

Planning Commission  
Regular Meeting  
October 28, 2014  
Martinez, CA

**CALL TO ORDER**

Vice Chair Sigrid Waggener called the meeting to order at 7:00 p.m. with all members present except Alternate James Blair.

**ROLL CALL**

PRESENT: Donna Allen, Commissioner, Dwayne Glemser, Commissioner, Kimberley Glover, Commissioner, Jeffrey Keller, Commissioner, Paul Kelly, Commissioner, Gabriel Lemus, Commissioner, and Sigrid Waggener, Commissioner.

EXCUSED: None.

ABSENT: James Blair, Commissioner (Alternate).

Staff present: Planning Manager Dina Tasini, Senior Planner Corey Simon; and City Attorney Veronica Nebb.

**AGENDA CHANGES**

None.

Planning Manager Dina Tasini swore in new Commissioner, Gabriel Lemus.

**PUBLIC COMMENT**

None.

**CONSENT ITEMS**

1. *Minutes of March 11, 2014, meeting.*

On motion by Jeffrey Keller, Commissioner, seconded by Dwayne Glemser, Commissioner, to approve the Minutes of the March 11, 2014, meeting. Motion unanimously passed 6 - 0. Yes: Dwayne Glemser, Commissioner Kimberley Glover, Commissioner Jeffrey Keller, Commissioner Paul Kelly, Commissioner Gabriel Lemus, Commissioner, Sigrid Waggener, Commissioner, Abstain: Donna Allen, Commissioner.

**REGULAR ITEMS**

2. Pine Meadow Subdivision - Sub #9358 (13PLN-0028)

Planning Manager Dina Tasini presented the staff report, discussing the site context, location, application details, Hidden Lakes Specific Area Plan, General Plan Amendment, Environmental

review including Negative Declaration, comment letters received, and Response to Comment document.

Steve McMurtry, De Novo Environmental consultant, discussed the CEQA process and why the Mitigated Negative Declaration was the appropriate environmental analysis and no significant impacts were found therefore an Environmental Impact Report (EIR) is not required. He also explained some of the background and analysis contained in the mitigated negative mitigated negative declaration.

Ms. Tasini continued her report, noting an error related to the General Plan amendment (Section 21.21), and the City Attorney's determination that the map itself is the amendment so the text changes are not necessary. She added that the section on page 62 of the Initial Study will read, "the land use change is not in conflict with the intent of this policy because the site does not have natural conditions such as steep or potentially unstable slope, hazardous geological conditions, watershed stability and flood hazards, seismic hazard and fire hazard, which constitute major constraints to development and/or threats to life or property."

She also discussed the project's consistency with the Hidden Lakes Specific Plan, and the proposed change to the development standards and a request for Planned Unit Development.

Commissioner Allen noted for the record that she has talked to the developer (applicant) but it has nothing to do with her opinion of the project. She discussed the work of the General Plan Task Force and proposals they had made regarding this site. She expressed concern about the ratio of recreational uses to residential properties, and how the change of this site will reduce that ratio.

Commissioner Allen also disagreed with a statement made to the effect that the goal of the specific plan is to preserve the knolls, and natural habitat. She noted that the first goal of the Hidden Lakes Specific Area Plan is to preserve large masses of permanent open space areas for their ecological environmental, aesthetic and recreational values. She applauded the applicant at his efforts for public outreach but felt it would have been more beneficial to approach the public prior to their developing the plan. Need for density analysis to see whether density is available in Specific Plan area.

Commissioner Allen continued to discuss the Planned Unit Development (PUD), and stated that the reason for a PUD is to integrate development and allow greater flexibility. Acknowledged developer did try to match what is in the area, but...discussed many development standard changes requested...PUD is not supposed to be used to increase developer potential. Very concerned about density, contention that site was considered a "holding zone".

Commissioner Glemser said he also met with DeNova Homes prior to this meeting to review the plans. Commissioner Waggener said she had as well, as part of her due diligence.

Commissioner Keller asked, and staff confirmed that the site's annexation from the County designated the site as open space (carried over from the County) and that later during the Specific Area Plan development the Open Space designation was applied but the scenic

easement was never recorded on this property.

Commissioner Allen asked whether there was a use permit on record. Staff said no, there was none.

Vice Chair Waggener opened the Public Hearing.

Developer Dave Samson, DeNova Homes, agreed with the staff report and project details. He noted that the full development team was present to respond to questions that are raised. He also indicated he would like to comment further after the public speaks to respond to their comments and questions. He briefly discussed the history of the site as a golf course, as well as original zoning as residential, and the community meetings that were held and changes made as a result of public input. He added that the Golf Course was developed because it was the owners' desire, but it is no longer economically feasible.

Mike Evans, Project Manager, gave an overview of the project including changes made in response to community input, the proposed streetscape, landscaping and street cross-sections.

Commissioner Kelly asked what parcel would have the pedestrian parkway and what parcels are used for bio retention and or slopes that are too great and will remain undeveloped, which Mr. Evans pointed out on the plans.

JAMIE FOX, Martinez resident, commented on the age of the General Plan, whether amendments are allowed, other recreational uses that would be appropriate for the site,, the beauty of the natural habitat (not an eyesore), and he warned that a lawsuit could result if the project moves forward as it is.

HARRIETT BURT, former Planning Commissioner, discussed the importance of preserving history. She noted that the General Plan was considered outdated when she began on the Planning Commission in 1999. She expressed concern about continuing to amending it. She noted that this project was supposedly begun in 2008 before the General Plan Task Force was formed.

STEVE GALLO said the development plan is good and in keeping with neighboring uses. He also expressed appreciation for the proposed parks. He was supportive of the project.

(KERRY KILMER waived his (her? time.)

JIM NEU said the Planned Unit Development is too dense and ambitious for the site. He was also concerned about the water use and fire district impacts. He asked the Planning Commission not to support.

ROBIN HOUDASHELL discussed the history of the site, noting that the pond onsite was covered over and the horse trail was covered over. She would prefer that this site be designated permanent open space, as shown on the General Plan. She reminded the Commission that the

bottom line should not be money.

MONICA SANDERS noted that the game of golf is used to teach life skills to children in the community and offers multi-generational recreation - even senior citizens can play. She expressed understanding of the financial feasibility issue, but commented on community impacts. She also asked how many more high density developments Martinez can handle. She added that public seems to support leaving the site as open space.

PATRICIA THAMES said her property backs up to the golf course, and she appreciates the developer's willingness to accommodate the neighbor's concerns. She also noted that no heritage oaks are designated for removal, only eucalyptus trees and others that are dying because they don't fit in the environment. She was concerned about impacts from the Canadian geese and said she would rather have more houses than a strip mall. She commented on costs to the owner for maintaining the area as open space.

DON WILSON, Martinez resident since 1978, said he bought his property because of the golf course, but he acknowledged the owner's rights to develop, reminding everyone that the site is not publicly owned. He felt that those opposed should have supported the golf course more if they wanted the open space to remain.

LAURA INGRASSIA commented on the importance of truth to the issue. The Coward family has spent years trying to find a buyer for the golf course but there were no takers. She discussed all the recreational opportunities in the City, but noted that this is private property should be allowed to be developed. She also discussed benefits to the City from the development.

LYNNE CUPIT, 27 year resident near the golf course, thought the permanent open space should be kept for now. She stated that the General Plan update should be finished first.

MARK THOMSON, General Plan task force member, noted this is a significant change for a very old General Plan. Mayor Schroder had indicated the new General Plan will be ready in early 2015, and this site should be considered as part of that. He also asked the Planning Commission to vote no on the project.

GAY GERLACK asked the Planning Commission to wait and deal with this development after the new General Plan is finished. She suggested a compromise if the owners will consider dividing the property so a portion can be purchased for recreational space with WW money and the balance as residential.

ROBERT LEE, architect, discussed design considerations, including solar, and the consistency with current California codes.

TIM PLATT urged the Planning Commission to keep Pine Meadow as permanent open space. He noted that the current City Council will likely overturn any opposing decision as they did with the Freitas' property. He reviewed the Council's record and the politics of development. He encouraged voters to make a change by electing Mark Thomson and Gay Gerlack to the Council.

HENRY BENTON expressed concern about impacts on street conditions and traffic congestion. He expressed support for a mutual compromise, with partial development but not all.

JOEL CORRAL discussed his desire to be first-time homebuyer and indicated this development would be ideal.

KELLY CALHOUN said her choice to buy in this neighborhood was because of the nearby permanent open space. She thought the existing General Plan should be the only document that should be considered in the environmental review and the Planning Commission's decision. She also agreed there should be a planning committee for deciding changes to the Hidden Lakes Specific Plan, as originally required. She noted that the City Council says preserving Open Space is their goal as well. She asked the Planning Commission to deny the project.

RHONDA BEATTY-GALLO said she was not invited to give input on what she wanted for the site, but only to see what is proposed. She agreed with Commissioner Allen's comments about the need to involve the community in the planning process. She was concerned about increased density, and she urged the Planning Commission to oppose this plan.

MIKE ALFORD expressed concern as to why the neighborhood was not notified 18 months ago when planning for this project began. He agreed that Measure WW money could be used to purchase the golf course as a recreational site. He expressed concern about impacts on streets, traffic, and schools. He also expressed disappointment that Mark Thomsen and Gay Gerlack didn't let the information out either.

MIKE BENSON expressed concern about adequate water supply, electricity, and sewer impacts. He agreed the General Plan update should be done before this development is approved. He was also concerned about developer donations to political campaigns of City Council members.

LYNNE SHAW, Martinez resident since 1960, expressed concern that the City is missing the mark. She pointed out that recreational opportunities abound on only one side of the freeway, but both sides should be included.

SALLY SWEETSER was not sure a golf course should be considered open space, especially if it is privately owned. She stated that if the City were to buy it then it could then be designated permanent open space. She also pointed out that the Hidden Lakes community has more parks than other areas already. She felt the owners should be allowed to sell at fair market value. She expressed concern about the decreasing population in the City, and should encourage more residents. She supported the development and the Planned Unit Development.

FELIX SANCHEZ discussed research he did on the area, noting there are plenty of houses already. He was not sure how developing this property will benefit the downtown, but there will be impacts on traffic, roads, and public transit. He thought the City should buy the property itself and turn it into a park.

CHRIS COWARD DEAN, daughter of the property owners, noted that the golf course lease was up about ten years ago, which she then took over. She commented on money that her family

invested over time, even she and her husband. She also noted that the golf course is now 50 years old, operating with equipment that is 75 years old and it cannot continue. She explained that she asked the City what could be done, and a housing development was suggested. Five years ago the City said it would be interested in buying a portion for a community center, but ultimately was not able. She indicated this has been a torturous decision for the family, but there are no alternatives. She also noted there is a house on the property, so she didn't see how it can be "permanent" open space. She added that the Municipal Code does not have a definition for "permanent private" open space. She felt the family should get some courtesy for their 50-year investment in the City. She also noted that this process began before the General Plan update.

JENNIE DEAN also commented on the heartbreak from the family in deciding to close the golf course, and the decision for a 99-home development was in preference to 180 homes as allowed by the current density. She expressed that the family have tried to involve the community in the decision-making process and to do what is best for City.

GAIL DATRY said she originally thought no development would be better than the open space. She was concerned about traffic impacts and impacts to the City resources. She said she would like to see a compromise plan with a smaller development and the remainder left as permanent public open space.

ARASH RABEAD said open space verbiage is being abused - this is private property owned by business owners who have invested in the community. He urged everyone to work together to find a compromise. If the development is approved, he hopes the opponents will continue to live and work here.

HARLAN STRICKLAND asked about the status of the General Plan, noting he would like to see the update completed. He stated that changes to the General Plan should not be allowed, and government's role should be for the good of the community. The community wants the General Plan update finished first and to see more recreation space. He also asked about potential jobs for the new residents. He cautioned the City not to follow the Antioch development model with all homes, but no jobs.

Seeing no further speakers, Vice Chair Waggener closed the public hearing.

Commissioner Lemur asked for clarification as to whether heritage trees will be cut down. Robert Lee, architect said the oak trees that are proposed for removal are small or medium size trees and the replacement ratio will be greater than 1:1.

Vice Chair Waggener asked about the water supply. Mr. Sanson said there should be adequate water and sewer, especially as compared to golf course water use. He briefly discussed the residential fees that have been paid by property owners, asking why residential fees were charged regularly if permanent open space was the intention.

Mr. Sanson also commented on the importance of public amenities, but he reiterated this is private property. If the City wants to buy this property for private open space, he would support

that, but the City seems to be unable or uninterested. He pointed out that the owners originally did not want a housing development on the property, but finally agreed when other options did not pan out. He also discussed the many projects that his company has worked on in Martinez, adding they have always tried to make their developments fit the community. He also stated that infill projects like this one help revitalize the City and they bring more residents, which in turn help the businesses. He reiterated that this meeting is the beginning of the public process with the City, but he noted that there has been outreach to the public already in community meetings.

Vice Chair Waggener asked about traffic impacts and Mr. Sanson deferred to Civil Engineer Lou Carpenter.

PATRICIA CURTIN reviewed the history of the property, noting that General Plans are blueprints for development and by law can be amended up to four times a year, if findings can be made for the changes. She discussed the base density of the property, noting that this request is less than what is allowed under current General Plan. She acknowledged that the General Plan update would have been nice, but the applicant cannot wait longer (it's already been 8 years). She also indicated that a school capacity study shows that all Martinez schools and at all levels can accommodate additional students.

LOU CARPENTER, DeNova Homes, civil engineer, noted that traffic impacts were considered in the environmental review, and he discussed improvements along the frontage of the project that will result, including traffic controls, sidewalks, etc.

Mr. Sanson asked for Planning Commission support for the project to move forward. He also indicated that development team members would stay after the meeting to answer questions from the public.

Commissioner Kelly asked if the home designs were available. Mr. Sanson said there are conceptual plans in the packet, but further discussion of designs will come later in the process.

Ms. Tasini noted that staff will be glad to bring back further information on the trees, open space project density, and city discussions regarding the purchase of the site. She recommended a continuance to a future date. After brief discussion, all Commissioners indicated Wednesday, November 12th at 7 pm would work. Ms. Tasini asked that the Commissioners keep the current materials until the next meeting.

Commissioner Allen said she was supportive of the property owner rights, but she thought the existing zoning should be upheld. She also said she would like to have as much information on the history of the property. She liked the idea of using WW funds and consideration of a public-private partnership. She indicated she would like to know when and how many sewer connections were paid for.

Commissioner Allen asked when the General Plan Task Force will be meeting again. Ms. Tasini said the General Plan update should proceed again in December.

Commissioner Allen also noted that the Planning Commission never voted down the purchase of

the property by the City, although she acknowledged they have voted down development proposals.

On motion by Donna Allen, Commissioner, seconded by Paul Kelly, Commissioner, continue the item to a Special Meeting on Wednesday, November 12th, for further information to be presented by staff, incorporating Commission input in the staff report. Motion unanimously passed 7 - 0. Yes: Donna Allen, Commissioner Dwayne Glemser, Commissioner Kimberley Glover, Commissioner Jeffrey Keller, Commissioner Paul Kelly, Commissioner Gabriel Lemus, Commissioner, Sigrid Waggener, Commissioner.

### **COMMISSION ITEMS**

3. [Election of Chair and Vice Chair.](#)

On motion by Donna Allen, Commissioner, seconded by Paul Kelly, Commissioner, Nominate Commissioner Waggener to serve as Chair and Commissioner Keller as Vice Chair. Motion unanimously passed 7 - 0. Yes: Donna Allen, Commissioner Dwayne Glemser, Commissioner Kimberley Glover, Commissioner Jeffrey Keller, Commissioner Paul Kelly, Commissioner Gabriel Lemus, Commissioner, Sigrid Waggener, Commissioner.

### **STAFF ITEMS**

None.

### **COMMUNICATIONS**

None.

Chair Waggener adjourned the meeting at 9:30 p.m. to a Special Meeting, Wednesday, November 12th at 7 p.m.

Respectfully Submitted

Approved by the Planning Commission  
Chairperson

Mary Hougey

Sigrid Waggener, Chair