



# AGENDA

## VALLEJO PLANNING COMMISSION REGULAR MEETING – 7:00 P.M

Landis Graden  
Marvin Kinney  
Roberto Cortez  
Anthony Adams  
Karimah Karah  
Robert Schussel  
Jim Scoggin

City Hall  
555 Santa Clara Street  
Vallejo, CA 94590

### NOVEMBER 18, 2013

This AGENDA contains a brief general description of each item to be considered. The posting of the recommended actions does not indicate what action may be taken. If comments come to the Planning Commission without prior notice and are not listed on the AGENDA, no specific answers or response should be expected at this meeting per State law.

**Agenda Items:** Those wishing to address the Commission on a scheduled agenda item should fill out a speaker card and give it to the Secretary. Speaker time limits for scheduled agenda items are five minutes for designated spokespersons for a group and three minutes for individuals.

**Notice of Availability of Public Records:** All public records relating to an open session item, which are not exempt from disclosure pursuant to the Public Records Act, that are distributed to a majority of the Planning Commission will be available for public inspection at City Hall, 555 Santa Clara St., 2<sup>nd</sup> Floor, or the Vallejo Public Library, 505 Santa Clara St. at the same time that the public records are distributed or made available to the Planning Commission. Such documents may also be available on the City of Vallejo website at [www.ci.vallejo.ca.us](http://www.ci.vallejo.ca.us) subject to staff's ability to post the documents prior to the meeting.

**Disclosure Requirements:** Government Code Section 84308 (d) sets forth disclosure requirements which apply to persons who actively support or oppose projects in which they have a "financial interest", as that term is defined by the Political Reform Act of 1974. If you fall within that category, and if you (or your agent) have made a contribution of \$250 or more to any commissioner within the last twelve months to be used in a federal, state or local election, you must disclose the fact of that contribution in a statement to the Commission.

**Appeal Rights:** The applicant or any party adversely affected by the decision of the Planning Commission may, within ten days after the rendition of the decision of the Planning Commission, appeal in writing to the City Council by filing a written appeal with the City Clerk. Such written appeal shall state the reason or reasons for the appeal and why the applicant believes he or she is adversely affected by the decision of the Planning Commission. Such appeal shall not be timely filed unless it is actually received by the City Clerk or designee no later than the close of business on the tenth calendar day after the rendition of the decision of the Planning Commission. If such date falls on a weekend or City holiday, then the deadline shall be extended until the next regular business day.

Notice of the appeal, including the date and time of the City Council's consideration of the appeal, shall be sent by the City Clerk to all property owners within two hundred or five hundred feet of the project boundary, whichever was the original notification boundary.

The Council may affirm, reverse or modify any decision of the Planning Commission which is appealed. The Council may summarily reject any appeal upon determination that the appellant is not adversely affected by a decision under appeal.

If any party challenges the Planning Commission's actions on any of the following items, they may be limited to raising only those issues they or someone else raised at the public hearing described in this agenda or in written correspondence delivered to the Secretary of the Planning Commission.

	Vallejo City Council Chambers is ADA compliant. Devices for the hearing impaired are available from the City Clerk. Requests for disability related modifications or accommodations, aids or services may be made by a person with a disability to the City Clerk's office no less than 72 hours prior to the meeting as required by Section 202 of the Americans with Disabilities Act of 1990 and the federal rules and regulations adopted in implementation thereof.
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If you have any questions regarding any of the following agenda items, please call the assigned planner or project manager at (707) 648-4326.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF THE MINUTES**
  - A. November 4, 2013
5. **WRITTEN COMMUNICATIONS**
6. **REPORT OF THE SECRETARY**
  - A. Upcoming Meetings:
    - December 2, 2013: Public Hearing on Nonconforming Code Amendment (Tentative)  
Public Hearing on Home Occupation Code Text Amendment (Tentative)  
Use Permit to establish a brewpub, brewery tap room and wine tasting room with alcohol sales in the Ferry Terminal Building (Tentative)
    - December 16, 2013: This meeting will be canceled.
    - December 17, 2013: Medical Marijuana Study Session (Tentative)  
(Special Meeting) Use Permit to extend hours of operation at a pool hall (Tentative)  
Planned Development permit for a self-storage facility (Tentative)
7. **CITY ATTORNEY REPORT**
8. **REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS**
  - A. Report of the Presiding Officer and Members of the Planning Commission
  - B. Council Liaison to Planning Commission
  - C. Planning Commission Liaison to City Council
9. **COMMUNITY FORUM**

*Anyone wishing to address the Commission on any matter for which another opportunity to speak is not provided on the agenda, and which is within the jurisdiction of the Commission to resolve, is requested to submit a completed speaker card to the Secretary. When called upon, each speaker should step to the podium, state his/her name and address for the record. The conduct of the community forum shall be limited to a maximum of fifteen (15) minutes, with each speaker limited to three minutes pursuant to Vallejo Municipal Code Section 2.20.300. The Commission may take information but may not take action on any item not on the agenda.*

**10. CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

*Consent Calendar items appear below, with the Secretary's or City Attorney's designation as such. Members of the public wishing to address the Commission on Consent Calendar items are asked to address the Secretary and submit a completed speaker card prior to the approval of the agenda. Such requests shall be granted, and items will be addressed in the order in which they appear in the agenda. After making any changes to the agenda, the agenda shall be approved.*

*All matters are approved under one motion unless requested to be removed for discussion by a commissioner or any member of the public.*

**11. PUBLIC HEARING**

- A. **Project Title:** Use Permit #13-0006 (*This project was continued from the November 4, 2013 meeting*)
- Applicant:** Lance Kiser
- Location:** 1861 Solano Avenue
- Project Description:** The application is a proposal to establish a commercial use on the site of a former used car sales lot at the northeast corner of Solano and Mayo Avenue. Potential uses for the lot include: moving truck rentals (including car dolly rental), car rentals, and used vehicle sales (including r.v.'s and boats). Proposed hours of operation are 8 a.m. to 7 p.m., Monday-Sunday.
- Environmental Determination:** Pursuant to the California Environmental Quality Act (CEQA), the proposed project qualifies for a Class 32 Categorical Exemption, Section 15332 (In-Fill Development Projects) of Title 14 of the California Code of Regulations.
- Staff Recommendation:** Adopt a Resolution Approving Major Conditional Use Permit #13-0006 subject to the Conditions of Approval and consideration of finding the project exempt from the California Environmental Quality Act.
- Project Manager:** Marcus Adams, (707) 648-5392  
[marcusadams@ci.vallejo.ca.us](mailto:marcusadams@ci.vallejo.ca.us)

**i. Disclosure of Ex Parte Communications**

**12. ADJOURNMENT**

# Minutes

**CITY OF VALLEJO PLANNING COMMISSION  
REGULAR MEETING MINUTES  
COUNCIL CHAMBERS  
NOVEMBER 4, 2013**

**1. CALL TO ORDER**

The meeting was called to order by Chair Graden at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

**Present:** Chair Graden, Vice-Chair Kinney, Commissioners Adams, Cortez, Karah, Schussel and Scoggin

**Absent:** None

**Staff present:** Planning Manager Ouse, Planning Secretary Trybull and Assistant City Attorney Khalsa

**4. APPROVAL OF THE MINUTES**

A. October 21, 2013

**Action:** Moved by Vice-Chair Kinney and carried unanimously to adopt the minutes of the October 21, 2013 meeting.

**5. WRITTEN COMMUNICATIONS**

A. E-mail from Commissioner Adams proposing changes/additions to the conditions of approval for Item 11A.

B. E-mail from Jennifer & Bill Bollinger stating their opposition to alcohol sales at Walgreens (Item 11B).

**6. REPORT OF THE SECRETARY**

A. Upcoming Meetings:

November 18, 2013: Public Hearing on Nonconforming Code Amendment (Tentative)

December 2, 2013: Code Text Amendment for a Home Occupation Ordinance (Tentative)

Use Permit to establish a brewpub, brewery tap room and wine tasting room with alcohol sales in the Ferry Terminal Building (Tentative)

Planning Commission Training: CEQA

Planning Manager Ouse provided a report covering item A as noted above.

**7. CITY ATTORNEY REPORT – None**

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**8. REPORT OF THE PRESIDING OFFICER AND MEMBERS OF THE PLANNING COMMISSION AND LIAISON REPORTS - None**

A. Report of the Presiding Officer and Members of the Planning Commission

B. Council Liaison to Planning Commission

C. Planning Commission Liaison to City Council

**9. COMMUNITY FORUM - None**

**10. CONSENT CALENDAR AND APPROVAL OF THE AGENDA**

**Action:** Moved by Vice-Chair Kinney and carried unanimously to approve the Consent Calendar and Agenda.

**11. PUBLIC HEARING**

A. Use Permit #13-0006 (Commercial use on the site of a former used car sales lot at 1862 Solano Avenue)

Recommendation: Adopt a Resolution Approving Major Conditional Use Permit #13-0006 subject to the Conditions of Approval and consideration of finding the project exempt from the California Environmental Quality Act.

Contact: Marcus Adams, (707) 648-5392

i. Disclosure of Ex Parte Communications

Commissioners Scoggin and Kinney reported visiting the site.

Staff presented the project and recommendation.

Commissioners asked questions of staff.

Staff responded to questions and comments from the commissioners.

Commissioner Adams proposed changes to Condition #5.

The applicant (Lance Kiser) presented the project.

Commissioners asked questions of the applicant.

Commissioners provided comments and had additional questions for staff.

Staff and the applicant responded to questions and comments from the commissioners.

**Action:** Moved by Commissioner Schussel and carried unanimously to continue the item to the November 18, 2013 Planning Commission meeting to allow staff and the applicant to make changes to the proposal.

- B. UP#13-0009, PCN#13-0003 (Walgreens Type 21 alcohol license)  
Recommendation: Adopt a Resolution Approving the Major Conditional Use Permit, subject to the Conditions of Approval.  
Contact: Bill Tuikka, (707) 648-5391

i. Disclosure of Ex Parte Communications - None

Staff presented the project and recommendation.

The applicant (Dan Kramer) presented the project.

Commissioners asked questions of staff and the applicant

Staff and the applicant responded to questions and comments from the commissioners.

Chair Graden opened the Public Hearing.

**Speaker:** Emilio Alonso (Walgreens Store Manager)

Planning Manager read into the record the receipt of an e-mail opposing the project.

Chair Graden closed the Public Hearing.

**Action:** Moved by Commissioner Schussel and carried unanimously to approve Resolution PC 13-20.

**12. OTHER**

**A. Planning Commission Training – Conflicts**

Assistant City Attorney Khalsa gave a presentation on ethics and the Political Reform Act, including Form 700 and gifts.

**13. ADJOURNMENT**

The meeting adjourned at 8:41 p.m.

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LANDIS GRADEN, CHAIRPERSON

ATTEST:

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LESLIE TRYBULL  
PLANNING SECRETARY



# Staff Reports



MEMORANDUM  
PLANNING DIVISION

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**DATE:** November 13, 2013  
**TO:** Vallejo Planning Commission  
**FROM:** Marcus Adams, Associate Planner  
**VIA:** Andrea Ouse, Planning Manager  
**SUBJECT:** 1861 Solano Avenue/Use Permit #13-0006 Update

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The following is a status update regarding unresolved issues raised at the November 4, 2013 Planning Commission hearing for a proposal to establish a commercial use involving the rental of vehicles and moving trucks as well as the sales of vehicles, boats, and RV's, on the site of a former used car sales lot at 1861 Solano Avenue.

**Circulation and Parking** - The applicant has agreed to provide an additional customer parking space (five total) and is revising his site plan to address interior circulation from the site to the public right-of-way. According to the applicant, the revisions will include widening the driveways to meet City standard for a one-way drive aisle. The revised plans have not yet been submitted to the Planning Division for review but are anticipated for submittal the week of November 25<sup>th</sup>.

**Landscaping/Fencing** - Staff will conduct a site visit this week to determine if on-site trees should be retained or replaced. If the trees are determined to be in healthy condition and not impeding proposed gate locations, staff will recommend retention of the trees and measures to ensure the trees are properly protected.

**Lighting** - The applicant's lighting consultant is revising his submittal to address modifications to the original proposal, which did not meet the city's Outdoor Lighting Recommendations. These revisions are expected to include new shielded floodlight fixtures with reduced wattage HPS (high pressure sodium) bulbs.

**Boats** - The applicant has agreed to restrict maximum boat height to six feet.

**Building** - Proposed upgrades to the office building include a new handicap accessible ramp and power wash of exterior walls.

**Recommendation**

Continue the public hearing to December 17, 2013 to resolve the above-cited issues.