to the onset of the rainy season.

F. The applicant's engineer shall certify the actual pad elevation for the lot in accordance with City standards prior to issuance of Building Permit.

G. All front yard landscaping or alternate erosion control measures shall be installed prior to release for occupancy to mitigate erosion problems on each lot.

H. The finished grading shall be inspected and certified by the developer's engineer that it is in conformance with the approved Grading Plan and Soils Report pursuant to the provisions of Title 15 of the Martinez Municipal Code.

I. All existing trees shall be clearly indicated on the grading plan. Refer to Section V Landscaping for tree preservation requirements.

J. Any grading on adjacent properties will require written approval of those property owners affected.

K. If cultural resources are discovered during subsurface excavations, the Contractor shall cease construction and a qualified archeologist shall be contacted to make recommendations for mitigation.

L. The plans shall include the boundary treatment shown on cross sections, drawn to scale, for retaining walls, fencing and drainage.

X. Drainage

A. A hydrologic study shall be prepared and submitted to the City Engineer and Contra Costa County Flood Control District, when required, for review and approval to ensure discharge of storm runoff to facilities of adequate capacity. The developer shall make necessary upgrades to existing systems as required by the City Engineer. Drainage area is defined as all that area draining into, and including, the area of the proposed development.

B. All concentrated runoff shall be collected and conveyed to an approved storm drainage system. Existing slopes that have no additional discharge directed onto them or are not substantially re-graded can remain as natural runoff.

C. Applicant shall not increase storm water runoff to adjacent downhill lots unless either, (1) a Drainage Release is signed by the property owner(s) of affected downhill lots and recorded in the office of the County Recorder; or (2) site drainage is collected and conveyed in approved drainage facilities within a private drainage easement through a downhill property. This condition may require collection of on-site runoff and construction of an off-site storm drainage system. All required releases and/or easements shall be obtained prior to filing of Final Map or issuance of the Building, Encroachment, Grading or Site Development Permit, whichever comes first.

D. The storm drain system shall be designed per City and County Flood Control District Standards to carry at least a 10-year storm. Furthermore, the system shall be designed to ensure that local streets remain passable during a 100-year storm. Passable is defined as one 10-ft. travel lane in each direction, pavement free of water runoff. The developer shall install a drainage system

to ensure passability. Should the runoff due to the proposed development contribute incrementally to an existing flooding problem, then the developer may be required to contribute funds for his proportional share of future drainage system costs as required by the City Engineer.

E. Parking areas, streets and on-site drainage shall be collected and conveyed to an approved storm drainage facility. When approved by the City Engineer, drainage may be conveyed under the sidewalk and discharged through the curb in accordance with City standards. Drainage shall be directed to a concrete curb and gutter whenever practical.

F. All public drainage facilities, which cross private lots and to be maintained by the City, shall require a 10-ft. minimum width storm drain easement. Private storm drain facilities to be maintained by an Association of Homeowners or by individual lot owners shall be contained within 10-ft. private drainage reserves. Said easements and/or reserves shall be delineated on the Final Map or recorded by separate document prior to City approval of the Final Map or issuance of Building Permit, whichever comes first.

G. Concentrated drainage flows shall not be permitted to cross sidewalks or driveways.

H. The developer shall comply with Contra Costa County Flood Control District Design requirements.

I. Fifteen (15) inch minimum RCP (reinforced concrete pipe) shall be used for all public storm drain lines and 12-inch minimum pipe shall be used for laterals and for private storm drain lines.

XI. <u>NPDES Requirements</u>

A. Efficient irrigation, appropriate landscape design and proper maintenance shall be implemented to reduce excess irrigation runoff, promote surface filtration, and minimize use of fertilizers, herbicides, and pesticides.

B. To the maximum extent practicable, as determined by the City Engineer, drainage from paved surfaces shall be routed through grassy swales, buffer strips or sand filters prior to discharge into the storm drain system.

C. All storm drain inlets (catch basins) shall be imprinted with the sign "No Dumping, Flows to Creek" as per City Standard #SD-1.

D. Trash enclosures and dumpster areas shall be covered and protected from roof and surface drainage.

E. All areas used for washing, steam cleaning, maintenance, repair or processing shall have impermeable surfaces and containment berms, roof covers, recycled water wash facilities, and shall discharge into the sanitary sewer, as approved by the City Engineer.

F. A parking lot sweeping program, as approved by the City Engineer, shall be implemented which at a minimum, provides for sweeping immediately prior to, and once during, the storm season.

G. For projects one (1) acre or larger, developer shall comply with the State Water Resources Control Board requirements, NPDES permit, for construction. The Developer shall be responsible for preparing and implementing a Storm Water Pollution Prevention Plan (SWPPP) for the project. A copy of the SWPPP and the Notice of Intent and WDID shall be submitted to the City prior to issuing permits for construction. The SWPPP and The WDID shall be kept at the job site during construction.

H. Developer shall comply with the requirements of Provision C.3 of the State Regional Water Resources Control Board NPDES Permit as applicable to this project. This project shall be designed and constructed to comply with C.3 requirements for flow-control and treatment measures in accordance with the current edition of the Contra Costa Clean Water Program's Stormwater C.3 Guidebook.

   a. Prior to the issuance of building, grading, or site development permits, the applicant shall submit a complete stormwater control plan with the operation and maintenance plan for review and approval by the City Engineer. All required documents and agreements shall be submitted and executed prior to issuing permits for construction.

   b. The construction improvement plans with all required calculations, and specifications for the stormwater control facilities shall be submitted to the City for review and approval. These plans and specifications shall include, but not limited to, grading plan, drainage plans, detail drawings for the proposed facilities, proposed and existing structures, piping, subdrains, landscaping and irrigation plans. The plans shall include a watershed map showing the tributary areas to each facilities and the proposed surface improvement. The locations of the roof drain downspouts shall be shown of the plans. The plans shall also be reviewed and approved by the project soil engineer and the City's geotechnical consultant (if deemed necessary by the City Engineer) prior to City approval of the plans.

   c. The owner(s)/HOA, in perpetuity, shall be responsible for the ongoing operation and maintenance of the C.3 storm water control facilities (including reporting) at his/their own expense. Prior to City approval of

the plans and issuance of permits, the owner(s) shall execute all required agreements to insure proper operation and maintenance of the facilities. The agreement will run with the land and include, but not limited to, provision for transfer of ownership and long-term operating and maintenance of the facilities, providing the City and other regulatory agencies the right of entry to perform periodic inspections to insure compliance with requirements, as per the CCCCWP, C.3 Guidebook.

d. Stormwater control plan and the operation and maintenance plan shall be included as a part of the CC&R (or other approved document) for this development.

e. Prior to the issuance of a Certificate of Occupancy, the applicant shall submit as built drawings of the stormwater control facilities, including any updates. All required agreements must be executed and recorded.

I. Garbage dumpster shall be accessible to garbage trucks and provided with a roof cover.

J. Development shall include adequate accessible and convenient areas for collecting and loading recyclable materials, to the satisfaction of the City Engineer, in conformance with the California Integrated Waste Management Board Recycling Ordinance.

XII. Street Improvements

A. Frontage Improvement: Pursuant to Chapter 12.30 of the Martinez Municipal Code sidewalks, curb, gutter, and street pavement shall be constructed and/or replaced along the entire property frontage. The developer shall replace any damaged sidewalk, curb and gutter, relocate existing driveways, and construct and dedicate to the City the improvements within the City's right-of-way, including concrete curb, gutter, sidewalk, paving, drainage system, street lights, and street trees, all to the satisfaction of the City Engineer. The existing street structural section shall be removed and replaced along the frontage of the property to the centerline of the street if the existing structural section is cracked or damaged in any way, or if the street structural section is determined by the City Engineer to be inadequate for the intended traffic. All improvement shall be designed and constructed to the satisfaction of the City Engineer.

B. All streets shall be paved and improved after utilities are installed in accordance with City of Martinez Standard Drawings and Design Guidelines and the Approved plans.

C. Public Roads:

1. Muir Station Road: To be improved to collector street standards. Paving design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street structural section shall be designed to a T.I. of 7.0 with a minimum 0.30 ft. AC pavement section over a minimum 1.0 ft. Class 2 aggregate base. Maximum street grade shall be 15 percent (or matching existing slope). All required right of way shall be dedicated to the City of Martinez on the Final Map as required by the City Engineer. A 5 feet wide sidewalk (adjacent to the curb), as measured from back of curb, shall be installed along the entire frontage of the property.

D. Private Interior Roads:

Paving design and construction control shall be based on State of California "R" value method, using Traffic Indices (T.I.'s) approved by the City Engineer. The street section design shall utilize a T.I. of 5.5 with a minimum 0.25 ft. AC pavement section over a minimum 0.50 ft. Class 2 aggregate base. Private streets within the project shall provide a minimum 20 ft. unobstructed paved width (except for Drive "C"), with a maximum 15 percent grade unless otherwise approved by the City Engineer. Private streets shall also provide for approved provisions for the turning around of Police Department and Fire Department apparatus.

Private streets shall be located within the common area or private access easement(s). Unless otherwise approved by the City Engineer, a 4' wide (minimum) private sidewalk shall be installed within the common area (or easement). Prior to approval of the Final Map and the plans, the developer shall demonstrate, to the satisfaction of the City Engineer, that the proposed clearances between the street and garage is sufficient for safe travel. If additional space is required to accommodate access, the distances between the garage doors and the streets would be increased thereby increasing the driveway width.

E. Valley gutters shall not be used to provide drainage across any through street or intersection, unless otherwise approved by the City Engineer.

F. All new utility distribution services on-site and off-site shall be installed underground. Existing poles and overhead wires along the frontage of the property shall be undergrounded (or relocated above ground) as approved by the City Engineer. If utilities are to be relocated above, ground, the City may require the insulation of conduit for potential future undergrounding.

G. Sidewalk pipe drains shall be installed on either side of the driveway and

shall conform to City Standard No. S-13.

H. A City Encroachment Permit is required for any work within the City Right-of-Way.

I. All traffic control devices, including Stop signs, No Parking signs, legends and striping shall be installed in accordance with plans approved by the City Engineer.

J. Street names for public and private streets are subject to the approval by the Community Development Department and the Fire District.

K. Street lights shall be installed at Developer's expense in accordance with plans approved by the City Engineer. Developer shall bear full costs of energizing and monthly utility charges until acceptance of improvements by the City Council. Street lights shall be installed along the frontage of Muir Station Road. The location and design is subject to the City Engineer approval.

L. Street trees shall be planted in accordance with City standards. The species of tree shall be approved by the Parks Superintendent.

M. The developer shall keep the adjoining streets free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.

XIII. Water System

A. Water system facilities shall be designed to meet the requirements of the City of Martinez Water Department and the fire flow requirements of the Contra Costa County Consolidated Fire Protection District. All requirements of the responsible agency shall be guaranteed prior to approval of the improvement plans. Any required offsite easements shall be obtained at the developer own expense.

B. Water system connection, including installation of the water meter, shall be made in accordance with the Water Department standards. Prior to obtaining water service, fees shall be paid in accordance with the water fee schedule in effect at time of payment.

C. Backflow prevention, required as part of the water service installation, must be completed before occupancy of the building, and appropriately screened with suitable material.

XIV. Sanitary Sewer System

A. Sewer system connections and plans for sanitary sewer facilities shall be approved by the Central Contra Costa County Sanitary District. All requirements of that District shall be met before approval of the improvement plans.

XV. Other Requirements

A. Construction shall comply with all applicable City and State building codes and requirements including handicapped and energy conservation requirements, grading and erosion control ordinances.

B. Design of all public improvements shall conform to the City of Martinez Design Guidelines, Standard Special Provisions, and Standard Drawings. Prior to preparation of improvement plans, the developer or his representative should contact the City's Engineering Development Review section of the Community Development Department.

C. Complete grading, site and improvement plans, specifications and calculations shall be submitted to and approved by the City Engineer, Community Development Director, and/or other agencies having jurisdiction for all improvements within the proposed development prior to filing of the Final Map or issuance of a Building, Site, Grading or Encroachment Permit whichever comes first. Approved plans shall become the property of the City of Martinez upon being signed by the City Engineer and Community Development Director.

D. Prior to City approval of the Final Map, all fees, bonds, and deposits shall be paid and posted; all agreements shall be executed and all grading and improvement plans shall be approved by the City Engineer and Community Development Director. No construction shall take place until recordation of the Final Map and issuance of the appropriate Encroachment, Site, Grading and/or Building Permits.

E. If more than one unit is to be recorded on the area of the Tentative Map, master plans for the water mains, sanitary sewers, and storm sewers must be approved prior to the submittal of an improvement plan. The master plans are subject to review with any requested time extension of approval of the Tentative Map.

F. The developer shall comply with all the mitigation measures listed in the approved Mitigated Negative Declaration prepared for this project. The Community Development Director shall interpret the mitigation measures and furnish the developer with specific improvements to be installed.

G. Prior to issuance of the first building permit, the access to building sites shall be graded and improved to at least an all-weather surface condition, and

operating fire hydrants shall be in place.

H. Prior to issuance of the first certificate of occupancy, the public improvements including streets, sewers, storm drains, street lights, and traffic signs required for access to the sites of that phase of the project shall be completed. All public improvements shall be completed and accepted by the City prior to issuance of certificate of occupancy on final dwelling unit in the project.

I. Prior to acceptance of improvements, offers of dedication, and release of bonds and deposits by the City, the City's record copies of the grading, site, and improvement plans shall be updated to show "As Built" conditions of the project. Said plans shall be prepared by the responsible Civil Engineer of work and shall reflect all changes made during the course of project construction. Grading and improvement plans shall be 24" x 36" in size. The as built plans and final map shall be provided in 4 mil photo mylars and in the form of electronic files compatible with AutoCAD.

J. All on-site improvements not covered by the building permit including sidewalks, driveways, paving, sewers, drainage, curbs and gutters must be constructed in accordance with approved plans and/or standards and a Site Development Permit approved by the City Engineer.

K. Building permits for retaining walls shall be obtained as follows:

1. For major walls to be constructed during the mass-grading phase, obtain permit prior to issuance of the Grading Permit.

2. For all other walls, obtain permit prior to issuance of Permits for structures on the respective lot.

L. The minimum width of the Subdivision's entry access road on Muir Station shall be 36 feet unless otherwise approved by the City Engineer.

N. Any existing water wells on the property shall be filled and sealed off or otherwise disposed of as directed by the City Engineer.

O. Proposed tot lot design and equipment shall be submitted for review and approval.

P. All required offsite easements that is necessary to complete the improvement of this project shall be obtained by the developer, at his own sole expense, and submitted to the City prior to approval of the Final Map.

Q. Where existing onsite utility easements and facilities are to be removed, located or abandoned, the developer shall be responsible for securing all

necessary approvals from the owner(s) of the easements and facilities prior to approval of the Final Map.

R. Approval by the applicant's Soils Engineer, the City's Soils Consultant, the Fire District, Sewage District, water agency, and State Department of Fish & Game of all improvements and buildings is required prior to City approval of the grading and improvement plans, and the issuance of any permits.

S. Final Map and/or CC & R's clearly showing lot numbers and property lines shall be submitted with building permit applications. Final Map shall be 18" x 26" in size.

T. There shall be no parking of construction vehicles or equipment on the surrounding residential streets, including all workers vehicles.

XVI. Validity of Permit and Approval

A. The tentative map, and Planned Unit Development approvals integral to the map, shall expire on _____(24 months from Planning Commission or City Council approval date, whichever is later.) unless:
1. The final map, the Improvement plans and all required documents are filed with City Engineer prior to the expiration date;
2. Or if an application for extension with all required fees are received prior to the expiration date as state in item B below.

B. Extension of the tentative map approval: Extension(s) shall be in accordance with the City's Municipal Code and Subdivision Map Act requirements. Tentative map extension can be considered upon receiving an application with required fee prior to the expiration date of the approved Tentative Map. If the tentative map is expired a new application is required. A public hearing will be required for all extension applications. Extensions are not automatically approved: Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require or permit denial.

C. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Martinez, or other public agency having jurisdiction.

D. The permittee, Discovery Homes, shall defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees from any claim, action, or proceeding brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the Planning Commission's decision to recommend approval PUD 09-01, Major Subdivision 9263, and any environmental document approved in connection therewith. This indemnification shall include damages or fees awarded

against the City, if any, cost of suit, attorneys' fees, and other costs and expenses incurred in connection with such action whether incurred by Discovery Homes, the City, and/or the parties initiating or bringing such action.

E. Discovery Homes shall defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation of, or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the Negative Declaration), if made necessary by said legal action and if Discovery Homes desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.

F. In the event that a claim, action or proceeding described in Subsection E, above, is brought, the City shall promptly notify Discovery Homes of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding. In the event that Discovery Homes is required to defend the City in connection with any said claim, action, or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably be withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with Discovery Homes in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where Discovery Homes has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that the fees and expenses of the City Attorney shall be paid by the applicant.

G. Discovery Homes shall indemnify the City for all the City's costs, fees, and damages which the City incurs in enforcing the above indemnification provisions.

H. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirement, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest

within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

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Initial Study Checklist

The Townhomes at Laurel Knoll

Initial Study Checklist

Environmental Factors Potentially Affected:

The following Environmental Checklist contains an analysis of each environmental issue identified in the City of Martinez Initial Study for the Townhomes at Laurel Knoll.

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

x	Aesthetics		Agriculture/Forest Resources		Air Quality
	Biological Resources		Cultural Resources		Geology /Soils
	Greenhouse Gas Emissions		Hydrology / Water Quality		Land Use / Planning
	Hazards & Hazardous Materials	x	Noise		Population / Housing
x	Mineral Resources		Recreation	x	Transportation/Traffic
	Public Services		Mandatory Findings of Significance		
	Utilities / Service Systems				

Report Preparation

Tasini and Associates prepared this document for the City of Martinez. In conformance with Sections 15050 and 15367 of the CEQA Guidelines, the City of Martinez is the "lead agency" for this project. Lead agency is defined as the "public agency, which has the principal responsibility for carrying out or approving the project."

PROJECT DESCRIPTION

Project Title:	Townhomes at Laurel Knoll
Lead Agency Name and Address:	City of Martinez, Planning Division 525 Henrietta Street Martinez, CA 94553
Contact Person:	Dina Tasini, Contract Project Manager, (dinatasini@comcast.net)
Project Location and APN:	370 Muir Station Road, Subdivision 9263 APN #'s 162-263-006 & 009 (Attachment A)
General Plan Designation:	(John Muir Parkway – Specific Area Plan) **Existing:** APN# 162-263-006, Residential 7-12 units per acre; APN #162- 263-009; Open Space **Proposed**: APN #162-263-009, Residential 7-12 units per acre
Zoning Designations:	**Existing:** APN#'s 162-263-006 & 009, R-40 (One Family Residential, 40,000 sq. ft. minimum lot size) **Proposed:** APN#'s 162-263-006 & 009, R 3.5/PUD (Residential, 3,500 sq. ft. per unit/Planned Unit Development Overlay

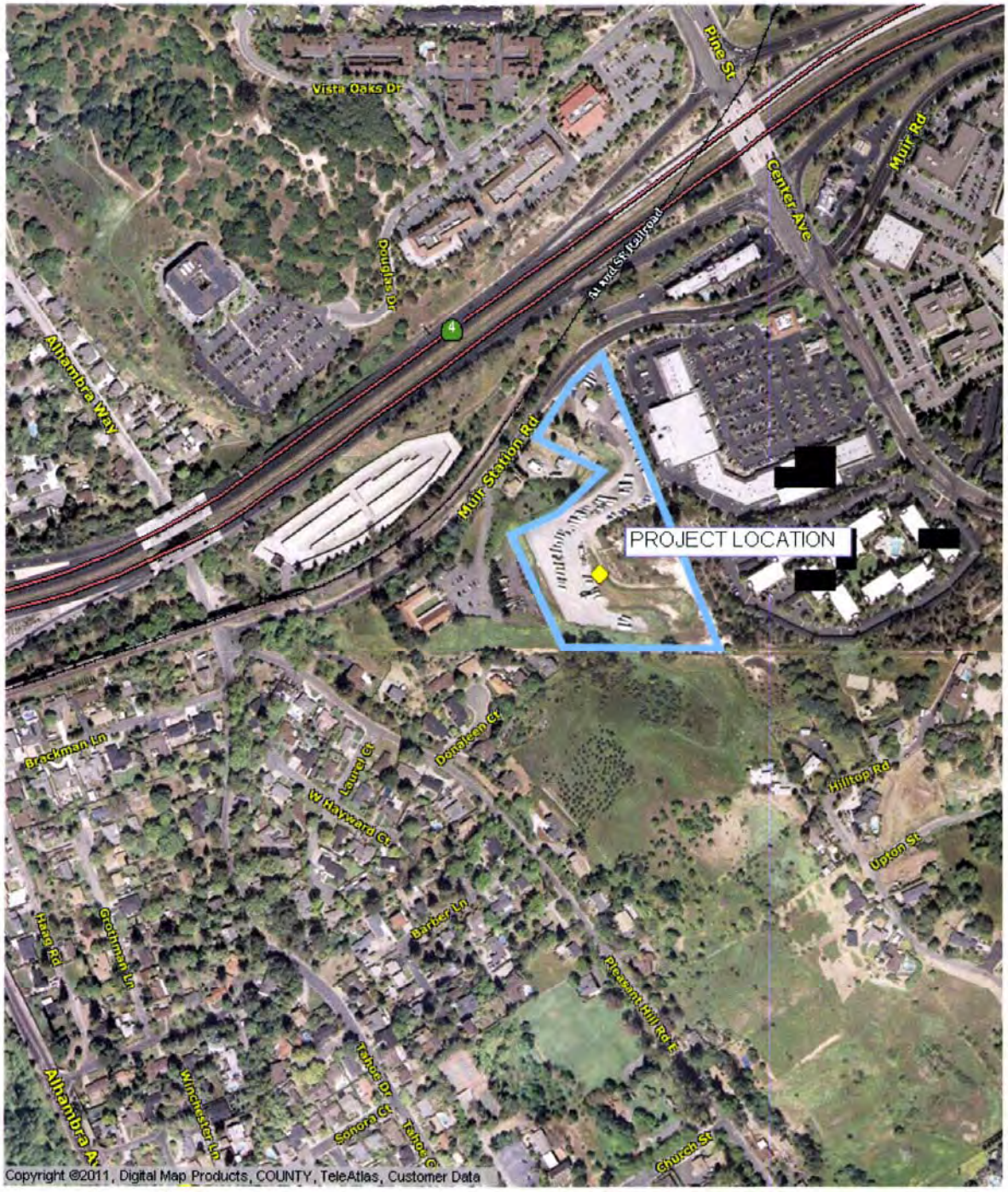
Description of Project:

Physical Location:

The Townhomes at Laurel Knoll is on the south side of Muir Station Road (370 Muir Station Road). The project site is adjacent to the Nob Hill Shopping Center to the Northeast, a regional hiking & riding trail and single-family residences to the south, a church to the west and Muir Station Road, the Atchison, Topeka, and Santa Fe Railroad Right of Way and State Route 4 (SR4) to the north.

Project Proposal:

The applicant proposes to develop the site with 80 townhomes and 2 single-family residences on site totaling 6.83 acres. The site is currently zoned R-40, and is comprised of two lots with a General Plan Designation for Parcel 162-263-006 of Residential 7-12 DU/AC and Parcel 162-263-009 of Open Space. The site has been used for recreational vehicle storage for over the past decade, and was a private storage yard since the late 1970's. The applicant has submitted an application and requests a General Plan Amendment and Planned Development to develop the property with 80 townhomes and two single family homes. The site is located with the John Muir Specific Area Plan boundaries.



PROJECT LOCATION

The Townhomes at Laurel Knoll

1" = 400'

N

CityGIS

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Proposed Project

The applicant proposes to develop the 6.83-acre site with 80 Townhomes and 2 single-family homes (refer to Site Plan). The units are to be individually owned as part of a common interest subdivision, and range in size from 1,431 square feet to 1930 square feet and with the exception of two single-family homes measuring approximately 3,400 square feet. The units all have two car garages. The Common areas will include peripheral landscaping, along the perimeter of the site and interior. Generally, the three level units provide two stories of conditioned interior space atop the garage level.

The site has moderately steep slopes rising from Muir Road and has been graded to provide a generally flat plateau on the site for storage of industrial items and/or vehicles decades ago. The site is unvegetated except for seasonal vegetation, and along the southern boundary where a hiking and horseback riding trail is located and is heavily vegetated with grasses and trees.

Metro PCS and ATT wireless currently operate wireless antennae facilities on the site, and the project may include the relocation of its utility easements and equipment buildings.

The project will require the following entitlements:

(a) General Plan Amendment; to change from "Open Space" within parcel 162-263-009 to Residential 7-12 units per acre
(b) Rezone; from R-40 to R 3.5 Medium Density Residential, 3,500 square feet per unit minimum, with PUD overlay to allow exception to the development standards normally required in the R-3.5 Zoning District.
(c) Design Review; of proposed site plan, units' architecture, and landscaping
(d) Major Subdivision, to allow common interest 80 attached townhomes and two single-family residences.

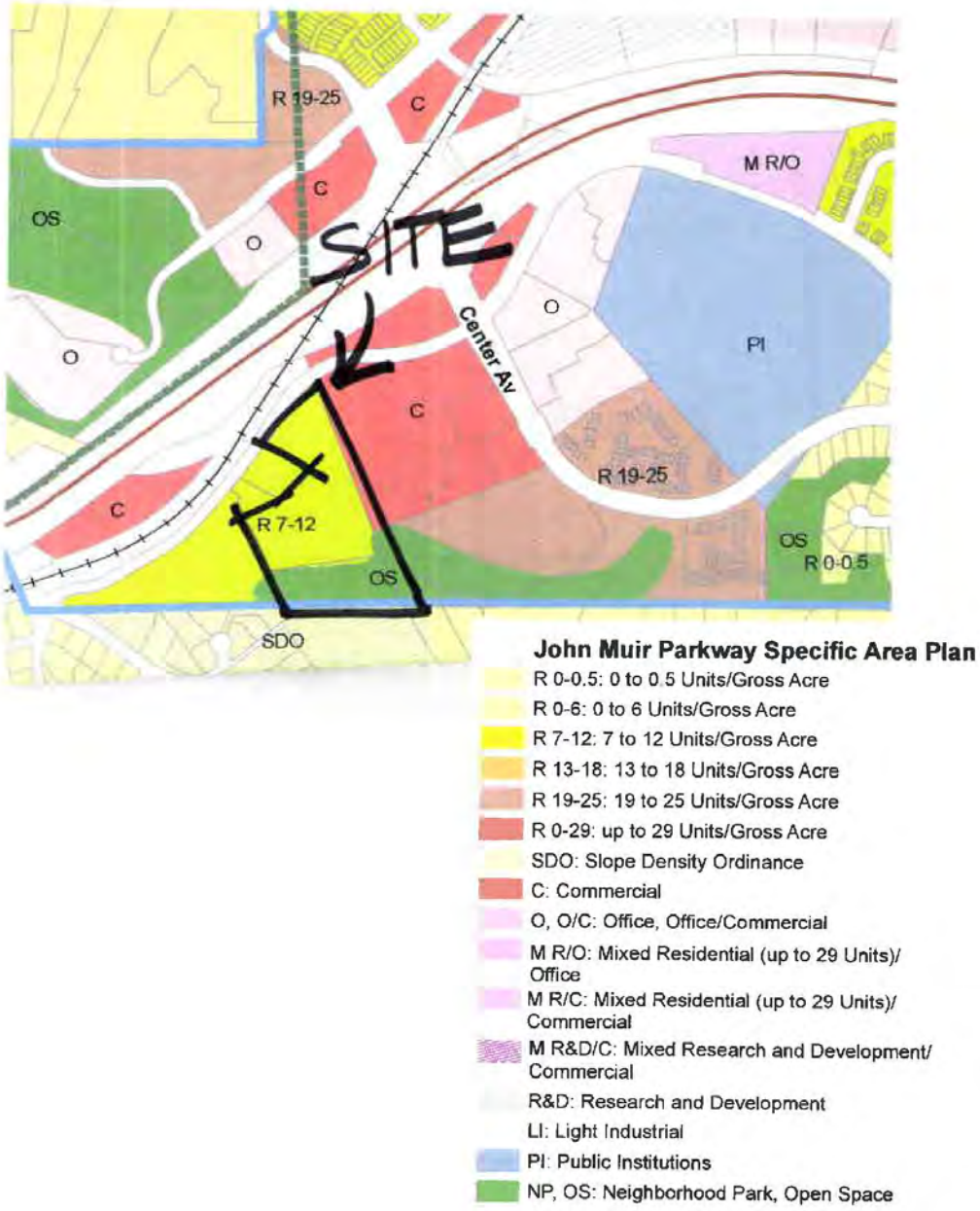
The site will be accessed from Muir Station Road via an improved driveway on Muir Road.

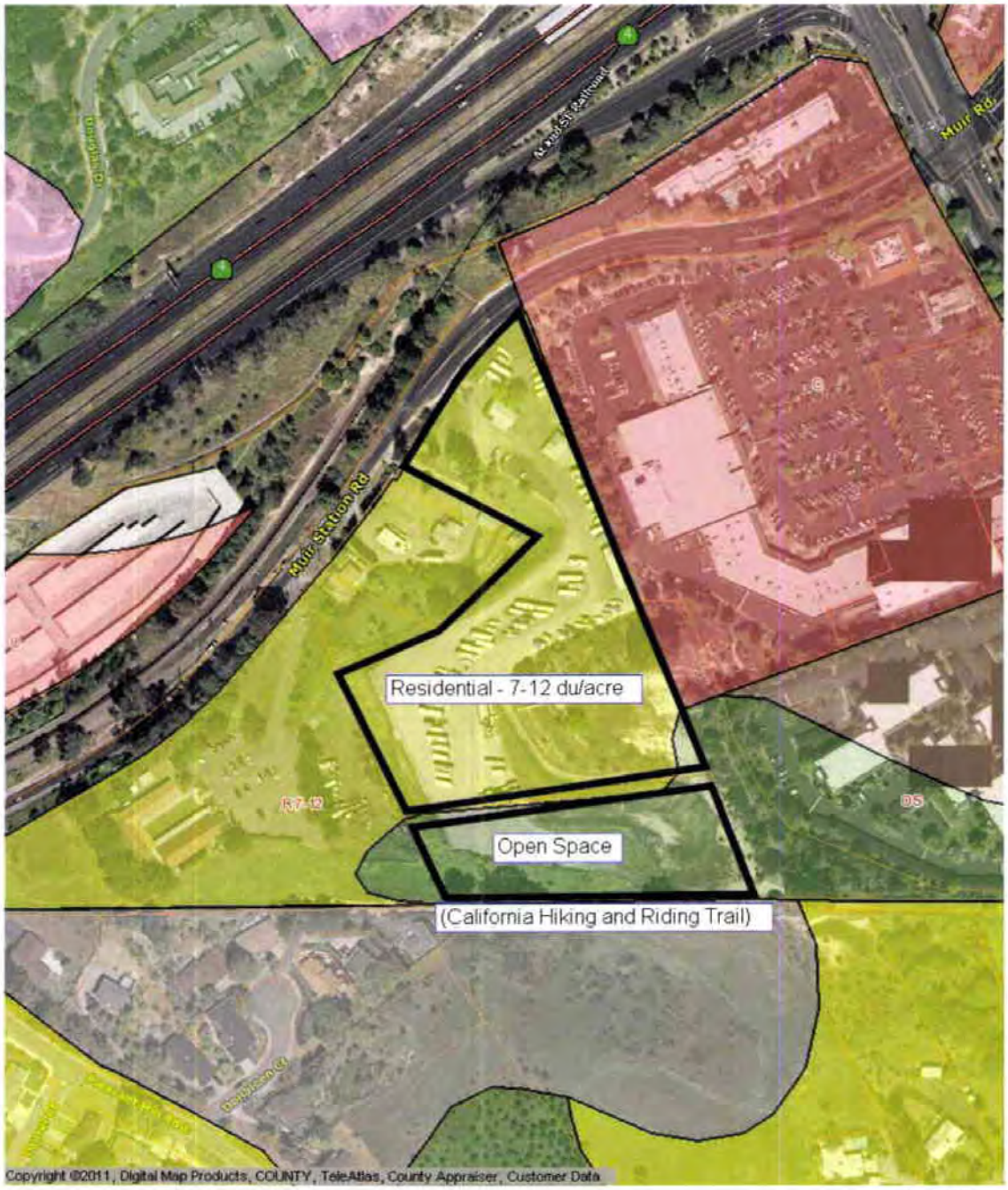
Surrounding land uses and setting: The site is within an evolving suburban area, with a mixture of residential, commercial, and industrial uses in a somewhat "semi-rural" setting. To the NORTH (opposite side of Muir Station Road) is the railroad tracks and Highway 4. To the NORTHEAST is a shopping center and hotel. To the SOUTH and WEST are residential properties. Immediately to the SOUTH adjoining the site is a hiking and horseback riding trail and residential development. To the SOUTHWEST is a church.

Other Public Agencies whose approval is required (e.g., permits, financing approval, or participation agreement) No other agency is required.

THE TOWNHOMES AT
LAUREL KNOLL
MARTINEZ, CALIFORNIA 94553
SUBDIVISION 8903
LOVING & CAMPOS ARCHITECTS INC.
CONCEPTUAL
SITE PLAN
A0.1
CONCEPTUAL SITE PLAN
PROJECT DATA
PARCEL A
PARCEL B
PARCEL C
PARCEL D
PARCEL E
PARCEL F
PARCEL G

GENERAL PLAN CONTEXT MAP





GENERAL PLAN DESIGNATIONS

(John Muir Parkway Specific Area Plan)

N

1" = 200'

CityGIS

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ZONING CONTEXT MAP

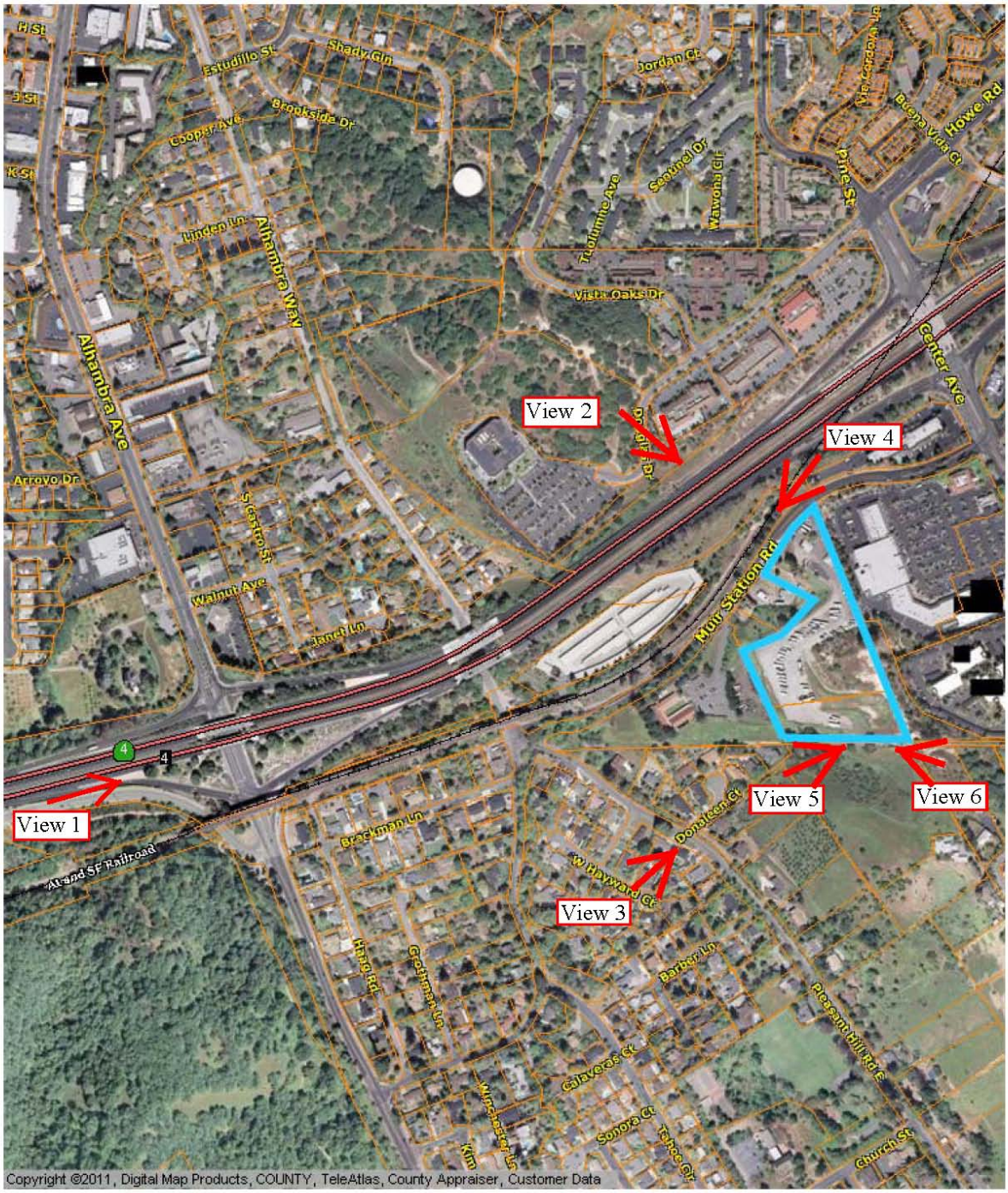
Other project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and Local Codes and Regulation including, but not limited to the City of Martinez Improvement Standards, the California Building Code, the Contra Costa County Water Agency Code, the Contra Costa County Flood Control Water Conservation District Design Criteria and Standards, the State Health and Safety Code, and the State Public Resources Code.

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
e) Increase the amount of shade in public and private open space and adjacent sites	☐	☐	☒	☐

Discussion:
a and c) The proposed subdivision is in close proximity to State Route 4. State Route 4 is designated a state scenic highway. The site is currently used as a storage area for recreation vehicles and is visible from the SR4 no screening of the activity occurring at the site or the vehicles exists. The proposed housing development will alter the view from SR4 (View #1) and from across SR4 at Douglass Drive (View #2) and while many of the housing units will be visible, they will be properly designed with muted earth tone colors, and partially screened, as to blend into the suburban landscape with little or no adverse impact to views for vehicles using SR4.

The proposal will also introduce new buildings above the residences Donaleen Court (View #3). Building 8 (units 45-50) will be highly visible from the street and some of the existing residences' rear yards. Generally, it appears that Building 8 is designed with muted earth tone colors, and is to proposed be partially screened, which provides some element and or attempt to integrate the built environment into the adjacent trail and open space. However, Building 8's height and mass (3-story, 37', with the third level



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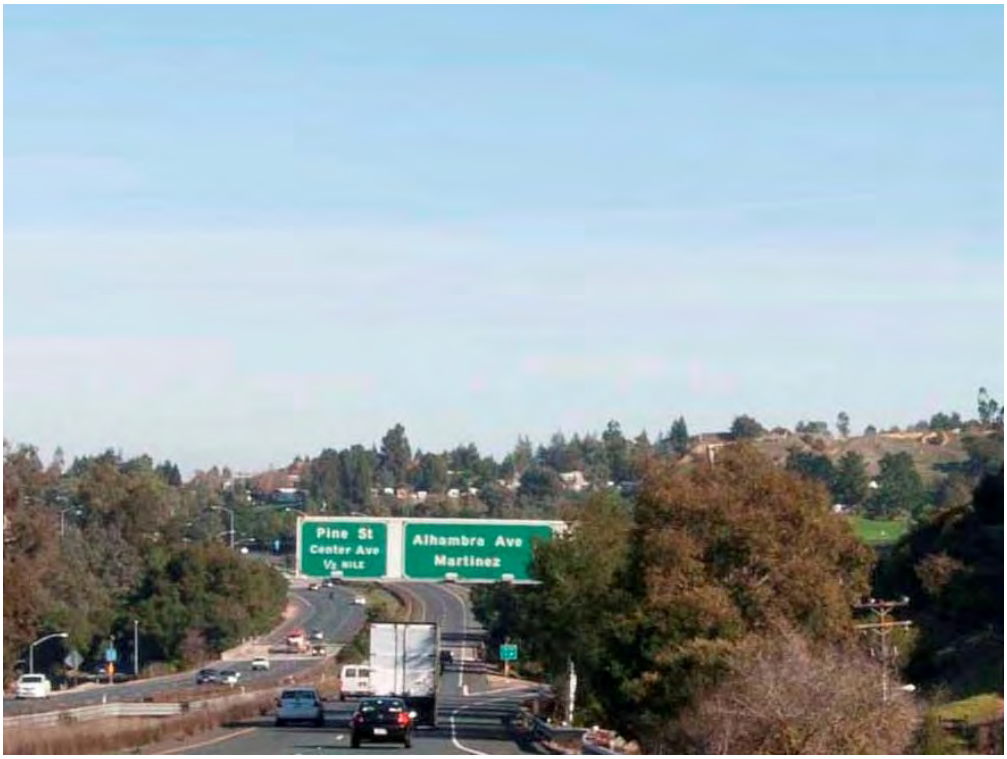
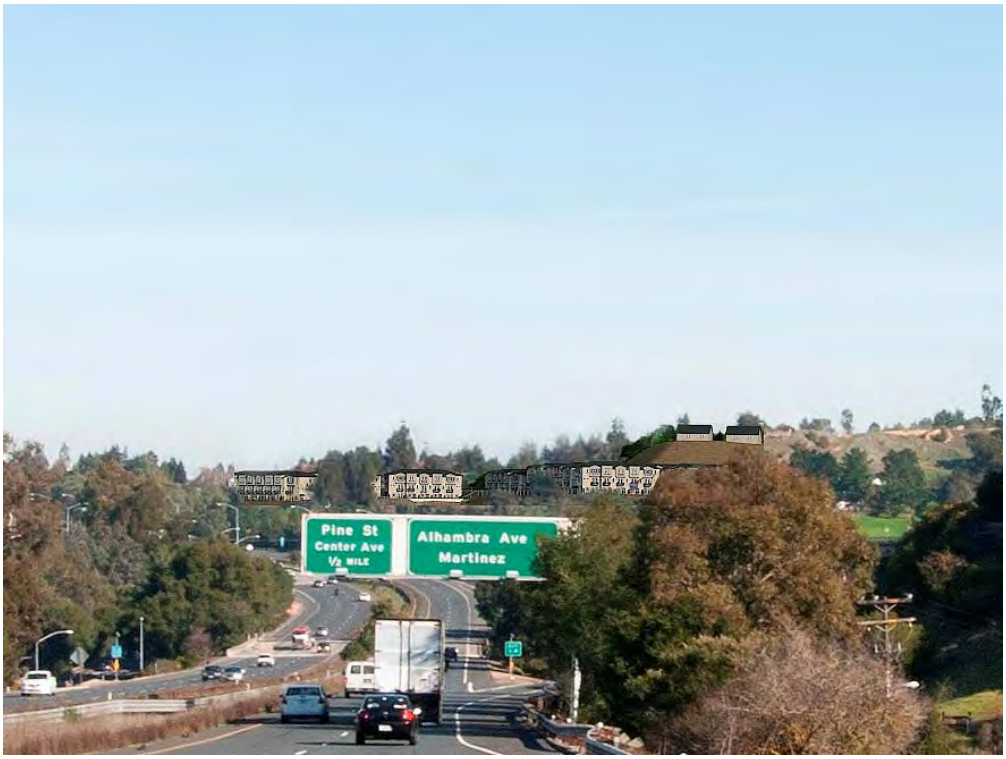
VIEW 1 - Eastbound Highway 4 (John Muir Parkway):



Existing Conditions



Proposed Conditions

Proposed Conditions with Landscaping

VIEW 2 – North side of Highway 4 (John Muir Parkway), from Douglas Drive:

Existing Conditions

Proposed Conditions

Proposed Conditions with Landscaping

VIEW 3 – Donaleen Court, from Pleasant Hill Road East:

Existing Conditions

Proposed Conditions

Proposed Conditions with Landscaping

VIEW 4 – Westbound Muir Station Road:

Existing Conditions

Proposed Conditions

Proposed Conditions with Landscaping

VIEW 5 – Eastbound California Hiking and Riding Trail:

Existing Conditions

Proposed Conditions

Proposed Conditions with Landscaping

VIEW 6 – Westbound California Hiking and Riding Trail:

Existing Conditions

Proposed Conditions

Proposed Conditions with Landscaping

partially cantilevered over the second) could seem out of character above Donaleen Court's low-density setting. The impact of this Building's height and mass is potentially significant, but mitigatable either through reduction of the mass or redesign of the structure

Currently, the site is unimproved and the storage of vehicles takes place at the top of the ridge, having little or no impact to those walking or driving along Muir Station Road (View #4). The proposed development includes siting of housing along Muir Station Road. As proposed by the applicant, the normally unseen "rear" of Building 1 (units 1-8) would be highly visible from Muir Station Road. While further development and urbanization of Muir Station Road will not necessarily be a negative visual impact, it is essential that the quality of architecture and landscape match or exceed that of the existing hotel and shopping center developments to the east. The units proposed along Muir Station Road are shown with the limited materials and colors normally found on less visible "backside" elevations, therefore, the applicant will be required to add dense landscaping to partially screen the building's base, and upgrade the architectural detailing, (e.g. redesigning decks and fencing with stucco and masonry accents to match those of the front elevation). The impact will be significant unless the units are designed in such a manner to include balconies, improved fencing and mature landscaping.

In addition, a portion of the site (Parcel # 162-263-009) is currently designated Open Space in the Martinez General Plan (John Muir Parkway – Specific Are Plan) and is located along a designated trail ("California Hiking and Riding Trail, managed by the East Bay Regional Parks District). The applicant has requested a general plan amendment from Open Space to Residential 7 to 12 units per acre to permit development within the currently designated open space parcel. 15 units are proposed within the currently designated open space parcel which includes development of 4 units (Building 7) along the southern property line where garage access is gained at the top of the slope and the unit is developed on the down slope adjacent to the trail (Views #5 and #6) . The current plan proposes that the height of these units range from 35-40 feet from toe of slope to roof overhang along an existing trail. These four units will have an impact and effect views for persons using the trail and there may be shade and shadows as a result of the new construction. The applicant proposes a limited landscape strip of shrubs to soften the impact. Because of the adjacency of several proposed units along the trail and horse-riding path, the impact of the new construction is significant however; a redesign of the units will significantly reduce the impact.

b) There are no scenic resources and or historic buildings. The site is vacant except for an office building for the existing storage vehicle operation. No impact to scenic resources will result.

d) Development of the site will result in new lights and glare from both individual residential units and streetlights. The impact will be less than significant since there will be additional landscaping at the site to reduce and buffer glare and placement of the lights along the streets will be done in such a manner as to minimize glare to existing and new residential units in the area.

e) The proposed development will not have an adverse impact on adjacent properties

related to shade in public or private open space on parcel 162-263-006 because the project is set back over 100 feet from any adjacent residences. However, the proposed residential units located on Parcel 162-263-009 may cast a shadow during portions of the day along the trail.

Mitigation Measure Aesthetics 1: To reduce the vertical massing of Building 8 when viewed from Donaleen Court below, the maximum height of this building shall be reduced from 3 stories to 2½ stories and from 37' to 32. To further deemphasize the building's height; no more than 50% of the shed roof facing Donaleen Court may include dormers for the building's third level. All such dormers, if any are proposed for the rear elevation of the building, shall have hipped rather than gabled roofs.

Mitigation Measure Aesthetics 2: The applicant shall augment the architectural detailing of Building 1's elevations that are adjacent to Muir Station Road and the entry drive to better integrate this structure into the existing visual context and architectural quality of Muir Station Road and State Highway 4. Required improvements, or equivalent, shall include: a) replacing the chain link fencing with decorative wood "board on board" fencing with masonry accent posts, b) integrating the rear balconies into the main structure with stucco posts, iron metal railings and roofs matching those of the main structure and c) added shutters and wood accents (comparable to those shown on the front elevations) to the rear and side elevations

Mitigation Measure Aesthetics: 3 To reduce the visual mass of Building 7 when viewed from the EBRPD's California Hiking and Riding Trail, this building shall not exceed a maximum height of' 30' above the access road (with all floors at or above the access road grade), and shall provide a minimum 40' setback from the southerly property line, maintaining a tree planting strip of no less than 20 feet wide that is clear of any planting limitations from the adjacent pipeline easement and the building's roof overhang. The final landscape plan shall include an informal cluster of large evergreen trees that, upon maturity, will fully screen the building's lower levels from the Trail.

II. AGRICULTURAL/ FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies and refer to information compiled by the California Department of Forestry/ Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220 (g), timberland (as defined by PRC Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))	☐	☐	☐	☒
d) Result in loss of forest land or conversion of forest land to non-forest use	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

Discussion:

a-b and e) The Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency designate the proposed project area as Urban and Built-Up Land. The current use is storage of vehicles; the land is fully graded and has some areas which are paved to allow access to the site. Therefore, no Prime Farmlands,

Farmlands of Statewide Importance, or Williamson Act contract lands are located within the in the proposal area

c and d) There are no designated forestlands within the project area. There is a proposed rezoning of the property from open space to residential, but no loss of forestland or conversion of forestland will occur as a result of the development or proposed land use actions.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

Discussion:
Project Setting:

The project is located in the City of Martinez in Contra Costa County and is within the San Francisco Bay Area Basin. The local agency with Jurisdiction over air quality monitoring and planning in the Basin is the Bay Area Air Quality Management District (BAAQMD). Martinez is located on the south side of the Carquinez Strait. The Carquinez Strait is the only sea-level gap between the Bay and the Central Valley. Prevailing winds are from the west particularly during the summer. During the summer and fall months, high pressure coupled with low pressure in the Central Valley causing marine air to flow eastward through the Carquinez Strait producing strong winds in the afternoons.

The project was evaluated in a technical report ("Air Quality, Health Risk and Greenhouse Gas Analysis") prepared by Michael Brandman Associates dated November 23, 2010 (with a technical addendum and summary dated April 1, 2011, provided as Attachment B). The report provided information regarding potential air quality impacts associated with the construction and operation of the proposed project.

a) Conflict with or obstruct implementation of the applicable air quality plan?

The methodology used to evaluate the project with respect to air quality including but CEQA guidelines and the Bay Area Quality Management District's (BAAQMD) air quality guidelines. The CEQA guidelines require that the analysis evaluates and determines if a significant impact exists. In order to evaluate the project the type of use and the resulting level and impact of emissions must be evaluated. The guidelines are not specific with respect to metric measurement of significance thresholds; in the absence of local thresholds the evaluation of impacts used is based on BAAQMD thresholds.

BAAQMD provide recommended procedures for evaluating potential impacts. The first level is the screening criteria. The BAAQMD has defined project level screening criteria and significance thresholds for air quality screening. In addition, the community health risks and hazards have also been defined by BAAQMD. Cumulative significance criteria thresholds address multiple emissions of toxic air contaminants such as State Route 4, the adjacent rail line and nearby stationary sources of toxic air contaminants.

The air quality screening applies to the impacts of construction and operations based on land use intensity. Both the single-family homes and the condo/townhomes result in less than significant impacts. The project however must apply BAAQMD basic construction mitigations that are standard conditions or approval with respect to dust control and construction equipment use and operation.

Community health risk screening is required to assess potential health risks both on a project level and cumulatively. Because the proposed project is residential in nature it is not expected to generate toxic contaminant emissions. Therefore, only sensitive receptors such as adjacent residents- sensitive receptors were evaluated. This was evaluated and found that the nearest receptor was 575 feet from the project fence lone, which means a residence located within 575 feet from the project would be impacted during construction, hence a more detailed analysis was undertaken. The analysis found that the project did not exceed the BAAQMD project level health risk and hazard significance. (Michael Brandman Associates, April 1, 2011, Attachment A.

The second level of evaluation includes the cumulative impacts of nearby toxic emissions on residential emission within the project itself. The potential sources identified are State Route 4, the Burlington Northern rail line and identified stationary sources. The project was evaluated and the significance threshold for cancer risk, chronic non-cancer hazard, acute non-cancer hazard and particulate matter are all below the threshold criteria set forth by BAAQMD.

b) Violate any are quality standard or contribute substantially to an existing or projected air quality violation?

The current use at the property is RV storage, and has been used for decades for light industrial. Proposing a residential development of the site will not contribute substantially to an existing or projected air quality violation. The California Air Resources Board (CARB) has published recommendations for siting of new

sensitive receptors within 500 feet of a freeway because of the possible toxic air contamination and or in close proximity to the railroad. The freeway is 250 feet from the project site and so the siting guideline does apply. The cumulative impact was analyzed and the three significance thresholds for greenhouse gases are less than the BAAQMD significance threshold. (See technical addendum Michael Brandman dated April 1, 2011 provided as Attachment A).

c) Result in a cumulatively net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The project would not result in a cumulative net increase of any criteria pollutant as set forth as part of the BAAQMD guidelines. The cumulative impacts are below significance criteria. (See technical addendum Michael Brandman dated April 1, 2011, provided as Attachment A).

d) Expose sensitive receptors to substantial pollutant concentrations

The project was evaluated to assess the possible cumulative impacts of nearby toxic sources on the residential units themselves. The cumulative risks are below the significance threshold, as there are no nearby sources of toxic materials within the subject semi rural to suburban setting. (see technical addendum Michael Brandman dated April 1, 2011, provided as Attachment A).

e) Create objectionable odors affecting a substantial number of people.

The proposed project will not conflict with or obstruct implementation of the regional air quality plan or violate any air quality standard, or result in a cumulatively considerable net increase of any criteria pollutant due to the minimal of 82 housing units from this project. Development of residential units at this site would not expose sensitive receptors to substantial pollutant concentrations. The proposed residential use is compatible with the surrounding uses and therefore will not create any objectionable odors. In addition during construction and grading the applicant will be required to adhere to best management practices to curb dust and runoff onto streets and into stormwater systems.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion:

a-f). The project proposes to develop on an existing infill site, which has been graded and is being used for vehicular storage. The site and adjacent open space do not contain any sensitive habitats or any special status species and will not interfere with or cause movement of any native resident or migratory fish or wildlife species. There is no Habitat Conservation Plan, Natural Community Conservation

Plan or other approved local, regional or state habitat conservation plan that applies to the site. The open space occupies a portion of the site and the adjacent hiking and horseback-riding trail. The area is native grasses and trees and there are no conservation plans in place or identified special species in the area.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Discussion:

a-d) Land uses within the project area include commercial and residential uses. The project area has not been surveyed for historical, archaeological or paleontological resources, or human remains. Minimal grading and construction of some retaining walls are proposed and this will result in minimal change to the soils. The project site has historically been used for vehicle storage and has been graded repeatedly. The hillside and adjacent trail are designated open space are not considered to be of any historic or archaeological value since the area is generally dirt and tall grasses. It is unlikely that human remains or resources of historical, archeological or palentilogical value exist on the site due to the disturbed nature or the site and its surroundings.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Discussion:

a-e) There are no Alquist-Priolo Special Study Zones in the proposal area. Strong seismic shaking could occur in the proposal area since the Concord-Green Valley fault is about one mile to the east. Considerable ground shaking would be expected at the project site during moderate to severe earthquakes in the general region. However, the proposed residences will be constructed with standard building and foundation designs to minimize the impacts of a seismic event to the greatest practical extent. The project involves minimal grading; therefore the project will not result in substantial soil erosion or loss of topsoil. As noted the site is not within a

fault zone, moreover, the project will not be developed on a hillside, slide area, creek area, or geologic unit or soil that is unstable. The site is currently developed with an office and storage area, surrounded by residential and commercial uses, therefore it is not anticipated that the project site has expansive soils or soils incapable of adequately supporting the site for proper waste water disposal systems. In addition, ENGEO Incorporated's report Entitled "Review of Vesting Tentative Map, dated November 5, 2010, concluded that the existing slopes will need rebuilding, and all slopes planned for structures will require appropriate protection to allow for placement of buildings with little or no setbacks. In addition, there will be a need for remedial grading to slopes beyond the planned lots and pavement limits. Remedial grading will remove all undocumented fills, slope keying and benching to rebuild walls extending into the slopes. The slopes require remedial grading to provide stable building sites and appropriate protective measures for structures. Furthermore, new home construction requires a final geotechnical report and consultation by a geotechnical engineer to ensure soil conditions are stable and can support the homes and associated infrastructure.

VII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases	☐	☐	☐	☒

a-b) Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as a driving force for global climate change. Definitions of climate change between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities, which alter the composition of the global atmosphere.

California State law defines GHGs as Carbon Dioxide, Methane, Nitrous Oxide, Hydrofluorocarbons, Perfluorocarbons, and Sulfur Hexafluoride. The primary contributions to GHG emissions in California are transportation, electric power production from both State and out of state sources, industry, agriculture and forestry, and other sources, which include commercial and residential activities.

The City of Martinez Climate Action Plan (CAP), adopted in June 2009, presents goals, principles, and strategies for reducing the City's GHG emissions, conserving energy and natural resources, and preparing the community for the expected effects of global warming. The CAP was developed through a public planning process, under direction of the City Council. The CAP addresses GHG emissions within City limits.

The BAAQMD has established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the Bay Area. The climate protection program includes measures that promote energy efficiency, reduce VMT, and develop alternative sources of energy all of which assist in reducing emissions of GHG and in reducing air pollutants that affect the health of residents. The BAAQMD also seeks to support current climate protection programs in the region and to stimulate additional efforts through public education and outreach, technical assistance to local governments and other interested parties, and promotion of collaborative efforts among stakeholders.

The greenhouse gas emissions has been evaluated in a technical report ("Air Quality, Health Risk and Green house Gas Analysis") prepared by Michael Brandman Associates dated November 23, 2010, (with a technical addendum and summary dated April, 1, 2011, provided as Attachment A). The project was evaluated using BAAQMD standards. The project requires greater analysis because it exceeds the screening criteria of less than 78 condominium units. The analysis includes quantification of greenhouse emissions from the project as well as demonstrating that the project is consistent with adopted greenhouse gas reduction plans. The construction of the project will emit approximately 165 metric tons of CO2 equivalent. The greenhouse gases emitted from the project as a whole is 993 metric tons of CO2e per year, with the greatest percentage related to transportation emissions at 69 percent, followed by electric and gas usage at 11 and 10 per cent. BAAQMD has established a significance threshold of 1,100 CO2e per year; the project's emissions total 993 CO2e per year less than the BAAQMD thresholds. Since the project emissions are less than the BAAQMD threshold the will project will not emit particulates than are greater than permitted. Therefore, the project is consistent with the BAAQMD Clean Air Plan and, the construction will not exceed significance thresholds or cumulative impacts and therefore will not cause or contribute to the violation of any national or State air quality standard or expose sensitive receptors to substantial air pollutant concentrations.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Discussion:

a) Since the proposed project consists of the construction of residential units, no hazardous materials would be routinely used at the project site other than common household waste (aerosol sprays, paint, oil, solvents, pesticides etc). The Central Contra Costa Solid Waste Authority has established a Household Hazardous Waste Collection Facility in Martinez were residents can dispose of their household hazardous wastes. Storm drain inlets would be labeled with “do Not Dump-Drains to the Bay” signs to discourage people from dumping household hazardous wastes into the inlets. Assuming the public behaves responsibly, the proposed project would not create a significant hazard to the public or environment, and the impacts would be less than significant.

b) During construction, hazardous materials would be transported to the project site. Construction activities typically involve the use of potentially toxic substances such as paints, fuels, and solvents. Residents adjacent to the site could be exposed to these materials as trucks move to the site and through the City. Construction activities are subject to federal, state and local laws and requirements and those are designed to minimize and help avoid potential health and safety risks associated with hazardous materials.

c) There are no schools located within one-quarter mile of the proposed project; therefore there would be no impact.

d) The project site is not included on the California Environmental Protection Agency, Department of Toxic Substances Control Hazardous Waste and Substance List; therefore there would be no impact.

e-f) The site is located outside the Buchanan Airport Land Use Plan Area and is not located near any public or private landing strips.

g) The project would not result in any changes to existing streets or emergency roads, and therefore would not interfere with any response or emergency evacuation plan that may be in affect for the area. The proposed layout of the streets within the project site meets all requirements of the city of Martinez and the Contra Costa County Fire District.

h) The project is not located near wildlands.

IX. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Discussion:

a-b) A preliminary drainage plan was prepared for the project that shows it is in compliance with C.3 requirements. The City's Engineering Division has reviewed the drainage plan and stormwater control plan and determined that it complies with all applicable water quality standards including the City's Storm Water Quality Management and Discharge Control Ordinance, and National Pollutant Discharge Elimination System (NPDES) requirements. The project would result in minimal grading or changes to existing topography, therefore the project will not affect groundwater supplies, interfere substantially with groundwater recharge, or lower the local groundwater table level.

c-f) The City's Engineering Division has determined that the preliminary grading plan proposed for the project will not alter existing drainage patterns in a manner that would cause erosion, siltation, or flooding conditions on or off the site. The project will not contribute runoff that would exceed the capacity of existing drainage systems. g-h) The project is not located within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map.

i-j) The project site is not near a levee or darn, nor any large body of water that could cause seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

Discussion:

a) Will the project physically divide an established community?

No. The project is proposed on two infill parcels. The project site is bordered by residential and commercial development. The project site borders an existing trail bisecting the neighborhood to the east, providing a buffer between the existing residential neighborhood and the proposed project.

b) Will the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Yes. As discussed below the project was found to potentially conflict with several General Plan (Specific Area Plan) policies as well as several sections of the Zoning Ordinance.

Martinez General Plan (John Muir Parkway Specific Area Plan)

The Specific Area Plan ("SAP") currently designates the northerly 4.8 acres of project site Residential, 7-12 units per gross acre, and the southerly 2 acres as Open Space (Attachment D) Notwithstanding the request to re-designate the Open Space area to Residential (to be further discussed below), the project is generally consistent with the SAP, in that higher density development is encouraged adjacent to the John Muir parkway (Policy 33.312) and that all developments shall be Planned Unit Developments (Policy 33.316).

The SAP also includes specific policy direction in regards to fitting higher density development into areas where there are existing single-family neighborhoods, such as Donaleen Court to the southwest of the subject site. Policy 33.319 (adopted 1987) states:

> When a proposed multiple family residential development is near an existing single family (or lower density multiple family) development, the Planning Commission shall require appropriate transition elements in the approved development plan, such as landscape buffering, building setbacks equal to or larger than those required in adjacent zone district, minimization of grade differences to avoid visual impact and loss of privacy, different types of units which are more compatible with those existing on adjacent property, lower density zoning, assembly of small parcels into one large project for more design flexibility, provision of project access from collector streets rather than existing local residential streets, etc. In addition, all residential developments shall be subdivided into individual units and offered for sale to maximize the opportunity for owner-occupied housing in the area

The potentially significant impacts of not incorporating such "transition elements" have been evaluated under the "Aesthetics" discussion above.

The project is also regulated by the SAP's Design Review Guidelines, which require a high level of architectural quality and landscape amenities, as per review and approvals of the PUD plan and overlay district.

SPECIFIC AREA PLAN (SAP) OPEN SPACE LAND USE DESIGNATION:

At the time the SAP was adopted in the 1970's, the southerly portion of the site was designated as "open space." This area serves as a buffer between the medium density residential uses envisioned to be along Muir Station Road and the California Hiking and Riding Trail to the south. In 1987, the City Council amended the SAP as currently depicted, increasing the areas designated for residential uses, and decreasing the area designated as open space. The split between the residential and open space areas as amended in 1987 appears to match the division between projects two parcels (162-263-006 and 162-263 -009), and may have corresponded to the limit of grading at the time. As discussed above, most of the two parcels was previously graded to use as a storage lot. The two-acre parcel that is designated open space is partially graded and is part of the existing storage facility. Because of the southern portion's use as a storage facility and its graded configuration, this area as it currently appears has little or no scenic value. So as a function of the SAP's Land Use Map and existing conditions, the requested General Plan Amendment would not have a significant effect on the environment.

The potential conflict with the SAP policies is thus not with the General Plan map amendment, but with the proposed site plan development on the portion of the site currently designated as "open space." The development plan places 35 to 40 foot tall buildings immediately adjacent to the California Hiking and Riding Trail, with only 30-40 foot areas for shrub plantings between the Trail and the buildings (see discussion under "Aesthetic" above). While the graded 50% slope between the existing RV storage area and the existing Trail has no scenic value in and of itself, it's "unbuilt" status does fulfill the intent of the original open space designations, and Policy 33.341.B of the SAP's Open Space Policies, which states:

> Buffer and Trailway Open Space land (as shown on the Land Use map) which is intended to provide adequate visual and acoustic buffer, landscape amenity and a functional, well integrated trail system for walking, hiking, bicycle and equestrian use within the planning area and as a means of linking the planning area to adjacent neighborhoods, shopping and work areas

The potentially significant impacts of not incorporating preserving the intent of such a "buffer" has been evaluated s part of the Aesthetics and Land Use Discussion of this Initial Study.

Martinez General Plan (Scenic Roadway Element)

The John Muir Parkway (State Highway 4) is a designated "Scenic Highway" throughout Martinez. The General Plan requires areas alongside the highway be fully landscaped in accordance with the established character of the area (Policy 27.34), and that the selection of building materials and colors be consistent with aim of retaining the major scenic attributes associated with the respective roadway section. (Policy 27.36). The importance of the appearance of the City from the John Muir Parkway is carried over into the SAP, as one of its major objectives is to improve the aesthetic appeal of the entrances to the City and insure the high scenic quality of natural and manmade elements viewed from the Parkway (33.28). These objectives appear to have been met, as per the evaluation within the "Aesthetics" discussion above.

Martinez General Plan (Housing Element)

The project is consistent with the City's most recent Housing Element (2009), in that high density is being provided where appropriate (3.1), and is adding to the mix of the City's housing opportunities, especially adding housing that is affordable to first time buyers (3.6).

Martinez Zoning Ordinance (Title 22 of the Martinez Municipal Code)

ZONING DISTRICT DEVELOPMENT STANDARDS:

The site's current zoning designation, R-40 (one-family residential, 40,000 sq. ft. minimum lot size) is inconsistent with both the existing and proposed General Plan (John Muir Parkway Specific Area Plan) designation of "Residential 7-12 Units/Acre." The proposed designation of R 3.5/PUD overlay (Family Residential, 3.500 sq. ft site area per unit, 4,000 sq. ft. minimum lot size) achieves consistency with the General Plan for a portion of the site that is not designated Open Space. The proposed site plan is generally consistent with the development standards of the R-3.5 District (including maximum density and minimum yards). The flexible standards of the PUD overlay are primarily needed for the parcelization of the individual "townhouse" units, with no individual side yards and lots of less than 4,000 sq. ft. in size.

One of the potentially significant conflict is the requested exception to the normally permitted maximum height limit of 25' and two stories. While the two single family units at the site's summit are in compliance with this standard, the 80 multiple-family units are all three stories, with heights ranging from approximately 35' to 40'. Fortunately, the topography of the site can, in most cases, accommodate the added height without a negative impact, as most units are either against the much taller hill and/or not adjacent to homes and opens space areas. But as per the evaluation within the "Aesthetics" discussion above, the visual height of units adjacent to Donaleen Court and the California Hiking and Riding Trail could be a significant impact without mitigation.

USABLE OPEN SPACE STANDARDS:

The R-3.5 zoning district requires 500 square feet of Useable Open Space per unit (Title 22, Section 22.12.250). The definition section of the Zoning Ordinance (Chapter 22.04, Section 22.04.560) defines 'Useable Open Space' as outdoor area on ground, roof, balcony, deck or porch which is designed and accessible for outdoor living, recreations, utility space, pedestrian access or landscaping. Such areas do not include front or street side yards. Typically in urban development useable outdoor space would be provided by a deck, ground-floor patio or fenced back yard.

The proposed units have minimal private outdoor space provided by balconies of varying sizes but not exceeding about 40 sq. ft. in size. The site plan also includes an approximately 2,000 square feet area behind Buildings 2 and 3 that is designated for a tot lot. However, this area would be limited in its use and does not provide a recreation area for adults. Approximately 3 acres of the site will remain unbuilt and will be landscaped as passive open space. These three acres meet the Zoning Ordinance's technical definition of Usable Open Space, and thus more than 500 square feet per unit will be provided. But while the minimum standards have been met, the quality of the project's open space can be improved.

HILLSIDE DEVELOPMENT REGULATIONS (CHAPTER 22.33 OF THE ZONING CODE)

Hillside Development Regulations contain quantitative (i.e. "slope density") and qualitative development standards to implement the City general plan policy of maintaining and protecting the natural hillside areas from overbuilding and visually intrusive development. Given that the site has been previously mass graded for use as a storage facility, City policy exempts such proposals from the specific additional standards of the Hillside Development Regulations. General and Specific Area Plan policies in regards to aesthetics are still applicable, as per the previous discussions.

c) Will the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No. There are no local or regional habitat conservation or natural community conservation plans that are applicable to the project site.

Mitigation Measure Land Use and Planning 1: The applicant shall submit and receive design review approval for a revised design of Building 7 (Units 51-54) and Building 8 (Units 45 to 50) providing the appropriate landscape transitions to the California Hiking and Riding Trail and single family areas, as required by the John Muir parking Specific Area Plan, as more fully described in Mitigation Measures for Aesthetics1 and 3.

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Discussion:

a-b). There are no known mineral resources or mineral resource recovery in the area. Thus no impacts to mineral resources are anticipated to occur as a result of the proposed project.

XII. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion:

a) The Noise Element of the General Plan requires new residential development to comply with a "normally acceptable" noise acceptable. Noise impacts and possible mitigation measures have been evaluated in a technical report (“Environmental Noise Assessment”) prepared by Illingworth & Rodkin Inc., dated November 17, 2010. The primary source of permanent exterior noise for this project will come from SR4 and the adjacent commercial center. Exterior noise levels were shown to exceed those levels during the day and at night remained just below the threshold. To achieve necessary noise reduction the residences with a line of sight to SR4 will require sound attenuation systems that are standard building practice to reduce interior noise from exterior sources. The addition of landscaping will also reduce the exterior noise at the project site.

b) The project is expected to utilize traditional methods of construction and ordinary

types of equipment to construct the project. Although there are anticipated to be temporary ground vibrations associated with the grading and building phases of the project, it is not anticipated that the vibrations would be of a unique or significant magnitude.

c) Although the number of residential units would increase as a result of this project, it is anticipated that the impacts related to noise would be in consistent with the existing contiguous residential and commercial developments in the neighborhood.

d) See a above.

e-f) The project is not located near a private or public landing strip.

Mitigation Measures: Require forced air mechanical ventilation and sound attenuation systems as part of standard residential constructions.

Mitigation Measure Noise 1: Provide forced air mechanical ventilation and/or sound attenuating windows and doors as needed, to assure interior noise level within units do not exceed 45 dBA. Subject to review and approval of the Chief Building Official, such measures shall include the following or equivalent measures:

1) Forced air mechanical ventilation shall be provided for units with facades having line of sight with SR 4.
2) Building 1 shall have sound rated windows with ratings ranging from STC 28-30.
3) All townhomes with first row facades facing toward SR 4 (Buildings 2-3, 9-13) and the two single family houses (units 81 and 82) shall have sound rated windows with ratings ranging from STC 26-28.

XIII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion:

a) The project would add 82 dwelling units to the City's housing stock. According to the City's Housing Element of the General Plan, there are a total of 14,359 occupied dwelling units in the city with an average Household size of 2.43. Therefore, the project would add approximately 199 persons to the estimated 2010 city population of approximately 35,425 which represents a population increase of less than 1%. The project is not expected to induce any substantial population growth because the City is largely built-out; the project-related population increase is very small. No mitigation
measures are necessary.

b-c) The site is currently being used for vehicle storage, there are no residential units being demolished or removed as a result of this project, therefore there is no displacement of persons nor need to provide replacement housing at another location.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Incorporation**	**Less Than Significant Impact**	**No Impact**
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Discussion:
Although development of the site will increase the demand for fire services, additional facilities and or firefighters will not be required to meet the demands resulting from the implementation of this project. The site will be designed and developed with all requirements established by the Uniform Fire Code, the Contra Costa Fire Protection Department policies and other applicable regulatory procedures related to fire safety.

Furthermore, the Contra Costa County Fire Protection Department (CCCFPD) provides fire and emergency services to residents of the City of Martinez as well as the proposal area. There would be no change in service since the County currently serves this area and will continue after construction of the project.

The intensity of development will not result in an increase in the number of police calls as a result of crowded conditions. The proposed development will not have an impact on public services as follows:

- The change in land use and the potential build out of the site is not expected to create an impact on other public services.
- The potential population would not create an impact on local parks/recreation facilities. City code requires the applicant to pay park dedication fees to offset impacts on existing park facilities.
- The change in land use and the potential build out of the site is not expected to create an impact on other public services.
- The applicant will be required to pay all applicable fees as mandated by State Law.
- The applicant will be required to pay all applicable city fees as mandated by the City.

XV. RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Discussion:

a) The additional of 82 units will not create a significant demand for parks or recreational facilities. The development provides for a tot lot and is adjacent to a hiking and horseback-riding trail.

b) There are no recreational facilities proposed in the subdivision plans, however a tot lot is proposed and there will be access to the existing hiking and horseback riding trail located at the rear of the project site. City code requires the applicant pay any appropriate park dedication fees.

XVI. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including but limited to the level of service standards and travel demand measures, or other standards established by the County congestion management agency or designated roads or highways	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Discussion:

a) The project is proposed to include the development of 80 townhomes, two single family home and 21 guest parking spaces for the town home units. Access to the site is from a single driveway from Muir Station Road. Trip generation data used to quantify the number of trips is contained in the Institute of Transportation Engineers entitled Trip Generation 8th Edition. Build out of the project will generate 56 a.m. peak hour trips and 64 p.m. peak hour trips. Four intersections were evaluated to quantify levels of service. They are as follows: Muir Station Road at Alhambra Way; Muir Station Road/ project access driveway; Muir

Station Road and Shopping Center access and Muir Station Road and Center Avenue. Existing levels of service are "A" and "B", the addition of project generated traffic to existing traffic conditions will not affect levels of service, and satisfactory intersections will result. The applicant has provided a "Traffic Impact Analysis" prepared by KD Anderson and Associates (dated November 16, 2010-), documenting that trip generation from the proposed 82-unit residential development.

b) The projected vehicle volumes would not exceed projected levels of service either individually or cumulatively.

c) The proposed new land use does not affect air traffic patterns.

d) While the added volumes from the site, with 82 proposed units, would itself have a less than significant impact when compared to existing volumes on Muir Station Road and Center Avenue, specific characteristics of the existing and proposed circulations system could have a significant impacts due to increased hazards, unless mitigated:

(i) Hazard Impacts on Existing Conditions**:** The project is increasing the peak traffic left turn turning movement on Muir Station Road/Muir Road at Center Avenue. This intersection experienced higher traffic accident rates than similar intersections in the City of Martinez. (SOURCE Tim Tucker, City Engineer, City of Martinez, May 2, 2011). Modifying the existing signal to split the phases for eastbound and westbound traffic would mitigate the potentially increased hazard.

(ii) Hazard Impacts from Proposed Internal Circulation**:** The main internal access drive has two constricted curves, on at the vicinity of Unit 19, the other at Unit 73. The limited maneuvering room, line-of-sight and potential conflicts with residents backing out of driveways has lead the applicant's traffic engineer to recommend the use of stop signs to "impose" a 15 mph design speed. (SOURCE: "Traffic Impact Analysis" prepared by KD Anderson and Associates, November 16, 2010). Since it is generally not advisable to use stop signs as speed control devices, a mitigation measure is proposed to require the access drive be realigned so that a WB-40 vehicle can negotiate these two curves without encroaching into the opposing travel lane.

Mitigation Measure Traffic 1: To reduce the potential hazards from left turn maneuvers, the applicant shall either: a) as part of the project's improvement plans, include improvements to the traffic signal at the Center Avenue & Muir Station Road/Muir Road intersection, providing split phases for the eastbound and westbound traffic, with a left turn arrow to be mounted on the existing overhead signal heads, or b) provide fair share funds for these traffic mitigation improvement, above standard traffic mitigation fees, in an amount to be determined by the City Engineer.

Mitigation Measure Traffic: 2 To reduce the potential hazards from the constrained

maneuvering room and limited line-of-sight in the vicinity of Units 19 and 71, the site plan shall be modified and the access drive realigned, so that a WB-40 vehicle can negotiate these two curves without encroaching into the opposing travel lane.

e) The proposed site plan will provided adequate emergency access.
f) No conflicts with alternate transportation programs will result.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☒	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

a-b) The proposed change in land use designation, and proposed development, will not cause an increase in wastewater treatment requirements that would exceed current carrying capacity, nor will the project result in the need to construct new water or wastewater treatment facilities.

c) The existing downstream storm drain system is already impacted and thus inadequate to convey the added run off from the proposed development (SOURCE Tim Tucker, City Engineer, City of Martinez, May 2, 2011) Future development will be required to provide on-site storm drainage that would be

conveyed into the existing system, which as mitigation, will need to be upgraded to convey this added drainage within a storm sewer directly into Alhambra Creek.

d-e) The proposed project is located within the service areas of the wastewater provider (Mt. View Sanitary District) and water supplier (Contra Costa Water District). As such, development of the site has been considered in the purveyors' projections to serve.

f) The City of Martinez is currently served by Allied Waste, which handles solid waste and recycling services for the City. All household refuse is first taken to the Allied Waste transfer station (unincorporated area of Martinez.), and that which is not recycled is taken to the Keller Canyon Landfill in Pittsburg, which has sufficient capacity for the County's wastestream.

g) There is no impact because this question does not pertain to the project.

Mitigation Measure Utilities 1: The applicant shall, as part of the project's improvement plans, provide a storm drain system to collect and convey storm water runoff to adequate downstream facilities (Alhambra Creek), to the satisfaction of the City Engineer.

Discussion:

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion:

a-c) The change in the land use designation and resultant residential development will not substantially degrade the environment, create cumulative impacts or cause substantial adverse effects on human beings. This is a very small project for consideration by the CEQA process, and normally an infill exemption would apply had it not been for the land use changes sought by the applicant. No significant impact is anticipated by this project.

References

City of Martinez, 1973. *Martinez General Plan*. Martinez, CA.

City of Martinez, 1978. *John Muir Specific Area Plan*. Martinez, CA. May 2, 1978.

City of Martinez, 1995. *General Plan Amendments from 1973 to January 1995*. Martinez, CA.

City of Martinez, 2009. *Climate Action Plan.* Martinez, CA. June 3, 2009.

Attachments:

A. Air Quality, Health Risk and Greenhouse Gas Analysis – Summary and Addendum by Michael Brandman Associates, April 2011

Technical Reports (available under separate cover):

1. Air Quality, Health Risk and Greenhouse Gas Analysis report prepared by Michael Brandman Associates, November 2010

2. Geotechnical Review of Vesting Tentative Map prepared by ENGEO Incorporated, November 5, 2010

3. Environmental Noise Assessment prepared by Illingworth & Rodkin Inc., dated November 17, 2010

4. Traffic Impact Analysis prepared by KD Anderson and Associates, dated November 16, 2010

RESOLUTION NO. PC 12-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARTINEZ, RECOMMENDING DENIALTO THE CITY COUNCIL OF AN AMENDMENT TO THE GENERAL PLAN AND ZONING MAP, ADOPTION OF A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT, AND APPROVAL OF A PUD PLAN AND VESTING TENTATIVE MAP FOR THE DEVELOPMENT OF UP TO 80 ATTACHED SINGLE FAMILY AND 2 SINGLE FAMILY HOMES (PLANNED UNIT DEVELOPMENT ("LAUREL KNOLLS") ON 6.83 ACRE, PARCEL LOCATED AT 370 MUIR STATION ROAD (APN: 162-263-006 & 009) GPA #09-01, REZ #09-01, PUD #09-01, SUB#9263)

WHEREAS, the City of Martinez has received a request for a General Plan Amendment for approximately 2 acres of the project site from the (John Muir Parkway Specific Area Plan) designation of "Open Space" to "Residential: 7-12 Units/Gross Acre"; and to rezone the entire 6.83 acre site from R-40; (Single family residential, 40,000 sq. ft. minimum site area) to R-3.5/PUD overly (Family Residential, minimum 3,500 square feet per dwelling unit) Planned Unit Development Overlay; and PUD plan/Vesting Tentative Map for the construction of up to 80 attached single family development and 2 single family homes;

WHEREAS, pursuant to Section 15270 of the California Environmental Quality Act (CEQA) this project is exempt for the purpose of denial; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noted public hearing on August 14, 2012 and October 23, 2012, 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 City Council deny the requested General Plan Amendment 09-01 to replace the current General Plan designation of Open Space to Residential 7-12 Units/Gross Acres as such density as shown on the site plan would not be compatible with the surrounding neighborhood and therefore not in the public interest.

3. That the City Council deny Rezone 09-01 as the density permitted under the requested R3.5/PUD because the project as proposed would not be consistent with the surrounding neighborhood and its site plan is not of superior.

4. That in order to recommend deny of the Planned Unit Development (PUD) Overlay District and PUD plan, with the requested exceptions to the R-3.5 Zoning District that are being proposed with Subdivision #9263, the Planning Commission must make the following findings, which it hereby does:

a. **The proposed PUD Plan development is in conformance with the applicable goals and policies of the general plan and any applicable specific plan;**

The John Muir Parkway Specific Area Plan (SAP) was adopted in the 1970's; the southerly portion of the site was designated as "open space." The SAP includes specific policy direction in regards to fitting higher density development into areas where there are existing single-family neighborhoods as follows: "When a proposed multiple family residential development is near an existing single family or lower density multiple family development, the Planning Commission shall require appropriate transition elements in the approved development plan, such as landscape buffers, building setbacks equal to or larger than those required in a adjacent zone district, minimization of grade differences to avoid visual impact and loss of privacy, different types of units which are more compatible with those existing on adjacent property, lower density assembly of small parcels into one large design flexibility, provision of project access from collector streets rather than existing residential streets."

The two-acre parcel that is designated open space is partially graded and is part of the existing storage facility. The open space designated was intended to provide a buffer between development and the hiking trail. Placement of units along and down the hill is not in keeping with policy of preserving open space areas as buffers. The volume and location of the proposed structures is not in keeping with the SAP in that the area is to serve as a buffer between the hiking trail and the surrounding lower density development.

b. **The proposed PUD Plan development can be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities;**

The proposed plan development is immediately adjacent to a shopping centers and in walking distance to existing restaurants, a movie theater and bus routes. In addition the area is largely developed except for this site, therefore all utilities are existing. However the project did not include adequate connection between the project and the commercial shopping center since there are no sidewalks on both sides of the street due to site plan constraints. There is no internal connection between the development and the shopping center requiring residents in the uppermost portion of the site to walk a great distance down or uphill to reach Muir Road or their residence after visiting the shopping center. As proposed the Plan Development cannot be adequately, conveniently or reasonably be served by public services because of the topography and layout of the site as well as distance for residents on a limited pathway that is not directly connected to the shopping center.

c. **Streets and pedestrian facilities adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development;**

While the existing streets are improved to carry vehicular traffic from this site, there is no on-street guest parking and the allocation of guest parking is

unevenly distributed.

d. **The proposed PUD Plan development concepts are reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is physically suitable for the type and density/intensity of development being proposed, adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title;**

The site is a 6.8 acre site and is well suited for development of this type. The property is largely vacant with no permanent structures. Although it has been improved with some utilities and graded to accommodate the existing RV storage that occupies the site. The layout as proposed creates a development built along the edges of the site with three story structures, high retaining walls and narrow streets. The applicant proposes a dense development laid out in a fashion that results in limited private open space, visual impacts along the property line and long cavernous streets leading to limited opportunities for pedestrians and therefore as proposed is not suitable to the site.

e. **The proposed PUD Plan would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications;**

The project site plan is not appropriate in that the site has been laid out with no proposed changes to the topography of the site. The end result is a long snaking street with units placed along the edges of the street and along property lines. The applicant has requested exceptions to the height limitation and setbacks to accommodate this design. The applicant proposes a development with three story structures and "tuck under" parking which is appropriate design for infill developments and could be achieved by proposing a site plan that included grading of the site to accommodate more units in the center of the site and buffers for the adjacent properties and the hiking trail. As proposed the site is designed in a manner that is not sensitive to the adjacent properties, due to the placement of units along property lines, building of retaining walls along property lines with little or no landscape buffers and lack of private and public open space this project cannot be considered of superior quality.

f. **The location, access, density/building intensity, size and type of uses proposed in the PUD Plan are compatible with the existing and future land uses in the surrounding neighborhood.**

This infill site and its location would be appropriate for this building type and density. The development proposal is not compatible with existing development in the area because it proposes structures along property boundaries with large retaining walls, no buffer and limited to no landscaping in addition there is no

private open space except for small balconies and public open space is provided along the hillside. There will be a long term impact on existing and future land uses in the surrounding neighborhood because of the visual impacts and inadequate private and public open space on the site.

5. All the findings contained above are part and parcel of this Resolution and are incorporated herein by this reference.

NOW, BE IT FURTHER RESOLVED that the Planning Commission recommends to the City Council the exemption of the proposed Mitigated Negative Declaration for the purposes of denial and recommends denial of an amendment to the General Plan and Zoning Map, adoption of a Planned Unit Development (PUD) overlay district, and approval of a PUD plan and vesting tentative map for the development of a up to 80 attached single family and 2 single family homes.

* * * * * * * * * *

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 13 of November 2012:

AYES: Burt, Ford, Keller, Glover & Allen

NOES: Waggener

ABSENT: Kelly & Blair

ABSTAINED:

BY: _____
Corey M. Simon
Senior Planner/Clerk Pro Tem

F:\Community Development\All Projects\MAJOR SUBDIVIONS\Sub-9263 - Townhomes at Laurel Knoll-Discovery Builders\Laurel Knoll - PC-2012 08/14 RESO-deny doc

ATTACHMENT #5

RESOLUTION NO. -13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARTINEZ DENYING AN AMENDMENT TO THE GENERAL PLAN AND DENYING AN AMENDMENT TO THE ZONING MAP TO PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT, A PUD PLAN AND VESTING TENTATIVE MAP FOR THE DEVELOPMENT OF UP TO 80 ATTACHED SINGLE FAMILY AND 2 SINGLE FAMILY HOMES (PLANNED UNIT DEVELOPMENT ("LAUREL KNOLLS") ON 6.83 ACRE, PARCEL LOCATED AT 370 MUIR STATION ROAD (APN: 162-263-006 & 009) GPA #09-01, REZ #09-01, PUD #09-01, SUB#9263)

WHEREAS, the City of Martinez has received a request for a General Plan Amendment for approximately 2 acres of the project site from the (John Muir Parkway Specific Area Plan) designation of "Open Space" to "Residential: 7-12 Units/Gross Acre"; and to rezone the entire 6.83 acre site from R-40; (Single family residential, 40,000 sq. ft. minimum site area) to R-3.5/PUD overly (Family Residential, minimum 3,500 square feet per dwelling unit) Planned Unit Development Overlay; and PUD plan/Vesting Tentative Map for the construction of up to 80 attached single family development and 2 single family homes; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noted public hearing on August 14, 2012 and October 23, 2012, and listened to testimony from the public; and

WHEREAS, the Planning Commission of the City of Martinez held a duly noted public hearing on November 13, 2012 and listened to testimony from the public and recommended to the City Council denial of an amendment to the General Plan and Zoning Map, Adoption of a Planned Unit Development Overlay District and a Vesting Tentative Map for Development of up to 80 townhomes and 2 single family homes; and

WHEREAS, the City Council of the City of Martinez held a duly noted public hearing on March 20, 2013 and listened to testimony from the public and requested additional information from the applicant and continued the hearing.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Martinez finds and 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; and

2. That pursuant to The Guidelines adopted pursuant to the California Environmental Quality Act (CEQA), California Code of Regulations Title 14, Chapter 3, Section 15270 this project is exempt from CEQA due to the fact that CEQA does not apply to project which a public agency rejects or disapprove; and

3. The City Council denies the requested General Plan Amendment 09-01 requesting an amendment from the designation of Open Space to Residential 7-12 Units/Gross Acres on the southerly two acres of the project site as the location of the proposed units shown on the site plan are inconsistent with the intent of the existing Open Space designation, which is to provide a buffer between the California Hiking and Riding Trail and low density single family homes to the south and the northerly portion site already designated for medium density housing. The current proposal would therefore not be compatible with the surrounding neighborhood and therefore not in the public interest; and

4. The City Council denies Rezone 09-01 to rezone the entire 6.83 acre site from R-40 to the requested R-3.5/PUD Zoning District, as the maximum permitted density allowed under the proposed R-3.5 Base Zoning Designation would not be consistent with the General Plan or the surrounding neighborhood, and the PUD site plan with its proposed PUD overlay zoning district is not of superior quality when compared to development conforming to the R-3.5 Zoning District's conventional development standards.

5. The City Council denies the Planned Unit Development (PUD) Overlay District and PUD plan, with the requested exceptions to the R-3.5 Zoning District that are being proposed with Subdivision #9263 based on the following findings:

a. **The proposed PUD Plan development is not in conformance with the applicable goals and policies of the general plan and any applicable specific plan;**

   The John Muir Parkway Specific Area Plan (SAP) was adopted in the 1970's; the southerly portion of the site was designated as "open space." The SAP includes specific policy direction in regards to fitting higher density development into areas where there are existing single-family neighborhoods as follows: "When a proposed multiple family residential development is near an existing single family or lower density multiple family development, the Planning Commission shall require appropriate transition elements in the approved development plan, such as landscape buffers, building setbacks equal to or larger than those required in a

adjacent zone district, minimization of grade differences to avoid visual impact and loss of privacy, different types of units which are more compatible with those existing on adjacent property, lower density assembly of small parcels into one large design flexibility, provision of project access from collector streets rather than existing residential streets."

The two-acre parcel that is designated open space is partially graded and is part of the existing storage facility. The open space designated was intended to provide a buffer between development and the hiking trail. Placement of units along and down the hill is not in keeping with policy of preserving open space areas as buffers. The volume and location of the proposed structures is not in keeping with the SAP in that the area is to serve as a buffer between the hiking trail and the surrounding lower density development.

b. **The proposed PUD Plan development as designed can not be adequately, conveniently, and reasonably served by public conveniences, facilities, services, and utilities;**

The proposed planned development is immediately adjacent to a shopping center and in walking distance to existing restaurants, a movie theater and bus routes. In addition, the area is largely developed except for this site, therefore all utilities are existing. However the project did not include adequate connection between the project and the commercial shopping center since there are not sidewalks proposed on both sides of the street due constraints of the proposed site plan. There is no internal connection between the development and the shopping center. This would require residents in the uppermost portion of the site to walk a great distance down or uphill to reach Muir Road or their residence after visiting the shopping center. As proposed the Planned Development cannot be adequately, conveniently or reasonably be served by public services because of the topography and layout of the site as well as distance for residents on a limited pathway that is not directly connected to the shopping center.

c. **Streets and pedestrian facilities are not adequate in width and pavement type to carry the quantity and type of traffic expected to be generated by the proposed development;**

While the existing streets are improved to carry vehicular traffic from this site, there is limited on-street guest parking and the allocation of guest parking for the site is unevenly distributed.

d. **The proposed PUD Plan development concepts are not reasonably suited to the specific characteristics of the site and the surrounding neighborhood and the site is not physically suitable for the type and density/intensity of development being proposed, adequate in shape and size to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by this title;**

The property is largely vacant with no permanent structures. Although it has been improved with some utilities and graded to accommodate the existing RV storage that occupies the site. The layout as proposed creates a development built along the edges of the site with three story structures, high retaining walls and narrow streets. The applicant proposes a dense development laid out in a fashion resulting in limited private open space, visual impacts along the property line and long cavernous streets leading to limited opportunities for pedestrians and therefore as proposed the development is not suitable to the site.

e. **The proposed PUD Plan would not produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than might otherwise occur from more traditional development applications;**

The project site plan is not appropriate in that the site has been laid out with no proposed changes to the topography of the site, placing three story buildings at the perimeter of the site and thus intensifying the potential conflict between surrounding open space and lower intensity uses. The center of the site would remain a previously graded hilltop with little vegetation. The result of retaining the existing but unnatural landform is a long snaking street with units placed along the edges of the street and immediately adjacent to neighboring properties. The applicant has requested exceptions to the normal R-3.5 District’s height limitations to allow three story structures to accommodate this design. As proposed

the site is designed in a manner that is not sensitive to the adjacent properties, due to the placement of units along their property lines, building of retaining walls along property lines with little or no landscape buffers and lack of private and public open space. Therefore, the proposed PUD plan cannot be considered of superior quality.

f. **The location, access, density/building intensity, size and type of uses proposed in the PUD Plan are not compatible with the existing and future land uses in the surrounding neighborhood.**

This infill site and its location would be appropriate for this building type and density. However, the development proposal is not compatible with existing development in the area because it proposes structures along property boundaries with large retaining walls, no buffer and limited to no landscaping in addition there is no private open space except for small balconies and public open space is provided along the hillside. There will be a long term impact on existing and future land uses in the surrounding neighborhood because of the visual impacts and inadequate private and public open space on the site.

* * * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting thereof held on the 15th day of May, 2013:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

ATTACHMENT #6

May 8, 2013

RECEIVED
MAY 8 2013
CITY OF MARTINEZ
CITY CLERKS OFFICE

City Council
City of Martinez
525 Henrietta St
Martinez, CA 94553

RE: Petition To Stop Approval of Laurel Knowles As Proposed

Dear City Council Members:

My name is Johlene Martin and I am a long time resident of Alhambra Way near the intersection of Pleasant Hill Road East and Muir Station Road. I attended your March 20th meeting where I learned the details of the Laurel Knowles Development Project. I reviewed the Initial Study and am in opposition to the project.

Enclosed please find a written petition with many signatures of residences of Martinez also in opposition of the proposed Laurel Knowles Development Project. I strongly encourage you to reconsider your decision and vote NO on this new development.

Thank you,

Johlene Martin

Johlene Martin

Petition to Block Laurel Knolls Contruction

Background: City of Martinez is considering approving a proposal to allow construction of 80 attached single family homes and 2 single family homes located between Nob Hill Shopping Center and Grace Episcopal Church along Muir Station Road in Martinez. By the City's approval, this would allow the rezoning of 2 acres from "Open Space" to "Residential" and rezone 6.83 acre from R-40 to R3.5/PUD.

Petition Purpose: The Initial Study (CEQA) which was prepared for the purpose of assessing the environmental impacts did not adequately address the the impacts to (1) Transportation/Traffic, (2) Geology/Soils, (3) Aesthetics, (4) Pulic Services, and (5) Biological Resources

Impact as Proposed: (1) By approving the proposal as is, the citizens of the appurtenant roads (Alhambra Way & Pleasant Hill Road East) will experience an increase in traffic from homeowners using Pleasant Hill Road East and Alhambra Way to get to other parts of the city which is an area already impacted by the public using these roads as a shortcut. (2) Erosion in the area is already a concern in the area. By approving construction, existing homeowners along Muir Station Road and ~~Donnelly Way~~ DONNALEY CT. (off of Pleasant Hill Road East) will be impacted. (3) Aesthetically, the building of 3 story attached single family units will alter the skyline and view from the existing long-time residents of the area and will become an eye-sore visual from Highway 4. (4) Public Services were not adequately addressed. Contra Costa Fire Protection District is currently in a financial hardship and is decreasing stations, a problem which is occuring in neighboring "Mutual Aid" Fire Departments as well. (5) Biological Resources were not considered as a cummilative impact. By developing yet another "open space" and allowing the construction removes viable habitat.

Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address
1	Ashleigh Leal		4441 Alhambra Way Mtz. 94553
2	MICHAEL ANN		4440 ALHAMBRA WAY MTZ 94553
3	JOSEPH P. ANN		4440 ALHAMBRA WAY MTZ 94553
4	Nancy McGuire	Nancy McGuire	4451 Alhambra Way Mtz 94553
5	Mary Cook	Mary Cook	4461 Alhambra Way, Mtz
6	MAUREEN J. HOGAN	Maureen J. Hogan	4470 Alhambra Way Mtz.
7	W.R. SHARKEY III		4551 ALHAMBRA WAY, MTZ
8	CARROL JEANNE SHARKEY		4551 ALHAMBRA WAY MTZ
9	Paul J Parepinto	Paul Parepinto	4531 Alhambra Way Mtz.
10	ANDREW LUKUS		4530 ALHAMBRA WAY MTZ 94553

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
11	Bill Adamo	Bill Adamo	Martinez 94553 4555 Alhambra Way
12	Kelly Cady	K. Cady	4521 Grothman Ln
13	Doreen Watson	Doreen Watson	4515 Grothman Lane
14	Brent Watson	Brent Watson	4515 Grothman lane
15	JOHLENE E. MARTIN	Johlene E. Martin	4450 ALHAMBRA WAY
16	Rosemary Cady	R. Cady	4521 Grothman Lane
17	PATRICIA CORA	Patricia Cora	4701 Tahoe Circle
18	Kristina Gery	Kristina Gery	4545 Grothman Lane
19	MICHAEL GERY	[illegible]	4545 GROTHMAN LANE
20	Lawrence Schonberg	Lawrence Schonberg	4520 Grothman Lane
21	Diane Aita	diane aita	4440 Alhambra Way
22	Earl Heaps	Earl Heaps	4511 Alhambra Way
23	STEVE BARAMAT	Steve Baramat	3024 LASSEN ROAD
24	Deborah Long	Deborah Long	2984 Upton Rd Mtz
25	TODD LONG	[illegible]	" " "
26	Martha Joseph	Martha E Joseph	4601 Tahoe Dr. Martinez
27	Charlotte Ginn	Charlotte Ginn	4425 Pleasant Hill Rd East Mtz
28	THOMAS J COOK	Thomas J. Cook	4461 ALHAMBRA WAY MTZ
29	RACHEL ASTON	[illegible]	4460 Alhambra Way Mtz

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
30	Ryan Aston	Ryan Aston	4460 Alhambra Way Martinez, CA 94553
31	Maureen French	Maureen L. French	4724 Tahoe Circle Martinez, CA 94556
32	Karin Sloper	[illegible]	10 Barber Lane Martinez Ca 94553
33	Laurie Aston	Laurie Aston	4460 Alhambra Way Mtz 94553
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Collected by Ed Hamilton

Petition to Block Laurel Knolls Contruction

Background: City of Martinez is considering approving a proposal to allow construction of 80 attached single family homes and 2 single family homes located between Nob Hill Shopping Center and Grace Episcopal Church along Muir Station Road in Martinez. By the City's approval, this would allow the rezoning of 2 acres from "Open Space" to "Residential" and rezone 6.83 acre from R-40 to R3.5/PUD.

Petition Purpose: The Initial Study (CEQA) which was prepared for the purpose of assessing the environmental impacts did not adequately address the the impacts to (1) Transportation/Traffic, (2) Geology/Soils, (3) Aesthetics, (4) Pulic Services, and (5) Biological Resources

Impact as Proposed: (1) By approving the proposal as is, the citizens of the appurtenant roads (Alhambra Way & Pleasant Hill Road East) will experience an increase in traffic from homeowners using Pleasant Hill Road East and Alhambra Way to get to other parts of the city which is an area already impacted by the public using these roads as a shortcut. (2) Erosion in the area is already a concern in the area. By approving construction, existing homeowners along Muir Station Road and ~~Donnelly Way~~ Donalen Ct. (off of Pleasant Hill Road East) will be impacted. (3) Aesthetically, the building of 3 story attached single family units will alter the skyline and view from the existing long-time residents of the area and will become an eye-sore visual from Highway 4. (4) Public Services were not adequately addressed. Contra Costa Fire Protection District is currently in a financial hardship and is decreasing stations, a problem which is occuring in neighboring "Mutual Aid" Fire Departments as well. (5) Biological Resources were not considered as a cummilative impact. By developing yet another "open space" and allowing the construction removes viable habitat.

Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address	Email
1	SUSAN RICHMAN	Susan Richman	4269 ALHAMBRA WAY MARTINEZ	
2	NICK SICOWKONSKI	[illegible]	4219 ALHAMBRA WAY MARTINEZ	
3	JIM McGUIRE	Jim McGuire	4129 ALHAMBRA WAY MARTINEZ, CA	
4	Jeanette Bunch	Jeanette Bunch	4119 Alhambra Way Martinez, CA	
5	DONNA M. WILSON	Donna M. Wilson	4109 alhambra Way Martinez, Ca 94553	
6	CARLOS B. LOPEZ	Carlos B. Lopez	4109 ALHAMBRA WAY MARTINEZ CA 94553	
7	MARLIT KRAUSE	Marlit Krause	159 ARANA DR. MARTINEZ, CA 94553.	
8	Patricia Dempster	Patricia Dempster	641 Walnut Ave Martinez Ca 94553	
9	JULIE BOLSTAD	Julie Bolstad	628 Walnut Ave Martinez, Ca	
10	SCOTT BOLSTAD	S Bolstad	628 WALNUT AVE. Martinez, Ca	
11	Randy Niles	[illegible]	628 Walnut Ave	
12	RAY WILLIAMS	Ray Williams	634 WALNUT AVE Martinez Ca 94553	
13	Brittany Williams	Brittany Williams	634 Walnut Ave Martinez	
14	Kristina Williams	Kristina Williams	634 Walnut Ave, Martinez Ca 94553	

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address	Email
15	MARIE THOMPSON	Marie Thompson	4208 Alhambra Way	
16	Rick Carpenter	[illegible]	3950 Alhambra Way	
17	Kristi Carpenter	K Carpenter	3950 Alhambra Way	
18	C. M. STATON	C. Staton	4232 " "	
19	Erika Dougnerty	[illegible]	4040 Alhambra Way #2	
20	Forest Cardoble	[illegible]	4032 Alhambra Way #2	
21	NANCY SALTER	Nancy Salter	4040 Alhambra Way #3	
22	Edward Ogaressian	Edward Ogaressian	4040 Alhambra Way #4	
23	Briana Page	Briana Page	4040 Alhambra Way #5	
24	Jeff Johnson	[illegible]	4040 Alhambra Way #5	
25	Joyce Miller	Joyce Miller	4040 Alhambra Way #5	
26	Helen E Hamilton	Helen E. Hamilton	4032 Alhambra Way #5	
27	Dolores Gibbs	Dolores Gibbs	4032 Alhambra Way #4	
28	DUSTIN BONO	Dustin Bono	4032 Alhambra Way #3	
29	Susan Ogaressian	Susan Ogaressian	4040 Alhambra Way #4	
30	Jenny Starmack	J. Starmack	1250 #3 Escobar St, Martinez 94553	
31	Wendy VanWinkle	Wendy VanWinkle	3920 Alhambra Way	
32	Claire Carr	[illegible]	1038 LINDEN LN.	
33	PAUL CARR	[illegible]	1038 LINDEN LN	
34	[illegible]	Len Temple	626 Linden Lane	
35	Hillary Duarte	Hillary Duarte	620 linden lane	
36	Mark Duarte	Mark Duarte	620 Linden Lane	
37	Joel Dolcwich	Joel Dolcwich	603 Linden Lane	

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address	Email
38	JOE MCGOWAN	[illegible]	611 LINDEN LANE MARTINEZ, CA.	
39	Tim Mayo	[illegible]	627 Linden Ln Martinez CA 94553	
40	Robin Sullivan	[illegible]	134 Dardanelle DR	
41	Diana Abbott	[illegible]	647 Linden Lane, Mtz	
42	T Grover	[illegible]	651 Linden Lane Mtz	
43	FRED GARDNER	[illegible]	3851 ALHAMBRA WAY	
44	Lloyd Gibson	[illegible]	3551 Alhambra way	
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Petition to Block Laurel Knolls Contruction

Background: City of Martinez is considering approving a proposal to allow construction of 80 attached single family homes and 2 single family homes located between Nob Hill Shopping Center and Grace Episcopal Church along Muir Station Road in Martinez. By the City's approval, this would allow the rezoning of 2 acres from "Open Space" to "Residential" and rezone 6.83 acre from R-40 to R3.5/PUD.

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Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address
1	Mary E Smith	Mary E Smith	3910 Alhambra Wy MTZ
2	WANDA F. BOWEN	Wanda F Bowen	61 Nutwood Rd Martinez 94553
3	Sharon Kelly	Sharon Kelly	536 Palm Ave. 94553
4	Joan Stockinger	[illegible]	1531 Grandview Av Mtz, 94553
5	Geraldine Melin	Geraldine A. Melin	442 Blue Ridge Dr, Mtz 94553
6	JOYCE LINDQUIST	Joyce Lindquist	307 ADA DR PACHECO 94553
7	Mary Ann Campbell	MARY ANN CAMPBELL	970 GETTON DR CONCORD 94518
8	Patricia Marshall	[illegible]	1354 Balhan Dr- Concord CA 94521
9	Diane Hedlund	Diane Hedlund	335 Lake Meadow Ct, Mtz 94553
10	Audrey Haney	Audrey Haney	8 Bosworth Walk, Pl. Hill

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
11	MARIE V. CANANE	Marie V. Canane	1001 CAMINO VERDE CIR WALNUT CREEK 94597
12	Margaret L. Kerns	Margaret L. Kerns	274 St. Moritz Way Martinez CA 94553
13	Jacqueline J. Hillman	Jacqueline Hillman	5155 Alhambra Valley Rd Martinez, Ca 94553
14	DOROTHEA C. JACOBSON	Dorothea C. Jacobson	2220 Olympic Dr. Martinez, CA. 94553
15	MARY LU BURCHARD	Mary Lu Burchard	151 Donaleen Court Martinez, CA 94553
16	Ron Britton	[illegible]	181 Donaleen CT MARTINEZ, CA 94553
17	LOUISE BRITTON	Louise Britton	181 Donaleen Ct Martinez, CA 94553
18	GLENN PARKER	[illegible]	189 DONALEEN CT 94553
19	Peggy Parker	Peggy Parker	189 DONALEEN CT 94553
20	RICHARD B. McLAUGHLIN	Richard B McLaughlin	135 DONALEEN CT 94553
21	Ed Hamilton	[illegible]	edwardhamilton121@comcast.net 121 Donaleen Ct 94553
22	Sabrina Bellat Emigh	[illegible]	4530 Pleasant Hill Rd East Mtz 94553
23	William Andreas	[illegible]	131 Donaleen CT Martinez, CA 94553
24	Bonnie Prato	Bonnie Prato	141 Donaleen Ct Martinez, Ca 94553
25	Jon Prato	JON PRATO	141 DONALEEN CRT. Martinez, Ca 94553
26	Obie ANDERSON	Obie Anderson	185 DONALEEN CT MARTINEZ, CA 94553
27	Connie CHANCE	Connie Chance	4540 P.H. Road East MARTINEZ, CA 94553
28	Jody Sherrard	Jody Sherrard	4550 P.H. Rd E. Martinez CA 94553
29	Bill Sherrard	Bill Sherrard	4550 P.H. Rd E. Martinez CA 94553

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
30	Dana Egite	Dana Egite	4520 Pleasant Hill Rd East Martinez
31	Mike Egite	Mike Egite	(same)
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Petition to Block Laurel Knolls Contruction

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Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address
1	LINDA WEST	Linda West	336 Arcola Street Martinez
2	Sandy Keller	Sandra J. Keller	3 Wanda Way MTZ
3	Rita M Wells	Rita M. Wells	1812 Las Ramblas, Concord.
4	Miriam Flores	Miriam Flores	766 Palm Ave MTZ
5	Frances Lienhart	[illegible]	348 Avenida Flores
6	Noralea Gipper	[illegible]	2221 Castro St Mtz
7	Sharon McGrath	SHARON McGRATH	2440 MONTEREY AVE MTZ
8	NANCY BOURNS	Nancy Bourns	1702 ESTUDILLO ST, MTZ 94553
9	PAMELA G. SMITH	Pamela G. Smith	4206 VALLEY AVE, MTZ 94553
10	Amy Hjortsvang	Amy Hjortsvang	11 Hilltop D. Mtz 94553

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
11	Susan Amspoker		2425 Center Ave Martinez, Ca 94553
12	Linda Pascoe	Linda Pascoe	31 Hilltop Rd. Martinez, CA 94553
13	Jeff Pascoe	Jeffrey R Pascoe	31 Hilltop Road Martinez Ca 94553
14	Wm Jones	Dorothy Jones	40 Hilltop Rd.
15	Albert Dellaker	Albert Dellaker	4790 Venner Rd.
16	Brent Merrell	Brent Merrell	4796 Venner Rd
17	Mary Ann Lindblom	Mary Ann Lindblom	113 Chalk Creek Ct Mtz 94553
18	Helen Tonti	Helen TONTI	1220 GREGORY AVE, MTZ
19	Sharol Benjamson	Sharol Benjamson	2125 Walnut St. Mtz.
20	L. Campbell		2481 Warren Rd 94595
21	Ruth Hook	Ruth Hook	2254 Hidden Lakes Ct 94553
22	Marilyn Bonell	Marilyn Bonell	4851 Tahoe Circle 94553
23	Phillip Kohlmeyer	Phillip Kohlmeyer	508 Center Ave, Martinez, 94553
24	Brent Morrison		508 Center Ave, Martinez 94553
25	Sherry Laird	SHERRY LAIRD	1582 ASHWOOD DR. – MTZ
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27			
28			
29			

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Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address
1	MARILYN McGREER	Marilyn McGreer	4430 Alhambra Way Mtz.
2	Dan Driskell	[illegible]	4400 P.H. Rd. E
3	GREGG ROBERT	Gregg Robert	1001 Ulfinian Way
4	JERRY VAN DYKE	[illegible]	4410 HAGG RD MARTINEZ
5	SANDRA ZNEMMER	[illegible]	2030 LASALLE ST., MARTINEZ
6	Susan Holden	[illegible]	4430 Alhambra Way Mtz
7	Virginia Sullivan	Virginia Sullivan	9 W. Hayward Ct - Mtz
8	LEONARD SULLIVAN	Leonard Sullivan	" " " "
9	Gina Ecker	[illegible]	5 W Hayward Ct Mtz.
10	LEWIS W. PRUITT	Lewis W. Pruitt	10 W. HAYWARD CT., MTZ

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
11	[illegible] O'Hara	[illegible]	10 Laurel Ct Martinez, CA
12	IRENE BERGAMINI	Irene Bergamini	5 Kim Ct MARTINEZ, CA
13	William [illegible]	[illegible]	17 Laurel Ct, Martinez CA
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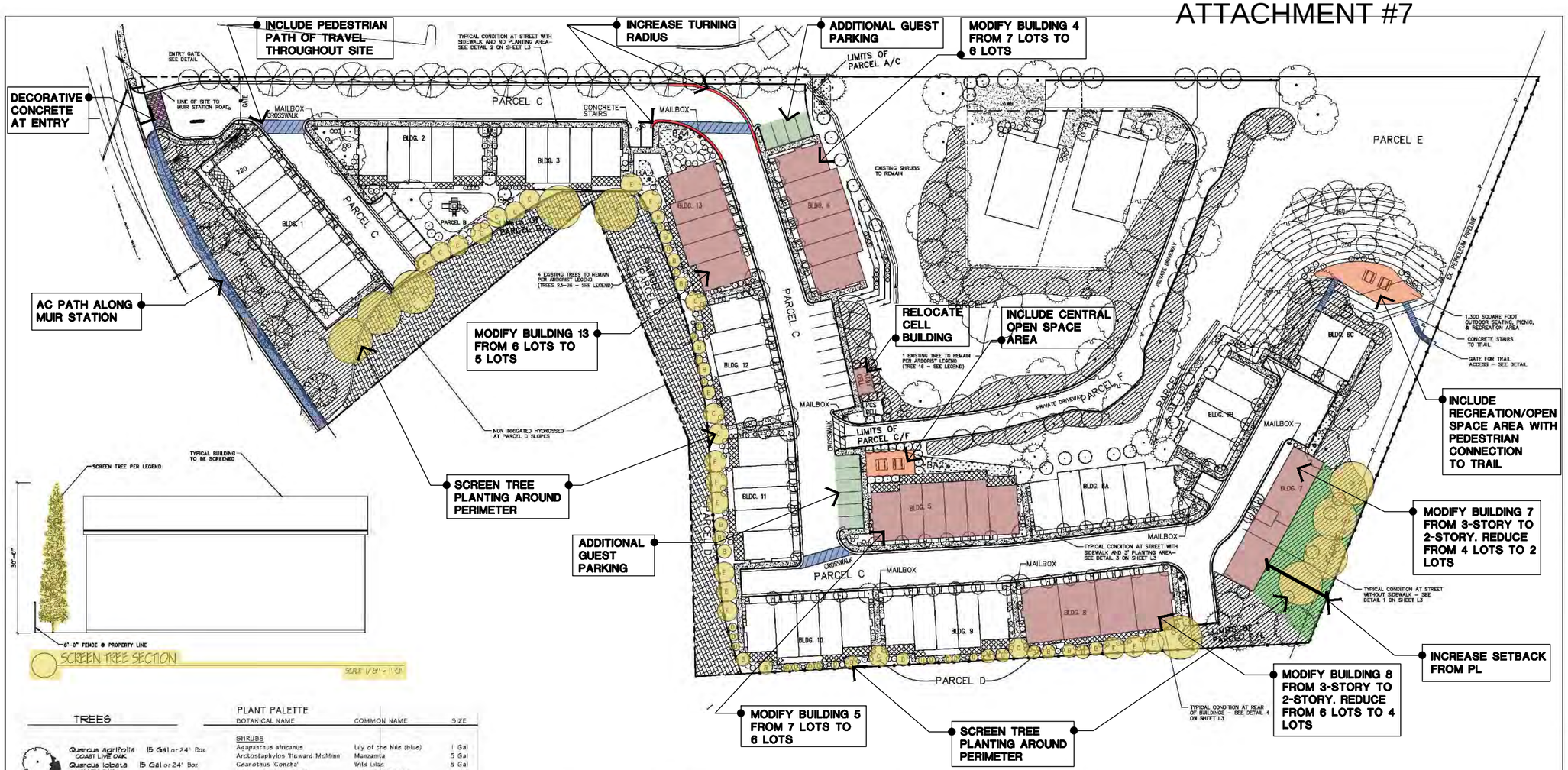
Address: 370 Muir Station Road, Martinez

	Printed Name	Signature	Address
1	Joya Kurmina	[illegible]	608 Plumas Court
2	Linda J. Bell	Linda J Bell	605 Amador Ct.
3	DeRoyce BELL	DeRoyce Bell	605 AMADOR Ct.
4	BARBARA COSTANZA	Barbara Costanza	4935 Tahoe Cir.
5	MICHAEL ALDEN	Michael Alden	611 SONORA CT
6	Mathew Losenko	Mathew Losenko	4717 Tahoe Circle MTZ CA
7	Brownette Hopkins	Brownette Hopkins	615 Calaveras Ct. - Martinez
8	ALFRED HOPKINS Alfred Hopkins	Alfred Hopkins	615 CALAVERAS CT. MARTINEZ
9	DOROTHY ALMOND	Dorothy Almond	91-A MACKIE DR MARTINEZ CA
10			

Petition to Block Laurel Knolls Contruction

	Printed Name	Signature	Address
11	Ralph Holmes	Ralph Holmes	4725 Tahoe Cr. Martinez, CA
12	Stephanie Holmes	Stephanie R Holmes	4725 Tahoe C. Martinez CA
13	Timothy Miller	Timothy Miller	4708 Tahoe Circle Mtz
14	Connie Miller	Connie Miller	4708 Tahoe Circle, Mtz.
15	Gina Bentley	Gina M Bentley	4640 Tahoe Circle MTZ
16	Mark Bentley	Mark V Bentley	4640 Tahoe Circle MTZ
17	Irene Katsuleres	Irene Katsuleres	10 Truitt Av. Mtz
18	Norman Lundberg	[illegible]	4643 Tahoe Dr. Mtz
19	Belinda Schonberg	Belinda Schonberg	4520 Grothman Ln - Martinez
20	Mal Welch	MARK WELCH	4625 TAHOE DR. MTZ
21	BRIAN CONELLO	Brian Conello	4615 TAHOE DR, MTZ
22	Gaye Rathburn	Gaye H. R	605 Calaveras Ct., Martinez
23	DON LAMBERTSON	Don Lambertson	605 Calaveras Ct. Martinez
24	TIM PARIS	Tim Paris	602 Calaveras Ct Mtz
25	Robert BURCHARD	Robert Burchard	151 DONALEEN COURT MARTINEZ CA 94553
26	Betty Jean Hosen 150	Betty Jean Hosenko	4717 Tahoe Cr. Martinez
27	BARRY LAKEMAN	Barry Lakeman	4713 Tahoe Cir. Martinez
28	JOAN MARIETTI	Joan Marietti	4811 Tahoe Cr. Martinez
29	Corinne O'Connor	Corinne O'Connor	615 Plumas Ct. Martinez

ATTACHMENT #7



TREES

- Quercus agrifolia — COAST LIVE OAK — 15 Gal or 24" Box
- Quercus lobata — VALLEY OAK — 15 Gal or 24" Box
- Platanus racemosa — CALIFORNIA SYCAMORE — 15 Gal or 24" Box
- Pistacia chinensis — CHINESE PISTACHE — 15 Gal or 24" Box
- Cedrus deodara — DEODAR CEDAR — 15 Gal or 24" Box
- Sequoia 'Aptos Blue' — REDWOOD — 15 Gal or 24" Box
- Prunus 'Krauter Vesuvius' — PURPLE LEAF PLUM — 15 Gal
- Arbutus marina — STRAWBERRY TREE — 15 Gal
- Cornus kousa 'National' — KOUSA DOGWOOD — 15 Gal
- Lagerstroemia indica — CRAPE MYRTLE — 15 Gal
- Podocarpus gracilior — FERN PINE — 15 Gal

GROUNDCOVER AREAS

PLANT PALETTE

BOTANICAL NAME	COMMON NAME	SIZE
SHRUBS		
Agapanthus africanus	Lily of the Nile (blue)	1 Gal
Arctostaphylos 'Howard McMinn'	Manzanita	5 Gal
Ceanothus 'Concha'	Wild Lilac	5 Gal
Correa 'Carmine Bells'	Australian Fuchsia	5 Gal
Dietes vegeta	Fortnight Lily	5 Gal
Dodonea viscosa	Hopseed Bush	5 Gal
Feijoa sellowiana	Pineapple Guava	5 Gal
Grevillea 'Noelii'	Grevillea	5 Gal
Hemerocallis hybrids	Daylily	5 Gal
Heteromeles arbutifolia	Toyon	5 Gal
Lantana montevidensis	Lantana	1 Gal
Lavandula angustifolia	English Lavender	1 Gal
Loropetalum 'Razzleberry'	Loropetalum	5 Gal
Nandina domestica	Heavenly Bamboo	5 Gal
Photinia fraseri	Photinia	5 Gal
Pittosporum tobira	Pittosporum	5 Gal
Prunus ilicifolia	Hollyleaf Cherry	5 Gal
Rhaphiolepis 'Spring Rapture'	India Hawthorn	5 Gal
Salvia leucantha	Mexican Bush Sage	5 Gal
Trachelospermum jasminoides	Star Jasmine	1 Gal
Viburnum davidii	Viburnum	1 Gal
Xylosma congestum	Shiny Xylosma	5 Gal
VINES		
Distictis buccinatoria	Red Trumpet Vine	5 Gal
Jasminum polyanthum	Jasmine	5 Gal
GROUNDCOVERS		
Arctostaphylos uva-ursi	Kinnikinnick	1 Gal @ 30" o.c.
Coprosma kirkii	Coprosma	1 Gal @ 4' o.c.
Gazania 'Mitsuwa Yellow'	Gazania	Flats @ 12" o.c.
Myoporum 'Putah Creek #2'	Myoporum	Flats @ 36" o.c.
Rosa 'Rosy Carpet'	Carpet Rose (deep pink)	1 Gal @ 36" o.c.
Verbena tapiens	Moss Verbena	Flats @ 24" o.c.

NOTES:

ALL PLANTING AREAS SHALL BE IRRIGATED WITH AUTOMATIC WATER CONSERVING IRRIGATION SYSTEM IN COMPLIANCE WITH THE CITY OF MARTINEZ WATER CONSERVATION ORDINANCE. ALL PLANTING AND IRRIGATION OPERATIONS SHALL COMPLY WITH THE CITY OF MARTINEZ STANDARD SPECIFICATIONS AND LANDSCAPE GUIDELINES.

EXISTING TREE LEGEND

ALL TREES LISTED SHALL REMAIN IN FINAL DEVELOPMENT

NUMBER	SPECIES
16	COAST LIVE OAK
23	COAST LIVE OAK
24	CALIFORNIA BUCKEYE
25	COAST LIVE OAK
26	MONTEREY PINE

HYDROSEED LEGEND

NATIVE ORNAMENTAL ROSEMUIR MIX

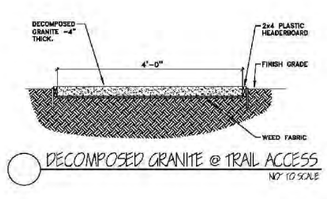
LBS/ACRE	SPECIES/COMMON NAME – 80 LBS PER ACRE
30	FESTUCA RUBRA MOLATE – MOLATE BLUE FESCUE
20	FESTUCA OCCIDENTALIS – WESTERN FESCUE
20	FESTUCA IDAHOENSIS – IDAHO FESCUE
5	DESCHAMPSIA CAESPITOSA HOURSMANE – CALIFORNIA HAIRGRASS
2	CAREX PRAEGRACILIS – DUNE BED SEDGE

SCREEN TREE LEGEND

A	15 gal.	Cedrus Deodara	Deodar Cedar
B	15 gal.	Cupressocyparis Leylandii	Leyland Cypress
C	15 gal.	Cupressus Arizonica	Arizona Cypress
D	15 gal.	Cupressus Sempervirens	Italian Cypress
E	15 gal.	Thuja p. 'Spring Grove'	Western Red Cedar

SITE AMENITIES

- PLAY EQUIPMENT STRUCTURE FOR PARCEL B. KIDDLER'S CHOICE (P733-002L). AVAILABLE THROUGH HEADSay (www.hopebay.org)
- CMU BLOCK RETAINING WALLS, LOCATED ON BUILDINGS 3, 4, 6A, 6B, & 6C. CMU BLOCK TO BE SPLIT FACE & TAN IN COLOR. SEE DETAIL SHEET L2
- DECOMPOSED GRANITE PATH TO GATE FROM END OF STAIRS – SEE DETAIL SHEET L2
- BROOM FINISHED CONCRETE PATIOS AT BACKS OF UNITS
- BROWN VINYL SLATTED CHAIN LINK FENCE SURROUNDING AT&T & PCS CELL PHONE TOWERS. FINAL DESIGN (HEIGHT, FINISH, COATING, SLATS, GATES, ETC) TO BE SPECIFIED DURING CONSTRUCTION DOCUMENT PHASE BASED ON AT&T & PCS DIRECTION & SPECIFICATIONS. SEE DETAIL SHEET L2
- WIRE MESH VIEW FENCE AT PERIMETER OF SITE BEHIND BUILDINGS 7, 8, 9, 10, 11, 12, & 13 SEE DETAIL SHEET L2
- REDWOOD GOOD NEIGHBOR FENCE AT NORTH PERIMETER OF SITE – AT ALL AREAS NOT NOTED ABOVE. FENCE SHALL HAVE MONUMENT POSTS EVERY 20 FEET – SEE DETAIL SHEET L2
- SURFACE MOUNT PICNIC TABLE – SEE DETAIL SHEET L2
- DECORATIVE CONCRETE AT ENTRY – DEEP SCORE 1'-0" O.C. DIAGONAL EACH WAY. CONCRETE SHALL BE BROWNISH IN COLOR.



DECOMPOSED GRANITE @ TRAIL ACCESS
NOT TO SCALE

REVISIONS	BY
5/16/10	JW
6/22/10	JW
7/2/10	JW
2/29/12-1ST DRB	JW
3/2/12-2ND DRB	JW

LANDSCAPE ARCHITECTURE AND DESIGN SERVICES
2029 PALOMA AVE.
CONCORD, CA 94520
(209) 958-9065 Office (209) 320-0707 Fax
UTOPIAN LANDSCAPES

REGISTERED LANDSCAPE ARCHITECT
No. 3948
Stephen A. Ward
Signature
Date of Registration
Seal
STATE OF CALIFORNIA

DISCOVERY BUILDERS INC.
4061 PORT CHICAGO HWY
CONCORD, CA
CLIENT

CONCEPTUAL LANDSCAPE PLAN
SHEET TITLE

TOWN HOMES AT LAUREL KNOLL
MARTINEZ, CA
PROJECT

DATE	3/1/12
SCALE	1" = 30'
DRAWN	JW

SHEET
L1
OF 3 SHEETS