



AGENDA

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

Landis Graden, Chairperson
Marvin Kinney, Vice-Chair
Roberto Cortez
Anthony Adams
Karimah Karah
Robert Schussel
Jim Scoggin

City Hall
555 Santa Clara Street
Vallejo, CA 94590

JUNE 16, 2014

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., 2nd 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 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.
--	--

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. None

5. WRITTEN COMMUNICATIONS

6. REPORT OF THE SECRETARY

A. Upcoming Meetings:

July 7, 2014 Planned Development Unit Plan 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 the General Plan Working Group

D. 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 Permits (UP) #14-0006
Public Convenience or Necessity #14-0001**
- Applicant: Tim MacDonald
Vallejo Community Arts Foundation (VCAF)
- Location: 330 Virginia Street
- Description: The applicant is proposing to serve alcohol during live performances and special events at the Empress Theatre. The theater would offer beer, wine and distilled spirits seven days per week from 12:00 noon to 12:00 midnight. Alcohol service would be limited to scheduled events only. No interior or exterior improvements to the building or site are proposed as part of the project.
- Proposed Environmental Determination: A finding of Public Convenience or Necessity (PCN) is required because the theater is located in Census Tract 2509 which is over-concentrated with on-sale alcohol licenses. A major use permit is required for on-site alcohol sales within the Downtown Specific Plan area.
- Staff Recommendation: The proposed project is exempt from the California Environmental Quality Act pursuant to Section 15301 of Title 14 of the California Code of Regulations, which provides a Class 1 Categorical Exemption for negligible expansion of an existing use.
- Project Manager: Adopt the attached Resolution Approving the Major Conditional Use Permit and PCN based on the findings contained in the Resolution, subject to the Conditions of Approval contained in Exhibit A to the Resolution.
Michelle Hightower, (707) 648-4506
mhightower@ci.vallejo.ca.us

i. Disclosure of Ex Parte Communications

12. OTHER

- A. Planning Commission Training – Conditions of Approval

13. ADJOURNMENT